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THE N.A.S.A.O. YEAR IN REVIEW*

Fred B. Sheriff†

It has become the custom for the President of the National Association of State Aviation Officials to bring together at the end of his year's work his observations on the state of the Nation, so to speak, so far as our interest in aeronautics is concerned. You will notice that we are omitting entirely any mention of military aeronautics.

We feel that we are in a position to analyze quite wide-spread views on the present status of aviation in this country, and probably conclude therefrom certain recommendations that should be timely. The past year has demonstrated that this Association occupies a unique position, which makes it possible for us to supply a certain brand of helpfulness and leadership which no other organization is in a position to render. If we are to maintain this position, we must at all times be on the look-out to remain entirely non-political, and so far as other agencies are concerned we must cooperate without being adversely critical.

It is your speaker's opinion that there runs all the way through the flying game a "common denominator" of genuine interest that has to do, first of all, with the advancement of aviation, and I have found at times that misunderstandings have been caused because some individual or group was a little bit too zealous in trying to further only his branch of the industry as he saw it. It behooves us, therefore, to try to keep both feet on the ground, to be studious and fair-minded, and to set an example for conservativeness and extreme sanity, if possible. There is no substitute for common sense.

From our point of view there are several high lights in the aviation picture, which I should like to dwell on rather briefly. First, is the problem of "Safety in Air," which has recently received an unusual amount of attention, and I am sure that this will be all for the good, although at first thought, it does not appear that the findings of the Copeland Committee have really added

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everything to the recommendations contained in the report of the Federal Aviation Commission of January, 1935.

The damaging consequences of political interference that have come to light, both national and in the various states, are something that must also be at least touched upon.

Second, I am going to refer briefly to the WPA airport program, which has been a great help to the Nation in the development of ground facilities, but at the same time has been only a partial success.

Third, the development of traffic on the airlines and the prospect of an enormous expansion in miscellaneous flying, I am convinced, are going to give rise to traffic control problems, which certainly will be difficult to handle. We can be proud of the fact that the Bureau of Air Commerce has made a very commendable start in the right direction, as regards traffic control.

Only a superficial study of the three highlights that I have mentioned will emphasize the fact that the assistance of the states is going to be badly needed in all of these matters in order to round out the preparations for fostering aeronautics and also providing necessary regulation. During the past winter a few more states have adopted a state code similar to the Uniform State Aeronautical Regulatory Act which we adopted in Cheyenne in 1934, but there are still a number of states that do not have the right kind of legislative background for their aeronautical set-up.

On the matter of Safety in Air, I wish to elaborate. The crux of the whole thing seems to depend upon the advisability of establishing both at Washington and for the various states, commissions on aeronautics, made up of technicians who cannot be subjected to the hazards of politics. On this question we entertain absolutely no doubt, and feel that ninety-nine per cent of the well-informed people in aviation hold with us the same belief. We are of the opinion that the recommendations of the Federal Aviation Commission as outlined in their report in January, 1935, have not been improved upon. The Commission's report recommended that the nation should have an Air Commerce Commission appointed by the President with broad advisory powers, and that such commission should hold office for a long period of years, to be non-political in nature, and made up of the best technicians available. The Hearings of the Copeland Committee, it seems, have merely served to emphasize the sanity of the conclusions of the Federal Aviation Commission. I cannot admit that the Copeland Committee has done any very great work outside of probably
educating a number of Senators and Congressmen to the effect that they were not as air-minded as they thought they were, and that aviation is very much of a specialized business that should be treated as such. These hearings did make it possible to provide the Bureau of Air Commerce with a larger budget than it had before, but I cannot see where they have brought to light any particular need of the industry that would not have been taken care of if the recommendations of the Federal Aviation Commission had been carried out. To some extent, the hearings have confused the issue by leaving the impression that a laxity has existed at times either on the part of airlines or with the Bureau of Air Commerce employees. Possibly a little laxity has existed, but it is nothing to compare with the laxity of a Congress that has not been properly informed on the highly specialized nature of this industry. Congress cannot hope to be properly informed so long as it attempts to function without even having special committees on aviation in both the House and Senate. Ever since the cancellation of air mail contracts, the Administration has repeatedly demonstrated that aviation in this country has outgrown its understanding, and I am sorry to say that by the same token a similar condition exists in many of the states.

Your President is rather impressed with the fact that the proceedings of these congressional hearings recently referred to, which cover approximately 1,350 pages of fine print, seem to contain only a very few pages regarding the problem of improving safety in the air so far as miscellaneous flying is concerned. When we stop to realize that there are about 40 miscellaneous pilots to one airline pilot, that accidents in miscellaneous flying occur about ten times as often as accidents in scheduled airline operations, and that there are twelve times as many casualties in miscellaneous operation, I cannot for the life of me understand why Senator Copeland's Committee did not spend more time on the subject of miscellaneous flying. While the airlines are expecting to handle a total of approximately a million passengers in 1936, we find that miscellaneous pilots have already carried 1,287,000 passengers in 1935. As evidence of the fact that this large number of passengers has been handled with only a part of the caution and thoroughness exercised in a scheduled airline operation, we are confronted with the condition that about twelve times as many people are being killed in miscellaneous flying as otherwise. Along this same line I want to point out that Department of Commerce Bulletin on Civil Aircraft Accidents, published May 15, 1936, shows
that miscellaneous operators in 1932 had an accident for every
355,000 miles flown, and in 1935 this figure was raised to 536,000,
which shows only approximately a 25% improvement. This is not
a satisfactory improvement in the record when one considers the
vast improvement in the design of aircraft used in miscellaneous
flying. The increase in safety in the airlines from 1930 to 1935 was
1700%. I wish to call your attention to two other interesting
figures on page 271 of the same bulletin. It shows that there were
only 141 violations of Air Commerce regulations which resulted
in accidents and I take this to mean that this constitutes a large
part of the violations that the Bureau of Air Commerce has re-
corded. In other words, it appears that they are only cognizant
of a very small percentage of violations that are taking place. I
dare say that the number of violations listed on page 271 would
look more like the actual number of violations that could take
place at any one of our cities, instead of appearing to represent
the entire number of infractions of the whole United States. Does
this not go to show that without more far reaching assistance from
both the states and a Federal Bureau that should be more extensive
than the present Bureau of Air Commerce, the largest element of
hazard in aviation today is not going to be adequately coped with.
Can anyone advance any reason why miscellaneous operators and
private pilots should not be required to exercise the same care
and thoroughness that the airlines are demonstrating? Still we find
that Congress will spend a good many thousands of dollars in-
vestigating the Bureau of Air Commerce and the manner in which
airlines are operating and leave miscellaneous flyers to continue to
function in the same haphazard fashion they have enjoyed in the
past. I am forced again to refer to the conclusions of the Federal
Aviation Commission which recommended the establishment of a
Federal Commission as mentioned previously, and also recom-
manded that the several states should adopt substantially uniform
aeronautical regulatory laws at a reasonably early date and even
went so far as to say that if this was not done a Constitutional
Amendment should be adopted to give the Federal Government
exclusive control over all phases of civil aeronautics within the
United States.

A federal commission on air commerce, working in coordina-
tion with the various state commissions, could very easily render a
far more wide-spread enforcement of regulations and also put
across a positive educational program that would make all air
men, in the category of “miscellaneous flying,” come to realize that
their part of the industry is not showing proper caution. Working along this line our Association tried to start a “Fly Safely” campaign, which we hoped would gain momentum, but it did not go far enough. Outside of contributing a few magazine articles and circularizing all pilots in the United States with a letter and a blotter containing six points of caution, we did not accomplish much. We are convinced, however, that here lies a very promising field of education that will offer handsome rewards, and we commend it to the attention of any Senate Committee that wants to make a real recommendation to Congress.

Before leaving the subject of Safety in Air, I want to remind you that when the President appointed a commission in 1934, the impression was given out that the recommendations of that commission would carry considerable weight in shaping up much needed legislation. This commission, it was conceded, did a fine piece of work, and its conclusions were quite generally accepted by the industry as being very sane and well thought out. What was accomplished as a result of their excellent study? To date, practically nothing. The Chief Executive stated, I think, that it was not an opportune time to try to carry out the more important recommendations of the commission. The most plausible explanation that has come to light for shelving the report, was the stubbornness with which Federal Departments, that had a hold on aviation, resisted losing that hold for the sake of a consolidation. We should like to ask where in the name of heaven did Mr. Farley ever exhibit any qualifications for handling any department in aeronautics, and why should the Post Office Department be permitted to prolong the procedure of making political capital out of the airlines?

In order to be as constructive as possible your officers recognized almost a year ago that we should exert every possible effort to coordinate the activities of state officials with the Bureau of Air Commerce, and we thereupon asked for an invitation to Washington so that our Board of Governors could have an intensive conference with the Bureau of Air Commerce. Such a conference was held last January and all of our state officials that attended the meeting left Washington feeling that we had made a large stride forward by establishing a closer relationship between our organization and the Federal Bureau. We were told at that conference that the Bureau of Air Commerce not only intended to work with us, but that they recognized that our assistance would actually be needed when it came to coping with the problems of
increasing air traffic, various types of infractions, and the work of airport construction. We were told to go home and set up an organization paralleling that of the Bureau of Air Commerce, so that our Association would have departmental heads that could work in closer harmony with the department heads of the Bureau. It was planned at that meeting last January, that for the public benefit, a Department of Commerce bulletin should be published and magazine articles should be prepared, written jointly by the officials of both State and Federal agencies, explaining the functions and relationships of both agencies so that a closer knit organization would be effected and better team work established.

A letter from the Assistant Secretary of Commerce eight months later makes it clear that the Bureau of Air Commerce is desirous of cooperating with the States in many ways, but it also is easy to read between the lines that there are certain limitations placed upon the activities of the present Bureau, and I for one, feel that as long as these limitations exist, aviation in this country will not be permitted to go ahead as it should. For instance, the Department of Commerce finds that although it needs the assistance of the States and State officials in the matter of coping with local infractions and intra-state commerce, yet it cannot make a definite recommendation to any State in the Union regarding the adoption of the Uniform State Aeronautical Regulatory Act, which we unanimously approved at our annual conference in 1934. Contrary to this position, we wish to quote from the report of the Federal Aviation Commission as follows:

"... the commission believes that the early passage of this act by the several States is desirable in the interest of uniformity of regulatory legislation, and it is recommended that the Federal government urge the various States to secure its enactment into law. We believe that such enactment would solve most of the present problems of conflict of jurisdiction and of rule."

To me this backward stand of the present Bureau is not necessarily an act of timidity but springs largely from an administrative policy to sidestep anything that looks like an acknowledgment of states rights.

At the outset of this brief paper I saw fit to remark that it is not our purpose to be unnecessarily critical. At this point I want to emphasize that we do not propose to be critical of any personnel, but that we feel that the present Federal set-up as a system for sponsoring and regulating aeronautics can be improved upon.
On the subject of airport work, it should be said for our Association that we are all exceedingly grateful for the Federal aid that has made possible the expending of some forty-one millions of dollars under the WPA program and probably twice this amount under the FERA and CWA. There is no doubt but that this development work has advanced aeronautics in this country at least several years, and by the same token I think it can be claimed that Federal assistance in the construction and maintenance of municipal airports can very advisedly be continued. It has been said that the WPA airport program is only partially successful, and with the hope that a repetition of mistakes may be avoided, it is my responsibility to mention two or three troublesome variations that have been rather noticeable. In the first place it was a decided set back to this program to have an executive order issued to the effect that work could not be continued on airport sites that were leased by the local municipality. It is almost inconceivable that the few airport projects that were under way on leased ground, which we were not permitted to complete, should ever have made too many landing fields for this country, and we are wondering, if, for the benefit of the industry, and also for the benefit of our National integrity, it should not have been better to have made useable the unfinished landing fields that were started on leased ground.

Later on considerable trouble developed in various States because the promise had been made to the effect that, if the local municipality would provide acceptable land for development, the WPA agency would complete airports on these sites. I am informed that in many cases work was not even begun and that in others the fields have been left in unfinished conditions after the cities, at the direction of the Federal government, had made rather substantial investments for this particular purpose. The WPA organization should be very careful not to invite cities to buy airport sites unless they are prepared to stand by their part of the bargain.

Then again there has been a rather varying policy as to who should supply the engineering and supervision. It seemed to be the logical step for the WPA office at Washington to look to another Federal agency, the Bureau of Air Commerce, to supply technical supervision. It has been explained to this Association that this move was necessary because it did not appear proper to have State officials act both as sponsors and supervisors. We cannot concur in this view, because the responsibility of sponsoring in practically every case was that of the local municipality, and also because the record made by State officials under CWA for actually getting
work done, has not been equalled under either of the more recent relief programs. It seems to me that we are again brought face to face with the position that if we had had the Federal Aviation Commission as recommended, to work in conjunction with the various State Commissions, all of these difficulties and many other inefficiencies could have been avoided. The record, for instance, of the Bureau of Public Roads and the State Highway Commissions in this respect is quite different from our own. Again I wish to make special mention of the fact that these remarks are not intended to be derogatory of anyone in the Department of Commerce. I find, for instance, that the department on airports and air-marking has done just as good a job as could have been done, in view of the limitations and restrictions that apparently came from higher up.

On the subject of increasing air traffic I wish to make only brief mention because this matter has to do particularly with the operation of airlines; and all features of inter-state commerce lie pretty well outside of our jurisdiction. There is, however, one phase of the subject that we cannot ignore. The remarkable improvements in aircraft of all sizes that have taken place in recent years, on account of the development work of the Bureau of Air Commerce, and the NACA laboratories, and also private research, will undoubtedly give rise to rapidly increasing numbers of small ships in the air. We must admit that a large percentage of these small planes are going to operate largely within the confines of State boundaries and will probably not operate commercially, so that they are going to come under the jurisdiction of the local municipality or State, except when doing instrument flying on civil airways. This overlapping of jurisdiction will require a very close coordination between the federal and State agencies. If we are to look ahead and attempt to prepare to take care of an industry that is growing rapidly, we are obliged to provide a uniformity of State jurisdiction that will simplify the problem of taking care of miscellaneous planes and pilots, rather than to complicate the problem.

Your President is convinced that the problem of traffic control is very closely associated with, and almost becomes a part of, the problem of maintenance and operation of municipal airports. This takes us back to the question of who should pay for the supervision and operation of terminal facilities, and I feel certain that the only fair solution is going to lie along the lines of having the operations conducted jointly by the Federal government and the local mu-
municipality, probably on a plan similar to the present set-up followed by the various State Highway Commissions. In this matter of traffic control, as in the problems of safety, regulation, and airport construction, there appears always to be the same answer, and that is to have properly organized State Commissions working under the jurisdiction of, and in close cooperation with, a Federal Aviation Commission.

As a result of this sketchy analysis your speaker can arrive at only one conclusion. It is that the finest piece of work which our Association can undertake, would be to urge the establishment of a Federal Aviation Commission in the City of Washington and State Commissions in the various States that do not, as yet, have such bodies. It is our idea that such a Federal Commission would do all of the work that is now being done by the Bureau of Air Commerce, the Interstate Commerce Commission, the Department of State, the Weather Bureau of the Department of Agriculture, and assume most of the responsibility that has been vested in the Post Office Department and various other Federal agencies. We are apprehensive of the outcome of our pet industry if it is not given a department of its own and its individuality preserved. Everyone seems to want to have a hand in the flying game, but very few are qualified. To those of us who can visualize the possibility of aircraft as a very potent instrument of transportation, it is hard to understand why congressmen and laymen should not give us the place in the sun to which we are entitled. In this connection I should like to quote a few words from the pen of our very able pioneer, Colonel Lindbergh, when with his alarming emphasis he exploded a verbal bomb before a Nazi aviation meeting in Berlin last July. He said, in part:

“We have lived to carry on our shoulders the responsibility for the results of our experiments, which, in other fields, have been passed on to future generations. Aviation has created the most fundamental change ever made possible in war. It has dissolved what we call defensive warfare . . . and we can no longer protect our families with an army. A new security must be found. It must be dynamic and not static—a type of security which rests in intelligence and not force.”

It is our purpose, therefore, to undertake as ably as possible the work of fostering the establishing of a Federal Aviation Commission in Washington and appropriate State Commissions in some of the States.

So far as the idea of this campaign for a new commission is concerned we agree to pool our efforts and resources with those
of all other aviation organizations that are interested in this project. It is no concern of ours as to who shall be the leader or who shall reap the rewards. We are principally after results. It is proposed that our Board of Governors, along with the executive staffs of other organizations, such as the Aeronautical Chamber of Commerce, the Air Transport Association of America and the National Aeronautic Association, and any others interested shall promptly hold a round-table discussion for the purpose of deciding upon a proper clearing house and sponsors to put over such legislative program, and it is your President's ardent wish that in this program the National Association of State Aviation Officials will have an active part.