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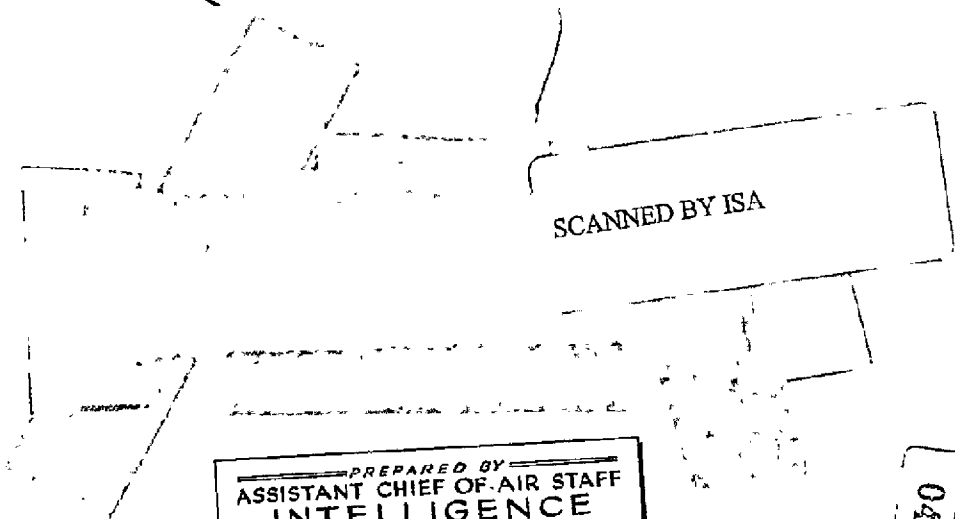
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ORGANIZATION OF MILITARY AERONAUTICS

1907 — 1935

*(Congressional &
War Department Action)*

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ORGANIZATION OF MILITARY AERONAUTICS
1907-1935

(Congressional & War Department Action)

Prepared by
Assistant Chief of Air Staff, Intelligence
Historical Division
December 1944

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It is the desire of the President, the Secretary of War, and the Commanding General, AAF that a solid record of the experiences of the Army Air Forces be compiled. This is one of a series of studies prepared as "first narratives" in the projected over-all history of the AAF.

The decision to make the information contained herein available for staff and operational use without delay has prevented recourse to some primary sources. Readers familiar with this subject matter are invited to contribute additional facts, interpretations, and constructive suggestions. To this end perforated sheets, properly addressed, may be found at the back of the study.

This study will be handled in strict compliance with AR 380-5.

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Organization of Military Aeronautics, 1907-1935
(Congressional & War Department Action)

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INTRODUCTION

Almost from the beginning of military aeronautics in the United States there has been a well-defined movement to secure a greater degree of autonomy for aviation. This movement first took the form of agitation for separation from the Signal Corps which had originally controlled it. Following World War I air veterans urged complete severance from the Army, advocating first a department of aeronautics and when that appeared impossible of attainment initiated proposals for a department of national defense in which aviation would be coordinate with the Army and Navy. They secured the organization of the air arm as a corps of the War Department but failed to realize either of their major objectives. The more conservative officers then compromised on a mobile, striking GHQ Air Force based upon the concept of air power as an offensive weapon.

This study describes the attempts of Congress and the War Department to determine the appropriate place for the air arm in the nation's defense organization. Based on legislative materials and the action of War Department boards, it is limited to authorizations for external organization.

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Chapter I

MILITARY AERONAUTICS AS A PART OF THE SIGNAL CORPS

For many years prior to 1907 the Army had been experimenting with military aeronautics. Though the nearest approach to an aeronautics service had been the Balloon Corps of the Civil War and the balloon detachment of the Spanish-American War, both of which were subsequently inactivated, interest in military aeronautics continued and grew in intensity as scientific experimentation demonstrated the practicability of aerial flight.

With the creation of the Signal Corps on 1 July 1891 there came into existence a branch of the Army which was particularly fitted to promote the study of military aeronautics. Brig. Gen. Adolphus W. Greely, the first Chief Signal Officer, promoted the observation balloon service and encouraged Dr. Samuel Pierpont Langley in his aeronautical research. The annual reports of General Greely and his successor, Brig. Gen. James Allen, during the period 1892 to 1907 called attention to aeronautical developments both abroad and in the United States and urged appropriations by Congress which would enable the Signal Corps to utilize the results of aeronautical experimentation in military reconnaissance.

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1. Report of the Chief Signal Officer (1892-1907).

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After the turn of the century aeronautical enthusiasm was increased as a result of experimentation by Langley and the Wright Brothers and the sporting activities of the Aero Club of America, an organization devoted to the sport of ballooning and the encouragement of inventors² working on airplanes, helicopters, and ornithopters. It was not until 1907, however, that the Signal Corps began to plan for a definite aeronautical division. In the spring of that year a balloon was purchased from the firm of Louis Godard in Paris, and a balloon detachment of enlisted men was detailed to the Jamestown Exposition, held in celebration of the tercentenary of the settlement of Jamestown. Later in the year these men were ordered to report for instruction in the handling³ of aeronautical equipment.

On 1 August 1907, upon the recommendation of Maj. George O. Squier, the Executive Officer, the Chief Signal Officer announced the creation of the Aeronautical Division within the Signal Corps which would have charge of all matters pertaining to "military ballooning, air machines, and all kindred subjects." Detailed in charge of the new division was Capt. Charles deForest Chandler, a Signal Corps officer who had long⁴ been vitally interested in military aeronautics. The personnel of the

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2. Charles deForest Chandler and Frank P. Lahm, How Our Army Grew Wings, 54.
 3. Ibid., 78-79.
 4. Office memo, OCSigO, 1 Aug. 1907, quoted in Chandler and Lahm, How Our Army Grew Wings, 80.

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new division consisted entirely of men from the Signal Corps who could be spared for aviation duty. In his report for the year 1908 General Allen described the aeronautical force as consisting of three officers⁵ and 10 enlisted men.

It was soon evident that the Aeronautical Division was laboring under two serious disadvantages--lack of money and inadequacy of personnel. In 1907 the War Department submitted to Congress in its annual estimates for the support of the military establishment an item of \$200,000 to be used for aeronautical equipment and instruction. This sum was, however, struck out of the appropriation bill, placing the Army at a distinct disadvantage at the very time when most of the great world powers were building their military aeronautical services. The Board of Ordnance and Fortifications took up the matter, and from the limited appropriations made available for its work, allotted the funds which made it possible for the War Department to enter into contracts for the purchase of one plane from A. M. Herring of New York and one from the Wright Brothers of Dayton, Ohio.⁶ Though the word "balloons" appeared from year to year in the list of equipment authorized by the War Department appropriation acts, there was no direct statutory reference to Army

5. Report of the Chief Signal Officer, 1908.

6. Though the contract with the Wright Brothers was let in 1908 there was some delay in fulfilling it because of an accident which occurred during preliminary trials of the plane held at Fort Myer, Va., in September of that year. During these trials Lt. Thomas E. Selfridge of the Aeronautical Division, Signal Corps, was killed, and Orville Wright was seriously injured. Ibid., 37, 39.

REF ID: A61110

aircraft until 1911 when the Army appropriations act provided that not more than \$125,000 of the amount appropriated for the Signal Corps should be used "for the purchase, maintenance, operation, and repair of airplanes and other aerial machines."⁷ The Chief Signal Officer repeatedly pointed out in his annual reports that the sums appropriated were insufficient to keep pace in aeronautical development with other world powers.⁸ Yet the estimates for aeronautical work as submitted by the Secretary of War were very small and, for the most part, were granted by Congress without opposition. An article appearing in the magazine Flying in June 1913 explained this difference of views, as follows:⁹

The War Department is in a period of reconstruction, or better, of organization which is to change it from a mere military establishment to an efficient military organization. The work of organizing was started only a few years ago, and has been and is being carried out without help from Congress or additional means. . . . One perplexing problem that has handicapped the military authorities has been the . . . inadequate supply of absolutely necessary material such as field artillery, guns, and ammunition. This is the only reason why the Chief of Staff and the Secretary of War have not urged Congress to make large appropriations in the past two years. These authorities, though quite appreciative of the wonderful efficiency which aviation brings to the Army, feel that they should give first attention to completing their plans before considering aeronautics, particularly as they would have to slight their present work to do so.

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7. 36 Stat. 1038.
 8. Report of the Chief Signal Officer, 1908, 38; ibid. (1909), 28; ibid. (1910), 24; ibid. (1911), 23; ibid. (1912), 22.
 9. Flying, June 1913, quoted in House, Hearings on H. R. 5304, 63 Cong., 1 Sess., 259.

REF ID: A61110

The second major problem of the Aeronautical Division was one of personnel. In the days when aeronautics consisted of the management of a few balloons, the personnel of the Signal Corps was sufficient to allow the detail of the officers and men required to operate them. The first decade of the twentieth century, however, brought two significant scientific developments which were destined to increase tremendously the work of the Signal Corps. These were the developments in radiotelegraphy and aeronautics. But the increase of work did not result in an increase of Signal Corps personnel. In his annual report for 1910 the Chief Signal Officer pointed out that the Signal Corps had at that time but one lieutenant and nine enlisted men on duty in connection with aeronautics and expressed the opinion that until the Corps was increased by suitable legislation it would be impossible to furnish more officers and men "for the absolutely necessary training demanded in airmanship."¹⁰ It appears that at this period there was no plan to change the organization of the Aeronautical Division or its relationship to the Signal Corps. The Chief Signal Officer believed that if adequate funds could be appropriated and the necessary personnel authorized, the organization existing since 1907 could work efficiently.

During the years 1908, 1909, and 1910 attempts were made to secure legislation authorizing an increase in Signal Corps personnel. Three bills were introduced into Congress for this purpose (H. R. 12890, S.

10. Annual Report of the Chief Signal Officer, 1910, 26.

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230, and H. R. 16931), only one of which was favorably reported by the committee to which it had been referred.¹¹ In its report on H. R. 12890 the House Committee on Military Affairs urged that the bill be passed and stated that it "believed that no more important legislation for the effective organization of the Army can possibly be enacted than this increase of the Signal Corps."¹² None of these proposals reached the floor of either house, and it was not until the spring of 1912 that Congress showed a willingness to consider seriously the passage of legislation favorable to military aviation.

Repeated requests for an increase in aviation personnel and charges that the United States was far behind most of the world powers in military aeronautics resulted in the introduction of a resolution in the House of Representatives on 9 March 1912 by Congressman William G. Sharp¹³ (Ohio) requesting the Secretary of War to furnish information pertaining to the development of military aviation in the United States. This resolution called for information concerning (1) the advance in aeronautics in foreign countries; (2) the extent and cost of the government's equipment in aeroplanes and other aircraft and the nature of instruction in aeronautics being given to Army officers and enlisted men; and (3) plans contemplated by the War Department for increasing the equipment and personnel of the aviation service in the Signal Corps.

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11. Cong. Rec., 60 Cong., 2 Sess., 1453 (26 Jan. 1909); ibid., 61 Cong., 1 Sess., 132 (22 March 1909); ibid., 61 Cong., 2 Sess., 353 (5 Jan. 1910).
 12. H. Rept. No. 1945, 60 Cong., 2 Sess.
 13. Cong. Rec., 62 Cong., 2 Sess., 3125 (9 March 1912).

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The Committee on Military Affairs amended the resolution to "direct" rather than "request" the information specified and struck out the proviso which had called for the transmission of the report "if not incompatible with the public interest."¹⁴ The House agreed to the resolution as amended on 26 March, and shortly thereafter the Secretary of War submitted the required information.¹⁵

In describing the personnel needs for the aviation service he pointed out that there were at that time 10 officers on aviation duty and that the number could not be materially increased without further legislation authorizing additional officers for the Signal Corps. He recommended the enactment of a bill which the War Department had submitted to the House military affairs committee on 14 March 1912. This bill called for an increase in aviation personnel and for special benefits in the form of flying pay and allowances for widows and beneficiaries of men killed in line of duty.¹⁶ There is, however, no record of the introduction of this bill during the Sixty-second Congress.

In the meantime, Representative Thomas W. Hardwick (Ga.) had introduced a measure (H. R. 17256) entitled "a bill to increase the efficiency of the aviation service."¹⁷ Like the bill recommended by the War Department, it made no provision for a separate organization of

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14. H. Rept. No. 450, 62 Cong., 2 Sess.
 15. House Document No. 718, 62 Cong., 2 Sess.
 16. See "AAF Personnel Legislation, 1907-1938," a study in preparation in Administrative History Br., AFHFI.
 17. Cong. Rec., 62 Cong., 2 Sess., 736 (8 Jan. 1912).

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aviation within the Signal Corps but authorized the detail of 30 officers to the aviation service and allowed double pay and allowances to Regular Army officers who were actual flyers of heavier-than-air craft. No changes were made in the bill by the Committee on Military Affairs to which it was referred, but on the floor of the House amendments were added to provide for the limiting of its application to the next five years and to include 30 additional officers to be detailed to the Navy and Marine Corps.

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Following its passage by the House the bill went to the Senate whose Committee on Military Affairs called on the War Department for a statement of opinion in regard to it. The reply of the Secretary of War was very critical of this proposal. In the first place, the limitation of five years on the operation of the legislation had been placed in Section 1 in such a way that it made the bill inoperative for five years after its passage. Moreover, the War Department considered the 30 Army and 30 Navy and Marine officers to be detailed to aviation duty according to its terms as an inadequate number. The Secretary of War recommended that the increase in pay be limited to 50 per cent and that the provisions in Section 2 which removed limitations as to the extent of detail be removed, as he did not consider this section "to be for the best interests of the service." He explained that it was not considered desirable to keep officers on aviation duty for a period

18. Ibid., 10245-47 (5 Aug. 1912), 10264 (6 Aug. 1912).

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longer than that necessary to instruct them thoroughly in flying.

Congress took no further action until the new session convened in December 1912. Then it again turned its attention to the consideration of aviation bills. On 11 February 1913 Representative James Hay (W. Va.) introduced H. R. 28728²⁰ which provided for an Aviation Corps which would be a part of the line of the Army. This was the first bill to propose the removal of aviation from the Signal Corps. It called for a major, two captains, and 30 first lieutenants, authorized the detail of officers from other branches to the Aviation Corps, and specified that the commanding officer should be a person who had displayed especial skill and ability as a military aviator. The bill made provision for flying pay for both officers and enlisted men and created the grades of military aviator and aviation mechanician. It also contained miscellaneous provisions for pay to widows and other designated beneficiaries of aviators killed in line of duty.

The War Department did not favor H. R. 28728, but the Chief Signal Officer asked certain veteran aviators to express their opinions of the bill. One very interesting reply was received from Lt. B. D. Foulis who had been active in aviation from the very beginning of modern military aeronautics. Lt. Foulis wrote that he did not think that military aviation had developed to the point where it should be

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19. Secretary of War to Chairman, Senate Committee on Military Affairs, 20 Aug. 1912, in Sig. C. files, 29278, in National Archives.
 20. Cong. Rec., 62 Cong., 3 Sess., 3025 (11 Feb. 1913).

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placed in the Army reorganization plan as a separate unit. He also objected to the measure on the ground that it did not make provision for the captains and first lieutenants already on aviation duty. He believed, moreover, that until aviators learned more about flying and could actually qualify as having special skill and ability in military aviation, a non-flyer should be placed at the head of the service.²¹

The Chief of the Army War College Division of the General Staff, who made a careful study of the proposed legislation, protested against creating a separate corps. He pointed out that the Signal Corps had the airplanes and a system of procuring, handling, and storing aeronautical equipment which would have to be duplicated if a new corps were created. Moreover, the trained personnel ready for aeronautical duty were available to the Signal Corps. The bill was inconsistent according to this officer, because it would make the Aviation Corps part of the line of the Army, whereas its duties would seem to place it among the staff corps.²²

The opinions of Lt. Foulois and the Chief of the Army War College Division appeared to be supported by other officers of the Signal Corps who were asked to comment on the proposed legislation. An undated manuscript summarizing the attitude of Signal Corps officers toward the transfer of aviation from the corps to the line of the Army, but which

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21. Memo for CSigO by Lt. B. D. Foulois, 17 Feb. 1913, in Sig. C. files, 29278, in National Archives.
22. Chief, War College Div., WDGS (approved by the C/S) to S/W 15 Feb. 1913, in ibid.

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undoubtedly referred to this bill, stated:

In the opinion of the officers of the Signal Corps, the proposed legislation looking to the transfer of aviation from the corps to the line of the Army is unnecessary, inadequate, and instead of increasing the efficiency of aviation, will set it back for a number of years While aviation is in its first stages of development in the Army it would appear to be an act of folly to swap horses crossing the stream, or, in other words, to place aviation on a new and untried basis.

The Committee on Military Affairs, in the face of opposition from the officers most closely associated with aviation, abandoned H. R. 28728, and it was never reported to the Senate.

The following fall, however, the essential provisions of H. R. 28728 appeared in the War Department appropriation bill. In commenting on this section the Chief Signal Officer again called attention to the urgent need for additional personnel. He pointed out that it had been possible to obtain only eight officers for aviation duty up to the end of the fiscal year 1913. Since that time six more had been assigned, but it appeared improbable that any additional officers could be obtained for aviation duty unless provision were made for them by law. He stated that there would be on hand at the end of the fiscal year 1914 a minimum of 22 airplanes. With the additional appropriation of \$125,000 carried in the pending bill and with its allowance of officers at that time, the Signal Corps would have only 14 officers for the management of the 22 machines. Inasmuch as all government airplanes were designed for the

23. Undated manuscript, in ibid.

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carrying of two officers, the Signal Corps would be short 30 officers. He recommended that the bill be amended to make it conform with the special bill recommended by the War Department on 14 March 1912.²⁴ However, the recommended change was not made. The only alteration in the provision for the aviation service was a reduction in the amount of flying pay.²⁵ The bill became law on 2 March 1913. Though it gave the Signal Corps its bare minimum of 30 officers, it fell far short of providing the number needed.

Shortly before the enactment of this bill the Chief Signal Officer sent out a call for all officers then on duty connected with aeronautics in Washington to come together in order to consider and report on the legislative measures which they considered necessary to promote the aeronautical work of the Signal Corps. As soon as they agreed upon any plan they were to submit a draft of their suggestions to the Chief Signal Officer.²⁶

The board of officers thus summoned met on 24 February 1913 and drafted a bill which called for an increase in Signal Corps personnel and provided that promotion and detail of officers to the aeronautical service were to be decided by a board of officers appointed by the Secretary of War on the recommendation of the Chief Signal Officer. It also made provision for flying pay and for the payment of death

24. Ibid. Also see above, this chapter.

25. Cong. Rec., 62 Cong., 3 Sess., 4468 (1 March 1913), 4379, (1 March 1913), 4855 (4 March 1913).

26. Office memo No. 7, OCSigO, 24 Feb. 1913, in Sig. C. files, 360--Air Service, in National Archives.

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benefits to the widows or beneficiaries of flyers who lost their lives in airplane accidents while in active service. This proposed bill was signed by six officers who were at that time on aeronautical duty.²⁷

When the new aviation bill was introduced, however, it was neither the War Department bill nor the one drafted by the aeronautical officers of the Signal Corps. It was, instead, similar to H. R. 28728 which the War Department had opposed three months before.²⁸ The new bill, numbered H. R. 5304, was introduced by Representative Hay on 16 May 1913.²⁹

Beginning on 12 August lengthy hearings were held on the measure by the House Committee on Military Affairs. From the first the bill was opposed both by the War Department and by the majority of Signal Corps officers called before the committee. In a letter written to Hay on 18 August, Assistant Secretary of War Henry S. Breckinridge objected to the proposed legislation on the ground that it transferred duties handled by one branch of the service to three different branches--the Aviation Corps, the Signal Corps, and the Quartermaster Corps. Such division of duties would require that in each of these corps trained technical personnel be provided similar to that already existing in the Signal Corps. Inasmuch as aviation in the Army

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27. The board consisted of Maj. E. Russell, Signal Corps; Capt. F. B. Hennessy, Field Artillery; 1st Lt. Harry Graham, 22d Infantry; 2d Lt. Henry H. Arnold, 29th Infantry; 2d Lt. T. D. Milling, 15th Cavalry; and 2d Lt. W. C. Sherman, Corps of Engineers. In Sig. C. files, 360--Air Service, in National Archives.
28. See above, this chapter.
29. Cong. Rec., 63 Cong., 1 Sess., 1623 (16 May 1913).

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was still in its infancy and its development was along highly technical lines which could best be handled by the Signal Corps, it was his opinion that "until the technical side is much more developed . . . it would be a step in the wrong direction to change the . . . system."³⁰

The hearings centered around the question of whether aviation should take the form of a new corps or be continued within the Signal Corps. Both Assistant Secretary of War Breckinridge and Chief Signal Officer George P. Scriven protested against removing it from the Signal Corps. The Secretary of War based his argument on the need for coordination in the Army and the point of view that "the aviation service . . . is nothing but another branch of the service of information which includes all communication, observation, and recognizance [sig]."³¹

General Scriven, though strongly urging an increase in aviation personnel, believed that it would be a mistake to remove the aviation service from the Signal Corps, inasmuch as the latter had the technical information and machinery essential to the performance of the work required, as well as the personnel experienced in administering the aviation service.³²

Of the other Signal Corps officers testifying before the committee, only one disagreed with the Secretary of War and the Chief Signal Officer on the relationship of the aviation service to the rest of the

30. Assistant S/W to James Hay, chairman of House Comm. on Mil. Affairs, 18 Aug. 1913, in Sig. C. files, 360 --Air Service, in National Archives.

31. House, Hearings on H. R. 5304, 63 Cong., 1 Sess., 22-23.

32. Ibid., 6-9.

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Army. This was Capt. Paul W. Beck who urged a separate organization, though he was in doubt about the use of the word "corps" as the name of the new service. Captain Beck's support of a separate corps was based on his contention that there should be as few intermediaries as possible between the man who was doing the work and the man who controlled the work. He refuted the Signal Corps' claim to technical knowledge of aviation, calling it a "gigantic bluff," and said that his criticism would be supported by any line officer the committee might choose to call. Captain Beck urged the removal of aviation from the Signal Corps on the grounds that (1) there was no certainty that it would ever attain any size or importance under the existing organization, and (2) the longer the Signal Corps kept it the stronger its hold would become and the less the chance of getting aviation into the hands of the men who were doing the actual work. This attack on the Signal Corps brought forth a reprimand from General Scriven who told the committee the following day that the "gigantic bluff" statement of Captain Beck was not only offensive but untrue.

In the light of his later views on a separate air force, it is significant that Capt. William Mitchell was among those officers who protested against removing the control of aviation from the Signal Corps. At that time Mitchell believed that the aviation service could be made adequate simply by increasing the number of officers in the

33. Ibid., 38-40.

34. Ibid., 45.

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Signal Corps and giving aviators inducements in the form of an additional grade and promotion to a higher grade at the end of five
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years.

As a result of the hearings on the bill, the committee voted to strike out everything following the enacting clause and to substitute an entirely new bill. The new measure, instead of providing an aviation corps as a part of the line of the Army, created an aviation section in the Signal Corps with 60 officers and 260 enlisted men, the aviation officers to be made up of lieutenants selected from the line for four-year detail. It also provided for the training of aviation students, the creation of new aeronautical grades, additional pay for flying duty, and payment of benefits to the widow or other designated
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beneficiary of an aviator killed in line of duty.

In the report on the bill the Committee on Military Affairs called the attention of the House to the fact that the committee had considered the bill proposed by the War Department some time before (first submitted 14 March 1912) calling for a substantial increase in the personnel of the Signal Corps. It had, however, considered the plan embodied in the bill as reported to the House to be better and at the same time more economical than the War Department's proposal. It pointed out that it was not trying to place the aviation service upon the same plane as that of the first-class powers of Europe, but was trying to give to this service a position which would "enable it to keep

35. Ibid., 84.

36. H. Rept. No. 5304, 63 Cong., 2 Sess.

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abreast with the experiments being made in aviation." The committee expressed the opinion that the appropriations for the aviation service in the pending Army appropriation bill and the personnel provided by H. R. 5304 would enable the Army to "make the experiments necessary to a thorough knowledge of the art, and to train the number of men who may be needed for service in time of emergency."³⁷

From this point the bill encountered no serious opposition. The brief debate on its provisions in both the House and the Senate indicated a willingness on the part of the legislative branch to increase the efficiency of the aviation service which was generally recognized as being inferior to that of European powers. On 9 July 1914 the Senate passed H. R. 5304, and on 18 July it became law.³⁸ This act provided the basic organization for the air arm between 1914 and 1918. To accord the air arm legislative recognition, the law gave the aviation section definite status within the Signal Corps and by providing specific ratings and flying pay for an increased personnel made the aviation service more attractive than it had ever been. Shortly after the passage of H. R. 5304, the commanding officer of the Signal Corps Aviation School at San Diego reported to the Chief Signal Officer that the new legislation had already resulted in many benefits "far in excess of the fondest hopes of those who are conducting this work." He commented on the high-class commissioned and enlisted

37. Ibid.

38. Cong. Rec., 63 Cong., 2 Sess., 11893 (9 July 1914), 12433 (21 July 1914).

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personnel being attracted to aviation and predicted that the aviation section would experience no difficulty in bringing the commissioned and enlisted personnel up to the strength authorized by law. Moreover, it appeared that the new legislation was offering much-needed encouragement to manufacturers. Before the end of the year several of the aircraft factories had representatives at the Signal Corps Aviation School in order to keep in touch with the needs of the new section.

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Within a few weeks after the passage of the act of 18 July 1914 Europe was at war, and unprecedented attention was being given to military aeronautics. It is natural that the young American aviators, witnessing rapid aeronautical developments abroad, should chafe at the apathy of the General Staff and the restrictions being placed on them by the Chief Signal Officer. The result of this dissatisfaction was a severe rupture of relations between a number of aviation officers and their superiors and the beginning of a concerted movement for the separation of the air arm from the Signal Corps. The proposal which in 1913 and 1914 had met opposition from the majority of airmen was now supported by an increasing number of them. They turned to air-minded members of Congress for aid and found ardent advocates of separation in such men as Senator Joseph T. Robinson (Ark.) and Representatives Harry S. New (Ind.) and Charles F. Curry (Calif.)

39. Report of the Chief Signal Officer, 1914, 9.

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In the winter of 1916 Senator Robinson introduced S. J. Res. 65 calling for an investigation of the Aviation Section of the Signal Corps. ⁴⁰ In his written and oral statements made to the Senate committee on Military Affairs on 18 February 1916, Senator Robinson charged that the true condition of the Aviation Section had been deliberately withheld from the high authorities in the War Department, and that misrepresentations as to the progress being made by the aviators were being deliberately and repeatedly made to the Department. In support of this statement he made reference to correspondence between the officer in charge of the Aviation Station at San Diego and the chief of the Aviation Section and filed photostatic copies of letters purporting to show favoritism to certain officers. Three days later Senator Robinson filed another statement in which he claimed that despite the Signal Corps' report of 46 qualified flyers, an actual investigation would show that there were only 24. This statement also charged that the majority of deaths resulting from military flights were due to the use of antiquated equipment and that the training of the men was defective in many respects. ⁴¹

Shortly thereafter the Chief Signal Officer commented on the alleged conditions in a communication addressed to the Adjutant General. He blamed the friction within the Signal Corps on "a personnel of aviation officers that is unbalanced as to grades, young in years and in

40. Cong. Rec., 64 Cong., 1 Sess., 494 (5 Jan. 1916).

41. S. Rept. No. 153, 64 Cong., 1 Sess.

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service, and deficient in discipline and the proper knowledge of the customs of the service and the duties of an officer." He claimed that the motive behind what he described as their "unmilitary insubordination and disloyal acts" was an ambition to form a new and independent organization for aviation. Though strongly denying the accusations which had been made to the Committee on Military Affairs, the Chief Signal Officer recommended that changes be made in the Aviation Section and that the War Department initiate action to revise the act of 18 July 1914 in order to remove the restrictions as to age and marital status then imposed on aviation personnel. The proposed action, he maintained, would bring into the service older officers of proper age and military experience and would "do away with many of the difficulties that have beset the progress of aviation in the Army." He also recommended shifts of personnel within the Aviation Section which would place in new positions the two persons against whom most of the charges had been made.

While S. J. Res. 65 was still pending, Secretary of War Baker commented on the situation in the Aviation Section in a statement made before the Committee on Military Affairs during hearings on the military appropriation act for the fiscal year 1917. Baker described the primary difficulty as the impatience of young and eager men in the Aviation Section at the regulations and restrictions imposed by their superiors--men who knew little or nothing of flying. He admitted that

42. Draft 1st Ind. (basic unknown), OCSigO to AG,? Feb. 1916, in Sig. C. files, 41804, in National Archives.

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the situation had led to some indiscreet comment but stated that, as far as he had been able to discover, it had never led to insubordination but had been largely "tall talk." Nevertheless, he had decided to have the General Staff make a study of the whole section and to reorganize it on the basis of their study. Secretary Baker announced that there was to be a change made in the position of Chief Signal Officer and that the War Department had been fortunate to be able to take advantage of the broad scientific training and experience of Col. George O. Squier who as a brigadier general was to assume the duties of Chief Signal Officer, in February 1917. There appears to have been no contemplation, at that time, of removing the aviation service from the control of the Signal Corps.

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S. J. Res. 65 passed the Senate without opposition on 16 March 1916. Following consideration by the House Committee on Military Affairs, which accepted the report of the Senate committee and recommended agreement to the resolution, the subject of an investigation of the Aviation Section came up for debate in the House of Representatives.⁴⁴ Congressman Charles P. Caldwell (N.Y.) explained that the purpose of the resolution was to secure the necessary information for the framing of a law that would put America in the forefront in the matter of aviation. He pointed out that at the time of the introduction

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43. House, Hearings on the Army Appropriation for the Fiscal Year 1917, 64 Cong., 1 Sess., 837.
 44. H. Rept. No. 368, 64 Cong., 1 Sess.; Cong. Rec. 64 Cong., 1 Sess., 7420 (4 May 1916).

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of the resolution a deplorable condition existed in the aviation service which had subsequently been "to some extent rectified." He insisted, however, that the House agree to the resolution in order to secure the information needed to frame a new aviation bill. Nevertheless, the resolution was passed over by the House, and nothing further was heard of the proposed investigation.⁴⁵ Though the resolution failed in its ostensible purpose--paving the way for an air service independent of the Signal Corps--it did serve to center attention on the needs of the Aviation Section which were partially met by the insertion of Section 13 in the National Defense Act of 3 June 1916. That section increased the personnel authorization for the Aviation Section of the Signal Corps, removed restrictions relative to the detail of married officers and of officers over 30 years of age, and held out inducements in the form of rank and flying pay to men volunteering⁴⁶ for aviation duty.

It is also significant that during the time that S. J. Res. 65 was under consideration by Congress the first of a long series of bills calling for the establishment of a Department of Aviation was introduced by Representative Charles Lieb (Ind.). The proposed legislation called for the creation of a new executive department known as the Department of Aviation, headed by a Secretary of Aviation, which would have complete charge of the air arm of both the Army and the Navy. It also specified in detail the internal organization of the new department.

45. Cong. Rec., 64 Cong., 1 Sess., 7420 (4 May 1916).

46. 39 Stat. 174.

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This bill was buried in the Committee on Military Affairs to which it was referred on 28 March 1916.⁴⁷ Its introduction is, however, indicative of the fact that the movement for a separate organization for aviation was finding proponents in the legislative branch of the government.

In the meantime, military aviation in the United States was being given its first test, for as a part of the punitive expedition sent to Mexico in the spring of 1916 there was one aero squadron. The inefficiency of this squadron, composed of old and outmoded airplanes, soon centered the attention of the country on aviation needs. On 31 March 1916 an urgent deficiency act gave the Aviation Section of the Signal Corps \$500,000, the greatest sum that had been appropriated at any one time for Army aviation. This was followed in August by an additional appropriation of \$13,281,666 for military aeronautics.⁴⁸

Now, for the first time, the Signal Corps had the money with which to develop its aviation service. Would it disprove the charges of inefficiency brought against it and justify its contention that aviation, as the eyes of the Army, properly belonged under its jurisdiction? During the summer and fall of 1916, as events in Europe centered the attention of the nation on the urgent need for national defense, criticism of the Aviation Section continued. Much of it came from the officers of the Aero Club of America which was experiencing difficulty in securing the cooperation of the Signal Corps in its

47. Cong. Rec., 64 Cong., 1 Sess. (28 March 1916).

48. 39 Stat., 45, 622.

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efforts to expand the aviation units of the National Guard. This agitation added to the criticism which for many months had been directed toward the Aviation Section. It was evident that in the event of the entrance of the United States into the war, the question of a reorganization of the Army air arm would be seriously considered.

49. Alan R. Hawley, president of the Aero Club of America, to Col. George O. Squier, 28 July 1916 in Sig. C. files, 360.03, in National Archives.

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Chapter II

REMOVAL OF MILITARY AERONAUTICS FROM THE SIGNAL CORPS

Though vastly increased appropriations for aviation had preceded the declaration of war on Germany by a period of seven months, the intervening time was too short for an adequate handling of the engineering and production problems vital to the development of an efficient aviation service. In addition, the Aviation Section of the Signal Corps was confronted with serious problems of training and command which the reorganization of 1916 had failed to solve. The entrance of the United States into the war in April 1917 therefore found the country almost totally unprepared in aeronautical experience, equipment, and personnel. Records of the Signal Corps show that during the eight years prior to 1916 only 59 airplanes were ordered and received, while during the year 1916, 366 airplanes were ordered, but only 83 were received. The total number of planes delivered to the Signal Corps between 1907 and 1917 was thus 142, a large portion of which had been destroyed or had become obsolete, and not one of which was suitable for use against the enemy. Moreover, the Aviation Section of the Signal Corps had no accurate knowledge of the equipment of a military airplane. No airplane in America up to 1917 had ever mounted a machine gun, and aviation personnel had practically no knowledge of radiotelegraphy and telephony, photography, bombing equipment, lights for night flying, aviators' clothing, compasses used in flying, or other aviation

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instruments well known to the aviators of Germany, England, and France.¹

The recognition of these needs soon brought about organizational changes. Because of the special technical knowledge required to recommend and provide for the building up of the American aircraft industry, it was soon decided to create an agency to supplement the work of the Aviation Section. Six days after the declaration of war the National Advisory Committee for Aeronautics, which since 1915 had supervised and directed the scientific study of flight, recommended to the Council of National Defense that a special production board be formed to meet the industrial needs of American aviation.² On 16 May the Council of National Defense by resolution authorized the new board which was officially known as the Aircraft Production Board.³ It consisted of four civilian members, the Chief Signal Officer of the Army, and the Chief of the Bureau of Construction of the Navy.⁴

The Aircraft Production Board was in existence during the first five months of America's participation in the war. Though its powers were intended to be advisory only, it made a detailed study of European experience in aircraft production and cooperated with aeronautical engineers in the standardization of aircraft parts. Under its supervision

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1. Col. G. W. Mixter and Lt. H. H. Emmons, United States Army Aircraft Production Facts, 5-6.
 2. Resolution of the National Advisory Committee for Aeronautics, 12 April 1917, in AAG 334.8A, Aircraft Board.
 3. Resolution of the Council of National Defense, 16 May 1917, in ibid.
 4. The membership of the APB included Howard E. Coffin, chairman, Brig. Gen. George O. Squier, Rear Adm. D. W. Taylor, S. D. Waldron, E. A. Deeds, and R. L. Montgomery. Later the following men became members: Col. R. C. Bolling, 11 June 1917; Maj. B. D. Foulis, 14 Sep. 1917; Capt. N. E. Irwin, 14 Sep. 1917; Col. C. Hoare, I. R. F. C., honorary member, 15 June 1917.

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the aircraft industry began the production of the Liberty motor which combined the best and most recent aeronautical principles.⁵

In the meantime, Congress was again considering the creation of a separate department of aeronautics. In April 1917 two identical bills (H. R. 3 and S. 80) calling for the consolidation of all American aviation under one new department had been introduced. In all except minor particulars these bills were the same as H. R. 13838 of the year before.⁶ Though neither of these bills was reported favorably, hearings on them were held by the House Committee on Military Affairs, and there was much public interest in the proposals. This interest was, no doubt, heightened by the fact that the Allied countries were calling frantically on the United States for aircraft. The result was unprecedented congressional appropriations for military aeronautics. The act of 12 May 1917 appropriated \$10,800,000; the act of 15 June 1917 allowed \$43,450,000; and finally on 24 July 1917 the President signed a bill authorizing \$640,000,000 for aviation, the largest appropriation made by Congress, up to that time, for one specific purpose.⁷

The agitation for a department of aeronautics and the huge appropriations for aircraft production resulted in a decision by the secretaries of War and Navy and the chairman of the APB to recommend legislation which would give the APB greater legal authority than it could claim as a subcommittee of the Council of National Defense. Consequently,

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5. Minutes of Aircraft Production Board, in AAG 334.8A, Aircraft Board.
 6. Cong. Rec., 65 Cong., 1 Sess., 121 (2 April 1917), 189 (4 April 1917). See above, Chap. I, for the legislative history of H. R. 13838.
 7. 40 Stat. 42,187,247.

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the draft of the proposed legislation was prepared in the War Department and concurred in by the Secretary of the Navy and Howard E. Coffin, chairman of the Aircraft Production Board. In his letter to the chairman of the Senate Committee on Military Affairs, Coffin wrote:

A separate department of aeronautics has been under consideration in committees of the Senate and House. The need for the coordination in the production of aircraft for the various departments has been recognized. The creation of a separate department of aeronautics would seem ill-advised at this time. That is, I believe, the view of both the Secretaries of War and Navy. The establishment of the "air board" as a coordinating influence between the departments would seem the best means for meeting the imperative industrial necessities of the situation and will be supplemental to and work harmoniously with existing governmental machinery.

The bill became law on 1 October 1917. It simply legalized the existing organization, changed its name to the Aircraft Board, transferred its control from the Council of National Defense to the secretaries of War and Navy, and described its functions as "expanding and coordinating the industrial activities relating to aircraft, or parts of aircraft, produced for any purpose in the United States and to facilitate generally the development of the air service." The board could make recommendations as to contracts and their distribution, but the contracts themselves were made by the authorities vested with that power in the departments which purchased aircraft.

On 14 February 1918 the Judge Advocate General rendered an opinion that the functions of the Aircraft Board were advisory and recommendatory

8. H. E. Coffin to George E. Chamberlain, 1 Aug. 1917, quotes in S. Rept. No. 106, 65 Cong., 1 Sess.

9. 40 Stat. 296.

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10 only. A few days later the Secretary of War defined the duties of the Signal Corps and the Aircraft Board with regard to the procurement of aircraft. His definition was such as to limit still further the functions of the board, for under his directive of 25 February 1918 the Aircraft Board was given only those duties which made it a clearinghouse for information between the General Staff and the Signal Corps, and between the Army and Navy, and an agency to study requirements and recommend the placing of contracts.¹¹ During the ensuing months the Aircraft Board and the Aviation Section of the Signal Corps became the targets of much criticism by the press and the public, for the extravagant claims which they had made relative to the production of aircraft and its speedy use on the European battlefronts could not be realized. These attitudes were well expressed in a New York Times editorial of 20 March 1918 which charged:

Our airplane production, heralded as record-breaking and soon to give the Americans control of the air at the front, has been a mirage of iridescent tints. The reality has undeceived even those who were least credulous. What is wanted to bring order out of what threatens to be chaos, if not remedied, is a central authority, a strong man with ideas and energy, to take charge of the industry and regulate, direct, and accelerate it to the maximum of production.

An editorial which appeared in the Kansas City Star a few days later blamed the criticisms on three conditions: delay in production; the influence of disgruntled individuals and companies on members of Congress, newspapermen, and War Department officials; and the policy of

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10. Copy of opinion of the Judge Advocate General on Construction of Act Creating the Aircraft Board, in AAG 334.8A, Aircraft Board.
 11. Memo for AG by CSigO, 25 Feb. 1918, approved by the Secretaries of War and Navy, in ibid.

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secrecy in the War Department which forbade the publication of progress¹² which had actually been made in the production of airplanes.

When Gutzon Borglum, the eminent sculptor and aviation enthusiast, made public the fact that he had been appointed by President Wilson to investigate aircraft production and had found evidence of delay and "coralling of contracts," Congress and the President decided to take¹³ action. Following a lengthy debate on the Borglum accusations, a Senate subcommittee of the Committee on Military Affairs made an investigation of the aircraft production program. On 6 May the President ordered the Department of Justice to make a similar investigation which was carried out under the direction of Charles Evans Hughes. While these committees were studying the situation, a reorganization of military aviation was effected by War Department action and executive order.

On 24 April 1918 the War Department announced that John D. Ryan, who had been serving as chairman of the Aircraft Board, had accepted the directorship of aircraft production for the Army. The Aviation Section of the Signal Corps had also been reorganized so that Maj. Gen. George O. Squier, as Chief Signal Officer, would devote his attention to the administration of signals exclusively, and aviation would be placed under a Division of Military Aeronautics directed by Brig. Gen. William L. Kenly. The Aircraft Board continued to act in an advisory capacity. The new Division of Military Aeronautics, which was still a part of the Signal Corps, was to have control of the training of aviators and

12. Quoted in Literary Digest, 6 April 1918, 17.

13. New York Times, 28 April 1918.

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military use of aircraft. The exact division of functions in the matter of designing and engineering was to be worked out as experience determined between the Division of Military Aeronautics, the Director of Aircraft Production, and the Division of Production in the Signal Corps.¹⁴ This was, however, only the first step in reorganization. The next was announced in an executive order of 20 May following.¹⁵ Under the Overman Act of 20 May 1918 the President had the authority to make such redistribution of functions among agencies as he might deem necessary for the duration of the war and the following six months. By virtue of this authority he removed aeronautics from the Signal Corps and approved the creation of the Bureau of Aircraft Production to provide planes, engines, and equipment for the air arm and authorized the Division of Military Aeronautics to procure and train the large flying¹⁶ and ground forces being prepared for duty in France.

Though the plan of reorganization envisaged the eventual consolidation of the two new agencies under a single director, a War Department Order of 24 May 1918 stated that no Director of Air Service in charge of both would be appointed as long as the Bureau of Aircraft Production operated as a separate executive bureau. In the meantime, the duties of Director of Air Service were to be performed by the Director of Military Aeronautics except where specifically assigned to the Bureau of Aircraft Production.¹⁷ In August the Senate subcommittee investigating aircraft

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14. Report of the Director of Military Aeronautics, 1918, 4-5.
 15. 40 Stat. 556
 16. Executive Order No. 2862, 20 May 1918.
 17. WD GO #51, 24 May 1918.

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production made its report. Though it found no evidences of fraud, it charged that there had been waste and unnecessary delay in aircraft production. The New York Sun cited the report as indicating "a composite of incompetency, vacillation, wild experimentation, waste of time and money, conflict of selfish interests, lack of energy, lack of ordinary horse sense." The Chicago Tribune commented that the report showed that "behind a barrage of brag, grave blunders were being made, incompetents shielded, and enormous sums wasted." The New York Tribune spoke of it as "the most humiliating document that has been contributed to all the controversial literature of our participation in the war," and yet it found much that was unfair, inconclusive, and confusing in the report itself.¹⁸

Shortly after the report was made public the War Department announced the appointment of John D. Ryan as Second Assistant Secretary of War in place of Edward R. Stettinius, then in France. Ryan was also designated Director of Air Service with supervision and control over the Bureau of Aircraft Production and the Division of Military Aeronautics.¹⁹ His appointment was of great significance to the air arm. It not only brought together under one head the two coordinate divisions in control of military aeronautics, but it also gave recognition to aviation in the high council of the Secretary of War. The Army and Navy Journal credited the appointment to President Wilson's desire to forestall the movement in Congress for the creation of a Department of

18. Quoted in Literary Digest, 7 Sep. 1918, 18.

19. WD GO #81, 28 Aug. 1918.

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Aeronautics. According to this Journal, Wilson was opposed to creating any additional cabinet officers at that time. Highly complimentary on the selection of Ryan, it declared that "conservative opinion in Washington is to the effect that the outlook for smooth sailing in aircraft matters has never been brighter."²⁰

Late in October the report of the Hughes Committee was made public. It blamed delays and waste in aircraft production on defective organization and lack of competent direction by officers of the Signal Corps. The Committee recommended the trial by court-martial of one Army officer and the prosecution under the criminal code of others found to have had transactions on behalf of the government with corporations in which they had personal financial interests.²¹ As had the two investigating groups which preceded it, the Hughes Committee called attention to the administrative and organizational deficiencies of the air arm. Its report was received with relief by a public which had been led to believe that grave charges of fraud and corruption would result from its inquiry. Two weeks after the report was made public, the Literary Digest quoted newspapers as widely separated in space and opinion as the Springfield Republican, the Des Moines Register, the Newark Evening News, the Philadelphia Press, the New Haven Courier-Journal, the Spokane Spokesman Review, the Syracuse Herald, the Baltimore News, and the Christian Science Monitor as ready to agree that although some dishonesty and disorder had been revealed, "the aircraft fiasco turns out to be not

20. Army and Navy Journal, 31 Aug. 1918, 2021.

21. Report of the [Hughes] Aircraft Inquiry. (Washington, 1918?).

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nearly so bad as the nation for a while was, perhaps, too ready to believe."²²

It was soon evident that the division of authority and responsibility between the Bureau of Aircraft Production and the Division of Military Aeronautics was far from satisfactory. The former was responsible for the production of planes, the latter for their operation and military efficiency. Liaison between the two was definitely inadequate. As early as 6 June 1918, in a memorandum prepared for the signature of General Kenly, Col. H. H. Arnold, the Assistant Director of Military Aeronautics,²³ wrote:

In order that the pilots on the Front may receive machines which they are satisfied with, of types which will give performance needed to equal or better the machines of the enemy, it is maintained that the Division of Military Aeronautics must control the determination of the design of the equipment with which it is to operate.

Colonel Arnold also stated that the organization providing the equipment was of no significance, but the quality of the materials was of vital concern in the successful operation of the division. This lack of close cooperation was partially solved by an agreement between the Division of Military Aeronautics and the Bureau of Aircraft Production providing that the types of planes to be put into production be mutually chosen and that before a plane was sent to the Front it should be given a military test and be accepted by the Division of Military Aeronautics.²⁴

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22. Literary Digest, 16 Nov. 1918, 16.
 23. Memo for the C/S by Col. H. H. Arnold, by direction of the Dir. of Military Aeronautics, 6 June 1918, in AAG 321.9A, Organization of the Division of Military Aeronautics.
 24. Report of the Director of Military Aeronautics, 1918, 7.

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Immediately following the Armistice, Director of Air Service Ryan, who considered the emergency and the necessity for war preparation as ended, resigned his position effective 27 November 1918. Because the executive order of 25 May 1918 which redistributed the duties and functions of the Chief Signal Officer provided that the civilian chairman of the Aircraft Board should be the head of the Bureau of Aircraft Production, both offices, as well as that of Director of Air Service, became vacant with Ryan's resignation. The situation was more serious than it appeared to be on the surface. Ryan had been representing the government in the Spruce Production Corporation, an organization created by Congress to secure spruce for the production of airplanes. His powers were not legally transferrable under existing laws and orders to either the Director of Air Service or the Acting Director of Aircraft Production. In order to provide an official who could exercise the powers that had been vested in Ryan, it would be necessary to appoint a new chairman of the Aircraft Board who would also become ex officio Director of Aircraft Production. It was the opinion of the Secretary of War that in placing the work of the Air Service upon a proper peacetime basis, the Bureau of Aircraft Production should come under military control. Accordingly, he proposed to the Secretary of the Navy that the President be advised to dissolve the Aircraft Board which was no longer functioning as an active organization and place the Director of Aircraft Production under the direct supervision of the Director of Air Service.²⁵

25. S/W to the Sec. of Navy, 28 Feb. 1919, in AAG 334.8B, Aircraft Board. See also WDG 19, 29 Jan. 1919.

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Following the concurrence of the Secretary of the Navy in this proposal, a draft of an executive order was sent to the President.²⁶ President Wilson who was just leaving for France to attend the peace conference took the draft with him, and on 19 March 1919 his secretary cabled the news that the official executive order had been promulgated.²⁷ It provided for (1) the dissolution of the Aircraft Board, (2) placing the Bureau of Aircraft Production directly under the Director of Air Service, and (3) vesting the powers conferred by law and by executive order upon the Director of Aircraft Production (then vested in Ryan by name), in the office instead, in order that its functions and prerogatives might be assumed by any duly appointed successor to the office.

After months of flux and war stress the Air Service had by the spring of 1919 achieved a semblance of stability. It was confronted, however, by two vital problems--the curtailment of aircraft production and the demobilization of the air units which had been developed during the war. In order to gain the maximum advantage from the experiences of the war, Gen. John J. Pershing, in April 1919, appointed a board which was instructed to consider the lessons learned during the war insofar as they affected tactics and organization. This group, which was known as the Dickman Board, reported that (1) reconnaissance, contact, observation, and registration units were integral elements of

26. 5th Ind. (S/W to Sec. of Navy, 28 Feb. 1919), Sec. of Navy to S/W, 3 March 1919, in ibid.; S/W to the President, 3 March 1919, in ibid.
 27. Cablegram Gilbert F. Close to S/W, 19 March 1919, in AAG 334.5B, Aircraft Board; memo for Maj. Gen. Charles T. Menoher by Col. Oscar Westover, Asst. Exec., Air Service, 18 March 1919, in ibid.; GO #52, 18 April 1919.

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divisions and Army corps; (2) tactical combat and bombing units and battlefield security service units were integral parts of the Army corps and the Army; and (3) strategical bombing, reconnaissance, and combat units were elements of the Army troops. The general finding of the board was that ground forces would continue to be relied upon as the major part of both offensive and defensive organizations; authority must be vested in the commander of the ground forces, aviation continuing to be one of the auxiliaries.

A few days after the appointment of the Dickman Board, the Assistant Secretary of War was requested by the Secretary of War to send abroad a mission which would visit the principal Allied nations for the purpose of making a thorough investigation of aviation problems as they had been developed in those countries during the war. The mission was headed by Benedict Crowell, the Assistant Secretary of War, and had as its members Howard E. Goffin, member of the Council of National Defense; Capt. Henry C. Mustin, U. S. Navy; Col. Halsey Dunwoody; Lt. Col. James G. Blair, Jr.; George H. Houston, president of Wright-Martin Airplane Corporation; Vice President C. M. Keys of the Curtiss Aeroplane and Motor Corporation; and S. S. Bradley, general manager of the Manufacturers' Aircraft Association. The mission visited France, Italy, and England and conferred with various ministers of those governments, ranking Army and Navy commanders, and the foremost aircraft manufacturers. Its study encompassed a thorough investigation of all forms

28. Maj. Guido R. Ferera, A Legislative History of Aviation in the United States and Abroad, 24.

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of organization, production, and development.

As a result of its investigation the Crowell Mission urged that immediate action be taken to safeguard the air interests of the United States, preserve for the government some benefit of the great aviation expenditures made during the war, and prevent a vitally necessary industry from disappearing. It was estimated that 90 per cent of the industry created during the war had, by the spring of 1919, been liquidated. The mission was of the opinion that unless some definite policy were adopted by the government, it was inevitable that the remaining 10 per cent would also disappear. Its specific recommendations concerning organization were (1) that all air activities of the United States be concentrated within the direction of a single governmental agency created for the purpose, which would be co-equal in importance and in representation with the departments of War, Navy, and Commerce, (2) that a civilian Secretary for Air be appointed by the President, (3) that an Assistant Secretary, a civilian, responsible directly to the Secretary for Air, be placed in charge of the management and operation of the departments, (4) that five or more divisional heads acting as chiefs of sub-departments be appointed, and (5) that an Air Council, advisory in character, be constituted by the Secretary of Air, to include the Assistant Secretary of Air, the chiefs of the several sub-departments, and such other personnel as might be deemed advisable. The members of the Crowell Mission recognized that there were and would continue to be many objections to the establishment of a Department of Air but expressed the opinion that none of the diffi-

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culties would be insurmountable.

In making the Crowell report public, Secretary of War Newton D. Baker disagreed with its recommendations concerning organization. He stated that, in his judgment, the board had gone too far in suggesting a single centralized Air Service. He based his disagreement upon the argument that Army and Navy and civilian aviators faced different problems and needed to be trained separately. He maintained that adequate production facilities could be provided by the establishment of a government agency which would lay down the necessary rules for aircraft operation and provide the needed uniformity in aircraft production.

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From this point on, the question of a separate department of aeronautics received increasing attention. Two distinct groups were discernible in the dispute. On the one hand, opposed to a separate department were the Secretary of War and the General Staff. Upholding a separate department were most of the men who had served in the Aviation Service in France. David Lawrence spoke prophetically in the Washington Star of 13 August 1919 when he wrote, "The time is coming when the theoretical views of the officers who were unfortunately compelled to stay on this side of the ocean will conflict very strikingly with the practical views of the men who actually saw the immense operations in France." There was also a political side to the question, for the Republican Congress which had been returned in the elections of 1918

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29. Report of the Crowell Mission, 19 July 1919, in AAG 321.9A, Separate Air Service Organization.
 30. Statement of Secretary of War Newton D. Baker, in ibid.
 31. Washington Star, 13 Aug. 1919.

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was eager to secure grounds for criticism of the administration.

During 1919 and 1920 eight separate bills were introduced which had as their purpose the creation of a separate Department of Aeronautics. They were very similar in nature--proposing that all military and civil aviation matters be placed under the control of a Department of Air Service or a Department of Aeronautics.³² Of these, the New (S. 2693) and Curry (H. R. 7925) bills were the most widely discussed. S. 2693, introduced by Senator Harry S. New (Ind.) on 31 July 1919, provided that a Department of Aeronautics should be created to handle all aeronautical matters for the War, Navy, and Post Office departments, the Coast Guard, and other government agencies, both military and commercial. At the direction of the President this department was to assign aeronautical units to the War and Navy departments, but these units while so assigned here to remain under the command of the respective departments to which they were permanently attached. It also provided for the creation of a United States Air Force of all military personnel serving in or assigned to the Department of Aeronautics.

The Curry Bill (H. R. 7925) was similar in its provisions. It authorized an executive Department of Aeronautics to handle both military and commercial aviation, and called for the establishment of an aeronautical academy and aircraft factories. It also provided for the

32. H. R. 16195, Cong. Rec., 65 Cong., 3 Sess., 4677, (28 Feb. 1919); H. R. 7925, ibid., 3292 (28 July 1919); H. R. 9804, ibid., 66 Cong., 1 Sess., 6582 (8 Oct. 1919), H. R. 10380, ibid., 7998 (5 Nov. 1919); S. 2693, ibid., 3390 (31 July 1919); S. 3348, ibid., 7738 (30 Oct. 1919); H. R. 11206, ibid., 66 Cong., 2 Sess., 611 (15 Dec. 1919); H. R. 12134, ibid., 2228 (29 Jan. 1920).

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establishment of a United States Air Force consisting of a line and a staff. Detail of air units to land or sea forces was to be made by the President. In the event of such detail, however, the units were to be under the command of the forces to which they were assigned. The Operations Division of the Air Force Staff was to prepare plans for national defense by the air forces, and the line was to be a combat force to operate with land or sea forces or independent of either.

Following the introduction of the New and Curry bills, Secretary of War Baker convened a board of Army officers, composed of four artillerymen and one air officer, to investigate the advisability of having a separate air service. Beginning on 12 August 1919 this board, headed by Maj. Gen. Charles T. Menoher, Director of the Air Service, made a detailed study of the two bills. It examined much written evidence from individuals, boards, commissions, and other sources bearing upon the subject under consideration. It also examined a number of witnesses orally, and in answer to its inquiries received telegraphic reports giving opinions of important division, corps, and Army commanders who had actually taken part in combat with air units under their command. Although the board recommended that a single governmental agency be made responsible for the procurement of aircraft used in the government service and that a single agency be provided for the purpose of development work, it made recommendations against a separate department of aeronautics. The principal argument in favor of keeping the air force in the Army was that it was an integral part of that force and should be trained for combat duty with it. The board concluded with the statement: "Whatever may be the decision as to a separate Aeronautical

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Department, the military air force must remain under the complete control of the Army and form an integral part thereof both in peace and war."³³

Extensive hearings on the separate air service bills were held during the winter of 1919. Members of the Air Service, with a single exception, testified in favor of a separate air arm. Outstanding among the proponents of a separate department to consolidate the aviation work of the Army, Navy, and Post Office departments was Brig. Gen. William Mitchell who had commanded air operations at the Front in France. Though at that time he made no charges against the General Staff, he expressed himself as being strongly in favor of the separation of aeronautics from the various departments of government then controlling aviation. Opposed to these officers were Secretary of War Baker, General Mencher, Chief of the Air Service, and officers representing the Navy Department.

In the course of the hearings many of the previous arguments for and against a separate department of aeronautics were repeated. The most forceful arguments in support of the proposals were that (1) it was strategically and tactically necessary to have final authority for air matters vested in those who were interested in and operated an air force as such; (2) military aviation had developed to the extent that it was no longer merely an auxiliary of the other forces but an important

33. Report of a Board of Officers convened to report upon the New and Curry Bills, 1919, in AAF Library.

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striking arm in itself; (3) huge expenditures for aviation were being duplicated because of lack of central control; (4) England's experience with a separate air force had been successful; (5) an independent air service would prevent stultification of a necessary commercial industry and would lend encouragement where encouragement was vitally necessary.³⁴

On the other hand, those opposed to a separate department of aeronautics argued that (1) decentralization of control would lessen efficiency, for it would deny the high command of the Army the power to use the Air Service for such purposes and at such time as it saw fit in connection with the Army as a whole; (2) the raison d'etre of an air force was liaison with other branches, and such cooperative work would be hampered by a separate air force; (3) the Procurement Division of the Army Quartermaster Corps was competent to purchase and contract for all the aircraft that the Army needed in peacetime; (4) the majority of the Navy air service was opposed to an independent air service; (5) the independent air service in Great Britain had not been particularly successful; and (6) centralized aerial activities in one government department would not tend to encourage manufacturing industries.³⁵

Of the eight bills introduced during 1919 and 1920, only one was favorably reported by the Committee on Military Affairs. This bill, S. 3348, had been introduced by Senator New on 30 October 1919, following the report of the Mencher Board.³⁶ It contained^a provision for an

34. House, Hearings on a United Air Service, 66 Cong., 2 Sess., 6, 18, 82, 125, 188, 585-87.

35. Ibid., 389, 406, 418, 425-26.

36. Cong. Rec., 66 Cong., 1 Sess., 7738 (30 Oct. 1919).

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organization very much like that in S. 2693. The new department was to be organized in four divisions: Military Aeronautics, Civil and Commercial Aeronautics, Supplies, and Research. The United States Air Force for which it provided was similar to that described in S. 2693. It was to be a combat force operating with either land or sea forces, or independent of either. The President was authorized to attach air units to land or sea forces, but when so detailed they were to be under the command of the forces to which they were attached. On 8 December 1919 the bill was reported to the Senate with amendments.³⁷

In presenting the bill to the Senate for discussion, Senator New charged that progress in aviation made during the war had been allowed to lapse after the Armistice, that government aid to commercial aviation had been almost entirely ignored, and that there was utter confusion in the making of appropriations for government aeronautics. In the interests of economy and progress he urged that all aeronautical activities be consolidated and coordinated under the supervision of a single department.³⁸

Senator Kenneth McKellar (Tenn.) objected to the inclusion of the air-mail service of the Post Office Department in the proposed organization. He claimed that the Post Office Department had been doing an excellent job with the air mail since it had taken the service from the Army and that there was no reason to include this service in what would be primarily a consolidation of military services. To this criticism

37. S. Rept. No. 325, 66 Cong., 2 Sess.; Cong. Rec., 66 Cong., 2 Sess., 267 (8 Dec. 1919).

38. Cong. Rec., 66 Cong., 2 Sess., 2153-55 (28 Jan. 1920).

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Senator New replied that one of the objects of the bill was economy and the consolidation of air fields. McKellar countered with a recent statement of the Postmaster General to the effect that if the air mail were turned over to a military department of air, the service would not only be more expensive but would also be less efficient because it would constitute only an incidental function of the Department of Air with the Post Office Department unable to exercise any control over the performance of the duties.³⁹

Senators Reed Smoot (Utah) and William Borah (Idaho) also objected to the bill on the grounds of economy, arguing that whatever estimate of its organization were made, its expenditures were sure to increase rapidly in the years to follow.⁴⁰ Senator John S. Williams (Miss.) asked whether the proposed organization would lead to disunity in time of war. To this query Senator New replied that since an air force involves fighting in the air, the principle is the same whether on sea or land. An aviator should be trained to fly all types of planes, but there should be one central authority for combining, in time of emergency, all air forces of the nation.⁴¹ Senators Smoot and Josiah O. Wolcott (Del.) raised the point that the director of such a department of air should be a cabinet member since such a department would rank with existing departments having representation in the Cabinet.

Further general debate included opposition by Senator Peter G. Gerry (R. I.) on the grounds that the Navy had not been sufficiently considered.

39. Ibid., 2159-60, (28 Jan. 1920).

40. Ibid., 2185-86 (29 Jan. 1920).

41. Ibid., 2187 (29 Jan. 1920).

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Senator New then stated that although the subject had been under committee consideration from July to November 1919 and had been favorably reported by a 9-2 vote, the discussion in the Senate had revealed that there was still a very great misapprehension on the part of Senators as to just what the bill proposed to do. He therefore asked consent that it be recommitted for further consideration.⁴² The recommended action was taken, and nothing further was heard of the bill during the session.

While the separate Department of Aeronautics was under consideration, Congress was also holding hearings on the Army reorganization bill, a measure designed to bring the wartime strength of 5,000,000 men down to a suitable peacetime size. During the hearings on the question of reorganization, many of the usual arguments for and against a separate Department of Aeronautics were presented. The outcome of this whole discussion was an inclusion in the final bill of Section 13a which gave statutory recognition to the Air Service but preserved the status quo in accordance with the recommendations of the General Staff.

The law of 4 June 1920 (the Army Reorganization Act) made the Air Service a part of the combatant line of the Army, increased its personnel,⁴³ and made further provisions for flying pay. This legislation

42. Ibid., 2301-2302 (31 Jan. 1920).

43. It also made provision that not more than 10 per cent of the officers of each grade below that of brigadier general should be non-flyers and specified that all flying units were to be commanded by flying officers. It discontinued the practice of allowing advanced rank to aviation personnel (as provided in the National Defense Act of 3 June 1916 and the act of 24 July 1917) but authorized men who had been appointed junior military aviator and military aviator during the war to continue with the rank, pay, and allowances provided by previous legislation. 41 Stat. 759.

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made no change in the organization of the Air Service, nor did it affect the relationship between the Air Service and the General Staff. It was the sole result of the months of agitation for a separate air organization--a complete defeat for the proponents of a new department and a complete triumph for the General Staff.

Though the trends in Congress during the spring of 1920 were decidedly unfavorable to a reorganization of military aeronautics, the crusaders for a separate air force were far from beaten. They simply developed a new approach to their objective. When the House Committee on Military Affairs held hearings on the Army appropriation bill for the fiscal year 1921, General Mitchell appeared as a witness and gave strong testimony as to the duplication of effort between the Army and the Navy. He estimated that a saving of \$11,000,000 could be effected by eliminating duplicate operations engaged in by the air arms of the two services. In the course of his testimony, Mitchell said:

I think it ought to be put in the law that all air operations from shore bases not attached to the fleet should be conducted by the Army Air Service, and that all air service attached to the fleet should be handled by the Navy. Of course all the air service should be combined into one force, but if that is not done, the above suggestions should be followed.

This statement by Mitchell was responsible for the inclusion in the appropriation bill of a clause providing that the Army Air Service should control all aerial operations from land bases and that naval aviation should have control of all aerial operations attached to a

44. House, Hearings on the Army Appropriation Bill for 1921, 66 Cong., 1 Sess., 46.

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fleet. There was no discussion of this amendment in the House, but when the bill reached the Senate it provoked a long debate. In the course of the discussion, evidence was produced to show that both the Secretary of War and the Secretary of the Navy opposed it. The section was amended to read:

. . . and provided further that hereafter the Army Air Service shall control all aerial operations from land bases and naval aviation shall have control of all aerial operations attached to a fleet, including shore stations whose maintenance is necessary for operations connected with the fleet for construction and experimentation and for training of personnel.

This nullified, for all practical purposes, the original amendment, for it continued to allow the Navy land bases for its aircraft. Nevertheless, the amendment, as amended, was struck out on the floor of the Senate. It was, however, reinserted in the bill by the conference committee and was accepted by both houses. When the appropriation bill became law with the signature of the President on 5 June 1920, the Mitchell amendment, as changed by the Senate, was a part of it.⁴⁵ Had the proviso passed as recommended by Mitchell and approved by the House of Representatives, it would have limited the Navy to carrier-borne aircraft and would have constituted a long step toward the consolidation of air power. In its final form it made no real change in the relations between the aerial arms of Army and Navy. Its significance lies in its evidence of the persistence and ingenuity of the proponents of military air power.

45. Cong. Rec., 66 Cong., 2 Sess., 7524 (24 May 1920), 7529 (24 May 1920), 8178 (2 June 1920); 41 Stat. 954.

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The years between 1917 and 1920 had witnessed the progress of military aviation from a section of the Signal Corps to the Air Service responsible to the General Staff and the Secretary of War. During the same period great changes had taken place in the concept of air power. No longer was it spoken of as the "eyes of the Army." Even the most conservative of military minds conceived its function to be that of an auxiliary unsurpassed in importance to the Army and Navy and performing pursuit and bombardment as well as reconnaissance operations. Airmen whose World War experiences had convinced them that warfare of the future would be increasingly dependent on air power viewed an air force as an offensive weapon--a striking arm of tremendous power. The year 1920 found these two groups deadlocked in opposition to one another. For the time being the General Staff had won out, but the crusaders for a separate air force were still determined to continue the fight to a finish.

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Chapter III

CREATION OF THE ARMY AIR CORPS

In the six years intervening between the Army Reorganization Act of 4 June 1920 and the Air Corps Act of 2 July 1926, every attempt to pass legislation which would improve the organization of military aeronautics was blocked by the jurisdictional conflict between the Air Service and the older military departments. This conflict was simply a repetition of the earlier movement for independence which had gone on when aviation was under the control of the Signal Corps. Now, however, the Air Service was dominated by a small group of men who were bound together by practical experience in military aeronautics, common grievances, and common objectives. These men predicted an improved aircraft which would make the air as important a military sphere as land or sea, and they wanted an administration which would be sufficiently flexible to allow for experimentation and change. This they felt they could not have as long as they were subject to the direction of other military branches whose aims they considered fundamentally incompatible with the aims of the Air Service.

Against the Air Service were aligned certain powerful administrators of the War and Navy departments who saw the air arm as a threat to their own spheres of authority. It was to the advantage of these men to keep aviation in a subordinate role where it could do no harm to the status quo. They were reluctant to encourage any experimentation which might make aviation a separate element of national defense instead of an auxiliary of the established Army and Navy defense

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Aeronautical development might have been permanently retarded had it not been for Brig. Gen. William Mitchell, Assistant Chief of the Air Service, who used prestige acquired as an aviator in World War I to get public support for his air program. When Mitchell returned from Europe in 1919 he made every effort to convince his superior officers of the importance of military aviation. When he was ignored by the War Department he tried another tack. In 1920 he began a vigorous public educational campaign. Braving War Department disapproval, he gave interviews to the newspapers, wrote articles for magazines, appeared before congressional committees, and went on lecture tours, telling the citizens what he believed to be the truth about air power. If he did nothing else, Mitchell took a public which was bored with war expenditures and indifferent to national defense and made it realize the potential military value of aviation. Apparently he thought that if he could win the public, the public might in time change the War Department's policy.

For 16 years he kept at this voluntarily assumed task, not stopping even after he had been subjected to a court-martial for his activities in this connection. Whether "Billy" Mitchell was a prophet and a martyr is not important to this study. The fact that American voters be-

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1. Readers Guide to Periodical Literature (1920-1926); New York Times Index (1920-1926); William Mitchell, Our Air Force (1921) and Winged Defense (1925); memo for Chief of Staff by Capt. David Crockett, 18 Feb. 1926, in AG 201, Pt. 2, William Mitchell.

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lieved him to be both cannot be ignored in any survey of Air Service legislation for this period. Every time Litchell's ideas were front page news, Congressmen received letters from their constituents and there would be a little flurry of what President Coolidge contemptuously called "Mitchell Resolutions"² introduced in both houses of Congress. Most of these resolutions never emerged from committee, but they served as a nucleus for later important legislation.³

According to Mitchell, an airplane which could sink battleships and which could be used for land or sea reconnaissance, offensive and defensive warfare, and the transportation of troops and supplies would inevitably revolutionize the techniques of modern warfare. Since the flying of airplanes required specialized training and knowledge outside the curriculum of West Point or Annapolis, and since it presented particular problems of organization and administration unknown to either the military or the naval department, the Air Service should be made into a separate department under the command of a Secretary of Air. This idea was not new. Before the Army Reorganization Act, 12 measures providing for such a department were proposed in Congress. Only one of these, S. 3348, ever got out of committee and even this one was tabled.⁴ Ap-

2. New York Herald Tribune, 12 Sept. 1925.

3. For a complete list of such bills and resolutions, with analysis of their content, see "Digest of Legislative Proposals for a Department of Aviation and/or Department of National Defense," prepared in Administrative History Branch, AFHFI.

4. Cong. Rec. 66 Cong., 2 Sess., 2302, 4165.

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parently, few voters were aware of these attempts to secure Air Service legislation. Mitchell believed that if he could prove some of his claims, the public might become interested in the issue of a separate aviation department. Ever since his return from Europe, Mitchell had declared that an airplane could sink a battleship. The Navy had replied that it could not be done.⁵ From the Navy's point of view, much was at stake. What of its fleet of battleships, its 15,000 officers trained in naval warfare, and its elaborate shore bases if Mitchell were right?

On 10 February 1920 Mitchell appeared before the LaGuardia subcommittee on aviation and offered to prove his claim. Unable to ignore the issue any longer the Navy reluctantly announced six months later that it would conduct some secret tests in October 1920. At the "testing ground" dummy bombs were dropped on the Indiana and a 900-pound bomb was exploded on her deck. The Navy estimated only 11 per cent direct hits with the dummy bombs, and, on that basis, triumphantly permitted the Secretary of the Navy, Josephus Daniels, to make public a report of the Director of Naval Gunnery claiming "the entire experiment pointed to the improbability of a modern battleship being either destroyed completely or put out of action by aerial bombs."⁶

The public accepted the Navy's version until 11 December 1920, when two pictures of the battered Indiana appeared in the London Illustrated

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5. House, Hearings of Select Committee of Inquiry into the Operations of the U.S. Air Services, 68 Cong., 1 Sess., 1961.
 6. For a fuller account of this bombing, see "A Brief History of the Army Air Forces," prepared by AFHHL.

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News. The extensive damage wrought by the single bomb seemed to disprove the Navy's report. That, coupled with the fact that the tests had been secret, aroused the public's suspicions. Mitchell took full advantage of the situation, giving out interviews that were more extravagant than usual. The New York Tribune quoted him as saying that "neither coast defense guns nor a defending fleet of battleships need fire a gun in repelling the attack of a foreign fleet if we have a properly organized Air Force."⁷ In vain did Secretary Daniels offer to stand bareheaded on the deck of any battleship while the Assistant Chief of the Air Service attempted to bomb it from the air. The public was seemingly more interested in Mitchell's assertion that 11 per cent of direct hits with dummy bombs would be at least a 44 per cent hit with loaded bombs.

During the next session of Congress the influence of Mitchell began to be demonstrated. Senators and Representatives talked of more and better tests, this time to be supervised by the Army, observed by congressmen, and the results published in the press. The War Department was reminded that, like Congress, it belonged to the people and could not ignore the will of the voters. Senator New introduced a resolution directing the Secretary of Navy to turn over certain obsolete seacraft to the Air Service and instructing the Chief of the Air Service to conduct extensive tests to further the study and development of aerial attack on seacraft. On the same day an identical resolution was introduced in the House. Both were buried in the naval affairs committees,

7. New York Tribune, 21 Dec. 1920.

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but the effect was much the same as it would have been had they passed.⁸ The important difference was that, according to the two resolutions, the bombing could have been directed and conducted by the Army Air Service. Under the final plan, bombing was done by the Army Air Service but was directed by the navy. The next week Secretary Daniels proposed to the Secretary of War that the Army and Navy conduct joint bombings on the captured German warships. The tests took place in July, Senators, Representatives, and reporters observing from the decks of the Henderson and other craft.

On 18 July 1921 Mitchell's airmen sank the German cruiser Frankfort with straight hits in the open sea. The navy, however, refused to admit that any important conclusions might be drawn from this act. Navy officials said that it was one thing to sink a battleship and quite another to sink an armored battleship like the Ostfriesland.⁹ In spite of the handicap imposed by the Navy--bombing with light-weight bombs from an altitude of 10,000 feet--Mitchell did sink the Ostfriesland.¹⁰

The reverberations that the Navy expected were not long in coming. On 5 August 1921 Senator Borah asked whether it would be wise to complete at a cost of \$240,000,000 the six battleships then under construction in view of the fact that the bombing tests off the Virginia coast had demonstrated that "with sufficient airplane and submarine

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8. Cong. Rec., 66 Cong., 3 Sess., 3033, 3099 (12 Feb. 1921).
 9. House, Hearings on Air Service Unification, 68 Cong., 2 Sess., 145.
 10. Other tests conducted, 1921-1923, on the Alabama, New Jersey, and Virginia proved that Mitchell's claim had not been extravagant. See Mitchell, Winged Defense, 57-76; House, Hearings before the Select Committee of Inquiry into the Operations of the U. S. Air Services, 68 Cong., 1 Sess., 1896, 1975, 2138; Cong. Rec., 68 Cong., 2 Sess., 3013 (4 Feb. 1925).

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protection this country was perfectly safe from attack."¹¹ Navy men in Congress hastily challenged Borah's assumption that the bombing had been unequivocally successful. In view of the two contradictory reports of the bombings, one published by Mitchell in the newspapers and the other by the Navy, the Senate passed a resolution directing the Secretary of War to send the Senate the report of General Mitchell relating to the sinking of the battleships. On 4 January 1922 the Vice President returned the request saying that President Harding "considered the transmission of the report in question incompatible with the public interest."¹² Borah challenged the President's decision by pointing out that if Mitchell were right, his report "might materially affect the reputation of some of those who have been passing upon the efficiency of modern battleships but it would be also interesting to the tax payers." Furthermore, Borah threatened to state his "understanding" of what might be in Mitchell's report when the naval appropriation bill came up for consideration.¹³

The bombing controversy increased public interest in aviation and consequently provided an impetus for further official action. On 24 February 1921 Congressman Curry introduced H.R. 1615 proposing a separate Department of Air which would take over both military and civilian aeronautics. This bill differed from similar legislation introduced previously in that it created a United States Air Force under a Division of Military Aeronautics with a line and a staff. This Air Force was to

11. Cong. Rec., 67 Cong., 1 Sess., 500 (5 Aug. 1921).

12. Ibid., 67 Cong., 2 Sess., 745-46 (4 Jan. 1922).

13. Ibid., 751 (4 Jan. 1922).

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serve in combat with either or both land or sea forces or independently of either. Military personnel would be assigned permanently to the new force, not detailed to it for short periods of emergency. The bill was buried in the Committee on Military Affairs.¹⁴

Two months later President Harding indicated disapproval of such extreme legislation in a message to Congress which accompanied a special report of the National Advisory Committee for Aeronautics. The President recommended that the Army Air Service should be continued as a branch of the Army under the Secretary of War, the Naval Air Service under the Secretary of Navy, and the air mail under the Postmaster General. Cooperation between the military and naval branches of aeronautics would be provided by a joint Army and Navy board which would be concerned with procurement and training. Nothing was said about organization and administration, the immediate problems which the Chief of the Air Service had presented for consideration in his annual report.¹⁵

In the annual report of the Chief of the Air Service for 1922, Maj. Gen. Mason H. Patrick called the attention of the Secretary of War to faulty interpretation of the Army Reorganization Act which was working a hardship on the Air Service. The act provided that only 10 per cent of the officers in each grade below brigadier general who failed to qualify as aircraft pilots or observers in one year after assignment should be permitted to remain in the organization. Instead of interpreting the section to mean that in each grade not more than 10 per cent

14. Ibid., 66 Cong., 3 Sess., 3929 (24 Feb. 1921).

15. S. Doc. No. 17, 67 Cong., 1 Sess.

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of the officers should be non-flyers the War Department applied the rule to the eliminees. For example, if 100 majors were detailed and 10 failed to qualify as pilots or observers, 9 of the 10 would be transferred out of the Air Service. The Air Service wanted the proportion of non-flyers in the organization kept within a controlled limit, but at the same time it needed more non-flyers for administrative duties than the War Department allowed. The Secretary of War ignored the recommendation, and as a result no change was made in the amendment until the Air Corps Act in 1926.

General Patrick concluded his report with the uncompromising statement that the Air Service was practically demobilized and unable to play its part in any national emergency or even to meet the many peacetime demands for service with its inadequate strength and organization. He stated that this matter, which had been repeatedly called to the attention of the War Department, could be remedied only by immediate congressional legislation.¹⁶ This the Secretary of War could not overlook, and on 24 April 1923 he approved tentatively a program for increasing the Air Service to an adequate strength. But he neglected to refer the plan to Congress with appropriate legislation for its enactment.¹⁷

On 6 February 1923, in response to a request from The Adjutant General, General Patrick submitted detailed recommendations for improve-

16. Report of Chief of Air Service, 28 May 1923, in AIG 0321, Legislation.

17. The Joint Planning Committee buried the plan. Joint Board Study No. 349 in Plans Div. files, AFHQ.

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ments in the Air Service. He said that tests made the previous year in Hawaii demonstrating the efficiency of the airplane in war maneuvers¹⁸ showed the authorized strength of the Air Service was entirely inadequate, and legislation providing for an increase in personnel was needed. General Patrick divided the air component of the Army into two principal groups: (1) the observation squadrons and balloon companies, whose function was to assist the combatant branches of the Army; (2) the pursuit, bombardment and attack units, called the Air Force, which operated more or less independently of the ground troops. The latter to be effective must be instantly available at all times, yet, General Patrick said, it was sadly underofficered and undemanned. He stressed the need for a clear-cut distinction between the mission of the Army Air Service and that of the Navy air units in coast defense. Air defense of the coast line from land bases should be carried on by the Army, while the Navy should confine its activities to the sea.¹⁹

An Army board made up of General Staff officers and under the chairmanship of Maj. Gen. William Lassiter was promptly convened to consider the report. The board held hearings, interviewing many aviation experts. On 27 March 1923 it issued a report which was based essentially on the views of General Patrick. "The aircraft industry in the United States," the board agreed unanimously, "is entirely inadequate to meet peace and war time requirements. It is rapidly diminish-

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18. Annual Report of the Commanding General, Hawaiian Department (1922), in 319.12 Hawaiian Dept., in Plans Div. files, AFHFI.
19. 1st Ind. (AG to Chief of Air Service, 25 Nov. 1922), Gen. Patrick to AG, 6 Feb. 1923, in Plans Div. files, AFHFI.

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ing under present conditions and will soon practically disappear." To remedy this situation, the board recommended legislation providing for a 10-year plan of Air Service expansion: (1) Congress should appropriate \$25,000,000 a year during that time for the Air Service; (2) personnel should be increased to 4,000 officers, 2,500 flying cadets, and 25,000 enlisted men; (3) equipment should be increased to 38 balloons, 2,500 flying planes, and 20 airships.²⁰

The most important innovation was the endorsement of General Patrick's division of task forces. Observation, attack, and pursuit air units were to be made integral parts of divisions, corps, and armies, ^{and} were to be used as an arm or aid of the ground forces. In each case, however, a reserve was to be placed under the command of general headquarters, a plan which was a forerunner of the tactical air force of World War II. Strategic missions were to be accomplished either in connection with the operation of the ground troops or entirely independent of them. The board stated that the third division "should be organized into large units, insuring great mobility and independence of action."²¹ In effect, a semi-independent air force was to be created which would be compact, complete, and always available for action at some distance from the ground forces. Here was the concept of the strategic air force which was hailed as a new type of air combat unit when it was introduced in the North African campaign in the spring of 1943.²²

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20. Report of the Select Committee of Inquiry into Operations of the United States Air Services, Appendix C.
 21. Report of the President's Aircraft Board (1925), 25.
 22. Lt. Gen. Carl Spaatz's reference to the Lassiter Board, Time, 10 June 1943, 12.

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The report was approved by the Secretary of War and sent to the Joint Army and Navy Board for approval. The Secretary of War when he submitted the report mentioned that the Navy air appropriation should be cut since the Navy program was less than the Army program. He also suggested that an Army-Navy aviation program be considered by a joint congressional committee instead of by separate subcommittees. The Navy representatives on the Joint Board opposed both measures and voted against the Lassiter report.²³

Deadlocked by the internecine struggle between the Army and Navy, the report was not incorporated into actual legislation, but it did become unofficially the War Department's policy on Air Service organization,²⁴ and since it was reviewed by every board investigating aviation between 1923 and 1926, it had undoubted educational value.

On 13 February 1923, even before the Lassiter Board had convened, and again in 1926, President Harding and his Cabinet presented a plan for the reorganization of all executive departments. According to this prospectus, the military and naval establishments were to be coordinated under a single Cabinet officer and called the Department of National Defense.²⁵ There was no specific mention of aviation, but the assumption was that it would be continued as an auxiliary of the Army and Navy, the executive officers of which were to be assistant

23. Report of the President's Aircraft Board (1925), 97.

24. Ibid., 15. Brig. Gen. Hugh Drum referred to the Lassiter Board report as "a fundamental document." Hearings of Select Committee of Inquiry into the Operations of the U. S. Air Services, 1932.

25. S. Doc. No. 302, 67 Cong., 4 Sess.

secretarics working under the direction of the Secretary of National defense. Perhaps the Lassiter Board looked upon the President's plan as an impractical dream of civilians who did not understand military needs. At any rate, it was not mentioned at the hearings. Although it included no specific reference to air, it was an expression of the National Defense department idea presented by Curry in 1921, and, since it had a much wider circulation than the Curry proposal, it built up support for later national defense legislation.

The first review of the Lassiter Board findings was made by the Select Committee of Inquiry into Operations of the U.S. Air Services, commonly called the Lampert Committee, composed of nine Congressmen appointed by the Speaker of the House from the military and naval affairs committees on 4 October 1924. This investigation grew directly out of the charge by Congressman John H. Nelson (Wis.) that the retarded condition of the Air Service could be traced directly to the monopolistic practices of the Manufacturers' Aircraft Association.²⁶ Nelson submitted two resolutions advocating the appointment of a committee to investigate the financial affairs of all branches of aeronautics. Both were buried in committee.²⁷ Nelson's group won its point on 24 March 1924 when it succeeded in passing H.R. 192²⁸ which was identical with the two resolutions which failed.

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26. Cong. Rec., 68 Cong., 1 Sess., 1625-30 (29 Jan. 1924). See H. L. Scaife's expose of air monopoly which was read into ibid., 67 Cong., 1 Sess., 1353-56 (12 May 1921).
27. These were H. Res. 163 and H. Res. 202; Cong. Rec., 68 Cong., 1 Sess., 1665 (29 Jan. 1924), 3444 (1 March 1924).
28. Ibid., 3126, (25 Feb. 1924), 3273 (28 Feb. 1924), 4815, 4817 (24 March 1924).

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The committee held hearings for 11 months and examined more than 150 witnesses. Although it had been appointed originally for the purpose of finding out how the money appropriated for aviation had been spent, the committee soon extended its field of inquiry into an intensive examination of Air Service organization. The testimony which ran into six volumes is a potpourri in which can be found all the grievances of Air Service men, all the blueprints for an improved Air Service, and all the arguments of military experts who were trying to keep aviation as an auxiliary to the Army and Navy. For the most part, the hearings revolved around the key testimony given by General Mitchell. In fact, the War Department was inclined to believe that the sole purpose of the committee was the corroboration of Mitchell's views.²⁹

Mitchell estimated that from the standpoint of equipment and personnel the United States could not claim above fifth place among the air powers of the world.³⁰ The General Staff had been informed again and again of this condition by the Chief of the Air Service, but it had not acted. The annual report of the Air Service had become simply a repetitive review of what had not been done. This condition, Mitchell said, stemmed directly from the fact that the Air Service was organized in such a way as to protect military agencies which had "vested interests against aviation."³¹ Aviation was a part of the Navy, a part of the

29. 1st Ind. (memo for Sec. of Navy by Capt. Alfred W. Johnson, 7 Feb. 1925), Sec. of Navy to Sec. of War, 10 Feb. 1925, in AAF Letterbook, AAF Library.

30. House, Hearings before the Select Committee of Inquiry into the Operation of the U. S. Air Services, 65 Cong., 1 Sess., 1915.

31. Ibid., 1888.

Army, a part of the Post Office, and in each case the department had a major aim other than the development of aviation. Actually it was to the advantage of the Navy to keep the airplane from eclipsing the battleship. The Chief of Air Service, having "responsibility but practically no authority,"³² was powerless to change the situation. Planning for aviation was in the hands of officers who were not Air Service men, either by inclination or training.

Mitchell seemed to have an unerring ability to introduce matters which "the public interest required . . . be kept confidential."³³ Because of the conservatism of the War Department and the power of the military experts who were jealous of air power, Mitchell held that no encouragement had been given to the inventors of aircraft devices with the result that these persons took their inventions to foreign governments.³⁴ One part of Mitchell's testimony, which must have been particularly offensive to the Navy, was his contention that if the Air Service were given 50 million dollars a year, half the sum needed to build one battleship, and if it were allowed to direct the spending of the money, "I believe that we could control the air in any decisive theatre of operations within two years."³⁵ Equally offensive to Army ears was

32. Ibid., 2777.

33. WD Press Release, Sec. of War to Congressman J. Perkins (Ill.), Feb. 1925, in WAC 333.5, Investigations--Lassiter Board.

34. House, Hearings before Select Committee of Inquiry into Operation of the U. S. Air Services, 2324-2333; 2090, and index, Part VI.

35. Ibid., 1894. To the current cost of a battleship General Mitchell was adding here the cost of the necessary screening vessels.

Mitchell's disclosure of the feud between the Army and Navy at Pearl

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Harbor:

When I was in the Hawaiian Islands . . . the relations between the Army and Navy were such that the commanding general of the Army and the commanding admiral of the Navy would not even go to the same social functions together. I have never seen anything like it. Each claimed to be the senior officer, and that each should have the attributes of the general officer who was in charge of the station. The general officer . . . told me that he had discovered that the admiral in command of the station at Pearl Harbor had made arrangements to take over the city of Honolulu and handle it according to a military system in case of war, but had never notified the commanding general at all. The commanding general told me that in case of war he would take it away from him, even if force was necessary.

Mitchell said that aviation could reach its full development, expensive departmental duplication of services could be abolished, and greater military efficiency secured if some organizational planning were done. He suggested (1) a department of aeronautics coequal with the Army and Navy to handle the whole air question, (2) a definite aeronautical policy, (3) an organization, both military and civil, to fit the aeronautical policy, (4) a method of providing suitable personnel for all air undertakings, (5) a single system of procurement and supply for all air undertakings, and (6) a system of instruction and inspection for all air elements. Further, he referred the committee to General Patrick's letter to The Adjutant General, dated 19 December 1924 which stated: "Legislation should be prepared for the reorganization of the Air Service as an Air Corps apart from the War Department. This legislation should be submitted to Congress, accompanied by a special message from the President setting forth its importance."³⁷

36. Ibid., 2761-62.

37. Ibid., 1896.

Although Mitchell had originally favored a unified air force which would be an independent administrative department, coequal with the War and Navy departments, he was willing to concede that Curry's plan of a Department of National Defense might solve the problem just as well. A new cabinet office, the Secretary of National Defense, would be created and filled, as was customary, with a civilian. Under him, however, would be three trained experts representing the Army, Navy, and Air Service.³⁸

Mitchell's testimony was corroborated and his findings endorsed by such men as Admiral William Sims, Senator Hiram Bingham, Representative LaGuardia, and Edward Rickenbacker, who were experienced in military aeronautics and in problems of practical administration; Brig. Gen. Amos A. Fries, Chief of Chemical Warfare Service in the Army; Edward P. Warner, professor of aeronautics at Massachusetts Institute of Technology; and Maj. Raycroft Walsh, Chief of Finance Section, Army Air Service. On the other hand, testimony presented by Mitchell's opponents was sometimes contradictory and misleading.³⁹ Obviously, of course, loyal Navy witnesses were somewhat handicapped when they were called upon to explain the famous answer which the Secretary of Navy made when he was asked if an airplane could sink a battleship. In the face of what had happened to the late Indiana, Frankfort, and Ostfriesland, the Secretary replied, "We know it will not. Our experiments show that that statement is absolutely untenable and ridiculous."⁴⁰

38. Ibid., 2777.

39. Ibid. Among these witnesses were Theodore Roosevelt, 2345-59; Capt. Carl Johnson, 1952-62; Commander Kenneth Whiting, 2135-44.

40. Ibid., 1961.

Mitchell paid rather heavily for his interest in the Air Service. On 28 October 1925, seven months after the Lampert Committee adjourned, he was tried before a court-martial under charges of violating the ninth Article of War. The court found him guilty and sentenced him to be suspended from rank, command, and duty for five years. In making up its report the Lampert Committee, however, followed his diagnosis of and remedies for Air Service problems. The committee concluded that (1) there was no uniformity of Army and Navy policy as to organization of the Air Service; (2) the attempts to coordinate the activities of the Army and Navy by the use of joint boards had been sporadic and occasional; (3) the Army and Navy could not agree on the proper use of aircraft in coastal defense; and (4) the air defense of the country had created new and very involved problems of administration. Six plans for Air Service organization had been studied by the committee; (1) a unified air force operating independently of the Army and Navy and sending units to these services as needed; (2) a separate air force operating individually, the Army and the Navy at the same time retaining all the units required for Army and Navy tactics; (3) aviation corps in both Army and Navy; (4) a slight modification of the existing situation by installing assistant secretaries of air in the War, Navy, and Commerce departments; (5) a Department of National Defense under a civilian secretary who would be assisted by three military experts representing Army, Navy, and Aviation; and (6) the building up of a great air power through the curtailment of certain other branches of the Army and Navy.

After much consideration of the testimony, the committee decided to

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enforce the fifth proposal:

A single department of national defense through its unity of command would harmonize our national defense system, reduce expenditures for supplies, and prevent needless duplications, promote understanding, lessen friction between our different military arms, and provide a uniform and equalized system of pay, promotion, and retirement. It should decrease the overhead of maintenance and decrease the number of organizations and bureaus within the departments. It should promote the interchange of effort in peace and war; it should work for economy, efficiency, and strength in our national defense. It would train and habituate our military organizations in peace time for that cooperation that is essential in war.

For the solution of immediate conflicts, the committee recommended that (1) Congress at once determine and settle by legislation the respective fields of operation of the Army and Navy; (2) there be established a separate and all-inclusive budget for each of the air services, the allocation of the appropriations to be by law; and (3) the air services of both the Army and the Navy should at once be adequately represented on the General Staff of the Army and the General Board of the Navy by members who would firmly support the full and complete use of Army and Navy aviation for the defense of the country.⁴²

No action was taken on the Lampert Committee recommendations. The six volumes of evidence joined the Lasciter Board report in War Department files as another review of what had not been done. Yet the Lampert Committee did furnish a milieu which was favorable to legislation. While the committee was holding its hearings, two important bills were introduced, H. R. 10147 on 3 December 1924 and H. R. 12285 on 14 February 1925, both providing for a separate de-

41. Report of the Select Committee of Inquiry into Operations of the United States Air Services, 8.

42. Ibid., 9.

partment of aeronautics. The second differed from the first in that it (1) suggested that the new unit be called the Department of Air, (2) added an assistant secretary who was to be responsible for the mobilization of materiel and the industrial organization in time of war, and (3) provided for flying cadets. The two bills went into the Committee on Military Affairs where they received more consideration than had been accorded any other similar plan.⁴³

The important question at issue in the committee was one which had been argued ever since a separate department for aviation was first mentioned. What was the role of aviation? Was it a separate military branch with a specific role to fulfill, operating independently in its own field? According to the Air Service men, it was. They believed that "it must sooner or later be recognized that our military forces are made up of three main components, viz., those that fight on the land, those that fight on the water and those that fight in the air."⁴⁴

On the other side were those who believed that aviation was merely an aid to the Army and Navy, similar to the artillery and submarine services. This view was strongly upheld by the Navy. The Navy saw that if it were going to keep aviation in this subordinate position it had to prove (1) that an airplane was not necessarily dangerous to a submarine, (2) that enemy airplanes could not fly far enough to be a real menace to the fleet or even to coastal defense, and (3) that submarine

43. House, Hearings on Air Service Unification, 63 Cong., 2 Sess.

44. Chief of Air Service to AG, 8 Feb. 1922, in Plans Div. files, AFMHI.

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and surface vessel anti-aircraft was a deterrent to air attack. The committee heard both sides, but it came to no decision and the two bills were not reported.

On 10 September 1925 the secretaries of Navy and War requested that President Coolidge appoint a board to consider "the best means of developing and applying aircraft in National Defense," a strange request in view of the fact that the Langert Committee which had adjourned in March had not yet issued a report. Apparently the President was unconcerned with possible duplication of effort because he immediately called a committee of nine members with Dwight D. Morrow as acting chairman.

The board held hearings for a month, and it issued its report on 10 December 1925, just four days before the Langert report was published.⁴⁵ The hearings were concerned primarily with the same questions which had been taken up by the Langert Committee, but the approach was different. Whereas the latter had indicated a sympathetic approval for the action favoring a department of national defense, the Morrow Board seemed to encourage witnesses who opposed plans to give the Air Service any kind of independent status.⁴⁶

One critic observed that "the findings of the Morrow Board were approved before the Morrow Board ever assembled";⁴⁷ another hinted that certain corroborative testimony given by Army officers had been dictated by the War Department.⁴⁸ In any event, the Morrow Board report seemed to have been conceived for the purpose of nullifying the recommendations

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45. For history of the Morrow Board, see Report of the President's Aircraft Board.
 46. Report of the President's Aircraft Board, 1237-64, 1280, 1372.
 47. House, Hearings on Department of Defense and Unification of Air Service, 69 Cong., 1 Sess., 741.
 48. Ibid., 239

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of the Lampert Committee in respect to Air Service reorganization. The latter endorsed a department of national defense and a separate budget. The Morrow Board, however, uncompromisingly disapproved both proposals. It held that a department of national defense was too complex and unwieldy for efficient operation, and a separate budget meant duplication of agencies. It also opposed any plans for a separate department of aeronautics on the grounds: "We do not consider that air power, as an arm of national defense, has yet demonstrated its value for independent operations." The committee stated that inasmuch as the United States was in no danger from air attack from any potential enemy, the Lassiter and Lampert board members were impractical alarmists. In his message accompanying the report, President Coolidge further assured a public frightened by General Mitchell's predictions that the United States was not "behind any other country in aviation," and that no radical change in the organization of the air service seemed necessary.⁴⁹

The Morrow Board did recommend that the name of the service be changed to Air Corps. It also recommended (1) that the distinction between service rendered by air troops in their auxiliary role and that of an air force acting alone on a separate mission is important; (2) that aviation have representation on the General Staff; (3) that aviation in the Army, Navy, and Commerce departments be under the supervision of three assistant secretaries; (4) that two brigadier generals be added to the Air Corps; and (5) that civil and military aeronautics be kept separate.

49. Ibid., 742. The intention of this statement could well have been the blocking of S. 4548 and H. R. 13250 which authorized an increase in the number of Reserve officer training units for the Air Corps.

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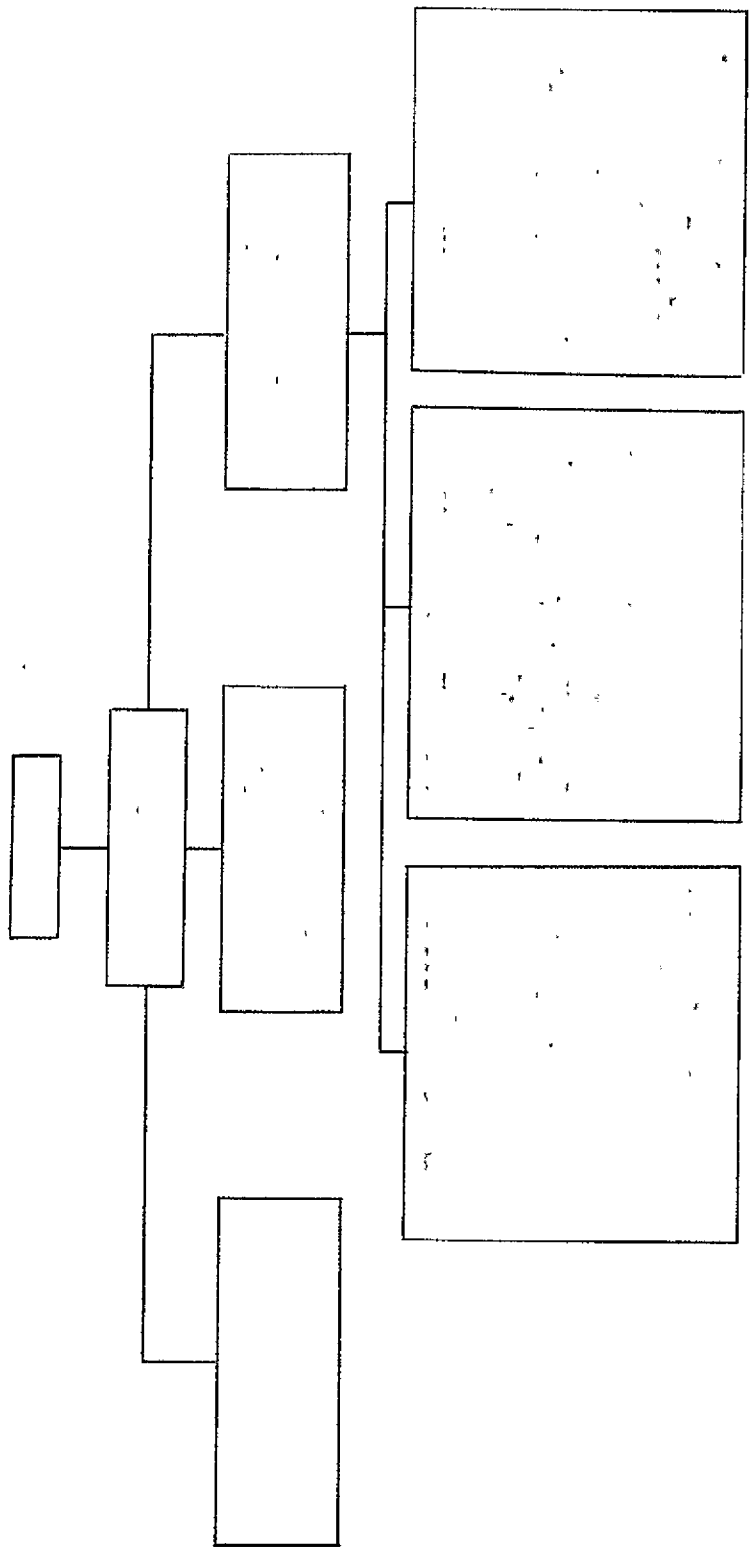
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This board represented a significant departure in that it introduced another kind of Air Service organizational planning. Faced by increasing pressure from the public in the form of congressional investigating committees⁵⁰ like the Lampert Committee, the War Department had to make a choice. It could present a scheme which could remove some of the outstanding grievances of the Air Service, or it could accept either a separate department of aeronautics or a department of national defense. (See Chart I, following p.42 and Chart II, following p.73.) Until the Lampert Committee met, the War Department had little cause for worry. The two most impressive bills (H. R. 10147 and H. R. 12285) providing for a separate department of aeronautics had been buried safely in committee.⁵¹ In December 1925, however, when the Lampert Committee recommended a department of national defense and Curry introduced H. R. 447, the first bill actually providing for the creation of such a department, the War Department could ignore the issue no longer. On 18 January 1926 Representative John Morin (Pa.) submitted H. R. 7916, called the Air bill, which incorporated the recommendations of the Morrow Board and had the official sanction of the War Department.⁵² It differed from the Morrow Board recommendations in that it proposed (1) the appointment

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50. During the 68th Congress, 2d Session, H. J. Res. 378 was introduced, which provided for the appointment of a committee to investigate the advisability of creating a department of national defense. The resolution failed but the matter came up for discussion three times during the session. Cong. Rec., 68 Cong., 2 Sess., 4931 (27 Feb. 1925), 5185 (2 March 1925), 455 (11 Dec. 1924). In the next session three more bills for a department of national defense were introduced.
51. Ibid., 68 Cong., 2 Sess., 100 (3 Dec. 1924), 3696 (14 Feb. 1925).
52. House, Hearings on Department of Defense and Unification of Air Service, 69 Cong., 1 Sess., 449.

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of three assistant chiefs of the Air Corps with the rank of brigadier general, and (2) that not more than 10 per cent of the officers of each grade of the Air Corps below that of brigadier general might be non-flying officers.

The day after the Air Bill was introduced, the House Committee on Military Affairs met to consider a department of defense and unification of the air services. The hearings soon became a tug-of-war between the War Department's Air Bill and Curry's H. R. 447. Other plans for a department of national defense were presented during this period, but H. R. 447 was the most representative.⁵³ It abolished the separate Navy Department and the National Advisory Committee for Aeronautics. It provided for a Department of Defense, directed by a Secretary of Defense assisted by three undersecretaries representing the Army, Navy, and Air Service. Three assistant secretaries were to be appointed to serve under the undersecretaries. The real contribution of this bill, however, was the detailed internal organization which it worked out for the air branch of the Department of Defense. There were to be four divisions: (1) the Air Force, the head of which was to be appointed by the President with the advice and consent of the Senate, (2) the division of civil aeronautics (3) the division of supplies, and (4) the division of research. The Air Force was to be divided into the line (the corps, divisions, brigades, wings, groups, and squadrons) and the staff (the supply, engineering, medical, and legal branches). At the direction of the Secretary of Defense, units of the Air Force might be detached for service with the Army or Navy. The Air Force personnel was to be so trained as to comprise a

53. Cong. Rec., 69 Cong., 1 Sess., 396 (7 Dec. 1925), 530 (8 Dec. 1925).

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combatant force capable of operating with either the armed land or sea forces, or with both combined, or independently.

The American Legion, General Mitchell, Representative LaGuardia, and General Patrick favored this bill. The opposition argued that aviation was not a coordinate element of defense like the Army and the Navy, but it was only a subordinate branch of the two major arms, bearing the same relation to the War Department as the Cavalry or the Field Artillery.⁵⁴ Any kind of independent status for aviation, whether as an autonomous department or an Air Service within a department of national defense, was vigorously opposed by the War Department. Either plan, the War Department insisted, would destroy unity of command in every theater of operations and violate the basic principle of military organizations: "the arms which are habitually to function together in battle must . . . train together and live together."⁵⁵ On every occasion, the War Department cited General Pershing's famous statement: "An air force, acting independently, can of its own account neither win a war at the present time nor, so far as we can tell, at any time in the future, . . . nor can it obtain a decision against forces on the ground."⁵⁶

On 28 January 1926, Representative J. Rainwright (N. Y.) introduced H. R. 8533 which was ostensibly an attempt at a compromise between the Air Bill and the plan for a department of national defense. Actually it was a restatement of General Patrick's recommendations to the Adjutant

54. See letter of Secretary Milbur objecting to H. R. 46, in House, Hearings . . . on Department of Defense and Unification of Air Service, 69 Cong., 1 Sess., 691.

55. Ibid., 123.

56. Ibid., 126.

general on 19 December 1924, and it made no concession to the War Department. It provided for an Air Corps which would be under the direction of a second Assistant Secretary of War. The Air Corps was to draw up its own budget; it was to control its maintenance and training activities; and it was to take over all aerial operations from land bases. Although it was to be a completely autonomous organization, units or detachments might serve with the Army, Navy, or Marine Corps at the direction of the President. Personnel and organizational details were the same as those worked out by Curry in H. R. 447.

The War Department could see nothing good in the bill. It objected to the separate budget, predicting that such a course could only result in "duplication and increased expenditures."⁵⁷ Maj. Gen. Fox Conner, Assistant Chief of Staff for Supply, frankly stated that he believed the bill showed "an attempt to escape any control whatsoever by the Chief of Staff, by The Adjutant General, or by the Inspector General."⁵⁸ The testimony of both Army and Navy officers was so consistently disapproving of H. R. 8533 as to make Congressmen think that perhaps the Mitchell court-martial had inhibited military freedom of speech. Representative LaGuardia informed the House that the General Staff penalized Air Service officers who testified before congressional committees against War Department control of the Air Service.⁵⁹ To answer this criticism, the War Department hastily issued a directive to the effect that Army officers should feel free to express any opinions which were not detrimental to the public good.⁶⁰

57. Ibid., 448.

58. Ibid., 448. For other War Department criticism, see Sec. of War to Representative John Morin, 10 Feb. 1926, in ibid., 496-99.

59. Cong. Rec., 69 Cong., 1 Sess., 3730 (10 Feb. 1926).

60. U.S. Press Release, 12 Feb. 1926.

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In January 1926, ex-General Mitchell's statements in magazine and press reached a constantly expanding audience, and his book, Winged Defense, had sold 75,000 copies.⁶¹ The War Department could no longer shut its ears to the public's insistent clamor for reform in the Air Service. On 4 January 1926 Representative John Gorman (Ill.) introduced H. R. 6516 providing for a separate department of aeronautics.⁶² Two weeks later the same bill was presented Sy 2614 to the Senate. In February, Representative . James (Mich.) submitted two bills, one, H. R. 8319, which provided for a substantial increase in Air Service personnel, and the other, H. R. 9044, which restated Curry's original national defense department bill.⁶³ The War Department answered on 11 February with one of its own bills, H. R. 9220, dictated by the Secretary of War and substantially the same as H. R. 7916.

In March the House Committee on Military Affairs met to consider H. R. 9220 and the James bill; the members promised that this time they would arrive at a compromise instead of the usual deadlock.⁶⁴ The result was H. R. 10827, the Air Corps bill, which was reported out of committee on 29 March and referred to the Committee of the Whole House. It was debated by the House, amended, passed, and sent to the Senate where it was subjected to the same process.⁶⁵ The House then refused to approve the Senate's amendments, and the matter was thrown into conference. Finally the bill was approved by both houses and signed on 2

61. Reader's Guide to Periodical Literature and New York Times Index for 1925-1926; see also correspondence in Mitchell's AG 201 file; Publisher's Weekly, 7 April 1926, 22.

62. Cong. Rec., 69 Cong., 1 Sess., 1451 (4 Jan. 1926), 5716 (16 March 1926).

63. Ibid., 2345 (19 Jan. 1926), 3260 (3 Feb. 1926), 3579 (8 Feb. 1926).

64. House, Hearings on H. R. 9220 and H. R. 9044, 69 Cong., 1 Sess.

65. H. Rept. No. 700, 69 Cong., 1 Sess.; Cong. Rec., 69 Cong., 1 Sess., 6544 (29 March 1926).

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July 1926.⁶⁶

The long, acrimonious debates added no new arguments to the extensive literature which had grown out of the battle between those who wanted an independent Air Service and those who did not--those who wanted legislation based on the recommendations of the Langert Committee and those who preferred to follow the Morrow Board. The final bill, however, was influenced by all the various recommendations made by the boards and committees, all the plans submitted officially and unofficially, and all the trial resolutions which had been buried in committee between 1920 and 1926.

The Air Corps Act did not give the Air Service independent status, either as a separate department or as an autonomous branch of the War Department, but it did remedy, to some extent, many of the existing evils in aeronautical organization. The Air Service, in accordance with the Morrow Board's recommendations, was to be known as the Air Corps, the implication being that it was capable of dual action: first, as an auxiliary and supporting force; second, as an independent force operating alone on a separate mission. The supporters of the Air Service accepted this change of title without enthusiasm; they had hoped that administrative independence would accompany recognition of air power as a separate strategic unit.

The administrative staff of the new corps was to consist of a Chief of Air Corps with the rank of major general, three assistants with the

66. Cong. Rec., 69 Cong., 1 Sess., 11756 (22 June 1926), 12261 (29 June 1926).

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rank of brigadier general, 1,514 officers in grades from colonel to second lieutenant, and 16,000 enlisted men. Air Service men viewed as important victories the following provisions: (1) the Chief of the Air Corps, two of the brigadier generals, and 90 per cent of the officers in each grade below the rank of brigadier general were to be flying officers; (2) all flying units were to be commanded by flying officers; (3) officers and men participating regularly and frequently in aerial flights were to receive flying pay amounting to 50 per cent of their base pay; (4) in each of the divisions of the War Department General Staff there was to be created an air section to be headed by an officer of the Air Corps; (5) a five-year program of expansion in personnel and equipment was to be initiated.⁶⁷

The final victory, however, was with the War Department. The Air Corps was to be under the immediate supervision of the Secretary of War in spite of the fact that the air faction had repeatedly requested administrative freedom from War Department dictation. True, an additional Assistant Secretary of War to be appointed by the President, by and with the advice and consent of the Senate, was provided for in the bill; the implication was that he, instead of the Secretary of War, should have the direction of the new corps, but since his duties were not specifically outlined, his power was necessarily restricted to that which might be delegated to him by his superior. The budget also was to be managed entirely from the office of the secretary of War. Promotion injustices were not removed, but the bill did provide that the Secretary of War "inves-

67. 44 Stat. 730. It is interesting to note in this connection that this amendment eliminated the misconception of the clause in the Army Reorganization Act. See Cong. Rec., 69 Cong., 1 Sess., 10404, 10408 (1 June 1926), 12256 (29 June 1926), for debate on these points.

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investigate the alleged injustices which exist in the promotion list of the Army and submit to Congress this study together with his recommendations for changes."

The men who had made a six-year fight for a reorganization of military aeronautics were by no means satisfied with the Air Corps Act. Representative LaGuardia said that he would never stop fighting for a single department of national defense with the three services--air, land, and water--on an equal basis.⁶⁸ Tactful General Patrick wrote that whereas he felt that a department of national defense must be the ultimate solution of the defense problem of the United States, the Air Corps Act was "a long step in the right direction."⁶⁹ In 1926 most of the men who had supported either a separate department of aviation or the plan for a national defense department felt that an effective organization to promote American air power was yet to be won.

68. Cong. Rec., 69 Cong., 1 Sess., 3754 (5 May 1926).

69. Ibid., 3751 (5 May 1926).

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Chapter IV

THE GENERAL HEADQUARTERS AIR FORCE

During the years which followed the enactment of the Air Corps Act, remarkable developments occurred in all phases of aviation. Many record-breaking flights were made by both Air Corps personnel and private flyers. Endurance and refueling experiments were carried on, and the practicability of instrument flying was successfully demonstrated. The achievements and personalities of airmen produced an unprecedented public interest in aviation, stimulated technological developments in aeronautics, and caused the establishment of numerous aircraft companies which turned out airplanes with cruising speed and load capacities continuously improved. In the commercial field significant progress was made in airline transportation, and an extensive network of transcontinental airways began to cover the United States. Concomitant developments in radio and weather reporting helped to increase the safety of flying and to arouse public confidence in aviation.¹

While these improvements were being made, the concept of military air power as a striking force was also being developed. "Command of

1. Final Report of War Department Special Committee on Army Air Corps /Baker Board/, 5-7.

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the air," a term increasingly used by military men, came to mean not only superiority in combat and reconnaissance, but also the ability to strike swiftly and effectively at the enemy's bases of supply and operations. Based on the development of the heavy bomber, capable of making long-range attacks against enemy installations, such a concept of air power was viewed by veteran airmen as being incompatible with the organization of the air arm as an auxiliary of the Army. Men who had seen the bomber emerge as an offensive military weapon during the closing days of the first World War and had witnessed its physical development during the 20's conceived of phases of modern warfare during which fleets of bombers would operate in advance of the infantry and independent of any part of the Army. Their ideas had received recognition by the Lassiter Board which in 1923 had recommended a tactical organization composed of observation, attack and pursuit, and bombardment squadrons. Though the jurisdictional conflict between the Army and Navy and the internal struggle within the War Department had prevented these recommendations from going into effect, they did exercise a strong influence on the training and long-range planning programs of the Army Air Corps. ² In the Air Corps Training Center the concept of an offensive air force was taught to all flying cadets, and the veterans in the battle for a separate air force laid their plans for the day when, either through legislation or by consent of

2. See "Evolution of the Army Heavy Bomber," a study in preparation in Administrative History Branch, AFHFI.

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the War Department, their dream for the utilization of air power would become a reality.

Meanwhile the Army Air Corps began the five-year program authorized by the Air Corps Act. In January 1927, six months after the passage of the enabling legislation, the House Committee on Military Affairs held hearings on the progress made under the new program. F. Trubee Davison, Assistant Secretary of War for Air, and Maj. Gen. Mason M. Patrick, Chief of the Air Corps, were called as witnesses. Their testimony showed that the number and types of airplanes, the strength in personnel, and the organization of tactical units were not keeping step with one another. During the period between the creation of the Air Corps and the establishment of the GHQ Air Force, however, funds were not made available to improve the situation. Contrary to the report of the Baker Board, made in 1934, proposed Air Corps appropriations were scaled down in the office of the Secretary of War and by the Bureau of the Budget rather than in Congress. The result was an increase in the dissatisfaction which had existed among the personnel of the air arm for many years. This general unrest eventually crystallized into specific criticisms of the operation of the Air Corps directed toward the promotion system, the lack of a separate budget, and control of the air arm by the General Staff. It was true

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3. House, Hearings on Air Corps Progress Under the Five-Year Program, 69 Cong., 2 Sess. See also Report of the Baker Board, 8.
 4. Report of the Baker Board, 73; See AAF Historical Studies: No. 22, Legislation Relating to the AAF Materiel Program, 1939-1944.

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that junior officers were performing duties in the Air Corps which normally would have required the supervision of officers of higher rank. The explanation of this situation was to be found in the fact that during the World War, Air Service trainees, because of the extensive training required of them, had been several months delayed in receiving their commissions. This placed them much lower on the promotion list than the officers of other branches of the service. The result was that Air Corps officers remained junior to officers of other arms who had entered the service at the same time and some of whom had since transferred to the Air Corps. In the second place, Air Corps personnel charged that their failure to secure adequate appropriations^{was} the result of control of the War Department budget by the General Staff. They believed that a separate Air Corps budget was the solution to their problem. Finally, they charged that command of the air and the development of a tactical air force could never be accomplished until the Air Corps was free from domination by the General Staff.

The fight for a more desirable organization of the air arm between 1926 and 1935 falls into two distinct periods. During the first, which extended from the passage of the Air Corps Act (1926) to 1933, a strong effort was made to obtain a separate department of national defense. Between 1933 and 1935 the majority of Air Corps officers were convinced that their fight for complete severance from the Army was hopeless; hence, they turned their attention to securing a tactical organization in the GHQ Air Force and pressed their demands for a new promotion system, a separate budget, and a separate staff.

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Though the passage of the Air Corps Act slowed down somewhat the movement for a separate air force, the strongest enthusiasts of military aviation never lost sight of their prime objective. Between 1926 and 1935 12 bills for the creation of a department of aeronautics and 17 calling for a department of national defense were introduced in Congress, none of which was favorably reported from committee. The period of economic depression which began in 1929 witnessed a shift in the basic argument of the proponents of separating military aviation from control of the Army. Adequate defense became subordinate to the plea of economy, for Congress and the public were in a mood receptive to any proposal promising to reduce the expenditures of government, and a strong case could be made for a department of national defense which would be less expensive to operate than the separate departments of War and Navy.

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5. Bills calling for a Department of Aeronautics were H. R. 17204, 20 Feb. 1929; H. R. 17205, 20 Feb. 1929; H. R. 6615, 6616, 5 Dec. 1929; H. R. 6023, 16 Dec. 1931; H. R. 6024, 16 Dec. 1931; H. R. 1661, 10 March 1933; H. R. 1665, 10 March 1933; H. R. 2840, 3 Jan. 1935; H. R. 2841, 3 Jan. 1935; H. R. 7041, 27 March 1935; H. R. 8729, 29 June 1935. Bills calling for a Department of National Defense were H. R. 9044, 8 Feb. 1926; H. R. 10248, 11 March 1926; H. R. 10982, 1 July 1926; H. R. 10985, 1 July 1926; H. R. 379, 5 Dec. 1927; S. 701, 9 Dec. 1927; H. R. 959, 17 April 1929; S. 208, 18 April 1929; H. R. 14060, 2 Dec. 1930; H. R. 261, 8 Dec. 1931; H. R. 4742, 8 Dec. 1931; S. 28, 9 Dec. 1931; H. R. 11267, 30 April 1932; S. 288, 11 March 1933; S. 388, 7 Jan. 1935. See also "Digest of Legislative Proposals for a Department of Aeronautics and/or a Department of National Defense," prepared in AFIH.

During the Seventy-Second Congress two bills (H. R. 4742 and H. R. 7012) proposing such a department were introduced in the House of Representatives. Instead of being referred to the Committee on Military Affairs which had taken adverse action on so many similar proposals, these bills were sent to the Committee on Expenditures in the Executive Departments which opened hearings on 21 January 1932. The strongest opponent to giving the Air Corps parity with the Army and Navy under the proposed program was Representative Charles H. Martin (Ore.), a retired Army officer. Martin charged that if the Air Corps officers were allowed greater freedom, Congress would have "to organize something like the Bureau of the Budget to keep them going," and declared that if Congress had followed General Mitchell's program, the government would have been bankrupted. He pleaded with the committee not to turn the "air birds" loose on a "long-suffering public," for they would do "incalculable harm to the Army and Navy." Both Secretary of War Patrick J. Hurley and Secretary of the Navy Charles Francis Adams testified that economy would not result from consolidation of the military and naval air services. Their arguments, however, added nothing new to the long and bitter denials of the superiority of a single department.

The principal military witness was Maj. Gen. B. D. Foulois, who since December 1931 had served as Chief of the Air Corps. General Foulois refuted Martin's charges of waste and inefficiency in the Air Corps but denied that the defense of the nation would be improved by the kind of consolidation proposed in the legislation which was then

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under consideration. He preferred a separate department of aeronautics. The only proponents of the bills were Congressmen Joseph W. Byrns (Tenn.) and William Williamson (S. Dak.), their sponsors, and Representative John J. McSwain (S. C.).⁶

These bills, like those which had preceded them, never emerged from the committee, but on 23 February 1932 Byrns received permission from the House to speak for seven minutes on his proposal. He described its reference to a subcommittee, charging that such disposition of it was the fault of the Democrats on the committee who were intimidated by the Army-Navy League, a group characterized by Congressman Thomas L. Blanton (Tex.) as "the most pernicious lobby in the capital."⁷ Though Byrns's protest did not result in the reporting of the bill as a separate measure, H. R. 11267, commonly known as the Economy Bill for 1932, subsequently drafted by the same committee, contained as Title 6 provision for a department of national defense which was identical with that provided in H. R. 7012, the Byrns bill. On 30 April the national defense provisions of this omnibus bill came up for discussion on the floor of the House. Congressman Martin, the most caustic foe of the proposal during the hearings, denounced it as a "deadly blow to efficiency," a measure "not of economy but extravagance," and the "greatest piece of humbuggery in the bill." Its strongest supporters were Congressmen LaGuardia^(N.Y.) and Byron B. Harlan

6. House, Hearings . . . on a Department of National Defense, 72 Cong., 1 Sess., 25-48, 49-80, 98-100, 103-34.

7. Cong. Rec. 72 Cong., 1 Sess., 4515-16.

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(Ohio), both of whom stressed its economy features. After long and bitter debate the House by a vote of 153 to 135 eliminated all of Title 6. This was the only instance of discussion on the floor of Congress of a department of national defense during the lengthy period covered by the introduction of such proposals.

Though during the following years there continued to be bills proposed for both a department of air and a department of national defense, they received little congressional attention, for the majority of Air Corps officers, feeling that their fight for a separate air force or a department of national defense was hopeless, directed their campaign toward a new and limited objective--the creation of an air force which would remain a part of the Army but with a separate budget, a separate promotion list, and freedom from the General Staff.

At this point a train of events took place which contributed to the realization of the new objective. The election of Franklin D. Roosevelt as President of the United States gave the proponents of air power the first chief executive to exhibit a dynamic interest in the potentialities of a striking air force. The reorganization of the Army in 1932-33 presented an opportunity for the crystallization of the rather nebulous idea of a GHQ air force into a well-organized plan. Finally, the controversy over the carrying of the air mail in 1934 focused public attention on the needs of the Air Corps and strongly contributed^{to} the reorganization which was effected during the following

8. Cong. Rec., 72 Cong., 1 Sess., 9318, 9339 (30 April 1932).

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year. Shortly after his inauguration Roosevelt summoned General Mitchell to the White House for a conference, and in the course of the next two years initiated the creation of two committees to study the nation's air problems.⁹ His support was of inestimable value to the airmen and gave them renewed faith in the final accomplishment of their plan for air defense.

Many months before the election of Roosevelt the Army had launched a reorganization program. The rise of fascist militarism which had followed upon the heels of the economic collapse in Europe centered the attention of the democracies on an increase in their military readiness to meet an emergency. In the United States the War Department General Staff consolidated into four field armies the tactical units hitherto under the jurisdiction of the nine corps areas. The purpose of the "four-army plan," as it was called, was to weld the existing military units into "an integrated machine capable of instantaneous response to the orders of the President."¹⁰

Following the reorganization, elaborate secret defense plans were drawn up. On 3 June 1933 the Adjutant General called on the Chief of the Air Corps to formulate a plan for the use of the air arm in the proposed defense program.¹¹ Six weeks later, following extensive study of the subject, a proposed plan was submitted. It denied that all air

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9. William Bradford Huie, The Fight for Air Power, 46.
 10. Memo for Commanding Generals of the Four Field Armies by Gen. Douglas MacArthur, Chief of Staff, 22 Oct. 1932, in Plans Div. files, AFTHI.
 11. AG to C/AC, 3 June 1933, in AAG 334.7, Drum Board.

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force operations must tie in with ground operations and laid great emphasis on the initial air defense of the coast to a distance of 200 to 300 miles offshore. To protect seven designated critical defense areas, the plan recommended the detail of planes to operate as a coastal defense unit, controlled by a General Headquarters Air Force and coordinated with a radio communication and alarm system along the coast. Upon the approach of an enemy on the surface or in the air, proper notice would be given to Air Headquarters ashore. In the meantime, the striking part of the Air Force, consisting of bombardment and/or attack and/or pursuit planes, would be held in a state of constant readiness to be used as the situation might demand. Though the plan would distribute portions of the Air Force among the most critical areas at the beginning of or just prior to a war, it was not intended that the distribution would be a permanent one. It was to be used until the location of the main enemy effort was determined, and then was to be concentrated where the main enemy threat was being made.¹² The plan submitted by the Air Corps was reviewed subsequently by a board appointed by the Secretary of War. At its head was Maj. Gen. Hugh A. Drum, the Deputy Chief of Staff. It was a typical General Staff Board, completely dominated by ground officers. The only member representing the Air Corps was its chief, Maj. Gen. B. D. Foulois.¹³

12. Brig. Gen. Oscar Westover, Acting C/AC, to AG, 13 July 1933, in ibid.

13. Members of the Drum Board were Maj. Gen. Hugh A. Drum, Deputy Chief of Staff, chairman; Maj. Gen. John W. Gulick, Chief of Coast Artillery; Maj. Gen. Benjamin D. Foulois, Chief of the Air Corps; Maj. Gen. George S. Simonds, Commandant, the Army War College; and Brig. Gen. Charles E. Kilbourne, Assistant Chief of Staff, WPD.

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Charging "considerable misunderstanding of the problem" on the part of the Air Corps, the Drum Board decided that the best approach to its solution would be "to formulate its own views thereon and to embody them in a report of the Committee as a whole as a substitute for the one under consideration."

The report of the Drum Board, which was made in October 1933, minimized the importance of air power. It stressed the necessity of bases in all land operations and branded as unsound and fallacious the claims that land-based air forces presented a danger to the defense of the United States. The board did recommend, however, a "properly constituted General Headquarters Air Force" which would be used as a strategic force for long-range reconnaissance, for "interdiction" of enemy reconnaissance and movements, and for demolition of important installations in enemy territory. Tactically, it would be used in support of the ground forces before, during, and after battle. Though the board estimated that a GHQ Air Force of less than 2,320 serviceable planes could not enable the War Department to meet "all reasonably possible requirements," it limited its recommendation to 1,800 serviceable planes, stating that it could not ask for the increase in materiel at the expense of the other arms and branches of the service. Likewise, the board refused to recommend an increase in Air Corps personnel, suggesting that plans for an increase be kept in readiness so that when the national defense required an augmented Air Corps the estimates would be ready for congressional action.¹⁴ Though the Drum Board denied the basic concept

14. Report of the Special Committee, General Council on Employment of Army Air Corps Under Certain Strategic Plans, in AAG 334.7, Drum Board.

of air power as held by the Air Corps, its approval of the GHQ Air Force provided a stimulus to further OCAG plans for such an organization.

While study of the GHQ Air Force was proceeding, a series of events which occurred during the winter of 1934 served to center public attention on the Air Corps and its problems. For some time there had been a considerable amount of criticism directed against the method of awarding contracts to private companies for the carrying of the air mail. Following a Senate investigation and investigations by post office inspectors, Postmaster General James A. Farley became convinced that the contracts then in existence were contrary to law and the result of collusion and fraud. Thereupon he promptly annulled them, and to prevent a complete cessation of all air mail service the President issued an order directing the Army Air Corps to transport the mail over necessary routes during the period of the emergency. Launched into this business without proper equipment, without experience in the flying of scheduled transport service, with an inadequate ground organization, and in the face of extremely bad flying weather, the Air Corps was confronted with an impossible situation. The result was one of the worst debacles in the history of the air arm. Accidents following one another in rapid succession. At the end of three weeks 10 men had died carrying the mail in Army planes. The Air Corps was immediately submitted to a barrage of criticism by the press, much of which was prompted by men who had enjoyed huge profits from air mail contracts in years past, and by Republican critics of the administration.

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Air Corps

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15. Post Office Department News Release, 26 July 1934, speech delivered by Harlee Branch, Second Asst. Postmaster General, 25 July 1934, in AAF Library.

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personnel felt that they had been unjustly criticized, but in reality the Army's troubles during the air mail controversy marked the turning point in the effort to attain more freedom of action for the air arm.

In order to investigate the situation, two commissions were appointed during the spring and early summer of 1934. On 17 April, by direction of the Secretary of War, a War Department Special Committee on the Army Air Corps was created. Composed of both civilian and military personnel, it had as its head Newton D. Baker, the former Secretary of War. The second commission, officially known as the Federal Aviation Commission, was appointed under the provisions of the Air Mail Act, enacted on 12 June 1934. Its chairman was Clark Howell, editor of the Atlanta Constitution.

On the Baker Board, as on previous war Department commissions,¹⁶ the air officers were outnumbered by the ground men. The function of the board was to make a constructive study of the operation, flying equipment, and training in the Army Air Corps and to determine its adequacy and efficiency in the performance of its missions "in peace and war." The Baker Board spent 25 days taking testimony from more than 100 witnesses and piled up a record of almost 5,000 pages. On 18 July it made its formal report to the Secretary of War. As had previous boards, it stressed the principle of unity of command and disapproved the separation of the air arm from the Army as violating that principle.

16. Membership on the Baker Board included Newton D. Baker, Maj. Gen. Hugh A. Drum, Karl T. Compton, George W. Lewis, Brig. Gen. C. E. Kilbourne, Maj. Gen. George S. Simonds, James H. Doolittle, Edgar S. Gorrell, Brig. Gen. J. W. Gulick, Maj. Gen. B. D. Foulis, Clarence D. Chamberlain, and Maj. Albert E. Brown.

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Though admitting that aviation had increased the power of the offense where the belligerent countries bordered upon one another and the power of defense where the warring powers were widely separated, the Baker Board pointed out what it deemed to be the "vital limitations and inherent weaknesses" of military aviation. These it conceived to be the necessity of either land or floating bases, dependency upon weather conditions, expense, and load capacity of airplanes. In answer to the oft-repeated contention that the United States was vulnerable to air attack,¹⁷ the report declared:

The "air invasion of the United States" and the "air defense of the United States" are conceptions of those who fail adequately to consider the effect of ocean barriers and other limitations. Aircraft in sufficient numbers to threaten serious damage can be brought against us only in conjunction with sea forces or with land forces which must be met by forces identical in nature and equally capable of prolonged effort.

The hostile attitude of the Baker Board toward the air officers who had urged a limited objective in their request for a separate staff, a separate promotion list, and a separate budget was clearly discernible. The board reached the conclusion that unanimity of opinion of the air officers was "influenced by action of those formerly advocating complete separation of the Air Corps from the rest of the Army" and commented that "the manner in which these written opinions . . . were gathered generally tends to support this belief and to weaken greatly the effect of the testimony."

Though denying most of their claims for aerial warfare, the Baker

17. Report of the Baker Board, 15.

REF ID: A66547

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Board did make one important concession to the airmen. It recognized that there was need of a tactical force which could be trained and organized as a homogeneous unit "capable of operating in close cooperation with the ground forces or independent thereof." It therefore recommended that within the Air Corps, which was to remain an integral part of the War Department, the supply and training functions should be separated from the combat force. The former was to be performed by the Office of the Chief of the Air Corps, while the latter would be organized as a General Headquarters Air Force under a commanding general directly responsible to the General Staff.

A study of the hearings and report of the Baker Board leads to two general conclusions as to the reasons for this recommendation. First, it appears that the proposed reorganization of the Air Corps was intended to weaken, if not to silence, the proponents of a separate air force and to head off a possible recommendation of the Federal Aviation Commission for separation of the air arm from the rest of the Army. In the second place, it was intended to strengthen the hold of the General Staff over the Army Air Corps.

All of the members of the Baker Board except one approved the report. The one dissenter, who filed a minority report, was a civilian member, James H. Doolittle. After emphasizing his firm belief in aviation

18. Report of the Baker Board.

19. The separation of the General Headquarters Air Force from the OCAC was generally viewed as a direct rebuff to General Foulis, Chief of the Air Corps, who had publicly favored the creation of a separate Army and Navy air force. Washington News, 3 Oct. 1934; Chicago Tribune, 3 Oct. 1934.

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and its future, he said:

I am convinced that the required air force can be more rapidly organized, equipped and trained if it is completely separated from the Army and developed as an entirely separate arm. If complete separation is not the desire of the committee, I recommend an air force as a part of the Army but with a separate budget, a separate promotion list, and removed from the control of the General Staff. These are my sincere convictions. Failing either, I feel that the Air Corps should be developed and expanded under the direction of the General Staff as recommended above.

While the Baker Board had been making its investigation the Federal Aviation Commission was also studying the problems of aviation. During August, Chairman Howell visited Europe where he made an extensive personal inquiry into the status and governmental administration of aeronautics in four major European countries. At the same time several other members of the commission traveled over the United States and the countries of the Caribbean for the purpose of securing information pertinent to their study. In September the Howell Commission opened public hearings which continued during the following six weeks. During the course of the hearings the report of the Baker Board was made public. As a result of the recommendation by that board/^{that} the GHQ Air Force be established, there was a division of opinion among the Air Corps officers who testified before the Howell Commission. Though a number of them continued to support the idea of a completely separate air force, there were several who expressed themselves as favoring no further

20. Report of the Baker Board, 75.

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change until the GEQ experiment had been given a trial.

Most outspoken in denunciation of the Baker Board report was Brig. Gen. William Mitchell, who charged that the Manufacturers' Aircraft Association and the Army and Navy people were working together to defeat unified aviation. "All through the Baker report there is a disposition to minimize the importance of air power, and if the American people listen to anything of this kind, it will create a very serious situation," he testified. "The tie-ups of the members of this commission are well-known. They are controlled by the ground people and were put on the commission for the purposes of these people. I think that the army officers who signed the report should be kicked out of the service." Mitchell said, however, that he desired to except from his criticism Dr. Karl T. Compton and James H. Doolittle.

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The Federal Aviation Commission had a splendid opportunity to do something for aviation. The information gathered for its use was very extensive, a large percentage of the public was favorable to a separate air force, and the membership was free from the dominance of General Staff officers. Had its study been completed prior to the publication of the Baker Board report, it is altogether probable that the Howell

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21. During the hearings before the Howell Commission the chairman said that Col. Henry H. Arnold had held much the same opinion as Mitchell concerning the desirability of an independent air force. Nevertheless, he had expressed himself (evidently off-the-record) as believing that under the new setup conditions would be changed to meet most of the objectives that had theretofore been held by him and others who felt like him. Consequently, he felt the proper and wise thing to do was to give the GEQ Air Force a trial for at least two years before insisting upon complete separation of the air arm from the rest of the Army. Reporter's Minutes, Federal Aviation Commission (typescript), 4141.
22. Ibid., 4137.

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Commission would have made a recommendation for an autonomous air organization. Coming as it did after the plans for the GHQ Air Force were already formulated, it merely stated that the commission preferred to "refrain from comment" on the question of an independent air force in order to give the new tactical air force opportunity for adequate trial. One hopeful note was struck, however, in the Howell report, for it pointed
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out that

. . . there is ample reason to believe that aircraft have now passed far beyond their former position as useful auxiliaries, and must in the future be considered and utilized as an important means of exerting directly the will of the Commander-in-Chief. An adequate striking force for use against objectives both near and remote is a necessity for a modern army, and the projected GHQ Air Force must be judged with reference to its effectiveness in this respect.

Here at last was recognition of the new concept of air power by an official board. Coming as it did just prior to the organization of the GHQ Air Force, it provided a stimulus to the morale of Air Corps personnel and encouragement for the advocates of an offensive air arm.

During the period between the reports of the Baker and Howell boards the War Department completed plans for the organization of the new tactical force. On 31 December 1934 the Adjutant General issued a letter authorizing the establishment of the GHQ Air Force which was to come officially into existence on 1 March 1935. According to this directive the combat units which had been scattered through the corps areas were to be consolidated into one force under the control of a commanding general who was subject only to the General Staff. The supply and train-

23. Report of the Federal Aviation Commission, 119-20.

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ing functions remained under the control of the OGAC. Headquarters of the GHQ Air Force was to be set up at Langley Field, Va., while headquarters of the three wings were located at Langley Field, March Field, Calif., and Barksdale Field, La. Under the new organization the Commanding General of the GHQ Air Force was responsible to the Chief of Staff in peacetime and to the theater commanders in time of war. Over tactical units the Commanding General's authority was complete, though the corps area commanders retained administrative jurisdiction over the bases where tactical units were stationed.²⁴

Most of the press reports were favorable to the new GHQ Air Force. According to the Rochester Times-Union the plan tended "to meet the arguments of those who contend^{ed} that the air arm of the defense establishment should be a separate unit." The Buffalo Times commented that the new air organization "should strengthen this arm of defense and give it a chance to develop," while the Pittsburgh Post-Gazette recognized that "modernization of this country's military establishment really begins with organization of the General Headquarters Air Force."²⁵

During January and February 1935 plans for the new air organization were completed, and on 1 March the GHQ Air Force under the command of Brig. Gen. Frank M. Andrews came into being. It is evident from a study of the plan that it contained bases for serious conflicts of authority. In the first place, the retention of administrative control, including court-martial authority, by the corps area commanders diminished

24. AG 320.2 (12-19-34) Misc. (Ret.)-G, 31 Dec. 1934. See also AAF Historical Studies: No. 10, Organization of the Army Air Arm, 1935-1943.

25. Quoted in Washington Star, 9 Jan. 1935.

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the control which the Commanding General of the GHQ Air Force could exercise over his personnel. Second, the division of authority between the Chief of the Air Corps, who was in command of supply and training, and the Commanding General of the GHQ Air Force, who had complete authority over the combat element, promised to create difficulty.

The GHQ Air Force fell far short of satisfying the group which had been demanding a separate air force. Its commanding officer was still subordinate to the Army's high command, its appropriations were still to be allotted as a part of the Army's quota instead of independently²⁶ for aviation purposes, and it still lacked a special promotion list. Nevertheless, the new tactical force provided an opportunity for the demonstration of the doctrine of offensive air power which for so many years had been a basic concept of the Air Corps.

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26. To improve the promotion situation in the Air Corps, the War Department in 1935 placed in effect a temporary promotion system authorized by the Air Corps Act of 1926 but never before used.

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CONCLUSION

The place of the air arm in the military structure between 1907 and 1935 was influenced by several well-defined factors. Technological developments in the field of aeronautics led naturally to a new concept of air power as an offensive weapon. The pressure of world events and the increased interest in military aviation shown by foreign countries prompted numerous studies of United States air power and organizational changes needed for its most effective use. Finally, War Department jealousies and conflicts between the War and Navy departments blocked all attempts to achieve autonomy for the air arm.

Aviation officers and air-minded Congressmen composed the initiating elements in all proposals for organizational changes between 1907 and 1935. The course of their campaign is clearly discernible. Prior to 1914 they agitated for an aviation section within the Signal Corps. During the next four years they urged the separation of aviation from the Signal Corps but accepted the necessity of retaining it within the Army. Following World War I, and using Britain as their example, they waged a battle for the complete severance of the air arm from the military establishment. In 1925, having failed to achieve their objective, they changed their tactics and proposed placing aviation on a parity with the Army and Navy in a new Department of National Defense. The sole result of their fight was the

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creation of the Air Corps in 1926. Finally, the more conservative of the air officers, feeling that their battle for independent status was lost, gave up their attempt to gain complete autonomy and centered their attention on securing approval of a tactical air force within the Army.

At every step the aviation officers were blocked by the General Staff which was dominated by ground officers. Board after board which considered the problem of reorganization reported in favor of a retention of the status quo. The Navy was unalterably opposed to a Department of National Defense, and the General Staff consistently stood in the way of any diminution of its power over the Air Corps. Reasons for the conflict were many--youthful impetuosity and enthusiasm of the airmen, lack of understanding of air problems by the General Staff, domination of War Department policy by the ground forces, and the peacetime complacency of the military establishment.

Throughout this period Congress was blamed for lack of progress in aviation. The facts in the case do not, however, indicate congressional blocking of the War Department's plans for the air arm. In practically every case the scaling down of aviation appropriations occurred in the office of the Secretary of War or in the Bureau of the Budget, or both. There is evidence that both Congress and the public were willing to give the air arm much greater freedom than the War Department officials would concede to it.

By 1935 it was generally admitted that the immediate realization of a separate air organization was hopeless and that some organization

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giving the air arm a lesser degree of freedom must be accepted. The GHQ Air Force was the result of this changed objective, but the domination over the air arm by the General Staff was stronger than ever. Moreover, the division of authority between the Chief of the Air Corps and the Commanding General of the GHQ Air Force, on the one hand, and poorly defined spheres of jurisdiction between the corps area commanders and the Commanding General of the GHQ Air Force, on the other, promised to bring serious controversies. It appeared that further reorganization would depend upon the demonstrated efficiency of the GHQ Air Force and the urgency of a program of national defense which was contingent upon future world developments.

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G L O S S A R Y

AAG	Air Adjutant General
AC	Air Corps
AC/AS	Assistant Chief of the Air Staff
AFIHL-AH	Historical Division, Administrative History Branch
AG	The Adjutant General
APB	Aircraft Production Board
C/AC	Chief of the Air Corps
C/S	Chief of Staff
CSigO	Chief Signal Officer
GHQ	General Headquarters
OCSigO	Office of the Chief Signal Officer
Sig. C.	Signal Corps
S/W	Secretary of War
WDGS	War Department General Staff
WPD	War Plans Division

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Congressional Record. 60 Congress, 2 Session-74 Congress,
1 Session. 26 January 1929-26 August 1935.

House of Representatives:

- Bills
- Documents
- Hearings
- Reports

Senate:

- Bills
- Documents
- Hearings
- Reports

United States Statutes at Large.

The materials listed above are of great importance in any study of War Department and Congressional action concerning organization of the air arm. In the annual reports of the officers in charge of aviation can be traced the principal organizational changes which took place from time to time. The Congressional Record is useful not only for the actual record of congressional action but also contains

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much information on the background of bills. The documents and hearings which were used in the preparation of this study are the most important sources for the controversy over the organization of a separate department of aeronautics and a department of national defense.

Central Files

Army Air Forces:

032 A	Legislation
321.9A	Organization of the Division of Military Aeronautics
321.9A	Separate Air Service Organization
333.5	Investigations--Lassiter Board
334.7	Drum Board
334.8A	Aircraft Board
334.8B	Aircraft Board

War Department (Adjutant General):

201, Pt. 2 William Mitchell
320.2 (12-19-34) Misc. (Ret.)-C

Signal Corps:

360	Air Service
360.03	
29278	
41804	

These unpublished sources furnished extensive material on War Department attitudes toward organizational changes. The Central Files books contain routing and record sheets, letters, memoranda, telegrams, and cablegrams which were useful in a study of the background of legislation and of the action of boards and commissions. The older Signal Corps materials which were of particular value were found in the National Archives.

AAF Historical Division

Miscellaneous Files and Correspondence.

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For Chapters III and IV of this study extensive use was made of the files of the Plans Division, Office of the Chief of the Air Corps, which are housed in the Archives Section of the Historical Division, Assistant Chief of Air Staff, Intelligence.

Special Studies:

"A Brief History of the Army Air Forces."

This short popular history, prepared in the Administrative History Branch, Historical Division, was particularly helpful in the preparation of the chapter dealing with the creation of the Air Corps.

Digest of Legislative Proposals for a Department of Aviation and/or Department of National Defense, typed study in files of Administrative History Branch.

This digest includes a detailed list of bills introduced into Congress for the purpose of creating a separate air force or a Department of National Defense. The list, arranged chronologically, was of inestimable value in the writing of Chapters III and IV.

"Evolution of the Heavy Bomber."

This study, in preparation in the Administrative History Branch, Historical Division, was of value in providing the technological background for the new concept of air power as a striking force.

Organization of the Army Air Arm, 1935-1943, Army Air Forces Historical Studies: No. 10, July 1944.

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Appendix I

Public Law Number 143, 13 July 1914. An Act To increase the efficiency of the aviation service of the Army, and for other purposes. (38 Stat. 514).

Be it enacted. . . . That there shall hereafter be, and there is hereby created, an aviation section, which shall be a part of the Signal Corps of the Army, and which shall be, and is hereby, charged with the duty of operating or supervising the operation of all military air craft, including balloons and aeroplanes, all appliances pertaining to said craft, and signaling apparatus of any kind when installed on said craft; also with the duty of training officers and enlisted men in matters pertaining to military aviation.

SEC. 2. That, in addition to such officers and enlisted men as shall be assigned from the Signal Corps at large to executive, administrative, scientific, or other duty in or for the aviation section, there shall be in said section aviation officers not to exceed sixty in number and two hundred and sixty aviation enlisted men of all grades; and said aviation officers and aviation enlisted men, all of whom shall be engaged on duties pertaining to said aviation section, shall be additional to the officers and enlisted men now allotted by law to the Signal Corps, the commissioned and enlisted strengths of which are hereby increased accordingly.

The aviation officers provided for in this section shall, except as hereinafter prescribed specifically to the contrary, be selected from among officers holding commissions in the line of the Army with rank below that of captain, and shall be detailed to serve as such aviation officers for periods of four years, unless sooner relieved, and the provisions of section twenty-seven of the Act of Congress approved February second, nineteen hundred and one (Thirty-first Statutes, page seven hundred and fifty-five) are hereby extended so as to apply to said aviation officers and to the vacancies created in the line of the Army by the detail of said officers therefor, but nothing in said Act or in any other law now in force shall be held to prevent the detail or redetail at any time to fill a vacancy among the aviation officers authorized by this Act, of any officer holding a commission in the line of the Army with rank below that of captain, and who, during prior service as an aviation officer in the aviation section, shall have become especially proficient in military aviation.

There shall also be constantly attached to the aviation section a sufficient number of aviation students to make, with the aviation officers actually detailed in said section under the provisions of this Act, a total number of sixty aviation officers and aviation students constantly under assignment to, or detail in, said section. Said aviation students, all of whom shall be selected on the recommendation of the chief signal

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officer from among unmarried lieutenants of the line of the Army not over thirty years of age, shall remain attached to the aviation section for a sufficient time, but in no case to exceed one year, to determine their fitness or unfitness for detail as aviation officers in said section, and their detachment from their respective arms of service which under assignment to said section shall not be held to create in said arms vacancies that may be filled by promotions or original appointments: Provided, That no person, except in time of war, shall be assigned or detailed against his will to duty as an aviation student or an aviation officer: Provided further, That whenever, under such regulations as the Secretary of War shall prescribe and publish to the Army, an officer assigned or detailed to duty of any kind in or with the aviation section shall have been found to be inattentive to his duties, inefficient, or incapacitated from any cause whatever for the full and efficient discharge of all duties that might properly be imposed upon him if he should be continued on duty in or with said section, said officer shall be returned forthwith to the branch of the service in which he shall hold a commission.

SEC. 3. That the aviation officers heretofore provided for shall be rated in two classes, to wit, as junior military aviators and as military aviators. Within sixty days after this Act shall take effect the Secretary of War may, upon the recommendation of the Chief Signal Officer, rate as junior military aviators any officers with rank below that of captain, who are now on aviation duty and who have, or shall have before the date of rating so authorized, shown by practical tests, including aerial flights, that they are especially well qualified for military aviation service; and after said rating shall have been made the rating of junior military aviator shall not be conferred upon any person except as hereinafter provided.

Each aviation student authorized by this Act shall, while on duty that requires him to participate regularly and frequently in aerial flights, receive an increase of 25 per centum in the pay of his grade and length of service under his line commission. Each duly qualified junior military aviator shall, while so serving, have the rank, pay, and allowances of one grade higher than that held by him under his line commission, provided that his rank under said commission be not higher than that of first lieutenant, and while on duty, requiring him to participate regularly and frequently in aerial flights, he shall receive in addition an increase of 50 per centum in the pay of his grade and length of service under his line commission. The rating of military aviator shall not be hereafter conferred upon or held by any person except as hereinafter provided, and the number of officers with that rating shall at no time exceed fifteen. Each military aviator who shall hereafter have duly qualified as such under the provisions of this Act shall, while so serving, have the rank, pay, and allowances of one grade higher than that held by him under his line commission, provided that his rank under said commission be not higher than that of first lieutenant, and, while on duty requiring him to participate regularly and frequently in aerial flights, he shall receive in addition an increase of 75 per centum of the pay of his grade and length of service under his line commission.

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The aviation enlisted men hereinafter provided for shall consist of twelve master signal electricians, twelve first-class sergeants, twenty-four sergeants, seventy-eight corporals, eight cooks, eighty-two first-class privates, and forty-four privates. Not to exceed forty of said enlisted men shall at any one time have the rating of aviation mechanic, which rating is hereby established, and said rating shall not be conferred upon any person except as hereinafter provided: Provided, That twelve enlisted men at a time shall, in the discretion of the officer in command of the aviation section, be instructed in the art of flying, and no enlisted man shall be assigned to duty as an aerial flyer against his will except in time of war. Each aviation enlisted man, while on duty that requires him to participate regularly and frequently in aerial flights, or while holding the rating of aviation mechanic, shall receive an increase of fifty per centum in his pay: Provided further, That, except as hereinafter provided in the cases of officers now on aviation duty, no person shall be detailed as an aviation officer, or rated as a junior military aviator, or as a military aviator, or as an aviation mechanic, until there shall have been issued to him a certificate to the effect that he is qualified for the detail or rating, or for both the detail and the rating, sought or proposed in his case, and no such certificate shall be issued to any person until an aviation examining board, which shall be composed of three officers of experience in the aviation service and two medical officers, shall have examined him, under general regulations to be prescribed by the Secretary of War and published to the Army by the War Department, and shall have reported him to be qualified for the detail or rating, or for both the detail and the rating, sought or proposed in his case: Provided further, That the Secretary of War shall cause appropriate certificates of qualification to be issued by the Adjutant General of the Army to all officers and enlisted men who shall have been found and reported by aviation examining boards in accordance with the terms of this Act, to be qualified for the details and ratings for which said officers and enlisted men shall have been examined: Provided further, That except as hereinafter provided in the cases of officers who are now on aviation duty and who shall be rated as junior military aviators as hereinafter authorized, no person shall be detailed for service as an aviation officer in the aviation section until he shall have served creditably as an aviation student for a period to be fixed by the Secretary of War; and no person shall receive the rating of military aviator until he shall have served creditably for at least three years as an aviation officer with the rating of junior military aviator: Provided further, That there shall be paid to the widow of any officer or enlisted man who shall die as the result of an aviation accident, not the result of his own misconduct, or to any other person designated by him in writing, an amount equal to one year's pay at the rate to which such officer or enlisted man was entitled at the time of the accident resulting in his death, but any payment made in accordance with the terms of this proviso on account of the death of any officer or enlisted man shall be in lieu of and a bar to any payment under the Acts of Congress approved May eleventh, nineteen hundred and eight, and March third, nineteen hundred and nine (Thirty-fifth Statutes, pages one hundred and eight and seven hundred and fifty five, on account of death of said officer or enlisted man.

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Appendix 2

Section 13 of the National Defense Act, Public Number 35,
3 June 1916, pertaining to the Aviation Section of the
Signal Corps. (39 Stat. 174).

SEC. 13. THE SIGNAL CORPS.--The Signal Corps shall consist of one Chief Signal Officer, with the rank of brigadier general; three colonels; eight lieutenant colonels; ten majors; thirty captains; seventy-five first lieutenants; and the aviation section, which shall consist of one colonel; one lieutenant colonel; eight majors; twenty-four captains; and one hundred and fourteen first lieutenants, who shall be selected from among officers of the Army at large of corresponding grades or from among officers of the grade below, exclusive of those serving by detail in staff corps or departments, who are qualified as military aviators, and shall be detailed to serve as aviation officers for periods of four years unless sooner relieved; and the provisions of section twenty-seven of the Act of Congress approved February second, nineteen hundred and one, are hereby extended to apply to said aviation officers and to vacancies created in any arm, corps, or department of the Army by the detail of said officers therefrom; but nothing in said Act or in any other law now in force shall be held to prevent the detail or redetail at any time, to fill a vacancy among the aviation officers authorized by this Act, of any officer who, during prior service as an aviation officer of the aviation section, shall have become proficient in military aviation.

Aviation officers may, when qualified therefor, be rated as junior military aviators or as military aviators, but no person shall be so rated until there shall have been issued to him a certificate to the effect that he is qualified for the rating, and no certificate shall be issued to any person until an aviation examining board, which shall be composed of three officers of experience in the aviation service and two medical officers, shall have examined him, under general regulations to be prescribed by the Secretary of War, and published to the Army by the War Department, and shall have reported him to be qualified for the rating. No person shall receive the rating of military aviator until he shall have served creditably for three years as an aviation officer with the rating of a junior military aviator.

Each aviation officer authorized by this Act shall, while on duty that requires him to participate regularly and frequently in aerial flights, receive an increase of twenty-five per centum in the pay of his grade and length of service under his commission. Each duly qualified junior military aviator shall, while so serving, have the rank, pay, and allowances of one grade higher than that held by him under his commission if his rank under said commission be not higher than that of captain, and while on duty requiring him to participate regularly and frequently in aerial flights he shall receive in addition an increase of fifty per centum in the pay of his grade and length of

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service under his commission. Each military aviator shall, while so serving, have the rank, pay, and allowances of one grade higher than that held by him under his commission if his rank under said commission be not higher than that of captain, and while on duty requiring him to participate regularly and frequently in aerial flights he shall receive in addition an increase of seventy-five per centum of the pay of his grade and length of service under his commission: Provided further, That the provisions of the Act of March second, nineteen hundred and thirteen, allowing increase of pay and allowances to officers detailed by the Secretary of War on aviation duty, are hereby repealed: Provided further, That hereafter married officers of the line of the Army shall be eligible equally with unmarried officers, and subject to the same conditions, for detail to aviation duty; and the Secretary of War shall have authority to cause as many enlisted men of the aviation section to be instructed in the art of flying as he may deem necessary: Provided further, That hereafter the age of officers shall not be a bar to their first detail in the aviation section of the Signal Corps, and neither their age nor their rank shall be a bar to their subsequent details in said section: Provided further, That, when it shall be impracticable to obtain from the Army officers suitable for the aviation section of the Signal Corps in the number allowed by law the difference between that number and the number of suitable officers actually available for duty in said section may be made up by appointments in the grade of aviator, Signal Corps, and that grade is hereby created. The personnel for said grade shall be obtained from especially qualified civilians who shall be appointed and commissioned in said grade: Provided further, That whenever any aviator shall have become unsatisfactory he shall be discharged from the Army as such aviator. The base pay of an aviator, Signal Corps, shall be \$150 per month, and he shall have the allowances of a master signal electrician and the same percentage of increase in pay for length of service as is allowed to a master signal electrician.

The total enlisted strength of the Signal Corps shall be limited and fixed from time to time by the President in accordance with the needs of the Army, and shall consist of master signal electricians; sergeants, first class; sergeants; corporals; cooks; horseshoers; private, first class; and privates; the number in each grade being fixed from time to time by the President. The numbers in the various grades shall not exceed the following percentages of the total authorized enlisted strength of the Signal Corps, namely: Master signal electricians, two per centum; sergeants, first class, seven per centum; sergeants, ten per centum; corporals, twenty per centum. The number of privates, first class, shall not exceed twenty-five per centum of the number of privates. Authority is hereby given the President to organize, in his discretion, such part of the commissioned and enlisted personnel of the Signal Corps into such number of companies, battalions, and aero squadrons as the necessities of the service may demand.

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Appendix 3

Sections of Executive Order Number 2362, 20 May 1918,
Pertaining to the Division of Military Aeronautics and
the Bureau of Aircraft Production. (War Department
General Orders I.O. 51, 24 May 1918).

1. The powers heretofore conferred by law or by Executive Order upon, and the duties and functions heretofore performed by, the Chief Signal Officer of the Army are hereby distributed as follows:

(1) The Chief Signal Officer of the Army shall have charge . . . of all military signal duties . . . which are not connected with the Aviation Section of the Signal Corps or with the purchase, manufacture, maintenance, and production of aircraft, and which are not hereinafter conferred, in special or general terms, upon other officers or agencies.

(2) A Director of Military Aeronautics, selected and designated by the Commander in Chief of the Army, shall hereafter have charge, under the direction of the Secretary of War and the Aviation Section of the Signal Corps of the Army, and as such shall be, and he hereby is, charged with the duty of operating and maintaining or supervising the operation and maintenance of all military aircraft, including balloons and airplanes, all appliances pertaining to said aircraft and signalling apparatus of any kind when installed on said aircraft, and of training officers, enlisted men and candidates for aviation service in matters pertaining to military aviation, and shall hereafter perform each and every function heretofore imposed upon and performed by the Chief Signal Officer of the Army in, or in connection with, the Aviation Section of the Signal Corps, except such as pertains to the purchase, manufacture and production of aircraft and aircraft equipment and as is not hereinafter conferred, in special or general terms, upon the Bureau of Aircraft Production. . . .

(3) An executive agency, to be known as the Bureau of Aircraft Production, is hereby established, and said agency shall exercise full, complete and exclusive jurisdiction and control over the production of airplanes, airplane engines and aircraft equipment for the use of the Army. . . .

Such person as shall at the time be Chairman of the Aircraft Board created by the Act of Congress approved October 1, 1917 shall also be executive officer of said Bureau of Aircraft Production, and he shall be, and he hereby is, designated as Director of Aircraft Production, and he shall, under the direction of the Secretary of War, have charge of the activities, personnel, and properties of said bureau.

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Appendix A

Sections of Public Law Number 242, 4 June 1920, Pertaining to the Air Service. (41 Stat. 769).

SEC. 134. AIR SERVICE.--There is hereby created an Air Service. The Air Service shall consist of one Chief of the Air Service with the rank of major general, one assistant with the rank of brigadier general, one thousand five hundred and fourteen officers in grades from colonel to second lieutenant, inclusive, and sixteen thousand enlisted men, including not to exceed two thousand five hundred flying cadets, such part of whom as the President may direct being formed into tactical units, organized as he may prescribe: Provided, That not to exceed 10 per centum of the officers in each grade below that of brigadier general who fail to qualify as aircraft pilots or as observers within one year after the date of detail or assignment shall be permitted to remain detailed or assigned to the Air Service. Flying units shall in all cases be commanded by flying officers. Officers and enlisted men of the Army shall receive an increase of 50 per centum of their pay while on duty requiring them to participate regularly and frequently in aerial flights; and hereafter no person shall receive additional pay for aviation duty except as prescribed in this section: Provided, That nothing in this Act shall be construed as amending existing provisions of law relating to flying cadets.

SEC. 127a. MISCELLANEOUS PROVISIONS.--Hereafter no detail, rating, or assignment of an officer shall carry advanced rank, except as otherwise specifically provided herein: Provided, That in lieu of the 50 per centum increase of pay provided for in this Act any officer or enlisted man upon whom the rating of junior military aviator, or military aviator, has heretofore been conferred for having specially distinguished himself in time of war in active operations against the enemy, shall, while on duty which requires him to participate regularly and frequently in aerial flights, continue to have the rank, pay, and allowances and additional pay now provided by the Act of June 3, 1916, and the Act of July 24, 1917.

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Appendix 5

Public Law Number 446, 2 July 1926. An Act To provide more effectively for the national defense by increasing the efficiency of the Air Corps of the Army of the United States, and for other purposes. (44 Stat. 780).

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, that the Act entitled "An Act for making further and more effectual provision for the national defense, and for other purposes," approved June 3, 1916, as amended, be, and the same is hereby, amended so that the Air Service referred to in that Act and in all subsequent Acts of Congress shall be known as the Air Corps.

Sec. 2. COMPOSITION OF THE AIR CORPS.—That section 13a of the Act entitled "An Act for making further and more effectual provision for the national defense, and for other purposes," approved June 3, 1916, as amended, be, and the same is hereby, amended by striking out the same and inserting the following in lieu thereof:

SEC. 13a. AIR CORPS.—There is hereby created an Air Corps. The Air Corps shall consist of one Chief of the Air Corps, with the rank of major general; three assistants, with the rank of brigadier general; one thousand five hundred and fourteen officers in grades from colonel to second lieutenant, inclusive; and sixteen thousand enlisted men, including not to exceed two thousand five hundred flying cadets, such part of whom as the President may direct being formed into tactical units or bands, organized as he may prescribe: Provided, That the Chief of the Air Corps, at least two brigadier generals, and at least 90 per centum of the officers in each grade below that of brigadier general shall be flying officers: Provided further, That in time of war 10 per centum of the total number of officers that may be authorized for the Air Corps for such war may be immediately commissioned as nonflying officers: Provided further, That as soon as a sufficient number can be trained, at least 90 per centum of the total number of officers authorized for the Air Corps for such war shall be flying officers: Provided further, That hereafter in time of peace in order to insure that the commissioned officers of the Air Corps shall be properly qualified flying officers and, for the purpose of giving officers of the Army an opportunity to so qualify, the Secretary of War is hereby authorized to detail to the Air Corps officers of all grades and such officers shall start flying training immediately upon being so detailed, but hereafter such officers shall not remain detailed to the Air Corps for a period in excess of one year or be permanently commissioned therein unless they qualify as flying officers: Provided further, That any officer who is specifically recommended by the Secretary of War because of special qualifications other than as a flyer may be detailed to the Air Corps for a period longer than one year, or may be permanently commissioned in the Air Corps, but such officers,

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together with those flying officers who shall have become disqualified for flying, shall not be included among the 90 per centum of flying officers: And provided further, That nothing in this Act shall be construed to limit the number of officers in each grade that may be detailed to the Air Corps for training as flying officers except that the total number of officers allotted to the Air Corps shall not be exceeded. Flying units shall in all cases be commanded by flying officers. Wherever used in this Act a flying officer in time of peace is defined as one who has received an aeronautical rating as a pilot of service types of aircraft: Provided, That all officers of the Air Corps now holding any rating as a pilot shall be considered as flying officers within the meaning of this Act: Provided further, That hereafter in order to receive a rating as a pilot in time of peace an officer or an enlisted man must fly in heavier-than-air craft at least two hundred hours while acting as a pilot, seventy-five of which must be alone, and must successfully complete the course prescribed by competent authority: And provided further, That in time of war a flying officer may include any officer who has received an aeronautical rating as a pilot of service types of air craft and also in time of war may include any officer who has received an aeronautical rating as observer. Officers and enlisted men of the Army shall receive an increase of 50 per centum of their pay when by orders of competent authority they are required to participate regularly and frequently in aerial flights, and when in consequence of such orders they do participate in regular and frequent aerial flights as defined by such Executive orders as have heretofore been, or may hereafter be, promulgated by the President: Provided, That nothing in this Act shall be construed as amending existing provisions of law relating to flying cadets. On and after July 1, 1929, and in time of peace, not less than 20 per centum of the total number of pilots employed in tactical units of the Air Corps shall be enlisted men, except when the Secretary of War shall determine that it is impractical to secure that number of enlisted pilots.

"Enlisted men of the fourth, fifth, sixth, and seventh grades in the Air Corps who have demonstrated their fitness and shown that they possess the necessary technical qualifications therefor and are engaged upon the duties pertaining thereto may be rated as air mechanics, first class, or air mechanics, second class, under such regulations as the Secretary of War may prescribe. Each enlisted man while holding the rating of air mechanic, first class, and performing the duties as such shall receive the pay of the second grade, and each enlisted man while holding the rating of air mechanic, second class, and performing the duties as such shall receive the pay of the third grade: Provided, That such number as the Secretary of War may determine as necessary, not to exceed 14 per centum of the total authorized enlisted strength of the Air Corps, shall be rated as air mechanics, first class, or air mechanics, second class."

SEC. 3. ILLUSTRY RANK FOR AIR CORPS OFFICERS.--The Secretary of War is hereby authorized to assign, under such regulations as he may prescribe, officers of the Air Corps to flying commands, including wings, groups, squadrons, flights, schools, important air stations, and to the staffs of commanders of troops, which assignment shall carry

with it temporary rank, including pay and allowances appropriate to such rank, as determined by the Secretary of War, for the period of such assignment: Provided, That such temporary rank is limited to two grades above the permanent rank of the officer appointed: Provided further, That no officer shall be temporarily advanced in rank as contemplated in this section unless the Chief of the Air Corps certifies that no officers of suitable permanent rank are available for the duty requiring the increased rank: And provided further, That no officer holding temporary rank under the provisions of this section shall be eligible to command outside of his own corps except by seniority under his permanent commission.

SEC. 4. COLLECTION OF PROMOTION LIST.--That the Secretary of War be, and he is hereby, directed to investigate and study the alleged injustices which exist in the promotion list of the Army and to submit to Congress on the second Monday in December, 1926, this study, together with his recommendations for changes, if any, in the present promotion list.

SEC. 5. AIR SECTIONS OF THE GENERAL STAFF.--That section 5 of the Act entitled "An Act for making further and more effectual provisions for the national defense, and for other purposes," approved June 3, 1916, as amended, be, and the same is hereby, amended by adding the following paragraph at the end thereof:

"That for the period of three years immediately following July 1, 1926, there is hereby created in each of the divisions of the War Department General Staff an air section to be headed by an officer of the Air Corps, the duties of which shall be to consider and recommend proper action on such air matters as may be referred to such division."

SEC. 6. FLYING PAY.--That section 20 of the Act of June 10, 1922 (Forty-second Statutes, page 632), as amended, be, and the same is hereby, amended by striking out the same and inserting the following in lieu thereof:

"SEC. 20. That all officers, warrant officers, and enlisted men of all branches of the Army, Navy, Marine Corps, and Coast Guard, when by orders of competent authority they are required to participate regularly and frequently in aerial flights, and when in consequence of such orders they do participate in regular and frequent flights as defined by such Executive orders as have heretofore been, or may hereafter be, promulgated by the President, shall receive the same increase of their pay and the same allowance for traveling expenses as are authorized for the performance of like duties in the Army. Exclusive of the Army Air Corps, and student aviators and qualified aircraft pilots of the Navy, Marine Corps, and Coast Guard, the number of officers of any of the services mentioned in the title of this Act who may be required by competent authority to participate regularly and frequently in aerial flights as defined by such Executive orders as have heretofore been, or may hereafter be, promulgated by the President shall not at any one time exceed 1 per centum of the total authorized commissioned strength of such service. Officers, warrant officers, and enlisted men of the National Guard participating in exercises or performing duties provided for by sections 92, 94, 97, and 99 of the National Defense Act, as amended, and of the Reserves of the services mentioned in the title

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of this Act called to active duty shall receive an increase of 50 per centum of their pay when by orders of competent authority they are required to participate regularly and frequently in aerial flights, and when in consequence of such orders they do participate in regular and frequent aerial flights as defined by such Executive orders as have heretofore been, or may hereafter be, promulgated by the President and when such flying involves travel they shall also receive the same allowances for traveling expenses as are or hereafter may be authorized for the Regular Army: Provided, That when officers, warrant officers, and enlisted men of the National Guard are entitled to armory drill pay, the increase of 50 per centum thereof herein provided shall be based on the entire amount of such armory drill pay to which they shall be entitled for a calendar month or fractional part thereof, and the required aerial flights may be made at ordered drills of an Air Service organization, or at other times when so authorized by the President. Regulations in execution of the provisions of this section shall be made by the President and shall, whenever practicable in his judgment, be uniform for all the services concerned."

SEC. 7. APPOINTMENT OF CHIEF OF THE AIR CORPS.—That the third sentence of section 4c of the Act entitled "An Act for making further and more effectual provision for the national defense, and for other purposes," approved June 3, 1916, as amended, be, and the same is hereby, amended by adding thereto the following:

"And provided further, That during the period of seven years immediately following July 1, 1926, any appointment as Chief of the Air Corps shall be made from among officers of any grade of not less than fifteen years' commissioned service, and from those who have demonstrated by actual and extended service in such corps that they are qualified for such appointment; and as assistants from among officers of not less than fifteen years' commissioned service of similar qualifications: Provided, That the Chief of the Air Corps shall make recommendations to the secretary of war for the appointment of his assistants."

SEC. 8. FIVE-YEAR AIR CORPS PROGRAM.—For the purpose of increasing the efficiency of the Air Corps of the Army and for its further development the following five-year program is authorized:

PERSONNEL.—The number of promotion-list officers now authorized by law in the grade of second lieutenant of the Regular Army is hereby increased by four hundred and three, and the number of enlisted men now authorized by law for the Regular Army is hereby authorized to be increased by six thousand two hundred and forty: Provided, That the increase in the number of officers and enlisted men herein authorized shall be allotted as hereinafter provided. The present allotment of officers to the Air Corps is hereby authorized to be increased by four hundred and three officers distributed in grades from colonel to second lieutenant, inclusive, and the present allotment of enlisted men to the Air Corps is hereby authorized to be increased by six thousand two hundred and forty enlisted men. The President is authorized to call to active service, with their consent, such number of Air Corps reserve officers as he may deem necessary, not to exceed five hundred and fifty, 90 per centum of whom shall serve for periods

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of not more than one year, and 10 per centum for periods of not more than two years: Provided, That nothing contained in this section shall affect the number of reserve officers that may be called to active duty for periods of less than six months under existing law.

EQUIPMENT.—The Secretary of War is hereby authorized to equip and maintain the Air Corps with not to exceed one thousand eight hundred serviceable airplanes, and such number of airships and free and captive balloons as he may determine to be necessary for training purposes, together with spare parts, equipment, supplies, hangars, and installations necessary for the operation and maintenance thereof. In order to maintain the number specified above, the Secretary of War is hereby authorized to replace obsolete or unserviceable aircraft from time to time: Provided, That the necessary replacement of airplanes shall not exceed approximately four hundred annually: Provided, That the total number of airplanes and airships herein authorized shall be exclusive of those waiting salvage or undergoing experiment or service tests, those authorized by the Secretary of War to be placed in museums and those classified by the Secretary of War as obsolete: And provided further, That the total number of planes authorized in this section shall include the number necessary for the training and equipment of the National Guard and the training of the Organized Reserves as may be determined by the Secretary of War.

METHOD OF INCREASE.—The total increase in personnel and equipment authorized herein shall be distributed over a five-year period beginning July 1, 1926. Not to exceed one-fifth of the total increase shall be made during the first year, and the remainder in four approximately equal increments. The President is hereby authorized to submit to Congress annually estimates of the cost of carrying out the five-year program authorized herein: Provided, That a supplemental estimate for the fiscal year ending June 30, 1927, may be submitted to cover the cost of the first annual increment.

SEC. 9. That section 5a of the National Defense Act, as amended, be, and the same is hereby, amended by adding at the end of said section 5a the following:

"To aid the Secretary of War in fostering military aeronautics, and to perform such functions as the Secretary may direct, there shall be an additional Assistant Secretary of War who shall be appointed by the President, by and with the advice and consent of the Senate, and whose compensation shall be fixed in accordance with the Classification Act of 1923."

SEC. 10. (a) That in order to encourage the development of aviation and improve the efficiency of the Army and Navy aeronautical materiel the Secretary of War or the Secretary of the Navy, prior to the procurement of new designs of aircraft or aircraft parts or aeronautical accessories, shall, by advertisement for a period of thirty days in at least three of the leading aeronautical journals and in such other manner as he may deem advisable, invite the submission in competition, by sealed communications, of such designs of aircraft, aircraft parts, and aeronautical accessories, together with a statement of the price for which such designs in whole or in part will be sold to the Government.

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(b) The aforesaid advertisement shall specify a sufficient time, not less than sixty days from the expiration of the advertising period, within which all such communications containing designs and prices therefor must be submitted, and all such communications received shall be carefully kept sealed in the War Department or the Navy Department, as the case may be, until the expiration of said specified time, and no designs mailed after that time shall be received or considered. Said advertisement shall state in general terms the kind or aircraft, parts, or accessories to be developed and the approximate number or quantity required, and the department concerned shall furnish to each applicant identical specific detailed information as to the conditions and requirements of the competition and as to the various features and characteristics to be developed, listing specifically the respective measures of merit, expressed in rates per centum, that shall be applied in determining the merits of the designs, and said measures of merit shall be adhered to throughout such competition. All designs received up to the time specified for submitting them shall then be referred to a board appointed for that purpose by the Secretary of the department concerned and shall be appraised by it as soon as practicable and report made to the Secretary as to the winner or winners of such competition. When said Secretary shall have approved the report of said board, he shall then fix a time and place for a public announcement of the results and notify each competitor thereof; but if said report shall be disapproved by said Secretary, the papers shall be returned to the board for revision or the competition be decided by the Secretary, in his discretion, and in any case the decision of the Secretary shall be final and conclusive. Such announcement shall include the percentages awarded to each of the several features or characteristics of the designs submitted by each competitor and the prices names by the competitors for their designs and the several features thereof if separable.

(c) Thereupon the said Secretary is authorized to contract with the winner or winners in such competition on such terms and conditions as he may deem most advantageous to the Government for furnishing or constructing all of each of the items, or all of any one or more of the several items of the aircraft, or parts, or accessories indicated in the advertisement, as the said Secretary shall find that in his judgment a winner is, or can within a reasonable time become, able and equipped to furnish or construct satisfactorily all or part, provided said Secretary and the winner shall be able to agree on a reasonable price. If the Secretary shall decide that a winner can not reasonably carry out and perform a contract for all or part of such aircraft, parts, or accessories, as above provided, then he is authorized to purchase the winning designs or any separable parts thereof if a fair and reasonable price can be agreed on with the winner, but not in excess of the price submitted with the designs.

(d) After contract is made, as authorized by any provision of this section, with a winner in such design competition for furnishing or constructing aircraft, aircraft parts, or aeronautical accessories in accordance with his designs and payment is completed under said contract, and after the purchase of and payment for the designs or

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separable parts thereof of a winner, as authorized herein, with whom a contract shall not have been made for furnishing or constructing aircraft, aircraft parts or aeronautical accessories in accordance with his designs, then in either case any department of the Government shall have the right without further compensation to the winner to construct or have constructed according to said designs and use any number of aircraft or parts or accessories, and sell said aircraft or parts or accessories according to law as condemned material: Provided, That such winner shall, nevertheless, be at liberty to apply for a patent on any features originated by him, and shall be entitled to enjoy the exclusive rights under such patent as he may obtain as against all other persons except the United States Government or its assignee as aforesaid.

(e) The competitors in design competition mentioned in this section shall submit with their designs a graduated scale of prices for which they are willing to construct any or all or each of the aircraft, aircraft parts, and aeronautical accessories for which designs are submitted and such stated prices shall not be exceeded in the awarding of contracts contemplated by this section.

(f) If the Secretary of War or the Secretary of the Navy shall find that in his judgment none of the designs submitted in said competition is of sufficient merit to justify the procurement of aircraft, aircraft parts, or aeronautical accessories in accordance therewith, then he shall not be obligated to accept any of such designs or to make any payment on account of any of them. If the Secretary of the department concerned shall decide that the designs submitted by two or more competitors possess equal merit, or that certain features embodied in the designs of any competitor are superior to corresponding features embodied in the designs of any other competitor and such features of one design may be substituted in another design, the said Secretary shall in his discretion divide the contracts for furnishing and manufacturing the aircraft, parts, or accessories required, equitably among those competitors that have submitted designs of equal merit, or he may select and combine features of superior excellence in different designs in such manner as may in his judgment best serve the Government's interests and make payment accordingly to the several competitors concerned at fair and reasonable prices, awarding the contract for furnishing or constructing the aircraft, parts, or accessories to the competitor or competitors concerned that have the highest figures of merit in said competition.

(g) In case the Secretary of War or the Secretary of the Navy shall be unable to make contract as above authorized with a winner in said competition for furnishing or constructing aircraft, aircraft parts, or aeronautical accessories covered by the whole or part of the designs of such winner, or shall be unable to agree with a winner in the competition on a reasonable purchase price for the design of such winner with whom a contract may not be made, as aforesaid, he may retain such designs and shall advertise according to law for proposals for furnishing or constructing aircraft, or parts or accessories, in accordance with such designs or combinations thereof as aforesaid and, after all

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proposals are submitted, make contract on such terms and conditions as he may consider the best in the Government's interest, with the bidder that he shall find to be the lowest responsible bidder for furnishing or constructing the aircraft, parts, or accessories required, but the said Secretary shall have the right to reject all bids and to advertise for other bids with such other and different specifications as he may deem proper.

(h) If, within ten days after the announcement of the results of said competition, any participant in the competition shall make to the Secretary of War or the Secretary of the Navy a reasonable showing in writing that error was made in determining the merits of designs submitted whereby such claimant was unjustly deprived of an award, the matter shall at once be referred by the Secretary of the department concerned to a board of arbitration for determination and the finding of such board shall, with the approval of the said Secretary, be conclusive on both parties. Such board of arbitration shall be composed of three skilled aeronautical engineers, one selected by the said Secretary, one by the claimant, and the third by those two, no one of whom shall have been a member of the board of appraisal in that competition.

(i) Any person, firm, or corporation that shall complain that his, their, or its designs hereafter developed relating to aircraft or any components thereof are used or manufactured by or for any department of the Government without just compensation from either the Government or any other source, may within four years from the date of such use file suit in the Court of Claims for the recovery of his reasonable and entire compensation for such use and manufacture after the date of this Act.

(j) Only citizens of the United States, and corporations of which not less than three-fourths of the capital stock is owned by citizens of the United States, and of which the members of the boards of directors are citizens of the United States, and having manufacturing plants located within the continental limits of the United States shall be eligible to be awarded any contract under this section to furnish or construct aircraft, aircraft parts or aeronautical accessories for the United States Government, except that a domestic corporation whose stock shall be listed on a stock exchange shall not be barred by the provisions of this section unless and until foreign ownership or control of a majority of its stock shall be known to the Secretary of War or the Secretary of the Navy, as the case may be, and no aliens employed by a contractor for furnishing or constructing aircraft, or aircraft parts, or aeronautical accessories for the United States shall be permitted to have access to the plans or specifications or the work under construction or to participate in the contract trials without the written consent beforehand of the Secretary of the department concerned.

(k) The Secretary of War or the Secretary of the Navy may at his discretion purchase abroad or in the United States with or without competition, by contract, or otherwise, such designs, aircraft, aircraft parts, or aeronautical accessories as may be necessary in his judgment for experimental purposes in the development of aircraft or aircraft parts or aeronautical accessories of the best kind for the

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Army or the Navy, as the case may be, and if as a result of such procurement, new and suitable designs considered to be the best kind for the Army or the Navy are developed, he may enter into contract, subject to the requirements of paragraph (j) of this section, for the procurement in quantity of such aircraft, aircraft parts, or aeronautical accessories without regard to the provisions of paragraphs (a) to (e), inclusive, hereof.

(l) The manufacturing plant, and books, of any contractor for furnishing or constructing aircraft, aircraft parts, or aeronautical accessories, for the War Department or the Navy Department, or such part of any manufacturing plant as may be so engaged, shall at all times be subject to inspection and audit by any person designated by the head of any executive department of the Government.

(m) All audits and reports of inspection, made under the provisions of this section, shall be preserved by the Secretary of War or the Secretary of the Navy, as the case may be, for a period of ten years, and shall be subject to inspection by any committee of Congress, and the said Secretaries shall annually make a detailed and itemized report to Congress of all the departments' operations under this section, the names and addresses of all competitors, and of all persons having been awarded contracts and the prices paid for aircraft purchased and the grounds and reasons for having awarded such contracts to the particular persons, firms, or corporations, and all such reports shall be printed and held subject to public distribution.

(n) Every vendor of designs to the War Department or the Navy Department under the provisions of this section, and every contractor for furnishing or constructing for the War Department or the Navy Department, or both, aircraft or aircraft parts or aeronautical accessories, shall deliver to the Secretary of War or Secretary of the Navy, or both, when required by either or both, a release in such form and containing such terms and conditions as may be prescribed by the Secretary of War, the Secretary of the Navy, or both, of claims on the part of such vendor or contractor against the United States arising out of such sale or contract, or both.

(o) All or any appropriations available for the procurement of aircraft, aircraft parts, or aeronautical accessories, for the War Department or the Navy Department shall also be available for payment of the purchase price of designs and the costs of arbitration as authorized by this section.

(p) Any collusion, understanding, or arrangement to deprive the United States Government of the benefit of full and free competition in any competition authorized by this section, or to deprive the United States Government of the benefit of a full and free audit of the books of any person, firm, or corporation engaged in carrying out any contract authorized by this section, so far as may be necessary to disclose the exact cost of executing such contract, shall be unlawful, and any person, firm, or corporation that shall, upon indictment and trial, be found guilty of violating any of the provisions of this section shall be sentenced to pay a fine of not exceeding \$20,000, or to be imprisoned not exceeding five years, or both, at the discretion of the court.

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(q) In the procurement of aircraft constructed according to designs presented by any individual, firm, or corporation prior to the passage of this Act, which designs have been reduced to practice and found to be suitable for the purpose intended or according to such designs with minor modifications thereof, the Secretary of War or the Secretary of the Navy, when in his opinion the interests of the United States will be best served thereby, may contract with said individual, firm, or corporation, at reasonable prices for such quantities of said aircraft, aircraft parts, or aeronautical accessories as he may deem necessary: Provided, That the action of the Secretary of War or the Secretary of the Navy, in each such case shall be final and conclusive.

(r) A board to be known as the patents and design board is hereby created, the three members of which shall be an Assistant Secretary of War, an Assistant Secretary of the Navy, and an Assistant Secretary of Commerce. To this board any individual, firm, or corporation may submit a design for aircraft, aircraft parts, or aeronautical accessories, and whether patented or unpatentable, the said board upon the recommendation of the National Advisory Committee for Aeronautics shall determine whether the use of such designs by the Government is desirable or necessary, and evaluate the designs so submitted and fix the worth to the United States of said design, not to exceed \$75,000. The said designer, individual, firm, or corporation, may then be offered the sum fixed by the board for the ownership or a nonexclusive right of the United States to the use of the design in aircraft, aircraft parts, or aeronautical accessories and upon the acceptance thereof shall execute complete assignment or nonexclusive license to the United States: Provided, that no sum in excess of \$75,000 shall be paid for any one design.

(s) The terms "winner" or "winners" as used in this section shall be construed to include not more than three competitors having the highest figures of merit in any one competition.

(t) Hereafter whenever the Secretary of War, or the Secretary of the Navy, shall enter into a contract for or on behalf of the United States, for aircraft, aircraft parts, or aeronautical accessories, said Secretary is hereby authorized to award such contract to the bidder that said Secretary shall find to be the lowest responsible bidder that can satisfactorily perform the work or the service required to the best advantage of the Government; and the decision of the Secretary of the department concerned as to the award of such contract, the interpretation of the provisions of the contract, and the application and administration of the contract shall not be reviewable, otherwise than as may be therein provided for, by any officer or tribunal of the United States except the President and the Federal courts.

SEC. 11. Under such rules and regulations as he may prescribe the President is hereby authorized to present, but not in the name of Congress, a medal to be known as the soldier's medal, of appropriate design, with accompanying ribbon, to any person who, while serving in any capacity with the Army of the United States, including the National Guard and the Organized Reserves, shall hereafter distinguish himself, or herself, by heroism not involving actual conflict with an enemy.

No more than one soldier's medal shall be issued to any one person; but for each succeeding deed or act sufficient to justify the award of the soldier's medal the President may award a suitable bar, or other

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suitable device, to be worn as he shall direct.

SEC. 12. Under such rules and regulations as he may prescribe, and notwithstanding the provisions of section 14 of this Act, the President is hereby authorized to present, but not in the name of Congress, a distinguished flying cross of appropriate design, with accompanying ribbon, to any person who, while serving in any capacity with the Air Corps of the Army of the United States, including the National Guard and the Organized Reserves, or with the United States Navy, since the 6th day of April, 1917, has distinguished, or who, after the approval of this Act, distinguishes himself by heroism or extraordinary achievement while participating in an aerial flight: Provided, That no person shall be eligible for the award of the distinguished flying cross for any act performed prior to November 11, 1918, except officers or enlisted men who have heretofore been recommended for but have not received the congressional medal of honor, the distinguished service cross, or the distinguished service medal and except those officers or enlisted men who displayed heroism while serving as instructors or students at flying schools. No more than one distinguished flying cross shall be issued to any one person, but for each succeeding act or achievement sufficient to justify the award of a distinguished flying cross the President may award a suitable bar or other suitable device to be worn as he shall direct. In case an individual who distinguished himself shall have died before the making of the award to which he may be entitled, the award may nevertheless be made and the cross or the bar or other device presented to such representative of the deceased as the President may designate, but no cross, bar, or other device hereinbefore authorized shall be awarded or presented to any individual whose entire service subsequent to the time he distinguishes himself has not been honorable.

SEC. 13. Each enlisted or enrolled man to whom there shall be awarded the distinguished flying cross or the soldier's medal shall be entitled to additional pay at the rate of .2 per month from the date of the act of heroism or extraordinary achievement on which the award is based, and each bar, or other suitable device, in lieu of the distinguished flying cross or the soldier's medal, as hereinbefore provided for, shall entitle him to further additional pay at the rate of .2 per month from the date of the act of heroism or extraordinary achievement for which the bar or other device is awarded, and said additional pay shall continue throughout his active service, whether such service shall or shall not be continuous.

SEC. 14. That if any section or provision of this Act shall be held to be invalid, it is hereby provided that all other sections and provisions of this Act not expressly held to be invalid shall continue in full force and effect. No provision of this Act shall be retroactive and the provisions hereof shall take effect upon date of approval thereof, except as otherwise provided for herein, and all Acts or parts of Acts contrary to the provisions of this Act or inconsistent therewith be, and the same are hereby, repealed.

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MEMORANDUM FOR THE COMMANDING GENERAL, ARMY AIR FORCES: (Attention Assistant Chief of Air Staff, Intelligence, Historical Division)

Subject: Critique of Army Air Forces Historical Studies: No. 25, Organization of Military Aeronautics, 1907-1935 (Congressional & War Department Action).

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