ARMY AIR FORCES HISTORICAL STUDIES: No 39

LEGISLATION
RELATING TO THE AIR CORPS
PERSONNEL AND TRAINING PROGRAMS
1907 — 1939

AAF HISTORICAL OFFICE
HEADQUARTERS, ARMY AIR FORCES

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LEGISLATION RELATING TO THE AIR CORPS PERSONNEL AND TRAINING PROGRAMS 1907 to 1939

The original of this monograph and the documents from which it was written are in the USAF Historical Division, Archives Branch, Bldg. 914, Maxwell Air Force Base, Alabama.

AAF Historical Office
Headquarters, Army Air Forces
December 1945

FOREWORD

This study, one of a series of histories of legislative action which affected the Army air arm from 1907 to the end of World War II, was written by Dr. Martha E. Layman, a member of the Legislation and Authorization Branch, Administrative History Division, AAF Historical Office.

The history discusses in detail efforts to obtain increased authorizations for personnel, new grades and ratings, special pay and allowances, better promotion possibilities, and provision for the several types of training required by the air service. Other studies in the series carry on the story of personnel and training legislation for the expansion and war periods after 1939 and discuss congressional and War Department sanctions for changes in organization of the air force and for the development and acquisition of materiel.

Readers familiar with the subject matter are invited to furnish the AAF Historical Office with criticisms, additional facts, or interpretations.

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I. INTRODUCTION

The period from 1907 to 1939, which saw the air arm develop from a minor division of the Signal Corps to a well-established corps of the Army with a separate staff, also witnessed the passage of important legislation for aviation personnel. It is the purpose of this study to determine the origin and trace the legislative history of these enactments.

The primary legislative concern of military aviation was authorization for personnel expansion. From time to time it became necessary to pass laws creating new grades and ratings. Flying pay and benefits for dependents of military flyers constituted another category of personnel enactments. The peculiar promotion problems of the air arm called for still further legislation. In addition, there was a small group of laws relating to the training program.

This study includes both those proposals which failed of enactment and those which received congressional and executive approval.

Chapter I

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During the early years of military aeronautics in the United States there was no statutory authorization for aviation personnel. Only such men as could be spared from normal duties with the Signal Corps were given aviation assignments upon their own applications. In 1908 the Chief Signal Officer reported that during the first year of its existence the Aeronautical Division had operated with a force of three officers and 10 enlisted men, figures which compared very unfavorably with those for aviation personnel in the principal foreign countries.[1] The Chief Signal Officer repeatedly pointed out the need for additional aeronautical personnel, but prior to 1913 all efforts to secure legislative authorization for an increase in strength were unsuccessful.[2] In fact, there was an actual decrease in the number of men on aviation duty, for in 1910 only one lieutenant and nine enlisted men were engaged in aeronautical work. In that year the Chief Signal Officer pointed out that until suitable legislation provided for an increase of the Signal Corps it would be impossible to furnish more officers and men "for the

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1. For comparative figures, see Report of the Chief Signal Officer (1908), 38.
2. Ibid. (1910), 26; (1911), 23, 26; (1912), 26. H. R. 12890 and H. R. 16931, identical bills, were introduced in 1909 and 1910 for the purpose of augmenting the Signal Corps in both officers and enlisted men. The Committee on Military Affairs of the Senate made a favorable report on H. R. 12890, but no action was taken by either house of Congress on these bills. Cong. Rec., 60 Cong., 2 Sess., 1453; ibid., 61 Cong., 1 Sess., 132; ibid., 61 Cong., 2 Sess., 353; H. Rept. No. 1945, 60 Cong., 2 Sess.

absolutely necessary training demanded in airmanship."[3]

In the meantime new Army Field Service Regulations authorized the formation of Signal Corps aeronautical companies "fully equipped with suitable aeronautical devices for service with the mobile forces," and in 1911 Congress appropriated 125,000 "for the purchase, maintenance, operation, and repair of airplanes and other aerial machines."[4] Thus the Signal Corps found itself in the anomalous position of having administrative authority to organize and funds to equip aeronautical units without being able to secure the personnel necessary to form them.

In the spring of 1912, however, Congress decided to study the situation. Congressman William G. Sharp (Ohio) introduced a resolution requesting the Secretary of War to furnish information pertaining to the development of military aviation in the United States. It specifically called for the War Department's plans for increasing the equipment and personnel of the aviation service in the Signal Corps.[5] The resolution was agreed to without opposition,[6] and on 6 April the Secretary of War submitted the required data. This document, which was prepared in the office of the Chief Signal Officer, emphasized the existing deficiency in aviation personnel and urged the enactment of legislation which would correct the situation. It called attention to a bill which the

3. Report of the Chief Signal Officer (1910), 26.
4. Ibid., 27; 36 Stat. 1039.
5. H. Res. 443; Cong. Rec., 62 Cong., 2 Sess., 3125.
6. For the legislative history of this resolution see AF Historical Studies No. 25, Organization of Military Aeronautics, 1907-1935: Congressional and War Department Action.

[redacted]

Secretary of War had recommended on 14 March 1912 providing for a first increment to the Signal Corps to consist of a colonel, 12 captains, 12 first lieutenants, and 30 second lieutenants. In addition to this proposed increase the Chief Signal Officer recommended a second increment of an additional colonel, a lieutenant colonel, 3 majors, 15 captains, 15 first lieutenants, 15 second lieutenants, and 600 enlisted men. He expressed the opinion that the officer personnel should be detailed from all branches of the service in order that the Signal Corps might adequately serve the aviation needs of the entire Army.

In submitting the report to the Speaker of the House, the Secretary of War dissented from the personnel recommendations of the Chief Signal Officer and insisted that the increment should not be more than the number required to organize three squadrons, adding that "when the Government has obtained a sufficient number of aircraft to justify the organization of additional squadrons, Congress will be asked to provide the necessary number of officers."[7]

While the report on aviation had been in preparation, the first of a series of bills to increase the efficiency of the aviation service was pending in Congress. Introduced by Representative Thomas W. Hardwick (Ga.) on 8 January 1912, it called for the detail to aviation service of 30 officers below the grade of lieutenant colonel but stipulated that their assignment to the Signal Corps should not increase the total number of officers in the Regular Army.[8]

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7. H. Doc. No. 713, 62 Cong., 2 Sess.
8. H. R. 17256; Cong., Rec., 62 Cong., 2 Sess., 736.

Though no changes were made in the bill by the House Committee on Military Affairs, two significant amendments were added on the floor of the House. The first provided that the bill would be effective for a five-year period. The second provided for 30 additional officers to be detailed to the Navy and Marine Corps for aeronautical duty.[9] The first official comment made on the Hardwick bill by the War Department was sent to the Senate Committee on Military Affairs on 20 August 1912. The Secretary of War pointed out that the five-year limitation, inadvertently as he believed, had been so worded that the proposed legislation could not go into effect until five years after the date of its passage. Moreover, he considered the 30 officers authorized in the proposed legislation as inadequate, and again called to the attention of the committee his recommendation of 14 March which had indicated the detail of 55 officers as necessary for Army aviation alone.[10] Evidently the disapproval of the Hardwick bill by the Secretary of War convinced the committee that further study of the personnel situation should be made, and the bill was never reported to the Senate. Early in 1913, however, pending the approval of permanent legislation, Congress provided in the War Department appropriations act for the fiscal year 1914 that 30 officers below the grade of lieutenant colonel should be detailed to the Signal Corps for aviation duty.[11]

This legislation was merely stopgap, for coincident with its passage the War Department was urging and Congress was considering a

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9. Ibid., 9266, 10240-47.
10. S/W to Chairman of Senate Committee on Military Affairs, 20 Aug. 1912, in Signal Corps Files, 29273, National Archives.
11. 37 Stat. 705.

new aviation bill. At this point the controversy over aviation legislation centered about the question of its transfer from the Signal Corps to the line of the Army. During the six years that the Aeronautical Division has been in existence its only method of securing personnel has been by use of the detail system. This meant that when officers were detailed from the line of the Army for duty with the Signal Corps there was no provision made for filling the vacancies which their detail created in the other arms and branches. The problem therefore was how to secure these officers without depleting the personnel of the rest of the Army. Three courses of action were possible: increase the detail of officers to the Signal Corps and add this number of men to the authorized strength of the Army; increase the authorization for Signal Corps personnel; or organize the aviation as a part of the line of the Army with a separate personnel authorization.

Early in 1913 Representative James Hay (Va.) had introduced a bill[12] which provided for the creation of an Aviation Corps to consist of a major, two captains, and 30 first lieutenants, and permitted the detail of officers from other branches of the Army for aeronautical duty. This bill became the subject of intensive study in the War Department, and as a result its favorable consideration was opposed by the Secretary of War.[13]

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12. H. R. 28724; Cong. Rec., 62 Cong., 3 Sess., 3925.
13. The principal criticism of its personnel provisions came from Lt. B. D. Foulois who protested that it made no provision for the captains and first lieutenants already on aviation duty. Memo for Col. O by Lt. B. D. Foulois, 17 Feb. 1913, in Signal Corps files, 29278, National Archives. See also, Chief War College Div. to C/S, 15 Feb. 1913, in Ibid. For a full legislative history of this bill, see Organization of Military Aeronautics, 1907-1935.

[redacted]

Consequently it was considered by the House Military Affairs Committee, but on 16 May 1913 the bill was again introduced by Congressman Hay as H. R. 5304.[14]

During the summer extensive hearings were held on the measure. Though the principal objection of the War Department was to the creation of a separate aviation corps,[15] officers appearing before the committee testified that the personnel provision was inadequate. Typical of the comments was that of Maj. Edgar Russel who said:[16]

> As this measure proposes to provide for the future as well as for present needs, its inadequacy, after examination of even present requirements, will, I think, be admitted. We now have 15 aeroplanes ready for use and 7 more about to be delivered. As it is agreed abroad that there should be 2 officers allotted to each aeroplane to utilize it to its fullest capacity there is at present need for more aviators than this measure provides. As to future needs, it clearly is insufficient.

Following the hearings on the Hay bill the Committee on Military Affairs struck out everything after the enacting clause and added by way of amendment a complete new bill creating an aviation section in the Signal Corps. The new organization was to consist of 60 officers and 260 enlisted men in addition to the officers and enlisted men already allotted by law to the Signal Corps. The officers were to be unmarried lieutenants under 30 years of age selected from the line of the Army for four-year details and were to be voluntarily assigned to aviation duty.[17] After this change in the Committee on Military Affairs,

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14. Cong. Rec., 63 Cong., 1 Sess., 1043. This bill will be referred to hereafter as the Hay bill.
15. For the controversy over organization, see Organization of Military Aeronautics, 1907-1935.
16. House, Hearings on H. R. 5304, 63 Cong., 1 Sess., 65.
17. H. Rept. No. 132, 63 Cong., 2 Sess.

the bill easily passed both House and Senate and became law with the signature of the President on 18 July 1914.[18]

This legislation was the first provision for a permanent personnel increment for aviation duty. Though keeping aviation under the direction of the Signal Corps and retaining the detail system, it made possible an immediate expansion of military aeronautics. The actual personnel strength of the Signal Corps was increased at once. In his annual report for 1914 the Chief Signal Officer described the aeronautical work as being on a very satisfactory basis with 24 officers and 115 enlisted men already performing aviation duty. Applications for officers' positions were being received, and little difficulty in bringing the commissioned personnel up to authorized strength was anticipated.[19]

Events soon proved that the Chief Signal Officer was over-optimistic; in his report for the next year he urged that Congress enact legislation to remove the restrictions as to age, rank, and marital condition of officers detailed to the Aviation Section. He pointed out that the age restriction made only 34.4 per cent of both first and second lieutenants eligible for aviation detail, that the marital restriction was unnecessary because the service was purely voluntary, and that limiting the Aviation Section to officers in the grades of first and second lieutenant would cause the loss of experienced aviators when they were promoted to the rank of captain. He also advised that the Aviation

18. Cong. Rec., 63 Cong., 2 sess., 4693, 5796, 12433.
19. Report of the Chief Signal Officer (1914), 12-19.

[redacted]

Section of the Signal Corps be increased to 300 officers and 2,300 enlisted men--organized into 18 squadrons, an administration department, and an aviation school--and that legislation be enacted providing for a reserve aviation service along the lines of the Medical Reserve Corps.[20]

It is evident, also, that the increase in personnel was not without its disadvantages. Criticism of personnel practices soon came to the attention of Congress, and on 5 January 1916 Senator Joseph T. Robinson (Ark.) introduced a joint resolution (S. J. Res. 65) calling for the creation of a joint commission of Congress to investigate the Aviation Section.[21] He charged before the Senate Committee on Military Affairs that the Aviation Section had deliberately withheld from the War Department information as to the number of aviators trained and the use of funds appropriated by Congress. He blamed the majority of aviation deaths on the use of antiquated equipment and described the training of the men as defective in many respects.[22]

Though the Chief Signal Officer acknowledged that friction existed in his corps, he denied that the situation was as serious as Senator Robinson described it as being. Having changed the assignments of the persons against whom the charges were specifically brought, he had removed much of the basis for the criticism, and consequently the

20. Ibid. (1915), 8-9, 14, 53.
21. Cong. Rec., 64 Cong., 1 Sess., 494.
22. For fuller treatment of the proposed investigation, see Organization of Military Aeronautics, 1907-1935. See also, S. Rept. No. 153, 64 Cong., 1 Sess.

resolution failed of approval. The Chief Signal Officer did, however, recommend that change be made in the Aviation Section and that the War Department initiate legislation to revise the Act of 18 July 1914. These recommendations were carefully considered in the preparation of the national defense bills.[23]

By 1916 the war which had been going on in Europe for a year and a half had reached a stage of real danger to noncelligerent countries, and public opinion in the United States supported the introduction of legislation for the building up of the nation's defenses. To accomplish this purpose four bills were introduced into the House and Senate during the winter and spring of 1916.[24] Each bill devoted one section to the expansion of the Aviation Section of the Signal Corps. One bill[25] gave the President blanket authority to increase the personnel of the Aviation Section to the extent of appropriations made for that purpose. Another[26] provided for increasing the Signal Corps without definite indication of the increase to be allotted to the Aviation Section. Neither of these bills emerged from committee. The bill most seriously considered[27] was introduced by Congressman Hay on 6 March 1916. It provided for 73 additional Aviation officers and 625 enlisted men[28]

23. Brief 1st Ind. (basic unknown), C Sig C to AG, 7 Feb. 1916, in Signal Corps files, 41704, National Archives.
24. These bills were H. R. 12037, H. R. 12766, H. R. 14477, and S. 4340. Cong. Rec., 64 Cong., 1 Sess., 2958, 3519, 3524, 5727.
25. H. R. 14477.
26. H. R. 12037.
27. H. R. 12766.
28. The enlisted men were to include 25 master signal electricians, 50 sergeants first class, 93 sergeants, 171 corporals, 50 cooks, and 250 privates first class.

who were to be organized into an aviation school detachment and such number of aero squadrons as the Secretary of War should prescribe. The bill also provided that married officers of the line of the Army should be eligible for detail to aviation duty and authorized the Secretary of War to provide for the instruction of enlisted men in flying. This section of the bill was briefly discussed in the House of Representatives and agreed to without opposition. When the new Pay bill reached the Senate Committee on Military Affairs, however, everything after the enacting clause was struck out, and the Senate substituted S. 4340 which had previously been amended and approved by that committee.[29] The committee substitution which was passed unchanged by the Senate set the strength of the Aviation Section at 149 officers: a brigadier general, a colonel, a lieutenant colonel, 8 majors, 24 captains, and 114 first lieutenants. The enlisted strength was to be determined from time to time by the President, but there was no provision for removing the restrictions as to age and marital status of officers detailed to the Aviation Section. In this form the bill was passed by the Senate,[30] but in the meantime protests had come from the War Department which insisted that the restrictions as to age and marriage be removed from the qualifications of officers requesting aviation detail.[31]

After long discussion and heated debate on the Senate amendments, the bill was whipped into its final shape in the conference committee which completely rewrote the part of the measure dealing with the

29. Cong. Rec., 64 Cong., 1 Sess., 3519, 4259, 5015.
30. Ibid., 5898.
31. Memo for OSigO by Brig. Gen. T. H. Slocum, Chief War College Div., 11 April 1916, in Chief of Staff files, 9054-50, National Archives.

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Aviation Section of the Signal Corps. The new section, which was numbered 13, provided for a colonel, a lieutenant colonel, 3 majors, 24 captains, and 114 first lieutenants to be selected from the line of the Army for four-year details. It made married officers eligible for aviation duty and removed the age restriction. In addition, it provided that civilians could be appointed to the grade of aviator if it proved impracticable to obtain a sufficient number of suitable officers from the line of the Army. This section of the revised bill was passed without change by House and Senate and became law (Public No. 85) on 3 June 1916.[32]

For the time being these personnel authorizations of the National Defense Act seemed adequate. At the close of the year 1916 the Chief Signal Officer reported:[33]

> The restrictions as to the age, rank, and marital condition of officers detailed in the aviation section, imposed by the act creating the aviation section were removed under section 13 of the National Defense Act of June 3, 1916 . . . and contrary to earlier expectations, it is now believed that with these restrictions removed little trouble will be experienced in obtaining sufficient officers from the line to fill the vacancies existing in the aviation section.

When the United States entered the war on 6 April 1917, however, the situation was radically changed. New responsibilities faced the nation, and the use which had already been made of military aviation on the Western Front indicated that the United States would soon be expected to furnish both planes and pilots in considerable numbers. On 24 May 1917 Premier Ribot of France cabled an urgent plea for 4,500 airplanes, 5,000 pilots, and 50,000 mechanics to be sent to the French

32. It is interesting to note that Senator Robinson proposed an amendment to this bill which was identical to S. R. Res. 65 calling for an investigation of the Aviation Section. The amendment failed of passage. Cong. Rec., 64 Cong., 1 Sess., 4371, 6376, 8406, 9267.
33. Report of the Chief Signal Officer (1916), 7.

[redacted]

front by the spring of 1918. After appropriate action by the Joint Army and Navy Technical Board and the General Staff, the acting Chief of Staff on 27 June 1917 approved plans for legislation to carry out the recommendations of the French premier.[34]

In line with these plans, Congressman Hubert S. Sent (Ala.) introduced a bill to "increase the Signal Corps of the Army."[35] It gave the President authority to increase temporarily the authorized commissioned and enlisted strength of the Aviation Section by promotion, appointment, and detail of officers of the Regular Army, National Guard, National Guard, or Officers' Reserve Corps. During the hearings on the bill, English, French, and Italian officers, as well as those of the United States, testified that control of the air was at that time the most important military objective. They concurred in the conclusion that an increase in American aviation personnel was imperative.[36]

The Sent bill went through Congress in record-breaking time. It was put through the House military affairs committee in two sittings, the House itself in one, the Senate military affairs committee in 45 minutes, and the Senate itself a week later, became law on 24 July 1917. No major changes affecting aviation personnel expansion were made in the course of its legislative history.[37]

This legislation made possible the organization of the air units which were sent to France with the American Expeditionary Forces. Though the aviation effort of the United States fell far short of the

34. E. S. Correll, The Nature of American Army Aeronautical Effort, 1.
35. H. R. 5320; Cong. Rec., 65 Cong., 1 Sess., 4705.
36. House, Hearings on H. R. 5320, 65 Cong., 1 Sess., passim.
37. George Owen Squier, Aeronautics in the United States, 1916, 4. Cong. Rec., 65 Cong., 1 Sess., 4705, 5143, 5372, 5500.

the high hopes that were held for it in the summer of 1917, at the time of the Armistice there were approximately 20,000 officers and 149,000 men in the American Army Air Service at home and abroad. Of these 7,726 officers and 74,769 men were overseas; 6,216 officers and 51,229 men were in France, and approximately 20,000 were still in training in England.[38]

When the war came to a close in the fall of 1918 one of the most pressing of the legislative problems facing Congress was the reduction of the Army to a suitable peacetime strength. The aviation aspect of this problem was particularly difficult, for within the Army the Air Service occupied a unique position. In the first place it had no real statutory authorization, having been established by executive order in May 1918.[39] Second, it had grown so disproportionately when compared with the rest of the Army that the retention of even a small part of its wartime strength would necessarily be at the expense of other military arms. Third, the military effectiveness of aerial reconnaissance had to be fully demonstrated in the course of the war to such an extent that the prestige of Army aviation had increased tremendously. The young enthusiastic personnel of the Air Service was determined that "back to normalcy" attitudes and the postwar sentiment in favor of reducing the Army should not destroy their branch. They were equally determined that the General Staff view of aviation as the "eyes of the

38. Correll, The Measure of American World War Aeronautical Effort, 25.
39. Executive Order 2362, in [illegible] 51, 1918. The Air Service, thus established, continued throughout the war, and Congress recognized the fact in the Appropriation Act of 11 July 1919 which provided that it be continued in force and effect until 30 June 1920. 41 Stat. 765. For the history of the separation of aviation units from the Signal Corps, see Organization of Military Aeronautics, 1907-1935.

army" and therefore a military auxiliary would not reduce the air service to the small organization existing at the outbreak of the war. Consequently, they pinned their hopes for recognition on the creation of a separate department of aeronautics, and began a campaign for separation from the army which was to continue for many years.[40]

In 1919, when the War Department appropriation bill for the fiscal year 1920 became a subject of study by the House Committee on Military Affairs, the movement for the separation of aviation from army control was receiving great publicity. In view of the retrenchment demands being made upon the Government and the existing economic condition of the country, Congress could hardly be asked to create an air service of a size adequate to meet the future military needs of the nation unless reductions were made in the other branches of the military service. Such action would call for proportionate reduction in the numerical strength of those branches and would vitally affect the promotion of officers. In line with this attitude and the reaction against military organization, Congress so limited the War Department appropriation for 1920 that the army would be down to prewar strength by 30 September 1919. In fact, so drastic was the reduction of funds that it became necessary for the War Department to make an immediate request for additional legislation which would enable it to retain sufficient officer personnel to dispose of equipment, care for the wounded, and supervise the demobilization program. Consequently, the War Plans Division prepared a bill which was introduced on 25 July 1919.[41] It called for the retention of Army

40. Organization of Military Aeronautics, 1907-1935.
41. S. 2022; Cong. Rec., 66 Cong., 1 Sess., 3130.

[redacted]

commissioned personnel to a maximum number of 1,200 (exclusive of the regular Army) until 30 June 1920.

A week preceding the introduction of this measure the New York World had pointed out the effects of the curtailed appropriation on the Air Service and had stated that[42]

> Secretary Baker has no choice but virtually to disband it [the Air Service]. There are 2,219 officers still in the service of whom only 234, who are officers of the Regular Army, can be retained after September 10. This will leave only enough to officer three squadrons of airplanes if every officer is assigned to that duty, or only enough for one squadron if the administration of the Air Service is committed to an adequate number of officers.

That no special provision was made by the War Department in submitting the draft of its bill to the committee is doubtless explained by the desire of the Secretary of War to provide for the Air Service by detail of officers from other branches.

The War Department bill passed unchanged and unopposed through the Senate, but when it reached the House Committee on Military Affairs an amendment was added to provide that 1,200 of these officers should be assigned to the Air Service, and at least 85 per cent of the 1,200 should be qualified flyers. On the floor of the House of Representatives Julius Kahn (Calif.) explained that the amendment was necessary to give the Air Service, which was without personnel authorization except as a section of the Signal Corps, its requisite officers. He further stated that the legislation was intended merely to take care of the period during which the Military Affairs committee would be studying the problem of a complete reorganization of the Army. Though the House

42. New York World, 16 July 1919.

opposition to certain Senate amendments necessitated the deliberation of a conference committee, the clause providing for aviation personnel was unopposed in both houses. The bill became law on 17 September 1919.[43]

While this legislation was pending in Congress, hearings had already begun on the numerous proposals for reorganization of the Army, some calling for compulsory military training of all American youth, others proposing a separate department of aeronautics, and still others seeking general Army reorganization. Of the last, S. 2715, introduced on 4 August 1919, had been prepared in the War Plans Division and was the official War Department recommendation.[44] It called for a major general at the head of the Air Service and a total of 1,923 officers and 21,753 enlisted men, all of whom were to be detailed from other branches of the service.

During hearings on the bill the Chief of Staff defended the detail system by saying that though the War Plans Division recognized the importance of the Air Service and its urgent need for proper development, it did not believe that special consideration should be accorded to the service in making a reapportionment at the expense of the other arms.[45] A few days later Maj. G. D. Foulois, who had been a leading Air Service general during the war, in a statement made to the House committee, protested vigorously against the detail system. He charged that it

43. Cong. Rec., 66 Cong., 1 Sess., 3216, 4583, 4315, 4337, 5776.
44. The bills of the 66 Cong., 1 Sess. on which hearings were held were S. 2691, S. 2693, S. 2715, H. R. 7925, H. R. 8236, H. R. 8267, and H. R. 8270.
45. House, Hearings on Army Reorganization, 66 Cong., 1 Sess., 151-57.

would result in "creating a service without permanency and with a constantly shifting personnel who would hardly be in the Air Service long enough to learn the names of all the different tools and instruments (to say nothing of their efficient use) until they, by law, would have to give up their work and try to other else." He expressed the opinion, moreover, that this system, if applied to the Air Service would result in a "high state of inefficiency with maximum expenditures of public funds and minimum results of equipment." The failure of the bill to specify flying officers for command positions brought forth a stinging criticism from Foulois who declared that, if the bill became law, 191 of 193 vacancies in the grades of colonel, lieutenant colonel, and major would have to be filled by inexperienced officers from the Army at large. Inasmuch as 90 per cent of Air Service duties were technical, mechanical, and industrial, it was "inconceivable," in his opinion, that officers without aviation experience could "efficiently and intelligently solve the innumerable technical, mechanical, and industrial problems involved."[46]

The opinion of Major Foulois was concurred in by Col. Charles de Forest Chandler and Brig. Gen. William Mitchell of the Army Air Service; Maj. Gen. Ernest Hinds, Chief of Artillery, A. E. F.; Maj. Gen. William C. Sherman of the War Plans Division; and Maj. Gen. William J. Snow, Chief of Field Artillery. Supporting the detail system because it would supply officers of greater age and administrative experience were Maj. Gen. James G. McAndrew, Chief of Staff, A. E. F., and Gen. Peyton C. March, the Chief of Staff.[47]

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46. Ibid., 925-33.
47. Ibid., 151-7, 250, 350, 350, 900, 967, 1250.

Evidently the Air Service officers and their supporters convinced the committee that the War Department reorganization bill should not become law, since it was never reported from committee. Instead an omnibus bill reported from the Senate Committee on Military Affairs on 26 February 1920 became the bill supported by both houses.[48] This called for Air Service personnel to consist of a chief with the rank of major general, 1,514 officers in grades from colonel to second lieutenant inclusive, and 16,000 enlisted men, including not more than 2,500 flying cadets. The bill was amended in the House by adding to it a brigadier general, by providing that not more than 10 per cent of the Air Service officers should be nonflying officers, and prescribing that flying units should, in all cases, be commanded by flying officers. With those amendments the House passed the bill on 18 March 1920 by a vote of 245 to 92, with 89 not voting.

When it reached the Senate everything following the enacting clause was stricken out, and the committee reported, under the same number, in the form of an amendment, a bill creating an Air Corps, which personnel consisting of a chief with the rank of major general, 1,440 officers, and 16,000 enlisted men who were to be detailed or assigned from the line of the Army. It further provided that not more than 10 per cent of the permanent enlisted personnel who failed to qualify as aircraft pilots or observers within a year after their detail or assignment should be permitted to remain detailed or assigned to the Air Corps. The flying cadets were limited in number to 2,500 and were to be included in the total number of enlisted men specified in the bill.

48. H. R. 12775; Cong. Rec., 66 Cong., 2 Sess. 3743.

With this change the bill was passed by the Senate after brief discussion. The House disagreed with the Senate amendments, and a conference committee effected a compromise. The bill as finally passed and approved by the President on 4 June 1920[49]

1. Created an Air Service
2. Authorized a chief of the Air Service with the rank of major general, an assistant with the rank of brigadier general, and 1,514 officers in grades from colonel to second lieutenant inclusive.
3. Allowed an enlisted strength of 16,000 including not more than 2,500 flying cadets.
4. Specified that not more than 10 per cent of the officers in each grade below that of brigadier general who failed to qualify as aircraft pilots or observers within one year were to be permitted to remain detailed or assigned to the Air Service.
5. Prescribed that flying units in all cases were to be commanded by flying officers.

Thus the Air Arm became legally a branch of the Army under the Chief of Staff and the Secretary of War, with its own commissioned and enlisted personnel, and with an assurance that 90 per cent of its officers and all of those in command of flying units should be flying officers. This meant that the Air Service was to have sufficient personnel to enable it to operate on a reasonable peacetime basis and that the great majority of its personnel was to consist of men technically trained in the operation and maintenance of aircraft.

Nevertheless, there was one serious error in Section 13a (the section authorizing the Air Service) of the Army Reorganization Act. According to its provisions only 10 per cent of the officers in each

49. Cong. Rec., 65 Cong., 2 Sess., 4254, 4500, 5592. The Senate amendment was the perfected text of S. 3792 which had previously been debated and amended in the Senate. Ibid., 5190, 5990, 7259, 7331, 7334, 7844, 7916, 7959, 8003, 8662.

[redacted]

grade below that of brigadier general who failed to qualify as aircraft pilots or observers in one year after assignment were permitted to remain in the Air Service. What Congress had intended to provide was that not more than 10 per cent of its officers would be nonflyers. As it worked out, in 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. Hardly had the new legislation gone into effect before the disadvantages of such a provision became evident. Maj. Gen. Mason M. Patrick, Chief of the Air Service, pointed out the need for a change in this legislation in his annual report for the year 1921.[50]

During the summer of 1921 identical bills[51] were introduced into the House and Senate to remedy the situation. Though making no change in the authorization for personnel, they contained a clause providing that "not to exceed 10 per cent of the authorized commissioned strength of the Air Service in each grade below that of brigadier general shall be permitted to remain detailed to or assigned to the Air Service for a period of more than one year unless qualified as an aircraft pilot or observer." Neither of these bills was, however, reported from committee, and the condition was not rectified until the passage of the Air Corps Act in 1926.[52]

Following the passage of the Army reorganization bill the Air Service initiated a vigorous recruiting program in an effort to complete its phase of the reorganization as soon as possible. In February 1921,

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50. Report of the Chief of the Air Service (1921), 6.
51. S. 2109 and H. R. 7057.
52. Cong. Rec., 67 Cong., 1 Sess., 2714, 3426. See below, this chapter.

[redacted]

however, its activities were abruptly terminated by a joint resolution of Congress directing the cessation of enlistments until the enlisted strength of the Army should not exceed 175,000.[53] Of this number, the Air Service was allocated 11,500 and this number was further reduced after the passage of the Army Appropriation Act for 1922 which directed discharges under such reasonable regulations as the Secretary of War might prescribe until the number of enlisted men of the Army should be reduced to 150,000 (not including Philippine scouts).[54] This act like the previous one was applied proportionately to the various branches of the Army. Consequently, the Air Service closed the fiscal year 1922 with an authorized strength of 10,500 enlisted men, including the flying cadets.

On 30 June 1922 the War Department Appropriation Act for the fiscal year 1923 reduced the authorized commissioned strength of the whole Army and each of its branches to 70 per cent of the strength that had been authorized in 1920, bringing the total number of commissioned officers down to 12,000. Had the law been literally applied it would have reduced the authorized commissioned strength of the Air Service from 1,516 to 1,061. The act, however, gave the President authority to increase or decrease the new strength by not more than 30 per cent provided the total strength of the Army was not increased. Hence, any increase in the normal proportion of Air Service officers required some decrease elsewhere in other branches. In fixing the limit of the

53. Report of the Chief of the Air Service (1921), 3; 41 Stat. 1092.
54. Report of the Chief of the Air Service (1921), 5; 42 Stat. 71.

various branches within the specifications of the law, the War Department allotted the Air Service 1,347 officers, or less than its normal branch strength of 1,651, and provided that as long as a shortage existed the minimum number of officers should be taken from the branch for other duties.[55]

The principal personnel problem of the Air Service now centered about the procuring of commissioned officers. The method followed since the passage of the Army Reorganization Act was the filling of vacancies in senior personnel by transfer and detail from the other branches, and the securing of needed junior personnel by appointment. A complication arose in the details and transfers. First, in order to be detailed or transferred an officer had to qualify for flying during his first year. Naturally, many of those seeking to become officers could not so qualify. In the second place, the promotion situation in the Air Service was such that officers detailed or transferred and trained in flying within a few months were frequently senior to Air Service officers who had been flyers much longer.[56] This situation was the cause of real jealousy and dissatisfaction on the part of the older Air Service personnel. Consequently, in his annual report for the fiscal year 1923, General Patrick recommended that legislation be enacted at once to solve the problem of maintaining the Air Service as an organization properly balanced in its commissioned ranks. He

55. Statement of Maj. Gen. Robert C. Davis, Adjutant General, prepared for the Board of Aviation Inquiry, 15 Oct. 1925, in Plans Div. files, AAG; 4A above. 721.
56. This condition was the result of the so-called "World War hump" in the promotion list. See chapter 17.

proposed two possible solutions for the problem. One was to provide for temporary commissions. The other was to call to active duty the necessary number of reserve officers who had been trained as flyers, with provision that the best proficients be given permanent commissions in the Army as Air Service officers at the end of their tour of active duty. Of the two proposals, the Chief of the Air Service preferred the latter.[57] It should be noted that his recommendation for the use of Reserve officers became a definite policy of the Air Arm. The reason for its development is easily seen. There was a real need in the Air Service for active flying officers in the grades of captain and lieutenant between the ages of 21 and 35. Under the existing system of promotion it was impossible to regard the flow of these officers to the higher grades and still maintain an efficient organization. In the absence of a separate promotion list, the only apparent solution was the retention of a large number of Reserve officers on active duty during their period of maximum efficiency as flyers, after which they would revert to a Reserve status.

On 13 December 1922 the Adjutant General directed General Patrick to prepare a comprehensive study to implement his recommendations. The study was begun at once and submitted to the Secretary of War on 7 February following.[58] It recommended the "withdrawal of all Air Service from the Divisions" and its "consolidation in the Corps" and provided

57. Report of the Chief of the Air Service (1923), 5.
58. Memo for C.S.O.G., 13 Dec. 1922, and 3d Ind., CSO to AG, 7 Feb. 1923, in Ser. I. Report of a Committee of Officers appointed by the Secretary of War to consider in all details a plan of war organization for the Air Service . . . and to make recommendations to the Air Department in the premises, 22 March 1923, in Plans Div. files, AGO.

for "an adequate well-balanced air force concentrated in the General Headquarters Reserve." The proposed organization called for a personnel of 4,000 officers, including 1,000 Reserve officers, 2,500 flying cadets, and 25,000 enlisted men to be procured over a period of 10 years and to parallel an increased aircraft production program.

On 17 March a War Department board under the chairmanship of Maj. Gen. William Lassiter was appointed to consider these recommendations.[59] The board met immediately and heard the Chief of the Air Service present his arguments for an expanded air arm. On 22 March it reported to The Adjutant General that a continuing personnel program extending through a period of approximately 10 years should parallel the recommended production of 2,500 planes. This personnel program was the same as that which had been proposed by General Fairchild--4,000 officers, 2,500 flying cadets, and 25,000 enlisted men. The Lassiter Board expressed the conviction that the personnel required for the combatant establishment in excess of that allotted to the Air Service should be in addition to the authorized strength of the Regular Army and that such addition should be provided by legislation. A month later the report was approved "in principle" by John W. Weeks, the Secretary of War. He recommended, however, that it be further studied by the Joint Board of the Army and Navy.[60]

Because of a subsequent disagreement between the Secretary of War and the Secretary of the Navy concerning the percentage of appropriations

59. Members of the board included Maj. Gen. William Lassiter (chairman), Brig. Gen. Briant H. Wells, Brig. Gen. Hugh A. Drum, Brig. Gen. Stuart Heintzelman, Col. Irvin L. Hunt, Lt. Col. John W. Gulick, and Lt. Col. Frank P. Lahm.
60. Report cited in n. 58 above.

to be spent by each Air Service the recommendations of the Lassiter Board were not presented to Congress in the form of proposed legislation. More than a year later, on 9 June 1924, the Chief of the Air Service wrote to The Adjutant General: "On April 24, 1923, the Secretary of War approved in principle a program for increasing the Air Service to an adequate strength, but to date this program has not been referred to Congress with appropriate legislation for its enactment."[61]

Regardless of the lack of congressional action, the Air Department based its plans for wartime organization on the recommendations of the Lassiter Board. The first phase of its mobilization program called for 9,091 flying officers and 505 nonflying officers. As a basis for that expansion the Air Service in June 1924 had 900 commissioned officers in the Regular Army Air Service and an estimated total of 250 officers in the Air Service, National Guard, and Organized Reserve qualified for immediate field duty. The Chief of the Air Service reported that he was extremely doubtful "if 25% of the first phase of mobilization could be successfully met in either personnel or equipment." He therefore reiterated his request for an organization properly balanced in the commissioned grades.[62]

During this period the Air Service officers, seeing their plans for expansion sidetracked, pinned their hopes on the securing of legislation to establish a separate department of air. Their struggle became an issue of great public interest which reached its climax with the

61. Draft letter, C.S. to TAG, 9 June 1924, in AMG 032.1, Legislation.
62. Ibid.

[redacted]

appointment of a congressional Select Committee of Inquiry into Operations of the United States Air Services.[63] This committee, commonly called the Lampert Committee from the name of its chairman, Florian Lampert, was concerned primarily with an investigation of contracts and expenditures and a study of the proper organization of the air services. It did, however, investigate the personnel situation and recommended that "Congress provide remedies for the inequalities and injustices suffered by the aviation officers of the Army and Navy." Its proposal of a department of national defense and a five-year air program for Army, Navy, and civil aviation indirectly called for an augmentation of aviation personnel, though no specific increase was recommended.[64]

After the adjournment of the Lampert Committee, but prior to the publication of its report, the Secretaries of War and Navy requested that President Coolidge appoint a board to consider "the best means of developing and applying aircraft to National Defense."[65] The new board, with Dwight W. Morrow as its chairman, concluded that the United States was not in danger from air attack and that no radical change in the organization of the Air Service appeared to be necessary. Nevertheless, it recommended the creation of an air corps and the addition of

63. This committee was appointed by authority of H. Res. 192 and H. Res. 243, 68 Cong., 1 Sess. For further discussion of the deliberations of the Lampert Committee, see Organization of Military Aeronautics, 1907-1935.

64. Report of the Select Committee of Inquiry into Operations of the United States Air Services (1925), 9.

65. Their recommendation was doubtless due to their fear that the Lampert Committee would recommend the separation of the air arms from the Army and Navy. See Organization of Military Aeronautics, 1907-1935.

two brigadier generals to be detailed to the air arm. Though this board did not consider it wise to make definite plans for such an extended period as 10 years, and therefore did not recommend the full realization of the plan of the Lassiter Board, it proposed that the air corps expansion program "be made the subject of further study under competent authority."[66]

After the submission of the Morrow Board report to Congress numerous air bills were introduced, and the committees on military affairs began extensive hearings on these proposals. Some of these called for a Department of National Defense; others provided a unified air service; and still others would give the air service of the Army the same status that the Marine Corps had in the Navy.[67] In connection with all the hearings the committees considered the problem of expanding Army aviation personnel. The proposals contained in the bills varied from one which added only two brigadier generals to the air arm to a bill which called for 4,000 officers, 2,500 flying cadets, and 25,000 enlisted men.[68]

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66. Report of the President's Aircraft Board (1925), 21.
67. See "Digest of Legislative Proposals for a Department of Aviation and/or Department of National Defense," typescript in AFHO files.
68. H. R. 7910 and H. R. 8119; Cong. Rec., 69 Cong., 1 Sess., 2339, 3260. Of the Air Department bill (which was not reported by the committee) Chairman M. Frank James said, "Either the bill was not drafted in good faith or else the ones who drew it up did not give the recommendations of the President's Aircraft Board a very careful consideration because when the bill reached us, four and one half of the first six pages were about rosettes. . . . I told the Secretary of War . . . that as one member of the committee I would be ashamed to report that kind of a bill to the House." "Annalin Military Legislation in the House of Representatives," a lecture delivered by M. Frank James at the Army War College, 16 June 1927 [James lecture], in Plans Div. files, AFHO.

Of the hearings on these bills, Congressman M. Frank James said:[69]

> We considered all of them. We listened to everybody, whether he belonged to the War Department or whether he did not. . . . After listening to everybody who wanted to talk to us, we voted and a Department of National Defense was beaten eleven to ten . . . then we voted for unified air service and were beaten . . . . then it came down to General Patrick's idea [a corps comparable to the Marine Corps] . . . and we were beaten again.

Finally, when there was nothing left before the committee, it drafted a complete new bill (H. R. 10587) which was reported to the House on 29 March 1926.[70] The new measure, commonly called the Air Corps bill, provided for the creation of the Air Corps with a chief holding the rank of major general, three assistants with the rank of brigadier general, a total of 1,650 officers in grades from colonel to second lieutenant, 550 reserve officers on active duty, and 15,000 enlisted men, including 2,500 flying cadets. The increase was to take place over a five-year period. Two brigadier generals and at least 90 per cent of the officers in each grade below that of brigadier general were to be flying officers, and in all cases flying units were to be commanded by flying officers. No limit, except that of the total number of officers allotted to the Air Corps, was placed on the officers in each grade detailed for flying training. Such officers, however, were not to remain detailed for a period longer than one year unless they qualified as flying officers.

Though still feeling that a department of national defense was the ultimate solution to the problem, General Patrick wrote Congressman James that he was "in hearty accord with the general provisions of this

69. James lecture.
70. Cong. Rec., 69 Cong., 1 Sess., 6544.

bill" and that he believed it would be a long step in the right direction and would very materially increase the efficiency of the Army Air Corps." After brief consideration by the House of Representatives, the Air Corps bill was passed on 5 May 1926.[71]

Shortly thereafter the Senate military affairs committee considered the Air Corps bill, calling as witnesses Secretary of War Dwight F. Davis, Maj. Gen. Mason M. Patrick, and Maj. Gen. Fox Conner. Davis urged that any increase in air appropriations which Congress was willing to make be put into equipment instead of personnel, but that if the increase for the Air Service personnel were left in the bill, it should go into effect only when the size of the entire military establishment was increased. General Patrick urged the approval of the measure in the form in which it passed the House, but General Conner protested that the proposed legislation was unfair to other branches of the service.[72]

When the bill was reported out of the Senate Committee on Military Affairs, Congressman James told Senator James E. Wadsworth that he did not recognize anything about it except the name and number.[73] Though the Senate committee left unchanged the provisions for commissioned personnel and Reserve officers, it provided for an increase in the allotment of enlisted men in the Air Corps to the number of 15,000 only "as rapidly as funds are provided by Congress for recruiting, paying, subsisting, clothing, equipping, and otherwise maintaining enlisted men

71. Ibid., 8751, 8757. There were three minor amendments, none of which concerned personnel expansion.
72. Senate, Hearings on H. R. 10827, 69 Cong., 1 Sess, 6-33, 43, 47. For the comments of the chiefs of other branches, see memo for C/S by Maj. Gen. Malin Craig, 21 April 1926, in Plans Div. files.
73. James lecture.

[redacted]

over and above 113,750, not including Philippine Scouts." This meant that only after Congress increased the enlisted strength of the Army as a whole could the Air Corps receive its augmented allotment.[74] All attempts to amend the bill as reported by the committee were unsuccessful. Because the House disagreed with the Senate amendments the bill went to conference committee. After certain modifications it finally became law on 2 July, 1926.[75]

In its final form the Air Corps Act substituted a new section for Section 13a of the National Defense Act. It provided for an Air Corps to consist of one Chief of the Air Corps with the rank of major general, three assistants with the rank of brigadier general, and a five-year expansion program at the completion of which there would be 1,650 officers in grades from second lieutenant to colonel and 15,000 enlisted men.[76] In addition, the calling of Reserve officers to active duty in numbers not to exceed 300 per year was authorized. Ninety per cent of these Reserve officers were to serve for not less than six months nor more than a year, while the remaining 10 per cent were to serve for not less than one nor more than two years. The Chief of the Air Corps, at least two brigadier generals, and at least 50 per cent of the officers of each grade below that of brigadier general were to be flying officers, and all flying units were to be commanded by flying officers.

This was the first bill reported out of committee since the World

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74. S. Rept. No. 630, 69 Cong., 1 Sess.
75. Cong. Rec., 69 Cong., 1 Sess., 13996.
76. This personnel program was to parallel an increase of planes to 1,800. The total authorization for Air Corps enlisted personnel was 16,000, but the five-year program called for 15,000 to be reached by 1 July 1931.

air that provided exclusively for the air arm. Air Corps enthusiasts hoped the authorization for increases in personnel and equipment would place the Air Corps on a really efficient basis and provide a full combat force for use in an emergency. As act passed, however, the Air Corps ran into difficulties in its attempts to secure the contemplated annual strength increases. Although an increase in both officers and men was authorized by the act, there was no provision that this increase was to be in addition to the peacetime strength of the Army. At no time during the five-year period covered by the expansion program did Congress increase the Army by either enlisted men or commissioned personnel.[77] Failure to provide for the specified increases meant that the Air Corps personnel could be expanded only at the expense of other branches of the Army. By 30 June 1931 the Air Corps enlisted personnel had reached 13,190, and soon thereafter the Secretary of War made a further allotment which brought the approved number up to 14,522. These increases were made possible by corresponding reductions in the rest of the military establishment, a practice which became the cause of resentment on the part of officers of other or newer branches. Air Corps inadequate enlisted personnel was seldom further augmented for the benefit of the favored Air.[78]

Such a reduction of the commissioned personnel problem in the Air Corps was not possible. The Air Corps had hoped to secure the increase

77. See Military Establishment Appropriation Acts, 1926-1931.
78. Report of the Chief of the Air Corps (1931), 6. For a full discussion of this problem see Reporter's Minutes of War Department Special Enlisted Personnel Board of the Air Corps (1931), 2139, 2143, 2512, 2514, 3327, typescript in AFHRA files.

in officers from three sources, namely, transfers from other branches, graduates of the United States Military Academy, and students graduating from the Air Corps Training Center. It was not possible to give the Air Corps a larger proportionate allotment of officers than was given other branches because transfers were made only voluntarily. The promotion situation then existing in the Air Corps and the difficulty of attaining flying status acted as deterrents, with the result that few officers were requesting transfers to that branch of the service. Of those who did, a large number were unable to qualify for flying. Moreover, with the Air Corps unable to use the additional officers authorized by the act of 1926 (because of lack of appropriations), all of its vacancies were filled by graduates from West Point. Consequently, there were no places for the graduates of the Air Corps Training Center. These conditions, coupled with the attrition caused by casualties, kept the number of Air Corps officers almost static. At the end of the five-year period the commissioned personnel actually numbered 1,236 or 414 short of the 1,650 authorized by the Air Corps Act.[79]

The Air Corps repeatedly recommended that legislation be passed to alleviate this situation, but the Bureau of the Budget and Congress "plugged both ends against the middle" and consistently refused to authorize the necessary appropriations for increasing the total strength of the Army. First, they argued that the procurement of planes was so slow that no increase in personnel was necessary. By 1929 the procurement program had speeded up, but the flying schools were turning out so

79. Ibid.

many more graduates that it was argued if additional personnel were authorized there would be too many for the planes being produced.[80] Consequently, no further authorizations were made, and the Air Corps faced a serious shortage of commissioned personnel. On 30 June 1930 only five of the 53 squadrons in the Air Corps were commanded by field officers, and of this number four had additional duties as station commanders. One combat squadron composed of 19 second lieutenants, 129 enlisted men, and 15 airplanes was being commanded by a second lieutenant of less than four years' experience. Moreover, the increase in commercial aviation and the high salaries paid pilots by commercial airlines were responsible for luring away many experienced Air Corps officers who, because of the promotion situation existing in the corps, were discouraged with their prospects in military aviation.[81]

Because of this situation the Chief of the Air Corps had recommended as early as November 1929 that legislation be initiated in the War Department for the abandonment of the five-year Air Corps program and the adoption of a much balanced program which could be achieved within the limited funds available.[82] No immediate legislation was introduced for this purpose, however, and the Air Corps continued to fall short of its authorization in commissioned personnel.

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80. Reporter's Minutes of War Department Special Committee on the Army Air Corps, 2566; House, Hearings on War Department Appropriation Bill for Fiscal Year 1933, 70 Cong., 1 Sess., 492-493.
81. Reporter's Minutes of War Department Special Committee on the Army Air Corps. For a discussion of the promotion problem see Chapter IV.
82. Memo for CG by Maj. Gen. J. E. Fechet, C/AC, 5 Nov. 1929 and memo for C/S F. Trubee Davison by Gen. Fechet, 23 Nov. 1929, in AMG 321.9 B, Organization and Reorganization of the Air Corps.

As the political unrest and the rise of militarism which accompanied economic collapse in many European countries during the early 1930's began to alarm the rest of the world, the United States Army inaugurated plans for reorganization to meet any emergency that might arise. The War Department General Staff consolidated the tactical units of the nine corps areas into four field armies and devised the so-called Four-Army Plan, the purpose of which was to weld the existing military units into "an integrated machine capable of instantaneous response to the orders of the President."[33]

After the reorganization, secret defense plans were formulated and an Army board was organized in 1933 to study the use of the air arm in the proposed defense program. The Drum Board, as this group of officers was called, recommended a tactical air force and suggested further study of the air arm, but reached the conclusion that the plane strength recommended (2,320) demanded no increase in the authorized commissioned and enlisted strength of the Army Air Corps.[34]

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33. Memo for the CG's, Four Field Armies by Gen. Douglas MacArthur, C/S, 22 Oct. 1932, in Plans Div. files. In 1932, during the first session of the 72d Congress, an effort was made by ambitious congressmen to secure the location of bombardment groups in their states. Identical bills were introduced providing for such groups at San Francisco, Seattle, and Boston. They carried a provision for an increase both in planes and personnel, the latter to bring the Air Corps to a total of 1,745 officers and 16,920 enlisted men. This was a curious example of attempting to secure a personnel increase by means of a rider to a bill specially designed to benefit one section of the country. None of these bills were reported from committee. Sen. Rec., 72 Cong., 1 Sess., 5722, 11166, 13591.

34. Report of the Special Committee on Employment of the Army Air Corps Under Certain Strategic Plans, in AG 334.7, Drum Board.

Shortly thereafter, as a result of agitation over the disasters occurring in the carrying of the air mail, the Secretary of War appointed a board headed by former Secretary of War Newton D. Baker to study the whole aviation problem. After months of hearings it brought in an extensive report which among other things recommended that special efforts be made to fill all vacancies in the Air Corps by requesting Congress to grant additional funds for the 403 officers authorized in 1926. Its principal recommendation, that there be created a General Headquarters Air Force which would give the Air Arm the tactical organization for which it had long been agitating, would in itself call for increased personnel.[65]

Before the Baker board made its final report, a third group, the Federal Aviation Commission (commonly called the Howell Commission) had begun its extensive study of the aviation problem. The personnel situation was again given an airing, and in its report the Commission recommended that "the personnel and equipment of the air forces should be further developed and where necessary expanded." It further advised that the maximum term of active service on the part of Reserve pilots graduated from the Army Air Corps training school be increased to three or more years and recommended that cadets accepted for training be required to undertake an obligation to perform a definite term of active duty service after graduation unless their resignations were accepted by the War Department. The Howell Commission also recommended

65. Final Report of War Department Special Committee on Army Air Corps, July 18, 1934.

[redacted]

that the number of reserve officers on active duty with the Air Corps be increased.[86]

On the basis of the reports of the Drum and Baker Boards the War Department authorized the organization of the GHQ Air Force even before the Howell Commission reported its findings, and on 1 March 1935 the new tactical air force was activated.[87] In the meantime, legislation was being introduced in Congress to provide the personnel necessary for the new organization. On 27 February 1935 Representative R. Ewing Thomason (Tex.) introduced H. R. 6250 to increase the number of officers in the Air Corps. As originally introduced, it called for an increase in commissioned personnel to enable the Air Corps to be built up to the strength authorized by the Air Corps Act. To make this possible, it contained a provision for increase of the commissioned strength of the Regular Army to an annual average aggregate of not less than 12,400 officers, of whom 1,514 were to be allotted the Air Corps. The new Air Corps officers were to be selected from graduates of the Air Corps Training Center in the grade of second lieutenant. The bill called for a maximum of 2,000 reserve officers under 45 to be called to active duty for one-year periods and distributed among the combatant arms and the Chemical Warfare Service in proportion to their commissioned strength.

On the floor of the House, Congressman John McSwain (S. C.) proposed and the House accepted an amendment to provide that for 10 years

86. Report of the Federal Aviation Commission, 19, 121, 142, 145, 146. For further discussion of the Howell Commission, see Organization of the Army Air Arm, 1907-1935.
87. See Organization of the Army Air Arm, 1907-1935.

[redacted]

beginning 1 July 1936 the Secretary of War be authorized to select annually 200 Reserve officers to be commissioned in the Regular Army.[88] When the bill reached the Senate Committee on Military Affairs, that body called Brig. Gen. Andrew Moses, the Assistant Chief of Staff, G-1, to explain the attitude of the War Department toward the proposed legislation. General Moses indicated that there was a fear on the part of the War Department that placing as many as 2,000 Reserve officers on active duty would interfere with securing appropriations for the training of the Reserve officers as a whole. He also stated that the Bureau of the Budget had informed the War Department that its provisions were in conflict with the President's financial program.[89] His criticisms were evidently taken seriously, for the Senate committee threw out the bill as it came from the House and supported in its stead an entirely new measure authorizing the President to call annually to active duty, with the consent of the men called and for one-year periods, a maximum of 1,000 Reserve officers of the combatant arms and the Chemical Warfare Service. In addition, 50 Reserve officers, from those on active duty or from graduates of the Air Corps Training Center, were to be commissioned annually in the Regular Army.[90]

Explaining these changes on the floor of the Senate, Elbert D. Thomas (Utah) said that the committee believed the reduced number of Reserve officers would be sufficient in the course of years to meet the requirements of mobilization and that whereas the measure as passed

88. Cong. Rec., 74 Cong., 1 Sess., 2093, 8739.
89. Senate, Hearings on H. R. 6250, 74 Cong., 1 Sess., 19, 21.
90. S. Rept. No. 1241, 74 Cong., 1 Sess.

by the House would cost $6,977,000, the Senate bill would necessitate spending only $1,946,000. Because the Bureau of the Budget had not approved the bill, it was passed over temporarily; but on 22 August 1935, without further debate, the Senate gave its approval to the measure.[91]

Back in the House of Representatives for concurrence in the Senate amendments, the bill was discussed by Congressman McSwain, chairman of the Committee on Military Affairs. McSwain advised the House that the bill had the unique distinction of having passed the House twice and the Senate twice. Its provisions, substantially, were a part of what was known as the "traditional courtesy bill" for the Military Academy. By action of the Senate, the part of the bill relating to reserve officers had been recalled, with the consent of the House. The House had subsequently passed a bill authorizing the calling of not more than 2,000 Reserve officers to duty, and the amendment of the Senate then cut it down to not more than 1,000. After brief debate the House concurred in the Senate amendments, and on 30 August 1935 the so-called Thomason Act became law.[92] The Thomason Act was a distinct disappointment to the Air Corps, both because of the small number of officers authorized and because their assignment to the services of the Army was dependent upon annual decision by the Secretary of War.[93] During the first year after the passage of the act, though the Air Corps was allotted eight of the Thomason officers, only one was able to qualify by passing the

91. Cong. Rec., 74 Cong., 1 Sess., 13313, 13334, 14111.
92. Ibid., 14057; 49 Stat. 1028.
93. Memo for C/AS by [illegible] Williams, Ryna, 19 Aug. 1935, in Plans Div. files.

very difficult examination that was administered to the applicants for appointment.[94]

During the following three years several war department boards studied the needs and authorizations of the Air Corps in both planes and personnel, and made recommendations for bringing the program. One point upon which they agreed was the need for an increase in both the Regular Army and Reserve Air Corps personnel.[95] Yearly attempts to increase the Army commissioned strength in order to provide the number of officers specified in the five-year program had proved unsuccessful, but further efforts to secure legislation authorizing an increase in the number of Reserve officers resulted in more favorable action. Behind this movement was the concerted Air Reserve association which ever since the authorization of the GHQ Air Force had been proposing increased use of the Reserve as a means of making it an efficient fighting force. Eventually their recommendations, which also had the approval of the War Department, emerged from the committees on military affairs as parts of Air Corps omnibus bills (H. R. 11420 and S. 4359).[96] They authorized the President to call annually to active duty, with their consent, Air Corps officers to a maximum number of 1,350. These officers were to be given active duty for periods of not more than five

94. Report of the Chief of the Air Corps (1938), 9.
95. Out of contact of a [illegible] War Department organization board, 15 Nov. 1935; the Drum board, Dec. 1936; the board of the Air Training Command, GHQ Air Force, 1 March 1936; the Craven board, June 1936; the War Department Planning Board for Air Corps Expansion, 5 Nov. 1937; and the Spaulding program, 13 March 1938. See also div. files.
96. Cong. Rec., 74 Cong., 2 Sess., 3705, 4073.

years. In recommending the passage of this legislation, the Secretary of War said:[97]

> My plan is to be effective . . . must provide for sufficient [illegible] reserve personnel to [illegible] the increased labor provided, must assure an efficient [illegible] economical labor of [illegible] for reserve officers on active duty, must reduce the turn-over in personnel in tactical units, or [illegible] in Corps, and must provide conditions of service that are equitable and just to all concerned. There are some [illegible] all of the [illegible] to be [illegible] which can be corrected at this time.

With very little debate and without change in the Senate's [illegible] in [illegible], the [illegible] bill passed [illegible] on June 1, 1936, [illegible] days before the adjournment of the 74th Congress.[98]

During the next session of Congress [illegible] bills were introduced to increase the aviation reserve. One resolution (H. Res. [illegible]) introduced [illegible] previously [illegible] employed [illegible] carrying [illegible] should be organized [illegible] aviation reserve, and another [illegible] C. Johnson (Colo.) proposed an indefinite expansion of the aviation reserves of the Army, Navy, and Marine Corps and a [illegible] of the aviation divisions of the Coast Guard and National Guard. Neither of these bills received the approval of the War Department, and they were consequently never reported from committee.[99]

In the committees on military affairs, however, with the exception of the War Department, one bill calling for a commissioned strength of 14,659 for the regular army. Of this number 1,793 were to be assigned

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97. George H. Dern to Speaker of the House of Representatives, 16 March 1936, in [illegible] 2039, 74 Cong., 2 sess.
98. Cong. Rec., 74 Cong., 2 sess., 4284, 5414, 9734, [illegible], 7593, 9123, [illegible], 9216, 9314, 9931; 49 Stat. 1524.
99. H. R. 5114; S. 2200; Cong. Rec., 75 Cong., 1 sess., 1035, 3575.

to the nonpromotion list and 12,799 to the promotion-list branches. The President was given authority to increase or diminish the number of officers assigned to any branch by not more than a total of 30 per cent. Of these officers 2,092 were to be allotted to the Air Corps. They were to be commissioned in the grade of second lieutenant and the proposed legislation was not to affect the Thomason Act except that the total number of reserve officers to be commissioned annually should be 10 per cent of the number trained each year and in no case less than 50. The House bill passed both branches of Congress without any opposition and became Public Law No. 45 on 13 April 1933.[100]

Concurrently with the effort to increase the authorization for commissioned personnel, the Air Corps was trying ways to augment its quota of enlisted men. Technical bills were introduced in the spring of 1933 to amend Section 13a of the National Defense Act in order to authorize an increase in the enlisted strength of the Air Corps from 16,000 to 21,500.[101] Shortly after the introduction of the Senate bill, it evidently came to the attention of Senator Morris Sheppard, chairman of the Senate Committee on Military Affairs, but the bill was faulty in that it did not specifically provide that the Air Corps increase was to be included in the total enlisted strength provided in appropriations for the military [illegible]. Such an omission has been the principal cause of failure to reach this goal set in the five-year Air Corps program of 1926. In order to correct this omission Senator Sheppard, on his own, introduced

100. H. R. 9305; S. 3713; Cong. Rec., 75 Cong., 1 Sess., 2463, 2484, 4663, 4797, 4921, 4923, 5025, 5122. Previously, S. 3713, the companion bill to H. R. 9305, had been reported favorably by the Senate Committee on Military Affairs. Ibid., 4706.

101. S. 3704; H. R. 10103; Ibid., Cong. Rec., 75 Cong., 1 Sess., 4707, 5260.

another bill which called for a total of 21,500 enlisted men for the Air Corps but indicated in the title that this increase was to be included within the total enlisted strength of the Regular Army as specified in the Army appropriation bill.[102] The new bill passed the Senate on 5 [illegible] and was approved by the House on 6 June 1939 after explanation by Congressman Dow Harter (Ohio) that the additional enlisted men were required for the 2,320 airplane program and that the Army appropriation bill for 1939 carried money for an additional 3,000 men to be transferred to the Air Corps within the total authorization of 165,000 enlisted men for the Regular Army. Five days later it became law with the approval of the President.[103]

Thus by the summer of 1939, with war threatening to engulf Europe, the United States Army Air Corps had after a long struggle succeeded in securing congressional authorization for 2,320 planes to be operated and maintained by a personnel of 2,092 commissioned officers, a maximum of 1,350 Reserve officers on active duty, and 21,500 enlisted men. The actual strength fell far below these figures, however, for by the end of the fiscal year 1939 the Air Corps had but 1,500 officers (including officers detailed to the Air Corps) and 18,910 enlisted men.[104] It was evident that in the event of a European war the United States would be faced with the necessity of undertaking a frenzied expansion program in order to build up her defensive air strength.

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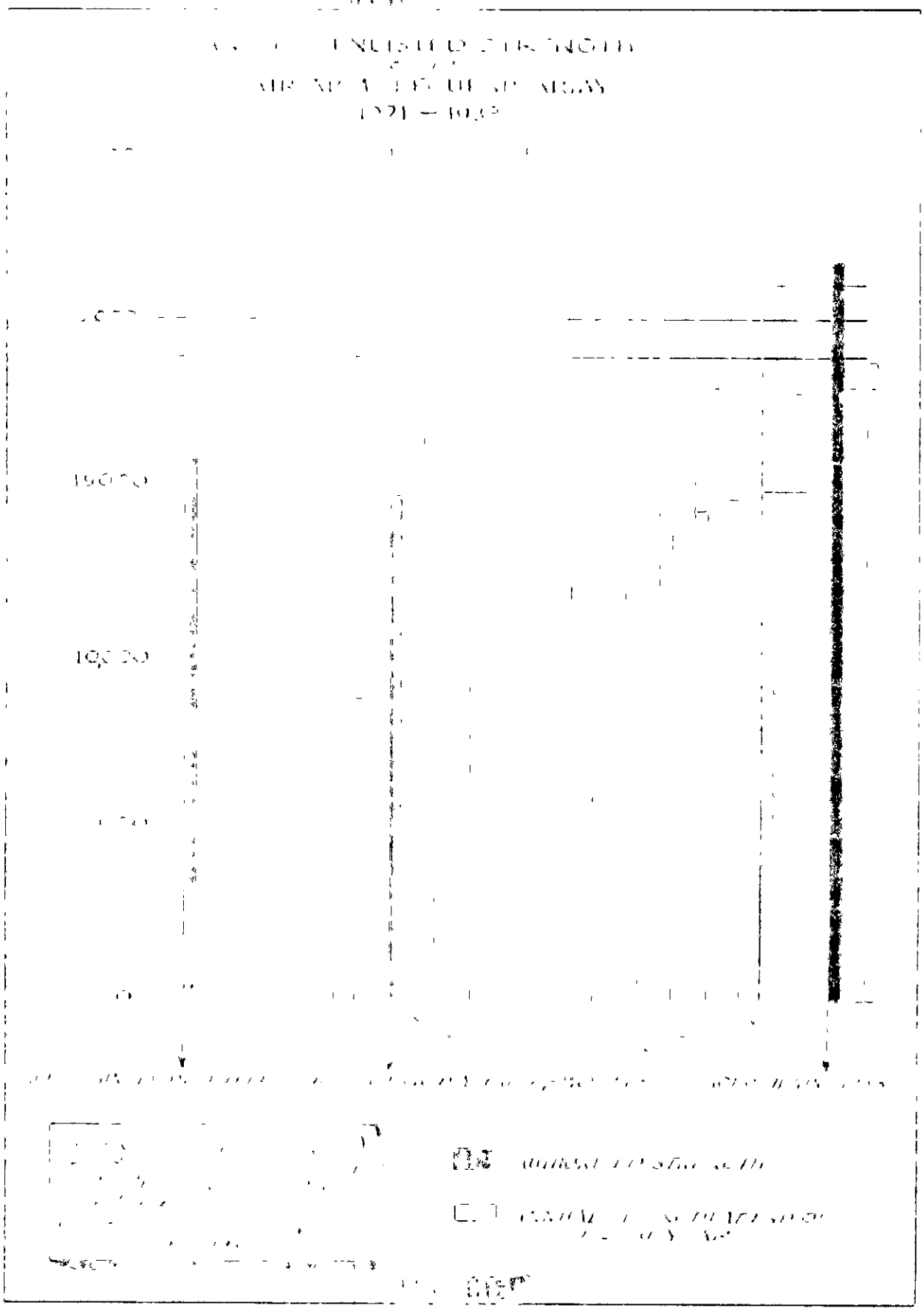
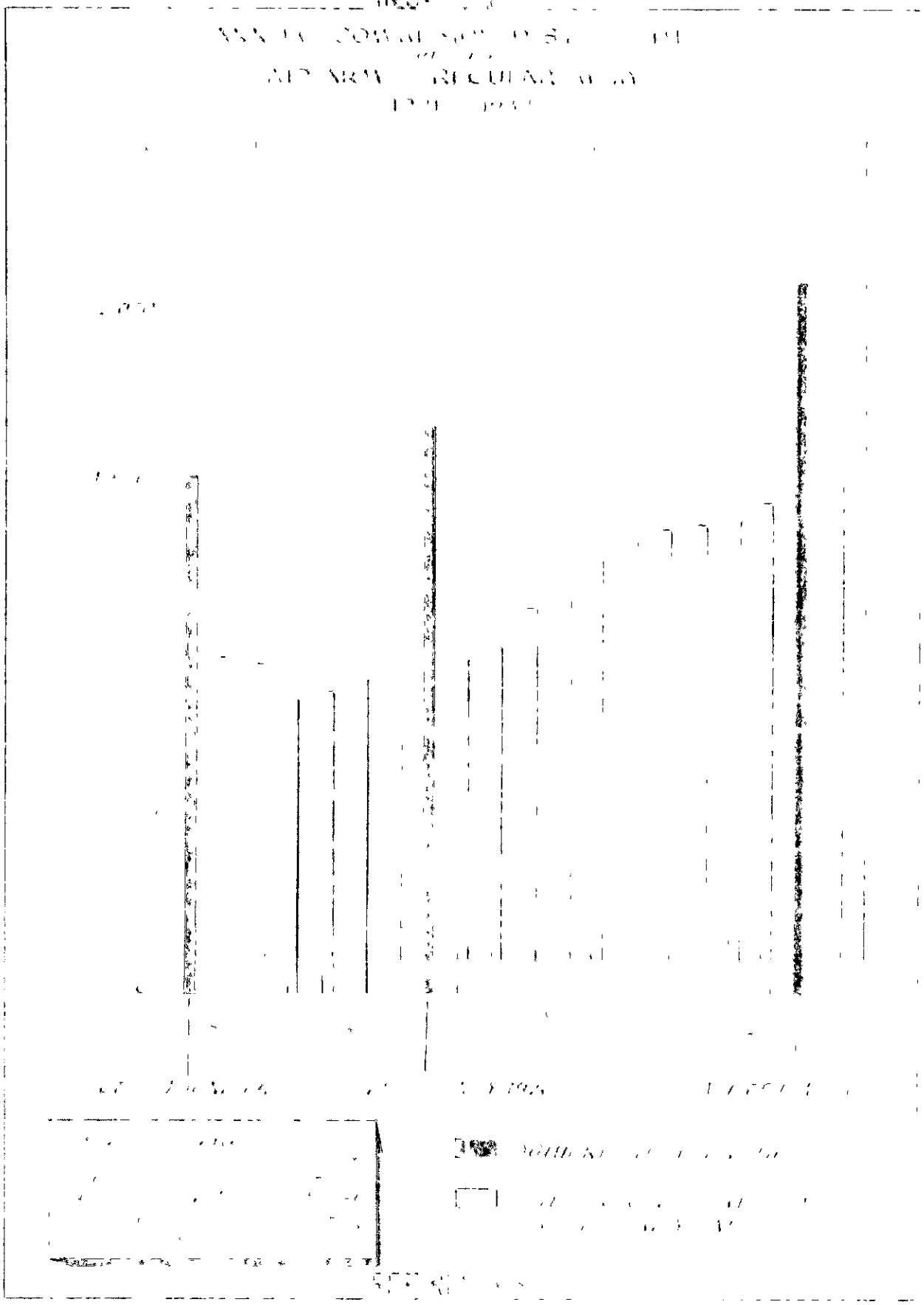
102. S. 3523; Cong. Rec., 76 Cong., 1 Sess., 5139.
103. Cong. Rec., 76 Cong., 1 Sess., 8190, 8915.
104. See chart showing strength of Air Corps in Report of the Chief of the Air Corps (1939). See also charts following this page.





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Chapter II

GRADES AND RATINGS

The earliest military flyers performed their aeronautical duties as Signal Corps personnel without benefit of special aviation ratings. They received their licenses by meeting the qualifications of the Aero Club of America, an affiliate of the Federation Aeronautique Internationale, and it was not until 1912 that the Chief Signal Officer announced the creation of the rating of military aviator for which War Department tests had been established a short time before.[1] At that time, with the Aeronautical Division of the Signal Corps lacking legal authorization, the establishment of new grades and ratings for aviation personnel was a matter for administrative rather than legislative action. These early ratings were conferred informally, but after the passage of the Act of 2 March 1913 which provided for the detail of 30 officers to the aviation service, the War Department authorized the awarding of a military aviator's badge and certificate to officers who met the requirements for flying. The following September the Secretary of War officially announced the rating of 24 officers as military aviators.[2]

In the meantime, bills were pending in Congress for the legislative recognition of military aeronautics, including the establishment of

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1. Report of the Chief Signal Officer (1912), 25.
2. GO No. 39, 27 Mar 1913; ibid., 40, 2 Sep. 1913.

[redacted]

suitable ratings for aviation services. [illegible] copy of a bill which was sent to the committee on military affairs on 14 March 1912 contained a clause which authorized the Secretary of War to form such necessary regulations as were required to govern the rating of military aviators and aeronautic mechanicians and to certify these ratings by the issuance of suitable diplomas and warrants.[3] A similar provision was included in H. R. 23723, introduced by Rep. [illegible] (Va.) on 11 February 1913 and in H. R. 5334, another of Congressman Hay's bills, which was presented to the House of Representatives on 16 May of the same year.[4]

During the hearings on H. R. 5334 a number of aviation officers, including Capts. William Mitchell and Frederick [illegible] Tennessey, urged that provision be made for special inducements to encourage men to volunteer for aeronautic service. They specifically recommended that officers on aviation duty be allowed the rank, pay, and allowances of one grade higher than they held at the time of their entrance on flying status. As a result of these hearings, the House Committee on Military Affairs reported an amended new bill in which provision was made for four ratings—junior military aviator (J.M.A.), military aviator (M.A.), aviation mechanician, and aviation student. According to this bill, within 60 days after its enactment the Secretary of War was to rate as junior military aviators any officers below the grade of captain who were on aviation duty and who had or should be tested by passing certain tests, including aerial flights, but they were especially well qualified for military aviation service. Officers given this rating in the future,

3. A copy of this bill which was never introduced into Congress can be found in H. Doc. No. 718, 62 Cong., 2 Sess.
4. Cong. Rec., 62 Cong., 3 Sess., 3029; Ibid., 63 Cong., 1 Sess., 1623.

however, were to be required to serve for three years on aviation duty before becoming aviators. The rating of military aviator was to be conferred on an officer only after he had served creditably for at least three years as a junior military aviator, and the number of officers to be so rated was limited to 15. Both junior military aviators and military aviators while holding these ratings were to have the rank, pay, and allowances of one grade higher than their ranks under their line commissions, provided that their commissions were not higher than first lieutenant. The bill also made provision for the training of 40 enlisted men as aviation mechanicians and for the training of 12 enlisted men as flyers. Attached to the aviation section were to be aviation students in numbers sufficient to make a total of 60 officers and students. All students were to be unmarried second lieutenants, 30 years of age or younger.

Before the bill became law on 18 July 1914 only two major changes were made in the provisions concerning grades and ratings. One was the addition of a section providing for an examining board and the issuance of certificates for the ratings. The other changed the provision that future junior military aviators must serve three years on aviation duty to a requirement that "no person shall be detailed for service as an aviation officer . . . until he shall have served creditably as an aviation student for a period to be fixed by the Secretary of War." With these minor changes the bill became law on 18 July 1914.[5] Shortly thereafter War Department General Orders outlined the qualifica-

5. Ibid., 63 Cong., 2 Sess., 816, 8795, 11593, 11961, 12433.

tions for the ratings of junior military aviator and aviation mechanician. Applicants for the rating of junior military aviator were required to appear before a board composed of three experienced officers and two medical officers and to be examined in both theoretical and practical aspects of their art, "particularly covering the subjects of general aeronautics, flying, aeroplanes, aeronautical motors, meteorology, and navigation of the air." Enlisted men applying for the rating of aviation mechanician were required to appear before a similar board and to pass an examination indicating that the candidate possessed theoretical information as well as practical knowledge, and that he was prepared in maintenance and repair of aeroplanes and in the operation, maintenance, and repair of aeronautical engines.[6]

It should be remembered that at the time of the creation of the Aviation Section, 24 officers had been rated as military aviators.[7] Though the new law did not specifically nullify the rating held by these officers, its effect was to cause a number who had survived to be rated as junior military aviators. They were then required to serve three years before they could regain the military aviator's rating which had been previously conferred upon them.[8] But there was little

6. D GO 20, 10 April 1915; ibid., No, 1 Dec. 1914.
7. See above, this chapter.
8. In 1928 Congressman J. C. Hanna introduced H. R. 11273 which was designed to give to the pioneer aviators who had been rated as military aviators prior to 31 Dec. 1913 the 75 per cent flying pay (and retirement allowances based on this amount) authorized by law prior to 1920. This bill failed to pass but received much attention in Congress. For further information concerning it, see House, Hearings on H. R. 11273, 70 Cong., 1 Sess.

objection to this provision from the officers thus affected is explained by the fact that as junior military aviators their flying pay was increased from 35 to 50 per cent.

During the period immediately following the creation of the Aviation Section, the Signal Corps experienced great difficulty in securing the necessary number of officers to provide the strength authorized by law.[9] This problem resulted primarily from the restrictions placed on the age and marital status of aviation officers, but the fact that flying personnel was limited to commissioned officers, with the exception of 12 enlisted men who were authorized to take flying training, accented the difficulty. When Congress, following the outbreak of the European war, turned its attention to national defense legislation, the removal of these restrictions on flying personnel became a matter of discussion. None of the original national defense bills (H. R. 14477, H. R. 12037, H. R. 12766, and H. R. 4240) made provision for an enlisted grade, but while H. R. 12766 was before the senate, Chief Signal Officer George P. Scriven recommended to The Adjutant General that the grade of "aviator" be created to carry a monthly pay of $150 and the allowances of a master signal electrician. He also advised that in order to encourage competition among the enlisted men for the proposed grade that the number undergoing instruction in flying be unlimited by law but fixed from time to time by the Secretary of War. In addition, he recommended that when, in time of emergency, sufficient commissioned officers and enlisted men were not available for flying duty, the Secretary of War

9. See Chapter I.

be authorized to employ civilian civilians as pilots.[10] These recommendations were considered by the conference committee which was appointed to study the bill as amended in both houses of Congress. The final bill signed on 3 June 1916 did not, however, make provision for increased utilization of enlisted men as fliers but rather made civilians eligible for the new grade of aviator with a base pay of $150 per month and the allowances of a master signal electrician. This law also made captains eligible for the ratings of military aviator and junior military aviator and provided that they, like the lieutenants, could receive the rank, pay, and allowances of one grade higher than allowed them under their line commissions.[11] The act of 3 June 1916 had the immediate effect of making possible the increase in the aviation section to the number authorized by law. During the years after its enactment the Navy Department did not find it necessary to utilize the grade of "aviator." Instead of commissioning civilians to chief warrant, men were taken into the Navy and trained in the unofficial grade of cadet. At the conclusion of their training they were commissioned.[12]

In addition to making the described changes in grades and ratings, the National Defense Act of 1916 created an Officers Reserve and an

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10. Memo for CNO by Brig. Gen. George P. Scriven, 5 April 1916, in Chief of Staff files, 9054-50, National Archives.
11. For the legislative history of this bill see Chapter I.
12. The grade of flying cadet was not recognized by law until 1919. See below, this chapter. The first students trained after the beginning of the war were commissioned first lieutenants. It was announced on 3 January 1918, however, that all of those who passed the Reserve Military Aviation Test after 22 December 1917 were to be appointed second lieutenants. This change of policy was a source of great disappointment since the Navy service personnel who had taken the test had been promised commissions by Capt. Mustin, 3 Dec. 1917, in CNO 211, [illegible].

enlisted reserve which [illegible] 2,75 officers and 2,715 enlisted [illegible] to the aviation section of the Signal Corps. This actually raised the question of whether the rating of junior military aviator and military aviator could be conferred on officers which in fact civil life, or whether a new rating would be necessary for them. The new rating of "reserve military aviator" was unofficially established, and candidates for commission as first lieutenants were required to pass the reserve military aviator's test before they were given their commissions.[13] On 14 July 1917 the Judge Advocate General interpreted the National Defense Act to mean that officers of the Reserve Corps were entitled to the rating of junior military aviator if qualified.[14] The practice actually followed in the Air Service was to refer to the majority of candidates from civil life as reserve military aviators, so as to avoid the confusion for the rating of junior military aviator to be confined in the regular [illegible] and to certain reserve officers who were to be arbitrarily selected.[15]

Shortly after the entry of the United States into the war it became necessary to make an early aviation estimate which would give possible the rapid expansion of the American air service. This act, as revised by the Congress on 24 July 1917, contained some of the important provisions concerning new grades and ratings. In addition to requesting the authorization for the rating of [illegible], [illegible], and aviation mechanician, it forbade any officer or enlisted man to especially

13. [illegible] to Col. [illegible], Chief of Training, 12 Apr. 1918, in [illegible] 210.11, [illegible], [illegible], [illegible], [illegible].
14. 31 Ops. (Ad, Temporary Signal Corps Aviation Station, Washington, [illegible] to [illegible], 2 July 1917), [illegible] to [illegible], 14 July 1917, in [illegible] 211, [illegible].
15. [illegible] to Dir. 12 Oct. 1917, in [illegible] 210.11, [illegible], [illegible], [illegible].

distinguished himself in active service to be rated as a d. . . or N. . without regard to [illegible] or length of service. Moreover, it established the new ratings of military aeronaut, junior military aeronaut, and balloon mechanician to correspond in the lighter-than-air division to those already established for the heavier-than-air personnel. These provisions as enacted were the original recommendations of the War Department.[16] They provoked no discussion during debate which was concerned primarily with the amount of money to be appropriated for air warfare.

During the course of America's participation in the war great dissatisfaction arose over the ratings of junior military aviator and military aviator. Though a number of these ratings were conferred in the United States, prior to the Armistice only three d. . . 's and no N. . 's were bestowed on personnel of the air service abroad. There were two reasons for this situation. In the first place, the lack of training planes and the general top-down of American aviation in France made it very difficult for air officers to fulfill the requirements which had been established for these ratings. Second, officers under the grade of major advanced one grade when rated d. . . . Advance in rank of a large number of these officers would have resulted in a [illegible] of efficiency in the military units, for it would have made them unbalanced in their commissioned grades. Such a situation meant that the officers who were seeing service overseas were rated lower and paid less than a number of officers who were still serving in the United States, and that new personnel arriving in France to take up their aeronautical

16. 40 Stat. 244.

[redacted]

duties generally had higher ratings than men who had been with the A. E. F. for many months.[17]

In view of these conditions, on 27 November 1917 General Pershing recommended that all laws providing for increased rank and pay for aviation service be repealed. He concluded that the service performed by aviators was no more arduous or dangerous than that performed by line officers in the shelter of active operations, and that flyers were generally quartered some distance behind the lines and more safely and comfortably situated than officers in the trenches. A month later Col. H. H. Arnold, writing for the Chief Signal Officer, recommended that legislation pertaining to the grades and pay of junior military aviator, junior military aeronaut, military aviator, and military aeronaut be repealed, but he recommended 25 per cent increase in pay for officers of the Aviation Section making regular and frequent flights. He based his recommendation on the practice which he maintained prevailed in the Allied armies.[18] The Adjutant General disapproved Colonel Arnold's request in light of General Pershing's recommendation to abolish all flying pay, and called attention to the fact that Brig. Gen. E. D. Foulois had concurred in General Pershing's views. Four days later Maj. Gen. George Squier, the Chief Signal Officer, requested that he be given an opportunity to submit recommendations, before the War Department drafted a bill for the consideration of Congress. Nevertheless

17. Lieut. Bierhalter, An Aviator in the Air Service, 88-91; courier cablegram S.W.D. 21c-1, General John J. Pershing to War, 15 Oct. 1918, in AEF 210.11, Ratings, [illegible], J. [illegible], [illegible]
18. Memo for AC by Col. H. H. Arnold, 27 Dec. 1917, in AEF 210.11, [illegible], J. [illegible], [illegible]

less, on 31 January, 1918 the War Plans Division submitted to the Chief of Staff a draft of legislation seeking the repeal of all laws which had created additional grades and pay for officers and men of the aviation service. The proposed bill was sent to the Senate Committee on Military Affairs which included it in S.4013, an Army omnibus bill never reported out of committee.[19]

The following autumn the War Department again recommended that legislation allowing increased rank and pay for junior military aviators, military aviators, junior military aeronauts, and military aeronauts be repealed. To accomplish this, identical letters signed by Acting Secretary of War Benedict Crowell were sent to the chairmen of the House and Senate committees on military affairs requesting the enactment of a bill which had been previously drafted in the War Department. Although it called for abolishing special pay and rank for these grades, this bill made provision for a flat increase of 25 per cent in the pay of any officer undergoing flight training.[20]

On 15 October 1918 General Pershing sent a second cablegram to the War Plans Division in which he described in detail the disadvantages of the system of special aviation ratings and recommended that the ratings, insofar as they involved additional rank and pay, be abolished. But in this later communication he recommended that a just system of additional flying pay for flying service be substituted. He suggested that pending such action it might be possible to equalize conditions somewhat by

19. Memo for C/S by Col. D. A. Fletcher, Actg. Dir. WP, 22 March 1918, in Chief of Staff files, 1917-1921--69.
20. Benedict Crowell to Chairmen of House and Senate Committees on Military Affairs, 9 Oct. 1918, in ibid., 9354.

designating as junior military aviators the pilots who had rendered distinguished service on the front, though he hesitated to take such action inasmuch as it involved increases in rank. He felt that these promotions would damage the existing military organizations and would be discriminatory against observers who had rendered flying service of value but for whom there was no legal provision for increased rank and pay such as were allowed pilots and [illegible].[21]

This cablegram was forwarded to the Chief of Staff three days after the Armistice. The Air Plans Division recommended that increased rank and pay for all of the aviation grades be abolished and that a flat increase of 50 per cent in the pay for his grade be granted to any officer on aviation or aeronautical duty involving regular and frequent flights.[22] The week later Col. Fulton [illegible] C. Gardner, Secretary of the General Staff, returned this memorandum with the comment that the Chief of Staff did not favor proposing the requested legislation to Congress at that time "in view of the changed situation since General Pershing made his recommendations."[23]

While this correspondence had been carried on, the Control Board of the Division of Military Aeronautics was studying the whole problem of ratings. On November 1, 1918 it recommended adoption of the ratings "pilot" and "balloonist" to replace those provided by the acts of 1916 and 1917. A few days later it suggested that the rank "aviator" be eliminated.[24]

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21. Courier cablegram, Gen. John J. Pershing to War, 12 Oct. 1918, in ibid., 7015-172.
22. Memo for C/S by Brig. Gen. Little Brown, Dir. Air D, 14 Nov. 1918, in ibid.
23. Memo for Dir. Air D by Col. Fulton [illegible] C. Gardner, 27 Nov. 1918, in ibid.
24. Memo for Exec. Off. by Control Board, 16 Oct. 1918, in [illegible] 211, Pilots; Memo for Exec. by Col. [illegible] Gillman, Pres. Control Board, 13 Sep. 1918, in ibid.

While the Office of the Director of Military Aeronautics was considering these various proposals, another problem was presented. No use has ever been made of the provision in the act of 24 July 1917 which allowed the granting of aviation ratings to men who had distinguished themselves on the flying fronts. With the return of the Army from France it was felt in the Air Service that certain of the airmen were entitled to this recognition. In line with this sentiment, during the spring of 1919 six officers were given the rating of military aviator, for distinguished service. These were the only officers so rated for distinguished service during the entire period that the rating was in effect.[25]

The postwar reorganization of the Army became a matter of congressional study during the summer of 1919 and continued to be a major consideration until the enactment of the Army reorganization bill in the summer of 1920. During this period the disposition of the wartime ratings was carefully studied. Though the original measures did not carry any provisions for eliminating the special ratings, the War Department request for such a clause was granted by the conference committee which revamped the reorganization bill (H. R. 12775). In its final form it provided that all officers and enlisted men while on flying duty should receive an increase of 50 per cent of their base pay, but that no detail, rating, or assignment of an officer should carry advanced rank. However, junior military aviators and military

25. G O 95-9, par. 110, 23 April 1919. They were Brig. Gen. William Mitchell, Lt. Col. Lewis H. Freeman (Air Ag in N. from 1913), Lt. Col. Edwin A. Aynolus, Maj. Melvin A. Hall, Maj. Carl Spatz (later Spaatz), and Lieut. Reed Chambers.

aviators upon whom the ratings have been conferred for distinguished martial service were to be allowed while on flying duty, the rank, pay, allowances, and additional pay provided by the acts of 3 June 1916 and 24 July 1917.[26] The enactment of this legislation eliminated all the special martial ratings except those conferred for distinguished service.

Prior to the enactment of the Reorganization Act, an Army Regulation of 6 October 1919 set up six new ratings in the Air Service. They were airplane observer, balloon observer, aerial gunner, aerial bomber, airplane pilot, and airship pilot.[27] After the Reorganization Act was passed, General Order No. 49, 14 August 1920, stipulated that the term "flying officers" should include only those qualified as airplane pilot, airplane observer, airship pilot, or airplane observer. Those who on 4 June 1920 held the rating of military aviator, junior military aviator, or reserve military aviator were to be considered as having qualified as airplane pilots and were to be announced in orders as having so qualified. All officers who on 4 June 1920 held the rating of military aeronaut, junior military aeronaut, or balloon observer were to be considered as having qualified as balloon observers, while those who on the same date held the rating of observer or airship pilot were to be requalified in the same manner as airplane observers and airplane pilots.[28]

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26. 41 Stat. 703-09.
27. GOMS Order 116, 14 Aug. 1920, provided that the ratings of aerial bomber and aerial gunner were mainly for officers of the Reserve, leaving for Heavier-than-air only the ratings of airplane pilot and airplane observer in the Regular Service. Memo for Asst, T G Gp. by Maj. Russell Kirby, 28 Jul 1921, in TAG 211.11, Ratings of officers.
28. GO 49, 14 Aug. 1920.

[redacted]

Thus by the summer of 1920 all aviation ratings with the exception of that of flying cadet, which will be discussed below, were administrative rather than legislative ratings. The experience of the Air Service with special ratings created by law and carrying increased rank and pay had been an unfortunate one. Consequently, it had reverted to the original policy of rating men administratively and providing a fixed percentage of the salary of all aviation personnel to be paid as additional remuneration for the hazards of regular and frequent flight.

For the first seven years of military aviation (1907-1914) it was the practice of the Signal Corps to arrange for the primary training of its aviation officers at civilian schools, most of which were conducted in connection with the manufacture of aeroplanes. At these schools experienced civilian aviators took both military and civilian students and carried them through the elementary training to a point where they could make flights alone. When the training was completed, the students were assigned to Signal Corps aviation stations where they could work up to qualification as military aviators.[29] For training of this kind no military rating was necessary. All personnel undergoing training were already commissioned officers. The part of their training gained under army supervision was very small, and so the question of a special rank or rating was not raised. Soon, however, the Army began to make plans for the complete training of its flying personnel at Army schools, and the matter of a rank for aviation students became

29. Memo for C/S by G3 Div, 7 May 1913, in House, Hearings on H. R. 5304, 63 Cong., 1 Sess., 130. The civilian schools utilized for this purpose were those conducted by the Wright Company at Dayton, Ohio; the Curtiss Company at San Diego, Calif. and Hammondsport, N.Y.; and the Burgess Company at Marblehead, Mass. Ibid.

an important one. Consequently, the act of 14 July 1917 creating the Aviation Section of the Signal Corps contained authorization for the rating of "aviation student." This rating was to be applied to unmarried second lieutenants not over 30 years of age. The total number of students and aviation officers was not to exceed 60. These students were to earn flying pay to the extent of 25 percent of their base pay.[30]

The National Defense Act of 3 June 1916 and the Aviation Act of 24 July 1917, however, had no reference to [illegible] or [illegible], though the pre-established the other aviation [illegible] which had been provided in the law of 1 July 1914.[31] Consequently, the men trained as flyers during the war were variously called "cadets," "aviation students," and "candidates for commission." At the completion of their training they were given commissions in the Reserve, but there was no statutory authorization for their flying pay, actual [illegible] their service officers. It became increasingly evident that one of the most dangerous phases in the flyer's life was the period of training, and therefore hazardous flying pay was never justifiable in the during the instructional months. Though continued pay of special aviation [illegible] and flying pay was rising during 1918 and 1919, the [illegible] service was at the same time moving toward support of new legislation [illegible] service [illegible] made with special recognition for the hazards and [illegible] of the commissioned aviator.

Two factors such legislation [illegible], the [illegible] provision for [illegible] training [illegible] aviation. Early groups of student aviators were paid [illegible] per month.[32] On 25 February

30. [illegible], 514.
31. Ibid., 514-16.
32. [illegible], Hearings on the Army Appropriation Bill for FY 1922, [illegible].

191[illegible], however, [illegible] which was to become effective on 1 April, provided that commissioned officers, aviation trainees in the aviation school should receive 75 per month, 33 of this amount being payable from [illegible] appropriations and the remainder from "any of the [illegible]." This arrangement was to remain in effect up to and including 30 June 1917.[33] On 20 July 1916 the Office of the Director of Military Aeronautics was advised that appropriations were not available for continuation of this system of pay. The Assistant Director of Military Aeronautics therefore recommended that the amount of 1,000,000 be allotted from the National Security and Defense Fund to the Division of Military Aeronautics for the fiscal year 1917 to be used to make up the difference between the enlisted pay of flying cadets and pay at the rate of 75 per month.[34] Apparently, this advice was not taken, for on 3 October the Director of the Air Plans Division submitted to the Chief of Staff a letter from the Director of Military Aeronautics recommending that a bill be presented to Congress providing increased pay for all commissioned officers in the Air Service.[35] The Director of Air Plans stated that in his opinion officers learning to fly should receive increased pay during the period of instruction, "since experience shows that many casualties occur from unavoidable accidents during this period, and since it may rightly be said that learning to operate aircraft is a more dangerous duty than that ordinarily required of officers and that it should be compensated accordingly."[36]

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33. Memo for C/S by Col. L. H. Rhodes, Asst. [illegible], 27 July 1916, in Chief of Staff files, 7015-149.
34. Ibid.
35. He suggested that this provision be included in the Army end Efficiency Bill.
36. Memo for C/S by Col. [illegible], Actg. Dir. TD, 3 Oct. 1916, in ibid., 7015-149.

On the same day he was informed by the Chief of Staff that a bill had been submitted to Congress embodying his recommendation.[37]

There is no record, however, of the introduction of such legislation prior to the summer of 1919. In June 1919 two bills (S. 1557 and H. R. 6900) providing for the grade of chief aviator and allowing flying pay were introduced by Senator George E. Chamberlain (Ore.) and Congressman Julius Kahn.[38] They were buried in committee, but in the meantime the Committee on Military Affairs was considering including similar legislation in the appropriation bill for the fiscal year 1920. During hearings held by the House committee, Col. S. M. Castle quoted statistics which indicated that the percentage of loss of pilots during the war was slightly greater than the percentage of loss incurred by the Infantry or the Artillery. The startling part of his testimony, however, was his statement that twice as many fatalities occurred in training as in combat. He urged the creation of a special grade to which flying cadets could be allowed.[39]

Notwithstanding this discussion during the hearings, the original appropriation bill did not provide for the new training grade. The clause was inserted by the Senate Committee on Military Affairs as an amendment, was accepted by both Senate and House without comment, and became law on 11 July 1919.[40] It provided for the grade of flying cadet in which all candidates for commissions were to be trained. The

37. 1st Ind., C/S to AG, 3 Oct. 1918, in Ibid.
38. Cong. Rec., 66 Cong., 1 Sess., 692, 1031.
39. House, Hearings on War Department Appropriation Bill for FY 1920, 422.
40. Cong. Rec., 66 Cong., 1 Sess., 1750, 2196, 2234, 2491.

number was limited to 1,300, and provision was made for a base pay of 75, which included extra pay for flying risk. Their ration allowances were not to exceed 1 per day, and their other allowances were to be those of a private, first class, of the Air Service. Upon completion of the course, students could be discharged and commissioned as second lieutenants in the Officers Reserve Corps. The law also gave the Secretary of War authority to discharge at any time any flying cadet whose separation from the service was recommended by a board of three or more officers. To this new grade could be appointed active enlisted personnel of the Air Service, active enlisted personnel of any other branch of the Army, and civilians. The authorized number of flying cadets was increased to 2,500 by the Army Reorganization Act of June 1920 and remained at that figure until acts passed in 1941 and 1942 removed all limitations as to number.[41]

Shortly after the passage of the law creating the grade of flying cadet a problem arose concerning the relationship of this grade to commissioned and enlisted personnel. An Army Regulation of 1913 listed in their order the various authorized grades. It now became necessary to determine where the new grade of flying cadet would be placed in the list. The Director of the Air Service had recommended that flying cadets be given the grade of 12-1/2, between No. 12, Cadet, and No. 13, Army Nurse. This recommendation was placed before the War Plans Division which studied it and disapproved the plan, inasmuch as it

41. Public Law No. 703, 2 July 1940; Public Law No. 510, 5 June 1942. The name "flying cadet" was changed to "aviation cadet" by the Act of 3 June 1941. See AAF Historical Studies No. 16, Legislation Relating to the Air Personnel Program, 1939-May 1944.

would place the flying cadet above all noncommissioned officers and was not, therefore, considered to be in the best interests of discipline. On 17 January 1920 the Director of the Air Service returned the communication to The Adjutant General stating that he believed the "position of the grade of flying cadet should be definitely determined as the law clearly establishes a new grade." Nevertheless, the Air Plans Division continued its opposition, and it was not until 14 August 1920 that a change was made in the Army regulation in accordance with the original recommendation of the Director of the Air Service.[42]

From the provisions of law and the regulations described above the status of flying cadet, Air Service, was clearly defined. He had a certain specified grade and pay, and received a certain rations allowance. His other allowances were those of a private, first class, Air Service. Enlisted men who qualified for the grade were appointed flying cadets, whereas civilian candidates were enlisted as flying cadets. All of these men, though holding a designated grade, were considered to be enlisted men and formed part of the enlisted force.[43]

By this legislation the Air Arm instituted a policy of providing by law for its training grade, though according to administrative action for the creation of grades for regular enlisted and commissioned personnel. It is interesting to note that this policy has been consistently adhered to during the quarter of a century which has elapsed since the

42. Memo for G/S by Col. William Lassiter, Actg. Dir. Avi, 20 Jan. 1920, in AG 211 E, Cadets.
43. 2d Ind. (Maj. L. Revington to AG), 6 Jul 1924 to AG, 30 July 1924, in Ibid.

creation of the grade of flying chief.

Between 1919 and 1939 one additional rating was authorized by legislation. In 1925 during the hearings before the Lampert Committee and the President's Aircraft Board, Col. William Mitchell urged the passage of a law to provide for a special rating for air mechanics. He pointed out that the enlisted men servicing the Army planes were paid much less than civilian mechanics. Consequently, many of them were leaving the Army as soon as possible after receiving their training, a condition which was having a deleterious effect on the safety of Army flying. It was the opinion of Colonel Mitchell that the situation could be immediately improved if Congress would provide these men with compensation equal to that which they would receive for comparable work in civil life.[44]

On the basis of this testimony the Lampert Committee recommended "that additional compensation necessary to secure an adequate number of competent mechanics to maintain airplanes in efficient operation be provided." It also proposed that these mechanics be relieved of routine military duties.[45] Though the President's Aircraft Board made no specific recommendation on this subject, the hearings indicate that the members were favorable to Colonel Mitchell's proposal.[46]

As a result, a clause was included in the Air Corps bill (H. R.

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44. Hearings before the Special Committee of Inquiry into the Operation of the United States Air Services (1925), 1672; Hearings before the President's Aircraft Board (1925), 527.
45. Report of the Select Committee of Inquiry into the Operations of the United States Air Services (1925), 9.
46. Hearings before the President's Aircraft Board (1925), 529.

10327) to provide that enlisted mechanics of the fourth, fifth, sixth, and seventh grades could be rated as air mechanics, first or second class, under regulations of the Secretary of War. Each air mechanic of the first class was to receive the pay of the second grade, and each air mechanic of the second class was to receive the pay of the third grade. The number of such ratings, however, was not to exceed 14 per cent of the total authorized enlisted strength of the Air Corps. There was no opposition to this rating during the entire legislative course of the Air Corps bill which became law on 2 July 1926.[47]

Following the passage of this law there was no further legislation pertaining to grades and ratings until 1939.[48]

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47. 44 Stat. 731.
48. See Legislation Relating to the AF Personnel Program, 1939 to [illegible] 1944.

[redacted]

Chapter III

PAY AND ALLOWANCES

Flying Pay

Love of adventure and desire for financial gain have always been the incentives which have prompted men to enter hazardous occupations. This was no less true of military aviation than of other dangerous pursuits, yet Congress was very dilatory in recognizing the fact that extra pay for flying hazard was a necessary inducement for aviation service. For some time before any provision was made for flying pay in the United States, a number of the European nations were paying their military aviators at a higher rate than other army personnel. Knowledge of this fact created dissatisfaction among American aviators and was one of the principal factors in bringing about a movement for the securing of flight pay.[1]

About 1912, five years after the creation of the Signal Corps Aeronautical Division, the aviation personnel situation had reached a stage where it seemed that some kind of legislative action was imperative. Interest in civil aviation was declining, the Signal Corps was experiencing difficulty in securing details of officers, and men on aviation duty were disgruntled at receiving no extra remuneration for the dangers they experienced in their aeronautical routine.[2] The result of this situation

1. House, Hearings on H. R. 5304, 66 Cong., 1 Sess., 87.
2. See Chapter I; and also Organization of Military Aeronautics.

was the introduction of a series of bills designed to expand Army aviation personnel and to provide for additional pay and other inducements for military flying.

The principal arguments advanced in behalf of flight pay are found in the hearings and reports on these bills. They can be summarized as three in number: (1) foreign countries provided for additional financial remuneration to men on flying status, (2) insurance companies refused to insure aviators and canceled the policies of those who volunteered for flying duty, and (3) the Army could not expect to secure its necessary flying personnel unless it provided for flying pay.[3]

The War Department recommended the authorization of flying pay, and Congress accepted the idea without opposition. The only conflict at this point appeared to be over the amount which should be paid for flying risk. The original bill recommended by the War Department proposed that extra remuneration for flying constitute a 20 per cent increase in the pay of both officers and enlisted men on flying duty.[4] The original Hardwick bill (H. R. 17256), introduced on 8 January 1912, proposed the doubling of pay for officers detailed on aviation duty and required to fly regularly, but when the War Department opposed flight pay in excess of 50 per cent, the Senate Committee on Military Affairs cut it down to that percentage.[5] H. R. 17243, introduced on the same day as the Hardwick bill

3. House, Hearings on H. R. 5304, 63 Cong., 1 Sess., 66-67, 73, 87; S. Rept. No. 1174, 62 Cong., 3 Sess.; H. Rept. No. 132, 63 Cong., 2 Sess; S. Rept. No. 576, 63 Cong., 2 Sess.; H. Rept. No. 1021, 62 Cong., 2 Sess.
4. The term "pay" as used in these bills included pay of the grade and longevity pay.
5. Cong. Rec., 62 Cong., 2 Sess, 736; S/W to Chairman of the Senate Committee on Military Affairs, 20 Aug. 1912, in Signal Corps files, 29278, National Archives; S. Rept. No. 1174, 62 Cong., 3 Sess.

by Representative William G. Sharp (Ohio), provided for double pay for flying officers of the Regular Army and for an increase of 25 per cent in the pay of all enlisted men and officers of the Army of the United States while assigned to flying duty.[6] While these bills were before Congress, that body passed, and the President signed, the War Department appropriation bill for the fiscal year 1913. As a pure stopgap measure it provided that during the coming year all aviation personnel whose duties included the making of regular and frequent aerial flights should draw an increase of 35 per cent in their pay.[7] This was the first legislative recognition of flying hazard. It was to take care of the period during which a more adequate aviation bill was under discussion. Meanwhile the Hay bill (H. R. 28273) calling for a 50 per cent increase in pay had been introduced. After consideration by the House military affairs committee, it was laid aside, and H. R. 5304 was introduced in its stead. The latter, however, also provided for the 50 per cent increase. When the substitute bill was sent back to the House committee, that body made a radical change in the flying-pay clause, changing it in such a way that flying pay was graduated to the military rank of the recipient. Enlisted aviation mechanicians and aviation students were to receive an increase of 25 per cent, junior military aviators were to draw 50 per cent extra, while military aviators were allowed 75 per cent additional pay. In this form, and without opposition to the provision for flight pay, the bill became law on 18 July 1914.[8] The flying-pay clauses of

6. Cong. Rec., 62 Cong., 2 Sess., 736.
7. 36 Stat. 1038.
8. Cong. Rec., 62 Cong., 3 Sess., 3025; ibid., 63 Cong., 1 Sess., 1623; ibid., 63 Cong., 2 Sess., 12433; H. Rept. No. 132, 63 Cong., 2 Sess.

this act were restated in the National Defense Act of 3 June 1916 and in the Act of 24 July 1917 which made emergency wartime provision for the air arm.[9]

Apparently, for such time as the country was at peace these provisions were acceptable, but--as has been mentioned above in Chapter II--within six months after the first American military personnel landed in France, General Pershing protested the unfairness of differentiating among the arms and services in the matter of pay and recommended that all laws providing for additional remuneration for the hazard of wartime flying be repealed.[10] His principal contention in urging the abolition of this extra pay was that the service performed by aviators was no more difficult or dangerous than that performed by line officers in the theater of active operations. This cablegram set off a controversy which continued for more than a year. The principal conflict was between the War Plans Division of the General Staff and the Aviation Section of the Signal Corps. In view of the Pershing cablegram, the officers of the Aviation Section could hardly support the retention of the existing laws. On the other hand, they were far from willing to abandon completely the idea of flying pay. Consequently, they struck upon the plan of proposing a compromise which would make possible the reduction of flying pay but provide for such payment on an equal percentage basis to all flying personnel regardless of rank or rating. In line with this idea, Col. H. H. Arnold, writing for the Chief Signal Officer on 27 December 1917, recommended that legislation authorizing the special aviation ratings and pay be

9. 39 Stat. 514; 39 Stat. 174.
10. Gen. John J. Pershing to WPD, 27 Nov. 1917, in Chief of Staff Files, 9354, National Archives.

[redacted]

repealed and that provision be made for flying pay on the basis of a 25 per cent increase for all aviation officers whose assignments entailed the making of regular and frequent flights.[11] The Adjutant General, however, objected to such a plan and stood adamant for the abolition of all flying pay, basing his position on General Pershing's recommendation. Regardless of the opposition of the Chief Signal Officer, who asked that action be delayed until he could have an opportunity to submit recommendations, the War Plans Division drafted legislation for the repeal of the laws which had created additional grades and pay for men of the Aviation Section.[12] The bill was not introduced, however, and the controversy continued. The following fall the Acting Secretary of War again recommended the enactment of this legislation.[13] Shortly thereafter another cablegram from General Pershing, though still urging the abolition of the special ratings, somewhat tempered his original recommendation concerning flying pay. In this second message he urged the substitution of a "just system of additional flying pay for flying service."[14] In forwarding General Pershing's cablegram to the Chief of Staff, Brig. Gen. Lytle Brown, Director of the War Plans Division, recommended that existing laws be repealed and that a flat increase of 50 per cent in pay be authorized for all officers on aeronautical duty involving regular participation in flights.[15]

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11. Memo for AG by Col. H. H. Arnold, 27 Dec. 1917, in AAG 210.11, Ratings, M.A., J.A., A.M.A.
12. Memo for C/S by Col. D. W. Ketchem, Actin. Dir. WPD, 22 March 1918, in Chief of Staff files, 1917-1921--CO.
13. Benedict Crowell to Chairmen of House and Senate Committees on Military Affairs, 9 Oct. 1918, in ibid., 9654.
14. Courier cablegram, Gen. John J. Pershing to WPD, 18 Oct. 1918, in ibid., 7815-172.
15. Memo for C/S by Brig. Gen. Lytle Brown, Dir. WPD, 14 Nov. 1918, in ibid.

In the meantime the Armistice had been declared, and as a result the whole matter of flying pay became a part of the discussion concerning the Army reorganization bills. The final bill, signed on 4 June 1920, repealed the grade and pay clauses of the acts of 3 June 1916 and 24 July 1917, and substituted in place of them a provision that all officers and enlisted men should receive an increase of 50 per cent in their pay while on flying duty. An exception was made for one group of flying officers. Those upon whom the rating of military aviator had been conferred for distinguished service were allowed to keep the rank, pay, and allowances conferred by that rating in lieu of the new flying-pay allowance. This meant that the personnel so rated continued to draw 75 per cent flying pay.[16]

During the time that Congress had been discussing the reorganization bill, it had passed a War Department appropriation act for the fiscal year 1920. This bill created the new grade of flying cadet and provided a salary of 75 per month which was to include pay for flying risk.[17] Thus it is seen that by 1920 Congress had recognized the justice of flying pay and, after an unsatisfactory experience with increases according to aviation ratings, had accepted the principle that this extra pay for hazardous duty should be placed on an equal percentage basis for all army personnel who, under orders, engaged regularly and frequently in aerial flights.

Very soon after the National Defense bill became law, the Air Service was faced with a new flying-pay problem. It had been believed at the time of the passage of that legislation that it would provide flying pay

16. See Chapter II; 41 Stat. 769.
17. See Chapter II; 41 Stat. 109.

for any officer of the Army who was engaged in regular flying. This would include General Staff, ordnance, and medical officers, among others, who were detailed to the Air Service and whose regular duties included the making of flights. However, the Comptroller of the Treasury decided that flight surgeons were not entitled to flight pay under the orders and regulations of the War Department because they were not included in the legislative provision for personnel entitled to such payments.[18] On 17 November 1921 the Comptroller General approved this principle and held that the existing law did not authorize increase of aviation pay to officers of the staff corps and departments of the Army.[19] A month later the Secretary of War requested a reconsideration of this decision, but the Comptroller General made no change in his original declaration.[20] As a result of these interpretations of the law the only aviation personnel who could draw flying pay were the Regular Army officers commissioned in the Air Service. Medical, ordnance, and General Staff, officers detailed for aviation duty, though in many cases engaging regularly in flights, could not qualify for extra pay. Because such a situation threatened to curtail drastically the supply of officers upon whom the Air Service could depend, the War Department began a movement to secure a change in the law which would enable officers other than those directly commissioned in the Air Service to draw flight pay. This recommendation was laid before the special congressional committee which was studying the subject of Army and Navy pay readjustment. When the bill recommended by that committee was enacted on 10 June 1922, it contained a clause providing for uniformity of flying pay among personnel of the Army, Navy, Marine Corps, and Coast

18. 27 Comp. Dec. 1978.
19. 1 Comp. Gen. 263.
20. Comptroller General to S/W, 18 Jan. 1922, in AAG 241.1A, Flying Pay.

Guard. Recognizing the Act of 4 June 1920 as the basic law authorizing flying pay, it provided that extra pay for flying duty performed by all military and naval personnel should be paid on the 50 per cent basis stipulated in that legislation.[21] The principle thus recognized was confirmed by the Air Corps Act of 192_ which carried the benefit still further to include officers, warrant officers, and enlisted men of the National Guard and Reserves.[22]

Following each of the flying-pay acts described thus far, regulations were made for defining flying status and carrying the provisions of the laws into effect. Prior to the passage of the Pay Readjustment Act of 10 June 1922 these regulations were made in the War Department and issued as General Orders. A General Order of 14 August 1920 required any person drawing flight pay to make 10 flights per month or twice that number during a period of any two successive months.[23] After the passage of the Pay Readjustment Act (10 June 1922), which gave the President authority to make regulations carrying its provisions into effect, flying status was defined by executive orders. The first of these, issued on 1 July 1922, required flying personnel to make 10 flights or be in the air a total of four hours during each calendar month in which they drew flight pay. Because this executive order did not specify that such definition was to apply to all of the services included in the Pay

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21. 42 Stat. 632.
22. 44 Stat. 780. The President's Aircraft Board, whose study preceded the enactment of the Air Corps Act, 2 July 1926, had recommended that "the principle of extra pay for flying should be recognized as permanent in time of peace." Report of the President's Aircraft Board (1925), 21.
23. WD GO #49, 14 Aug. 1920.

Readjustment Act, a second order, dated 30 October 1922, was promulgated to that effect.[24] Following the passage of the Air Corps Act (1926) a new order was signed which specified that personnel qualifying for flight pay should make 10 flights totaling at least three hours or be in the air a total of four hours during a calendar month. For those, however, who could not meet the requirement there were two alternatives. They could during a period of two consecutive calendar months make 20 flights totaling at least six hours or be in the air a total of eight hours; or if this were not possible, make 30 flights during a period of three consecutive months totaling nine hours or be in the air a total of 12 hours.[25]

Until the financial depression of the 1930's hit the country, there seems to have been little criticism of extra pay for flying duty. Occasionally, in the course of a congressional hearing, a member of Congress would criticize flying pay for land-station officers in the Navy and staff officers in the Army and Navy who were charged with the fulfilling of minimum legislative requirements for the sole purpose of their extra pay. But with the exception of these occasional criticisms Congress agreed willingly to the annual appropriations for flight pay.[26] Such conflicts as occurred over the subject were principally between the Judge Advocate General and the Comptroller General on the one hand and the

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24. The texts of these executive orders are found in WD GO #30, 19 July 1922; #46, 10 Nov. 1922; #19, 6 Aug. 1925.
25. Executive Order #4610, 10 March 1927. Changes were made in this order by Executive Order #4833, 19 March 1928 and Executive Order #5001, 23 Nov. 1928. It was revoked by Executive Order #5865, 27 June 1932, which made no change in flying hours required but included the National Guard in defining flying status.
26. Hearings before the President's Aircraft Board (1928), 1084.

[redacted]

General Staff on the other and concerned the interpretation of the term "flying status."[27]

As the economic problems facing the country during the depression years became more serious, however, Congress was beset on all sides to reduce the expenditures of government. In 1932 the pay of all government employees, including military and naval personnel, was reduced 15 per cent.[28] This reduction was applied to flight pay as well as to other kinds of pay drawn by officers and men of the air arms. The next year a definite attack was made on flying pay. It appeared to stem from three different sources: (1) the general desire on the part of Congress to reduce expenses, (2) the small number of accidents in the record of commercial aviation, and (3) information secured by the House Committee on Naval Affairs which indicated that flagrant abuses of flying pay existed in the Navy Department.[29] The result of this agitation was the passage of three acts restricting flight pay. The Independent Offices Appropriation Act, signed on 1 June 1933, carried a provision which authorized the President to suspend or reduce all flying pay and to distinguish between degrees of hazard in various types of flying duty in order to make different rates of pay applicable to them.[30] In addition, the military and naval

27. See above, this chapter.
28. 47 Stat. 399.
29. See Exhibits Used in B/Pre Study on Flying Pay [FY 1934], in Plans Div. files, AFSHO. See also Maj. Gen. B. D. Foulois to John J. McSwain, 24 May 1933. In this letter Foulois quotes H. Rept. No. 2075, 72 Cong., 2 Sess., as follows: "It is among junior officers . . . that the principal hazards lie, and not in the group which does straight-away flying or, as to another group, to use the language of the Chief of the Bureau of Navigation in the hearings of a year ago, who drew flying pay for, 'being carried around in a plane under ideal conditions, with selected pilots, selected weather, and selected planes.'"
30. 48 Stat. 283.

appropriations bills for the fiscal year 1934, which were being considered at the same time, put definite limitations on the amounts of flying pay which could be drawn by nonflying officers. The naval act limited these officers to eight with the exception of 15 gunnery observers and set their maximum flight pay at $1,440 per year.[31] The military act for the same year provided that none of the appropriation should be available for increased pay to nonflying officers above the grade of captain, in excess of $1,440.[32]

While these bills were under consideration in Congress, both the War and Navy Departments made vigorous protests against reduction of flight pay.[33] Their arguments had little effect, for the appropriations committees were determined to reduce flying pay for the high-ranking officers of both services and indicated this determination in blunt language. It was perhaps best expressed in the report on the Navy Department appropriation bill which read in part:[34]

> This proposal is not made primarily in the interest of economy. It is proposed principally because, in the judgment of the committee, there are no tenable grounds for paying flying pay to officers in the higher grades at rates in excess of those paid to the junior officers, among whom very largely are those who daily are assuming all the risks attendant upon practice in drilling and training in the art of war-time maneuvers and tactics . . . . The committee has yet to hear a plausible argument for paying extra pay for flying up to as high as $4000 per annum to a rear admiral or major general when our real pilots, particularly in the Navy, are getting $1420 per annum and less.

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31. Ibid., 411.
32. Ibid., 618.
33. Maj. Gen. B. D. Foulois to John J. McSwain, 24 May 1933, in AAG 241.10, Flying Pay; Maj. Gen. B. D. Foulois to Morris Sheppard, 1 May 1933, in ibid.; Claude A. Swanson to Carl Vinson, 2 May 1933, in Plans Div. Files, AFoMC.
34. H. Rept. No. 2075, 72 Cong., 2 Sess.

A similar comment was made by Representative Ross A. Collins (Miss.) on the clause in the War Department bill. In explaining the limitation on Army flying pay on the floor of the House, he said, ". . . we do not want those nonflyers of older ages to be given a 50 per cent increase in pay for making these flights. . . . there is hardly a man in this House that does not fly, I dare say, more than that."[35]

Soon after the passage of the Independent Offices Appropriation Act the Secretary of the Navy recommended to President Roosevelt that any contemplated executive order on flying pay be prepared by the War and Navy Departments.[36] On 7 July 1933 the President replied that he felt a proper limitation should be put upon the amount of flying pay and that there should be some regulation preventing officers from drawing it "in a perfunctory way." He, therefore, suggested that the Secretaries of War and Navy discuss the matter jointly and give him their suggestion.[37]

The Navy Department had already made an extensive study of the problem through a board headed by Rear Adm. A. W. Johnson, which had reported the preceding spring. Though the Johnson Board had completely justified flight pay, it had recognized the congressional hostility toward extra pay for officers of higher rank and had shown itself willing to compromise on the matter. In its report, which was signed on 2 May 1933, it recommended modification of existing flight-pay provisions to the extent that the maximum flying pay to an officer might be fixed at

35. Cong. Rec., 73 Cong., 2 Sess., 5941.
36. S/N to President of the United States, 26 June 1933, in AAG 241.10, Flying Pay.
37. Franklin D. Roosevelt to S/N, 7 July 1933, in ibid.

[redacted]

that provided under existing law for any lieutenant colonel or commander.[38]

This action of the Johnson Board was considered by the Chief of the Air Corps to be a "red herring" intended to "forestall any investigation regarding the past flying records of the senior flying personnel of the Navy."[39] Nevertheless, its promulgation and the request of the President that a joint recommendation be made by the War and Navy Departments necessitated the making of a similar study in the War Department. Accordingly, on 1 August 1933, a board consisting of Maj. Gen. Robert E. Callan, Brig. Gen. Charles L. Kilbourne, and Brig. Gen. Oscar Westover was appointed to deliberate on the subject of flying pay for Army personnel. The Callan Board, as it was called, reluctantly agreed to the position already taken by the Navy Department, recommending in its report to the Secretary of War that, "if it becomes necessary to modify the present provisions for flying pay . . . they be modified only to the extent of limiting the maximum amount of additional pay for flying duty to that pertaining to the grade of Lieutenant Colonel."[40]

On the basis of these two studies the Secretaries of War and Navy jointly recommended to the President: (1) that a limitation be placed upon the flying pay of all officers above the grade of lieutenant colonel in the Army (commander in the Navy) by confining their extra pay to the

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38. The Johnson Board consisted of Rear Adm. A. W. Johnson, Capt. A. B. Cook, and Lt. Com. A. C. Davis. Board on Aviation Flight Pay to the S/N, 29 April 1933, in Plans Div. files, AFSHO. This report bears the notation "Signed 2 May 1933."
39. Memo for DC/S by Maj. Gen. B. D. Foulois, 17 July 1933, in AAG 241.10, Flying Pay.
40. Report of a Board of Officers . . . convened in accordance with the letter of instructions of the Secretary of War, August 1933, in 242.13 Flying Pay, Plans Div. files, AFSHO.

maximum prescribed for a lieutenant colonel in the Army, which under existing pay tables was $2,875 per year; (2) that the instructions then in force in the Army and Navy were adequate to prevent "the drawing of flying pay by officers who qualify therefor in a perfunctory way."[41]

Consequently, the President made no use of the authority given him in the Independent Offices Appropriation Act, and any further action became the responsibility of Congress. On 4 December 1934 J. P. Buchanan, chairman of the House Committee on Appropriations, wrote to President Roosevelt:[42]

> I had hopes that this annually recurring controversy [over flight pay] would be removed when the "buck" was passed to you by Section 10 of the Independent Offices Appropriation Act, fiscal year 1934. . . . I do not know what if any measures you have taken or contemplate taking looking to a solution of this question. I should like to express the wish, however, that it may be settled at an early date, because I should prefer not to see it regulated through the unsatisfactory and unstable medium of a limitation on an appropriation bill which, if past experience be any criterion, may be attempted at any time.

This letter and the recommendation of the Baker Board that the matter be studied "from the point of view of all the services involved,"[43] were responsible for the next development concerning flying pay. On 14 December 1934 the President requested of the departments concerned with aviation that an interdepartmental committee be appointed to

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41. S/W and S/N to President of the United States, 6 Sep. 1933, in AAG 241.1D, Flying Pay--Officers.
42. J. P. Buchanan to President of the United States, 4 Dec. 1934, in AAG 241.1D, Flying Pay.
43. The Baker Board was appointed to study the Army Air Corps after the air mail fiasco of 1934. It made its report on 18 July 1934. See Final Report of the War Department Special Committee on Army Air Corps. An account of its work can be found in Organization of Military Aeronautics, 1907-1935.

consider the whole subject of flying pay.[44] This committee, representing the Treasury, War, Navy, and Commerce Departments, was promptly appointed and met on 24 December 1934. Its report, submitted shortly thereafter and based primarily on the Johnson Board and Callan Board studies, was in four parts. First, the committee as a whole agreed that because of the many indeterminate factors involved it was impracticable to arrive at any formula that would fix with accuracy and justice the relative hazards of flying. In the second place, the representatives of the War, Navy, and Commerce Departments agreed that additional compensation was necessary to maintain the aviation arms of the military service and that any change in flying pay should be made only after thorough consideration of the matter by Congress. They agreed that limiting the additional compensation of officers above the grade of lieutenant colonel (commander in the Navy) to the amount fixed by the Air Corps Act of 1926 for that grade was all that could be "effected under existing laws without adversely affecting the morale of the aviators of the Army, Navy, Marine Corps, and Coast Guard." The third part of the report was submitted by the Treasury representative alone. He gave as the opinion of the Treasury Department the statement that no increased compensation should be authorized for commissioned officers assigned to aviation duty but that some form of government insurance should be provided without expense to them. Finally, the committee recommended that if Congress found it necessary or desirable to change existing flying-pay laws, it should increase the pay of the

44. Franklin D. Roosevelt to S/W, 14 Dec. 1934, in AG 241.1D, Flying Pay--Officers.

[redacted]

junior grades and provide for part of the increase in money and the rest in government insurance.[45]

This study was forwarded to Congressman Buchanan on 2 January 1935. In his comments on the work of the interdepartmental committee the President said:[46]

> There is much justification in the contention that, once having established a policy of extra pay for military aviators, we cannot change such policy abruptly without jeopardizing the efficiency of our armed services. Many officers have entered the aviation arms and based their insurance and other obligations on the existing law. We have built up a splendid service and must maintain its high efficiency.
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> Nevertheless, it seems that additional pay based entirely upon grade may not be an equitable method of compensation for the hazard of flying duty, and that Government insurance, without premium payment, should be a feature of any system of compensation.

In addition to this comment he expressed the opinion that the proper course of procedure was to ask the congressional committees on military and naval affairs to take the question again under consideration, a

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45. Report of an Interdepartmental Committee Appointed by Direction of the President to Consider the Subject of Flying Pay, in ibid. It should be noted that because of the study being carried on by this committee the Howell Commission, meeting at the same time, refrained from making any recommendations for insurance or flight pay to Regular Army personnel, though it did make an important recommendation relative to remuneration of Reservists for the hazards experienced in flying. (See below, this chapter.) As early as 1925 the President's Aircraft Board had recommended that a study be made of the subject of insurance with a view to its use both for the family of the flyer in case of death and for the flyer himself in case of physical disability resulting from flying. This proposal, as well as similar ones made after that date, has been opposed by the air arm. The Chief of the Air Corps contended that insurance in lieu of flying pay would not be a strong-enough incentive to aviation duty and that men engaged in such a dangerous occupation should be allowed to enjoy the rewards of their service while living. Perhaps the best exposition of these views is found in a memo for AC/S, G-1 by C/AC, 17 Nov. 1938, in 032 Legislation, Plans Div. files, AFSHO.

46. President of the United States to J. P. Buchanan, 2 Jan. 1935, in 032 Legislation, Plans Div. files.

request which he promised to make.

During the following three years the subject was aired in the committee hearings on appropriations. While the War Department appropriation bill for the fiscal year 1936 was before a subcommittee, Representative Tilman B. Parks (Ark.) inquired of Lt. Col. Alfred A. Hobley what effect the limitation on flying pay for nonflying officers had had on the Air Corps. Colonel Hobley replied that it had produced a very awkward situation in that many Air Corps captains on duty as flying officers were drawing more pay than majors on nonflying status. It was evident that a high degree of dissatisfaction over flight-pay rates existed in the Air Corps.[47]

The principal controversy during these later years was over the flying status of flight surgeons and their right to flight pay. At the time of the passage of the War Department appropriation bill for 1935 there were 75 flight surgeons on duty with the Army Air Corps, all of whom were drawing flying pay. When this bill (which called for 70 flight surgeons) reached the House appropriations committee, an attack on the appropriation for these medical officers and for higher-ranking Army officers ensued. As a result, despite the efforts of the Senate appropriations committee to reinsert the original provision, the final bill limited the number of flight surgeons to five and placed the maximum flying pay which could be drawn by nonflying officers at $1,440. Apparently this violent attack was the outgrowth of the committee's indignation over

47. House, Hearings on War Department Appropriation Bill for 1936, 74 Cong., 1 Sess., 158.

certain aspects of Navy flying pay. Though no comment was made on the subject in the report on the Army bill, the House report on the Navy appropriation bill for the preceding year read:[48]

> The committee is not in sympathy with giving flight orders to medical officers who are not qualified aviators. They should be so qualified, in the judgment of the committee, properly to study the effect of flying upon the human system. As a general proposition there should be no need for medical officers to have flight orders except for such study. An occasional flight on a medical errand would not justify continuous flight orders.

Apparently "reading the handwriting on the wall," the Navy cut down its estimate for flight surgeons from 15 for the fiscal year 1933 to 2 for the fiscal years 1934 and 1935, raising it to 3 for the fiscal year 1936. In commenting on this situation in 1933 the Chief of the Air Corps wrote to Representative Lister Hill (Ala.) that[49]

> the present recommendation [by the Navy Department] . . . is due only to a desire to comply with the apparent wishes of Congressional committees. The disparity between 70 and 2 is, of course, not logical, since a recommendation that only 2 medical officers be put on flying duty is a failure to recognize the extreme importance of supervising the physical condition of aviators with men whose knowledge of aviation experience is practical and not theoretical.

Again in 1935, Representative Chester C. Bolton spoke of the disparity between estimates for Army and Navy flight surgeons as being "entirely out of line," to which Maj. Gen. B. D. Foulois, Chief of the Air Corps, replied:[50]

> They had a larger number in the Navy until it was arbitrarily reduced. It is my belief that they still believe in having medical officers on a flying status. The law fixed a limitation on them. We have not discussed the matter with them for some time, but the last time I did discuss it with them, they were of the opinion that these men should be on flying status.

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48. H. Rept. No. 2075, 72 Cong., 2 Sess.
49. Included in a study transmitted to Lister Hill by Brig. Gen. Oscar Westover, 17 Jan. 1933, in Plans Div. files.
50. House, Hearings on the War Department Appropriation Bill for 1936, 74 Cong., 2 Sess., 565.

[redacted]

Whatever the reasons for the disparity between requests by the Army and Navy, the Army Air Corps was greatly concerned about the limitation on the number of flight surgeons. Coming just at the time of the organization of the GHQ Air Force it created a serious problem and promised to interfere with the plans which had been made for the Air Corps medical program. Consequently, on 10 August 1935, just prior to the consideration of the Second Deficiency Appropriation bill, the Chief of the Air Corps requested The Adjutant General to include $85,000 in the estimates in order that 67 additional flight surgeons might be placed on flying duty with the Air Corps and the GHQ Air Force units. In support of his request he stated that the reduction in the number of these flying medical officers hampered the service-testing of new field-service medical equipment, interfered with the transportation of the sick and injured by airplane ambulance, and checked Air Corps plans to have flight surgeons accompany each tactical Air Corps unit.[51] The Adjutant General refused to approve this recommendation, however, on the ground that the legislators were fully informed on the matter when they imposed the restriction and that consequently "the War Department would not be warranted in asking Congress to reverse itself at this early date."[52]

Nevertheless, the matter was presented to the subcommittee on appropriations and discussed in detail, but no action was taken. The Second Deficiency Appropriation bill made no change in the provision for flight surgeons, and the limitation of five flight surgeons and a maximum

51. Maj. Gen. B. D. Foulois to AG, 10 Aug. 1935, in AAG 241.1D, Flying Pay--Officers.
52. 1st Ind. (ltr. cited in n. 51) AG to C/AC, 21 Aug. 1935, in ibid.

payment of $1,440 to nonflying officers was a part of every War Department appropriation bill up to and including the bill for the fiscal year 1940.[53] In the meantime the Comptroller General rendered an opinion to the effect that the limitation on the pay of nonflying officers as provided in the War Department Appropriation bill for 1935 included officers of the Medical Corps of the Army who were not commissioned in or detailed with the Air Corps of the Regular Army.[54] These limitations meant, therefore, that the Regular Army flight surgeons could not exceed five and that any other medical officers serving with the Air Corps in any capacity could not draw flight pay in excess of $1,440.

For the next several years flying pay, referred to by congressmen as an "annual bone of contention" and charged with using more criticism "than any other item carried for the Air Corps,"[55] continued to be a major legislative problem. Nowhere in the congressional hearings and debates is there record of any opposition to this extra remuneration for personnel required to do large amounts of flying. Opposition to giving flying pay to officers who spent most of their time at desks and particularly to medical officers detailed to the Air Corps was, however, direct and caustic. The year 1939, which marks the end of this study, witnessed that controversy at its height.[56]

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53. House, Hearings on the Second Deficiency Appropriation Bill for 1935, 74 Cong., 1 Sess.; extract in ibid.; 48 Stat. 618; 49 Stat. 124; 52 Stat. 645; 53 Stat. 590. The act of 1939 (for the fiscal year 1940) excepted flight surgeons from this provision and limited their flight pay to $720 per year. See Legislation Relating to the AAF Personnel Program, 1939-May 1944, 87-89.
54. 15 Comp. Gen. 357.
55. House, Hearings on War Department Appropriation Bill for 1936, 74 Cong., 1 Sess., 585; House (Sub-Committee of Committee on Appropriations), Hearings on War Department Appropriation Bill for 1936, 74 Cong., 1 Sess., 151.
56. For a continuation of the flying pay controversy beyond 1939, see Legislation Relating to the AAF Personnel Program, 1939-May 1944, 86-89.

Death Benefits and Pensions

Before 1914 the dependents of all Army personnel were eligible for the death benefits provided under the act of 11 May 1908. This law authorized a gratuity amounting to six months' pay for the widow or other beneficiary of any officer or enlisted man who died from wounds or disease contracted in line of duty. From this amount the Paymaster General was to deduct $75 in the case of an officer and $35 in the case of an enlisted man to cover burial expenses.[57]

As the air arm developed, however, and the excessive dangers of aviation were demonstrated, the Signal Corps became convinced that additional benefits of this kind were necessary in the securing of voluntary details to aeronautical duty. The situation was analogous to that which resulted in the first laws for flying pay as described in an earlier part of this chapter. In 1912 and 1913 four separate bills[58] proposed a death benefit for aviation personnel amounting to one year's pay in lieu of the six months' pay allowed by the existing law. During the hearings held on H. R. 5304 in the summer of 1913 Maj. Edgar Russel of the Signal Corps commended the inclusion of the extra benefit and agreed with Capt. William Mitchell that special inducements were necessary if a sufficient number of aviators was to be obtained.[59] There was no opposition to this increase in the death benefit which became law on 18 July 1914 as a part of the bill providing for the Aviation Section of the Signal Corps.[60] The next year, as a part of the Navy appropriation

57. 35 Stat. 108.
58. H. R. 17243, 62 Cong., 2 Sess.; H. R. 28723, 62 Cong., 3 Sess.; H. R. 3388 and H. R. 5304, 63 Cong., 1 Sess.
59. House, Hearings on H. R. 5304, 63 Cong., 1 Sess., 66.
60. 38 Stat. 516.

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act for the fiscal year 1916, Congress made a similar provision for Navy and Marine Corps personnel and included the additional authorization of a double pension in case of the death or disability of an officer or enlisted man as a result of an aircraft accident not caused by his own misconduct.[61] An act of 29 August 1916 re-enacted this provision and broadened it to apply to student flyers of the Navy.[62] For a period of more than two and one-half years the widows and dependents of Navy and Marine Corps officers and men killed in flying accidents drew double pensions, while the dependents of Army personnel performing similar duties were given no such special consideration. The double-pension provision was made inoperative on 6 October 1917 with the passage of the War Risk Insurance Act which equalized pensions for all branches of the service and specified rates for various classes of dependents.[63] The payment of one year's gratuity was repealed by an act of 17 December 1919 which authorized six months pay to the widow, child, or designated dependent of any officer or enlisted man of the Regular Army who lost his life while on active duty.[64]

No further changes occurred in these laws until 7 June 1924 when an act to consolidate, codify, revise, and re-enact the laws effecting the establishment of the United States Veterans' Bureau repealed the law of

61. Ibid., 939-940.
62. 39 Stat. 585.
63. 40 Stat. 405.
64. 41 Stat. 367. It should be noted that this act differed from the law of 11 May 1908 in that it did not require the deduction of any amount for burial expenses. It was amended on 2 March 1923 (42 Stat. 1385) to provide that such payments could be made to any married or unmarried child over 21 who was not actually a dependent of the deceased officer or man.

6 October 1917. Such a repeal again made effective the double pension authorized in 1915-1916 for dependents of the officers and enlisted men of the Navy.[65] It was natural that the Air Corps should seek legislation which would place Army and Navy aviation pensions on an equal basis. As early as 24 February 1925 the Chief of the Air Corps urged that this legislation be inaugurated, but no action was taken by the War Department at that time. Again on 10 June 1926 he recommended the revision of the law to achieve parity between Army and Navy personnel, but the Adjutant General informed him that the matter would "be held in abeyance for the present." Not until the winter of 1923 did the War Department approve such legislation.[66]

The Air Corps argued that Congress intended to provide like gratuities to Army and Navy personnel, as was evidenced by the Pay Readjustment Act of 1922, and that special attention should be given dependents of aviation personnel whose deaths at comparatively early ages had made impossible the accumulation of any considerable estates.[67] Though the legislation for double pensions was introduced in January 1923, its passage was blocked for more than a year by the opposition of a small

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65. 43 Stat. 629.
66. Memo for AC/S, G-4 by Maj. Gen. Mason M. Patrick, 24 Feb. 1925; memo for AG by Gen. Patrick, 10 June 1926, and 1st Ind., AG to Chief, 26 June 1926, in AG 247, Beneficiary Money, Death Benefits. The bills introduced in the 70 Cong., 1 Sess. were H. R. 9073, H. R. 10440, and S. 3193. The Air Corps tried from time to time to secure legislative benefits for the dependents of Reserve officers comparable to that provided for dependents of Regular Army personnel, but it was blocked by the opposition of the General Staff until 1939. Memo for C.S by M. S. Martin, Corps Area Air Officer, 2 July and 26 Sep. 1924, in AG 032.1, Legislation; AG to C/AS, 23 March 1926, in AG 032.1, Legislation. For the 1939 action, see Legislation Relating to AAF Personnel, 1939-May 1944, 95 ff.
67. 42 Stat. 625; C/AS to AG, 15 Oct. 1927, in AG 247, Beneficiary Money, Burial Expenses.

group in the House of Representatives, led by Charles L. Underhill (Mass.). When one of the bills (H. R. 10479) came up for debate in the House, Representative Underhill branded it as discriminatory and claimed that no more pension should be paid to the widow of a man killed in an aviation accident than was paid to the widow of a soldier who was kicked to death by a mule. For some unknown reason the opposition to this legislation was not expressed during the next session of Congress, and on 1 March 1929 the President signed a bill providing that Army personnel killed or injured in aircraft accidents while on duty should be eligible to the same double-pension payment as had previously been provided for Navy and Marine personnel.[68] The law continued in effect until it was suspended by the Economy Act of 20 March 1932.[69] Though subsequent efforts sought to restore the double-pension benefit, none of them were successful.[70] As a consequence, in 1939 the Air Corps was still on a parity with the other arms and services in the payment of death gratuities and pensions.

Payment of Lump Sum to Reserve Officers at Termination of Tour of Active Duty

It will be recalled that one of the principal aims of the air arm after 1920 was the securing of an increased number of Reserve officers on active aviation duty. Because Congress was slow to authorize this increase, in 1934 the Air Corps began to place flying cadets on duty with tactical units for two years following their graduation from the Training Center. During this time they received no extra pay, though they were

68. Cong. Rec., 70 Cong., 1 Sess., 2941, 4171; 70 Cong., 2 Sess., 4231, 4926.
69. 48 Stat. 9
70. S. 694 and H. R. 1518; Cong., Rec., 75 Cong., 1 Sess., 32, 177.

utilized in the capacity of officers. In the meantime, a law was passed creating the new grade of naval aviation cadet in the Naval Reserve and Marine Corps Reserve. Under the provisions of this law the young naval aviator would receive $1,524 more for his services during a four-year period than would an Army flying cadet maintained on duty as such for two years and then maintained on duty as a second lieutenant for an additional two years.[71]

When plans were laid for the GHQ Air Force, Congress realized that an additional authorization for Reserve officers would be necessary. The Federal Aviation Commission, in its report in January 1935, not only recommended that the number of Reserves on active duty be increased but that a cash payment be given upon termination of this duty "to ease the shock of transference to civilian life." In preparing this legislation, the Air Corps thus had two arguments for providing a lump-sum payment to Reserve officers--such a payment would equalize the cost to the government of the Army and Navy pilot, and it would make the resumption of civilian life an easier matter for the Reserve officer.[72]

Therefore, as a part of the omnibus bill approved on 16 June 1936, provision was made that upon termination of a period of active duty of three or more years Air Corps Reserve officers should be paid a lump sum of $500.[73]

By way of summary, between 1907 and 1939 Congress showed itself to

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71. 49 Stat. 150-57.
72. Report of the Federal Aviation Commission (1935), 21, 144. For a full discussion of this problem, see H. Rept. No. 2559, 74 Cong., 2 Sess.
73. 49 Stat. 1524. For the legislative history of this act see Chapter I.

be perfectly willing to grant extra pay to officers and men who day after day risked their lives in the actual flying of planes. There was a general feeling among the legislators, however, that nonflying officers drawing flying pay should be cut to the minimum and that the Air Corps should expect no further benefits in the form of extra pensions and gratuities to dependents. When special benefits were granted, the impelling motive appears to have been a desire to provide inducements to men considering military flying as a career.

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Chapter IV

PROMOTION

From the earliest years of its history the Army air arm has been plagued with a promotion problem, the ramifications of which have affected practically every phase of its personnel program. Though special promotion legislation for the arms and branches of the military establishment has, in general, been opposed both by the War Department and by Congress, both have recognized the necessity of making some concessions in the case of aviation officers.

The resulting promotion legislation for military aviators falls into four fairly distinct periods. From 1912 to 1920 the emphasis was upon the granting of an additional grade to officers who held special aviation ratings. From 1920 to 1928 the desire for a separate Air Service promotion list was one of the more compelling motives behind the movement for a separate air arm. Between 1928 and 1935 the Air Corps worked ceaselessly for a separate promotion list. Finally, in 1935, it compromised on the subject, supported the Army's attempt to secure general promotion legislation, and began to work for special legislation which would authorize an improved Air Corps temporary-promotion program.

Congressional action on the subject of aviation promotion was as early as 1912 considered to be required for the recruitment program. In order to secure personnel for what was, by all odds, the most dangerous peacetime military service it was necessary to provide inducements of several different kinds. Attention has already been paid to the

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provisions for special military ratings and flying pay which constituted a part of the special recruitment program. In addition, as early as 8 January 1912, legislation (H. R. 17243) was introduced in Congress to provide for the increase of one grade in rank for officers detailed to flying duty as actual operators of "aeroplanes or other flying devices."[1] Though this bill was never reported from the Committee on Military Affairs, the promotion proposal which it contained became the subject of discussion during the summer of 1913 when the committee held hearings on a bill to create the Aviation Section of the Signal Corps.[2] The case for a special promotion clause was forcefully presented by Capt. William Mitchell who said:[3]

> The present law authorizes 60 officers to be detailed or rather attached to the Signal Corps for this work. We cannot get them for the reason that they do not apply... . . Now, gentlemen, why do they not apply. It is because they do not see anything in it for themselves; they do not see any future in it. They see some little increase in pay, but the zealous officer does not serve for pay alone. . . . I think that every officer, irrespective of what his rank is, should be given an additional grade when he proves himself a capable man in aviation, and when that man has been in the service five years, if he is capable of flying longer, I believe in giving him a grade more.

When the bill on which these hearings were held was reported to the House, it contained a clause authorizing each junior military aviator and military aviator in the grades of first and second lieutenant while on flying duty to have the rank, pay, and allowances of one grade higher

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1. Cong. Rec., 62 Cong., 2 Sess., 736.
2. H. R. 5304. The bill on which these hearings were held originally provided for an increase of one grade for aviation officers. See House, Hearings on H. R. 5304, 63 Cong., 1 Sess., for a copy of the bill as first introduced.
3. Ibid., 84.

than that held by him under his line commission. This provision went through Congress unchanged and was included in the bill when it was signed by the President on 18 July 1914.[4] Almost two years later (3 June 1916) the National Defense Act restated this provision and applied it to captains as well as to first and second lieutenants.[5]

By 1917 the disastrous effects of such a system were apparent. General Pershing was being besieged to confer these special aviation ratings on Air Service personnel serving in France. To do so, however, would cause a seriously unbalanced situation in the commissioned grades of the air arm, for every man rated as a junior military aviator or military aviator would automatically be promoted one grade. This would mean that there would be far more captains and majors in the Air Service than the arm could absorb under its existing table of organization. Consequently, General Pershing requested that the laws in question be repealed, a course of action which was taken by Congress in the Army Reorganization Act of 1920.[6] The same law authorized the single promotion list for all Army officers except medical officers and chaplains.

For years before the 1920 reorganization of the Army, promotion had been a sensitive and much-discussed subject. At one time promotions were made by regiments, then partly by regiments and branch, and later by branch. The system in effect prior to the creation of the single promotion list caused some officers to be advanced more rapidly than

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4. 38 Stat. 815-16.
5. 39 Stat. 175.
6. See Chapters II and III. One exception was made in this law. Junior military aviators and military aviators so rated for distinguished service during the war were allowed to retain their special rank and pay.

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others of the same length of service in other branches, not by reason of any additional merit or efficiency, but solely because of the expansion of the particular branch to which they belonged. The single promotion list, as provided by the Reorganization Act, was intended not only to insure promotion based on length of service but also to insure the flexibility essential to meeting changing conditions, such as creating new branches or expanding old ones, by permitting details and transfers from one branch to another without in any way effecting the rank of the officers.[7]

Though the Army Reorganization Act of 1920 placed Air Service officers, like those of all other arms, on the promotion list according to the dates of their commissions, its promotion provisions posed problems for military aviation which were not faced by other parts of the military establishment. In the first place, it failed to solve the problem of the so-called "World War hump." This term was commonly used to refer to a situation created by the lengthy training period required of airmen during the war. Officer candidates preparing for service with the air arm were required to spend an average of nine months in training, whereas three months was the time spent by trainees for the other arms and services. The result was that when the single promotion list was drawn up, Air Service officers were much farther down the line than personnel of other branches who came into the Army at the same time. Nor was this criticism the only one offered by the Air Service. Slow promotions in the air arm kept much of the personnel in the grades of first and second lieutenant,[8] and

7. Statement prepared for presentation before the Aviation Board of Inquiry, 13 Oct. 1925, by Maj. Gen. Robert C. Davis, The Adjutant General, in Plans Div. files.
8. See accompanying graphs.

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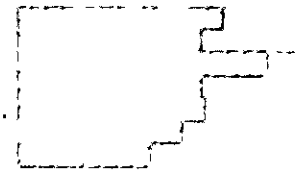
[illegible] OF JUNIOR [illegible] OFFICERS [illegible]
ARMY OF [illegible]

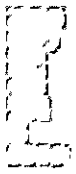
PROMOTION [illegible]

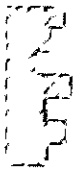
INFANTRY



FIELD ARTILLERY

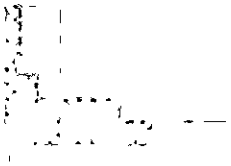
QUARTERMASTER

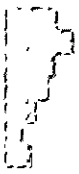




MEDICAL SERVICE

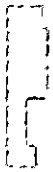
CAVALRY

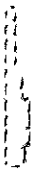




COAST ARTILLERY

ENGINEERS





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created a situation in which positions whose importance and responsibility warranted an officer of senior grade were filled by low-ranking junior officers. It is true that under the detail system higher-ranking officers could be taken from other arms and services and placed on duty with the Air Service. This practice, however, the Chief of the Air Service refused to follow, holding tenaciously to the idea that command positions in military aviation should be held by men who were flyers. Moreover, Air Service officers, as a whole, were opposed to bringing in officers who would be superior to them in grade though lacking practical knowledge of aviation. In addition, the large percentage of aviation casualties made the attrition rate in the Air Service much higher than that of any other part of the Army and seemed, from the point of view of aviation officers, to require a greater degree of flexibility in promotions. The majority of Air Service officers were quite young men and would have to wait many years for promotion to the grades needed. The combination of all of these factors convinced the Air Service that its promotion problem was a peculiar one which could be solved only by special legislation.[9]

Shortly after the passage of the Reorganization Act a board of general officers, with General Pershing as its chairman, met to draw up the promotion list. Its evaluation of the positions of officers created some dissatisfaction in several arms and branches, particularly the Air Service.[10] Soon after the report of the Pershing Board the Chief of the Air Service recommended that positions of his officers on the list be changed either

9. See n. 7 above.
10. See Rules and Regulations Governing the Board of General Officers Convened by Sec. 24, Act of June 4, 1920, in House, Hearings on Department of Defense, 69 Cong., 1 sess., 1271-73.

[redacted]

to distribute them uniformly without regard to length of service or to credit them with time spent in training prior to being commissioned.[11]

These recommendations, as well as those made by the chiefs of other branches, were considered in 1921-1922 by a board headed by Maj. Gen. David C. Shanks. The Shanks Board decided that the principle which should prevail in promotion practices was that officers should be credited for promotion with commissioned service only, excluding all preparatory service regardless of its length and character. It found that all officers, including aviators, had been placed on the promotion list in accordance with this principle. Though the board heard the Chief of the Air Service discuss his peculiar promotion problems, admitted that inequalities existed, and sought a remedy for them, its final verdict was that each "change, or so called cure, proposed was invariably found to work a grave evil in some other direction equally as harmful to the service as the condition sought to be remedied." It therefore advised that the original promotion list should stand unchanged.[12]

Despite these findings of the Shanks Board, the Chief of the Air Service continued to agitate for a change in the promotion law applicable to the Air Service. In December 1922 he forcefully called the attention to The Adjutant General to the situation and recommended that new legislation be inaugurated by the War Department to secure a more equitable

11. Such credit is usually described by the term "constructive service."
12. The Shanks Board consisted of Maj. Gen. David C. Shanks, Brig. Gen. Charles H. Martin, Col. Sherman Moreland, and Maj. George C. Marshall, Jr. Report of the Board of Officers Appointed by the Secretary of War to Study the Promotion List of the Regular Army, 5 May 1922, in Hearings on Department of Defense, 69 Cong., 1 Sess., 1296-1313.

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distribution of Air Service officers on the promotion list.[13] A month later he adopted a policy of disapproving the applications of senior officers for detail and transfer to the Air Service on account of their position on the promotion list.[14]

Between 1 January 1923 and 15 October 1925 no colonels, no lieutenant colonels, and only one major were detailed or transferred to the Air Service, and the number of applications received steadily diminished. During the same period 2 majors were advanced to the grade of lieutenant colonel, 17 captains to the grade of major, and 18 first lieutenants to the grade of captain. A cursory review of this situation indicated that promotion alone would not provide the necessary senior Air Service personnel for many years. Either promotions had to be accelerated in the branch or liberal details and transfers had to be made. The War Department, in direct opposition to the Chief of the Air Service, took the attitude that for the good of the Air Service and the Army as a whole the latter course should be followed.[15]

Since a knowledge of this conflict of views is fundamental to the understanding of promotion legislation, the arguments of both sides will be briefly examined. The Chief of the Air Service contended that the great need of the Air Service was a large number of young, active flyers. Inasmuch as the casualty rates were higher for Air Service officers than for the officers of other branches and as the aviators' period of maximum flying efficiency was comparatively short, he believed that air officers

13. Memo for AG by Maj. Gen. Mason M. Patrick, CAS, 7 Dec. 1922, in AAG 210.2D, Promotions, Officers.
14. See n. 7 above.
15. Ibid.

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should be promoted without respect to general Army policy. Opposed to this position, the General Staff held that senior officers with mature judgment and general military experience who were added to the Air Service by detail and subsequent transfer would be assets to that branch and to the service as a whole. Moreover, in the words of The Adjutant General:[16]

> Not the least of the advantages would be to increase the number of senior officers of general military experience coupled with technical knowledge of the Air Service available for selection to the grade of general officer and for service on the General Staff and in other important positions.

While this controversy was in progress, the promotion problem was studied by several boards and committees. A War Department committee, which was convened to comment on the proposals made by the Chief of the Air Service, concluded that the proposed legislation was discriminatory against non-Air Service personnel, would benefit principally those officers then in the Air Service, and would cause no material increase in officer personnel for at least four years. It therefore disapproved the plan.[17]

In 1926 the Select Committee of Inquiry into Operations of the United States Air Services (Lampert Committee) made a careful study of the Air Service promotion problem. After detailed investigation it found that there was discrimination against Army aviators in respect to promotion. It also construed this situation to be one of the contributing factors to a spirit of discontent "which appeared from high testimony to be general throughout the Air Services." Finally, the committee recommended that "Congress provide remedies for the inequalities and injustices suffered by the

16. Ibid.
17. Ibid.

[redacted]

aviation officers of the Army and Navy."[18]

During the same year the President's Aircraft Board (Morrow Board) studied the promotion problem and heard many of the same witnesses who had appeared before the Select Committee of Inquiry. General Patrick's testimony was probably of more interest than that of any other one person. He made three proposals concerning possible legislation to relieve the situation. First, he suggested that Air Service officers be credited with constructive commissioned service for the difference in time between their training period during the war and the training period for officers of the other arms and branches. If this were not feasible, he recommended the sanction of a second plan which would scatter the aviation officers uniformly throughout the promotion list and fill Air Service vacancies with the promotion of Air Service officers. His third proposal, however, was the one which he most strongly urged. It concerned the creation of a separate promotion list for Air Service officers similar to the provision in effect for officers of the Medical Corps, with promotion based upon length of service. General Patrick's plans were all opposed by the officers of the General Staff and particularly by Maj. Gen. Hugh A. Drum who testified strongly against any special promotion concessions to the Air Service.[19]

At the conclusion of its investigation the Morrow Board decided that legislation should be proposed which would provide for the temporary promotion of officers to commands such as wings, groups, squadrons,

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18. Report of the Select Committee of Inquiry into the Operations of the United States Air Services (1925), 49.
19. Hearings before the President's Aircraft Board (1925), 79-80 (Patrick); 1267 (Drum).

[redacted]

and schools, and not to exceed 12 important air stations. This recommendation, which appears to have been purely a compromise between the separate promotion list and the single list, was intended to fill a portion of the vacancies in field grades then existing in the Air Corps and to provide rank commensurate with command for the officers assigned to these positions.[20]

Following the report of this board the War Department recommended, and Congress approved, as a part of the Air Corps bill a provision for temporary promotion. Section 3 of this act, which received the signature of the President on 2 July 1926, authorized the Secretary of War to assign officers of the Air Corps to flying commands, including wings, groups, squadrons, flights, schools, and important air stations, and to the staffs of commanders of troops. These assignments were to carry with them such temporary rank, including pay and allowances, as the Secretary of War should determine. The law, however, provided certain limitations to the exercise of the power conferred by it. First, temporary rank was limited to two grades above the permanent rank of the officer appointed. Second, no Air Corps officer was to be temporarily advanced in rank unless the Chief of the Air Corps certified that no officers of suitable permanent rank were available for the duty requiring the increased rank. Finally, no officer holding temporary rank under the provisions of the Air Corps Act was eligible to command outside of his own corps except by seniority under his permanent commission.[21]

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20. Report of the President's Aircraft Board, (1925) 20.
21. 44 Stat. 782.

[redacted]

The promotion section of the law was never favored by the Air Corps, whose chief contended that it would benefit only a few officers, consequently lowering morale in the Corps, and would create considerable administrative difficulty. Its operation, he maintained, would involve the selection of officers for temporary advancement over others of about the same length of service and experience simply because they were needed in positions specified in the legislation. It was also the opinion of the Air Corps that the reversion to their permanent ranks of officers temporarily promoted would cause embarrassing conditions, that claims of each officer to preferment would be advanced by his friends, and that rivalry for selection would subject the Chief of the Air Corps to unhealthy political and other influences.[22] Moreover, the use of the authorized system of temporary promotion would necessitate the keeping of burdensome and detailed records for every Air Corps officer and would require detailed information to prove that there were no officers of permanent rank available to fill the positions for which the granting of temporary rank was contemplated.

After considerable discussion of the pros and cons of implementing the temporary-rank provision, the Assistant Secretary of War for Air made an informal agreement with the committees on military affairs of the Senate and House to consider this section of the Air Corps Act inoperative. Its repeal was not requested because it was considered to be "of a

22. Memo for AS/W for Air by Maj. Gen. Mason M. Patrick, C/AC, 18 Aug. 1926, in AWS 210.21, Promotions, Officers; memo for AG by Gen. Patrick, 8 Jan. 1927, in AWS 0020, Legislation, Reporter's Minutes of War Department Special Committee on the Army Air Corps (1934), 3086, typescript in USAFHO files.

[redacted]

permissive character only."[23]

On 23 September 1926 The Adjutant General appointed a board "to consider and report upon alleged injustices in the Promotion List and other questions relating to promotion and retirement of officers." This board which consisted of Assistant Secretaries of War Lanford Wilder and F. Trubee Davison and the Chief of Staff, Maj. Gen. John L. Hines, met on 4 October. It reached the conclusion that the root of the promotion problem was stagnation in the Army's promotion list and that the situation in the Air Corps was not an acute stage of a general condition in the Army which could not be improved without "creating new conditions fully as inequitable and harmful as those attempted to be remedied. "It, therefore, recommended that promotion studies which had been made in the War Department be forwarded to Congress with an urgent request that the promotion situation in the Army be investigated fully and promptly.[24]

As an outcome of this recommendation an Army promotion bill was prepared in the office of the Judge Advocate General. It based promotion on length of service in grade, a general plan which the Chief of the Air Corps highly approved. The letter strongly urged, however, that some account be taken of the long period of time spent by a large number of Air Corps officers in training.[25] This bill, known as the War Department bill of 1926, was the first in a series of four such proposals introduced

23. Memo for CC by Maj. Gen. Mason M. Patrick, 3 Jan. 1927, in AAG 0520, Legislation; memo for CS/W for Air by Gen. Patrick, 6 Jan. 1927, in AAG 210.2F, Promotions, Officers.
24. Report of a Board . . . on Alleged Injustices in the Present Promotion List, 4 Nov. 1926, in AAG 210.2B, Promotions, Officers.
25. Memo for C/S by Brig. Gen. J. L. Hechet, 20 Dec. 1926, in ibid.

between 1926 and 1929, none of which was passed.[26]

In the meantime, the Air Corps had been hoping to secure either a special clause in the Army promotion bill or a complete severance from the Army which would ipso facto give the air arm control over its own promotions. By the spring of 1928 neither of these schemes seemed likely to be accomplished. At about the same time a champion of Air Corps promotion appeared in the person of Rep. Allen J. Furlow (Minn.) who, on 7 March 1928, wrote to the Chief of the Air Corps: "The adverse position of the junior officers of the Air Corps on the single promotion list of the Army has attracted my attention for several years. Many times this matter has come up before the House Military Affairs Committee. To date the War Department has proposed no corrective legislation of which I am cognizant."[27] Congressman Furlow continued with a request for the necessary data with which to introduce a bill that would bring the subject to the attention of the Committee on Military Affairs.

In his reply a few days later the Chief of the Air Corps outlined a promotion plan which had been drawn up by an Air Corps board in August of the preceding year.[28] On 19 March 1928 Furlow introduced a bill incorporating substantially the recommendations of General Fechet.

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26. The others were the General Personnel Board Plan, the Wainwright Bill, and the Reed bill. For a somewhat detailed legislative history of the movement for general promotion legislation see ltr., Gen. Douglas MacArthur to the President of the General Council, 3 July 1934, in AAG 210.2T, Promotions, Officers.
27. Allen J. Furlow to Maj. Gen. J. E. Fechet, 7 March 1928, in AAG 210.2E, Promotions, Officers.
28. Maj. Gen. J. E. Fechet to Allen J. Furlow, 16 March 1928, in ibid. The substance of this plan had been introduced by Senator Joseph T. Robinson on 16 Jan. 1928 as S. 2595, but had died in committee. See S. 2595, 70 Cong., 1 Sess.; Cong. Rec., 70 Cong., 1 Sess., 1519.

Because the provisions of the Furlow bill became the principal Air Corps promotion objectives for the next several years, they will be described in some detail.

The prime feature of the proposal was the creation of an entirely separate promotion list for the Air Corps up to and including the grade of colonel. All of the officers placed on the new list were to be arranged in the same relative order which they occupied on the Army promotion list. Under the proposed law all promotions were to be based on length of service in grade. Promotions were to be made to the grade of first lieutenant after 3 years' commissioned service, to captain after 7 years, to major after 12 years, to lieutenant colonel after 18 years, and to colonel after 25 years. In addition, the plan provided limitations on the percentage of officers in the two highest field grades. Those in the grade of colonel were to be not less than 4 nor more than 6 per cent of the whole number of commissioned officers; in the grade of lieutenant colonel, not less than 5 nor more than 7 per cent, with the additional provision that the aggregate number of Air Corps officers in the three field grades should be not less than 26 nor more than 40 per cent of the total number of officers on the Air Corps promotion list. In order to make up the minimum percentages thus specified in the measure, Air Corps officers of less than the required years of commissioned service could be appointed to the field grades. The bill also contained a retirement clause.[29]

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29. Cong. Rec., 70 Cong., 1 Sess., 5021.

[redacted]

This bill was not reported from the Committee on Military Affairs,[30] but on 9 April Furlow introduced H. R. 12814 which was very similar to the original bill. The new bill, in addition to including all of the provisions of H. R. 12190, specified that no officer whose name appeared on the original Air Corps promotion list should be considered as having less commissioned service than any officer whose name was below his on the list. It also provided that any officer whose position was changed by general court order or by law should be deemed to have the same commissioned service as the officer immediately below him on the list. Most important of all, it limited the special promotion provision to flying officers, stating that "nonflying officers of the Air Corps shall be promoted as provided for other branches of the Army."

H. R. 12814 was slightly amended in the House Committee on Military Affairs. The maximum limitation on the number of lieutenant colonels in the Air Corps was changed from 7 to 8 per cent of the total number of officers on the Air Corps promotion list. This change was intended to permit a very slight increase to take care of promotions that would be merited when the "hump" of World War officers had completed 20 years of commissioned service.[31] The bill reached the floor of the House on

30. Apparently the Committee on Military Affairs originally considered reporting the bill to the House, for on 27 March 1928 The Adjutant General asked for a comment by the Chief of the Air Corps. The request of the Adjutant General was withdrawn four days later because the chairman of the committee had canceled his request for a report. AG to C/AC, 27 and 31 March 1928, in AAG 032C, Legislation.
31. The Committee on Military Affairs amended its first report which recommended the passage of the bill without change. H. Rept. No. 1277, Pts. 1 and 2, 70 Cong., 1 Sess.

7 May 1928. After a somewhat lengthy explanation of the reasons for the legislation, Congressman Furlow said bluntly, "I have no hesitancy in stating my opinion that should it fail of passage by both houses of Congress, there will be a great number of our most expert pilots leaving the service and accepting attractive offers now being held out in the fields of commercial aviation." His explanation apparently satisfied the House, for it gave unanimous consent to the measure.[32]

When the bill reached the Senate Committee on Military Affairs, that committee struck out everything after the enacting clause and reported a general Army promotion bill under the same number (H. R. 12814).[33] Section 3 of the amended measure dealt with Air Corps promotion. Instead of setting up a separate promotion list, it provided for a system of temporary promotions in the Air Corps. According to it, flying officers could be temporarily promoted (in the order of their standing on the Army promotion list) to the grades from captain to colonel inclusive provided that the colonels did not exceed 2 per cent, lieutenant colonels 4 per cent, majors 15 per cent, and captains 30 per cent of the total number of officers commissioned in the Air Corps. No officer was to be temporarily promoted more than one grade, but the allowable percentages of temporary promotions in each grade were to be in addition to the

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32. Cong. Rec., 70 Cong., 1 Sess., 8025.
33. The background of this change is rather interesting. Sometime after the Furlow bill was sent to the House, the Committee on Military Affairs favorably reported the Wainwright bill which contained a promotion plan for branches of the Army other than the Air Corps. Because of the closing rush, the Wainwright bill was not put to a vote in the House. Nevertheless, the advanced status of the Furlow bill as compared with the Wainwright measure caused the Senate Committee on Military Affairs to amend the former by combining the two measures. See statement of MS/A for Mr. F. Trubee Davison, May [?] 1928, in AAG 032 D, Legislation.

[redacted]

maximum limiting percentages fixed for those grades in other sections of the act.

The revised bill was championed in the Senate by David A. Reed (Pa.). Senator Reed explained that H. R. 12614 did not go as far as some of the Senators might have wished, nor did it represent all the ideas on the subject, but that it constituted a compromise which would go "part way" in relieving the situation. He was challenged by Senators Hugo Black (Ala.) and Joseph T. Robinson. Senator Black wanted to go even further and take the whole promotion list apart, putting it together again with officers separately ranked on the list in accordance with the grades under which they were commissioned in 1920, rather than on the basis of total length of service.

Senator Robinson reminded the Senate of the bill as the House had passed it. He called attention to the fact that the original bill had had the approval of the Secretary of War, the Assistant Secretary of War for Air, the Chief of Staff, the Chief of the Air Corps, and most flyers and asked why the Senate Committee on Military Affairs would not retain it in its original form. To this query Senator Reed pointedly replied, "We were all convinced that we could do no worse service to the Air Corps than to give it a separate promotion list, distinct from the promotion list of the rest of the Army." He went on to explain that the Senate bill retained the items of compulsory promotion after a certain number of years' service in each grade and gave the Air Corps the necessary number of high-ranking officers by temporary promotions. Senator Robinson responded that, although the Air Corps would rather have the Senate substitute than no legislation at all, it much preferred

the House version of the bill. Though there were indications that the measure would pass the Senate, a filibuster (which had no connection with any legislation) prevented its further consideration, and the first session of the 70th Congress ended with the bill still on the calendar.[34]

Although disappointed over failure to secure the passage of the legislation before the adjournment of Congress, the Air Corps was convinced that both houses recognized the necessity for special consideration of flying officers and the urgency of corrective legislation.[35]

During the next session of Congress the Senate version of the promotion bill (variously called the Furlow-Reed and the Reed bill) was reintroduced in both houses and passed the Senate on 28 February 1929.[36] It was, however, never reported out of the House Committee. During the 71st Congress, Representative Ross reintroduced the original Furlow bill (H. R. 281), but it failed of passage.[37] Between 1929 and 1933, because of the congressional emphasis on economy, there was an absence of promotion proposals, but after 1933 a veritable barrage of promotion bills, most of them based either on the Furlow or Reed plans, was let loose upon Congress. None of them, however, was enacted.[38]

Meanwhile, the whole subject of promotion continued to be studied

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34. Cong. Rec., 70 Cong., 1 Sess., 8025, 8831, 8864-65, 9570.
35. Statement of MG/A for Air, F. Trubee Davison, May /7/ 1928, in AAG 032 D, Legislation.
36. Cong. Rec., 70 Cong., 2 Sess., 4723.
37. Ibid., 71 Cong., 1 Sess., 32.
38. These bills were H. R. 1754 and H. R. 7001 of the 73 Cong.; H. R. 4351, H. R. 7872, H. R. 11743, H. R. 11820, H. R. 11871, and S. 4652 of the 74 Cong.

in the War Department. In 1930 a Pay and Personnel Board, on which were representatives from all the armed services, developed a general plan for promotion, which, however, never received the full approval of the War Department.[39] About two years later another War Department bill was submitted to Congress but was not favorably considered by the military affairs committees because of its failure to eliminate "dead wood" and its provision for an increase in the number of field officers.[40] While these general studies were being made the Air Corps continued to insist on a separate promotion list.

By the summer of 1934 the situation had reached such a stage that the Chief of Staff, Gen. Douglas MacArthur, decided to take a hand in the solution of the promotion problem, calling upon the General Council of the General Staff to prepare a plan which would provide for adequate promotion in the Regular Army. In his memo authorizing the inauguration of the study, he said:[41]

> It is plain . . . that no special group in the Army or out of it can muster, against any considerable opposition the support necessary to secure favorable action on legislation of this kind. In other words, each interested group, when acting independently, possesses a very powerful negative but wholly ineffective positive influence. The sole hope for amelioration of the intolerable conditions now existing, and which are rapidly growing worse, is for the War Department to devise a plan which can command the unified support of the Army.

About this time two significant developments with respect to Air Corps promotion policy occurred. On 13 July 1934, after extensive hearings which included a complete airing of the Air Corps promotion grievances, the Special Committee on the Army Air Corps (Baker Board) made its report

39. S. Doc. No. 259, 71 Cong.
40. Gen. Douglas MacArthur to the President of the General Council, 3 July 1934, in AAG 210.2F, Promotions, Officers.
41. Ibid.

in which it recommended that the temporary promotion provision of the Air Corps Act of 1926 be put into effect, stating: "The existing situation of and development of the Air Corps especially warrants the application of this step."[42]

The day after the Baker Board made its official report a board of Air Corps officers appointed to study promotion made an important statement. It reported to the Chief of the Air Corps that favorable consideration of a separate Air Corps promotion list appeared impossible of attainment at that time because of opposition from the other arms. It stated further that it believed insistence on a separate promotion list would block efforts by the War Department to secure general promotion legislation.[43]

This idea was also expressed by the Chief of the Air Corps, who wrote to the General Council:[44]

> It is my opinion that this problem is one which must be solved from the viewpoint of the Army as a whole and not from a branch viewpoint. . . . It must be realized that the peculiar needs of the Air Corps are not fully met by the solution offered; however, the passage of a bill based on the principles brought out will minimize to a great extent the adverse personnel situation now existing in the Air Corps.

It is thus seen that by the summer of 1934 the Air Corps had made

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42. Final Report of the War Department Special Committe on Army Air Corps, 35, 69. This recommendation was made pending the adoption of a system of selection and retirement for officers of the whole Army.
43. This board was composed of Lt. Col. Arnold L. Krogstad, Maj. William F. Volandt, and Capt. Lawrence P. Mickey. Memo for the C/AC by above-listed officers, 19 July 1934, in AAG 210.2F, Promotions, Officers.
44. Memo for the President of the General Council by Maj. Gen. B. D. Foulois, 18 July 1934, in ibid. In this same memo General Foulois proposed a general promotion plan which was used in the preparation of the new Army promotion bill. It should be remembered that General Foulois was a member of the Baker Board and signed its report recommending use of the temporary-promotion system.

made two important compromises on the matter of promotion. First of all, it had agreed to try the system of temporary promotion which had been provided for it nine years before. In the second place, it had approved general promotion legislation in place of its long-standing contention that only a separate promotion system for the Air Corps could mitigate the evils of the single list. A study of the records, however, indicates that though these were official Air Corps attitudes, aviation officers were far from unanimous in their support. The chief of the Plans Division went so far as to inform the Chief of the Air Corps that a study of the situation convinced him that General Foulois would be justified in continuing support of the separate promotion legislation despite his concurrence in the report of the Baker Board. General Foulois, however, remained consistent in his acquiescence to temporary promotion and general army promotion legislation.[45]

On 18 January 1935 the Judge Advocate General interpreted Section 3 of the Act of 2 July 1926 to mean that officers could be appointed to temporary Air Corps rank when officers of appropriate rank were either not professionally qualified or not administratively available.[46] Such a liberal construction permitted considerable administrative freedom of action in making temporary appointments and hence rendered the law much more favorable from the point of view of the Air Corps. A week later, on 25 January 1935, a War Department circular directed that the temporary promotion provision of the Act of 2 July 1926 be put into effect.[47] It

45. Memo for C/AC by Col. Arthur G. Fisher, 5 Feb. 1935, in AAG 210.2F, Promotions, Officers.
46. Memo for AG by JAG, 18 Jan. 1935, in ibid.
47. WD Circular 7, 25 Jan. 1935.

[redacted]

was subsequently used extensively in the activation of the GHQ Air Force on 1 March 1935.

On 30 January 1935 President Roosevelt submitted to Congress the report of the Federal Aviation Commission (Howell Commission) which had been appointed six months before to make a general study of aviation conditions in the United States and abroad. Like the Baker Board it had heard the promotion situation discussed from all angles. In its final report the Howell Commission recommended that there should be immediate and positive action to improve the promotion situation in the Army and especially the Air Corps. It further stated, "The authority to provide temporary rank in the Air Corps, to make the rank commensurate with the responsibilities held, should be broadened and then used."[48] In elaborating on this recommendation the report went on to suggest that the authority to give temporary promotion by not to exceed two grades be extended to permit such promotion in any case where the responsibilities of the position demanded higher rank than the permanent rank of any officer available for the position. It pointed particularly to the need of latitude in the selection of the commanding general of the GHQ Air Force.[49]

About this time the War Department submitted to Congress its plan for a general promotion law (H. R. 8071).[50] Simultaneously, three bills,[51] none of which was sponsored by the Air Corps, proposed special promotion legislation for that arm. In commenting on these bills to

48. Report of the Federal Aviation Commission, 20.
49. Ibid., 136.
50. Cong. Rec., 74 Cong., 1 Sess., 1290.
51. H. R. 2330, H. R. 4681, and H. R. 9181.

[redacted]

John J. McCloy, chairman of the House military affairs committee, the Acting Chief of the Air Corps urged the enactment of the War Department bill, saying:[52]

> The plan to provide separate promotion for the Air Corps is indeed a courteous gesture designed to relieve a serious situation as to promotion which has been known to exist for a long time, and about which the Baker Board recommended some action be taken. . . . Neither H. R. 4351 nor H. R. 5071 will solve the situation completely so far as the Air Corps is concerned, but when considered comparatively it is believed that the War Department bill (H. R. 5071) is preferable in its application to the Air Corps over that of H. R. 4351, in that it insures a fairer flow of promotion to the Air Corps as a whole over a longer period of time.

Consequently, the special Air Corps promotion bills were never reported from committee, but on 31 July 1935 the Army promotion bill became law.[53] Though making no special provision for the Air Corps, this act helped to solve one of the fundamental problems of that arm by authorizing 40 per cent of the commissioned officers on the promotion list to be in the field grades. They were to be distributed as follows: 6 per cent in the grade of colonel, 9 per cent in the grade of lieutenant colonel, and 25 per cent in the grade of major.

The question now arose as to what would be done with the system of temporary Air Corps promotion which, true to Air Corps predictions, was proving to be very unpopular with aviation officers in general.* A study made in the G-1 division of the General Staff recommended that temporary promotion be continued only for the commanders of the GHQ Air Force and its wings.[54]

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52. Brig. Gen. Oscar Westover to John J. McCloy, 24 April 1935, in AG 210.2F, Promotions, Officers. The bill finally passed was, however, the Senate bill (S. 1404).
53. Cong. Rec., 74 Cong., 1 Sess., 12459.
54. Memo for C/S by Brig. Gen. Andrew Moses, AC/S, G-1, 5 Aug. 1935, in AG, G-1 10605 (51-75) Air Corps--Various Subjects.

The Air Corps desired, however, to rid itself to a greater extent of the temporary-promotion program. On 9 August 1935 Capt. Lester T. Miller recommended to the Acting Executive, OCAC that the temporary-promotion system be abolished with the exception of the temporary grade for the commanding general of the GHQ Air Force. In case it were found desirable to recommend some plan of temporary promotion, he suggested that steps be taken to secure a change which would allow temporary promotion only up to 20 per cent in field grades and to limit all promotions to advance of one grade made strictly on the basis of seniority.[55]

On the basis of this recommendation the Chief of the Air Corps requested that effective 1 October 1935 all Air Corps officers temporarily appointed, except the commanding general of the GHQ Air Force, return to their permanent rank. In case his recommendation were disapproved in favor of the plan contained in the G-1 study, he proposed that the Chief of the Air Corps be directed to furnish a list of the assignments in the Air Corps which he considered of as great importance and responsibility as that of wing commander and which could suitably call for temporary higher rank.[56]

Regardless of these proposals nothing appears to have been done to change the Air Corps promotion procedures until the summer of 1936. Meanwhile, Congress was giving some attention to the matter. During the hearings on the War Department appropriation bill for 1937 Congressman Tilman B. Parks questioned General Westover, Chief of the Air Corps since

55. Memo for the Acting Exec. OCAC by Acting Chief of Personnel Div., 9 Aug. 1935, in AAG 210.2F, Promotions, Officers.
56. Memo for AC/S, G-1 by Maj. Gen. B. D. Foulois, 12 Aug. 1935, in ibid.

December 1935, concerning the effectiveness of the temporary-promotion program in the Air Corps. General Westover then explained its shortcomings in detail. He called attention particularly to the fact that temporary promotion had taken men from their specialties and put them in administrative positions. He also spoke of the many changes necessary when officers were moved from school to school and station to station. Finally, he recommended that the situation be remedied by legislation which would require temporary promotions to be made on the basis of seniority in grade only.[57]

During the second session of the 74th Congress the War Department recommended legislation (H. R. 11971) which would provide an improved system of temporary promotions in the Air Corps.[58] In the House Committee on Military Affairs this bill was combined with H. R. 11080 dealing with the definition of a "flying officer" and H. R. 11920 which had to do with the training of Reserve officers. The result was H. R. 11920 which was reported favorably to the House of Representatives on 2 April 1936.[59]

Sections 4 and 5 of the omnibus bill were designed to correct the promotion situation. Briefly, they provided for the temporary appointment of officers of field grade in such numbers as the organization requirements demanded plus 5 per cent in each grade to "meet the additional needs of the War Department for Air Corps officers." This phrase was intended to refer to those selected officers required for correlated duties of the Air Corps, such as General Staff officers, instructors at

57. House, Hearings on War Department Appropriation Bill for 1937, 74 Cong., 2 Sess., 318-319.
58. Cong. Rec., 74 Cong., 2 Sess., 4241.
59. Ibid., 4884.

[redacted]

general service schools, air attachés, etc. All temporary appointments were to be made in accordance with the officer's standing on the relative-rank list of Air Corps officers. It assured these officers of the pay and allowances accruing to the temporary grade and limited them to command within the Corps except by seniority under their line commissions. It also provided for temporary promotions to assure a major general as commanding general of the GHQ Air Force and brigadier generals to command the wings. With a slight amendment to the title the House passed the bill on 20 April 1936.[60]

While this bill was undergoing consideration in Congress, comments on it were being received by the War Department from officers in the field. As a result of their recommendations the Acting Secretary of War requested that the measure be changed by the Senate Committee on Military Affairs. In accordance with his suggestion it was amended to provide that the temporary appointments in field grades could be vacated at any time upon recommendation of the Secretary of War and that officers appointed to general rank under provisions of the bill could be relieved by order of the President. With these amendments the Senate passed the legislation and without further change it became law on 16 June 1936.[61]

The Air Corps emerged from this legislative session with its system of temporary promotions considerably improved. The new legislation had broadened the category of positions to which temporary appointments could

60. Ibid., 5739; H. Rept. No. 2359, 74 Cong., 2 Sess.
61. Cong. Rec., 74 Cong., 2 Sess., 8428-29, 9381; S. Rept. No. 2039, 74 Cong., 2 Sess.

[redacted]

be made. It also improved previous legislation by requiring such promotions in order of seniority and assured the GHQ Air Force and its wings of command by general officers of suitable grades.

Of this law the Chief of the Air Corps said, in January 1937, that it "should contribute extensively to providing the Air Corps with the rank that it requires as well as preserving Air Corps morale. The passage of this legislation appears to have been a harmonious solution to a vexatious problem."[62] His statement undoubtedly was a fair evaluation of the temporary-promotion system as it operated during a period of peace. However, in case of war and a rapidly expanding air arm, it was fairly easy to see that the temporary-promotion act would be found to possess certain shortcomings, specifically its lack of application to officers below the field grades and the absence of provision for promotion by selection. In brief, its system was too slow for a period of emergency.[63]

The Air Corps Promotion Act of 1938, together with the Army promotion law of 1935, gave the Air Corps most of the special promotion benefits for which it had been agitating since 1928. It still fell short of the separate promotion list, but it was in possession of authority to build up its field grades and consequently to take care of most of the officers of the "World War hump." Though it had been brought to compromise on its promotion proposals, it had succeeded in obtaining a large measure of relief from the stagnation and lack of balance characteristic of its commissioned grades since the end of the first World War.

62. Proposed statement of C/AC in connection with Hearings on H. R. 3151, in Plans Div. files.
63. See Legislation Relating to the AAF Personnel Program, 1939-1944.

Chapter V

TRAINING

Prior to the outbreak of World War II the amount of training legislation for the air arm was very meager. Except for cases which were not covered by general War Department authority, Congress usually included training items in the appropriation bills. Further action in the formulation of the training program hence became a matter for administrative action. There were, however, a few laws passed with special reference to schools, courses, and training grades which should be included in any study of legislation for Army aviation personnel.

Soon after the first military airplanes were purchased by the War Department, arrangements were made for the training of certain officers assigned to the Signal Corps in aircraft operation and repair. This initial instruction was given free of any charge to the government by the manufacturers who were under contract to supply the Aeronautical Division of the Signal Corps with planes.[1] After the completion of this course the officers were next sent to aeronautical stations where they completed their training and took the Aero

1. House, Hearings on H. R. 5304, 63 Cong., 1 Sess., 130. By 1913 the civilian schools utilized were those conducted by the Wright Co. at Dayton, Ohio; the Curtiss Co. at San Diego, Calif. and Hammondsport, New York; and the Burgess Co. at Marblehead, Mass.

Club (Federation Aeronautique Nationale) test for qualification as army aviators.[2] For such a training program no legislation was necessary.

Though this system appeared to be altogether satisfactory during the earliest years of military aviation, by 1912 the War Department was beginning to lay plans for the time when it would provide its own program of training. On 9 March 1912 Congressman William B. Sharp (Ohio) introduced H. Res. 448 calling upon the Secretary of War to furnish information pertaining to the development of military aviation in the United States. After the approval of this resolution on 26 March, the information was prepared in the office of the Chief Signal Officer and on 6 April was submitted to the House of Representatives.[3] It contained the first detailed plan for the training of American military aviators.

The recommendation called for five conveniently located training schools to be known as "centers of aviation." They were to be located in the Atlantic Coast, Great Lakes, Pacific Coast, and Gulf Coast regions, and at some central interior point. Each center was to serve both as a school and as a concentration for the squadrons and was designed[4]

> to train officers of the Regular Army and militia as aviators, to train enlisted men as aeroplane mechanics, to investigate and test aviation devices, to study meteorology as applied to aviation, wireless telegraphy as applied to aviation, military topography, sketching and reconnaissance from aircraft, the

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2. Between 1911 and 1913 Army aviation schools and fields in which the second course was given were located at College Park, Md.; Augusta, Ga.; Texas City, Tex.; and San Diego, Calif. Ibid., 108.
3. Cong. Rec., 62 Cong., 2 Sess., 3125, 3831; H. Doc. No. 718, 62 Cong., 2 Sess.
4. H. Doc. No. 718, 62 Cong., 2 Sess.

dropping of projectiles from aircraft, the design of military aircraft, and all other matters tending to improve the military aviation service.

Though the plan as outlined was the objective of the War Department, the Secretary of War indicated in his report that the establishment of new posts and aviation fields was not contemplated at that time. Rather, he proposed to utilize the field at College Park, Md., and such existing posts and buildings as were available and suitably located until personnel and materiel for the proposed program could be secured.

Nevertheless, ambitious congressmen apparently saw in the recommendations of the Secretary of War an opportunity to secure some "pork-barrel" legislation and thus increase their prestige in the eyes of their constituents. Between 1912 and 1917 bills were introduced to provide for aviation schools at Lorain, Ohio; San Diego, Calif.; Oswego and Buffalo, N. Y.; Fernandina, Fla., and a site on Puget Sound.[5] Only one of these was approved--the proposal for the school at San Diego, as will be hereafter explained.

In the spring of 1913 the College Park school which had been established in 1911 was evacuated and its spare equipment moved to San Diego, where a group of public-spirited citizens had secured a tract of land on North Island and leased it at a very low cost to the government for the location of an aviation school. Because of climatic conditions, this location was considered to be more desirable than any

5. Cong. Rec., 62 Cong., 2 Sess., 736; 63 Cong., 1 Sess., 357; 63 Cong., 2 Sess., 490; 64 Cong., 1 Sess., 83, 564, 1369, 1982; 65 Cong., 1 Sess., 2496.

[redacted]

other for training purposes. When a commission to investigate possible sites for the establishment of a permanent aviation school found that the price for purchase of the site being used was prohibitive, it recommended the purchase of land close by, at Coronado Heights, Calif. Though several bills were introduced to authorize the purchase of this piece of property,[6] not one of them was enacted. The authorization for the California site as finally passed was a part of the War Department Appropriation Act for the fiscal year 1917, which was approved on 29 August 1916.[7]

In the meantime, military aviation had undergone an important organizational change with the creation of the Aviation Section of the Signal Corps on 18 July 1914.[8] During the hearings on this bill (H. R. 5304) the Chief Signal Officer reported that general interest in aeronautics had "fallen to such a low ebb" that adequate training could not be given at the plants manufacturing aeroplanes. He therefore recommended that training be given by expert military aviators up to the point where the student received the military aviator's license, after which he would undergo a period of general service with troops.[9]

With this recommendation in mind, Congress passed and the President approved the proposed legislation which provided for the

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6. S. 7046, 63 Cong., 3 Sess.; S. 644 and H. R. 7635, 64 Cong., 1 Sess.
7. 39 Stat. 622.
8. See Organization of Military Aeronautics, 1907-1935.
9. House, Hearings on H. R. 5304, 63 Cong., 1 Sess., 117.

[redacted]

training of officers in the grade of aviation student.[10] Though no new schools were set up until the summer of 1916, training was speeded up at the San Diego school under the authorization of the act of 1914. The production of trained pilots increased from 14 in 1914 to 25 in 1915 and 43 in 1916.[11]

Between 1914 and 1916 the Army was working on the assumption that it could train all of the necessary pilots in Army schools. Toward the end of this period, however, the great emphasis placed on preparedness soon brought about changes in the system. In his annual report for 1915 the Chief Signal Officer wrote, "The war in Europe has emphasized the absolute necessity for an adequate aviation service. The greater need at such a time . . . will be for trained men as pilots and observers. . . . The training of men . . . is the crying need of the present time."[12]

The preparedness movement reached the crescendo stage in the early summer of 1916 with the passage of the National Defense Act which provided for a substantial increase in the Aviation Section and authorized the training of enlisted men as flyers without limitation as to number. In addition, the law created the Organized Reserve and the Reserve Officers Corps.[13]

The Aviation Section was immediately faced with the problem of expanding the training program. A War Department General Order issued on 16 October 1916 marked the beginning of the new scheme. It called

10. 38 Stat. 515.
11. U. S. Army War College, The Signal Corps and the Air Service, 32.
12. Report of the Chief Signal Officer, (1915), 14.
13. 39 Stat. 166.

for two general categories of schools, namely Army aviation schools and civilian schools maintained by manufacturers or private individuals which could be used for preliminary training purposes. The country was to be divided into three school districts, which were to be supervised by the commanding officers of the contemplated Army schools, one to be located at San Diego, another in the western part of the United States, and the third in the eastern section of the country. The plan called for sending all aviation personnel except that of the Regular Army to civilian aviation schools for their preliminary instruction, after which they were to finish their course at the Army schools where they would receive their military aviators' ratings. According to the arrangements with the civilian schools, the government was to pay $500 for each student who successfully passed the preliminary flying test. If he continued and were successful in qualifying for the reserve military aviator's rating, the school was to be paid an additional $300. Upon the completion of his training the young aviator was to receive a commission in the Aviation Section, Signal Corps Reserve, provided all other qualifications were fulfilled.[14]

Shortly thereafter the new schools were organized. On 16 June 1916 Hazelhurst Field, Mineola, L. I. was opened, and five days before the United States entered the war, training was begun at Chandler Field, Essington, Pa. A makeshift arrangement with the Curtiss Company provided for a ground school course at the company's factories for men entering flying training.[15]

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14. WD GO #55, 16 Oct. 1916.
15. The Signal Corps and the Air Service, 32-33, 49.

After the United States entered the war these training schools were rapidly expanded. In addition, new legislation was passed which authorized further training. The emergency aviation act of 24 July 1917 approved the creation, maintenance, and operation of courses of instruction at technical schools and colleges.[16] The act also provided for "vocational training, including employment of necessary civilian instructors in important trades related to aviation."[17] To provide ground and technical training for flyers and enlisted specialists, the Division of Military Aeronautics entered into contracts with a number of colleges and universities.[18]

Early in the war, moreover, informal arrangements were made with the governments of France, England, and Italy whereby expert aviators, aeronautical engineers, and designers were sent to the United States to be used in the training program. By the same kind of agreement American cadets were sent to Canada, France, and Italy to be trained. Particularly interesting was the arrangement whereby the British agreed to train 10 flying squadrons in exchange for providing

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16. 40 Stat. 247.
17. Ibid. This provision was specifically designed to carry out the provision of Section 27 of the act of 3 June 1916 which called for vocational training of a character to increase the military efficiency of the trainees and to "enable them to return to civil life better equipped for industrial, commercial, and general business occupations." Legislation the following year provided appropriations for the execution of vocational training in aeronautical trades. 41 Stat. 848.
18. In November 1918 these institutions included the University of California, which gave trade and technical instruction; Carnegie Institute of Technology; Cornell University; University of Illinois; Ohio State University; Massachusetts Institute of Technology; University of Texas; and the University of Vermont. The last two of these trained radio operators. Report of Supply Section, Finance Branch to DMA, 29 Nov. 1918, in AAG 353.90, Training, Misc.; see also, The Signal Corps and Air Service, 125.

flying facilities for the Royal Flying Corps of Canada during the winter months. This bargain resulted in the transfer of the Royal Flying Corps School to Fort Worth, Tex., for the winter of 1917-1918, and according to the Chief Signal Officer provided "a stimulus to our own flying schools . . . as it furnished a standard of training in our midst which served as a pacemaker to our own cadets."[19]

The Army also trained aviators and ground technicians in France and England. In some cases cadets received primary, advanced, and pre-combat training abroad, but in November 1917 General Pershing ordered that no more cadets should be sent overseas for all phases of flying training.[20]

Under various training arrangements, at home and abroad, 2,768 completely trained pilots and observers had been supplied to the A.E.F. by November 1918, and, in addition, supply officers, engineering officers, adjutants, and large numbers of mechanics.[21] Though the program required little congressional action other than the appropriation of funds, a brief resume of its development has been considered necessary as an introduction to training legislation of the post-war period.

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19. Report of the Chief Signal Officer (1918); Col. E. A. Deeds to CG, Royal Flying Corps, 25 Jan. 1918, in AAG 353.9A, Training, Misc.
20. The Signal Corps and the Air Service, 54; Gorrell, The Measure of America's World War Aeronautical Effort, 11-24. For a good discussion of training in France, see Hiram Bingham, An Explorer in the Air Service.
21. Gorrell, The Measure of America's World War Aeronautical Effort, 11-24, 25.

[redacted]

With the closing days of the war so a minor problem related to training had to be dealt with by Congress. One of the principal criticisms of the procurement and training of cadets had been directed against the preference given college-trained men. It was this criticism which reached the ears of Congress and resulted in the inclusion of a clause in the War Department Appropriation Act for 1919 to provide that "no person otherwise qualified as a cadet, pilot, military aviator, or other officer in the aviation service shall be barred by reason of not being equipped with a college education."[22] Apparently this was the work of the Committee on Military Affairs, but no discussion of it is found in either the hearings or the debates of Congress. It is an interesting development, nevertheless, in view of the fact that college training as a prerequisite to aviation instruction continued to be an issue for more than a score of years thereafter.

The reader's attention has already been called to the creation of the grade of flying cadet in 1919, an action made necessary by the indefinite terminology used for the training grade and by the desire to provide flying pay during the hazardous instructional period.[23] It is interesting to note that though the creation of grades and ratings for enlisted and commissioned personnel has been a matter for administrative action as frequently as for legislative authorization, no training grade has ever been created except by legislation.[24]

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22. 41 Stat. 459.
23. See Chapter II.
24. For the training grades created after 1939 see AAF Historical Studies No. 7: Legislation Relating to the AAF Training Program, 1939-1943.

[redacted]

At the conclusion of the war the sudden termination of the training program had created a unique problem to the Director of Military Aeronautics. Contracts with the schools and colleges which had been offering special aviation courses were not renewed, and as a consequence the Army was without facilities for adequate instruction in aeronautical engineering. In order for the aeronautical engineering course to be continued at the Massachusetts Institute of Technology, it appeared to be necessary to secure government support to the extent of guaranteeing students and, if possible, lending aviation equipment for the use of the instructors. The matter was brought to the attention of the Director of Air Service by school authorities, and at the request of Director Mitchell, the Judge Advocate General drafted a bill (H. R. 8314) which was transmitted to the House Committee on Military Affairs on 31 July 1919.[25] On 6 August it was introduced in the House of Representatives by Congressman Kahn. The measure authorized the Secretary of War to detail a maximum of 25 officers at a time to study aeronautical engineering at such schools, colleges, and universities as he might select. It sanctioned the payment of tuition and the purchase of textbooks and technical supplies at Government expense and allowed the Secretary of War to lend War Department equipment and material to these schools.[26] The Committee on Military Affairs delayed action on the bill. Consequently, the Director of Air Service wrote directly to Kahn on 15 October urging that special consideration be given the proposal because the fall semester was beginning and without such a resolution authorization in doubt

25. H. Rept. No. 345, 66 Cong., 1 sess.
26. Cong. Rec., 66 Cong., 1 sess., 3666.

be impossible to detail any officers as students in aeronautical engineering.[27] The bill was then promptly reported, and on 27 October was passed by the House after slight changes were made in the wording.[28]

When it reached the Senate Committee on Military Affairs everything following the enacting clause was stricken out and a reworded measure was substituted which did insert the clause providing for the loan of government equipment. On the floor of the Senate, Senator [illegible] Wadsworth explained that private educational institutions could not give such courses in aeronautical engineering as were offered by schools like Cornell University and the Massachusetts Institute of Technology. It was believed that by permitting 25 officers to attend such schools the Army would be able to keep pace with the enormous strides being made in the new science. Following this brief explanation the Senate passed the bill, with the changes proposed by the committee, and without further change in H. R. 9314 which was then on 10 [illegible] 1929.[29]

Prior to 1939 there was one more authorization for the detail of personnel for training in civilian institutions. On 2 June 1926 Congress passed a law authorizing the detail of not to exceed 2 per cent of commissioned officers and .5 per cent of enlisted men during any fiscal year as students, observers, or investigators at industrial plants, hospitals, and other places where they would be able to secure training in their specialties.[30] Though this law made no change in the provision for the detail of officers which has been in effect since 1916, it did

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27. H. Rept. No. 3 5, 66 Cong., 1 Sess.
28. Cong. Rec., 66 Cong., 1 Sess., 7716.
29. Ibid., 66 Cong., 2 Sess., 5173, [illegible]4.
30. 44 Stat. 705.

one important thing. It allowed the detail of enlisted men for the [illegible] of training, a concession which [illegible] much desired by the Air Department because it [illegible] possible the training of personnel to be used in the procurement of munitions and supplies in time of war. Following its enactment the Chief of the Air Corps recommended a list of educational institutions which he considered the best "sources of supply" for these enlisted men and also proposed a number of industrial plants to which he desired their detail for training in procurement planning.[31]

After 1926 very little training legislation for the Air Corps was passed. Senator Hiram W. Lindsay (N. Y.), who for years had been intensely interested in the development of the Air Corps Reserve, introduced three measures to increase the Air Corps R.O.T.C. units. S. 751, which he presented to the Senate on 6 December 1927 proposed the building up of these units to at least 20 during a five-year period beginning 1 July 1928.[32] Because this bill was buried in committee, he reintroduced the measure during the next session of Congress, with the enforcement date of the legislation changed to 1 July 1929. This bill, likewise, failed of passage. Senator Simpson's third measure, introduced on 23 March 1932, was of somewhat different nature. With a view to training 100,000 Air Base pilots at municipal airports, it proposed a five-year program for the development of an unorganized Army Air Corps Reserve. The bill authorized the use of civilian pilot instructors and such Army instructors as were available. The government was to provide the

31. Maj. Gen. [illegible] Patrick to [illegible] for Air, 12 Oct. 1926, in [illegible] 353.9D, Training, Misc.
32. Cong. Rec., 70 Cong., 1 Sess., 742.

aircraft and hire aircraft mechanics at a maximum wage of 65 cents per hour. Trainees, who were to receive 20 hours of instruction, were to be selected by examination within their own congressional districts, but they were not to be paid during the time that they spent in training.[33] Like its predecessors this bill never emerged from committee, but it provided a possible plan for amassing a reserve in time of an emergency requiring rapid expansion of Army aviation.[34]

The sole remaining legislative effort affecting the training program prior to 1939 was the move made to organize a new technical training school. After the close of the First World War, Air Service technical training had been concentrated at Chanute Field, near Rantoul, Ill., where some buildings which had been constructed during the war were then available. As time went on, however, it became apparent that the location was not altogether suitable for technical training, first because climatic conditions made it impracticable to carry on continuous flying operations, and second because the required aerial gunnery range would have been extremely costly. Consequently, on 15 February 1934, by order of the Secretary of War, the Chief of the Air Corps appointed a board of officers to recommend a new site. After an intensive study of the situation which included visits to 57 cities throughout the United States, the board recommended a site at Denver, Colo. where a very desirable piece of property was offered to the Government without cost. This report was duly approved by the Chief of the Air Corps and forwarded to The Adjutant General for the preparation of the necessary legislation.

33. Ibid., 72 Cong., 1 Sess., 6937.
34. See Legislation Relating to the Air Training Program, 1939-1943, p. 29 ff.

[redacted]

Immediately the Illinois representation in the House vehemently opposed the removal of the school from their state. They charged that the report of the board was inaccurate, unfair, and prejudiced, and that the hidden motive behind the movement to change the location of the school was the desire of officers to take advantage of the recreational features which the Denver site offered.

As a result of this conflict, extended hearings were held by a subcommittee of the Senate Committee on Military Affairs on 24 June, 10 July, and 25 July 1935. Testimony was taken from both the opponents of the report and the members of the Air Corps board which had submitted it. Subsequently, the subcommittee reported to the full Committee on Military Affairs that it had found nothing that would impeach the findings of the board of officers. The committee then notified the Air Department to proceed with the preparation of the legislation, and on 9 August 1935, S. 3398 and H. R. 9057 were introduced to effect the transfer of the school and the acceptance of the Denver site.[35] On 30 January 1936 the Senate passed this bill.[36] About the same time the House Committee on Military Affairs held its hearings on the measure, and on 29 April 1936 it recommended the passage of the legislation.[37] Its approval was, however, far from unanimous. Five members of the committee filed a minority report in which they protested that the Chanute Field site had not been proved either inadequate or undesirable, that they disapproved the practice of receiving competitive offers from chambers

35. For a history of the dispute, see H. Rept. No. 2545, 74 Cong., 1 Sess.; Cong. Rec., 74 Cong., 1 Sess., 12709, 12762.
36. Cong. Rec., 74 Cong., 1 Sess., 1236.
37. H. Rept. No. 2545, 74 Cong., 1 Sess.

[redacted]

of course, and that the conclusions of the Air Corps board contained so many inaccuracies that it did not afford a justifiable basis for action by Congress.[38]

On 22 May the bill came up for debate in the House, where its passage was violently opposed by the Illinois congressmen. At the conclusion of the discussion the measure was defeated by a vote of 206 to 21.[39] During the next session of Congress the bill was again introduced in both Houses (S. 2373 and H. R. 5432) but was never reported out of the committees on military affairs.[40] Henceforth, its proponents abandoned the attempt to pass it as a separate measure. Three months later, on September 1937, they finally succeeded in securing its approval as a part of a bill authorizing appropriations for construction and rehabilitation at military posts.[41] Although the legislation authorized the acceptance of the Denver site, it has been changed to provide that the school established there should be a branch of the Air Corps Technical School at Chanute Field, Illinois." It thus represented a compromise between the political pressure of the Illinois group and the desire of the War Department. As a result of this act, Air Corps technical training was divided between the school at Chanute and the one at Lowry Field, the name given the new Denver site. In February 1938 the armament and photographic schools were moved to Lowry Field, and on 17 September of

38. The minority report was signed by J. . Schaefer (Ill.), Dewey Short (o.), L. C. reens (Ill.), John . Costello (Calif.), and Andrew J. May (Ky.). Ibid.
39. Cong. Rec., 74 Cong., 1 Sess., 7611.
40. Ibid., 75 Cong., 1 Sess., 4264, 4315.
41. 50 Stat. 862.

the same year the Medical School was transferred from Rantoul to Denver.[42]

The history of training legislation for the air arm between 1907 and 1939 demonstrates the desire of the officers in charge of military aviation to carry on their training program under general Army legislation whenever possible. It is evident that they scanned existing laws carefully before requesting special enactments for their branch of the service. Unlike pay and promotion, training presented few problems which necessitated special legislative treatment. Except in the cases of bills which affected particular localities and called forth the political pressure of state representations in Congress, the air arm experienced little difficulty in securing the small amount of training legislation which it needed.

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42. See History of Chanute Field, 25, in [illegible] files. The other legislative proposal for an increase in the training program was made during this period. On 21 April 1931 Representative Mary Daverick (Tex.) introduced a bill to provide for the establishment of an aeronautical academy and to encourage aviation training in land-grant schools. Because of opposition by the War Department it was never reported from committee. Cong. Rec., 75 Cong., 3 sess., 5662, 5830; memo for C/S, G-3, by Brig. Gen. H. H. Arnold, acting C/S, 12 May 1933, in AG 032 L, legislation.

SUMMARY

This study has revealed the extensive and diverse personnel needs of the Army air arm between 1907 and 1939. Though the nature of the subject has demanded a topical treatment of these problems, they were interrelated and their ramifications were many.

Prior to 1920 the securing of authorizations for expansion was the dominant personnel problem. Congress was very slow to recognize the military potentialities of aviation, but after events in Europe proved that the airplane would have to be reckoned with in any future war, aviation laws were speedily enacted. In 1911 the Signal Corps was allowed only 30 officers on aviation duty. By July 1917, with the nation already at war, all limitations on the number of commissioned and enlisted personnel had been suspended.

In order to secure officers and men for this rapidly expanding service, laws were enacted offering special inducements in the form of extra pay for flying duty, special aviation grades carrying promotion privileges, and generous gratuities for the dependents of aviation personnel killed in line of duty.

The end of the war brought a change of emphasis in personnel legislation. The air arm lost a part of its special benefits such as special ratings and double gratuities for beneficiaries, but it raised little protest over these losses because its greatest effort was being directed toward the securing of a separate air arm with its own commissioned and

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enlisted personnel. The Army Reorganization Act of 1920 failed to provide the autonomy for which military aviation enthusiasts had been laboring. However, it made a definite authorization for personnel to be secured by direct enlistment and commission, transfer, and detail.

Following the enactment of the Reorganization Act, the all absorbing personnel problem concerned the securing of commissioned officers in suitable grades. The Air Service claimed that this problem could be solved only by a special promotion law which would make possible the elevation of its trained officers to the field grades and by legislation authorizing the calling of Reserve officers to active duty for limited periods. The Air Corps Act of 1926 increased the authorization for commissioned personnel, provided for the use of Reserve officers, and gave the Air Corps a temporary-promotion system, but it fell short of providing the relief needed. Consequently, the Air Corps continued to agitate for special promotion legislation and an increase in Army officers which would bring the Air Corps allotment up to the size authorized by law. Efforts to reach a favorable settlement of these two issues, together with the attempt for a solution of the conflict over flying pay for nonflying officers, dominated Air Corps legislative activities between 1926 and 1939. The first two were partially solved by the passage of legislation in 1935 and 1935 which resulted from the changed situation created by the organization of the GHQ Air Force. The period ended, however, when flying pay for nonflying officers, particularly flight surgeons, a burning legislative issue.

Thus it is seen that before 1939 the principal legislative concerns of the Air Arm in the field of personnel were expansion, promotion, and

flying pay. Laws relating to special benefits and training bore little relationship to these primary problems and received scant attention from Congress.

Throughout its history the Air Force has contended that its major personnel problems were peculiar ones requiring legislation unnecessary for other armed branches of the service. This argument has tended to create jealousy within the Army and has consequently resulted in delays in the passage of laws to the benefit of the Air Force. For the most part, however, Congress has recognized that the hazardous nature of military aviation and the failure to create a separate department of air have necessitated special legislation, particularly with respect to pay and promotion.

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GLOSSARY

AFSHO	Historical Office
AG	Adjutant General
AC/S	Assistant Chief of Staff
AS/W	Assistant Secretary of War
C/AC	Chief of the Air Corps
CAS	Chief of the Air Service
Comp. Gen.	Comptroller General
Comp. Dec.	Decisions of the Comptroller of the Treasury
CS	Chief of Staff
DAS	Director of the Air Service
DC/S	Deputy Chief of Staff
DMA	Director of Military Aeronautics
GHQ	General Headquarters
GO	General Order
JAGO	Judge Advocate General's Office
OCAC	Office, Chief of the Air Corps
OCAS	Office, Chief of the Air Service
OCSigO	Office, Chief Signal Officer
ODMA	Office, Director of Military Aeronautics
QMG	Quartermaster General
S/N	Secretary of Navy
SO	Special Order
S/W	Secretary of War
WPD	War Plans Division

[redacted]

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Bills
Documents
Hearings
Reports

Senate

Bills
Documents
Hearings
Reports

United States Statutes at Large.

The official publications listed above contain the records of congressional action on legislation discussed in this study. They are important sources not only for the action itself but also, particularly in the cases of hearings and reports, for the backgrounds of bills and the attitudes of the War Department on pending legislation.

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[redacted]

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Army Air Forces [cited AC]

032	Legislation
032C	Legislation
032D	Legislation
032E	Legislation
032F	Legislation
210.2	Promotions, Officers
210.2C	Promotions, Officers
210.2F	Promotions, Officers
210.11	Ratings, [illegible], [illegible], [illegible]
211	Pilots
211	[illegible]
211A	[illegible]'s
211B	Cadets
211.11A	Ratings of Officers
241.1A	Flying Pay
241.1C	Flying Pay
241.1D	Flying Pay
241.1D	Flying Pay, Officers
247	Beneficiary Money, Burial Expenses
247	Beneficiary Money, Death Benefits
321.9B	Organization and Reorganization of the Air Corps
334.7	Drum Board
353.9A	Training, Miscellaneous
353.9C	Training, Miscellaneous
353.9D	Training, Miscellaneous

These AC Central Files yielded valuable material for this study. Particularly was this true of the 032, 241, and 353.9 files. The correspondence found in them was used to explain Army Air Corps and War Department action on proposed and pending legislation.

War Department (Adjutant General) [cited AG]

G-1, 13305 (51-75) Air Corps-Various Subjects.

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9354-50
1917-1921--50
9654
7613-172
7613-149

[illegible] Historical Office Files

Plans Division Files

The Archives Branch of the Sources and Materials Division ([illegible] Historical Office) contains the files of the Plans Division, Office of the Chief of the Air Corps. These papers are of particular value for any study of Air Corps legislation during the period of the Plans Division's activity. They yielded valuable information on procedure and on the legislative history of the Air Corps Act.

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[redacted]

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Discusses the organizational changes in the Army Air Arm from its origin as a division of the Signal Corps through the organization of the GHQ Air Force. In the preparation of the present narrative, Study No. 25, has been used particularly as a reference for organizational changes and the action of certain congressional committees and War Department boards.

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[redacted]

Appendix 1*

Section of Public Law Number 501, 2 March 1913, Pertaining to Expansion of Aviation in the Signal Corps. (37 Stat. 705)

Provided further, . . . That no more than thirty officers shall be detailed to the aviation service: Provided further, That paragraph two of section twenty-six of an Act of Congress approved February second, nineteen hundred and one, entitled "An Act to increase the efficiency of the permanent military establishment of the United States", shall not limit the tour of detail to aviation duty of officers below the grade of lieutenant colonel: Provided further, That nothing in this provision shall be construed to increase the total number of officers now in the Regular Army.

Sections of Public Law Number 29, 24 July 1917, Pertaining to Expansion of the Aviation Section of the Signal Corps. (40 Stat. 243)

Be it enacted . . . That for and during the existing emergency, the President be, and is hereby, authorized to increase the present authorized commissioned and enlisted strength of the Signal Corps of the Army, including the Aviation Section thereof.

SEC. 2. That to provide the additional commissioned personnel required by this Act the President is authorized to promote, appoint, detail, or attach as temporary officers in the Signal Corps, including the Aviation Section thereof, officers of the Regular Army, enlisted men of the Enlisted Reserve Corps, or persons from civil life: Provided, That no person shall be so promoted, appointed, detailed, or attached until he shall have been found physically, mentally, and morally qualified under regulations prescribed by the Secretary of War: Provided further, That officers with rank not above colonel shall be appointed and commissioned by the President alone, irrespective of the rank or grade held by them on the date of the passage of this Act, and that officers above the grade of colonel shall be appointed by the President, by and with the consent of the Senate, irrespective of the rank or grade held by them on the date of the passage of this Act.

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* Public Laws Nos. 143, 18 July 1914; 85, 3 June 1916; 242, 4 June 1920; and 446, 2 July 1926, are included in the appendixes of AAF Historical Studies No. 25: Organization of Military Aeronautics, 1907-1935: Congressional and War Department Action.

SEC. 3. That to provide the additional enlisted men required by this Act, the President is authorized to raise and maintain, by voluntary enlistment or by draft, such number of enlisted men as he may deem necessary and to embody them into organizations hereinafter provided for . . . .

Section of Public No. 49, 17 Sep. 1919, relating to an increase of officers for the Air Service. (41 Stat. 287)

And provided further, That one thousand two hundred emergency officers shall be assigned to the Air Service, of whom not less than 85 per centum shall be duly qualified fliers.

30 Aug. 1935, Public No. 403, authorizing the Calling of Reserve Air Corps Officers to Active Duty, (49 Stat. 1028)

Be it enacted by the Senate and House of Representatives . . . That the President is hereby authorized to call annually, with their consent, upon application to and selection by the War Department, for a period of not more than one year for any one officer, not to exceed at any time one thousand Reserve officers of the combatant arms and the Chemical Warfare Service in the grade of second lieutenant, for active duty with the Regular Army: Provided, That nothing herein contained shall affect the number of reserve officers that may be called to active duty under existing laws, nor the conditions under and purposes for which they may be so called.

SEC. 2. That, for the period of ten years beginning July 1, 1936, the Secretary of War is authorized to select annually, in addition to the graduates from the United States Military Academy, fifty officers who shall be commissioned in the Regular Army: Provided, That the Secretary of War shall determine for each annual increment the number to be allotted among the promotion list branches: And provided further, That the number to be appointed in the promotion list branches shall be selected from such reserve officers who have received the training herein authorized or from graduates of the Army Air Corps Training Center.

Section of Public No. 691, 16 June 1936, Increasing the Number of Air Corps Reserve Officers on Active Duty. (49 Stat. 1524)

Be it enacted . . . That the President be, and he is hereby, authorized to call to active duty, with their consent, for periods of not more than five years, such number of Army Air Corps Reserve officers as he may deem necessary, not to exceed one thousand three hundred and fifty.

[redacted]

Public No. 485, 13 April 1938, Authorizing an Increase in the Commissioned Strength of the Regular Army. (52 Stat. 216)

Be it enacted by the Senate and House of Representatives . . . That the authorized commissioned strength of the Regular Army, including the sixty-seven general officers of the line as now authorized by law, shall be fourteen thousand six hundred and fifty-nine officers, of which number one thousand seven hundred and ninety-three shall be assigned to the non-promotion-list branch in numbers proportionate to the numbers now fixed by law for such branches, and twelve thousand seven hundred and ninety-nine to the promotion-list branches in numbers proportionate to the numbers now designated by the President for such branches pursuant to law, except that the proportional increases as computed under this Act for the Medical Administrative Corps and Veterinary Corps shall be so as to provide within the total of fourteen thousand six hundred and fifty-nine an authorized commissioned strength of two thousand and ninety-two: Provided, That the President may increase or diminish the number of officers assigned to any branch by not more than a total of 30 per centum: Provided further, That the additional officers authorized by this Act shall be appointed in the lowest commissioned grade now provided by law for the respective branches in which appointments are to be made: And provided further, That this Act shall not affect the Act approved August 30, 1935 (49 Stat. 1023), except that the total number of Reserve officers to be appointed annually under authority of that Act, in the combatant arms, Chemical Warfare Service and the Air Corps in the grade of second lieutenant, Regular Army, shall be 10 per centum of the total number authorized to be trained annually under appropriation Acts in pursuance of the Act of August 30, 1935, and in no event less than fifty, and that any officers added to the Army under existing authorizations shall be within the total authorized commissioned strength of fourteen thousand six hundred and fifty-nine herein provided.

Appendix 2

Sections of Public No. 29, 24 July 1917, relating to Grades and Ratings. (40 Stat. 244)

SEC. 6. That officers detailed in or attached to the aviation section of the Signal Corps may, when qualified therefor, be rated as junior military aviators, military aviators, junior military aeronauts, and military aeronauts., 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 examining board, which shall be composed of two officers of experience of the aviation section of the Signal Corps and one medical officer, 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 or military aeronaut until he shall have served creditably for three years as an aviation officer with the rating of a junior military aviator or the rating of a junior military aeronaut, except that in time of war any officer or enlisted man who specially distinguishes himself in active service may, upon recommendation of the Chief Signal Officer of the Army, be rated as a junior military aviator, military aviator, junior military aeronaut, or military aeronaut without regard to examination or to length of service: Provided, That junior military aeronauts and military aeronauts shall be entitled to the same increase in rank and pay as are now authorized by law for junior military aviators and military aviators, respectively: Provided further, That any officer attached to the aviation section of the Signal Corps for any military duty requiring him to make regular and frequent flights shall receive an increase of twenty-five per centum of the pay of his grade and length of service under his commission.

SEC. 7. That the Secretary of War is authorized from time to time to cause such number of the enlisted men of the aviation section of the Signal Corps above the grade of corporal as he may deem necessary to be rated as aviation mechanicians or as balloon mechanicians in the manner now prescribed by law: Provided, That balloon mechanicians shall receive the same increase of pay as now prescribed by law for aviation mechanicians.

Appendix 3

Section of Public No. 401, 2 March 1913, Relating to Flying Pay. (37 Stat. 705)

Provided further, That from and after the passage and approval of this Act the pay and allowances that are now or may be hereafter fixed by law for officers of the Regular Army shall be increased thirty-five per centum for such officers as are now or may be hereafter detailed by the Secretary of War on aviation duty: Provided, That this increase of pay and allowances shall be given to such officers only as are actual flyers of heavier than air craft, and while so detailed . . . .

Appendix 4

16 June 1936,
Sections of Public No. 691, Concerning
Temporary Promotion of Air Corps Officers.
(49 Stat. 1525)

SEC. 4. The President is authorized to appoint, by and with the advice and consent of the Senate, to temporary rank in the grades of colonel, lieutenant colonel, and major, without vacating their permanent commissions, such numbers of officers of the Regular Army Air Corps as the Secretary of War, from time to time, may determine as necessary to meet the administrative, tactical, technical, and training needs of the Air Corps; the then resulting numbers in each grade, permanent and temporary, to be further increased by 5 per centum to meet the additional needs of the War Department for Air Corps officers: Provided, That such temporary appointments shall be made in order of seniority of the appointees in each grade in accordance with their standing on the relative rank list of Air Corps officers in their permanent grade, and such temporary appointments may be vacated at any time upon the recommendation of the Secretary of War: Provided further, That when an officer holding a temporary appointment under the provisions of this section becomes entitled to permanent promotion his temporary appointment shall be vacated: Provided further, That all Air Corps officers temporarily advanced in grade take rank in the grade to which temporarily advanced after officers holding such grade through permanent appointment, and among themselves in the order in which they stand on the relative rank list of Air Corps officers in their permanent grade: Provided further, That Air Corps officers temporarily appointed under the provisions of this Act shall be entitled to the pay, flying pay, and allowances pertaining to the grade to which temporarily appointed: And provided further, That no officer holding temporary rank under the provisions of this Act shall be eligible to command outside his own corps except by seniority under his permanent commission.

SEC. 5. The President is hereby authorized, by and with the advice and consent of the Senate, to appoint to temporary rank from among the permanent colonels and lieutenant colonels of the Air Corps who are "flying officers" as defined herein, or as may hereafter be defined, a commanding general of the General Headquarters Air Force with the rank of major general, and such number of wing commanders with the rank of brigadier general as may be determined by the President. Officers temporarily appointed under the provisions of this section shall hold such temporary appointments until relieved from such commands by order of the President. Such temporary appointments shall not vacate the permanent commissions of the appointees nor create vacancies in the grades in which they are permanently commissioned: Provided, That the provisions of this section shall not be construed to exclude the assignment to Air Corps tactical or other appropriate commands of qualified permanent general officers of the line who are "flying officers" as defined herein, or as may hereafter be defined.

SEC. 6. Such laws and parts of laws as may be inconsistent with the foregoing are hereby repealed.

[redacted]

Appendix 5

Sections of Public No. 29, 24 July 1917, Relating to Training. (40 Stat. 246-47)

SEC. 9. . . . authority is hereby further given . . . . for vocational training, including employment of necessary civilian instructors in important trades related to aviation, purchase of tools, equipment, materials, and machines required for such training, purchase of textbooks, books of reference, scientific and professional papers, periodicals and magazines, and instruments and material for theoretical and practical instruction at aviation schools and stations, and all other means to carry out the provisions of section twenty-seven of the Act approved June third, nineteen hundred and sixteen, authorizing, in addition to the military training of soldiers while in active service, means for securing educational and vocational training of a character to increase their military efficiency and enable them to return to civil life better equipped for industrial, commercial, and general business occupations. . . .

And also for creating, maintaining, and operating at technical schools and colleges courses of instruction for aviation students, including cost of instruction, equipment, and supplies necessary for instruction and subsistence of students while receiving such instruction.

[redacted]

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