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Draft of message to Congress re Aviation Commission
TO THE CONGRESS:

I am submitting herewith the report of the Federal Aviation Commission appointed by me last summer by direction of the Seventy-third Congress. The Commission has made a diligent study of the broad subject of aviation conditions here and elsewhere and emphasizes the essential development in America of this new form of transportation. The Commission has also studied problems of national defense, of procurement policies and of the extension of air transport services. I invite your attention to these comprehensive surveys. As I have suggested on many occasions, it becomes more and more apparent that the Government of the United States should bring about a consolidation of its methods of supervision over all forms of transportation. When the Interstate Commerce Commission was created in 1887 the railroad was practically the exclusive method of interstate transportation. Since that time this monopoly of transportation enjoyed by the railroad, has been to a very important degree, limited by the development of the automobile and good interstate roads. Recently water transportation by lake, by river, by canal and by oceans has, largely through the construction of the Panama Canal and our inland waterways, definitely brought ships and shipping into the general interstate transportation field. More recently still air transportation has become an element. All of these developments have changed the general problem of transportation and the necessary concern of the government with them. A number of valuable reports have been prepared on these related questions. The report of the Federal Coordinator of Transportation has already been submitted to the Congress by
the Interstate Commerce Commission. The report deals with the many problems relating to buses, trucks, water carriers and railroads. Other reports of departmental committees on ocean mail subsidies have been completed. This report on aviation is a similar source of information and advice concerning transportation by air. I earnestly suggest that Congress consider these various reports together in the light of the necessity for the development of interrelated planning of our national transportation. At a later date I shall ask the Congress for general legislation centralizing the supervision of air and water and highway transportation with the necessary adjustments of our present methods of organization in order to meet new and additional responsibilities.

There are detailed questions, however, that require early action. Our extended mail contracts with air lines expire on or about March first and existing legislation dealing with primary and secondary routes should be modified before that time. The Commission suggests that the Interstate Commerce Commission be given temporarily the power to lower or increase air mail rates as warranted in their judgment after full investigation. The purpose of this is to prevent the destruction of any efficiently operated part of the present system until there has been time for suitable consideration by the Congress of what permanent measures should be taken and what amendment, if any, the present general transportation policy of the Government should undergo. I concur in this recommendation of the Federal Aviation Commission provided always that the grant of this duty to the Interstate Commerce Commission be subject to provisions against unreasonable profits by any private carrier. On account of the fact an essential objective
during this period is to provide for the continuation of these efficiently operated companies and to guard against their destruction. It is only fair to suggest that during this period profits by these companies should be a secondary consideration. Government aid in this case is legitimate in order to save companies from disastrous loss but not to provide profits.

The Commission further recommends the creation of a temporary Air Commerce Commission. In this recommendation I am unable to concur. I believe that we should avoid the multiplication of separate regulatory agencies in the field of transportation. Therefore in the interim before a permanent consolidated agency is created or designated over transportation as a whole, a division of the Interstate Commerce Commission can well serve the needs of air transportation. In the granting of powers and duties by the Congress to the government calls for the administration of executive functions by those administrative departments or agencies which have functioned satisfactorily in the past and that, on the other hand, judicial functions should be vested in agencies already accustomed to such powers. It is this principle that should be followed in all of the various aspects of transportation legislation.