

### **Richard E. Elwell, the Longest Serving AGC-1**



In late 1940, the Civil Aeronautics Administration (CAA) hired Richard E. Elwell as the “chief attorney for the Compliance Service.” In his new duties, Elwell acted as legal advisor to the administrator, supervised the enforcement of CAA safety regulations, administered the Civilian Pilot Training Program, as well as other matters “associated with the office of the Administrator.” With a slight break to join the Air Force during World War II, he worked at the CAA until 1959.

Richard Edward Elwell O’inions was born in England on May 11, 1895, to William and Elizabeth, two stage performers. They immigrated to the United States with their four children, Richard, William, Albert, and Marie, in 1910 and settled in Utah. After high school, Richard worked at the Salt Lake Iron and Steel Company. His father and brother William also worked at the company.

He enlisted in the Army on August 9, 1917. He was a student at the University of Utah at the time. His enlistment papers refer to him as “Richard E. Onions, alias Richard Edward Elwell.” He and his brother both changed their last names from O’inions – Richard to Elwell and William to Oliver. Private first class Elwell and his older brother William trained at Camp Grant in Rockford, Illinois, before being deployed overseas as part of the Army’s 343<sup>rd</sup> ambulance company, part of the 33<sup>rd</sup> division.

After completing training at Camp Grant, the brothers served in France where they saw service with the British forces on the Amiens front. They also were at the Battle of Amiens, the opening phase of the Allied offensive which began on August 8, 1918, a battle that ultimately led to the end of the First World War. They later were part of the Argonne-Meuse offensive, the final Allied offensive of the war. With the November 11, 1918, armistice, they stayed in France as part of the army of occupation. They were placed in charge of the 33<sup>rd</sup> division’s theatrical company which toured occupied towns. Richard Elwell served overseas from May 10, 1918-May 22, 1919, before being honorably discharged on June 10, 1919. He became a naturalized U.S. citizen on September 18, 1919. In 1928 he joined the Army reserves as a 2<sup>nd</sup> lieutenant in the infantry.

By 1920, the family had moved to California, where both William and Richard completed their undergraduate degrees at the University of California Berkley. Both brothers acted while at university in both university and community theater productions. Richard also played on the university’s soccer team and was a member of the walking team.

After graduating from the University of California in 1923, Richard Elwell moved to Washington, DC, where he attained an AB and LLB from George Washington University. After graduating from George Washington and passing the bar, he joined the staff of the Department of Justice Office of Alien Property Custodian. He later moved to New York where he worked as an attorney with the Fokker Aircraft Corporation. He married Annie Brans, who emigrated from the

Netherlands, in New York City in 1928. His marriage license listed his name as Richard Edward Elwell O'nions. He and Annie had two sons, Richard B. and Robert G. Elwell.

Leaving his job at Fokker, Elwell returned to Washington, DC, and became a special assistant to the attorney general handling war claims. He subsequently worked in a number of federal agencies, including the National Recovery Agency, the Prison Industries Reorganization Administration, and the Department of Interior.

He joined the CAA in 1940. In late 1941, President Franklin D. Roosevelt appointed Elwell to serve as a member of the United States National Commission of the Permanent American Aeronautical Commission as adjunct duties. The commission, an outgrowth of the Inter-American Technical Aviation Conference held in Peru in 1937, was established to standardize aeronautical practices and simplify the laws governing international flying. Elwell served on the commission's executive committee. Other nation's working on the commission included Argentina, Colombia, Dominican Republic, Mexico, Honduras, Bolivia, and Chile. He remained as CAA general counsel while working on the commission.

Like many CAA officials, he took a leave of absence to join the military during World War II. Elwell enlisted in the Air Force on December 31, 1942. He attained the rank of colonel, before being released from service on April 27, 1946. During the war, Elwell was tasked with studying Army Air Forces operational training accidents. Following a tour as Deputy Chief of the Operational Analysis Division, which took him to the Pacific and Mediterranean theaters, he worked in the U.S. Army Air Force headquarters in France. While there, he helped develop a system for air traffic control throughout Europe, based on the CAA air traffic control system. He later went to the Middle East to organize a similar system in that part of the globe.

In 1946, he returned to his former position in the Civil Aeronautics Administration. That year, in an article for the *Journal of Air Law and Commerce*, Elwell explained his thoughts on the CAA enforcement of the civil aviation regulations. He explained it is "essential" the enforcement program "be a positive and not a negative procedure. Its objective is to insure the fullest possible utilization of aircraft consistent with the requirements of competency and airworthiness" prescribed by the regulations. He believed ensuring safety began even before the certification process. "Through its technical and training efforts and its Information Service every effort is made to inculcate in potential airmen and air agencies an appreciation of the value of safety practices in civil aeronautics. This service is continued with the holders of certificates to the end that instead of retrogression there is progress toward even higher standards of safety than call for in meeting the minimum prescribed standards." Elwell said, "At all times the emphasis is on the positive program of education to insure compliance with safety standards rather than upon a program of detection and punishment."

On November 17, 1954, the U.S. Supreme Court approved him to argue before the court. Elwell remained with the CAA until early 1959, when Daggett Howard became the first appointed AGC-1 after the new Federal Aviation Agency began operations. Richard Elwell died on April 7 1974, of heart failure while visiting Amsterdam (his wife had died the previous year). He is buried in Arlington National Cemetery.