

## HOUSE OF REPRESENTATIVES STAFF ANALYSIS

**BILL #:** HB 1227 Tuskegee Airmen Commemoration Day

**SPONSOR(S):** Antone and others

**TIED BILLS:** **IDEN./SIM. BILLS:** SB 1312

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
1) Constitutional Rights, Rule of Law & Government Operations Subcommittee	10 Y, 0 N	Poreda	Miller
2) State Affairs Committee		Poreda	Williamson

### SUMMARY ANALYSIS

Florida Law provides designations for legal holidays and special observances. Recognition of a legal holiday or special observance could apply statewide or may be limited to a particular region of the state. Some holidays or special observances may also require a commemoration or observance of the day, week, or month.

The "Tuskegee Airmen" was the name given to the African American fighter pilots who trained near Tuskegee University. They formed part of the 332nd Fighter Group (332nd), also known as the "Red Tails," comprised of four squadrons of African American pilots in the 15th Air Force during World War II. The 332nd compiled a stellar record of service in over 300 missions flown, particularly in the performance of defending heavy bombers from enemy interceptors.

The bill designates the fourth Thursday in March as a legal holiday, to be known as "Tuskegee Airmen Commemoration Day."

The bill does not appear to have a fiscal impact on the state or local governments.

# FULL ANALYSIS

## I. SUBSTANTIVE ANALYSIS

### A. EFFECT OF PROPOSED CHANGES:

#### Present Situation

##### Legal Holidays and Special Observances

Florida law designates a number of legal holidays and special observances.<sup>1</sup> Recognition of a legal holiday or special observance may apply statewide or may be limited to a particular region. For example, “Gasparilla Day”<sup>2</sup> is a legal holiday observed only in Hillsborough County, while “Bill of Rights Day”<sup>3</sup> applies throughout the state.

Depending on the holiday or special observance, certain actions may be required to be performed for the commemoration or observance of the date, day, or month. For example, April 2 is designated as “Florida State Day,” which is to be known as “Pascua Florida Day,”<sup>4</sup> regardless of whether the Governor issues a proclamation. However, the Governor is required to proclaim September 11 as “9/11 Hero’s Day” and public schools must observe such day.<sup>5</sup>

Florida law currently recognizes 21 legal holidays<sup>6</sup> and 38 special observances.<sup>7</sup> The state also recognizes nine paid holidays that are observed by all state branches and agencies.<sup>8</sup> Many of these recognitions are for historically significant events, acts of heroism, or military service.

##### Tuskegee Airmen

“Tuskegee Airmen” was the name given to the African American fighter pilots who trained near Tuskegee University in Tuskegee, Alabama. Before the Tuskegee Airmen, no African American had ever been a United States military pilot. The Army Air Forces established several African American organizations, including fighter and bombardment groups and squadrons.

The first aviation cadet class began in July 1941 and completed training nine months later in March 1942 at an air base in Tuskegee, Alabama.<sup>9</sup> During the following years, between 1941 and 1946, roughly 1,000 African American pilots were trained.<sup>10</sup> After their initial training, many Tuskegee Airmen had additional training at air bases around the country, including at Eglin Army Airfield near Valparaiso, Florida and Dale Mabry Army Airfield near Tallahassee, Florida.<sup>11</sup> The Tuskegee Airmen flew more than 15,000 combat sorties<sup>12</sup> between May 1943 and June 1945. Eighty-Four Tuskegee Airmen died during World War II.<sup>13</sup>

The 99th Pursuit Squadron (99th) was the first operational fighter squadron of African American pilots. They were eventually transferred to the 332nd Fighter Group (332nd) in the 15th Air

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<sup>1</sup> See ch. 683, F.S.

<sup>2</sup> S. 683.08, F.S.

<sup>3</sup> S. 683.25, F.S.

<sup>4</sup> S. 683.06(1), F.S.

<sup>5</sup> S. 683.335(1), F.S.

<sup>6</sup> S. 683.01, F.S.

<sup>7</sup> See ss. 683.04 - 683.335, F.S.

<sup>8</sup> S. 110.117(1), F.S. Paid state holidays include New Year’s Day, the Birthday of Martin Luther King, Jr., Memorial Day, Independence Day, Labor Day, Veterans’ Day, Thanksgiving Day, the Friday after Thanksgiving, and Christmas Day.

<sup>9</sup> The National WWII Museum, *The Tuskegee Airmen*, available at, <https://www.nationalww2museum.org/sites/default/files/2017-07/tuskegee-airmen.pdf> (last visited January 25, 2024).

<sup>10</sup> Tuskegee University, *Tuskegee Airmen Facts*, Available at <https://www.tuskegee.edu/support-tu/tuskegee-airmen/tuskegee-airmen-facts> (last visited January 25, 2024).

<sup>11</sup> Tuskegee University, “*TUSKEGEE EXPERIENCE*”, available at [https://www.tuskegee.edu/Content/Uploads/Tuskegee/files/TuskegeeExperience\(1\).pdf](https://www.tuskegee.edu/Content/Uploads/Tuskegee/files/TuskegeeExperience(1).pdf) (last visited February 2, 2024).

<sup>12</sup> A “sortie” is defined as one mission or attack by a single plane. See, Merriam-Webster Dictionary, “sortie,” available at <https://www.merriam-webster.com/dictionary/sortie> (last visited February 1, 2024). For example, a single mission by a flight of six planes is counted as six sorties.

<sup>13</sup> Tuskegee University, “*TUSKEGEE EXPERIENCE*”, *supra*, n. 11.

Force, which consisted of four squadrons comprised entirely of African American pilots. In June 1944, the 332nd began flying heavy bomber escort missions and out of 311 missions flown, 179 were escorting bombers, from June 1944 through the end of the war.<sup>14</sup> The 332nd established an enviable record for bomber escort missions, many without the loss of a single bomber to enemy aircraft.<sup>15</sup>

Bomber crews often requested escort by these “Red Tails,” a nickname acquired from the painted tails of 332nd fighter planes, which were a distinctive deep red, because enemy fighter pilots were discouraged from attacking by just the sight of the “Red Tails.”<sup>16</sup> They were so successful, pilots from the 332nd received numerous combat awards including, the Legion of Merit, a Silver Star, 25 Bronze Stars, 96 Distinguished Flying Crosses, and 1,031 Air Medals.<sup>17</sup> The 99th received two Presidential Unit Citations for outstanding tactical air support and aerial combat. The 332nd received the Presidential Unit Citation for its longest bomber escort mission to Berlin, Germany, on March 24, 1945, when it destroyed three German ME-262 jet fighters<sup>18</sup> and damaged five additional aircraft without losing any of the bombers or any of its own aircraft to enemy fire.<sup>19</sup> The Tuskegee Airmen were collectively, not individually, awarded the Congressional Gold Medal by President George W. Bush and the U.S. Congress on March 29, 2007.<sup>20</sup>

On April 28, 2023, the Florida House of Representatives adopted by publication a resolution recognizing the service and sacrifice of the Tuskegee Airmen and designating March 23, 2023, as “Tuskegee Airmen Commemoration Day” in Florida.<sup>21</sup>

## Effect of the Bill

The bill designates the fourth Thursday in March as a legal holiday, to be known as “Tuskegee Airmen Commemoration Day.”

### B. SECTION DIRECTORY:

Section 1. Amends s. 683.01, F.S., relating to legal holidays.

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<sup>14</sup> National Museum of the United States Air Force, *Escort Excellence*, available at <https://www.nationalmuseum.af.mil/Visit/Museum-Exhibits/Fact-Sheets/Display/Article/195963/escort-excellence/> (last visited January 26, 2024).

<sup>15</sup> The Tuskegee Museum, *Who are the Tuskegee Airmen of World War II?*, available at <https://tuskeguseum.org/history/> (last visited January 25, 2024). For a number of years, the 332nd Group was believed to have completed over 200 escort missions without losing a single escorted bomber to enemy interceptors. However, further research of the operational records for the Group and the escorted Bomber wings of the 15th Air Force showed some bomber losses to enemy air action but significantly lower than other fighter groups flying similar escort missions. See Dr. Danial L. Haulman, Air Force Research Agency, “The Tuskegee Airmen and the ‘Never Lost a Bomber’ Myth,” (December 3, 2010), available at <https://www.afhra.af.mil/Portals/16/documents/Studies/AFD-141118-047.pdf> (last visited January 25, 2024). See also Daniel L. Haulman, Ph.D., “Table of 332nd Fighter Group Missions for the Fifteenth Air Force,” available at [https://tuskegeearmen.org/wp-content/uploads/2020/11/TAI\\_Resources\\_312\\_Missions.pdf](https://tuskegeearmen.org/wp-content/uploads/2020/11/TAI_Resources_312_Missions.pdf) (last visited January 26, 2024). This historical clarification does not detract from the Group’s record as one of the premier fighter groups in operation during the war.

<sup>16</sup> The Tuskegee Museum, *Who are the Tuskegee Airmen of World War II?*, available at <https://tuskeguseum.org/history/> (last visited January 25, 2024).

<sup>17</sup> Tuskegee University, “TUSKEGEE EXPERIENCE”, *supra*, n. 11.

<sup>18</sup> The Messerschmitt Me 262 was the world’s first operational jet-powered fighter aircraft and was one of the most technologically advanced aviation designs in use during World War II, See the Military Aviation Museum, *Messerschmitt Me 262 Schwalbe*, available at <https://www.militaryaviationmuseum.org/aircraft/messerschmitt-me-262-schwalbe/> (last visited January 25, 2024).

<sup>19</sup> Tuskegee University, *Tuskegee Airmen Facts*, Available at <https://www.tuskegee.edu/support-tu/tuskegee-airmen/tuskegee-airmen-facts> (last visited January 25, 2024).

<sup>20</sup> Congressional Approval occurred on April 11, 2006, with the Ceremony on March 29, 2007, History, Art & Archives United States House of Representatives, *Congressional Gold Medal Recipients*, available at <https://history.house.gov/Institution/Gold-Medal/Gold-Medal-Recipients/> (last visited January 25, 2024) and Tuskegee University, *Tuskegee Airmen CGM Ceremony*, available at <https://www.tuskegee.edu/Content/Uploads/Tuskegee/files/TuskegeeAirmenCGMCeremony.pdf> (last visited January 25, 2024).

<sup>21</sup> Florida House of Representatives, *HR 8015 (2023)-Tuskegee Airmen Commemoration Day*, available at <https://myfloridahouse.gov/Sections/Bills/billsdetail.aspx?BillId=78516&SessionId=99> (last visited January 25, 2024).

Section 2. Provides an effective date of July 1, 2024.

## II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

### A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

None.

2. Expenditures:

None.

### B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None.

2. Expenditures:

None.

### C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

None.

### D. FISCAL COMMENTS:

None.

## III. COMMENTS

### A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

Not applicable. The bill does not appear to require counties or municipalities to spend funds or take action requiring the expenditure of funds; reduce the authority that counties or municipalities have to raise revenues in the aggregate; or reduce the percentage of state tax shared with counties or municipalities.

2. Other:

None.

### B. RULE-MAKING AUTHORITY:

The bill neither authorizes nor requires executive branch rulemaking.

### C. DRAFTING ISSUES OR OTHER COMMENTS:

None.

## IV. AMENDMENTS/COMMITTEE SUBSTITUTE CHANGES

None.