



DEPARTMENT OF THE ARMY
OFFICE OF THE CHIEF OF ENGINEERS
WASHINGTON

IN REPLY REFER TO 602
Fort Huachuca, Arizona
ENCLT

24 June 1949

Honorable Carl Hayden

United States Senate

Dear Senator Hayden:

Further reference is made to your communication dated 17 May 1949 inclosing a letter from Honorable Dan E. Garvey, Phoenix, Arizona, relative to title defects in certain lands at Fort Huachuca, Arizona, and at several auxiliary airfields, transferred to the State of Arizona by the War Assets Administration.

Early in the war, the State of Arizona requested that the State be given equal public lands for any State lands required to be taken in fee simple by the Government for military purposes. The State made this request in order that the quantity of State lands would not be diminished. Arrangements were made with the Interior Department to provide public lands in exchange for State lands so taken. When Fort Huachuca and other installations in the State of Arizona were no longer required for military purposes, they were declared surplus to the War Assets Administration. Under WAA Regulations, issued pursuant to the Surplus Property Act of 1944, as amended, this Department was required to declare surplus to the War Assets Administration all surplus airport property regardless of the interest held therein and also any real property used under an agreement with another Government agency, if the property had been substantially improved by the using service.

The agreement to exchange lands was made for the benefit of the State of Arizona, since the usual policy of this Department in acquiring lands is to provide monetary compensation for the taking.

This Department has no interest in continuing the exchanges of lands in Fort Huachuca or other surplus installations but is interested in the consummation of pending exchanges between the State and the Department of the Interior of State lands within active military installations. The problems attendant to the disposal of the surplus land to which Mr. Garvey refers are not within the jurisdiction of this Department. Consequently, I have taken the liberty of referring copies of your letter

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to the War Assets Administration and the Department of the Interior with
the request that you be further advised in the premises.

Sincerely yours,

LEWIS A. PICK
Major General
Chief of Engineers