

PSLRC 601.3³ (Fort Huachuca)
Arizona - ~~Reactivation~~

31 January 1951

MEMORANDUM FOR FILE:

SUBJECT: Reactivation of Fort Huachuca - Acquisition of State Land

1. On Sunday, 28 January 1951, preliminary discussions were held in the Phoenix Real Estate Field Office and again at 8:30 a.m. on 29 January 1951 in the same office preparatory to the meeting in the Governor's office at 10:00 a.m. on the latter date. The following questions were discussed at the preliminary meetings and again discussed at the meeting with the Governor:

a. Letter from Secretary of the Air Force to Governor Pyle dated January 18, 1951, copy attached.

b. Map delineating Arizona National Guard Area and Arizona Fish and Game Department area. Copy of map attached.

c. Vacation of present occupants.

d. Cemetery and access road.

e. Buffalo.

f. Question of fire protection and equipment.

g. Question of personnel and guards.

h. Joint inventory of property.

i. Special problems.

2. The meeting opened in the Governor's office with the reading by the Governor of a telegram which he had sent that morning to Mr. John A. McCone, Acting Secretary of the Air Force. This telegram raised a question as to whether the Army had waived its claims on the use of Fort Huachuca. No copy of this telegram was obtained, but from the recollection of the Governor's reading of the telegram, it was stated therein that the State recognized, as to the areas of the Fish and Game Department land, that title had been taken back into the Federal Government, which caused the Fish and Game Department and the State some concern. After the Governor had finished reading this telegram, he asked Mr. Perry Ling, First Assistant Attorney General of the State, his legal opinion as to whether title to the Fish and Game property had passed to

the Federal Government. Mr. Ling said that in his opinion the language of the deed together with the language contained in Mr. McCone's letter of January 18 had caused a reversion of title from the State to the United States. The meeting proceeded on the assumption that transfer of title was an accomplished fact and that an answer to the Governor's telegram would be forthcoming and clarify the question of the Army's waiver of any rights that it might have to use the facility.

3. The Governor stated that he would have a letter ready at 3:00 p.m. confirming the points covered in the meeting.

4. No questions were raised regarding the map or the geographical areas involved; the need for present occupants to vacate the property was explained and the State advised that it would be necessary and proper for its representatives to notify the present occupants that they were required to vacate by 28 February 1951. It was understood and agreed that if any of the present occupants obtained employment from the Government as guards or fire fighters or from the contractor, their continued occupancy beyond 28 February 1951 would be as a result of arrangements they would then make with Mr. Switzer of the Engineering Division of this office, presently stationed at the Base, or someone designated by him; the State was advised that for the present at least we would not want the cemetery but would need use of the access road and a formal permit would be requested from the State for the exclusive use of the access road to the cemetery and that the Commanding Officer would have control of visitation to the cemetery at reasonable times; the State was advised that for the present the buffalo would not interfere with the Government's occupancy and that the State Fish and Game Department should present a map of the area that they needed for a permanent retention as a buffalo area, and submit a request to the Phoenix Real Estate Field Office for submission to higher authority.

5. The State was advised that the District Engineer would assume responsibility for fire protection on 1 February 1951. The State agreed that such fire equipment as was required would be made available to the District Engineer on memorandum receipt and thereafter to the Air Force, if necessary, until such time as the Air Force could order and ship in new fire equipment; the State was advised that the District Engineer would assume the responsibility for guarding on 1 February 1951 and that, as in the case of fire fighters, the District Engineer would take over as many of the present personnel as possible; the State through Colonel Frank Fraser arranged to have its representatives meet with representatives of the District Engineer on Monday, 5 February 1951, at Switzer's office to commence and conduct the joint inventory of the improvements on the property.

6. At 2:50 p.m. Colonel Fraser called the Phoenix Real Estate Field Office and stated that he had talked to the Governor and had been advised that Colonel Brownfield (?) of the Office of the Secretary of the Air Force had called him and that Colonel Fred C. Green of the Office of the Undersecretary of the Army had also called him, advising that title to the Arizona Fish and Game areas could remain in the State and all that the Air Force required was a right of entry and that this was agreeable to the Army.

7. Another short meeting was held with the Governor at which time he delivered to the District representatives and to Lt. Colonel Hainze (Director of Installations, Fourth Air Force) copies of his letter of 29 January 1951 to the Acting Secretary of the Air Force granting immediate right of entry, copy attached.

8. Mr. Loyd Wilson, Mr. Sam R. Davis, and Mr. Paul St. Clair of this office represented the District Engineer on questions of property accountability, personnel, and fire and guarding problems.

9. It is understood Lt. Colonel Barnett is on his way to Los Angeles as of this date and will have additional information in regard to the title question.

3 Incls

1. Ltr 18 Jan 51 ✓
2. Map, Dwg 310-FP-1
3. Ltr 29 Jan 51 ✓

cc: Chief, Man. & Disp. Br.
Chief, Construction Div
A. F. Liaison Officer
Phoenix R.E.Fld. Office
Chief, Office Serv. Br.

Fred H. Johnston
FRED H. JOHNSTON
Chief, Acquisition Branch
Real Estate Division

FHJ/sn