

Congress of the United States
Washington, DC 20515

July 21, 2022

The Honorable Lloyd Austin
Secretary of Defense
1000 Defense Pentagon
Washington, DC 20301-1000

The Honorable Pete Buttigieg
Secretary of Transportation
1200 New Jersey Avenue, SE
Washington, DC 20590

The Honorable Robin Carnahan
Administrator
U.S. General Services Administration
1800 F Street NW
Washington, DC 20301-1000

Dear Secretaries Austin and Buttigieg and Administrator Carnahan:

We write to request your guidance and support as we seek to resolve a matter of critical importance to the West Valley of Arizona: transferring a deed from the Department of Transportation and the Federal Aviation Administration (FAA) to Arizona State Lands on land that was formerly known as Luke Air Force Base Auxiliary Field #6 in Buckeye, Arizona.

As you may know, Luke Air Force Base Auxiliary Field #6 was used in World War II and for some time thereafter to house military planes. In 1949, the General Services Administration (GSA) issued a quitclaim deed to the state of Arizona for the three parcels of lands that encompassed the Auxiliary Field. However, the 1949 deed carried a restriction that if the state doesn't use the land for airport purposes or sells it to a third party, the United States gains the proceeds.

According to the most recent Census, Buckeye is one of the fastest growing cities in the United States and needs transportation corridors to effectively move its people. Arizona State Lands, the current owner of the Auxiliary Field #6 property, wants to grant an easement to expand Yuma Road and Van Buren Street which are located within the property to help ease traffic congestion in the fast-growing part of the West Valley of Phoenix. However, because the 1949 deed restriction is still active, in order for the expansion to occur, the deed must be transferred from FAA to Arizona State Lands.

While we are prepared to pursue a legislative solution if necessary, we have received mixed signals from federal agencies as to whether this deed transfer can be achieved administratively. We would welcome the opportunity to support the transfer of the deed administratively but understand that the support of DOD, GSA and the FAA will be necessary to do so. As such, we request an answer in writing to the following questions or a joint briefing scheduled with our offices in order to answer these questions by August 5, 2022.

To schedule a briefing you may reach out to Marjel.Jorgensen@mail.house.gov in Rep. Ruben Gallego's office, Kelsey.Mishkin@mail.house.gov in Rep. Raúl Grijalva's office, and Alex.Sabater@kelly.senate.gov in Senator Mark Kelly's office.

For FAA and GSA:

1. Is it possible to transfer the deed to Auxiliary Field #6 to Arizona State Lands administratively, without legislative action?
2. What circumstances need to be met in order for that to happen and what is the timeline for achieving those circumstances?
3. Which is the primary agency responsible for the transfer of this deed? Are there additional agencies that need to be involved in the administrative process to transfer the deed?
4. If DOD is one of the agencies whose involvement is necessary for the administrative transfer of the deed, has FAA or GSA been in direct contract with DOD to facilitate that involvement?

For DOD:

1. In DOD's view, is it possible to transfer the deed to Auxiliary Field #6 to Arizona State Lands administratively, without legislative action?
2. Has DOD engaged directly with FAA or taken other steps to support the transfer of this deed through the administrative process?
3. Does DOD have concerns with pursuing the transfer of this deed, through the administrative process or otherwise?

Thanks in advance for your timely attention to this important issue.

Sincerely,



Ruben Gallego
Member of Congress

Raúl M. Grijalva
Member of Congress

Mark Kelly
U.S. Senator