

Office Memorandum • UNITED STATES GOVERNMENT

Mr. S. K. Booth
TO : ~~Mr. Ross W. Langdon~~
FROM : C. W. Phillips

DATE: November 1, 1956

SUBJECT: Alaska Right-of-Way Problems

Reference is made to the letter from the Territorial Highway Engineer, dated September 21, 1956, requesting answers to certain questions relative to right-of-way procedures in Alaska. Questions numbers 3, 4, 5, 6, and 7 appear to apply directly to right-of-way matters. The answers are as follows:

- Question No. 3: The inclusion of the highway activities in Alaska within the Federal-aid program would be adequate "authority of the United States" for the former Alaska Roads Commission to take rights-of-way across private property as reserved by 48 USCA 321(d). The Organic Act would not seem to limit the activities in any manner.
- Question No. 4: Under the provisions of the Federal-Aid Highway Act of 1956, the Department of Commerce succeeded to all authority formerly vested in the Department of the Interior, and the Bureau of Public Roads would now have the right to take rights-of-way across public domain to the same extent that the Alaska Roads Commission formerly had such authority.
- Question No. 5: Actual title to the right-of-way for roads constructed and maintained with Federal-aid moneys would be vested in the United States of America.
- Question No. 6: Title to the right-of-way for roads constructed by the Federal Government and maintained with Federal-aid moneys would be in the name of the United States of America.
- Question No. 7: Title to the right-of-way for roads constructed by the Territory or municipalities and maintained with Federal-aid moneys would be vested in the Territory or the appropriate municipality.

AIRMAIL

Alaska
64713-5

Mr. C. F. Barker, Assistant to the Deputy
Commissioner

October 19, 1956

F. P. Alexander, Chief Accountant

Reference is made to my memorandum of August 27, 1956 (copy attached) outlining the procedure for the transfer to the Department of Commerce the retirement accounts of the Alaska Road Commission on CSC Form 2807-2 Revised "Annual Summary of Retirement Fund Transactions".

To date this office has no record of this transfer having been made.

Form 2807-2 Revised should be prepared under Department of Interior as of September 15, 1956, the last date of Alaska Road Commission activity under that Department.

This report should show the total retirement accountability transferred to Commerce and a certified copy should be forwarded to this office for inclusion in our records. This is necessary in order that our annual report will state the entire accountability of the Bureau of Public Roads which must include the amount transferred from Alaska Road Commission.

Retirement contributions after September 15, 1956, and until consolidation of Division Ten accounts with the records of this office will be picked up from the trial balances to be furnished this office in accordance with Mr. C. H. Smith's request to Division Engineer Andrews of October 2, 1956.

It has also come to my attention that Division Ten has submitted Register of Separations direct to Civil Service Commission instead of to this office. The regulations provided that the registers of separations and transfers be sent to the central retirement office of the agency (Washington Office, Bureau of Public Roads).

It would be greatly appreciated if this transfer could be accomplished in the near future and also that all registers of separation, etc., be sent this office.

PSS
PSS
PSShin/as

cc: Files (2) ✓
Chron File
W.L. Norman ✓
S. H. Caldwell ✓
Retirement File
A.R.C. File

10-19-56

✓ Alaska

30-01

October 16, 1956

Mr. Charles M. Soller
Associate Solicitor
Department of the Interior
Washington 25, D. C.

Dear Mr. Soller:

*Covered
3/8/56*

With reference to your letter of September 27, 1956, and in confirmation of our telephone conversation, I am attaching copy of telegram dated October 11 from Mr. H. E. Cunningham of our office, who is temporarily in Alaska on a trip, submitting a preliminary report of information requested by the Department of Justice in the case of Rubin Grevain, et al. v. Edward Wozley.

Pursuant to your suggestion a copy of the telegram has been forwarded to the Department of Justice to the attention of Mr. Walter Williams, Assistant Chief, Trial Section, Lands Division, who is handling the case.

Very truly yours,

[Signature]
S. K. Booth
Acting Solicitor

Enclosure ✓

SKBooth:fy

cc: Files (2) ✓
Legal ✓
Mr. Walter Williams, Dept. of Justice

10/16/56

COPY

BUREAU OF PUBLIC ROADS
WASHINGTON, D. C.

1956 OCT 11 PM 1 52

WCDO40-

YWA0 48 WAG SE 07 C-BPR

JUNEAU ALASKA 10-11-56 906A

S K Booth

BPR WA

REFERENCE COMMISSIONERS MEMORANDUM SEPTEMBER 28 GREVNIN VS WOOZLEY
CIVIL ACTION 3887 DASH 56 CMM ARC REMOVED ALL RAIL BETWEEN MILE POST
26.9 AND MILE POST 39 MEASURED FROM CORDOVA PD QUANTITY APPROXIMATELY
129 1/4 TONS ALL OF WHICH USED FOR BRIDGE UNDER BECK DASH MCLAUGHLIN
CONTRACT NOW 80 PERCENT COMPLETE PD NO MORE RAIL NEEDED THIS JOB PD
FURTHER REMOVAL OF ANY RAIL DEFERRED PENDING OUTCOME OF SUIT PD
FULL REPORT WILL FOLLOW IF CAN OBTAIN COPIES PERTINENT DOCUMENTS FROM
BLN FILE BELIEVED IN ANCHORAGE PD IF BLM FILE NOT RETURNED FROM
WASHINGTON DC TO ANCHORAGE WILL SUBMIT PARTIAL REPORT AND COMPLETE WHEN
I RETURN

H E CUNNINGHAM BPR

28 3887 56 26.9 39 129 1/4 80

ZF 911A

RG 30, Bur. of Public Roads
E. G. D., Gen. Corr. & Related Recs., 1955-59
Box 1129

BUREAU OF PUBLIC ROADS

✓ Alaska

Charge Slip

Mr. C. D. Curtis

October 4, 1956

A. G. Clark 

Request of September 21, 1956, from I. Reed, Territorial Highway Engineer for interpretation of Alaska's position under the Federal-Aid Act of 1956

It is recommended that a simple letter of acknowledgment be sent from the Department of Commerce to Alaska stating that the letter was referred to the Bureau of Public Roads for further reply. This would then give us jurisdiction in writing to develop interpretations of authority of the secretary with respect to Alaska highways.

Many of the questions asked by Mr. Reed require considerable study. For example, under question 1 the first impression would be that ferry tolls could not be charged on Federal-aid routes but further study raises uncertainties. Under section 325 of 47 stat. 446; 48 U.S.C. the authority to charge tolls was placed in the Secretary of Interior. This was transferred to the Secretary of Commerce by Sect. 107(b) of the Federal-Aid Highway Act of 1956.

The following observations are made regarding broader interpretations that should be made of Bureau of Public Roads' functions in Alaska in contrast to Federal-aid functions in the United States proper:

- (a) Federal-aid expenditures are to be made in Alaska on the same terms and conditions as the several States. (Sect. 107(a) of Federal-Aid Highway Act of 1956)
- (b) Above paragraph (a) is modified by fact that Sect. 107(a) of the Federal-aid Highway Act of 1956 provides for maintenance expenditures on Federal-aid systems and one-hundred percent payment is to be made for both construction and maintenance.
- (c) Sect. 107(b) of the Federal-Aid Highway Act of 1956 transfers jurisdiction to the Department of Commerce in addition to normal Federal-aid functions. Pages 8320 to 8323 of the Congressional Record of May 29, 1956, reporting debate on Federal-Aid Highway Act of 1956, discloses that Federal-aid is to be a substitute for previous special Interior appropriations to cover the Alaska functions transferred to the Department of Commerce. Apportionment formula was adjusted to one-third of Alaska land area for this purpose and Alaska territory must contribute ten percent of Federal-aid funds for Alaska to the U. S. Treasury.

Mr. Bostin
5-20-58

- (d) Alaska Territory under the original Act setting up Territory July 30, 1912, does not have all the powers necessary to act as a State Highway department. The remaining powers were given by Congress to the Department of Interior (see 48 U.S.C.A. 321). These functions have now been transferred to the Department of Commerce under Sect. 107(b) Federal-Aid Highway Act of 1956.
- (e) The Department of Commerce therefore now has responsibility in two capacities (1) administer Federal-aid in a normal way, and (2) administer additional highway functions normally vested in a State Highway Department.
- (f) Secretary of Commerce has authority to expend Alaska Federal-aid funds either directly or in cooperation with the Territorial Board.

KARachilowski:lmj

cc: Files (2)

Maintenance

Mr. A. C. Clark

Mr. [unclear]

Mr. [unclear]

10-4-56

✓ Alaska

60-21.4

October 4, 1956

U. S. Treasury Department
Division of Bookkeeping and Warrants
Treasury Annex No. 1
Washington, D. C.

Attention: Miss Williams

Gentlemen:

The following will confirm advise of obligations and the unobligated balance of the Alaska Road Commission funds transferred to the Bureau of Public Roads, under appropriation 13x0230, by the Department of Interior, by Standard Form 1151 No. 57-1, D. O. Voucher No. 961 dated September 28, 1956.

Obligations \$ 8,929,783.73

Unobligated Balance 5,010,424.68

\$ 13,940,208.41

Very truly yours,

C. H. Smith, Accountant
Bureau of Public Roads

CS, PBL

GThompson/gt

cc: Files (2)

Chron. File

1014

TERRITORY OF ALASKA
Office of
HIGHWAY ENGINEER
and
SUPERINTENDENT OF PUBLIC WORKS
Box 2073
JUNEAU, ALASKA

September 21, 1956

Mr. Sinclair Weeks
Secretary of Commerce
Washington D. C.

Dear Mr. Weeks:

The Territorial Board of Road Commissioners last week held a three day meeting during which Alaska's position under the Federal Aid Act was extensively discussed.

The Board feels it very essential to ascertain certain information as soon as possible in order for the Office of the Highway Engineer to: (a) submit a budget to the forthcoming Legislature; (b) submit recommendations for any necessary changes in Territorial law which would allow us to function more smoothly under Federal Aid; and (c) develop a preliminary plan of the functions for which this office would first plan to extend its responsibility.

The following are some broad general questions which we would certainly appreciate an answer to if at all possible at this time:

1. Can tolls such as tariffs on ferry services be charged on projects financed by Federal Aid?
2. Can the operation of truck scales be charged to road maintenance-- and if so, may such expenditures be designated by the Territorial Legislature and incurred by the Department of Territorial Police?
3. The Act of Congress, approved July 30, 1886 and a part of the Organic Act for the Territory states, in part: "----That the Legislatures of the Territories of the United States now or hereafter to be organized shall not pass local or special laws in any of the following enumerated cases, ----Laying out, opening, altering, and working roads or highways, ----Vacating roads, town-plats, streets, alleys and public grounds, ----" In 48 USCA 321(d) it is provided that in all patents and deeds by the United States issued for lands in Alaska, there must be reserved therein rights of way "for roads----to be constructed

by or under the authority of the United States or any State created out of the Territory of Alaska.

Will our inclusion under Federal Aid be enough "authority of the United States" for the Territory to take these rights of way? Will the Organic Act cited limit our activities in any manner?

4. Does the Department of Commerce in Alaska now have the right to take rights of way across the public domain as the Alaska Road Commission has been doing?
5. With whom will actual title rest for the roads constructed and maintained with Federal Aid monies?
6. With whom will actual title rest for the roads constructed by the Federal Government and to be maintained with Federal Aid monies?
7. With whom will actual title rest for the roads constructed by the Territory or municipalities and to be maintained with Federal Aid monies?
8. If the Territorial road system were laid out to connect to Prince Rupert, British Columbia, Canada via ferry, could Federal Aid funds be used for construction or maintenance of the ramp facilities at Prince Rupert if such were not undertaken by the Canadian Government?
9. Will the Territory be allowed to take on more activities under Federal Aid as it prepares itself for such tasks or is a somewhat firm distribution of function between the Federal and Territorial agencies planned?
10. Under present Territorial statutes, the Office of Highway Engineer is to submit a biennial budget to the Territorial Legislature. Due to uncertainty as regards the functions and duties that may be allowed the Territory from Federal Aid funds it would appear almost impossible to prepare such a budget at this time. Will there be a provision by the Secretary of Commerce for the review of such items as administrative and engineering budgets of either the local Federal agency or the Territory from the Federal Aid funds or the budgets in their entirety?
11. The Territorial Board of Road Commissioners has authority under Territorial Statute 41-2-2, ACLA 1949 to make matching payments under the Federal Aid Act. The Territory now has under the Territorial Highway Engineer the foundation for a full scale highway department which can be fully functioning in another year or at the most two years.

Mr. Weeks

3.

September 21, 1956

Will the Territory do the engineering on such roads as may be designated under the aforesaid Act and gradually take over the maintenance of all roads from the Federal Aid funds, or will the present methods (as under the Alaska Road Commission) still be in effect?

12. May the Territory maintain a flexible classification of primary and secondary roads during this stage of development of the Territory's road system?

13. Will the Territory have the opportunity to designate the standards and methods of construction on roads built by Federal Aid Highway Funds?

14. The Territorial Board of Road Commissioners does not understand the method of calculation used for determining the amount of Federal Aid Highway funds available for urban roads. It was thought by the Board that this item was to be 25% of the total funds available under the Federal Aid Highway Act of 1956.

It would be appreciated if the above questions could be answered in the very near future.

Very truly yours,

IRVING REED
Territorial Highway Engineer

Change file

Alaska

October 8, 1956

Mr. Irving Reed
Territorial Highway Engineer
Box 2073
Juneau, Alaska

Dear Mr. Reed:

Your letter of September 21 to the Secretary of Commerce has been referred to me for reply inasmuch as the Secretary has delegated to the Commissioner of Public Roads the administration of the provisions of section 107 of the Federal-Aid Highway Act of 1956 to which your questions are related.

Several of the questions cannot be answered pending further legal and other examination, which is now under way. The others have been referred to our group now in Alaska for study and direct reply to you and the Board at a joint meeting which will be arranged through our offices in Juneau. We feel that more adequate and extensive information can be given to you in this way.

Very truly yours,

C. D. Curtiss
Commissioner of Public Roads

Bureau of Public Roads
CDCurtiss-smh
Control No. 37648
Copies to: Files
Secretary's Correspondence Unit
Mr. Clark
Mr. Curtiss

*Mr Booth sent
10/11/56*

*Mr Booth
3-20-58*

Alaska

DEPARTMENT OF COMMERCE
BUREAU OF PUBLIC ROADS
Washington, D. C.

21-10

October 14, 1956

CIRCULAR MEMORANDUM TO: Deputy Commissioners and Division Engineers
FROM: C. D. Curtiss, Commissioner
SUBJECT: Appointment of Division Engineer for Division 10

Effective October 7 Mr. Morton M. Flint will be
Division Engineer for Division 10 at Juneau, Alaska.

The Alaska District Office now attached to Division 8
will on October 7 be transferred to Division 10.

All employees of the Alaska Road Commission as of
September 16, 1956, have been transferred to the Bureau of
Public Roads.

Mr. Flint, as Division Engineer, will have complete
charge of all Bureau of Public Roads responsibilities in
Alaska as of October 7.

BUREAU OF PUBLIC ROADS

Alaska
x Auth 1
x O + M 2 Div 10
x Mtg 1-1 Alaska
October 2, 1936
Pers 2

Mr. F. E. Andrews, Division Engineer
Portland, Oregon

C. D. Curtiss, Commissioner

4-10

We are now ready to establish the Division Ten operation in Juneau with the appointment of Mr. Morton M. Flint as Division Engineer, effective October 7. Consequently it is planned to relieve you of the responsibility of the Alaska Division as of that date.

Mr. Allen, Mr. Turner, and Mr. Barker plan to arrive in Seattle at 2:30 p.m. Saturday on United Airlines Flight 745. Mr. Flint expects to arrive at about the same time on a flight from Sacramento. Mr. Harry Cunningham is already in Portland. It is planned that this group will depart for Juneau at 8 a.m. Sunday, October 7.

It would be very helpful if you and any other members of your staff whom you wish to designate could meet the group in Seattle for conferences Saturday afternoon and evening. Reservations have been requested at the Olympic Hotel but have not yet been confirmed. In the event contact is not made through that hotel it is suggested that you contact Pan American Airways to learn the stopping place of the group in Seattle.

On Monday Messrs. Allen, Turner, and Flint will leave Juneau with Mr. Ghiglione for an inspection of operations previously handled by the Alaska Road Commission and will return to Juneau October 20.

It probably would be desirable that you have representation in Juneau for discussions during the week of October 22. You may wish to send engineering representatives in addition to the administrative personnel suggested in Mr. Allen's memorandum of September 28.

I realize that our having to assign the Alaska Division responsibility to you on a temporary basis for these several weeks has added considerably to your workload, and I appreciate your cooperation and understanding in the matter.

All of the authority which had been delegated to you for Alaska will be transferred as of October 7 to Mr. Flint as the Division Engineer for Division Ten.

FCT:fp

cc - Files ✓

Governor Heintzleman ✓

Mr. Flint — *handed to Mr. Flint this office 10/3*

Mr. Ghiglione ✓

Mr. Wyllier ✓

10-3-36
am

Alaska
Investigation: (Alaska
Seward City
9.

September 28, 1956


MEMORANDUM TO FILES:

The attached claim in the amount of \$316.85 has been filed by the City of Seward, Alaska, for reimbursement of the cost of repairs to its fire hydrants apparently damaged by snow removal operations by employees of the Bureau of Public Roads while operating snow removal equipment on a reimbursable basis for the Territory of Alaska. The Highway Engineer and Superintendent of Public Works of the Territory of Alaska has refused to pay for the damages, maintaining that if anyone should pay for such damages, it should be the operator of the maintenance equipment if, in fact, such damage was his fault.

It appears that the fire hydrants were not marked in any way and were completely covered by snow during the winter. Damage to the fire hydrants was not discovered until the snow melted in the spring and the assumption is that the damage was caused by the snow removal operations. There is no allegation of negligence on the part of the Government employee involved, and there appears to be no such negligence, in fact.

The damages complained of appear to be of a type that would normally be expected under the existing conditions.

Since under the Federal Tort Claims Act, there must be a showing of negligence or a wrongful act on the part of the Government employee involved before any liability rests upon the Government, and no such showing exists in this instance, it is believed that no liability attaches to the Bureau of Public Roads and that the claim should be disallowed.


S. Z. PHILLIPS

Alaska

Change

7-Ref.

Division Engineer, Division 10
Juneau, Alaska

September 28, 1956

G. D. Curtis, Commissioner
Washington, D. C.

Rubin Gravaia, et al. v. Edward Noesley
Disposition of rails in Alaska

*Note:
This was Change out
marked "Alaska") when
returned Change marking
to FH Alaska Copper River Dam*

...r 27, 1956, from
...ment of the Interior,
...copy of the summons
...v. Edward Noesley,
...former right-of-way
...any in Alaska.

...partment of Justice
...r by representatives
...of the rails on the
...of Justice has
...olved in the lawsuit,
...far removed under
...ken, and their present

It would be appreciated if you would take the necessary steps to insure that none of the rails presently in the roadbed are removed until the pending suit is resolved, and furnish us with the report requested by the Department of Justice, which should include any additional information or comments on the part of Mr. Chiglione as would seemingly be helpful to the Department of Justice in connection with the pending suit.

Civil Action No. 3887-56

Attachments

SKBooth:vms

CC: Mr. Cunningham

Legal

Files ✓

10-3-56

*File copy & attachments
Sent Yose
10-11-56*

*FH Alaska Copper River
10am*

Alaska

Change

Ref.

Division Engineer, Division 10
Juneau, Alaska

September 28, 1956

G. D. Curtis, Commissioner
Washington, D. C.

Rubin Grevain, et al. v. Edward Vossley
Disposition of rails in Alaska

Attached is copy of a letter dated September 27, 1956, from Mr. Charles M. Soller, Associate Solicitor, Department of the Interior, to our Acting Solicitor, Mr. Booth, together with copy of the summons and complaint in the case of Rubin Grevain, et al. v. Edward Vossley, seeking to enjoin the disposition of rails on the former right-of-way of the Copper River and Northwestern Railroad Company in Alaska.

As indicated in the attached letter, the Department of Justice has urged that no action be taken by this Bureau or by representatives of the former Alaska Road Commission to remove any of the rails on the roadbed while the suit is pending. The Department of Justice has requested a status report concerning the rails involved in the lawsuit, which report would show the quantity of rails thus far removed under Mr. Ghigliena's direction, the areas from which taken, and their present location.

It would be appreciated if you would take the necessary steps to insure that none of the rails presently in the roadbed are removed until the pending suit is resolved, and furnish us with the report requested by the Department of Justice, which should include any additional information or comments on the part of Mr. Ghigliena as would seemingly be helpful to the Department of Justice in connection with the pending suit.

Civil Action No. 3887-56

Attachments

SKBooth:vms

CC: Mr. Cunningham
Legal
Files ✓

10-3-56

*File copy & attachment
Sent Jones
10-11-56*

*EH Alaska Copper River
Dsm*

Mr. F. E. Andrews, Division Engineer
Portland, Oregon

September 26, 1956

J. C. Allen, Deputy Commissioner
Washington, D. C.

We have received your memorandum of September 21 and believe a representative of your office would be most beneficial to the task force in Alaska. Since it is already planned to utilize Mr. Wyller's services, perhaps you would prefer to be represented by an administrative man in view of the many administrative problems involved.

Immediately after our arrival in Juneau on October 7, Mr. F. C. Turner, the new division engineer, and I plan to inspect many of the former Alaska Road Commission operations and installations in the interior of Alaska. This tour should be completed in about two weeks and place us back in Juneau about October 20. We then expect to work with the Governor and the Territorial officials on the highway system and to consider the necessary organization.

It is suggested that your representative meet us in Juneau during the week of October 22.

cc-Mr. C. F. Wyller ✓

CFBarker/lis

cc-Mr. Allen ✓

Mr. Turner ✓

Mr. Barker ✓

Files (2) ✓

9-28-56

Copies detached

Xref

Alaska

Mr. C. D. Curtis, Commissioner

September 23, 1956

S. K. Booth, Acting Solicitor

Claim of City of Seward, Alaska, in the amount of \$316.05

There is attached a claim in the amount of \$316.05 filed by the City of Seward, Alaska, for reimbursement of the costs of repairing the fire hydrants, such damage allegedly caused by snow removal operations conducted by the Bureau of Public Roads on a reimbursable basis for the Territory of Alaska.

The damaged fire hydrants were completely covered by snow during the winter months and their locations were unmarked. The damage was not discovered until the snow melted in the spring, and it is the assumption that the damage was caused by the snow removal equipment. The Highway Engineer and Superintendent of Public Works of the Territory of Alaska has denied any liability in the matter.

There is no allegation of negligence on the part of the Public Roads personnel, and the damages appear to be of a type which would normally be expected under the circumstances. Consequently, it is believed that the claim of the City of Seward should be denied.

This claim has been fully examined in accordance with the provisions of the Federal Tort Claims Act (50 Stat. 842) and is disallowed this _____ day of _____ 1956.

C. D. CURTIS

C. D. Curtis
Commissioner of Public Roads

Attachment

SEPhillips/dms
ent: Central Files (2)
Mr. F. E. Anderson (4)
Procurement and Personnel ✓
Engineering
R/W Branch
R/W folder
Legal

9-28-56

*Delegation 1.
(Seward Alaska)*

9473-4
Alaska

September 21, 1956

60-21.2

Mr. M. W. Bales
Chief, Administrative Division
Alaska Road Commission
P. O. Box 1961
Juneau, Alaska

Dear Mr. Bales:

In accordance with your request of July 13, 1954,
there is enclosed a copy of Standard Form 133 covering the
allocated working fund transferred to the Bureau of Public
Roads for the period ending August 31, 1956.

Very truly yours,

P. Stewart Shinn, Ass't Chief, Accts. Section
Bureau of Public Roads

Enclosure

✓ms
an 9-21-56 ✓

TERRITORY OF ALASKA
Office of
HIGHWAY ENGINEER
and
SUPERINTENDENT OF PUBLIC WORKS
Box 2073
JUNEAU, ALASKA

September 21, 1956

Mr. Sinclair Weeks
Secretary of Commerce
Washington D. C.

Dear Mr. Weeks:

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The Board feels it very essential to ascertain certain information as soon as possible in order for the Office of the Highway Engineer to: (a) submit a budget to the forthcoming Legislature, (b) submit recommendations for any necessary changes in Territorial law which would allow us to function more smoothly under Federal Aid; and (c) develop a preliminary plan of the functions for which this office would first plan to extend its responsibility.

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1. Can tolls such as tariffs on ferry services be charged on projects financed by Federal Aid?
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Mr. Weeks

September 21, 1956

by or under the authority of the United States or any State created out of the Territory of Alaska.

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Mr. Weeks

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September 21, 1956

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14. The Territorial Board of Road Commissioners does not understand the method of calculation used for determining the amount of Federal Aid Highway funds available for urban roads. It was thought by the Board that this item was to be 35% of the total funds available under the Federal Aid Highway Act of 1956.

It would be appreciated if the above questions could be answered in the very near future.

Very truly yours,

IRVING REED
Territorial Highway Engineer

✓ *Alaska**Office Memorandum* • UNITED STATES GOVERNMENT

TO : Mails

DATE: September 20, 1956

FROM : J. C. Allen *JCA*

SUBJECT: Alaska Division Office

With the establishment of the Alaska Division Office earlier this week it is important that distribution of various types of documents to all divisions include the new division. Future mail for that office should be sent to P. O. Box 1961, Juneau, Alaska, and airmailed whenever possible.

The order establishing the Alaska Division had no immediate effect on the Alaska District office and mail should continue to be sent to that office as heretofore.

TELEGRAPHIC MESSAGE

OFFICIAL BUSINESS—U. S. GOVERNMENT

*Mx 10
Mx 3 PD SE*

✓ Al
+ Orig. + Mgmt 2
+ Little

FROM.....
BUREAU.....
CHG. APPROPRIATION.....
WASHINGTON, D. C., SEPTEMBER 17, 1956

16-60711-1 GPO


BY COMMISSIONER

FOLLOWING MEMORANDUM ISSUED TODAY/EFFECTIVE SEPTEMBER 16, 1956: QUOTE

IN ORDER TO CARRY OUT THE PROVISIONS OF SECTION 107 OF THE FEDERAL-AID HIGHWAY ACT OF 1956 (PL 627, 84th CONGRESS), WHICH EXTENDS THE FEDERAL-AID HIGHWAY PROGRAM TO THE TERRITORY OF ALASKA AS WELL AS PROVIDES FOR THE TRANSFER OF THE ALASKA ROAD COMMISSION, WITH ITS FUNCTIONS, DUTIES, AND AUTHORITY FROM THE DEPARTMENT OF INTERIOR TO THE DEPARTMENT OF COMMERCE, AND PURSUANT TO THE AUTHORITY DELEGATED TO ME BY THE SECRETARY OF COMMERCE ON AUGUST 17, 1956, THERE IS HEREBY ESTABLISHED, EFFECTIVE SEPTEMBER 16, 1956, A DIVISION OFFICE WITH HEADQUARTERS AT JUNEAU, ALASKA. FOR REFERENCE PURPOSES, THE ALASKA DIVISION WILL BE REFERRED TO AS DIVISION 10. CONSONANT WITH THE MEMORANDUM OF AGREEMENT BETWEEN THE DEPARTMENT OF COMMERCE AND THE DEPARTMENT OF THE INTERIOR, ALL RECORDS, PROPERTY, PERSONNEL, FUNDS, AND ACTIVITIES OF THE ALASKA ROAD COMMISSION ARE TRANSFERRED TO THE ALASKA DIVISION AS OF SEPTEMBER 16, 1956. PENDING THE ISSUANCE OF AN AMENDMENT TO ADMINISTRATIVE MEMORANDUM 1-10, THE DELEGATIONS OF AUTHORITY STATED THEREIN TO THE DIVISION ENGINEERS OF DIVISION 7, 8, AND 9 ARE HEREBY EXTENDED TO INCLUDE THE DIVISION ENGINEER OF DIVISION 10. FURTHER, WITH THE TRANSFER OF THE FUNCTIONS, DUTIES, AND AUTHORITY PERTAINING TO THE PROGRAM IN THE TERRITORY, AS ADMINISTERED BY THE ALASKA ROAD COMMISSION, IT IS DETERMINED THAT EXISTING DELEGATIONS OF AUTHORITY FROM THE OFFICE OF TERRITORIES, DEPARTMENT OF THE INTERIOR, TO THE DIRECTOR, ALASKA ROAD COMMISSION, AS APPLICABLE WITHIN PROCEDURES AND REGULATIONS OF THE BUREAU OF PUBLIC ROADS AND THE DEPARTMENT OF COMMERCE ARE TO BE CONTINUED. THEREFORE, UNTIL DECEMBER 31, 1956, SUCH DELEGATIONS OF AUTHORITY ARE HEREBY EXTENDED TO THE DIVISION ENGINEER OF DIVISION 10, EXCEPT FOR THE FOLLOWING ITEMS: 1. THE ESTABLISHMENT OR FILLING OF ANY POSITION NOT INCLUDED IN THE LIST OF EMPLOYEES TRANSFERRED TO THE DIVISION ON SEPT. 16, 1956.

*RG 30, Bur. of Public Roads
E. G. D., Gen. Corr. + Related Recs, 1955-59
Box 1129*

2. TO CHANGE WAGE BOARD RATE SCHEDULES. PENDING THE ISSUANCE OF FURTHER INSTRUCTIONS, THE DIVISION & OFFICE AT PORTLAND, OREGON, SHALL CONTINUE AS HERETOFORE WITHOUT CHANGE TO BE RESPONSIBLE FOR THE PERSONNEL AND OPERATIONS OF THE BUREAU OF PUBLIC ROADS ALASKA DISTRICT OFFICE AT JUNEAU. UNQUOTE


J. C. Allen
Deputy Commissioner

The above message to be sent to the following:

Mr. F. E. Andrews
Bureau of Public Roads
Portland, Oregon

Alaska Road Commission
Juneau, Alaska

Mr. C. F. Wyller
Bureau of Public Roads
Juneau, Alaska

CFBarker/lis

cc-Mr. Barker
Mr. Ghiglione

BUREAU OF PUBLIC ROADS
WASHINGTON, D.C.

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Box 1129

Alaska
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Mr. F. G. Turner

September 19, 1956

A. C. Clark

Considerations bearing upon designation of Federal-aid systems
in Alaska

Section 107(a) of the Federal-Aid Highway Act of 1956 provides that the Federal-aid systems in Alaska shall be determined and agreed upon by the Governor, the Territorial Highway Engineer, and the Secretary of Commerce without regard to the mileage limitations in the Federal Highway Act.

Regulations provide that the extent of the mileage included in the Federal-aid systems shall be geared to the capability of financing each system on a long-range basis. The highways of greatest transportation importance qualify for Federal-aid primary designation, and those of next transportation importance qualify for Federal-aid secondary designation. Portions of Federal-aid primary and Federal-aid secondary routes lying within urban areas of less than 5,000 population are eligible for improvement with Federal-aid primary and Federal-aid secondary funds, respectively. In the four urban areas of over 5,000 population (Anchorage, Fairbanks, Juneau and Ketchikan) urban extensions of the Federal-aid primary system are eligible for improvement with either Federal-aid primary funds or Federal-aid urban funds. Urban extensions of the Federal-aid secondary system in these four urban areas are eligible for improvement with Federal-aid ^{urban} secondary funds.

Alaska's apportionment of the \$850 million Fiscal Year 1958 funds is:

Federal-aid primary	\$ 7,809,925
Federal-aid secondary	5,266,562
Federal-aid urban	<u>65,112</u>
Total	\$ 13,141,599

Alaska's minimum contribution is 10 percent of the apportioned Federal-aid funds. The Federal-aid funds may be spent for maintenance. In recent years, operation and maintenance costs have been in the order of \$4 million, indicating that construction funds will run \$10 million or more per year.

In considering the extent of the Federal-aid primary system, the 20 percent transfer provision should be kept in mind. Even more pertinent is the provision of Section 3(b) of the 1944 Act which permits Federal-aid secondary funds to be spent on the Federal-aid primary system in a State where all public highways are under control of the State highway department, upon agreement by the State highway department and the Commissioner of Public Roads that the Federal-aid secondary funds are not needed on the Federal-aid secondary system. In Alaska these provisions point to the desirability of