

60-00

BUREAU OF PUBLIC ROADS

Alaska

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

August 21, 1956

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

Transfer of Alaska Road Commission

For your information there is attached a copy of the Memorandum of Agreement between the Department of Commerce and Department of the Interior with respect to transfer of the Alaska Road Commission from the Department of the Interior to the Department of Commerce.

A copy of the agreement has also been forwarded to the Alaska District office.

Attachment

*CFB*  
CFBarker/1s

cc-Mr. Allen  
Mr. Barker  
Files (2)

*copies detached*

*8-22-56*

DEPARTMENT OF COMMERCE

8/15/56

DEPARTMENT OF THE INTERIOR

8-14-56

MEMORANDUM OF AGREEMENT BETWEEN DEPARTMENT OF COMMERCE AND DEPARTMENT OF THE INTERIOR WITH RESPECT TO TRANSFER OF THE ALASKA ROAD COMMISSION FROM THE DEPARTMENT OF THE INTERIOR TO THE DEPARTMENT OF COMMERCE.

By virtue of the authority vested in each of us under Section 107 of the Federal-Aid Highway Act of 1956 (Public Law 627, 84th Congress, 2d Session), and in the interests of the internal management of the Government, the following areas of agreement are set forth:

1. All records, property, personnel, funds and activities of the Alaska Road Commission shall be transferred from the Department of the Interior to the Department of Commerce, effective on September 16, 1956.
2. All records in the headquarters office of the Office of Territories, Department of the Interior, pertaining exclusively to the Alaska Road Commission, shall be transferred from the Department of the Interior to the Department of Commerce, effective on September 16, 1956.
3. Any claims pending before the Interior Board for Contract Appeals will be determined by that board and such determination will be binding upon the Department of Commerce.
4. Any existing contract, lease, easement, license, permit, or agreement heretofore entered into by or granted by or to the Department of the Interior by and through the Alaska Road Commission shall remain in full force and effect and shall be transferred to the Department of Commerce and shall be binding upon that Department.
5. All actions pursuant to this agreement will be consonant with applicable procedures approved by other appropriate Government agencies,

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

including, but not limited to, the General Services Administration, Civil Service Commission, General Accounting Office, and Bureau of the Budget.

6. Such further measures as may be determined to be necessary to effectuate the purposes and provisions of this agreement shall be carried out in such manner as is mutually agreed upon by our representatives.

/Signed/ Sinclair Weeks  
Secretary of Commerce

August 14, 1956

/Signed/ Fred A. Seaton  
Secretary of the Interior

August 15, 1956

70-00  
30-01

BUREAU OF PUBLIC ROADS

*Alaska*  
*Plan 1-12*  
*Aug 1 (S. 2802)*

August 20, 1956

Mr. S. K. Booth, Acting Solicitor

E. H. Holmes, Deputy Commissioner

by C. F. Rogers, Assistant to Deputy Commissioner

MI-85 - Letter dated August 6, 1956 and Senate Report No. 2802,  
84th Congress

We have reviewed the above material forwarded with your memorandum of August 14.

Since the recommendation pertains substantially to matters of regulation of transportation, we do not feel that comment by the Division of Research is appropriate at this time. We shall be glad to cooperate to the extent we may be called upon to do so.

*CF*  
CFRogers:cbe

cc:Files - 2

Mr. Holmes ✓

Mr. Rogers ✓

*8-20-56*



FORM NO. 64

30-01

BUREAU OF PUBLIC ROADS

Office Memorandum • UNITED STATES GOVERNMENT

TO : Mr. E. H. Holmes, Deputy Commissioner

DATE: August 14, 1956

FROM : S. K. Booth, Acting Solicitor

By: H. E. Cunningham

SUBJECT: ML-85 - Letter dated August 6, 1956 and Senate Report No. 2802,  
84th Congress.

Reference is made to the attached copy of letter to the Secretary of Commerce from Senator Warren G. Magnuson of August 6, 1956, and Senate Report No. 2802, entitled "Transportation Problems of Alaska and the Pacific Coast States", on which the views of this Bureau have been requested.

In order that the Department deadline may be met it is requested that any comments which you may have concerning said letter and report be submitted to this office by August 29.

Please return the attachments with your comments.

Attachments

RG 30, Bur. of Public Roads  
E. 6 D, Gen Corr. Related Recs, 1955-59  
Box 1129

UNITED STATES SENATE  
Committee on  
Interstate and Foreign Commerce

August 6, 1956

Dear Mr. Secretary:

Enclosed is a copy of the report by the Committee entitled "Transportation Problems of Alaska and the Pacific Coast States". This report was made pursuant to the Committee hearings held in Alaska and on the West Coast.

The report sets forth some of the major transportation problems confronted by Alaska and the Pacific Coast states. A recommendation is made that the Interstate Commerce Commission draw up and submit to the Committee by January 1, 1957 a proposed plan for regulating rail, motor, and inland water transportation of Alaska.

I shall be grateful, if the occasion arises, for your cooperation with the Interstate Commerce Commission in drawing up this plan of regulation for Alaskan transportation.

Please submit to me not later than January 1, 1957, any comments you may have on the report.

Sincerely yours,

s/ Warren G. Magnuson  
WARREN G. MAGNUSON  
Chairman

WGM:FBL  
Encl.

Honorable Sinclair Weeks  
Secretary of Commerce  
Department of Commerce  
Washington, D. C.

*Send Mrs. Gove*

*Alaska*  
*Auth 1*

*Office Memorandum* • UNITED STATES GOVERNMENT

TO : Commissioner of Public Roads

DATE: August 17, 1956

FROM : Secretary of Commerce<sup>v</sup>

SUBJECT: Transfer of Alaska Road Commission to Bureau of Public Roads

Pursuant to the authority vested in me by Reorganization Plan No. 5 of 1950 and Section 107(e) of the Federal-Aid Highway Act of 1956 (Public Law 627, 84th Congress, approved June 29, 1956), the Commissioner of Public Roads is hereby authorized to perform and exercise the authority of the Secretary of Commerce under Section 107(a) thereof, and, effective on the transfer of the functions prescribed in Section 107(b) thereof, to exercise and perform the functions, duties, and authority pertaining to the construction, repair, and maintenance of roads, tramways, ferries, bridges, trails and other works in Alaska transferred to the Department of Commerce from the Department of the Interior by Section 107(b) of the Federal-Aid Highway Act of 1956, supra. The authority delegated herein shall remain in effect, unless otherwise amended or revoked, pending the appointment of the Federal Highway Administrator under Public Law 966, 84th Congress, approved August 3, 1956, and thereafter subject to the direction of the Federal Highway Administrator, until such time as the functions and authorities of the Administrator and Commissioner are prescribed as provided by law.

The authority delegated herein may be redelegated by the Commissioner of Public Roads to be exercised subject to the same conditions set forth above.

Acting

*for* *hnd schield*  
Sinclair Weeks

*BB*

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



EXHIBIT A

Section 2\*\*\*"The said board shall have the power, and it shall be their duty, upon their own motion or upon petition, to locate, lay out, construct, and maintain wagon roads and pack trails from any point on the navigable waters of said district to any town, mining or other industrial camp or settlement, or between any such town, camps, or settlements therein, if in their judgment such roads or trails are needed and will be of permanent value for the development of the district; but no such roads or trail shall be constructed to any town, camp, or settlement which is wholly transitory or of no substantial value or importance for mining, trade, agricultural, or manufacturing purposes. The said board shall prepare maps, plans, and specifications of every road or trail they may locate and lay out, and whenever more than twenty thousand dollars, in the aggregate, shall have to be expended upon the actual construction of any road or section of road designed to be permanent, contract for the work shall be let by them to the lowest responsible bidder, upon sealed bids, after due notice, under rules and regulations to be prescribed by the Secretary of War. The board may reject any bid if they deem the same unreasonably high or if they find that there is a combination among bidders. In case no responsible and reasonable bid can be secured, then the work may be carried on with material and men procured and hired by the board. The engineer officer of the board shall in all cases supervise the work of construction and see that the same is properly performed. As soon as any road or trail laid out by the board has been constructed and completed they shall examine the same and make a full and detailed report of the work done on the same to the Secretary of War, and in such report they shall state whether the road or trail has been completed conformably to the maps, plans, and specifications of the same. It shall be the duty of said board, as far as practicable, to keep in proper repair all roads and trails constructed under their supervision, and the same rules as to the manner in which the work of repair shall be done, whether by contract or otherwise, shall govern as in the case of the original construction of the road or trail. The cost and expenses of laying out, constructing, and repairing such roads and trails shall be paid by the Secretary of the Treasury, through the authorized disbursing officer of the board designated by the Secretary of War, out of the road and trail portion of said 'Alaska fund' upon vouchers approved and certified by said board. The Secretary of the Treasury shall, at the end of each month, send by mail to each of the members of said board a statement of the amount available of said 'Alaska fund' for the construction and repair of roads and trails, and no greater liability for construction or repair shall at any time be incurred by said board than the money available therefor at that time in said fund. The members of said board shall, in addition to their salaries, be reimbursed in the sums actually paid or incurred by them in traveling expenses in the performance of their duties, and shall be entitled to receive their actual expenses of living while serving as members of said board within the limits of the district and not stationed at a military post."



## NOTICES

## DEPARTMENT OF THE INTERIOR

## Alaska Road Commission

## Establishment and Organization

1. Creation. The Alaska Road Commission was established in the Department of the Interior in 1932 to administer the functions vested in the Secretary of the Interior by the act of June 30, 1932 (47 Stat. 446; 48 U. S. C., 1946 ed., secs. 321a-327), relating to the construction and maintenance of roads, trails and other works in Alaska.
2. Purpose. The Alaska Road Commission is responsible for the location, design, construction, repair, and maintenance of roads, bridges, ferries, trails and other works in the Territory of Alaska, except areas within national forest reserves.
3. General description. The Alaska Road Commission, headed by the Commissioner of Roads for Alaska, is composed of a headquarters staff located at Juneau, Alaska, and four district offices located at Anchorage, Fairbanks, Valdez, and Nome.

## Headquarters Organization

4. Commissioner of Roads for Alaska. All functions of the Alaska Road Commission are administered by the Commissioner of Roads for Alaska. The Commissioner is responsible for the formulation of policies and programs and for the over-all direction of the work. He is responsible directly to the Secretary of the Interior, reporting through the Director of the Division of Territories and Island Possessions.
5. Chief Engineer. The Commissioner of Roads for Alaska is assisted by the Chief Engineer, who is responsible under his general supervision for the conduct of operations and represents him in his absence.

The Commissioner of Roads for Alaska may exercise the authority conferred upon the Secretary of the Interior by the act of June 30, 1932, with respect to the functions to be performed by the Alaska Road Commission. The Commissioner of Roads for Alaska, the Chief Engineer and the Equipment Engineer of the Alaska Road Commission, and the Director of the Division of Territories and Island Possessions, are authorized, on behalf of the Department of the Interior, to make necessary certifications that equipment, materials, supplies, and buildings, surplus to the needs of the Departments of the Army, Navy or Air Force, or any other agency of the United States Government having title thereto, are essential for the construction, improvement, and maintenance of the Alaska road system.

6. Administrative Division. The Administrative Division is responsible for the conduct of all phases of administrative management, including budget, finance, personnel, administrative reports, office services, and supply and property management. It exercises staff supervision over the conduct of such administrative work as is performed in the several district offices.

7. Engineering Division. The Engineering Division is responsible for the conduct of engineering investigations and the preparation of engineering reports, for the preparation and review of designs, plans, and specifications, and for the collection, evaluation, and utilization of engineering cost data. It exercises staff supervision over the conduct of district office surveys.

8. Contracts Division. The Contracts Division is responsible for supervision of all engineering construction by contract. In conjunction with the Engineering Division, it prepares the engineering features of such contracts, reviews contracts prepared by the Public Roads Administration, architectural and engineering firms or others, and prepares alterations, additions, supplemental agreements and change orders. It also handles contract inspection and priorities, expediting, etc.

9. Construction Division. The Construction Division is generally responsible for all engineering construction and maintenance by force account, utilizing the district organization of the Alaska Road Commission for actual operations. It exercises staff supervision over road and bridge construction, maintenance, and operation of road building equipment, and supply, as well as mess operations. It advises and makes recommendations to the Administrative Division on the types of road building equipment to be purchased. It is also responsible for staff supervision of all maintenance by force account of roads, bridges and other structures constructed or administered by the Alaska Road Commission.

#### Field Organization

10. Supervision. The headquarters organization of the Alaska Road Commission, in addition to formulating policies and programs, and establishing technical guides concerning the construction of roads in Alaska, has immediate supervision over the work of four district offices and one sub-district office.

11. Districts. District offices are maintained in Waldez, Anchorage, Fairbanks, and Nome, Alaska. A sub-district office is maintained in Haines, Alaska. These offices include the entire Territory of Alaska, except areas within national forest reserves. The District Superintendent

are responsible to the Commissioner of Roads for Alaska for the development and execution of road and related administrative work in their respective districts in accordance with predetermined policies and programs and under the technical guidance of the headquarters staff. Their work includes supervision of survey parties, contract inspectors, force-account supervisors, repair shops, accounts, messes, and all other activities connected with the construction of roads in their respective districts.

October 4, 1948.

William E. Warne,  
Acting Secretary of the Interior.

(F. R. Doc. 48-9017; Filed, Oct. 11, 1948; 8:47 a.m.)



*Clarke*  
Pg 1-1

Mr. J. G. Allen, Deputy Commissioner

August 9, 1956

Edward K. Booth, Acting Solicitor

Legal History of Federal Statutes covering  
the Alaska Road Expedition

4-F

Section 107(c) of the Federal Aid Highway Act of 1956 deals with a transfer of jurisdiction administered by the Secretary of the Interior in Alaska under the Act of June 30, 1932 (47 Stat. 1465) (48 Stat. 1465). Section 107(a) of the Department of Commerce, Road and Transportation Act is the provision which transferred jurisdiction over Alaska to the State of Alaska. The Act of June 30, 1932 is the original history of the Alaska public lands program. Laws involved.

On January 27, 1957 an Act was approved "to provide for the administration and maintenance of roads and for other purposes" with no indication of whether any road was transferred. In Section 1 of that Act, an Alaska Road was established in the Territory. The word of the Alaska Road Act which all roads from 1917 through 1956 were to be placed. If the provision for public roads and other lands were to be placed in the Act (70 Stat. 1465) was to be placed in the provision and maintenance of public roads, "public lands" and "roads".

Section 2 established the board of road commissioners composed of one engineer officer of the U. S. Army and two other officers of the Army stationed in Alaska, the responsibility to be made by the Secretary of War. The engineer officer was to hold in Alaska during the term of his detail. The powers of the board were set forth in detail. Section 3 was required if the engineer officer of the detail was in excess of \$5,000. The balance of the Act had to do with roads and other purposes.

On May 14, 1956 the 1957 Act was amended (48 Stat. 192) Section 2 dealing with the powers of the board commissioners was amended in that the word "road" was to read "the \$5,000 1917 to 1932, 1932. The powers of the board mentioned in the amended section were set forth verbatim in Section 3 which had been amended.

The Act of June 30, 1932 (47 Stat. 1465) was entitled "An Act providing for the transfer of the public lands administered and otherwise transferred by law upon the land of public lands owned in the Territory of Alaska to the Department of the Interior, and for other purposes".

The duties provided for in the 1905 and 1906 Acts and "Acts supplemental thereto and amendatory thereof" were transferred to the Department of the Interior. Appropriations theretofore made or thereafter made were transferred together with equipment, supplies, etc. Under Section 3, with the approval of the President, the Secretary of the Interior was given the power to distribute the duties and authority transferred and to make rules and regulations governing the use of roads, trails, and other works "including the fixing and collection of tolls where deemed necessary and advisable in the public interest".

Cursory research does not reveal any printed or published regulations or rules of the Secretary of the Interior approved by the President issued within a reasonable time after the effective date of the 1952 Act. Unverified information indicates that a Colonel Noyes appointed by the Interior as Chief Engineer and Road Commissioner issued regulations which were never printed.

An Act of July 21, 1917 (61 Stat. 118) added a Section 5 to the Act of June 30, 1932. This section provided that in all patents in Alaska and in all deeds by the United States conveying lands reacquired by the United States in Alaska not included within the limits of any organized municipalities there should be reserved "a right-of-way thereon for roads, roadways, highways, tramways, trails, bridges and appurtenant structures" constructed by "the United States or any State created" in Alaska. It also provided: "When a right-of-way reserved under the provisions of this Act is utilized by the United States or under its authority, the head of the agency in charge of such utilization is authorized to determine and make payment for the value of the crops thereon if not harvested by the owner, and for the value of any improvements, or for the cost of removing them to another site, if less than their value".

On October 4, 1948 the Acting Secretary of the Interior issued a Notice concerning the establishment and organization of the Alaska Road Commission (13 F. R. 5951; October 12, 1948) a copy of which is attached hereto as Exhibit B.)

Under date of June 15, 1951 the President issued an Executive Order 10250 (16 F. R. 5385) whereby, among other things in Section 2(c) thereof, the authority vested in the Secretary of the Interior by Section 3 of the Act of June 30, 1932 to distribute duties and to make rules and regulations with respect to the use of the roads, trails, and other works including the fixing and collection of tolls in Alaska was given to the Secretary of the Interior "without the approval, ratification or other action of the President."



Under an Act of July 14, 1955 (69 Stat. 321) the third sentence of Section 2 of the Act of January 27, 1905, as amended, (Exhibit A of this memorandum) was changed to read as follows:

"The Secretary of the Interior, or such officer, or officers as may be designated by him, shall, upon his own motion or upon petition, locate, lay out, construct, and maintain roads, trails, and bridges from any point on the navigable waters of Alaska to and through any town, mining or other industrial camp or settlement, or between and through any such town, camp, or settlements therein, if in his judgment such roads, trails, or bridges are needed and will be of permanent value for the development of Alaska: Provided, That within incorporated towns only roads and bridges which are designated by the Secretary of the Interior as part of the through highway system of the Territory of Alaska may be constructed under this section: Provided further, That no roads or bridges within incorporated towns shall be maintained under this section".

In the legislative history of this Act it is stated that the Alaska Road Commission could not extend a road inside the boundaries of incorporated municipalities. The 1955 Act permitted such extension of construction, not maintenance, if the Secretary of the Interior designated a particular road as part of the through highway system of Alaska (U. S. Code Congressional and Administrative News, 84th Congress, First Session, 1955, Volume 2, page 2451).

No attempt has been made to check all appropriation acts in detail but it is believed that there is no substantive legislation of any real importance contained therein. One provision, probably now obsolete, appeared in the War Department Appropriation Act for fiscal year 1926, (43 Stat. 892 at 930). After appropriating \$900,000 for construction, etc., of roads in Alaska the Act went on to provide that "hereafter when an appropriation<sup>was</sup> for any fiscal year shall not have been made prior to the first day of March preceeding the beginning of such fiscal year the Secretary of War may authorize the board of road commissioners to incur obligations<sup>was</sup> of not to exceed 75 percentum of appropriation<sup>was</sup> for the fiscal year then current<sup>was</sup>".

In the Army Appropriations Act for fiscal year 1922 enacted June 30, 1921 (42 Stat. 90) the Secretary of War was authorized to receive from the Territory of Alaska or other sources, funds contributed to be expended in connection with funds appropriated by the United States for construction, etc., of roads, etc. Such funds were to be deposited to the credit of the Treasurer of the United States and were to be expended in accordance with the purposes for which they were contributed.



No attempt has been made in this memorandum to investigate the imposition of tolls by the Secretary of the Interior on the Richardson Highway. However, it is noted that in the case of Boyer v. United States 128 F. 2d, 800 the C.C.A. for the 9th Cir. upheld the constitutionality of the 1937 Act permitting the Secretary of the Interior to fix and collect tolls. In the opinion, it is stated that this provision of the Act of 1937 was designed to eliminate highway competition from the Alaska railroad. No opinion is expressed in this memorandum as to the power of the Federal Highway Administrator (Secretary of Commerce) to impose tolls in Alaska under the 1937 Act. In view of the provisions of the 1921 Federal-Aid Highway Act (42 Stat. 212) in Section 9 for free highways, prior to any imposition of tolls, a thorough study should be made of this problem. Incidentally, the Boyer case is the only reported federal case dealing with roads in Alaska.

No careful examination has been made of Section 6 of an act of May 14, 1898 (30 Stat. 111, 18 U.S.C.A. Section 116) which authorizes the Secretary of the Interior by permit to issue a right-of-way over public domain in Alaska to any responsible person to construct wagon roads, etc. Regulations concerning issuance of such rights-of-way are contained in 43 C.F.R. Part 74. Since the Bureau of Land Management has jurisdiction over the issuance of such permits, the subject would not seem to be pertinent to this memorandum.

The legislative history of Section 107 of the 1955 Act is the subject of a separate memorandum. The entire section was added by amendment to H. R. 10668 on the floor of the Senate. No place in the legislative history is there any reference to the merger of the Alaska Road Commission and the Bureau of Public Roads.

Attachments

*Ridgdon*  
Ridgdon/jm

cc: Files (2) ✓  
Legal

cc: Mr. E. J. Martin-Earle F. Allen  
Mr. Kurt Marker  
Division of Engineering  
S. K. Booth

8-13-56

*Alaska*  
*Equip + Supp 9*  
*Equip + Supp 9 (Alaska)*  
 March 22, 1956

*White*  
 Mr. Charles H. Smith

Ross Langdon

*AM*  
 Transfer of Equipment to Territorial Director of  
 Civil Defense in Alaska

You have submitted to me for approval as to legality a proposed memorandum from Mr. Allen to Mr. Andrews authorizing the sale of ten used dump trucks and three snow plows to the Territory of Alaska. The incoming papers are a memorandum of February 1, 1956 from Mr. Wyller, District Engineer to Mr. Andrews, setting forth that the Territorial Director of Civil Defense wished to purchase the equipment at ten percent of acquisition cost. Mr. Andrews' memorandum of March 6, 1956 to Mr. Allen requested advice as to whether the equipment could be sold. The proposed reply sets forth that the procedure is permissible under the terms of GSA Regulation 1-III-202-03.

I have examined that regulation which is entitled "Utilization of Property Proposed for Processing Under Exchange/Sale Provisions of Law". This regulation is based on the Federal Property and Administrative Services Act of 1949 (63 Stat. 377), as amended. The regulation permits an executive agency to transfer personal property to a Federal agency and receive reimbursement of an amount equal to the best estimate of the gross proceeds if the property were to be sold on a competitive bid basis. It is under this provision that it is proposed to permit the transfer to the territorial Civil Defense agency.

This cannot be done because the Territory of Alaska is not a "Federal agency". In the statute the term "Federal agency" is defined to mean any executive agency or any establishment in the legislative or judicial branch of the Government (except the Senate and the House of Representatives). This does not include a territory.

I have checked my interpretation of the GSA Regulation with their Assistant General Counsel who has charge of personal property and although he was unable to furnish me with any written interpretation by GSA both he and his assistant made the identical interpretation as mine.

The papers submitted are returned herewith.

Attachment

RLangdon/jm

cc: Files  
 Legal  
 Mr. C.W. Phillips

RG30, Bur. of Public Roads  
 E. G. D., Gen. Corr. + Related Recs, 1955-59  
 Box 1129

## Office Memorandum

*Alaska*  
 Bureau of Public Roads  
 UNITED STATES GOVERNMENT

PERSONAL

TO : Mr. C. D. Curtiss, Commissioner  
 Washington, D. C.

FROM : F. E. Andrews, Division Engineer  
 Portland, Oregon

SUBJECT:

DATE: June 15, 1956

I thought you might be interested in the following comments which were extracted from the monthly report of district engineer, Wyller, in Juneau:

"Within the last couple of weeks there has been considerable discussion in local papers, the Chamber of Commerce, and among the public in general on Mr. Neuberger's proposed amendment to the Federal Highway Act, providing for the inclusion of Alaska under the Federal Aid provisions of this bill. The Alaska Road Commission has publicly stated that they are opposed to the amendment passed by the Senate basing the Territory's participation on 1/3 of the area, rather than 1/2 of the area as originally proposed in Mr. Neuberger's amendment. We understand that the Governor has wired members of the conference committee his recommendation that Alaska's participation in the Federal Aid be approved on a basis of not less than 1/3 of the area and preferably 1/2. An article in the Alaska Daily Empire, based on an interview with Messrs. Ghiglione and Niemi of the Alaska Road Commission gave the impression that Alaska would get less money under this amendment than it is receiving at the present time through Alaska Road Commission appropriations. It also gave the impression that it would result in Alaska getting no appropriation for Forest Highways. This was thoroughly discussed at a recent Chamber of Commerce meeting and it is believed that the public now understands that there will be no change in Forest Highway allocations to the Territory and that in the long run, the Territory would gain by inclusion in the Federal Highway Act, Federal Aid Section. The Alaska Road Commission appropriation is at present, approximately \$11,500,000.00 or approximately the same amount as Alaska would receive under Federal Aid for the first two years if the Senate version of the highway bill prevails. Under this version, Alaska's share of Federal Aid money would increase over the years to \$15,800,000.00 by 1969. Under the House version of the bill, Alaska would receive somewhat over \$11,000,000.00 each year for ten years. As near as we can ascertain, the only opposition to the Neuberger amendment in the Territory has been voiced by Alaska Road Commission. Since the amendment provides for the transfer of Alaska Road Commission funds, personnel, equipment and property to the Bureau of Public Roads, it is understandable that the Commission is not in favor of the amendment."



Mr. C. D. Curtiss

July 18, 1956

J. C. Allen

Transfer of Alaska Road Commission

If you have an opportunity you may be interested in reading the attached documents before your meeting with Mr. Ghiglione tomorrow morning. One is a memorandum from Mr. Alexander covering the discussion of the meeting held Tuesday between representatives of Interior, Commerce, and Public Roads regarding the transfer of the Alaska Road Commission. The memorandum of agreement is a draft prepared by representatives of the Departments of Commerce and Interior and Messrs. Alexander and Barker of Public Roads.

The proposed agreement between the two Secretaries is silent as to the physical location in the Department of Commerce of the Alaska Road Commission. It is my understanding that both the Secretary of Interior and the Secretary of Commerce plan to make a public announcement of the transfer of the Alaska Road Commission from Interior to the Department of Commerce and in this announcement will state that the Alaska Road Commission will be transferred to the Bureau of Public Roads within the Department of Commerce.

Attachments

JCallen/lis

cc-Mr. Allen  
Files (2)*Copies  
detached*

Mr. C. D. Curtiss

July 25, 1956

R. W. Kruser

## Transfer of Alaska Road Commission

Mr. Allen's memorandum of July 18 transmitted a proposed memorandum of agreement between the Departments of Commerce and Interior regarding the transfer of the Alaska Road Commission. There is attached an amendment proposed by the Department of the Interior for inclusion in the agreement.

Mr. Booth has reviewed both the proposed draft and the amendment. As indicated on the attached transmittal slip, he sees no legal objection to the drafts.

The Department of Commerce is now desirous of securing your approval prior to their forwarding the draft to the Bureau of the Budget. The Finance and Management Division has participated in the drafting of the agreement and is in agreement with its provisions.

Attachment

CFBarker:me

cc - Files (2) ✓  
Mr. Kruser  
Mr. Barker

7-25

DEPARTMENT OF COMMERCE  
DEPARTMENT OF THE INTERIOR

Memorandum of Agreement

STATEMENT OF AREAS OF AGREEMENT BETWEEN DEPARTMENT OF COMMERCE AND DEPARTMENT OF THE INTERIOR WITH RESPECT TO TRANSFER OF THE ALASKA ROAD COMMISSION FROM THE DEPARTMENT OF THE INTERIOR TO THE DEPARTMENT OF COMMERCE.

By virtue of the authority vested in each of us under Section 107 of the Federal-Aid Highway Act of 1956 (Public Law 627, 84th Congress, 2d Session), and in the interests of the internal management of the Government, the following areas of agreement are set forth:

1. All records, property, personnel, funds and activities of the Alaska Road Commission shall be transferred from the Department of the Interior to the Department of Commerce, effective on September 16, 1956.
2. All records in the headquarters of the Office of Territories, Department of the Interior, pertaining exclusively to the Alaska Road Commission, shall be transferred from the Department of the Interior to the Department of Commerce, effective on September 16, 1956.
3. Any claims pending before the Department of the Interior Board of Contract Appeal will be determined by that Board and such determination will be binding upon the Department of Commerce.
4. Any existing contract, lease, easement, license, permit, or agreement heretofore entered into by or granted by or to the Department of the Interior by and through the Alaska Road Commission shall remain in full force and effect and shall be transferred to the Department of Commerce and shall be binding upon that Department.



5. All actions pursuant to this agreement will be consonant with applicable procedures approved by other appropriate Government agencies, including, but not limited to, the General Services Administration, Civil Service Commission, General Accounting Office, and Bureau of the Budget.

6. Such further measures as may be determined to be necessary to effectuate the purposes and provisions of this agreement shall be carried out in such manner as is mutually agreed upon by our representatives.

Secretary of Commerce

\_\_\_\_\_, 1956

Secretary of the Interior

\_\_\_\_\_, 1956

60-00

BUREAU OF PUBLIC ROADS

*Alaska*

Mr. Oscar H. Nielson, Director, Office of  
Budget and Management, Department of Commerce

July 31, 1956

J. C. Allen, Deputy Commissioner

Attention: Mr. Jas. R. Gardner

Memorandum of Agreement for Transfer of  
Alaska Road Commission

The attached proposed Memorandum of Agreement between the Departments of Commerce and Interior regarding the transfer of the Alaska Road Commission has been reviewed in the Bureau of Public Roads. The Commissioner and the Legal Division have indicated their approval of the draft.

It is understood that any further revisions will be referred to this office prior to final adoption of the agreement.

Attachment

cc-Mr. Jas. R. Gardner

CFBarker/lc

cc-Mr. Barker  
Mr. Allen  
Files (2) ✓

*CAB*

*Copies detached  
orig handed to  
Mr. Gardner  
EJm's office 7/31/56 im*

*See 8-21-56  
to - James, Alaska*

*Alaska*  
*See also* COPY  
*Journal*

Mr. F. C. Turner

June 22, 1955

A. C. Clark

**Estimated Costs for Construction and Rehabilitation Highways  
 in Canada and Alaska Highway**

Provincial Highway - (Edmonton to Dawson Creek)

- A. Edmonton west to Obed Highway 16, Resurface approximately 122 miles with bituminous plant mix surface course, strengthen base course and surface approximately 35 miles with bituminous plant mix surface course.  
 157 miles at \$20,000 \$3,140,000
- B. Obed northwesterly to Highway 2 near Grande Prairie, approximately 150 miles. Grading - 9 major bridges, minor bridges and drainage, base course and bituminous plant mix surface.  
 150 miles at \$105,000 \$15,750,000
- C. Grande Prairie northwesterly to Dawson Creek, 87 miles on Highway 2. Grading, base course and bituminous plant mix course on 63 miles (24 miles presently surfaced), drainage and bridges.  
 63 miles at \$50,000 \$3,150,000
- Total length of highway - Edmonton to Dawson Creek 394 miles  
 Total estimated cost - \$22,040,000

Alaska Highway - (Within Canada)

- D. Dawson Creek to Yukon, Alaska border on Alaska Highway, 1,221 miles. Grading, drainage, base course, bituminous plant mix surface, bridge and culvert replacements, slide removals and corrections, and minor relocation.  
 1,221 miles at \$90,000 \$109,890,000

Haines Highway Lateral - (Within Canada)

- E. Junction with Alaska Highway, southeasterly to British Columbia-Alaska border (110 miles). Major reconstruction and relocation, including grading, drainage, base course, bituminous plant mix surface and major structures.  
 110 miles at \$135,000 \$14,850,000
- GRAND TOTAL \$146,780,000**

JPALMER/WDFISH

cc--Construction--Mr. Fish -- Mr. H. S. Radzikowski --- Mr. A. C. Clark  
 Mr. F. C. Turner