

SIXTH PRINCIPAL MERIDIAN

Township 5 north, range 73 west; those parts of the following subdivisions lying south of the south boundary of the present High-drive Road right-of-way: Section 27, east half southwest quarter, and south half southeast quarter; section 34, northeast quarter northeast quarter; section 35, west half northwest quarter northwest quarter; those parts of the following subdivisions lying north and west of the left bank of the Big Thompson River: Section 34, north half southeast quarter northeast quarter; section 35, southwest quarter northwest quarter comprising approximately one hundred and forty-five acres; and a strip of land, not to exceed an average of five hundred feet in width, generally paralleling the Thompson River for approximately one and six-tenths miles from near the center of section 25, township 5 north, range 73 west, to the one hundred and forty-five-acre tract described elsewhere in this section.

SEC. 3. All property acquired pursuant to this Act shall become a part of the park, following acquisition of title thereto by the United States upon the issuance of an appropriate order or orders by the Secretary of the Interior setting forth the revised boundaries of the park, such order or orders to be effective immediately upon the expiration of thirty full calendar days after publication in the Federal Register. Lands so added to the park shall thereafter be subject to all laws and regulations applicable to the park.

Issuance of orders.

SEC. 4. The Secretary of the Interior is authorized to acquire by purchase or otherwise such properties within the exterior boundaries of Rocky Mountain National Park as may be deemed by him to be necessary in connecting the eastern approach road with the existing Bear Lake and Trail Ridge roads, and in developing the present governmental residential, utility, and proposed administrative units.

Acquisition of property.

Approved August 24, 1949.

[CHAPTER 504]

AN ACT

To authorize a program of useful public works for the development of the Territory of Alaska.

August 24, 1949

[S. 855]

[Public Law 264]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Alaska Public Works Act".

Alaska Public Works Act.

SEC. 2. The Congress hereby declares that the purpose of this Act is to foster the settlement and increase the permanent residents of Alaska, stimulate trade and industry, encourage internal commerce and private investment, develop Alaskan resources, and provide facilities for community life, through a program of useful public works.

Purpose.

SEC. 3. The Administrator of General Services (hereinafter referred to as the "Administrator") is hereby authorized to accept applications for public works in the Territory of Alaska from the said Territory or from any city, town, district, or other public body in said Territory (said Territory or other public body submitting an application hereunder being hereinafter referred to as the "applicant"). Each of such applications shall include a statement by the Governor of the Territory respecting the need for the public works requested and the financial ability of the applicant to defray the cost of the public works.

Applications for public works.

SEC. 4. Whenever the Administrator, with the concurrence of the Secretary of the Interior, given after consultation with such other

Inclusion of public works in Alaska program.

Federal agencies as have a substantial interest in the public works requested in any such application, concludes that such public works, as requested or as revised by him, will effectuate the purposes of this Act and should be provided hereunder, he may include them in the program of public works for the Territory of Alaska.

Authority of Administrator.

The Administrator is further authorized to provide, within the limits of the appropriations available therefor, any public works included in such program. The authority to provide public works hereunder shall include the power to acquire, construct, and equip public works, clear and improve sites therefor, improve, extend, alter, rehabilitate, repair, or remodel existing public works, and prepare surveys, drawings, specifications, and contract and other construction documents.

"Public works."

As used in this Act, the term "public works" is intended to mean public facilities, such as schools, hospitals, sewer, water and other public-utility facilities, wharf, dock and other harbor facilities, bridges, roads, sidewalks, streets, alleys, and other public thoroughfares, college and institutional buildings and facilities (including dormitories and quarters for students, inmates, and employees), libraries, firehouses and other public buildings, incinerators and garbage-disposal facilities, and other public and community facilities.

Agreement with applicant.

SEC. 5. The Administrator, in providing public works for any applicant hereunder, shall enter into an appropriate agreement with the applicant pursuant to which the applicant shall agree, in consideration for such public works, to operate and maintain the public works at its own expense and to pay to the United States at such time or times as may be mutually agreed, a purchase price deemed by the Administrator to be reasonable and in the public interest. Such purchase price shall in no event be less than 25 per centum nor more than 75 per centum of the estimated cost or the actual cost, whichever is the lesser, to the United States of said public works, as determined by the Administrator, and the aggregate amount agreed to be paid by the applicants under all said agreements shall be sufficient, in the determination of the Administrator, to enable the United States to recover in the aggregate not less than 50 per centum of the total estimated cost to the United States of all the public works provided under this Act, it being the intent that the Administrator shall ultimately recover and cover into miscellaneous receipts approximately one-half of the total Federal funds expended for the provision of public works under this Act. Upon completion of the public works the Administrator shall transfer to the applicant, in conformity with the provisions of said agreement, possession of and all rights, title, and interest of the United States in and to said public works. Any portion of the purchase price remaining unpaid on the date of such transfer, shall bear simple interest at 2 per centum per annum from such date to the date of payment.

Purchase price.

Transfer of title.

Interest.

Agreements with U. S.

Acquisition of land.

SEC. 6. To facilitate carrying out the purposes of this Act, any applicant hereunder is authorized to enter into agreements with the United States, perform the obligations assumed thereunder, pay to the United States the amount agreed upon for the public works, out of any funds available to the applicant not otherwise appropriated, and, in connection with any project described in any such agreement, incur indebtedness, issue general obligation or revenue bonds, levy taxes which shall be uniform upon the same class of subjects, impose special assessments, fix and collect charges for services rendered by the public works, operate and maintain public works included in said program, acquire by purchase, condemnation, donation, or otherwise such interests in land as may be necessary to provide public works hereunder, and grant to the United States, without reimbursement, any permit, license, or right to use land and other property in the

possession of the applicant as may be necessary to enable the Administrator to carry out his functions hereunder. The powers granted under this section shall be in addition to the powers heretofore granted and may be exercised notwithstanding any other provisions of law.

SEC. 7. For the purpose of carrying out this Act, any Federal agency having jurisdiction over any interest in land, whether improved or unimproved, necessary for providing public works hereunder may, in its discretion and subject to such conditions as it may determine, transfer jurisdiction thereof to the Administrator upon his request, notwithstanding any other provisions of law, and the Administrator is authorized to acquire jurisdiction over such land and utilize such land for carrying out his functions under this Act. The Administrator may also provide public works upon lands of any applicant made available to him for such purpose.

Transfer of jurisdiction.

SEC. 8. Except as hereinafter provided, public works shall be provided under this Act by the Administrator through the award of contracts in conformity with the provisions of section 3709 of the Revised Statutes. Work estimated to cost less than \$25,000 and repairs, improvements, extensions, and alterations to existing public works may be performed by entering into a written contract with any applicant for the performance of such work upon the basis of the United States reimbursing the applicant for its approved legitimate expenditures in connection therewith. Notwithstanding any other provisions of law, applicants are hereby authorized to enter into such contracts with the United States and in performing such contracts are authorized to utilize their officers and employees, equipment, tools, materials, supplies, and other property, to incur necessary debts, and to make necessary expenditures.

Contracts.

41 U. S. C. § 5.
Ante, p. 403.

SEC. 9. All moneys received by the Administrator under the provisions of any agreement with an applicant shall be covered into the Treasury as miscellaneous receipts.

SEC. 10. In carrying out the provisions of this Act, the Administrator is authorized to utilize and act through other Federal agencies or through any applicant, with the consent of such applicant, and any funds appropriated pursuant to this Act shall be available for transfer to any such agency or for payment to any such applicant in reimbursement for services rendered hereunder. The Administrator may delegate any authority conferred upon him under this Act to any officer or unit of the General Services Administration and may prescribe rules and regulations for carrying out the provisions of this Act.

Transfer of funds.

Delegation of authority.

SEC. 11. There is hereby authorized to be appropriated the sum of \$70,000,000, or so much thereof as may be necessary to carry out the provisions of this Act, and for administrative expenses in connection therewith, including the employment of consultants, such as engineers, architects, and other technical experts, in conformity with Public Law 600, Seventy-ninth Congress, except for the rates of compensation which shall be determined by the Administrator, personal services and rental in the District of Columbia, Alaska, and elsewhere, supplies and equipment, travel expenses, transfer of household goods and effects, purchase, repair, operation, and maintenance of motor-propelled passenger-carrying vehicles, printing and binding, purchase and exchange of lawbooks and other reference books, and such other expenses as may be necessary for carrying out this Act.

Appropriation authorized.
Post, p. 977.

60 Stat. 806.
5 U. S. C. §§ 22a, 55a, 73a to 73b-4, 77, 78, 95a, 116a and note, 118d-1, 118g, 823 note; Supp. II, § 73b-1; 19 U. S. C. § 1645; 31 U. S. C. § 529; 41 U. S. C. § 5 and note; 44 U. S. C. § 321.
Ante, pp. 167, 400, 403.

SEC. 12. The authority of the Administrator under this Act to provide public works and to enter into agreements with applicants in connection therewith shall terminate on June 30, 1955, or on the date he obligates for such purposes the total amount authorized to be appropriated hereunder, whichever first occurs.

Termination of authority.

Approved August 24, 1949.