Rivets shall be accurately punched or drilled and shall have the burrs removed. Rivets shall be driven with pressure tools and shall completely fill the holes. Rivet heads shall be full, neatly made, and flush with the rivet holes, and in full contact with the surface of the member. Hollow-type rivets are not acceptable.

(iv) Welding. Welding shall be performed in accordance with recommendations of the American Welding Society recommended practices and by a welder qualified under the referenced welding code. The surfaces of parts to be welded shall be free from rust, scale, paint, grease, and other foreign matter. Welds shall develop full strength in the parts connected. Welds shall be free from skips, blow-through holes, holes, or metal loss, incomplete fusion, cracks, gas pockets, residual stresses, incomplete penetration, undercutting, flash and spatter metal, a electrode skids, excessive indentation, melting of metal, and shall have the burrs removed. Spotwelding shall be done in close centers to ensure maximum strength and rigidity and to prevent buckling.

(v) Master door. Master doors shall be tested with a Tinolus-Olsen tensile/compression testing machine. A minimum of 8 foot-pounds of force shall be required to punch out the lock. (Two pound weight dropped 4 feet.) If the lock is slowly pushed inward, a minimum of 70 pounds of force shall be required. (Effective July 1, 1970.)

(vi) Coating abrasion resistance. The coating of all boxes formed from ferrous metal or other material subject to corrosion shall meet the abrasive sand test specified herein. Boxes formed from corrosion-resistant alloys of aluminum, stainless steel, and other corrosion-resistant materials which are not painted or otherwise coated with a material subject to corrosion are exempt from this test. The test shall be conducted in accordance with Federal Test Method Standard 141, Method $491.

(vii) Flammability. All boxes shall conform to local building codes. A flammability test shall be conducted on all plastic parts of all boxes. The test shall be conducted in accordance with Method 2021 of Federal Test Method Standard for fire resistance of plastic materials.

Title 41—Public Contracts and Property Management

Chapter 9—Atomic Energy Commission

PART 9-3—Procurement by Negotiation

Subpart 9-3.8—Price Negotiation Policies and Techniques

PART 9-7—Contract Clauses

Miscellaneous Amendments

The purpose of these amendments to the AEC Procurement Regulations is to make them consistent with amendments to the Federal Register on February 27, 1969, and effective April 16, 1969.

1. In § 9.3.307-3, Requirements for cost or pricing data, paragraph (e) is deleted.

2. Sections 9-3.307-3(g), Initial awards below $105,000, and 9-3.307-59, Justification and documentation of procurement actions, are deleted.

3. Section 9-3.307-53, Development of special items, is revised to read as follows:

§ 9.3-307-53 Development of special items.

If a negotiated fixed-price or cost-plus contract involves the development of special items and may reasonably be expected to lead to subsequent production orders, the initial contract or subcontract shall include a provision whereby the vendor agrees to accept, when requested, subsequent
production orders under either a cost-plus-a-fixed-fee contract or subcontract with AEC cost-reimbursement principles and fee limitations or a fixed-price contract providing for price redetermination. In addition, the initial contract or subcontract shall include a cost or pricing data clause. The subcontractor's Certificate of Current Cost or Pricing Data shall include a provision for price adjustment is expected to exceed $100,000, the subcontractor shall provide for price reimbursement. The subcontractor, or any sub-subcontractor pursuant to this clause or any sub-subcontract clause herein required, furnish incomplete or inaccurate cost or pricing data or data current as certified in the subcontractor's Certificate of Current Cost or Pricing Data, then such price or cost data shall be revised accordingly and the contract shall be modified in writing to reflect such reduction.

9. Subcontractors. * * *

(f) The subcontractor agrees to insert certified cost or pricing data with respect to any change or other modification does not apply to any sub-subcontract change or other modification results from a change or other modification which involves transactions related to this subcontract or which will permit adequate price competition, established catalog or market prices of commercial items sold in substantial quantities to the general public, or the prices are set by law or regulation. Since the subcontract is subject to the personal knowledge of the subcontractor is not limited by the personal knowledge of the subcontractor's neighbor or the subcontractor had information available to it at the time of making a change or other modification does not apply to any sub-subcontract change or other modification results from a change or other modification which involves transactions related to this subcontract or which will permit adequate price competition.

8. In § 9-7.5006-19, Audit and records—fixed-price supply and fixed-price construction contracts, is revised to read as follows:

§ 9-7.5006-19 Audit and records—fixed-price supply and fixed-price construction contracts. See FPR 1-3.814-2 (a) and (b).

9. § 9-7.5006-19, Audit and records—fixed-price supply and fixed-price construction contracts.

(g) Subcontracts.

Note: If the prime contract contains a "defective cost or pricing data" clause, this paragraph (g) shall be modified by adding the following:

[The contractor further agrees to include:

(1) In each firm fixed-price subcontract in excess of $100,000 (except firm fixed-price subcontracts under the circumstances prescribed in (2)) of this clause, the substance of which is the audit clause under paragraph (d) (2) of FPR 1-3.814-2 (c).]

(2) In each firm fixed-price subcontract in excess of $100,000 (except firm fixed-price subcontracts under the circumstances prescribed in (2)) of this clause, the substance of which is the audit clause under paragraph (d) (3) of FPR 1-3.814-2 (c).]
RULINGS AND REGULATIONS


Effective date: These amendments are effective upon publication in the Federal Register.

Dated at Germantown, Md., this 6th day of August 1969.

For the U.S. Atomic Energy Commission.

JOSEPH L. SMITH,
Director, Division of Contracts,
[F.R. Doc. 69-9497; Filed, Aug. 12, 1969; 8:45 a.m.]

Title 46—SHIPPING

Chapter II—Maritime Administration, Department of Commerce

SUBCHAPTER J—MISCELLANEOUS

[General Order 82, Rev.]

PART 375—EXCHANGE OF VESSELS

The text of Part 375 of this title and chapter, exclusive of the Statement of Policy appended thereto (38 F.R. 14641), is hereby revised to read as follows:

§ 375.1 Purpose.

This part prescribes the procedures to be followed with respect to the exchange of vessels pursuant to section 510(i) of the Merchant Marine Act, 1936, as amended (46 U.S.C. 1169(i)), hereinafter referred to as the “Act.”

§ 375.2 Definitions.

(a) “Exchange Ship” means an acquired vessel of 1,500 gross tons or over, constructed or contracted for by the U.S. shipyards before September 3, 1945, owned by a citizen or citizens of the United States, documented under the laws of the United States, and which has not been operated with operating-differential subsidy under title VI of the Act, by the applicant or any affiliate of the applicant, for at least 3 years immediately prior to the date of the exchange.

(b) “Transfer Ship” means an ocean-going, war-built vessel of 1,500 gross tons or over which was constructed or contracted for by the U.S. shipyards during the period beginning on September 3, 1939, and ending September 2, 1945, and owned by the United States.

§ 375.3 General provisions.

(a) Authority to exchange vessels pursuant to the Act expires July 5, 1970.

(b) No payments shall be made by the United States to the owner of an Exchange Ship in connection with any exchange under this Part 375 if such Exchange Ship has been acquired or contracted for by the U.S. shipyards during the period beginning on September 3, 1945, and ending September 2, 1945, and owned by the United States.

(c) No payments shall be made by the United States to the owner of an Exchange Ship in connection with any exchange under this Part 375 if such Exchange Ship has been acquired or contracted for by the U.S. shipyards during the period beginning on September 3, 1945, and ending September 2, 1945, and owned by the United States.

§ 375.4 Application for exchange.

(a) Applications for exchange of ships pursuant to the Act shall be filed with the Chief, Office of Ship Operations, Maritime Administration, Department of Commerce, Washington, D.C. 20235, on forms obtained from that office.

(b) Applications are considered as officially filed when a qualified applicant:

(1) Submits fifteen (15) completely filled-in copies of Form MA-82 (Application for Exchange of Ships);

(2) Executes and files in triplicate an Affidavit of U.S. Citizenship in the form prescribed by the Maritime Administration (32A CFR AGE-2);

(3) Submits financial data as required by the Maritime Administration;

(4) Furnishes, if a corporation, a statement in duplicate showing the names of all officers, directors, and stockholders of record owning five percent (5%) or more of the issued and outstanding stock of the applicant, as well as other ship owning companies in which any such officer, director, or stockholder has a financial interest;

(5) When alternate Transfer Ships are included in one application, consideration will be given to the first listed Transfer Ship which is available. To the extent feasible, as determined by the Maritime Administration, priority will be established based upon the date of filing of the application and such priority shall be maintained as long as the applicant proceeds promptly to effect the exchange.

Title 47—TELECOMMUNICATION

Title 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

PART 87—AVIATION SERVICES

Frequencies Available

In the matter of amendment of Part 87 of the rules to provide additional frequencies to the Civil Air Patrol (CAP) for single sideband (SSB) operations in presently allocated CAP frequency space.

1. The Civil Air Patrol (CAP), a civilian auxiliary of the U.S. Air Force, has requested rule changes which would, in effect, double the number of SSB frequencies available for CAP use below 29 megahertz.

2. The CAP asserts that the requested changes will result in numerous operational advantages to them and alleviate interference now present due to frequency congestion and other conditions.

3. The requested rule changes constitute, in effect, “channel splitting” and will double the number of their SSB frequencies. This will be done without using any more of the radio spectrum than is now available for CAP exclusive use.

The method of achieving this in SSB operations, by transmitting the sideband on the higher frequency side of the carrier frequency, will be the same as used elsewhere generally in the radio community and, for the Aviation Services, is provided for in §87.853(e) of our rules. By providing an additional SSB frequency 3 kc/s below each presently assigned CAP carrier frequency, as contained in the attached appendix, the number of available SSB channels is doubled within the frequency space now allocated for CAP use. At present the CAP is authorized to use either a 3 kc/s SSB emission above the carrier frequency or a double sideband (DSB) emission in the 6 kc/s CAP channels. As the CAP converts primarily to SSB operations, the use of the lower half of the channels steadily diminishes and in time will be mostly, or completely, unused. The rule changes will permit the CAP
RULES AND REGULATIONS

In § 87.513, the introductory text and paragraphs (a), (b), (c), (d), (e), and (f) are amended to read:

§ 87.513 Frequencies available.

The following frequencies are available for assignment to Civil Air Patrol land and mobile stations within the United States, its territories and possessions, except as otherwise provided in this section:

(a) (1) 2374 kc/s, A1, A2, A3 emission, 400 watts maximum power.
(2) 2375.5 kc/s (2375.0 kc/s carrier frequency), A3A, A3H, A3J emission, 1,600 watts maximum power.

(b) (1) 4467.5 kc/s, A1, A2, A3 emission, 400 watts maximum power.
(2) 4469 kc/s (4467.5 kc/s carrier frequency), A3A, A3H, A3J emission, 1,600 watts maximum power.
(3) 4466 kc/s (4464.5 kc/s carrier frequency), A3A, A3J emission, 1,600 watts maximum power.
(4) Assignment of the frequencies 4467.5 kc/s, 4469 kc/s, and 4466 kc/s is limited to stations in the following States:

Alabama.
Connecticut.
Delaware.
Florida.
Georgia.
Maine.
Maryland.
Massachusetts.
Mississippi.
New Hampshire.
New Jersey.
New York.
North Carolina.
Ohio.
Pennsylvania.
Rhode Island.
South Carolina.
Tennessee.
Texas.
Virginia.
West Virginia.

(c) (1) 4507.5 kc/s, A1, A2, A3 emission, 400 watts maximum power.
(2) 4509 kc/s (4507.5 kc/s carrier frequency), A3A, A3H, A3J emission, 1,600 watts maximum power.
(3) 4506 kc/s (4504.5 kc/s carrier frequency), A3A, A3J emission, 1,600 watts maximum power.
(4) Assignment of the frequencies 4507.5 kc/s, 4509 kc/s, and 4506 kc/s is limited to stations in the following States:

Arizona.
Arkansas.
California.
Colorado.
Idaho.
Illinois.
Indiana.
Iowa.
Kansas.
Kentucky.
Louisiana.
Michigan.
Minnesota.
Missouri.
Montana.
Nebraska.
Nevada.
New Mexico.
New York.
North Dakota.
Ohio.
Oklahoma.
Oregon.
South Dakota.
Texas.
Utah.
Washington.
Wisconsin.
Wyoming.

(d) (1) 4585 kc/s, A1, A2, A3 emission, 400 watts maximum power.
(2) 4586.5 kc/s (4585 kc/s carrier frequency), A3A, A3H, A3J emission, 1,600 watts maximum power.
(3) 4583.5 kc/s (4582 kc/s carrier frequency), A3A, A3J emission, 1,600 watts maximum power.
(4) Assignment of the frequencies 4585 kc/s, 4586.5 kc/s, 4583.5 kc/s, and 4582 kc/s is limited to stations in the following States:

Colorado.
Idaho.
Iowa.
Indiana.
Kentucky.
Michigan.

(e) (1) 4602.5 kc/s, A1, F1, A3 emission, 400 watts maximum power.
(2) 4604 kc/s (4602.5 kc/s carrier frequency), A3A, A3H, A3J emission, 1,600 watts maximum power.
(3) 4601 kc/s (4599.5 kc/s carrier frequency), A3A, A3J emission, 1,600 watts maximum power.
(4) Assignment of the frequencies 4602.5 kc/s, 4604 kc/s, and 4601 kc/s is limited to stations in the following States:

Alabama.
Connecticut.
Delaware.
Florida.
Georgia.
Maine.
Maryland.
Massachusetts.
Mississippi.
New Hampshire.

(f) (1) 4630 kc/s, A1, F1, A3 emission, 400 watts maximum power.
(2) 4631.5 kc/s (4630 kc/s carrier frequency), A3A, A3H, A3J emission, 1,600 watts maximum power.
(3) 4628.5 kc/s (4627.5 kc/s carrier frequency), A3A, A3J emission, 1,600 watts maximum power.
(4) Assignment of the frequencies 4610 kc/s, 4631.5 kc/s, and 4628.5 kc/s is limited to stations in the following States:

Arizona.
New Mexico.
Arkansas.
Oklahoma.
Louisiana.

Title 49—TRANSPORTATION
Subtitle A—Office of the Secretary of Transportation
[OST Docket No. 23; Amt. No. 71-4]

PART 71—STANDARD TIME ZONE BOUNDARIES

The purpose of this amendment to Part 71 of Title 49 of the Code of Federal Regulations is to change the existing boundary line between the mountain time zone and the Pacific time zone as it applies to the State of Oregon.

On May 13, 1969, the Department of Transportation published in the Federal Register a notice of proposed rule making (34 F.R. 7610) requesting comments on a proposal based, for the most part, on a petition received from the Governor of Oregon. The petition requested that the Department place the northern third-fourths of Malheur County, Oreg., in the mountain time zone. The petition stated that the area concerned had historically followed mountain time and that the general public, business, and social activities of the area were oriented to those of the Idaho communities in the mountain time zone, immediately neighboring.

It was pointed out in the notice that the existing time zone boundary, set by a decision of the Interstate Commerce Commission in 1923, was based primarily on the lines of the Oregon Short Line Railroad (now part of the Union Pacific system) and that a portion of the railroad line in Baker County, Oreg., had been abandoned. The Department therefore supplemented the Governor's proposed change in Malheur County with a proposal to "substitute a geographic description that encompasses the territory covered by the abandoned railroad line" with respect to Baker County.

Interested persons were given a 48-day period within which to comment on the proposed changes. No adverse comment on the proposed changes was received. With respect to the Malheur County part of the proposal, the Governor of Malheur County, and the mayors of the three principal communities in Malheur County (Ontario, Vale, and Nyssa) have each indicated their support for the change. The county judge
of Malheur County has also indicated that, based on public hearings held by him pursuant to Ordinance No. 15-1968, the proposed Malheur County change "has been approved by citizens of Malheur County and appears to be in the interest of Malheur County." The southern portion of Malheur County, under the proposal, would remain in the Pacific time zone, encompasses the school district served by the community of McDermitt located on the Nevada-Oregon State line. This southern portion of Malheur County is as oriented to Nevada communities, and Pacific time, as the northern portion of the county is to Idaho and mountain time.

Public comment by the Department during the period allowed for public comment has revealed that the abandoned railroad line in Baker County, Oreg., upon which a portion of the mountain-Pacific time zone boundary is now based, followed the west bank of the Snake River (the Idaho-Oregon State border) from Huntington, Oreg., to Homestead, Oreg. The 1923 decision of the Interstate Commerce Commission using the railroad line rather than the Snake River as the basis for the time zone boundary in order to permit that line of railroad to operate on mountain time within an area that was otherwise on Pacific time. Obviously the need for gerrymandering the time zone boundary in Baker County lapsed with the abandonment of the line of railroad.

All information available to the Department indicates that Pacific time is being observed throughout Baker County. The Baker County Commissioners have orally advised the Department that it would be appropriate and desirable that the mountain-Pacific time zone boundary be located so as to place all of Baker County in the Pacific time zone.

It is therefore the opinion of the Department that the clear preference of those concerned is for mountain time in the northern three-fourths of Malheur County and for Pacific time in the southern one-fourth of Malheur County and all of Baker County.

The Department also stated in the notation its intention to make a technical language change in the Idaho-Oregon portion of the mountain-Pacific time zone boundary description so as to make it conform to the description of the same boundary as it affects Nevada and Utah. This technical change does not affect the area covered by the description to be changed.

The Union Pacific Railroad has requested, contingent upon the relocation of the time zone boundary, that the Department modify the operating exceptions granted for the Union Pacific now contained in § 71.8(d) and (e) of Title 49 of the Code of Federal Regulations by deleting the exception "From Vale, Oreg., to Hermiston, Oreg., and by amending the exception "From Vale, Oreg., to Burns, Oreg.," to read "From western boundary of Malheur County, Oreg., to Burns, Oreg.

In consideration of the foregoing, paragraphs (a), (d), (e), and (f) of § 71.8 of Title 49 of the Code of Federal Regulations are amended, effective at 2 a.m. on Sunday, September 7, 1969, to read as follows:

§ 71.8 Boundary line between mountain and Pacific time zones.

(a) Montana-Idaho-Oregon. Beginning at the intersection of the boundary between the United States and Canada with the boundary between the States of Idaho and Montana; thence southerly along the boundary between the States of Idaho and Montana to its intersection with the boundary between Idaho County, Idaho, and Lemhi County, Idaho; thence southwesterly along the boundary between those two counties to the main channel of the Salmon River; thence westerly along the main channel of the Salmon River to the western boundary of Idaho; thence southerly along the western boundary of Idaho to its intersection with the boundary between Baker County, Oreg., and Malheur County, Oreg.; thence westerly along the northern boundary of Malheur County to the northern corner of Malheur County; thence southerly along the western boundary of Malheur County to the southwestern corner of T. 35 S., R. 37 E.; thence easterly to the boundary between the States of Oregon and Idaho; thence south along the boundary between Oregon and Idaho to the southwest corner of the State of Idaho; thence easterly along the southern boundary of the State of Idaho to its intersection with the western boundary of the State of Utah.

(b) Idaho-Oregon-Nevada. Beginning at the intersection of the boundary between the States of Idaho and Oregon with the boundary between the States of Oregon and Nevada at the boundary between the Snake River and the boundary between the States of Idaho and Oregon; thence north along the Snake River to the Idaho-Oregon State line; thence north along the boundary line thus described to its intersection with the boundary between the States of Idaho and Oregon; thence northerly along the boundary between the States of Idaho and Oregon to the northern corner of the State of Idaho; thence northerly along the boundary of the State of Idaho to the boundary between the United States and Canada; thence southerly along the boundary between the United States and Canada to its intersection with the boundary between the States of Idaho and Montana; thence southerly along the boundary between the States of Idaho and Montana to its intersection with the boundary between Idaho County, Idaho, and Lemhi County, Idaho; thence southwesterly along the boundary between those two counties to the main channel of the Salmon River; thence westerly along the main channel of the Salmon River to the western boundary of Idaho; thence southerly along the western boundary of Idaho to its intersection with the boundary between Baker County, Oreg., and Malheur County, Oreg.; thence westerly along the northern boundary of Malheur County to the northern corner of Malheur County; thence southerly along the western boundary of Malheur County to the southwestern corner of T. 35 S., R. 37 E.; thence easterly to the boundary between the States of Oregon and Idaho; thence south along the boundary between Oregon and Idaho to the southwest corner of the State of Idaho; thence easterly along the southern boundary of the State of Idaho to its intersection with the western boundary of the State of Utah.

(d) Operating exceptions.

(1) ... *

(2) Lines west of boundary included in mountain zone: Those portions of the following lines of railroad located west of the zone boundary line described in this section, are, for operating purposes only, excepted from the U.S. standard Pacific time zone and shall be included in the U.S. standard mountain time zone:

Rapido — From — To
Ashciron, Toseka, & Santa Fe... Colorado River, Southern limits, Needles, Calif.
Chicago, Milwaukee, St. Paul, & Pacific... Idaho-Nevada State line, Averv, Idaho.
Union Pacific... Idaho-Nevada State line, Wells, Nev.
Do... West line of Malheur County, Oreg.

(e) Points on boundary line. All municipalities located upon the zone boundary line described in this section shall be considered as within the U.S. standard mountain time zone.

This amendment does not concern adherence to or exemption from advanced (daylight saving) time. The Uniform Time Act of 1966 requires observance of advanced time within each established time zone from the last Sunday in April to the last Sunday in October, but permits any State to exempt itself, by law, from observing advanced time within that State. The Department has no administrative authority with respect to this requirement. (15 U.S.C. 269-287, sec. 8(e) (5), Department of Transportation Act; 49 U.S.C. 1655(e) (5))

Issued in Washington, D.C., on August 7, 1969.

John A. Volpe,
Secretary of Transportation.

Title 50—WILDLIFE AND FISHERIES

Chapter I—Bureau of Sport Fisheries and Wildlife, Fish and Wildlife Service, Department of the Interior

PART 32—HUNTING

Mingo National Wildlife Refuge, Mo.

The following special regulations is issued and is effective on date of publication in the Federal Register.

§ 32.32 Special regulations: big game: for individual wildlife refuge areas.

MISSOURI

MINGO NATIONAL WILDLIFE REFUGE

Public hunting of deer on the Mingo National Wildlife Refuge, Puxico, Mo., is permitted only on the area designated by sign as open to hunting. This open area, comprising 4,000 acres, is delineated on maps available at refuge headquarters, Puxico, Mo., and from the office of the Regional Director, Bureau of Sport Fisheries and Wildlife, Federal Building, Fort Snelling, Twin Cities, Minn. 55111. Hunting shall be in accordance with all applicable State regulations covering the hunting of deer subject to the following special conditions.

(1) Hunting with bows and arrows only is permitted.

(2) The open season for hunting deer on refuge is from October 1 through December 15, 1969, inclusive.

(3) A Federal permit is required to enter the public hunting area. It may be obtained by mail by writing the Refuge Manager, Mingo National Wildlife Refuge, Puxico, Mo., or by applying in person at refuge headquarters, Puxico, Mo., between the hours of 8 a.m. and 4:30 p.m., Monday through Friday between August 25 through September 25, inclusive. No permits will be issued after September 25. The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally, which are set forth in Title 56, Code of Federal Regulations, Part 32, and are effective through December 15, 1969.

John E. Toll,
Refuge Manager, Mingo Na­tional Wildlife Refuge, Puxico, Mo.

August 1, 1969.