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FEDERAL REGISTER

THE NATIONAL ARCHIVES OF THE UNITED STATES 1934

VOLUME 27 NUMBER 179

Washington, Friday, September 14, 1962

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for Period November 16, 1962, Through June 30, 1963.

* * * * *

(e) *Special Credit or Refund of Transportation Tax.* Notwithstanding any other provision of law, in any case in which tax has been collected—

(1) Before November 16, 1962, for or in connection with the transportation of persons which begins on or after November 16, 1962, or

(2) After November 15, 1962, and before July 1, 1963, for or in connection with the transportation of persons by air which begins on or after July 1, 1963,

the person who collected the tax shall pay the same over to the United States; but credit or refund (without interest) of the tax collected in excess of that applicable (by reason of the amendments made by this section) shall be allowed to the person who collected the tax as if such credit or refund were a credit or refund under the applicable provision of the Internal Revenue Code of 1954, but only to the extent that, before the time such transportation has begun, he has repaid the amount of such excess to the person from whom he collected the tax, or has obtained the consent of such person to the allowance of the credit or refund. For the purpose of this subsection, transportation shall not be considered to have begun on or after November 16, 1962, or on or after July 1, 1963, as the case may be, if any part of the transportation paid for (or for which payment has been obligated) commenced before such date.

§ 49.9000–1 Special credit or refund provided by section 5(e) of the Tax Rate Extension Act of 1962.

(a) *In general.* Section 5(e) of the Tax Rate Extension Act of 1962 provides that a credit or refund shall be allowed (as if such credit or refund were a credit or refund under the applicable provisions of the Internal Revenue Code of 1954) to any person who (1) prior to November 16, 1962, collected tax at the rate of 10 percent of the amount paid for the transportation of persons by rail, water, motor vehicle, or air (including seating or sleeping accommodations) which begins on or after November 16, 1962, or (2) after November 15, 1962, and before July 1, 1963, collected tax at the rate of 5 percent on amounts paid for the transportation of persons by air (including seating or sleeping accommodations) which begins on or after July 1, 1963.

(b) *Amount of credit or refund.* The amount to be credited or refunded shall be (1) the tax collected in the case of transportation by rail, water, or motor vehicle which begins on or after November 16, 1962, (2) the excess of the tax collected over the rate of 5 percent in the case of transportation by air which begins on or after November 16, 1962, or (3) the tax collected on or after November 16, 1962, in the case of transportation of persons by air which begins on or after July 1, 1963.

(c) *Where and how to file claim or take a credit.* A claim for refund may be filed on Form 843 with the district director for the internal revenue district in which the amount claimed was paid. A credit for such amount may be taken against the tax shown to be due on a subsequent return.

(d) *Conditions precedent to the allowance of a claim or credit.* The credit or refund will be allowed only if all the following conditions are met:

(1) The tax has been collected at the higher rate (10 percent or 5 percent);

(2) Such tax actually has been paid over to the United States by the person claiming the credit or refund; and

(3) Prior to the time the transportation has begun, such person either (i) has reimbursed the person from whom the tax was collected for the amount representing the difference between the tax computed at the higher rate (10 percent or 5 percent) and the tax which would have been applicable (5 percent or no tax), or (ii) has obtained the written consent of the person from whom the tax was collected to the allowance of the credit or refund of such amount.

(e) *Evidence required.* In order to obtain a refund or credit under this section, the claimant must have satisfactory evidence to substantiate his right to such credit or refund, such as a signed, dated statement from the person from whom the tax was collected showing his name and address and the fact that such person has received payment of such excess or has consented to the allowance of the credit or refund to the claimant. The credit or refund may not be allowed if any part of the transportation paid for, or for which payment was obligated, commenced prior to November 16, 1962, or prior to July 1, 1963, as the case may be. Section 4264(e) and § 49.4264(e)–1 provide that a round trip shall be considered to consist of transportation from the point of departure to the destination and of separate transportation thereafter. Accordingly, in the case of a round-trip ticket if the transportation from the point of origin commenced before November 16, 1962, or July 1, 1963, credit or refund as provided in this section of tax collected with respect to the amount paid for the return portion of such ticket may be allowed if the transportation authorized by the return portion is begun after November 15, 1962, or June 30, 1963, as the case may be.

(f) *Interest.* No interest shall be allowed with respect to any amount of tax refunded or credited under the provisions of this section.

[F.R. Doc. 62–9242; Filed, Sept. 13, 1962; 8:52 a.m.]

DEPARTMENT OF THE INTERIOR

Bureau of Indian Affairs

[25 CFR Part 142]

SALE OF LUMBER AND OTHER FOREST PRODUCTS PRODUCED BY INDIAN ENTERPRISES FROM THE FORESTS ON INDIAN RESERVATIONS

Notice of Proposed Rule Making

Notice is hereby given that pursuant to the authority vested in the Secretary of the Interior by the Revised Statutes, sections 161, 463, and 465 (5 U.S.C. 22; 25 U.S.C. 2 and 9), it is proposed to amend Part 142 of Title 25, Code of Federal regulations.

The purpose of this amendment is to provide opportunities for organized tribal forest enterprises to conduct sales of lumber and other forest products. Bureau guidance over sales is needed for small-scale operations where the enterprise organization has limited experience in conducting such sales; or where no formal agreement has been entered into between the enterprise and the tribal representatives or individual Indians for the purchase of tribal or allotted stumpage.

Part 142 is recodified to incorporate numerous editorial corrections in addition to the substantive changes, above.

It is the policy of the Department of the Interior, whenever practicable, to afford the public an opportunity to participate in the rule making process. Accordingly, interested persons may submit written comments, suggestions, or objections with respect to the proposed amendment to the Bureau of Indian Affairs, Washington 25, D.C., within thirty days of the date of publication of this notice in the FEDERAL REGISTER.

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AUTHORITY: §§ 142.1 to 142.12 issued under R.S. 161, 54 Stat. 504, as amended; 5 U.S.C. 22, 41 U.S.C. 6b.

§ 142.1 Definitions.

As used in this part:

(a) "Secretary" means Secretary of the Interior or his authorized representative.

(b) "Forest products" means lumber, lath, shingles, crating ties, bolts, logs, bark, pulpwood, or other marketable materials obtained from forests and authorized for removal by the Indian enterprises.

§ 142.2 Purpose of regulations.

The regulations in this Part 142 prescribe the terms and conditions under which forest products produced by Indian tribal enterprises from the forests of Indian reservations may be sold without compliance with section 3709 of the Revised Statutes.

§ 142.3 Applicability of regulations.

The regulations in this Part 142 are intended to be generally applicable except that they shall not apply to the Red Lake Reservation in Minnesota; or, as may be determined by the Secretary, to Indian enterprises that have entered into approved agreements for the use of tribal or allotted timber pursuant to § 141.6 of this chapter.

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§ 142.4 Sale in open market.

The forest products obtained from the forests on Indian reservations by Indian enterprises may be sold in the open market at such prices as may be realized through the methods provided in this Part 142.

§ 142.5 Advertisement in trade journals and newspapers.

Forest products obtained from Indian reservation forests by Indian enterprises, may be advertised for sale in lumber trade journals of general circulation among persons, companies, or corporations intersted in the buying and selling of forest products, and in newspapers in cities that may afford a favorable market for such forest products.

§ 142.6 Advertising, general.

Advertisement of forest products may also be made by circular letters and through personal interviews with the trade: *Provided,* That the travel expense incident thereto shall not be incurred without specific authority from the Secretary.

§ 142.7 Proposals for purchase.

Proposals for the purchase of forest products may be made to the Secretary, and he is authorized to quote prices and consummate sales at such times and/or such terms as are consistent with the regulations of this Part 142.

§ 142.8 Proposals to Government departments.

Proposals to sell may be made to municipalities, counties, states, of the United States and prices may be quoted to such agencies. Terms and payment in connection with such sales may be formulated in accordance with the general practice of such agencies.

§ 142.9 Cash sales.

All forest products of Indian forest enterprises shall be sold for cash f.o.b. mill or other point of delivery, except as provided in §§ 142.8 and 142.10. Adjustments and allowances on shipments of forest products after delivery to the buyer are authorized in accordance with generally accepted trade practices when such adjustments are essential by reason of off-grade shipments or errors in volume.

§ 142.10 Payments, discounts, and credit sales.

Shipments of forest products on open account shall be made only to persons or companies who have an acceptable credit rating. Credit on shipments of forest products sold on open account must not be extended beyond 60 days from date of receipt by the buyer. A cash discount in accordance with general trade practice and usually not exceeding two percent of mill value, may be allowed when the shipment is paid for within ten days of receipt by the consignee as evidenced by the original paid freight bill or other acceptable evidence.

§ 142.11 Commission sales agents.

Sales may be made through commission sales agents, for which they may be paid a commission on f.o.b. mill value of the shipment at approved rates. Sales may be made to wholesalers on which a discount at approved rates may be allowed.

§ 142.12 Deposits.

On all agreements to purchase for future delivery a deposit may be required. Such a deposit may be forfeited if the purchaser does not comply with the terms of sale. No agreement for sale and future delivery shall be made for a longer period than 60 days, except with the approval of the Secretary.

JOHN A. CARVER, Jr.,
Acting Secretary of the Interior.

SEPTEMBER 7, 1962.

[F.R. Doc. 62-9182; Filed, Sept. 13, 1962; 8:46 a.m.]

Fish and Wildlife Service

[50 CFR Part 33]

SPORT FISHING; WAPANOCCA NATIONAL WILDLIFE REFUGE, ARKANSAS

Proposed Addition to List of Open Areas

Notice is hereby given that pursuant to the authority vested in the Secretary of the Interior by the Migratory Bird Conservation Act of February 18, 1929, as amended (45 Stat. 1222; 16 U.S.C. 715), it is proposed to amend 50 CFR 33.4 by the addition of the Wapanocca National Wildlife Refuge, Arkansas, to the list of wildlife refuge areas open to public sport fishing as legislatively permitted.

A public fishing plan for the Wapanocca National Wildlife Refuge has been prepared and it has been determined that regulated public sport fishing may be permitted without detriment to the objectives for which the area was established.

It is the policy of the Department of the Interior, whenever practicable, to afford the public an opportunity to participate in the rule making process. Accordingly, interested persons may submit written comments, suggestions, or objections, with respect to this proposed amendment, to the Director, Bureau of Sport Fisheries and Wildlife, Washington 25, D.C., within 30 days of the date of publication of this notice in the FEDERAL REGISTER.

1. Section 33.4 is amended by the addition of the following area as one where sport fishing is authorized.

§ 33.4 List of open areas; sport fishing.

* * * * *

ARKANSAS

Wapanocca National Wildlife Refuge.

JOHN A. CARVER, Jr.,
Acting Secretary of the Interior.

SEPTEMBER 7, 1962.

[F.R. Doc. 62-9181; Filed, Sept. 13, 1962; 8:46 a.m.]

National Park Service

[36 CFR Part 7]

LAKE MEAD NATIONAL RECREATION AREA, ARIZONA AND NEVADA

Alcoholic Beverages; Notice of Proposed Rule Making

Notice is hereby given that pursuant to the authority contained in section 3 of the Act of August 25, 1916 (39 Stat. 535; 16 U.S.C. 3), 245 DM 1 (27 F.R. 6395), National Park Service Order No. 14 (19 F.R. 8824), Regional Director, Southwest Region, Order No. 3 (21 F.R. 1494), as amended, it is proposed to amend § 7.48 of Title 36, Code of Federal Regulations, as is set forth below. The purpose of this amendment is to establish reasonable regulations which will provide adequate control over the possession of alcoholic beverages by persons under 21 years of age.

It is the policy of the Department of the Interior whenever practicable, to afford the public an opportunity to participate in the rule making process. Accordingly, interested persons may submit written comments, suggestions, or objections with respect to the proposed amendment to the Superintendent, Lake Mead National Recreation Area, Boulder City, Nevada, within thirty days of the date of publication of this notice in the FEDERAL REGISTER.

A new paragraph (d) divided into subparagraphs, is added to § 7.48 to read as follows:

§ 7.48 Lake Mead National Recreation Area.

* * * * *

(d) *Alcoholic beverages.* (1) Sales or gifts of alcoholic beverages to persons under 21 years of age is prohibited.

(2) Possession of alcoholic beverages by persons under 21 years of age is prohibited.

CHARLES A. RICHEY,
Superintendent,
Lake Mead National Recreation Area.

[F.R. Doc. 62-9183; Filed, Sept. 13, 1962; 8:46 a.m.]

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

[7 CFR Part 929]

CRANBERRIES GROWN IN CERTAIN STATES

Notice of Proposed Free and Restricted Percentages and Standards for Withheld Cranberries for 1962–63 Fiscal Period

Handling of cranberries grown in the States of Massachusetts, Rhode Island, Connecticut, New Jersey, Wisconsin, Michigan, Minnesota, Oregon, Washington, and Long Island in the State of New York.

Consideration is being given to a proposal to establish, for the 1962–63 fiscal year beginning August 15, 1962, free and restricted percentages which percentages

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