

Associate Chief Counsel (Passthroughs and Special Industries). However, other personnel from the IRS and the Treasury Department participated in their development.

\* \* \* \* \*

### Proposed Amendments to the Regulations

Accordingly, 26 CFR part 301 is proposed to be amended as follows:

#### PART 301—PROCEDURE AND ADMINISTRATION

Paragraph 1. The authority citation for part 301 continues to read in part as follows:

Authority: 26 U.S.C. 7805 \* \* \*

Par. 2. Section 301.7701-2 is amended by:

1. Revising paragraphs (c)(2)(iii) and (c)(2)(iv)(B).

2. Redesignating paragraph (c)(2)(v)(B) as paragraph (c)(2)(v)(C) and adding new paragraph (c)(2)(v)(B).

3. In newly-designated paragraph (c)(2)(v)(C), *Example (iv)* is added.

4. Revising paragraphs (e)(2), (e)(5) and (e)(6).

The additions and revisions read as follows:

#### §301.7701-2 Business entities; definitions.

\* \* \* \* \*

(c) \* \* \*

(2) \* \* \*

(iii) [The text of this proposed amendment to §301.7701-2(c)(2)(iii) is the same as the text of §301.7701-2T(c)(2)(iii) pub-

lished elsewhere in this issue of the Bulletin].

(iv) \* \* \*

(B) [The text of this proposed amendment to §301.7701-2(c)(2)(iv)(B) is the same as the text of §301.7701-2T(c)(2)(iv)(B) published elsewhere in this issue of the Bulletin].

\* \* \* \* \*

(v) \* \* \*

(B) [The text of this proposed amendment to §301.7701-2(c)(2)(v)(B) is the same as the text of §301.7701-2T(c)(2)(v)(B) published elsewhere in this issue of the Bulletin].

(C) \* \* \* (iv) [The text of this proposed amendment to §301.7701-2(c)(2)(v)(C) *Example (iv)* is the same as the text of §301.7701-2T(c)(2)(v)(C) *Example (iv)* published elsewhere in this issue of the Bulletin].

\* \* \* \* \*

(e) \* \* \*

(2) [The text of this proposed amendment to §301.7701-2(e)(2) is the same as the text of §301.7701-2T(e)(2) published elsewhere in this issue of the Bulletin].

\* \* \* \* \*

(5) [The text of this proposed amendment to §301.7701-2(e)(5) is the same as the text of §301.7701-2T(e)(5) published elsewhere in this issue of the Bulletin].

(6) [The text of this proposed amendment to §301.7701-2(e)(6) is the same as the text of §301.7701-2T(e)(6) published elsewhere in this issue of the Bulletin].

\* \* \* \* \*

L. E. Stiff,

Deputy Commissioner for Services and Enforcement.

(Filed by the Office of the Federal Register on September 10, 2009, 11:15 a.m., and published in the issue of the Federal Register for September 14, 2009, 74 F.R. 46957)

## Corrections to Rev. Rul. 2009-22 and Rev. Rul. 2009-29

### Announcement 2009-74

This document contains corrections to both the August AFR (**Rev. Rul. 2009-22**) and the September AFR (**Rev. Rul. 2009-29**) which contained an inaccurate date in the Note in Table 4.

The Note in Table 4 in the August AFR (Rev. Rul. 2009-22) incorrectly read:

“Note: Under Section 42(b)(2), the applicable percentage for non-federally subsidized new buildings placed in service after **August 30, 2008**, and before December 31, 2013, shall not be less than 9%”.

The Note in Table 4 in the September AFR (Rev. Rul. 2009-29) incorrectly read:

“Note: Under Section 42(b)(2), the applicable percentage for non-federally subsidized new buildings placed in service after **September 30, 2008**, and before December 31, 2013, shall not be less than 9%.”

The Note in Table 4 should have read (in both revenue procedures):

“Note: Under Section 42(b)(2), the applicable percentage for non-federally subsidized new buildings placed in service after **July 30, 2008** and before December 31, 2013 shall not be less than 9%.”

# Announcement of Disciplinary Sanctions From the Office of Professional Responsibility

## Announcement 2009-75

The Office of Professional Responsibility (OPR) announces recent disciplinary sanctions involving attorneys, certified public accountants, enrolled agents, enrolled actuaries, enrolled retirement plan agents, and appraisers. These individuals are subject to the regulations governing practice before the Internal Revenue Ser-

vice (IRS), which are set out in Title 31, Code of Federal Regulations, Part 10, and which are published in pamphlet form as Treasury Department Circular No. 230. The regulations prescribe the duties and restrictions relating to such practice and prescribe the disciplinary sanctions for violating the regulations.

The disciplinary sanctions to be imposed for violation of the regulations are:

**Disbarred from practice before the IRS**—An individual who is disbarred is not eligible to represent taxpayers before the IRS.

**Suspended from practice before the IRS**—An individual who is suspended is

# Part I. Rulings and Decisions Under the Internal Revenue Code of 1986

## Section 42.—Low-Income Housing Credit

The adjusted applicable federal short-term, mid-term, and long-term rates are set forth for the month of August 2009. See Rev. Rul. 2009-22, page 167.

## Section 280G.—Golden Parachute Payments

Federal short-term, mid-term, and long-term rates are set forth for the month of August 2009. See Rev. Rul. 2009-22, page 167.

## Section 382.—Limitation on Net Operational Loss Carryforwards and Certain Built-in Losses Following Ownership Change

The adjusted applicable federal long-term rate is set forth for the month of August 2009. See Rev. Rul. 2009-22, page 167.

## Section 412.—Minimum Funding Standards

The adjusted applicable federal short-term, mid-term, and long-term rates are set forth for the month of August 2009. See Rev. Rul. 2009-22, page 167.

## Section 467.—Certain Payments for the Use of Property or Services

The adjusted applicable federal short-term, mid-term, and long-term rates are set forth for the month of August 2009. See Rev. Rul. 2009-22, page 167.

## Section 468.—Special Rules for Mining and Solid Waste Reclamation and Closing Costs

The adjusted applicable federal short-term, mid-term, and long-term rates are set forth for the month of August 2009. See Rev. Rul. 2009-22, page 167.

## Section 482.—Allocation of Income and Deductions Among Taxpayers

Federal short-term, mid-term, and long-term rates are set forth for the month of August 2009. See Rev. Rul. 2009-22, page 167.

## Section 483.—Interest on Certain Deferred Payments

The adjusted applicable federal short-term, mid-term, and long-term rates are set forth for the month of August 2009. See Rev. Rul. 2009-22, page 167.

## Section 642.—Special Rules for Credits and Deductions

Federal short-term, mid-term, and long-term rates are set forth for the month of August 2009. See Rev. Rul. 2009-22, page 167.

## Section 807.—Rules for Certain Reserves

The adjusted applicable federal short-term, mid-term, and long-term rates are set forth for the month of August 2009. See Rev. Rul. 2009-22, page 167.

## Section 846.—Discounted Unpaid Losses Defined

The adjusted applicable federal short-term, mid-term, and long-term rates are set forth for the month of August 2009. See Rev. Rul. 2009-22, page 167.

## Section 1274.—Determination of Issue Price in the Case of Certain Debt Instruments Issued for Property

(Also Sections 42, 280G, 382, 412, 467, 468, 482, 483, 642, 807, 846, 1288, 7520, 7872.)

**Federal rates; adjusted federal rates; adjusted federal long-term rate and the long-term exempt rate.** For purposes of

sections 382, 642, 1274, 1288, and other sections of the Code, tables set forth the rates for August 2009.

## Rev. Rul. 2009-22

This revenue ruling provides various prescribed rates for federal income tax purposes for August 2009 (the current month). Table 1 contains the short-term, mid-term, and long-term applicable federal rates (AFR) for the current month for purposes of section 1274(d) of the Internal Revenue Code. Table 2 contains the short-term, mid-term, and long-term adjusted applicable federal rates (adjusted AFR) for the current month for purposes of section 1288(b). Table 3 sets forth the adjusted federal long-term rate and the long-term tax-exempt rate described in section 382(f). Table 4 contains the appropriate percentages for determining the low-income housing credit described in section 42(b)(1) for buildings placed in service during the current month. However, under section 42(b)(2), the applicable percentage for non-federally subsidized new buildings placed in service after August 30, 2008, and before December 31, 2013, shall not be less than 9%. Finally, Table 5 contains the federal rate for determining the present value of an annuity, an interest for life or for a term of years, or a remainder or a reversionary interest for purposes of section 7520.

REV. RUL. 2009-22 TABLE 1  
Applicable Federal Rates (AFR) for August 2009

|                   | <i>Period for Compounding</i> |                   |                  |                |
|-------------------|-------------------------------|-------------------|------------------|----------------|
|                   | <i>Annual</i>                 | <i>Semiannual</i> | <i>Quarterly</i> | <i>Monthly</i> |
| <i>Short-term</i> |                               |                   |                  |                |
| AFR               | .83%                          | .83%              | .83%             | .83%           |
| 110% AFR          | .91%                          | .91%              | .91%             | .91%           |
| 120% AFR          | 1.00%                         | 1.00%             | 1.00%            | 1.00%          |
| 130% AFR          | 1.08%                         | 1.08%             | 1.08%            | 1.08%          |
| <i>Mid-term</i>   |                               |                   |                  |                |
| AFR               | 2.80%                         | 2.78%             | 2.77%            | 2.76%          |
| 110% AFR          | 3.08%                         | 3.06%             | 3.05%            | 3.04%          |
| 120% AFR          | 3.37%                         | 3.34%             | 3.33%            | 3.32%          |
| 130% AFR          | 3.64%                         | 3.61%             | 3.59%            | 3.58%          |
| 150% AFR          | 4.21%                         | 4.17%             | 4.15%            | 4.13%          |
| 175% AFR          | 4.93%                         | 4.87%             | 4.84%            | 4.82%          |
| <i>Long-term</i>  |                               |                   |                  |                |
| AFR               | 4.26%                         | 4.22%             | 4.20%            | 4.18%          |
| 110% AFR          | 4.69%                         | 4.64%             | 4.61%            | 4.60%          |
| 120% AFR          | 5.12%                         | 5.06%             | 5.03%            | 5.01%          |
| 130% AFR          | 5.57%                         | 5.49%             | 5.45%            | 5.43%          |

REV. RUL. 2009-22 TABLE 2  
Adjusted AFR for August 2009

|                         | <i>Period for Compounding</i> |                   |                  |                |
|-------------------------|-------------------------------|-------------------|------------------|----------------|
|                         | <i>Annual</i>                 | <i>Semiannual</i> | <i>Quarterly</i> | <i>Monthly</i> |
| Short-term adjusted AFR | .92%                          | .92%              | .92%             | .92%           |
| Mid-term adjusted AFR   | 2.40%                         | 2.39%             | 2.38%            | 2.38%          |
| Long-term adjusted AFR  | 4.48%                         | 4.43%             | 4.41%            | 4.39%          |

REV. RUL. 2009-22 TABLE 3  
Rates Under Section 382 for August 2009

|  |       |
|--|-------|
| Adjusted federal long-term rate for the current month  | 4.48% |
| Long-term tax-exempt rate for ownership changes during the current month (the highest of the adjusted federal long-term rates for the current month and the prior two months.) | 4.48% |

REV. RUL. 2009-22 TABLE 4  
Appropriate Percentages Under Section 42(b)(1) for August 2009

Note: Under Section 42(b)(2), the applicable percentage for non-federally subsidized new buildings placed in service after August 30, 2008, and before December 31, 2013, shall not be less than 9%.

|  |       |
|--|-------|
| Appropriate percentage for the 70% present value low-income housing credit | 7.82% |
| Appropriate percentage for the 30% present value low-income housing credit | 3.35% |

REV. RUL. 2009-22 TABLE 5  
Rate Under Section 7520 for August 2009

Applicable federal rate for determining the present value of an annuity, an interest for life or a term of years,  
or a remainder or reversionary interest 3.4%

---

**Section 1288.—Treatment  
of Original Issue Discount  
on Tax-Exempt Obligations**

The adjusted applicable federal short-term, mid-term, and long-term rates are set forth for the month of August 2009. See Rev. Rul. 2009-22, page 167.

---

**Section 7520.—Valuation  
Tables**

The adjusted applicable federal short-term, mid-term, and long-term rates are set forth for the month of August 2009. See Rev. Rul. 2009-22, page 167.

---

**Section 7872.—Treatment  
of Loans With Below-Market  
Interest Rates**

The adjusted applicable federal short-term, mid-term, and long-term rates are set forth for the month of August 2009. See Rev. Rul. 2009-22, page 167.