

necessary for me to reach the question, discussed *ante*, at 12–13, whether the government’s refund action against the O’Gilvie children was commenced within the two-year period specified by 26 U.S.C. §6532(b). I note, however, that the Court’s resolution of these cases also does not demand that this issue be addressed, except to the extent of rejecting the proposition that the statutory period begins to run with the mailing of a refund check. So long as that is not the trigger, there is no need to decide whether the proper trigger is receipt of the check or some later event, such as the check’s clearance.

For the reasons stated, I respectfully dissent from the judgment of the Court.

Section 280G.—Golden Parachute Payments

Federal short-term, mid-term, and long-term rates are set forth for the month of August 1997. See Rev. Rul. 97–30, this page.

Section 382.—Limitation on Net Operating Loss Carryforwards and Certain Built-In Losses Following Ownership Change

The adjusted federal long-term rate is set forth for the month of August 1997. See Rev. Rul. 97–30, this page.

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 1997. See Rev. Rul. 97–30, this page.

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 1997. See Rev. Rul. 97–30, this page.

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 1997. See Rev. Rul. 97–30, this page.

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 1997. See Rev. Rul. 97–30, this page.

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 1997. See Rev. Rul. 97–30, this page.

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 1997. See Rev. Rul. 97–30, this page.

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 1274, 1288, 382, and other sections of the Code, tables set forth the rates for August 1997.

Rev. Rul. 97–30

This revenue ruling provides various prescribed rates for federal income tax purposes for August 1997 (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)(2) for buildings placed in service during the current month. 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. 97–30 TABLE 1
Applicable Federal Rates (AFR) for August 1997

	<i>Period for Compounding</i>			
	<i>Annual</i>	<i>Semiannual</i>	<i>Quarterly</i>	<i>Monthly</i>
<i>Short-Term</i>				
AFR	5.87%	5.79%	5.75%	5.72%
110% AFR	6.47%	6.37%	6.32%	6.29%
120% AFR	7.07%	6.95%	6.89%	6.85%
130% AFR	7.67%	7.53%	7.46%	7.41%
<i>Mid-Term</i>				
AFR	6.39%	6.29%	6.24%	6.21%
110% AFR	7.04%	6.92%	6.86%	6.82%
120% AFR	7.69%	7.55%	7.48%	7.43%
130% AFR	8.35%	8.18%	8.10%	8.04%

	<i>Period for Compounding</i>			
	<i>Annual</i>	<i>Semiannual</i>	<i>Quarterly</i>	<i>Monthly</i>
<i>Mid-Term (continued)</i>				
150% AFR	9.66%	9.44%	9.33%	9.26%
175% AFR	11.31%	11.01%	10.86%	10.77%
<i>Long-Term</i>				
AFR	6.73%	6.62%	6.57%	6.53%
110% AFR	7.41%	7.28%	7.21%	7.17%
120% AFR	8.10%	7.94%	7.86%	7.81%
130% AFR	8.80%	8.61%	8.52%	8.46%

REV. RUL. 97-30 TABLE 2 Adjusted AFR for August 1997				
	<i>Period for Compounding</i>			
	<i>Annual</i>	<i>Semiannual</i>	<i>Quarterly</i>	<i>Monthly</i>
Short-term adjusted AFR	4.01%	3.97%	3.95%	3.94%
Mid-term adjusted AFR	4.54%	4.49%	4.47%	4.45%
Long-term adjusted AFR	5.33%	5.26%	5.23%	5.20%

REV. RUL. 97-30 TABLE 3 Rates Under Section 382 for August 1997	
Adjusted federal long-term rate for the current month	5.33%
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.)	5.64%

REV. RUL. 97-30 TABLE 4 Appropriate Percentages Under Section 42(b)(2) for August 1997	
Appropriate percentage for the 70% present value low-income housing credit	8.54%
Appropriate percentage for the 30% present value low-income housing credit	3.66%

REV. RUL. 97-30 TABLE 5 Rate Under Section 7520 for August 1997	
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	7.6%