Rev. Proc. 2001–13

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SECTION 1. PURPOSE

This revenue procedure sets forth inflation adjusted items for 2001.

SECTION 2. CHANGES

.01 This revenue procedure reflects the unpublished corrections made by the Bureau of Labor Statistics (BLS) in the Consumer Price Index for All Urban Consumers (CPI-U) for September 1999 through December 1999 that will be required if the Taxpayer Relief Act of 2000 is enacted. The 2000 Act passed the House as H.R. 2614 on October 26, 2000. A provision having the same effect is contained in the Community Renewal Tax Relief Act of 2000 pending in the Congress as of the date of publication of this revenue procedure. Specific items that would be affected by the legislation are:

(1) the tax rate tables (set forth in section 3.01 of this revenue procedure);

(2) certain figures relating to the earned income tax credit (section 3.03);

(3) the aggregate amount of gifts received from foreign persons for purposes of information reporting § 6039F (section 3.22); and

(4) the amount used to determine the validity of certain tax liens under § 6323(b)(7) (section 3.23).

.02 Part I of section 3 of this revenue procedure reflects the figures that will apply if the legislation is enacted. Part II of section 3 provides the alternative figures for items affected by the legislation that will apply in the event that the 2000 Act is not enacted. The Service will issue subsequent notification clarifying whether the amounts set forth in Part I or Part II are applicable for 2001.

.03 There are no changes from the preceding year in the list of items adjusted.

SECTION 3. 2001 ADJUSTED ITEMS

Part I – Inflation-adjusted Items Applicable if Pending Legislation is Enacted

.01 *Tax Rate Tables*. For tax years beginning in 2001, the tax rate tables under § 1 are as follows:

TABLE 1 - Section 1(a). — MARRIED INDIVIDUALS FILING JOINT RETURNS AND SURVIVING SPOUSES

If Taxable Income Is:	The Tax Is:
Not Over $45,200	15% of the taxable income
Over $45,200 but not over $109,250	$6,780.00 plus 28% of the excess over $45,200
Over $109,250 but not over $166,500	$24,714.00 plus 31% of the excess over $109,250
Over $166,500 but not over $297,350	$42,461.50 plus 36% of the excess over $166,500
Over $297,350	$89,567.50 plus 39.6% of the excess over $297,350

TABLE 2 - Section 1(b). — HEADS OF HOUSEHOLDS

If Taxable Income Is:	The Tax Is:
Not Over $36,250	15% of the taxable income
Over $36,250 but not over $93,650	$5,437.50 plus 28% of the excess over $36,250
Over $93,650 but not over $151,650	$21,509.50 plus 31% of the excess over $93,650
Over $151,650 but not over $297,350	$39,489.50 plus 36% of the excess over $151,650
Over $297,350	$91,941.50 plus 39.6% of the excess over $297,350

TABLE 3 - Section 1(c). — UNMARRIED INDIVIDUALS (OTHER THAN SURVIVING SPOUSES AND HEADS OF HOUSEHOLDS)

If Taxable Income Is:	The Tax Is:
Not Over $27,050	15% of the taxable income
Over $27,050 but not over $65,550	$4,057.50 plus 28% of the excess over $27,050
Over $65,550 but not over $136,750	$14,837.50 plus 31% of the excess over $65,550
Over $136,750 but not over $297,350	$36,909.50 plus 36% of the excess over $136,750
Over $297,350	$94,725.50 plus 39.6% of the excess over $297,350

TABLE 4 - Section 1(d). — MARRIED INDIVIDUALS FILING SEPARATE RETURNS

If Taxable Income Is:	The Tax Is:
Not Over $22,600	15% of the taxable income
Over $22,600 but not over $54,625	$3,390.00 plus 28% of the excess over $22,600
Over $54,625 but not over $83,250	$12,357.00 plus 31% of the excess over $54,625
Over $83,250 but not over $148,675	$21,230.75 plus 36% of the excess over $83,250
Over $148,675	$44,783.75 plus 39.6% of the excess over $148,675

TABLE 5 - Section 1(e). — ESTATES AND TRUSTS

If Taxable Income Is:	The Tax Is:
Not Over $1,800	15% of the taxable income
Over $1,800 but not over $4,250	$270.00 plus 28% of the excess over $1,800
Over $4,250 but not over $6,500	$956.00 plus 31% of the excess over $4,250
Over $6,500 but not over $8,900	$1,653.50 plus 36% of the excess over $6,500
Over $8,900	$2,517.50 plus 39.6% of the excess over $8,900

.02 *Unearned Income of Minor Children Taxed as if Parent's Income (the "Kiddie Tax").* For tax years beginning in 2001, the amount in § 1(g)(4)(A)(ii)(I), which is used to reduce the net unearned income reported on the child's return that is subject to the "kiddie tax," is $750. (This amount is the same as the $750 standard deduction amount provided in section 3.05(2) of this revenue procedure.) The same $750 amount is used for purposes of § 1(g)(7) (that is, determining whether a parent may elect to include a child's gross income in the parent's gross income and for calculating the "kiddie tax").

.03 *Earned Income Tax Credit.*

(1) *In general.* For tax years beginning in 2001, the following amounts are used to determine the earned income tax credit under § 32(b). The "earned income amount" is the amount of earned income at or above which the maximum amount of the earned income tax credit is allowed. The "threshold phaseout amount" is the amount of modified adjusted gross income (or, if greater, earned income) above which the maximum amount of the credit begins to phase out. The "completed phaseout amount" is the amount of modified adjusted gross income (or if greater, earned income) at or above which no credit is allowed.

Number of Children	*Maximum Amount of the Credit*	*Earned Income Amount*	*Threshold Phaseout Amount*	*Completed Phaseout Amount*
1	$2,428	$ 7,140	$13,090	$28,281
2 or more	$4,008	$10,020	$13,090	$32,121
None	$ 364	$ 4,760	$ 5,950	$10,710

The Internal Revenue Service, in the instructions for the Form 1040 series, provides tables showing the amount of the earned income tax credit for each type of taxpayer.

(2) *Excessive investment income.* For tax years beginning in 2001, the earned income tax credit is denied under § 32(i) if the aggregate amount of certain investment income exceeds $2,450.

.04 *Alternative Minimum Tax Exemption for a Child Subject to the "Kiddie Tax."* For tax years beginning in 2001, in the case of a child to whom the § 1(g) "kiddie tax" applies, the exemption amount under § 55 and § 59(j) for purposes of the alternative minimum tax under § 55 may not exceed the sum of (A) such child's earned income for the taxable year, plus (B) $5,350.

.05 *Standard Deduction.*

(1) *In general.* For tax years beginning in 2001, the standard deduction amounts under § 63(c)(2) are as follows:

Filing Status	*Standard Deduction*
MARRIED INDIVIDUALS FILING JOINT RETURNS AND SURVIVING SPOUSES (§ 1(a))	$7,600
HEADS OF HOUSEHOLDS (§ 1(b))	$6,650
UNMARRIED INDIVIDUALS (OTHER THAN SURVIVING SPOUSES AND HEADS OF HOUSEHOLDS) (§ 1(c))	$4,550
MARRIED INDIVIDUALS FILING SEPARATE RETURNS (§ 1(d))	$3,800

(2) *Dependent*. For tax years beginning in 2001, the standard deduction amount under § 63(c)(5) for an individual who may be claimed as a dependent by another taxpayer may not exceed the greater of $750, or the sum of $250 and the individual's earned income.

(3) *Aged and blind*. For tax years beginning in 2001, the additional standard deduction amounts under § 63(f) for the aged and for the blind are $900 for each. These amounts are increased to $1,100 if the individual is also unmarried and not a surviving spouse.

.06 *Overall Limitation on Itemized Deductions*. For tax years beginning in 2001, the "applicable amount" of adjusted gross income under § 68(b), above which the amount of otherwise allowable itemized deductions is reduced under § 68, is $132,950 (or $66,475 for a separate return filed by a married individual).

.07 *Qualified Transportation Fringe*. For tax years beginning in 2001, the monthly limitation under § 132(f)(2)(A), regarding the aggregate fringe benefit exclusion amount for transportation in a commuter highway vehicle and any transit pass, is $65. The monthly limitation under § 132(f)(2)(B) regarding the fringe benefit exclusion amount for qualified parking is $180.

.08 *Income from United States Savings Bonds for Taxpayers Who Pay Qualified Higher Education Expenses*. For tax years beginning in 2001, the exclusion under § 135, regarding income from United States savings bonds for taxpayers who pay qualified higher education expenses, begins to phase out for modified adjusted gross income above $83,650 for joint returns and $55,750 for other returns. This exclusion completely phases out for modified adjusted gross income of $113,650 or more for joint returns and $70,750 or more for other returns.

.09 *Personal Exemption*.

(1) *Exemption amount*. For tax years beginning in 2001, the personal exemption amount under § 151(d) is $2,900.

(2) *Phaseout*. For tax years beginning in 2001, the personal exemption amount begins to phase out at, and is completely phased out after, the following adjusted gross income amounts:

Filing Status	*Threshold Phaseout Amount*	*Completed Phaseout Amount After*
Code § 1(a)	$199,450	$321,950
Code § 1(b)	$166,200	$288,700
Code § 1(c)	$132,950	$255,450
Code § 1(d)	$ 99,725	$160,975

.10 *Eligible Long-Term Care Premiums*. For tax years beginning in 2001, the limitations under § 213(d), regarding eligible long-term care premiums includible in the term "medical care," are as follows:

Attained age before the close of the taxable year:	
40 or less	$ 230
More than 40 but not more than 50	$ 430
More than 50 but not more than 60.	$ 860
More than 60 but not more than 70.	$2,290
More than 70.	$2,860

.11 *Medical Savings Accounts*.

(1) *Self-only coverage*. For tax years beginning in 2001, the term "high deductible health plan" as defined in § 220(c)(2)(A) means, in the case of self-only coverage, a health plan which has an annual deductible that is not less than $1,600 and not more than $2,400, and under which the annual out-of-pocket expenses required to be paid (other than for premiums) for covered benefits does not exceed $3,200.

(2) *Family coverage*. For tax years beginning in 2001, the term "high deductible health plan" means, in the case of family coverage, a health plan which has an annual deductible that is not less than $3,200 and not more than $4,800,

and under which the annual out-of-pocket expenses required to be paid (other than for premiums) for covered benefits does not exceed $5,850.

.12 *Treatment of Dues Paid to Agricultural or Horticultural Organizations*. For tax years beginning in 2001, the limitation under § 512(d)(1), regarding the exemption of annual dues required to be paid by a member to an agricultural or horticultural organization, is $116.

.13 *Insubstantial Benefit Limitations for Contributions Associated with Charitable Fund-Raising Campaigns*.

(1) *Low cost article*. For tax years beginning in 2001, the unrelated business income of certain exempt organizations under § 513(h)(2) does not include a "low cost article" of $7.60 or less.

(2) *Other insubstantial benefits*. For tax years beginning in 2001, the $5, $25, and $50 guidelines in section 3 of Rev. Proc. 90–12, 1990–1 C.B. 471 (as amplified and modified), for disregarding the value of insubstantial benefits received by a donor in return for a fully deductible charitable contribution under § 170, are $7.60, $38, and $76, respectively.

.14 *Funeral Trusts*. For a contract entered into during calendar year 2001 for a "qualified funeral trust," as defined in § 685, the trust may not accept aggregate contributions by or for the benefit of an individual in excess of $7,500.

.15 *Expatriation to Avoid Tax*. For calendar year 2001, the thresholds used under § 877(a)(2), regarding whether an individual's loss of United States citizenship had the avoidance of United States taxes as one of its principal purposes, are more than $115,000 for "average annual net income tax" and $579,000 or more for "net worth."

.16 *Valuation of Qualified Real Property in Decedent's Gross Estate*. For an estate of a decedent dying in calendar year 2001, if the executor elects to use the special use valuation method under § 2032A for qualified real property, the aggregate decrease in the value of qualified real property resulting from electing to use § 2032A that is taken into account for purposes of the estate tax may not exceed $800,000.

.17 *Annual Exclusion for Gifts*.

(1) For calendar year 2001, the first $10,000 of gifts to any person (other than gifts of future interests in property) are not included in the total amount of taxable gifts under § 2503 made during that year.

(2) For calendar year 2001, the first $106,000 of gifts to a spouse who is not a citizen of the United States (other than gifts of future interests in property) are not included in the total amount of taxable gifts under §§ 2503 and 2523(i)(2) made during that year.

.18 *Generation-Skipping Transfer Tax Exemption*. For calendar year 2001, the generation-skipping transfer tax exemption under § 2631, which is allowed in determining the "inclusion ratio" defined in § 2642, is $1,060,000.

.19 *Luxury Automobile Excise Tax*. For calendar year 2001, the excise tax under §§ 4001 and 4003 is imposed on the first retail sale of a passenger vehicle (including certain parts or accessories installed within six months of the date after the vehicle was first placed in service), to the extent the price exceeds $38,000.

.20 *Passenger Air Transportation Excise Tax*. For calendar year 2001, the tax under § 4261(c) on any amount paid (whether within or without the United States) for any transportation of any person by air, if such transportation begins or ends in the United States, generally is $12.80. However, in the case of a domestic segment beginning or ending in Alaska or Hawaii as described in § 4261(c)(3), the tax only applies to departures and is at the rate of $6.40.

.21 *Reporting Exception for Certain Exempt Organizations with Nondeductible Lobbying Expenditures*. For tax years beginning in 2001, the annual per person, family, or entity dues limitation to qualify for the reporting exception under § 6033(e)(3) (and section 5.05 of Rev. Proc. 98–19, 1998–7 I.R.B. 30), regarding certain exempt organizations with nondeductible lobbying expenditures, is $81 or less.

.22 *Notice of Large Gifts Received from Foreign Persons*. For tax years beginning in 2001, recipients of gifts from certain foreign persons may have to report these gifts under § 6039F if the aggregate value of gifts received in a taxable year exceeds $11,273.

.23 *Persons against Which a Federal Tax Lien is Not Valid*. For calendar year 2001, a federal tax lien is not valid against (1) certain purchasers under § 6323(b)(4) that purchased personal property in a casual sale for less than $1,100, or (2) a mechanic's lienor under § 6323(b)(7) that repaired or improved certain residential property if the contract price with the owner is not more than $5,490.

.24 *Property Exempt from Levy*. For calendar year 2001, the value of property exempt from levy under § 6334(a)(2) (fuel, provisions, furniture, and other household personal effects, as well as arms for personal use, livestock, and poultry) may not exceed $6,560. The value of property exempt from levy under § 6334(a)(3) (books and tools necessary for the trade, business, or profession of the taxpayer) may not exceed $3,280.

.25 *Interest on a Certain Portion of the Estate Tax Payable in Installments*. For an estate of a decedent dying in calendar year 2001, the dollar amount used to determine the "2-percent portion" (for purposes of calculating interest under § 6601(j)) of the estate tax payable in installments under § 6166 is $1,060,000.

.26 *Attorney Fee Awards*. For fees incurred in calendar year 2001, the attorney fee award limitation under § 7430(c)(1)(B)(iii) is $140 per hour.

.27 *Periodic Payments Received under Qualified Long-Term Care Insurance Contracts or under Certain Life Insurance Contracts*. For calendar year 2001, the stated dollar amount of the per diem limitation under § 7702B(d)(4), regarding periodic payments received under a qualified long-term care insurance contract or periodic payments received under a life insurance contract that are treated as paid by reason of the death of a chronically ill individual, is $200.

Part II – Inflation-adjusted Items Applicable if Pending Legislation is not Enacted

.01 *Tax Rate Tables*. For tax years beginning in 2001, the tax rate tables under § 1 are as follows:

TABLE 1 - Section 1(a). — MARRIED INDIVIDUALS FILING JOINT RETURNS AND SURVIVING SPOUSES

If Taxable Income Is:	The Tax Is:
Not Over $45,200	15% of the taxable income
Over $45,200 but not over $109,250	$6,780.00 plus 28% of the excess over $45,200
Over $109,250 but not over $166,450	$24,714.00 plus 31% of the excess over $109,250
Over $166,450 but not over $297,300	$42,446.00 plus 36% of the excess over $166,450
Over $297,300	$89,552.00 plus 39.6% of the excess over $297,300

TABLE 2 - Section 1(b). — HEADS OF HOUSEHOLDS

If Taxable Income Is:	The Tax Is:
Not Over $36,250	15% of the taxable income
Over $36,250 but not over $93,600	$5,437.50 plus 28% of the excess over $36,250
Over $93,600 but not over $151,600	$21,495.50 plus 31% of the excess over $93,600
Over $151,600 but not over $297,300	$39,475.50 plus 36% of the excess over $151,600
Over $297,300	$91,927.50 plus 39.6% of the excess over $297,300

TABLE 3 - Section 1(c). — UNMARRIED INDIVIDUALS (OTHER THAN SURVIVING SPOUSES AND HEADS OF HOUSEHOLDS)

If Taxable Income Is:	The Tax Is:
Not Over $27,050	15% of the taxable income
Over $27,050 but not over $65,550	$4,057.50 plus 28% of the excess over $27,050
Over $65,550 but not over $136,750	$14,837.50 plus 31% of the excess over $65,550
Over $136,750 but not over $297,300	$36,909.50 plus 36% of the excess over $136,750
Over $297,300	$94,707.50 plus 39.6% of the excess over $297,300

TABLE 4 - Section 1(d). — MARRIED INDIVIDUALS FILING SEPARATE RETURNS

If Taxable Income Is:	The Tax Is:
Not Over $22,600	15% of the taxable income
Over $22,600 but not over $54,625	$3,390.00 plus 28% of the excess over $22,600
Over $54,625 but not over $83,225	$12,357.00 plus 31% of the excess over $54,625
Over $83,225 but not over $148,650	$21,223.00 plus 36% of the excess over $83,225
Over $148,650	$44,776.00 plus 39.6% of the excess over $148,650

TABLE 5 - Section 1(e). — ESTATES AND TRUSTS

If Taxable Income Is:	The Tax Is:
Not Over $1,800	15% of the taxable income
Over $1,800 but not over $4,250	$270.00 plus 28% of the excess over $1,800
Over $4,250 but not over $6,500	$956.00 plus 31% of the excess over $4,250
Over $6,500 but not over $8,900	$1,653.50 plus 36% of the excess over $6,500
Over $8,900	$2,517.50 plus 39.6% of the excess over $8,900

.03 *Earned Income Tax Credit.*

(1) *In general*. For tax years beginning in 2001, the following amounts are used to determine the earned income tax credit under § 32(b). The "earned income amount" is the amount of earned income at or above which the maximum amount of the earned income tax credit is allowed. The "threshold phaseout amount" is the amount of modified adjusted gross income (or, if greater, earned income) above which the maximum amount of the credit begins to phase out. The "completed phaseout amount" is the amount of modified adjusted gross income (or if greater, earned income) at or above which no credit is allowed.

Number of Children	*Maximum Amount of the Credit*	*Earned Income Amount*	*Threshold Phaseout Amount*	*Completed Phaseout Amount*
1	$2,424	$ 7,130	$13,090	$28,260
2 or more	$4,008	$10,020	$13,090	$32,121
None	$ 364	$ 4,760	$ 5,950	$10,710

.22 *Notice of Large Gifts Received from Foreign Persons*. For tax years beginning in 2001, recipients of gifts from certain foreign persons may have to report these gifts under § 6039F if the aggregate value of gifts received in a taxable year exceeds $11,271.

.23 *Persons against Which a Federal Tax Lien is Not Valid*. For calendar year 2001, a federal tax lien is not valid against (1) certain purchasers under § 6323(b)(4) that purchased personal property in a casual sale for less than $1,100, or (2) a mechanic's lienor under § 6323(b)(7) that repaired or improved certain residential property if the contract price with the owner is not more than $5,480.

SECTION 4. EFFECTIVE DATE

.01 *General Rule*. Except as provided in section 4.02, this revenue procedure applies to tax years beginning in 2001.

.02 *Calendar Year Rule*. This revenue procedure applies to transactions or events occurring in calendar year 2001 for purposes of section 3.14 (funeral trusts), section 3.15 (expatriation to avoid tax), section 3.16 (valuation of qualified real property in decedent's gross estate), section 3.17 (annual exclusion for gifts), section 3.18 (generation-skipping transfer tax exemption), section 3.19 (luxury automobile excise tax), section 3.20 (passenger air transportation excise tax), section 3.23 (persons against which a federal tax lien is not valid), section 3.24 (property exempt from levy), section 3.25 (interest on a certain portion of the estate tax payable in installments), section 3.26 (attorney fee awards), and section 3.27 (periodic payments received under qualified long-term care insurance contracts or under certain life insurance contracts).

SECTION 5. DRAFTING INFORMATION

The principal author of this revenue procedure is Paul Tellier of the Office of Associate Chief Counsel (Income Tax and Accounting). For further information regarding this revenue procedure, contact Mr. Tellier at (202) 622-4930 (not a toll-free call).

26 CFR 601.601: Rules and regulations.
(Also Part I, § 1397E)