

**Chapter 02: Working With The Tax Law**

1. Rules of tax law do *not* include Revenue Rulings and Revenue Procedures.

- a. True
- b. False

**ANSWER:** False

**RATIONALE:** Rules of tax law do include Treasury Department pronouncements.

**POINTS:** 1

**DIFFICULTY:** Easy

**QUESTION TYPE:** True / False

**HAS VARIABLES:** False

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2. A tax professional need not worry about the relative weight of authority within the various tax law sources.

- a. True
- b. False

**ANSWER:** False

**RATIONALE:** The relative weight of authority is critical

**POINTS:** 1

**DIFFICULTY:** Easy

**QUESTION TYPE:** True / False

**HAS VARIABLES:** False

**LEARNING OBJECTIVES:** CMPV.SWFT.LO: 2-01 - LO: 2-01

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**KEYWORDS:** Bloom's: Knowledge

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**DATE CREATED:** 11/28/2016 3:13 PM

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3. In recent years, Congress has been relatively successful in simplifying the Internal Revenue Code.

- a. True
- b. False

**ANSWER:** False

**RATIONALE:** Each year, the Internal Revenue Code becomes more and more complex.

**POINTS:** 1

**DIFFICULTY:** Easy

**QUESTION TYPE:** True / False

**HAS VARIABLES:** False

**LEARNING OBJECTIVES:** CMPV.SWFT.LO: 2-01 - LO: 2-01

## **Chapter 02: Working With The Tax Law**

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**DATE MODIFIED:** 5/11/2017 12:52 PM

4. A taxpayer should always minimize his or her tax liability.

- a. True
- b. False

**ANSWER:** False  
**RATIONALE:** A taxpayer should maximize the after-tax return in conjunction with the overall economic effect.  
**POINTS:** 1  
**DIFFICULTY:** Easy  
**QUESTION TYPE:** True / False  
**HAS VARIABLES:** False  
**LEARNING OBJECTIVES:** CMPV.SWFT.LO: 2-01 - LO: 2-01  
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**DATE CREATED:** 11/28/2016 3:13 PM  
**DATE MODIFIED:** 5/11/2017 12:52 PM

5. The first codification of the tax law occurred in 1954.

- a. True
- b. False

**ANSWER:** False  
**RATIONALE:** The first codification of the tax law occurred in 1939.  
**POINTS:** 1  
**DIFFICULTY:** Easy  
**QUESTION TYPE:** True / False  
**HAS VARIABLES:** False  
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**DATE CREATED:** 11/28/2016 3:13 PM  
**DATE MODIFIED:** 5/11/2017 12:52 PM

6. This Internal Revenue Code section citation is incorrect: § 212(1).

- a. True

## **Chapter 02: Working With The Tax Law**

b. False

**ANSWER:** False  
**RATIONALE:** Some Internal Revenue Code sections omit the subsection and use paragraph designation as the first subpart as does § 212.  
**POINTS:** 1  
**DIFFICULTY:** Easy  
**QUESTION TYPE:** True / False  
**HAS VARIABLES:** False  
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**DATE CREATED:** 11/28/2016 3:13 PM  
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7. Subchapter D refers to the “Corporate Distributions and Adjustments” section of the Internal Revenue Code.

a. True

b. False

**ANSWER:** False  
**RATIONALE:** The correct subchapter for “Corporate Distributions and Adjustments” is Subchapter C.  
**POINTS:** 1  
**DIFFICULTY:** Easy  
**QUESTION TYPE:** True / False  
**HAS VARIABLES:** False  
**LEARNING OBJECTIVES:** CMPV.SWFT.LO: 2-01 - LO: 2-01  
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**OTHER:** Time: 1 min.  
**DATE CREATED:** 11/28/2016 3:13 PM  
**DATE MODIFIED:** 5/11/2017 12:52 PM

8. In general, regulations are issued immediately after a statute is enacted.

a. True

b. False

**ANSWER:** False  
**RATIONALE:** The reverse is true. Regulations require time to be issued and may never be issued on a particular statutory change in an Internal Revenue Code section.  
**POINTS:** 1  
**DIFFICULTY:** Easy  
**QUESTION TYPE:** True / False  
**HAS VARIABLES:** False  
**LEARNING OBJECTIVES:** CMPV.SWFT.LO: 2-01 - LO: 2-01

## **Chapter 02: Working With The Tax Law**

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**DATE CREATED:** 11/28/2016 3:13 PM  
**DATE MODIFIED:** 5/11/2017 12:52 PM

9. Temporary Regulations are only published in the *Internal Revenue Bulletin*.

- a. True
- b. False

**ANSWER:** False  
**RATIONALE:** They are published in the *Federal Register* and the *Internal Revenue Bulletin*.  
**POINTS:** 1  
**DIFFICULTY:** Easy  
**QUESTION TYPE:** True / False  
**HAS VARIABLES:** False  
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**DATE CREATED:** 11/28/2016 3:13 PM  
**DATE MODIFIED:** 5/11/2017 12:52 PM

10. Revenue Rulings issued by the National Office of the IRS carry the same legal force and effect as Regulations.

- a. True
- b. False

**ANSWER:** False  
**RATIONALE:** They do not contain the same legal force as Regulations.  
**POINTS:** 1  
**DIFFICULTY:** Easy  
**QUESTION TYPE:** True / False  
**HAS VARIABLES:** False  
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**DATE CREATED:** 11/28/2016 3:13 PM  
**DATE MODIFIED:** 5/11/2017 12:52 PM

11. A Revenue Ruling is a judicial source of Federal tax law.

- a. True
- b. False

## **Chapter 02: Working With The Tax Law**

**ANSWER:** False  
**RATIONALE:** A Revenue Ruling is an administrative source of tax law.  
**POINTS:** 1  
**DIFFICULTY:** Easy  
**QUESTION TYPE:** True / False  
**HAS VARIABLES:** False  
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**OTHER:** Time: 1 min.  
**DATE CREATED:** 11/28/2016 3:13 PM  
**DATE MODIFIED:** 5/11/2017 12:52 PM

12. The following citation can be a correct citation: Rev. Rul. 95-271,1995-64 I.R.B. 18.

- a. True
- b. False

**ANSWER:** False  
**RATIONALE:** The citation provided refers to a Bulletin issued in the 64th week of 1995. Since a year only has 52 weeks, the citation *cannot* be correct.  
**POINTS:** 1  
**DIFFICULTY:** Easy  
**QUESTION TYPE:** True / False  
**HAS VARIABLES:** False  
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**OTHER:** Time: 1 min.  
**DATE CREATED:** 11/28/2016 3:13 PM  
**DATE MODIFIED:** 5/11/2017 12:52 PM

13. Revenue Procedures deal with the internal management practices and procedures of the IRS.

- a. True
- b. False

**ANSWER:** True  
**POINTS:** 1  
**DIFFICULTY:** Easy  
**QUESTION TYPE:** True / False  
**HAS VARIABLES:** False  
**LEARNING OBJECTIVES:** CMPV.SWFT.LO: 2-01 - LO: 2-01  
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## **Chapter 02: Working With The Tax Law**

**OTHER:** Time: 1 min.  
**DATE CREATED:** 11/28/2016 3:13 PM  
**DATE MODIFIED:** 5/11/2017 12:52 PM

14. Post-1984 letter rulings may be substantial authority for purposes of the accuracy-related penalty in § 6662.

- a. True
- b. False

**ANSWER:** True  
**POINTS:** 1  
**DIFFICULTY:** Easy  
**QUESTION TYPE:** True / False  
**HAS VARIABLES:** False  
**LEARNING OBJECTIVES:** CMPV.SWFT.LO: 2-01 - LO: 2-01  
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**KEYWORDS:** Bloom's: Knowledge  
**OTHER:** Time: 1 min.  
**DATE CREATED:** 11/28/2016 3:13 PM  
**DATE MODIFIED:** 5/11/2017 12:52 PM

15. A letter ruling applies only to the taxpayer who asks for and obtains a letter ruling.

- a. True
- b. False

**ANSWER:** True  
**POINTS:** 1  
**DIFFICULTY:** Easy  
**QUESTION TYPE:** True / False  
**HAS VARIABLES:** False  
**LEARNING OBJECTIVES:** CMPV.SWFT.LO: 2-01 - LO: 2-01  
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**KEYWORDS:** Bloom's: Knowledge  
**OTHER:** Time: 1 min.  
**DATE CREATED:** 11/28/2016 3:13 PM  
**DATE MODIFIED:** 5/11/2017 12:52 PM

16. The IRS is *not* required to make a letter ruling public.

- a. True
- b. False

**ANSWER:** False  
**RATIONALE:** The law now requires the IRS to make letter rulings available for public inspection after identifying details are deleted.  
**POINTS:** 1  
**DIFFICULTY:** Easy

## **Chapter 02: Working With The Tax Law**

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**KEYWORDS:** Bloom's: Knowledge  
**OTHER:** Time: 1 min.  
**DATE CREATED:** 11/28/2016 3:13 PM  
**DATE MODIFIED:** 5/11/2017 12:52 PM

17. Determination letters usually involve completed transactions.

- a. True
- b. False

**ANSWER:** True  
**POINTS:** 1  
**DIFFICULTY:** Easy  
**QUESTION TYPE:** True / False  
**HAS VARIABLES:** False  
**LEARNING OBJECTIVES:** CMPV.SWFT.LO: 2-01 - LO: 2-01  
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**DATE MODIFIED:** 5/11/2017 12:52 PM

18. Technical Advice Memoranda deal with completed transactions.

- a. True
- b. False

**ANSWER:** True  
**RATIONALE:** TAMs deal with completed transactions.  
**POINTS:** 1  
**DIFFICULTY:** Easy  
**QUESTION TYPE:** True / False  
**HAS VARIABLES:** False  
**LEARNING OBJECTIVES:** CMPV.SWFT.LO: 2-01 - LO: 2-01  
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**DATE CREATED:** 11/28/2016 3:13 PM  
**DATE MODIFIED:** 5/11/2017 12:52 PM

19. Technical Advice Memoranda may *not* be cited as precedents by taxpayers.

## **Chapter 02: Working With The Tax Law**

- a. True
- b. False

**ANSWER:** True  
**POINTS:** 1  
**DIFFICULTY:** Easy  
**QUESTION TYPE:** True / False  
**HAS VARIABLES:** False  
**LEARNING OBJECTIVES:** CMPV.SWFT.LO: 2-01 - LO: 2-01  
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20. A taxpayer must pay any tax deficiency assessed by the IRS and sue for a refund to bring suit in the U.S. Court of Federal Claims. Only in the Tax Court can jurisdiction be obtained without first paying the assessed tax deficiency.

- a. True
- b. False

**ANSWER:** True  
**POINTS:** 1  
**DIFFICULTY:** Easy  
**QUESTION TYPE:** True / False  
**HAS VARIABLES:** False  
**LEARNING OBJECTIVES:** CMPV.SWFT.LO: 2-01 - LO: 2-01  
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21. In a U.S. District Court, a jury can decide both questions of fact and questions of law.

- a. True
- b. False

**ANSWER:** False  
**RATIONALE:** Questions of law are resolved by the presiding judge.  
**POINTS:** 1  
**DIFFICULTY:** Easy  
**QUESTION TYPE:** True / False  
**HAS VARIABLES:** False  
**LEARNING OBJECTIVES:** CMPV.SWFT.LO: 2-01 - LO: 2-01  
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22. Three judges will normally hear each U.S. Tax Court case.

- a. True
- b. False

**ANSWER:** False

**RATIONALE:** Most Tax Court cases are heard and decided by only one judge. Only when more important or novel tax issues are involved will the entire court decide the case.

**POINTS:** 1

**DIFFICULTY:** Easy

**QUESTION TYPE:** True / False

**HAS VARIABLES:** False

**LEARNING OBJECTIVES:** CMPV.SWFT.LO: 2-01 - LO: 2-01

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**DATE MODIFIED:** 5/11/2017 12:52 PM

23. A taxpayer can obtain a jury trial in the U.S. Tax Court.

- a. True
- b. False

**ANSWER:** False

**RATIONALE:** A jury trial is available only in a U.S. District Court.

**POINTS:** 1

**DIFFICULTY:** Easy

**QUESTION TYPE:** True / False

**HAS VARIABLES:** False

**LEARNING OBJECTIVES:** CMPV.SWFT.LO: 2-01 - LO: 2-01

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**DATE CREATED:** 11/28/2016 3:13 PM

**DATE MODIFIED:** 5/11/2017 12:52 PM

24. A taxpayer must pay any tax deficiency assessed by the IRS and sue for a refund to bring suit in the U.S. District Court.

- a. True
- b. False

**ANSWER:** True

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## **Chapter 02: Working With The Tax Law**

**RATIONALE:** The tax deficiency *must* be paid before suit can be instituted in either the U.S. District Court or the U.S. Court of Federal Claims.

**POINTS:** 1

**DIFFICULTY:** Easy

**QUESTION TYPE:** True / False

**HAS VARIABLES:** False

**LEARNING OBJECTIVES:** CMPV.SWFT.LO: 2-01 - LO: 2-01

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**DATE CREATED:** 11/28/2016 3:13 PM

**DATE MODIFIED:** 5/11/2017 12:52 PM

25. Arizona is in the jurisdiction of the Eighth Circuit Court of Appeals.

- a. True
- b. False

**ANSWER:** False

**RATIONALE:** Arizona is in the jurisdiction of the Ninth Circuit.

**POINTS:** 1

**DIFFICULTY:** Easy

**QUESTION TYPE:** True / False

**HAS VARIABLES:** False

**LEARNING OBJECTIVES:** CMPV.SWFT.LO: 2-01 - LO: 2-01

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**DATE CREATED:** 11/28/2016 3:13 PM

**DATE MODIFIED:** 5/11/2017 12:52 PM

26. Texas is in the jurisdiction of the Second Circuit Court of Appeals.

- a. True
- b. False

**ANSWER:** False

**RATIONALE:** Texas is in the jurisdiction of the Fifth Circuit.

**POINTS:** 1

**DIFFICULTY:** Easy

**QUESTION TYPE:** True / False

**HAS VARIABLES:** False

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## **Chapter 02: Working With The Tax Law**

**OTHER:** Time: 1 min.  
**DATE CREATED:** 11/28/2016 3:13 PM  
**DATE MODIFIED:** 5/11/2017 12:52 PM

27. The *Golsen* rule has been overturned by the U.S. Supreme Court.

- a. True
- b. False

**ANSWER:** False  
**RATIONALE:** The *Golsen* rule has not been overturned by the U.S. Supreme Court. It is followed by the U.S. Tax Court.  
**POINTS:** 1  
**DIFFICULTY:** Easy  
**QUESTION TYPE:** True / False  
**HAS VARIABLES:** False  
**LEARNING OBJECTIVES:** CMPV.SWFT.LO: 2-01 - LO: 2-01  
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**OTHER:** Time: 1 min.  
**DATE CREATED:** 11/28/2016 3:13 PM  
**DATE MODIFIED:** 5/11/2017 12:52 PM

28. The granting of a Writ of Certiorari indicates that at least four members of the Supreme Court believe that an issue is of sufficient importance to be heard by the full court.

- a. True
- b. False

**ANSWER:** True  
**RATIONALE:** The granting of the Writ indicates that at least four members of the Supreme Court believe that an issue is of sufficient importance to be heard by the full Court.  
**POINTS:** 1  
**DIFFICULTY:** Easy  
**QUESTION TYPE:** True / False  
**HAS VARIABLES:** False  
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**DATE CREATED:** 11/28/2016 3:13 PM  
**DATE MODIFIED:** 5/11/2017 12:52 PM

29. The “petitioner” refers to the party against whom a suit is brought.

- a. True
- b. False

**ANSWER:** False

## **Chapter 02: Working With The Tax Law**

**RATIONALE:** The “defendant” is the party against whom a suit is brought.  
**POINTS:** 1  
**DIFFICULTY:** Easy  
**QUESTION TYPE:** True / False  
**HAS VARIABLES:** False  
**LEARNING OBJECTIVES:** CMPV.SWFT.LO: 2-01 - LO: 2-01  
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**OTHER:** Time: 1 min.  
**DATE CREATED:** 11/28/2016 3:13 PM  
**DATE MODIFIED:** 5/11/2017 12:52 PM

30. The term “petitioner” is a synonym for “defendant.”

- a. True
- b. False

**ANSWER:** False  
**RATIONALE:** The term “petitioner” is a synonym for “plaintiff.”  
**POINTS:** 1  
**DIFFICULTY:** Easy  
**QUESTION TYPE:** True / False  
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**DATE CREATED:** 11/28/2016 3:13 PM  
**DATE MODIFIED:** 5/11/2017 12:52 PM

31. The U.S. Tax Court meets most often in Washington, D.C.

- a. True
- b. False

**ANSWER:** False  
**RATIONALE:** Tax Court judges travel to various cities.  
**POINTS:** 1  
**DIFFICULTY:** Easy  
**QUESTION TYPE:** True / False  
**HAS VARIABLES:** False  
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**OTHER:** Time: 1 min.

## **Chapter 02: Working With The Tax Law**

**DATE CREATED:** 11/28/2016 3:13 PM

**DATE MODIFIED:** 5/11/2017 12:52 PM

32. There are 11 geographic U.S. Circuit Court of Appeals.

a. True

b. False

**ANSWER:** True

**POINTS:** 1

**DIFFICULTY:** Easy

**QUESTION TYPE:** True / False

**HAS VARIABLES:** False

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**OTHER:** Time: 1 min.

**DATE CREATED:** 11/28/2016 3:13 PM

**DATE MODIFIED:** 5/11/2017 12:52 PM

33. The following citation is correct: *Larry G. Mitchell*, 131 T.C. 215 (2008).

a. True

b. False

**ANSWER:** True

**POINTS:** 1

**DIFFICULTY:** Easy

**QUESTION TYPE:** True / False

**HAS VARIABLES:** False

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**STATE STANDARDS:** United States - AK - AICPA: FN-Research

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**OTHER:** Time: 1 min.

**DATE CREATED:** 11/28/2016 3:13 PM

**DATE MODIFIED:** 5/11/2017 12:52 PM

34. The IRS issues an acquiescence or nonacquiescence only for regular Tax Court decisions.

a. True

b. False

**ANSWER:** False

**RATIONALE:** After 1990, the IRS issues its acquiescence program for other civil tax cases.

**POINTS:** 1

**DIFFICULTY:** Easy

**QUESTION TYPE:** True / False

**HAS VARIABLES:** False

## **Chapter 02: Working With The Tax Law**

**LEARNING OBJECTIVES:** CMPV.SWFT.LO: 2-01 - LO: 2-01

**NATIONAL STANDARDS:** United States - BUSPORG: Comprehension - BUSPORG:Comprehension

**STATE STANDARDS:** United States - AK - AICPA: FN-Research

**KEYWORDS:** Bloom's: Knowledge

**OTHER:** Time: 1 min.

**DATE CREATED:** 11/28/2016 3:13 PM

**DATE MODIFIED:** 5/11/2017 12:52 PM

35. There is a direct conflict between an Internal Revenue Code section adopted in 2008 and a treaty with France (signed in 2012). The Internal Revenue Code section controls.

a. True

b. False

**ANSWER:** False

**RATIONALE:** The most recent item takes precedence.

**POINTS:** 1

**DIFFICULTY:** Easy

**QUESTION TYPE:** True / False

**HAS VARIABLES:** False

**LEARNING OBJECTIVES:** CMPV.SWFT.LO: 2-01 - LO: 2-01

**NATIONAL STANDARDS:** United States - BUSPORG: Comprehension - BUSPORG:Comprehension

**STATE STANDARDS:** United States - AK - AICPA: FN-Research

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**OTHER:** Time: 1 min.

**DATE CREATED:** 11/28/2016 3:13 PM

**DATE MODIFIED:** 5/11/2017 12:52 PM

36. The *Index to Federal Tax Articles* (published by Thomson Reuters) is available electronically.

a. True

b. False

**ANSWER:** False

**RATIONALE:** It is available only in print form.

**POINTS:** 1

**DIFFICULTY:** Easy

**QUESTION TYPE:** True / False

**HAS VARIABLES:** False

**LEARNING OBJECTIVES:** CMPV.SWFT.LO: 2-01 - LO: 2-01

**NATIONAL STANDARDS:** United States - BUSPORG: Comprehension - BUSPORG:Comprehension

**STATE STANDARDS:** United States - AK - AICPA: FN-Research

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**OTHER:** Time: 1 min.

**DATE CREATED:** 11/28/2016 3:13 PM

**DATE MODIFIED:** 5/11/2017 12:52 PM

37. A U.S. District Court is the lowest trial court.

## **Chapter 02: Working With The Tax Law**

- a. True
- b. False

**ANSWER:** True  
**POINTS:** 1  
**DIFFICULTY:** Easy  
**QUESTION TYPE:** True / False  
**HAS VARIABLES:** False  
**LEARNING OBJECTIVES:** CMPV.SWFT.LO: 2-01 - LO: 2-01  
**NATIONAL STANDARDS:** United States - BUSPORG: Comprehension - BUSPORG:Comprehension  
**STATE STANDARDS:** United States - AK - AICPA: FN-Research  
**KEYWORDS:** Bloom's: Knowledge  
**OTHER:** Time: 1 min.  
**DATE CREATED:** 11/28/2016 3:13 PM  
**DATE MODIFIED:** 5/11/2017 12:52 PM

38. The research process should *always* begin with a tax service.

- a. True
- b. False

**ANSWER:** False  
**RATIONALE:** If the research is simple, a researcher may start with the Internal Revenue Code or Regulations.  
**POINTS:** 1  
**DIFFICULTY:** Easy  
**QUESTION TYPE:** True / False  
**HAS VARIABLES:** False  
**LEARNING OBJECTIVES:** CMPV.SWFT.LO: 2-03 - LO: 2-03  
**NATIONAL STANDARDS:** United States - BUBUSPROG: Analytic - BUSPROG: Analytic  
United States - BUSPORG: Comprehension - BUSPORG:Comprehension  
**STATE STANDARDS:** United States - AK - AICPA: FN-Leverage Technology  
United States - AK - AICPA: FN-Research  
**KEYWORDS:** Bloom's: Knowledge  
**OTHER:** Time: 1 min.  
**DATE CREATED:** 11/28/2016 3:13 PM  
**DATE MODIFIED:** 5/11/2017 12:52 PM

39. Electronic (online) databases are most frequently searched by the keyword approach.

- a. True
- b. False

**ANSWER:** True  
**POINTS:** 1  
**DIFFICULTY:** Easy  
**QUESTION TYPE:** True / False  
**HAS VARIABLES:** False  
**LEARNING OBJECTIVES:** CMPV.SWFT.LO: 2-01 - LO: 2-01

## **Chapter 02: Working With The Tax Law**

**NATIONAL STANDARDS:** United States - BUSPORG: Comprehension - BUSPORG:Comprehension  
**STATE STANDARDS:** United States - AK - AICPA: FN-Research  
**KEYWORDS:** Bloom's: Knowledge  
**OTHER:** Time: 1 min.  
**DATE CREATED:** 11/28/2016 3:13 PM  
**DATE MODIFIED:** 5/11/2017 12:52 PM

40. The test for whether a child qualifies for dependency status is first conducted under the qualified child requirement.

- a. True
- b. False

**ANSWER:** True  
**POINTS:** 1  
**DIFFICULTY:** Easy  
**QUESTION TYPE:** True / False  
**HAS VARIABLES:** False  
**LEARNING OBJECTIVES:** CMPV.SWFT.LO: 2-01 - LO: 2-01  
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**STATE STANDARDS:** United States - AK - AICPA: FN-Research  
**KEYWORDS:** Bloom's: Comprehension  
**OTHER:** Time: 1 min.  
**DATE CREATED:** 11/28/2016 3:13 PM  
**DATE MODIFIED:** 5/11/2017 12:52 PM

41. A "Bluebook" is substantial authority for purposes of the accuracy related penalty.

- a. True
- b. False

**ANSWER:** True  
**POINTS:** 1  
**DIFFICULTY:** Easy  
**QUESTION TYPE:** True / False  
**HAS VARIABLES:** False  
**LEARNING OBJECTIVES:** CMPV.SWFT.LO: 2-03 - LO: 2-03  
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United States - AK - AICPA: FN-Research  
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**OTHER:** Time: 1 min.  
**DATE CREATED:** 11/28/2016 3:13 PM  
**DATE MODIFIED:** 5/11/2017 12:52 PM

42. The primary purpose of effective tax planning is to reduce or defer the tax in the current tax year.

- a. True
- b. False



## **Chapter 02: Working With The Tax Law**

**ANSWER:** False  
**RATIONALE:** Wealth maximization is the primary goal. This is a secondary tax objective.  
**POINTS:** 1  
**DIFFICULTY:** Easy  
**QUESTION TYPE:** True / False  
**HAS VARIABLES:** False  
**LEARNING OBJECTIVES:** CMPV.SWFT.LO: 2-01 - LO: 2-01  
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**OTHER:** Time: 1 min.  
**DATE CREATED:** 11/28/2016 3:13 PM  
**DATE MODIFIED:** 5/11/2017 12:52 PM

43. Deferring income to a subsequent year is considered to be tax avoidance.

- a. True
- b. False

**ANSWER:** True  
**POINTS:** 1  
**DIFFICULTY:** Easy  
**QUESTION TYPE:** True / False  
**HAS VARIABLES:** False  
**LEARNING OBJECTIVES:** CMPV.SWFT.LO: 2-01 - LO: 2-01  
**NATIONAL STANDARDS:** United States - BUSPORG: Comprehension - BUSPORG:Comprehension  
**STATE STANDARDS:** United States - AK - AICPA: FN-Research  
**KEYWORDS:** Bloom's: Knowledge  
**OTHER:** Time: 1 min.  
**DATE CREATED:** 11/28/2016 3:13 PM  
**DATE MODIFIED:** 5/11/2017 12:52 PM

44. Tax planning usually involves a completed transaction.

- a. True
- b. False

**ANSWER:** False  
**RATIONALE:** Tax planning usually involves a proposed transaction.  
**POINTS:** 1  
**DIFFICULTY:** Easy  
**QUESTION TYPE:** True / False  
**HAS VARIABLES:** False  
**LEARNING OBJECTIVES:** CMPV.SWFT.LO: 2-01 - LO: 2-01  
**NATIONAL STANDARDS:** United States - BUSPORG: Comprehension - BUSPORG:Comprehension  
**STATE STANDARDS:** United States - AK - AICPA: FN-Research  
**KEYWORDS:** Bloom's: Comprehension  
**OTHER:** Time: 1 min.

## **Chapter 02: Working With The Tax Law**

*DATE CREATED:* 11/28/2016 3:13 PM

*DATE MODIFIED:* 5/11/2017 12:52 PM

45. The Regulation section of the CPA exam is approximately 80% Taxation and 20% Law & Professional Responsibilities.

- a. True
- b. False

*ANSWER:* True

*POINTS:* 1

*DIFFICULTY:* Easy

*QUESTION TYPE:* True / False

*HAS VARIABLES:* False

*LEARNING OBJECTIVES:* CMPV.SWFT.LO: 2-01 - LO: 2-01

*NATIONAL STANDARDS:* United States - BUSPORG: Comprehension - BUSPORG:Comprehension

*STATE STANDARDS:* United States - AK - AICPA: FN-Research

*KEYWORDS:* Bloom's: Knowledge

*OTHER:* Time: 1 min.

*DATE CREATED:* 11/28/2016 3:13 PM

*DATE MODIFIED:* 5/11/2017 12:52 PM

46. The Internal Revenue Code was first codified in what year?

- a. 1913
- b. 1923
- c. 1939
- d. 1954
- e. 1986

*ANSWER:* c

*POINTS:* 1

*DIFFICULTY:* Easy

*QUESTION TYPE:* Multiple Choice

*HAS VARIABLES:* False

*LEARNING OBJECTIVES:* CMPV.SWFT.LO: 2-01 - LO: 2-01

*NATIONAL STANDARDS:* United States - BUSPORG: Comprehension - BUSPORG:Comprehension

*STATE STANDARDS:* United States - AK - AICPA: FN-Research

*KEYWORDS:* Bloom's: Knowledge

*OTHER:* Time: 2 min.

*DATE CREATED:* 11/28/2016 3:13 PM

*DATE MODIFIED:* 5/11/2017 12:52 PM

47. Tax bills are handled by which committee in the U.S. House of Representatives?

- a. Taxation Committee
- b. Ways and Means Committee
- c. Finance Committee
- d. Budget Committee

## **Chapter 02: Working With The Tax Law**

e. None of these

**ANSWER:** b  
**POINTS:** 1  
**DIFFICULTY:** Easy  
**QUESTION TYPE:** Multiple Choice  
**HAS VARIABLES:** False  
**LEARNING OBJECTIVES:** CMPV.SWFT.LO: 2-01 - LO: 2-01  
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**STATE STANDARDS:** United States - AK - AICPA: FN-Research  
**KEYWORDS:** Bloom's: Knowledge  
**OTHER:** Time: 2 min.  
**DATE CREATED:** 11/28/2016 3:13 PM  
**DATE MODIFIED:** 5/11/2017 12:52 PM

48. Federal tax legislation generally originates in which of the following?

- a. Internal Revenue Service
- b. Senate Finance Committee
- c. House Ways and Means Committee
- d. Senate Floor
- e. None of these

**ANSWER:** c  
**POINTS:** 1  
**DIFFICULTY:** Easy  
**QUESTION TYPE:** Multiple Choice  
**HAS VARIABLES:** False  
**LEARNING OBJECTIVES:** CMPV.SWFT.LO: 2-01 - LO: 2-01  
**NATIONAL STANDARDS:** United States - BUSPORG: Comprehension - BUSPORG:Comprehension  
**STATE STANDARDS:** United States - AK - AICPA: FN-Research  
**KEYWORDS:** Bloom's: Knowledge  
**OTHER:** Time: 2 min.  
**DATE CREATED:** 11/28/2016 3:13 PM  
**DATE MODIFIED:** 5/11/2017 12:52 PM

49. Subtitle A of the Internal Revenue Code covers which of the following taxes?

- a. Income taxes
- b. Estate and gift taxes
- c. Excise taxes
- d. Employment taxes
- e. All of these

**ANSWER:** a  
**POINTS:** 1  
**DIFFICULTY:** Easy  
**QUESTION TYPE:** Multiple Choice  
**HAS VARIABLES:** False

## **Chapter 02: Working With The Tax Law**

**LEARNING OBJECTIVES:** CMPV.SWFT.LO: 2-01 - LO: 2-01

**NATIONAL STANDARDS:** United States - BUSPORG: Comprehension - BUSPORG:Comprehension

**STATE STANDARDS:** United States - AK - AICPA: FN-Research

**KEYWORDS:** Bloom's: Knowledge

**OTHER:** Time: 2 min.

**DATE CREATED:** 11/28/2016 3:13 PM

**DATE MODIFIED:** 5/11/2017 12:52 PM

50. In § 212(1), the number (1) stands for the:

- a. Section number.
- b. Subsection number.
- c. Paragraph designation.
- d. Subparagraph designation.
- e. None of these.

**ANSWER:** c

**POINTS:** 1

**DIFFICULTY:** Easy

**QUESTION TYPE:** Multiple Choice

**HAS VARIABLES:** False

**LEARNING OBJECTIVES:** CMPV.SWFT.LO: 2-01 - LO: 2-01

**NATIONAL STANDARDS:** United States - BUSPORG: Comprehension - BUSPORG:Comprehension

**STATE STANDARDS:** United States - AK - AICPA: FN-Research

**KEYWORDS:** Bloom's: Knowledge

**OTHER:** Time: 2 min.

**DATE CREATED:** 11/28/2016 3:13 PM

**DATE MODIFIED:** 5/11/2017 12:52 PM

51. Which of these is *not* a correct citation to the Internal Revenue Code?

- a. Section 211
- b. Section 1222(1)
- c. Section 2(a)(1)(A)
- d. Section 280B
- e. All of these are correct cites.

**ANSWER:** e

**POINTS:** 1

**DIFFICULTY:** Easy

**QUESTION TYPE:** Multiple Choice

**HAS VARIABLES:** False

**LEARNING OBJECTIVES:** CMPV.SWFT.LO: 2-01 - LO: 2-01

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**STATE STANDARDS:** United States - AK - AICPA: FN-Research

**KEYWORDS:** Bloom's: Knowledge

**OTHER:** Time: 2 min.

**DATE CREATED:** 11/28/2016 3:13 PM

## **Chapter 02: Working With The Tax Law**

**DATE MODIFIED:** 5/11/2017 12:52 PM

52. Which of the following is *not* an administrative source of tax law?

- a. Field Service Advice
- b. Revenue Procedure
- c. Technical Advice Memoranda
- d. General Counsel Memorandum
- e. All of these are administrative sources.

**ANSWER:** e

**POINTS:** 1

**DIFFICULTY:** Easy

**QUESTION TYPE:** Multiple Choice

**HAS VARIABLES:** False

**LEARNING OBJECTIVES:** CMPV.SWFT.LO: 2-01 - LO: 2-01

**NATIONAL STANDARDS:** United States - BUSPORG: Comprehension - BUSPORG:Comprehension

**STATE STANDARDS:** United States - AK - AICPA: FN-Research

**KEYWORDS:** Bloom's: Comprehension

**OTHER:** Time: 2 min.

**DATE CREATED:** 11/28/2016 3:13 PM

**DATE MODIFIED:** 5/11/2017 12:52 PM

53. Which of the following sources has the *highest* tax validity?

- a. Revenue Ruling
- b. Revenue Procedure
- c. Regulations
- d. Internal Revenue Code section
- e. None of these

**ANSWER:** d

**POINTS:** 1

**DIFFICULTY:** Easy

**QUESTION TYPE:** Multiple Choice

**HAS VARIABLES:** False

**LEARNING OBJECTIVES:** CMPV.SWFT.LO: 2-01 - LO: 2-01

**NATIONAL STANDARDS:** United States - BUSPORG: Comprehension - BUSPORG:Comprehension

**STATE STANDARDS:** United States - AK - AICPA: FN-Research  
United States - AK - AICPA: FN-Risk Analysis

**KEYWORDS:** Bloom's: Knowledge

**OTHER:** Time: 2 min.

**DATE CREATED:** 11/28/2016 3:13 PM

**DATE MODIFIED:** 5/11/2017 12:52 PM

54. Which of the following types of Regulations has the *highest* tax validity?

- a. Temporary
- b. Legislative

## **Chapter 02: Working With The Tax Law**

- c. Interpretive
- d. Procedural
- e. None of these

**ANSWER:** b  
**POINTS:** 1  
**DIFFICULTY:** Easy  
**QUESTION TYPE:** Multiple Choice  
**HAS VARIABLES:** False  
**LEARNING OBJECTIVES:** CMPV.SWFT.LO: 2-01 - LO: 2-01  
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**OTHER:** Time: 2 min.  
**DATE CREATED:** 11/28/2016 3:13 PM  
**DATE MODIFIED:** 5/11/2017 12:52 PM

55. Which statement is *not* true with respect to a Regulation that interprets the tax law?

- a. Issued by the U.S. Congress.
- b. Issued by the U.S. Treasury Department.
- c. Designed to provide an interpretation of the tax law.
- d. Carries more legal force than a Revenue Ruling.
- e. All of these statements are true.

**ANSWER:** a  
**RATIONALE:** Treasury Regulations are issued by the U.S. Treasury Department.  
**POINTS:** 1  
**DIFFICULTY:** Easy  
**QUESTION TYPE:** Multiple Choice  
**HAS VARIABLES:** False  
**LEARNING OBJECTIVES:** CMPV.SWFT.LO: 2-01 - LO: 2-01  
**NATIONAL STANDARDS:** United States - BUSPORG: Comprehension - BUSPORG:Comprehension  
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**OTHER:** Time: 2 min.  
**DATE CREATED:** 11/28/2016 3:13 PM  
**DATE MODIFIED:** 5/11/2017 12:52 PM

56. In addressing the importance of a Regulation, an IRS agent must:

- a. Give equal weight to the Internal Revenue Code and the Regulations.
- b. Give more weight to the Internal Revenue Code rather than to a Regulation.
- c. Give more weight to the Regulation rather than to the Internal Revenue Code.
- d. Give less weight to the Internal Revenue Code rather than to a Regulation.
- e. None of these.

**ANSWER:** a  
**POINTS:** 1

## **Chapter 02: Working With The Tax Law**

**DIFFICULTY:** Easy  
**QUESTION TYPE:** Multiple Choice  
**HAS VARIABLES:** False  
**LEARNING OBJECTIVES:** CMPV.SWFT.LO: 2-01 - LO: 2-01  
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**OTHER:** Time: 2 min.  
**DATE CREATED:** 11/28/2016 3:13 PM  
**DATE MODIFIED:** 5/11/2017 12:52 PM

57. Which item may *not* be cited as a precedent?

- a. Regulations
- b. Temporary Regulations
- c. Technical Advice Memoranda
- d. U.S. District Court decision
- e. None of these

**ANSWER:** c  
**POINTS:** 1  
**DIFFICULTY:** Easy  
**QUESTION TYPE:** Multiple Choice  
**HAS VARIABLES:** False  
**LEARNING OBJECTIVES:** CMPV.SWFT.LO: 2-01 - LO: 2-01  
**NATIONAL STANDARDS:** United States - BUSPORG: Comprehension - BUSPORG:Comprehension  
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**OTHER:** Time: 2 min.  
**DATE CREATED:** 11/28/2016 3:13 PM  
**DATE MODIFIED:** 5/11/2017 12:52 PM

58. What statement is *not* true with respect to Temporary Regulations?

- a. May not be cited as precedent.
- b. Issued with Proposed Regulations.
- c. Automatically expire within three years after the date of issuance.
- d. Found in the *Federal Register*.
- e. All of these statements are true.

**ANSWER:** a  
**POINTS:** 1  
**DIFFICULTY:** Moderate  
**QUESTION TYPE:** Multiple Choice  
**HAS VARIABLES:** False  
**LEARNING OBJECTIVES:** CMPV.SWFT.LO: 2-01 - LO: 2-01  
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**STATE STANDARDS:** United States - AK - AICPA: FN-Research

## **Chapter 02: Working With The Tax Law**

**KEYWORDS:** Bloom's: Comprehension  
**OTHER:** Time: 2 min.  
**DATE CREATED:** 11/28/2016 3:13 PM  
**DATE MODIFIED:** 5/11/2017 12:52 PM

59. What administrative release deals with a proposed transaction rather than a completed transaction?
- Letter Ruling
  - Technical Advice Memorandum
  - Determination Letter
  - Field Service Advice
  - None of these

**ANSWER:** a  
**POINTS:** 1  
**DIFFICULTY:** Moderate  
**QUESTION TYPE:** Multiple Choice  
**HAS VARIABLES:** False  
**LEARNING OBJECTIVES:** CMPV.SWFT.LO: 2-01 - LO: 2-01  
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**OTHER:** Time: 2 min.  
**DATE CREATED:** 11/28/2016 3:13 PM  
**DATE MODIFIED:** 5/11/2017 12:52 PM

60. Which of the following indicates that a decision has precedential value for future cases?
- Stare decisis*
  - Golsen* doctrine
  - En banc*
  - Reenactment doctrine
  - None of these

**ANSWER:** a  
**POINTS:** 1  
**DIFFICULTY:** Easy  
**QUESTION TYPE:** Multiple Choice  
**HAS VARIABLES:** False  
**LEARNING OBJECTIVES:** CMPV.SWFT.LO: 2-01 - LO: 2-01  
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**OTHER:** Time: 2 min.  
**DATE CREATED:** 11/28/2016 3:13 PM  
**DATE MODIFIED:** 5/11/2017 12:52 PM

61. A taxpayer who loses in a U.S. District Court may appeal directly to the:



## **Chapter 02: Working With The Tax Law**

- a. U.S. Supreme Court.
- b. U.S. Tax Court.
- c. U.S. Court of Federal Claims.
- d. U.S. Circuit Court of Appeals.
- e. All of these.

**ANSWER:** d

**RATIONALE:** Appeals from a U.S. District Court go to the taxpayer's home circuit of the U.S. Circuit Court of Appeals.

**POINTS:** 1

**DIFFICULTY:** Easy

**QUESTION TYPE:** Multiple Choice

**HAS VARIABLES:** False

**LEARNING OBJECTIVES:** CMPV.SWFT.LO: 2-01 - LO: 2-01

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**STATE STANDARDS:** United States - AK - AICPA: FN-Research

**KEYWORDS:** Bloom's: Comprehension

**OTHER:** Time: 2 min.

**DATE CREATED:** 11/28/2016 3:13 PM

**DATE MODIFIED:** 5/11/2017 12:52 PM

62. If a taxpayer decides not to pay a tax deficiency, he or she must go to which court?

- a. Appropriate U.S. Circuit Court of Appeals
- b. U.S. District Court
- c. U.S. Tax Court
- d. U.S. Court of Federal Claims
- e. None of these

**ANSWER:** c

**POINTS:** 1

**DIFFICULTY:** Easy

**QUESTION TYPE:** Multiple Choice

**HAS VARIABLES:** False

**LEARNING OBJECTIVES:** CMPV.SWFT.LO: 2-01 - LO: 2-01

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**KEYWORDS:** Bloom's: Comprehension

**OTHER:** Time: 2 min.

**DATE CREATED:** 11/28/2016 3:13 PM

**DATE MODIFIED:** 5/11/2017 12:52 PM

63. A jury trial is available in the following trial court:

- a. U.S. Tax Court.
- b. U.S. Court of Federal Claims.
- c. U.S. District Court.
- d. U.S. Circuit Court of Appeals.

## **Chapter 02: Working With The Tax Law**

e. None of these.

**ANSWER:** c  
**POINTS:** 1  
**DIFFICULTY:** Easy  
**QUESTION TYPE:** Multiple Choice  
**HAS VARIABLES:** False  
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**OTHER:** Time: 2 min.  
**DATE CREATED:** 11/28/2016 3:13 PM  
**DATE MODIFIED:** 5/11/2017 12:52 PM

64. A taxpayer may *not* appeal a case from which court:

- a. U.S. District Court.
- b. U.S. Circuit Court of Appeals.
- c. U.S. Court of Federal Claims.
- d. Small Case Division of the U.S. Tax Court.
- e. None of these.

**ANSWER:** d  
**POINTS:** 1  
**DIFFICULTY:** Moderate  
**QUESTION TYPE:** Multiple Choice  
**HAS VARIABLES:** False  
**LEARNING OBJECTIVES:** CMPV.SWFT.LO: 2-01 - LO: 2-01  
**NATIONAL STANDARDS:** United States - BUSPORG: Comprehension - BUSPORG:Comprehension  
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**KEYWORDS:** Bloom's: Comprehension  
**OTHER:** Time: 2 min.  
**DATE CREATED:** 11/28/2016 3:13 PM  
**DATE MODIFIED:** 5/11/2017 12:52 PM

65. The IRS will *not* acquiesce to the following tax decisions:

- a. U.S. District Court.
- b. U.S. Tax Court.
- c. U.S. Court of Federal Claims.
- d. Small Case Division of the U.S. Tax Court.
- e. All of these.

**ANSWER:** d  
**POINTS:** 1  
**DIFFICULTY:** Easy  
**QUESTION TYPE:** Multiple Choice  
**HAS VARIABLES:** False

## **Chapter 02: Working With The Tax Law**

**LEARNING OBJECTIVES:** CMPV.SWFT.LO: 2-03 - LO: 2-03

**NATIONAL STANDARDS:** United States - BUSPORG: Comprehension - BUSPORG:Comprehension

**STATE STANDARDS:** United States - AK - AICPA: FN-Research

**KEYWORDS:** Bloom's: Knowledge

**OTHER:** Time: 2 min.

**DATE CREATED:** 11/28/2016 3:13 PM

**DATE MODIFIED:** 5/11/2017 12:52 PM

66. Which publisher offers the *Standard Federal Tax Reporter*?

- a. Research Institute of America
- b. Commerce Clearing House
- c. Thomson Reuters
- d. LexisNexis
- e. None of these

**ANSWER:** b

**POINTS:** 1

**DIFFICULTY:** Easy

**QUESTION TYPE:** Multiple Choice

**HAS VARIABLES:** False

**LEARNING OBJECTIVES:** CMPV.SWFT.LO: 2-03 - LO: 2-03

**NATIONAL STANDARDS:** United States - BUSPORG: Comprehension - BUSPORG:Comprehension

**STATE STANDARDS:** United States - AK - AICPA: FN-Research

**KEYWORDS:** Bloom's: Knowledge

**OTHER:** Time: 2 min.

**DATE CREATED:** 11/28/2016 3:13 PM

**DATE MODIFIED:** 5/11/2017 12:52 PM

67. Which is presently *not* a major tax service?

- a. *Standard Federal Tax Reporter*
- b. *Federal Taxes*
- c. *United States Tax Reporter*
- d. *Tax Management Portfolios*
- e. All of these are major tax services

**ANSWER:** b

**POINTS:** 1

**DIFFICULTY:** Easy

**QUESTION TYPE:** Multiple Choice

**HAS VARIABLES:** False

**LEARNING OBJECTIVES:** CMPV.SWFT.LO: 2-03 - LO: 2-03

**NATIONAL STANDARDS:** United States - BUSPORG: Comprehension - BUSPORG:Comprehension

**STATE STANDARDS:** United States - AK - AICPA: FN-Research

**KEYWORDS:** Bloom's: Knowledge

**OTHER:** Time: 2 min.

**DATE CREATED:** 11/28/2016 3:13 PM

## **Chapter 02: Working With The Tax Law**

**DATE MODIFIED:** 5/11/2017 12:52 PM

68. Which publisher offers the *United States Tax Reporter*?

- a. Research Institute of America (Thomson Reuters)
- b. Commerce Clearing House
- c. LexisNexis
- d. Tax Analysts
- e. None of these

**ANSWER:** a

**POINTS:** 1

**DIFFICULTY:** Easy

**QUESTION TYPE:** Multiple Choice

**HAS VARIABLES:** False

**LEARNING OBJECTIVES:** CMPV.SWFT.LO: 2-03 - LO: 2-03

**NATIONAL STANDARDS:** United States - BUSPORG: Comprehension - BUSPORG:Comprehension

**STATE STANDARDS:** United States - AK - AICPA: FN-Research

**KEYWORDS:** Bloom's: Knowledge

**OTHER:** Time: 2 min.

**DATE CREATED:** 11/28/2016 3:13 PM

**DATE MODIFIED:** 5/11/2017 12:52 PM

69. When searching on an electronic (online) tax service, which approach is more frequently used?

- a. Internal Revenue Code section approach
- b. Keyword approach
- c. Table of contents approach
- d. Index
- e. All are about the same

**ANSWER:** b

**POINTS:** 1

**DIFFICULTY:** Easy

**QUESTION TYPE:** Multiple Choice

**HAS VARIABLES:** False

**LEARNING OBJECTIVES:** CMPV.SWFT.LO: 2-03 - LO: 2-03

**NATIONAL STANDARDS:** United States - BUSPORG: Comprehension - BUSPORG:Comprehension

**STATE STANDARDS:** United States - AK - AICPA: FN-Research

**KEYWORDS:** Bloom's: Comprehension

**OTHER:** Time: 2 min.

**DATE CREATED:** 11/28/2016 3:13 PM

**DATE MODIFIED:** 5/11/2017 12:52 PM

70. A researcher can find tax information on home page sites of:

- a. Governmental bodies.
- b. Tax academics.
- c. Publishers.

## **Chapter 02: Working With The Tax Law**

d. CPA firms.

e. All of these.

**ANSWER:** e  
**POINTS:** 1  
**DIFFICULTY:** Easy  
**QUESTION TYPE:** Multiple Choice  
**HAS VARIABLES:** False  
**LEARNING OBJECTIVES:** CMPV.SWFT.LO: 2-03 - LO: 2-03  
**NATIONAL STANDARDS:** United States - BUSPORG: Comprehension - BUSPORG:Comprehension  
**STATE STANDARDS:** United States - AK - AICPA: FN-Research  
**KEYWORDS:** Bloom's: Knowledge  
**OTHER:** Time: 2 min.  
**DATE CREATED:** 11/28/2016 3:13 PM  
**DATE MODIFIED:** 5/11/2017 12:52 PM

71. Tax research involves which of the following procedures:

- a. Identifying and refining the problem.
- b. Locating the appropriate tax law sources.
- c. Assessing the validity of the tax law sources.
- d. Follow-up.
- e. All of these.

**ANSWER:** e  
**POINTS:** 1  
**DIFFICULTY:** Easy  
**QUESTION TYPE:** Multiple Choice  
**HAS VARIABLES:** False  
**LEARNING OBJECTIVES:** CMPV.SWFT.LO: 2-04 - LO: 2-04  
**NATIONAL STANDARDS:** United States - BUSPORG: Comprehension - BUSPORG:Comprehension  
**STATE STANDARDS:** United States - AK - AICPA: FN-Research  
**KEYWORDS:** Bloom's: Comprehension  
**OTHER:** Time: 2 min.  
**DATE CREATED:** 11/28/2016 3:13 PM  
**DATE MODIFIED:** 5/11/2017 12:52 PM

72. Which tax-related website probably gives the best policy-orientation results?

- a. taxalmanac.org.
- b. irs.gov.
- c. taxsites.com.
- d. taxanalysts.org.
- e. ustaxcourt.gov.

**ANSWER:** d  
**POINTS:** 1  
**DIFFICULTY:** Easy  
**QUESTION TYPE:** Multiple Choice

## **Chapter 02: Working With The Tax Law**

**HAS VARIABLES:** False

**LEARNING OBJECTIVES:** CMPV.SWFT.LO: 2-03 - LO: 2-03

**NATIONAL STANDARDS:** United States - BUSPORG: Comprehension - BUSPORG:Comprehension

**STATE STANDARDS:** United States - AK - AICPA: FN-Research

**KEYWORDS:** Bloom's: Comprehension

**OTHER:** Time: 2 min.

**DATE CREATED:** 11/28/2016 3:13 PM

**DATE MODIFIED:** 5/11/2017 12:52 PM

73. Which court decision would probably carry more weight?

- a. Regular U.S. Tax Court decision
- b. Reviewed U.S. Tax Court decision
- c. U.S. District Court decision
- d. Tax Court Memorandum decision
- e. U.S. Court of Federal Claims

**ANSWER:** b

**POINTS:** 1

**DIFFICULTY:** Easy

**QUESTION TYPE:** Multiple Choice

**HAS VARIABLES:** False

**LEARNING OBJECTIVES:** CMPV.SWFT.LO: 2-04 - LO: 2-04

**NATIONAL STANDARDS:** United States - BUSPORG: Comprehension - BUSPORG:Comprehension

**STATE STANDARDS:** United States - AK - AICPA: FN-Research

**KEYWORDS:** Bloom's: Comprehension

**OTHER:** Time: 2 min.

**DATE CREATED:** 11/28/2016 3:13 PM

**DATE MODIFIED:** 5/11/2017 12:52 PM

74. Which Regulations have the force and effect of law?

- a. Procedural Regulations
- b. Finalized Regulations
- c. Legislative Regulations
- d. Interpretive Regulations
- e. All of these

**ANSWER:** c

**POINTS:** 1

**DIFFICULTY:** Easy

**QUESTION TYPE:** Multiple Choice

**HAS VARIABLES:** False

**LEARNING OBJECTIVES:** CMPV.SWFT.LO: 2-04 - LO: 2-04

**NATIONAL STANDARDS:** United States - BUSPORG: Comprehension - BUSPORG:Comprehension

**STATE STANDARDS:** United States - AK - AICPA: FN-Research

**KEYWORDS:** Bloom's: Comprehension

**OTHER:** Time: 2 min.

## **Chapter 02: Working With The Tax Law**

**DATE CREATED:** 11/28/2016 3:13 PM

**DATE MODIFIED:** 5/11/2017 12:52 PM

75. Which items tell taxpayers the IRS's reaction to certain court decisions?

- a. Notices
- b. Revenue Procedures
- c. Revenue Rulings
- d. Actions on Decisions
- e. Legislative Regulations

**ANSWER:** d

**POINTS:** 1

**DIFFICULTY:** Easy

**QUESTION TYPE:** Multiple Choice

**HAS VARIABLES:** False

**LEARNING OBJECTIVES:** CMPV.SWFT.LO: 2-04 - LO: 2-04

**NATIONAL STANDARDS:** United States - BUSPORG: Comprehension - BUSPORG:Comprehension

**STATE STANDARDS:** United States - AK - AICPA: FN-Research

**KEYWORDS:** Bloom's: Comprehension

**OTHER:** Time: 2 min.

**DATE CREATED:** 11/28/2016 3:13 PM

**DATE MODIFIED:** 5/11/2017 12:52 PM

76. Which company does *not* publish citators for tax purposes?

- a. John Wiley & Sons
- b. Commerce Clearing House
- c. Thomson Reuters, RIA
- d. Westlaw
- e. Shepard's

**ANSWER:** a

**POINTS:** 1

**DIFFICULTY:** Easy

**QUESTION TYPE:** Multiple Choice

**HAS VARIABLES:** False

**LEARNING OBJECTIVES:** CMPV.SWFT.LO: 2-04 - LO: 2-04

**NATIONAL STANDARDS:** United States - BUSPORG: Comprehension - BUSPORG:Comprehension

**STATE STANDARDS:** United States - AK - AICPA: FN-Research

**KEYWORDS:** Bloom's: Knowledge

**OTHER:** Time: 2 min.

**DATE CREATED:** 11/28/2016 3:13 PM

**DATE MODIFIED:** 5/11/2017 12:52 PM

77. Which is *not* a primary source of tax law?

- a. Notice 89-99, 1989-2 C.B. 422.
- b. *Estate of Harry Holmes v. Comm.*, 326 U.S. 480 (1946).

## **Chapter 02: Working With The Tax Law**

- c. Rev. Rul. 79-353, 1979-2 C.B. 325.
- d. Prop. Reg. § 1.752-4T(f).
- e. All of these are primary sources.

**ANSWER:** d  
**POINTS:** 1  
**DIFFICULTY:** Easy  
**QUESTION TYPE:** Multiple Choice  
**HAS VARIABLES:** False  
**LEARNING OBJECTIVES:** CMPV.SWFT.LO: 2-04 - LO: 2-04  
**NATIONAL STANDARDS:** United States - BUSPORG: Comprehension - BUSPORG:Comprehension  
**STATE STANDARDS:** United States - AK - AICPA: FN-Research  
**KEYWORDS:** Bloom's: Knowledge  
**OTHER:** Time: 2 min.  
**DATE CREATED:** 11/28/2016 3:13 PM  
**DATE MODIFIED:** 5/11/2017 12:52 PM

78. Which statement is *incorrect* with respect to taxation on the CPA exam?

- a. The CPA exam now has only four parts.
- b. There are no longer task-based simulations on the exam.
- c. A candidate may not go back after exiting a testlet.
- d. Simulations include a four-function pop-up calculator.
- e. None of these are incorrect.

**ANSWER:** b  
**POINTS:** 1  
**DIFFICULTY:** Easy  
**QUESTION TYPE:** Multiple Choice  
**HAS VARIABLES:** False  
**LEARNING OBJECTIVES:** CMPV.SWFT.LO: 2-07 - LO: 2-07  
**NATIONAL STANDARDS:** United States - BUSPORG: Comprehension - BUSPORG:Comprehension  
**STATE STANDARDS:** United States - AK - AICPA: FN-Measurement - AICPA: FN-Measurement  
**KEYWORDS:** Bloom's: Knowledge  
**OTHER:** Time: 2 min.  
**DATE CREATED:** 11/28/2016 3:13 PM  
**DATE MODIFIED:** 5/11/2017 12:52 PM

79. Which of the following court decisions carries more weight?

- a. Federal District Court
- b. Second Circuit Court of Appeals
- c. U.S. Tax Court decision
- d. Small Cases Division of U.S. Tax Court
- e. U.S. Court of Federal Claims

**ANSWER:** b  
**POINTS:** 1



## **Chapter 02: Working With The Tax Law**

**DIFFICULTY:** Easy  
**QUESTION TYPE:** Multiple Choice  
**HAS VARIABLES:** False  
**LEARNING OBJECTIVES:** CMPV.SWFT.LO: 2-04 - LO: 2-04  
**NATIONAL STANDARDS:** United States - BUSPORG: Comprehension - BUSPORG:Comprehension  
**STATE STANDARDS:** United States - AK - AICPA: FN-Research  
**KEYWORDS:** Bloom's: Comprehension  
**OTHER:** Time: 2 min.  
**DATE CREATED:** 11/28/2016 3:13 PM  
**DATE MODIFIED:** 5/11/2017 12:52 PM

80. What are Treasury Department Regulations?

**ANSWER:** Regulations are issued by the U.S. Treasury Department under authority granted by Congress. Interpretive by nature, they provide taxpayers with considerable guidance on the meaning and application of the Internal Revenue Code. Regulations may be issued in *proposed, temporary, or final* form. Regulations carry considerable authority as the official interpretation of tax statutes. They are an important factor to consider in complying with the tax law. Courts generally ignore Proposed Regulations.

**POINTS:** 5  
**DIFFICULTY:** Easy  
**QUESTION TYPE:** Essay  
**HAS VARIABLES:** False  
**LEARNING OBJECTIVES:** CMPV.SWFT.LO: 2-01 - LO: 2-01  
**NATIONAL STANDARDS:** United States - BUSPORG: Comprehension - BUSPORG:Comprehension  
**STATE STANDARDS:** United States - AK - AICPA: FN-Research  
**KEYWORDS:** Bloom's: Comprehension  
**OTHER:** Time: 5 min.  
**DATE CREATED:** 11/28/2016 3:13 PM  
**DATE MODIFIED:** 5/11/2017 12:52 PM

81. Compare Revenue Rulings with Revenue Procedures.

**ANSWER:** Revenue Rulings are official pronouncements of the National Office of the IRS. They typically provide one or more examples of how the IRS would apply a law to specific fact situations. Like Regulations, Revenue Rulings are designed to provide interpretation of the tax law. However, they do not carry the same legal force and effect as Regulations and usually deal with more restricted problems. Regulations are approved by the Secretary of the Treasury, whereas Revenue Rulings generally are not.

Revenue Procedures are issued in the same manner as Revenue Rulings, but deal with the internal management practices and procedures of the IRS. Familiarity with these procedures can increase taxpayer compliance and help the IRS administer the tax laws more efficiently. A taxpayer's failure to follow a Revenue Procedure can result in unnecessary delay or, in a discretionary situation, can cause the IRS to decline to act on behalf of the taxpayer.

**POINTS:** 5  
**DIFFICULTY:** Easy

## **Chapter 02: Working With The Tax Law**

**QUESTION TYPE:** Essay  
**HAS VARIABLES:** False  
**LEARNING OBJECTIVES:** CMPV.SWFT.LO: 2-01 - LO: 2-01  
**NATIONAL STANDARDS:** United States - BUSPORG: Comprehension - BUSPORG:Comprehension  
**STATE STANDARDS:** United States - AK - AICPA: FN-Research  
**KEYWORDS:** Bloom's: Analysis  
**OTHER:** Time: 5 min.  
**DATE CREATED:** 11/28/2016 3:13 PM  
**DATE MODIFIED:** 5/11/2017 12:52 PM

82. How can Congressional Committee Reports be used by a tax researcher?

**ANSWER:** Congressional Committee Reports often explain the provisions of proposed legislation and are a valuable source of ascertaining the intent of Congress. The intent of Congress is the key to interpreting new legislation by taxpayers, especially before Regulations are published.

**POINTS:** 5  
**DIFFICULTY:** Easy  
**QUESTION TYPE:** Essay  
**HAS VARIABLES:** False  
**LEARNING OBJECTIVES:** CMPV.SWFT.LO: 2-01 - LO: 2-01  
**NATIONAL STANDARDS:** United States - BUSPORG: Comprehension - BUSPORG:Comprehension  
**STATE STANDARDS:** United States - AK - AICPA: FN-Research  
**KEYWORDS:** Bloom's: Comprehension  
**OTHER:** Time: 5 min.  
**DATE CREATED:** 11/28/2016 3:13 PM  
**DATE MODIFIED:** 5/11/2017 12:52 PM

83. What is a Technical Advice Memorandum?

**ANSWER:** The National Office of the IRS releases Technical Advice Memoranda (TAMs) weekly. TAMs resemble letter rulings in that they give the IRS's determination of an issue. However, they differ in several respects. Letter rulings deal with proposed transactions and are issued to taxpayers at their request. In contrast, TAMs deal with completed transactions. Furthermore, TAMs arise from questions raised by IRS personnel during audits and are issued by the National Office of the IRS to its field personnel. TAMs are often requested for questions relating to exempt organizations and employee plans. TAMs are not officially published and may not be cited or used as precedent.

**POINTS:** 5  
**DIFFICULTY:** Easy  
**QUESTION TYPE:** Essay  
**HAS VARIABLES:** False  
**LEARNING OBJECTIVES:** CMPV.SWFT.LO: 2-01 - LO: 2-01  
**NATIONAL STANDARDS:** United States - BUSPORG: Comprehension - BUSPORG:Comprehension  
United States - BUSPROG: Technology: Technology: - BUSPROG: Technology  
**STATE STANDARDS:** United States - AK - AICPA: FN-Leverage Technology  
United States - AK - AICPA: FN-Research  
**KEYWORDS:** Bloom's: Comprehension

## **Chapter 02: Working With The Tax Law**

**OTHER:** Time: 5 min.  
**DATE CREATED:** 11/28/2016 3:13 PM  
**DATE MODIFIED:** 5/11/2017 12:52 PM

84. Discuss the advantages and disadvantages of the Small Cases Division of the U.S. Tax Court.

**ANSWER:** There is no appeal from the Small Cases Division. The jurisdiction of the Small Cases Division is limited to cases involving amounts of \$50,000 or less. The proceedings of the Small Cases Division are informal (e.g., no necessity for the taxpayer to be represented by a lawyer or other tax adviser). Special trial judges rather than Tax Court judges preside over these proceedings. The decisions of the Small Cases Division are not precedents for any other court decision and are not reviewable by any higher court. Proceedings can be more timely and less expensive in the Small Cases Division. Some of these cases can now be found on the U.S. Tax Court Internet Website.

**POINTS:** 5  
**DIFFICULTY:** Easy  
**QUESTION TYPE:** Essay  
**HAS VARIABLES:** False  
**LEARNING OBJECTIVES:** CMPV.SWFT.LO: 2-01 - LO: 2-01  
**NATIONAL STANDARDS:** United States - BUSPORG: Comprehension - BUSPORG:Comprehension  
United States - BUSPROG: Technology: Technology: - BUSPROG: Technology  
**STATE STANDARDS:** United States - AK - AICPA: FN-Research  
United States - AK - AICPA: FN-Risk Analysis  
**KEYWORDS:** Bloom's: Analysis  
**OTHER:** Time: 5 min.  
**DATE CREATED:** 11/28/2016 3:13 PM  
**DATE MODIFIED:** 5/11/2017 12:52 PM

85. Distinguish between the jurisdiction of the U.S. Tax Court and a U.S. District Court.

**ANSWER:** The U.S. Tax Court hears only tax cases and is the most popular tax forum. The U.S. District Court hears a wide variety of nontax cases, including drug crimes and other Federal violations, as well as tax cases. Some Tax Court justices have been appointed from IRS or Treasury Department positions. For these reasons, some people suggest that the U.S. Tax Court has more expertise in tax matters.

**POINTS:** 5  
**DIFFICULTY:** Easy  
**QUESTION TYPE:** Essay  
**HAS VARIABLES:** False  
**LEARNING OBJECTIVES:** CMPV.SWFT.LO: 2-01 - LO: 2-01  
**NATIONAL STANDARDS:** United States - BUSPORG: Comprehension - BUSPORG:Comprehension  
**STATE STANDARDS:** United States - AK - AICPA: FN-Research  
**KEYWORDS:** Bloom's: Comprehension  
**OTHER:** Time: 5 min.  
**DATE CREATED:** 11/28/2016 3:13 PM  
**DATE MODIFIED:** 5/11/2017 12:52 PM

86. How do treaties fit within tax sources?

**ANSWER:** The U.S signs certain tax treaties (sometimes called tax conventions) with foreign

**Chapter 02: Working With The Tax Law**

countries to render mutual assistance in tax enforcement and to avoid double taxation. Tax legislation enacted in 1988 provided that neither a tax law nor a tax treaty takes general precedence. Thus, when there is a direct conflict with the Internal Revenue Code and a treaty, the most recent item will take precedence. A taxpayer must disclose on the tax return any position where a treaty overrides a tax law. There is a \$1,000 penalty per failure to disclose for individuals and a \$10,000 per failure penalty for corporations.

**POINTS:** 5  
**DIFFICULTY:** Easy  
**QUESTION TYPE:** Essay  
**HAS VARIABLES:** False  
**LEARNING OBJECTIVES:** CMPV.SWFT.LO: 2-01 - LO: 2-01  
**NATIONAL STANDARDS:** United States - BUSPORG: Comprehension - BUSPORG:Comprehension  
United States - BUSPROG: Technology: Technology: - BUSPROG: Technology  
**STATE STANDARDS:** United States - AK - AICPA: FN-Research  
**KEYWORDS:** Bloom's: Comprehension  
**OTHER:** Time: 5 min.  
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