

**IRS [Revenue Rulings](#), [Revenue Procedures](#), [Notices](#), and [Announcements](#)
and [Fact Sheet FAQs](#) Released for 2023**

Generally, the text below is taken verbatim from IRS news releases about the guidance.

Revenue Rulings

Ruling #	Date released	IRS summary	Code Section(s)
Rev. Rul. 2023-1	12/15/22	Provides various prescribed rates for federal income tax purposes including applicable federal interest rates, adjusted applicable federal interest rates, adjusted federal long-term rate, and adjusted federal long-term tax-exempt rate. These rates are determined as prescribed by § 1274.	42 382 412 642 1288 1274 7520 7872
Rev. Rul. 2023-2	3/29/23	Confirms that basis adjustment under §1014 generally does not apply to assets of an irrevocable grantor trust not included in deceased grantor's gross estate for Federal estate tax purposes. Section 1014 does not apply to "step-up" the basis of assets gifted to an irrevocable grantor trust by completed gift in cases in which such assets are not included in the gross estate of the owner of the trust for Federal estate tax purposes. In such cases, even though the grantor trust's owner is liable for Federal income tax on trust's income, the assets of the grantor trust are not considered as acquired or passed from a decedent by bequest, devise, inheritance, or otherwise within the meaning of § 1014(b), and therefore § 1014(a) does not apply. For some background on this issue, see Rep. Pascrell's 3/8/22 press release and letter to Secretary Yellen on the issue he describes as a "tax abuse by wealthy families."	1014
Rev. Rul. 2023-3	1/17/23	Provides various prescribed rates for federal income tax purposes including applicable federal interest rates, adjusted applicable federal interest rates, adjusted federal long-term rate, and adjusted federal long-term tax-exempt rate. These rates are determined as prescribed by § 1274.	42 280G 382 467 468 482

			483 1288 7520 7872
Rev. Rul. 2023-4	2/13/23	Provides second quarter interest rates for 2023, including rates for underpayments and overpayments. The rates for interest determined under §6621 for calendar quarter beginning April 1, 2023, will be 7% for overpayments (6% for a corporation), 7% for underpayments, and 9% for large corporate underpayments. The rate of interest paid on the portion of a corporate overpayment exceeding \$10,000 will be 4.5%.	6621
Rev. Rul. 2023-5	2/15/23	Provides various prescribed rates for federal income tax purposes including the applicable federal interest rates, the adjusted applicable federal interest rates, the adjusted federal long-term rate, and the adjusted federal long-term tax-exempt rate. These rates are determined as prescribed by § 1274.	42 280G 382 467 468 482 483 1288 7520 7872
Rev. Rul. 2023-06	3/15/23	Provides various prescribed rates for federal income tax purposes including applicable federal interest rates, adjusted applicable federal interest rates, the adjusted federal long-term rate, and adjusted federal long-term tax-exempt rate. These rates are determined as prescribed by § 1274. The rates are published monthly for purposes of sections 42, 382, 412, 642, 1288, 1274, 7520, 7872, and various other sections of the Code.	42 280G 382 412 467 468 482 483 642 1288 7520 7872
Rev. Rul. 2023-7	4/10/23	Fringe benefits aircraft valuation formula. For purposes of section 1.61-21(g) of the Income Tax Regulations, relating to the rule for valuing non-commercial flights on employer-provided aircraft, the Standard Industry Fare Level (SIFL) cents-per-mile	61

		rates and terminal charge in effect for the first half of 2023 are set forth.	
Rev. Rul. 2023-8 TCJA	4/12/23	Obsoletes Revenue Ruling 58-74 which allowed taxpayers to file a claim for refund or amended return to deduct research or experimental expenditures that for prior tax years taxpayer failed to deduct and for which expense method under former §174(a) was applicable. Revenue Ruling 2023-8 also provides transition relief permitting a reasonable time for a taxpayer to file a claim for refund, amended return, or administrative adjustment request under §6227, as applicable, in reliance of Revenue Ruling 58-74.	174
Rev. Rul. 2023-09	4/17/23	Provides various prescribed rates for federal income tax purposes including applicable federal interest rates, adjusted applicable federal interest rates, adjusted federal long-term rate, and adjusted federal long-term tax-exempt rate. These rates are determined as prescribed by § 1274.	42 280G 382 467 468 482 483 1274 1288 7520 7872
Rev. Rul. 2023-10	5/15/23	Provides various prescribed rates for federal income tax purposes including applicable federal interest rates, adjusted applicable federal interest rates, adjusted federal long-term rate, and adjusted federal long-term tax-exempt rate. These rates are determined as prescribed by § 1274.	42 280G 382 467 468 482 483 1274 1288 7520 7872
Rev. Rul. 2023-11	5/22/23	Provides third quarter interest rates for 2023, including rates for underpayments and overpayments. The rates for interest determined under Section 6621 for calendar quarter beginning July 1, 2023, will be 7% for overpayments (6% in the case of a corporation), 7% for underpayments, and 9% for large corporate underpayments. The rate of	6621

		interest paid on the portion of a corporate overpayment exceeding \$10,000 will be 4.5%. IR-2023-104 (5/22/23)	
Rev. Rul. 2023-12	6/15/23	Provides various prescribed rates for federal income tax purposes including applicable federal interest rates, adjusted applicable federal interest rates, adjusted federal long-term rate, and adjusted federal long-term tax-exempt rate. These rates are determined as prescribed by § 1274.	42 280G 382 467 468 482 483 1274 1288 7520 7872
Rev. Rul. 2023-13	7/17/23	Provides various prescribed rates for federal income tax purposes including applicable federal interest rates, adjusted applicable federal interest rates, adjusted federal long-term rate, and adjusted federal long-term tax-exempt rate. These rates are determined as prescribed by §1274. The rates are published monthly for purposes of sections 42, 382, 412, 642, 1288, 1274, 7520, 7872, and various other sections of the Code.	42 280G 382 467 468 482 483 1274 1288 7520 7872
Rev. Rul. 2023-14	7/31/23	Provides that if a taxpayer stakes cryptocurrency native to a proof-of-stake blockchain and receives additional units of cryptocurrency as rewards when validation occurs, the FMV of the rewards received is included in taxpayer's gross income in tax year in which taxpayer gains dominion and control over the rewards. The FMV is determined as of the date and time the taxpayer gains dominion and control over the rewards. The revenue ruling clarifies that this is also the case if a taxpayer stakes cryptocurrency through a cryptocurrency exchange and the taxpayer receives additional units of cryptocurrency as rewards as a result of the validation.	61

Rev. Rul. 2023-15	8/21/23	2023 interest rates to be used in computing special use value of farm real property for which an election is made under section 2032A are listed for estate of decedents.	2032A
Rev. Rul. 2023-16	8/15/23	Provides various prescribed rates for federal income tax purposes including applicable federal interest rates, adjusted applicable federal interest rates, adjusted federal long-term rate, and adjusted federal long-term tax-exempt rate. These rates are determined as prescribed by §1274. The rates are published monthly for purposes of sections 42, 382, 412, 642, 1288, 1274, 7520, 7872, and various other sections of the Code.	42 280G 382 467 468 482 483 1274 1288 7520 7872
Rev. Rul. 2023-17	8/25/23	Rates for interest determined under Section 6621 for 4 th quarter beginning October 1, 2023, will be 8% for overpayments (7% in case of a corporation). <ul style="list-style-type: none"> • 8% for overpayments (payments made in excess of the amount owed), • 7% for corporations.5.5% for the portion of a corporate overpayment exceeding \$10,000. • 8% for underpayments (taxes owed but not fully paid). • 10% for large corporate underpayments. IR-2023-154 (8/25/23)	6621
Rev. Rul. 2023-18	9/15/23	Provides various prescribed rates for federal income tax purposes including the applicable federal interest rates, the adjusted applicable federal interest rates, the adjusted federal long-term rate, and the adjusted federal long-term tax-exempt rate. These rates are determined as prescribed by § 1274.	42 280G 382 467 468 482 483 1274 1288 7520 7872

Rev. Rul. 2023-19	10/10/23	Fringe benefits aircraft valuation formula. For purposes of section 1.61-21(g), relating to rule for valuing non-commercial flights on employer-provided aircraft, Standard Industry Fare Level (SIFL) cents per-mile rates and terminal charge in effect for second half of 2023 are set forth.	61
Rev. Rul. 2023-20	10/16/23	Provides various prescribed rates for federal income tax purposes including applicable federal interest rates, adjusted applicable federal interest rates, adjusted federal long-term rate, and adjusted federal long-term tax-exempt rate. These rates are determined as prescribed by §1274.	42 280G 382 467 468 482 483 1274 1288 7520 7872
Rev. Rul. 2023-21	11/15/23	Provides various prescribed rates for federal income tax purposes including applicable federal interest rates, adjusted applicable federal interest rates, adjusted federal long-term rate, and adjusted federal long-term tax-exempt rate. These rates are determined as prescribed by §1274.	42 280G 382 467 468 482 483 1274 1288 7520 7872
Rev. Rul. 2023-22	11/17/23	Provides interest rates: underpayments and overpayments, determined under Section 6621 of for calendar quarter beginning January 1, 2024. They will be 8% for overpayments (7% for a corporation), 8% for underpayments, and 10% for large corporate underpayments. The rate of interest paid on portion of a corporate overpayment exceeding \$10,000 will be 5.5%. IR-2023-219 (11/17/23)	6621
Rev. Rul. 2023-23	12/18/23	2023 Base Period T-Bill Rate. The “base period T-bill rate” for the period ending September 30, 2023 is	995 6622

		published as required by section 995(f).	
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Revenue Procedures

Rev. Proc. #	Date released	IRS summary	Code Section(s)
<u>Rev. Proc. 2023-1</u>	12/29/22	Revised procedures on how to obtain letter rulings and information letters issued by the Associate Chief Counsel (Corporate), Associate Chief Counsel (Employee Benefits, Exempt Organizations, and Employment Taxes), Associate Chief Counsel (Financial Institutions and Products), Associate Chief Counsel (Income Tax and Accounting), Associate Chief Counsel (International), Associate Chief Counsel (Passthroughs and Special Industries), and Associate Chief Counsel (Procedure and Administration). This procedure also contains revised procedures for determination letters issued by the Large Business and International Division, Small Business/Self Employed Division, Wage and Investment Division, and Tax Exempt and Government Entities Division. Rev. Proc. 2022-1 superseded.	
<u>Rev. Proc. 2023-2</u>	12/29/22	Explains when and how an Associate office within the Office of Chief Counsel provides technical advice, conveyed in technical advice memoranda (TAMs). It also explains the rights that a taxpayer has when a field office requests a TAM regarding a tax matter. Rev. Proc. 2022-2 superseded.	
<u>Rev. Proc. 2023-3</u>	12/29/22	No rulings areas. Revised list of areas of the Code under the jurisdiction of the Associate Chief Counsel (Corporate), the Associate Chief Counsel (Financial Institutions and Products), the Associate Chief Counsel (Income Tax and Accounting), the Associate Chief Counsel (Passthroughs and Special Industries), the Associate Chief Counsel (Procedure and Administration), and the Associate Chief Counsel (Employee Benefits, Exempt Organizations and Employment Taxes) relating to matters on which the Service will not issue letter rulings or determination letters. Rev. Proc. 2022-3, 2022-1 I.R.B. 144 is superseded.	

Rev. Proc. 2023-4	12/29/22	Updates Rev. Proc. 2022-4 relating to types of advice IRS provides to taxpayers on issues under the jurisdiction of the Commissioner, Tax Exempt and Government Entities Division, Employee Plans Rulings and Agreements, and the procedures that apply to requests for determination letters and private letter rulings.	
Rev. Proc. 2023-5	12/29/22	Sets forth procedures for issuing determination letters on issues under the jurisdiction of the Director, Exempt Organizations (EO) Rulings and Agreements. Specifically, it explains the procedures for issuing determination letters on tax-exempt status (in response to applications for recognition of exemption from Federal income tax under §§ 501 or 521 other than those subject to Rev. Proc. 2023-4, this Bulletin (relating to pension, profit-sharing, stock bonus, annuity, and employee stock ownership plans)), private foundation status, and other determinations related to tax-exempt organizations. These procedures also apply to revocation or modification of determination letters. This revenue procedure also provides guidance on the exhaustion of administrative remedies for purposes of declaratory judgment under § 7428. Finally, this revenue procedure provides guidance on applicable user fees for requesting determination letters.	
Rev. Proc. 2023-6		Not issued	
Rev. Proc. 2023-7	12/29/22	Areas in which rulings will not be issued, Associate Chief Counsel (International).	
Rev. Proc. 2023-8 TCJA	12/12/22	Modified and superseded by Rev. Proc. 2023-11 (12/29/22) (see below) Modifies Rev. Proc. 2022-14 to provide procedures under § 446 and § 1.446-1(e) to obtain automatic consent of the Commissioner to change methods of accounting for specified research or experimental expenditures to comply with § 174, as amended by	174 446

		§13206 of Public Law 115-97 (Dec. 22, 2017), commonly referred to as the Tax Cuts and Jobs Act.	
Rev. Proc. 2023-9	1/27/23	Provides new rules and conditions for implementing optional safe harbor method of accounting for real estate developers (developers) to determine when common improvement costs may be included in the basis of individual units of real property (units) in a real property development project (project) to determine the gain or loss from sale of those units (Alternative Cost Method). This revenue procedure treats Alternative Cost Method as a method of accounting. Under Alternative Cost Method, a developer includes the share of the estimated cost of common improvements allocable to the units sold in the basis of such units regardless of whether the costs have been incurred under §461(h), subject to certain limitations. This revenue procedure also provides guidance on application of Alternative Cost Method to contracts accounted for under § 460 and regulations thereunder. Obsoletes Rev. Proc. 92-29.	446 460 461 481 1011 1012 1016
Rev. Proc. 2023-10	12/23/22	Prescribes loss payment patterns for 2022 determination year and the discount factors for the 2022 accident year for use by insurance companies in computing discounted unpaid losses under §846 and discounted estimated salvage recoverable under §832.	832 846
Rev. Proc. 2023-11 TCJA	12/29/22	Modifies and supersedes Rev. Proc. 2023-8, which modified Rev. Proc. 2022-14. This revenue procedure contains guidance similar to Rev. Proc. 2023-8 but modifies the audit protection with respect to §174 expenditures to encourage timely compliance with the changes made by the Tax Cuts and Jobs Act, effective for tax years beginning after 12/31/21.	174 446
Rev. Proc. 2023-12	4/4/23	Modifies specific language in Rev. Proc. 2023-5 to allow for new electronic submission process of Form 8940 , Request for Miscellaneous Determination. This revenue procedure also provides a 90-day transition relief period, during which paper Form 8940 and letter applications will be accepted and processed by	501 507 509 4842 4945

		EO Determinations. IR-2023-70 (4/4/23)													
Rev. Proc. 2023-13	3/27/23	General Rules and Specifications for Substitute Form 941, Schedule B (Form 941), Schedule D (Form 941), Schedule R (Form 941), and Form 8974. Provides general rules and specifications from IRS for paper and computer-generated substitutes for Form 941; Schedule B (Form 941); Schedule D (Form 941); Schedule R (Form 941); and Form 8974. Supersedes Revenue Procedure 2022-15.													
Rev. Proc. 2023-14	1/18/23	Provides: (1) two tables of limitations on depreciation deductions for owners of passenger automobiles placed in service by taxpayer during calendar year 2023; and (2) a table of dollar amounts that must be used to determine income inclusions by lessees of passenger automobiles with a lease term beginning in calendar year 2023. The tables detailing these depreciation limitations and amounts used to determine lessee income inclusions reflect the automobile price inflation adjustments required by section 280F(d)(7). For purposes of this revenue procedure, the term “passenger automobiles” includes trucks and vans. First year amounts are \$1,000 more than for 2022. <table border="1" data-bbox="534 1220 1084 1701"> <thead> <tr> <th>Tax Year</th> <th>Amount</th> </tr> </thead> <tbody> <tr> <td>1st If applying bonus and acquired after 9/27/17</td> <td>\$20,200</td> </tr> <tr> <td>1st If no bonus</td> <td>\$12,200</td> </tr> <tr> <td>2nd</td> <td>\$19,500</td> </tr> <tr> <td>3rd</td> <td>\$11,700</td> </tr> <tr> <td>Each succeeding year</td> <td>\$ 6,960</td> </tr> </tbody> </table>	Tax Year	Amount	1 st If applying bonus and acquired after 9/27/17	\$20,200	1 st If no bonus	\$12,200	2 nd	\$19,500	3 rd	\$11,700	Each succeeding year	\$ 6,960	280F
Tax Year	Amount														
1 st If applying bonus and acquired after 9/27/17	\$20,200														
1 st If no bonus	\$12,200														
2 nd	\$19,500														
3 rd	\$11,700														
Each succeeding year	\$ 6,960														
Rev. Proc. 2023-15	4/14/23	Provides safe harbor method of accounting that taxpayers may use to determine whether expenses to repair, maintain, replace, or improve natural gas transmission and distribution property must be	162 165 167 168												

		capitalized. To apply this safe harbor method, a taxpayer must first classify its natural gas transmission and distribution property as either linear property (for example, pipe, fittings, and valves) or non-linear property (for example, compressors, regulators, and meters). This revenue procedure then provides methods of accounting for each type of property, specifically, a safe harbor method used for the taxpayer's linear transmission and distribution property and an optional safe harbor method that the taxpayer may choose to use for its non-linear transmission and distribution property. The revenue procedure also provides procedures for obtaining automatic consent to change to the safe harbor method for linear property and the safe harbor method for non-linear property.	263 263A 446
Rev. Proc. 2023-16		Not issued	
Rev. Proc. 2023-17	3/9/23	Provides indexing adjustments for applicable dollar amounts under §4980H(c)(1) and (b)(1). These indexed amounts are used to calculate employer shared responsibility payments (ESRP) under §4980H(a) and (b)(1), respectively. 2024 amounts: §4980H(a) \$2,970 §4980H(b)(1) \$4,460 Note: For penalty amounts for prior years, see IRS FAQ 55 – here .	4980H
Rev. Proc. 2023-18	3/10/23	Modifies and supersedes both Rev. Proc. 2016-33 and Rev. Proc. 2017-14. It addresses the procedures for applying to be certified as a Certified Professional Employer Organization (CPEO), the requirements for a CPEO to remain certified, and the procedures relating to suspension and revocation of CPEO certification.	3511 7705
Rev. Proc. 2023-19	3/13/23	Provides a waiver under section 911(d)(4) for the time requirements for individuals electing to exclude their foreign earned income who must leave a foreign country because of war, civil unrest, or similar adverse conditions in that country. Rev. Proc. 2023-19 adds Ethiopia, Iraq, Ukraine, Belarus, China, and Mali to the	911

		list of waiver countries for tax year 2022 for which the minimum time requirements are waived. Generally, U.S. citizens or resident aliens living and working abroad are taxed on their worldwide income. However, if their tax home is in a foreign country and they meet either the bona fide residence test or the physical presence test, they can choose to exclude from their income a limited amount of their foreign earned income (\$120,000 for 2022). Both the bona fide residence test and the physical presence test contain minimum time requirements.	
Rev. Proc. 2023-20 IJA	3/27/23	Modifies Rev. Proc. 2022-26 to clarify that date on which a taxable substance is added to Secretary's list of taxable substances (List) for purposes of refund claims under section 4662(e) is first day of calendar quarter in which petition is filed (for an interested person) or the day on which the petition is deemed filed (for an importer or exporter). Section 4672(a)(2) allows an importer or exporter of any chemical substance to request a determination whether such substance should be listed as a taxable substance on the list or be removed from the list. Rev. Proc. 2022-26, provides procedures for importers, exporters, and interested persons to request a determination that a substance be added to or removed from the list.	4672
Rev. Proc. 2023-21	4/20/23	Applies to foreign insurance companies and provides the domestic asset/liability percentages and domestic investment yields needed by foreign life insurance companies and foreign property and liability insurance companies to compute their minimum effectively connected net investment income under section 842(b) for tax years beginning after December 31, 2021.	842
Rev. Proc. 2023-22	4/21/23	Provides issuers of qualified mortgage bonds, as defined in section 143(a) of the Internal Revenue Code, and issuers of mortgage credit certificates, as defined in section 25(c), with (1) nationwide average purchase prices for residences located in the United States, and (2) average area purchase price safe harbors for residences located in statistical areas in each state, the District of Columbia, Puerto Rico, the	25 143

		Northern Mariana Islands, American Samoa, the Virgin Islands, and Guam.	
Rev. Proc. 2023-23	5/16/23	Provides 2024 inflation adjusted amounts for Health Savings Accounts (HSAs) as determined under § 223 and maximum amount that may be made newly available for excepted benefit health reimbursement arrangements (HRAs) provided under § 54.9831-1(c)(3)(viii) of Pension Excise Tax Regus.	223
Rev. Proc. 2023-24	6/15/23	Provides annual List of Automatic Changes to which automatic method of accounting change procedures apply under method of accounting change guidance. Changes of method of accounting are covered in in Rev. Proc. 2015-13, as clarified and modified by Rev. Proc. 2015-33, and as modified by Rev. Proc. 2021-34, by Rev. Proc. 2021-26, by Rev. Proc. 2017-59, and by section 17.02(b) and (c) of Rev. Proc. 2016-1, apply. The definitions in section 3 of Rev. Proc. 2015-13 apply to this revenue procedure.	446 481
Rev. Proc. 2023-25	7/31/23	Provides specifications for te private printing of red-ink substitutes for the 2023 Forms W-2 and W-3. This revenue procedure will be produced as next revision of Publication 1141. Rev. Proc. 2022-30 is superseded.	
Rev. Proc. 2023-26	7/26/23	Describes a program that provides an opportunity for fast-track processing of certain requests for letter rulings solely or primarily under the jurisdiction of the Associate Chief Counsel (Corporate). This new program replaces the pilot program established by Rev. Proc. 2022-10.	26 CFR 601.201
Rev. Proc. 2023-27 IRA 2022	8/10/23	Provides clarifying and procedural guidance applicable to low-income communities bonus credit program for energy investment credit established pursuant to Inflation Reduction Act of 2022 (Program). Under this Program, applicants investing in certain solar and wind-powered electricity generation facilities may apply for an allocation of environmental justice solar and wind capacity limitation to increase the amount of an energy investment credit under section 48 for the taxable year in which the facility is placed in	48(e)

		service. These procedural rules provide guidance necessary to implement the Program, including, in relevant part, information an applicant must submit, the application review process, and the manner of obtaining an allocation. This revenue procedure is issued along with final regs (TD 9979 (8/15/23)). IR-2023-145 (8/10/23) IRS website on IRA credits and deductions.	
Rev. Proc. 2023-28	10/23/23	General Rules and Specifications for Substitute Forms and Schedules Provides guidelines and general requirements for development, printing, and approval of 2023 substitute tax forms. This procedure will be reproduced as the next revision of Publication 1167. Rev. Proc. 2022-31 is superseded.	
Rev. Proc. 2023-29	8/23/23	Provides applicable percentage table in § 36B(b)(3)(A) for tax years beginning in calendar year 2024. Table used to calculate an individual’s premium tax credit under §36B. Also provides indexing adjustment for required contribution percentage in § 36B(c)(2)(C)(i)(II) for plan years beginning in calendar year 2024. This percentage is used to determine whether an individual is eligible for affordable employer-sponsored minimum essential coverage under § 36B.	36B
Rev. Proc. 2023-30	10/2/23	Provides specifications for private printing of red-ink substitutes for 2023 revisions of certain information returns. This procedure will be reproduced as the next revision of Publication 1179. Revenue Procedure 2022-25 is superseded.	
Rev. Proc. 2023-31 TFA	9/12/23	Supersedes Rev. Proc. 2015-47, which sets forth procedures for filers of Forms 8955-SSA and 5500-EZ to request a hardship waiver of the requirement to file those forms electronically. Rev. Proc. 2015-47 is being superseded because of recently issued Treasury regs which (among other things): (1) implement a lowered threshold for mandatory electronic filing of Forms 8955-SSA and 5500-EZ (as authorized by the Taxpayer First Act of 2019), and (2) provide a new administrative exemption with respect to electronic filing of Form 8955-SSA. Rather than set forth specific	6011 6057 6058

		procedures, this revenue procedure refers filers to applicable publications, forms, instructions, or other guidance, including postings on IRS.gov, for procedures for seeking a hardship waiver or administrative exemption from the requirements to file Forms 8955-SSA and 5500-EZ electronically. This revenue procedure is effective with respect to Forms 8955-SSA and 5500-EZ required to be filed for plan years beginning on or after January 1, 2024.	
Rev. Proc. 2023-32	10/10/23	Publication of the amounts of unused housing credit carryovers allocated to qualified states under section 42(h)(3)(D) for calendar year 2023.	42
Rev. Proc. 2023-33 IRA 2022	10/6/23	Procedures under §§ 30D(g) and 25E(f) for transfer of clean vehicle credit or previously-owned clean vehicle credit from taxpayer who elects to transfer such credit to an eligible entity. These procedures will apply to transfers of credits after 12/31/23. These procedures include registration procedures with the IRS for qualified manufacturers and sellers, as well as procedures for dealer registration and suspension and revocation of that registration. Also establishes a program to make advance payments of credit amounts to registered dealers. In addition, this revenue procedure supersedes sections 5.01 and 6.03 of Rev. Proc. 2022-42 , providing new information for timing and manner of submission of seller reports, respectively; as well as sections 6.01 and 6.02 of Rev. Proc. 2022-42, providing updated information on submission of written agreements by manufacturers to the IRS to be considered qualified manufacturers, as well as the method of submission of monthly reports by qualified manufacturers. IR-2023-186 (10/3/23) Fact Sheet 2023-22 (10/6/23)	25E 30D
Rev. Proc. 2023-34	11/9/23	Sets forth inflation-adjusted items for 2024 for various Code provisions generally determined by reference to § 1(f). To the extent amendments to the Code are enacted for 2024 after November 9, 2023, taxpayers should consult additional guidance to determine whether these adjustments remain applicable for	1, 23, 24, 32, 36B, 42, 45R, 55, 59, 62, 63, 125, 132(f), 135,

		2024.	137, 146, 147, 148, 152, 179, 179D, 199A, 213, 220, 221, 448, 461, 512, 513, 642, 831, 877, 877A, 911, 1274A, 2010, 2032A, 2503, 2523, 4161, 4261, 4611, 6033, 6039F, 6323, 6334, 6601, 6651, 6652, 6695, 6698, 6699, 6721, 6722, 7345, 7430, 7702B, 9831; 1.148-5
Rev. Proc. 2023-35	9/29/23	Provides that redemption of money market fund (MMF) shares will not be treated as part of a wash sale under § 1091. Amplifies and supersedes Rev. Proc. 2014-45 and extends its wash sale relief to redemptions of shares in MMFs that maintain fixed share prices.	446 1091
Rev. Proc.	12/18/23	This revenue procedure updates and supersedes Rev.	6049

2023-36		Proc. 2022-35. Ecuador is added to the list of jurisdictions with which the United States has in effect a relevant information exchange agreement. Argentina and Kazakhstan are added to the list of countries with which Treasury and the IRS have determined it is appropriate to have an automatic exchange relationship with respect to the information collected under Treas. Reg. §§ 1.6049-4(b)(5) and 1.6049-8(a).	
Rev. Proc. 2023-37	11/21/23	Sets forth rules on qualified pre-approved plans and §403(b) pre-approved plans, and combines, conforms, clarifies, and updates rules for those plans previously set forth in prior revenue procedures.	403
Rev. Proc. 2023-38 IRA 2022	12/1/23	Updates procedures under § 30D(d)(3) for qualified manufacturers to enter into a written agreement with the IRS under which such manufacturer agrees to make periodic written reports to the Secretary providing VINs and other information regarding vehicles eligible for a clean vehicle credit. Vehicles eligible for the clean vehicle credit under §30D, the qualified commercial clean vehicles credit under §45W, and previously-owned clean vehicles credit under § 25E, generally must be manufactured by a qualified manufacturer as described in § 30D(d)(1)(C) and (d)(3). See §§ 45W(c)(1) and 25E(c)(1)(D)(i). Supersedes parts of Rev. Procs. 2022-42 and 2023-33. IR-2023-228 (12/1/23) IRS also released proposed regs on additional limitation that applies starting in 2025 if any of the critical minerals or battery components are from a “foreign entity of concern.” REG-118492-23 (12/4/23). Also see Dept. of Energy proposed rules - RIN 1901-ZA02 (12/4/23) and Treasury press release (12/1/23).	25E 30D 45W
Rev. Proc. 2023-39	12/26/23	Provides specifications for private printing of red-ink and black-and-white substitutes for the August 2023 revisions of Forms W-2c and W-3c. This revenue procedure will be produced as next revision of Publication 1223. Rev. Proc. 2016-20 dated March 28, 2016, is superseded.	
Rev. Proc. 2023-40	12/18/23	This proposed revenue procedure specifies when information shown on a return in accordance with the applicable forms and instructions will be an adequate	6662 6694

		disclosure for purposes of reducing an understatement of income tax under section 6662(d) and for purposes of avoiding the section 6694(a) preparer penalty. This revenue procedure updates Rev. Proc. 2022-41, and applies to any income tax return filed on 2023 tax forms for a tax year beginning in 2023, and to any income tax return filed in 2024 on 2023 tax forms for short tax years beginning in 2024.	
Rev. Proc. 2023-41	12/7/23	Sets forth unpaid loss discount factors for 2023 accident year for purposes of §846. This revenue procedure also prescribes salvage discount factors for 2023 accident year, which must be used to compute discounted estimated salvage recoverable under §832	832 846
Rev. Proc. 2023-42		Not issued	
Rev. Proc. 2023-43		Not issued	
Rev. Proc. 2023-44		Not issued	
Rev. Proc. 2023-45		Not issued	
Rev. Proc. 2023-46		Not issued	
Rev. Proc. 2023-47		Not issued	
Rev. Proc. 2023-48	9/25/23	Provides rules for using per diem rates, rather than actual expenses, to substantiate amount of expenses for lodging, meals, and incidental expenses for travel away from home. Taxpayers who use per diem rates to substantiate amount of travel expenses under Rev. Proc. 2019-48 may use federal per diem rates published annually by General Services Administration. Rev. Proc. 2019-48 allows certain taxpayers to use a special transportation industry rate or to use rates under a high-low substantiation method for certain high-cost localities. IRS announces these rates and the rate for the incidental expenses only deduction in an annual notice (such as Notice 2023-68). Use of a per diem substantiation method is not mandatory. A taxpayer may substantiate actual allowable expenses if the taxpayer maintains adequate records or other sufficient evidence for	62 67 162 267 274

		<p>proper substantiation.</p> <p>Rev. Proc. 2011-47 is modified and superseded on 11/26/19. The new rev proc is effective for per diem allowances for lodging, meals, incidental paid to employee on or after 11/26/19 for travel away from home on or after 11/26/19.</p>	
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Notices

Notice #	Date released	IRS summary	Code Section(s)
Notice 2023-1 IRA 2022	12/29/22	<p>Informs taxpayers that Treasury and IRS intend to propose regs addressing definitions of certain terms in respect of §30D, Clean Vehicle Credit, and lays out expected content of those regs. The notice and proposed regs define (1) final assembly, (2) North America, (3) MSRP, (4) vehicle classifications, and (5) placed in service.</p> <p>Modified by Notice 2023-16 (2/3/23).</p> <p>Obsoleted by Prop. Regs. REG-120080-22; 4/17/23 which added definitions at §1.30D-2.</p>	30D
Notice 2023-2 IRA 2022	12/27/22	<p>Announces intent of Treasury and IRS to issue proposed regs addressing application of corporate stock repurchase excise tax added at §4501 by Inflation Reduction Act of 2022 (P.L. 117-169, 8/16/22); (2) describes certain rules and procedures that Treasury and IRS intend to include in the forthcoming proposed regs; (3) provides interim guidance that taxpayers may rely upon until issuance of proposed regs; and (4) solicits comments on rules contained in the notice and certain other issues prior to publication of proposed regs.</p> <p>IR-2022-228 (12/27/22)</p>	4501

Notice 2023-3	12/29/22	<p>Standard mileage rates for 2023:</p> <ul style="list-style-type: none"> • Business = 65.5¢/mile (up 3¢) (28¢ represents depreciation) • Medical & moving = 22¢ (same as last 6 months of 2022) • Charitable = 14¢ (fixed by §170(i)) <p>Also provides maximum FMV of employer-provided automobiles first made available to employees for personal use in calendar year 2023 for which employers may use fleet-average valuation rule in § 1.61-21(d)(5)(v) or the vehicle cents-per-mile valuation rule in § 1.61-21(e).</p> <p>IR-2022-234 (12/29/22)</p>	61 162 170 213 217 274
Notice 2023-4	12/20/22	<p>Provides indexing factors to be used by group health plans and health insurance issuers to calculate the qualifying payment amount (QPA) for items or services provided on or after January 1, 2023, and before January 1, 2024. The No Surprises Act (NSA) added parallel provisions at Code sections 9816 and 9817, ERISA sections 716 and 717, and PHS Act sections 2799A-1 and 2799A-2. These provisions provide protections against balance-billing for certain out-of-network items or services provided to patients. The QPA is the basis for determining individual cost sharing for items and services covered by the balance-billing protections in the NSA, under certain circumstances. QPAs based on information from prior years are indexed based on changes in the consumer price index.</p>	9816
Notice 2023-5	12/16/22	<p>Sets forth updates on corporate bond monthly yield curve, corresponding spot segment rates for December 2022 used under § 417(e)(3)(D), 24-month average segment rates applicable for December 2022, and 30-year Treasury rates, as reflected by the application of §430(h)(2)(C)(iv).</p>	417 430

<p>Notice 2023-6</p> <p>IRA 2022</p>	<p>12/19/22</p>	<p>Provides guidance on new sustainable aviation fuel credits under §§40B and 6426(k) and related credit and payment rules under §§ 34(a)(3), 38, 87, and 6427(e)(1). This notice also provides rules related to the §4101 registration requirements. Finally, this notice requests comments from the public related to the SAF credit to assist the Treasury and IRS in developing additional guidance on the SAF credit in the future.</p> <p>IR-2022-223 (12/19/22)</p> <p>Appendix B of Notice 2023-6 is superseded by Appendix A of Notice 2024-06 (12/15/23)</p>	<p>40B 6426</p>
<p>Notice 2023-7</p> <p>IRA 2022</p>	<p>12/27/22</p>	<p>Announces intention of Treasury and IRS to issue proposed regs addressing application of corporate alternate minimum tax (CAMT) as added by Inflation Reduction Act of 2022. Describes rules intended to be included in the proposed regs, including rules relating to certain issues regarding subchapters C and K of the Code, troubled corporations, groups of corporations filing a consolidated Federal income tax return, depreciation of §168 property, and treatment of certain Federal income tax credits under the CAMT. Also provides a simplified method for determining whether a corporation is an "applicable corporation" subject to the CAMT. Finally, provides a request for comments and how to submit them.</p> <p>IR-2022-229 (12/27/22)</p>	<p>55 56A 59</p>
<p>Notice 2023-8</p>	<p>12/21/22</p>	<p>Provides additional guidance for brokers to comply with the provisions of the final regulations under section 1446(f) that relate to withholding on the transfer of an interest in a publicly traded partnership. Treasury and IRS intend to issue proposed regulations that would</p>	<p>1446</p>

		amend the final regs to implement this additional guidance.	
Notice 2023-9 IRA 2022	12/29/22	<p>Provides a safe harbor regarding the incremental cost of certain qualified commercial clean vehicles placed in service in calendar year 2023 for purposes of the new credit for qualified commercial clean vehicles under § 45W.</p> <p>Treasury and IRS reviewed incremental cost for all street vehicles in calendar year 2023 and found that incremental cost of all street vehicles (other than for compact car PHEVs) that have a gross vehicle weight rating of less than 14,000 pounds will be greater than \$7,500 in calendar year 2023.</p> <p>Accordingly, incremental cost will not limit the available credit amount for street vehicles that have a gross vehicle weight rating of less than 14,000 pounds and are placed in service in calendar year 2023.</p> <p>For compact car plug-in electric hybrids for which incremental cost was calculated to be less than \$7,500, Treasury and IRS will accept for vehicles placed in service during calendar year 2023 a taxpayer's use, in calculating the credit amount, of the incremental cost published by Department of Energy.</p>	45W
Notice 2023-10 ARPA 2021	12/23/22	<p>Calendar year 2022 will be regarded as a transition period for purposes of IRS enforcement and administration with respect to implementation of amendments made to de minimis exception for third party settlement organizations (TPSO) under §6050W(e) by the American Rescue Plan Act of 2021 (ARP), P. L. 117-2 (March 11, 2021), for returns for calendar years beginning after December 31, 2021.1 Transition period described in this notice is intended to facilitate an orderly transition for</p>	6050W 6721 6722

		<p>TPSO compliance with section 6050W and participating payee compliance with income tax reporting.</p> <p>IR-2022-226 (12/23/22)</p>	
<p>Notice 2023-11</p> <p>FATCA</p>	12/30/22	<p>Intended to provide FATCA reporting relief to Model 1 FFIs who have been unable to obtain US TINs for their pre-existing accounts that are US reportable accounts; as part of the relief, FFIs will also provide information that IRS can analyze to determine why these TINs are missing. The publication has been coordinated with Treasury and the IRS.</p>	<p>1471</p> <p>1472</p> <p>1473</p> <p>1474</p>
<p>Notice 2023-12</p>	1/17/23	<p>Provides updates on corporate bond monthly yield curve, corresponding spot segment rates for January 2023 used under §417(e)(3)(D), 24-month average segment rates applicable for January 2023, and 30-year Treasury rates, as reflected by application of §430(h)(2)(C)(iv).</p>	<p>417</p> <p>430</p>
<p>Notice 2023-13</p>	2/6/23	<p>A proposed revenue procedure that would establish Service Industry Tip Compliance Agreement (SITCA) program, a voluntary tip reporting program between IRS and employers in various service industries. IRS seeking comments by 5/7/23.</p> <p>The proposed SITCA program is designed to take advantage of advancements in point-of-sale, time and attendance systems, and electronic payment settlement methods to improve tip reporting compliance. The proposed program would also decrease taxpayer and IRS administrative burdens and provide more transparency and certainty to taxpayers.</p> <p>IR-2023-19 (2/6/23)</p>	<p>61</p> <p>3121</p>

Notice 2023-14		Not issued	
Notice 2023-15		Not issued	
Notice 2023-16 IRA 2022	2/3/23	Updates Notice 2023-1 by changing the vehicle classification standard by which vans, sport utility vehicles, pickup trucks, and other vehicles are defined. Obsoleted by Prop. Regs. REG-120080-22 ; 4/17/23 which added definitions at §1.30D-2.	30D
Notice 2023-17 IRA 2022	2/13/23	Establishes program to allocate environmental justice solar and wind capacity limitation, as required under § 48(e). This notice also provides initial program guidance for potential applicants for allocations of calendar year 2023 capacity limitation. This initial guidance provides the general eligibility requirements, a description of the four statutory facility categories for which an eligible facility may request an allocation, amounts of capacity limitation reserved for each facility category, a general description of the program design and goals, the application review process, and the proposed timeline for opening two 60-day application periods in 2023 based on project categories. IR-2023-26 (2/13/23) & IR-2023-107 (5/31/23) Also see proposed regs REG-110412-23 (6/1/23) and Rev. Proc. 2023-27 (8/10/23) and IR-2023-145 (8/10/23).	48(e)
Notice 2023-18 IRA 2022	2/13/23	Establishes §48C(e) program to allocate \$10 billion of §48C credits (\$4 billion of which may only be allocated to projects located in certain energy communities census tracts) and provides initial program guidance. Treasury and IRS anticipate allocating \$4 billion of §48C credits in	48C(e)

		<p>the first allocation round, with approximately \$1.6 billion of these credits to be allocated to projects located in certain energy communities census tracts. Treasury and IRS will allocate remaining credits in future allocation rounds. This notice also provides general rules for determining §48C credit, definitions of qualifying advanced energy projects, and the procedures for allocating the credits.</p> <p>IR-2023-27 (2/13/23)</p>	
Notice 2023-19	2/22/23	Sets forth updates on corporate bond monthly yield curve, corresponding spot segment rates for February 2023 used under § 417(e)(3)(D), 24-month average segment rates applicable for February 2023, and 30-year Treasury rates, as reflected by application of § 430(h)(2)(C)(iv).	417 430
Notice 2023-20 IRA 2022	2/17/23	Interim guidance to insurance companies and certain other taxpayers related to their determination of adjusted financial statement income (AFSI) for purposes of corporate alternative minimum tax, as added by the Inflation Reduction Act of 2022. This notice provides interim guidance for the determination of AFSI as it relates to (1) variable contracts and similar contracts, (2) funds withheld reinsurance and modified coinsurance agreements, and (3) the basis of certain assets held by certain previously tax-exempt entities that received a “fresh start” basis adjustment. This notice also provides a request for comments and the procedure for submitting such comments by 4/3/23.	55 56A 817
Notice 2023-21	2/27/23	Lengthens lookback period for refund claims for returns with due dates that were postponed by	6511 6513 7508A

		<p>Notice 2021-21 or Notice 2020-23.</p> <p>In response to COVID-19, pursuant to IRC §7508A, issued Notice 2020-23 and Notice 2021-21, IRS postponed certain return filing due dates; however, the Notices did not lengthen the lookback period for refund claims for such returns under §6511(b)(2)(A). Consequently, some payments that taxpayers made – including estimated and withheld income taxes deemed paid on April 15 of each year for calendar-year taxpayers – will fall outside of the lookback period if taxpayers filed their returns after April 15. If the payments fall outside of the lookback period, then, despite filing a timely refund claim, a taxpayer cannot be refunded those payments. Using IRS disaster relief authority under §7508A(a), this notice disregards the periods from April 15, 2020 to July 15, 2020, and from April 15, 2021 to May 17, 2021, in determining the beginning of the lookback period to align the lookback periods with the postponed return filing due dates.</p>	
Notice 2023-22	3/20/23	Resident populations of the 50 states, District of Columbia, Puerto Rico, and insular areas for purposes of determining 2023 calendar year (1) state housing credit ceiling under section 42(h) of the Code, (2) private activity bond volume cap under section 146, and (3) private activity bond volume limit under section 142(k) are reproduced.	42 141
Notice 2023-23 SECURE Act 2.0	3/7/23	Provides guidance to financial institutions for reporting RMDs for 2023 because of a change to RMD rules made by the SECURE 2.0 Act (Division T of the Consolidated Appropriations Act, 2023, P.L. 117-328). SECURE 2.0 Act delayed required beginning date for RMDs. Under this change, IRA owners who turn 72 in 2023 will not have a required minimum distribution for 2023 (because the age with reference to which the required	401

		beginning date is determined for those IRA owners is changed from 72 to 73). Under relief provided in the notice, the IRS will not consider an RMD statement provided to an IRA owner who will turn 72 in 2023 to have been provided incorrectly if the IRA owner is notified by the financial institution no later than April 28, 2023, that no RMD is actually required for 2023.	
<u>Notice 2023-24</u>	3/9/23	Provides general rules for determining credit for production from advanced nuclear power facilities under § 45J and that the amount of the unutilized national megawatt capacity limitation (NMCL) available for allocation is 6,000 megawatts. This notice also provides the procedures for taxpayers to apply for allocations of, and that IRS will use to allocate, unutilized NMCL to facilities that the Department of Energy previously certified as an “advanced nuclear facility” under Notice 2013-68. The notice provides the procedures for a “qualified public entity” to elect to transfer all or a portion of § 45J credit to an “eligible project partner”. The notice requests comments on issues impacting the § 45J credit. Section 45J provides a tax credit for energy produced by advanced nuclear power facilities. Section 45J was previously amended in 2018, and IRS is providing rules for transfers of credit by certain public entities. Section 45J was not amended by the Inflation Reduction Act and is distinct from the zero-emission nuclear power production credit (Section 45U) created by the Inflation Reduction Act.	45J
<u>Notice 2023-25</u>	3/14/23	Sets forth updates on the corporate bond monthly yield curve, corresponding spot segment rates for March 2023 used under §417(e)(3)(D), 24-month average segment rates applicable for March 2023, and 30-year Treasury rates, as reflected by application of § 430(h)(2)(C)(iv).	417 430

Notice 2023-26	3/14/23	<p>Provides for adjustments to the limitation on housing expenses for purposes of §911 for the 2023 tax year. These adjustments are made on basis of geographic differences in housing costs relative to housing costs in the United States. If the limitation on housing expenses is higher for the 2023 tax year than the adjusted limitations on housing expenses provided in Notice 2022-10, qualified taxpayers may apply the adjusted limitations in this notice for the 2023 tax year to their 2022 tax year.</p>	911
Notice 2023-27	3/21/23	<p>Treasury and IRS intend to issue guidance related to treatment of certain NFTs as section 408(m) collectibles. This treatment is also relevant for other purposes of the Code, including long-term capital gains tax rate under section 1(h). The notice also describes how IRS intends to determine whether an NFT constitutes a section 408(m) collectible, pending issuance of that guidance, and requests comments generally on treatment of NFTs as a section 408(m) collectible, as well as comments on specific questions listed in the notice.</p> <p>IR-2023-50 (3/21/23)</p>	408
Notice 2023-28 IJA	3/27/23	<p>Extends relief provided section 3(a) of Notice 2022-15 through end of 2023, and relief provided by section 3(b) of Notice 2022-15 through June 30, 2024. The Infrastructure Investment and Jobs Act reinstated the excise taxes imposed by sections 4661 and 4671 (the Superfund chemical taxes), effective July 1, 2022. Superfund chemical taxes are subject to deposit rules set forth in § 40.6302(c)-1 of the Excise Tax Procedural Regulations. IRS issued Notice 2022-15, which provides in section 3(a) temporary rules for third and fourth calendar quarters of 2022, and first calendar quarter of 2023, regarding failure to deposit penalty imposed by section 6656 as that penalty relates to the</p>	4661

		Superfund chemical taxes. Notice 2022-15 also provides in section 3(b) that during first, second, and third calendar quarters of 2023, IRS will not withdraw the taxpayer's right to use the deposit safe harbor rules of §40.6302(c)-1(b)(2) if certain requirements are met.	
Notice 2023-29 IRA 2022	4/4/23	Describes certain rules that IRS intends to include in forthcoming proposed regs for determining what constitutes an energy community for the production and investment tax credits. IR-2023-69 (4/4/23) See modifications by Notice 2023-45 and Notice 2023-47 . Also see IR-2023-118 (6/15/23) and FAQs .	45 45Y 48 48E
Notice 2023-30 SECURE 2.0	4/10/23	Sets forth safe harbor deed language for extinguishment and boundary line adjustment clauses required by § 605(d)(1) of SECURE 2.0 Act) enacted as Division T of the Consolidated Appropriations Act, 2023, P.L. 117-328 (12/29/22). This notice also describes process certain donors may use to amend an original eligible easement deed to substitute safe harbor language for corresponding language in original deed, as provided by §605(d)(2) of SECURE 2.0 Act. IR-2023-73 (4/10/23)	170
Notice 2023-31	4/3/23	Announces that when proposed regs under section 903 (REG-112096-22) are finalized, the Treasury and IRS intend to extend transition period for the single-country exception's documentation requirement from May 17, 2023 to 180 days after date final regs adopting single-country exception are filed with the Federal Register. The single-country exception provides relief from the source-based attribution requirement under section 903 for foreign withholding taxes on royalties paid for the use of intellectual property within the withholding	903

		jurisdiction.	
Notice 2023-32		Not issued	
Notice 2023-33	4/20/23	Sets forth updates on corporate bond monthly yield curve, the corresponding spot segment rates for April 2023 used under §417(e)(3)(D), 24-month average segment rates applicable for April 2023, and 30-year Treasury rates, as reflected by application of § 430(h)(2)(C)(iv).	417 430
Notice 2023-34	4/24/23	<p>Updates Notice 2014-21 because it stated that digital currencies were not legal tender; however, since then foreign jurisdictions have enacted laws that characterize Bitcoin as legal tender. Thus, the sentence in the Background section of Notice 2014-21 stating that virtual currency does not have legal tender status in any jurisdiction is no longer accurate as to Bitcoin.</p> <p>Modification to Notice 2014-21:</p> <p>SECTION 2. BACKGROUND</p> <p>The Internal Revenue Service (IRS) is aware that “virtual currency” may be used to pay for goods or services, or held for investment. Virtual currency is a digital representation of value that functions as a medium of exchange, a unit of account, and/or a store of value. <u>In certain contexts, virtual currency may serve one or more of the functions of “real” currency -- i.e., the coin and paper money of the United States or of any other country that is designated as legal tender, circulates, and is customarily used and accepted as a medium of exchange in the country of issuance -- but the use of virtual currency to perform “real” currency functions is limited.</u>In some environments, it operates like “real” currency -- i.e., the coin and paper money of the United States or of any other country that is designated as legal tender, circulates, and is customarily used and accepted as a medium of</p>	Various

		exchange in the country of issuance—but it does not have legal tender status in any jurisdiction.	
Notice 2023-35		Not issued	
Notice 2023-36	5/4/23	Solicits items for the annual priority guidance plan (PGP). Suggestions due by 6/9/23.	Various
Notice 2023-37	6/23/23	<p>Addresses announced end of COVID-19 public health emergency (PHE) and the National Emergency Concerning the Novel Coronavirus Disease 2019 Pandemic (COVID-19 National Emergency) on May 11, 2023; it modifies prior guidance regarding benefits relating to testing for and treatment of COVID-19 that can be provided by a health plan that otherwise satisfies the requirements to be a high deductible health plan (HDHP) under section 223(c)(2)(A). Specifically, this notice provides that relief described in Notice 2020-15 applies only with respect to plan years ending on or before December 31, 2024.</p> <p>Notice 2023-37 also clarifies whether certain items and services are treated as preventive care under section 223(c)(2)(C). Specifically, this notice clarifies that the preventive care safe harbor as described in Notice 2004-23 does not include screening (i.e., testing) for COVID-19, effective as of the date of publication of this notice. This notice also provides that items and services recommended with an “A” or “B” rating by the United States Preventive Services Task Force (USPSTF) on or after March 23, 2010, are treated as preventive care for purposes of section 223(c)(2)(C), regardless of whether these items and services must be covered, without cost sharing, under Public Health Service Act (PHS Act) section 2713.</p>	223
Notice 2023-	5/12/23	Provides general rules taxpayers must satisfy for	45

<p>38</p>		<p>domestic content bonus credit under §§ 45, 45Y, 48 and 48E. Expected to be in future prop. Regs. Those rules include 1) definitions for relevant terms; 2) domestic content requirement applicable to steel or iron, which applies in a manner consistent with the Buy America Requirements; 3) domestic content requirement applicable to manufactured products, which also generally applies in a manner consistent with regs for Buy America Requirements, except the manufactured product adjusted percentage rule; and 4) procedures for certifying compliance with domestic content requirement. The notice also provides guidance on application of manufactured products adjusted percentage rule, including how to determine costs for this rule, and a safe harbor regarding classification of certain components in representative types of qualified facilities, energy projects, or energy storage technologies.</p> <p>“Taxpayers may rely on rules described in sections 3 through 6 of this notice for domestic content bonus credit requirements for any qualified facility, energy project, or energy storage technology the construction of which begins before the date that is 90 days after the date of publication of forthcoming proposed regs in the Federal Register.”</p> <p>IR-2023-102 (5/12/23)</p>	<p>45Y 48 48E</p>
<p>Notice 2023-39</p>	<p>5/10/23</p>	<p>Describes proposed amendments to regs under § 148 regarding an exception to arbitrage investment restrictions under § 148 applicable to bonds the interest on which is excludable from gross income under § 103(a) (tax-exempt bonds). Specifically, forthcoming proposed regs will amend §1.148-11(d)(1)(i)(F) regarding whether certain perpetual trust funds created and controlled by States that are pledged as credit enhancement to guarantee tax-exempt bonds will be treated as replacement proceeds of the</p>	<p>148</p>

		guaranteed bonds for purposes of the arbitrage investment restrictions on tax-exempt bonds under § 148.	
Notice 2023-40	5/15/23	Sets forth updates on corporate bond monthly yield curve, corresponding spot segment rates for May 2023 used under §417(e)(3)(D), 24-month average segment rates applicable for May 2023, and 30-year Treasury rates, as reflected by application of § 430(h)(2)(C)(iv).	417 430
Notice 2023-41	6/5/23	Applicable reference price for qualified natural gas production from qualified marginal wells during taxable years beginning in calendar year 2022 for purpose of determining the marginal well production credit under §45I. The applicable reference price for tax years beginning in calendar year 2022 is \$3.43 per 1,000 cubic feet. Also provides credit amount used for purpose of determining marginal well production credit. The credit amount for tax years beginning in calendar year 2022 is \$0.00 per 1,000 cubic feet.	45I
Notice 2023-42 IRA 2022	6/7/23	Provides relief from addition to tax under §6655 in connection with the application of new corporate alternative minimum tax (CAMT), as added by enactment of § 10101 of Public Law 117-169 (8/16/22), commonly referred to as Inflation Reduction Act of 2022 (IRA). Applies for tyba 12/31/22 and before 1/1/24. IR-2023-110 (6/7/23)	55 6655
Notice 2023-43 SECURE Act 2.0	5/25/23	Provides guidance on section 305 of SECURE 2.0 Act of 2022 with respect to expansion of Employee Plans Compliance Resolution System (EPCRS). Section 305 expands Self-Correction Program under EPCRS and requires that Rev. Proc. 2021-30 be revised to address provisions of section 305 no later than 2 years after date of enactment of SECURE 2.0. This notice is intended to assist taxpayers by providing interim guidance	401 403 408 457 4974

		in advance of update to Rev. Proc. 2021-30.	
Notice 2023-44 IRA 2022	5/31/23	<p>Provides more details for applicants seeking §48C credit allocations in qualifying advanced energy project credit allocation program under the Inflation Reduction Act.</p> <p>On 2/13/23, Treasury and IRS issued Notice 2023-18 to establish §48C(e) program to allocate \$10 billion in credits – not less than \$4 billion of which will be allocated to projects located in certain energy communities census tracts. The guidance is primarily of interest to owners of clean energy manufacturing and recycling projects, greenhouse gas emission reduction projects, and critical material projects.</p> <p>Notice 2023-44 updates earlier version of Appendix A, defining qualifying advance energy projects, with clearer definitions and examples, and updates earlier version of Appendix B, providing the Department of Energy application process, by adding technical review criteria and application content requirements. This notice also provides the process for submitting concept papers and joint applications for DOE recommendations and for IRS § 48C(e) certifications and clarifies the selection criteria used to evaluate whether a project merits a DOE recommendation.</p> <p>Additionally, Notice 2023-44 defines “facility” for purposes of sections 45X and 48C, provides procedure for informing DOE and IRS of a significant change to project plan, includes information regarding disclosure of certain information, and clarifies that eligible property that is placed in service before being awarded an allocation of section § 48C credits is ineligible for the § 48C(e) program. Finally, the guidance provides information regarding section 48C(e) energy communities census tracts, including new Appendix C, which contains a list of those</p>	45X 48C

		census tracts. IR-2023-108 (5/31/23)	
Notice 2023-45 IRA 2022	6/15/23	Clarifies section 5.02(3) of Notice 2023-29 , which describes requirements for a brownfield site safe harbor for projects with a nameplate capacity of not greater than 5 megawatts (MW) in alternating current (AC). Notice 2023-45 also describes a prior modification that was made via an online update pertaining to the special rule for beginning of construction under section 4.01(2) of Notice 2023-29. Also see IR-2023-118 (6/15/23) and FAQs .	45 45Y 48 48E
Notice 2023-46 IRA 2022 and prior public laws noted in the Notice	6/26/23	Inflation adjustment factor for carbon oxide sequestration credit under § 45Q for calendar year 2023. The inflation adjustment factor is used to determine amount of credit allowable under §45Q for taxpayers that make an election under §45Q(b)(3) to have the dollar amounts applicable under § 45Q(a)(1) or (2) apply.	45Q
Notice 2023-47 IRA 2022	6/15/23	Publishes lists of information that taxpayers may use to determine whether they meet certain requirements under Statistical Area Category or the Coal Closure Category as described in sections 3.03 and 3.04 of Notice 2023-29 for purposes of qualifying for energy community bonus credit amounts or rates under §§ 45, 45Y, 48, and 48E of the Internal Revenue Code (Code). These lists are provided in Appendix 1, Appendix 2, and Appendix 3 of this notice. Appendices 1 and 2 of this notice pertain to the Statistical Area Category, and Appendix 3 of this notice pertains to the Coal Closure Category. This notice does not include information that pertains to Brownfield Category as described in section 3.02 of Notice 2023-29. Appendices A, B, and C of Notice 2023-29 and Appendices 1, 2, and 3 of this notice may not be used for purposes of the qualifying advanced energy project credit	45 45Y 48 48E

		determined under § 48C. Also see IR-2023-118 (6/15/23) and FAQs .	
Notice 2023-48	6/15/23	Sets forth updates on corporate bond monthly yield curve, corresponding spot segment rates for June 2023 used under § 417(e)(3)(D), 24-month average segment rates applicable for June 2023, and the 30-year Treasury rates, as reflected by application of § 430(h)(2)(C)(iv).	417 430
Notice 2023-49	6/26/23	Reference price under § 45K(d)(2) (C) for calendar year 2022. The reference price applies in determining amount of the enhanced oil recovery credit under § 43, the marginal well production credit for qualified crude oil production under § 45I, and applicable percentage under § 613A to be used in determining percentage depletion in the case of oil and natural gas produced from marginal properties.	43 45I 613A
Notice 2023-50	7/24/23	Announces that under § 613A(c)(6)(C), applicable percentage for purposes of determining percentage depletion on marginal properties for calendar year 2023 is 15 percent. The format of the notice is identical to the format of notices previously published on this issue.	613A
Notice 2023-51 IRA 2022	7/24/23	Inflation adjustment factor and reference price for calendar year 2023 for renewable electricity production credit under section 45. The 2023 inflation adjustment factor and reference price are used in determining availability of the credit and apply to calendar year 2023 sales of kilowatt hours of electricity produced in the United States or a possession thereof from qualified energy resources. This notice also provides the credit amounts for calendar year 2023 under §45.	45
Notice 2023-52 IRA 2022	8/4/23	§5000D imposes an excise tax on certain sales of certain drugs by manufacturers, producers, and importers of the drugs. Treasury and IRS intend to issue proposed regulations under §5000D. Specifically, notice	5000D

		<p>proposes that future regulations will provide:</p> <ul style="list-style-type: none"> (1) rules on scope of sales subject to §5000D tax; (2) rules regarding the taxable sale price; and (3) procedural rules intended to help taxpayers meet their reporting and payment obligations with respect to the tax. <p>IR-2023-141 (8/4/23)</p>	
Notice 2023-53	7/25/23	Provides updates on corporate bond monthly yield curve, corresponding spot segment rates for July 2023 used under § 417(e)(3)(D), 24-month average segment rates applicable for July 2023, and 30-year Treasury rates, as reflected by the application of § 430(h)(2)(C)(iv).	417 430
Notice 2023-54 SECURE 2.0	7/14/23	Announces that Treasury and IRS intend to issue final regs related to required minimum distributions under section 401(a)(9) that will apply no earlier than 2024 distribution calendar year. In the meantime, this notice provides transition relief. In addition, this notice provides guidance related to certain provisions of section 401(a)(9) that apply for 2021, 2022, and 2023. This notice also provides rollover relief (including an extension of the 60-day rollover period to September 29, 2023) with respect to any distribution made from a plan or IRA in the first half of 2023 that would have been a required minimum distribution (RMD) if not for section 107 of the SECURE 2.0 Act, and permits certain rollovers to IRAs.	401 402 403 408 457 4974
Notice 2023-55 TCJA	7/21/23	Announces temporary relief for taxpayers in determining whether a foreign tax is eligible for a foreign tax credit under sections 901 and 903. For foreign taxes paid during tax years 2022 and 2023, taxpayers may apply: (1) former § 1.901-2(a) and (b), before it was amended by Treasury Decision 9959 (2022 FTC final regs), but subject	901 903

		to a modification to the nonconfiscatory gross basis tax rule as described in the notice, and (2) existing § 1.903-1 without the attribution requirement. The notice also announces that Treasury and IRS are considering amendments to 2022 FTC final regs and whether, and under what conditions, to extend the relief described in the notice to tax years following the 2023 tax year.	
Notice 2023-56	8/30/23	Describes rules IRS applies in determining Federal income tax consequences of tax refunds and certain other payments made by States to individual taxpayers and includes examples illustrating application of these rules. This notice also describes applicable information reporting requirements. IR-2023-158 (8/30/23)	61 139 6041 6050E
Notice 2023-57	8/21/23	inflation adjustment factor and phase-out amount for the enhanced oil recovery credit for taxable years beginning in the 2023 calendar year. The format of the notice is identical to the format of previously published notices on this issue. The notice concludes that because the reference price for the 2022 calendar year (\$93.97) exceeds \$28 multiplied by the inflation adjustment factor for the 2023 calendar year (\$28 multiplied by 1.9998 = \$55.99) by \$37.98, the enhanced oil recovery credit for qualified costs paid or incurred in 2023 is phased-out completely.	43
Notice 2023-58	8/21/23	Applicable reference price for qualified natural gas production from qualified marginal wells during tax years beginning in calendar year 2023 for purpose of determining marginal well production credit under § 45I. The applicable reference price for tax years beginning in calendar year 2023 is \$5.57 per 1,000 cubic feet. The notice also provides credit amount used for purpose of determining the marginal well production credit. The credit amount for tax years beginning in calendar year 2023 is \$0.00 per 1,000 cubic feet.	45I
Notice 2023-	8/4/23	Announces forthcoming proposed regs and	25C

<p>59</p> <p>IRA 2022</p>		<p>provides interim guidance regarding Home Energy Audits for purposes of the § 25C energy efficient home improvement credit, as well as a transition rule for certain Home Energy Audits conducted during tax years ending in calendar year 2023.</p> <p>IR-2023-140 (8/4/23)</p>	
<p>Notice 2023-60</p> <p>TFA</p>	<p>8/11/23</p>	<p>Provides information to filers about the availability of administrative exemptions from and waivers of requirements to file returns and other documents in electronic form. This notice also explains that instructions regarding timely filing and for correcting returns that are rejected during attempts to electronically file using IRS electronic filing systems may be found in IRS publications specific to each IRS electronic filing system. In addition, this notice obsoletes Notice 2010-13, Form 1120, Form 1120-F, Form 1120S, Form 990, and Form 990-PF Electronic Filing Waiver Request Procedures.</p> <p>Also see TD 9972 (2/23/23) on E-filing requirements.</p> <p>Modified by Notice 2024-18 (1/12/24).</p>	<p>6011 6037</p>
<p>Notice 2023-61</p>	<p>8/11/23</p>	<p>Sets forth updates on corporate bond monthly yield curve, corresponding spot segment rates for August 2023 used under § 417(e)(3)(D), 24-month average segment rates applicable for August 2023, and 30-year Treasury rates, as reflected by the application of § 430(h)(2)(C)(iv).</p>	<p>417 430</p>
<p>Notice 2023-62</p> <p>SECURE 2.0 (SEC. 603)</p>	<p>8/25/23</p>	<p>Extends until 2026 the new requirement that any catch-up contributions made by higher-income participants in 401(k) and similar retirement plans must be designated as after-tax Roth contributions.</p> <p>For more, see IR-2023-155 (8/25/23) and the notice.</p>	<p>414(v) 402(g) 403(b) 457(b) 402A</p>
<p>Notice 2023-63</p>	<p>9/8/23</p>	<p>Provides interim guidance intended to clarify application § 174, as amended by Public Law 115-97 (TCJA). Treasury and IRS anticipate that forthcoming proposed regs will provide rules that</p>	<p>174</p>

		are consistent with the guidance provided in this notice.	
Notice 2023-64 IRA 2022 72 pages	9/12/23	Provides additional interim guidance intended to further clarify application of corporate alternative minimum tax (CAMT) by Inflation Reduction Act of 2022. Treasury and IRS anticipate that forthcoming proposed regs will provide rules that are consistent with the interim guidance. Specifically, it describes rules for determining a taxpayer’s applicable financial statement and adjusted financial statement income (AFSI), including rules applicable to tax consolidated groups and certain foreign corporations. It provides rules for AFSI adjustments for the depreciation of §168 property, amortization of qualified wireless spectrum, treatment of certain taxes, and to prevent certain duplications and omissions. It also describes rules regarding determination of applicable corporation status, CAMT FTC, and financial statement net operating losses. IRS request comments. IR-2023-167 (9/12/23) Modified by Notice 2024-10 (12/15/23)	55 56A 59
Notice 2023-65 IRA 2022	9/27/23	Guidance on new energy efficient home credit under §45L, as amended by Inflation Reduction Act of 2022. § 45L credit is allowed to an eligible contractor that constructs a qualified new energy efficient home (qualified home) that is acquired by a person from the eligible contractor for use as a residence during the tax year. A qualified home is a dwelling unit located in the United States, the construction of which is substantially completed after August 8, 2005, that meets energy saving requirements of § 45L(c). The applicable amount of the credit is contingent on which set of energy saving requirements the dwelling unit meets, and is \$500, \$1,000, \$2,500, or \$5,000. For certain dwelling units that meet the prevailing wage requirements of § 45L(g), \$500 amount is increased to \$2,500 and \$1,000 amount is increased to \$5,000. The energy saving	45L

		requirements of § 45L(c) incorporate certain Energy Star program requirements (available on an EPA webpage) and certain zero energy ready home program requirements (available on a DOE webpage). IR-2023-180 (9/27/23).	
Notice 2023-66	9/15/23	Updates corporate bond monthly yield curve, corresponding spot segment rates for September 2023 used under § 417(e)(3)(D), 24-month average segment rates applicable for September 2023, and 30-year Treasury rates, as reflected by the application of § 430(h)(2)(C)(iv).	430
Notice 2023-67	9/27/23	Explains circumstances under which 4-year replacement period under §1033(e)(2) is extended for livestock sold on account of drought. Appendix contains a list of counties that experienced exceptional, extreme, or severe drought conditions during the 12-month period ending August 31, 2023. Taxpayers may use this list to determine if an extension is available. IR-2023-179 (9/27/23).	1033
Notice 2023-68	9/25/23	Announces special per diem rates effective October 1, 2023, which taxpayers may use to substantiate amount of expenses for lodging, meals, and incidental expenses when traveling away from home. Provides special transportation industry rate, rate for the incidental expenses only deduction, and rates and list of high-cost localities for purposes of high-low substantiation method. Also see Rev. Proc. 2023-48 (9/25/23).	274
Notice 2023-69	9/28/23	Guidance on certain charitable relief to aid victims of Hawaii wildfires that began on August 8, 2023. Under employer sponsored leave-based donation programs, employees may elect to forgo vacation, sick, or personal leave in exchange for cash payments made by employer to tax-exempt entities described in § 170(c) that provide aid to victims of Hawaii wildfires. This notice provides that an employee making the	61 162 170

		<p>election to forgo such leave will not be treated as having constructively received gross income or wages and cannot claim a charitable contribution deduction under § 170. The employer may deduct the cash payments as business expenses or charitable contributions if the employer otherwise meets respective requirements of either § 162 or § 170.</p> <p>IR-2023-181 (9/28/23).</p>	
<p>Notice 2023-70</p> <p>ACA</p>	10/18/23	<p>Provides adjusted applicable dollar amount for determining Patient-Centered Outcomes Research Trust Fund (PCORTF) fee for policy years and plan years ending on or after October 1, 2023, and before October 1, 2024, is \$3.22. This amount determined using percentage increase in projected per capita amount of National Health Expenditures published by HHS in June 2023 and adjustment, as determined by Treasury economists, for year to year variations.</p>	<p>4375</p> <p>4376</p>
<p>Notice 2023-71</p>	10/13/23	<p>Postpones various time-sensitive deadlines for taxpayers affected by October 7, 2023 terrorist attacks in State of Israel. The notice defines the covered area, identifies categories of “affected taxpayers,” and provides a list of acts postponed. The postponement period is October 7, 2023 to October 7, 2024. Generally for 2022 payments extended or postponed to 10/16/23, this relief covers additional time to file but not to pay.</p> <p>IR-2023-188 (10/13/23)</p>	7508A
<p>Notice 2023-72</p>	10/18/23	<p>Sets forth updates on corporate bond monthly yield curve, corresponding spot segment rates for October 2023 used under § 417(e)(3)(D), the 24-month average segment rates applicable for October 2023, and 30-year Treasury rates, as reflected by application of § 430(h)(2)(C)(iv).</p>	<p>417</p> <p>430</p>
<p>Notice 2023-73</p>	10/19/23	<p>Specifies a mortality table for use in determining minimum present value under IRC § 417(e)(3) and section 205(g)(3) of ERISA for distributions with annuity starting dates that occur during stability periods beginning in the 2024 calendar</p>	<p>417</p> <p>430</p>

		year.	
Notice 2023-74 ARPA 2021	11/21/23	<p>Provides that calendar year 2023 will be a further transition period for purposes of IRS enforcement and administration of the minimum reporting threshold for Form 1099-K, Payment Card and Third Party Network Transactions. With respect to calendar years beginning before January 1, 2024, a TPSO is not required to report payments in settlement of third party network transactions with respect to a participating payee unless the amount to be reported exceeds \$20,000 and number of such transactions with that participating payee exceeds 200. This notice does not affect whether payments in settlement of third party network transactions are income to the participating payees.</p> <p>IR-2023-221 (11/21/23) – also notes that as part of transition to lower filing threshold for TPSO (over \$600 of payments processed for sale of goods and services), the threshold for 2024 will be \$5,000. “IRS invites feedback on the threshold of \$5,000 for tax year 2024 and other elements of the reporting requirement, including how best to focus reporting on taxable transactions.”</p> <p><i>Observations:</i> Doesn’t say if threshold is over \$5,000 but appears to be as IRS also refers to ARPA threshold as \$600 when it is actually over \$600. ARPA 2021 effective date for the lowered filing threshold was 2022.</p> <p>FS-2023-27 (11/21/23)</p>	6050W
Notice 2023-75	11/1/23	<p>2024 inflation adjusted amounts for retirement plans. Notably, the 2024 limit for 401(k), 403(b) and most 457 plan contributions is \$23,000 (up \$500 from 2023).</p> <p>IR-2023-203 (11/1/23)</p>	
Notice 2023-76	11/14/23	<p>Sets forth updates on corporate bond monthly yield curve, the corresponding spot segment rates for November 2023 used under §417(e)(3)(D), the 24-month average segment rates applicable for November 2023, and 30-year Treasury rates, as reflected by application of §</p>	417 430

		430(h)(2)(C)(iv).	
Notice 2023-77		Not issued	
Notice 2023-78		Not issued	
Notice 2023-79	12/8/23	Contains 2023 Required Amendments List. The Required Amendments List establishes the end of the remedial amendment period and the plan amendment deadline for changes in qualification requirements and section 403(b) requirements set forth on the list for qualified individually designed plans and section 403(b) individually designed plans, respectively.	403
Notice 2023-80	12/11/23	Treasury and the IRS intend to issue proposed regulations to address the application of the foreign tax credit and related rules and the dual consolidated loss (DCL) rules to certain types of taxes described in the GloBE Model Rules. This notice also extends and modifies the temporary relief described in Notice 2023-55 for determining whether a foreign tax is eligible for a foreign tax credit under §§ 901 and 903.	901 903

Announcements (not a complete list as most are not guidance or of longstanding relevance)

Ann #	Date released	IRS summary	Code Section(s)
2023-01 IRA 2022	12/23/22	Affirms applicable Reference Standard 90.1 for purposes of the deduction for energy efficient commercial building property expenditures under §179D. Specifically, this announcement is effective on January 1, 2023 and affirms that Reference Standard 90.1-2019 is the applicable Reference Standard 90.1 for energy efficient commercial building property placed in service after 2026. The announcement also provides following table to clarify applicable Reference Standard 90.1 based on when property is placed in service, except that property the construction of which began before January 1, 2023 may apply Reference Standard 90.1-2007.	179D
2023-02	12/23/22	“Until Treasury and IRS issue new final regs pursuant to section 6045, a broker may report gross proceeds and	6045 6045A

IJA 2021		<p>basis as required under existing law and regs as of December 23, 2022. In addition, until Treasury and IRS issue new final regulations under section 6045A, a broker may furnish statements on transfers of covered securities as required under existing law and regulations as of December 23, 2022. Brokers will not be required to report or furnish additional information with respect to dispositions of digital assets under section 6045, or issue additional statements under section 6045A, or file any returns with the IRS on transfers of digital assets under section 6045A(d) until those new final regulations under sections 6045 and 6045A are issued.”</p> <p>IR-2022-227 (12/23/22)</p>	
2023-06	2/8/23	<p>“notifies the public that the IRS intends to issue opinion letters on February 28, 2023, or, in some cases, as soon as possible thereafter, for pre-approved defined benefit plans that were updated for changes in plan qualification requirements listed in Notice 2020-14 and that were filed with the IRS during the third six-year remedial amendment cycle for pre-approved defined benefit plans. This announcement also notifies the public of the date by which an adopting employer intending to maintain a pre-approved defined benefit plan for the third six-year cycle must adopt a newly approved plan, and announces the beginning and ending dates of the period during which an adopting employer may file for an individual determination letter.”</p>	401
2023-07	4/5/23	<p>Provides guidance on relief payments made to certain civilians affected by release of petroleum from the Red Hill Bulk Fuel Storage Facility on O’ahu, Hawaii. Starting in 2022, Department of Defense made payments to affected federal civilian employees and other civilians who are not employed by the federal government for reimbursement of lodging, meals and personal property damage expenses related to the Red Hill fuel spill. Announcement 2023-07 informs these affected individuals who received payments from DOD in connection with the Red Hill fuel spill that those payments are excludable from gross income for federal income tax purposes.</p> <p>Information from EPA on the release.</p>	139

		Information from Navy. Letter of 3/2/23 from Senator Hirono to IRS asking that reimbursements not be taxed.	
2023-10	3/29/23	Issued under § 521(b) of P. L. 106-170, Ticket to Work and Work Incentives Improvement Act of 1999, which requires Treasury to report annually to public concerning advance pricing agreements (APAs) and Advance Pricing and Mutual Agreement Program (APMA Program), formerly known as the Advance Pricing Agreement Program (APA Program). This 24 th report describes the experience, structure, and activities of the APMA Program during calendar year 2022.	482
2023-11	4/10/22	Released in conjunction with proposed regs identifying certain micro-captive transactions as listed transactions, and certain other micro-captive transactions as transactions of interest. The announcement explains that the regs are being proposed in light of certain court decisions holding that APA requires IRS to identify listed transactions through notice-and-comment rulemaking, and that IRS intends to issue further regulations identifying other listed transactions, to be finalized in 2023.	6011
2023-12	4/7/23	The IRS has revised Form 3115, Application for Change in Accounting Method , and its instructions. Form 3115 (Rev. Dec. 2022) is current Form 3115 (December 2022 Form 3115) and replaces December 2018 version of the Form 3115. Announcement 2023-12 also provides guidance to allow for a reasonable period for taxpayers to transition to the December 2022 Form 3115.	481
2023-16	4/28/23	Informs public that IRS will no longer conduct public hearings on notices of proposed rulemaking solely by telephone for proposed regs published in Federal Register after May 11, 2023, following the end of the national emergency concerning the Coronavirus Disease 2019 (COVID-19) pandemic. A telephonic option will remain available for those who prefer to attend or testify at a public hearing by telephone.	
2023-18	6/29/23	Announces that: (1) taxpayers will not be required to	4501

	<p>report new §4501 excise tax on repurchases of corporate stock during a covered corporation’s tax year (stock repurchase excise tax) on any returns filed with the IRS, or to make any payments of such tax, before the time specified in forthcoming regs; (2) there will be no addition to tax under §6651(a) (or any other provision of the Code) for failure to file a return reporting the stock repurchase excise tax, or for failure to pay the stock repurchase excise tax, before the time specified in forthcoming regs; and (3) forthcoming regs will require covered corporations to keep complete and detailed records to establish accurately any amount of stock repurchases (including repurchases made after December 31, 2022, but before the forthcoming regs are published) and to retain these records as long as their contents may become material.</p>	6651
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Fact Sheet FAQs



[IR-2021-202](#) (10/15/21) provided a new process for issuance of FAQs. For those related to newly enacted legislation or emerging issues (as labeled by IRS), the FAQs will be announced in a news release and posted at the IRS website in a separate Fact Sheet. These FAQs will be “authority” under Reg. 1.6662-4 due to the [news release](#). This does not mean they are a high level of authority and it is a good idea to always look for the Code, regs and/or court rulings where the FAQs came from. For other FAQs, reasonable reliance might justify reasonable cause to have negligence or other accuracy-related penalty waived.

Be sure to see the disclaimer required to be added to IR and Fact Sheet FAQs (at [IR-2021-202](#) or any of the Fact Sheets below).

IRS Website of Fact Sheets for Frequently Asked Questions -

<https://www.irs.gov/newsroom/fact-sheets-for-frequently-asked-questions>

Note: Not all IRS Fact Sheets are for FAQs. That is why some numbers are missing in the 2023 list below.

4. [FS-2023-04](#) released in [IR-2023-18](#), 2/3/23 – Guidance and updates to FAQs on new, previously owned and qualified commercial clean vehicle credits.

6. [FS-2023-06](#) released in [IR-2023-53](#), 3/22/23 – Updates [FS-2022-41](#) released in [IR-22-230](#) (12/28/22) on Form 1099-K

Note: The IRS has a mix of reliance and non-reliance FAQs on 1099-K. The day after releasing FS-2023-06 (3/22/23), they also released [FS-2023-07](#) but not in an IR. This fact sheet doesn't have any FAQs but just a summary of some of the information that is in existing FAQs on Form 1099-K.

8. [FS-2023-08](#) released in [IR-2023-64](#) (3/31/23) – Guidance on new clean vehicle critical minerals and battery component requirements under §30D

- Replaces FS-2023-04 (2/3/23), in addition to new FAQs on §30D battery requirements, includes revisions to clean vehicle credits under §25E and §45W.
- 3/31/23 – IRS also early released proposed regs ([REG-120080-22](#)) on critical minerals and battery components. Will be officially released in Federal Register on 4/17/23.
- Also see Dept. of Energy information at <https://fueleconomy.gov/feg/tax2023.shtml>.
- Superseded by [FS-2023-22](#) (10/6/23) released in [IR-2023-186](#) (10/6/23).

11. [FS-2023-11](#) released in [IR-2023-81](#) (4/14/23) – FAQs on compensation payments made by states for forced sterilization.

- Observations:
 - These FAQs were issued via an IR which notes that reliance is available, but unlike other reliance FAQs, these were not in pdf format, but just on the IRS website.
 - Per [IR-2021-202](#) reliance FAQs are only for newly enacted legislation or emerging issues. FS-2023-11 does not seem to relate to either. It is not clear why these were issued in FAQ format. In contrast, on 4/5/23, the IRS released [Announcement 2023-07](#) on the tax treatment of certain Red Hill Fuel Spill payments that some people in Hawaii received. Query, why the different formats for similar information. Also, why FAQs rather than an Information Letter that would call attention to a known answer or as a Revenue Ruling?

20. [FS-2023-20](#) (9/5/23) released in [IR-2023-162](#) (9/5/23) – FAQs for passthrough entities to report negative amounts electronically to the IRS on Part II of Schedules K-2 and K-3

- Includes: “A pass-through entity electronically filing the Schedules K-2 and K-3 for the 2022 tax year should enter zero on the line items in Schedules K-2 and K-3, Part II, Section 1 for which the schema does not permit negative values.”

22. [FS-2023-22](#) (10/6/23) released in [IR-2023-186](#) (10/6/23) – updated FAQs on clean vehicle credits at §25E and §30D, replaces [FS-2023-08](#) (3/31/23).

- Updated to address new proposed guidance on how these credits can be transferred to a dealer starting in 2024. Also see proposed regs [REG-113064-23](#) (10/10/23) and [Rev. Proc. 2023-33](#) (10/6/23).
- Replaced by [FS-2023-29](#) (12/26/23).

29. [FS-2023-29](#) (12/26/23) released in [IR-2023-251](#) (12/26/23) – updated FAQs on the 3 clean vehicle credits (30D, 25E and 45W) to replace FS-2023-22 (10/6/23).

- New FAQs cover a few topics including restrictive rules on vehicles that include any components or assembly work by a foreign entity of concern relevant starting for 2024. Based on [REG-118492-23](#) (12/4/23) & Dept. of Energy proposed rules - [RIN 1901-ZA02](#) (12/4/23).