

MEMO# 35332

June 1, 2023

For Review: DRAFT IRS Guidance Priority List Recommendations

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TO: Tax Committee RE: For Review: DRAFT IRS Guidance Priority List Recommendations

[Notice 2023-36](#) invites public comment on recommendations for Treasury's 2023-2024 Priority Guidance Plan. The attached draft letter is largely based on prior recommendations except for an addition regarding Inflation Reduction Act provisions on non-regulated investment companies (RICs). The request for guidance regarding the requirement to provide written notice of tax designations has been moved to the main section of the letter given the SEC's final rule on Tailored Shareholder Reports.

The priority requests for guidance in the main section of the draft letter, include:

1. Electronic Filing and Processing of Form 8802, Application for US Residency Certification and Digitalization of Form 6166, Certification of US Tax Residency
2. Inflation Reduction Act Provisions and Non-RIC Investment Companies
3. Active Trade or Business Requirement under Section 355
4. Electronic Filing and Permanent Digital Signature Relief
5. IRS Form SS-4 Daily Application Limit
6. Written Statement Regarding Tax Designations of Distributions
7. Qualified interest income
8. Excess Foreign Tax Recoveries from European Union Member States under Santander

Please provide any comments to this draft, including on the order of priority, to Katie Sunderland at katie.sunderland@ici.org by close of business Thursday, June 8th.

Katie Sunderland
Associate General Counsel

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