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Final regulations pending OIRA review: “Carried interest” provision under section 1061

OMB’s Office of Information and Regulatory Affairs (OIRA) received for review from the U.S. Treasury Department final regulations under section 1061—the “carried interest” provision added to the Code by the 2017 U.S. tax law (Pub. L. No. 115-97) or the law often referred to as the “Tax Cuts and Jobs Act” (TCJA).

Treasury regulations that are identified as “major” regulations are subject to review by OMB’s OIRA before being issued, pursuant to Executive Order 13771. Accordingly, knowing the status of OIRA review of Treasury regulations can help in predicting when regulations may be issued by Treasury and the IRS.

The final regulations pending review are listed on the OIRA website as:

- [RIN: 1545-BO81](#) *Guidance under section 1061 [TCJA]*

These regulations apparently would finalize regulations that were proposed during the summer 2020. Read an [August 2020 report](#) [PDF 383 KB] that discusses the proposed regulations under the carried interest provision.

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