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1. IRS Audits: A redacted version of IRS training materials and a proforma Information Document Request (IDR) for aircraft audits were obtained through Freedom of Information Act requests by news sources. These materials will likely be used as part of the IRS Large Business and International division's "campaign" program regarding audits on business aircraft involving personal use. See https://aboutblaw.com/bfYu and https://aboutblaw.com/bfYt. In order to ensure compliance with FAA and tax law, it may be time to reexamine your structure, the implementation of your structure and your record-keeping and accounting processes, both retrospectively and prospectively, including aircraft usage policies and plans for aircraft-related executive security.

2. FAA Civil Aircraft Registry Daily Index: The FAA recently discontinued the daily index document CD service and removed electronic access to Work in Process (WIP) citing protection of personally identifying information. Thus, the data index of received documents will show that documents have been filed with the FAA Civil Aircraft Registry, but scans of such documents in the WIP file will not be available until processed by the FAA. The new policy may create temporary uncertainty and delay closing for some aircraft transactions.

3. Corporate Transparency Act: The Corporate Transparency Act (CTA) went into effect January 1, 2024 and requires companies who qualify as a "reporting company" to provide Beneficial Owner Information Reporting to the Financial Crimes Enforcement Network (FinCEN) at the Department of Treasury. As the federal courts weigh in on constitutional issues, the enforcement of CTA has been subject to a national injunction, which was then lifted, then recently reinstated. See Texas Top Cop Shop, Inc. v Garland , 5th Cir., No. 24-40792, opinion 12/23/24 and 5th Cir., No.24-40792 order 12/26/24. After the national injunction was lifted but before it was reinstated, FinCEN extended certain filing deadlines by a couple of weeks. See https://www.fincen.gov/boi for more details regarding the extensions. Stay tuned for additional developments.

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