INTERNAL REVENUE
BULLETIN

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HIGHLIGHTS OF THIS ISSUE

These synopses are intended only as aids to the reader in identifying the subject matter covered. They may not be relied upon as authoritative interpretations.

ADMINISTRATIVE, INCOME TAX

Notice 2024-47, page 1.

Notice 2024-47 extends the relief provided in Notice 2024-33, which waived the estimated tax penalty imposed under § 6655 (for a corporation's failure to pay estimated income tax) to the extent attributable to the revised corporate alternative minimum tax (CAMT) under § 55, but only with respect to an installment of estimated tax due on April 15, 2024, or May 15, 2024, with respect to a taxable year that began in 2024. In light of the continuing challenges associated with determining the applicability of the CAMT and the amount of a corporation's CAMT liability under § 55, and in the interest of sound tax administration, the relief from the addition to tax under § 6655 provided by Notice 2024-33 is extended to any installment of estimated tax by a corporate taxpayer with respect to a taxable year that began in 2024 that is due on or before August 15, 2024, to the extent attributable to the CAMT.

EMPLOYEE PLANS

Notice 2024-53, page 4.

This notice sets forth updates on the corporate bond monthly yield curve, the corresponding spot segment rates for May 2024 used under § 417(e)(3)(D), the 24-month average segment rates applicable for June 2024, and the 30-year Treasury rates, as reflected by the application of § 430(h)(2)(C)(iv).

EXEMPT ORGANIZATIONS

Announcement 2024-27, page 14.

Daystar Public Radio Inc. TIN: 59-3438641 has agreed to the revocation of its IRC Section 501(c)(3) status effective January 1, 2018.

INCOME TAX

Announcement 2024-26, page 14.

Announcement 2024-6 provides notice of the partial suspension of the U.S.-Russia tax treaty.

Notice 2024-52, page 2.

The notice provides the applicable reference price for qualified natural gas production from qualified marginal wells during taxable years beginning in calendar year 2024 for the purpose of determining the marginal well production credit under § 45I. The applicable reference price for taxable years beginning in calendar year 2024 is $2.04 per 1,000 cubic feet. The notice also provides the credit amount used for the purpose of determining the marginal well production credit. The credit amount for taxable years beginning in calendar year 2024 is $0.77 per 1,000 cubic feet.

Rev. Proc. 2024-26, page 7.

This revenue procedure updates existing procedures and provides additional procedures for qualified manufacturers to submit information regarding new clean vehicles to ensure the vehicles satisfy the requirements of § 30D(d) and (e) of the Internal Revenue Code for the applicable calendar year and therefore are eligible for the clean vehicle credit under § 30D (§ 30D credit). This revenue procedure also updates existing procedures regarding seller report updates and rescissions. Finally, this revenue procedure modifies section 7.03(4) of Rev. Proc. 2023-33, 2023-43 I.R.B. 1135, and modifies section 5.04 of Rev. Proc. 2023-38, 2023-51 I.R.B. 1544.

Finding Lists begin on page ii.

The IRS Mission

Provide America's taxpayers top-quality service by helping them understand and meet their tax responsibilities and enforce the law with integrity and fairness to all.

Introduction

The Internal Revenue Bulletin is the authoritative instrument of the Commissioner of Internal Revenue for announcing official rulings and procedures of the Internal Revenue Service and for publishing Treasury Decisions, Executive Orders, Tax Conventions, legislation, court decisions, and other items of general interest. It is published weekly.

It is the policy of the Service to publish in the Bulletin all substantive rulings necessary to promote a uniform application of the tax laws, including all rulings that supersede, revoke, modify, or amend any of those previously published in the Bulletin. All published rulings apply retroactively unless otherwise indicated. Procedures relating solely to matters of internal management are not published; however, statements of internal practices and procedures that affect the rights and duties of taxpayers are published.

Revenue rulings represent the conclusions of the Service on the application of the law to the pivotal facts stated in the revenue ruling. In those based on positions taken in rulings to taxpayers or technical advice to Service field offices, identifying details and information of a confidential nature are deleted to prevent unwarranted invasions of privacy and to comply with statutory requirements.

Rulings and procedures reported in the Bulletin do not have the force and effect of Treasury Department Regulations, but they may be used as precedents. Unpublished rulings will not be relied on, used, or cited as precedents by Service personnel in the disposition of other cases. In applying published rulings and procedures, the effect of subsequent legislation, regulations, court decisions, rulings, and procedures must be considered, and Service personnel and others concerned are cautioned against reaching the same conclusions in other cases unless the facts and circumstances are substantially the same.

The Bulletin is divided into four parts as follows:

Part I.—1986 Code.
This part includes rulings and decisions based on provisions of the Internal Revenue Code of 1986.

Part II.—Treaties and Tax Legislation.
This part is divided into two subparts as follows: Subpart A, Tax Conventions and Other Related Items, and Subpart B, Legislation and Related Committee Reports.

Part III.—Administrative, Procedural, and Miscellaneous.
To the extent practicable, pertinent cross references to these subjects are contained in the other Parts and Subparts. Also included in this part are Bank Secrecy Act Administrative Rulings. Bank Secrecy Act Administrative Rulings are issued by the Department of the Treasury's Office of the Assistant Secretary (Enforcement).

Part IV.—Items of General Interest.
This part includes notices of proposed rulemakings, disbarment and suspension lists, and announcements.

The last Bulletin for each month includes a cumulative index for the matters published during the preceding months. These monthly indexes are cumulated on a semiannual basis, and are published in the last Bulletin of each semiannual period.

Part III

Extended Relief from Certain Additions to Tax for Corporation's Underpayment of Estimated Income Tax under Section 6655

Notice 2024-47

SECTION 1. OVERVIEW

This notice provides a limited waiver of the addition to tax under § 6655 of the Internal Revenue Code (Code)[1] for underpayment of estimated income tax by a corporation to the extent the amount of any underpayment is attributable to the corporation's corporate alternative minimum tax (CAMT) liability under § 55, as amended by § 10101 of Public Law 117-169, 136 Stat. 1818 (August 16, 2022), commonly referred to as the Inflation Reduction Act of 2022 (IRA).

SECTION 2. SCOPE

The relief provided in this notice applies only for the purpose of calculating an installment of estimated income tax of a corporate taxpayer that is due on or before August 15, 2024, with respect to a taxable year that began during 2024. This notice waives any addition to tax under § 6655 to the extent the amount of any underpayment is attributable to the portion of the CAMT liability due in that installment. Regarding installments of estimated income tax of a corporate taxpayer (or consolidated group) due after August 15, 2024, § 6655 applies in the normal course and this notice does not apply, nor does it waive the addition to tax under § 6655 to the extent the amount of any underpayment is attributable to provisions of the Code other than § 55(a).

SECTION 3. BACKGROUND

.01 *CAMT under the IRA*. Section 10101 of the IRA amended § 55 to impose a new CAMT based on the "adjusted financial statement income" (AFSI) of an applicable corporation for taxable years beginning after December 31, 2022. Pursuant to § 59(k)(1), in general, a corporation is an applicable corporation subject to the CAMT for a taxable year if it meets an average annual AFSI test for one or more taxable years that (i) are before that taxable year and (ii) end after December 31, 2021 (Applicable Corporation). Section 55(a) provides that, for the taxable year of an Applicable Corporation, the amount of CAMT imposed by § 55 equals the excess (if any) of (i) the tentative minimum tax for the taxable year, over (ii) the sum of the regular tax, as defined in § 55(c), for the taxable year plus the tax imposed under § 59A. Section 55(b)(2)(A) provides that, in the case of an Applicable Corporation, the tentative minimum tax for the taxable year is the excess of (i) 15 percent of AFSI for the taxable year (as determined under § 56A), over (ii) the CAMT foreign tax credit for the taxable year (as determined under § 59(l)). In the case of any corporation that is not an Applicable Corporation, § 55(b)(2)(B) provides that the tentative minimum tax for the taxable year is zero.

Notice 2023-7, 2023-3 I.R.B. 390, announced that the Department of the Treasury (Treasury Department) and the Internal Revenue Service (IRS) intend to issue forthcoming proposed regulations addressing the application of the CAMT. Notice 2023-7 also provided interim guidance intended to clarify the application of certain aspects of the CAMT. Notice 2023-20, 2023-10 I.R.B. 523, Notice 2023-64, 2023-40 I.R.B. 974, and Notice 2024-10, 2024-3 I.R.B. 406, provided additional interim guidance that is intended to further clarify the application of the CAMT. Taxpayers may generally rely on the interim guidance provided in the aforementioned notices for any taxable year that begins before January 1, 2024, and any taxable year that begins on or after January 1, 2024, and ends on or before the date proposed regulations addressing the application of the CAMT are published in the *Federal Register*. Special reliance rules are provided in section 5 of Notice 2024-10 for the interim guidance provided in that notice.

.02 *Estimated Taxes*. Section 6655(a) imposes an addition to tax for failure by a corporation to make a sufficient and timely payment of estimated income tax. Section 6655(c) and (d)(1)(A) generally provide that, in the case of a corporation, estimated income tax is required to be paid in four installments and the amount of any required installment is 25 percent of the required annual payment. Generally, under § 6655(d)(1)(B), the required annual payment is the lesser of two amounts described in § 6655(d)(1)(B)(i) and (ii). The amount described in § 6655(d)(1)(B)(i) is 100 percent of the tax shown on the return for the taxable year. The amount described in § 6655(d)(1)(B)(ii) is 100 percent of the tax shown on the taxpayer's return for the preceding taxable year, so long as the preceding taxable year was a full twelve months long and the return for such year showed a liability for tax. However, pursuant to § 6655(d)(2), in the case of a large corporation (as defined under § 6655(g)(2)), the amount described in § 6655(d)(1)(B)(ii) may not be used to reduce the amount of an installment payment other than the first installment payment for the taxable year. In special circumstances, other rules specified in § 6655 or elsewhere may also apply.

On June 7, 2023, the Treasury Department and the IRS issued Notice 2023-42, 2023-26 I.R.B. 1085, which provided a waiver of the addition to tax under § 6655 with respect to a corporation's CAMT liability under § 55 for any taxable year that begins after December 31, 2022, and before January 1, 2024.

On April 15, 2024, the Treasury Department and the IRS issued Notice 2024-33, 2024-18 I.R.B. 959, which provided a limited waiver of the addition to tax under § 6655 to the extent the amount of any underpayment is attributable to a portion of a corporation's CAMT liability. The relief provided in Notice 2024-33 applied only for the purpose of calculating

[1] Unless otherwise specified, all "section" or "§" references are to sections of the Code.

the installment of estimated tax by a corporate taxpayer that was due on or before April 15, 2024, or May 15, 2024 (in the case of a fiscal year taxpayer with a taxable year beginning in February 2024), with respect to a taxable year that began in 2024.

SECTION 4. LIMITED WAIVER OF ADDITION TO TAX FOR UNDERPAYMENT OF ESTIMATED INCOME TAX

.01 *Waiver*. In light of the continuing challenges associated with determining whether a corporation is an Applicable Corporation and the amount of a corporation's CAMT liability under § 55, and in the interest of sound tax administration, the IRS will waive the portion of the addition to tax under § 6655 that is attributable to a corporation's CAMT liability, for an installment of estimated tax with respect to a taxable year that began in 2024 that is due on or before August 15, 2024. Accordingly, a corporate taxpayer's required installment of estimated tax that is due on or before August 15, 2024, need not include amounts attributable to its CAMT liability under § 55 to prevent the imposition of an addition to tax under § 6655. If a corporation fails to timely pay its CAMT liability under § 55 when due, other sections of the Code may apply; for example, additions to tax could be imposed under § 6651 if payment of the CAMT liability is not made by the due date (without regard to any extension) of the corporation's return.

.02 *Instructions to be modified*. Affected taxpayers must file Form 2220 with their Federal income tax return, even if they owe no estimated tax penalty, to avoid a penalty notice. The instructions to Form 2220, *Underpayment of Estimated Tax by Corporations*, will be modified to provide specific instructions on how to avoid a penalty notice. The instructions also will clarify that no addition to tax will be imposed under § 6655 based on a corporation's failure to make an estimated tax payment of its CAMT liability under § 55, for an installment of estimated tax with respect to a taxable year that began in 2024 that is due on or before August 15, 2024, and that a taxpayer may exclude such amounts when calculating the amount of its required annual payment on Form 2220 for purposes of calculating the installments of estimated tax for which relief is provided. The modified instructions will be posted on *https://www.irs.gov*.

SECTION 5. APPLICABILITY DATE

The waiver of the addition to tax imposed by § 6655 described in section 4.01 of this notice applies to an installment of estimated tax that is due on or before August 15, 2024.

SECTION 6. DRAFTING AND CONTACT INFORMATION

The principal author of this notice is Alexander Wu of the Office of the Associate Chief Counsel (Procedure and Administration). Other personnel from the Treasury Department and the IRS participated in its development. For further information, please contact Alexander Wu at (202) 317-6845 (not a toll-free number).

Reference Price for Section 45I Credit for Production of Natural Gas from Marginal Wells During Taxable Years Beginning in Calendar Year 2024

Notice 2024-52

SECTION 1. PURPOSE

This notice provides the applicable reference price for qualified natural gas production from qualified marginal wells during taxable years beginning in calendar year 2024 for the purpose of determining the marginal well production credit (MWC) under § 45I of the Internal Revenue Code. The applicable reference price for taxable years beginning in calendar year 2024 is $2.04 per 1,000 cubic feet (Mcf).

This notice also provides the credit amount used for the purpose of determining the MWC for taxable years beginning in calendar year 2024. The credit amount is determined using the 2024 inflation adjustment factor of 1.5447 and the applicable reference price of $2.04 per Mcf. The credit amount for taxable years beginning in calendar year 2024 is $0.77 per Mcf.

SECTION 2. BACKGROUND

Section 45I(a), as it relates to qualified natural gas production, provides that, for purposes of § 38, the MWC for any taxable year is an amount equal to the product of (1) the credit amount and (2) the qualified natural gas production that is attributable to the taxpayer.

Section 45I(c)(1) provides that "qualified natural gas production" means domestic natural gas produced from a qualified marginal well. Section 45I(c)(3)(A) provides that a qualified marginal well is a domestic well (i) the production from which during the taxable year is treated as marginal production under § 613A(c)(6), or (ii) which, during the taxable year, (I) has average production of not more than 25 barrel-of-oil equivalents per day, and (II) produces water at a rate not less than 95 percent of total well effluent.

Section 613A(c)(6)(D) and (E) provide that "marginal production" means domestic natural gas produced during any taxable year from a property which is a stripper well property for the calendar year in which the taxable year begins. A "stripper well property" is, with respect to any calendar year, any property producing not more than 15 barrel equivalents per day, determined by dividing the average daily production of domestic crude oil and domestic natural gas from producing wells on the property for such calendar year by the number of such wells.

Section 45I(c)(2)(A) provides that generally only the first 1,095 barrels or barrel-of-oil equivalents (as defined in § 45K(d)(5)) produced during the taxable year qualify for the MWC. This limitation is proportionately reduced in the case of a short taxable year or in the case of a well that is not capable of production each day of a taxable year. *See* § 45I(c)(2)(B). The number of wells on which a taxpayer may claim the MWC is not limited.

Section 45I(d)(2) provides that to claim the credit a taxpayer must hold an operating interest in the qualified marginal well

producing the natural gas to which the credit relates. Under § 45I(d)(1), if a well is owned by more than one owner and the natural gas production exceeds the limitation under § 45I(c)(2), the qualifying natural gas production attributable to the taxpayer is determined on the basis of the ratio which the taxpayer's revenue interest in the production bears to the aggregate of the revenue interests of all operating interest owners in the production. Finally, § 45I(d)(3) provides that the MWC is not allowable if the taxpayer is also eligible to claim the § 45K nonconventional sources credit for the taxable year, unless the taxpayer elects not to claim the credit under § 45K for the well.

For purposes of § 45I(a)(1), the credit amount is 50 cents (adjusted for inflation) per Mcf of qualified natural gas production (tentative credit amount). *See* § 45I(b)(1)(B) and (b)(2)(B).

Section 45I(b)(2)(A) and (B) provide that the tentative credit amount (adjusted for inflation) is reduced (but not below zero) to the extent that the applicable reference price exceeds $1.67 (adjusted for inflation). More specifically, § 45I(b)(2)(A) provides that the tentative credit amount (adjusted for inflation) is reduced by an amount which bears the same ratio to the tentative credit amount (adjusted for inflation) as the excess (if any) of the applicable reference price over $1.67 (adjusted for inflation), bears to $0.33 (adjusted for inflation). As a result, the MWC is not available if the applicable reference price for qualified natural gas production is $2.00 (adjusted for inflation) or more.

Section 45I(b)(2)(A) also provides that the applicable reference price for a taxable year is the reference price for the calendar year preceding the calendar year in which the taxable year begins. Section 45I(b)(2)(C)(ii) provides that the term "reference price" means, with respect to any calendar year, in the case of qualified natural gas production, the Secretary's estimate of the annual average wellhead price per Mcf for all domestic natural gas.

Section 45I(b)(2)(B) provides that in the case of any taxable year beginning in a calendar year after 2005, each of the dollar amounts contained in § 45I(b)(2)(A) will be increased to an amount equal to such dollar amount multiplied by the inflation adjustment factor for such calendar year (determined under § 43(b)(3)(B) by substituting "2004" for "1990").

SECTION 3. INFLATION ADJUSTMENT FACTOR AND REFERENCE PRICE

.01 *Inflation Adjustment*. The inflation adjustment factor under § 45I(b)(2)(B) for calendar year 2024 is 1.5447.

.02 *Reference Price*. The Secretary's estimate of the calendar year 2023 annual average wellhead price per Mcf for all domestic natural gas under § 45I(b)(2)(C)(ii) was calculated by applying the Producer Price Index commodity index for "Natural Gas from the Wellhead" (WPU053101051)[1] published by the Bureau of Labor Statistics (BLS) as part of its Producer Price Index program, to the 2023 annual average wellhead price ($5.57) published in Notice 2023-58, 2023-34 I.R.B. 536. The annual Producer Price Index commodity index for natural gas published by the BLS was 173.206 in 2022 and 63.423 in 2023, which implies a ratio of 2023 to 2022 average wellhead prices of 0.366 (63.423/173.206). Therefore, the Secretary's estimate of the calendar year 2023 annual average wellhead price per Mcf for all domestic natural gas is $2.04 per Mcf (0.366 × $5.57 per Mcf). The one-cent difference is due to rounding.

For years after 2023, the Secretary intends to continue calculating the reference price by application of the Producer Price Index commodity index for "Natural Gas from the Wellhead" (WPU053101051) published by the BLS to the previous year's reference price.

SECTION 4. CALCULATION OF CREDIT AMOUNT

Under § 45I(b)(1)(B) and (2)(B), the tentative credit amount used to calculate the MWC for taxable years beginning in calendar year 2024 is $0.77 per Mcf ($0.50 × 1.5447 inflation adjustment factor). However, to determine the credit amount for purposes of § 45I(a)(1), the tentative credit amount must be reduced as provided by § 45I(b)(2).

Specifically, pursuant to § 45I(b)(2)(A), the tentative credit amount is reduced (but not below zero) by an amount (the Reduction Amount) which bears the same ratio to such amount as (i) the excess (if any) of the applicable reference price over $2.58 ($1.67 × 1.5447 inflation adjustment factor), bears to (ii) $0.51 ($0.33 × 1.5447 inflation adjustment factor). The Reduction Amount (as adjusted for inflation) is computed as follows:

$$\frac{\text{Reduction Amount}}{\text{Tentative Credit Amount}} = \frac{\text{Applicable Reference Price} - \$2.58}{\$0.51}$$

$$\frac{\text{Reduction Amount}}{\$0.77} = \frac{\$2.04 - \$2.58}{\$0.51}$$

The Reduction Amount is $- 0.82 (($2.04 - $2.58) ÷ $0.51 × $0.77), which is less than zero and therefore the tentative credit amount ($0.77) is not reduced.

SECTION 5. EFFECTIVE DATE

This notice is effective for qualified natural gas production during taxable years beginning in calendar year 2024.

SECTION 6. DRAFTING AND CONTACT INFORMATION

The principal author of this notice is David Villagrana of the Office of Associ-

[1] https://data.bls.gov/cgi-bin/srgate. The BLS publishes indexes and not actual or average prices.

ate Chief Counsel (Passthroughs & Special Industries). For further information regarding this notice contact Mr. Villagrana at (202) 317-5138 (not a toll-free number).

Update for Weighted Average Interest Rates, Yield Curves, and Segment Rates

Notice 2024-53

This notice provides guidance on the corporate bond monthly yield curve, the corresponding spot segment rates used under § 417(e)(3), and the 24-month average segment rates under § 430(h)(2) of the Internal Revenue Code. In addition, this notice provides guidance as to the interest rate on 30-year Treasury securities under § 417(e)(3)(A)(ii)(II) as in effect for plan years beginning before 2008 and the 30-year Treasury weighted average rate under § 431(c)(6)(E)(ii)(I).

YIELD CURVE AND SEGMENT RATES

Section 430 specifies the minimum funding requirements that apply to single-employer plans (except for CSEC plans under § 414(y)) pursuant to § 412. Section 430(h)(2) specifies the interest rates that must be used to determine a plan's target normal cost and funding target. Under this provision, present value is generally determined using three 24-month average interest rates ("segment rates"), each of which applies to cash flows during specified periods. To the extent provided under § 430(h)(2)(C)(iv), these segment rates are adjusted by the applicable percentage of the 25-year average segment rates for the period ending September 30 of the year preceding the calendar year in which the plan year begins.[1] However, an election may be made under § 430(h)(2)(D)(ii) to use the monthly yield curve in place of the segment rates.

Section 1.430(h)(2)-1(d) provides rules for determining the monthly corporate bond yield curve,[2] and § 1.430(h)(2)-1(c) provides rules for determining the 24-month average corporate bond segment rates used to compute the target normal cost and the funding target. Consistent with the methodology specified in § 1.430(h)(2)-1(d), the monthly corporate bond yield curve derived from May 2024 data is in Table 2024-5 at the end of this notice. The spot first, second, and third segment rates for the month of May 2024 are, respectively, 5.18, 5.41, and 5.62.

The 24-month average segment rates determined under § 430(h)(2)(C)(i) through (iii) must be adjusted pursuant to § 430(h)(2)(C)(iv) to be within the applicable minimum and maximum percentages of the corresponding 25-year average segment rates. For this purpose, any 25-year average segment rate that is less than 5% is deemed to be 5%. The 25-year average segment rates for plan years beginning in 2023 and 2024 were published in Notice 2022-40, 2022-40 I.R.B. 266 and Notice 2023-66, 2023-40 I.R.B. 992, respectively. The applicable minimum and maximum percentages are 95% and 105% for plan years beginning in 2023 and 2024.

24-MONTH AVERAGE CORPORATE BOND SEGMENT RATES

The three 24-month average corporate bond segment rates applicable for June 2024 without adjustment for the 25-year average segment rate limits are as follows:

24-Month Average Segment Rates Without 25-Year Average Adjustment

Applicable Month	First Segment	Second Segment	Third Segment
June 2024	4.93	5.27	5.26

The adjusted 24-month average segment rates set forth in the chart below reflect § 430(h)(2)(C)(iv) of the Code. The 24-month averages applicable for June 2024, adjusted to be within the applicable minimum and maximum percentages of the corresponding 25-year average segment rates in accordance with § 430(h)(2)(C)(iv) of the Code, are as follows:

Adjusted 24-Month Average Segment Rates

For Plan Years Beginning In	Applicable Month	First Segment	Second Segment	Third Segment
2023	June 2024	4.93	5.27	5.74
2024	June 2024	4.93	5.27	5.59

[1] Pursuant to § 433(h)(3)(A), the third segment rate determined under § 430(h)(2)(C) is used to determine the current liability of a CSEC plan (which is used to calculate the minimum amount of the full funding limitation under § 433(c)(7)(C)).

[2] For months before February 2024, the monthly corporate bond yield curve was determined in accordance with Notice 2007-81, 2007-44 I.R.B. 899. Section 1.430(h)(2)-1(d) generally adopts the methodology for determining the monthly corporate bond yield curve under Notice 2007-81 but includes two enhancements to take into account subsequent changes in the bond market. Those enhancements are described in the preamble to TD 9986 (89 FR 2127).

30-YEAR TREASURY SECURITIES INTEREST RATES

Section 431 specifies the minimum funding requirements that apply to multiemployer plans pursuant to § 412. Section 431(c)(6)(B) specifies a minimum amount for the full-funding limitation described in § 431(c)(6)(A), based on the plan's current liability. Section 431(c)(6)(E)(ii)(I) provides that the interest rate used to calculate current liability for this purpose must be no more than 5 percent above and no more than 10 percent below the weighted average of the rates of interest on 30-year Treasury securities during the four-year period ending on the last day before the beginning of the plan year. Notice 88-73, 1988-2 C.B. 383, provides guidelines for determining the weighted average interest rate. The rate of interest on 30-year Treasury securities for May 2024 is 4.62 percent. The Service determined this rate as the average of the daily determinations of yield on the 30-year Treasury bond maturing in February 2054 determined each day through May 8, 2024 and the yield on the 30-year Treasury bond maturing in May 2054 determined each day for the balance of the month. For plan years beginning in June 2024, the weighted average of the rates of interest on 30-year Treasury securities and the permissible range of rates used to calculate current liability are as follows:

Treasury Weighted Average Rates

For Plan Years Beginning In	30-Year Treasury Weighted Average	Permissible Range 90% to 105%
June 2024	3.46	3.11 to 3.63

MINIMUM PRESENT VALUE SEGMENT RATES

In general, the applicable interest rates under § 417(e)(3)(D) are segment rates computed without regard to a 24-month average. Section 1.417(e)-1(d)(3) and Notice 2007-81 provide guidelines for determining the minimum present value segment rates. Pursuant to those guidelines, the minimum present value segment rates determined for May 2024 are as follows:

Minimum Present Value Segment Rates

Month	First Segment	Second Segment	Third Segment
May 2024	5.18	5.41	5.62

DRAFTING INFORMATION

The principal author of this notice is Tom Morgan of the Office of Associate Chief Counsel (Employee Benefits, Exempt Organizations, and Employment Taxes). However, other personnel from the IRS participated in the development of this guidance. For further information regarding this notice, contact Mr. Morgan at 202-317-6700 or Tony Montanaro at 626-927-1475 (not toll-free numbers).

Table 2024-5
Monthly Yield Curve for May 2024
Derived from April 2024 Data

Maturity	*Yield*	*Maturity*	*Yield*	*Maturity*	*Yield*	*Maturity*	*Yield*	*Maturity*	*Yield*
0.5	5.55	20.5	5.61	40.5	5.62	60.5	5.65	80.5	5.66
1.0	5.42	21.0	5.61	41.0	5.62	61.0	5.65	81.0	5.66
1.5	5.30	21.5	5.61	41.5	5.63	61.5	5.65	81.5	5.66
2.0	5.20	22.0	5.61	42.0	5.63	62.0	5.65	82.0	5.66
2.5	5.13	22.5	5.61	42.5	5.63	62.5	5.65	82.5	5.66
3.0	5.07	23.0	5.61	43.0	5.63	63.0	5.65	83.0	5.66
3.5	5.04	23.5	5.61	43.5	5.63	63.5	5.65	83.5	5.66
4.0	5.02	24.0	5.60	44.0	5.63	64.0	5.65	84.0	5.66
4.5	5.01	24.5	5.60	44.5	5.63	64.5	5.65	84.5	5.66
5.0	5.02	25.0	5.60	45.0	5.63	65.0	5.65	85.0	5.66
5.5	5.03	25.5	5.60	45.5	5.63	65.5	5.65	85.5	5.66
6.0	5.06	26.0	5.60	46.0	5.63	66.0	5.65	86.0	5.66
6.5	5.09	26.5	5.60	46.5	5.63	66.5	5.65	86.5	5.66
7.0	5.12	27.0	5.60	47.0	5.63	67.0	5.65	87.0	5.66
7.5	5.16	27.5	5.60	47.5	5.63	67.5	5.65	87.5	5.66
8.0	5.19	28.0	5.60	48.0	5.63	68.0	5.65	88.0	5.66
8.5	5.23	28.5	5.60	48.5	5.64	68.5	5.65	88.5	5.66
9.0	5.27	29.0	5.60	49.0	5.64	69.0	5.65	89.0	5.66
9.5	5.30	29.5	5.60	49.5	5.64	69.5	5.65	89.5	5.66
10.0	5.33	30.0	5.60	50.0	5.64	70.0	5.65	90.0	5.66
10.5	5.36	30.5	5.60	50.5	5.64	70.5	5.65	90.5	5.66
11.0	5.39	31.0	5.60	51.0	5.64	71.0	5.65	91.0	5.66
11.5	5.42	31.5	5.60	51.5	5.64	71.5	5.65	91.5	5.66
12.0	5.44	32.0	5.61	52.0	5.64	72.0	5.65	92.0	5.66
12.5	5.47	32.5	5.61	52.5	5.64	72.5	5.65	92.5	5.66
13.0	5.49	33.0	5.61	53.0	5.64	73.0	5.66	93.0	5.66
13.5	5.50	33.5	5.61	53.5	5.64	73.5	5.66	93.5	5.66
14.0	5.52	34.0	5.61	54.0	5.64	74.0	5.66	94.0	5.66
14.5	5.53	34.5	5.61	54.5	5.64	74.5	5.66	94.5	5.66
15.0	5.55	35.0	5.61	55.0	5.64	75.0	5.66	95.0	5.66
15.5	5.56	35.5	5.61	55.5	5.64	75.5	5.66	95.5	5.66
16.0	5.57	36.0	5.61	56.0	5.64	76.0	5.66	96.0	5.66
16.5	5.57	36.5	5.62	56.5	5.64	76.5	5.66	96.5	5.66
17.0	5.58	37.0	5.62	57.0	5.64	77.0	5.66	97.0	5.66
17.5	5.59	37.5	5.62	57.5	5.64	77.5	5.66	97.5	5.66
18.0	5.59	38.0	5.62	58.0	5.64	78.0	5.66	98.0	5.67
18.5	5.60	38.5	5.62	58.5	5.65	78.5	5.66	98.5	5.67
19.0	5.60	39.0	5.62	59.0	5.65	79.0	5.66	99.0	5.67
19.5	5.60	39.5	5.62	59.5	5.65	79.5	5.66	99.5	5.67
20.0	5.61	40.0	5.62	60.0	5.65	80.0	5.66	100.0	5.67

26 CFR 1.30D-3(d), 26 CFR 1.30D-6(d)(2)(ii). Submission of Information by Qualified Manufacturers of New Clean Vehicles and Dealers and Sellers of New Clean Vehicles and Previously-Owned Clean Vehicles.
(Also Part I, §§ 25E and 30D.)

Rev. Proc. 2024-26

SECTION 1. PURPOSE

This revenue procedure updates existing procedures and provides additional procedures for qualified manufacturers to submit information regarding new clean vehicles to ensure the vehicles satisfy the requirements of § 30D(d) and (e) of the Internal Revenue Code (Code)[1] for the applicable calendar year and therefore are eligible for the clean vehicle credit under § 30D (§ 30D credit). This revenue procedure also updates existing procedures regarding seller report updates and rescissions. Finally, this revenue procedure modifies section 7.03(4) of Rev. Proc. 2023-33, 2023-43 I.R.B. 1135, and modifies sections 5.04 and 5.06 of Rev. Proc. 2023-38, 2023-51 I.R.B. 1544.

SECTION 2. BACKGROUND

.01 *Overview.* This section provides an overview of this revenue procedure and relevant background. Section 3 of this revenue procedure provides definitions applicable to this revenue procedure. Section 4 of this revenue procedure provides updated procedures with respect to the compliant-battery ledger for purposes of § 30D, provides a new procedure for the submission of the report for the transition rule for impracticable-to-trace battery materials, and modifies section 5.06 of Rev. Proc. 2023-38. Section 5 of this revenue procedure provides procedures relevant to the critical minerals and battery components requirements of § 30D(e) and the upfront review of such requirements. Section 6 of this revenue procedure provides updated procedures on updating and rescinding seller reports under § 30D(d)(1)(H).

.02 *Section 30D Clean Vehicle Credit.*

(1) Section 30D was enacted by § 205(a) of the Energy Improvement and Extension Act of 2008, Division B of Public Law 110-343, 122 Stat. 3765, 3835 (October 3, 2008), to provide a credit for purchasing and placing in service new qualified plug-in electric drive motor vehicles. Section 30D has been amended several times since its enactment, most recently by § 13401 of Public Law 117-169, 136 Stat. 1818 (August 16, 2022), commonly known as the Inflation Reduction Act of 2022 (IRA). In general, the amendments made by § 13401 of the IRA to § 30D apply to vehicles placed in service after December 31, 2022, except as provided in § 13401(k)(2) through (5) of the IRA.

(2) Section 30D(a) allows a credit for the taxable year with respect to each new clean vehicle placed in service by a taxpayer during the taxable year. Section 30D(b) provides a maximum credit of $7,500 per vehicle, consisting of $3,750 if certain critical minerals requirements are met and $3,750 if certain battery components requirements are met. These requirements are described in § 30D(e)(1) and (2), respectively.

(3) Section 13401(k)(3) of the IRA provides that the critical minerals requirement described in § 30D(e)(1) (Critical Minerals Requirement) and the battery components requirement described in § 30D(e)(2) (Battery Components Requirement) apply to vehicles placed in service after the date on which proposed guidance with respect to the Critical Minerals and the Battery Components Requirements is issued by the Secretary of the Treasury or her delegate (Secretary). On April 17, 2023, the Department of the Treasury (Treasury Department) and the Internal Revenue Service (IRS) issued a Notice of Proposed Rulemaking in the *Federal Register* (88 F.R. 23370), which constitutes that proposed guidance. Thus, the Critical Minerals and Battery Components Requirements apply to vehicles placed in service on or after April 18, 2023.

.03 *IRS Final Regulations.* On May 6, 2024, the Treasury Department and the IRS published TD 9995 in the *Federal Register* (89 FR 37706) (final regulations). The final regulations provide guidance under §§ 25E, 30D, and 6213, as amended by §§ 13401, 13402, and 13301(f)(4), (g)(2), and 13403(b)(2), respectively, of the IRA.

.04 *Revenue Procedures.*

(1) Rev. Proc. 2022-42, 2022-52 I.R.B. 565, in relevant part, established procedures for qualified manufacturers to enter into written agreements with the IRS in accordance with §§ 30D(d)(1)(C) and 30D(d)(3). Sections 4.01 and 4.02 of Rev. Proc. 2022-42 provided, respectively, information regarding the contents of the written agreement that a manufacturer must enter into with the IRS to become a qualified manufacturer, and the contents of the written reports submitted by the qualified manufacturer to the IRS.

(2) Rev. Proc. 2023-33, in relevant part, superseded sections 6.01 and 6.02 of Rev. Proc. 2022-42, and provided updated information on written agreements to be submitted by manufacturers to the IRS to become qualified manufacturers, as well as the method for qualified manufacturers to submit monthly reports, beginning January 1, 2024.

(3) Rev. Proc. 2023-38, in relevant part, established procedural rules for qualified manufacturers of new clean vehicles to comply with the reporting, certification, and attestation requirements regarding the excluded entity restriction, under which the IRS, with analytical assistance from the Department of Energy (DOE), will review compliance with the excluded entity restrictions of § 30D(d)(7). Section 5.01 of Rev. Proc. 2023-38 provided that, for calendar years beginning January 1, 2025, for vehicles to qualify for the § 30D credit, the qualified manufacturer must provide information to the IRS to establish a compliant-battery ledger for each year. The compliant-battery ledger for a calendar year tracks a qualified manufacturer's anticipated supply of batteries that are FEOC-compliant for such a calendar year. *See* § 1.30D-2(b)(11) and (22) for definitions of the terms "compliant-battery ledger" and "FEOC-compliant." Rev. Proc. 2023-38 also superseded certain provisions of Rev. Proc. 2022-42 and Rev. Proc. 2023-33 not relevant to this revenue procedure.

[1] Unless otherwise specified, all "Section" or "§" references are to sections of the Code or the Income Tax Regulations (26 CFR Part 1).

SECTION 3. DEFINITIONS

.01 *In General*. Except as provided in section 3.02 of this revenue procedure, terms used in this revenue procedure have the same meaning as provided in §§ 25E, 30D, and 45W, and § 1.30D-2.

.02 *IRS Energy Credits Online Portal.* For purposes of this revenue procedure, the term "IRS Energy Credits Online Portal" refers to the registration portal that manufacturers and sellers must use to register as a qualified manufacturer, seller, or registered dealer. A link to the site is available on https://www.irs.gov. Any successor portal or successor site address will be announced and made available on https://www.irs.gov.

SECTION 4. COMPLIANT-BATTERY LEDGER FOR PURPOSES OF § 30D

.01 *Introduction.* For calendar years beginning January 1, 2025, for new clean vehicles to qualify for the § 30D credit, the qualified manufacturer must provide information to the IRS and the DOE to establish a compliant-battery ledger for each calendar year. The compliant-battery ledger for a qualified manufacturer for a calendar year is a ledger established under the rules of § 1.30D-6(d) that tracks the number of FEOC-compliant batteries for such calendar year. The procedure for qualified manufacturers to establish a compliant-battery ledger, as well as the procedure to increase or reduce the battery-compliant ledger, is provided in section 5 of Rev. Proc. 2023-38. *See* § 1.30D-6(b) for rules related to the due diligence the qualified manufacturer must conduct with respect to all battery components and applicable critical minerals (and associated constituent materials) that are relevant to determining whether such components or minerals are FEOC-compliant.

.02 *Upfront Review of Projected Number of FEOC-Compliant Batteries.*

(1) *In general.* To establish a compliant-battery ledger, the qualified manufacturer must submit the attestation of the projected number of FEOC-compliant batteries and other information described § 1.30D-6(d) and section 5.03 of Rev. Proc. 2023-38 (collectively, the submission) for upfront review to the DOE through a method provided by the DOE. The IRS will make a determination with respect to the submission, with analytical assistance from the DOE, and notify the qualified manufacturer of its determination. As part of the IRS determination process, DOE will review the submission by the manufacturer; conduct analysis based on such submission, its own expertise, and independent research; and provide that analysis to the IRS.

A template report and workbook will be made available by the IRS or the DOE prior to July 1 of the year prior to the calendar year for which the compliant-battery ledger is being established. Qualified manufacturers are encouraged to submit the requisite information using the template report and template workbook to ensure a more streamlined review process. While qualified manufacturers are not required to use the template workbook, they must submit a workbook spreadsheet. The formulas in the workbook spreadsheet submitted by the qualified manufacturer must be visible and not converted into calculated values.

(2) *Report for transition rule for impracticable-to-trace battery materials.*

(a) Section 1.30D-6(b)(2) provides that for any new clean vehicle for which the qualified manufacturer provides a periodic written report before January 1, 2027, the due diligence requirement of § 1.30D-6(b)(1) may be satisfied by excluding impracticable-to-trace battery materials, as defined in § 1.30D-2(b)(25). To use this transition rule, a qualified manufacturer must submit a report during the upfront review process described in § 1.30D-6(d)(2)(ii) for each year it seeks to use the transition rule.

(b) The report must demonstrate how the qualified manufacturer will comply with the FEOC restriction of § 30D(d)(7) and § 1.30D-6 for vehicles placed in service after December 31, 2026, at the latest, including information about efforts made to date to secure a FEOC-compliant supply of these battery materials once the transition rule is no longer in effect. The qualified manufacturer must submit the report described in this section 4.02 of this revenue procedure for upfront review to the DOE through a method provided by the DOE.

(c) The report must contain the following information:

(i) For any applicable critical mineral on the list of impracticable-to-trace battery materials for which the qualified manufacturer intends to rely on the transition rule, an explanation of how the qualified manufacturer anticipates complying with the FEOC restrictions and conducting due diligence with respect to that material by the end of the transition rule period.

(ii) Within this explanation, a list of current suppliers for from which the qualified manufacturer purchases impracticable-to-trace battery materials, and the expected total quantity of impracticable-to-trace battery materials that will be used in vehicles for which the qualified manufacturer anticipates providing a periodic written report in the upcoming calendar year. With respect to future suppliers:

(aa) If available, the names of suppliers of impracticable-to-trace battery materials with which the qualified manufacturer has signed an offtake agreement, and the quantity of supply under that agreement. Indicate whether these agreements would or would not satisfy expected demand for 30D-eligible vehicles beginning in 2027.

(bb) The names of suppliers of impracticable-to-trace battery materials with which the qualified manufacturer has not yet signed offtake agreements but have entered into formal discussions for supply, and the year that supply would be provided. Provide the status of each such agreement, including material qualification, joint development agreements (if any), legal review, and financial review.

(cc) Documentation that demonstrates meaningful efforts and progress to secure a FEOC-compliant supply of impracticable-to-trace battery materials for use in the qualified manufacturer's vehicles after the transition period, such as memoranda of understanding, letters of commitment, joint press releases, qualification processes, and/or offtake agreements. Letters of intent will not be considered to demonstrate meaningful progress.

(dd) An explanation of how these suppliers will increase the qualified manufacturer's ability to conduct due diligence as to this applicable critical mineral.

(ee) If available, a list of entities that extract, process, or recycle impractica-

ble-to-trace battery materials upstream of the suppliers with which the qualified manufacturer has an offtake agreement or formal discussions.

(ff) If available, a description of the due diligence practices of the suppliers with which the qualified manufacturer has an offtake agreement or formal discussions.

(iii) If the supply of battery materials in signed offtake agreements and agreements under discussion is insufficient to support the anticipated number of vehicles for which the qualified manufacturer anticipates providing a periodic written report beginning in 2027, an explanation of how the qualified manufacturer plans to address that.

(d) The DOE will review the information submitted by the qualified manufacturer and make any requests for additional information from the qualified manufacturer within 45 days of the submission, unless a longer period is agreed to by the qualified manufacturer and the DOE. The qualified manufacturer must respond to the request for additional information within 21 days of receipt of such request unless a longer period is agreed to by the qualified manufacturer and the DOE. The DOE will notify the IRS of its analysis within 90 days of the qualified manufacturer's submission, and whether the information submitted in the report is sufficient. The IRS will then make a determination within 30 days and notify the qualified manufacturer whether it satisfied the report requirement.

.03 *Modification of section 5.06 of Rev. Proc. 2023-38.* Section 5.06 of Rev. Proc. 2023-38 is modified to read as follows:

> .06 *Submission of 2024 information.* The qualified manufacturer must submit the information and attestations described in sections 5.03(1) and 5.03(3) through 5.03(5) of Revenue Procedure 2023-38 with respect to vehicles that have been placed in service or are expected to be placed in service during calendar year 2024, by September 1, 2024. However, the submission of the information related to vehicles that have been or are expected to be placed in service in calendar year 2024 is not required to include information related to applicable critical minerals and associated constituent materials.

SECTION 5. CRITICAL MINERALS AND BATTERY COMPONENTS REQUIREMENTS FOR PURPOSES OF § 30D

.01 *Introduction.*

(1) Section 30D(e)(1)(A) provides that with respect to a vehicle, the Critical Minerals Requirement with respect to the battery from which the electric motor of such vehicle draws electricity is satisfied if the percentage of the value of the applicable critical minerals (as defined in § 45X(c)(6)) contained in such battery that were (i) extracted or processed in the United States, or in any country with which the United States has a free trade agreement (FTA) in effect, or (ii) recycled in North America, is equal to or greater than the applicable percentage (as certified by the qualified manufacturer, in such form or manner as prescribed by the Secretary). The applicable percentage for the Critical Minerals Requirement is set forth in § 30D(e)(1)(B)(i) through (v) and varies based on when the vehicle is placed in service. Treasury regulations further provide that the Critical Minerals Requirement is met if the qualifying critical mineral content of the clean vehicle battery is equal to or greater than the applicable critical minerals percentage (as defined in § 30D(e)(1)(B) and § 1.30D-3(a)(2)), as certified by the qualified manufacturer, in such form or manner as prescribed by the Secretary. *See* § 1.30D-3(a)(1). If the Critical Minerals Requirement is met with respect to a new clean vehicle, such vehicle is eligible for a $3,750 credit amount, as provided in § 30D(b)(2).

(2) Section 30D(e)(2)(A) provides that with respect to a vehicle, the Battery Components Requirement with respect to the battery from which the electric motor of such vehicle draws electricity is satisfied if the percentage of the value of the components contained in such battery that were manufactured or assembled in North America is equal to or greater than the applicable percentage (as certified by the qualified manufacturer, in such form or manner as prescribed by the Secretary). The applicable percentage for the Battery Components Requirement is set forth in § 30D(e)(2)(B)(i) through (vi) and varies based on when the vehicle is placed in service. Treasury regulations further provide that the Battery Components Requirement is met if the qualifying battery component content of the clean vehicle battery is equal to or greater than the applicable battery components percentage (as defined in § 1.30D-3(b)(2)), as certified by the qualified manufacturer, in such form or manner as prescribed by the Secretary. *See* § 1.30D-3(b)(1). If the Battery Components Requirement is met with respect to a new clean vehicle, such vehicle is eligible for a $3,750 credit amount, as provided in § 30D(b)(3).

.02 *Reporting requirements.*

(1) For new clean vehicles anticipated to be placed in service after December 31, 2024, the qualified manufacturer must provide information to the DOE to establish that the Critical Minerals Requirement has been met for each calendar year in order for the qualified manufacturer to certify such vehicles as eligible for the $3,750 credit amount described in § 30D(b)(2). This information and supporting documentation (as described in § 1.30D-3(d)) for a calendar year must support a qualified manufacturer's qualifying critical mineral content of a clean vehicle battery (as defined in § 1.30D-3(c)(1)(iii)) for such calendar year. For vehicles placed in service in calendar year 2024, the qualified manufacturer is not required to provide information to comply with the Critical Minerals Requirement.

(2) For new clean vehicles anticipated to be placed in service after December 31, 2024, the qualified manufacturer must provide information to the DOE to establish that the Battery Components Requirement has been met for each calendar year in order for the qualified manufacturer to certify such vehicles for the $3,750 credit amount described in § 30D(b)(3). This information and supporting documentation (as described in § 1.30D-3(d)) for a calendar year must support a qualified manufacturer's qualifying battery component content of a clean vehicle battery (as defined in § 1.30D-3(c)(2)(iii)) for such calendar year. For vehicles placed in service in calendar year 2024, the qualified manufacturer is not required to provide information to comply with the Battery Components Requirement, but the qualified manufacturer must submit information to the DOE regarding FEOC-compliance of battery components as provided

in § 1.30D-6(e) and section 5.06 of Rev. Proc. 2023-38.

(3) To comply with the Critical Minerals Requirement for a calendar year, the qualified manufacturer must do the following: (i) determine the qualifying mineral content with respect to a clean vehicle battery in accordance with section 5.03(1) of this revenue procedure; (ii) certify that the qualifying critical mineral content of a clean vehicle battery is equal to or greater than the applicable critical minerals percentage for such year; and (iii) submit a compliance report in accordance with section 5.04 of this revenue procedure. To comply with the Battery Components Requirement for a calendar year, the qualified manufacturer must (i) determine the qualifying battery component content with respect to a clean vehicle battery in accordance with section 5.03(2) of this revenue procedure; (ii) certify that the qualifying battery component content of a clean vehicle battery is equal to or greater than the applicable battery component percentage for such year; and (iii) submit a compliance report in accordance with section 5.04 of this revenue procedure.

(4) The requirements of this section 5.02 of this revenue procedure are in addition to the submissions required to establish the compliant-battery ledger of FEOC-compliant batteries (as defined in § 1.30D-2(b)(11)), as provided for in § 1.30D-6(d), section 5 of Rev. Proc. 2023-38, and section 4 of this revenue procedure. The attestations, certifications, and documentation described in section 5.04 of this revenue procedure showing compliance with the Critical Minerals Requirement or the Battery Components Requirement should be submitted with the submissions required to establish the compliant-battery ledger of FEOC-compliant batteries. Any information submitted regarding FEOC compliance may also be used by the DOE and the IRS to evaluate a qualified manufacturer's compliance with the Critical Minerals Requirement and the Battery Components Requirement as detailed in this revenue procedure.

.03 *Determination of Qualifying Critical Mineral Content and Qualifying Battery Component Content*.

(1) For any vehicle for which the qualified manufacturer intends to make the certification described in section 5.02(1), the qualified manufacturer must determine the qualifying critical mineral content with respect to a clean vehicle battery, as described in § 1.30D-3(a)(3)). For new clean vehicles for which the qualified manufacturer submitted a periodic written report on or after May 6, 2024, and before January 1, 2027, qualifying critical mineral content with respect to a clean vehicle battery may be calculated in accordance with the temporary safe harbor described in § 1.30D-3(a)(4).

(2) For any vehicle for which the qualified manufacturer intends to make the certification described in section 5.02(2), the qualified manufacturer must determine the qualifying battery component content with respect to a clean vehicle battery, as described in § 1.30D-3(b)(3).

.04 *Documentation and attestations to be provided to the DOE.*

(1) The qualified manufacturer must submit to the DOE a compliance report, including supporting documentation in relation to applicable critical minerals and battery components, as described in section 5.04(2) of this revenue procedure, and make attestations, under penalty of perjury, as described in section 5.04(3) of this revenue procedure. For any vehicle for which the qualified manufacturer intends to make the certification described section 5.02(1) of this revenue procedure, the compliance report must contain the information described in section 5.04(2)(a)-(c). For any vehicle for which the qualified manufacturer intends to make the certification described section 5.02(2) of this revenue procedure, the compliance report must contain the information described in section 5.04(2)(a), (b) and (d). The qualified manufacturer may make separate submissions for each group of vehicles over which the manufacturer averages the qualifying critical mineral content calculation as described in § 1.30D-3(a)(3)(iv) or the qualifying battery component content calculation described in § 1.30D-3(b)(3)(iv), provided the qualified manufacturer specifies in its submission the group of such vehicles to which such submissions relates.

(2) *Compliance report*. The compliance report must contain the following information:

(a) A description of measures taken to exercise due diligence and the approach taken to determine compliance with the requirements of § 30D(e).

(b) If available, independent analysis or audit of compliance factors prior to the submission of information showing compliance with the Critical Minerals Requirement or the Battery Components Requirement, as applicable, to the DOE, including identification of the auditor or analyst and the auditor or analyst's expertise for performing such analysis.

(c) For purposes of the Critical Minerals Requirement:

(i) The location for extraction, processing, and recycling of each procurement chain of each applicable critical mineral and constituent material contained in the clean vehicle battery.

(ii) The value added by extraction, processing, or recycling, including:

(I) The share of total value added by extraction activities that occurred in the United States or a country with which the United States has a free trade agreement (FTA location).

(II) The share of total value added by processing activities that occurred in the United States or FTA location.

(III) The share of total value added by recycling activities in North America.

(iii) The value of each applicable critical mineral contained in the clean vehicle battery.

(iv) A calculation of the qualifying critical mineral content.

(d) For purposes of the Battery Components Requirement:

(i) The incremental value of each North American battery component as defined in § 1.30D-3(c)(2)(ii).

(ii) The incremental value of each battery component contained in a clean vehicle battery.

(iii) The location of manufacturing and assembly of each battery component.

(iv) A calculation of the qualifying battery component content.

(3) *Attestations*. The qualified manufacturer must make the following attestations under penalty of perjury:

(a) An attestation that the qualified manufacturer has exercised due diligence to determine that the applicable critical minerals or battery components, as applicable, as relating to new clean vehicles that the qualified manufacturer intends to certify to the IRS, are compliant with the

Critical Minerals Requirement or the Battery Components Requirement.

(b) An attestation that if any material changes occur with respect to any information provided in section 5.04(2) of this revenue procedure, the qualified manufacturer will report this information to the DOE as provided in section 5.05 of this revenue procedure.

(4) An attestation that the information submitted is true and correct to the best of the knowledge of the qualified manufacturer's representative, who is currently authorized to bind the qualified manufacturer in these matters.

.05 *Upfront Review of Compliance with the Critical Minerals Requirement and the Battery Components Requirement*.

(1) For new clean vehicles expected to be placed in service after December 31, 2024, to establish compliance with the Critical Minerals Requirement or the Battery Components Requirement, the qualified manufacturer must submit the documentation and attestations described in section 5.04 of this revenue procedure for upfront review to the DOE through a method provided by the DOE. *See* § 1.30D-3(d). A template report and workbook will be made available by the IRS or DOE prior to July 1 of the year prior to the calendar year for which compliance is being established; the template report and workbook are the same templates referenced in section 4.02 of this revenue procedure. Qualified manufacturers are encouraged to submit the requisite information using the template report and template workbook to ensure a more streamlined review process. While qualified manufacturers are not required to use the template workbook, they must submit a workbook spreadsheet. The formulas in the workbook spreadsheet submitted by the qualified manufacturer must be visible and not converted into calculated values.

(2) As part of the IRS determination process, DOE will review submissions by the manufacturer; conduct analysis based on such submissions, its own expertise, and independent research; and provide that analysis to the IRS. The IRS will make a determination with respect to the submission, with analytical assistance from the DOE, and notify the qualified manufacturer of its determination regarding compliance with the Critical Minerals Requirement or the Battery Components Requirement for purposes of the qualified manufacturer's certifications to the IRS.

(3) If a qualified manufacturer submits the information to the DOE by July 1 of the year prior to the calendar year for which compliance is being established, the DOE will review the information submitted by the qualified manufacturer and make any requests for additional information from the qualified manufacturer within 45 days of the submission, unless a longer period is agreed to by the qualified manufacturer and the DOE.

(a) The DOE may request additional information from the qualified manufacturer. The qualified manufacturer must respond to the request for additional information within 21 days of receipt of such request unless a longer period is agreed to by the qualified manufacturer and the DOE.

(b) The DOE will notify the IRS of its analysis no later than October 1 of the calendar year prior to the calendar year for which the qualified manufacturer is seeking to make certifications regarding compliance with the Critical Minerals Requirement and the Battery Components Requirement. The IRS will then make a determination concerning compliance and share its determination with the qualified manufacturer no later than October 31.

(4) If a qualified manufacturer makes its submission regarding compliance with the Critical Minerals Requirement and the Battery Components Requirement after July 1 of the year prior to the calendar year for which compliance is being established, the DOE will review and provide its analysis, and the IRS, in consultation with the DOE, will make determinations on a rolling basis.

.06 *Right to Administrative Review.* If, on the basis of the DOE's analysis or otherwise, the IRS determines that a qualified manufacturer failed to meet the Critical Minerals Requirement or the Battery Components Requirement, the qualified manufacturer will have 21 days from the date of the IRS's electronic notification of its determination to request administrative review of the DOE's analysis and IRS's determination. If the qualified manufacturer requests administrative review, it may submit additional information to the DOE regarding compliance with the relevant requirements. Once the DOE determines such additional information is complete, the DOE will provide the IRS with an updated analysis within 21 days. The IRS will make a final determination concerning compliance within 21 days of receipt of the DOE's analysis of the qualified manufacturer's request for administrative review and any additional information submitted during the administrative review.

.07 *Failure to establish compliance.* If, after the administrative review described in section 5.06 of this revenue procedure if applicable, the IRS determines that the documentation or attestations for a new clean vehicle or group of vehicles contain inaccurate or insufficient information or information that does not support compliance with the Critical Minerals Requirement or the Battery Components Requirement, the IRS will notify the qualified manufacturer electronically in writing, and:

(1) In the case of a new clean vehicle that has not been placed in service for which the qualified manufacturer *has* submitted a periodic written report certifying compliance with the requirements of § 30D(e):

(i) In the case of a vehicle for which documentation and information does not support compliance with the Critical Minerals Requirement, such vehicle will not be eligible for the $3,750 credit amount described in § 30D(b)(2);

(ii) In the case of a vehicle for which documentation and information does not support compliance with the Battery Components Requirement, such vehicle will not be eligible for the $3,750 credit amount described in § 30D(b)(3);

(2) In the case of a new clean vehicle that has not been placed in service for which the qualified manufacturer *has not* submitted a periodic written report certifying compliance with the requirement of § 30D(e):

(i) In the case of a vehicle for which documentation and information does not support compliance with the Critical Minerals Requirement, the qualified manufacturer may not certify that such vehicle is eligible for the $3,750 credit amount described in § 30D(b)(2);

(ii) In the case of a vehicle for which documentation and information does not support compliance with the Battery Components Requirement, the qualified manufacturer may not certify that such vehicle is eligible for $3,750 credit amount described in § 30D(b)(3).

SECTION 6. SELLER REPORTS

.01 *Seller reports generally*. Section 1.30D-2(b)(46) provides that the term "seller report" means the report described in § 30D(d)(1)(H) that the seller of a new clean vehicle provides to the taxpayer and the IRS in the manner provided in, and containing the information described in, guidance published in the Internal Revenue Bulletin (*see* § 601.601 of the Statement of Procedural Rules (26 CFR Part 601)). Section 1.30D-2(b)(46) further provides that the seller report must be transmitted to the IRS electronically, and that the term "seller report" does not include a report rejected by the IRS due to the information contained therein not matching IRS records. Section 1.25E-1(b)(18) provides the same definition for purposes of section 25E. Section 7.03(1) through (3) of Rev. Proc. 2023-33 provides procedural rules related to the time and manner of filing seller reports, the requirement to furnish copies of seller reports, and IRS rejection of seller reports.

.02 *Updating and Rescinding Seller Reports.*

(1) *Error on seller report.* If the seller of a new clean vehicle discovers that information on the seller report is incorrect, the seller must notify the IRS of the error by submitting updated information in the manner specified in the instructions on the IRS Energy Credits Online Portal as promptly as possible after the discovery of the error. The IRS will acknowledge submission of the updated information and will notify the seller of whether the updated information is accepted or rejected by the IRS. The seller must notify the taxpayer listed on the seller report within 3 calendar days of submitting the updated information to the IRS, and provide the buyer a copy of the updated time-of-sale report. If the IRS rejects the seller's submission of updated information, the seller must also notify the taxpayer listed on the seller report within 3 calendar days of such rejection.

(2) *Cancelled sale.* If the sale of a new clean vehicle is cancelled before the vehicle is placed in service, the seller must rescind the seller report in the manner specified in the instructions on the IRS Energy Credits Online Portal as promptly as possible after the sale is cancelled. The IRS will acknowledge rescission of the seller report. The seller must notify the buyer within 3 calendar days of rescinding the seller report and provide the buyer a copy of the IRS acknowledgement that the seller report has been rescinded. If the IRS rejects the seller's attempted rescission of the seller report, the seller must also notify the buyer within 3 calendar days of such rejection.

(3) *Vehicle Return.* If a buyer returns a vehicle to the seller within 30 days of placing such vehicle in service, the seller must update the seller report in the manner specified in the instructions on the IRS Energy Credits Online Portal. The IRS will acknowledge submission of the report of the vehicle return. The seller must notify the buyer within 3 calendar days of the update to the seller report and provide the buyer a copy of the IRS acknowledgement that the seller report has been updated.

.03 *Repayment of Advance Payment of § 30D Credit in the event of cancelled sale, vehicle return, or other error.* If the seller receives an advance payment of the § 30D credit with respect to a new clean vehicle that is returned within 30 days to the seller or with respect to which the sale is cancelled, the seller must return the amount received as an advance payment in the manner specified in the instructions on the IRS Energy Credits Online Portal. If the seller receives an advance payment of the § 30D credit with respect to a new clean vehicle that was paid in error, regardless of the nature of the error, the seller must return the amount received as an advance payment in the manner specified in the instructions on the IRS Energy Credits Online Portal.

SECTION 7. EFFECT ON OTHER DOCUMENTS

.01 Section 4.02(2) of this revenue procedure modifies section 5.04 of Rev. Proc. 2023-38, regarding the transition rule for impracticable-to-trace battery materials.

.02 Section 4.03 of this revenue procedure modifies section 5.06 of Rev. Proc. 2023-38, regarding the submission of FEOC-compliance information for vehicles the qualified manufacturer intends to make available to be placed in service during calendar year 2024.

.03 Section 6.02 of this revenue procedure modifies section 7.03(4) of Rev. Proc. 2023-33, providing information for sellers and dealers of qualified new and previously-owned clean vehicles to update and rescind seller reports in the event of an error in the seller report, a cancelled sale, or a vehicle return.

SECTION 8. PAPERWORK REDUCTION ACT

.01 The collection of information contained in this revenue procedure has been submitted, and will be submitted, to the Office of Management and Budget in accordance with the Paperwork Reduction Act (44 U.S.C. 3507) under control numbers 1545-2137 and 1545-2311. An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless the collection of information displays a valid OMB control number.

.02 The collection requirements in sections 4, 5, and 6 of this revenue procedure were previously approved by OMB under control numbers 1545-2311 and 1545-2137. This revenue procedure does not change these collection requirements and their associated burdens. This information is collected and retained to ensure that vehicles meet the requirements for the § 30D credit. This information will be used to determine whether the vehicle for which the credit is claimed by a taxpayer qualifies for the § 30D credit. The collection of information is voluntary to obtain a benefit. The likely respondents are corporations and partnerships.

.03 Books or records relating to a collection of information must be retained as long as their contents may become material in the administration of any internal revenue law. Generally, tax returns and tax return information are confidential, as required by § 6103.

SECTION 10. DRAFTING INFORMATION

The principal author of this revenue procedure is the Office of Associate Chief Counsel (Passthroughs & Special Industries). However, other personnel from the Treasury Department and the IRS participated in its development. For further information regarding this revenue procedure, call the energy security guidance contact number at (202) 317-5254 (not a toll-free number).

Part IV

Announcement Regarding the Suspension of the United States-Russia Tax Treaty

Announcement 2024-26

The United States provided formal notice to the Russian Federation on June 17, 2024, to confirm the suspension of the operation of paragraph 4 of Article 1 and Articles 5-21 and 23 of the Convention between the United States of America and the Russian Federation for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with Respect to Taxes on Income and Capital, signed at Washington on June 17, 1992 (Convention), as well as the operation of its accompanying Protocol, by mutual agreement. See Press Release, United States' Notification of Suspension, By Mutual Agreement, of the 1992 Tax Convention with Russia (June 17, 2024), https://home.treasury.gov/news/press-releases/jy2410.

This action responds to notification by the Russian Federation on August 8, 2023, of its desire to suspend paragraph 4 of Article 1 and Articles 5-21 and 23 of the Convention, as well as the Protocol.

The suspension will take effect both for taxes withheld at source and in respect of other taxes on August 16, 2024, and will continue until otherwise decided by the two governments.

For further information regarding this announcement contact the Office of Associate Chief Counsel (International) at (202) 317-3800 (not a toll-free number).

Deletions From Cumulative List of Organizations, Contributions to Which are Deductible Under Section 170 of the Code

Announcement 2024-27

The Internal Revenue Service has revoked its determination that the organization listed below qualifies as an organization described in sections 501(c)(3) and 170(c)(2) of the Internal Revenue Code of 1986.

Generally, the IRS will not disallow deductions for contributions made to a listed organization on or before the date of announcement in the Internal Revenue Bulletin that an organization no longer qualifies. However, the IRS is not precluded from disallowing a deduction for any contributions made after an organization ceases to qualify under section 170(c)(2) if the organization has not timely filed a suit for declaratory judgment under section 7428 and if the contributor (1) had knowledge of the revocation of the ruling or determination letter, (2) was aware that such revocation was imminent, or (3) was in part responsible for or was aware of the activities or omissions of the organization that brought about this revocation.

If on the other hand a suit for declaratory judgment has been timely filed, contributions from individuals and organizations described in section 170(c)(2) that are otherwise allowable will continue to be deductible. Protection under section 7428(c) would begin on January 1, 2018 and would end on the date the court first determines the organization is not described in section 170(c)(2) as more particularly set for in section 7428(c)(1). For individual contributors, the maximum deduction protected is $1,000, with a husband and wife treated as one contributor. This benefit is not extended to any individual, in whole or in part, for the acts or omissions of the organization that were the basis for revocation.

The Following organization is no longer qualified as an organization exempt from income tax under Internal Revenue Code (the "Code") Section 501(a) as an organization described in Section 501(c)(3) of the Code:

NAME OF ORGANIZATION	EFFECTIVE DATE OF REVOCATION	LOCATION
DAYSTAR PUBLIC RADIO INC.	1/1/2018	TITUSVILLE FL

Definition of Terms

Revenue rulings and revenue procedures (hereinafter referred to as "rulings") that have an effect on previous rulings use the following defined terms to describe the effect:

Amplified describes a situation where no change is being made in a prior published position, but the prior position is being extended to apply to a variation of the fact situation set forth therein. Thus, if an earlier ruling held that a principle applied to A, and the new ruling holds that the same principle also applies to B, the earlier ruling is amplified. (Compare with *modified*, below).

Clarified is used in those instances where the language in a prior ruling is being made clear because the language has caused, or may cause, some confusion. It is not used where a position in a prior ruling is being changed.

Distinguished describes a situation where a ruling mentions a previously published ruling and points out an essential difference between them.

Modified is used where the substance of a previously published position is being changed. Thus, if a prior ruling held that a principle applied to A but not to B, and the new ruling holds that it applies to both A and B, the prior ruling is modified because it corrects a published position. (Compare with *amplified* and *clarified*, above).

Obsoleted describes a previously published ruling that is not considered determinative with respect to future transactions. This term is most commonly used in a ruling that lists previously published rulings that are obsoleted because of changes in laws or regulations. A ruling may also be obsoleted because the substance has been included in regulations subsequently adopted.

Revoked describes situations where the position in the previously published ruling is not correct and the correct position is being stated in a new ruling.

Superseded describes a situation where the new ruling does nothing more than restate the substance and situation of a previously published ruling (or rulings). Thus, the term is used to republish under the 1986 Code and regulations the same position published under the 1939 Code and regulations. The term is also used when it is desired to republish in a single ruling a series of situations, names, etc., that were previously published over a period of time in separate rulings. If the new ruling does more than restate the substance of a prior ruling, a combination of terms is used. For example, *modified* and *superseded* describes a situation where the substance of a previously published ruling is being changed in part and is continued without change in part and it is desired to restate the valid portion of the previously published ruling in a new ruling that is self contained. In this case, the previously published ruling is first modified and then, as modified, is superseded.

Supplemented is used in situations in which a list, such as a list of the names of countries, is published in a ruling and that list is expanded by adding further names in subsequent rulings. After the original ruling has been supplemented several times, a new ruling may be published that includes the list in the original ruling and the additions, and supersedes all prior rulings in the series.

Suspended is used in rare situations to show that the previous published rulings will not be applied pending some future action such as the issuance of new or amended regulations, the outcome of cases in litigation, or the outcome of a Service study.

Abbreviations

The following abbreviations in current use and formerly used will appear in material published in the Bulletin.

A—Individual.
Acq.—Acquiescence.
B—Individual.
BE—Beneficiary.
BK—Bank.
B.T.A.—Board of Tax Appeals.
C—Individual.
C.B.—Cumulative Bulletin.
CFR—Code of Federal Regulations.
CI—City.
COOP—Cooperative.
Ct.D.—Court Decision.
CY—County.
D—Decedent.
DC—Dummy Corporation.
DE—Donee.
Del. Order—Delegation Order.
DISC—Domestic International Sales Corporation.
DR—Donor.
E—Estate.
EE—Employee.
E.O.—Executive Order.
ER—Employer.
ERISA—Employee Retirement Income Security Act.
EX—Executor.
F—Fiduciary.
FC—Foreign Country.
FICA—Federal Insurance Contributions Act.
FISC—Foreign International Sales Company.
FPH—Foreign Personal Holding Company.
F.R.—Federal Register.
FUTA—Federal Unemployment Tax Act.
FX—Foreign corporation.
G.C.M.—Chief Counsel's Memorandum.
GE—Grantee.
GP—General Partner.
GR—Grantor.
IC—Insurance Company.
I.R.B.—Internal Revenue Bulletin.
LE—Lessee.
LP—Limited Partner.
LR—Lessor.
M—Minor.
Nonacq.—Nonacquiescence.
O—Organization.
P—Parent Corporation.
PHC—Personal Holding Company.
PO—Possession of the U.S.
PR—Partner.
PRS—Partnership.
PTE—Prohibited Transaction Exemption.
Pub. L.—Public Law.
REIT—Real Estate Investment Trust.
Rev. Proc.—Revenue Procedure.
Rev. Rul.—Revenue Ruling.
S—Subsidiary.
S.P.R.—Statement of Procedural Rules.
Stat.—Statutes at Large.
T—Target Corporation.
T.C.—Tax Court.
T.D.—Treasury Decision.
TFE—Transferee.
TFR—Transferor.
T.I.R.—Technical Information Release.
TP—Taxpayer.
TR—Trust.
TT—Trustee.
U.S.C.—United States Code.
X—Corporation.
Y—Corporation.
Z—Corporation.

Numerical Finding List[1]

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Announcements:

Notices:

Revenue Procedures:

[1] A cumulative list of all revenue rulings, revenue procedures, Treasury decisions, etc., published in Internal Revenue Bulletins 2024–27 through 2024–52 is in Internal Revenue Bulletin 2024–52, dated December 30, 2024.

Finding List of Current Actions on Previously Published Items[1]

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[1] A cumulative list of all revenue rulings, revenue procedures, Treasury decisions, etc., published in Internal Revenue Bulletins 2024–27 through 2024–52 is in Internal Revenue Bulletin 2024–52, dated December 30, 2024.

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The Introduction at the beginning of this issue describes the purpose and content of this publication. The weekly Internal Revenue Bulletins are available at *www.irs.gov/irb/.*

We Welcome Comments About the Internal Revenue Bulletin

If you have comments concerning the format or production of the Internal Revenue Bulletin or suggestions for improving it, we would be pleased to hear from you. You can email us your suggestions or comments through the IRS Internet Home Page *www.irs.gov*) or write to the Internal Revenue Service, Publishing Division, IRB Publishing Program Desk, 1111 Constitution Ave. NW, IR-6230 Washington, DC 20224.