

## **FILED PURSUANT TO SECTION 3.03 OF REV. PROC. 2025-28**

- (a)** the name and taxpayer identification number of the small business
- (b)** The taxpayer is not a tax shelter for its first taxable year beginning after December 31, 2024 (taking into account the election provided in § 1.448-2(b)(2)(iii)(B) if the declaration in section 3.03(2)(c) of this revenue procedure is made)
- (c)** [ONLY IF APPLICABLE]if the taxpayer has not previously made the election provided in § 1.448- 2(b)(2)(iii)(B) and the taxpayer intends to make such election for its first taxable year beginning after December 31, 2024, a declaration that the taxpayer will make the election provided in § 1.448-2(b)(2)(iii)(B) for purposes of determining whether it is a tax shelter for its first taxable year beginning after December 31, 2024, on the original Federal income tax return (including extensions) filed for such taxable year;
- (d)** The taxpayer meets the § 448(c) gross receipts test, as provided in § 448(c) and § 1.448-2(c), for its first taxable year beginning after December 31, 2024
- (e)** The taxpayer is making the small business OBBBA election to deduct domestic research or experimental expenditures in the applicable taxable year in which they are paid or incurred
- (f)** The taxpayer will file an [AAR] / [amended return], as applicable, to reflect the election provided in this section 3.03 for any applicable taxable year(s) for which the taxpayer previously filed a Federal income tax return prior to September 15, 2025, which includes taxable year(s) [list taxable years].