

Internal Revenue Service

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Department of the Treasury

Washington, DC 20224

[Third Party Communication:

Date of Communication: Month DD, YYYY]

Person To Contact:

, ID No.

Telephone Number:

Refer Reply To:

CC:INTL:B02

PLR-112613-25

Date:

September 04, 2025

TY:

Legend

Taxpayer =
SSN:
Country X =
Country Y =
Year 1 =
Year 2 =
Year 3 =

Dear :

This is in response to a letter received by our office on July 3, 2025, requesting permission to reelect the foreign earned income exclusion under section 911(a)(1) of the Internal Revenue Code (the Code) for Year 3. Additional information was received on July 28, 2025.

The ruling contained in this letter is based upon information and representations submitted by the taxpayer and accompanied by a penalty of perjury statement executed by an appropriate party. While this office has not verified any of the material submitted in support of the request for the ruling, it is subject to verification on examination.

FACTS

Taxpayer is a United States citizen who lived in Country X from Year 1 to Year 3. During this period, Taxpayer worked for various companies in Country X. Beginning in Year 1, Taxpayer elected to exclude from gross income his foreign earned income under section 911(a)(1) of the Code (the "foreign earned income exclusion"). For Year 2, Taxpayer revoked the foreign earned income exclusion. In Year 3, Taxpayer

relocated to Country Y and commenced a job with a new employer. Taxpayer has represented that his tax rate is lower in Country Y than Country X.

Taxpayer requests permission to reelect the foreign earned income exclusion for Year 3 and subsequent taxable years.

LAW AND ANALYSIS

Section 911(a)(1) permits certain taxpayers to elect to exclude from gross income their foreign earned income. Section 911(e)(1) and Treas. Reg. § 1.911-7(a)(1) provide that this election applies to the taxable year for which it is made and for all subsequent taxable years, unless revoked by the taxpayer. Section 911(e)(2) and Treas. Reg. § 1.911-7(b)(1) provide that once the election is revoked, it generally may not be made again by the taxpayer until the sixth taxable year after the year for which the revocation was made.

Treas. Reg. § 1.911-7(b)(2) provides that if an individual revokes the election to exclude foreign earned income under Treas. Reg. § 1.911-7(b)(1), and desires to reelect that same exclusion within five taxable years, the individual must obtain permission by requesting a ruling. The Internal Revenue Service may permit the individual to reelect the foreign earned income exclusion before the sixth taxable year after considering all of the facts and circumstances that may be relevant to the determination. Treas. Reg. § 1.911-7(b)(2) provides that relevant facts and circumstances may include a period of United States residence, a move from one foreign country to another foreign country with differing tax rates, a substantial change in the tax laws of the foreign country of residence or physical presence, and a change of employer.

Taxpayer affirmatively revoked the foreign earned income exclusion for Year 2. Taxpayer desires to reelect the foreign earned income exclusion for Year 3, which is within five years of Year 2. Therefore, Taxpayer must request permission to reelect the foreign earned income exclusion. Taxpayer has represented that he changed employers and moved from one foreign country to another foreign country with a different tax rate.

CONCLUSION

Accordingly, based solely on the information submitted and representations made, Taxpayer may reelect the foreign earned income exclusion for Year 3.

Except as otherwise expressly provided herein, no opinion is expressed as to whether Taxpayer otherwise satisfies the requirements of section 911 for excluding foreign earned income from gross income. In addition, no opinion is expressed or implied concerning the tax consequences of any aspect of any transaction or item discussed or referenced in this letter.

This ruling is directed only to the taxpayer requesting it. Section 6110(k)(3) of the Code provides that it may not be used or cited as precedent.

A copy of this letter must be attached to any income tax return to which it is relevant. Alternatively, a taxpayer filing its return electronically may satisfy this requirement by attaching to the return a statement that provides the date and control number of the letter ruling.

Sincerely,

/s/ Mallory Mendrala

Mallory E. Mendrala
Senior Technical Reviewer, Branch 2
Associate Chief Counsel (International)

cc: