

MILITARY/INTERNATIONAL STUDENT TEXT
For Use in Preparing Tax Year 2004 Returns

VOLUNTEER ASSISTOR'S GUIDE



FOR USE IN IRS VOLUNTEER PROGRAMS

- **Military Volunteer Income Tax Assistance**
- **Volunteer Embassy & Consulate Tax Assistance**

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The IRS Mission



“Provide America’s taxpayers top quality service by helping them understand and meet their tax responsibilities and by applying the tax law with integrity and fairness to all.”

Pending Legislation

At the time this publication went to print the Working Families Tax Relief Act of 2004 passed both the House and Senate and was awaiting signature by the President. The training material includes draft tax forms that did not take the proposed legislation into account. Therefore, the legislation may cause Form 1040, Form 1040A, Form 8812, child tax credit worksheets and EIC worksheets to change. Additional guidance will be issued if the legislation passes.

The following is a synopsis of those portions of the bill with impact on tax year 2004 returns.

- **Child Tax Credit.** The child tax credit will be refundable to the extent of 15-percent of the taxpayer’s earned income in excess of \$10,750. This will cause Form 8812, Additional Child Tax Credit, to be revised for tax year 2004.
 - **Inclusion of combat pay as earned income.** Military members will be permitted to include combat pay as earned income for purposes of calculating the child tax credit. They may also elect to include combat pay for purposes of EIC. This may cause EIC and child tax credit worksheets to be revised for tax year 2004.
 - **Educator expenses.** The above the line deduction for educator expenses is extended until December 31, 2005. This may cause Form 1040 and Form 1040A to be revised for tax year 2004.
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Confidentiality Statement:

All tax information you receive from taxpayers in your VOLUNTEER capacity is strictly confidential and should not, under any circumstances, be disclosed to unauthorized individuals.

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WAGE AND INVESTMENT DIVISION

DEPARTMENT OF THE TREASURY
INTERNAL REVENUE SERVICE
ATLANTA, GA 30303

NOV 05 2004

Welcome, Volunteers!

Thank you for being a critical part of the volunteer return tax preparation programs of the Internal Revenue Service and its partners. Programs such as Volunteer Income Tax Assistance (VITA) and Tax Counseling for the Elderly (TCE) provide important services for nearly 2 million low-income and elderly people who need tax preparation assistance. I appreciate the time you have chosen to commit to help others with this complex task.

In this training and reference package, you will find tools that enhance your interaction with taxpayers. Of note are standardized interview tips and questions that will help you prepare accurate and quality tax returns, a certification process that has embedded formal volunteer standards of conduct, and an improved Volunteer Resource Guide (Publication 4012) that we encourage you to use at your site.

In addition to improving quality service, we continue to improve the way training is delivered to you. One method is the Integrated Training approach--a full scope tax law program taught in scenario format blending tax law theory and application with computer software instruction. Another new delivery technique is the online **Link & Learn Taxes**. This web based approach covers the same tax law theory and application in the traditional training materials, but covers them in a fun, interactive course that lets volunteers learn at their own pace. **Link & Learn Taxes** is great for volunteers that are new to the program and even better for returning volunteers. To try the course, enter the keyword "volunteer training" on www.irs.gov.

I encourage you to electronically file (*e-file*) the returns you prepare. *E-filing* uses automation to quickly check for errors or missing information. Consequently, *e-filed* returns have a higher accuracy rate than paper prepared returns.

I appreciate your efforts to protect the privacy of the taxpayers you assist by safeguarding the confidential information they share with you. Your site manager can discuss with you the steps you should take to guard the information provided to you. The protection of taxpayer information is key to the integrity of the program.

If you have any comments or recommendations about our training materials, please see your instructor or site coordinator. They can take your suggestions, or you can write to us at the following address:

Internal Revenue Service
Stakeholder Partnerships, Education and Communication
SE:W:CAR:SPEC:PPD:E, Stop 45-WI
401 W. Peachtree Street, NW
Atlanta, GA 30308

Thank you for being a part of this valuable public service for your neighbors and community.

Sincerely,

Marie Medeck
Acting Director, Stakeholder Partnerships,
Education and Communication



IMPORTANT TAX LAW CHANGES FOR 2004

Standard deduction amount increased. The standard deduction (for taxpayers that do not itemize deductions on Schedule A (Form 1040)) has increased.

Married filing jointly or Qualifying Widow(er)	\$9,700
Head of household	7,150
Single or Married Filing separately	4,850

Exemption amount increased. The amount each taxpayer can deduct for each exemption has increased from \$3,050 to \$3,100.

Standard mileage rate. The standard mileage rate for the cost of operating a car, van, pickup, or panel truck in 2004 increases from 36 cents a mile to 37.5 cents a mile for all business miles driven.

Business meal expenses. Business-related meal expenses while traveling away from your tax home for business purposes increased in 2004 from 50% to 70% for employees subject to Department of Transportation limitations.

Schedule C-EZ allowable business expenses. The maximum amount of allowable business expenses on Form 1040, Schedule C-EZ, Net Profit From Business was increased from \$2,500 to \$5,000.

EIC INCOME AND INVESTMENT LIMITATIONS

For tax year 2004 the maximum credits are:

- Two or more qualifying children \$4,300
- One qualifying child 2,604
- No children 390

Earned Income.

To be eligible for a full or partial EIC credit, the taxpayer must have earned income of at least \$1 but less than:

- \$34,458 (\$35,458 married filing jointly) and two or more qualifying children;
- \$30,338 (\$31,338 married filing jointly) and one qualifying child;
- \$11,490 (12,490 married filing jointly) with no qualifying children.

Adjusted Gross Income.

The taxpayer's adjusted gross income (AGI) must also be less than the above dollar amounts.

Investment Income.

Taxpayers whose investment income is more than \$2,650 cannot claim the EIC.

Education Credits. The maximum Modified Adjusted Gross Income (MAGI) increased to \$52,000 for single and head of household taxpayers and \$105,000 for married filing jointly taxpayers.

Social Security and Medicare Taxes. For 2004, the employer and employee will continue to pay:

1. 6.2% each for social security tax (old-age, survivors, and disability insurance), and
2. 1.45% each for Medicare tax (hospital insurance).

Wage limits. For social security tax, the maximum amount of 2004 wages subject to the tax increases to \$87,900. For Medicare tax, all covered 2004 wages are subject to the tax.

Self-Employment Tax. The self-employment tax rate on net earnings remains the same for 2004. This rate, 15.3%, is a total of 12.4% for social security (old-age, survivors, and disability insurance) and 2.9% for Medicare (hospital insurance). The maximum amount subject to the social security part for tax years beginning in 2004 increases to \$87,900. All net earnings of at least \$400 are subject to the Medicare part.

Depreciation and Section 179 Expense. The maximum section 179 deductions you can elect for property you place in service in 2004 is increased from \$100,000 to \$102,000 for qualified section 179 property (\$137,000 for qualified zone property, qualified renewal property, or qualified New York Liberty Zone property). This limit is reduced by the amount by which the cost of section 179 property placed in service during the tax year exceeds \$410,000 (increased from \$400,000).

Depreciation. Extension of time to claim the 30% special depreciation allowance. You still may be eligible to claim the 30% special depreciation allowance for a tax year that included September 11, 2001, if you meet the following requirements.

- You timely filed your tax return for that tax year.
- You did not claim the 30% special depreciation allowance for qualified property placed in service during that tax year.
- You did not make an election not to claim the special allowance.

Modified AGI Limit for Traditional IRAs Increases. For 2004, if you are covered by a retirement plan at work, your deduction for contributions to a traditional IRA will be reduced (phased out) if your modified adjusted gross income (AGI) is:

- More than \$65,000 but less than \$75,000 for a married couple filing a joint return or a qualifying widow(er),
- More than \$45,000 but less than \$55,000 for a single individual or head of household, or
- Less than \$10,000 for a married individual filing a separate return.

For all filing statuses other than married filing separately, the upper and lower limits of the phaseout range increase by \$5,000.

MILITARY SALE OF HOME

The 5-year period used in determining whether the taxpayer can exclude gain from the sale of a main home may be suspended during the period that the taxpayer or taxpayer's spouse served on qualified official extended duty as a member of the Armed Forces. This change applies to any sale of a main home after May 6, 1997, so the taxpayer may be able to claim a refund if he or she paid tax on a gain from a sale after that date.



New this year all volunteers should complete Form 13615, Standards of Conduct Volunteer Return Preparation Program (VRPP). This form confirms the long tradition of quality service delivered by our most valued volunteers. In an effort to continue to strengthen our volunteer programs, volunteers will be asked to endorse the quality initiatives.

Form 13615 (September-2004)	Department of the Treasury – Internal Revenue Service Standards of Conduct Volunteer Return Preparation Program
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The mission of the Volunteer Return Preparation Program is to provide free basic tax return preparation for eligible taxpayers. Volunteers are the program's most valuable resource. To establish the greatest degree of public trust Volunteers have a responsibility to provide high quality service and uphold the highest of ethical standards.

Participants in the Volunteer Return Preparation Program commit to the following standards of conduct

- I will treat all taxpayers professionally, with courtesy and respect
- I will safeguard the confidentiality of taxpayer information
- I will apply the tax laws equitably and accurately to the best of my ability
- I will only prepare returns within the scope of my training and experience
- I will exercise reasonable care in the use and protection of equipment and supplies
- I will not solicit business from taxpayers I assist
- I will not accept payment for the services I provide

Volunteer Name (print)	Volunteer Signature and Date
Home Street Address	Daytime Telephone Number
City, State and Zip Code	E-mail Address
Sponsoring Organization Name	

This form is to be retained at the Site or Partner level.

Privacy Act Notice

The Privacy Act of 1974 requires that when we ask for information we tell you our legal right to ask for the information, why we are asking for it, and how it will be used. We must also tell you what could happen if we do not receive it, and whether your response is voluntary, required to obtain a benefit, or mandatory.

Our legal right to ask for information is 5 U.S.C. 301.

We are asking for this information to assist us in contacting you relative to your interest and/or participation in the IRS volunteer income tax preparation and outreach programs. The information you provide may be furnished to others who coordinate activities and staffing at volunteer return preparation sites or outreach activities. The information may also be used to establish effective controls, send correspondence and recognize volunteers.

Your response is voluntary. However, if you do not provide the requested information, the IRS may not be able to use your assistance in these programs.



INTRODUCTION AND ADMINISTRATIVE GUIDELINES

Welcome to the Internal Revenue Service's (IRS) Military Volunteer Income Tax Assistance (M-VITA) and Volunteer Embassy and Consulate Tax Assistance (VECTA) Programs. As an IRS volunteer, you provide a tremendous service to the American public and to your community. You are about to embark on a very challenging and rewarding task as an important player in the tax administration process.

Every year thousands of volunteers nationally and internationally assist millions of taxpayers with their federal income tax return. We've taken great care to improve our products and incorporate changes recommended by our volunteer community. In this section, we explain general training requirements and highlight important administrative requirements and enhancements.

TAX YEAR 2004 ADMINISTRATIVE ENHANCEMENTS

Standardized intake process

To complete accurate returns, you must ask certain questions about the taxpayers and their families. An intake form (Volunteer Tax Preparation Information Sheet-Form 13614) is available to assist you in this process. Form 13614 is used to screen taxpayers to make sure they have the necessary documents and that their returns are within the scope of the volunteer program.

The use of Form 13614 (exhibit 1) is optional. However, the "critical intake data" must be captured at any time prior to the completion of each taxpayer's return.

A statement on page 2 contains information about what is expected from the taxpayer, such as treating the volunteers with courtesy and respect, and providing complete and correct information from which to prepare their return.

The intake form should not be signed by taxpayers. It should be provided to the taxpayer and attached to their copy of their tax return as part of their tax records.

Structured fact-gathering process

The following tools are available to assist volunteers in gathering the data necessary to prepare accurate returns.

- Form 13614, Volunteer Tax Preparation Information Sheet discussed earlier.
- Effective interviewing techniques discussed later in this lesson.
- Interview tips in Lesson 2, Filing Status and Filing Requirements, Lesson 10, Earned Income Credit, Lesson 11, Child Tax Credit and Lesson 1, Getting Started.

Standards of conduct for volunteers

Volunteers have a responsibility to provide quality service and to uphold ethical standards. Form 13615 (the last page of the highlights of changes) depicts the standards of conduct for volunteers. The standards of conduct will be part of the testing and certification process.

SITE IDENTIFICATION NUMBER (SIDN) CHANGES

Each paper or electronically filed return should be identified with the appropriate “SIDN”. This will ensure that all volunteer prepared returns are correctly counted once received by the Internal Revenue Service.

Your SIDN is an 8-digit number preceded by the “letter S” that must be entered on all returns (Forms 1040, 1040A, and 1040EZ) you prepare—both paper and electronic. Your site coordinator provides this number along with other necessary guidelines for completing the return.

The SIDN should appear in the “Paid Preparer’s Use Only” section of the return and will be discussed in detail in Lesson 7, Finishing the Return.

VOLUNTEER RETURN PREPARATION PROGRAM CRITICAL INTAKE DATA

Instructions: These questions must be asked of each taxpayer and documented on Page 2 of this form or on a partner developed form.

TAXPAYER IDENTIFICATION

1. Valid picture identification for taxpayer and spouse
2. Taxpayer/spouse's name
3. Taxpayer/spouse's address
4. Taxpayer/spouse's phone number
5. Taxpayer/spouse's Social Security Number (SSN) or Taxpayer Identification Number (TIN) (need to see official documentation)
6. Taxpayer/spouse's birth dates

TAXPAYER MARITAL STATUS

1. Was taxpayer single as of December 31st of the tax year?
2. Was taxpayer legally married and living with their spouse as of December 31?
3. Has taxpayer's spouse died within the past two calendar years?
4. Can someone else claim the taxpayer/spouse as a dependent on his or her tax return?

DEPENDENTS

1. List all persons who lived in your home during the tax year and anyone living outside your home that you supported during the tax year.
2. For each listed person, please note:
 - a. Person's name as shown on taxpayer identification number documents
 - b. Person's birth date
 - c. Person's social security number or taxpayer identification number
 - d. Person's relationship to taxpayer
 - e. Number of months person lived in taxpayer's home
 - f. Support provided by taxpayer for each person

TAXPAYER'S INCOME

1. How many jobs did the taxpayer/spouse have during the tax year?
2. Did taxpayer/spouse bring W-2s or other proof of income for the jobs noted above?
3. Did the taxpayer/spouse receive income not reported on a W-2? (i.e. Social Security payments, interest, dividends, Form 1099s, etc.)

TAXPAYER'S EXPENSES

- Did the taxpayer/spouse pay for childcare during the tax year that allowed them to work? If yes, did the taxpayer bring the address and the identification number of the provider?
1. Did the taxpayer/spouse or any member of their household attend college or vocational school in 2004?
 2. Did the taxpayer/spouse or any member of their family pay student loan interest?

OTHER TAXPAYER INFORMATION

1. Have you ever had the Earned Income Tax Credit disallowed by the IRS?
2. Do you want to use Direct Deposit to your checking or savings account? If yes, did the taxpayer bring the account number and the routing number of the financial institution?

TAXPAYER IDENTIFICATION

Prior to assisting a taxpayer, the volunteer **must** request proof of identity from the taxpayer. Two forms of identification are required. **One must be photo identification such as:**

- Passport
- National Identity Card
- Drivers License (U.S.)
- State Identification Card (U.S.)
- Military Identification Card
- School Photo ID
- Visa

The second form of identification must be the original or a copy of the Social Security Card, the ITIN Card or Letter as applicable.

One or both of the forms of identification should reflect the taxpayer's current mailing address. If the taxpayer cannot substantiate their identity, or if the volunteer is uncomfortable accepting the items presented as proof of identity, the taxpayer should seek professional tax assistance.

PRIVACY AND CONFIDENTIALITY GUIDELINES

All volunteers involved in the Volunteer Tax Preparation Program must adhere to Privacy and Confidentiality Guidelines. Volunteers ask several personal questions in order to complete an accurate tax return. Taxpayers provide confidential information and trust it will be protected. To maintain this trust, **DO NOT** disclose any personal tax information gained as a result of the service provided.

DO NOT openly discuss taxpayers by name in the presence of other volunteers or taxpayers.

Fully complete the taxpayer's return at the time of service. **DO NOT** retain taxpayer(s) documents for a follow-up visit. **DO NOT** take the taxpayers information for completion of the return outside the presence of the taxpayer.

In addition to protecting taxpayer rights to privacy during the tax return preparation process, IRS employees are required to adhere to provisions of the Privacy Act of 1974 during collection of personal information from volunteers.

Any gathering of volunteer name, address or other applicable personal information including any system of records are subject to and require the issuance of a Privacy Act Statement as follows:

IRS Volunteer Income Tax Preparation and Outreach Programs Privacy Act Notice

Privacy Act Notice- The Privacy Act of 1974 requires that when we ask for information we tell you our legal right to ask for the information, why we are asking for it, and how it will be used. We must also tell you what could happen if we do not receive it, and whether your response is voluntary, required to obtain a benefit, or mandatory.

Our legal right to ask for information is 5 U.S.C. 301.

We are asking for this information to assist us in contacting you relative to your interest and/or participation in the IRS volunteer income tax preparation and outreach programs. The information you provide may be furnished to others who coordinate activities and staffing at volunteer return preparation sites or outreach activities. The information may also be used to establish effective controls, send correspondence and recognize volunteers.

Your response is voluntary. However, if you do not provide the requested information, the IRS may not be able to use your assistance in these programs.

The statement is a statutory requirement, whether the person being asked to supply information is an employee or a taxpayer or a potential volunteer.

EVALUATION PROCESS

We welcome your comments and suggestions for improving our products and encourage you to respond to the course evaluation surveys included in your kit.

Your instructor will give you specific instructions on completing the form. If you are taking this course self-study, please contact your local IRS SPEC office or your site manager for details. Your instructor will also give you information on how to complete this form on the internet and transmit directly to the vendor who will compile the evaluations.

SCOPE AND SEQUENCE OF THE COURSE

Most taxpayers are either wage earners or pension earners. Therefore, we have organized this training material in three modules: basic, wage earner, and pension earner. There are instances where a site serves both wage earners and pension earners. Your instructor has worked closely with the coordinator(s) at the site where you will assist taxpayers to determine which lessons you should learn.

Basic Module

All volunteers must complete the following lessons and the applicable lesson(s) from the Military and International specific module.

Introduction

Lesson 1 — Getting Started

Military Segments

Dependency Exemptions

Exemption For Foreign Spouse Or Dependent

International Segment

Exemption for a Foreign Spouse

Lesson 2 — Filing Status and Filing Requirements

Military Segment

Filing Status

International Segment

Filing Status Issue

Lesson 3 — Income

Military Segments

Income

Other Income

International Segments

Worldwide Income

Self-Employment Tax

Rental Income And Expenses

Lesson 4 — Adjustments

Military Segment

Moving Expenses

Lesson 5 — Standard and Itemized Deductions & Tax Computation

Military Segments

Travel Expenses

Miscellaneous Itemized Deductions

International Segment

Business Travel Expenses

Lesson 6 — Miscellaneous Credits

International Segment

Foreign Tax Credit

Lesson 7 — Finishing The Return

Military Segment

Finishing and Filing The Return

Wage Earner Module

Volunteers who will be assisting wage earners need to complete the following lessons:

Lesson 8 — Credit For Child and Dependent Care Expenses

Lesson 9 — Education Credits

Lesson 10 — Earned Income Credit

Lesson 11 — Child Tax Credit

Pension Earner Module

Volunteers who will be assisting pension earners are required to complete the following lessons:

Lesson 12 — Sale of Stock

Lesson 13 — Sale of Home

Military Segment

Sale of Home

Lesson 14 — Pensions

Military and International Specific Lessons

Volunteers must complete the Military and International specific module if applicable.

Lesson 15 — Foreign Earned Income Exclusion

Lesson 16 — Tax Options For Combat Zone Participants

Lesson 17 — Aliens

Lesson 18 — Home Leave

Testing and Certification

All volunteers must take the applicable test to show that they can complete returns accurately. You may use this text and all reference materials to complete the test. Volunteers who do not pass the test may take the appropriate retest. Instructions on taking and grading the test are in the Test and Retest Booklets.

Proof Copies of Forms

Forms imprinted in this publication were current as of the “draft” date shown on each form. Final forms may be found at www.irs.gov and may have supplemental changes. **Be sure to compare the final forms with those in this publication and make sure you understand processing changes (if any) before helping taxpayers with their returns.**

Exercises and Exhibits

It is important that you take the time to complete the exercises to achieve the objectives in each lesson. Studies have shown that long-term retention of information increases dramatically if you put pencil to paper in responding to questions and problems. The Volunteer Assistor's Guide is your learning tool and you may mark it up in any way you wish.

Note: Answers to all exercises are available at the end of the lesson.

Each exercise is separated from the rest of the text by a border design. Write out your answer to each exercise, and then check it immediately against the answer provided. If your answer is different, work the problem again. If you need additional reinforcement, review any parts of the text that apply.

The exercises are designed to give you practice, to emphasize what we think is important, and to help you complete your training successfully.

The coursebook contains a large number of exhibits of the various tax forms and schedules. These exhibits are numbered starting at the beginning of each lesson. Many of the exercises contain exhibits of blank forms, or part of the form, that you must complete.

Lesson Features

Introduction and Objectives

There is a brief Introduction to each lesson or segment which provides an overview of the topics to be covered, as well as how to apply the information when assisting taxpayers.

Summing Up This Section, Segment or Lesson

This boxed feature appears at the end of each lesson. It provides you with a summary of the main points covered in the lesson. Used together, the lesson summaries provide a comprehensive overview of the course content.

Sidebar Features

Sidebar features appear in the outer margins (left and right) of the text. These boxed features emphasize important points presented in the lesson, or provide additional, related information. **Potential Pitfalls** point out commonly made errors and indicate ways to avoid these errors. **Alert!** identifies pending legislation, tax law changes, or tax form changes that were expected, but not enacted or in final form when this publication went to print. **Interview Tips** encourages volunteers to ask probing questions to get complete and accurate information from the taxpayer. As a volunteer please confirm that you have the latest information on the tax law and forms before assisting your clients.

QUALITY OF SERVICE

The goal of the Volunteer Return Preparation Program is to provide high quality service. The following list suggests some ways to ensure that each return is prepared correctly:

- Where possible, prepare the return using electronic filing software.
- Use the fact-gathering tools described earlier, the intake form, Interview tips, etc.
- Use a calculator to check your math (paper returns).
- Refer to Publications 4012 and 17 and technical resources for help with complicated topics.
- Use the checklists and worksheets provided.
- Consult with other, more experienced volunteers.
- Call the Volunteer Hotline (described below).
- Use the information conveyed in Volunteer Quality Alerts

Volunteer Hotline

There is a toll-free hotline available for volunteer use only. This hotline is a source of tax information for volunteers. When you use the hotline, identify yourself as a volunteer.

The hotline number is 1-800-829-8482 (829-VITA). **Do not give this number to taxpayers.** This service is generally available between February 1 and April 15th.

Do not use this hotline to order forms or schedules. Instead, contact your IRS Territory Manager.

EFFECTIVE INTERVIEWING

To complete accurate returns, you must ask certain questions about the taxpayers and their families. **The Volunteer Resource Guide (Publication 4012)** included in this training kit contains interview questions and decisions trees to assist you in obtaining specific technical information from taxpayers. It is important to set the appropriate climate to obtain this information.

It is also important to be sensitive to the needs of all taxpayers you assist, especially those with disabilities. All references to taxpayers with disabilities should reflect the individuality, equality and dignity of the person.

- Refrain from using such terms as “handicapped, physically or mentally challenged, differently challenged”. It would be better to use:
 - Person(s) with a disability;
 - Persons who are blind; persons who are visually impaired;

- Persons who are deaf; persons who are hearing impaired or hard of hearing;
- Persons who use a wheelchair;
- Persons who are physically disabled; or persons with mental retardation.

Steps to Effective Interviewing:

1. Make necessary introductions and engage in small talk.
2. Preface what will take place during the interview.
3. Share your intentions and any hopeful results/benefits for the taxpayer.
4. Allow the taxpayer to share any expectations, needs, and/or concerns.
5. Respond with active listening skills.
 - A. Create a “safe” climate.
 - B. Remember your nonverbal listening clues.
 - C. Listen, then respond by:
 1. restating,
 2. paraphrasing, (and/or)
 3. encouraging
6. Ask the first key tax question, creating an awareness about why the tax information is needed.
 - A. Make no assumptions.
 - B. Ask no leading questions.
 - C. Ask, “What have you brought with you today?”
7. Continue to ask questions. Define any terms that may be unfamiliar to the taxpayer.
8. Check your own comfort level.
9. Respond to any misunderstandings.
10. Continue with effective questioning and active listening.
11. Overcome any communication barriers.
 - A. Stay on track. (“I hear you.”/repeat question)
 - B. Allow adequate response time.
 - C. Avoid making assumptions.
 - D. Deal with taxpayers.
 1. Silent (“tell me more about...”)
 2. Upset (paraphrase)
 - E. Concentrate.

12. Indicate the taxpayer's next steps. Inform the taxpayer about the M-VITA/VECTA Programs and stress the benefits of accurate record keeping.
 - A. Express confidence in having completed an accurate tax return.
 - B. Part cordially.

WHAT IF . . . ?

Use these questions and answers to provide quick and accurate information to taxpayers who have administrative questions.

1. What if a taxpayer or dependent does not have a social security number?

Taxpayer Identification numbers are required for all taxpayers and dependents. Taxpayers who do not have a social security number and are eligible, must apply for one by using Form SS-5, Application for a Social Security Card. This form is available from the Social Security Administration and U.S. Citizens must show proof of age, identity, and citizenship when they apply for a social security number. Individuals who are age 18 or older must apply at the Social Security Administration office in person rather than by mail.

2. Who needs an Individual Taxpayer Identification (ITIN) Number?

An ITIN is available for certain resident and nonresident aliens, their spouses, and their dependents who are not eligible for a SSN. To obtain an ITIN, you must complete, sign, and submit IRS Form W-7, Application for IRS Individual Taxpayer Identification Number to the Internal Revenue Service with proper documentation to support your status.

3. What if the taxpayer needs an IRS form or publication?

Most IRS offices and many post offices and libraries have IRS forms that taxpayers may take or photocopy. They also have the instruction booklets for specific forms and publications. Remind the taxpayer that forms can also be ordered by calling the IRS on 1-800-829-3676 (1-800-TAX FORM) or from a fax machine dial (703) 368-9694.

The IRS Internet site (www.irs.gov) provides instant access to federal income tax forms, instructions, publications, and information on free tax assistance programs, electronic tax filing, and more 24 hours a day. Current and prior year federal tax products and information are available for downloading.

4. What if the taxpayers move?

Taxpayers should use Form 8822, *Change of Address*, to notify the IRS of any change of address. If the taxpayers plan to move after sending the return and before a refund is received, they should notify their old post office and the IRS of their new address. (See item #3 for information on how to order Form 8822.)

5. Which address should taxpayers use, their street address or their post office box?

If the post office delivers mail to the post office box rather than to a street address, enter the P.O. box number on the line for the present home address.

6. What if the taxpayer needs a copy of a prior year return?

If the taxpayer needs an exact copy of a previously filed and processed return and all attachments (including Forms W-2), they must complete Form 4560, Request for Copy of Tax Return and mail it to the IRS address in the instructions along with the applicable fee for each tax year requested.

Copies are generally available for returns filed in the current and past 6 years. If an exact copy of the return is not needed, the taxpayer may order a transcript of their return by calling (800) 829-1040 or completing and mailing Form 4506-T, Request for Transcript of Tax Return. See www.irs.gov for additional information—keyword: prior year return.

7. What if the taxpayer wants to make a voluntary contribution to reduce the public debt?

Voluntary contributions to reduce the public debt should be made payable to “Bureau of the Public Debt.” The contribution may be sent in the tax return envelope. If the taxpayer is making a payment of tax due, as well as a contribution, there should be two checks or money orders in the tax-return envelope—one to pay the tax due and one to make the voluntary contribution. Voluntary contributions to reduce the public debt are considered charitable contributions and may be entered as an itemized deduction on Schedule A of Form 1040 in the year paid.

8. How long should taxpayers keep their tax returns?

Taxpayers should keep a copy of the tax return, worksheets used, and records of all items appearing on it (such as 1099 forms) until the statute of limitations runs out for that return. Usually, this is 3 years from the date the return was due or filed, or 2 years from the date the tax was paid, whichever is later. They should keep Form W-2 until the Social Security Administration has recorded the earnings reflected on the forms. Keep property records (including those on a home) as long as they are needed to figure the basis of the original or replacement property. Closing statements for a home should be kept until the home is sold. Brokerage statements showing the purchase price of stock should be kept until the stock is sold. Also, contributions to nondeductible IRAs should be kept until all IRA funds are withdrawn. Calculations determining the nontaxable portion of pension income should be kept until all of the pension income is taxable. For additional record keeping information, see Publication 552, *Recordkeeping for Individuals*.

9. What is On-Line filing?

On-line filing allows a taxpayer to file their tax return from home through an Internet Web site or third-party transmitter. Information about filing from home is included in many commercial tax preparation software packages. Also, many software companies offer tax preparation and electronic filing software that can be downloaded from the Web; or they provide the option for individuals to prepare their returns while logged on to the Internet.

All that is needed is a personal computer (PC), software and a modem to send the return data. On-line filing accommodates the same basic forms and schedules as electronic filing. The taxpayer is responsible for sending their signature document (Form 8453-OL) accompanying paper documents to IRS after they receive notification from the Internet on-line provider or transmitter that their return has been accepted by IRS. If IRS rejects the return, the taxpayer will either have to correct the information and retransmit the return or print it and send it as a paper return to IRS. Credit card and direct debit payment options are available for balance due returns.

10. Are there any publications or forms that can assist a taxpayer that owes prior year taxes or previously had their refund offset to satisfy another's debt?

IRS offers various publications and forms that are specific to these issues.

- A. The IRS Collection Process**, Publication 594, explains a taxpayer's right and responsibility regarding payment of federal taxes. Installment Agreement Request, Form 9465, gives the taxpayer the option to pay a balance due through monthly installment payments.
- B. Innocent Spouse Relief**, Publication 971, addresses how one spouse may request relief from past taxes due solely based on the other spouse's debt. Request for Innocent Spouse Relief, Form 8857, explains various forms of relief and who may qualify.
- C. Injured Spouse Claim and Allocation**, Form 8379, allows a taxpayer to request relief from their spouse's past due federal debts including back child support and past due taxes. An injured spouse can get a refund for his or her share of the overpayment that would be used to pay the past due amount.

Additional information on these topics can be obtained by contacting the IRS at 1-800-829-1040, accessing their web page at www.irs.gov, or by visiting a Tax Assistance Center in your area.

13. Are Your Civil Rights Protected?

Publication 4053, explains that under no circumstances will the Internal Revenue Service tolerate discrimination by its employees, grantees, contractors, and/or subcontractors. These

provisions extend to M-VITA and TCE Programs. Publication 4053 or other IRS Civil Rights information should be displayed or made available to all taxpayers.

VOLUNTEER PRODUCT INFORMATION

As a volunteer, you may have questions about when some of IRS' volunteer products will be available. You may also want to share any ideas you have about improving the IRS products you are currently using in your role as a volunteer. Your site coordinator's IRS contact can access several tools that can answer some of your questions or help you capture your product ideas and comments.

- 1. How can I order IRS volunteer products?** Work with your site coordinator. They can request most volunteer products by completing a Form 2333 V, Volunteer Order Form. The site coordinator forwards their order form to their IRS contact so the order can be filled.
- 2. Is there a way for me to know when IRS' volunteer products will be in stock?** Yes, your site coordinator's IRS Contact can provide you with an IRS Status At-A-Glance report. See exhibit 2. This report can tell you if an IRS volunteer product is in stock or when stock is expected.
- 3. How do I tell IRS if I find a serious problem with IRS' volunteer products?** Your site coordinator's IRS contact has access to a Problem Tracking Sheet. This can be used by your IRS contact to forward problems to the appropriate IRS office for action.
- 4. There are some products that I used to use. What happened to them?** Sometimes products are combined with others for efficiency. Others are dropped because of program changes, or limited demand.
- 5. I have an idea for a new IRS product that can help me in my role as a volunteer. How do I get that to IRS?** Your site coordinator is welcome to forward your product idea to their IRS contact, who can get the idea to the appropriate IRS staff for action.

Product Type	Product Number	Suffix	Revision Date	Title	Projected Delivery Date to the Area Distribution Centers <small>(Orders that are pending in CAPS or at the ADCs should receive stock within 10 days of date shown in this column)</small>	Status At A Glance	Actual Date Product was Confirmed in the Area Distribution Centers
Publication	678	FS	2003-00	Volunteer Assistor's Guide - Foreign Student Text	2004/01	In Stock at the ADCs	2004/01/14
Publication	678	M	2003-00	Volunteer Assistor's Guide - Military / International Student Text	2003/11	In Stock at the ADCs	2003/11/18
Publication	678	PR	2003-00	Volunteer Assistor's Guide - Puerto Rico Supplement	2003/11	Initial supply delivered to Puerto Rico In Stock at the ADCs.	2003/11/23 In PR 2003/12/19

TAX RETURN LESSON REFERENCES

The following pages show forms 1040EZ, 1040A, and 1040. For a discussion about what to put on a line, turn to the lesson in this text that is shown in the circle.

Department of the Treasury—Internal Revenue Service

Income Tax Return for Single and Joint Filers With No Dependents (99) 2004

OMB No. 1545-0675

<p>Form 1040EZ</p> <p>Label (See page 12.) Use the IRS label. Otherwise, please print or type.</p> <p>Presidential Election Campaign (page 12)</p>	Your first name and initial _____ Last name 7	Your social security number _____ Spouse's social security number _____	
	If a joint return, spouse's first name and initial _____ Last name _____	Home address (number and street). If you have a P.O. box, see page 12. _____ Apt. no. _____ City, town or post office, state, and ZIP code. If you have a foreign address, see page 12. _____	<p style="text-align: center;">▲ Important! ▲</p> <p style="text-align: center;">You must enter your SSN(s) above.</p> <p style="text-align: center;"> You Spouse <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No </p>
	<p>Note. Checking "Yes" will not change your tax or reduce your refund.</p> Do you, or your spouse if a joint return, want \$3 to go to this fund? <input type="checkbox"/> Yes <input type="checkbox"/> No		

<p>Income</p> <p>Attach Form(s) W-2 here. Enclose, but do not attach, any payment.</p> <p>Note. You must check Yes or No.</p>	<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 5%;">1</td> <td style="width: 75%;">Wages, salaries, and tips. This should be shown in box 1 of your Form(s) W-2. Attach your Form(s) W-2.</td> <td style="width: 10%; text-align: center;">1</td> <td style="width: 10%; text-align: center;">3</td> </tr> <tr> <td>2</td> <td>Taxable interest. If the total is over \$1,500, you cannot use Form 1040EZ.</td> <td style="text-align: center;">2</td> <td style="text-align: center;">3</td> </tr> <tr> <td>3</td> <td>Unemployment compensation and Alaska Permanent Fund dividends (see page 14).</td> <td style="text-align: center;">3</td> <td style="text-align: center;">3</td> </tr> <tr> <td>4</td> <td>Add lines 1, 2, and 3. This is your adjusted gross income.</td> <td style="text-align: center;">4</td> <td></td> </tr> <tr> <td>5</td> <td>Can your parents (or someone else) claim you on their return? Yes. Enter amount from <input type="checkbox"/> worksheet on back. No. <input type="checkbox"/> If single, enter \$7,950. If married filing jointly, enter \$15,900. See back for explanation.</td> <td style="text-align: center;">5</td> <td style="text-align: center;">6</td> </tr> <tr> <td>6</td> <td>Subtract line 5 from line 4. If line 5 is larger than line 4, enter -0-. This is your taxable income.</td> <td style="text-align: center;">6</td> <td></td> </tr> </table>	1	Wages, salaries, and tips. This should be shown in box 1 of your Form(s) W-2. Attach your Form(s) W-2.	1	3	2	Taxable interest. If the total is over \$1,500, you cannot use Form 1040EZ.	2	3	3	Unemployment compensation and Alaska Permanent Fund dividends (see page 14).	3	3	4	Add lines 1, 2, and 3. This is your adjusted gross income .	4		5	Can your parents (or someone else) claim you on their return? Yes. Enter amount from <input type="checkbox"/> worksheet on back. No. <input type="checkbox"/> If single , enter \$7,950. If married filing jointly , enter \$15,900. See back for explanation.	5	6	6	Subtract line 5 from line 4. If line 5 is larger than line 4, enter -0-. This is your taxable income .	6	
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<p>Payments and tax</p>	<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 5%;">7</td> <td style="width: 75%;">Federal income tax withheld from box 2 of your Form(s) W-2.</td> <td style="width: 10%; text-align: center;">7</td> <td style="width: 10%; text-align: center;">7</td> </tr> <tr> <td>8</td> <td>Earned income credit (EIC).</td> <td style="text-align: center;">8</td> <td style="text-align: center;">10</td> </tr> <tr> <td>9</td> <td>Add lines 7 and 8. These are your total payments.</td> <td style="text-align: center;">9</td> <td style="text-align: center;">7</td> </tr> <tr> <td>10</td> <td>Tax. Use the amount on line 6 above to find your tax in the tax table on pages 24–28 of the booklet. Then, enter the tax from the table on this line.</td> <td style="text-align: center;">10</td> <td style="text-align: center;">5</td> </tr> </table>	7	Federal income tax withheld from box 2 of your Form(s) W-2.	7	7	8	Earned income credit (EIC).	8	10	9	Add lines 7 and 8. These are your total payments .	9	7	10	Tax. Use the amount on line 6 above to find your tax in the tax table on pages 24–28 of the booklet. Then, enter the tax from the table on this line.	10	5								
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<p>Refund</p> <p>Have it directly deposited! See page 19 and fill in 11b, 11c, and 11d.</p>	<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 5%;">11a</td> <td style="width: 75%;">If line 9 is larger than line 10, subtract line 10 from line 9. This is your refund.</td> <td style="width: 10%; text-align: center;">11a</td> <td style="width: 10%; text-align: center;">7</td> </tr> <tr> <td>b</td> <td>Routing number <input style="width: 100px;" type="text"/></td> <td>c</td> <td>Type: <input type="checkbox"/> Checking <input type="checkbox"/> Savings</td> </tr> <tr> <td>d</td> <td>Account number <input style="width: 100px;" type="text"/></td> <td></td> <td style="text-align: center;">7</td> </tr> </table>	11a	If line 9 is larger than line 10, subtract line 10 from line 9. This is your refund .	11a	7	b	Routing number <input style="width: 100px;" type="text"/>	c	Type: <input type="checkbox"/> Checking <input type="checkbox"/> Savings	d	Account number <input style="width: 100px;" type="text"/>		7												
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<p>Amount you owe</p>	<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 5%;">12</td> <td style="width: 75%;">If line 10 is larger than line 9, subtract line 9 from line 10. This is the amount you owe. For details on how to pay, see page 20.</td> <td style="width: 10%; text-align: center;">12</td> <td></td> </tr> </table>	12	If line 10 is larger than line 9, subtract line 9 from line 10. This is the amount you owe . For details on how to pay, see page 20.	12																					
12	If line 10 is larger than line 9, subtract line 9 from line 10. This is the amount you owe . For details on how to pay, see page 20.	12																							
<p>Third party designee</p>	Do you want to allow another person to discuss this return with the IRS (see page 20)? <input type="checkbox"/> Yes . Complete the following. <input type="checkbox"/> No <table style="width: 100%; border-collapse: collapse; margin-top: 5px;"> <tr> <td style="width: 30%;">Designee's name _____</td> <td style="width: 20%;">Phone no. _____ () _____</td> <td style="width: 50%;">Personal identification number (PIN) <input style="width: 100px;" type="text"/></td> </tr> </table>	Designee's name _____	Phone no. _____ () _____	Personal identification number (PIN) <input style="width: 100px;" type="text"/>																					
Designee's name _____	Phone no. _____ () _____	Personal identification number (PIN) <input style="width: 100px;" type="text"/>																							
<p>Sign here</p> <p>Joint return? See page 11. Keep a copy for your records.</p>	<p>Under penalties of perjury, I declare that I have examined this return, and to the best of my knowledge and belief, it is true, correct, and accurately lists all amounts and sources of income I received during the tax year. Declaration of preparer (other than the taxpayer) is based on all information of which the preparer has any knowledge.</p> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;">Your signature 7</td> <td style="width: 10%;">Date _____</td> <td style="width: 20%;">Your occupation _____</td> <td style="width: 20%;">Daytime phone number () _____</td> </tr> <tr> <td>Spouse's signature. If a joint return, both must sign.</td> <td>Date _____</td> <td>Spouse's occupation _____</td> <td style="background-color: #cccccc;"></td> </tr> </table>	Your signature 7	Date _____	Your occupation _____	Daytime phone number () _____	Spouse's signature. If a joint return, both must sign.	Date _____	Spouse's occupation _____																	
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<p>Paid preparer's use only</p>	<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 30%;">Preparer's signature 7</td> <td style="width: 10%;">Date _____</td> <td style="width: 10%;">Check if self-employed <input type="checkbox"/></td> <td style="width: 50%;">Preparer's SSN or PTIN <input style="width: 100px;" type="text"/></td> </tr> <tr> <td>Firm's name (or yours if self-employed), address, and ZIP code _____</td> <td>EIN _____</td> <td>Phone no. _____</td> <td></td> </tr> </table>	Preparer's signature 7	Date _____	Check if self-employed <input type="checkbox"/>	Preparer's SSN or PTIN <input style="width: 100px;" type="text"/>	Firm's name (or yours if self-employed), address, and ZIP code _____	EIN _____	Phone no. _____																	
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Firm's name (or yours if self-employed), address, and ZIP code _____	EIN _____	Phone no. _____																							

For Disclosure, Privacy Act, and Paperwork Reduction Act Notice, see page 23. Cat. No. 11329W Form 1040EZ (2004)

Note: Contact IRS for site ID

Form 1040A U.S. Individual Income Tax Return 2004

Department of the Treasury—Internal Revenue Service

IRS Use Only—Do not write or staple in this space.

OMB No. 1545-0085

Label (See page 19.)

Your first name and initial: _____ Last name: **7**

If a joint return, spouse's first name and initial: _____ Last name: _____

Home address (number and street). If you have a P.O. box, see page 20. _____ Apt. no. _____

City, town or post office, state, and ZIP code. If you have a foreign address, see page 20. _____

Use the IRS label. Otherwise, please print or type.

Important! You must enter your SSN(s) above.

Presidential Election Campaign (See page 20.)

Note. Checking "Yes" will not change your tax or reduce your refund. Do you, or your spouse if filing a joint return, want \$3 to go to this fund? ▶

You: Yes No Spouse: Yes No

Filing status (Check only one box.) **2**

1 Single

2 Married filing jointly (even if only one had income)

3 Married filing separately. Enter spouse's SSN above and full name here. ▶

4 Head of household (with qualifying person). (See page 20.) If the qualifying person is a child but not your dependent, enter this child's name here. ▶

5 Qualifying widow(er) with dependent child (see page 21)

Exemptions (1)

6a Yourself. If someone can claim you as a dependent, do not check box 6a.

b Spouse

c Dependents:

(1) First name	Last name	(2) Dependent's social security number	(3) Dependent's relationship to you	(4) <input checked="" type="checkbox"/> if qualifying child for child tax credit (see page 23)
				<input type="checkbox"/>

Boxes checked on 6a and 6b: _____

No. of children on 6c who:

- lived with you: _____
- did not live with you due to divorce or separation (see page 23): _____

Dependents on 6c not entered above: _____

Add numbers on lines above ▶

d Total number of exemptions claimed. _____

Income

7 Wages, salaries, tips, etc. Attach Form(s) W-2. 7 **3**

8a Taxable interest. Attach Schedule 1 if required. 8a **3**

b Tax-exempt interest. Do not include on line 8a. 8b **3**

9a Ordinary dividends. Attach Schedule 1 if required. 9a

b Qualified dividends (see page 25). 9b

10 Capital gain distributions (see page 25). 10 **3**

11a IRA distributions. 11a **14**

11b Taxable amount (see page 25). 11b

12a Pensions and annuities. 12a **14**

12b Taxable amount (see page 26). 12b

13 Unemployment compensation and Alaska Permanent Fund dividends. 13 **3**

14a Social security benefits. 14a **14**

14b Taxable amount (see page 28). 14b

15 Add lines 7 through 14b (far right column). This is your total income. ▶ 15

Adjusted gross income

16 Deduction for clean-fuel vehicles (see page 28). 16

17 IRA deduction (see page 28). 17 **4**

18 Student loan interest deduction (see page 31). 18

19 Tuition and fees deduction (see page 31). 19

20 Add lines 16 through 19. These are your total adjustments. 20

21 Subtract line 20 from line 15. This is your adjusted gross income. ▶ 21

For Disclosure, Privacy Act, and Paperwork Reduction Act Notice, see page 57. Cat. No. 11327A Form 1040A (2004)

Tax, credits, and payments	22 Enter the amount from line 21 (adjusted gross income).	22	
Standard Deduction for— • People who checked any box on line 23a or 23b or who can be claimed as a dependent, see page 32. • All others: Single or Married filing separately, \$4,850 Married filing jointly or Qualifying widow(er), \$9,700 Head of household, \$7,150	23a Check if: <input type="checkbox"/> You were born before January 2, 1940, <input type="checkbox"/> Blind <input checked="" type="checkbox"/> Total boxes checked ▶ 23a <input type="checkbox"/> (5)		
	b If you are married filing separately and your spouse itemizes deductions, see page 32 and check here ▶ 23b <input type="checkbox"/>		
	24 Enter your standard deduction (see left margin).	24	
	25 Subtract line 24 from line 22. If line 24 is more than line 22, enter -0-.	25	
	26 Multiply \$3,100 by the total number of exemptions claimed on line 6d.	26	
	27 Subtract line 26 from line 25. If line 26 is more than line 25, enter -0-. This is your taxable income .	27	
	28 Tax , including any alternative minimum tax (see page 33).	28	(5)
	29 Credit for child and dependent care expenses. Attach Schedule 2.	29	(8)
	30 Credit for the elderly or the disabled. Attach Schedule 3.	30	(15)
	31 Education credits. Attach Form 8863.	31	(9)
32 Child tax credit (see page 37).	32	(6)	
33 Retirement savings contributions credit. Attach Form 8880.	33	(11)	
34 Adoption credit. Attach Form 8839.	34	(6)	
35 Add lines 29 through 34. These are your total credits .	35		
36 Subtract line 35 from line 28. If line 35 is more than line 28, enter -0-.	36		
37 Advance earned income credit payments from Form(s) W-2.	37	(10)	
38 Add lines 36 and 37. This is your total tax .	38		
39 Federal income tax withheld from Forms W-2 and 1099.	39	(7)	
40 2004 estimated tax payments and amount applied from 2003 return.	40	(7)	
41 Earned income credit (EIC) .	41	(10)	
42 Additional child tax credit. Attach Form 8812.	42	(11)	
43 Add lines 39 through 42. These are your total payments .	43	(7)	
Refund	44 If line 43 is more than line 38, subtract line 38 from line 43. This is the amount you overpaid .	44	(7)
Direct deposit? See page 50 and fill in 45b, 45c, and 45d.	45a Amount of line 44 you want refunded to you .	45a	(7)
	b Routing number <input type="text"/> ▶ c Type: <input type="checkbox"/> Checking <input type="checkbox"/> Savings		
	d Account number <input type="text"/>		(7)
	46 Amount of line 44 you want applied to your 2005 estimated tax .	46	(7)
Amount you owe	47 Amount you owe . Subtract line 43 from line 38. For details on how to pay, see page 51.	47	(7)
	48 Estimated tax penalty (see page 52).	48	

Third party designee Do you want to allow another person to discuss this return with the IRS (see page 52)? Yes. Complete the following. No

Designee's name ▶ Phone no. ▶ () Personal identification number (PIN) ▶

Sign here Under penalties of perjury, I declare that I have examined this return and accompanying schedules and statements, and to the best of my knowledge and belief, they are true, correct, and accurately list all amounts and sources of income I received during the tax year. Declaration of preparer (other than the taxpayer) is based on all information of which the preparer has any knowledge.

Joint return? See page 20. Keep a copy for your records.

Your signature (7)	Date	Your occupation	Daytime phone number ()
Spouse's signature. If a joint return, both must sign.	Date	Spouse's occupation	

Paid preparer's use only

Preparer's signature (7)	Date	Check if self-employed <input type="checkbox"/>	Preparer's SSN or PTIN S <input type="text"/>
Firm's name (or yours if self-employed), address, and ZIP code ▶	EIN	Phone no. ()	

Printed on recycled paper

Note: Contact IRS for site ID

Form 1040

Department of the Treasury—Internal Revenue Service U.S. Individual Income Tax Return 2004

(99) IRS Use Only—Do not write or staple in this space.

Label

(See instructions on page 19.)

Use the IRS label.

Otherwise, please print or type.

Label Here

For the year Jan. 1–Dec. 31, 2004, or other tax year beginning , 2004, ending , 20

OMB No. 1545-0074

Your first name and initial

Last name 7

Your social security number

If a joint return, spouse's first name and initial

Last name

Spouse's social security number

Home address (number and street). If you have a P.O. box, see page 19.

Apt. no.

City, town or post office, state, and ZIP code. If you have a foreign address, see page 19.

Important!

You must enter your SSN(s) above.

Presidential Election Campaign (See page 19.)

Note. Checking "Yes" will not change your tax or reduce your refund. Do you, or your spouse if filing a joint return, want \$3 to go to this fund?

You Spouse Yes No Yes No

Filing Status

Check only one box.

- 1 Single
2 Married filing jointly (even if only one had income)
3 Married filing separately. Enter spouse's SSN above and full name here.
4 Head of household (with qualifying person).
5 Qualifying widow(er) with dependent child

Exemptions

1 If more than four dependents, see page 21.

- 6a Yourself. If someone can claim you as a dependent, do not check box 6a
6b Spouse
6c Dependents: (1) First name Last name (2) Dependent's social security number (3) Dependent's relationship to you (4) if qualifying child for child tax credit
6d Total number of exemptions claimed

Boxes checked on 6a and 6b
No. of children on 6c who:
lived with you
did not live with you due to divorce or separation
Dependents on 6c not entered above
Add numbers on lines above

Income

Attach Forms W-2 and W-2G here. Also attach Form(s) 1099-R if tax was withheld.

If you did not get a W-2, see page 22.

Enclose, but do not attach, any payment. Also, please use Form 1040-V.

Table with 22 rows for income reporting, including wages, interest, dividends, and other income, with columns for amount and tax.

Adjusted Gross Income

Table for Adjusted Gross Income with rows 23-36, including deductions for clean-fuel vehicles, business expenses, IRA, student loan interest, tuition, health savings, moving expenses, self-employment tax, and health insurance.

For Disclosure, Privacy Act, and Paperwork Reduction Act Notice, see page 77.

Cat. No. 11320B

Form 1040 (2004)

TaxWise Hints

Each year the Internal Revenue Service contracts with a tax preparation software vendor to provide free software to our volunteers. This year you will find TaxWise hints integrated throughout the text. They will be at the end of each lesson just before “Summing Up This Lesson” or “Summing Up This Section.”

▶▶ SUMMING UP THIS SECTION ◀◀

- ▶ Remember that the information used to prepare an individual’s income tax return must be treated as confidential.
- ▶ Use the steps for effective interviewing.
- ▶ The “critical intake questions” must be asked of the taxpayer prior to preparing the return. See Form 13614.

INTRODUCTION AND OBJECTIVES

In this lesson you will learn what you need to know when you begin to prepare an individual's federal income tax return. Please note that two of the objectives concern the importance of insuring that the taxpayer's (or dependent's) name and social security number (SSN) match IRS records.

Each person listed on a U.S. Federal individual income tax return must be identified by a number. Each person refers to the taxpayer, the taxpayer's spouse if the taxpayer is married, and any dependent claimed on the return. The taxpayer identification number (TIN) will be a social security number for those persons who qualify to be issued one. All others must have an individual taxpayer identification number (ITIN) or adoption individual taxpayer identification number (ATIN).

After completing this lesson you should be able to:

- Explain the importance of requesting a social security card for tax preparation.
- Determine which taxpayers need an Individual Taxpayer Identification Number (ITIN)
- Use the 5 tests for a qualifying dependent.

SOCIAL SECURITY NUMBER

It is extremely important that each person use the correct social security number. The most accurate information is usually located on the taxpayer's original social security card. Each year hundreds of thousands of returns are delayed in processing or credit/deductions disallowed because names and social security numbers do not match Social Security Administration (SSA) records. To prevent processing delays in paper returns and rejected electronically filed returns, volunteers must check the accuracy of each Social Security number, as well as the spelling of the name associated with the number. If a taxpayer does not have a valid SSN, direct them to Form SS-5, Social Security Number Application. This form should be submitted to the nearest Social Security Administration Office. Explain to him/her that they **must** have a taxpayer identification number before you can assist them with filing the tax return.

ALERT



Ask the taxpayer to show the Social Security Cards for self, spouse and dependents.

POTENTIAL PITFALLS



Canadians have a number that is like a social security number, but it is for their old age pension. Do not use this number on a U.S. tax return. Canadians often have both a U.S. and Canadian Social Security Number.

To verify that the taxpayer's name and social security number match the government's records, volunteers should ask for one of the following documents for each individual on the return.

- Social Security Card (original or copy)
- SSA 1099 benefit statements
- SSA letter OR a copy of last year's tax return showing the needed information (if no Notice of Exception was received).

Note: Driver's licenses and passport may not depict the name or number as it appears on SSA records.

ALERT



The Internal Revenue Service has taken several steps to **strengthen controls** over the issuance of ITINs. ITIN applications (Form W-7) are now being processed by the IRS if they are submitted with original tax returns (this includes amended and late filed returns). For exceptions to this requirement please refer to the instructions on the back of Form W-7.

The changes will help ensure that ITINs are issued for their intended **tax administration purpose** for administering the tax code and not for other reasons, such as providing personal identification.

INDIVIDUAL TAXPAYER IDENTIFICATION NUMBERS (ITIN)

What is an ITIN?

An ITIN is an individual taxpayer identification number. The IRS issues an ITIN to individuals who are required to have a U.S. taxpayer identification number (TIN) but who do not have and are not eligible to obtain an SSN. Federal law requires individuals with U.S. income, regardless of immigration status, to have to file a U.S. tax return. The ITIN, **a nine-digit number that begins with the number 9** is formatted like an SSN (NNN-NN-NNNN). The ITIN was created for use on tax returns only for those taxpayers who do not qualify for a Social Security Number.

Who Needs an ITIN?

If a taxpayer must file a U.S. tax return or can be listed on a U.S. tax return as a spouse or dependent they must have a taxpayer identification number (TIN), in the form of an SSN or an ITIN. SSNs were discussed earlier. The issuance of an ITIN does not:

- Entitle the recipient to Social Security benefits or the Earned Income Credit (EIC);
- Create an inference regarding the individual's immigration status;
- Give the individual the right to work in the U.S. Any individual who is legally eligible for employment in the U.S. must have an SSN.

Except for overseas military personnel (described below), all new ITIN applicants will have to show a federal tax purpose for seeking the ITIN. For those seeking an ITIN to meet their income tax filing obligations, this will require attaching a federal tax return to the Form W-7 when they are ready to file their tax return with the IRS. ITIN applications without **proof of need for tax administration purposes** will be rejected.

A small number of non-U.S. residents apply for an ITIN to report income under a tax treaty, and a small number of U.S. resident and non-resident applicants apply for an ITIN to report income from a U.S. bank or brokerage account. Neither type of applicant will be required to file a tax return along with their ITIN application. Non-resident applicants will be required to furnish evidence of their ownership of the asset that gave rise to the reporting obligation. Resident applicants will be required to furnish evidence of actual rather than intended ownership of the bank or brokerage account.

GUIDANCE ON PREPARATION OF A RETURN WHEN THE TAXPAYER HAS AN ITIN AND PRESENTS W-2'S WITH AN INVALID SSN

What is an ITIN/SSN Mismatch?

Individual Taxpayer Identification Number (ITIN) holders frequently file tax returns under their ITIN with attached Forms W-2 showing Social Security Numbers (SSN) of other individuals to substantiate their withholding claims, creating an ITIN/SSN mismatch. A mismatch return causes IRS' document-matching program to erroneously attribute the income and resulting tax to the SSN owner, rather than the ITIN holder. This creates inaccuracies in both the SSN owner's tax account and Social Security Administration records.

ITIN Tax Preparation Guidelines (Effective January 1, 2004)

When an individual comes to a volunteer tax preparation site with a W-2 reflecting an SSN requesting return preparation and produces an ITIN, the volunteer may prepare the tax return with the documents provided.

Reminder: Prior to completion of any tax return, the volunteer **must** request proof of identity. Two forms of identification are required. One must be photo identification such as:

Passport

National Identity Card

Drivers License (U.S.)

State Identification Card (U.S.)

Military Identification Card

School Photo ID

VISA

For ITIN holders, the second form of identification must be the original or a copy of the ITIN Card or Letter.

One or both of the forms of identification should reflect the taxpayer's current mailing address. If the taxpayer cannot substantiate their identity, or if the volunteer is uncomfortable accepting the items presented as proof of identity, the taxpayer should seek paid professional tax assistance.

Returns prepared with an ITIN/SSN mismatch cannot be filed electronically. Do not change any information on the Form W-2. Volunteers may prepare a paper return for the taxpayer once identity has been verified.

The return should reflect the ITIN for the taxpayer. The erroneous SSN on the Form W-2 **should not** be used on the return.

A paper return must be filed. Publication 1345, Handbook for Authorized IRS e-file Providers of Individual Income Tax Returns, states that the information on a W-2 should never be altered. In order to e-file, the taxpayer identification number (TIN) on the W-2 must match the TIN on the federal return. Since the W-2 shows an SSN and the return shows an ITIN, these returns cannot be electronically filed. *As a precaution and reminder to the volunteers, if the volunteer is using electronic return preparation software (e.g. TaxWise), the ITIN/SSN mismatch should show up as an error and the program will not allow the return to be e-filed. Volunteers should NOT attempt to override this error. The return must be printed and given to the taxpayer to be mailed to the IRS.*

The taxpayer **is not** eligible for the Earned Income Tax Credit (EITC). Based on Chief Counsel Advice, dated May 15, 2001, if the taxpayer becomes a permanent resident of the United States and secures a valid SSN at a later date, he/she can later file amended returns and claim the EITC for all years for which the statute of limitations has not expired.

Returns prepared with no ITIN:

The new ITIN application requirements announced by IRS Commissioner Everson on December 17, 2003, require a federal tax return be associated with all Form W-7 applications (with some exceptions as noted in the instructions for Form W-7). Federal tax returns cannot be filed using electronic return preparation software without a TIN (taxpayer identification number). Therefore, guidance is being provided to allow the use of electronic return preparation software when completing paper returns for these taxpayers. **These returns cannot be electronically transmitted.** In this scenario, a temporary identification number can be used for purposes of accessing the electronic return preparation program and generating an accurate paper return.

Scenario: Taxpayer one, his spouse and his dependents (if applicable) are applying for ITINs by completing Forms W-7. The volunteer is completing the federal tax return for association with the taxpayers Form W-7 application. If the taxpayer is working under an erroneous social security number, that social security number **should not** be used on the return. Create the return by following these procedures: In the TIN field, enter the number “99” followed by six zeros and a numerical sequence starting with the number “1”.

For example in the scenario above,

The taxpayer’s TIN would be: 990-00-0001

The spouse’s TIN would be: 990-00-0002

The dependent’s TIN would be: 990-00-0003,

And so on ... changing the last digits of the TIN each time a new taxpayer, spouse or dependent applying for an ITIN needs a return prepared. After 990-00-0009, the volunteer can use 990-00-0010, 990-00-0011, etc.

Upon completion of the return:

1. Print the return package,
2. **Completely** cross-out in **INK** the TIN on each form reflecting the temporary number, and
3. Provide the return package to the Taxpayer to mail with Forms W-7 to the address shown in Form W-7 instructions.
4. If the taxpayer has a family pack that includes multiple Form W-7’s with one return, or multiple returns with one Form W-7, these forms should be staggered and stapled together to show the entire package as a family pack. This will prevent separation of the forms/returns that could delay the processing time.

When an individual comes in to a volunteer tax preparation site and needs assistance with completion of Form W-7, volunteers should refer taxpayers to seek professional assistance, unless a volunteer at that site has been specifically trained in completion of Form W-7 or an authorized acceptance agent is present to provide assistance.

Note: The taxpayer is responsible for mailing their federal tax return and/or Form W-7 to the IRS' Philadelphia Service Center ITIN Unit, Bensalem, PA 19020. SPEC employees, partners, and/or volunteers **may not** accept these forms for submission.

NEW PROCEDURES FOR INDIVIDUAL TAXPAYER IDENTIFICATION NUMBERS (ITINs) EXCEPTION FOR OVERSEAS MILITARY

Background:

All military personnel stationed overseas (not currently assigned to a U.S. base or post) may apply for an ITIN for their spouse and/or dependents(s) without attaching a tax return. The IRS suggests, however, that whenever possible they do file the application with their return so IRS can process both the application and the return together.

Procedure for filing an ITIN application without attaching a tax form:

If an ITIN applicant is a spouse or dependent (reason "d" of "e" on Form W-7) of a member of the U.S. military stationed overseas, they may apply for the ITIN in advance of filing the related tax return. The applicant must indicate their relationship by marking the appropriate reason for applying, Spouse of (check box "e") or Dependent of (check box "d") and notate on the adjacent line the name of the U.S. person and their SSN. In addition, you must check box "h" (Other) and notate on the adjacent line "Overseas Military." (Dependents must be otherwise eligible and appropriate identification documents must be provided.) Once the application is sent, you should wait for the ITIN to be issued before filing the tax return.

Frequently Asked ITIN Questions and Answers

What should I do if a customer comes to the site with a completed Form W-7 and needs a federal return completed to attach to the W-7 for submission to the IRS?

If the customer has his/her tax records and meets all other volunteer site requirements, such as income, type of return, etc., you may complete a federal tax return and any state or local return agreed upon for your site.

Unless you are an authorized acceptance agent, advise the customer to mail the tax return, Form W-7, and applicable documentation to:

Internal Revenue Service
Philadelphia Service Center
ITIN Unit
P.O. Box 447
Bensalem, PA 19020
DPN280

Or take Form W-7 with the federal return and required identity documents (refer to instructions for Form W-7) to an authorized acceptance agent or the nearest IRS Taxpayer Assistance Center (TAC). The taxpayer can call 1-800-829-1040 to obtain the closest TAC in their area. Note: Currently IRS TAC will not prepare tax returns requiring an ITIN.

What if a customer comes in and does not have a SSN (Social Security Number) or ITIN (Individual Tax Identification Number)?

A Taxpayer Identification Number (TIN) is required to file a federal tax return. A TIN may be an SSN, or an ATIN, or an ITIN. If the customer is eligible for an SSN, (US citizen or Resident Alien), they should apply for the SSN prior to completing their federal return; advise the customer to complete Form SS-5, Social Security Number Application. Form SS-5 should be submitted to Social Security Administration Office.

If the customer is not eligible for an SSN (not a U.S. Citizen or Resident Alien) but has a filing requirement (refer to Publication 678, Filing Requirement) the customer must complete Form W-7, Application for an Individual Tax Identification Number. Unless you are specifically trained on how to complete Form W-7, the customer should seek professional assistance.

The customer may also choose to apply for an ITIN through an authorized Acceptance Agent. Explain to the customer that some agents charge a fee for this service. For a list of Acceptance Agents in their area the customer can call the IRS at 1-800-829-1040 or go to www.irs.gov and search for Acceptance Agent.

What if a customer's spouse or dependents do not have a TIN or wages?

To file a joint return or claim dependents on a federal tax return both the spouse and dependents must have a TIN. Refer to instructions above for guidance on applying for an SSN, ATIN, or ITIN.

What if the taxpayer comes in with the correct SSN on one Form W-2 and an incorrect SSN on a second Form W-2?

Advise the taxpayer to contact the employer for the incorrect Form W-2 and ask for a corrected Form W-2. If he/she receives the corrected W-2 before your site closes for the season, he or she may come back to the site for free tax preparation.

What if a taxpayer or spouse has an ITIN and SSN?

Both numbers cannot be valid. If you can determine the valid number, you may complete the return. If you cannot determine the valid number the taxpayer should seek professional assistance.

SUMMING UP THIS SUBJECT

- All taxpayers and dependents listed on a tax return must have an identification number.
- An Identification Number can be either an SSN, ATIN, or an ITIN.
- Use caution when completing the entity section of the tax return.

PERSONAL AND DEPENDENCY EXEMPTIONS

After completing this section, you will be able to:

- Define *personal exemption*.
- Define *dependency exemption*.
- Use the five tests to determine a qualifying dependent.

There are two kinds of exemptions: personal and dependency. While both exemptions are worth the same amount, different rules apply to each type.

Personal exemptions are allowed to the taxpayer and to the taxpayer's spouse.

Dependency exemptions are allowed to the taxpayer for qualifying dependents who meet five specific tests.

The taxpayer can usually deduct the **exemption amount** (\$3,100 for 2004) when figuring taxable income.

PERSONAL EXEMPTIONS

The Taxpayer

The taxpayer can claim a personal exemption for himself or herself unless the taxpayer is eligible to be claimed as a dependent on another person's return. If this is true, the taxpayer cannot claim an exemption for himself or herself, even if the other taxpayer does not actually claim the dependency exemption.

The Spouse

Generally, if the taxpayer's spouse is claimed as a dependent on another person's return, the taxpayer cannot claim the spouse's exemption on his or her return. (One spouse is never considered the dependent of the other.)

To claim an exemption for a spouse, the taxpayers must be married by December 31, the last day of the year. If the taxpayer files a separate return, he or she can claim the exemption for his or her spouse only if his or her spouse had no gross income (defined later) and was not the dependent of another taxpayer. This is true even if the other taxpayer does not actually claim the taxpayer's spouse's exemption. If a taxpayer is divorced or legally separated at the end of the tax year, he or she cannot claim his or her (former) spouse's exemption.

If the taxpayer's spouse died during the year and the taxpayer did not remarry by December 31, the taxpayer can generally claim the personal exemption for the deceased spouse. This exemption can be claimed only if the taxpayer was not divorced or legally separated from his or her spouse on the date of the death and would have been able to claim the exemption under regular circumstances.

ALERT



Establish if taxpayer was considered married on 12/31/04.

ALERT



For 2004 the exemption amount increased to \$3,100.

ALERT



Ask if the taxpayer's spouse died during the year.

ALERT



Ask if the taxpayer and/or spouse is a U.S. citizen or resident alien.

Following is a set of interview questions designed to familiarize you with probing techniques. In some cases the the question may reference topics that will be discussed in later lessons. Refer to the questions now and again when you get to applicable lessons to help you understand any unclear information.

INTERVIEW TIPS



Personal Exemptions

Probe/Action: Ask the taxpayer:

Step 1: Were you married during any part of the tax year? (answer yes if state common law rules met)	If YES , go to Step 2. If NO , go to Step 7.
Step 2: Were you still married on December 31st of the tax year?	If YES , go to Step 5. If NO , go to Step 3.
Step 3: Did you obtain a final decree of divorce or separate maintenance by December 31st of the tax year?	If YES , you cannot claim a personal exemption for your former spouse. Go to Step 7. If NO , go to Step 4.
Step 4: Did your spouse (or you, the taxpayer, if this is a final return for the deceased) die during the tax year?	If YES , go to Step 5. If NO , go back through Steps 1-3 and clarify answers that brought you to Step 4. Explain abandonment does not change marital status but might affect filing status.
Step 5: Are you filing a joint tax return?	If YES , go to Step 7. If NO , go to Step 6.
Step 6: Did your spouse have income and/or can anyone else claim your spouse as a dependent?	If YES , you cannot claim a personal exemption for your spouse. Go to Step 7 to see about your own personal exemption. If NO , you can claim a personal exemption for your spouse.
Step 7: Can anyone meet all five dependency tests to claim you, and/or your spouse if you answered YES to Steps 1 and 2 above, as a dependent?	If YES , you cannot claim a personal exemption for yourself, and/or spouse, if someone else can claim you as a dependent, even if the other person does not claim a dependency exemption for you or your spouse. If NO , you can claim a personal exemption.

POTENTIAL PITFALLS



Your spouse is never considered your dependent. You may be able to take one exemption for your spouse only because you are married.

A **dependent** is a person, other than the taxpayer or spouse, who entitles the taxpayer to claim a dependency exemption. A taxpayer can claim a dependency exemption only if **all five** of the following dependency tests are met.

1. Member of Household or Relationship
2. Citizen or Resident
3. Joint Return
4. Gross Income
5. Support

1. The Member of Household or Relationship Test

To meet this test, the person must either:

- A. Live with the taxpayer for the entire year as a member of his or her household, or
- B. Be related to the taxpayer in one of the ways listed later, under *Relatives who do not have to live with the taxpayer*.

Note:

A person away on temporary absences is considered to live and be a member of the household the entire year. Temporary absences include attending school, taking vacations, hospital stays due to illness, and military service. In addition, the relationship must not violate local law.

Relatives who do not have to live with the taxpayer

A person related to the taxpayer in any of the following ways does not have to live with the taxpayer the entire year as a member of his or her household to meet this test.

- Child, grandchild, great grandchild, etc. (A legally adopted child is considered the taxpayer's child)
- Stepchild
- Brother, sister, half brother, half sister, stepbrother, stepsister
- Parent, grandparent, or other direct ancestor, but not foster parent
- Stepmother or stepfather
- Brother or sister of your father or mother
- Son or daughter of your brother or sister
- Father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, or sister-in-law

ALERT



A foster child must live with the taxpayer the entire year to be considered for a dependency exemption.

ALERT



You cannot claim a dependency exemption for persons who do not have a valid taxpayer identification number (TIN) except for your child who was born and died in the tax year.

POTENTIAL PITFALLS



There are two tests within the **Member of Household or Relationship** test. Passing this test requires meeting only one or the other of the test criteria.

If a child was born alive during the year and meets the dependency tests, the taxpayer can take the exemption, even if the child lived only for a moment. No exemption is allowed for a stillborn child. State or local laws determine if a child was born alive or stillborn.

A legally adopted child is considered to be the taxpayer's child. If an adoption is finalized and the child begins living with the taxpayer on or before December 31, the member of the household test is met.

If a foster child has lived with the taxpayer for the entire year (except for temporary absences) and the taxpayer cares for the child as his or her own, the child is treated as the taxpayer's own child.

A person who died during the year and was a member of the taxpayer's household until death meets the member of household test.

A cousin must live with the taxpayer for the entire year (except for temporary absences) to meet the member of household test. A cousin *does not* meet the relationship test.

INTERVIEW TIPS



Dependency Exemptions, Member of Household or Relationship Test

Probe/Action: Ask the taxpayer:

Step 1: Did the person live with you as a member of your household for the entire year?

(Answer yes if your child died in the tax year.)
If YES, the Member of Household or Relationship Test is met. Proceed to the next test - **Citizen or Resident Test**.
If NO, go to Step 2.

Step 2: Is the person a qualifying relative? Child or descendant of child, child of your brother or sister, stepchild, brother, sister, half brother, half sister, stepbrother stepsister, parent, grandparent, or other direct ancestor, stepmother or stepfather, brother or sister of your father or mother, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, or sister-in-law

(Answer yes if legal adoption for your child was finalized on or before December 31 or if the adoption is not yet final, but the child was placed with you for legal adoption by an authorized placement agency.)
If YES, the Member of Household or Relationship Test is met. Proceed to the next test - Citizen or Resident Test.
If NO, STOP. You cannot claim this person as a dependent.

2. Citizen or Resident Test

To meet this test, a person must be for some part of the year:

- a U.S. citizen or resident, or
- a resident of Canada or Mexico.

Children usually are citizens or residents of the country of their parents. A child born in a foreign country can be recognized as a U.S. citizen for tax purposes if either parent is a U.S. citizen.

There are two exceptions to the gross income test. The gross income test does not apply if:

- the taxpayer's child is under 19 years of age at the end of the year, or
- the taxpayer's child is under 24 years of age at the end of the year and is a full-time student

To be considered a student, the taxpayer's child must attend school full-time for some part of each of five calendar months of the year. The five months need not be consecutive in order to qualify. School generally does not include night schools, on-the-job training courses, or correspondence schools.

ALERT



The **Gross Income test** is a limitation on claiming a dependency exemption. The exemption is denied even if the other dependency tests are met for a dependent that had gross income of \$3,100 or more for the tax year. However, the exemption is allowed if the test does not apply.

INTERVIEW TIPS



Dependency Exemptions, The Gross Income Test

Probe/Action: Ask the taxpayer:

Step 1: Did the person have gross income of \$3,100 or more during the year?	If YES, go to Step 2. If NO, the Gross Income Test does not apply. Proceed to the next test - The Support Test.
Step 2: Was the person your child?	If YES, go to Step 3. If NO, STOP. You cannot claim this person as a dependent.
Step 3: Was your child under age 19 at the end of the year?	If YES, the Gross Income Test does not apply. Proceed to the next test - The Support Test. If NO, go to Step 4.
Step 4: Was the child under age 24 at the end of the year and a full-time student for some part of each of the five months during the year?	If YES, the Gross Income Test does not apply. Proceed to the next test - The Support Test. If NO, STOP. You cannot claim this person as a dependent.

5. The Support Test

The support test requires that the taxpayer provide more than half of a person's total support for the entire year in order to claim that person as a dependent.

There are two exceptions to the support test:

- Multiple support, and
- Children of divorced or separated parents

(Both of these exceptions will be covered later in this section.)

To determine if the taxpayer provided more than half of the dependent's support, compare the amount that the taxpayer contributed to the person's support with the entire amount of

support the person received from all sources. (Exhibit 1 provides a worksheet for figuring whether the taxpayer provided more than half of a dependent's support.)

State benefit payments like welfare, food stamps, and housing are considered support provided by the state, not by the parent, regardless of how the parent actually spends the funds.

Support provided for the dependent includes support paid from these sources: amounts withdrawn from savings; borrowed amounts, such as student loans and car loans; and tax-exempt income, including social security benefits, life insurance proceeds, nontaxable pensions, gifts, and tax-exempt interest.

Only the amount of a dependent's own funds that is actually spent on support is counted. Scholarships received by fulltime students are not included in total support.

Do not include in support any amounts that are:

- paid from a dependent's own funds for income and social security taxes,
- paid as life insurance premiums, or
- not spent, but saved or invested.

Total support items include food, clothing, shelter at fair rental value, education, medical and dental care, recreation, and transportation. Some support items, like food and rent, benefit more than one member of a household. Divide the value of these support items among the number of household members that benefit. Capital items like furniture, appliances, or autos should be included in support if the items are solely for the dependent's own use or benefit.

Example 1

Alexis, age 20, lived all year with her parents and younger sister in an apartment. Alexis earned \$4,000 from her part-time job. She saved \$1,000 for college and \$500 was withheld for income and social security taxes. Alexis spent the remaining \$2,500 on clothing, transportation, and recreation.

Alexis provided \$2,500 of her own support. The college savings will not be counted as support until the money is spent. The funds used to pay income and social security tax are not considered to be support.

In order for Alexis' parents to claim her as a dependent, they must provide additional support of more than \$2,500. Included in support items are one-fourth of the family's rent, utilities, grocery bills, and any additional amounts paid for Alexis' medical expenses and education.

Funds Belonging to the Person You Supported	
1) Total funds belonging to the person you supported, including income received (taxable and nontaxable) and amounts borrowed during the year, plus the amount in savings and other accounts at the beginning of the year	\$
2) Amount used for support	\$
3) Amount used for other purposes	\$
4) Amount in savings and other accounts at end of the year	\$
(The total of lines 2, 3, and 4 should equal line 1)	\$
Expenses for Entire Household (where the person you supported lived)	
5) Lodging (Complete item a or b)	
a) Rent paid	\$
b) If not rented, show fair rental value of home. If the person you supported owned the home, include this amount in line 19.	\$
6) Food	\$
7) Utilities (heat, light, water, etc. not included in line 5a or 5b)	\$
8) Repairs (not included in line 5a or 5b)	\$
9) Other. Do not include expenses of maintaining home, such as mortgage interest, real estate taxes, and insurance.	\$
10) Total household expenses (Add lines 5 through 9)	\$
11) Total number of persons who lived in household	
Expenses for the Person You Supported	
12) Each person's part of household expenses (line 10 divided by line 11)	\$
13) Clothing	\$
14) Education	\$
15) Medical, dental	\$
16) Travel, recreation	\$
17) Other (specify)	\$
18) Total cost of support for the year (Add lines 12 through 17)	\$
Did You Provide More Than Half?	
19) Amount the person provided for own support (line 2, plus line 5b if the person you supported owned the home)	\$
20) Amount others provided for the person's support. Include amounts provided by state, local, and other welfare societies or agencies. Do not include any amounts included on line 1.	\$
21) Amount you provided for the person's support (line 18 minus lines 19 and 20)	\$
22) 50% of line 18	\$
Is line 21 more than line 22?	
Yes. You meet the support test for the person. If the other exemption tests are met, you may claim an exemption for the person.	
No. You do not meet the support test for the person. You cannot claim an exemption for the person unless you can do so under a multiple support agreement. See <i>Multiple Support</i> , later.	

Multiple Support

Sometimes, no one person provides more than half of an individual's support, but two or more persons together do. In this situation, anyone who separately provides over 10 percent of the person's total support and meets the other tests can claim the exemption for the dependent. Nonetheless, only one person can claim the exemption. All other persons who provided more than 10 percent of the support and who meet the other tests must sign a written statement agreeing not to claim the exemption for that year. **Form 2120, Multiple Support Declaration**, is used to identify each of the others not claiming the exemption. The person who claims the exemption attaches Form(s) 2120 to his or her current year's tax return and must keep for his records the signed statement from the person agreeing not to claim the exemption.

Example 2

Henry E. and Harold S. Loras each provide more than 10 percent of the total support of their mother Angela S. Loras, but neither provides more than 50 percent. Together, Henry and Harold provide more than 50 percent. They decide that Henry will claim the exemption this year. Exhibit 2 shows the completed Form 2120 that Henry will attach to his return.

Exhibit 2

Henry's Form 2120

Form 2120 (Rev. December 2002) Department of the Treasury Internal Revenue Service	<h3>Multiple Support Declaration</h3> <p>▶ Attach to Form 1040 or Form 1040A.</p>	OMB No. 1545-0071 Attachment Sequence No. 114
Name(s) shown on return Henry E. Loras		Your social security number xxx | xx | xxxx
During the calendar year _____, the eligible persons listed below each paid over 10% of the support of:		
Angela S. Loras Name of person supported		
I have a signed statement from each eligible person waiving his or her right to claim this person as a dependent for any tax year that began in the above calendar year.		
Harold S. Loras Eligible person's name		xxx | xx | xxxx Social security number
123 Marin Street, Your City, State Zip Address (number, street, apt. no., city, state, and ZIP code)		
Eligible person's name		Social security number
Address (number, street, apt. no., city, state, and ZIP code)		
Eligible person's name		Social security number
Address (number, street, apt. no., city, state, and ZIP code)		
Eligible person's name		Social security number
Address (number, street, apt. no., city, state, and ZIP code)		

Children of Divorced or Separated Parents

The parent who has custody of the child for the greater part of the year (the custodial parent) will generally be considered as having provided over half of the child's support ***if all of the following conditions are met.***

- The child received over half of his or her total support from one or both parents.
- The parents are divorced, legally separated, separated under a written separation agreement, or have lived apart at all times during the last six months of the calendar year.
- The child was in the custody of one or both parents for more than half of the calendar year.

The custodial parent ***will not*** be considered as having provided over half of the child's support if any of the following conditions exist.

- Over half of the support of the child is considered to have been received from a third party, such as a relative or friend, or the government (welfare benefits).
- The custodial parent signed Form 8332, *Release of Claim to Exemption for Child of Divorced or Separated Parents*, or a similar statement, that allows the noncustodial parent to claim the exemption (this statement must be attached to the noncustodial parent's return).
- A decree or agreement that went into effect after 1984 unconditionally states that the noncustodial parent can claim the child as a dependent.
- A qualified pre-1985 agreement provides that the noncustodial parent shall be entitled to the exemption for the child and the noncustodial parent contributed at least \$600 toward the child's support during the tax year, unless the pre-1985 agreement is modified after 1984 to specify that this provision will not apply.

Example 3

Ellen M. and Richard A. Stonehill are divorced. Under the terms of the 1984 divorce, Richard has custody of their two children, Alan R. and Mary E. The divorce decree specifies that Ellen can claim the dependency exemptions. Ellen provided \$1,500 of support for each child. Assuming all other tests are met, Ellen can claim both children as dependents.

If Ellen had provided only \$500 of support for each child, she could not claim dependency exemptions for the two children. To claim the exemptions, she must provide at least \$600 of support for each child.

If the divorce occurred after 1984 and Richard and Ellen had agreed that Ellen would claim the dependency exemptions for the children, Ellen would attach Form 8332 or a similar statement to her tax return. Exhibit 3 shows a completed Form 8332 for Ellen.

Exhibit 3

Ellen's Form 8332

Form 8332 (Rev. December 2000) Department of the Treasury Internal Revenue Service	Release of Claim to Exemption for Child of Divorced or Separated Parents ▶ Attach to noncustodial parent's return each year exemption is claimed. Caution: Do not use this form if you were never married.	OMB No. 1545-0915 Attachment Sequence No. 115
Name of noncustodial parent claiming exemption <u>Ellen M. Stonehill</u>	Noncustodial parent's social security number (SSN) ▶ <u>XXX XX XXXX</u>	
Part I Release of Claim to Exemption for Current Year		
I agree not to claim an exemption for <u>Alan R. Stonehill and Mary E. Stonehill</u> Name(s) of child (or children)		
for the tax year 20 <u>04</u> .		
<u>Richard A. Stonehill</u> Signature of custodial parent releasing claim to exemption	<u>XXX XX XXXX</u> Custodial parent's SSN	<u>3/26/2005</u> Date
Note: If you choose not to claim an exemption for this child (or children) for future tax years, also complete Part II.		

INTERVIEW TIPS



Dependency Exemptions, The Support Test

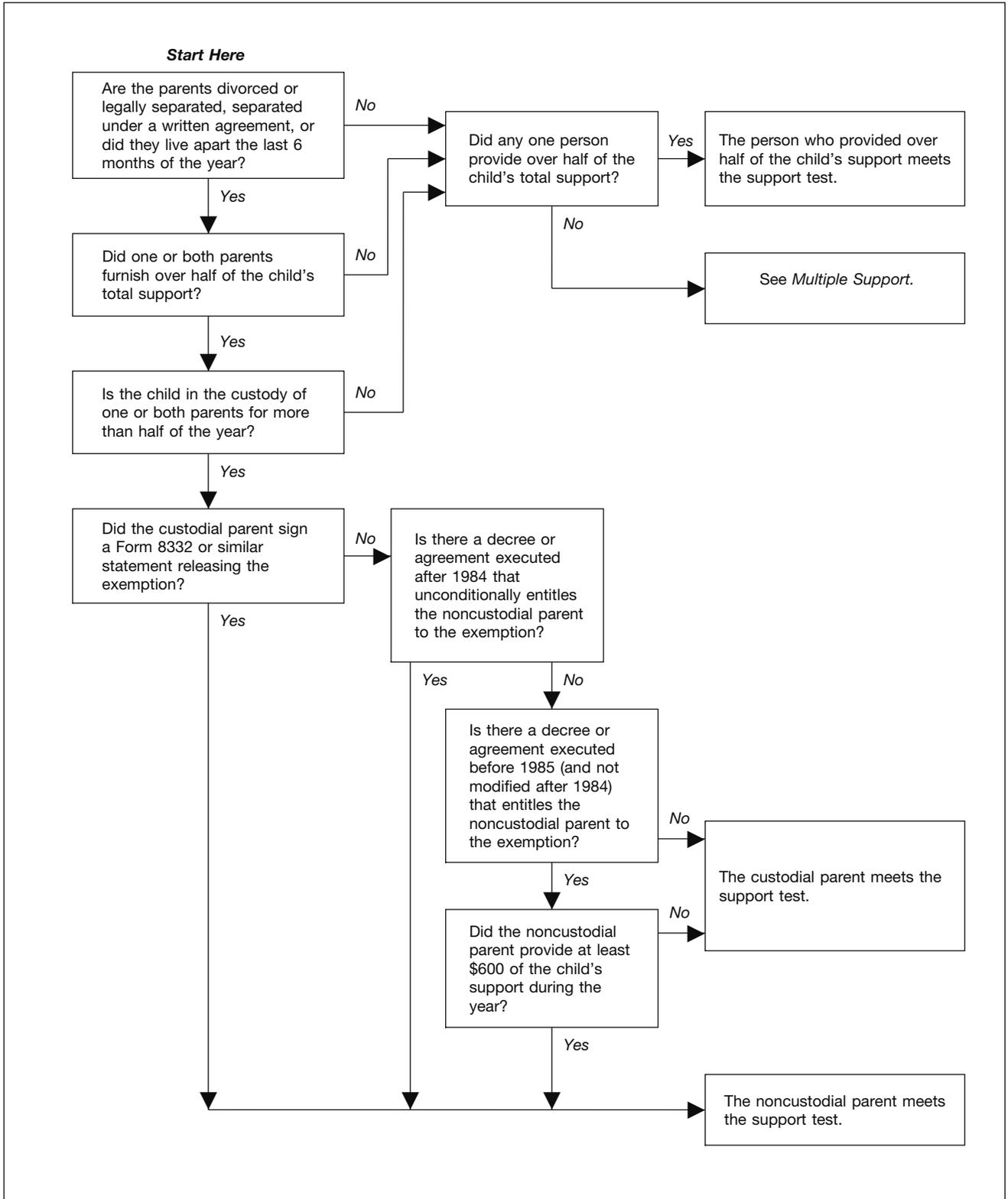
Probe/Action: Ask the taxpayer:

TABLE 1 Test for Support by Taxpayers Not Divorced or Separated

Step 1: Did you provide more than half the person's total support for the year?	If YES, the person meets the Support Test and qualifies as a dependent since all 5 tests are either met or do not apply. If NO, go to Step 2.
Step 2: Did another person provide more than half the person's total support?	If YES, STOP. You cannot claim this person as a dependent. If NO, go to Step 3.
Step 3: Did 2 or more people together provide more than half the person's total support?	If YES, go to Step 4. If NO, STOP. No one can claim this person as a dependent.
Step 4: Did you provide more than 10% of the person's total support for the year?	If YES, go to Step 5. If NO, STOP. You cannot claim this person as a dependent.
Step 5: Did the people providing at least 10% of the person's total support for the year provide you with a signed statement agreeing not to claim the exemption?	If YES, the person meets the Support Test and qualifies as a dependent since all 5 tests are either met or do not apply. If NO, STOP. You cannot claim this person as a dependent.

TABLE 2 Test for Support of Child by Divorced or Separated Taxpayers

Step 6: Were the parents of the child ever married?	If YES, go to Step 7. If NO, use TABLE 1, Test for Support by Taxpayers Not Divorced or Separated. Go to Step 1.
Step 7: Were the parents divorced or legally separated, separated under a written agreement, or did they live apart the last 6 months of the year?	If YES, go to Step 8. If NO, use TABLE 1, Test for Support by Taxpayers Not Divorced or Separated. Go to Step 1.
Step 8: Did one or both parents provide more than half the child's total support?	If YES, go to Step 9. If NO, use TABLE 1, Test for Support by Taxpayers Not Divorced or Separated. Go to Step 1.
Step 9: Did one or both parents have custody of the child for more than half the calendar year?	If YES, go to Step 10. If NO, use TABLE 1, Test for Support by Taxpayers Not Divorced or Separated. Go to Step 1.
Step 10: Did you have custody of the child for more than half the calendar year?	If YES, go to Step 11. If NO, go to Step 12.
Step 11: Did you sign a Form 8332 or similar statement releasing the exemption?	If YES, STOP. You cannot claim this person as a dependent. If NO, the person meets the Support Test and qualifies as a dependent since all 5 tests are either met or do not apply.
Step 12: Did the custodial parent provide you with a signed Form 8332 or similar statement releasing the exemption?	If YES, the person meets the Support Test and qualifies as a dependent since all 5 tests are either met or do not apply. If NO, STOP. You cannot claim this person as a dependent.



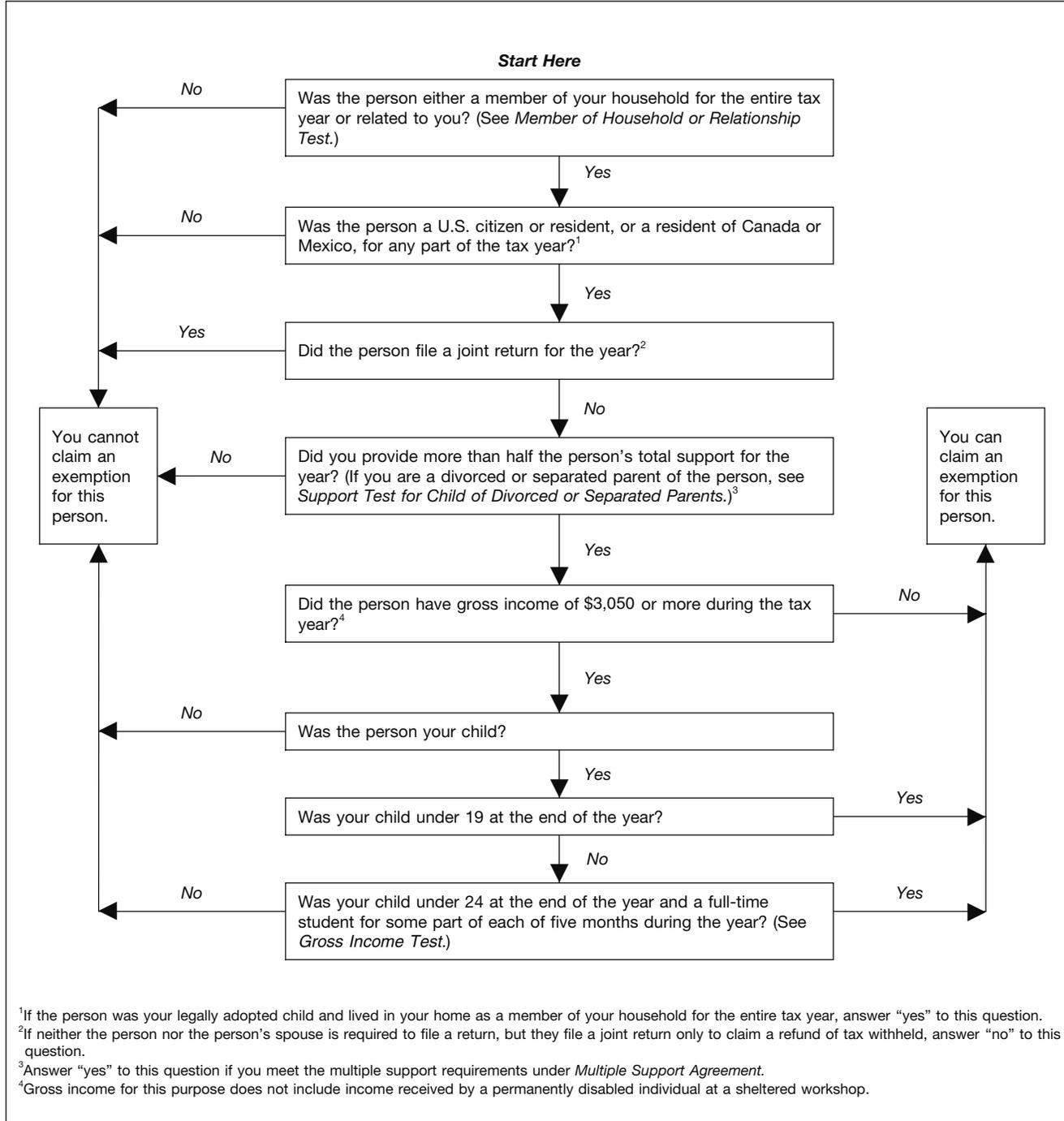
DETERMINING THE NUMBER OF EXEMPTIONS TO CLAIM

When determining the number of exemptions to claim, first look at the personal exemptions and then review each of the tests for dependency exemptions. There are many factors to consider as well as several major exceptions.

REMEMBER: Do not claim an exemption for a person who can be claimed on another return.

Exhibit 5

Can You Claim an Exemption for a Dependent?



¹If the person was your legally adopted child and lived in your home as a member of your household for the entire tax year, answer "yes" to this question.

²If neither the person nor the person's spouse is required to file a return, but they file a joint return only to claim a refund of tax withheld, answer "no" to this question.

³Answer "yes" to this question if you meet the multiple support requirements under *Multiple Support Agreement*.

⁴Gross income for this purpose does not include income received by a permanently disabled individual at a sheltered workshop.

COMPLETING THE EXEMPTION SECTION OF FORMS 1040A AND 1040

Exemptions are claimed on lines 6a through 6d. The taxpayer's personal exemption is claimed on line 6a. The personal exemption for the taxpayer's spouse is claimed on line 6b. The total of lines 6a and 6b is entered on the line in the right-hand margin. The dependency exemptions are claimed on line 6c. The columns on line 6c are self explanatory. In column 3, enter the specific relationship for each dependent: son, daughter, grandson, granddaughter, etc. Column 4 is checked if the taxpayer's dependent is also a qualifying child for the child tax credit (see lesson 11). The line 6c exemptions are totaled on the three right-hand-margin lines that relate to:

- Children who lived with the taxpayer,
- Children who did not live with the taxpayer due to divorce or separation, and
- Other dependents not entered on the lines above.

Line 6d shows the total number of exemptions (See Exhibit 6).

Exhibit 6

Form 1040/1040A, page 1

	(1) First name	Last name	(2) Dependent's social security number	(3) Dependent's relationship to you	(4) <input checked="" type="checkbox"/> if qualifying child for child tax credit (see page 25)	
If more than six dependents, see page 24.	James Nicholson		000:00:3333	son	<input checked="" type="checkbox"/>	No. of boxes checked on 6a and 6b <u>2</u> No. of children on 6c who: • lived with you <u>1</u> • did not live with you due to divorce or separation (see page 26) _____ Dependents on 6c not entered above _____ Add numbers on lines above 3
					<input type="checkbox"/>	
					<input type="checkbox"/>	
					<input type="checkbox"/>	
					<input type="checkbox"/>	
d Total number of exemptions claimed.						

If you are claiming Child Tax Credit (CTC), Earned Income Credit, and/or Dependent Care (DC), you must enter the date of birth for qualifying children and "X" the EIC and/or DC box(es). CTC is automatically calculated for you.

▶▶ Summing Up This Section ◀◀

There are two types of exemptions: personal and dependency. Each exemption reduces taxable income by \$3,100 in 2004.

A personal exemption can be claimed for a taxpayer and spouse if neither the taxpayer nor the spouse can be claimed on another taxpayer's return.

To claim a dependency exemption, the dependent must meet all of 5 tests.

1. The Member of Household or Relationship Test.
2. The Citizen or Resident Test.
3. The Joint Return Test.
4. The Gross Income Test.
5. The Support Test.

There are two exceptions to the gross income test.

- ▶ Taxpayers' children under age 19.
- ▶ Taxpayers' children under age 24 who are full-time students.

There are two exceptions to the support test.

- ▶ The multiple-support agreement.
- ▶ Children of divorced or separated parents.

Exercises

1. Janice is 18 years old and a full-time student. She can be claimed as a dependent on her parents' tax return. Janice will file Form 1040EZ to report income from her summer job. How many personal exemptions can Janice claim on her return?

2. Tom Brown supports his wife's uncle, Jim (her mother's brother), who lives in another city. The Browns file a joint return. Can the Browns claim Jim as a dependent if all other tests are met?

3. Ruth filed a joint return with her husband whom she married in November. They claimed two personal exemptions on their return. Ruth had no income; her husband had \$10,600 income. Can Ruth's father, who supported her and paid for the wedding, claim her as a dependent on his return? _____
4. Joe is 65 years old and lives with his son and daughter-in-law. In 2004, Joe's taxable pension income was \$4,700. Can Joe's son and daughter-in-law claim a dependency exemption for Joe if all other tests are met? _____
5. Randy's son, Paul, earned \$4,300 last year. Paul is 18 years old and started college in September 2004. Is the gross income test met? _____
6. Traci's mother received \$3,500 in social security payments and \$600 in interest. Traci paid \$1,500 for her food and \$500 for her medical bills. Her mother paid \$2,400 for lodging, \$300 for recreation, \$150 for clothes, \$100 for transportation, \$400 for life insurance premiums, and \$200 for a television set.
 - A. What is the total support for Traci's mother? _____
 - B. How much did Traci contribute toward her mother's support?

 - C. How much did Traci's mother contribute toward her support?

 - D. Can Traci claim a dependency exemption for her mother?

7. Mrs. Wiley has three children, Mark, Tim, and Mary. Each child contributes toward Mrs. Wiley's support. Mark provides 45 percent, Tim, 35 percent, and Mary, 10 percent.
 - A. Which, if any, of her children can claim a dependency exemption for Mrs. Wiley under a multiple-support agreement?

 - B. If Mark is to claim the dependency exemption, who must sign a statement waiving his/her right to claim Mrs. Wiley as a dependent? _____
8. Under the terms of Peter's pre-1985 divorce decree, his former wife has custody of their child. The decree states that Peter can claim the exemption. He provided \$700 toward the child's support. Can he claim the exemption? _____

Exercise 1

0

Exercise 2

Yes; Jim is related by blood to Mrs. Brown.

Exercise 3

No, the husband has a filing requirement

Exercise 4

No; His gross income equals or exceeds the exemption amount of \$3,150.

Exercise 5

Yes; Paul is under the age of 19.

Exercise 6

- A. \$5,150 ($\$1,500 + \$500 + \$2,400 + \$300 + \$150 + \$100 + \200)
Note that life insurance premiums are not considered support.
- B. \$2,000 ($\$1,500 + \500)
- C. \$3,150 ($\$2,400 + \$300 + \$150 + \$100 + \200) Note that life insurance premiums are not considered support.
- D. No; she did not pass the Gross Income Test.

Exercise 7

- A. Mark or Tim are eligible to claim the exemption. Both provide more than 10 percent of Mrs. Wiley's support. Mary is not eligible since she does not provide more than 10 percent of the support.
- B. Only Tim must sign. Mary is not eligible to take the exemption. Therefore, she does not have to sign a waiver.

Exercise 8

Yes; Peter provided at least \$600 in support.

STUDENT NOTES

Lined area for student notes.

STUDENT NOTES

DEPENDENCY EXEMPTIONS

Lesson 1
Military Segment

INTRODUCTION AND OBJECTIVE

The basic segment explained the tests that must be met before a person can be claimed as a dependent. In this segment you will find more information about the support and citizen or resident tests to help you assist members of the Armed Forces.

SUPPORT TEST

Armed Forces Member as a Dependent

A person who has been in the Armed Forces for the entire year cannot be claimed as a dependent because the support test will not have been met. A person in the Armed Forces for only part of the year can be claimed as a dependent if all the dependency tests are met. All amounts received from the Armed Forces that are used for the person's support must be taken into account.

If a person is appointed to one of the Armed Forces academies and is at the academy all year, he or she cannot be a dependent. An appointee at the academy for only part of the year may qualify as a dependent if all the tests are met.

Exercise 1

Kathleen Simmons is 18 and single. Kathleen graduated from high school in June 2004 and entered the U.S. Air Force in September 2004. Kathleen provided \$3,400 (wages of \$2,400 and \$1,000 for other items provided by the Air Force) for her own support, and her parents provided \$3,600. Can Kathleen's parents claim a dependency exemption for her for 2004?

Answer _____

Armed Forces Member Claiming a Dependent

If a member of the military has authorized a dependency allotment and the allotment is used to support dependents who did not live with him or her for reasons other than divorce or separation, the member can claim the exemptions if all the dependency tests are met.

Example

Army Pvt. Gary Fairfield authorized a dependency allotment for his mother. She used the amount received to support herself and Gary's 10-year-old sister. Gary provided no other funds for their support. If the allotment provides more than half of their total support for the year and all other dependency tests are met, Gary can claim exemptions for both his mother and his sister, even though the allotment was authorized for his mother only.

Exercise 2

Cpt. Jim Mills authorized a dependency allotment for his son, John. The allotment (\$150 a month) was in effect for all of 2004. How much support should Cpt. Mills consider he provided for John in 2004?

Answer _____

CITIZEN OR RESIDENT TEST

To meet the citizen or resident test, the taxpayer's dependent must be a U.S. citizen, a U.S. resident, or a resident of Canada or Mexico for some part of the calendar year in which the taxpayer's tax year begins.

Exercise 3

The wife of Col. William Bates is a Greek citizen. Her sister, Athena, who is also a Greek citizen, lived in the Bates' home in Greece for the entire tax year. Col. Bates provided more than 50% of Athena's total support.

- a. Can Col. Bates claim his sister-in-law as a dependent?

Answer _____

- b. What would be your answer to (a) if Athena were a Canadian citizen living in the Bates' home in Greece for the entire year?

Answer _____



Children are usually citizens or residents of the country of their parents. If you were a U.S. citizen when your child was born, the child may be a U.S. citizen although the other parent was a non-resident alien and the child was born in a foreign country.

A U.S. citizen who has legally adopted a child who is not a U.S. citizen or resident can claim the child as a dependent if the other dependency tests are met and if, for the entire tax year:

1. The taxpayer's home is the child's main home, and
2. The child is a member of the taxpayer's household.

Exercise 4

Sgt. John Ranger, a U.S. citizen who has been in the U.S. Army for 13 years, is stationed in Germany. His wife is a German citizen who has never lived in the United States. Their 2-year-old son was born in Germany. Sgt. Ranger's stepdaughter, a German citizen whom Sgt. Ranger has not adopted, also lives with them. The Rangers provide total support for the two children. How many dependency exemptions can Sgt. Ranger claim on a joint return?

Answer _____

▶▶ SUMMING UP THIS SEGMENT ◀◀

In this segment you have learned how the support and citizen or resident tests for the dependency exemption apply to some military situations.





DEPENDENCY EXEMPTIONS

Lesson 1
Military Segment

ANSWERS TO EXERCISES

1. Yes. The support test is met.
2. \$1,800.
3.
 - a. No. His sister-in-law was not a citizen or resident of the United States at any time during the year.
 - b. No. Athena would have to reside in Canada for at least some part of the year to qualify.
4. One. The stepdaughter does not qualify as a U.S. citizen or resident. The son qualifies because his father is a U.S. citizen.

EXEMPTION FOR A FOREIGN SPOUSE

Lesson 1
Military Segment

INTRODUCTION AND OBJECTIVES

There are special tax laws and filing procedures that must be followed in order to prepare to file federal income tax returns accurately for citizens or residents of the United States who have spouses who are nonresident aliens. When we are finished with this segment you will be able to determine if a taxpayer is entitled to claim the personal exemption for a foreign spouse.

PERSONAL EXEMPTIONS

Each taxpayer is allowed a personal exemption (unless the taxpayer is claimed by someone else). On a Married Filing Separate return a spouse's personal exemption may be claimed by the taxpayer if the spouse had no gross income and is not claimed by anyone else. **Remember: a spouse is never the dependent of the taxpayer.**

If your spouse is a nonresident alien, he or she can choose to file a joint return with you. If the nonresident alien spouse makes this choice, they will be treated like a resident alien for tax purposes. This means that they will have to include all of their worldwide income on the joint U.S. tax return. Your spouse does **not** have to be from Canada or Mexico to make this choice.

Example 1

Pat Simpson, a U.S. citizen, is married to Frank, a nonresident alien. Pat and Frank make the choice to treat Frank as a resident alien by attaching a statement to their joint return. Pat and Frank must report their worldwide income for the year they make the choice and for all later years unless the choice is ended or suspended. Although Pat and Frank must file a joint return for the year they make the choice, they can file either joint or separate returns for later years. If your nonresident alien spouse does not choose to be treated as a resident alien, you may be able to claim an exemption for the spouse on a married filing separate return. The nonresident spouse must not have any gross income for U.S. tax purposes and cannot be the dependent of another U.S. taxpayer. The spouse must have a Taxpayer Identification Number.

▶▶ **SUMMING UP THIS SEGMENT** ◀◀

- ▶ In general, a taxpayer can claim an exemption for a nonresident alien spouse if he or she chooses to file a joint return with them and be taxed as a resident alien.
- ▶ A taxpayer can claim a nonresident alien spouse on his or her married filing separate return if the nonresident alien spouse has no income for U.S. tax purposes and is not the dependent of another U.S. taxpayer.
- ▶ Every person claimed on a return must have a Taxpayer Identification Number.



EXEMPTIONS FOR FOREIGN SPOUSE OR DEPENDENT

Lesson 1

International Segment

INTRODUCTION AND OBJECTIVES

This lesson will explain the special rules that may affect a taxpayer's ability to claim a foreign spouse and/or dependent on their return.

After completing this lesson, you should be able to:

- Determine whether the taxpayer is a non-resident alien or resident alien
- Differentiate between a resident for tax purposes and a resident for immigration purposes
- Apply the dependency test for taxpayer living overseas

PERSONAL AND DEPENDENCY EXEMPTIONS

Each taxpayer is allowed a personal exemption (unless the taxpayer is claimed by someone else). On a Married Filing Separate return a spouse's personal exemption may be claimed by the taxpayer if the spouse had no gross income and is not claimed by anyone else. Remember: a spouse is never the dependent of the taxpayer.

The five dependency tests are essentially the same for taxpayers living overseas.

Citizenship Test. To meet this test a person must be a U.S. citizen or national, or a resident of the U.S., Canada or Mexico for some part of the tax year. If a U.S. citizen marries a nonresident alien, any child born to them may be entitled to U.S. citizenship. In most instances the U.S. parent will register the child with the U.S. Embassy or Consulate closest to where they live. If the child may claim U.S. citizenship, the child meets the citizenship test for dependency purposes, even though the family is living in a foreign country. Proof of citizenship is not required to be attached to the return. But if the item is questioned by the IRS, the U.S. citizen parent will have to obtain the necessary documentation from the U.S. government.

Example 1

Betty Glinn, a U.S. citizen, is married to Giovanni Glinn, an Italian citizen. They are currently living in Rome. Their daughter, Patricia, meets the citizenship test for dependency since she is entitled to U.S. citizenship because of her U.S. parent.

Occasionally, you will encounter a situation where a U.S. citizen adopts a child who is not a U.S. citizen. In those circumstances, the adopted child can meet the citizenship test if he or she lives with the U.S. citizen parent for the entire tax year (except for temporary absences).

DETERMINING ALIEN STATUS

Throughout this course material, we refer to U.S. citizens or resident aliens. In order to apply the tax law correctly, you need to determine alien status.

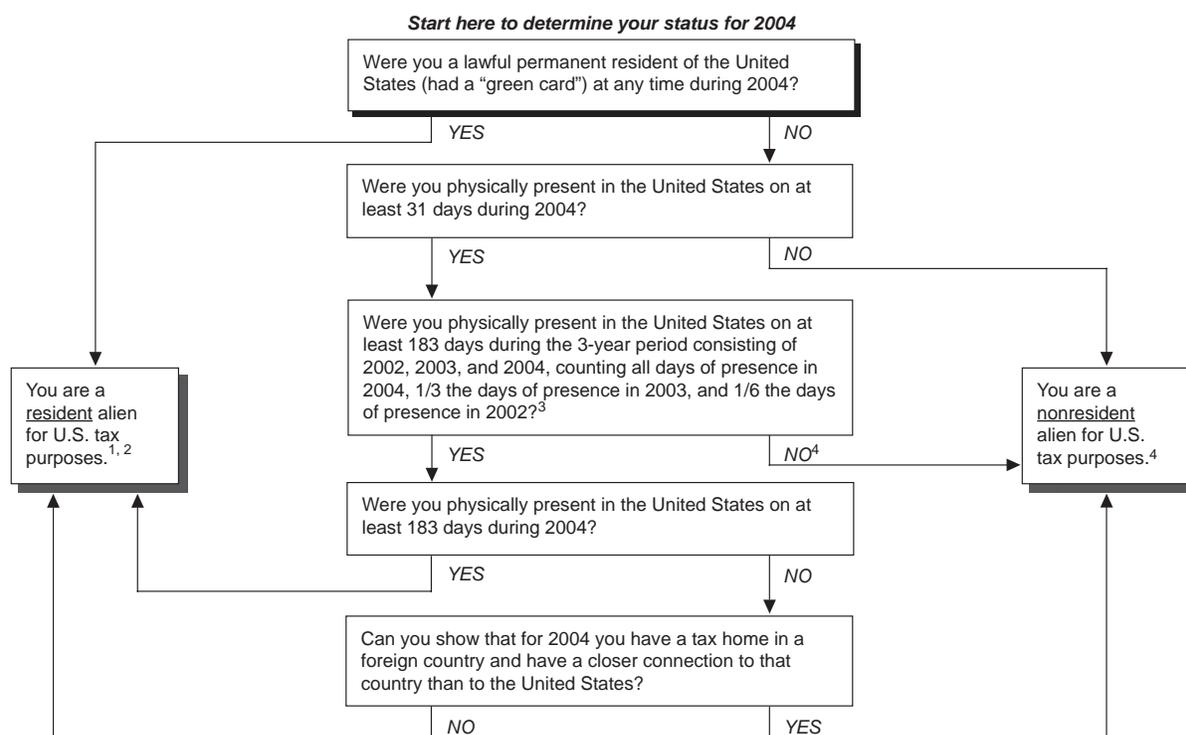
The first issue that must be decided is whether the taxpayer is a nonresident alien. If he/she is a nonresident alien then the taxpayer must be referred to get specialized help. Your training covers only the tax law as it applies to a citizen or a resident alien so this determination is very important. Remember that we are discussing taxes here. A resident for tax purposes is not necessarily a resident for immigration purposes.

The following is an excerpt from Publication 519 (U.S. Tax Guide for Aliens). This section discusses the rules for determining alien status. These issues are complex. In this lesson, we will use examples to review the differences between resident and non-resident aliens.

Glance or read over the following material, especially the flow chart, and get a feel for what is involved.



Exhibit 1. Nonresident Alien or Resident Alien?



¹ If this is your first or last year of residency, you may have a dual status for the year. See *Dual Status Aliens* in Pub. 519.

² In some circumstances you may still be considered a nonresident alien under an income tax treaty between the U.S. and your country. Check the provisions of the treaty carefully.

³ Do not count the days you were unable to leave the United States because of a medical condition that arose while you were in the United States.

⁴ If you meet the substantial presence test for 2005, you may be able to choose treatment as a U.S. resident alien for part of 2004. For details, see *Substantial Presence Test* under *Resident Aliens* and *First-Year Choice* under *Dual-Status Aliens* in Pub. 519.

If the taxpayer is an alien (not a U.S. citizen), he or she is considered a nonresident alien unless he or she meets either the green card test or the substantial presence test.

Green Card Test

You are a resident for tax purposes if you are a lawful permanent resident of the United States at **any time** during the calendar year. (However, see ***Dual Status***, later.) This is known as the “green card” test. You are a lawful permanent resident of the United States at any time if you have been given the privilege, according to the immigration laws, of residing permanently in the United States as an immigrant. You generally have this status if the Bureau of Citizenship and Immigration Services (BCIS) has issued you an alien registration card, also known as a “green card.” You continue to have resident status under this test unless it is taken away from you or is administratively or judicially determined to have been abandoned.

Substantial Presence Test

You will be considered a U.S. resident for tax purposes if you meet the substantial presence test for the calendar year. To meet this test, you must be physically present in the United States on at least:

1. 31 days during the current year, and
2. 183 days during the 3-year period that includes the current year and the two years immediately before that, counting:
 - a. All the days you were present in the current year (2004) and
 - b. 1/3 of the days you were present in the first year before the current year (2003) and
 - c. 1/6 of the days you were present in the second year before the current year (2002).

Example 1

You were physically present in the United States on 120 days in each of the years 2002, 2003, and 2004. To determine if you meet the substantial presence test for 2004, count the full 120 days of presence in 2004, 40 days in 2003 (1/3 of 120), and 20 days in 2002 (1/6 of 120). Since the total for the 3-year period is 180 days, you are not considered a resident under the substantial presence test for 2004.

The term United States includes the following:

1. All 50 states and the District of Columbia
2. The territorial waters of the United States, and
3. The seabed and subsoil of those submarine areas that are adjacent to the U.S. territorial waters and over which the United States has exclusive rights under international law to explore and exploit natural resources.

The term does not include U.S. possessions and territories or U.S. air space.

Days of Presence in the United States

You are treated as present in the United States on any day if you are physically present in the country at any time during the day. However, there are exceptions to this rule. Do not count the following as days of presence in the United States for the substantial presence test:

1. Days you regularly commute to work in the United States from a residence in Canada or Mexico.
2. Days you are in the United States for less than 24 hours when you are in transit between two places outside the United States.
3. Days you were unable to leave the United States because of a medical condition that developed while you were in the United States.



4. Days you were an exempt individual.

Regular commuters from Canada or Mexico. Do not count the days on which you regularly commute to work in the United States from your residence in Canada or Mexico. You are considered to commute regularly if you commute to work in the United States on **more than** 75 percent of the workdays during your working period.

For this purpose, commute means to travel to work and return to your residence within a 24-hour period. **Workdays** are the days on which you work in the United States or Canada or Mexico.

Working period means the period beginning with the first day in 2004 which you are physically present in the United States to work. If your work requires you to be present in the United States only on a seasonal or cyclical basis, your working period begins on the first day of the season or cycle on which you are present in the United States to work and ends on the last day of the season or cycle on which you are in the United States to work. Thus, you may have more than one working period in 2004, and your working period may begin in one calendar year and end in the following calendar year.

Exempt individual. For the substantial presence test, do not count days for which you are an exempt individual. The term “exempt individual” does not refer to someone exempt from U.S. tax, but to anyone in the following categories.

1. An individual temporarily present in the United States as a foreign government-related individual.
2. A teacher or trainee, temporarily present in the United States under a “J” or “Q” visa, who substantially complies with the requirements of the visa.
3. A student, temporarily present in the United States under an “F,” “J,” “M,” or “Q” visa, who substantially complies with the requirements of the visa.
4. A professional athlete temporarily in the United States to compete in a charitable sports event.

After reviewing the rules above, if there are still questions, refer the taxpayer to Publication 519 or to the IRS Information line for alien status determination.

DUAL STATUS

In general, for the first and last year of resident alien status the taxpayer will be considered a “dual status” alien (both resident and nonresident) and special rules apply. Generally, dual status aliens should be referred to the IRS or paid tax professional.



►► **SUMMING UP THIS SEGMENT** ◀◀

A resident alien is treated the same as a citizen for tax purposes. The main issues are:

1. Does the taxpayer have a “green card”? If so, then the taxpayer will be considered a resident alien and will meet the citizenship test.
2. Has the taxpayer been here in the U.S. long enough to qualify for the substantial presence test? If so, then the taxpayer is considered a resident alien on a year by year basis (this applies even though the person may be considered “illegal”) and would meet the citizenship test.
3. Remember that certain people are “exempt individuals” and do not count days toward the substantial presence test. They will not be treated as a resident and will not meet the citizenship test for dependency.



Filing Status and Filing Requirements

INTRODUCTION AND OBJECTIVES

In this lesson you will learn how to determine the correct filing status to use when completing a tax return. You will also learn how to establish whether there is a filing requirement and which tax form to use. You must choose the correct filing status before you can determine if there is a filing requirement. The filing status is also used to determine whether the taxpayer is eligible to claim certain deductions and credits.

After completing this lesson you should be able to:

- Apply the requirements for each of the five filing statuses.
- Determine who must file.
- Determine who should file.
- Select the appropriate tax form to use.

FILING STATUS

There are five filing statuses:

1. Single
2. Married filing jointly
3. Married filing separately
4. Head of household, and
5. Qualifying widow(er) with dependent child

In general, the taxpayer's filing status depends on whether they are considered unmarried or married. Determining the appropriate filing status is critical to accuracy of the taxpayer's return.

SINGLE

A taxpayer is considered **single** if, on the last day of the year, either of the following is true.

- The taxpayer was never married.
- The taxpayer was legally separated, according to state law, under a decree of divorce or separate maintenance.

A taxpayer can also be considered **single** if the taxpayer was widowed before January 1, 2004, and did not remarry in 2004. However, the taxpayer may be able to use another filing status that will give a lower tax. See *Head of Household* and *Qualifying Widow(er) with Dependent Child*, later.

MARRIED FILING A JOINT RETURN

Taxpayers may use the **married filing jointly** status if they are married. They are considered married if, on the last day of the year, one of the following applies:

- They are married and live together as husband and wife.
- They live together in a common-law marriage recognized in the state where they now live or in the state where the common-law marriage began.
- They are married and live apart but are not legally separated under a decree of divorce or separate maintenance.
- They are separated under an interlocutory (not final) divorce decree.
- The taxpayer's spouse died during the year and the taxpayer has not remarried.

If taxpayers file a joint return, combine the husband's and wife's tax items (for example, income) on the same return. Both the husband and wife must sign the return and both are responsible for any tax owed on that return. Taxpayers can choose the married filing joint status even if only one spouse has income.

Taxpayers filing a joint return generally have a lower tax than their combined tax for any other filing status.

POTENTIAL PITFALLS



A common-law marriage is recognized for federal tax purposes if the marriage is recognized by the state where the taxpayers now live or in the state in which the common-law marriage was entered. Legal advice may be required to determine if a common-law marriage exists.

MARRIED FILING A SEPARATE RETURN

Taxpayers who are married may choose to file separately. The husband and wife report their own incomes and deductions on separate returns. Taxpayers may choose the **married filing separately** status even if one spouse had no income.

If the taxpayers live in a community property state, they must follow state law to determine their separate income. For more information, see Publication 555, *Community Property*.

If a married couple files separately and one spouse itemizes deductions, the other spouse must also itemize deductions because he or she cannot take the standard deduction. See Lesson 5 for more information on itemized deductions.

Taxpayers filing separate returns generally have a higher tax than when filing jointly. Occasionally, however, separate returns may result in a lower tax. If you think this might be the case, compute the tax liability for (a) married filing jointly and (b) married filing separately. Choose the filing status that results in the lower tax.

When a married taxpayer files separately, the taxpayer must show his or her spouse's name and social security number on the return in the label section or line 3.

HEAD OF HOUSEHOLD

In general, the **head of household** status is for unmarried taxpayers (or those considered unmarried) who pay more than half the cost of keeping up a home for a qualified relative during the year.

Generally, taxpayers who file under the **head of household** filing status have a lower tax than if they file as single. If they qualify, taxpayers should use the head of household status instead of the single status.

Head of Household Qualifications

1. The taxpayer must be unmarried (single, divorced, or legally separated) on the last day of the year

OR

The taxpayer must meet the tests for married persons living apart with dependent children (explained later in this lesson)

AND

2. The taxpayer must have paid more than half the cost of keeping up a home that was the main home for more than half the year (except for temporary absences) of any of the following:

- A. The taxpayer's unmarried child who must have lived with the taxpayer but does not have to have been the taxpayer's dependent,
- B. The taxpayer's foster child who must have lived with the taxpayer and must have been the taxpayer's dependent, the entire year, or
- C. Only the relatives listed at the end of this discussion that lived with the taxpayer and who were the taxpayer's dependents.

EXCEPTION: The taxpayer may claim head of household filing status if the taxpayer's parent is claimed as a dependent, even if the parent does not live with the taxpayer. However, the taxpayer must pay more than half the cost of maintaining the parent's home for the entire year.

- D. The taxpayer's married child—who must have lived with the taxpayer and who must have been the taxpayer's dependent unless:

- The child is not a dependent because the taxpayer signed a written declaration allowing the noncustodial parent to claim the child as a dependent, or
- The child is not a dependent because the noncustodial parent provides at least \$600 of support for the child and claims the child as a dependent under a pre-1985 divorce decree or agreement.

ALERT



A foster child must live with the taxpayer for the entire year to qualify as a dependent.

“Child” includes:

- Grandchild; stepchild; adopted child

“Relative” includes:

- Parent, grandparent
- Brother, sister, stepbrother, stepsister
- Half brother, half sister
- Stepmother, stepfather
- Mother-in-law, father-in-law
- Brother-in-law, sister-in-law
- Son-in-law, daughter-in-law

AND (if related by blood)

- Uncle, or aunt, nephew, or niece

“Relative” does not include cousins and more distant relatives.

Keeping Up the Home

The taxpayer must pay more than half the cost of keeping up the home. The cost of keeping up a home includes: rent, mortgage interest, real estate taxes, insurance on the home, repairs, utilities, domestic help, and food eaten in the home. Welfare payments are not considered amounts that the taxpayer furnishes to keep up a home.

The home must have been the main home for more than half the year except for temporary absences. Temporary absences include those for school, vacation, illness, business, or military service.

The following chart may help you decide who is eligible to claim head of household filing status.

Exhibit 1

Qualifying Relations for Head of Household		
Relationship to Taxpayer	Must Live with Taxpayer?	Must be Taxpayer's Dependent?
1. Unmarried child, grandchild, or step child	Yes	No
2. Married child, grandchild, or step child	Yes	Yes*
3. Foster child	Yes***	Yes
4. Mother or father	No	Yes
5. Other relatives	Yes**	Yes
Exceptions:		
* The married child does not have to be the taxpayer's dependent if a noncustodial parent claims the child as a dependent under the rules for children of divorced or separated parents.		
** Cousins and more distant relatives do not qualify as "relatives" in determining head of household status.		
NOTE: The taxpayer's home must be the main home of the relative for more than half the year. The relative cannot be a person who files a joint return.		
***The foster child must live with the taxpayer for the entire year.		

Married Persons Living Apart With Dependent Children

Some married taxpayers who live apart from their spouses may be considered unmarried for tax purposes. If so, these taxpayers are permitted to file as head of household and receive the benefit of lower tax amounts.

A married taxpayer can file as head of household if:

1. The taxpayer files a separate return,
2. The taxpayer paid more than half the cost of keeping up his or her home for the year,
3. The taxpayer's spouse did not live in the home during the last six months of the year,
4. The taxpayer's home was the main home of the taxpayer's child, stepchild, or adopted child for more than half of the year or of the taxpayer's foster child for the entire year, and
5. The taxpayer claims the child, stepchild, adopted child, or foster child as a dependent, unless one of the following exceptions for divorced or separated parents applies:
 - the taxpayer signed a statement allowing the noncustodial parent to claim the child as a dependent, or
 - the noncustodial parent provided at least \$600 for the child's support and can claim the dependent under a pre-1985 agreement.

Reporting Head of Household Filing Status

Taxpayers must enter the name of the person who qualifies them for the head of household status. If the person is a dependent, enter the dependent's name on line 6c of the exemption section of the tax return. If the qualifying person is not a dependent, enter the name of the nondependent person on line 4 in the filing status section of the tax return.

Example 4

Darlisa is divorced and provided over half the cost of keeping up a home. Her five-year-old daughter, Pam, lived with her for seven months last year. Darlisa does not claim Pam as a dependent; her ex-husband does.

Darlisa may use head of household status. Darlisa must write Pam's name in the space on Form 1040 or 1040A, on line 4.

Exhibit 2

Samantha's Form 1040A, page 1

Filing status	1 <input type="checkbox"/> Single	4 <input checked="" type="checkbox"/> Head of household (with qualifying person). (See page 23.)
	2 <input type="checkbox"/> Married filing jointly (even if only one had income)	If the qualifying person is a child but not your dependent, enter this child's name here. ► <u>Pam</u>
	3 <input type="checkbox"/> Married filing separately. Enter spouse's SSN above and full name here. ► _____	5 <input type="checkbox"/> Qualifying widow(er) with dependent child (year spouse died ► _____). (See page 24.)
	Check only one box.	

QUALIFYING WIDOW(ER) WITH DEPENDENT CHILD

A widow or widower, with one or more dependent children, may be able to use the **qualifying widow(er)** with dependent child filing status. This filing status yields the lowest tax rate (the same tax for married filing jointly).

If the taxpayer's spouse died during 2002 or 2003 and the taxpayer did not remarry before the end of 2004, the taxpayer may be able to file as a qualifying widow(er) with dependent child. To qualify, the taxpayer must:

- Have been entitled to file a joint return for the year the spouse died (it does not matter whether or not a joint return was actually filed),

AND

- Have a child, foster child, adopted child, or stepchild who qualifies as the taxpayer's dependent for the year,

AND

- Have furnished over half the cost of keeping up a home that was the main home of the child for the entire year.

An "adopted child" includes a child placed with the taxpayer by an authorized placement agency for legal adoption.

Social Security survivor benefits received on behalf of the child are considered to be amounts furnished by the child, not by the parent.

In the year a taxpayer's spouse dies, if the taxpayer does not remarry, he or she can use the married filing jointly filing status or married filing separately filing status and can claim an exemption for the deceased spouse. For two years after the year of death, the taxpayer may file as a qualifying widow(er) with dependent child, but may not claim an exemption for the deceased spouse. After the second year following the year of death, the taxpayer can no longer use the qualifying widow(er) filing status. The taxpayer may use either the head of household or single filing status depending on his or her situation then.

The following chart may help you decide which filing status to use for a taxpayer with a qualifying dependent if the spouse is deceased and the taxpayer has not remarried.

Exhibit 3

Filing Status After Death of Spouse		
Tax Year	Filing Status	Exemption for Deceased Spouse?
1. Year of Death	Married (joint) OR Married (separate)	Yes
2. First Year after death	Qualifying widow(er)*	No
3. Second year after death	Qualifying widow(er)*	No
4. After the second year after death	Head of household** OR Single	No
* With a qualifying dependent.		
** With a qualifying relative.		

You may find the flowchart shown in Exhibit 4 helpful in determining the correct filing status. It has some of the same questions as shown in the Interview Tips on the following page.

INTERVIEW TIPS

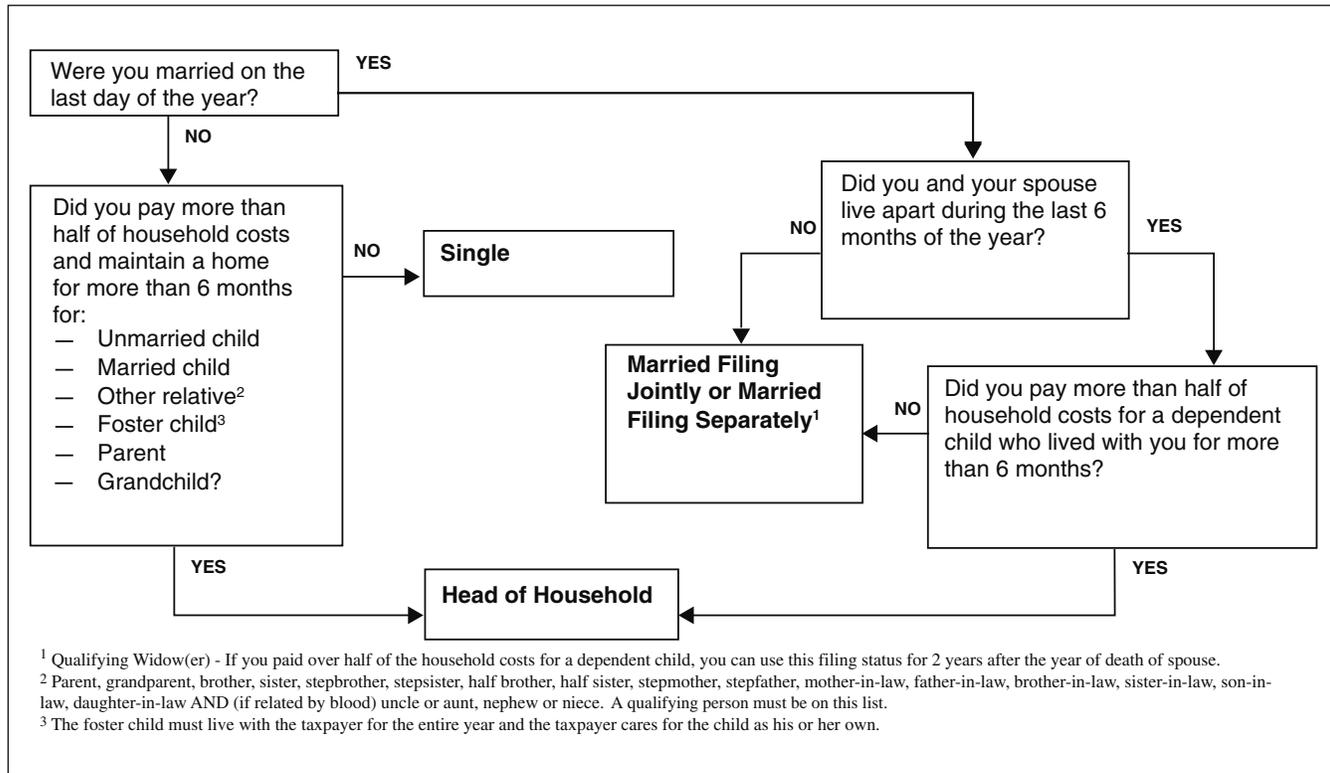


Filing Status

Probe/Action: Ask the taxpayer:

<p>Step 1: Were you considered married as a legal union between a man and a woman as husband and wife on December 31st of the tax year (answer yes if state common law rules met)?</p>	<p>If YES, go to Step 2. If NO, go to Step 5.</p>
<p>Step 2: Do you and your spouse wish to file a joint return?</p>	<p>If YES, STOP. Your filing status is Married Filing Jointly. If NO, go to Step 3.</p>
<p>Step 3: Did you have a child living in your home during the tax year?</p>	<p>If YES, go to Step 4. If NO, STOP. Your filing status is Married Filing Separately.</p>
<p>Step 4: Can you be considered unmarried?</p> <ul style="list-style-type: none"> ■ You file a separate return ■ Paid more than half the cost of keeping up a main home ■ Your spouse did not live in your home during the last 6 months (including temporary absences) of the tax year ■ Your home was the main home of your child, stepchild, or adopted child for more than half the year or was the main home of your foster child for the entire year ■ You must be able to claim an exemption for the child (Exception – non-custodial parent correctly claims exemption) 	<p>If YES, STOP. Your filing status is Head of Household. If NO, STOP. Your filing status is Married Filing Separately.</p>
<p>Step 5: Did your spouse die in 2002 or 2003?</p>	<p>If YES, go to Step 6. If NO, go to Step 7.</p>
<p>Step 6: Can you be considered a qualifying widow(er) with a dependent child?</p> <ul style="list-style-type: none"> ■ You were entitled to file a joint return with your spouse for the year your spouse died ■ You did not remarry before the end of this tax year ■ You have a dependent child you can claim as an exemption ■ You paid more than half the cost of keeping up a main home for you and that child for the entire year 	<p>If YES, STOP. Your filing status is Qualifying Widow(er) with Dependent Child. If NO, go to Step 7.</p>
<p>Step 7: Do you have a qualifying person for Head of Household Filing status?</p> <ul style="list-style-type: none"> ■ You paid more than half the cost of keeping up a main home ■ A qualifying person* lived with you more than half the year (Exception for dependent parent, foster child, and kidnapped child) 	<p>If YES, STOP. Your filing status is Head of Household. If NO, STOP. Your filing status is Single.</p>

*See Exhibit 4, footnote 2, for a list of qualifying persons.



TaxWise Hints

When using TaxWise to prepare a tax return, you will need to have the Social Security Number of anyone who qualifies the taxpayer for Head of Household filing status and is not the taxpayer's dependent.

For Qualifying Widow(er) filing status, you must enter the year of death of the deceased spouse.

For Married Filing Separate status, you will need the spouse's full name and Social Security number.

►► Summing Up This Section ◀◀

When completing their tax returns, taxpayers can use one of five filing statuses:

Tax Status

(from lowest tax to highest tax)

1. Married filing jointly*
2. Qualifying widow(er) with dependent child*
3. Head of household
4. Single
5. Married filing separately

* Numbers 1 and 2 yield the same (lowest) tax.

Filing status is indicated on lines 1 through 5 of Forms 1040A and 1040. Selecting the correct filing status is one of the most important aspects of completing a tax return because the filing status factors in how much tax will be due. Remember that filing status requirements do not change, regardless of the tax form used. If a taxpayer is qualified to use more than one filing status, choose the one that will result in the lowest tax.

Exercises

1. Carol and Roger were married in 2003. They are not divorced, but lived apart all of 2004. They are not legally separated under a decree of divorce or separate maintenance. They have no children. Can they use the married filing jointly status? _____
2. Martin does not know which filing status to use. You ask if he is married. He answers that he got divorced in December but supported his wife all year and has not remarried. Can Martin and his ex-wife file a joint return? _____
3. Ginger is single and paid more than half the cost of keeping up her home. Her grandmother lived with her all year. Ginger claims her grandmother as a dependent. What is Ginger's filing status? _____
4. Bill is single and lives alone. He paid over half the cost of maintaining a home for his father for the entire year. He claims his father as a dependent. What is Bill's filing status? _____
5. Franklin is single and lives alone. He paid over half the cost of maintaining a separate home for his father. He does not claim his father as a dependent. What is Franklin's filing status?

6. Mrs. Calvin tells you that she is divorced and that her 21-year-old unmarried son lived with her all year. She paid for their rent and food and provided over half of her son's total support. She cannot claim her son as a dependent because he earned \$4,000 and is not a student. Her son used his earnings to pay for his car, clothing, and entertainment. Can Mrs. Calvin file as head of household? _____
7. Kathy lived with her unemployed roommate, Sandra, for the entire year. Kathy had to pay more than half of the cost of keeping up their apartment. Can Kathy file as head of household?

8. Jack has lived apart from his wife for several years. Their children live with his wife but Jack pays over half the children's support. What filing status can Jack use? _____
9. Lily left her husband in August 2004. She took her children with her. She supported the children during all of 2004 and will claim them as dependents. Lily will not file a joint return with her husband. Which filing status should Lily use in 2004? ____
10. Rose and her husband separated in October 2004, but were still married on December 31, 2004. What filing status can she use?

11. Dick's wife died in 2002. Dick has not remarried. Dick provides all of the support for his two dependent children. What will be Dick's filing status for 2005? _____

Exercise 1

Yes

Exercise 2

No

Exercise 3

Head of household

Exercise 4

Head of household

Exercise 5

Single

Exercise 6

Yes

Exercise 7

No; Sandra is not a qualifying person.

Exercise 8

Married filing jointly or married filing separately.

Exercise 9

Married filing separately; she lived with her husband during part of the last six months of 2004.

Exercise 10

Either married filing jointly or married filing separately.

Exercise 11

Head of household; he could claim qualifying widower for 2003 and 2004 only.

WHO MUST FILE—WHO SHOULD FILE

WHO MUST FILE

To decide who must file a tax return, you will need to know the individual's:

- filing status,
- age,
- gross income,

and if:

- special taxes might be owed on different types of income,
- some of the income is excludable or exempt,
- the individual can be claimed as a dependent on another's tax return,
- the individual is blind, or
- the individual received advance earned income credit payments.

You may not be familiar with some of the terms used on the list. These terms will be explained in later lessons. For now, concentrate on learning how to use the charts and checklists.

How to Use the Charts and Flowcharts

You will use a set of charts to determine who must file. An individual who cannot be claimed as a dependent on another tax-payer's return will use *Chart A—For Most People*. Based on the individual's circumstances, a person who can be claimed as a dependent on another taxpayer's return will use one of the other charts. *Chart C—Other Situations When You Must File* should be reviewed for every individual.

Exhibit 5

**POTENTIAL
PITFALLS**



If a checklist or chart indicates that a person must file a return, he or she should do so even if no tax is owed. If a minor child must file a return but cannot do so, the child's parent or guardian must complete and sign a return for the child.

Chart A—For Most People		
If your filing status is...	AND at the end of 2004 you were*	THEN file a return if your gross income** was at least...
Single	Under 65	\$ 7,950
	65 or older	9,150
Married filing jointly***	under 65 (both spouses)	\$15,900
	65 or older (one spouse)	16,850
	65 or older (both spouses)	17,800
Married filing separately	Any age	\$ 3,100***
Head of household (see page 19)	Under age 65	\$10,250
	65 or older	11,450
Qualifying Widow(er) with dependent child (see page 19)	Under 65	\$12,800
	65 or older	13,750
<p>* If you turned age 65 on January 1, 2005, you are considered to be age 65 at the end of 2004</p> <p>** Gross Income means all income you received in the form of money, goods, property, and services that are not exempt from tax including any income from sources outside the United States (even if you may exclude part or all of it). Do not include social security benefits unless you are married filing a separate return and you lived with your spouse at any time in 2004.</p> <p>*** If you did not live with your spouse at the end of 2004 (or on the date your spouse died) and your gross income was at least \$3,100, you must file a return regardless of your age.</p>		

Chart B—For Children and Other Dependents (See the instructions for line 6c on page 18 to find out if someone can claim you as a dependent.)

If your parent (or someone else) can claim you as a dependent, use this chart to see if you must file a return. In this chart, **unearned income** includes taxable interest, ordinary dividends, and capital gain distributions. **Earned income** includes wages, tips, and taxable scholarship and fellowship grants. **Gross income** is the total of your unearned and earned income.



*If your gross income was \$3,100 or more, you usually cannot be claimed as a dependent unless you were under age 19 at the end of 2004 or a student and under age 24 at the end of 2004. For details, see **Pub. 501**.*

Single dependents. Were you **either** age 65 or older **or** blind?

- No.** You must file a return if **any** of the following apply.
 - Your **unearned income** was over \$800.
 - Your **earned income** was over \$4,850.
 - Your **gross income** was more than the **larger** of —
 - \$800 or
 - Your earned income (up to \$4,600) plus \$250.
- Yes.** You must file a return if **any** of the following apply.
 - Your unearned income was over \$2,000 (\$3,200 if 65 or older **and** blind).
 - Your earned income was over \$6,050 (\$7,250 if 65 or older **and** blind).
 - Your gross income was more than —

The larger of:	Plus	This amount:
<ul style="list-style-type: none"> • \$800 or • Your earned income (up to \$4,600) plus \$250 	}	\$1,200 (\$2,400 if 65 or older and blind)

Married dependents. Were you **either** age 65 or older **or** blind?

- No.** You must file a return if **any** of the following apply.
 - Your unearned income was over \$800.
 - Your earned income was over \$4,850.
 - Your gross income was at least \$5 and your spouse files a separate return and itemizes deductions.
 - Your gross income was more than the **larger** of —
 - \$800 or
 - Your earned income (up to \$4,600) plus \$250.
- Yes.** You must file a return if **any** of the following apply.
 - Your unearned income was over \$1,750 (\$2,700 if 65 or older **and** blind).
 - Your earned income was over \$5,800 (\$6,750 if 65 or older **and** blind).
 - Your gross income was at least \$5 and your spouse files a separate return and itemizes deductions.
 - Your gross income was more than —

The larger of:	Plus	This amount:
<ul style="list-style-type: none"> • \$800 or • Your earned income (up to \$4,600) plus \$250 	}	\$950 (\$1,900 if 65 or older and blind)

DEPENDENTS WHO MUST OR SHOULD FILE A RETURN—CHECKLIST

The dependents listed in the following checklist must or should file a return.

Exhibit 7

Checklist—Children and Other Dependents

- A married dependent with at least \$5 of income whose spouse itemizes deductions on a separate return on Form 1040 must file a return.
- A dependent with at least \$400 of net self-employment income must file a return. **Self-employment income** is earned income from a trade, business, farming or profession that is not paid by an employer. For example, seamstresses and lawn-care workers who work for themselves (and not for someone else) are considered self-employed.
- A dependent who is not required to file but had income tax withheld should file a return to get a refund.
- A dependent who has to pay a tax, such as the alternative minimum tax, must file a return.

OTHER SITUATIONS

Remember to review the *Chart C—Other Situations When You Must File* chart after you use the other charts.

Chart C — Other Situations When You Must File

You must file a return if any of the four conditions below apply for 2004.

1. You owe any special taxes, such as:
 - Social security and Medicare tax on tips you did not report to your employer,
 - Uncollected social security and Medicare or RRTA tax on tips you reported to your employer or on group-term life insurance,
 - Alternative minimum tax,
 - Recapture taxes (see the instructions for lines 43 and 62 that begin on pages 33 and 40), or
 - Tax on a qualified plan, including an individual retirement arrangement (IRA), or other tax-favored account. But if you are filing a return only because you owe this tax, you can file Form 5329 by itself.
2. You received any advance earned income credit (EIC) payments from your employer. These payments are shown in box 9 of your Form W-2.
3. You had net earnings from self-employment of at least \$400.
4. You had wages of \$108.28 or more from a church or qualified church-controlled organization that is exempt from employer social security and Medicare taxes.

WHO SHOULD FILE A RETURN?

The charts, noted previously in this lesson, may indicate that an individual does not have to file a tax return. However, in three instances, individuals *should* file a return:

- to claim a refund of withheld taxes,
- to claim a earned income credit, and
- to claim the additional child tax credit.

HELPING THOSE WHO DON'T NEED TO FILE

The Reduce Unnecessary Filing Program (RUF) is intended to help certain individuals determine their need to file a federal income tax return. Use Form 9452, *Filing Assistance Program Worksheet*, to help potential unnecessary filers determine whether or not they need to file.

Thank you for helping to save time and effort for your VITA and TCE clients and for helping to reduce the cost to all taxpayers of processing unnecessary returns by helping your clients with Form 9452 and related materials, as needed.

TAXWISE HINT

After completing the tax return refer back to the Main Information screen and select the appropriate tax form.

▶▶ **SUMMING UP THIS SECTION** ◀◀

Use the charts provided in this section to determine who *must* and who *should* file a tax return.

Exercises

- 12.** Emily is married and has one dependent child. She has not lived with her husband since May and is head of household. She is under 65 and not blind. Her gross income from wages is \$15,000. Is she required to file a tax return? _____
- 13.** Larry and Zelda are married but will not file a joint return. Both are under 65 and not blind. Larry's gross income from wages is \$30,150. Zelda's gross income is \$3,500.
- A.** Is Larry required to file? _____
- B.** Is Zelda required to file? _____

WHO MUST FILE WHO SHOULD FILE

ANSWERS TO EXERCISES

Exercise 12

Yes

Exercise 13

A. Yes

B. Yes

WHICH FORM TO USE?



FORM 1040EZ

Form 1040EZ is for single and joint filers with no dependents. The form instructions booklet has a worksheet for taxpayers who can be claimed as dependents.

FORM 1040A

Form 1040A is a two-page form. Page 1 of the form shows the filing status, exemptions, income, and adjusted gross income. Page 2 of the form shows the standard deduction, exemption amount, taxable income, tax, credits, payments, amount owed or refund, and signature. Form 1040A may have four schedules. Use **Schedule 1** to report interest and/or dividend income that is more than \$1,500. Use **Schedule 2** to report child and dependent care expenses and to figure the credit. Claim the credit for the elderly or the disabled on **Schedule 3**. This credit is explained in Lesson 6. If the taxpayer can take the earned income credit and has a qualifying child, use **Schedule EIC** to give information about that child. Schedule EIC is discussed and illustrated in Lesson 10.

FORM 1040

Form 1040 is a two-page form. Page 1 of the form shows the filing status, exemptions, income, and adjusted gross income. Page 2 shows the standard deduction or itemized deductions, the exemption amount, taxable income, tax, credits, other taxes, payments, and the amount owed or refund due.

IRS *e-file* offers quick and easy options to traditional paper returns. These options include filing electronically through an authorized tax practitioner, over the telephone, and by personal computer. For those expecting a refund, these options all offer Direct Deposit to a bank account. For those with a balance due, paying is made easier with the option of payment by credit card or a direct debit to their bank account.

Why *e-file*? Because IRS *e-file* makes filing faster and more accurate and gets the taxpayer their refund in half the usual time....even faster with Direct Deposit!

As a volunteer, you should become familiar with these options as there will be occasions when you are called upon to answer questions from taxpayers regarding one or more of them. You may even have the opportunity to volunteer at a VITA or TCE site that has been set up to offer electronic tax filing. If so, you will receive additional specialized training on using return preparation software and on other procedures unique to this type of site.

TeleFile

Eligible 1040EZ filers, single or married filing jointly, who receive a TeleFile tax booklet and have the same address as the previous year, can file their federal income taxes by using a touch tone telephone and dialing a toll-free telephone number found in the tax booklet. (Note: Taxpayers in Georgia, Indiana, Kentucky, Maryland, Oklahoma, Oregon, or West Virginia have the option to TeleFile both their federal **and** state tax returns in the same toll-free telephone call.)

Here's how it works: the taxpayer completes the TeleFile Tax Record found in the booklet before making the call. The call, which prompts the taxpayer through recorded instructions, takes less than ten minutes. The TeleFile system calculates the tax and refund (or balance due) and then files the tax return. If the taxpayer requests Direct Deposit, a refund can be issued in as little as 10 days. **TeleFile is completely paperless; no forms are mailed to IRS, not even W-2s!** The taxpayer "signs" the return with a special Customer Service Number (CSN) provided in the booklet.

TeleFile is available 24 hours a day, seven days a week, through August 15. It is also available to users of TDD/TTY equipment. Credit card and direct debit payment options are available for balance due returns.

Because TeleFile is so easy to use, and because it is completely paperless, its use should be encouraged at every VITA and TCE site that encounters an eligible taxpayer with a TeleFile tax booklet. Even if there is no touch tone telephone available at the site, you should do everything possible to convince the taxpayer to file from home, or wherever a touch tone phone is available.

STUDENT NOTES

INTRODUCTION AND OBJECTIVES

As you have learned, many areas of a tax return are directly tied to the filing status of the taxpayer. After completing this segment you will be able to apply special rules for Head of Household status when the spouse is a nonresident alien.

HEAD OF HOUSEHOLD

Because of the complexity of this issue errors often occur. In general, in order to claim Head of Household status, the taxpayer must be unmarried or considered unmarried on the last day of the year and pay more than half the cost of keeping up a home, for over six months, that includes the taxpayer and a qualifying individual.

SPECIAL RULE

For Head of Household purposes, “you are considered unmarried if your spouse was a nonresident alien at any time during the year, and you do not choose to treat your spouse as a resident alien.” All of the other qualifications for Head of Household must also be met.

Example 1

Raul is in the U.S. Army in Japan. His wife and children live with him and he is able to claim the children as dependents. Raul’s wife (a citizen of Japan) chooses not to be treated as a resident alien. Even though Raul is married, he can claim Head of Household status because of the rule above. If Raul had not passed all of the other qualifications for Head of Household, he would have to file as a married person (either as Married Filing Separate or Married Filing Joint).

▶▶ SUMMING UP THIS SEGMENT ◀◀

- ▶ The taxpayer may be considered unmarried if the spouse was a nonresident alien at any time during the year and the taxpayer does not choose to treat the spouse as a resident alien.

STUDENT NOTES

Lined area for student notes.



INTRODUCTION AND OBJECTIVES

This lesson will explain additional factors to consider in selecting the married filing joint and head of household filing status for taxpayers who are U.S. citizens or resident aliens. The criteria for selecting the married filing separate, single and head of household filing status are the same as discussed in the basic text.

At the end of this segment, you will be able to:

- Determine the correct filing status for resident aliens.
- Explain how to treat a nonresident alien's spouse as a resident.

MARRIED NON-RESIDENTS FILING JOINTLY

In order to file Married Filing Jointly, the taxpayers must be married on the last day of the tax year and agree to file a joint return. However, "A joint return generally cannot be made if either spouse is a nonresident alien at any time during the tax year." (Pub 17).

Treating Non-Resident Spouse as a U.S. Resident

If, at the end of the tax year, the taxpayer is married and one spouse is a U.S. citizen or a resident alien and the other spouse is a nonresident alien, the taxpayer can elect to treat the non-resident spouse as a U.S. resident. This includes situations in which one spouse is a nonresident alien at the beginning of the tax year, but a resident alien at the end of the year, and the other spouse is a nonresident alien at the end of the year.

If this choice is made, the taxpayer and spouse are treated for income tax purposes as residents for the entire tax year.

For example, neither the taxpayer nor the spouse can claim tax treaty benefits as a resident of a foreign country for a tax year for which the choice is in effect. Taxpayers must file a joint income tax return for the year the choice is made, but the taxpayer and spouse can file joint or separate returns in later years.

Example 1

Debra Green, a U.S. citizen for all of tax year 2004, is married to Charles, a nonresident alien. Debra and Charles make the choice to treat Charles as a resident alien by attaching a statement to their joint return for 2004. Debra and Charles must report their world-wide income in 2004 and later years unless the choice is ended or suspended. Although they must file a joint return for 2004, they can file joint or separate returns for later years.

Example 2

Jim and Judy Adams are married and both are nonresident aliens. In June 2004, Jim became a resident alien and remained a resident for the rest of the year. Jim and Judy both choose to be treated as resident aliens by attaching a statement to the 2004 joint return. Jim and Judy must report their world-wide income in 2004 and later years unless the choice is ended or suspended. They must file a joint return for 2004, but they can file either joint or separate returns for later years.

THE "CHOICE" DECLARATION

A statement containing the following information must be signed by both spouses and attached to the joint return for the first tax year for which the choice applies.

1. A declaration that one spouse was a nonresident alien and the other spouse a U.S. citizen or resident alien on the last day of the tax year, and that the taxpayer and spouse chose to be treated as U.S. residents for the entire tax year, and
2. The name, address, and social security number or ITIN of each spouse. (If one spouse died, include the name and address of the person making the choice for the deceased spouse.)

The choice can also be made by filing a joint amended return. Publication 54 contains specifics on this option.

Suspending the Choice

The choice to be treated as a resident alien does not apply to any later tax year if neither spouse is a U.S. citizen or resident alien at any time during the tax year.

Example 3

Dick Brown was a resident alien on December 31, 2001, and married to Judy, a nonresident alien. They chose to treat Judy as a resident alien and filed joint returns for tax years 2001 and 2002. On January 10, 2003, Dick became a nonresident alien. Judy had remained a nonresident alien throughout the period. Dick and Judy can file joint or separate returns for 2003. However, since neither Dick nor Judy is a resident alien at any time during 2004, their choice is suspended for that year. If either has U.S. source income or foreign source income effectively connected with a U.S. trade or



business in 2004, they must file separate returns as nonresident aliens. If Dick becomes a resident alien again in 2005, their choice is no longer suspended.

Ending the Choice

Once made, the choice to be treated as a resident applies to all later years unless suspended or ended in one of the ways shown below. If the choice is ended for any of these reasons, neither spouse can make a choice in any later tax year.

<p>Revocation</p>	<ul style="list-style-type: none"> • Either spouse can revoke the choice for any tax year. • The revocation must be made by the due date for filing the tax return for that year. • The spouse who revokes must attach a signed statement declaring that the choice is being revoked. If the spouse revoking the choice does not have to file a return and does not file a claim for refund, send the statement to the Internal Revenue Service Center where the last joint return was filed. • The statement revoking the choice must include the following: <ul style="list-style-type: none"> • The name, address, and social security number (or taxpayer identification number) of each spouse. • The name and address of any person who is revoking the choice for a deceased spouse. • A list of any states, foreign countries, and possessions that have community property laws in which either spouse is domiciled or where real property is located from which either spouse receives income.
<p>Death</p>	<ul style="list-style-type: none"> • The death of either spouse ends the choice, beginning with the first tax year following the year the spouse died. • If the surviving spouse is a U.S. citizen or resident and is entitled to the joint tax rates as a surviving spouse, the choice will not end until the close of the last year for which these joint rates may be used. • If both spouses die in the same tax year, the choice ends on the first day after the close of the tax year in which the spouses died.
<p>Divorce or Legal Separation</p>	<ul style="list-style-type: none"> • A divorce or legal separation ends the choice as of the beginning of the tax year in which the legal separation occurs.
<p>Inadequate records</p>	<ul style="list-style-type: none"> • The Internal Revenue Service can end the choice for any tax year that either spouse has failed to keep adequate books, records, and other information necessary to determine the correct income tax liability, or to provide adequate access to those records.

HEAD OF HOUSEHOLD

In general, in order to claim Head of Household status, the taxpayer must:

1. Be unmarried or considered unmarried on the last day of the year and
2. Have paid more than half the cost of keeping up a home for the year and
3. Have a qualifying person in the home for more than half the year.

These general rules for discussed in the basic text and in more detail in Publication 17.

A U.S. citizen or resident alien (for all 12 months of the tax year) is considered unmarried if their spouse was a nonresident alien at any time during the year and the taxpayer did not make one of the choices discussed earlier in this segment to treat their spouse as a resident alien for the entire year.



STUDENT NOTES



INTRODUCTION AND OBJECTIVES

In this lesson you will learn to distinguish between taxable and nontaxable income. You will also learn where to report the different types of income. In addition, you will learn to make income entries on Forms 1040EZ, 1040A, and 1040.

This lesson will help you achieve the following objectives.

- Determine what is taxable and nontaxable income.
- Determine where to report income on Forms 1040, 1040A, and 1040EZ.
- Identify who can file Schedule C-EZ.
- Identify who must file Schedule SE.

TAXABLE AND NONTAXABLE INCOME

Taxable income is any income that is subject to tax. It must be reported on a tax return, unless the amount is so small that the individual is not required to file a return.

The following types of income are taxable:

- Wages, salaries, bonuses, and commissions
- Certain fringe benefits
- Tips and other compensation for personal services
- Interest*
- Dividends
- Refunds of state and local taxes**
- Alimony received or separate maintenance payments received
- Business income
- Hobby income (a hobby loss is not deductible)
- Capital gains
- Gain from the sale of property
- Pensions and annuities (part may be nontaxable)
- IRA distributions (part or all may be nontaxable)
- Rents received
- Royalties

- Estate or trust income
- Supplemental unemployment benefits
- Unemployment compensation
- Railroad retirement benefits (part may be taxable)
- Social security benefits (part may be taxable)
- Jury duty pay
- Executors' fees
- Gambling winnings (including lotteries, contests, raffles, etc.)
- Nonqualifying scholarships and fellowships
- Payments for punitive damages and compensatory damages not attributable to physical injuries or sickness
- Certain long-term care benefits. If the taxpayer received copy B of Form 1099-LTC, refer him or her to a paid professional preparer because some of the benefits may be taxable.

*Some interest is not taxable (for example, interest on certain state and local bonds and on qualified Series EE and Series I savings bonds used to pay for higher education expenses).

**Refunds of state and local taxes are taxable only if the taxpayer itemized deductions in the year the taxes were paid and the individual's tax liability was REDUCED because of the deduction.

Nontaxable income is income that is exempt from tax. If a return must be filed, some types of nontaxable income will be shown on the return but will not be added into the amount of income subject to tax.

The following types of income are nontaxable:

- Child support
- Federal income tax refunds
- Certain dividends on life insurance
- Gifts, bequests, and inheritances (may be subject to other taxes)
- Insurance and certain other payments for physical injury and sickness
- Interest on certain Series EE and Series I savings bonds redeemed to pay for qualified higher education expenses
- Interest on certain state and local obligations (municipal bonds)
- Most life insurance proceeds paid upon death (and certain accelerated death benefits or payments received under a life insurance contract on the life of a terminally or chronically ill individual before the individual's death)
- Public assistance payments (certain TANF payments)
- Certain railroad retirement benefits (part may be exempt)
- Social security benefits (part may be exempt)

- Veterans' disability benefits
- Workers' compensation
- Qualified scholarships and fellowships
- Certain dependent care services provided by employer
- Interest on insurance dividends left with the VA
- Certain employer-provided educational benefits (up to \$5,250)
- Employer-provided assistance for qualifying adoption expenses. (Refer taxpayers with adoption expenses to a paid professional tax preparer and to Publication 968, *Tax Benefits for Adoption*)
- Restitution payments and excludable interest received by Holocaust victims, their heirs, or their estates, for persecutions are not taxable.
- Certain long-term care benefits. If the taxpayer received copy C of Form 1099-LTC, he or she is not the policyholder. The form is for information only and should be disregarded because none of the benefits are taxable to him or her. If the taxpayer received copy B of Form 1099-LTC, refer him or her to a paid professional preparer because some of the benefits may be taxable.

Example 1

Robert received the following income: wages, interest, child support, alimony, inheritance, workers' compensation, and lottery winnings.

The wages, interest, alimony, and lottery winnings are taxable income and will appear on Robert's tax return.

Child support, inheritance, and workers' compensation are nontaxable income and will not appear on Robert's tax return.

Exercise 1

Indicate whether the income listed is taxable or nontaxable.

Type of Income	Nontaxable	Taxable
1. Wages	_____	_____
2. Dividends from stock	_____	_____
3. Veterans' disability benefits	_____	_____
4. Child Support	_____	_____
5. Credit union dividends	_____	_____
6. Cash bonuses	_____	_____
7. Inheritances	_____	_____
8. Tips	_____	_____
9. Worker's compensation	_____	_____
10. Veteran's life insurance dividends	_____	_____

WHERE TO REPORT INCOME

Taxpayers can report only wages, salaries, tips, unemployment compensation, qualified state tuition program payments, Alaska Permanent Fund dividends, taxable scholarship and fellowship grants, and interest income of \$1,500 or less on Form 1040EZ.

In addition to the types of income that can be reported on Form 1040EZ, ordinary and qualified dividends, capital gains distribution, interest income greater than \$1,500, IRA distributions, pension and annuity income, and taxable social security and equivalent railroad retirement benefits can be reported on Form 1040A.

These and all other types of income can be reported on Form 1040.

EARNED INCOME

Wages and Salaries

The total of wages, salaries, tips, and taxable scholarships and fellowships are reported on Form 1040EZ, line 1, Form 1040A or Form 1040, line 7.

Wages, salaries, and tips are primary examples of earned income received for services performed. Wages and salaries are compensation received. Tips are money and goods received as a gratuity by food servers, maids, porters, etc.

Form W-2. Form W-2, *Wages and Tax Statement*, shown in Exhibit 1, reports the employee's earned income for the year. Employers should issue Form W-2 to every employee and a copy to the Social Security Administration. Box 1, *Wages, tips, and other compensation*, shows the amount of payments received in cash, goods and services, bonuses, supplemental unemployment benefits, awards, and taxable employee benefits. This amount should be included on the return.

An individual taxpayer or a couple filing jointly might have one or more Forms W-2 from various employers. When the taxpayer and/or spouse receive Forms W-2 from their employers, add the amounts from Box 1 of each Form W-2 and report the total amount on the return.

Generally, if a **household employee** earned less than \$1,400 a year while working in the employer's home, the employer is not required to provide the taxpayer with a Form W-2 but, the income must be included on line 7 (Form 1040A or 1040) or line 1 (Form 1040EZ). However, a Form W-2 is required if the employer withheld federal income taxes.

If a taxpayer does not get a Form W-2, or if the one he or she gets is not correct, the taxpayer will have to contact his or her employer as soon as possible. Only an employer can **issue** a Form W-2 or a Form W-2c.

In the event that the employer prepared an incorrect W-2, a Form W-2c, *Corrected Wage and Tax Statement*, should be issued. Use the Form W-2c amounts on the return. Be sure to attach the Form W-2c to the taxpayer's return.

All wage, salary, and tip income must be reported on the return, even if the employee did not receive a Form W-2.

If the taxpayer does not receive a Form W-2 by January 31, he or she should first contact the employer and find out if or when the Form W-2 was mailed. If after allowing a reasonable amount of time for the employer to issue or reissue the Form W-2, the Form W-2 still has not been received, he or she should contact the IRS for assistance at 1-800-829-1040, but not before February 15.

If after requesting a Form W-2 from the employer the taxpayer does not receive it by the due date of the return, he or she should file a Form 4852, *Substitute for Form W-2, Wage and Tax Statement or Form 1099-R, Distributions from Pensions, Annuities, Retirement or Profit-Sharing Plans, IRA's, Insurance Contracts, Etc.*

The taxpayer should keep a copy of Form 4852 for his or her records and file a copy with the Social Security Administration to ensure proper social security credit.

POTENTIAL PITFALLS



Volunteers should be alert to the following possible indications of fraudulent activity:

- Forms W-2 that are typed, handwritten or have noticeable corrections
- Form W-2 from a firm in the area that is different from other Forms W-2 issued by the same firm
- Suspicious person accompanying the taxpayer and observed on other occasions
- Multiple refunds directed to the same address or P.O. Box
- Employment or earnings, that are a basis for refundable credits, that are not well documented
- Similar returns (e.g. same amount of refund, or same number of dependents, or same number of Forms W-2)

Exhibit 1

a Control number		22222		Void <input type="checkbox"/>		For Official Use Only OMB No. 1545-0008	
b Employer identification number				1 Wages, tips, other compensation		2 Federal income tax withheld	
c Employer's name, address, and ZIP code				3 Social security wages		4 Social security tax withheld	
				5 Medicare wages and tips		6 Medicare tax withheld	
				7 Social security tips		8 Allocated tips	
d Employee's social security number				9 Advance EIC payment		10 Dependent care benefits	
e Employee's first name and initial		Last name		11 Nonqualified plans		12a See instructions for box 12	
f Employee's address and ZIP code				13 Statutory employee <input type="checkbox"/> Retirement plan <input type="checkbox"/> Third-party sick pay <input type="checkbox"/>		12b	
				14 Other		12c	
						12d	
15 State		Employer's state ID number		16 State wages, tips, etc.		17 State income tax	
						18 Local wages, tips, etc.	
						19 Local income tax	
						20 Locality name	

Form W-2 Wage and Tax Statement **2004** Department of the Treasury Internal Revenue Service
Copy A For Social Security Administration — Send this entire page with Form W-3 to the Social Security Administration; photocopies are **not** acceptable. For Privacy Act and Paperwork Reduction Act Notice, see back of Copy D.
 Cat. No. 10134D
Do Not Cut, Fold, or Staple Forms on This Page — Do Not Cut, Fold, or Staple Forms on This Page

Form 1099-MISC. Taxpayers with earnings reported on Form 1099-MISC, Miscellaneous Income, shown in Exhibit 2, may be considered self-employed. These amounts are reported on Schedule C-EZ or Schedule C. Net losses and profits are reported on line 12 of Form 1040. Self-employment income is discussed later in this lesson.

Some employers misclassify workers as independent contractors and report their earnings on Form 1099-MISC. Taxpayers who believe they have been misclassified should contact the IRS.

Exhibit 2

9595 VOID CORRECTED

PAYER'S name, street address, city, state, ZIP code, and telephone no.		1 Rents		OMB No. 1545-0115 2004 Form 1099-MISC	Miscellaneous Income
		\$			
		2 Royalties			
		3 Other income		4 Federal income tax withheld	Copy A For Internal Revenue Service Center
		\$		\$	
PAYER'S Federal identification number	RECIPIENT'S identification number	5 Fishing boat proceeds		6 Medical and health care payments	File with Form 1096.
		\$		\$	
RECIPIENT'S name		7 Nonemployee compensation		8 Substitute payments in lieu of dividends or interest	For Privacy Act and Paperwork Reduction Act Notice, see the 2004 General Instructions for Forms 1099, 1098, 5498, and W-2G.
		\$		\$	
Street address (including apt. no.)		9 Payer made direct sales of \$5,000 or more of consumer products to a buyer (recipient) for resale <input type="checkbox"/>		10 Crop insurance proceeds	
City, state, and ZIP code		\$		\$	
Account number (optional)	2nd TIN not. <input type="checkbox"/>	11		12	
		13 Excess golden parachute payments		14 Gross proceeds paid to an attorney	
		\$		\$	
15		16 State tax withheld		17 State/Payer's state no.	18 State income
		\$		\$	\$
		\$		\$	\$

Form **1099-MISC** Cat. No. 14425J Department of the Treasury - Internal Revenue Service

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Tip Income

All tip income is taxable. Individuals who receive **\$20 or more per month in tips** while working one job must report their tip income to their employer. Tips that are reported to employers are included with wages on Form W-2, box 1. If the taxpayer received tip income of \$20 or more in a month and did not report all of those tips to the employer, he or she must report the social security and Medicare taxes on the unreported tips as additional tax on Form 1040. Form 4137, *Social Security and Medicare Tax on Unreported Tip Income*, should be used to compute and report the additional tax.

Individuals who receive **less than \$20 per month in tips** while working one job do not have to report their tip income to their employer. Additionally, noncash tips (for example, tickets or passes) do not have to be reported to the employer. Tips of less than \$20 per month or noncash tips are not subject to social security and Medicare taxes. However, this tip income is subject to federal income taxes and must be reported on line 7 of Form 1040 or Form 1040A, or line 1 of Form 1040EZ.

POTENTIAL PITFALLS

If the taxpayer fails to report tip income as required to the employer, the taxpayer may be subject to a penalty equal to 50% of the social security and Medicare taxes owed on unreported tips.

POTENTIAL PITFALLS



The following individuals cannot file Form 1040EZ or 1040A; they must file Form 1040:

- (1) Individuals who received \$20 or more in tips in any month while working for one employer and who did not report the full amount to the employer. (These tips are subject to social security and Medicare tax.)
- (2) Taxpayers whose Form W-2 has an amount entered in box 8, *Allocated tips*, that they must report as income. For more information, see Publication 531, *Reporting Tip Income*.

Allocated tips are tips an employer assigns to an employee. They are in addition to the tips the employee reported to the employer. The taxpayer may have allocated tips if he or she worked in a restaurant, cocktail lounge, or similar business that must allocate tips to employees.

Allocated tips are shown separately in box 8 of Form W-2. They are not included in the amount in box 1. The taxpayer must report allocated tips on his or her tax return unless either of the following exceptions applies.

- 1) The taxpayer kept a daily tip record, or other evidence that is as credible and as reliable as a daily tip record, as required. (See Pub. 531, Reporting Tip Income).
- 2) The taxpayer's tip record is incomplete, but it shows that his or her actual tips were more than the tips reported to his or her employer plus the allocated tips.

If either exception applies, report actual tips on the return. Do not report the allocated tips.

If the taxpayer is required to report allocated tips on the return, the amount on Form W-2, box 8, should be added to the amount in box 1. The total is reported on line 7 of Form 1040. Allocated tips cannot be reported on Form 1040EZ or 1040A, and are subject to social security and Medicare taxes. Form 4137 should be used to compute and report the additional tax.

The taxpayer should keep a copy for his or her records and file a copy with the local Social Security Administration to ensure proper social security credit.

Example 2

Fred works as a repairman during the week and as a barber on alternate Saturdays. His tips are less than \$20 in any month and he does not report them to his employer. The amounts from box 1 on his Forms W-2 show income of \$23,500 (repairman) and \$1,950 (barber). His unreported tip income was \$200.

Fred will report \$25,650 on Form 1040A, line 7. This is the total of his Forms W-2, box 1 income and his unreported tip income (\$23,500 plus \$1,950 plus \$200).

If Fred reported his tip income to his employer, the tips would be included in box 1 of the Form W-2. The amount in box 1 of that Form W-2 would be \$2,150 (\$1,950 plus \$200). Fred would still enter \$25,650 on line 7 (\$23,500 plus \$2,150).

Scholarships and Fellowships

Some scholarships and fellowships may be partially taxable. If the taxpayer received a Form W-2 for the scholarship or fellowship, add the amount in box 1 to any other box 1 amounts. Enter the total on line 1, Form 1040EZ, or line 7, Form 1040A or 1040.

Even if the taxpayer did not receive a Form W-2 for the scholarship or fellowship, the taxable portion of the scholarship or fellowship must be reported. Add the taxable portion to other Form W-2, box 1 amounts and unreported tip income. Enter the total on line 7 (Form 1040 or 1040A) or line 1 (Form 1040EZ). Write "SCH" and the amount not reported on Form W-2 in the space to the left of line 7 or line 1, whichever applies.

Exercise 2

- A.** Mike worked two jobs. He was a quality inspector during the week and a bartender on the weekends. He reported all of his tip income (\$3,000) to his employer. His Forms W-2, box 1, showed income of \$21,000 (quality inspector) and \$8,250 (bartender). What amount will Mike report on his Form 1040A, line 7? _____
- B.** John works as a food server in an expensive restaurant. He tells you that he did not report his tip income of \$18,100 to his employer. Can John file Form 1040A? _____
- C.** Randy had several employers during the tax year. On February 3, 2005, he comes into the VITA site to have his return prepared. He tells you that he has not received the Form W-2 for XYZ Inc. What should you tell Randy? _____

INTEREST INCOME

Money earns interest when it:

- is deposited in accounts in banks, savings and loans, credit unions,
- is used to buy certificates of deposit or bonds, or
- is lent to another person or business.

Interest income is considered unearned income. Money, not a person, is working to earn the income.

TAXABLE INTEREST INCOME

Savings Accounts

Interest is reported in the year that it is credited to the taxpayer's account and is available for withdrawal by the taxpayer. The taxpayer should report all interest received during the year, even if the interest is not entered in the taxpayer's passbook.

POTENTIAL PITFALLS

Some savings and loans, credit unions, cooperative banks, and mutual savings banks call their distributions "dividends." These "dividends" are really interest and are reported as interest. True dividends are different and will be discussed later in this lesson.

U.S. Savings Bonds

Interest on U.S. savings bonds is earned in one of two ways.

- Some bonds are issued at a “discount” and the interest earned equals the increase in the bond’s value over a period of time.
- Some bonds pay interest at stated intervals of time.

Series EE and Series I Bonds. Series EE bonds are the most common type. They are issued at a discount; this means that the purchase price is less than the face value (the amount shown on the bond). The interest is the difference between the purchase price and the amount received when the bonds are redeemed (cashed in).

Series I bonds were first offered in 1998. They are issued at face value with a maturity period of 30 years. Interest on these bonds is paid when the bond is redeemed.

Taxpayers can choose one of two ways to report interest income from these bonds.

- Report the increase in value when the bond is cashed in or when the bond matures, whichever is earlier.
- Report the increase in the bond’s value each year.

Generally, taxpayers must use the same method for all Series EE and Series I bonds they own.

If a U.S. savings bond is issued in the names of co-owners, such as the taxpayer and child, or the taxpayer and spouse, interest on the bond is generally taxable to the co-owner who purchased the bond. To determine who is responsible for paying the tax on a bond see the table below.

Exhibit 3

Who Pays Tax on U.S. Savings Bond Interest	
IF...	THEN tax on the bond interest must be paid by...
You use your funds to buy a bond in your name and the name of another person as co-owners.	You.
You buy a bond in the name of another person, who is the sole owner of the bond.	The person for whom you bought the bond.
You and another person buy a bond as co-owners, each contributing part of the purchase price.	Both you and the other co-owner, in proportion to the amount each paid for the bond.
You and your spouse, who live in a community property state, buy a bond that is community property.	You and your spouse. If you file separate returns, both you and your spouse generally pay tax on one-half.

Example 3

Barbara owns a \$500 U.S. Series EE savings bond. She paid \$250 for the bond. When the bond matures, Barbara will receive \$500. At the end of the first year, the bond was worth \$265.

Barbara can report interest income in one of two ways.

- She can report \$250 of interest income when the bond matures. This is the difference between the \$500 value at maturity and the \$250 she paid for the bond. Barbara would report interest income only once, at maturity.
- She can report \$15 of interest income at the end of the first year. This is the increase in value at the end of the year (\$265 minus \$250). Barbara would report interest income each year until maturity.

Excludable Interest on U.S. Savings Bonds. Taxpayers may be able to exclude from income all or part of the interest received from certain qualified U.S. savings bonds. The taxpayer must have paid for qualified higher education expenses the same year the bonds are cashed. The bonds must be either Series EE bonds issued after 1989 or Series I bonds in the taxpayer's name or, if married, the taxpayer's name or spouse's name. The individual in whose name the bonds were issued must be 24 years of age or older before the bonds were issued. The taxpayer cannot file married filing separately.

Qualified higher education expenses include tuition and fees paid to an eligible educational institution for the bond owner, the bond owner's spouse, or the bond owner's dependent for whom the bond owner claims an exemption. An eligible educational institution is any college, university, vocational school, or other postsecondary educational institution eligible to participate in a student aid program administered by the Department of Education.

Qualified expenses include any **contribution** to a qualified state tuition program or to a Coverdell ESA. (For more information, see Publication 970, *Tax Benefits for Higher Education*).

Use Form 8815, *Exclusion of Interest From Series EE and I U.S. Savings Bonds Issued After 1989 (For Filers with Qualified Higher Education Expenses)*, to report the exclusion of interest income. The excludable amount is transferred from Form 8815 to Part I, line 3 of Schedule 1 (Form 1040A) or to Schedule B (Form 1040).

Series HH Bonds. The interest on these bonds is paid twice a year. Report the interest on these bonds in the year in which it is received.

Other U.S. Obligations. Interest on other U.S. obligations, such as U.S. Treasury notes and bonds, is fully taxable when received.

Savings Certificates, Money Market Certificates, and Other Deferred Interest Accounts

Interest that is paid at fixed intervals of one year or less is included in taxable income when it is received or when the taxpayer could receive it (that is, when it is credited to the account, even if it is not withdrawn) without paying a substantial penalty. If an account matures in one year or less and provides a single interest payment at maturity, include the interest in taxable income when the account matures and the interest is received.

Example 4

Duane has a six-month certificate of deposit (CD) that matures in January 2005. He will receive \$75 in interest income.

Duane will report the interest income on the certificate of deposit on his 2005 tax return. It matures in one year or less with a single interest payment at maturity.

Certificates of Deposit with Maturities of Over One Year

If interest on a CD is deferred for more than one year, the taxpayer must include a part of the interest in income each year. The taxpayer should receive Form 1099-INT stating the amount to report.

Example 5

Deborah has a two-year CD that pays interest every three months. She bought the CD on March 1, 2004. It matures on February 29, 2006.

For 2004, Deborah reports the interest income earned from March through December. For 2005, she will report 12 months of interest. For 2006, she will report two months of interest.

Original Issue Discount. Long-term obligations that pay no interest before maturity are considered to be issued at a discount.

Original Issue Discount (OID) is the amount by which the principal amount (redemption price at maturity) of a long-term debt instrument, such as a bond or note, exceeds its issue price.

Taxpayers generally report a portion of the OID each year until the obligation matures.

Example 6

Roger purchased a \$1,000 U.S. Treasury Zero Coupon Bond for \$350. When the bond matures, Roger will receive \$1,000. He will receive no interest income until the bond matures many years later.

The difference between the redemption amount (\$1,000) and the issue price (\$350) is the OID (\$650). Each year until maturity, Roger must recognize part of the OID as taxable interest income.

Interest on Insurance Proceeds

Life insurance proceeds include interest. Taxpayers can receive life insurance policy benefits paid upon the death of the insured either in a lump sum or in installments. Generally, if the payments are received in installments, the portion that is interest must be included in the taxpayer's income. However, if the insured individual died before October 23, 1986, and was the taxpayer's spouse, the first \$1,000 of interest income received each year is not taxed if the payments are received in installments. This exclusion does not apply if proceeds are left on deposit with the insurance company and only interest is paid.

Life insurance dividends generally are not taxable. These dividends may be used to reduce life insurance premiums due, purchase additional paid-up insurance, or earn interest. In general, the interest earned on life insurance dividends is taxable when it is credited to the taxpayer's account.

Interest on insurance dividends that have been left on deposit with the Department of Veterans Affairs (VA) is **not** taxable. Do not include this interest in taxable income.

COVERDELL ESA

Contributions to a Coverdell ESA are not deductible. Amounts in the ESA grow (tax deferred) until they are distributed. Generally, if the beneficiary has qualified education expenses that are greater than the distribution during the year, then no tax is due.

If the taxpayer received Form 1099-Q, showing a distribution from a Coverdell ESA, ask the taxpayer if the funds were used for qualified education expenses. Coverdell ESA qualified education expenses include elementary, secondary, and postsecondary (higher) education expenses.

If the entire amount of the distribution was spent on qualified elementary and secondary expenses, the distribution is tax-free. Tax-free distributions are not reported. If the taxpayer paid for qualified higher (postsecondary) education expenses, the taxpayer may be eligible for the Hope Credit or Lifetime Learning Credit, which may be more beneficial.

Refer the taxpayer/beneficiary to a paid professional tax preparer and/or Publication 970, *Tax Benefits for Higher Education*, if:

- The funds were not used for qualified education expenses.
- The distribution is more than the amount spent for qualified expenses.

- Part or all of the distribution is taxable and earnings must be computed.
- The taxpayer/beneficiary received other education benefits such as a distribution from a Qualified Tuition Program, employer provided educational assistance, or a scholarship, or used U.S. Savings Bonds to pay for qualified education expenses.
- If any amount needs to be reported, report it on Form 1040, line 21. Additional tax may be due. Use Part II of Form 5329, *Additional Taxes on Qualified Plans (including IRAs) and Other Tax Favored Accounts*, to figure any additional tax.

TAX-EXEMPT INTEREST

Certain types of interest are exempt from federal income tax. Bonds issued by the following entities generally pay **tax-exempt interest**:

- State and political subdivisions (county or city),
- District of Columbia, and
- U.S. possessions and political subdivisions.

Examples of tax-exempt bonds are those issued by:

- Port authorities
- Toll-road commissions
- Utility service authorities
- Community redevelopment agencies
- Qualified volunteer fire departments
- Amounts indicated on broker statements as tax-exempt interest or dividends

Although tax-exempt interest is not taxable, the taxpayer must report all tax-exempt interest on Form 1040, 1040A or 1040EZ.

Form 1099-INT

Interest income is reported to the taxpayer on Form 1099-INT, *Interest Income*, shown in Exhibit 4. A copy of Form 1099-INT is also sent to the IRS.

Box 1 shows taxable interest income from various institutions.

Some taxpayers withdraw funds from a time deposit before the maturity date of the account and, therefore, incur an interest penalty. The early withdrawal penalty is reported on Form 1099-INT in box 2. Report the total interest earned, shown in box 1 of Form 1099-INT, on line 8a of Form 1040. Do not subtract the penalty from the total interest. The early withdrawal penalty is an adjustment to income and is entered on line 33 of Form 1040.

Box 3 shows U.S. savings bond and Treasury obligations interest. Be sure to ask the taxpayer about this interest income. The amount shown on Form 1099-INT may be too high if the taxpayer was not the original owner of the bond or if the taxpayer has reported the interest income each year as it was earned.

Some Forms 1099-INT will have entries in box 4 indicating that federal income tax has been withheld from the interest paid. Be sure to include the amount shown in box 4 with other tax withheld on Form 1040EZ, line 7, Form 1040A, line 39, or Form 1040, line 63.

Exhibit 4

Form 1099-INT

9292 <input type="checkbox"/> VOID <input type="checkbox"/> CORRECTED				2004 Interest Income Form 1099-INT
PAYER'S name, street address, city, state, ZIP code, and telephone no.		Payer's RTN (optional)		2004 Interest Income Form 1099-INT
PAYER'S Federal identification number		RECIPIENT'S identification number		
RECIPIENT'S name		1 Interest income not included in box 3 \$		Copy A For Internal Revenue Service Center File with Form 1096. For Privacy Act and Paperwork Reduction Act Notice, see the 2004 General Instructions for Forms 1099, 1098, 5498, and W-2G.
Street address (including apt. no.)		2 Early withdrawal penalty \$		
City, state, and ZIP code		3 Interest on U.S. Savings Bonds and Treas. obligations \$		
Account number (optional)		4 Federal income tax withheld \$		
2nd TIN not. <input type="checkbox"/>		5 Investment expenses \$		
		6 Foreign tax paid \$		7 Foreign country or U.S. possession
Form 1099-INT		Cat. No. 14410K		Department of the Treasury - Internal Revenue Service
Do Not Cut, Fold, or Staple Forms on This Page — Do Not Cut, Fold, or Staple Forms on This Page				

Form 1099-OID

Form 1099-OID, *Original Issue Discount*, reports the amount of Original Issue Discount income that a taxpayer should report as income for the year. A copy of Form 1099-OID is also sent to the IRS.

Box 1 shows the amount of interest (OID) for the year if the taxpayer bought the obligation at its original issue and held the issue all year.

Box 2 shows regular interest paid on the obligation other than the OID income.

Reporting Interest Income

If the taxpayer is a **1040EZ** filer, taxable interest income is reported on line 2. 1040EZ filers should report tax-exempt interest by writing “TEI” and the amount of tax-exempt interest on line 2 as shown in the example below. Do not include tax-exempt interest in the *Dollars/Cents* portion of line 2. If the taxpayer’s interest income is more than \$1500, he or she cannot file a Form 1040EZ.

Example 7

Jennifer received taxable interest income of \$65 and tax-exempt interest income of \$23. She would report her interest income on Form 1040EZ as shown in the exhibit below.

Exhibit 5

Jennifer’s 1040EZ

Income Attach Form(s) W-2 here. Enclose, but do not attach, any payment.	1 Total wages, salaries, and tips. This should be shown in box 1 of your W-2 form(s). Attach your W-2 form(s).	1		
	2 Taxable interest. If the total is over \$400, you cannot use Form 1040EZ. TEI=\$23.00	2	65	00
	3 Unemployment compensation, qualified state tuition program earnings, and Alaska Permanent Fund dividends (see page 14).	3		
	4 Add lines 1, 2, and 3. This is your adjusted gross income .	4		
Note. You must check	5 Can your parents (or someone else) claim you on their return? Yes. Enter amount from No. If single , enter 7,450.00.			

Taxpayers who file **Forms 1040A or 1040**, report taxable interest income on line 8a and tax-exempt interest on line 8b.

If the taxpayer files Forms 1040A or 1040 and:

- Has interest income of more than \$1500,
- Wants to claim an exclusion for savings bond interest in the same year that he or she paid for qualified higher education expenses, or
- Receives a Form 1099-INT for tax-exempt interest,

Schedule 1, Part I (1040A) or Schedule B, Part I (1040) must be completed, before making an entry on line 8a or 8b.

If the tax-exempt interest is shown on a Form 1099-INT, and a Schedule 1 or B must be filed, the taxpayer must include tax-exempt interest on Schedule 1 or B. It should be reported on line 1 but it should not be included in the total on line 2. Instead, under the last entry on line 1, a subtotal of all interest listed should be made. Below the subtotal, the taxpayer should write “Tax-exempt interest” and show the amount. Subtract it from the subtotal and the result should be entered on line 2.

On Schedule 1 or Schedule B, Part I, list the interest payers’ names and the various amounts received for each form, even if there are two or more forms from the same source.

Exercise 3

- A.** Randy and Ann have three Forms 1099-INT: Epping National Bank, \$62; Epping Credit Union, \$178; and Brenton Savings and Loan, \$760.
1. How much interest income will be reported on Schedule 1 (Form 1040A)? _____
 2. How much interest income will be reported on Form 1040A, line 8a? _____
- B.** Catherine received \$398 interest income this year. She files Form 1040EZ. How much interest income is reported on her return, and where is it reported? _____
- C.** Emily and Andrew file a joint return on Form 1040. They have the following interest income: City Savings and Loan (joint), \$320; Third National Bank (Andrew), \$100; U.S. Series HH Savings Bonds (joint), \$45; and Welder's Credit Union (Emily), \$30. _____
- How much interest is reported on their Form 1040, and where is it reported? _____

DIVIDEND INCOME AND OTHER CORPORATE DISTRIBUTIONS

Dividends are payments made by corporations to shareholders. Dividends can also be paid through partnerships, estates, or trusts.

There are several types of corporate distributions, including ordinary and qualified dividends, capital gain distributions, nontaxable distributions, stock dividends, and others. Ordinary dividends are paid out of the earnings and profits of a corporation and are ordinary income to you. Qualified dividends are the ordinary dividends received in tax years beginning after 2002 that are subject to the same 5% or 15% maximum tax rate that applies to net capital gain. Most dividends are paid in cash. Some dividends, however, are paid in property, services, or additional shares of stock. Only **ordinary and qualified dividends** can be reported on Form 1040A. Any other dividends or distributions received are reported on Form 1040. Taxpayers with dividend income may not use Form 1040EZ. Other types of dividends and distributions include the following:

- Dividend reinvestment — Through **dividend reinvestment**, instead of receiving cash (a dividend check), some stockholders ask the corporation to use their dividends to purchase more shares of the corporation's stock. The shareholders "reinvest" their dividends. The dividend is taxable at the time it would be paid if it were in cash.
- Capital gain distributions — Mutual funds (regulated investment companies) and real estate investment trusts (REITs) pass capital gains to their investors in the form of **capital gain**

distributions. Capital gain distributions are treated as long-term capital gains, regardless of how long the taxpayer holds the shares. See Lesson 12, *Sale of Stock*, for more information on capital gains.

- Return of capital — A **return of capital** represents a return of part of the taxpayer's investment in the stock of the company. A return of capital reduces the basis of the stock and is not taxed until the taxpayer's basis in the stock is fully recovered. Any return of capital in excess of basis is treated as a capital gain and is reported on Schedule D, *Capital Gains and Losses*.
- Stock dividends — **Stock dividends** increase the taxpayer's number of shares in the company. Generally, stock dividends are not taxable.

Other types of nontaxable dividends are:

- Exempt-interest dividends paid by mutual funds (This interest is listed on Form 1040, line 8b.)
- Dividends on insurance policies, as long as they do not exceed the total of all net premiums paid by the taxpayer
- Dividends on veterans' insurance
- Certain patronage dividends

Reporting Dividends and Capital Gain Distributions

The payer reports dividends and certain other distributions on **Form 1099-DIV**, *Dividends and Distributions*.

Ordinary dividends are reported in box 1a of Form 1099-DIV. Add the amounts in box 1a from all the Forms 1099-DIV the taxpayer received. If the total is:

- \$1500 or less, enter the total on line 9a of Form 1040A or 1040.
- over \$1500, complete Schedule 1 (Form 1040A), Part II, or Schedule B (Form 1040), Part II. Transfer the result to line 9a of Form 1040A or 1040.

On Schedule 1 or Schedule B enter the payer's name and the amount received for each Form 1099-DIV even if the same corporation used separate forms to report more than one distribution. If the taxpayer has a substitute Form 1099-DIV from a brokerage firm, it may show a total for dividends received. Enter the brokerage firm as the payer of the dividends and enter the total dividend amount. Do not list the dividends individually.

Some taxpayers receive dividend income from shares that the husband and wife own jointly. If they file a joint return, enter the total dividend in the appropriate place on the return. If they file separate tax returns, divide the dividend by two. Report half on the husband's return and half on the wife's return.

Qualified dividends. Report qualified dividends (box 1b of Form 1099-DIV) on line 9b of Form 1040 or Form 1040A. Do not include any of the following on line 9b.

- Qualified dividends received as a nominee.
- Dividends on stock for which the holding period was not met.
- Dividends on any share of stock to the extent that there is an obligation to make related payments for positions in substantially similar or related property.
- Payments in lieu of dividends, but only if it is known or reason to have known that the payments are not qualified dividends.

See chapter 1 of *Publication 550* for further details.

If qualified dividends are reported, tax must be figured by completing either Schedule D (Form 1040) or the Qualified Dividends and Capital Gain Tax Worksheet in the Form 1040 or 1040 A instructions.

If no capital gain or loss are reported, including capital gain distributions from 1099-DIV, Schedule D (Form 1040) is not required; therefore, the Qualified Dividends and Capital Gain Tax Worksheet is used to figure the lower tax on qualified dividends. To see a copy of the Qualified Dividends and Capital Gain Tax Worksheet, refer to Lesson 12, Exhibit 9.

Capital gain distributions occur when a mutual fund (regulated investment company) sells assets for more than their cost, and the realized capital gain is distributed to the fund's shareholders. This should not be confused with a capital gain that occurs when the owner of a mutual fund or a capital asset sells shares in the fund or the asset for more than the cost and realizes a capital gain. For more information on capital gains and losses, see Lesson 12, *Sale of Stock*.

Payers report capital gain distributions in box 2a of Form 1099-DIV, see Exhibit 6. Taxpayers can report capital gain distributions directly on Form 1040A or Form 1040 if:

- The only amounts the taxpayer has to report on Schedule D are capital gain distributions (box 2a),
- The taxpayer does not have any qualified 5-year gain (box 2c) unrecaptured section 1250 gain (box 2d), or section 1202 gain (box 2e), and
- If the taxpayer files Form 4952, *Investment Interest Expense Deduction*, the amount on line 4e of Form 4952 is not more than zero.

- **Box 5, *Investment expenses.*** If the taxpayer files Form 1040 and itemizes deductions on Schedule A, report the amount from box 5 as a miscellaneous itemized deduction subject to the 2%-of-adjusted-gross-income limit. (See *Itemized Deductions* in Lesson 4.)
- **Box 6, *Foreign tax paid.*** If the taxpayer has an entry in box 6, see Lesson 6 for the proper treatment of the tax. The taxpayer may be able to claim the Foreign Tax Credit.

A capital gain distribution is reported on a Schedule D when the taxpayer has more than capital gain distributions to report, for example when boxes 2b, 2c, 3, 8, or 9 have entries, or when the taxpayer has sold a capital asset. Capital gain distributions are always treated as long-term capital gains, regardless of how long the taxpayer holds the shares, and are reported on line 13, column (f) of the Schedule D.

POTENTIAL PITFALLS

If the state or local income tax refund reflects any deductions, credits, or payments for years other than 2003, refer the taxpayer to a paid professional tax preparer.

STATE AND LOCAL TAX REFUNDS

Taxpayers who receive a refund of state or local taxes may receive a Form 1099-G, *Certain Government Payments*, see Exhibit 7. If the taxpayer claimed the standard deduction on the 2003 return and received a refund of 2003 state or local tax, the taxpayer does not have to include the refund in taxable income for tax year 2004. However, if the taxpayer itemized deductions **and** received a state or local tax refund, the taxpayer may have to include part or all of the refund in taxable income in 2004. Use the *State and Local Income Tax Refund Worksheet—Line 10* in the Form 1040 instruction booklet to determine what part, if any, of the refund is taxable. Enter the taxable portion of state and local refunds on Form 1040, line 10.

Exhibit 7

Form 1099-G

<input type="checkbox"/> CORRECTED (if checked)				Certain Government Payments	
PAYER'S name, street address, city, state, ZIP code, and telephone no. Georgia Department of Revenue 76 Butler Street New York, NY 10001		1 Unemployment compensation \$ 4,000.00	OMB No. 1545-0120 2004 Form 1099-G		
PAYER'S Federal identification number XX-XXXXXXX	RECIPIENT'S identification number XXX-XX-XXXX	2 State or local income tax refunds, credits, or offsets \$	3 Box 2 amount is for tax year	4 Federal income tax withheld \$ 400.00	Copy B For Recipient <small>This is important tax information and is being furnished to the Internal Revenue Service. If you are required to file a return, a negligence penalty or other sanction may be imposed on you if this income is taxable and the IRS determines that it has not been reported.</small>
RECIPIENT'S name Clark Fisk		5 	6 Taxable grants \$		
Street address (including apt. no.) 87 Bluefield Ave.		7 Agriculture payments \$	8 Box 2 is trade or business income <input type="checkbox"/>		
City, state, and ZIP code Raleigh, NC 27611		Account number (optional)			
Form 1099-G		(keep for your records)		Department of the Treasury - Internal Revenue Service	

ALIMONY RECEIVED

Alimony or separate maintenance payments made under a court decree are taxable income to the person receiving them. They are reported on Form 1040, line 11. The person making the payments deducts them on Form 1040, line 34a, as an adjustment to gross income.

Child support payments are not alimony. The person making the payments cannot deduct them. The person receiving child support payments does not have to include them in income.

ALERT



The amount of allowable business expenses on Form 1040, Schedule C-EZ, Net Profit From Business was increased from \$2,500 or less to \$5,000 or less.

INCOME FROM BUSINESS (OPTIONAL TOPIC)

Business income or loss is reported first on Schedule C (Form 1040), *Profit or Loss From Business*, or Schedule C-EZ, *Net Profit From Business*, and then transferred to Form 1040, line 12.

Taxpayers who must file a Schedule C should see a paid professional tax preparer.

VITA and TCE volunteers who have received training on this topic, at the discretion of the site coordinator, may assist self-employed individuals who qualify to use Schedule C-EZ, shown in Exhibit 8.

Who Can Use Schedule C-EZ

A taxpayer can use Schedule C-EZ only if he or she:

- Had business expenses of \$5,000 or less,
- Uses the cash method of accounting,
- Did not have an inventory at any time during the year,
- Did not have a net loss from his or her business,
- Had only one business as a sole proprietor,
- Had no employees during the year,
- Is not required to file Form 4562, *Depreciation and Amortization*, for this business (See the instructions for Schedule C, line 13, to find out if the taxpayer must file.),
- Does not deduct expenses for business use of his or her home, and
- Does not have prior year unallowed passive activity losses from this business.

Completing Schedule C-EZ

Schedule C-EZ has three parts:

Part I: General Information

Part II: Figure Your Net Profit

Part III: Information on Your Vehicle

POTENTIAL PITFALLS



Many taxpayers erroneously report amounts from Form 1099-MISC, Miscellaneous Income, with wages or other income. This income should instead be reported on Schedule C or C-EZ and on Schedule SE, Self-Employment Tax. If the income is reported incorrectly, IRS may later issue a notice of proposed tax increase for the self-employment income and tax.

Part I: General Information

Part I is used to determine whether or not the taxpayer is eligible to use this form instead of Schedule C for reporting self-employment income. If all the criteria are met, the taxpayer then completes Part I.

Line B, Principal Business Code, is determined by looking at the code list in the *Instructions for Schedule C, Profit or Loss From Business*.

Line D, Employer ID Number, is a number that the Internal Revenue Service supplies to businesses and other professional activities. If the taxpayer does not have one, the space should be left blank. The taxpayer cannot use the taxpayer's social security number.

Part II: Figure Your Net Profit

Gross receipts are all receipts from a trade or business including income reported on a Form 1099-MISC, *Miscellaneous Income*. All items of taxable income actually or constructively received during the year are included. Gross receipts are entered on line 1.

Total expenses include the total amount of all deductible business expenses actually paid during the year. Examples of these expenses include advertising, car and truck expenses, commissions, insurance, interest, legal and professional services and fees, office expense, rent or lease expense, repairs and maintenance, supplies, taxes, travel, 50% of business meals and entertainment, and utilities (including telephone). Total expenses of \$5,000 or less are entered on line 2.

If the taxpayer uses his or her car or truck for business purposes, he or she can deduct expenses related to using the car or truck. To determine the amount of car and truck expenses that can be deducted, the taxpayer must use either the:

- Standard Mileage Rate, or
- Actual Car Expenses.

Standard Mileage Rate. If the taxpayer can and does choose to use the standard mileage rate, business miles are multiplied by the applicable mileage rate and added to the deductible parking and tolls. Car expenses using the standard mileage rate are computed as follows:

Business miles incurred during the year × **37.5¢** per mile
+ Parking and tolls incurred while on business

ALERT

The 2004 rate for business use of your vehicle is 37.5 cents a mile.

Actual Car Expenses. If the taxpayer chooses to use the actual car expenses, only the business portion of the expenses is deductible. Deductible expenses under the actual method are computed as follows:

1. Compute the percentage of business use:

$$\frac{\text{Business miles}}{\text{Total miles}} = \% \text{ of business use}$$

2. Determine the deductible expenses:

$$\begin{aligned} & (\% \text{ of business use} \times \text{total actual expenses}) \\ + & \underline{\underline{\text{Parking and tolls incurred while on business}}} \end{aligned}$$

NOTE: If taxpayers depreciate their car or truck, or their total expenses are more than \$5,000, they cannot use Schedule C-EZ and should be referred to a paid professional tax preparer.

Subtract line 2 from line 1 and enter the net amount on line 3 to determine the net profit or loss.

If line 3 shows a profit, transfer this amount to Form 1040, line 12, and to Schedule SE, line 2 (except statutory employees). Attach Schedule C-EZ to Form 1040 in the correct sequence.

If line 3 is zero, show zero amount on Form 1040, line 12.

If line 3 shows a loss, the taxpayer cannot use Schedule C-EZ and should be referred to a paid professional tax preparer.

Part III: Information on Your Vehicle

Part III should be completed if the taxpayer is claiming car and truck expenses in Part II.

SCHEDULE C-EZ (Form 1040)

Net Profit From Business

(Sole Proprietorship)

OMB No. 1545-0074

2004

Attachment Sequence No. 09A

Department of the Treasury Internal Revenue Service

Partnerships, joint ventures, etc., must file Form 1065 or 1065-B. Attach to Form 1040 or 1041. See instructions on back.

Name of proprietor Coe Curry

Social security number (SSN) XXX : XX : XXXX

Part I General Information

You May Use Schedule C-EZ Instead of Schedule C Only If You:

- Had business expenses of \$5,000 or less. Use the cash method of accounting. Did not have an inventory at any time during the year. Did not have a net loss from your business. Had only one business as a sole proprietor.

And You:

- Had no employees during the year. Are not required to file Form 4562, Depreciation and Amortization, for this business. Do not deduct expenses for business use of your home. Do not have prior year unallowed passive activity losses from this business.

A Principal business or profession, including product or service Hair salon

B Enter code from pages C-7, 8, & 9 8 1 2 1 1 2

C Business name. If no separate business name, leave blank. Curry Hair Salon

D Employer ID number (EIN), if any

E Business address (including suite or room no.). Address not required if same as on Form 1040, page 1. 2525 Clemson Lane

City, town or post office, state, and ZIP code Columbia, SC 29201

Part II Figure Your Net Profit

Table with 3 rows: 1 Gross receipts (25,000), 2 Total expenses (1,400), 3 Net profit (23,600)

Part III Information on Your Vehicle. Complete this part only if you are claiming car or truck expenses on line 2.

- 4 When did you place your vehicle in service for business purposes? (month, day, year) 01 / 01 / 2004
5 Of the total number of miles you drove your vehicle during 2004, enter the number of miles you used your vehicle for: a Business 10,000 b Commuting 15,000 c Other
6 Do you (or your spouse) have another vehicle available for personal use? Yes No
7 Was your vehicle available for personal use during off-duty hours? Yes No
8a Do you have evidence to support your deduction? Yes No
b If "Yes," is the evidence written? Yes No

For Paperwork Reduction Act Notice, see Form 1040 instructions.

Cat. No. 14374D

Schedule C-EZ (Form 1040) 2004

Self-Employment Tax

Self-employment tax is a social security tax for persons who work for themselves. It is similar to the social security tax and Medicare tax withheld from employees' wages.

Special exemptions from self-employment tax may apply to members of the clergy, members of certain religious sects, and certain nonclergy church employees.

The tax is computed on Schedule SE and transferred to the Form 1040 to be added to other taxes owed. The Schedule SE is attached to the Form 1040.

Who Must File Schedule SE

A taxpayer must file Schedule SE if he or she has:

- Net earnings from self-employment of \$400 or more, other than church employee income (line 4 of Short Schedule SE),

OR

- Church employee income of \$108.28 or more (line 5a of Long Schedule SE).

Exception: If the only self-employment income was from earnings as a minister, member of a religious order, or Christian Science practitioner AND the taxpayer has filed Form 4361, Application for Exemption From Self-Employment Tax for Use by Ministers, Members of Religious Orders and Christian Science Practitioners, and has received IRS approval not to be taxed on these earnings, he or she does not have to file Schedule SE. Instead, write "Exempt—Form 4361" on Form 1040, line 57.

Most taxpayers will need to complete only Section A of Schedule SE, also known as the Short Schedule SE. Follow the chart on the form to determine whether the taxpayer qualifies to file the short form. Anyone who does not qualify and who must file the long form should be referred to a paid professional tax preparer.

If the taxpayer qualifies for the short form, enter the net profit from Schedule C-EZ, line 3, on lines 2 and 3 of the Schedule SE.

Follow the instructions on the form to determine net earnings from self-employment on line 4 and the self-employment tax on line 5.

Enter the amount from line 5 on Form 1040, line 57.

Deduction of Self-Employment Tax

Self-employed people may claim an adjustment to income of one-half of the social security and Medicare taxes they pay.

Enter the amount from Schedule SE, line 6, on Form 1040, line 30 as an adjustment to income.

SCHEDULE SE (Form 1040) Department of the Treasury Internal Revenue Service	Self-Employment Tax ▶ Attach to Form 1040. ▶ See Instructions for Schedule SE (Form 1040).	OMB No. 1545-0074 <div style="font-size: 2em; font-weight: bold; text-align: center;">2004</div> Attachment Sequence No. 17
Name of person with self-employment income (as shown on Form 1040) Coe Curry		Social security number of person with self-employment income ▶ XXX XX XXXX

Who Must File Schedule SE

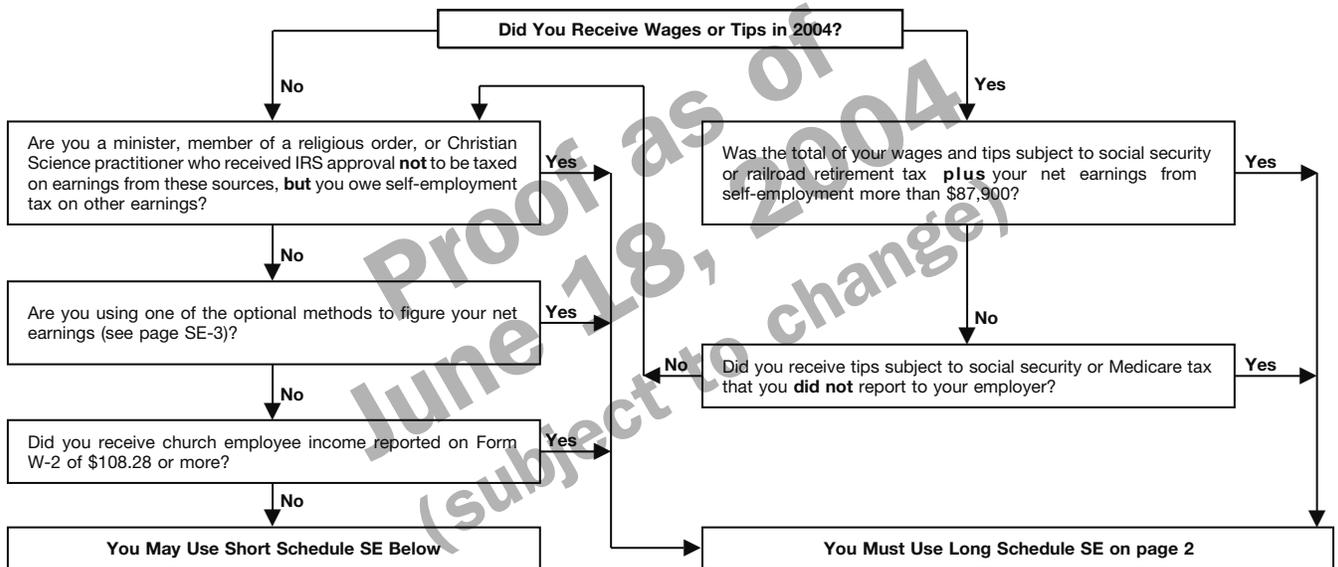
You must file Schedule SE if:

- You had net earnings from self-employment from **other than** church employee income (line 4 of Short Schedule SE or line 4c of Long Schedule SE) of \$400 or more **or**
- You had church employee income of \$108.28 or more. Income from services you performed as a minister or a member of a religious order **is not** church employee income (see page SE-1).

Note. Even if you had a loss or a small amount of income from self-employment, it may be to your benefit to file Schedule SE and use either “optional method” in Part II of Long Schedule SE (see page SE-3).

Exception. If your only self-employment income was from earnings as a minister, member of a religious order, or Christian Science practitioner **and** you filed Form 4361 and received IRS approval not to be taxed on those earnings, **do not** file Schedule SE. Instead, write “Exempt-Form 4361” on Form 1040, line 57.

May I Use Short Schedule SE or Must I Use Long Schedule SE?



Section A—Short Schedule SE. Caution. Read above to see if you can use Short Schedule SE.

1 Net farm profit or (loss) from Schedule F, line 36, and farm partnerships, Schedule K-1 (Form 1065), box 14, code A	1		
2 Net profit or (loss) from Schedule C, line 31; Schedule C-EZ, line 3; Schedule K-1 (Form 1065), box 14, code A (other than farming); and Schedule K-1 (Form 1065-B), box 9. Ministers and members of religious orders, see page SE-1 for amounts to report on this line. See page SE-2 for other income to report	2	23,600	
3 Combine lines 1 and 2	3	23,600	
4 Net earnings from self-employment. Multiply line 3 by 92.35% (.9235). If less than \$400, do not file this schedule; you do not owe self-employment tax ▶	4	21,795	
5 Self-employment tax. If the amount on line 4 is: • \$87,900 or less, multiply line 4 by 15.3% (.153). Enter the result here and on Form 1040, line 57. • More than \$87,900, multiply line 4 by 2.9% (.029). Then, add \$10,899.60 to the result. Enter the total here and on Form 1040, line 57.	5	3,335	
6 Deduction for one-half of self-employment tax. Multiply line 5 by 50% (.5). Enter the result here and on Form 1040, line 30	6	1,668	

POTENTIAL PITFALLS



Form 1099-R reports pension income, not earned income. Form 1099-R amounts are not included on line 7 of Form 1040. They are reported on Form 1040A, lines 12a and 12b or Form 1040, lines 16a and 16b. You will learn how to report pensions in Lesson 14, *Pensions*.

CAPITAL GAINS AND LOSSES

Both the sale of stock and the sale of a home are reported on Form 1040, line 13. The amount entered on Form 1040, line 13, is transferred from Schedule D (Form 1040), *Capital Gains and Losses*. See Lessons 12 and 13 for more information about these types of sales.

SALE OF BUSINESS PROPERTY

The sale or involuntary conversion of business property is reported on Form 1040, line 14. If taxpayers are reporting the sale of business property, they should be referred to a paid professional tax preparer.

PENSION AND ANNUITY INCOME

Generally, payers of pension and annuity income send Form 1099-R to the recipients. The total pension or annuity income is reported on Form 1040A, line 12a, or Form 1040, line 16a; the taxable portion is reported on line 12b (1040A) or 16b (1040). If all of the pension or annuity is taxable, make an entry on line 12b or 16b only.

For more information on pension and annuity income, see Lesson 14, *Pensions*.

RENTS, ROYALTIES, PARTNERSHIPS, ESTATES, AND TRUSTS

Income from rental property, royalties, partnerships, estates, and/or trusts is reported on Form 1040, line 17. Refer any taxpayer who receives income from these sources to a paid professional tax preparer.

FARM INCOME

Farm income is reported on Form 1040, line 18. Advise taxpayers with farm income to see a paid professional tax preparer.

UNEMPLOYMENT COMPENSATION

Unemployment compensation includes benefits to unemployed individuals that a state or the District of Columbia paid from the Federal Unemployment Trust Fund. It is reported to the recipient on Form 1099-G, *Certain Government Payments*. All unemployment compensation is taxable. Transfer the amount in (See Exhibit 7) box 1 of Form 1099-G to line 3 of Form 1040EZ, line 13 of Form 1040A, or line 19 of Form 1040.

Supplemental benefits provided from an employer's fund to which the employee did not contribute are sometimes thought of as unemployment benefits also. They are reported to the employee on Form W-2. Include them on line 7 of Form 1040A or 1040, or on line 1 of Form 1040EZ.

TaxWise HINTS

- When entering income for the taxpayer you have the following three choices:
Go to Line 7 and click F9 (Link),
Click the right mouse and select “Link” or
Click on add form and select “W-2”.
- All the information entered into TaxWise should be exactly what is on the W-2.

Note: TaxWise automatically rounds numbers.

- When an entry is made for Alimony paid, TaxWise requires the Social Security Number of the spouse receiving the alimony.
- Form 4852, Substitute for Form W-2, Wage and Tax Statement or Form 1099-R, Distributions from Pensions, Annuities, Retirement or Profit-Sharing Plans, IRA's, Insurance Contracts, etc. is available and can be completed in TaxWise.

▶▶ SUMMING UP THIS LESSON ◀◀

Form 1040EZ can be used to report only income from wages, salaries, tips, qualified tuition program earnings, Alaska Permanent Fund dividends, taxable scholarships and fellowship grants, interest of \$1500 or less, and unemployment compensation.

You can report several types of income on Form 1040A:

- ▶ Wages, salaries, tips, scholarships and fellowship grants, qualified tuition program payments, and Alaska Permanent Fund dividends
- ▶ Interest income
- ▶ Dividend income
- ▶ Capital gain distributions
- ▶ Unemployment compensation

Use Form 1040A, Schedule 1, or Form 1040, Schedule B, to report:

- ▶ Interest and/or dividend income over \$1500 and
- ▶ Interest from Series I and/or Series EE savings bonds, issued after 1989, that is excluded from taxable income.

Report any early withdrawal penalties on Form 1040, line 33, as an adjustment to income. Do not subtract penalties from interest income.

Report capital gain distributions directly on Form 1040, line 13a or Form 1040A, line 10, if the taxpayer is not required to file Schedule D.

State and local tax refunds are included in taxable income if:

- ▶ the taxpayer itemized deductions AND
- ▶ received a tax benefit by including the state and local tax in itemized deductions.

Alimony and separate maintenance payments are taxable income to the person receiving these payments. The person paying these payments can subtract them as an adjustment to income.

▶▶ **SUMMING UP THIS LESSON** ◀◀

(continued)

Business income or loss is generally beyond the scope of VITA or TCE. However, in some cases, trained volunteers may help self-employed taxpayers who qualify to use Schedule C-EZ.

Taxpayers with net self-employment income of \$400 or more must complete Schedule SE to compute self-employment tax.

Some nontaxable income is reported but is not included in taxable income:

- ▶ Tax-exempt interest
- ▶ Nontaxable portion of IRA distributions, including rollovers

Other income, such as prizes, awards, lottery winnings, and jury duty pay, is reported on line 21 of Form 1040, including the amount and description.

Volunteers should refer taxpayers with any of the following items to paid professional tax preparers:

- ▶ Sales of business property
- ▶ Income from rental property, royalties, partnerships, estates, or trusts
- ▶ Farm income

Exercise 1

1. Taxable
2. Taxable
3. Nontaxable
4. Nontaxable
5. Taxable
6. Taxable
7. Nontaxable
8. Taxable
9. Nontaxable
10. Nontaxable

Exercise 2

- (A) Mike will report \$29,250 on line 7. The tip income is included in the \$8,250.
- (B) No; John must file Form 1040 to pay social security and Medicare tax on his tip income.
- (C) Randy should be advised to contact the employer and request that a Form W-2 be issued or reissued. If after waiting a reasonable amount of time, it still has not been received, Randy should contact the IRS (but not before February 15th).

Exercise 3

- (A) 1. None
2. \$1,000
- (B) \$398 is reported on line 2 of Form 1040EZ.
- (C) \$495 is reported on line 8a of Form 1040.

INTRODUCTION AND OBJECTIVES

This segment discusses whether to include specific items in gross income. You should be aware, however, that certain items related to moving or travel expenses generally must be accounted for even if they are not considered income.

This lesson includes information about the combat zone exclusion. For additional tax benefits, see Lesson 17, *Tax Options for Combat Zone Participants*.

This segment will help you to achieve the following objectives:

1. Determine which items received by Armed Forces members are includible in gross income.
2. Determine if an amended return must be filed for a taxpayer who received medical separation pay.
3. Determine who qualifies for exclusion of pay from income because of service in a combat zone.
4. Identify qualifying items of military pay received for service in a combat zone.

FORM W-2

Includible military income will generally be the amount shown in box 1 of Form W-2, *Wage and Tax Statement*. If this amount differs from the last Leave and Earnings Statement for 2004, advise the person to contact his or her local accounting and finance or payroll office for an explanation.

The wages shown in box 1 of the 2004 Form W-2 should not include military pay excluded from an individual's income under the combat zone exclusion provisions. Tax exempt earned income, basic allowance for subsistence (BAS), basic allowance for housing (BAH), and certain in-kind allowances are no longer reported in box 12 of Form W-2.

INCLUDIBLE INCOME

Members of the Armed Forces receive many different types of pay and allowances. Some are includible in gross income while others are excludable from gross income. Includible items are subject to tax and must be reported on the taxpayer's tax return. Excludable items are not subject to tax, but may have to be shown on the tax return. The following items are includible in gross income, **unless** the pay is for service in a combat zone declared by an executive order of the President or in a qualified hazardous duty area declared by statute:

Accrued Leave Payment	Aviation Career Incentive Pay
Basic Pay	Continuation Pay
Diving Pay	Enlistment Bonus *
Flight Duty Pay	Foreign Duty Pay
Hostile Fire Pay	Imminent Danger Pay
Hazardous Duty pay	Medical Separation Pay
Medical/Dental Officer Pay	Overseas Extension Bonus
Nuclear Qualified Officer Pay	Proficiency Pay
Personal Money Allowance	Responsibility Pay
Reenlistment Bonus *	Sea Duty Pay
Scholarships (AFHPSP)	Student Loan Repayments
Separation Pay	Veterinary Officer Pay

* Enlistment and reenlistment bonuses fall under the category of taxable income. Income tax will be deducted from these entitlements before they are paid to the service member. Income tax is withheld at a flat rate of 27% as bonuses are treated as supplemental wages. Service members will not need to account for enlistment and reenlistment bonuses separately when preparing their tax returns as the payments and withholdings will be reflected on their Form W-2. If a service member feels this information is incorrect they will need to contact their local accounting and finance or payroll office.

A reenlistment bonus may be tax free if the voluntary extension or reenlistment occurs in a month the service member served in a combat zone.



EXCLUDABLE INCOME

The following qualified military benefits do not have to be reported as income on Form 1040, 1040A, or 1040EZ. The exclusion applies whether the item is furnished in kind or is a reimbursement or allowance. The personal use of a vehicle cannot be excluded from gross income as a qualified military benefit.

Basic Allowance for Housing (BAH)	Basic Allowance for Subsistence (BAS)
Combat Zone Compensation (including hostile fire pay or imminent danger pay) (limited amount for officers)	Congressional Medal of Honor Pension
Death Allowances	Defense Counseling
Dislocation Allowances	Evacuation Allowance
Family Allowances	Group-term Life Insurance
Interment Allowance	Medical Benefits
Moving and Storage	Other Quarters Allowances
Overseas Housing Allowance (OHA)	Per Diem (Including reservist)
Professional Education	Qualified Hazardous Duty Pay
ROTC Educational and Subsistence Allowances	Survivor and Retirement Protection Plan Premiums Deducted from Military Retired Pay
Uniform Allowance	
Trailer Allowance	Veterans' Benefits

Note: If the person you are helping is a member of the Armed Forces and was provided a commuter highway vehicle (such as a van) by his or her employer in 2004, refer the taxpayer to Publication 525, Taxable and Nontaxable Income, and to a paid professional preparer.

MEDICAL SEPARATION PAY

Service members who have been separated from the service for years of service or medical reasons are given severance pay, which are taxable as wages. If any portion of their pay is subject to medical disability, only the Veteran's Affairs (VA) can make that determination and assign what percentage is attributable to medical disability pension due. This process takes several months and sometimes years. The service member will receive the total "pension" which is taxable until the VA makes the determination and sends the discharged service member a letter of determination.

Disability compensation is a monetary benefit paid to veterans who are disabled by injury or disease incurred or aggravated during active military service. The service of the veteran must have been terminated through separation or discharge under conditions that were other than dishonorable. Disability compensation varies with the degree of disability and the number of dependents, and is paid monthly. The benefits are not subject to federal or state income tax.

Once the letter of determination is received, any future pension payments will be off-set by that percentage and paid directly from the VA. The payments received directly from the VA are not taxable and will not be included in the Form W-2. However, the payments received prior to the letter of determination being issued have already been taxed and the letter also exempts that percentage of pay already received from taxes. The service member needs to file an amended return, if a return has already been filed, and attach a copy of the letter of determination to the Form 1040X.

The payment of military retirement pay, disability severance pay and separation incentive payments known as SSB and VSI (Special Separation Benefits and Voluntary Separation Incentives) also affects the amount of VA compensation paid.

Example

Anita Bennett, an active duty service member, was separated due to a medical condition in February 2003. At the time of her separation she was given medical separation pay or severance pay in the amount of \$10,000.00. She receives a service pension in the amount of \$3000 per month. Her 2003 Form W-2 showed \$48,000 in wages of which \$43,000 ($\$10,000 + (\$3000 \times 11 \text{ months})$) was considered pension. She filed and claimed the full amount on her 2003 tax return. In 2004 the Veteran's Administration (VA) determined that due to her medical condition she was entitled to a VA disability pension of 50% from the date of her discharge. She receives her determination letter from the VA in March 2004, the tax return that includes her severance pay should be amended to exclude the 50% of the pension pay she received in 2003, \$21,500.00 ($(\$10,000 + 33,000) \times 50\%$). She would attach a copy of the letter of determination to the amended return. She also will need to adjust her pension received January thru March 2004 by the 50%, the other months will reflect the correct taxable amount. In 2004 she will also need to attach a copy of the letter to her return to show why the amount is different from the Form W-2. The Form W-2 that she receives in 2005 and forward will show the correct amount of taxable wages.

COMBAT ZONE EXCLUSION

Members of the U.S. Armed Forces who serve in a combat zone (defined later) may exclude certain pay from their income. They do not have to receive the pay while in a combat zone, in a hospital, or in the same year they served in a combat zone. However, the



entitlement to the pay must have fully accrued in a month during which they served in the combat zone or were hospitalized as a result of wounds, disease, or injury incurred while serving in the combat zone. The following military pay can be excluded from their income.

- Active duty pay earned in any month during which they served in a combat zone.
- Imminent danger/hostile fire pay
- A reenlistment bonus if the voluntary extension or reenlistment occurs in a month during which they served in a combat zone.
- Pay for accrued leave earned in any month during which they served in a combat zone. The Department of Defense must determine that the unused leave was earned during that period.
- Pay received for duties as a member of the Armed Forces in clubs, messes, post and station theaters, and other nonappropriated fund activities. The pay must be earned in a month during which they served in a combat zone.
- Awards for suggestions, inventions, or scientific achievements to which members are entitled to because of a submission they made in a month during which they served in a combat zone.
- Student loan repayments that are attributable to their period of service in a combat zone.

Retirement pay does not qualify for the combat zone exclusion.

Partial (month) service. Members of the U.S. Armed Forces who serve in a combat zone for one or more days during a particular month, are entitled to an exclusion for that entire month.

Combat Zone

A combat zone is any area the President of the United States designates by Executive Order as an area in which the U.S. Armed Forces are engaging or have engaged in combat. An area usually becomes a combat zone and ceases to be a combat zone on the dates the President designates by Executive Order.

Afghanistan area. By Executive Order No. 13239, Afghanistan (and airspace above) is designated as a combat zone beginning September 19, 2001.

Yemen area. Executive Order No. 13239 was extended to include Yemen as a designated combat zone beginning April 10, 2002.

The Kosovo area. By Executive Order No. 13119 and Public Law 106-21, the following locations (including air space above) were designated as a combat zone and a qualified hazardous duty area beginning March 24, 1999.

- Federal Republic of Yugoslavia (Serbia/Montenegro)
- Albania
- The Adriatic Sea



- The Ionian Sea—north of the 39th parallel (including all of the airspace in connection with the Kosovo operation.)

Persian Gulf area. By Executive Order No. 12744, the following locations (and airspace above) were designated as a combat zone beginning January 17, 1991.

- The Persian Gulf,
- The Red Sea,
- The Gulf of Oman,
- The part of the Arabian Sea that is north of 10 degrees north latitude and west of 68 degrees east longitude,
- The Gulf of Aden, and
- The total land areas of Iraq, Kuwait, Saudi Arabia, Oman, Bahrain, Qatar, and the United Arab Emirates.

In addition, the Department of Defense has certified these locations for combat zone tax benefits due to their direct support of military operations, beginning on the listed dates:

In support of Operation Enduring Freedom (Afghanistan combat zone):

- Pakistan, Tajikistan and Jordan – September 19, 2001
- Incirlik Air Base, Turkey – September 21, 2001
- Kyrgyzstan and Uzbekistan – October 1, 2001
- Philippines – January 9, 2002
- Yemen – April 10, 2002
- Djibouti – July 1, 2002

In support of Operation Iraqi Freedom (Arabian Peninsula Areas combat zone):

- Israel and Turkey – January 1, 2003
- The Mediterranean

Qualified hazardous duty area. Beginning November 21, 1995, a qualified hazardous duty area in the former Yugoslavia is treated as if it were a combat zone. The qualified hazardous duty area includes:

- Bosnia and Herzegovina,
- Croatia, and
- Macedonia.

Members of the Armed Forces deployed overseas away from their permanent duty station in support of operations in a qualified hazardous duty area, or performing qualifying service outside the qualified hazardous duty area, are treated as if they are in a combat zone solely for the purposes of the extension of deadlines discussed in Lesson 16. These personnel are not entitled to other combat zone tax benefits.



Serving in a Combat Zone

Service in a combat zone includes any periods that military members are absent from duty because of sickness, wounds, or leave. If, as a result of serving in a combat zone, a person becomes a prisoner of war or is missing in action, that person is considered to be serving in the combat zone so long as he or she keeps that status for military pay purposes.

Qualifying service outside combat zone. Military service outside a combat zone is considered to be performed in a combat zone if:

- The service is in direct support of military operations in the combat zone, and
- The service qualifies a member for special military pay for duty subject to hostile fire or imminent danger.

Military pay received for this service will qualify for the combat zone exclusion if the other requirements are met.

Non-qualifying presence in combat zone. The following military service does not qualify as service in a combat zone.

- Presence in a combat zone while on leave from a duty station located outside the combat zone,
- Passage over or through a combat zone during a trip between 2 points that are outside a combat zone, and
- Presence in a combat zone solely for a member's personal convenience.

Note. Military Members are considered to be serving in a combat zone if they are either assigned on official temporary duty to a combat zone or they qualify for hostile fire/imminent danger pay while in a combat zone.

Amount of Exclusion

Enlisted members. Enlisted members, warrant officers, or commissioned warrant officers who serve in a combat zone during any part of a month, can exclude all of their military pay for that month from their income. They can also exclude military pay earned while they are hospitalized as a result of wounds, disease, or injury incurred in the combat zone. The exclusion of their military pay while they are hospitalized does not apply to any month that begins more than 2 years after the end of combat activities in that combat zone. Their hospitalization does not have to be in the combat zone.

Officers. Commissioned officers (including Limited Duty Officers), may exclude their pay according to the rules just discussed. However, the amount of their exclusion is limited to the highest rate of enlisted pay (plus imminent danger/hostile fire pay they received) for each month during any part of which they served in a combat zone or were hospitalized as a result of their service there.



Hospitalized while serving in the combat zone. If a member is hospitalized while serving in the combat zone, the wound, disease, or injury causing the hospitalization will be presumed to have been incurred while serving in the combat zone unless there is clear evidence to the contrary.

Example

Ron Brady is hospitalized for a specific disease after serving in a combat zone for 3 weeks, and the disease for which he is hospitalized has an incubation period of 2 to 4 weeks. The disease is presumed to have been incurred while he was serving in the combat zone. On the other hand, if the incubation period of the disease were one year, the disease would not have been incurred while he was serving in the combat zone.

Hospitalized after leaving the combat zone. In some cases the wound, disease, or injury may have been incurred while serving in the combat zone, even though the member was not hospitalized until after he/she left.

Example

Martha Marshall was hospitalized for a specific disease 3 weeks after she left the combat zone. The incubation period of the disease is from 2 to 4 weeks. The disease was considered incurred while serving in the combat zone.

COMMUNITY PROPERTY

The community property states are Arizona, California, Idaho, Louisiana, Nevada, New Mexico, Texas, Washington, and Wisconsin. Special rules apply to married persons who file separate returns or who were divorced during the tax year and were domiciled in a community property state.

For military personnel in community property states, the key word is “domicile.” Domicile describes someone’s legal, permanent residence. It is not always where the person presently lives.

Whether an item is subject to community property laws depends on the nature of the payment.

Armed Forces pay. State community property laws apply to active military pay. Generally, the character of the pay as separate to community income is determined by the marital status and domicile of the Armed Forces member and his or her spouse while the member is in active military service.

Armed Forces retired or retainer pay. Retired or retainer payments to a member of the Armed Forces may be subject to community property laws.

For more information, see Publication 555, *Community Property*.



Exercise 1

Which of the following should be included in gross income?

- A. Basic Allowance for Subsistence (BAS)
- B. Overseas Housing Allowance
- C. Lump sum for accrued leave, paid on separation
- D. Foreign language proficiency pay
- E. Uniform allowance
- F. Foreign duty pay
- G. Reenlistment Bonus received while a service member was deployed to Qatar
- H. Hazardous duty pay
- I. Family Separation Allowance received while a service member was deployed to Italy

Answer _____

Exercise 2

Sergeant James Wells was medically separated, in November 2003, from active duty military service due to a medical condition that interfered with his ability to perform his military duties. James was entitled to and received \$12,000 in medical separation pay. After taxes he received \$8,640. Prior to his separation he submitted the required documentation to the Veteran's Affairs applying for disability pay. James filed his tax return in March 2004 and received a \$567 refund. In August of 2004 James received his determination letter from VA informing him he was entitled to an \$800 disability pension per month from the date of his discharge.

- A. Does James need to file an amended tax return?

Answer _____

- B. What amount of pay will James need to exclude from his pay when he files an amended tax return?

Answer _____

- C. When will James start receiving his disability pension?

Answer _____



▶▶ **SUMMING UP THIS SEGMENT** ◀◀

You have learned that certain items received by members of the Armed Forces are included in their gross income. Certain other items are specifically excluded by law. Pay for service in a combat zone is not taxed for an enlisted member of the U.S. military. The amount of income that is not taxed for commissioned officers serving in a combat zone is limited to the highest rate of enlisted pay plus the amount of imminent danger pay per month.



- Exercise 1 C, D, F, and H
- Exercise 2 A — yes
 B — \$12,000
 C — 15 months or March of 2005

STUDENT NOTES



INTRODUCTION AND OBJECTIVES

In the first part of this lesson we discussed what the definition of gross income is. Included in this definition was self-employment income and rental income. In this segment we will learn how to handle self-employment income and what is required in order to prepare a tax return with a Schedule C-EZ. Many military members and their spouses may earn additional income as sole proprietors and not be aware of their responsibility to report it. In some cases, income received is reported to those individuals by means of Form 1099-MISC. In many cases no Form 1099-MISC is received, just cash or checks paid to the taxpayer. We will learn about rental income and how to report it.

When this segment is completed, we will be able to:

1. Determine when business income must be reported using Schedule C-EZ.
2. Determine when Schedule SE must be filed.
3. Explain when Schedule E must be filed.

DETERMINING WHICH TAX YEAR TO REPORT THE BUSINESS INCOME

Under the cash method, a self-employed taxpayer includes in his or her business gross income all items of income actually or constructively received during the tax year. If a taxpayer received property or services, he or she must include the fair market value of those items received in income.

Example

On December 30, 2003, a customer mailed a check for interior decorating services provided by Kathy (your taxpayer). Kathy received the check on January 2, 2004. Kathy must include the amount of the check in income for 2004.

Constructive receipt. You have constructive receipt of income when an amount is credited to your account or made available to you without restriction. You do not need to have possession of it. If you authorize someone to be your agent and receive income for you, you are treated as having received it when your agent received it.

Example

Interest is credited to your bank account in December 2004. You do not withdraw it or enter it into your passbook until 2005. You must include it in your gross income for 2004.

Delaying receipt of income. You cannot hold checks or postpone taking possession of similar property from one tax year to another to avoid paying tax on the income. You must report the income in the year the property is received or made available to you without restriction.

Example

Frances Jackson, a service contractor, was entitled to received a \$10,000 payment on a contract in December 2004. She was told in December that her payment was available. At her request, she was not paid until January 2005. She must include this payment in her 2004 income because it was constructively received in 2004.

Checks. Receipt of a valid check by the end of the tax year is constructive receipt of income in that year, even if you cannot cash or deposit the check until the following year.

Example

Mrs. Reed received a check for \$500 on December 31, 2004, from a parent in her day care business. She could not deposit the check in her business account until January 2, 2005. She must include this fee in her income for 2004.

INCOME

Business income may be reported to taxpayers in various ways or even not at all. Some taxpayers receive informational returns such as the Form 1099-MISC; other times it may be just a check or cash for services performed. Regardless of how income is received, self-employed taxpayers are responsible for recording the amount of income received, and related expenses, in their permanent books of record. Normally, the easiest record keeping is maintaining a separate business checking account.

From these records the taxpayer should be able to state to you the total gross receipts or sales for the year, any returns and allowances (although normally a cash based taxpayer should not have any of these since income is reported at the end of the year) and the Cost of Goods Sold. We will discuss deductions for expenses later in the lesson.

DEDUCTIONS FOR EXPENSES

In earlier chapters you learned about deductions from gross income. The same concept applies to business gross income. Self-employed taxpayers are allowed to deduct from income those “ordinary and necessary” expenses paid or incurred during the taxable year in carrying out a trade or business.



Auto Expenses

Business auto expenses can be calculated by either the actual cost method or the standard mileage method. The taxpayer usually makes the choice of which method to use the first year that the vehicle is used for the business. It is permissible to switch from the standard mileage method to the actual expense method; however, taxpayers generally are not permitted to switch from actual method to the standard mileage method.

The Standard Mileage Method is available for both owned and leased autos. However, the vehicle must not be used for hire (such as a taxi or shuttle van). The election to use the standard mileage method must generally be made in the year the auto is first used in business. In a later year the taxpayer may switch to the actual expense method but cannot claim any depreciation, if the vehicle is considered fully depreciated. In leased cars the standard mileage method must be for the entire lease period of the auto.

In 2004 the standard mileage rate is 37.5¢.

Expenses not included in the standard mileage allowance and deductible in addition to the standard mileage allowance are business parking fees and tolls, and interest on auto loan (business portion).

A taxpayer is limited to the actual expense method if any of the following are true:

1. ACRS or MACRS Depreciation has previously been claimed on the auto.
2. A section 179 expense has been claimed on the auto.
3. Any method of depreciation on the auto other than straight line over the estimated useful life of the auto.

Under this method the taxpayer determines the actual cost of those items listed under the standard mileage rate and deducts that amount. Both methods should be considered to determine which gives the most beneficial deduction to the taxpayer.

CRITERIA FOR FILING SCHEDULE C-EZ

In order to file the EZ version of the Schedule C the taxpayer must meet the criteria listed below:

1. Have less than \$5,000 in business expenses
2. Use the Cash method of accounting
3. Have no inventory at any time during the year
4. Have positive net income (not have a net loss)
5. Operate only one business as a sole proprietor during the tax year
6. Have no employees during the year.

ALERT



The amount of allowable business expenses on Form 1040, Schedule C-EZ, Net Profit From Business was increased from \$2,500 or less to \$5,000 or less.

Example

Jerry owns and operates a one-person tax preparation business during the filing season. His income is \$1,500 accounted for via the cash method; this is the only business he operated during the year. He has the following expenses, paper \$400 and ink \$200. Since Jerry's expenses total \$600 Jerry has met all the requirements and therefore can use the Schedule C-EZ for reporting his business income.

Exercise 1

Jim is the civilian spouse of Lt. Carry Ann. He operates a business (sole proprietorship) as a lawyer. His gross income from business is \$70,000. His total business expenses amount to \$1,800. Can he use the Schedule C-EZ, yes or no?

Answer _____

Exercise 2

Martha is the wife of Stuart, a Marine stationed in California. During the year Martha operates a sole proprietorship called Squared Away Child Care services. She comes to you for help with her return. A review of her records reflect the following:

Income: \$6,700

Expenses:

Advertising	\$600
Car & Truck	\$150
Office Expense	\$500
Toys and Games	\$200
Telephone	\$800
Utilities	<u>\$300</u>
Total Expenses	<u>\$2,550</u>
Net Income	\$4,150

Can Martha file a Schedule C-EZ?

Answer _____

SCHEDULE SE

If the net income on the Schedule C or Schedule C-EZ is \$400 or more, you will need to file a Schedule SE. The Schedule SE calculates the self-employment tax, which is comprised of the Social Security and Medicare taxes.



SCHEDULE E

For the military, rental income and expenses is a frequent occurrence since many military members are not able to sell their homes when they get orders to relocate. Many homeowners rent out their old home. The income and the expenses from the rental of the property are recorded on Schedule E. This section will provide basic guidance on how to complete the Schedule E.

We will not discuss the calculation of depreciation. Depreciation is a complex subject. If the taxpayer provides you with the depreciation amount, you can enter it on the tax return. If the taxpayer does not know the depreciation amount, you may need to refer them to the military legal assistance office.

In the first year of the rental, you might have to divide the mortgage interest and real estate taxes between Schedule A and Schedule E. You simply divide the total mortgage interest and property taxes by twelve and multiply by the number of months the home was used for each purpose.

Example

Sgt. Judson lived in his home through September 2004. He received orders and rented his home out in October. Nine months of the mortgage interest and property taxes would go on his Schedule A and the other three months would go on the Schedule E. Remember, also, that three months of his property insurance is also a deductible item on Schedule E, even though this expense is not deductible when the home is his residence.

Other expenses that are deductible for rental property are: cleaning and maintenance, repairs, utilities that are paid for the tenant, legal and professional fees, management fees you pay a real estate company or individual to care for your property in your absence, auto and travel expense to check on the property, long distance phone calls, etc.

Once you deduct all of the expenses and the depreciation from the rent received, you may come up with a loss. The net income or loss from rental property is usually considered passive. If the taxpayer actively participates in the renting of the property (such as making decisions, determining who can rent the property), the loss is fully deductible up to limit. Rental losses up to \$25,000 (\$12,500 for married taxpayers filing separate and living apart for the entire year) may be used to offset any and all nonpassive income if the taxpayer actively participates in the residential rental activity.

▶▶ SUMMING UP THIS SEGMENT ◀◀

- ▶ Business income is reported on either a Schedule C or C-EZ.
- ▶ The Schedule C-EZ has limited use.
- ▶ Schedule SE is used to calculate the self-employment tax when the net business income exceeds \$400.
- ▶ Schedule E is used to report rent and royalty income.

Exercise 1

Yes

Exercise 2

Yes

INTRODUCTION AND OBJECTIVES

This lesson will provide insights into the misconception that a U.S. citizen or resident alien only files a U.S. tax return if he or she has income from the United States, especially if taxes are paid to another country.

At the end of this segment, you will be able to:

- Define worldwide income and compute the U.S. dollar value of a foreign currency if given an exchange rate table.
- Determine when to use average annual exchange figures.

WORLDWIDE INCOME

U.S. citizens and U.S. resident aliens are required to file a U.S. tax return based on their worldwide income. It has been a popular misconception that a person only has to file a U.S. tax return if he or she has income from the United States, especially if he or she pays taxes to another country. While U.S. citizens and U.S. resident aliens living abroad can claim tax benefits such as the foreign earned income exclusion and the foreign tax credit (later lessons), they have the same filing requirements as U.S. citizens living in the United States. This applies whether their income is from within or outside the U.S. Types of income, such as child support, which would not be taxed in the U.S., are generally not taxed if from outside the U.S. But, types of income which would be taxable if from within the U.S. are also taxable if from outside the U.S.

You may wish to refer to the lists of taxable and nontaxable income on the applicable pages of the basic Military Section of the text.

Example 1

In 2004, Joe Adams earned \$40,000 while working in Austin, Texas, for XYZ Corporation. In September 2004, he transferred to their office in Stuttgart, Germany. While in Germany, he earned \$30,000. His worldwide wages earned in 2004 would be \$70,000. Line 7 of his Form 1040 would show \$70,000.

Exercise 1

Marta Brener lives in Mussbach, Germany. Her 2004 income included \$22,000 in wages earned in Germany. She earned \$3,000 in interest from her U.S. bank and \$2,000 unemployment compensation from the state of Iowa. What is Marta's worldwide gross income?

Exercise 2

Mary Carlton lives in Belgium. Her 2004 income included \$10,000 in wages from her Belgian employer. She received \$2,000 interest from her U.S. bank, \$8,000 in alimony payments and \$8,000 in child support payments from her ex-spouse. What is her worldwide gross income?

Exercise 3

Would Marta Brener (Exercise 1) have to file a U.S. tax return for 2004? Would Mary Carlton (Exercise 2) have to file a U.S. tax return for 2004?

Exchange Rates

Another question that you will frequently be asked is "What exchange rate do I use?" The exchange rates of foreign currencies to the U.S. tax dollar change on a daily basis. **All amounts on the U.S. tax return must be stated in U.S. dollars.** Since most taxpayers abroad receive some kind of income in foreign currency, you will find situations when you will need to convert foreign income into U.S. dollars in order to put these income amounts on the return. Most countries have a medium of currency compared to which the value of the dollar is larger. Very few countries have mediums compared to which the U.S. dollar is smaller. Exchange rates are stated in two ways: the foreign currency to the U.S. dollar, and the dollar's value in the foreign currency.

When making a conversion, you should make sure that the exchange rate is stated in foreign currency to one U.S. dollar. To convert a sum of money into U.S. dollars, you would divide the foreign currency by the exchange rate.

Example 2

If you received 3,000 Euros on a day that the exchange rate was 1.7115 Euros to \$1 U.S., you would have \$1,752.85 in equivalent



U.S. dollar value ($3,000/1.7115 = 1,752.85$). To convert a sum of money into U.S. dollars when the currency unit is larger in value, you can use the same process.

Example 3

Caryn received 200 Euros on a day that the exchange rate was .5514 Euros to one U.S. dollar. In U.S. dollars, she would have \$362.71 ($200/.5514 = 362.71$).

Exercise 4

Convert the following amounts to U.S. dollars.

- a. 36,000 Euros (1.7115 exchange rate) _____
- b. 800 Euros (.5514 exchange rate) _____

When to Convert. Now that you have information on how to calculate exchange rates, we now need to discuss what exchange rates to use. Actually, what exchange rate to use is determined by the date of the transactions; that is the date on the check or the date money is credited to the taxpayer's account. If the taxpayer has income which was received evenly throughout the year, he or she can use the average annual exchange rate if the foreign exchange rate was relatively stable during the year. The average annual exchange rate is available from IRS offices throughout the world generally starting around January 15.

IRS also distributes information to its worldwide offices concerning the quarterly exchange rates for various currencies.

Example 4

Edward Pasco worked in Dallas for Megacorp Incorporated from January until September 2004. On September 29, he was transferred to their Mexico City office where he will be working for 3 years. While in the U.S., Edward earned his salary in U.S. dollars. When he moved to Mexico, he was paid in Mexican pesos. Since he did not receive his salary in foreign currency throughout the year, he should not use the annual average exchange rate. He should use the average rates for October, November, and December.

Where to Obtain Exchange Rates

To obtain exchange rates, you can call the IRS International office at 215-516-2000, or the overseas IRS offices. The phone numbers of these offices are listed in Publication 54. You may also contact banks who provide international currency exchange services. Since a taxpayer "should use the rate that most nearly reflects the value of the foreign currency" (Publication 54) at the time he or she receives the income, the taxpayer may use an exchange rate that is different from the rates posted in our worldwide offices if he finds it to be a truer representation.



Exercise 5

Deborah Vance lives and works in Manila, Philippines. In 2004, she had the following income: 16,000 Filipino pesos in wages, 1,200 Filipino pesos interest income and \$500 in U.S. interest from her U.S. bank. On June 7, 2004, she sold her car and made a profit of 2,000 Philippine pesos (fully taxable capital gain). Since these items are fully taxable, what is the total income to be reported on her U.S. tax return (in U.S. dollars)?

For this exercise assume that the 2004 average annual exchange rate for the Philippine peso is 40.25 pesos to 1.00

U.S. dollar and the exchange rate for June 7, 2004 was 32.55 pesos to 1.00 U.S. dollar.

Wages _____

Interest _____

Capital Gain _____

Total 2004 Income _____

Sometimes, you may get questions on exchanging money when there is “blocked income” or “soft currency”. Questions on these issues should be referred to IRS. “Blocked income” refers to a situation where a taxpayer cannot convert foreign currency to U.S. dollars. This is generally due to local law or local government policy. There are special tax rules that exist when there is blocked income which allows a person to choose to put off reporting part of their income. “Soft currency” refers to a situation where a person can only convert back to U.S. dollars an amount that equals what he brought into that country in U.S. dollars.

▶▶ SUMMING UP THIS SEGMENT ◀◀

- ▶ U.S. citizens (and resident aliens) are taxed on worldwide income and must file U.S. tax returns even if all the income is from foreign sources.
- ▶ You have learned how to convert foreign currency to U.S. dollar equivalent values.
- ▶ Exchange rates used should reflect the closest accurate rate.



1. \$27,000
2. \$20,000
3. Yes. Yes.
4. a. \$21,034.18
b. \$1,450.85
5. Wages $16,000.00 \div 40.25 = \underline{\$397.52}$
Interest $1,200.00 \div 40.25 = \$29.81$ from Philippines plus \$500
interest from U.S. = $\underline{\$529.81}$
Capital Gain $2,000.00 \div 32.55 = \underline{\$61.44}$
Total 2004 Income – $\underline{\$988.77}$

STUDENT NOTES

INTRODUCTION AND OBJECTIVES

This lesson will explain when a self-employed taxpayer living abroad is subject to U.S. income tax requirements and their filing obligations.

At the end of the segment, you will be able to:

1. Determine who is a self-employed individual.
2. Compute the self-employment tax for a U.S. citizen or resident abroad.
3. Compute the deduction for self-employment tax.

EMPLOYEE OR SELF-EMPLOYED

A self-employed person is generally one who either:

1. Carries on a trade or business as a sole proprietor or independent contractor.
2. Is a member of a partnership that carries on a trade or business.
3. Otherwise in business for himself or herself.

SELF-EMPLOYMENT TAX

The self-employment tax is a social security tax for individuals who work for themselves. It is similar to the social security tax withheld from the pay of wage earners.

Social security benefits are available to individuals who are self-employed just as they are to wage earners. Payments of self-employment tax contribute to an individual's coverage under the social security system.

Income Limits. You must pay self-employment tax if you have net earnings from self-employment of \$400 or more a year.

Self-employment tax consists of two parts, social security and medicare. For 2004, social security tax is paid on the first \$87,900 of net income. The medicare tax is imposed on the full amount of net earnings.

Note: If your self-employment income is \$400 or more, you must file a return even though your income is below the minimum amount for income tax filing purposes.

Effect of Foreign Earned Income Exclusion. You must take all of your earned income into account in figuring your self-employment tax, even though the income is exempt from income tax because of the foreign earned income exclusion.

Example 1

You are in business abroad as a consultant and qualify for the foreign earned income exclusion. Your foreign earned income is \$70,000, business expenses \$20,000, resulting in net earnings of \$50,000. You must pay self-employment tax on the net income even though you excluded all of your earned income.

Exemption from U.S. Self-Employment Tax. The United States may reach agreements with foreign countries to eliminate dual coverage and dual contributions (taxes) to social security systems for the same work. As a general rule, self-employed persons who are subject to dual taxation will only be covered by the social security system of the country where they reside.

For more information, consult Publication 54, “Tax Guide for U.S. Citizens and Resident Aliens Abroad.”

WHICH FORMS TO USE

Form 1040, U.S. Individual Income Tax Return, is used to report self-employment tax. Both income tax and self-employment tax are due at the same time. Schedule SE, Social Security Self-Employment Tax, is used to figure the tax. Even if the taxpayer is not otherwise required to file an income tax return, he or she must file both Form 1040 and Schedule SE to pay self-employment tax.

The Schedule SE includes a flowchart to determine if the short or long form is required.

COMPUTING THE SELF-EMPLOYMENT TAX

Although there are three methods available to compute self-employment tax, VITA volunteers will only use the regular method. Taxpayers who wish to use the other methods should seek paid—professional assistance. There are no limits on who may use the regular method. Most taxpayers use this method.

Under the regular method, the net income from your business or profession is generally your net self-employment earnings from Schedules C, C-EZ, F, and K-1 (Form 1065).

If you have more than one trade or business, your net earnings from self-employment are the combined net earnings from each of your businesses. A loss in one business will reduce the income earned in another. You must claim all allowable deductions including depreciation when figuring your net earnings from self-employment.



Even though the income may be exempt from income tax because of foreign earned income exclusion, you must take all of your earned income into account in figuring your self-employment tax. Refer to Publication 54, *Tax Guide for U.S. Citizens and Resident Aliens Abroad*, regarding the effect of the foreign earned income exclusion on U.S. self-employment tax.

Example 2

Susan J. Brown is sole proprietor of a dress shop, “Milady Fashions.” Her Schedule C shows a net profit of \$35,100. Susan’s completed Schedule SE is shown at the end of this section.

If Susan were the proprietor of more than one business, she would have combined the profits and losses from all of them and filled out only one Schedule SE. If, in addition to operating her dress shop, Susan had worked for wages totaling \$87,900 or more, she would have already paid the maximum amount of social security tax owed on her wages, but she would still be subject to the medicare portion (2.9%) of self employment tax. In this case, she would use the long Schedule SE.

The line numbers shown below in bold type refer to the line numbers on the sample filled-in Schedule SE on the following page.

Line 1. Since Susan has no earnings from farm self-employment, she leaves line 1 blank.

Line 2. Susan enters the net profit from her Schedule C, \$35,100.

Line 3. Since Susan has no farm income, she enters the same amount on line 3.

Line 4. Multiply the amount of line 3 by .9235 and enter the result.

Line 5. Susan determines her self-employment tax by using the first option on Line 5. She multiplies \$32,415 on Line 4 by 15.3%. She enters \$4,959 on Line 5. This is her self-employment tax. She also enters this amount on Line 57 of Form 1040.



SCHEDULE SE
(Form 1040)

Department of the Treasury
Internal Revenue Service

Self-Employment Tax

▶ **Attach to Form 1040.** ▶ **See Instructions for Schedule SE (Form 1040).**

OMB No. 1545-0074

2004

Attachment
Sequence No. **17**

Name of person with **self-employment** income (as shown on Form 1040)

Social security number of person
with **self-employment** income ▶

Who Must File Schedule SE

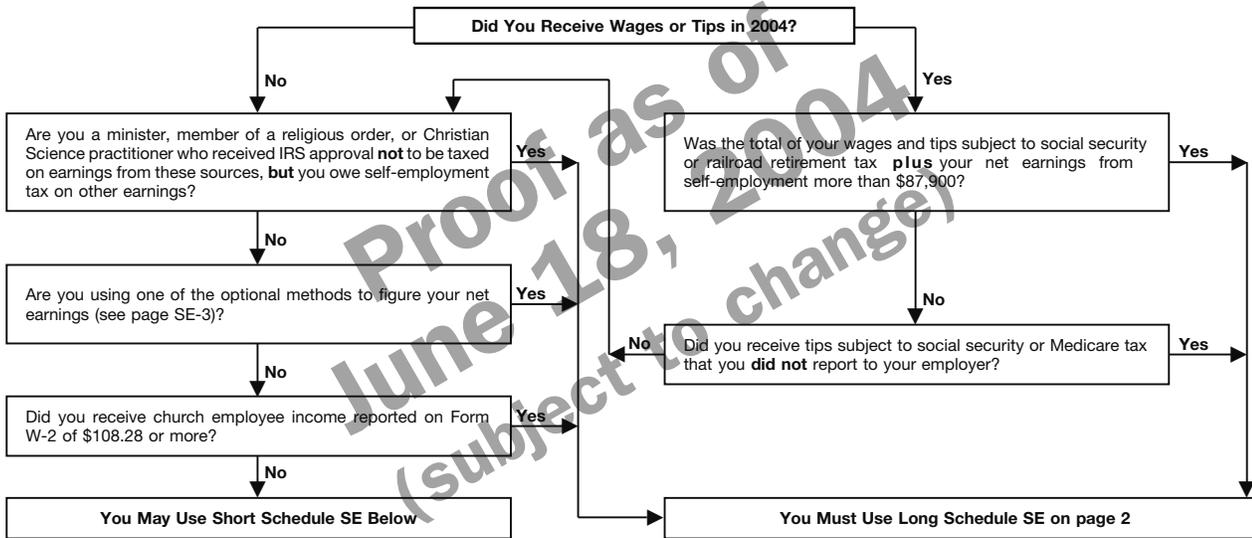
You must file Schedule SE if:

- You had net earnings from self-employment from **other than** church employee income (line 4 of Short Schedule SE or line 4c of Long Schedule SE) of \$400 or more **or**
- You had church employee income of \$108.28 or more. Income from services you performed as a minister or a member of a religious order **is not** church employee income (see page SE-1).

Note. Even if you had a loss or a small amount of income from self-employment, it may be to your benefit to file Schedule SE and use either "optional method" in Part II of Long Schedule SE (see page SE-3).

Exception. If your only self-employment income was from earnings as a minister, member of a religious order, or Christian Science practitioner **and** you filed Form 4361 and received IRS approval not to be taxed on those earnings, **do not** file Schedule SE. Instead, write "Exempt-Form 4361" on Form 1040, line 57.

May I Use Short Schedule SE or Must I Use Long Schedule SE?



Section A—Short Schedule SE. Caution. Read above to see if you can use Short Schedule SE.

1	Net farm profit or (loss) from Schedule F, line 36, and farm partnerships, Schedule K-1 (Form 1065), box 14, code A	1	0
2	Net profit or (loss) from Schedule C, line 31; Schedule C-EZ, line 3; Schedule K-1 (Form 1065), box 14, code A (other than farming); and Schedule K-1 (Form 1065-B), box 9. Ministers and members of religious orders, see page SE-1 for amounts to report on this line. See page SE-2 for other income to report	2	35,100
3	Combine lines 1 and 2	3	35,100
4	Net earnings from self-employment. Multiply line 3 by 92.35% (.9235). If less than \$400, do not file this schedule; you do not owe self-employment tax ▶	4	32,415
5	Self-employment tax. If the amount on line 4 is: • \$87,900 or less, multiply line 4 by 15.3% (.153). Enter the result here and on Form 1040, line 57. • More than \$87,900, multiply line 4 by 2.9% (.029). Then, add \$10,899.60 to the result. Enter the total here and on Form 1040, line 57.	5	4,959
6	Deduction for one-half of self-employment tax. Multiply line 5 by 50% (.5). Enter the result here and on Form 1040, line 30	6	2,480

For Paperwork Reduction Act Notice, see Form 1040 instructions.

Cat. No. 11358Z

Schedule SE (Form 1040) 2004

This deduction for one-half of the SE tax will reduce Susan's income subject to income tax. However, if all of Susan's self-employment income qualifies for the foreign earned income exclusion, this deduction is allocable to the excluded income and must be included on line 42 the Form 2555. This prevents the deduction from reducing other taxable income. See the earlier chapter on foreign earned income exclusion for additional information.

▶▶ **SUMMING UP THIS SEGMENT** ◀◀

- ▶ As a volunteer assisting taxpayers abroad, you may be asked questions regarding self-employed tax. In this lesson you have learned how to determine if you are considered a self-employed individual and how to compute the self-employment tax.



SUMMARY EXERCISES

Exercise 1

You must pay self-employment tax if you have net earnings from self-employment of \$ _____ or more a year.

Exercise 2

John has a business abroad in 2004, as a private contractor and his self-employed income qualifies for the foreign earned income exclusion. His foreign earned income is \$64,000, business expenses \$19,000, and net earnings \$45,000. Since his foreign earned income is completely excluded, is he liable for self-employment tax? If yes, what amount of income is subject to self-employment tax?

Exercise 3

The United States may reach agreements with foreign countries to eliminate dual coverage and dual contributions (taxes) to social security systems for the same work. These agreements may be applicable to self-employed persons.

True/False

Exercise 4

Janice Thompson is a self-employed baby-sitter overseas. She is a U.S. citizen living with her husband. He is a U.S. Army officer and also a U.S. citizen. She operates her sole proprietor babysitting service out of their off base apartment. She has no wage income. Her Schedule C shows a net profit of \$9,500 in 2004. She qualifies for the foreign earned income exclusion. She receives no exemption from any agreement to exclude her self-employment tax.

Compute her self-employment tax for 2004 on the blank Schedule SE.



SCHEDULE SE
(Form 1040)

Department of the Treasury
Internal Revenue Service

Self-Employment Tax

▶ **Attach to Form 1040.** ▶ **See Instructions for Schedule SE (Form 1040).**

OMB No. 1545-0074

2004

Attachment
Sequence No. **17**

Name of person with **self-employment** income (as shown on Form 1040)

Social security number of person
with **self-employment** income ▶

Who Must File Schedule SE

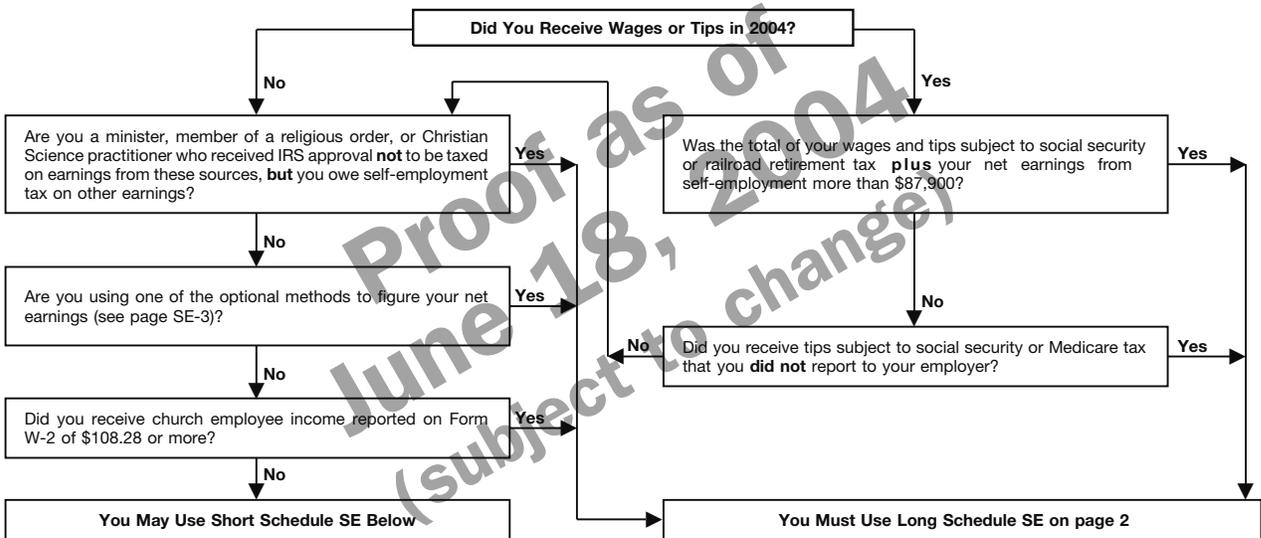
You must file Schedule SE if:

- You had net earnings from self-employment from **other than** church employee income (line 4 of Short Schedule SE or line 4c of Long Schedule SE) of \$400 or more **or**
- You had church employee income of \$108.28 or more. Income from services you performed as a minister or a member of a religious order **is not** church employee income (see page SE-1).

Note. Even if you had a loss or a small amount of income from self-employment, it may be to your benefit to file Schedule SE and use either "optional method" in Part II of Long Schedule SE (see page SE-3).

Exception. If your only self-employment income was from earnings as a minister, member of a religious order, or Christian Science practitioner **and** you filed Form 4361 and received IRS approval not to be taxed on those earnings, **do not** file Schedule SE. Instead, write "Exempt-Form 4361" on Form 1040, line 57.

May I Use Short Schedule SE or Must I Use Long Schedule SE?



Section A—Short Schedule SE. Caution. Read above to see if you can use Short Schedule SE.

- 1 Net farm profit or (loss) from Schedule F, line 36, and farm partnerships, Schedule K-1 (Form 1065), box 14, code A
- 2 Net profit or (loss) from Schedule C, line 31; Schedule C-EZ, line 3; Schedule K-1 (Form 1065), box 14, code A (other than farming); and Schedule K-1 (Form 1065-B), box 9. Ministers and members of religious orders, see page SE-1 for amounts to report on this line. See page SE-2 for other income to report
- 3 Combine lines 1 and 2
- 4 **Net earnings from self-employment.** Multiply line 3 by 92.35% (.9235). If less than \$400, **do not** file this schedule; you do not owe self-employment tax ▶
- 5 **Self-employment tax.** If the amount on line 4 is:
 - \$87,900 or less, multiply line 4 by 15.3% (.153). Enter the result here and on **Form 1040, line 57.**
 - More than \$87,900, multiply line 4 by 2.9% (.029). Then, add \$10,899.60 to the result. Enter the total here and on **Form 1040, line 57.**
- 6 **Deduction for one-half of self-employment tax.** Multiply line 5 by 50% (.5). Enter the result here and on **Form 1040, line 30**

1		
2		
3		
4		
5		
6		

For Paperwork Reduction Act Notice, see Form 1040 instructions.

Cat. No. 11358Z

Schedule SE (Form 1040) 2004



SELF-EMPLOYMENT TAX

Lesson 3

ANSWERS TO EXERCISES

International Segment

Exercise 1

\$400

Exercise 2

Yes

John must take all of his earned income into account in figuring his self-employment tax, even though the income is exempt from income tax because of the foreign earned income exclusion. John's \$45,000 net earnings are subject to self-employment tax in 2004.

Exercise 3

True. Agreements may apply to self-employed persons.

Exercise 4

See complete form.



SCHEDULE SE
(Form 1040)

Department of the Treasury
Internal Revenue Service

Self-Employment Tax

▶ **Attach to Form 1040.** ▶ **See Instructions for Schedule SE (Form 1040).**

OMB No. 1545-0074

2004

Attachment
Sequence No. **17**

Name of person with **self-employment** income (as shown on Form 1040)

Janice Thompson

Social security number of person
with **self-employment** income ▶

Who Must File Schedule SE

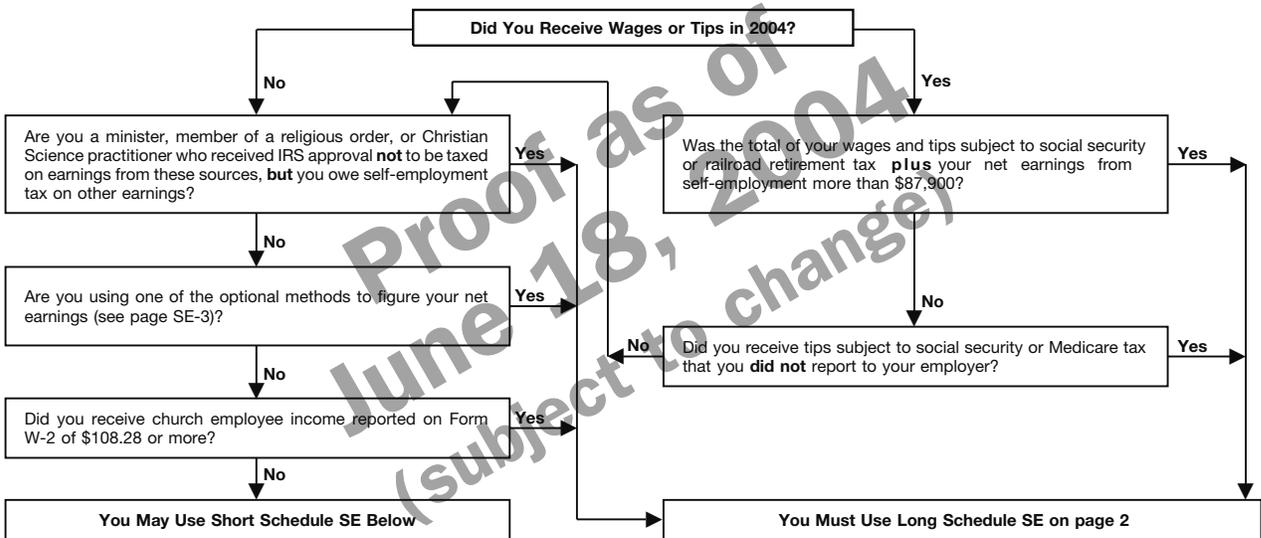
You must file Schedule SE if:

- You had net earnings from self-employment from **other than** church employee income (line 4 of Short Schedule SE or line 4c of Long Schedule SE) of \$400 or more **or**
- You had church employee income of \$108.28 or more. Income from services you performed as a minister or a member of a religious order **is not** church employee income (see page SE-1).

Note. Even if you had a loss or a small amount of income from self-employment, it may be to your benefit to file Schedule SE and use either "optional method" in Part II of Long Schedule SE (see page SE-3).

Exception. If your only self-employment income was from earnings as a minister, member of a religious order, or Christian Science practitioner **and** you filed Form 4361 and received IRS approval not to be taxed on those earnings, **do not** file Schedule SE. Instead, write "Exempt-Form 4361" on Form 1040, line 57.

May I Use Short Schedule SE or Must I Use Long Schedule SE?



Section A—Short Schedule SE. Caution. Read above to see if you can use Short Schedule SE.

1 Net farm profit or (loss) from Schedule F, line 36, and farm partnerships, Schedule K-1 (Form 1065), box 14, code A	1	0
2 Net profit or (loss) from Schedule C, line 31; Schedule C-EZ, line 3; Schedule K-1 (Form 1065), box 14, code A (other than farming); and Schedule K-1 (Form 1065-B), box 9. Ministers and members of religious orders, see page SE-1 for amounts to report on this line. See page SE-2 for other income to report	2	9,500
3 Combine lines 1 and 2	3	9,500
4 Net earnings from self-employment. Multiply line 3 by 92.35% (.9235). If less than \$400, do not file this schedule; you do not owe self-employment tax ▶	4	8,773
5 Self-employment tax. If the amount on line 4 is: • \$87,900 or less, multiply line 4 by 15.3% (.153). Enter the result here and on Form 1040, line 57. • More than \$87,900, multiply line 4 by 2.9% (.029). Then, add \$10,899.60 to the result. Enter the total here and on Form 1040, line 57.	5	1,342
6 Deduction for one-half of self-employment tax. Multiply line 5 by 50% (.5). Enter the result here and on Form 1040, line 30	6	671

STUDENT NOTES

Lined area for student notes.



RENTAL INCOME AND EXPENSES

Lesson 3

International Segment

INTRODUCTION AND OBJECTIVES

This lesson will explain the rental income reporting requirements for U.S. citizens and resident aliens. Generally, you must include in gross income all amounts received from rental properties, including rental receipts received from your former residence. Both United States citizens and resident aliens must report rental income, regardless whether the rental property is located in the United States or in a foreign country.

At the end of the segment, you will be able to:

1. Determine how to report rental income.
2. Determine how to report rental expenses.
3. Determine how to report rental income when property is used for personal purposes either part of the year or during the entire year.
4. Determine how to compute deductible depreciation expense.
5. Identify the application of at-risk and passive activity rules.

NOTE: The information and explanation of this issue is beyond the usual scope of Volunteer training. An exception has been made to serve the military and other Volunteers living abroad due to limited access to both resources and the professional preparers.

WHICH FORMS TO USE

Rental income and expenses are reported on Schedule E (Form 1040), Supplemental Income Schedule, Part 1. Additional information on rental income can be found in Publication 527, "Residential Rental Property," and Publication 946, "How to Depreciate Property."

RENTAL INCOME

Rental income may include other payments in addition to the normal and ordinary rents received. Include in gross rental income advance rent, security deposits, payments for canceling a lease, expenses paid by the tenant, and the fair market value of property or services received in exchange for rental payments. The security deposit is not included when the taxpayer plans on returning the deposit at the end of the lease. A taxpayer using the cash basis of accounting, reports the income when actually received. Taxpayers using the accrual accounting method report the income in the year they are entitled to receive payments.

RENTAL EXPENSES

The deductible rental expenses are reported on the Schedule E, Part I, (see Exhibit 1) lines 5 through 18.

Exhibit 1

Form 1040 Schedule E

SCHEDULE E (Form 1040) <small>Department of the Treasury Internal Revenue Service (99)</small>	Supplemental Income and Loss (From rental real estate, royalties, partnerships, S corporations, estates, trusts, REMICs, etc.) Attach to Form 1040 or Form 1041. See Instructions for Schedule E (Form 1040).	OMB No. 1545-0074 <div style="font-size: 2em; font-weight: bold;">2004</div> Attachment Sequence No. 13				
Name(s) shown on return		Your social security number				
Part I Income or Loss From Rental Real Estate and Royalties <small>Note. If you are in the business of renting personal property, use Schedule C or C-EZ (see page E-2). Report farm rental income or loss from Form 4835 on page 2, line 40.</small>						
1	List the type and location of each rental real estate property :		2	For each rental real estate property listed on line 1, did you or your family use it during the tax year for personal purposes for more than the greater of: 14 days or 10% of the total days rented at fair rental value? <small>(See page E-3.)</small>	Yes	No
A	.....		A		<input type="checkbox"/>	<input type="checkbox"/>
B	.....		B		<input type="checkbox"/>	<input type="checkbox"/>
C	.....		C		<input type="checkbox"/>	<input type="checkbox"/>
Income:		Properties			Totals <small>(Add columns A, B, and C.)</small>	
		A	B	C		
3	Rents received	3				
4	Royalties received				4	
Expenses:						
5	Advertising	5				
6	Auto and travel (see page E-4).	6				
7	Cleaning and maintenance	7				
8	Commissions	8				
9	Insurance	9				
10	Legal and other professional fees	10				
11	Management fees	11				
12	Mortgage interest paid to banks, etc. (see page E-4)	12			12	
13	Other interest	13				
14	Repairs	14				
15	Supplies	15				
16	Taxes	16				
17	Utilities	17				
18	Other (list)	18				
					
					

Deductible expenses include any ordinary and necessary expenses, such as expenses for repairs, maintenance, certain operating expenses and depreciation.

Repairs vs. Improvements. The cost of a repair is a current year deduction, however, the cost of an improvement must be depreciated over the useful life of the improvement. The distinction between a repair and an improvement is that a repair keeps the property in good operating condition, whereas an improvement materially adds to the life or value of the property or adapts it to new uses. The following chart helps illustrate the difference between repairs and improvements.

REPAIRS

Painting

Fixing Gutters

Repairing Driveways

Replacing Window Glass

Repairing the Roof

IMPROVEMENTS

Adding a Room

Putting up a Fence

Putting in plumbing or wiring

Replacing hot water tank

Putting on a new roof

Since an improvement is a capital expenditure and must be depreciated, the total cost including material, labor, and installation increases the basis of the property. Depreciation will be discussed later in this chapter.

Other Expenses. Some of the other ordinary expenses that may be deducted from gross rental income include salary and wages, utilities, rental of equipment, insurance premiums, interest expense (mortgage interest), advertising, taxes, and commissions paid for collecting rental income. If any part of the property tax is for local benefits, such as putting in streets and sidewalks, that portion of the property tax is added to the basis of the property rather than deducted as an ordinary expense. Insurance premiums paid in advance must be prorated over the period covered by the policy by both the cash basis and accrual basis taxpayer. If the rental is a condominium or cooperative, the maintenance fee is deductible. See Publication 527, *Residential Rental Property*, for taxes and interest deductions on cooperatives. Generally, mortgage interest expense is fully deductible. However, if the taxpayer has interest expense other than mortgage interest, refer him or her to the Internal Revenue Service or a professional preparer.

Ordinary and necessary travel and transportation expenses attributable to the production of rental income are deductible. If a personal automobile is used, the taxpayer may use the standard mileage rate for business mileage. The standard mileage rate is 37.5 cents per mile for the year 2004. When using the standard mileage rate, parking fees and tolls may also be deducted. The standard mileage rate method (MACRS) may be selected on a yearly basis. However, if changing to actual expense after using the standard mileage method, accelerated depreciation may not be used. In order to claim depreciation under the actual expense method for transportation expenses, the vehicle must be used more than 50 percent for business, including for the production of rental income. If the travel incurred on behalf of a rental property is into or outside of the United States, the trip may have a dual purpose. Substantiation of the pleasure vs. business purpose and allocation of the expenses may be required. When a tenant does not pay the rent, the cash-basis landlord cannot take a deduction for the unpaid rent, since a deduction can never be taken for a payment that has never been included in income.



SPECIAL ALLOCATION

Special rules apply when rental property is used for personal purposes, or as a rental without the intent to make a profit. When renting part of the property, certain expenses must be divided between rental use and personal use. When figuring the division of expenses, the taxpayer may use any reasonable method. The most common methods used are based on the number of rooms in the dwelling or on the total area of the dwelling.

Example 1

Mary Alma rents one room in her house. The total square footage of her house is 1,000 square feet. The rental room measures 10 feet by 10 feet (100 square feet). She may deduct 10% of any allowable expense that benefited the renter. She may deduct 100% of any expenses that relate only to the rental portion of the house, such as painting the rented room.

Exercise 1

Mary Alma, in the example above, has the following expenses attributable to the entire property:

Taxes	\$ 1,000
Utilities	\$ 600
Mortgage Interest	\$ 800
Depreciation	\$ 500

Also wallpapering expense of \$100 for the tenant's room only.

- What are the allowable expense deductions on Schedule E?
Answer: _____
- What are the allowable expense deductions on Schedule A?
Answer: _____

For property changed to rental use in the tax year other than the beginning of the year, the allocation of expenses should be made between the number of days in the year for personal use and the number of days for rental use.

Example 2

John Princeton is transferred overseas and begins renting out his residence on October 1, 2004. For 2004, he may deduct three-twelfths (25 percent) of his yearly expenses such as taxes, interest and utilities as rental expenses.

Vacation Home and Other Dwelling Units. Certain limitations apply to rental expenses for vacation homes or other dwellings that are used by the taxpayer for personal use during the year. A dwelling unit for this purpose includes a house, apartment, condominium, mobile home, boat or similar property. However, the limitation



does not apply to hotel, motel, inn or similar dwelling unit. The limitation on deductions applies if a dwelling unit is used as a residence during the tax year for personal purposes for greater than:

1. 14 days or
2. 10 percent of the number of days during the tax year the property is rented at fair market value.

See Publication 527 for a discussion of the limitations.

Use as home before or after renting. If you use a dwelling unit as your main home before or after renting it, or trying to rent it, you may not have to count the days you use it as your main home as days of personal use.

12 months or more. If for 12 or more consecutive months, you rent or try to rent a dwelling unit at a fair rental price, some of the days on which you use the property as your main home are not counted as days of personal use.

Do not count as days of personal use the days you used the property as your main home.

- a) During the year in which you began renting it or offering it for rent, but before you began renting it or offering it for rent, or
- b) During the year in which you stopped renting it or offering it for rent, but after you stopped renting it or offering it for rent.

Example 3

On February 28, 2002, you moved out of the house you had lived in for 6 years because you accepted a job in another town. You rent your house at a fair rental price from March 15, 2002, to May 14, 2004. On June 1, 2004, you move back to town and move back into your house.

Your use of the house as your main home from January 1 to February 28, 2002, and from June 1 to December 31, 2004, is not counted as personal use.

Since these days are not counted as days of personal use the limitations on deductions discussed above do not apply.

Depreciation

The cost of property with a useful life of one year or more and used in a trade or business or held for the production of income is recovered by allowing an annual deduction called depreciation. The most common methods for the depreciation are called ACRS (Accelerated Cost Recovery System) for property placed in service after 1980 and before 1987 and MACRS (modified ACRS) for property placed in service after 1986. Both of these depreciation methods have an alternative method that may be chosen that generally increases the number of years the property is depreciated over and



therefore decreases the annual deduction. The method used for property placed in service before 1981 is referred to as straight line or declining balance.

Depreciable property includes buildings, machinery, furniture, equipment and vehicles. As discussed earlier any cost for additions or improvements to the rental property must also be depreciated. Depreciation is allowed or allowable. What this means is, if you did not claim depreciation that you were entitled to claim in an earlier year you must still reduce your basis in the property by the amount of depreciation that you did not deduct. The depreciation deduction is determined by considering several factors. These factors are discussed next in this chapter. When depreciating real property the value of land is not depreciable.

Basis. The total of the yearly deductions for depreciation can never total more than the cost or other basis of the property. Generally, the cost (purchase price) of the property including the cost of improvements is the basis for depreciation. However, if the taxpayer acquired the property, other than buying it, the basis may be figured differently than using the original cost. An example is an acquisition through inheritance or gift. For further information on the basis of inherited or gifted property refer to Publication 551, Basis of Assets. When property is converted from personal use to rental use the basis is the lesser of the adjusted basis or fair market value (FMV) at the time of conversion.

Example 4

Jen and Tom purchased a house in 1985 for \$85,000. In 2004, they were transferred overseas and decided to rent out their personal residence. The value in 2004 was \$125,000. The basis for depreciation is \$85,000. Assume that the value of land was excluded in determining the cost of the house.

Adjusted Basis. The basis of property must be increased or decreased to reflect certain adjustments before the depreciation deduction is computed. For example, to the purchase price of a home add the cost of any improvements, minus any casualty losses or depreciation previously deducted and minus the land value to find the adjusted basis. Since land can never be depreciated, an allocation between land and building must be done based generally on assessed value. Where property is acquired in a purchase along with a trade-in, the basis must be adjusted.

Example 5

Neil Bates traded in old appliances used for his rental property with an adjusted basis of \$500 and got new appliances with a fair market value of \$2,000. He paid \$1,000.00 in cash, his basis for depreciation in the new appliances is \$1,500 (the \$500 adjusted basis plus the \$1,000 cash).



Placed in Service. For depreciation purpose, property is considered placed in service when it is in a condition or state of readiness and availability for use. However, a depreciation deduction may not be claimed until the property is used in business or for the production of income.

Property Classes and Recovery Periods. The Accelerated Cost Recovery System (ACRS) and Modified Accelerated Cost Recovery System (MACRS) use the class life of depreciable property to determine the recovery period. If property was used as a personal residence before 1987 and converted to rental property after 1986, use the MACRS method to figure depreciation. Under MACRS, tangible property used in a rental activity generally falls into a 5-, 7-, or 27.5-year recovery period.

A home converted in 1998 to a rental property would be depreciated over a recovery period of 27.5 years. A stove also used in this same rental would be assigned a 7 year recovery period. Property, both real and personal, located outside the United States has a longer recovery period. Although the true physical life of the property may be less, under MACRS the recovery period is fixed. MACRS requires that a convention for half-year or mid-quarter be used. Under this special rule, in the year the property is placed in service the depreciation deduction is prorated. Publication 946, How to Depreciate Property, contains tables of depreciation with the conventions already incorporated. Examples of the tables are shown below.

MACRS charts

Table A

MACRS 5-Year Property

Year	Half-year convention	Mid-quarter convention			
		First quarter	Second quarter	Third quarter	Fourth quarter
1	20.00%	35.00%	25.00%	15.00%	5.00%
2	32.00	26.00	30.00	34.00	38.00
3	19.20	15.60	18.00	20.40	22.80
4	11.52	11.01	11.37	12.24	3.68



Table B**MACRS 7-Year Property**

Year	Half-year convention	Mid-quarter convention			
		First quarter	Second quarter	Third quarter	Fourth quarter
1	14.29%	25.00%	17.85%	10.71	3.57%
2	24.49	21.43	23.47	25.51	27.55
3	17.49	15.31	16.76	18.22	19.68
4	12.49	10.93	11.97	13.02	14.06

Table I, II**Table 1****Residential Rental Property (27.5-year)**

Year	Use the column for the month of taxable year placed in service											
	1	2	3	4	5	6	7	8	9	10	11	12
1	3.485%	3.182%	2.879%	2.576%	2.273%	1.970%	1.667%	1.364%	1.061%	0.758%	0.455%	0.152%
2	3.636%	3.636%	3.636%	3.636%	3.636%	3.636%	3.636%	3.636%	3.636%	3.636%	3.636%	3.636%
3	3.636%	3.636%	3.636%	3.636%	3.636%	3.636%	3.636%	3.636%	3.636%	3.636%	3.636%	3.636%
4	3.636%	3.636%	3.636%	3.636%	3.636%	3.636%	3.636%	3.636%	3.636%	3.636%	3.636%	3.636%

Table 2**Residential Rental Property (31.5-year)**

Year	Use the column for the month of taxable year placed in service											
	1	2	3	4	5	6	7	8	9	10	11	12
1	3.042%	2.778%	2.513%	2.249%	1.984%	1.720%	1.455%	1.190%	0.926%	0.661%	0.397%	0.132%
2	3.175%	3.175%	3.175%	3.175%	3.175%	3.175%	3.175%	3.175%	3.175%	3.175%	3.175%	3.175%
3	3.175%	3.175%	3.175%	3.175%	3.175%	3.175%	3.175%	3.175%	3.175%	3.175%	3.175%	3.175%
4	3.175%	3.175%	3.175%	3.175%	3.175%	3.175%	3.175%	3.175%	3.175%	3.175%	3.175%	3.175%

For property located outside of the United States, the taxpayer must use an alternative method of depreciation under MACRS. Therefore, residential rental property located in a foreign country would be depreciated over a 40-year recovery period.

REPORTING DEPRECIATION

The depreciation deduction is shown on line 20 of Schedule E (see Exhibit 2). Use Form 4562, Depreciation and Amortization only if you placed an asset in service in the current year, you depreciate listed property or you claim a Section 179 expense.



19	Add lines 5 through 18	19						19		
20	Depreciation expense or depletion (see page E-4)	20						20		
21	Total expenses. Add lines 19 and 20	21								
22	Income or (loss) from rental real estate or royalty properties. Subtract line 21 from line 3 (rents) or line 4 (royalties). If the result is a (loss), see page E-4 to find out if you must file Form 6198	22								
23	Deductible rental real estate loss. Caution. Your rental real estate loss on line 22 may be limited. See page E-4 to find out if you must file Form 8582 . Real estate professionals must complete line 43 on page 2	23	()	()	()		
24	Income. Add positive amounts shown on line 22. Do not include any losses	24								
25	Losses. Add royalty losses from line 22 and rental real estate losses from line 23. Enter total losses here	25	()					
26	Total rental real estate and royalty income or (loss). Combine lines 24 and 25. Enter the result here. If Parts II, III, IV, and line 40 on page 2 do not apply to you, also enter this amount on Form 1040, line 17. Otherwise, include this amount in the total on line 41 on page 2	26								

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AT-RISK AND PASSIVE LOSS

Very often rental property shows a net loss because the rental expenses are greater than the rental income. In this situation there are two potential restrictions on how much of the loss can offset other sources of income.

The first restriction is the at-risk rule. This rule provides that you can claim a loss for no more than you could actually lose from the activity. That is, you can claim a loss only up to the amount for which you are personally at-risk in the activity. Generally you are considered at-risk for the amount of cash and property contributed to the activity from which you are not protected against personal liability with the exception of casualty insurance.

The Tax Reform Act of 1986 added other limitations to deducting rental losses. Prior to the law, losses from passive activities could offset all other income (for example wages, interest, and dividends) without any restrictions. Rental activities, by definition of the law, are always considered to be a passive activity. The passive activity law states that passive activity losses can only be deducted from passive activity income. A passive activity is a trade or business being conducted without that taxpayer materially participating. Material participation may be defined by the regular continuous and substantial involvement of the taxpayer in the operation of the trade or business, where for rental property active participation does not require regular, continuous and substantial involvement. Active participation requires that the taxpayer participate in making management decisions or arranging for others to provide services in a significant and bona fide sense. Management decisions include approving new tenants, setting rental terms, approving capital or repair expenditures and similar decisions.

It is important to understand the difference between active and material participation as it pertains to rentals, because of a special \$25,000 offset allowed for certain rental losses. Rental losses up to \$25,000 (\$12,500 for married taxpayers filing separate and living apart for the entire year) may be used to offset any and all non-passive income if the taxpayer actively participates in the residential rental activity. The following list is an example of nonpassive income.

1. Salaries, wages, commissions or tips.
2. Self-Employment income from a trade or business in which the taxpayer materially participates (may be partnership, but not limited partnership income).
3. Distributive shares of income through pass-through entities (such as S corporations) that is not income from a passive activity.
4. Portfolio income (gross income from interest, dividends, annuities, or some royalties).

Example 6

Lynn Ferris, a United States citizen, lives in Europe and has wages paid by the U.S. Government of \$25,000 and interest income of \$100. She rented out her home located in the United States in 2004, and incurred \$1,000 in rental loss. Although her sister collects the rent, Lynn makes all of the bottom line decisions as to whom, and, for what amount, the property will be rented. While Lynn is outside of the United States, she pays her sister to manage the property. The rental loss of \$1,000 may be offset against her gross income of \$25,100 because she is considered to be an active participant in the rental activity.

Phase-Out of Offset. The amount allowed to offset nonpassive income is reduced once the taxpayer's adjusted gross income exceeds \$100,000 (\$50,000 for married filing separately). It is completely phased out when AGI exceeds \$150,000 (\$75,000 for married filing separately). Refer taxpayers with an AGI over \$100,000 to the Internal Revenue Service or a professional preparer.

REPORTING RENTAL LOSS

Form 8582, Passive Activity Loss Limitations is filed to summarize losses and income from all passive activities. Check the instructions for Form 1040 to determine if the taxpayer is required to file Form 8582 when he or she has rental losses. Generally, taxpayers who have only one passive loss generated from a rental activity and an adjusted income of less than \$100,000 will not be required to file Form 8582. If any questions arise beyond the scope of this lesson regarding filing Form 8582, refer the taxpayer to the Internal Revenue Service or a professional preparer.



SELLING RENTAL PROPERTY

The sale of rental property is reported on Form 4797, Sales of Business Property. A gain is the amount realized minus the adjusted basis of the property.

Example 7

Pat Drake sold her rental property for \$60,000. She had purchased the house for \$30,000 and had claimed \$10,000 for depreciation. Her gain is \$40,000

The gain is figured as follows:

1. Selling price		\$60,000
2. Less selling expenses		<u>0</u>
3. Amount realized		<u>\$60,000</u>
4. Basis	\$30,000	
5. Less depreciation	<u>\$10,000</u>	
6. Adjusted basis	\$20,000	<u>\$20,000</u>
7. Gain (line 3 minus 6)		<u>\$40,000</u>

The gain may be either capital gain or ordinary gain depending on the depreciation claimed. If part of the property was also used for personal uses, the sale is reported as two separate sales. A loss is the adjusted basis of the property minus the amount realized. A loss for any personal use of property cannot be deducted.

▶▶ SUMMING UP THIS SEGMENT ◀◀

As a volunteer, you will assist taxpayers who have rental properties. In this lesson you learned what qualified as rental income and rental expenses. You studied how to figure and report the following:

- ▶ The proration needed when the property is used both for personal and rental purposes.
- ▶ Depreciation expense.
- ▶ Rental losses.

ANSWERS

Exercise 1

- \$390 (10% of total expenses of \$2,900=\$290 plus \$100 for wallpaper)
- \$1,620 (90% of mortgage interest and taxes)

STUDENT NOTES

Lined area for student notes.



INTRODUCTION AND OBJECTIVES

In this lesson you will learn about adjustments to income. There are six adjustments covered in this lesson. They are traditional IRA deductions, student loan interest deduction, tuition and fees deduction, penalty on early withdrawal of savings, alimony payments, and jury duty. Lesson 3 discusses an additional adjustment to income covered in the VITA/TCE training — one-half of self employment tax.

The remaining adjustments — moving expenses; self-employed health insurance deduction; and self-employed SEP, SIMPLE, and qualified plans — are not covered in traditional VITA/TCE training. Taxpayers who need assistance with these adjustments should be referred to a paid professional tax preparer.

After completing this lesson you should be able to:

- Calculate and accurately report adjustments to income.
- Identify which IRA contributions are within the scope of the VITA/TCE program.
- Identify contribution limits for IRAs.

ADJUSTMENTS TO INCOME

Adjustments are subtractions from total income. Total income minus adjustments results in **adjusted gross income (AGI)**, an important number for tax purposes. Adjusted gross income is used to figure some limitations. In addition, it is used to figure income tax in some states.

Taxpayers cannot take any adjustments to income on Form 1040EZ. On Form 1040EZ total income and adjusted gross income are the same. Form 1040A filers can take adjustments for contributions to a traditional IRA, the student loan interest deduction, and tuition and fees payments. Form 1040 filers can take any of the adjustments for which they are eligible.

INDIVIDUAL RETIREMENT ARRANGEMENTS

An **Individual Retirement Arrangement (IRA)** is a tax-sheltered savings plan set up by the taxpayer, generally for retirement income. This lesson discusses only **traditional IRAs** (IRAs other than Roth IRAs, SIMPLE IRAs, or Coverdell education savings accounts (ESAs)). Contributions to the nontraditional IRAs are not deductible as adjustments to income.

Information on nontraditional IRAs can be found in Publication 590, *Individual Retirement Arrangements (IRAs)*.

Contributions to a traditional IRA can be either deductible or nondeductible. Earnings and gains on the contributions are not taxed until withdrawn from the traditional IRA account.

Example 2

Anna contributed a total of \$2,500 over the last two years to her traditional IRA account. During 2004 she earned \$140 of interest on her traditional IRA. All of the interest was added to her traditional IRA savings account.

Anna will not have to pay tax on the interest until she withdraws it from her traditional IRA account.

Contributions

Anyone under 70 1/2 years of age (at the end of the tax year) who has taxable compensation can contribute to a traditional IRA. If both the taxpayer and spouse have compensation and both are under age 70 1/2, each can set up an IRA. However, they cannot participate in the same IRA — they must have separate accounts.

Compensation includes wages, salaries, commissions, tips, bonuses, professional fees, and earnings from self-employment. Alimony or separate maintenance payments that are included in total income are also compensation for traditional IRA purposes. Compensation **does not include** interest, rents, dividends, pension and annuity income, deferred compensation received, or income you can exclude.

General Contribution Limits

The most that can be contributed for any year to a traditional IRA is the lesser of:

- \$3,000 (\$3,500 if age 50 or older), or
- Compensation that is includible in gross income for the year.

If a taxpayer has more than one traditional IRA, the taxpayer must combine all of the traditional IRAs and treat them as one when figuring the amount that can be contributed for the year.

Example 3

Dan, a college student, working part time earned \$1,500 in 2004. His IRA contributions for 2004 are limited to \$1,500 (the lesser of \$3,000 or compensation includible in income for the year).

Example 4

George has three traditional IRA accounts. During 2004 he contributed \$1,000 to each. His total IRA contributions for 2004 will be \$3,000.

Deemed IRAs

Employers who provide qualified employer retirement plans can maintain a separate account or annuity under the plan to receive voluntary employee contributions. This separate account is referred to as a deemed IRA. A deemed IRA can be a traditional IRA or a Roth IRA, and the same limits apply whether they are deemed or not. If a taxpayer has both a regular IRA and a deemed IRA, the taxpayer can divide contributions between them in any manner, but total contributions to both cannot exceed the \$3,000/\$3,500 limit.

Spousal IRA limit

If taxpayers file a joint return and one spouse's compensation is less than that of the other spouse's compensation, the most that can be contributed for that spouse is the lesser of:

- 1) \$3,000 (\$3,500 if age 50 or older), or
- 2) The total compensation includible in the gross income of both spouses for the year, reduced by:
 - a) IRA contributions for the spouse with the greater compensation,
 - b) Any contribution for the year to a Roth IRA for the spouse with the greater compensation.

The total combined contributions to both traditional IRAs cannot exceed the lesser of:

- \$6,000 (\$7,000 if both individuals are age 50 or older), or
- The total taxable compensation of both spouses.

Example 5

Kristen, a full time student with no taxable compensation, marries Jeremy during the year. Neither will be 50 by the end of the year. For the year, Jeremy has taxable compensation of \$30,000. He will contribute \$3,000 to a traditional IRA. If he and Kristen file a joint return, each can contribute \$3,000. This is because Kristen, who has no compensation, can add Jeremy's compensation, reduced by his IRA contribution ($\$30,000 - \$3,000 = \$27,000$) to her own compensation (0) to figure her maximum contribution. In her case, \$3,000 is her contribution limit, because \$3,000 is less than \$27,000 (her compensation for purposes of the figuring the spousal IRA).

Example 6

Tom and Darcy are married and both are 53. They both work and each has a traditional IRA. Tom earned \$1,800 and Darcy earned \$48,000 in 2004. Because of the spousal IRA limit rule, even though Tom earned less than \$3,500, they can contribute up to \$3,500 in each of their IRAs if they file a joint return. If they file separate returns, the amount that can be contributed to Tom's IRA is limited to \$1,800 (his taxable compensation).

Excess Contributions

Generally, an excess contribution is the amount contributed to a traditional IRA that is more than the lesser of the:

- 1) Taxable compensation for the year, or
- 2) \$3,000 (\$3,500 if age 50 or older).

This limit applies whether the contributions are deductible or nondeductible. Contributions made in the year the taxpayer reaches age 70 1/2 and any later year are also excess contributions.

In general, if the excess contribution for a year and any earnings on it are not withdrawn by the due date of the tax return (including extensions), the taxpayer is subject to an additional 6% tax. The additional 6% tax must be paid each year on the excess amounts that remain in the traditional IRA at the end of the tax year. The tax cannot be more than 6% of the value of the IRA as of the end of the tax year. The excise tax is figured on Form 5329, *Additional Taxes on Qualified Plans (Including IRAs) and Other Tax-Favored Accounts*.

A taxpayer who has taxable compensation, but can no longer contribute to a traditional IRA because of age (70 1/2 years or older) may continue to contribute to a spouse's traditional IRA until the year in which the spouse reaches 70 1/2.

Example 7

Eldridge is a 73-year-old attorney. He earned \$12,000 during the year.

Eldridge had compensation for traditional IRA purposes but he cannot make an IRA contribution because he is 70 1/2 or older. If Eldridge files a joint return with his spouse who is 68 years old, he can still contribute up to \$3,500 to his spouse's IRA.

Exercise 1

- A. Liz receives alimony which is included in her total income. All of her other income is from interest and dividends. Can Liz make a traditional IRA contribution? Explain. _____

- B. David is 73 and works part time in a hardware store. David's wife, Mary, does not work outside of the home. Mary is 68. Can David make a traditional IRA contribution for Mary? Explain _____

- C. Carla receives all her income from a rental property, interest income, and dividends. Can Carla make a traditional IRA contribution? Explain. _____

- D. Joy is 62 years old. Most of her income comes from a pension. However, Joy did earn \$1,250 doing consumer testing. How much can Joy contribute to a traditional IRA? Explain. _____

Deductible IRA Contributions

Generally, you can deduct the lesser of the contributions to your traditional IRA for the year or the general limit (or the spousal IRA limit, if it applies).

The actual deductible amount for a traditional IRA depends on the following:

- Whether or not the taxpayer or taxpayer's spouse is covered by a retirement plan set up by an employer for any part of the year,
- The taxpayer's **modified adjusted gross income**, and
- The taxpayer's filing status.

Modified Adjusted Gross Income

Generally, **modified adjusted gross income** is the adjusted gross income without consideration of certain deductions. The modified adjusted gross income (MAGI) can be figured as follows:

AGI (Form 1040 Line 36) plus

- IRA deduction
- Student loan interest deduction
- Tuition and fees deduction
- Foreign earned income exclusion
- Foreign housing exclusion or deduction
- Exclusion of qualified savings bond interest shown on Form 8815
- Exclusion of employer-paid adoption expenses shown on Form 8839.

Not covered by an employer retirement plan.

A taxpayer whose filing status is single, head of household, or qualifying widow(er), and who is not covered by an employer retirement plan, can take a full traditional IRA deduction of either his or her taxable compensation or \$3,000 (whichever amount is smaller). The \$3,000 amount is increased to \$3,500 if the taxpayer is age 50 or older.

Example 8

Cyril is single and 40 years of age. His modified adjusted gross income is \$50,000. He is not covered by a retirement plan at work. Cyril's traditional IRA contribution of \$3,000 is deductible.

Married taxpayers who file separate returns for a taxable year and who live apart at all times during the taxable year are treated as single and can take a full IRA deduction, if not covered by an employer plan. This is true even if the other spouse is covered by an employer retirement plan.

Married taxpayers who file jointly or separately may each be able to take the full IRA deduction of \$3,000 (\$3,500 if age 50 or older) or taxable compensation (whichever amount is smaller), if they had taxable compensation and both were not covered by an employer retirement plan. The total deduction for a joint return cannot exceed \$6,000 (\$7,000 if both individuals are age 50 or older). ***When determining the allowable deduction each spouse figures the deduction separately.***

Covered by an employer retirement plan.

If the taxpayer is covered by a retirement plan at work, the traditional IRA deduction will be reduced or eliminated, as shown in **Table 1**, depending on filing status and modified AGI.

NOTE: If Box 13, Retirement Plan, on Form W-2 is checked, the taxpayer is covered by an employer retirement plan. If taxpayers do not agree with the Form W-2 they must contact their employer. Volunteers cannot make a determination on whether or not a taxpayer is covered by an employer retirement plan. Refer taxpayers with questions on their employer retirement plans to their employer or Publication 590, Individual Retirement Arrangements (IRAs).

Table 1.			
Traditional IRA Deduction Phaseout Chart			
(If taxpayer is covered by an employer retirement plan)			
Filing Status	<div style="border: 1px solid black; padding: 2px; display: inline-block;"> Allowable traditional IRA deduction is... </div>		zero when modified AGI is:
	reduced if modified AGI is:		
	at least	but less than	
Single or Head of household	\$45,000	\$55,000	\$55,000 or more
Married filing jointly or Qualifying widow(er)	\$65,000	\$75,000	\$75,000 or more
Married filing separately ¹	\$0.01	\$10,000	\$10,000 or more
¹ If the taxpayer did not live with his or her spouse at any time during the year, his or her filing status is considered Single for this purpose.			

Example 9

Emily, 36 years old, is single. Her modified AGI was \$54,900. She is covered by a retirement plan at work. Emily's \$3,000 traditional IRA contribution will be reduced or modified on her tax return because her modified AGI is between \$45,000 and \$55,000.

If either the taxpayer or the taxpayer's spouse is covered by an employer retirement plan, he or she may be entitled to only a partial deduction or no deduction at all, depending on filing status and modified adjusted gross income, as shown in Table 2.

Table 2.
Traditional IRA Deduction Phaseout Chart
(If taxpayer is not covered, but the spouse is)

Filing Status	Allowable traditional IRA deduction is...		
	reduced if modified AGI is:		zero when modified AGI is:
	more than	but less than	
Married filing jointly or Qualifying widow(er)	\$150,000	\$160,000	\$160,000 or more
Married filing separately ¹	\$0.01	\$10,000	\$10,000 or more

¹The taxpayer is entitled to the full deduction if he or she did not live with their spouse at any time during the year.

POTENTIAL PITFALLS



When determining the allowable deduction, each spouse figures the deduction separately.

Example 10

David and Ruth are filing a joint return. David earned \$78,000 and is covered by his employer’s retirement plan. Ruth, age 32, is a homemaker, and has no compensation. David, age 36, contributed \$2,800 to his traditional IRA and \$3,000 to a traditional IRA for Ruth.

Because David is covered by his employer’s retirement plan, the modified AGI limits apply (Table 1). Based on Table 1, David is not allowed a deduction for his traditional IRA contributions. Because David made traditional IRA contributions for Ruth, they can take a deduction on the tax return for her IRA contributions. Ruth is not covered by an employer’s retirement plan. Their compensation for IRA purposes is \$78,000 and their modified AGI is not more than \$150,000 (see Table 2).

Example 11

Assume still that David earned \$78,000 and is covered by his employer's retirement plan. Assume too that Ruth is employed; she earned \$66,000 and she is not covered by her employer's retirement plan. David cannot deduct his traditional IRA contribution, but Ruth can deduct hers. The modified AGI limits that apply to David are shown in Table 1. Table 2 modified AGI limits apply to Ruth's deduction. Her deduction would not be reduced unless the couple's modified AGI was more than \$150,000. It would not be eliminated unless their modified AGI was \$160,000 or more.

Exercise 2

A. Angela and Joe are married and file a joint return. Joe, age 23, is covered by a retirement plan at work, but Angela, age 25, is not. Joe earned \$25,000 and Angela earned \$20,000; their modified AGI is \$45,000. Is any portion of Angela's traditional IRA contribution deductible, and why? _____

B. Annette, age 26, is single. She earned \$23,000, and her modified AGI is \$24,500. She made a \$500 contribution to a traditional IRA. Annette is covered by a retirement plan at work. Is any portion of her contribution deductible, and why? _____

C. Richard and Lynn are married and lived together during the year. They file separate returns. Richard is covered by a retirement plan at work. Lynn is not covered by a retirement plan at work. Richard, age 40, earned \$17,000 and contributed \$1,400 to a traditional IRA. Lynn, age 33, worked part-time and earned \$4,500. She contributed \$1,000 to a traditional IRA. Can Richard or Lynn deduct any of the IRA contributions, and why? _____

When to Deduct Traditional IRS Contributions

Individuals may deduct traditional IRA contributions on their 2004 tax return if the contributions are made in 2004 or by April 15, 2005. Taxpayers may not deduct on their 2004 tax return contributions made in 2004 which were deducted on the 2003 tax return. The contributions do not have to be made before the return is filed. However, if the taxpayer deducts traditional IRA contributions on the 2004 tax return but does not make the traditional IRA contributions by April 15, 2005, for the exact amount deducted, the taxpayer must file an amended tax return.

Using the Worksheet and Reporting the Deduction

Use the IRA Deduction Worksheet in the Form 1040A or Form 1040 instructions booklet to figure the traditional IRA deduction.

The traditional IRA deduction is reported on Form 1040A, line 17 or Form 1040, Line 25. On joint returns when both spouses are making deductible traditional IRA contributions, enter the total contribution.

Example 12

Nick and Susan file a joint return. Both work, and Nick, age 27, was covered by a retirement plan, but Susan, age 25, was not. Nick earned \$12,300 and Susan earned \$10,990. Their total income (Form 1040, line 22) is \$23,400. Nick and Susan each contributed \$500 to a traditional IRA.

The completed worksheet is shown in Exhibit 1. The information for Nick is shown in the column for *Your IRA*. The information for Susan is shown in the column for *Spouse's IRA*.

IRA Deduction Worksheet—Line 17

Keep for Your Records

Before you begin: ✓ Be sure you have read the list on page 26.



	Your IRA	Spouse's IRA
1a. Were you covered by a retirement plan (see page 29)?	1a. <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
1b. If married filing jointly, was your spouse covered by a retirement plan?		1b. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<p>Next. If you checked "No" on line 1a (and "No" on line 1b if married filing jointly), skip lines 2 through 6, enter \$3,000 (\$3,500 if age 50 or older at the end of 2004) on line 7a (and 7b if applicable), and go to line 8. Otherwise, go to line 2.</p>		
2. Enter the amount shown below that applies to you.		
<ul style="list-style-type: none"> • Single, head of household, or married filing separately and you lived apart from your spouse for all of 2004, enter \$55,000 • Qualifying widow(er), enter \$75,000 • Married filing jointly, enter \$75,000 in both columns. But if you checked "No" on either line 1a or 1b, enter \$160,000 for the person who was not covered by a plan • Married filing separately and you lived with your spouse at any time in 2004, enter \$10,000 	2a. <u>75,000.00</u>	2b. <u>160,000.00</u>
3. Enter the amount from Form 1040A, line 15	3. <u>23,400.00</u>	
4. Enter the amount, if any, from Form 1040A, line 16	4. <u> </u>	
5. Subtract line 4 from line 3. Enter the result in both columns	5a. <u>23,400.00</u>	5b. <u>23,400.00</u>
6. Is the amount on line 5 less than the amount on line 2?		
<input type="checkbox"/> No. None of your IRA contributions are deductible. For details on nondeductible IRA contributions, see Form 8606.		
<input checked="" type="checkbox"/> Yes. Subtract line 5 from line 2 in each column. If the result is \$10,000 or more, enter \$3,000 (\$3,500 if age 50 or older at the end of 2004) on line 7 for that column and go to line 8. Otherwise, go to line 7		
7. Multiply lines 6a and 6b by 30% (.30) (or by 35% (.35) in the column for the IRA of a person who is age 50 or older at the end of 2004). If the result is not a multiple of \$10, increase it to the next multiple of \$10 (for example, increase \$490.30 to \$500). If the result is \$200 or more, enter the result. But if it is less than \$200, enter \$200	6a. <u>51,600.00</u>	6b. <u>136,600.00</u>
	7a. <u>3,000.00</u>	7b. <u>3,000.00</u>
8. Enter the amount from Form 1040A, line 7	8. <u>23,400.00</u>	
<p> CAUTION If married filing jointly and line 8 is less than \$6,000 (\$6,500 if one spouse is age 50 or older at the end of 2004; \$7,000 if both spouses are age 50 or older at the end of 2004), stop here and see Pub. 590 to figure your IRA deduction.</p>		
9. Enter traditional IRA contributions made, or that will be made by April 15, 2005, for 2004 to your IRA on line 9a and to your spouse's IRA on line 9b	9a. <u>500.00</u>	9b. <u>500.00</u>
10. On line 10a, enter the smallest of line 7a, 8, or 9a. On line 10b, enter the smallest of line 7b, 8, or 9b. This is the most you can deduct. Add the amounts on lines 10a and 10b and enter the total on Form 1040A, line 17. Or, if you want, you may deduct a smaller amount and treat the rest as a nondeductible contribution (see Form 8606)	10a. <u>500.00</u>	10b. <u>500.00</u>
<p> TIP You may also be able to take the retirement savings contributions credit. See the instructions for line 33 on page 37.</p>		

Need more information or forms? See page 7.

Nondeductible IRA Contributions

Although the deductible amount of traditional IRA contributions can be reduced or eliminated because of the modified adjusted gross income limitation, a taxpayer can make nondeductible contributions to new or existing traditional IRAs. Earnings and gains on these contributions are not taxed until they are distributed to the taxpayer.

The total traditional IRA contribution, whether deductible or nondeductible, cannot be more than the taxpayer's taxable compensation or \$3,000 (\$3,500 if age 50 or older), whichever amount is smaller.

Taxpayers must complete Form 8606, *Nondeductible IRAs*, for each year that nondeductible contributions are made.

If taxpayers do not report nondeductible contributions, all of the contributions to a traditional IRA will be treated as deductible. This means all distributions will be taxed unless the taxpayer can show, with satisfactory evidence, that nondeductible contributions were made.

Example 13

Rachel, age 35, is single and wants to contribute the maximum amount possible to her traditional IRA. She is covered by her employer's retirement plan and her total income, Form 1040, Line 22, is \$47,000. Her total basis in traditional IRAs from line 14 of her 2003 Form 8606 is \$10,000. The completed IRA Deduction Worksheet and Form 8606 are shown in Exhibits 2 and 3.

IRA Deduction Worksheet—Line 25

Keep for Your Records

Before you begin:

- ✓ Complete Form 1040, lines 28 through 34a, if they apply to you.
- ✓ Figure any write-in adjustments to be entered on the dotted line next to line 35 (see page 33).
- ✓ Be sure you have read the list that begins on page 29.



	Your IRA	Spouse's IRA
1a. Were you covered by a retirement plan (see above)?	1a. <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
1b. If married filing jointly, was your spouse covered by a retirement plan?		1b. <input type="checkbox"/> Yes <input type="checkbox"/> No
<p>Next. If you checked "No" on line 1a (and "No" on line 1b if married filing jointly), skip lines 2 through 6, enter \$3,000 (\$3,500 if age 50 or older at the end of 2004) on line 7a (and 7b if applicable), and go to line 8. Otherwise, go to line 2.</p>		
2. Enter the amount shown below that applies to you.		
<ul style="list-style-type: none"> • Single, head of household, or married filing separately and you lived apart from your spouse for all of 2004, enter \$55,000 • Qualifying widow(er), enter \$75,000 • Married filing jointly, enter \$75,000 in both columns. But if you checked "No" on either line 1a or 1b, enter \$160,000 for the person who was not covered by a plan • Married filing separately and you lived with your spouse at any time in 2004, enter \$10,000 	2a. <u>55,000.00</u>	2b. <u> </u>
3. Enter the amount from Form 1040, line 22	3. <u>47,000.00</u>	
4. Enter the total of the amounts from Form 1040, lines 23, 24, 28 through 34a, plus any write-in adjustments you entered on the dotted line next to line 35	4. <u> </u>	
5. Subtract line 4 from line 3. Enter the result in both columns	5a. <u>47,000.00</u>	5b. <u> </u>
6. Is the amount on line 5 less than the amount on line 2?		
<input type="checkbox"/> No.  None of your IRA contributions are deductible. For details on nondeductible IRA contributions, see Form 8606.		
<input checked="" type="checkbox"/> Yes. Subtract line 5 from line 2 in each column. If the result is \$10,000 or more, enter \$3,000 (\$3,500 if age 50 or older at the end of 2004) on line 7 for that column and go to line 8. Otherwise, go to line 7. . . .	6a. <u>8,000.00</u>	6b. <u> </u>
7. Multiply lines 6a and 6b by 30% (.30) (or by 35% (.35) in the column for the IRA of a person who is age 50 or older at the end of 2004). If the result is not a multiple of \$10, increase it to the next multiple of \$10 (for example, increase \$490.30 to \$500). If the result is \$200 or more, enter the result. But if it is less than \$200, enter \$200	7a. <u>2,400.00</u>	7b. <u> </u>
8. Enter your wages, and your spouses if filing jointly, and other earned income from Form 1040, minus any deductions on Form 1040, lines 30 and 32. Do not reduce wages by any loss from self-employment	8. <u>47,000.00</u>	
 <i>If married filing jointly and line 8 is less than \$6,000 (\$6,500 if one spouse is age 50 or older at the end of 2004; \$7,000 if both spouses are age 50 or older at the end of 2004), stop here and see Pub. 590 to figure your IRA deduction.</i>		
9. Enter traditional IRA contributions made, or that will be made by April 15, 2005, for 2004 to your IRA on line 9a and to your spouse's IRA on line 9b	9a. <u>3,000.00</u>	9b. <u> </u>
10. On line 10a, enter the smallest of line 7a, 8, or 9a. On line 10b, enter the smallest of line 7b, 8, or 9b. This is the most you can deduct. Add the amounts on lines 10a and 10b and enter the total on Form 1040, line 25. Or, if you want, you may deduct a smaller amount and treat the rest as a nondeductible contribution (see Form 8606)	10a. <u>2,400.00</u>	10b. <u> </u>

 **TIP** You may be able to take the retirement savings contributions credit. See the instructions for line 52 on page 39.

Form 8606 Department of the Treasury Internal Revenue Service	Nondeductible IRAs ▶ See separate instructions. ▶ Attach to Form 1040, Form 1040A, or Form 1040NR.	OMB No. 1545-1007 <div style="font-size: 2em; font-weight: bold;">2004</div> Attachment Sequence No. 48
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Name. If married, file a separate form for each spouse required to file Form 8606. See page 5 of the instructions. Your social security number

RACHEL GREEN 000 : 00 : 6220

Fill in Your Address Only if You Are Filing This Form by Itself and Not With Your Tax Return	Home address (number and street, or P.O. box if mail is not delivered to your home)	Apt. no.
	City, town or post office, state, and ZIP code	

Part I Nondeductible Contributions to Traditional IRAs and Distributions From Traditional, SEP, and SIMPLE IRAs

Complete this part only if:

- You made nondeductible contributions to a traditional IRA for 2004,
- You took distributions from a traditional, SEP, or SIMPLE IRA in 2004 (other than a rollover, conversion, recharacterization, or return of certain contributions) **and** you made nondeductible contributions to a traditional IRA in 2004 or an earlier year, **or**
- You converted part, but not all, of your traditional, SEP, and SIMPLE IRAs to Roth IRAs in 2004 (excluding any portion you recharacterized) **and** you made nondeductible contributions to a traditional IRA in 2004 or an earlier year.

1 Enter your nondeductible contributions to traditional IRAs for 2004, including those made for 2004 from January 1, 2005, through April 15, 2005 (see page 5 of the instructions)	1	600							
2 Enter your total basis in traditional IRAs (see page 6 of the instructions)	2	10,000							
3 Add lines 1 and 2	3	10,600							
<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width:30%; padding: 5px;"> In 2004, did you take a distribution from traditional, SEP, or SIMPLE IRAs or make a Roth IRA conversion? </td> <td style="width:10%; text-align: center;">No</td> <td style="width:60%;">▶ Enter the amount from line 3 on line 14. Do not complete the rest of Part I.</td> </tr> <tr> <td></td> <td style="text-align: center;">Yes</td> <td>▶ Go to line 4.</td> </tr> </table>				In 2004, did you take a distribution from traditional, SEP, or SIMPLE IRAs or make a Roth IRA conversion?	No	▶ Enter the amount from line 3 on line 14. Do not complete the rest of Part I.		Yes	▶ Go to line 4.
In 2004, did you take a distribution from traditional, SEP, or SIMPLE IRAs or make a Roth IRA conversion?	No	▶ Enter the amount from line 3 on line 14. Do not complete the rest of Part I.							
	Yes	▶ Go to line 4.							
4 Enter those contributions included on line 1 that were made from January 1, 2005, through April 15, 2005	4								
5 Subtract line 4 from line 3	5								
6 Enter the value of all your traditional, SEP, and SIMPLE IRAs as of December 31, 2004, plus any outstanding rollovers (see page 6 of the instructions)	6								
7 Enter your distributions from traditional, SEP, and SIMPLE IRAs in 2004. Do not include rollovers, conversions to a Roth IRA, certain returned contributions, or recharacterizations of traditional IRA contributions (see page 6 of the instructions)	7								
8 Enter the net amount you converted from traditional, SEP, and SIMPLE IRAs to Roth IRAs in 2004. Do not include amounts converted that you later recharacterized (see page 6 of the instructions). Also enter this amount on line 16	8								
9 Add lines 6, 7, and 8	9								
10 Divide line 5 by line 9. Enter the result as a decimal rounded to at least 3 places. If the result is 1.000 or more, enter "1.000"	10	×							
11 Multiply line 8 by line 10. This is the nontaxable portion of the amount you converted to Roth IRAs. Also enter this amount on line 17	11								
12 Multiply line 7 by line 10. This is the nontaxable portion of your distributions that you did not convert to a Roth IRA	12								
13 Add lines 11 and 12. This is the nontaxable portion of all your distributions	13								
14 Subtract line 13 from line 3. This is your total basis in traditional IRAs for 2004 and earlier years	14	10,600							
15 Taxable amount. Subtract line 12 from line 7. Also include this amount on Form 1040, line 15b; Form 1040A, line 11b; or Form 1040NR, line 16b	15								

Exercise 3

Bill and Kathy are both employed and each earned \$15,000 in 2004. Both Bill and Kathy are age 32. Bill was covered by an employer retirement plan but Kathy was not. In July 2004, Bill contributed \$1,200 to his 2004 traditional IRA. In February 2005, he contributed \$800 to his 2004 traditional IRA. Kathy contributed \$400 to her 2004 traditional IRA. They file a joint return. Their total income on line 22 is \$30,000. They have no other adjustments to income.

Complete their IRA deduction worksheet (Exhibit 4).

Additional Taxes and Penalties

Taxpayers are generally subject to additional taxes and penalties for:

- Contributing more to a traditional IRA than is allowed,
- Making traditional IRA withdrawals before age 59 1/2, and
- Not withdrawing enough traditional IRA funds after age 70 1/2.
- Investing in collectibles
- Prohibited transactions, such as borrowing money from one's own IRA or selling property to it.

There are penalties for overstating the amount of nondeductible contributions and for failure to file Form 8606, if required.

Credit for Qualified Retirement Savings Contribution

Refer to Lesson 6 to determine if a taxpayer is also eligible to receive the credit for qualified retirement savings contributions based on their contributions to an IRA.

IRA Deduction Worksheet—Line 25

Keep for Your Records

Before you begin:

- ✓ Complete Form 1040, lines 28 through 34a, if they apply to you.
- ✓ Figure any write-in adjustments to be entered on the dotted line next to line 35 (see page 33).
- ✓ Be sure you have read the list that begins on page 29.



	Your IRA	Spouse's IRA
1a. Were you covered by a retirement plan (see above)?	1a. <input type="checkbox"/> Yes <input type="checkbox"/> No	
1b. If married filing jointly, was your spouse covered by a retirement plan? <i>Next.</i> If you checked "No" on line 1a (and "No" on line 1b if married filing jointly), skip lines 2 through 6, enter \$3,000 (\$3,500 if age 50 or older at the end of 2004) on line 7a (and 7b if applicable), and go to line 8. Otherwise, go to line 2.		1b. <input type="checkbox"/> Yes <input type="checkbox"/> No
2. Enter the amount shown below that applies to you. <ul style="list-style-type: none"> • Single, head of household, or married filing separately and you lived apart from your spouse for all of 2004, enter \$55,000 • Qualifying widow(er), enter \$75,000 • Married filing jointly, enter \$75,000 in both columns. But if you checked "No" on either line 1a or 1b, enter \$160,000 for the person who was not covered by a plan • Married filing separately and you lived with your spouse at any time in 2004, enter \$10,000 	2a. <input style="width: 100px;" type="text"/>	2b. <input style="width: 100px;" type="text"/>
3. Enter the amount from Form 1040, line 22	3. <input style="width: 100px;" type="text"/>	
4. Enter the total of the amounts from Form 1040, lines 23, 24, 28 through 34a, plus any write-in adjustments you entered on the dotted line next to line 35	4. <input style="width: 100px;" type="text"/>	
5. Subtract line 4 from line 3. Enter the result in both columns	5a. <input style="width: 100px;" type="text"/>	5b. <input style="width: 100px;" type="text"/>
6. Is the amount on line 5 less than the amount on line 2? <input type="checkbox"/> No. None of your IRA contributions are deductible. For details on nondeductible IRA contributions, see Form 8606. <input type="checkbox"/> Yes. Subtract line 5 from line 2 in each column. If the result is \$10,000 or more, enter \$3,000 if age 50 or older at the end of 2004 on line 7 for that column and go to line 8. Otherwise, go to line 7	6a. <input style="width: 100px;" type="text"/>	6b. <input style="width: 100px;" type="text"/>
7. Multiply lines 6a and 6b by 30% (.30) (or by 35% (.35) in the column for the IRA of a person who is age 50 or older at the end of 2004). If the result is not a multiple of \$10, increase it to the next multiple of \$10 (for example, increase \$490.30 to \$500). If the result is \$200 or more, enter the result. But if it is less than \$200, enter \$200	7a. <input style="width: 100px;" type="text"/>	7b. <input style="width: 100px;" type="text"/>
8. Enter your wages, and your spouses if filing jointly, and other earned income from Form 1040, minus any deductions on Form 1040, lines 30 and 32. Do not reduce wages by any loss from self-employment	8. <input style="width: 100px;" type="text"/>	
CAUTION If married filing jointly and line 8 is less than \$6,000 (\$6,500 if one spouse is age 50 or older at the end of 2004; \$7,000 if both spouses are age 50 or older at the end of 2004), stop here and see Pub. 590 to figure your IRA deduction.		
9. Enter traditional IRA contributions made, or that will be made by April 15, 2005, for 2004 to your IRA on line 9a and to your spouse's IRA on line 9b	9a. <input style="width: 100px;" type="text"/>	9b. <input style="width: 100px;" type="text"/>
10. On line 10a, enter the smallest of line 7a, 8, or 9a. On line 10b, enter the smallest of line 7b, 8, or 9b. This is the most you can deduct. Add the amounts on lines 10a and 10b and enter the total on Form 1040, line 25. Or, if you want, you may deduct a smaller amount and treat the rest as a nondeductible contribution (see Form 8606)	10a. <input style="width: 100px;" type="text"/>	10b. <input style="width: 100px;" type="text"/>
TIP You may be able to take the retirement savings contributions credit. See the instructions for line 52 on page 39.		

STUDENT LOAN INTEREST DEDUCTION

If a taxpayer paid interest on a student loan in 2004, he or she may be able to deduct up to \$2,500 of the interest paid.

If the taxpayer paid \$600 or more in interest to a single lender, the taxpayer should receive a statement from the lender showing the amount of interest paid. This information will assist you in completing the student loan interest deduction.

Qualified Student Loan Interest

Generally, student loan interest is the interest paid during the year on a loan for qualified higher education expenses that were:

1. For the taxpayer, the taxpayer's spouse, or a person who was the taxpayer's dependent when the loan was obtained.
2. Paid within a reasonable period of time before or after obtaining the loan, and
3. For an eligible student.

Interest can be the interest paid during the life of the loan (voluntary and required interest payments), loan origination fees, capitalized interest, interest on revolving lines of credit, and interest on refinanced student loans.

Interest does not include interest on any of the following:

1. A loan from a related person.
2. A loan from a qualified employer plan.
3. A loan for which the taxpayer is not legally liable.

Who Can Claim the Deduction

Generally, a taxpayer can claim the deduction if all the following requirements are met:

1. Taxpayer cannot use married filing separately filing status.
2. Taxpayer cannot be claimed as a dependent on someone else's return.
3. The interest is on a loan to pay tuition and other qualified higher education expenses for the taxpayer, the taxpayer's spouse, or someone whom the taxpayer can claim as a dependent, when the loan was taken out.
4. The education expenses were paid or incurred within a reasonable period of time before or after the loan was taken out.
5. The person for whom the expenses were paid or incurred was an eligible student.

Qualified Higher Education Expenses

Generally, qualified higher education expenses include tuition and fees; room and board; books, supplies and equipment; and other necessary expenses.

These costs must be reduced by the following:

1. Employer provided educational assistance benefits.
2. Tax-free withdrawals from a Coverdell ESA.
3. Tax-free withdrawals from a qualified tuition program.
4. U.S. savings bond interest excluded from income because it is used to pay qualified higher education expenses.
5. Certain scholarships.
6. Veteran's educational assistance benefits.
7. Any other nontaxable payments (other than gifts, bequests, or inheritances) received for educational expenses.

Eligible educational institution

An eligible educational institution is any college, university, vocational school or other postsecondary educational institution eligible to participate in a student aid program administered by the Department of Education. It includes virtually all accredited public, nonprofit, and privately owned profit-making postsecondary institutions.

For the student loan interest deduction only, an eligible educational institution also includes an institution conducting an internship or residency program leading to a degree or certificate from an institution of higher education, hospital, or health care facility that offers postgraduate training.

If a taxpayer does not know if the educational institution is an eligible institution, the taxpayer should contact the school.

Eligible student

An eligible student is a student who is enrolled at least half-time in a program leading to a degree, certificate, or other recognized educational credential.

The standard for what is half the normal full-time work load is determined by each eligible educational institution.

Deduction Limits

The student loan interest deduction is generally the smaller of \$2,500 or the interest payments paid in 2004.

This amount may be gradually reduced (phased out) or eliminated based on the taxpayer's filing status and modified adjusted gross income (MAGI). Table 3 depicts when the limits apply.

Table 3

Limit on Student Loan Interest Deduction		
If your filing status is	AND your modified AGI is	THEN...
Single, head of household, or qualifying widow(er)	\$50,000 or less	You can deduct all your interest, up to \$2,500
	More than \$50,000, but less than \$65,000	Your deduction is limited
	\$65,000 or more	You cannot claim this deduction.
Married filing jointly	\$100,000 or less	You can deduct all your interest up to \$2,500
	More than \$100,000, but less than \$130,000	Your deduction is limited
	\$130,000 or more	You cannot claim this deduction.

Figuring the Deduction

Use the Student Loan Interest Deduction worksheet found in the Form 1040 or Form 1040A instructions to figure the deduction.

Claiming the Deduction

The student loan interest deduction is entered on Form 1040, Line 26, or Form 1040A, Line 18.

Example 14

During 2004, Rick paid \$2,650 in qualified interest on his student loan. His total income, Form 1040, line 22, is \$35,000. He has no other adjustments to his income. His completed student loan interest deduction worksheet, Exhibit 5, shows Rick is entitled to \$2,500. Although his MAGI falls within the income limits, he is only entitled to a maximum \$2,500 deduction.

Before you begin:

- ✓ Complete Form 1040, lines 28 through 34a, if they apply to you.
- ✓ Figure any write-in adjustments to be entered on the dotted line next to line 35 (see page 33).
- ✓ See the instructions for line 26 that begin on this page.
- ✓ Be sure you have read the **Exception** above to see if you can use this worksheet instead of Pub. 970 to figure your deduction.



1. Enter the total interest you paid in 2004 on qualified student loans (defined above). Do not enter more than \$2,500	1.	2,500.00
2. Enter the amount from Form 1040, line 22	2.	35,000.00
3. Enter the total of the amounts from Form 1040, lines 23 through 25, 28 through 34a, plus any write-in adjustments you entered on the dotted line next to line 35	3.	
4. Subtract line 3 from line 2	4.	35,000.00
5. Enter the amount shown below for your filing status. <ul style="list-style-type: none"> • Single, head of household, or qualifying widow(er)—\$50,000 • Married filing jointly—\$100,000 	5.	50,000.00
6. Is the amount on line 4 more than the amount on line 5? <input checked="" type="checkbox"/> No. Skip lines 6 and 7, enter -0- on line 8, and go to line 9. <input type="checkbox"/> Yes. Subtract line 5 from line 4	6.	
7. Divide line 6 by \$15,000 (\$30,000 if married filing jointly). Enter the result as a decimal (rounded to at least three places). If the result is 1.000 or more, enter 1.000	7.	.
8. Multiply line 1 by line 7	8.	
9. Student loan interest deduction. Subtract line 8 from line 1. Enter the result here and on Form 1040, line 26. Do not include this amount in figuring any other deduction on your return (such as on Schedule A, C, E, etc.)	9.	2,500.00

TUITION AND FEES DEDUCTION

Taxpayers can deduct an amount equal to the qualified tuition and related expenses paid during the tax year as an adjustment to income. The adjustment is reported on Form 1040, Line 27, or Form 1040A, Line 19.

To claim the deduction the taxpayer must have incurred **qualified expenses** for an **eligible student** to attend an **eligible educational institution** during the tax year. In addition, the taxpayer must include on the tax return the name and taxpayer identification number of the qualified student.

Qualified Expenses

Qualified tuition and related expenses include tuition and fees required for enrollment or attendance at an eligible educational institution and generally include fees for:

- Course-related books, supplies and equipment, and

The fees must be paid to the institution as a condition of enrollment or attendance.

Qualified tuition and related expenses do not include the cost of:

- Insurance,
- Medical expenses (including student health fees),
- Room and board,
- Student activities.
- Transportation or similar personal, living or family expenses, even if the fees must be paid to the institution as a condition of enrollment or attendance.
- Athletic fees.
- Other expenses unrelated to an individual's academic course of instruction.

Eligible Student

The deduction can be claimed for the taxpayer, the taxpayer's spouse (if filing a joint return) and any dependent (for whom the taxpayer claims a dependency exemption).

Married taxpayers that file as married filing separately cannot take the deduction.

An individual who is the dependent of another taxpayer cannot claim the deduction.

Eligible Educational Institution

An eligible educational institution is generally any accredited public, nonprofit, or private postsecondary institution eligible to participate in the student aid programs administered by the

Department of Education. It includes virtually all accredited, public, nonprofit, and privately owned profit-making post secondary institutions.

If the taxpayer does not know if the educational institution is an eligible institution, he or she should contact the school.

Deduction Amount

The deduction amount is determined by the taxpayer's filing status and adjusted gross income. Table 4 depicts when the income limitations apply.

The total amount of qualified tuition and related expenses are reduced by:

- Distributions from qualified state tuition programs
- Distributions from Coverdell ESAs
- Interest from savings bonds used for higher education expenses

Table 4. Limit on Tuition and Fees Deduction

IF your filing status is...	AND your modified AGI is...	THEN...
Single, Head of Household, or Qualifying widow(er)	Equal to or less than \$65,000	You can deduct all of your qualified tuition and fees up to \$3,000.
	More than \$65,000	You cannot claim the credit
Married filing jointly	Equal to or less than \$130,000	You can deduct all of your qualified tuition and fees up to \$3,000
	More than \$130,000	You cannot claim the credit.
Married filing separately	Any amount	You cannot claim the credit.

Modified adjusted gross income for purposes of the deduction for qualified tuition and related fees is adjusted gross income before the deduction for qualified tuition and related fees and after adding back the following:

- Foreign earned income exclusion,
- Foreign housing exclusion or deduction,
- Exclusion of income for bona fide residents of Guam, Puerto Rico, American Samoa, or the Northern Mariana Islands.

Figuring the Deduction

Use the Tuition and Fees Deduction worksheet found in the Form 1040 or Form 1040A instructions to figure the modified adjusted gross income and the resulting deduction amount.

Example 15

Luis and Priscilla file a joint return for 2004. Their 1040 line 22 total income is \$49,620. In 2004, Priscilla paid \$1,300 for classes taken at the local university. She had allowable IRA deductions of \$1,500. Their allowable tuition and fees deduction is \$1,300, shown in Exhibit 6.

Exhibit 6

Luis and Priscilla's Tuition and Fees Deduction Worksheet

Tuition and Fees Deduction Worksheet—Line 27		<i>Keep for Your Records</i>
<p>Before you begin:</p> <ul style="list-style-type: none"> ✓ Complete Form 1040, lines 28 through 34a, if they apply to you. ✓ Figure any write-in adjustments to be entered on the dotted line next to line 35 (see page 33). ✓ See the instructions for line 27 above. ✓ Be sure you have read the Exception above to see if you can use this worksheet instead of Pub. 970 to figure your deduction. 		
1. Enter the amount from Form 1040, line 22	1.	49,620.00
2. Enter the total of the amounts from Form 1040, lines 23 through 26, 28 through 34a, plus any write-in adjustments you entered on the dotted line next to line 35	2.	1,500.00
3. Subtract line 2 from line 1. If the result is more than \$80,000 (\$160,000 if married filing jointly),  You cannot take the deduction for tuition and fees	3.	48,120.00
4. Tuition and fees deduction. Is the amount on line 3 more than \$65,000 (\$130,000 if married filing jointly)?	4.	1,300.00
<input type="checkbox"/> Yes. Enter the total qualified tuition and fees (defined above) you paid in 2004. Do not enter more than \$2,000. Also, enter this amount on Form 1040, line 27.		

No Double Benefits

A taxpayer cannot:

- Deduct qualified tuition and related expenses if the same expense is deductible on a different line of the return.
- Claim the Hope credit or the lifetime learning credit for an individual in the same year as a deduction for qualified tuition and related expenses are claimed.
- Claim a credit based on expenses paid with a tax-free scholarship, grant, or an employer-provided educational assistance.

ONE-HALF OF SELF-EMPLOYMENT TAX

Report on Form 1040, Line 30, the adjustment for one-half of self-employment tax from Schedule SE. This subject was covered in Lesson 2, for volunteers who will be helping self-employed taxpayers.

PENALTY ON EARLY WITHDRAWAL OF SAVINGS

Depositors may withdraw funds from ordinary savings accounts any time they wish. However, if they withdraw funds from a time deposit (such as a certificate of deposit) before the maturity date, a penalty is charged. Form 1099-INT reports the interest earned as well as any early withdrawal penalties.

As you learned in Lesson 2, taxpayers must report the total amount of interest earned. They cannot subtract the early withdrawal penalty from the interest earned and report the difference. The early withdrawal penalty can be claimed as an adjustment only on Form 1040, Line 33. The entire penalty is deducted, even if it is greater than the interest income.

Example 16

Arlene has one Form W-2 and one Form 1099-INT and no other income. Her Form 1099-INT shows both interest income and an early withdrawal penalty. Arlene does not pay alimony, and she did not make a contribution to a traditional IRA. She will not itemize deductions, and she cannot claim any tax credits. Normally, she would be able to file Form 1040A.

However, Arlene must file Form 1040 to claim the adjustment for the penalty on early withdrawal of savings.

ALIMONY PAID

As you learned in Lesson 2, alimony and separate maintenance payments are taxable to the person receiving these payments. The person paying the alimony or separate maintenance can claim it as an adjustment to income. This adjustment can be claimed only on Form 1040. The amount paid during the year and the recipient's social security number are entered on Line 34a and 34b, respectively. Claim the adjustment only for amounts paid during the tax year.

Child support is not the same as alimony or separate maintenance payments. Child support is not taxable to the recipient and cannot be claimed as an adjustment by the payer.

JURY DUTY PAY GIVEN TO EMPLOYER

As you learned in Lesson 2, *Income*, jury duty pay received by taxpayers is included in other income on line 21 of Form 1040.

Some employees receive their regular wages from their employers when they are serving on a jury instead of working at their jobs. Often the jury duty pay the employees receive is turned over to their employers. The amount given to the employer may be claimed as an adjustment to income. On the dotted line next to Line 35, write "jury pay" and the amount. Include jury duty pay with the adjustments claimed on Lines 23 through 35.

OTHER ADJUSTMENTS

The other adjustments that can be claimed on Form 1040 are beyond the scope of the VITA/TCE Program. Taxpayers who have adjustments that aren't discussed in this lesson should be advised to seek paid professional tax assistance.

TOTAL ADJUSTMENTS AND ADJUSTED GROSS INCOME

Add all adjustments and enter the total on Form 1040A, line 20, or Form 1040, line 35. Subtract the total adjustments from total income on Form 1040A, line 15, or Form 1040, line 22. Enter the result on Form 1040A, line 21, or Form 1040, line 36. This is **adjusted gross income** and is often referred to as **"AGI."** Adjusted gross income is used to compute some limitations, such as the medical and dental deduction on Schedule A and the credit for child and dependent care expenses.

TAXWISE HINTS

TaxWise will quickly complete any worksheets needed to determine adjustments to income.

There is one worksheet for student loan interest deduction and tuition and fees deduction. You can link to this form from Form 1040, Lines 26 or 27.

Link to the Deductible and Non-deductible IRA Worksheet from Form 1040, Line 25. Once the IRA contribution is input for the taxpayer (and spouse if married), TaxWise will complete the Form 8606, if necessary, and input the entry on Form 1040, Line 25.

One half the self employment tax will be entered automatically when completing Schedule C or C-EZ.

The penalty on withdrawal from savings should be entered by linking to the Interest Received Worksheet. This worksheet is a link from Schedule B.

TaxWise breaks out the remaining adjustments. Simply input the appropriate amount.

▶▶ SUMMING UP THIS LESSON ◀◀

- An adjustment is an amount subtracted from total income. The result is adjusted gross income.
- Adjustments covered in the VITA program are:
 - ▶ Contributions to a traditional IRA
 - ▶ Student loan interest deduction
 - ▶ Tuition and fees paid
 - ▶ One-half of self-employment tax paid (volunteers trained to prepare Schedule C-EZ and SE can assist taxpayers claiming this adjustment)
 - ▶ Penalty on early withdrawal of savings
 - ▶ Alimony paid
 - ▶ Jury duty pay given to employer
 - ▶ The adjustments for traditional IRA contributions, student loan interest deduction, tuition and fees deduction, and educator expenses deduction can be claimed either on Form 1040A or Form 1040. The other adjustments can be claimed on Form 1040 only.
- Persons 70 1/2 years of age or older by the end of the tax year cannot make traditional IRA contributions for that tax year.
- Traditional IRA contributions generally cannot be more than the taxpayer's taxable compensation or \$3,000 (\$3,500 if age 50 or older), whichever amount is smaller.
- Individuals who are not covered by retirement plans at work may make deductible IRA contributions regardless of their modified adjusted gross income. Taxpayers who are covered by retirement plans at work may deduct all, part, or none of their traditional IRA contributions depending on their modified adjusted gross income and filing status.
- Taxpayers may be subject to additional tax for contributing more to a traditional IRA than is allowed, making traditional IRA withdrawals before age 59 1/2, and not withdrawing enough traditional IRA funds after 70 1/2.

Exercise 1

- (A) Yes; alimony is considered compensation for traditional IRA purposes.
- (B) Yes; But only if they file a joint return.
- (C) No; Carla has no compensation for traditional IRA purposes.
- (D) \$1,250; The lesser of taxable compensation or \$3,500.

Exercise 2

- (A) Yes; all of her contribution up to \$3,000 is deductible because their combined modified adjusted gross income is not more than \$150,000.
- (B) Yes; all of it is deductible because her modified adjusted gross income is less than \$45,000.
- (C) Richard may not deduct any of his contribution because his modified adjusted gross income is at least \$10,000. Lynn will be able to deduct a portion of her IRA contribution because she is not covered by an employer-sponsored retirement plan and her income is less than \$10,000.

Exercise 3

Bill and Kathy's IRA Deductions Worksheet

IRA Deduction Worksheet—Line 17

Keep for Your Records

Before you begin: ✓ Be sure you have read the list on page 26.



	Your IRA	Spouse's IRA
1a. Were you covered by a retirement plan (see page 29)?	1a. <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
b. If married filing jointly, was your spouse covered by a retirement plan?		1b. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<p>Next. If you checked "No" on line 1a (and "No" on line 1b if married filing jointly), skip lines 2 through 6, enter \$3,000 (\$3,500 if age 50 or older at the end of 2004) on line 7a (and 7b if applicable), and go to line 8. Otherwise, go to line 2.</p>		
2. Enter the amount shown below that applies to you.		
<ul style="list-style-type: none"> • Single, head of household, or married filing separately and you lived apart from your spouse for all of 2004, enter \$55,000 • Qualifying widow(er), enter \$75,000 • Married filing jointly, enter \$75,000 in both columns. But if you checked "No" on either line 1a or 1b, enter \$160,000 for the person who was not covered by a plan • Married filing separately and you lived with your spouse at any time in 2004, enter \$10,000 	2a. <u>75,000.00</u>	2b. <u>160,000.00</u>
3. Enter the amount from Form 1040A, line 15	3. <u>30,000.00</u>	
4. Enter the amount, if any, from Form 1040A, line 16	4. <u> </u>	
5. Subtract line 4 from line 3. Enter the result in both columns	5a. <u>30,000.00</u>	5b. <u>30,000.00</u>
6. Is the amount on line 5 less than the amount on line 2?		
<input type="checkbox"/> No. None of your IRA contributions are deductible. For details on nondeductible IRA contributions, see Form 8606.		
<input checked="" type="checkbox"/> Yes. Subtract line 5 from line 2 in each column. If the result is \$10,000 or more, enter \$3,000 (\$3,500 if age 50 or older at the end of 2004) on line 7 for that column and go to line 8. Otherwise, go to line 7	6a. <u>51,600.00</u>	6b. <u>130,000.00</u>
7. Multiply lines 6a and 6b by 30% (.30) (or by 35% (.35) in the column for the IRA of a person who is age 50 or older at the end of 2004). If the result is not a multiple of \$10, increase it to the next multiple of \$10 (for example, increase \$490.30 to \$500). If the result is \$200 or more, enter the result. But if it is less than \$200, enter \$200	7a. <u>3,000.00</u>	7b. <u>3,000.00</u>
8. Enter the amount from Form 1040A, line 7	8. <u>30,000.00</u>	
CAUTION If married filing jointly and line 8 is less than \$6,000 (\$6,500 if one spouse is age 50 or older at the end of 2004; \$7,000 if both spouses are age 50 or older at the end of 2004), stop here and see Pub. 590 to figure your IRA deduction.		
9. Enter traditional IRA contributions made, or that will be made by April 15, 2005, for 2004 to your IRA on line 9a and to your spouse's IRA on line 9b	9a. <u>2,000.00</u>	9b. <u>400.00</u>
10. On line 10a, enter the smallest of line 7a, 8, or 9a. On line 10b, enter the smallest of line 7b, 8, or 9b. This is the most you can deduct. Add the amounts on lines 10a and 10b and enter the total on Form 1040A, line 17. Or, if you want, you may deduct a smaller amount and treat the rest as a nondeductible contribution (see Form 8606)	10a. <u>2,000.00</u>	10b. <u>400.00</u>



TIP You may also be able to take the retirement savings contributions credit. See the instructions for line 33 on page 37.

Need more information or forms? See page 7.

INTRODUCTION AND OBJECTIVES

This segment covers the moving expenses of military personnel. When a member of the Armed Forces is transferred to a new permanent duty station he or she may deduct certain moving expenses.

In preparing returns for the military, you will need to:

- Identify qualifying moves by assisting in determining if the move qualifies as a permanent change of station (PCS).
- Determine when allowances and reimbursements must be included in income.
- Identify deductible moving expenses.
- Compute the moving expense deduction using Form 3903, Moving Expenses, for moves within and outside the United States.

PERMANENT CHANGE OF STATION

For military moves, only expenses incurred as a result of a permanent change of station are deductible. A permanent change of station includes:

- A move from home to the area of the first post of duty.
- A move from one permanent post of duty to another.
- A move from the last post of duty to home or to a nearer point in the United States. The member must move within one year of ending active duty or within the period allowed under the Joint Travel Regulations.

Spouse and dependents. If a member of the Armed Forces deserts, is imprisoned, or dies, a permanent change of station for the spouse or dependents includes a move to the place of enlistment, the home of record, or any nearer point in the United States.

If the Armed Forces moves a member and his or her spouse or dependents to or from separate locations, the moves are treated as a single move to the member's post of duty. The qualified expenses of both moves are combined and deducted on the same tax return.

Exercise 1

Which of the following is a permanent change of station?

- A. A move by an Air Force pilot to an airbase for a 6-month detail.
- B. A move by an Army sergeant to his home 2 years after he ended active duty.
- C. A move by a new enlistee from her home to her first post of duty.

Answer _____

REQUIREMENTS

The moving expense deduction includes only expenses that are reasonable for the circumstances of the move. For example, the costs of any side trips for sightseeing are not deductible. The cost of lavish and extravagant lodging also is not deductible.

Although civilians must meet a distance test and a time test to deduct moving expenses, members of the military can disregard such tests for moves required by a permanent change of station.

PAYMENTS IN KIND, ALLOWANCES, AND REIMBURSEMENTS

The service member must include in gross income any payments he or she receives from the government for a do-it-yourself (DITY) permanent change of station (PCS) move. A DITY move payment is based on government estimates of the cost to move household goods, not on actual expenses and receipts. The service member will receive a separate Form W-2 for the DITY payment. The amount in box 1 of the Form W-2 must be included on line 7 of Form 1040. He or she must also complete Form 3903 to compute total qualified moving expenses that can be deducted on line 29, Form 1040. These line 7 and line 29 entries on Form 1040 will report the income and applicable related expenses for the move on the Form 1040.

The service member does not include any of the following in his or her gross income.

- Moving or storage services furnished to the member.
- Non-taxable allowances such as:
 - Dislocation allowance
 - Temporary Lodging Allowance
 - Mileage Allowance in Lieu of Transportation
 - Per Diem Allowance



Generally, if total reimbursements or allowances received by the service member are more than his or her qualified moving expenses, the excess will be included with his or her wages in box 1 of Form W-2. However, if reimbursements or allowances (other than nontaxable allowances like the ones listed above) exceed the cost of moving and they are not included in the Form W-2, the service member must still include the excess on line 7 of Form 1040.

Use Form 3903 to deduct qualified expenses that exceed reimbursements and allowances (including nontaxable allowances like the ones listed above).

Exercise 2

- A.** A member of the Armed Forces must include in gross income all reimbursements, allowances, and the value of moving and storage services that the military organization furnishes. True or false?

Answer _____

- B.** If a member of the Armed Forces receives reimbursements or allowances (that are not excludable from gross income) in excess of the actual moving expenses, he or she must include in income only the amount that exceeds actual expenses. True or false?

Answer _____

DEDUCTIBLE MOVING EXPENSES

Any qualifying moving expenses that exceed allowances or reimbursements from the government are deductible.

Members of the military will need to determine whether they have excess expenses and, if so, whether the expenses are deductible on their federal tax return.

Qualifying moving expenses are:

- **The cost of moving household goods and personal effects**, including hauling a trailer and packing, storage, and insurance. It does not include the expense of moving furniture or other goods that the taxpayer bought on the way from the old home to the new home.
- **The cost of reasonable travel and lodging expenses** from the old home to the new home, including actual automobile expenses (or 12 cents per mile), airfare, and lodging for the taxpayer and members of his or her household. Members cannot deduct the cost of meals while traveling from the old home to the new home.

Foreign moves. A foreign move is one from the United States or its possessions to a foreign country or from one foreign country to another. It is not a move from a foreign country to the United States or its possessions.



Exercise 3

Which of the following are deductible moving expenses for Major Boone? (Assume the member received no reimbursements from the government.)

- A. Payment to Fulton Construction Company for home improvements made to Major Boone's former home.
- B. Security deposit to Towner Apartments on the Boones new apartment.
- C. Commission to Mercer Real Estate for the sale of the Boones' former home.
- D. Payment to Shelby Transport Company to ship a piano that the Boones bought on the way to their new home.
- E. Cost of transporting Major Boone's second car to the new job location.
- F. Payment for meals while on the way to the new permanent duty station.

Answer _____

REPORTING MOVING EXPENSES

Moving expenses are deductible as an adjustment to income on Form 1040, line 29. Only deductible expenses that are more than reimbursements and allowances can be claimed.

If the service member was not reimbursed, he or she can deduct allowable moving expenses either in the year incurred and paid or in the year they were paid.

If the member was reimbursed for expenses, he or she can deduct allowable expenses either in the year incurred or in the year paid

If the member uses the cash method of accounting, which is used by most individuals, he or she can choose to deduct moving expenses in the year of reimbursement if:

- (1) The expenses were paid in a year before the year of reimbursement, or
- (2) The expenses were paid in the year immediately after the year of reimbursement but by the due date, including extensions, for filing his or her return for the reimbursement year.

Moving expenses are reported on Form 3903, *Moving Expenses*. For more information, see Publication 521, *Moving Expenses*.

The following example illustrates applications of the rules discussed in this lesson.



Example

Capt. Shirley M. Holmes (SSN 000-00-9876) transferred in 2004 from one base to another. The government reimbursed her \$350 for her travel and lodging expenses on the way to her new job location. The travel and lodging reimbursements were not reported as income on Form W-2. The \$5,000 expense for transporting her household goods was furnished in kind by the military. No other reimbursements or allowances were made.

Capt. Holmes incurred the following expenses:

Travel and lodging en route – \$500

The moving expense is computed on Form 3903 as follows:

Exhibit 1

Form 3903

<p>Form 3903</p> <p>Department of the Treasury Internal Revenue Service</p>	<p>Moving Expenses</p> <p>▶ Attach to Form 1040.</p>	<p>OMB No. 1545-0062</p> <p>2004</p> <p>Attachment Sequence No. 62</p>
<p>Name(s) shown on Form 1040 Shirley M. Holmes</p>		<p>Your social security number 000 | 00 | 9876</p>
<p>Before you begin: ✓ See the Distance Test and Time Test in the instructions to find out if you can deduct your moving expenses. ✓ If you are a member of the armed forces, see the instructions to find out how to complete this form.</p>		
<p>1 Enter the amount you paid for transportation and storage of household goods and personal effects (see instructions)</p> <p>2 Enter the amount you paid for travel and lodging in moving from your old home to your new home (see instructions). Do not include the cost of meals</p> <p>3 Add lines 1 and 2</p> <p>4 Enter the total amount your employer paid you for the expenses listed on lines 1 and 2 that is not included in the wages box (box 1) of your Form W-2. This amount should be shown in box 12 of your Form W-2 with code P</p> <p>5 Is line 3 more than line 4?</p> <p><input type="checkbox"/> No. You cannot deduct your moving expenses. If line 3 is less than line 4, subtract line 3 from line 4 and include the result on Form 1040, line 7.</p> <p><input checked="" type="checkbox"/> Yes. Moving expense deduction. Subtract line 4 from line 3. Enter the result here and on Form 1040, line 29</p>	<p>1</p> <hr/> <p>2</p> <hr/> <p>3</p> <hr/> <p>4</p> <hr/> <p>5</p>	<p></p> <hr/> <p>500</p> <hr/> <p>500</p> <hr/> <p>350</p> <hr/> <p>150</p>

Note: The \$5,000 expense for transporting her household goods was not included because the Armed Forces paid for this service.

The travel and lodging expenses for moving from the old home to the new home are shown on Line 2 of Form 3903.

Reimbursements are shown on Line 4.

To figure the moving expense deduction on Form 3903, subtract the total reimbursements on Line 4 from the amount on line 3. Check the "Yes" box and enter the result on Line 5 and on Form 1040, Line 29.

Exercise 4

Greg T. (SSN 000-00-4567) and Diane E. Coe are filing a joint return. Greg T. Coe, an airman in the Air Force, was transferred from Maxwell Air Force Base to Scott Air Force Base. The government reimbursed Greg \$400 for travel expenses incurred on the way to his new job location. He also received a \$1,000 dislocation allowance. The travel and lodging reimbursements and the dislocation allowance were not reported as wages on Form W-2. Using the following information furnished by the Coes, complete Form 3903.

Dislocation expenses:	\$ 1,000
Travel and lodging en route:	\$ 575
Meals en route:	\$ 200
Security deposit for new apartment:	\$ 350

Exhibit 2

Form 3903

Form 3903 Department of the Treasury Internal Revenue Service	Moving Expenses ▶ Attach to Form 1040.	OMB No. 1545-0062 2004 Attachment Sequence No. 62															
Name(s) shown on Form 1040		Your social security number															
<p>Before you begin: ✓ See the Distance Test and Time Test in the instructions to find out if you can deduct your moving expenses.</p> <p>✓ If you are a member of the armed forces, see the instructions to find out how to complete this form.</p>																	
<p>1 Enter the amount you paid for transportation and storage of household goods and personal effects (see instructions)</p> <p>2 Enter the amount you paid for travel and lodging in moving from your old home to your new home (see instructions). Do not include the cost of meals</p> <p>3 Add lines 1 and 2</p> <p>4 Enter the total amount your employer paid you for the expenses listed on lines 1 and 2 that is not included in the wages box (box 1) of your Form W-2. This amount should be shown in box 12 of your Form W-2 with code P</p> <p>5 Is line 3 more than line 4?</p> <p><input type="checkbox"/> No. You cannot deduct your moving expenses. If line 3 is less than line 4, subtract line 3 from line 4 and include the result on Form 1040, line 7.</p> <p><input type="checkbox"/> Yes. Moving expense deduction. Subtract line 4 from line 3. Enter the result here and on Form 1040, line 29</p>	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr><td style="width: 20px; text-align: center;">1</td><td style="width: 100px; height: 20px;"></td><td style="width: 100px;"></td></tr> <tr><td style="text-align: center;">2</td><td style="height: 20px;"></td><td></td></tr> <tr><td style="text-align: center;">3</td><td style="height: 20px;"></td><td></td></tr> <tr><td style="text-align: center;">4</td><td style="background-color: #cccccc; height: 20px;"></td><td></td></tr> <tr><td style="text-align: center;">5</td><td style="background-color: #cccccc; height: 20px;"></td><td></td></tr> </table>	1			2			3			4			5			
1																	
2																	
3																	
4																	
5																	

1. c.
2. a. False
 - b. True
3. e.
4. See completed Form 3903. The Coes are entitled to a \$175 moving expense deduction. Only the travel and lodging en route can be claimed on Form 3903, line 2. The security deposit and the meals are not deductible expenses. In addition, the dislocation allowance is netted against dislocation expenses. Only if the dislocation expenses exceeded the dislocation allowance would the Coes have reported the difference as an additional moving expense on Form 3903.

▶▶ SUMMING UP THIS SEGMENT ◀◀

In this segment you learned what moves qualify for tax benefits, what expenses are deductible, and how to use Form 3903 to compute the moving expense deduction. These expenses are deductible as an adjustment to income on Form 1040, line 29.

Form 3903 Department of the Treasury Internal Revenue Service	Moving Expenses ▶ Attach to Form 1040.	OMB No. 1545-0062 2004 Attachment Sequence No. 62															
Name(s) shown on Form 1040 Greg T. and Diane E. Coe		Your social security number 000 00 4567															
<p>Before you begin: ✓ See the Distance Test and Time Test in the instructions to find out if you can deduct your moving expenses. ✓ If you are a member of the armed forces, see the instructions to find out how to complete this form.</p>																	
<p>1 Enter the amount you paid for transportation and storage of household goods and personal effects (see instructions)</p> <p>2 Enter the amount you paid for travel and lodging in moving from your old home to your new home (see instructions). Do not include the cost of meals</p> <p>3 Add lines 1 and 2</p> <p>4 Enter the total amount your employer paid you for the expenses listed on lines 1 and 2 that is not included in the wages box (box 1) of your Form W-2. This amount should be shown in box 12 of your Form W-2 with code P</p> <p>5 Is line 3 more than line 4?</p> <p><input type="checkbox"/> No. You cannot deduct your moving expenses. If line 3 is less than line 4, subtract line 3 from line 4 and include the result on Form 1040, line 7.</p> <p><input checked="" type="checkbox"/> Yes. Moving expense deduction. Subtract line 4 from line 3. Enter the result here and on Form 1040, line 29</p>	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 5%; text-align: center;">1</td> <td style="width: 70%;"></td> <td style="width: 25%;"></td> </tr> <tr> <td style="text-align: center;">2</td> <td style="text-align: right;">575</td> <td></td> </tr> <tr> <td style="text-align: center;">3</td> <td style="text-align: right;">575</td> <td></td> </tr> <tr> <td style="text-align: center;">4</td> <td style="text-align: right;">400</td> <td></td> </tr> <tr> <td style="text-align: center;">5</td> <td style="text-align: right;">175</td> <td></td> </tr> </table>	1			2	575		3	575		4	400		5	175		
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STANDARD AND ITEMIZED DEDUCTIONS, AND TAX COMPUTATION

Lesson 5

INTRODUCTION AND OBJECTIVES

In this lesson you will learn about the standard deduction, itemized deductions and tax computations. You will learn which expenses can be included in itemized deductions. You will also learn when the taxpayer will use the tax tables and the Qualified Dividends and Capital Gain Tax Worksheet to compute their total tax.

After completing this lesson you should be able to:

- Identify the correct standard deduction.
- Calculate and accurately report itemized deductions on Schedule A.
- Identify the miscellaneous deductions reported on Schedule A, line 27.
- Complete the Qualified Dividends and Capital Gain Tax Worksheet.
- Explain the process to calculate and report tax liability.

STANDARD DEDUCTION

The standard deduction is a dollar amount that reduces the amount of income on which you are taxed. The **standard deduction** depends on:

- the taxpayer's filing status,
- whether the taxpayer (or the taxpayer's spouse) is 65 or older and/or blind, and
- whether the taxpayer can be claimed as a dependent on another taxpayer's return.

Based on the taxpayer's situation, you will figure the standard deduction by using one of the following:

- *Standard Deduction Chart for Most People* (Exhibit 1),
- *Standard Deduction Chart for People Age 65 or Older or Blind*, (Exhibit 2) or
- *Standard Deduction Worksheet for Dependents* (Exhibit 3).

ALERT



Remind students that Publication 4012, Volunteer Resource Guide, has the Standard Deduction charts, and amounts.

Exhibit 1 Standard Deduction Chart for Most People*

If Your Filing Status is:	Your Standard Deduction is:
Single	\$4,850
Married filing joint return or Qualifying widow(er) with dependent child	9,700
Married filing separate return	4,850
Head of household	7,150

*Do not use this chart if you were 65 or older or blind, or if someone else can claim an exemption for you (or your spouse if married filing jointly). Use Exhibit 2 or Exhibit 3 instead.

Exhibit 2 Standard Deduction Chart for People Age 65 or Older or Blind*

Check the correct number of boxes below. Then go to the chart.

You 65 or older Blind

Your spouse, if claiming spouse's exemption 65 or older Blind

Total number of boxes you checked

If Your Filing Status is:	And the Number in the Box Above is:	Your Standard Deduction is:
Single	1	\$6,050
	2	7,250
Married filing joint return or Qualifying widow(er) with dependent child	1	10,650
	2	11,600
	3	12,550
	4	13,500
Married filing separate return	1	5,800
	2	6,750
	3	7,700
	4	8,650
Head of household	1	8,350
	2	9,550

*If someone can claim an exemption for you (or your spouse if married filing jointly), use Exhibit 3, instead.



If you are married filing a separate return and your spouse itemizes deductions, or if you are a dual-status alien, you cannot take the standard deduction even if you were 65 or older or blind.

Exhibit 3 Standard Deduction Worksheet for Dependents*

If you were 65 or older or blind, check the correct number of boxes below. Then go to the worksheet.

You 65 or older Blind

Your spouse, if claiming spouse's exemption 65 or older Blind

Total number of boxes you checked

1. Enter your earned income (defined below). If none, enter -0-.	1. _____
2. Additional amount	2. <u>\$250</u>
3. Add lines 1 and 2.	3. _____
4. Minimum amount.	4. <u>\$800</u>
5. Enter the larger of line 3 or line 4.	5. _____
6. Enter the amount shown below for your filing status. Single or Married filing separately—\$4,850 Married filing jointly or Qualifying widow(er) with dependent child—\$9,700 Head of household—\$7,150	6. _____
7. Standard deduction. a. Enter the smaller of line 5 or line 6. If under 65 and not blind, stop here. This is your standard deduction. Otherwise, go on to line 7b. b. If 65 or older or blind, multiply \$1,200 (\$950 if married or qualifying widow(er) with dependent child) by the number in the box above. c. Add lines 7a and 7b. This is your standard deduction for 2004.	7a. _____ 7b. _____ 7c. _____

Earned income includes wages, salaries, tips, professional fees, and other compensation received for personal services you performed. It also includes any amount received as a scholarship that you must include in your income.

*Use this worksheet only if someone else can claim an exemption for you (or your spouse if married filing jointly).

Example 1

Bob is 55 years old and is married to Janice, age 50. If they are filing a joint return and neither is blind, they can enter \$9,700 on either Form 1040 or Form 1040A for their standard deduction amount.

Example 2

John is 73 years old, blind, and files a single tax return. To find his standard deduction, use the *Standard Deduction Chart for People Age 65 or Older or Blind*. His standard deduction is \$7,250.

PERSONAL EXEMPTION IN CONNECTION WITH STANDARD DEDUCTION ON FORM 1040EZ

If the taxpayer (or his or her spouse, if married filing a joint return) can be claimed as a dependent on another taxpayer's return, check the *Yes* box on line 5 of the Form 1040EZ. To fill in the amount on line 5 for this taxpayer, you must then turn the form over and complete the worksheet (Exhibit 4 shows a completed worksheet from Form 1040EZ, page 2).

If the taxpayer (or his or her spouse, if filing a joint return) cannot be claimed as a dependent on another taxpayer's return, check the *No* box on line 5. Enter on line 5 the amount shown below that applies to the taxpayer (and spouse, if married filing jointly).

- A.** Single, enter \$7,950. This is the total of the taxpayer's standard deduction (\$4,850) and personal exemption (\$3,100).
- B.** Married, enter \$15,900. This is the total of the taxpayer's and spouse's standard deduction (\$9,700), exemption for the taxpayer (\$3,100), and exemption for the taxpayer's spouse (\$3,100).

Exhibit 4

Form 1040EZ, page 2

<p>Worksheet for dependents who checked "Yes" on line 5</p> <p><small>(keep a copy for your records)</small></p>	<p>Use this worksheet to figure the amount to enter on line 5 if someone can claim you (or your spouse if married filing jointly) as a dependent, even if that person chooses not to do so. To find out if someone can claim you as a dependent, use TeleTax topic 354 (see page 6).</p> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 60%;">A. Amount, if any, from line 1 on front</td> <td style="text-align: right; border-bottom: 1px solid black;">4,650.00</td> <td style="width: 5%;"></td> <td style="width: 10%;"></td> <td style="width: 15%;"></td> </tr> <tr> <td></td> <td style="text-align: right; border-bottom: 1px solid black;">+ 250.00</td> <td>Enter total ▶</td> <td>A.</td> <td style="text-align: right; border-bottom: 1px solid black;">4,900.00</td> </tr> <tr> <td>B. Minimum standard deduction</td> <td></td> <td></td> <td>B.</td> <td style="text-align: right; border-bottom: 1px solid black;">800.00</td> </tr> <tr> <td>C. Enter the larger of line A or line B here</td> <td></td> <td></td> <td>C.</td> <td style="text-align: right; border-bottom: 1px solid black;">4,900.00</td> </tr> <tr> <td>D. Maximum standard deduction. If single, enter \$4,850; if married filing jointly, enter \$9,700</td> <td></td> <td></td> <td>D.</td> <td style="text-align: right; border-bottom: 1px solid black;">4,850.00</td> </tr> <tr> <td>E. Enter the smaller of line C or line D here. This is your standard deduction</td> <td></td> <td></td> <td>E.</td> <td style="text-align: right; border-bottom: 1px solid black;">4,850.00</td> </tr> <tr> <td>F. Exemption amount.</td> <td></td> <td></td> <td rowspan="3" style="font-size: 3em; vertical-align: middle;">}</td> <td rowspan="3" style="border-bottom: 1px solid black;"></td> </tr> <tr> <td> • If single, enter -0-.</td> <td></td> <td></td> </tr> <tr> <td> • If married filing jointly and—</td> <td></td> <td></td> </tr> <tr> <td> —both you and your spouse can be claimed as dependents, enter -0-.</td> <td></td> <td></td> <td>F.</td> <td style="text-align: right; border-bottom: 1px solid black;">0.00</td> </tr> <tr> <td> —only one of you can be claimed as a dependent, enter \$3,100.</td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>G. Add lines E and F. Enter the total here and on line 5 on the front</td> <td></td> <td></td> <td>G.</td> <td style="text-align: right; border-bottom: 1px solid black;">4,850.00</td> </tr> </table> <p>If you checked "No" on line 5 because no one can claim you (or your spouse if married filing jointly) as a dependent, enter on line 5 the amount shown below that applies to you.</p> <ul style="list-style-type: none"> • Single, enter \$7,950. This is the total of your standard deduction (\$4,850) and your exemption (\$3,100). • Married filing jointly, enter \$15,900. This is the total of your standard deduction (\$9,700), your exemption (\$3,100), and your spouse's exemption (\$3,100). 	A. Amount, if any, from line 1 on front	4,650.00					+ 250.00	Enter total ▶	A.	4,900.00	B. Minimum standard deduction			B.	800.00	C. Enter the larger of line A or line B here			C.	4,900.00	D. Maximum standard deduction. If single , enter \$4,850; if married filing jointly , enter \$9,700			D.	4,850.00	E. Enter the smaller of line C or line D here. This is your standard deduction			E.	4,850.00	F. Exemption amount.			}		• If single, enter -0-.			• If married filing jointly and—			—both you and your spouse can be claimed as dependents, enter -0-.			F.	0.00	—only one of you can be claimed as a dependent, enter \$3,100.					G. Add lines E and F. Enter the total here and on line 5 on the front			G.	4,850.00
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G. Add lines E and F. Enter the total here and on line 5 on the front			G.	4,850.00																																																					

Example 3

Clarence is 22 years old and a full time student. He is single and can be claimed as a dependent on his parents' tax return. Clarence works part-time and earned \$4,650 during 2004. His savings account earned \$56 in interest. Clarence's standard deduction is \$4,850. See Exhibit 4 above.

POTENTIAL PITFALLS



Entering an incorrect standard deduction amount is a frequently made error on tax returns. Take care to report the correct standard deduction amount.

Exercise 1

Use Exhibits 1 thru 3 on page 5-2 to determine the standard deduction amounts below.

- A.** James is 37 years old. He has two children who live with him and he files as head of household. What is James' standard deduction? _____
- B.** Paul is 37 years old. He was divorced in 2004. He is blind and has no dependent children. What is Malcom's standard deduction? _____
- C.** Carl is 67 years old and married to Sue, who is 59 years old. Neither is blind. If they file a joint return, what is their standard deduction? _____
- D.** If they are filing separate returns, what is Carl's standard deduction? _____
- E.** If they are filing separate returns, what is Sue's standard deduction? _____
- F.** Shirley is 15 years old and is claimed as a dependent on her parents' tax return. She earned \$1,500 during the summer and deposited it all into her savings account, where she earned \$40 in interest. What is her standard deduction? _____

ITEMIZED DEDUCTIONS

Taxpayers can either claim the standard deduction or itemize their deductions. Both the standard deduction and itemized deductions reduce adjusted gross income. Most taxpayers choose the larger of their itemized deductions or the standard deduction. However, there are some exceptions:

- A married taxpayer filing a separate return cannot claim the standard deduction if the taxpayer's spouse itemizes deductions, and
- Nonresident aliens cannot claim the standard deduction.

When itemizing, you should complete the taxpayer's return through line 37 of Form 1040. Then figure itemized deductions on Schedule A.

Medical and Dental Expenses

Claim medical and dental expenses paid in 2004 on lines 1 through 4 of Schedule A. Include expenses incurred for:

- the taxpayer and spouse,
- dependents claimed on the return, and
- others who could have been claimed as dependents except that they had gross income of \$3,100 or more, or they filed a joint return.

If a child of divorced or separated parents is claimed as a dependent on either parent's return, each parent may deduct the medical expenses that he or she pays for the child.

Deductible expenses include:

- Prescription medicines and drugs (including insulin)
- Medical, dental, and nursing care, including amounts paid for unreimbursed qualified long-term care services
- Medical and hospital insurance premiums, including amounts paid for eligible long-term care (subject to certain limitations based on the insured person's age — see Exhibit 5, next page.)
- Prescription eyeglasses, hearing aids, crutches, wheelchairs, braces, and guide dogs
- Transportation for medical care at 14 cents a mile, or actual out-of-pocket expenses, plus parking fees and tolls
- Certain lodging expenses
- Certain home improvements made for medical care purposes or to make the home suitable for a disabled person
- Medicare A premiums for persons not enrolled in Social Security
- Medicare B
- Certain weight-loss programs to treat disease diagnosed by a physician, including obesity
- Unreimbursed costs of smoking-cessation programs, including the cost of prescription drugs designed to alleviate nicotine withdrawal
- Expenses for admission and transportation to a medical conference relating to the chronic disease of a dependent (if the costs are primarily for and essential to the medical care of the dependent).

Total medical and dental expenses must exceed 7.5 percent of a taxpayer's adjusted gross income (Form 1040, line 37) for Schedule A deduction.

POTENTIAL PITFALLS



Explain to taxpayers that they can only deduct expenses in the year they are paid. They cannot deduct expenses that are owed but not paid.

ALERT



The standard mileage rate for operating a vehicle for medical transportation is 14 cents a mile.

Nondeductible expenses include:

- Medical expenses paid from a medical savings account (MSA). [Refer taxpayers with MSAs to Publication 969, *Medical Savings Accounts (MSAs)*, Publication 502, *Medical and Dental Expenses*, and a paid professional tax preparer.]
- Payroll tax paid for Medicare A
- Life insurance policy premiums
- Babysitting, child care, and nursing care for a normal healthy baby
- Controlled substances
- Nonprescription drugs or medicines
- The cost of purchasing diet food items
- Nonprescription nicotine gum and patches designed to stop smoking
- Funeral, burial, or cremation costs
- Unnecessary cosmetic surgery (surgery that does not correct a congenital abnormality or an abnormality caused by injury or disease)
- Income protection policies, including nursing home policy premiums, if the policy ensures a maximum out-of-pocket expense per day
- Meals and lodging while attending a medical conference relating to the chronic disease of a dependent.

Eligible Long-Term Care Premiums

Exhibit 5

IF the person was, at the end of 2004, age . . .	THEN the most you may deduct is . . .
40 or under	\$260
41-50	\$490
51-60	\$980
61-70	\$2,600
71 or older	\$3,250

These figures should always be checked against the figures in the instructions for the Form 1040, Schedule A.

Exercise 2

Sam and Paula Ferris file a joint return. Sam's social security number is xxx-xx-xxxx. Their adjusted gross income is \$40,000. They paid the following medical bills:

Unreimbursed doctor's bills	\$ 500
Unreimbursed orthodontist bill for braces	1,200
Hospital insurance premiums	300
Life insurance premiums	500
Unreimbursed prescription medicines	100
Vitamins	70
Hospital bill (before deducting \$500) reimbursed by insurance company)	2,000
Smoking cessation program	150

Complete the *Medical and Dental Expenses* section of Schedule A for the Ferris family.

Exhibit 6

Schedule A, lines 1 through 4

<p>SCHEDULES A&B (Form 1040)</p> <p><small>Department of the Treasury Internal Revenue Service</small></p> <p><small>Name(s) shown on Form 1040</small></p>	<p>Schedule A—Itemized Deductions (Schedule B is on back)</p> <p>▶ Attach to Form 1040. ▶ See Instructions for Schedules A and B (Form 1040).</p>	<p><small>OMB No. 1545-0074</small></p> <p style="font-size: 2em; font-weight: bold;">2004</p> <p><small>Attachment Sequence No. 07</small></p> <p><small>Your social security number</small></p>																																								
<p>Medical and Dental Expenses</p>	<p>Caution. Do not include expenses reimbursed or paid by others.</p> <p>1 Medical and dental expenses (see page A-2)</p> <p>2 Enter amount from Form 1040, line 37</p> <p>3 Multiply line 2 by 7.5% (.075).</p> <p>4 Subtract line 3 from line 1. If line 3 is more than line 1, enter -0-</p>	<table border="1" style="width: 100%; height: 100%; border-collapse: collapse;"> <tr> <td style="width: 10%; text-align: center;">1</td> <td style="width: 10%;"></td> </tr> <tr> <td style="text-align: center;">2</td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td style="text-align: center;">3</td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td style="text-align: center;">4</td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> </table>	1										2										3										4									
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Taxes

To be deductible, a tax must be imposed on and paid by the taxpayer. Taxpayers **cannot** deduct:

- a tax that they do not owe, but pay for someone else,
- a tax that they owe, but someone else pays, or
- a tax that was not paid in 2004.

Report deductible taxes on lines 5 through 9 of Schedule A.

State and Local Taxes — State and local taxes that are deductible are either withheld taxes, estimated tax payments, or other tax payments made during the year.

Taxpayers who receive a refund of state and local income taxes in a year after the year in which they were paid, may have to report the refund as income on line 10 of Form 1040, as taxable refunds.

If the taxpayer did not itemized their deductions in the previous year, then they are not required to include the refund as income.

If the taxpayer deducted taxes on Schedule A in the previous year, then the refund should be included on line 10 as taxable refunds.

Real Estate Taxes — State, local, or foreign taxes on real property, such as the taxpayer's house or land, are deductible. Real estate taxes are deductible when paid. If the taxes are paid with a mortgage payment and held in escrow, do not deduct the taxes until they are paid by the bank or mortgage lender.

Members of the clergy and military personnel can deduct real estate taxes even if they receive a housing allowance that is excluded from income. Also, they can deduct allowable mortgage interest even if the interest was paid from a nontaxable housing allowance.

Assessments to pave a street or install lighting or a sewer generally are not deductible.

Personal Property Taxes — Taxes that state and local governments charge on the value of personal property are deductible (for example, ad valorem taxes paid on car tags). A portion of the cost of personal vehicle registration may fall in this category.

Nondeductible Taxes — Many federal, state, and local government taxes are not deductible. The following taxes are not deductible:

- General sales tax
- Federal taxes—income tax, social security (FICA), Medicare, railroad retirement tax, gift tax, and excise taxes or customs duties
- Hunting licenses and dog licenses
- Water and sewer taxes
- Taxes on alcoholic beverages, cigarettes, and tobacco
- State, local, and federal taxes on gasoline, diesel, and other motor fuels used in a nonbusiness vehicle
- Utility taxes — telephone, gas, electricity, etc.

Interest

Interest is the amount that is paid in order to borrow money. Only taxpayers who are legally liable for the debt can deduct the interest in the year it is paid or accrued. Interest expenses are reported on lines 10 through 14 of Schedule A.

Home Mortgage Interest — The amount of mortgage interest that a taxpayer can deduct depends on the:

- date of the loan,
- amount of the loan, and
- use of the proceeds of the loan.

If the mortgage debt was incurred on or before October 13, 1987, and was secured by a main or second home, the interest on that debt is fully deductible, regardless of the amount of the loan or the use of the loan proceeds.

If the mortgage debt was incurred after October 13, 1987, and was secured by a main or second home, the interest is fully deductible if:

- the loans plus any grandfathered debt do not exceed \$1 million (\$500,000 if married filing separate returns), and
- the proceeds were used to buy, build, or improve the home or homes.

In addition to loans used to buy, build, or improve a main or second home, taxpayers can deduct interest on other loans secured by a main or second home, regardless of the use of the proceeds, if:

- the total of these loans does not exceed \$100,000 (\$50,000 if married filing separate returns), and
- the total amount of the secured debt is not more than the home's fair market value minus any outstanding acquisition debt and any grandfathered debt on the home.

Points. Certain charges paid by a borrower and/or a seller to a lender to secure a loan are called points. They are also called loan origination fees (including VA and FHA loan origination fees), maximum loan charges, premium charges, loan discount, or discount points.

Points paid only for the use of money are considered prepaid interest. This interest, even if it qualifies as home mortgage interest, must be spread over the life of the mortgage and is considered paid and deductible over that period unless it meets the following exception.

Exception. A taxpayer may fully deduct points in the year he or she pays them only if all of the following conditions apply:

- The taxpayer itemizes deductions.
- The taxpayer's loan is secured by his or her main home. (The main home is the one the taxpayer lives in most of the time.)
- Paying points is an established business practice in the area where the loan was made.
- The points paid were not more than the points generally charged in that area.
- The taxpayer uses the cash method of accounting. (The cash method means that the taxpayer reports income in the year received and deducts expenses in the year paid.)
- The points were not paid in place of amounts that ordinarily are stated separately on the settlement statement, such as appraisal fees, inspection fees, title fees, attorney fees, and property taxes.

POTENTIAL PITFALLS

Personal interest cannot be claimed as an itemized deduction. Personal interest includes interest on car loans, credit card balances, and installment plan loans that are incurred for personal use or for personal expenses.

- The taxpayer uses his or her loan to buy or build his or her main home.
- The points were computed as a percentage of the principal amount of the mortgage.
- The amount is clearly shown on the settlement statement (such as Form HUD-1) as points charged for the mortgage.
- The points may be shown as paid from either the taxpayer's or the seller's funds.
- The funds the taxpayer provided at or before closing, plus any points the seller paid, were at least as much as the points charged. The funds the taxpayer provided do not have to have been applied to the points. They can include a down payment, an escrow deposit, earnest money, and other funds the taxpayer paid at or before closing for any purpose. The taxpayer cannot have borrowed these funds from his or her lender or mortgage broker.

Charges by the lender for specific services, such as appraisal fees, preparation costs, VA funding fees, or notary fees, may be called points. However, these charges are not considered interest and are not deductible.

Points paid by the seller are deductible as interest by the buyer.

Points paid to refinance a mortgage are generally not deductible in full in the year the taxpayer paid them (unless they are paid in connection with the improvement of a main home and the first seven statements, discussed earlier under Exception, are true).

Points paid in excess of those generally charged in the area and points paid to refinance a mortgage can be deducted over the life of the mortgage. Deduct points reported to the taxpayer on Form 1098 on line 10 of Schedule A (Form 1040). Deduct points not reported to the taxpayer on Form 1098 on line 12 of Schedule A (Form 1040).

Investment Interest. Interest that is paid on money borrowed to buy or carry property held for investment is called **investment interest**. Taxpayers with investment interest expense that exceeds investment income (interest and ordinary dividend income) should see a paid professional tax preparer.

Interest that cannot be deducted. Interest that cannot be deducted includes:

- Interest on car loans where the car is used for personal use and other personal loans,
- Credit investigation fees,
- Loan fees; aid for services necessary to get a loan,
- Interest on a debt the taxpayer is not legally liable to pay, and
- Finance charges on credit card purchases of personal items.

Exercise 3

John and Shannon file a joint return. During the year, they paid the bank \$2,180 of interest on their home mortgage that was reported to them on Form 1098 (all qualified), \$400 in credit card interest, \$300 on an installment loan, and \$2,000 on a car loan. Complete the *Interest You Paid* section of Schedule A for John and Shannon.

Exhibit 7

Schedule A, lines 10 through 14

Interest You Paid <small>(See page A-3.)</small> Note. <small>Personal interest is not deductible.</small>	10	Home mortgage interest and points reported to you on Form 1098	10				
	11	Home mortgage interest not reported to you on Form 1098. If paid to the person from whom you bought the home, see page A-3 and show that person's name, identifying no., and address ▶	11				
	12	Points not reported to you on Form 1098. See page A-3 for special rules	12				
	13	Investment interest. Attach Form 4952 if required. (See page A-4.)	13				
	14	Add lines 10 through 13	14				

Contributions

Taxpayers can deduct contributions to organizations that are:

- Organized and operated exclusively for religious, charitable, educational, scientific, or literary purposes,
- Organizations that work to prevent cruelty to children or animals, and
- Organizations that foster national or international amateur sports competition if they do not provide athletic facilities or equipment.

To be deductible, contributions must be made to an organization, not an individual. *Qualifying organizations* include:

- Churches, synagogues, temples, mosques, Salvation Army, Red Cross, CARE, United Way, Boy Scouts, Girl Scouts, World Wildlife Fund, etc.,
- Fraternal orders (if used for the purposes listed above),
- Nonprofit schools and hospitals,
- Nonprofit medical research organizations,
- Veterans' groups and certain cultural groups, and
- Federal, state, and local governments (if the gifts are exclusively for public purposes).

Nonqualifying organizations include:

- Business organizations, such as the Chamber of Commerce,
- Civic leagues and associations,

POTENTIAL PITFALLS



If the taxpayer makes a contribution to a qualifying organization that is more than \$75 and is partly for goods or services, the qualifying organization must give the taxpayer a written statement. For more information, see Publication 526, *Charitable Contributions*.

- Political organizations and candidates,
- Social clubs,
- Foreign organizations,
- Homeowners' associations, and
- Communist organizations.

Deductible items include:

- Money gifts,
- Dues, fees, and assessments paid to qualified organizations above the value of the benefits received (not country clubs or other social organizations),
- Fair market value (FMV is the price at which the property would change hands between a willing buyer and a willing seller, neither having to buy or sell, and both having reasonable knowledge of all the necessary facts.) of used clothing, furniture, (i.e., the price paid in used clothing stores, consignment shops, and thrift stores)
- Cost and upkeep of uniforms that have no general use but must be worn while performing donated services,
- Unreimbursed transportation expenses that relate directly to the services the taxpayer gave the qualified organization, including bus fare, parking fees, tolls, and either the actual cost of gas and oil or a standard mileage charge of 14 cents per mile, and
- The part of a contribution above the fair market value for items such as merchandise and tickets to charity balls or sporting events.

Nondeductible items include:

- Cost of raffle, bingo, or lottery tickets,
- Tuition,
- Value of a person's time or service,
- Blood donated to a blood bank or the Red Cross,
- Car depreciation, insurance, general repairs, or maintenance,
- Direct contributions to an individual,
- Sickness or burial expenses for members of a fraternal society, and
- The part of a contribution that personally benefits the taxpayer (such as the fair market value of the meal eaten at a charity dinner).

Report cash and check contributions on Schedule A, line 15. Contributions other than cash or check are entered on line 16. Taxpayers with noncash contributions exceeding \$500 should see a paid professional tax preparer.

The taxpayer must keep records to prove the amount of the cash and noncash contributions he or she makes during the year.

A taxpayer can claim a deduction for any single contribution of \$250 or more **only** if he or she has a written acknowledgment of the contribution from the qualifying organization. You do not have to see the written acknowledgement, but you should ask the taxpayer if they have one.

Exercise 4

Rose contributed \$600 to St. Martin's Church (church gave letter verifying amount), \$32 to the Girl Scouts, and \$40 to a family whose house burned. She purchased \$50 worth of lottery tickets and spent \$100 playing bingo at her church. She donated used furniture with a fair market value of \$200 to Goodwill.

Complete the *Gifts to Charity* section of Schedule A for Rose.

Exhibit 8

Schedule A, lines 15 through 18

Gifts to Charity	15	Gifts by cash or check. If you made any gift of \$250 or more, see page A-4	15					
	16	Other than by cash or check. If any gift of \$250 or more, see page A-4. You must attach Form 8283 if over \$500	16					
	17	Carryover from prior year	17					
	18	Add lines 15 through 17				18		

Casualty and Theft Losses

A casualty occurs when property is damaged as a result of a sudden, unexpected, or unusual event such as fire, storm, shipwreck, flood, earthquake, or automobile accident. Theft is the unlawful taking and removing of money or property with the intent to deprive the owner of it. Theft does not include the mere disappearance of money or property.

A casualty or theft may result in a gain if the insurance proceeds or other reimbursements exceed the adjusted basis of destroyed or stolen property.

Usually, however, a casualty or theft results in a loss. Part of a casualty or theft loss may be deductible if the taxpayer can prove that the casualty or theft occurred to property that the taxpayer owned. The taxpayer must also prove the dollar amount of the loss. Taxpayers with a casualty and theft loss should seek assistance from a paid professional tax preparer.

Miscellaneous Itemized Deductions

Certain employee expenses, expenses of producing income, and other qualifying expenses are reported as miscellaneous itemized deductions on Schedule A. Miscellaneous itemized deductions that

exceed 2% of adjusted gross income are deductible. There are some miscellaneous itemized deductions that are deductible, regardless of a taxpayer's adjusted gross income.

Examples of deductions that are subject to the 2% limit and that are reported on lines 20 through 22 of Schedule A are:

- Union dues and fees,
- Professional society dues,
- Uniforms not adaptable to general use,
- Small tools and supplies,
- Professional books, magazines, journals,
- Employment-related educational expenses,
- Expenses of looking for a new job,
- Investment counsel fees,
- Investment expenses,
- Tax counsel and assistance,
- Fees paid to an IRA custodian, and
- Safe deposit box rental for investment documents.

Examples of deductions that are not subject to the 2% limit and that are reported on line 27 of Schedule A are:

- Unrecovered after-tax pension contributions (see Lesson 14).
- Gambling losses to the extent of gambling winnings, and
- Work-related expenses for an individual with a disability, such as attendant-care services at the individual's place of work, that are necessary for the person to work.

Nondeductible expenses include:

- Burial or funeral expenses,
- Wedding expenses,
- Fees and licenses, such as car and marriage licenses and dog tags,
- Fines and penalties, such as parking tickets,
- Home repairs, insurance, and rent,
- Illegal bribes and kickbacks,
- Insurance premiums (except medical insurance premiums),
- Losses from the sale of a taxpayer's home, furniture, or personal car,
- Lost or misplaced cash or property,
- Personal legal expenses, and
- Commuting expenses to and from work.

Exercise 5

Robert is a janitor. His adjusted gross income is \$20,000. He wants to deduct the following items on his tax return:

2003 income tax preparation fee	\$ 100
Safe deposit box rental (used to keep bonds)	75
Life insurance premiums	300
Investment expenses	70
Loss on sale of personal home	800
Investment journals and newsletters	250
Investment advisory fees	200
Attorney fees for preparation of will	100

Complete Robert's Schedule A, line 20 through 26.

Exhibit 9

Schedule A, lines 20 through 26

Job Expenses and Most Other Miscellaneous Deductions (See page A-5.)	20	Unreimbursed employee expenses—job travel, union dues, job education, etc. Attach Form 2106 or 2106-EZ if required. (See page A-5.) ▶				
		20				
	21	Tax preparation fees.				
	22	Other expenses—investment, safe deposit box, etc. List type and amount ▶				
	23	Add lines 20 through 22				
	24	Enter amount from Form 1040, line 37				
	25	Multiply line 24 by 2% (.02)				
26	Subtract line 25 from line 23. If line 25 is more than line 23, enter -0-					

TOTAL ITEMIZED DEDUCTIONS

Schedule A, line 28, is *Total Itemized Deductions*. It is the sum of lines 4, 9, 14, 18, 19, 26, and 27.

Compare the amount on line 28 to the standard deduction, and enter the larger of the two on Form 1040, line 39.

Exercise 6

Seth A. and Karen Yale's adjusted gross income is \$30,500. Seth's social security number is xxx-xx-xxxx. They gave you a list of their itemized deductions. They received no insurance reimbursement for medical expenses. They purchased their home in 1989, and a commercial mortgage company holds the mortgage. They have not refinanced the mortgage or increased the principal balance since they bought their home. They are both under age 65 and not blind. Neither can be claimed as a dependent by another taxpayer.

Unreimbursed medical expenses:

Medical insurance premiums	\$350
Hospital	200
Doctors and dentists	1,000
Vitamins	100
Prescription drugs	300
Insulin	120

Taxes:

State income tax	\$1,200
Federal income tax	3,000
Real estate tax	800
Ad valorem	200

Interest:

Interest on mortgage (reported on Form 1098)	\$5,500
Car loan	900
Credit cards	500

Contributions:

Church (gave Yales' letter verifying this amount)	\$1,200
Bingo costs	60
American Cancer Society	200
Canned goods donated to a food drive	15
Fair market value of donated used clothing	60

Miscellaneous:

Union dues	\$50
IRA custodial fee	10
Traffic fine	100
Investment expenses	50

Complete Seth and Karen's Schedule A. Should they take the standard deduction or itemized deduction?

<p>SCHEDULES A&B (Form 1040)</p> <p>Department of the Treasury Internal Revenue Service</p>	<p>Schedule A—Itemized Deductions (Schedule B is on back)</p> <p>▶ Attach to Form 1040. ▶ See Instructions for Schedules A and B (Form 1040).</p>	<p>OMB No. 1545-0074</p> <p style="font-size: 2em;">2004</p> <p>Attachment Sequence No. 07</p>
Name(s) shown on Form 1040		Your social security number
<p>Medical and Dental Expenses</p> <p>Caution. Do not include expenses reimbursed or paid by others.</p>		
1	Medical and dental expenses (see page A-2)	1
2	Enter amount from Form 1040, line 37	2
3	Multiply line 2 by 7.5% (.075)	3
4	Subtract line 3 from line 1. If line 3 is more than line 1, enter -0-	4
Taxes You Paid		
5	State and local income taxes	5
6	Real estate taxes (see page A-2)	6
7	Personal property taxes	7
8	Other taxes. List type and amount ▶	8
9	Add lines 5 through 8	9
Interest You Paid		
10	Home mortgage interest and points reported to you on Form 1098	10
11	Home mortgage interest not reported to you on Form 1098. If paid to the person from whom you bought the home, see page A-3 and show that person's name, identifying no., and address ▶	11
12	Points not reported to you on Form 1098. See page A-3 for special rules	12
13	Investment interest. Attach Form 4952 if required. (See page A-4.)	13
14	Add lines 10 through 13	14
Gifts to Charity		
15	Gifts by cash or check. If you made any gift of \$250 or more, see page A-4	15
16	Other than by cash or check. If any gift of \$250 or more, see page A-4. You must attach Form 8283 if over \$500	16
17	Carryover from prior year	17
18	Add lines 15 through 17	18
Casualty and Theft Losses		
19	Casualty or theft loss(es). Attach Form 4684. (See page A-5.)	19
Job Expenses and Most Other Miscellaneous Deductions		
20	Unreimbursed employee expenses—job travel, union dues, job education, etc. Attach Form 2106 or 2106-EZ if required. (See page A-5.) ▶	20
21	Tax preparation fees	21
22	Other expenses—investment, safe deposit box, etc. List type and amount ▶	22
23	Add lines 20 through 22	23
24	Enter amount from Form 1040, line 37	24
25	Multiply line 24 by 2% (.02)	25
26	Subtract line 25 from line 23. If line 25 is more than line 23, enter -0-	26
Other Miscellaneous Deductions		
27	Other—from list on page A-6. List type and amount ▶	27
Total Itemized Deductions		
28	Is Form 1040, line 37, over \$142,700 (over \$71,350 if married filing separately)?	28
	<input type="checkbox"/> No. Your deduction is not limited. Add the amounts in the far right column for lines 4 through 27. Also, enter this amount on Form 1040, line 39.	▶
	<input type="checkbox"/> Yes. Your deduction may be limited. See page A-6 for the amount to enter.	

ELECTING TO ITEMIZE

Even if the taxpayer's itemized deductions are less than the amount of his or her standard deduction, he or she may want to do this, for example, if the tax benefit of being able to itemize the deductions on his or her state tax return is greater than the tax benefit he or she loses on their federal return by not taking the standard deduction. To make this election, he or she must enter "IE" (itemized elected) on the dotted line next to line 39, Form 1040.

FINDING THE TAX

Taxpayers with taxable income of less than \$100,000 use the Tax Table to find their tax. However, children under 14 years of age who have more than \$1,500 of investment income (interest, dividends, etc.) might not be able to use the Tax Table. Their income might have to be taxed at the parents' tax rate. These taxpayers should be referred to a paid professional tax preparer.

The Tax Table is in the back of this book. The tax is based on the person's filing status and taxable income. To find the tax, use the **taxable income** from the tax forms (1040EZ, line 6; 1040A, line 27; and 1040, line 42), and:

- locate the income bracket for the taxable income,
- read across that line until you reach the column for the appropriate filing status, and
- find the amount where the taxable income and filing status meet. This is the tax liability.

If the taxable income is the same as the ending amount in an income bracket, go to the next bracket to find the tax.

Qualifying widows(ers) use the married filing jointly column.

Enter the tax on Form 1040EZ, line 10, Form 1040A, line 28, or Form 1040, line 43.

Double check the amount entered. **Common errors** include:

- Using the wrong standard deduction,
- Incorrectly figuring the exemption amount,
- Using an amount other than taxable income to find the tax,
- Picking up the wrong number from the Tax Table, and
- Transposing the numbers when entering the tax amount.

TAXABLE INCOME COMPUTATION

Once you have determined the standard deduction, compare it to the total itemized deductions. In most cases, you will enter the larger of the two amounts on Form 1040, line 39. Subtract line 39 from line 37 and enter the result on line 40. Then subtract the exemption deduction (line 41) to compute the taxable income.

If the taxpayer has capital gain distributions that are reported directly on Form 1040 or Form 1040A, the taxpayer should use the Qualified Dividends and Capital Gain Tax Worksheet to determine if the tax is less.

The taxpayer should:

- Check the box next to line 13, Form 1040 and
- Use the Qualified Dividends and Capital Gain Tax Worksheet (Exhibit 11) from either the Form 1040A or 1040 instruction booklet to compute tax.

Example 4

Marjorie is a single taxpayer with taxable income of \$46,575. She files Form 1040 and does not have to file a Schedule D. In 2004, she received capital gain distributions of \$650 from XYZ Investments. Marjorie pays less tax by using the Qualified Dividends and Capital Gain Tax Worksheet (Exhibit 11).

Qualified Dividends and Capital Gain Tax Worksheet—Line 43	
Before you begin: ✓ See the instructions for line 43 on page 36 to see if you can use this worksheet to figure your tax. 	
✓ If you do not have to file Schedule D and you received capital gain distributions, be sure you checked the box on line 13 of Form 1040.	
1. Enter the amount from Form 1040, line 42	1. <u>46,575.00</u>
2. Enter the amount from Form 1040, line 9b	2. <u>0.00</u>
3. Are you filing Schedule D? <input type="checkbox"/> Yes. Enter the smaller of line 15 or 16 of Schedule D, but do not enter less than -0- <input checked="" type="checkbox"/> No. Enter the amount from Form 1040, line 13	3. <u>650.00</u>
4. Add lines 2 and 3	4. <u>650.00</u>
5. If you are claiming investment interest expense on Form 4952, enter the amount from line 4g of that form. Otherwise, enter -0-	5. <u>0.00</u>
6. Subtract line 5 from line 4. If zero or less, enter -0-	6. <u>650.00</u>
7. Subtract line 6 from line 1. If zero or less, enter -0-	7. <u>45,925.00</u>
8. Enter the smaller of: <ul style="list-style-type: none"> • The amount on line 1 or • \$29,050 if single or married filing separately, \$58,100 if married filing jointly or qualifying widow(er), or \$38,900 if head of household. 	8. <u>29,050.00</u>
9. Is the amount on line 7 equal to or more than the amount on line 8? <input checked="" type="checkbox"/> Yes. Skip lines 9 through 11; go to line 12 and check the "No" box. <input type="checkbox"/> No. Enter the amount from line 7	9. <u> </u>
10. Subtract line 9 from line 8	10. <u> </u>
11. Multiply line 10 by 5% (.05)	11. <u> </u>
12. Are the amounts on lines 6 and 10 the same? <input type="checkbox"/> Yes. Skip lines 12 through 15; go to line 16. <input checked="" type="checkbox"/> No. Enter the smaller of line 1 or line 6	12. <u>650.00</u>
13. Enter the amount from line 10 (if line 10 is blank, enter -0-)	13. <u>0.00</u>
14. Subtract line 13 from line 12	14. <u>650.00</u>
15. Multiply line 14 by 15% (.15)	15. <u>98.00</u>
16. Figure the tax on the amount on line 7. Use the Tax Table or Tax Computation Worksheet, whichever applies	16. <u>8,219.00</u>
17. Add lines 11, 15, and 16	17. <u>8,317.00</u>
18. Figure the tax on the amount on line 1. Use the Tax Table or Tax Computation Worksheet, whichever applies	18. <u>8,381.00</u>
19. Tax on all taxable income. Enter the smaller of line 17 or line 18. Also include this amount on Form 1040, line 43	19. <u>8,317.00</u>

TAXWISE HINT

If a taxpayer wants to determine whether the standard or itemized deduction is best for him or her, input Schedule A information. TaxWise will automatically select the deduction that is more beneficial.

▶▶ SUMMING UP THIS LESSON ◀◀

Both the standard deduction (or total itemized deductions, if greater) and exemption amounts are subtracted from adjusted gross income to arrive at taxable income.

The standard deduction depends upon:

- ▶ filing status,
- ▶ age, eyesight, and
- ▶ whether the taxpayer can be claimed as a dependent on another taxpayer's return.

Determine the standard deduction by using the:

- ▶ Standard Deduction amount for the appropriate filing status from the appropriate tax form, or
- ▶ *Standard Deduction Chart for Most People*
- ▶ *Standard Deduction Chart for People Age 65 or Older or Blind*, or
- ▶ *Standard Deduction Worksheet for Dependents*

Itemized deductions are specifically allowed by law. Claim itemized deductions on Schedule A (Form 1040).

Itemized deductions include:

- ▶ Medical and dental expenses
- ▶ Taxes paid
- ▶ Home mortgage and certain investment interest paid
- ▶ Charitable contributions
- ▶ Casualty and theft losses
- ▶ Miscellaneous itemized deductions.

Medical and dental expenses that exceed 7.5 percent of adjusted gross income are deductible.

To be deductible as a charitable contribution, a donation of \$250 or more must be acknowledged in writing by the charitable organization that received the donation.

Most miscellaneous itemized deductions that exceed 2% of adjusted gross income are deductible. However, there are certain miscellaneous itemized deductions that are fully deductible, regardless of gross income.

If deducted investment interest expense exceeds investment income, refer the taxpayer to a paid professional tax preparer.

If you are uncertain whether an expense qualifies as a deduction, do not guess. Use on site reference material to determine.

▶▶ **SUMMING UP THIS LESSON** ◀◀
(continued)

Most taxpayers compare their total itemized deductions to their standard deduction and enter the larger amount on Form 1040, line 39.

Do not use the Tax Table for taxpayers with taxable income of \$100,000 or more.

Common errors include:

- ▶ Using the wrong standard deduction,
- ▶ Incorrectly figuring the exemption amount,
- ▶ Using an amount other than taxable income to find the tax,
- ▶ Picking up the wrong number from the Tax Table, and
- ▶ Transposing the numbers when entering the tax amount.

STANDARD AND ITEMIZED DEDUCTIONS AND TAX COMPUTATION

ANSWERS TO EXERCISES

Exercise 1

- (A) \$7,150 (Exhibit 1)
- (B) \$6,050 (Exhibit 2)
- (C) \$10,650 (Exhibit 2)
- (D) \$5,800 (Exhibit 2)
- (E) \$4,850 (Exhibit 1)
- (F) \$1,750 (Exhibit 3)

Exercise 2

Sam and Paula's Schedule A

SCHEDULES A&B (Form 1040) <small>Department of the Treasury Internal Revenue Service</small>	Schedule A—Itemized Deductions (Schedule B is on back) ▶ Attach to Form 1040. ▶ See Instructions for Schedules A and B (Form 1040).	OMB No. 1545-0074 2004 Attachment Sequence No. 07
Name(s) shown on Form 1040 Sam and Paula Ferris		Your social security number xxx | xx | xxxxx
Medical and Dental Expenses	Caution. Do not include expenses reimbursed or paid by others.	
1	Medical and dental expenses (see page A-2)	3,750
2	Enter amount from Form 1040, line 37	40,000
3	Multiply line 2 by 7.5% (.075)	3,000
4	Subtract line 3 from line 1. If line 3 is more than line 1, enter -0-	750

Exercise 3

John and Shanon's Schedule A

Interest You Paid (See page A-3.)	10 Home mortgage interest and points reported to you on Form 1098	2,180		
	11 Home mortgage interest not reported to you on Form 1098. If paid to the person from whom you bought the home, see page A-3 and show that person's name, identifying no., and address ▶			
			
	12 Points not reported to you on Form 1098. See page A-3 for special rules			
	13 Investment interest. Attach Form 4952 if required. (See page A-4.)			
	14 Add lines 10 through 13			2,180

STANDARD AND ITEMIZED DEDUCTIONS AND TAX COMPUTATION

ANSWERS TO EXERCISES

Exercise 4

Robert's Schedule A

Gifts to Charity If you made a gift and got a benefit for it, see page A-4.	15	Gifts by cash or check. If you made any gift of \$250 or more, see page A-4	15	632			
	16	Other than by cash or check. If any gift of \$250 or more, see page A-4. You must attach Form 8283 if over \$500	16	200			
	17	Carryover from prior year	17				
	18	Add lines 15 through 17	18				832

Exercise 5

Robert's Schedule A

Job Expenses and Most Other Miscellaneous Deductions (See page A-5.)	20	Unreimbursed employee expenses—job travel, union dues, job education, etc. Attach Form 2106 or 2106-EZ if required. (See page A-5.) ▶	20				
	21	Tax preparation fees.	21	100			
	22	Other expenses—investment, safe deposit box, etc. List type and amount ▶ Safe deposit box \$75; Investment Expenses \$70; Investment Journals \$250; Investment advisory fees \$200	22	595			
	23	Add lines 20 through 22	23	695			
	24	Enter amount from Form 1040, line 37 | 24 | 20,000 | . . . . .	24				
	25	Multiply line 24 by 2% (.02)	25	400			
26	Subtract line 25 from line 23. If line 25 is more than line 23, enter -0-	26				295	

STANDARD AND ITEMIZED DEDUCTIONS AND TAX COMPUTATION

ANSWERS TO EXERCISES

Exercise 6

Schedule A

SCHEDULES A&B (Form 1040)		Schedule A—Itemized Deductions (Schedule B is on back)				OMB No. 1545-0074 2004 Attachment Sequence No. 07	
Department of the Treasury Internal Revenue Service		▶ Attach to Form 1040. ▶ See Instructions for Schedules A and B (Form 1040).					
Name(s) shown on Form 1040 Seth and Karen Yale						Your social security number XXX : XX : XXXX	
Medical and Dental Expenses	1	Caution. Do not include expenses reimbursed or paid by others. Medical and dental expenses (see page A-2)	1	1,970			
	2	Enter amount from Form 1040, line 37 2 30,500					
	3	Multiply line 2 by 7.5% (.075)	3	2,288			
	4	Subtract line 3 from line 1. If line 3 is more than line 1, enter -0-	4	0			
Taxes You Paid (See page A-2.)	5	State and local income taxes	5	1,200			
	6	Real estate taxes (see page A-2)	6	800			
	7	Personal property taxes	7				
	8	Other taxes. List type and amount ▶ Ad valorem \$200	8	200			
	9	Add lines 5 through 8	9	2,200			
Interest You Paid (See page A-3.)	10	Home mortgage interest and points reported to you on Form 1098	10	5,500			
	11	Home mortgage interest not reported to you on Form 1098. If paid to the person from whom you bought the home, see page A-3 and show that person's name, identifying no., and address ▶ \$200	11				
	12	Points not reported to you on Form 1098. See page A-3 for special rules	12				
	13	Investment interest. Attach Form 4952 if required. (See page A-4)	13				
14	Add lines 10 through 13	14	5,500				
Gifts to Charity If you made a gift and got a benefit for it, see page A-4.	15	Gifts by cash or check. If you made any gift of \$250 or more, see page A-4	15	1,400			
	16	Other than by cash or check. If any gift of \$250 or more, see page A-4. You must attach Form 6283 if over \$500	16	75			
	17	Carryover from prior year	17				
	18	Add lines 15 through 17	18	1,475			
Casualty and Theft Losses	19	Casualty or theft loss(es). Attach Form 4684. (See page A-5)	19	0			
Job Expenses and Most Other Miscellaneous Deductions (See page A-5.)	20	Unreimbursed employee expenses—job travel, union dues, job education, etc. Attach Form 2106 or 2106-EZ if required. (See page A-5) ▶	20	50			
	21	Tax preparation fees	21				
	22	Other expenses—investment, safe deposit box, etc. List type and amount ▶	22	60			
	23	Add lines 20 through 22	23	110			
	24	Enter amount from Form 1040, line 37 24 30,500					
	25	Multiply line 24 by 2% (.02)	25	610			
	26	Subtract line 25 from line 23. If line 25 is more than line 23, enter -0-	26	0			
Other Miscellaneous Deductions	27	Other—from list on page A-6. List type and amount ▶	27	0			
Total Itemized Deductions	28	Is Form 1040, line 37, over \$142,700 (over \$71,350 if married filing separately)? <input checked="" type="checkbox"/> No. Your deduction is not limited. Add the amounts in the far right column for lines 4 through 27. Also, enter this amount on Form 1040, line 39. <input type="checkbox"/> Yes. Your deduction may be limited. See page A-6 for the amount to enter.	28	9,175			

For Paperwork Reduction Act Notice, see Form 1040 instructions.

Cat. No. 11330X

Schedule A (Form 1040) 2004

STUDENT NOTES

INTRODUCTION AND OBJECTIVES

This segment identifies and explains how to apply the rules concerning travel and transportation expenses for members of the Armed Forces.

When we have concluded this segment you will be able to identify travel and transportation expenses (including meals) deductible by Armed Forces personnel.

GENERAL INFORMATION

Fully reimbursed employee business expenses, such as travel and transportation expenses, generally are not reported on your tax return if an adequate accounting is made to the employer and any excess reimbursement is required to be returned to the employer.

Armed Forces employees must substantiate their expenses to the federal government and return any excess reimbursement. The records must be adequate and complete. Adequate records include documents such as receipts and checks, account books, diaries, trip sheets, or similar items. To be considered adequate, the records should show the business purpose, time, place, and amount of the expense. If automobile expenses are involved, the records must include the total miles driven and total business miles driven.

FORM 1040

Deductible employee business expenses are reported generally on Form 2106, *Employee Business Expenses*, and can only be taken as an itemized deduction on Schedule A, Form 1040. Only expenses that exceed 2% of adjusted gross income (AGI) can be deducted.

Excess reimbursements for employee business expenses that are not returned to the employer must be included in income on line 7 of Form 1040. These reimbursements do not include any “qualified military benefit,” such as per diem.

FORM W-2

If the employee is reimbursed under a plan that requires the employee to adequately account for all business connected expenses and return any funds that are more than the substantiated expenses, the reimbursement should not be included as income in Box 1 of Form W-2. Therefore, the employee cannot deduct these expenses.

Temporary duty (TDY) and temporary additional duty (TAD) allowances for travel and transportation are not reported as income on Form W-2. If there are excess expenses on some trips and the

employee wants to claim them as employee business expenses, the employee must report all TAD and TDY trip expenses incurred during the year on Form 2106 and include all TAD and TDY allowances received as reimbursements.

FORM 2106

To claim unreimbursed job related expenses, such as travel or transportation expenses, Armed Forces personnel must complete Form 2106 and attach it to their Form 1040. Form 2106 will not have to be used if the Armed Forces member is claiming only unreimbursed employee business expenses for professional dues, subscriptions to professional journals, educational expenses, and uniform expenses. These expenses are reported on line 20 on Schedule A as miscellaneous itemized deductions subject to the 2% AGI limit.

Example 1

Capt. Glendale traveled from his duty station in California to Washington, DC, for a conference. He was away for 5 days. The Army advanced Capt. Glendale \$700 for the trip. Capt. Glendale's actual expenses were \$625. When he filed his travel voucher with the Army, he returned the excess of \$75. The Captain does not have to complete Form 2106.

Remember, if the Armed Forces member does not claim reimbursement for expenses that he or she is entitled to, no deduction for those expenses is allowed.

MEALS

The cost of meals can be an employee business expense. This includes meals while on business travel away from home and for business-related entertainment. The deduction for meals is generally limited to 50% of the actual expenses. For employees subject to Department of Transportation (DOT) hours of service limits, deductible meal expenses incurred while away from home on business increased in 2004 from 50% to 70%.

The deduction is taken on Form 2106 where the 50% limit is applied before the amount is carried to line 20 on Schedule A where it is subject to the 2% AGI limit.

If the employee is fully reimbursed for the meals under an accountable plan that excludes reimbursement from gross income, there is no amount to deduct and, therefore, no amount subject to the 50% limit.

TRAVEL EXPENSES

To be deductible, travel expenses must be ordinary and necessary expenses of traveling away from home temporarily for your job and must be greater than the total of any advances, allowances, and



reimbursements you receive for such expenses. “Ordinary” expenses are customary or usual in the employee’s field, trade, business, or profession. “Necessary” expenses are appropriate or helpful in the employee’s job or business. Such expenses include airfares, the costs of operating and maintaining a car, and meals and lodging. For a more complete list, see Publication 463.

Deductible travel expenses are reported on Form 2106 (or Form 2106-EZ, if you qualify) and are deductible as a miscellaneous itemized deduction on Schedule A of Form 1040.

Away From Home

For costs other than local transportation to be deductible, the traveler must be away from home. The term “away from home” has a special meaning for tax purposes.

“Home,” for this purpose, generally is the taxpayer’s main place of business or post of duty. This includes the entire city or general area where his or her business or work is located, regardless of where the taxpayer or his or her family lives. For the military, “home” is the permanent duty station. A naval officer assigned to permanent duty aboard a ship that has regular eating and living facilities has a tax home aboard ship for travel expense purposes.

“Away from home” means away for a period substantially longer than an ordinary day’s work, during which taxpayers need time off for sleep or rest to meet the demands of work.

Members of the Armed Forces are away from home if they are away from their permanent duty stations long enough to require significant rest or sleep in order to be able to conduct and complete their duties.

Note: Away from home assignments that last, or are realistically expected to last more than one year are not temporary in nature. Therefore, taxpayers cannot deduct travel expenses incurred while on an assignment of more than one year.

No Deduction for Personal Expenses

For travel expenses to be deductible, there must be a work-related purpose for the travel. The taxpayer may not deduct expenses for personal travel, such as vacations, sightseeing, entertaining, or family visits.

Allowable Expenses

Common travel expenses for a member of the Armed Forces include:

- Expenses incurred while on TDY or TAD if away from home (ship, base, or station).
- Expenses of a reservist attending drills away from home overnight.
- Meals and lodging of a reservist temporarily called to active duty.



- Travel expenses, including meals and lodging, incurred in connection with deductible educational activities.
- Travel expenses incurred when carrying on official business while on “No Cost” (to the government) orders.

Mess bills afloat are not deductible by an officer assigned to permanent duty aboard a ship. Bills may be deductible as travel expenses by individuals and members of mobile units in a travel or TAD status while away from their permanent ships or stations.

Travel expense deductions are available to air squadron personnel when away from the squadron’s home base on TAD and to Army personnel when on field duty or maneuvers in a TDY status. Air squadron personnel and members of staffs permanently embarked on ships on extended deployments may not deduct expenses of living aboard ships as travel expenses.

Officers assigned permanent duty afloat may deduct the cost of meals and lodging incurred while on travel or TAD ashore if the ship is not berthed at the temporary duty station, or if the ship is berthed at the temporary duty station but quarters aboard are not available. No deduction is permitted for meals or lodging furnished or available in kind at the place of TAD, even if they are not used.

ARMED FORCES RESERVISTS

Unreimbursed travel expenses, including meals and lodging, are deductible for military reservists who, under competent orders and with or without compensation, must remain away from their main place of business to perform authorized drills and training duty.

Temporary active duty. Reservists temporarily called to active duty may deduct meals and lodging while on active duty if they kept their regular job while on active duty, returned to it after release, and were stationed away from the general area of that job or business. These expenses are deductible only if the reservists pay for meals and lodging at their official military post and only to the extent the expenses exceed BAH and BAS.

Traveling more than 100 miles from home. If a taxpayer is a member of a reserve component of the Armed Forces of the United States and he or she travels more than 100 miles away from home in connection with his or her performance of services as a member of the reserves, he or she can deduct his or her travel expenses as an adjustment to gross income rather than as a miscellaneous itemized deduction. The amount of expenses he or she can deduct as an adjustment to income is limited to the regular federal per diem rate (for lodging, meals, and incidental expenses) and the standard mileage rate (for car expenses) plus any parking fees, ferry fees, and tolls. Any expenses in excess of these amounts can be claimed only as a miscellaneous itemized deduction subject to the 2% limit.

Member of a reserve component. A member of a reserve component of the Armed Forces of the United States is a member in the Army, Navy, Marine Corps, Air Force, or Coast Guard Reserve, the

Army National Guard of the United States, the Air National Guard of the United States, or the Reserve Corps of the Public Health Service.

How to report. If a member has reserve-related travel that takes him or her more than 100 miles from home, he or she should first complete Form 2106 or Form 2106-EZ. Then include his or her expenses for reserve travel over 100 miles from home, up to the federal rate, from line 10 of Form 2106 or line 6 of Form 2106-EZ in the total on line 24 of Form 1040. Write “RC” and the amount of these expenses in the space to the left of line 24 of Form 1040. Subtract this amount from the total on line 10 of Form 2106 or line 6 of Form 2106-EZ and deduct the balance as an itemized deduction on line 20 of Schedule A (Form 1040).

A member cannot deduct expenses of travel that does not take him or her more than 100 miles from home as an adjustment to gross income. Instead, he or she must complete Form 2106 or 2106-EZ and deduct those expenses as an itemized deduction on line 20 of Schedule A (Form 1040).

Exercise 1

- a. Sgt. Martin’s permanent duty station is in Korea. His wife and children could not accompany him and have remained at their home in the United States. Can he deduct the cost of his meals and lodging?

Answer _____

- b. Can Sgt. Martin, in the circumstances above, deduct the cost of meals and lodging for his wife and children?

Answer _____

- c. Can Sgt. Martin take a deduction for the cost of returning home to visit his family?

Answer _____

EDUCATIONAL EXPENSES

In Lesson 9, Education Credits, you will learn about deductions for educational expenses. Taxpayers cannot deduct as a business expense the cost of travel that in itself constitutes a form of education. If educational expenses qualify for a deduction under the rules given in Lesson 9, travel for that education is travel for a business purpose, and the unreimbursed transportation and meals and lodging expenses may be deducted according to the relevant rules discussed in this lesson.

Example 2

Airman Drake is sent from his permanent duty station to a technical school 500 miles away to learn the latest uses of computers for diagnosing engine performance and maintenance requirements. If



his expenses for travel exceed the allowances and reimbursements he receives, he can take the excess as a miscellaneous itemized deduction, subject to the 2% AGI limit.

Lesson 9 will explain which other educational expenses can be deducted.

Exercise 2

Which of the following can be taken as deductions?

- a. Travel expenses in excess of allowances and reimbursements when the taxpayer is on TAD trips.
- b. Mess bills of an officer permanently assigned to a ship.
- c. Meals that are not lavish or extravagant, but cost more than allowances or reimbursements while the taxpayer attends assigned schooling away from his or her permanent station.
- d. Laundry expenses the taxpayer incurs while traveling on TAD and for which no allowance or reimbursement is received.

Answer _____

LOCAL TRANSPORTATION EXPENSES

Local transportation expenses are generally the expenses of getting from one work place to another while not traveling away from home. Such expenses include the costs of operating and maintaining a car, but not meals and lodging. If taxpayers are required during their time on duty to go from one place to another (for example, as a courier or to attend meetings) without being away from home, their unreimbursed transportation expenses are deductible. When they must use their own vehicle, they can deduct transportation expenses. You may be able to use the standard mileage rate to figure the deductible costs of operating your car for business purposes. Beginning January 1, 2004, the standard mileage rate is **37.5 cents a mile** for all business miles driven on or after that date. This rate is adjusted periodically for inflation. Commuting expenses are usually not deductible. However, you may be able to deduct certain daily transportation expenses, as explained next, under *Temporary Work Location*.

TEMPORARY WORK LOCATION

A taxpayer can deduct local transportation expenses.

Local transportation expenses include the ordinary and necessary costs of all of the following.

- Getting from one workplace to another in the course of the taxpayer's business or profession when he or she is traveling within the city or general area that is his or her tax home.
- Visiting clients or customers.

- Going to a business meeting away from the taxpayer's regular workplace.
- Getting from the taxpayer's home to a temporary workplace when he or she has one or more regular places of work. These temporary workplaces can be either within the area of his or her tax home or outside that area.

Local business transportation does **not** include expenses the taxpayer has while traveling away from home overnight. Those expenses are deductible as travel expenses.

If the taxpayer's employment at a work location is realistically expected to last (and does in fact last) for one year or less, the employment is temporary unless there are facts and circumstances that would indicate otherwise. If the taxpayer's employment at a work location is realistically expected to last for more than one year or if there is no realistic expectation that the employment will last for one year or less, the employment is not temporary, regardless of whether it actually lasts for more than one year. If employment at a work location initially is realistically expected to last for one year or less, but at some later date the employment is expected to last for more than one year, that employment will be treated as temporary (unless there are facts and circumstances that would indicate otherwise) until the taxpayer's expectation changes. It will not be treated as temporary after the date the taxpayer determines it will last for more than one year.

▶▶ SUMMING UP THIS SEGMENT ◀◀

In this lesson, you have learned that:

- ▶ Travel and transportation expenses can be taken as miscellaneous itemized deductions on Schedule A, subject to the 2% AGI limit.
- ▶ Travel expenses for meals, lodging, and incidentals must be incurred while temporarily away from home on business to be deductible. Assignments that last, or are realistically expected to last more than one year are not considered temporary.
- ▶ Commuting and other personal expenses are not deductible.
- ▶ Travel costs associated with deductible educational expenses are treated like other business travel costs.
- ▶ Form 2106 and Schedule A (Form 1040) are used to figure and claim the itemized deduction for employee business expenses that exceed reimbursement.



1.
 - a. No
 - b. No
 - c. No
2. a., c., and d.

OTHER JOB EXPENSES AND MISCELLANEOUS DEDUCTIONS

Lesson 5
Military Segment

INTRODUCTION AND OBJECTIVE

As you learned earlier in this lesson, certain miscellaneous itemized deductions, which includes unreimbursed employee business expenses and investment expenses, are deductible only if the total itemized deductions are more than 2% of the taxpayer's adjusted gross income (AGI). All deductible miscellaneous itemized deductions discussed in this Military segment are subject to the 2% AGI limit. In this segment we will cover additional itemized deductions of special interest to members of the military. To claim these expenses, a taxpayer must itemize using Schedule A (Form 1040), Itemized Deductions.

At the end of this segment you will be able to identify other job related expenses and miscellaneous deductions, other than travel, of particular interest to the military.

UNIFORMS

Taxpayers can deduct the cost of buying and maintaining uniforms if the uniforms are specifically required as a condition of employment and they are not adaptable to general use as regular clothing.

Generally, members of the Armed Forces are required to wear uniforms when they are on duty but may be allowed to wear them when they are off duty. Because their uniforms can be worn in place of regular civilian clothing, members of the military cannot claim a deduction for uniform cost and upkeep. However, if military regulations prohibit off-duty wear of certain uniforms, the member can deduct the cost and upkeep of these uniforms. But he or she must reduce any deductible uniform costs incurred by any nontaxable uniform allowances or reimbursements received to pay for these expenses.

Active Duty & Reservist Uniforms

Members of the Armed Forces on active duty can deduct amounts spent to buy and maintain required military battle dress uniforms and utility uniforms if local military regulations prohibit their off-duty wear. The member must reduce the expense by any nontaxable uniform allowance or reimbursement received.

Articles Not Replacing Regular Clothing

A member of the Armed Forces can deduct the cost of required items that do not replace regular clothing. Such items include insignia of rank, corps devices, epaulets, aiguillettes, and swords.

Exercise 1

Indicate if the following are deductible or nondeductible by a member of the Armed Forces.

- a. The cost of an Army dress blue uniform (without shoulder boards or gold stripe on pants), including cape. Off-duty wear is not prohibited.

Answer _____

- b. The cost of a full Army green uniform (without braid) that can be worn anytime.

Answer _____

- c. The cost of gold braid for decoration of a cap and uniform.

Answer _____

- d. The cost of battle dress uniforms and utility uniforms that can be worn only while on duty or while traveling to and from duty.

Answer _____

PROFESSIONAL DUES

Taxpayers, including members of the Armed Forces, can deduct dues paid to professional societies that are directly related to their trade or business. For example, Lt. Margaret Allen, an electrical engineer at Maxwell Air Force Base, can deduct professional dues paid to the American Society of Electrical Engineers.

However, members of the Armed Forces cannot deduct amounts paid to an officers' club or a noncommissioned officers' club.

EDUCATIONAL EXPENSES

Travel and transportation expenses for educational purposes are discussed in Lesson 9. In this segment, you will learn what educational expenses can be claimed as miscellaneous deductions on Schedule A. Certain rules must be met, however, for the expenses to qualify as a deduction.



Qualifications

A member of the Armed Forces can deduct expenses for education, even though the education may lead to a degree, if the education:

- Is required by the taxpayer's employer or by law or regulations for the taxpayer to keep salary, status, or job (if these requirements serve a business purpose of his or her employer); or
- Maintains or improves the skills required in the taxpayer's present work.

A taxpayer cannot deduct educational expenses, even though the above requirements are met, if the education:

- Is to meet the minimum educational requirements needed to qualify the taxpayer in his or her trade or business, or
- Is part of a program of study that will qualify the taxpayer for a new trade or business, even if he or she has no plans to enter that trade or business.

Some examples will help illustrate the various rules.

Example 1

Warrant Officer Newberry, an Army pilot, incurred educational expenses to obtain an accounting degree. He cannot deduct these expenses as a work related educational expense but he can take the lifetime learning credit if he takes the course to acquire new job skills.

Example 2

Lieutenant Commander Morris, who has a degree in financial management, is in charge of base finance at her post of duty. She incurred educational expenses when taking an advanced finance course. She can deduct educational expenses that were more than the educational allowance she received because she had already met the minimum qualifications of her job. By taking the course, she improved skills in her current position. The course did not qualify her for a new trade or business. Depending on her tax liability it may be more beneficial to take the nonrefundable credit (lifetime learning credit).

Deductible Expenses

Educational expenses and certain travel and transportation expenses related to education may be claimed on Form 2106, *Employee Business Expenses*. Expenses in excess of reimbursement are deductible only as a miscellaneous itemized deduction on Schedule A, subject to the 2% AGI limit discussed earlier.

Deductible educational expenses include amounts spent for tuition, books, supplies, laboratory fees, correspondence courses, costs of research, and typing as part of an educational program, and travel. Educational expenses of a personal nature are not deductible. For example, a taxpayer cannot deduct the cost of dinner on campus

POTENTIAL PITFALLS



Remind students that qualified educational expenses can be deducted as an adjustment to income, educational credit, or as a miscellaneous itemized deduction.

The volunteer should calculate the various ways and claim these expenses where they are most beneficial.

while he or she attends evening classes. Also, deductible educational expenses do not include items of a capital nature, such as computers or desks.

Treatment of Allowances and Reimbursements

A member of the Armed Forces must reduce deductible educational expenses by any allowance or reimbursement he or she receives. Any educational services provided in kind are not deductible. For example, base-provided transportation to or from class cannot be claimed.

Exercise 2

Sgt. Stephen Butler is a mess sergeant. On his own, he takes courses at the local university in early childhood education. Does he have deductible educational expenses? Why?

Answer _____

Exercise 3

Specialist Bates is a qualified X-ray technician. Would he have deductible educational expenses if he took a course required by the Army in new radiology techniques? Assume his expenses exceed reimbursement or allowance received.

Answer _____

Exercise 4

Which of the following can be claimed as miscellaneous itemized deductions by a member of the Armed Forces?

- a. Payment to an officers' club.
- b. Expenses incurred by a flight operations officer to obtain an accounting degree.
- c. Cost of epaulets.
- d. Cost and upkeep of a reservist's uniform when local military regulations prohibit off-duty wear. (No uniform allowance received.)
- e. Expenses incurred by a Navy disbursing clerk to learn television repair.

Answer _____

►► SUMMING UP THIS SEGMENT ◀◀

In this segment, you learned about some of the more common itemized deductions of special interest to military members. The total of these miscellaneous deductions must be more than 2% of adjusted gross income to be deductible.



MISCELLANEOUS ITEMIZED DEDUCTIONS

ANSWERS TO EXERCISES

Lesson 5
Military Segment

1.
 - a. Nondeductible
 - b. Nondeductible
 - c. Deductible
 - d. Deductible
2. No. The courses were not required, do not improve Sgt. Baker's skills as a mess sergeant, and could lead to qualifying him for a new trade or business. However, he may be able to take the lifetime learning credit if the course is taken to acquire new job skills.
3. Yes. The course is required by Specialist Bates' employer, improves his skills in his present job, is not needed to meet the minimum educational requirements for his job, and will not lead to qualifying him for a new trade or business.
4. c. and d.

STUDENT NOTES



BUSINESS TRAVEL EXPENSES

Lesson 5

International Segment

INTRODUCTION AND OBJECTIVES

This lesson will explain how to compute business travel expenses for a U.S. citizen or resident aliens living aboard.

At the end of this segment, you will be able to:

- Determine when employee business expenses are deductible.
- Determine what expenses are deductible.
- Determine how to report the expenses.
- Complete Form 2106 “Employee Business Expenses”.
- Determine how to compute the expenses when the taxpayer is eligible and elects to take the foreign earned income exclusion.

TRAVEL EXPENSES

Travel expenses incurred must be ordinary and necessary when carrying out the duties of your employer while away from your home, for your job. Ordinary expenses are those that are customary for the type of travel being done. Necessary expenses are those that are appropriate and helpful to achieving the purpose of the travel. Treatment of the various expenses, allowances, and reimbursements depends on whether allowances and reimbursements were received and whether the expenses were more than allowances and reimbursements, or whether the allowances and reimbursements were more than the expenses. It also depends on whether or not your employer included these allowances and reimbursements as income on Form W-2. These situations will be discussed in this lesson.

Away from Home Overnight. For costs other than transportation the taxpayer must be “away from his tax home overnight”. “Tax Home” is defined as the taxpayer’s main place of business. “Overnight” is defined as a period substantially longer than an ordinary day’s work during which the taxpayer would need time off for sleep or rest.

Example 1

You live with your family in Manchester, England, but work in London where you have lodging and meal expenses during the week. You travel back and forth from London to Manchester on weekends. You may not deduct any of your expenses for travel, meals, and lodging in London because that is your main place of business and the travel on weekends is not for business reasons.

DEDUCTIBLE EXPENSES

Travel expenses that are ordinary and necessary while traveling away from your home for business purposes include such things as:

1. Air, rail and bus transportation,
2. Operating and maintaining your car,
3. Taxi fares or other costs of transportation between the airport or station and your hotel, from one customer to another, or from one place of business to another.
4. Transportation from the place where you eat and sleep to your temporary work assignment,
5. Baggage and charges and transportation costs for sample and display material,
6. Meals and lodging when you are away from home on business.
7. Cleaning and laundry expenses,
8. Telephone and telegraph expenses,
9. Public stenographer's fees,
10. Operating and maintaining house trailers,
11. Tips that are incidental to any of these expenses, and
12. Other ordinary and necessary expenses related to travel.

Car Expenses. If you use your car for business purposes you are entitled to the actual expenses which would include such things as gas, oil, repairs, insurance and depreciation on your car or, you can use the standard mileage rate. The standard mileage rate is 37.5 cents per mile for 2004. If you use the car for both business and personal mileage you should maintain a log book. You will have to allocate the expenses between business and personal use. If you lease a car to use for qualified business expenses you may have to include an amount called the inclusion amount in your income, depending on the FMV of the vehicle. Refer the taxpayer to a professional preparer.

Meal Expense. Expenses for meals claimed on a taxpayer's return are only 50% deductible. When an employee is reimbursed for substantiated meal expenses, the reimbursement will generally be nontaxable and the expenses will not be claimed. For employees subject to Department of Transportation (DOT) hours of service limits, deductible meal expenses incurred while away from home on business increased in 2004 from 50% to 70%.



HOW TO REPORT

The following discusses how the taxpayer should report his/her allowable expenses for travel, meals & lodging. Self-employed individuals must report their expenses on the appropriate form used to report their business income and expenses by using Schedule C or Schedule C-EZ, Form 1040. Employees, including outside sales persons, must complete Form 2106, Employee Business Expenses, and attach it to their Form 1040 to claim these expenses.

Expenses paid by an employee under a “reimbursement or other expense allowance arrangement” with an employer generally do not need to be claimed and the employer will not include the reimbursement as taxable income on the employee’s Form W-2. To qualify as nontaxable reimbursements, the arrangement must require that the employee substantiate the expenses to the employer and return any excess reimbursements. Per Diem or other fixed allowance reimbursements that are similar to allowances specified by the Federal government will also be nontaxable to the extent that the amounts do not exceed government rates.

Form 2106 needs to be completed if:

1. The taxpayer received a reimbursement or an allowance and the employer included the amount on Form W-2, or a Form 1099 MISC as taxable income,
2. The taxpayer seeks to deduct expenses in excess of the amounts paid under a reimbursement allowance arrangement,
3. The taxpayer received no reimbursement for his or her employee business expenses, or,
4. The taxpayer received reimbursement or an allowance and did not account to his or her employer for the expenses.

If the expenses equal the reimbursements and the taxpayer accounted to his or her employer, the taxpayer does not have to complete Form 2106 unless item (1) above applies.

Example 2

George Belmont has incurred qualified employee business expenses. His company’s policy is that all employees must turn in a travel voucher showing all expenses incurred and the company reimburses the employee an amount equal to the expenses. George does not have to file a Form 2106 because he reports directly to his employer and is reimbursed in full.

Example 3

Judy Coe incurred employee business expenses of \$1,500. Her Form W-2 shows that her employer reimbursed Judy \$2,000. Judy will have to file Form 2106 and claim \$1,500 as an employee



business expense on Form 2106 subject to the 50% meals limitation and 2% limitation on Schedule A. The entire \$2,000 reimbursement must be reported as income on line 7, Form 1040.

Claiming Employee Business Expenses on Form 1040.

The taxpayer can only claim employee business expenses on Form 1040 as a miscellaneous itemized deduction subject to the overall 2% limitation. Exceptions are provided for certain government officials, qualified performing artists, and individuals with a disability.

Example 4

Frank Fisk has a total of \$2,000 of unreimbursed employee business expenses after reducing meals by 50% and no other miscellaneous itemized deductions. His total adjusted gross income is \$52,000. Frank is entitled to a total of \$960 ($2,000 - [52,000 \times .02] = \960) as a miscellaneous itemized deduction.

COMPLETING FORM 2106

Form 2106 is divided into 2 parts. See Exhibit 1, Form 2106, pages 1 and 2. Part I deals with all the expenses and Part II deals specifically with car expenses. Part II should be completed, if applicable, before entering an amount in Line 1, Part I.

Part II, section B of Form 2106 will be used if the taxpayer owns the vehicle and chooses, or has previously chosen, to use the standard mileage rate for the same vehicle.

As mentioned previously the taxpayer is entitled to 37.5 cents per mile for business mileage. The business standard mileage rate may not be used to compute the deductible expenses of vehicles used for hire, such as taxicabs, two or more automobiles used simultaneously (such as fleet operations), or any vehicle that is leased, rather than owned, by the taxpayer. The business standard mileage rate may not be used if the automobile has previously been depreciated using a method other than straight-line for its estimated useful life. The standard rate may not be used if additional first-year depreciation has been claimed, or if the taxpayer used ACRS or MACRS depreciation.

The front side of Form 2106 is divided into 3 steps. Let's look at each step and how it will apply to the taxpayer.

Step 1 of Form 2106 is used to summarize the employee business expenses of the taxpayer. Column A is used for all expenses except meals and entertainment. Column B is used only for meals and entertainment expenses. Step 1 must always be filled out. (Note: If the employer did not reimburse the employee for any of the expenses, skip Step 2 and go directly to Step 3 to figure the amount deductible.)



Step 2 is filled out only if the taxpayer is reimbursed by the employer and the reimbursement is not shown as income to the taxpayer on a Form W-2 or Form 1099 MISC, and the employee seeks a deduction for additional expenses not paid by the employer. On line 7, only include amounts from Box 13 of Form W-2 identified as code "L".

Many overseas employees will receive Forms W-2 reflecting only a portion of their total compensation while others will receive no Form W-2 at all.

Reimbursements received under a reimbursement arrangement described above need not be shown as income on Form 1040 and will be reflected on Form 2106, line 7 only if additional expenses are claimed. Reimbursements for the unsubstantiated travel expenses must be included as income on Form 1040 and will not be included in Step 2 of Form 2106.

Step 3 is used when the employer did not reimburse the employee in full. This section will show how much the taxpayer is allowed as a miscellaneous itemized deduction on the taxpayer's Schedule A, Form 1040. This amount will be reduced by 2% of the taxpayer's adjusted gross income unless the taxpayer is a qualified performing artist.



Example 5

John Taft (xxx-xx-xxxx) lives and works in England. He is a U.S. citizen and an employee of an American company. He normally works as a sales manager out of their London office. However, John was temporarily assigned to the Paris office for the last 7 months of 2004. He had his car sent there so he could carry out his duties. He purchased the car on 6-1-2003, and did incur employee business expenses for that year. He elected in 2003 to use the standard mileage rate on his 2003 tax return. While in France he did some sight-seeing and had recorded personal mileage. John incurred the following expenses during 2004:

Lodging—\$10,640

Meals—\$7,350

Transportation to & from Paris office from London office—\$300

Total mileage on car for 2003—23,720

Average daily roundtrip commute—10 miles

Commuting mileage for 2003—1,530

Business mileage—16,290

Parking fees & tolls—\$586

John is reimbursed \$8,300 for lodging and \$4,000 for meals. The \$4,000 for the meals is shown as income on John's W-2 Form. The \$8,300 is not shown as taxable income on John's Form W-2 because the lodging expenses were properly accounted for. See Exhibit 1 for how the Form 2106 would be filled out.



Form **2106**
 Department of the Treasury
 Internal Revenue Service (99)

Employee Business Expenses

OMB No. 1545-0139

2004
 Attachment
 Sequence No. **54**

▶ See separate instructions.

▶ Attach to Form 1040.

Your name **John Taft** Occupation in which you incurred expenses **Sales Manager** Social security number **xxx : xx : xxxx**

Part I Employee Business Expenses and Reimbursements

Step 1 Enter Your Expenses	Column A Other Than Meals and Entertainment		Column B Meals and Entertainment	
1 Vehicle expense from line 22 or line 29. (Rural mail carriers: See instructions.)	1	6,109		
2 Parking fees, tolls, and transportation, including train, bus, etc., that did not involve overnight travel or commuting to and from work	2	586		
3 Travel expense while away from home overnight, including lodging, airplane, car rental, etc. Do not include meals and entertainment.	3	10,940		
4 Business expenses not included on lines 1 through 3. Do not include meals and entertainment.	4			
5 Meals and entertainment expenses (see instructions)	5			7,350
6 Total expenses. In Column A, add lines 1 through 4 and enter the result. In Column B, enter the amount from line 5	6	17,635		7,350

Note: If you were not reimbursed for any expenses in Step 1, skip line 7 and enter the amount from line 6 on line 8.

Step 2 Enter Reimbursements Received From Your Employer for Expenses Listed in Step 1

7 Enter reimbursements received from your employer that were not reported to you in box 1 of Form W-2. Include any reimbursements reported under code "L" in box 12 of your Form W-2 (see instructions)	7	8,300		
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Step 3 Figure Expenses To Deduct on Schedule A (Form 1040)

8 Subtract line 7 from line 6. If zero or less, enter -0-. However, if line 7 is greater than line 6 in Column A, report the excess as income on Form 1040, line 7	8	9,335		7,350
Note: If both columns of line 8 are zero, you cannot deduct employee business expenses. Stop here and attach Form 2106 to your return.				
9 In Column A, enter the amount from line 8. In Column B, multiply line 8 by 50% (.50). (Employees subject to Department of Transportation (DOT) hours of service limits: Multiply meal expenses incurred while away from home on business by 70% (.70) instead of 50%. For details, see instructions.)	9	9,335		3,675
10 Add the amounts on line 9 of both columns and enter the total here. Also, enter the total on Schedule A (Form 1040), line 20. (Armed Forces reservists, fee-basis state or local government officials, qualified performing artists, and individuals with disabilities: See the instructions for special rules on where to enter the total.) ▶	10			13,010

For Paperwork Reduction Act Notice, see instructions.

Cat. No. 11700N

Form **2106** (2004)

Part II Vehicle Expenses

Section A—General Information (You must complete this section if you are claiming vehicle expenses.)

		(a) Vehicle 1	(b) Vehicle 2
11	Enter the date the vehicle was placed in service	06 / 01 / 2003	/ /
12	Total miles the vehicle was driven during 2004	23,720 miles	miles
13	Business miles included on line 12	16,290 miles	miles
14	Percent of business use. Divide line 13 by line 12	69 %	%
15	Average daily roundtrip commuting distance	10 miles	miles
16	Commuting miles included on line 12	1,530 miles	miles
17	Other miles. Add lines 13 and 16 and subtract the total from line 12.	5,900 miles	miles
18	Do you (or your spouse) have another vehicle available for personal use?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
19	Was your vehicle available for personal use during off-duty hours?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
20	Do you have evidence to support your deduction?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
21	If "Yes," is the evidence written?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No

Section B—Standard Mileage Rate (See the instructions for Part II to find out whether to complete this section or Section C.)

22	Multiply line 13 by 37.5¢ (.375)	22	6,109
----	--	----	-------

Section C—Actual Expenses

		(a) Vehicle 1	(b) Vehicle 2
23	Gasoline, oil, repairs, vehicle insurance, etc.		
24a	Vehicle rentals		
b	Inclusion amount (see instructions)		
c	Subtract line 24b from line 24a		
25	Value of employer-provided vehicle (applies only if 100% of annual lease value was included on Form W-2—see instructions)		
26	Add lines 23, 24c, and 25		
27	Multiply line 26 by the percentage on line 14		
28	Depreciation. Enter amount from line 38 below		
29	Add lines 27 and 28. Enter total here and on line 1		

Section D—Depreciation of Vehicles (Use this section only if you owned the vehicle and are completing Section C for the vehicle.)

		(a) Vehicle 1	(b) Vehicle 2
30	Enter cost or other basis (see instructions)		
31	Enter section 179 deduction and special allowance (see instructions)		
32	Multiply line 30 by line 14 (see instructions if you claimed the section 179 deduction or special allowance)		
33	Enter depreciation method and percentage (see instructions)		
34	Multiply line 32 by the percentage on line 33 (see instructions)		
35	Add lines 31 and 34		
36	Enter the applicable limit explained in the line 36 instructions		
37	Multiply line 36 by the percentage on line 14		
38	Enter the smaller of line 35 or line 37. Also enter this amount on line 28 above		

As you can see from the exhibit, the total expenses in Column A are reduced by the \$8,300 reimbursement not included as taxable income on John's Form W-2. He will be entitled to an itemized miscellaneous deduction of \$13,010. If John's adjusted gross income was \$60,000, John would have to reduce the \$13,010 by \$1,200 ($\$60,000 \times .02$) giving him a total of \$11,810 as a net miscellaneous deduction if John had no other miscellaneous deductions.

Exercise 1

Susan Kendall, social security number xxx-xx-xxxx, works in Manila and is temporarily assigned to her company's Tokyo, Japan office. Her round trip air fare was \$375. She also incurred lodging expenses of \$2,760 and meal expenses of \$1,420. She used mass transportation while in Tokyo and spent \$357. Her employer, who is in the retail sales trade, did not reimburse her for any of the expenses. Complete the Form 2106 for Susan Kendall.



Form 2106 Department of the Treasury Internal Revenue Service (99)	Employee Business Expenses ▶ See separate instructions. ▶ Attach to Form 1040.	OMB No. 1545-0139 2004 Attachment Sequence No. 54
Your name	Occupation in which you incurred expenses	Social security number

Part I Employee Business Expenses and Reimbursements

Step 1 Enter Your Expenses	Column A Other Than Meals and Entertainment	Column B Meals and Entertainment
1 Vehicle expense from line 22 or line 29. (Rural mail carriers: See instructions.)	1	
2 Parking fees, tolls, and transportation, including train, bus, etc., that did not involve overnight travel or commuting to and from work	2	
3 Travel expense while away from home overnight, including lodging, airplane, car rental, etc. Do not include meals and entertainment.	3	
4 Business expenses not included on lines 1 through 3. Do not include meals and entertainment.	4	
5 Meals and entertainment expenses (see instructions)	5	
6 Total expenses. In Column A, add lines 1 through 4 and enter the result. In Column B, enter the amount from line 5	6	

Note: If you were not reimbursed for any expenses in Step 1, skip line 7 and enter the amount from line 6 on line 8.

Step 2 Enter Reimbursements Received From Your Employer for Expenses Listed in Step 1

7 Enter reimbursements received from your employer that were not reported to you in box 1 of Form W-2. Include any reimbursements reported under code "L" in box 12 of your Form W-2 (see instructions)	7	
--	---	--

Step 3 Figure Expenses To Deduct on Schedule A (Form 1040)

8 Subtract line 7 from line 6. If zero or less, enter -0-. However, if line 7 is greater than line 6 in Column A, report the excess as income on Form 1040, line 7	8	
Note: If both columns of line 8 are zero, you cannot deduct employee business expenses. Stop here and attach Form 2106 to your return.		
9 In Column A, enter the amount from line 8. In Column B, multiply line 8 by 50% (.50). (Employees subject to Department of Transportation (DOT) hours of service limits: Multiply meal expenses incurred while away from home on business by 70% (.70) instead of 50%. For details, see instructions.)	9	
10 Add the amounts on line 9 of both columns and enter the total here. Also, enter the total on Schedule A (Form 1040), line 20. (Armed Forces reservists, fee-basis state or local government officials, qualified performing artists, and individuals with disabilities: See the instructions for special rules on where to enter the total.) ▶	10	

For Paperwork Reduction Act Notice, see instructions.

Cat. No. 11700N

Form **2106** (2004)

FOREIGN EARNED INCOME EXCLUSION

If the taxpayer is eligible and elects the foreign earned income exclusion he or she must adjust the amount of the business deductions related to the income excluded. The disallowed portion of the expenses is calculated by dividing the excluded foreign earned income by total foreign earned income.

Example 6

Harold Wells is a U.S. citizen, employed as a salesperson in a foreign country and is eligible and elects to exclude \$78,000 of his \$98,500 a year salary. His AGI is \$30,000. He had a total of \$2,000 of unreimbursed employee business expenses of which \$500 was for meals; these expenses are deductible only as miscellaneous itemized deductions on Schedule A (Form 1040). First, it is necessary to complete Form 2106. On that form Harold reduces the meal expenses by 50% of the \$500 amount spent, yielding a total of \$1,750 (\$250 & \$1,500).

Harold must reduce the \$1,750 by 79% ($78,000/98,500$) because he excluded 79% of his earned income. Thus \$1,383 of his expenses are not deductible. Harold carries the \$367 ($\$1,750 - \$1,383$) deductible amount to Schedule A.

Harold also has \$500 of other miscellaneous deductions subject to the 2% of AGI limit. He adds the \$367 from Form 2106 plus the \$500 for a total of \$867 miscellaneous expenses. 2% of Harold's AGI is \$600 ($.02 \times 30,000$). Harold's deductible miscellaneous itemized deductions are \$267 ($\$867 - \600).

If Harold did not have the other miscellaneous expenses of \$500 he would not have been able to claim any miscellaneous deductions. His remaining expenses (\$367) would have been less than 2% of his AGI (\$600).



SUMMARY EXERCISES

1. Which of the following taxpayers would be entitled to employee business expenses and if so indicate the type of expense?

Vehicle expenses

Lodging

Meals

Travel

- a. Joseph Fulton works in London and drives from and to his house every day.

Answer _____

- b. Mary Banks works in Paris and had to go to Lyon for the day to conduct business. She returns home to Paris that evening. She used her car.

Answer _____

- c. Alice Canton is a nurse working in Rome, Italy. Her employer gives her a temporary assignment for 2 months in Oslo, Norway.

Answer _____

2. What form do you use to calculate a taxpayer's employee business expenses?

Answer _____

3. When are employee business expense reimbursements not included in gross income?

Answer _____

4. When are the employee business expenses itemized miscellaneous deductions?

Answer _____

5. How are reimbursements that are more than expenses incurred treated?

Answer _____



▶▶ SUMMING UP THIS SEGMENT ◀◀

Reimbursements from an accountable plan for substantiated employee business expenses are not included as income on the employee's return if the employee is required to return, and does return, any excess reimbursements.

- ▶ If the reimbursements are included as income, deductible expenses are allowed as miscellaneous itemized deductions subject to the 2% limitation.
- ▶ Travel expenses for meals, lodging and incidentals must be incurred while "away from home overnight" to be deductible.
- ▶ Form 2106 is used to calculate the amount of itemized deductions that are in excess of reimbursements.
- ▶ If reimbursements exceed expenses, the excess is income to the employee and must be reported on Form 1040. (If reimbursements exceed the expenses it is probably a nonaccountable plan, and therefore the entire reimbursement is taxable).
- ▶ If it is the company's policy for the employees to account for business expenses to the employer by supplying the employer with documented evidence and the employer reimburses the employee for the amount in full, Form 2106 is not required.

If the taxpayer is eligible for and elects the foreign earned income exclusion, certain adjustments must be made to the gross amount deductible as employee business expenses.



BUSINESS TRAVEL EXPENSES

Lesson 5

ANSWERS TO EXERCISES

International Segment

Exercise 1

Kendall's Form 2106, page 1

Form 2106 Department of the Treasury Internal Revenue Service (99)	Employee Business Expenses ▶ See separate instructions. ▶ Attach to Form 1040.	OMB No. 1545-0139 2004 Attachment Sequence No. 54
Your name Susan Kendall	Occupation in which you incurred expenses Retail Sales	Social security number xxx ; xx ; xxxxx
Part I Employee Business Expenses and Reimbursements		
Step 1 Enter Your Expenses		
	Column A Other Than Meals and Entertainment	Column B Meals and Entertainment
1 Vehicle expense from line 22 or line 29. (Rural mail carriers: See instructions.)	1	
2 Parking fees, tolls, and transportation, including train, bus, etc., that did not involve overnight travel or commuting to and from work	2	
3 Travel expense while away from home overnight, including lodging, airplane, car rental, etc. Do not include meals and entertainment.	3 3,492	
4 Business expenses not included on lines 1 through 3. Do not include meals and entertainment.	4	
5 Meals and entertainment expenses (see instructions)		1,420
6 Total expenses. In Column A, add lines 1 through 4 and enter the result. In Column B, enter the amount from line 5	6 3,492	1,420
Note: If you were not reimbursed for any expenses in Step 1, skip line 7 and enter the amount from line 6 on line 8.		
Step 2 Enter Reimbursements Received From Your Employer for Expenses Listed in Step 1		
7 Enter reimbursements received from your employer that were not reported to you in box 1 of Form W-2. Include any reimbursements reported under code "L" in box 12 of your Form W-2 (see instructions)	7	
Step 3 Figure Expenses To Deduct on Schedule A (Form 1040)		
8 Subtract line 7 from line 6. If zero or less, enter -0-. However, if line 7 is greater than line 6 in Column A, report the excess as income on Form 1040, line 7	8 3,492	1,420
Note: If both columns of line 8 are zero, you cannot deduct employee business expenses. Stop here and attach Form 2106 to your return.		
9 In Column A, enter the amount from line 8. In Column B, multiply line 8 by 50% (.50). (Employees subject to Department of Transportation (DOT) hours of service limits: Multiply meal expenses incurred while away from home on business by 70% (.70) instead of 50%. For details, see instructions.)	9 3,492	710
10 Add the amounts on line 9 of both columns and enter the total here. Also, enter the total on Schedule A (Form 1040), line 20. (Armed Forces reservists, fee-basis state or local government officials, qualified performing artists, and individuals with disabilities: See the instructions for special rules on where to enter the total.) ▶	10	4,202
For Paperwork Reduction Act Notice, see instructions. Cat. No. 11700N Form 2106 (2004)		

BUSINESS TRAVEL EXPENSES

ANSWERS TO SUMMARY EXERCISES

Lesson 5

International Segment

1.
 - a.) No (They are commuting expenses)
 - b.) Yes (Vehicle expenses)
 - c.) Yes (Travel, lodging, meals)
2. Form 2106
3. When the employee is required to substantiate his business expenses under a reimbursement arrangement and return any excess allowance to his employer. Also, Per Diem reimbursements that are similar to allowances specified by the Federal government will be nontaxable to the extent that the amounts do not exceed government rates.
4. When the expenses are more than the amount reimbursed. Itemized deductions are also created in the case of an employee reimbursed under a nonaccountable plan.
5. They are treated as income and shown on line 7 of Form 1040. If reimbursement in excess of expenses exists, the plan is probably a nonaccountable one, and therefore the entire reimbursement is taxable—not just the excess.

STUDENT NOTES

Lined writing area for student notes.



INTRODUCTION AND OBJECTIVES

In this lesson you will learn about four “miscellaneous credits”. The credit for the elderly or the disabled, the mortgage interest credit, the foreign tax credit and the credit for qualified retirement savings are covered in this lesson.

After completing this lesson you should be able to:

- Determine who is a qualified individual for the credit for the elderly or disabled and apply the income limits.
- Calculate the credit for the elderly or the disabled.
- Calculate the credit for qualified retirement savings contributions by using Form 8880.
- Accurately report the foreign tax credit if Form 1116 is not required.
- Be aware of the mortgage interest credit.

CREDITS

A credit is a dollar-for-dollar reduction of the taxpayer’s tax liability. A **refundable** credit can be greater than the tax. Taxpayers not only can have their tax reduced to zero; they can also receive a “refund” of excess credit. A **nonrefundable credit** can also be greater than the tax, but the nonrefundable credit can only reduce the tax to zero. Therefore, taxpayers will not receive a refund for any excess nonrefundable credit. All of the credits discussed in this lesson are non-refundable.

CREDIT FOR THE ELDERLY OR THE DISABLED

Elderly individuals and individuals who are permanently and totally disabled may be able to claim a special credit on their tax returns if they are a U.S. citizen or resident.

To be eligible for the credit, an individual must be:

- At least 65 years old by the end of the year, or
- Under age 65, retired on permanent and total disability by the end of the year and did not reach mandatory retirement age before this year. They must also have received taxable disability income for this year.

Although physician statements are no longer required to be attached to the return, they must be completed and kept with the taxpayer's records.

Certain work offered at qualified locations to persons with disabilities or with mental retardation is considered sheltered employment. Because a person has accepted sheltered employment is not proof of the person's ability to engage in substantial gainful activity.

Exhibit 1 helps to determine if the taxpayer is a qualified individual for this credit.

Income Limits

Taxpayers cannot exceed the income limits for their filing status (see **Exhibit 2**).

CALCULATE THE CREDIT

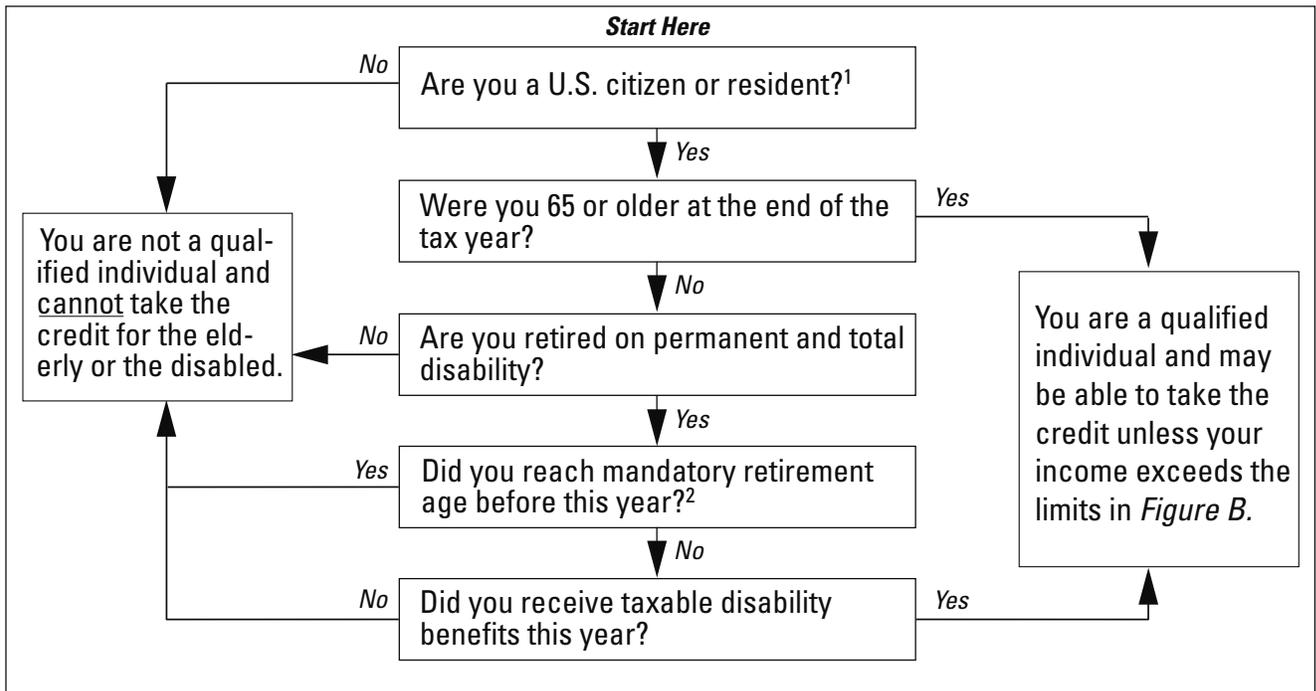
If the taxpayer is a qualified individual and meets the income limits, complete a Schedule 3 for 1040A filers or a Schedule R for 1040 filers. Schedule R (Form 1040) and Schedule 3 (Form 1040A) are nearly identical.

Example 1

John (000-00-9850) and Sarah Hillsdale are married and file a joint return. Their respective ages are 66 and 68. They received nontaxable social security benefits of \$4,500 in 2004. They had adjusted gross income (line 36, Form 1040) of \$13,000. Parts I and III of the Schedule R will be completed and the schedule attached to their Form 1040 for 2004. (Part II need not be completed since both are age 65 or older.) See Exhibits 3 and 4.

Exhibit 1

Are you a Qualified Individual?



¹ If you were a nonresident alien at any time during the tax year and were married to a U.S. citizen or resident at the end of the tax year, see U.S. citizen or resident under *Qualified individual*. If you and your spouse both choose to be treated as U.S. residents, answer yes to this question.

² Mandatory retirement age is the age set by your employer at which you would have been required to retire, had you not become disabled.

Exhibit 2

Income Limits

Even if you qualify, you CANNOT take the credit if:		
Your filing status is	AND your adjusted gross income (AGI)* is equal to or more than	OR your nontaxable social security or other nontaxable pension(s) is equal to or more than
Single, Head of household, or Qualifying widow(er) with dependent child	\$17,500	\$5,000
Married filing a joint return and both spouses qualify in <i>Figure A</i>	\$25,000	\$7,500
Married filing a joint return and only one spouse qualifies in <i>Figure A</i>	\$20,000	\$5,000
Married filing a separate return and you did not live with your spouse at any time during the year	\$12,500	\$3,750

**Schedule R
(Form 1040)**

Department of the Treasury
Internal Revenue Service

Credit for the Elderly or the Disabled

▶ **Attach to Form 1040.** ▶ **See Instructions for Schedule R (Form 1040).**

OMB No. 1545-0074

2004

Attachment
Sequence No. **16**

Name(s) shown on Form 1040

John and Sarah Hillsdale

Your social security number

000 00 9850

You may be able to take this credit and reduce your tax if by the end of 2004:

- You were age 65 or older **or**
- You were under age 65, you retired on **permanent and total** disability, and you received taxable disability income.

But you must also meet other tests. See page R-1.

TIP In most cases, the IRS can figure the credit for you. See page R-1.

Part I Check the Box for Your Filing Status and Age

If your filing status is: **And by the end of 2004:** **Check only one box:**

Single,
Head of household, or
Qualifying widow(er)

1 You were 65 or older **1**

2 You were under 65 and you retired on permanent and total disability **2**

3 Both spouses were 65 or older **3**

4 Both spouses were under 65, but only one spouse retired on
permanent and total disability **4**

Married filing
jointly

5 Both spouses were under 65, and both retired on permanent and total
disability **5**

6 One spouse was 65 or older, and the other spouse was under 65 and
retired on permanent and total disability **6**

7 One spouse was 65 or older, and the other spouse was under 65 and
not retired on permanent and total disability **7**

Married filing
separately

8 You were 65 or older and you lived apart from your spouse for all of
2004 **8**

9 You were under 65, you retired on permanent and total disability, and
you lived apart from your spouse for all of 2004 **9**

Did you check box 1, 3, 7, or 8?

Yes —▶ Skip Part II and complete Part III on back.

No —▶ Complete Parts II and III.

Part II Statement of Permanent and Total Disability (Complete **only** if you checked box 2, 4, 5, 6, or 9 above.)

- If: 1** You filed a physician's statement for this disability for 1983 or an earlier year, or you filed or got a statement for tax years after 1983 and your physician signed line B on the statement, **and**
- 2** Due to your continued disabled condition, you were unable to engage in any substantial gainful activity in 2004, check this box
- If you checked this box, you do not have to get another statement for 2004.
 - If you **did not** check this box, have your physician complete the statement on page R-4. You **must** keep the statement for your records.

Part III Figure Your Credit

10 If you checked (in Part I):		Enter:									
Box 1, 2, 4, or 7		\$5,000	}	10							
Box 3, 5, or 6		\$7,500									
Box 8 or 9		\$3,750									
<table border="1"> <tr> <td rowspan="2">Did you check box 2, 4, 5, 6, or 9 in Part I?</td> <td>Yes</td> <td>→</td> <td>You must complete line 11.</td> </tr> <tr> <td>No</td> <td>→</td> <td>Enter the amount from line 10 on line 12 and go to line 13.</td> </tr> </table>		Did you check box 2, 4, 5, 6, or 9 in Part I?	Yes	→	You must complete line 11.	No	→	Enter the amount from line 10 on line 12 and go to line 13.			
Did you check box 2, 4, 5, 6, or 9 in Part I?	Yes		→	You must complete line 11.							
	No	→	Enter the amount from line 10 on line 12 and go to line 13.								
11 If you checked (in Part I):				11							
<ul style="list-style-type: none"> Box 6, add \$5,000 to the taxable disability income of the spouse who was under age 65. Enter the total. Box 2, 4, or 9, enter your taxable disability income. Box 5, add your taxable disability income to your spouse's taxable disability income. Enter the total. 											
TIP For more details on what to include on line 11, see page R-3.											
12 If you completed line 11, enter the smaller of line 10 or line 11; all others , enter the amount from line 10				12							
13 Enter the following pensions, annuities, or disability income that you (and your spouse if filing a joint return) received in 2004.											
a Nontaxable part of social security benefits and Nontaxable part of railroad retirement benefits treated as social security (see page R-3).		13a	4,500 00								
b Nontaxable veterans' pensions and Any other pension, annuity, or disability benefit that is excluded from income under any other provision of law (see page R-3).		13b									
c Add lines 13a and 13b. (Even though these income items are not taxable, they must be included here to figure your credit.) If you did not receive any of the types of nontaxable income listed on line 13a or 13b, enter -0- on line 13c		13c	4,500 00								
14 Enter the amount from Form 1040, line 37	14		13,000 00								
15 If you checked (in Part I):	Enter:										
Box 1 or 2	\$7,500	}	15	10,000 00							
Box 3, 4, 5, 6, or 7	\$10,000										
Box 8 or 9	\$5,000										
16 Subtract line 15 from line 14. If zero or less, enter -0-	16		3,000 00								
17 Enter one-half of line 16	17		1,500 00								
18 Add lines 13c and 17	18		6,000 00								
19 Subtract line 18 from line 12. If zero or less, stop ; you cannot take the credit. Otherwise, go to line 20	19		1,500 00								
20 Multiply line 19 by 15% (.15)	20		225 00								
21 Enter the amount from Form 1040, line 43, minus the amount, if any, on line 46	21										
22 Enter the amount, if any, from Form 6251, line 31 (page R-3)	22										
23 Subtract line 22 from line 21. If zero or less, stop ; you cannot take the credit	23		0 00								
24 Credit for the elderly or the disabled. Enter the smaller of line 20 or line 23 here and on Form 1040, line 47	24		-0-								

TAXWISE HINTS

The credit for the elderly will be calculated automatically. The software will check age, income, and filing status to determine eligibility. However, it is extremely important to input Social Security Benefit income even if you know it is not taxable. Without this information the software may incorrectly calculate the credit.

CREDIT FOR QUALIFIED RETIREMENT SAVINGS CONTRIBUTIONS

If the taxpayer contributed to a retirement plan or an IRA, he or she may be eligible for the credit for qualified retirement savings contributions credit. The amount of the saver's credit is determined by the taxpayer's filing status, adjusted gross income, and his or her qualified contributions.

The credit is reported on line 52 of Form 1040, or line 33 of Form 1040A.

To be eligible for the saver's credit, the taxpayer:

- Must be age 18 or older by the end of the tax year,
- Cannot be claimed on another person's tax return, and
- Cannot be a full-time student.

A **full-time student** is anyone who attends school full-time for some part of each of five calendar months of the year. The five months need not be consecutive. An individual is a full-time student if he or she is enrolled for the number of hours or courses the school considers as full-time attendance.

FIGURING THE CREDIT

The credit for qualified retirement savings contributions is figured by multiplying the **credit rate** by the lesser of the:

- Maximum allowable contribution (\$2,000) or
- Eligible contributions.

The credit rate is determined by using the following table.

IF your filing status is...	AND your adjusted gross income is...	THEN your credit rate is...
Married filing jointly	Less than \$30,001	50%
	Between \$30,001 and \$32,500	20%
	Between \$32,501 and \$50,000	10%
	Over \$50,000	0
Head of Household	Less than \$22,501	50%
	Between \$22,501 and \$24,375	20%
	Between \$24,376 and \$37,500	10%
	Over \$37,500	0
Single, Married filing separately, or qualifying widow(er)	Less than \$15,001	50%
	Between \$15,001 and \$16,250	20%
	Between \$16,251 and \$25,000	10%
	Over \$25,000	0

Adjusted gross income is determined without regard to:

- The foreign income exclusion
- The foreign housing exclusion or deduction
- Income from sources within Guam, American Samoa, and the Northern Mariana Islands
- Income from Puerto Rico

Eligible contributions are determined by reducing the taxpayer's **qualified retirement savings contributions** by the following distributions that were received during the **testing period**.

- Any distribution that is included in the taxpayer's gross income from a qualified retirement plan or from an eligible deferred compensation plan.
- Any distribution from a Roth IRA that is not a qualified rollover contribution.

If the distributions received by the taxpayer are for loans or for excess IRA contributions returned before the due date of the return, they are not used to reduce the taxpayer's qualified retirement savings contributions.

Qualified retirement savings contributions are contributions made to a traditional or Roth IRA and salary reduction contributions to a 401(k) plan (including a SIMPLE 401(k)), a tax-sheltered annuity (403(b)) plan, an eligible deferred compensation plan of a state or local government (457(b)) plan), a SIMPLE IRA plan, or a salary reduction SEP.

Qualified retirement savings contributions also include voluntary after-tax employee contributions to a tax-qualified retirement plan or a tax-sheltered annuity (403(b)) plan. For purposes of the credit, an employee contribution will be voluntary as long as it is not required as a condition of employment.

The **testing period** includes:

- The tax year,
- The two preceding tax years, and
- The period between the end of the tax year and the due date of the return (including extensions).

Example 1

Terry contributes \$3,000 to a 401(k) plan during 2004. In 2003, Terry withdrew \$500 from his IRA. In 2004, he withdrew \$900 from his IRA. Neither of these withdrawals were rolled over. In 2004, Terry's adjusted gross income was \$23,000 and his filing status was head of household. Based on these facts, Terry would figure his saver's credit as follows:

(Qualified retirement contributions – withdrawals) x credit rate
(per table)

$$(\$3,000 - \$1,400) \times .20$$

$$\$1,600 \times .20 = \$320 \text{ saver's credit}$$

The credit is figured on **Form 8880**, *Credit for Qualified Retirement Savings Contributions*.

Married filing jointly. If the taxpayer is married filing a joint return, he or she and his or her spouse may both use the credit. Both the taxpayer and spouse are eligible for a credit of the maximum annual contribution amount of \$2,000.

If the taxpayers file a joint return, the qualified contribution is reduced by the taxable distributions received by the taxpayer or the taxpayer's spouse if the taxpayers filed jointly for both:

- the year a distribution was made, and
- the year the credit is claimed.

Exercise 1

Jason is 22 and earned \$30,000 in 2004. He is single and contributed \$3,000 to his 401(k) plan at work. Is Jason eligible for the credit for qualified retirement savings contributions?

Exercise 2

Martha Barnard (000-00-0088) is 32 and files as Head of Household. Her only income is wages of \$26,819. This year, she was able to contribute \$1,000 to her employer's 401(k) plan. She did not put any money in an IRA. Use Exhibit 1 to complete Martha's Form 8880 through line 10.

Form **8880**
Department of the Treasury
Internal Revenue Service

Credit for Qualified Retirement Savings Contributions

▶ Attach to Form 1040 or Form 1040A.
▶ See instructions on back.

OMB No. 1545-1805
2004
Attachment
Sequence No. 129

Name(s) shown on return

Your social security number



You **cannot** take this credit if **either** of the following applies.

- The amount on Form 1040, line 37, or Form 1040A, line 22, is more than \$25,000 (\$37,500 if head of household; \$50,000 if married filing jointly).
- The person(s) who made the qualified contribution or elective deferral **(a)** was born after January 1, 1987, **(b)** is claimed as a dependent on someone else's 2004 tax return, or **(c)** was a **student** (see instructions).

	(a) You	(b) Your spouse																																																																	
1 Traditional and Roth IRA contributions for 2004. Do not include rollover contributions	1																																																																		
2 Elective deferrals to a 401(k) or other qualified employer plan, voluntary employee contributions, and 501(c)(18)(D) plan contributions for 2004 (see instructions)	2																																																																		
3 Add lines 1 and 2	3																																																																		
4 Certain distributions received after 2001 and before the due date (including extensions) of your 2004 tax return (see instructions). If married filing jointly, include both spouses' amounts in both columns. See instructions for an exception	4																																																																		
5 Subtract line 4 from line 3. If zero or less, enter -0-	5																																																																		
6 In each column, enter the smaller of line 5 or \$2,000	6																																																																		
7 Add the amounts on line 6. If zero, stop ; you cannot take this credit		7																																																																	
8 Enter the amount from Form 1040, line 37, or Form 1040A, line 22	8																																																																		
9 Enter the applicable decimal amount shown below:																																																																			
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Note: If line 9 is zero, **stop**; you cannot take this credit.

*See Pub. 590 for the amount to enter if you are filing Form 2555, 2555-EZ, or 4563 or you are excluding income from Puerto Rico.

For Paperwork Reduction Act Notice, see back of form.

Cat. No. 33394D

Form **8880** (2004)

MORTGAGE INTEREST CREDIT

Taxpayers who hold qualified mortgage credit certificates under a qualified state or local government program may claim a credit for mortgage interest paid. The certificate must be for the taxpayer's main home. If the interest is paid to certain related parties (such as relatives), the credit cannot be claimed.

The credit is figured on Form 8396, *Mortgage Interest Credit*. Include the amount of the credit on Form 1040, Line 49. Also, check box a on Line 49 for Form 8396.

Any mortgage interest credit that the taxpayer cannot use in 2004 can be carried forward for up to three tax years. Figure the carry-forward credit in Part II of Form 8396.

Reduce the mortgage interest deduction claimed on Schedule A, Form 1040, by the amount shown on Line 3 of Form 8396.

Caution: If the taxpayer was issued (and used) a qualified mortgage credit certificate after 1990 for a home, the taxpayer may have to recapture (repay) all or part of the benefit if the taxpayer sells that home within 9 years. The recapture is figured on Form 8828, *Recapture of Federal Mortgage Subsidy*.

FOREIGN TAX CREDIT

If the taxpayer paid income, war profits, or excess profits taxes to any:

- Foreign country,
- U.S. possession, or
- Any political subdivision, or agency or instrumentality of the country or possession, he or she may be able to take a **Foreign Tax Credit** (FTC) for taxes paid.

To determine if the tax paid is eligible for the foreign tax credit, the taxpayer **may** need to consult a paid professional preparer.

Generally, to claim the FTC, a taxpayer is required to file Form 1116, *Foreign Tax Credit (Individual, Estate, Trust, or Nonresident Alien Individual)*; however, the taxpayer does not have to file Form 1116 to take the credit if he or she meets all of the following requirements.

- All of the taxpayer's gross foreign source income is from interest and dividends that are reported on Form 1099-INT, or Form 1099-DIV (or substitute statement)
- If the taxpayer has dividend income from shares of stock, he or she held those shares for at least 16 days.
- The taxpayer is not filing Form 4563, *Exclusion of Income for Bona Fide Residents of American Samoa*, or excluding income from sources within Puerto Rico.
- The total of the taxpayer's foreign taxes is less than or equal to \$300 (\$600 if married filing jointly).

- All of the taxpayer's foreign taxes were:
 - Legally owed and not eligible for a refund, and
 - Paid to countries that are recognized by the United States and do not support terrorism.

For additional information, see *the Instructions for Form 1116*.

If the taxpayer meets all of the requirements listed above, enter the foreign tax credit on line 50 of Form 1040. Form 1116 is not required.

Example 2

Tabitha received a 1099-DIV that shows \$219 of foreign taxes (box 6) in 2004. According to Tabitha she paid no other foreign taxes. She can claim the \$219 on line 50 of Form 1040.

Exercise 3

Clyde comes to your site seeking help with his foreign tax credit. He is single and his 1099-DIVs show a total of \$423 of foreign tax. Does Clyde need Form 1116 to claim his credit?

HEALTH COVERAGE TAX CREDIT

The Health Coverage Tax Credit (HCTC) is a federal tax credit established by the Trade Act of 2002 to assist

1. Workers who lose their jobs due to the effects of international trade and/or
2. People who receive benefits from the Pension Benefit Guaranty Corporation (PBGC) and are at least 55 years old.

The HCTC is beyond the scope of the Volunteer Return Preparation Program. Taxpayers who are potentially eligible should be referred to a paid preparer or to www.irs.gov for more information.

▶▶ SUMMING UP THIS LESSON ◀◀

- ▶ Due to the income limitations, very few taxpayers are eligible to receive the credit for the elderly or disabled.
- ▶ The credit for the elderly or the disabled is based on filing status, age, and income.
- ▶ The credit is calculated and reported on Form 1040, Schedule R, or Form 1040A, Schedule 3.



MISCELLANEOUS TAX CREDITS

Lesson 6

ANSWERS TO EXERCISES

Exercise 1

No; Jason is not eligible for the credit because his income exceeds the threshold limit.

Exercise 2

See the completed Form 8880 on the next page.

Exercise 3

Yes, Clyde needs to complete a Form 1116 since his foreign taxes exceed \$300. Clyde will need to seek the assistance of a paid professional preparer.

Credit for Qualified Retirement Savings Contributions

▶ Attach to Form 1040 or Form 1040A.
 ▶ See instructions on back.

Name(s) shown on return

MARTHA BARNARD

Your social security number

000 00 0088



You **cannot** take this credit if **either** of the following applies.

- The amount on Form 1040, line 37, or Form 1040A, line 22, is more than \$25,000 (\$37,500 if head of household; \$50,000 if married filing jointly).
- The person(s) who made the qualified contribution or elective deferral **(a)** was born after January 1, 1987, **(b)** is claimed as a dependent on someone else's 2004 tax return, or **(c)** was a **student** (see instructions).

		(a) You	(b) Your spouse																																																																	
1 Traditional and Roth IRA contributions for 2004. Do not include rollover contributions	1																																																																			
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3 Add lines 1 and 2	3	1,000																																																																		
4 Certain distributions received after 2001 and before the due date (including extensions) of your 2004 tax return (see instructions). If married filing jointly, include both spouses' amounts in both columns. See instructions for an exception	4																																																																			
5 Subtract line 4 from line 3. If zero or less, enter -0-	5	1,000																																																																		
6 In each column, enter the smaller of line 5 or \$2,000	6	1,000																																																																		
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STUDENT NOTES

Lined writing area for student notes.

INTRODUCTION AND OBJECTIVES

This lesson will discuss how to compute the foreign tax credit in situations where a U.S. citizen could pay taxes twice on the same income—once to the government of the foreign country where the income was sourced and once to the U.S. Government. This segment will address the foreign tax credit only as it applies to U.S. citizens and residents.

In the IN segment of the income lesson, the topic of worldwide income was discussed. U.S. citizens and residents compute their U.S. taxes based on their worldwide income. This sometimes leads to a situation when a U.S. citizen may be paying tax twice on the same income. In order to avoid double taxation, a foreign tax credit was created. This allows an individual to take a tax credit for those taxes paid to a foreign government on income from sources in a foreign country.

Like other tax credits, the foreign tax credit is a dollar-for-dollar reduction in the amount of tax. However, in some cases, not all taxes paid to a foreign government can be used in the computation of the foreign tax credit.

After completing this lesson, you should be able to supplement the information you learned in the basic text and:

- Determine which taxes are eligible for the foreign tax credit.
- Apply the criteria for claiming the foreign tax credit
- Accurately compute the foreign tax credit using Form 1116 or tax preparation software
- Assist taxpayer in compiling the documents necessary for a paid professional to complete the return.

WHAT TAXES QUALIFY FOR THE CREDIT

There are several factors to consider when determining if a tax paid to a foreign government is eligible for the foreign tax credit. They include:

1. Was the income foreign source?
2. What type of tax was paid to the foreign government?
3. Will the taxpayer receive some kind of specific economic benefit from the payment of this tax?

In this part of the lesson, we'll study the criteria for claiming the foreign tax credit.

The taxpayer must have income from a foreign country on which he/she is taxed by a foreign country. The tax imposed on the income must be similar to the income tax imposed in the U.S. This simply means that the income must be from a country other than the U.S. and that the tax paid must be similar to U.S. income tax. Let's look at some examples.

Example 1

Robb and Betty Grant are U.S. citizens who reside in France. The schedule B on their U.S. tax return contains the following:

\$500, Lee County National Bank (U.S.)

\$600, Banque National de Paris (French)

They paid income taxes on both types of interest to both countries. On their U.S. tax return, they can compute a foreign tax credit against the taxes that they pay to the U.S. on the interest received from the French bank. They would need to check with the French taxing authorities to determine if they can claim a similar tax credit on their French tax return for the interest income from the U.S. bank.

Example 2

Marie Elliott is a U.S. citizen who lives in Hong Kong. She owns a house in Hong Kong and paid \$2,000 in real estate taxes for her home and \$1,000 in personal property taxes. She also paid \$300 in income taxes to the government of Hong Kong. She is not able to claim a foreign tax credit for either the real estate taxes paid or the personal property taxes paid since these two taxes are not income taxes. She can, however, use the \$300 in income taxes paid to Hong Kong to compute a foreign tax credit. (Note—she can take the real estate taxes that she paid and deduct them as itemized deductions if she itemizes on her U.S. tax return. Foreign personal property taxes are only deductible if they relate to the production of income or a trade/business.)

Exercise 1

The following is a list of the income on Anne's U.S. income tax return. She is a U.S. citizen living in Canada. She also had to pay taxes on each of these types of income to Canada. Indicate on which of the following a foreign tax credit may be computed.

- _____ a. Wages from her job in the U.S.
- _____ b. Interest income from a U.S. bank.
- _____ c. Interest income from a Canadian bank.
- _____ d. Dividend income from a U.S. corporation.
- _____ e. Dividend income from a Canadian corporation.



Exercise 2

Determine if the following taxes paid to a foreign government can be used to compute the foreign tax credit. All taxpayers are U.S. citizens.

- a. Martha pays \$1,200 a year in taxes. This tax is based on the number and types of appliances which she owns and uses in her home.
- b. Jean pays an inheritance tax to the Spanish government. It is based on an inheritance she received upon the death of an uncle.
- c. Dorothy lives in Jamaica. She paid \$1,500 to the Jamaican government for her salaried income which she earned in Jamaica.
- d. Henry lives in Haiti. He paid \$100 in taxes to the Haitian government. This tax was based on his type of living accommodations, the location of his residence and the size of this family.

In addition to the requirements that the tax be paid to the foreign country on income derived from a foreign country and the tax be an income tax similar to the income tax as defined under U.S. law, the tax must also not be payment for a specific economic benefit. Simply put, the “tax” cannot actually be a “payment” that results in an individual receiving goods, services or the right to use certain properties which are not available to others who are subject to the income tax that is generally imposed by the foreign country. A taxpayer cannot receive any specific benefit, directly or indirectly from paying a tax.

Example 3

Bob lives in Country X. He owns and operates his own business in this country. This country has a two tier income tax system. Everyone pays income tax at graduated rates depending upon their income. Bob also pays income tax based upon the profits of his business. This second level of income tax gives Bob the right to reduced fees for telephones, utilities and rents for his business. The government of Country X calls it an income tax because it is based upon the profits of the business. If Bob did not pay this tax, he could not rent a government-owned building and he would pay significantly more for the utilities and his business telephone usage. Since Bob receives a specific economic benefit for the second tier of income tax that he pays, he cannot use those tax payments to compute a foreign tax credit on his U.S. tax return. However, the first tier of income taxes are similar to U.S. income taxes and can be used to figure his foreign tax credit.

Country Restrictions. Aside from the restrictions that we have already discussed, there are also certain countries to which a taxpayer may pay foreign income taxes but cannot claim a foreign tax credit. Generally the reason a credit may not be claimed for tax paid to one of these countries is because the Secretary of State has designated the country as one that repeatedly provides support for acts of international terrorism.

The credit can also be denied to countries with which the United States has no diplomatic relations, or countries whose government the United States does not recognize. At the time of this writing, income taxes paid to the following countries are not eligible for the foreign tax credit.

CUBA

IRAN

IRAQ

LIBYA

NORTH KOREA

SYRIA

SUDAN

Example 4

Ralph is a U.S. citizen who has investments in both Belgium and Iran. On these investments Ralph pays income tax to these two countries by withholding tax from his dividend checks. Ralph can claim the taxes paid to Belgium when computing the foreign tax credit. The income taxes paid to Iran do not qualify for a foreign tax credit.

TYPES OF INCOME

A separate Form 1116 must be completed for each different type of income. We will only be studying three income categories: passive income, high withholding tax, interest and general limitation income. Remember that you can only check one income category per form and separate Forms 1116 must be submitted for each category. Your tax preparation software will do this for you.



Form 1116 Department of the Treasury Internal Revenue Service	Foreign Tax Credit (Individual, Estate, or Trust) ▶ Attach to Form 1040, 1040NR, 1041, or 990-T. ▶ See separate instructions.	OMB No. 1545-0121 <div style="font-size: 2em; font-weight: bold; margin: 5px 0;">2004</div> Attachment Sequence No. 19												
Name _____		Identifying number as shown on page 1 of your tax return _____												
Use a separate Form 1116 for each category of income listed below. See Categories of Income on page 3 of the instructions. Check only one box on each Form 1116. Report all amounts in U.S. dollars except where specified in Part II below.														
<table style="width: 100%; border: none;"> <tr> <td style="width: 33%;">a <input type="checkbox"/> Passive income</td> <td style="width: 33%;">d <input type="checkbox"/> Shipping income</td> <td style="width: 33%;">g <input type="checkbox"/> Lump-sum distributions</td> </tr> <tr> <td>b <input type="checkbox"/> High withholding tax interest</td> <td>e <input type="checkbox"/> Dividends from a DISC or former DISC</td> <td>h <input type="checkbox"/> Section 901(j) income</td> </tr> <tr> <td>c <input type="checkbox"/> Financial services income</td> <td>f <input type="checkbox"/> Certain distributions from a foreign sales corporation (FSC) or former FSC</td> <td>i <input type="checkbox"/> Certain income re-sourced by treaty</td> </tr> <tr> <td></td> <td></td> <td>j <input type="checkbox"/> General limitation income</td> </tr> </table>			a <input type="checkbox"/> Passive income	d <input type="checkbox"/> Shipping income	g <input type="checkbox"/> Lump-sum distributions	b <input type="checkbox"/> High withholding tax interest	e <input type="checkbox"/> Dividends from a DISC or former DISC	h <input type="checkbox"/> Section 901(j) income	c <input type="checkbox"/> Financial services income	f <input type="checkbox"/> Certain distributions from a foreign sales corporation (FSC) or former FSC	i <input type="checkbox"/> Certain income re-sourced by treaty			j <input type="checkbox"/> General limitation income
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Passive Income. Passive income generally includes the following types of income: dividends, interest, royalties, rents and annuities. If you are assisting a person who has one of these types of passive income from a foreign country, and he or she paid income taxes to a foreign country, you can use your software to compute a foreign tax credit.

Example 5

Darlene is a U.S. citizen living in Venezuela. She keeps a bank account in the Banco Nacional de Venezuela. In 2004, she received \$380 in interest income from the Venezuelan bank. She also paid Venezuelan income taxes on this interest income. On her U.S. return, she would claim a foreign tax credit for the taxes paid to Venezuela on her interest income. She would check the box for the “Passive income” category on Form 1116.

High Withholding Tax Interest. Certain interest income is not included in the passive income category. If the taxpayer you are helping had interest income on which at least 5% foreign gross income tax was withheld, then this income is classified as high withholding tax interest and not passive income.

Example 6

Michael is a U.S. citizen who lives in the United Kingdom. He maintains a bank account in a London bank. According to local law, the bank withholds a mandatory 27.5% of interest income as income tax. Since the withholding rate is at least 5%, the high withholding tax interest category would be checked on his Form 1116.

Example 7

Regina lives in Singapore and is a U.S. citizen. She has both dividend income and interest income from countries outside the United States. Her foreign bank withholds 15% of her interest income for income taxes. She also pays foreign income taxes on her dividend income. Regina must complete two Forms 1116. Her foreign dividend income is “passive income” and indicated as such on one Form 1116. Her foreign interest income is in the “high withholding

tax interest” category and is on another Form 1116. The credits on these separate Forms 1116 will eventually be combined. This will be studied later in this lesson.

General Limitation Income. The final income category on Form 1116 is the “general limitation income” category. If the person you are helping has foreign income that does not come under any of the other categories on Form 1116, then that foreign income comes under the general limitation income category. Most often, this would be wages earned in a foreign country that an individual does not exclude, or excludes only part of, under the foreign earned income exclusion.

Example 8

Siegfried lives in Switzerland and is a U.S. citizen. He works in Switzerland and pays income taxes to Switzerland on his earnings. He does not elect to claim a foreign earned income exclusion. He can claim a foreign tax credit for the taxes paid on his earnings to the Swiss government. He checks the box for the general limitation income category on his Form 1116.

High Taxed Income. If the individual you are assisting has passive income which is taxed by a foreign government at a rate that is higher than the highest U.S. income tax rate, then the foreign tax credit for that income would be computed under the general limitation category. (Passive income was discussed earlier in this lesson.) In 2004, the highest U.S. income tax rate is 38.6%. Therefore, if the person pays more than 38.6% on the foreign source passive income for which he or she claimed the credit, then the credit is computed under the “general limitation” category.

Example 9

Maria lives in Brazil and is a U.S. citizen. She has a bank account in Brazil and pays 45% income tax on her interest income. Even though interest income is normally passive income for purposes of the foreign tax credit, this income would be listed under the “general limitation” category on Form 1116 since the rate of income tax she pays on this passive income is higher than the highest U.S. income tax rate.

Example 10

Bernard is a resident of Barbados and a U.S. citizen. He keeps a bank account in Barbados. In 2004 he paid 17% income tax on his interest income from his bank account in Barbados. Since 17% (the tax rate he paid) is not more than 38.6% (the highest U.S. income tax rate) and since the 17% that Bernard paid was not paid by withholding, this income fails into the “passive income” category of Form 1116.



OTHER FOREIGN TAX CREDIT CONCEPTS

We have already discussed the income categories that are listed on separate sections of the Form 1116. In addition, the top of Form 1116 has a line to indicate the name of the country of residence of the taxpayer. This will need to be entered for tax software to correctly figure the tax credit.

Part I is used to figure the taxable income from foreign sources in each income category. If the person you are helping has one type of foreign income that comes from several foreign countries, you use one Form 1116. You will note that there is room on Form 1116 for up to 3 countries.

Example 11

George is both a U.S. citizen and resident. He has interest income from both Canada and Mexico, as well as the U.S. His software will print only one Form 1116 since all the interest income is in the passive income category.

On Line 1, list all foreign income that fits under the category checked at the top of Form 1116. You will list that income separately for each foreign country.

Example 12

George had \$300 in interest income from his Canadian bank and \$200 in interest income from his Mexican bank. See the completed Form 1116, Line 1 for his income in Exhibit 2 which follows.

Exhibit 2

Form 1116, Line 1

Part I Taxable Income or Loss From Sources Outside the United States (for Category Checked Above)				
	Foreign Country or U.S. Possession			Total (Add cols. A, B, and C.)
	A	B	C	
I Enter the name of the foreign country or U.S. possession ▶	Mexico	Canada		
1 Gross income from sources within country shown above and of the type checked above (see page 7 of the instructions):				
	200	300		500

Note: If the taxpayer you are assisting has claimed the foreign earned income exclusion, enter on Line 1 of Form 1116 for general limitation income only the amount of earned income not excluded.

Example 13

Monique lives in France and is a U.S. citizen. She earned \$84,000 in 2004 in France. Monique claimed the foreign earned income exclusion of \$80,000 (discussed in an earlier lesson). As illustrated in Exhibit 3 below, she would only enter \$4,000 on Line 1 of her Form 1116 (\$84,000 earned Income – \$80,000 exclusion).

Exhibit 3

Form 1116, Line 1

Part I Taxable Income or Loss From Sources Outside the United States (for Category Checked Above)		Foreign Country or U.S. Possession			Total (Add cols. A, B, and C.)
		A	B	C	
I	Enter the name of the foreign country or U.S. possession ▶	France			
1	Gross income from sources within country shown above and of the type checked above (see page 7 of the instructions):				
		4,000			1 4,000

Lines 2–5 are probably the hardest and most confusing lines to complete on the Form 1116. Let’s review the situations that we will not be studying.

- Expenses directly allocable to the income.** If the person you are assisting has expenses that are related directly to the income claimed on Line 1 such as employee business expenses, and the income claimed on Line 1 was earned income, then you may recommend that this person seek professional assistance or contact the IRS.
- Investment Interest Expense.** If a person borrowed money in order to purchase investment property such as stock, then some special allocations may need to be done. They may wish to contact the IRS or seek a professional preparer.
- Foreign Losses.** If the person you are helping had any type of foreign losses such as net losses from selling capital assets or a net loss from being a limited partner, they may wish to hire a professional preparer or contact the IRS if they wish to prepare their own return.

Now that we have discussed what areas are beyond the scope of VITA, let’s continue with the completion of Part I.

Line 3. Your software will complete Line 3a if you completed a Schedule A for the person you are assisting to itemize his or her deductions. The total of the itemized deductions not directly related to foreign or U.S. income are medical expenses, real estate taxes and gifts to charity.

If the person you are assisting does not itemize deductions, then the standard deduction claimed on Line 39 of the Form 1040 would be entered on Line 3a.



Example 14

Betty is claiming a foreign tax credit. She is single and had itemized deductions of \$6,900 for 2004. Her Schedule A includes \$6,200 of real estate taxes and \$700 of charitable contributions. (See Exhibit 4.)

Exhibit 4

Form 1116, Line 3

3 Pro rata share of other deductions not definitely related:				
a Certain itemized deductions or standard deduction (see instructions)	6,900			
b Other deductions (attach statement)				
c Add lines 3a and 3b	6,900			
d Gross foreign source income (see instructions)				
e Gross income from all sources (see instructions)				
f Divide line 3d by line 3e (see instructions)				
g Multiply line 3c by line 3f.				

Example 15

Rebecca wishes to claim a foreign tax credit. She is single and had itemized deductions of \$2,500. Since the standard deduction for a single person for 2004, is \$4,850, it is more advantageous to take the standard deduction. Rebecca’s Form 1116 would therefore have a \$4,850 entry on Line 3a. (See Exhibit 5.)

All income from foreign sources in the category checked at the top of Form 1116 is listed on Line 3d. If the foreign earned income exclusion was claimed on Form 2555 and if the Form 1116 is for the general limitation category, then the amount of the claimed exclusion is included here as well. For example, on Line 3d for Monique from one of our prior examples the entry would be \$84,000. That’s the sum of \$4,000 from Line 1 plus the \$80,000 exclusion she claimed. Under most circumstances, Line 3d and Line 1 will be the same.

Line 3e is gross income from all sources. Usually, this line will be the same as Line 22 of the Form 1040. If a Form 2555 was completed and the Foreign Earned Income Exclusion was claimed, then the amount of the exclusion must be added back to the gross income amount on Line 22.

The software’s next step is to determine the percentage of foreign source income to total income. This is done by dividing Line 3d by Line 3e and it will enter the answer on Line 3f. Then it takes Line 3c and multiplies it by the percentage determined on Line 3f and then enters this answer on Line 3g. For our purposes Line 6 will then be the same as Line 3g. This number represents the amount of your deductions allocated to foreign income in the category.

Your software will compute the rest of Part I and has begun to enter figures on Part III.

Part II. Foreign Taxes Paid or Accrued. Part II of Form 1116 deals with the amount of foreign taxes paid or that may be owed (accrued). Since the foreign tax credit is allowed when a U.S. taxpayer either pays or accrues taxes to a foreign government, the amount paid or owed to a foreign government must be indicated on the tax return in this section.

Before we can discuss how to complete Part II, we need to discuss cash basis and accrual basis taxpayers. A cash basis taxpayer is one who reports income when actually or constructively received, and expenses when they are paid. The majority of people who file individual income tax returns are cash basis taxpayers. If the person is a cash basis taxpayer, he or she has a choice to take foreign tax credit using the cash or accrual method.

Example 16

Marie is a U.S. citizen who resides in Argentina, where she is currently employed. She is paid every week on Thursday. Her last payday for 2004 is December 30th. She is paid based upon the time she worked in the previous week Sunday through Saturday. Since she is a cash basis taxpayer, she claims on her 2004 tax return the income that she was paid from January 1, 2004 through December 31, 2004 no matter when she earned it or when she may have been entitled to it. She also claims as deductions, expenses for which she actually paid in 2004 even though she may have incurred the debt prior to 2004.

An accrual basis taxpayer computes income and deductions differently. A person who is on the accrual basis computes income when he or she actually earned it or became entitled to it. Therefore, his or her deductions are computed based on when those debts were incurred, but not necessarily paid.

Example 17

If Marie was an accrual basis taxpayer instead of a cash basis taxpayer, then she would declare as her 2004 income the money she had earned from her employer through December 31, even though she would not have been paid for her last week's work until early 2005.

When computing the amount of foreign taxes for Part II of Form 1116, you will need to know if the taxpayer is on a cash basis or an accrual basis. If the person you are helping does not know, then he or she is probably on a cash basis. Taxpayers on the accrual basis should be referred to professional tax preparers for assistance.

A taxpayer on the cash basis may choose to use the accrual method to determine the foreign tax credit. However, once this choice has been made the taxpayer must use the accrual method for the foreign tax credit on all future tax returns.



In the U.S., we have a pay-as-you-go system. That means that we pay taxes on taxable income as we make it. When a wage-earner gets a paycheck, an amount has already been withheld by his or her employer for federal income tax. If there has not been withholding on taxable income, then estimated tax payments must be made.

Many foreign countries have a different system. In some cases, the individual simply reports his or her taxable income and the government involved computes the tax and bills the taxpayer. In other instances, taxpayers make payments in one year for income made the previous year. In these instances, a cash basis taxpayer may wish to use the accrual basis for computing the foreign tax credit since his or her U.S. tax would be based on the income made in 2004 but they would not actually pay the taxes or know the actual tax amount until after the end of the tax year. But remember that once the choice to use the accrual method has been made, it must be used on all future tax returns in computing the foreign tax credit.

On Part II of Form 1116, you must indicate if the credit is being claimed for foreign taxes actually paid in 2004 or if it is being claimed for foreign taxes accrued during 2004. Just as there is space in Part I of the form to claim income from 3 different countries, there is space in Part II for claiming payments to these 3 different countries.

Part II also has two separate sections in which you indicate the amounts withheld, paid, or accrued in the foreign currency and then convert these amounts into U.S. dollars.

FOREIGN EXCHANGE RATE

One of the questions that frequently arise is what currency exchange rate should be used. If you are using the cash basis, then the exchange rate that is the most accurate for the date of the payment should be used.

If the person you are helping had tax withheld throughout the year, then you can use the annual average exchange rate. If the person you are assisting is using the accrual method to claim his or her foreign taxes paid, you must generally use the average exchange rate for the tax year.

Column (x) of the Form 1116 Part II is a summary (in U.S. dollars) of all the foreign taxes paid or accrued on income in the category checked at the top of Form 1116.

Line 8 of Part II is the total of foreign taxes paid or accrued to all foreign countries. If the foreign taxes are paid or accrued on foreign income that falls into more than one separate category of income, but the tax is not specifically allocable to any one of the items of income, an allocation of the tax to each separate category must be made. This allocation is made by multiplying the total foreign income by a fraction. The numerator of the fraction is the net income of each of the separate categories. The denominator is total net foreign income.



Exercise 3

Charles is a U.S. citizen who lives and works in the United Kingdom. He takes the foreign earned income exclusion for his wages. His only other foreign income is interest income from his London bank. British income taxes were withheld at 27.5%. In 2004, his gross interest income from his London bank was £1,200. The average exchange rate for 2004 for purposes of this exercise was £.6 to the U.S. dollar. Charles uses the single filing status on his tax return and claims a standard deduction for 2004. He had earned income of \$60,000 which he excluded. He also had U.S. interest income of \$3,000 and his only other income was a short term capital gain of \$35,000 from a U.S. source. Since 27.5% is also the tax rate for interest income in the United Kingdom, he had no additional income tax due to Great Britain on his interest income. Parts of Charles' Form 1040 are reproduced below. Compute the first page of the Form 1116 for Charles.



		d Total number of exemptions claimed		lines above		
Income	7	Wages, salaries, tips, etc. Attach Form(s) W-2	7	60,000	00	
	8a	Taxable interest. Attach Schedule B if required	8a	5,000	00	
		b Tax-exempt interest. Do not include on line 8a	8b			
	Attach Forms W-2 and W-2G here. Also attach Form(s) 1099-R if tax was withheld.	9a	Ordinary dividends. Attach Schedule B if required	9a		
			b Qualified dividends (see page 23)	9b		
		10 Taxable refunds, credits, or offsets of state and local income taxes (see page 23)	10			
		11 Alimony received	11			
		12 Business income or (loss). Attach Schedule C or C-EZ	12			
		13 Capital gain or (loss). Attach Schedule D if required. If not required, check here <input type="checkbox"/>	13	35,000	00	
		14 Other gains or (losses). Attach Form 4797	14			
	If you did not get a W-2, see page 22.	15a	IRA distributions	15a		
			b Taxable amount (see page 25)	15b		
		16a	Pensions and annuities	16a		
			b Taxable amount (see page 25)	16b		
	Enclose, but do not attach, any payment. Also, please use Form 1040-V.	17	Rental real estate, royalties, partnerships, S corporations, trusts, etc. Attach Schedule E	17		
		18	Farm income or (loss). Attach Schedule F	18		
		19	Unemployment compensation	19		
		20a	Social security benefits	20a		
			b Taxable amount (see page 27)	20b		
		21	Other income. List type and amount (see page 27)	21	(60,000)	00
		22	Add the amounts in the far right column for lines 7 through 21. This is your total income <input type="checkbox"/>	22	40,000	00
		Adjusted Gross Income	23	Deduction for clean-fuel vehicles (see page 29)	23	
24			Certain business expenses of reservists, performing artists, and fee-basis government officials. Attach Form 2106 or 2106-EZ	24		
25			IRA deduction (see page 29)	25		
26	Student loan interest deduction (see page 31)		26			
27	Tuition and fees deduction (see page 32)		27			
28	Health savings account deduction. Attach Form 8889		28			
29	Moving expenses. Attach Form 3903		29			
30	One-half of self-employment tax. Attach Schedule SE		30			
31	Self-employed health insurance deduction (see page 33)		31			
32	Self-employed SEP, SIMPLE, and qualified plans		32			
33	Penalty on early withdrawal of savings		33			
34a	Alimony paid b Recipient's SSN <input type="checkbox"/>		34a			
35	Add lines 23 through 34a		35			
36	Subtract line 35 from line 22. This is your adjusted gross income <input type="checkbox"/>		36	40,000	00	

For Disclosure, Privacy Act, and Paperwork Reduction Act Notice, see page 77.

Cat. No. 11320B

Form 1040 (2004)

Form 1040 (2004)		Page 2				
Tax and Credits	37	Amount from line 36 (adjusted gross income)	37	40,000	00	
	38a	Check <input type="checkbox"/> You were born before January 2, 1940, <input type="checkbox"/> Blind. } Total boxes	38a			
		if: <input type="checkbox"/> Spouse was born before January 2, 1940, <input type="checkbox"/> Blind. } checked <input type="checkbox"/>				
	b	If you are married filing separately and your spouse itemizes deductions, or you were a dual-status alien, see page 34 and check here <input type="checkbox"/> 38b <input type="checkbox"/>				
	Standard Deduction for— • People who checked any box on line 38a or 38b or who can be claimed as a dependent, see page 34. • All others: Single or Married filing separately, \$4,850 Married filing	39	Itemized deductions (from Schedule A) or your standard deduction (see left margin)	39	4,850	00
		40	Subtract line 39 from line 37	40	35,150	00
		41	If line 37 is \$107,025 or less, multiply \$3,100 by the total number of exemptions claimed on line 6d. If line 37 is over \$107,025, see the worksheet on page 35	41	3,100	00
		42	Taxable income. Subtract line 41 from line 40. If line 41 is more than line 40, enter -0-	42	32,050	00
		43	Tax (see page 36). Check if any tax is from: a <input type="checkbox"/> Form(s) 8814 b <input type="checkbox"/> Form 4972	43	4,808	00
		44	Alternative minimum tax (see page 38). Attach Form 6251	44		
		45	Add lines 43 and 44	45	4,808	00
		46	Credit for child and dependent care expenses. Attach Form 2441	46		
47		Credit for the elderly or the disabled. Attach Schedule R	47			
48		Subtract line 45 from line 42. This is your taxable income <input type="checkbox"/>	48			

Form **1116**
 Department of the Treasury
 Internal Revenue Service

Foreign Tax Credit
 (Individual, Estate, or Trust)

▶ Attach to Form 1040, 1040NR, 1041, or 990-T.
 ▶ See separate instructions.

OMB No. 1545-0121

2004
 Attachment
 Sequence No. **19**

Name _____ Identifying number as shown on page 1 of your tax return _____

Use a separate Form 1116 for each category of income listed below. See **Categories of Income** on page 3 of the instructions. Check only one box on each Form 1116. Report all amounts in U.S. dollars except where specified in Part II below.

- a Passive income
- b High withholding tax interest
- c Financial services income
- d Shipping income
- e Dividends from a DISC or former DISC
- f Certain distributions from a foreign sales corporation (FSC) or former FSC
- g Lump-sum distributions
- h Section 901(j) income
- i Certain income re-sourced by treaty
- j General limitation income

k Resident of (name of country) ▶ _____

Note: If you paid taxes to only one foreign country or U.S. possession, use column A in Part I and line A in Part II. If you paid taxes to more than one foreign country or U.S. possession, use a separate column and line for each country or possession.

Part I Taxable Income or Loss From Sources Outside the United States (for Category Checked Above)

	Foreign Country or U.S. Possession			Total (Add cols. A, B, and C.)
	A	B	C	
1 Enter the name of the foreign country or U.S. possession ▶				
1 Gross income from sources within country shown above and of the type checked above (see page 7 of the instructions):				1
Deductions and losses (Caution: See pages 9, 11, and 12 of the instructions):				
2 Expenses definitely related to the income on line 1 (attach statement)				
3 Pro rata share of other deductions not definitely related:				
a Certain itemized deductions or standard deduction (see instructions)				
b Other deductions (attach statement)				
c Add lines 3a and 3b				
d Gross foreign source income (see instructions)				
e Gross income from all sources (see instructions)				
f Divide line 3d by line 3e (see instructions)				
g Multiply line 3c by line 3f.				
4 Pro rata share of interest expense (see instructions):				
a Home mortgage interest (use worksheet on page 12 of the instructions)				
b Other interest expense				
5 Losses from foreign sources				
6 Add lines 2, 3g, 4a, 4b, and 5				6
7 Subtract line 6 from line 1. Enter the result here and on line 14, page 2 ▶				7

Part II Foreign Taxes Paid or Accrued (see page 12 of the instructions)

Country	Credit is claimed for taxes (you must check one) (m) <input type="checkbox"/> Paid (n) <input type="checkbox"/> Accrued	Foreign taxes paid or accrued								
		In foreign currency				In U.S. dollars				
		(o) Date paid or accrued	(p) Dividends	(q) Rents and royalties	(r) Interest	(s) Other foreign taxes paid or accrued	(t) Dividends	(u) Rents and royalties	(v) Interest	(w) Other foreign taxes paid or accrued	(x) Total foreign taxes paid or accrued (add cols. (t) through (w))
A										
B										
C										
8 Add lines A through C, column (x). Enter the total here and on line 9, page 2 ▶										8

For Paperwork Reduction Act Notice, see page 16 of the instructions.

Cat. No. 11440U

Form **1116** (2004)

Part III. Now that we have completed the front page of the Form 1116, let's go to the back of the form. Part III is the actual computation of the Foreign Tax Credit. This is relatively simple if you just follow the form line by line. If you have utilized tax software and entered all the types of foreign source income and the amounts of tax paid on them to a foreign country, your form is completed at this point, except for three lines, Lines 10, 12 and 15.

Line 10. This line deals with carrybacks and carryovers. This occurs when a taxpayer pays more to a foreign government than he or she does to the United States on income attributable to the taxable income in the separate income category. Since the tax credit is limited to the amount of U.S., the surplus tax credit is available as a carryback or carryover. VITA volunteers will not be computing carrybacks or carryovers.

Line 12. A reduction to the foreign taxes paid or accrued has to be made under certain circumstances. For our purpose, we will cover the most common situation. This is the reduction for taxes allocable to income excluded under the foreign earned income exclusion. The formula for this reduction is:

$$\frac{\text{Excluded Foreign Earned Income}}{\text{Total Foreign Earned Income}} \times \text{Foreign Tax} = \text{Reduction}$$

For our purposes, if the foreign law taxes foreign earned income and some other income (for example, earned income from U.S. sources or a type of income not subject to U.S. tax), and the taxes cannot be segregated, then the denominator of this fraction is the total amount of income subject to foreign tax.

Let's look at an example.

Example 18

Marsha is a U.S. citizen who resides in Germany for all of 2004. She had wages of \$85,000, and excluded \$80,000 on her U.S. tax return. She also earned \$5,000 interest on a German bank account. She paid \$2,000 income tax to Germany on this income. She will allocate the \$2,000 income tax as follows:

Step 1 — Allocate the tax to Passive and to General Limitation Income.

$$\text{Passive Income: } \frac{\$5,000}{\$90,000} \times \$20,000 = \$1,111$$

$$\text{General Limitation Income: } \frac{\$85,000}{\$90,000} \times \$20,000 = \$18,889$$



Step 2 — Calculate the credit reduction attributable to excluded income.

$$\frac{\$80,000 \text{ (excluded income)}}{\$85,000 \text{ (total foreign income)}} \times \$18,889 = \$17,778$$

Exhibit 9

Form 1116

Form 1116 (2004)		Page 2	
Part III Figuring the Credit			
9	Enter the amount from line 8. These are your total foreign taxes paid or accrued for the category of income checked above Part I	9	18,889
10	Carryback or carryover (attach detailed computation).	10	
11	Add lines 9 and 10.	11	18,889
12	Reduction in foreign taxes (see page 13 of the instructions).	12	17,778
13	Subtract line 12 from line 11. This is the total amount of foreign taxes available for credit	13	1,111

There are other reductions which can be indicated on line 12. However, they are all beyond the scope of VECTA. These include taxes attributable to boycott operations, or certain mineral income. It is suggested that taxpayers with these types of situations may wish to seek professional assistance.

Line 15—These adjustments are beyond the scope of VECTA.

More Than One Form 1116. Part IV of the Form 1116 is used as a summary of the foreign tax credit. As you can tell from our discussion thus far, there may be occasions when you will need to complete more than one Form 1116 for the same taxpayer. If this is the case, you would complete Part IV on only one Form 1116. It does not matter which Form 1116 you choose. You would indicate in Part IV of the summary Form 1116 the amount of the credit computed on line 21 of Part III from each Form 1116. Line 30 is then a total of all Forms 1116 and, for our purposes, line 32 should be the same as line 30. Please note that again the reduction of the credit for international boycott operations (line 31) is beyond the scope of this program and will not be discussed.



Part III Figuring the Credit

9	Enter the amount from line 8. These are your total foreign taxes paid or accrued for the category of income checked above Part I	9		
10	Carryback or carryover (attach detailed computation).	10		
11	Add lines 9 and 10.	11		
12	Reduction in foreign taxes (see page 13 of the instructions).	12		
13	Subtract line 12 from line 11. This is the total amount of foreign taxes available for credit	13		
14	Enter the amount from line 7. This is your taxable income or (loss) from sources outside the United States (before adjustments) for the category of income checked above Part I (see page 14 of the instructions)	14		
15	Adjustments to line 14 (see page 14 of the instructions)	15		
16	Combine the amounts on lines 14 and 15. This is your net foreign source taxable income. (If the result is zero or less, you have no foreign tax credit for the category of income you checked above Part I. Skip lines 17 through 21. However, if you are filing more than one Form 1116, you must complete line 19.)	16		
17	Individuals: Enter the amount from Form 1040, line 40. If you are a nonresident alien, enter the amount from Form 1040NR, line 37. Estates and trusts: Enter your taxable income without the deduction for your exemption. <i>Caution: If you figured your tax using the lower rates on qualified dividends or capital gains, see page 15 of the instructions.</i>	17		
18	Divide line 16 by line 17. If line 16 is more than line 17, enter "1"	18		
19	Individuals: Enter the amount from Form 1040, line 43, less any amounts on Form 1040, lines 46 through 49. If you are a nonresident alien, enter the amount from Form 1040NR, line 40, less any amounts on Form 1040NR, lines 43 and 44. Estates and trusts: Enter the amount from Form 1041, Schedule G, line 1a, or the total of Form 990-T, lines 36 and 37 <i>Caution: If you are completing line 19 for separate category g (lump-sum distributions), see page 16 of the instructions.</i>	19		
20	Multiply line 19 by line 18 (maximum amount of credit)	20		
21	Enter the smaller of line 13 or line 20. If this is the only Form 1116 you are filing, skip lines 22 through 30 and enter this amount on line 31. Otherwise, complete the appropriate line in Part IV (see page 16 of the instructions) ▶	21		

Part IV Summary of Credits From Separate Parts III (see page 16 of the instructions)

22	Credit for taxes on passive income	22		
23	Credit for taxes on high withholding tax interest	23		
24	Credit for taxes on financial services income	24		
25	Credit for taxes on shipping income	25		
26	Credit for taxes on dividends from a DISC or former DISC and certain distributions from a FSC or former FSC	26		
27	Credit for taxes on lump-sum distributions	27		
28	Credit for taxes on certain income re-sourced by treaty	28		
29	Credit for taxes on general limitation income	29		
30	Add lines 22 through 29	30		
31	Enter the smaller of line 19 or line 30	31		
32	Reduction of credit for international boycott operations. See instructions for line 12 on page 14	32		
33	Subtract line 32 from line 31. This is your foreign tax credit . Enter here and on Form 1040, line 50; Form 1040NR, line 45; Form 1041, Schedule G, line 2a; or Form 990-T, line 40a ▶	33		

▶▶ SUMMING UP THIS LESSON ◀◀

- ▶ In order to qualify for a foreign tax credit, income on which the taxes are paid must be foreign source.
- ▶ The tax being paid must be similar to U.S. income tax.
- ▶ The individual paying the tax cannot derive a specific economic benefit and still claim the foreign tax credit.
- ▶ The foreign tax credit is computed on Form 1116.
- ▶ If an individual claims the foreign earned income exclusion, the excluded amount is not shown on line 1 of Part I of the Form 1116.
- ▶ A cash basis taxpayer may choose the accrual method to claim the foreign tax credit. Once the choice has been made, the taxpayer must continue to use the accrual method.
- ▶ If the accrual method of claiming the foreign tax credit is used, use the average annual currency exchange rate to convert the foreign money into U.S. dollars.
- ▶ If there is more than one Form 1116 for the same person, Part IV Summary need only be completed on one of the forms.



1. c, e
2. a. no
b. no
c. yes
d. no

Form 1116 Department of the Treasury Internal Revenue Service	Foreign Tax Credit (Individual, Estate, or Trust) ▶ Attach to Form 1040, 1040NR, 1041, or 990-T. ▶ See separate instructions.	OMB No. 1545-0121 <div style="font-size: 2em; font-weight: bold; text-align: center;">2004</div> Attachment Sequence No. 19
--	---	--

Name Charles Green	Identifying number as shown on page 1 of your tax return 000 - 00 - 6492
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Use a separate Form 1116 for each category of income listed below. See **Categories of Income** on page 3 of the instructions. Check only one box on each Form 1116. Report all amounts in U.S. dollars except where specified in Part II below.

- | | | |
|--|--|---|
| <input type="checkbox"/> a Passive income | <input type="checkbox"/> d Shipping income | <input type="checkbox"/> g Lump-sum distributions |
| <input checked="" type="checkbox"/> b High withholding tax interest | <input type="checkbox"/> e Dividends from a DISC or former DISC | <input type="checkbox"/> h Section 901(j) income |
| <input type="checkbox"/> c Financial services income | <input type="checkbox"/> f Certain distributions from a foreign sales corporation (FSC) or former FSC | <input type="checkbox"/> i Certain income re-sourced by treaty |
| | | <input type="checkbox"/> j General limitation income |

k Resident of (name of country) ▶ **United Kingdom**

Note: If you paid taxes to only one foreign country or U.S. possession, use column A in Part I and line A in Part II. If you paid taxes to more than one foreign country or U.S. possession, use a separate column and line for each country or possession.

Part I Taxable Income or Loss From Sources Outside the United States (for Category Checked Above)

	Foreign Country or U.S. Possession			Total (Add cols. A, B, and C.)
	A	B	C	
I Enter the name of the foreign country or U.S. possession ▶ 1 Gross income from sources within country shown above and of the type checked above (see page 7 of the instructions):	United Kingdom			
	2,000			2,000
Deductions and losses (Caution: See pages 9, 11, and 12 of the instructions):				
2 Expenses definitely related to the income on line 1 (attach statement)				
3 Pro rata share of other deductions not definitely related:				
a Certain itemized deductions or standard deduction (see instructions)	4,750			
b Other deductions (attach statement)				
c Add lines 3a and 3b	4,750			
d Gross foreign source income (see instructions)	2,000			
e Gross income from all sources (see instructions)	100,000			
f Divide line 3d by line 3e (see instructions) . . . . .	.0200			
g Multiply line 3c by line 3f.	95			
4 Pro rata share of interest expense (see instructions):				
a Home mortgage interest (use worksheet on page 12 of the instructions)				
b Other interest expense				
5 Losses from foreign sources				
6 Add lines 2, 3g, 4a, 4b, and 5	95			95
7 Subtract line 6 from line 1. Enter the result here and on line 14, page 2 ▶				1,905

Part II Foreign Taxes Paid or Accrued (see page 12 of the instructions)

Country	Credit is claimed for taxes (you must check one) (m) <input checked="" type="checkbox"/> Paid (n) <input type="checkbox"/> Accrued	Foreign taxes paid or accrued							
		In foreign currency				In U.S. dollars			
		Taxes withheld at source on:				Taxes withheld at source on:			
(o) Date paid or accrued	(p) Dividends	(q) Rents and royalties	(r) Interest	(s) Other foreign taxes paid or accrued	(t) Dividends	(u) Rents and royalties	(v) Interest	(w) Other foreign taxes paid or accrued	(x) Total foreign taxes paid or accrued (add cols. (t) through (w))
A	12/31/03			330			550		550
B									
C									
8	Add lines A through C, column (x). Enter the total here and on line 9, page 2 ▶								550



FINISHING THE RETURN

Lesson 7

INTRODUCTION AND OBJECTIVES

In this lesson you will learn how to report federal income tax payments and figure the overpayment or balance due. You will also learn how to determine if estimated taxes should be paid. Additionally, you will learn how to finish the return and have the taxpayer sign the return.

After completing this lesson you should be able to:

- Calculate and report federal income tax withheld from all sources.
- Calculate and report estimated tax payments.
- Calculate the refund or amount due.
- Determine if estimated taxes should be paid.
- Determine if changes to the taxpayer's W-4 or W-4P should be suggested.

Please pay close attention to the section about identifying the returns that you work on. It is critical for you to enter the correct site identification number in the preparer's signature section of the return. The number goes in the designated area on the forms with the pre-printed "S" followed by 8 digits or in the PTIN/SSN field of the return.

This lesson will provide detailed information on how to finish the tax return. The following checklist is provided as a quick reference of the steps needed to finish the return.

CHECKLIST FOR FINISHING THE RETURN

Withholdings, Payments and Other Credits:

- Add all Federal Income Tax Withholding from Form W-2, box 2, and include on return.
- Add all Federal Income Tax Withholding from box 4 of Forms 1099R, 1099INT, 1099DIV and 1099G. Include in the payments section of the return.
- Include all estimated tax payments in the payment section.

POTENTIAL PITFALLS

Form W-2, box 4, shows social security tax withheld and box 6 shows Medicare tax withheld. These are not the same as federal income tax withheld. Do not report the amounts in box 4 and box 6 as federal income tax withheld.

POTENTIAL PITFALLS

When a taxpayer worked for more than one employer during the year, add up the amounts shown in box 4 of all Forms W-2. If the total in box 4 of all forms exceeds \$5,449.80 the taxpayers should claim a refund of excess social security tax withheld. Use the worksheet in Pub. 505, *Tax Withholding and Estimated Tax* to compute the refund.

ALERT

The letter "P" in the site identification number has been replaced by the letter "S". This change was made to better track the number of volunteer prepared returns.

- Include the amount of last year's refund that was applied to this year in the payment section. Note: If you need assistance with how to do this with TaxWise®, ask your site coordinator or computer specialist.
- Calculate all of the refundable credits (covered in later lessons) that the taxpayer is entitled to and include them in the payments section of the return. Using TaxWise® software will help you determine what credits that the taxpayer is entitled to.
- Add all payments together and enter them on the total payments line. TaxWise® will do this step for you.
- Subtract the total payments from the total tax. TaxWise® will also complete this step for you.
- Record the account number and the routing number for taxpayers who want their refund direct deposited. Note: TaxWise® will ask you for this information on the Main Information screen and on the tax form. This is to help ensure that you have keyed in the correct information. Complete the line to apply part of the refund to next year, if the taxpayer wishes to use this option.

Paying Taxes or Adjusting Withholding Taxes if Balance Due:

- Explain the payment option (check, credit card, direct debit and installment agreement) to a taxpayer who owes money.
- Inform the taxpayer about the identifying information to include on payments made by check.
- Explain that interest and penalties continue to accrue on the unpaid balance even if the taxpayer has a valid installment agreement.
- Explain estimated taxes to taxpayers who expect to owe tax in 2005.
- Assist the taxpayer with completing form 1040ES for 2005. TaxWise® can do this for you. It will even print the vouchers for the payments. **See publication 4012, Volunteer Resource Guide for further guidelines.**
- Provide the taxpayer with the mailing address for the estimated payments. (Some sites provide unstamped envelopes for the taxpayers.)
- Encourage taxpayers to consider adjusting their withholding (on Form W-4 or W-4P) if they have a large refund or owe more than \$1,000 on the return.

Advance Earned Income Tax Credit (AEIC):

- Inform taxpayers about the Advance Earned Income Credit, if they were eligible for EIC this year and have at least one qualifying child. Be prepared to give the taxpayer a Form W-5, if they request it.

Name, Address, and Taxpayer Identification Section of Return:

- Complete the name and address section of the tax return. Use the taxpayer's label (if available) on a return prepared by hand. For computer generated returns, this section will be completed based on the information you entered in the Main Information section of the TaxWise® software.
- Make sure that you include the Taxpayer Identification Number for all taxpayers and dependents listed on the return. Note: If you are using TaxWise®, you will get an error when you run diagnostics if you have not included the identifying number. TaxWise® also has a diagnostic feature that helps you check the accuracy of the identifying number by comparing it to a database of information from the Social Security Administration. This does not guarantee that the name and social security number match. You should always look at the actual Social Security cards if possible. To validate the identity of the taxpayer you should also ask to see an official picture identification item.
- Mark the Presidential Election Campaign Box for the taxpayer. Note: If the taxpayer has a total tax of zero, the presidential campaign box should be marked no.

Return Assembly and Copy:

- Assemble the return. If filing a paper return for the taxpayer, forms should be in the order of the sequence number in the upper right corner. Procedures on assembling electronic returns may vary from site to site. Please ask your site coordinator for this information.
- Retain an electronic copy of all returns e-filed. Remember that you are not allowed to retain copies of the tax returns at your site past the end of the filing season. The retained copies should be forwarded to your local IRS territory office, where they will be retained until the end of the calendar year (as prescribed by the electronic filing regulations). For exception see Publication 4299, Privacy and Confidentiality.

Site Identification Number on Forms 1040, 1040A, & 1040EZ

Congress annually asks the IRS to provide the number of returns that were filed by volunteer tax assistance sites. For statistical purposes, the IRS requests that all Federal returns be identified with a Site Identification Number. The Site Identification Number is entered in the Paid Preparer's section of the tax return. The Internal Revenue Service Submission Processing Center will count each return processed using this data.

More about this topic is covered later in this lesson.

On Site Quality Review:

- Submit the completed return to the quality reviewer at your site. Note: Not all sites have enough volunteers to have a designated quality reviewer. In this case, ask another volunteer to review the form you prepared. Using TaxWise® is not a substitute for quality review.

Signing the Return and Third Party Designation:

- Mark the area where the taxpayer should sign the return or Form 8453. Publication 3189 will contain additional information on how to use the PIN program to sign electronic returns.
- Complete the third party designation section of the return if the taxpayer wishes to allow someone else to discuss the return with the IRS. (**You cannot designate yourself.**)

Taxpayer Question:

- Ask the taxpayer if they have any additional questions.

Where to Mail Paper Returns:

- Tell the taxpayer where to mail the return (if filing by paper). Electronically filed returns are automatically transmitted to the correct IRS Processing Center. Paper tax returns must be mailed in by the taxpayer to the IRS processing Center for the area (state) where the taxpayer resides. Each tax package contains a pre-addressed envelope for a particular area based on the last address filed with the IRS. If the taxpayer has moved or does not have a pre-addressed envelope the address and other mailing information is located in the individual federal tax package and in your Volunteer Resource Guide, Publication 4012. Some sites provide unstamped pre-addressed envelope for their taxpayers. (You might be able to get the envelopes donated from a local office supply store. Your site receptionist could address the envelopes or you could print computer labels to use on them.)

PAYMENTS

The federal government has a pay-as-you-earn tax system. The information for the payments section of the return has three sources: federal income tax withholdings, estimated tax payments, and refundable credits.

Income tax withheld can appear on:

- Form W-2, *Wage and Tax Statement*, in box 2
- Form 1099-R, *Distributions From Pensions, Annuities, Retirement or Profit-Sharing Plans, IRAs, Insurance Contracts, etc.*, in box 4
- Form 1099-INT, *Interest Income*, in box 4
- Form 1099-DIV, *Dividends and Distributions*, in box 4
- Form W-2G, *Certain Gambling Winnings*, in box 2
- Form 1099-G, *Certain Government and Qualified State Tuition Program Payments*, box 4
- SSA-1099, Social Security Benefits
- RRB-1099, Railroad Retirement Benefits Tier 1
- RRB-1099R, Railroad Retirement Benefits Tier 2
- Form 1099B, *Proceeds from Broker and Barter Exchange Transactions*

Example 1

Kamica has one Form W-2 (Exhibit 1).

The entry in Box 1 of Form W-2 goes on line 7, Form 1040EZ, line 39, Form 1040A, or line 63, Form 1040, is \$988.

Exhibit 1

Kamica's Form W-2

a Control number		OMB No. 1545-0008		Safe, accurate, FAST! Use 		Visit the IRS Web Site at www.irs.gov .	
b Employer identification number 10-0864213				1 Wages, tips, other compensation 12,350.00		2 Federal income tax withheld 988.00	
c Employer's name, address, and ZIP code XYZ Associates 2112 Third Street Tampa, FL 33621				3 Social security wages 12,350.00		4 Social security tax withheld 765.70	
				5 Medicare wages and tips 12,350.00		6 Medicare tax withheld 179.08	
				7 Social security tips		8 Allocated tips	
d Employee's social security number XXX-XX-XXXX				9 Advance EIC payment		10 Dependent care benefits	
e Employee's first name and initial Last name Kamica A. Howard 134 Dawes Blvd. Tampa, FL 33621				11 Nonqualified plans		12a See instructions for box 12	
				13 Statutory employee Retirement plan Third-party sick pay <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>		12b	
				14 Other		12c	
						12d	
f Employee's address and ZIP code							
15 State Employer's state ID number		16 State wages, tips, etc.		17 State income tax		18 Local wages, tips, etc.	
						19 Local income tax	
						20 Locality name	

Form **W-2** Wage and Tax Statement **2004** Department of the Treasury—Internal Revenue Service
 Copy B To Be Filed with Employee's FEDERAL Tax Return. For Privacy Act Notice, see back of Copy D.
 This information is being furnished to the Internal Revenue Service.

Example 2

Lucas has a Form 1099-INT (Exhibit 2), a Form 1099-R (Exhibit 3), and a Form 1099-DIV (Exhibit 4). His total income tax withheld is entered on line 39, Form 1040A. It is \$1,247.

Exhibit 2

Lucas's Form 1099-INT

<input type="checkbox"/> CORRECTED (if checked)		OMB No. 1545-0112		2004 Interest Income
PAYER'S name, street address, city, state, ZIP code, and telephone no. Second Federal Bank 210 Miller Avenue Denver, CO 86011		Payer's RTN (optional)		
PAYER'S Federal identification number 10-4213597	RECIPIENT'S identification number 000-00-4213	1 Interest income not included in box 3 \$ 935.00		Copy B For Recipient <small>This is important tax information and is being furnished to the Internal Revenue Service. If you are required to file a return, a negligence penalty or other sanction may be imposed on you if this income is taxable and the IRS determines that it has not been reported.</small>
RECIPIENT'S name Lucas B. George		2 Early withdrawal penalty \$	3 Interest on U.S. Savings Bonds and Treas. obligations \$	
Street address (including apt. no.) 1360 Shannon Avenue		4 Federal income tax withheld \$ 187.00		
City, state, and ZIP code Denver, CO 86011		5 Investment expenses \$	6 Foreign tax paid \$	
Account number (optional)		7 Foreign country or U.S. possession		
Form 1099-INT		(keep for your records)		Department of the Treasury - Internal Revenue Service

Exhibit 3

Lucas's Form 1099-R

<input type="checkbox"/> CORRECTED (if checked)		OMB No. 1545-0119		2004 Distributions From Pensions, Annuities, Retirement or Profit-Sharing Plans, IRAs, Insurance Contracts, etc.
PAYER'S name, street address, city, state, and ZIP code APEX Triangles 213 Hickory Meadows Denver, CO 86011		1 Gross distribution \$ 12,000.00		
PAYER'S Federal identification number 10-9753124		2a Taxable amount \$		Copy B Report this income on your Federal tax return. If this form shows Federal income tax withheld in box 4, attach this copy to your return. <small>This information is being furnished to the Internal Revenue Service.</small>
RECIPIENT'S identification number 000-00-4213		2b Taxable amount not determined <input type="checkbox"/> Total distribution <input type="checkbox"/>		
RECIPIENT'S name Lucas B. George		3 Capital gain (included in box 2a) \$		
Street address (including apt. no.) 1360 Shannon Ave.		4 Federal income tax withheld \$ 960.00		
City, state, and ZIP code Denver, CO 86011		5 Employee contributions or insurance premiums \$		
Account number (optional)		6 Net unrealized appreciation in employer's securities \$		
		7 Distribution code	8 Other	
		IRA/SEP/SIMPLE <input type="checkbox"/>	%	
		9a Your percentage of total distribution %	9b Total employee contributions \$	
		10 State tax withheld \$	11 State/Payer's state no.	12 State distribution \$
		\$		\$
		13 Local tax withheld \$	14 Name of locality	15 Local distribution \$
		\$		\$
Form 1099-R		(keep for your records)		Department of the Treasury - Internal Revenue Service

<input type="checkbox"/> CORRECTED (if checked)					
PAYER'S name, street address, city, state, ZIP code, and telephone no. Denver Sheet Metal 214 16th Street Denver, CO 86013		1 Ordinary dividends \$ 500.00	OMB No. 1545-0110 2004 Form 1099-DIV		Dividends and Distributions
		2a Total capital gain distr. \$			
		2b 28% rate gain \$			
PAYER'S Federal identification number 10-2846731	RECIPIENT'S identification number 000-00-4213	2c Qualified 5-year gain \$	2d Unrecap. sec. 1250 gain \$	Copy B For Recipient This is important tax information and is being furnished to the Internal Revenue Service. If you are required to file a return, a negligence penalty or other sanction may be imposed on you if this income is taxable and the IRS determines that it has not been reported.	
RECIPIENT'S name Lucas B. George Street address (including apt. no.) 1360 Shannon Avenue City, state, and ZIP code Denver, CO 86011		2e Section 1202 gain \$	3 Nontaxable distributions \$		
		4 Federal income tax withheld \$ 100.00	5 Investment expenses \$		
		6 Foreign tax paid \$	7 Foreign country or U.S. possession		
Account number (optional)		8 Cash liquidation distr. \$	9 Noncash liquidation distr. \$		
Form 1099-DIV		(keep for your records)		Department of the Treasury - Internal Revenue Service	

Estimated Tax Payments

Add all estimated tax payments made by the taxpayer for the year. Be sure to include:

- Payment made from last year's overpayment (see last year's tax return.)
- Quarterly payments made using the Form 1040ES, including the one made in January of the current tax year.

Record total estimated tax payments on Line 40 of Form 1040A or Line 64 of Form 1040.

Refundable Credits

Make sure that any refundable credits you have calculated are entered on the proper lines. The Earned Income Credit is reported on line 8 of the Form 1040 EZ, Line 41 of the Form 1040A, and Line 65 of the Form 1040. Any refundable Child Tax Credit is reported on Line 42 of the Form 1040A and Line 67 of the Form 1040. If excess Social Security deductions were made because of multiple employers, that amount is shown on Line 66 of the Form 1040.

Total Payments

Add the total of withholdings, estimated tax payments made, and refundable credits together. Enter this total on Line 9 of the Form 1040EZ, Line 43 of the Form 1040A, or Line 70 of the Form 1040.

FIGURING THE OVERPAYMENT OR THE TAX DUE

Overpayments

If there has been more tax payments made than the amount of tax liability (line 10, Form 1040EZ, line 38, Form 1040A, or line 62, Form 1040), this is considered an overpayment. A taxpayer may wish to have a portion of the overpayment applied to next year's taxes. If so, then enter the amount to be applied to the following year on line 46 of the Form 1040A or line 73 of the Form 1040. Subtract this amount from the total overpayment and enter the remainder on line 45a of the Form 1040A or line 72a of the Form 1040.

Only a total refund can be entered on the Form 1040EZ, line 12a. Any overpayment on Form 1040EZ must be refunded; It cannot be applied to next year's taxes.

Example 3

Exhibit 5 shows Form 1040A, lines 28 through 46, for Zxavien. His total tax is \$3,491. His total payments are \$5,000. Zxavien overpaid and wants \$900 to be applied to his 2005 estimated tax. Note that line 45a plus line 46 equals the amount on line 44.

Exhibit 5

Zxavien's 1040A, page 2

28	Tax , including any alternative minimum tax (see page 35).	28	3,491.00
29	Credit for child and dependent care expenses. Attach Schedule 2.	29	
30	Credit for the elderly or the disabled. Attach Schedule 3.	30	
31	Education credits. Attach Form 8863.	31	
32	Retirement savings contributions credit. Attach Form 8880.	32	
33	Child tax credit (see page 38).	33	
34	Adoption credit. Attach Form 8839.	34	
35	Add lines 29 through 34. These are your total credits .	35	0.00
36	Subtract line 35 from line 28. If line 35 is more than line 28, enter -0-.	36	3,491.00
37	Advance earned income credit payments from Form(s) W-2.	37	
38	Add lines 36 and 37. This is your total tax .	38	3,491.00
39	Federal income tax withheld from Forms W-2 and 1099.	39	2,600.00
40	2003 estimated tax payments and amount applied from 2002 return.	40	2,400.00
41	Earned income credit (EIC) .	41	
42	Additional child tax credit. Attach Form 8812.	42	
43	Add lines 39 through 42. These are your total payments .	43	5,000.00
44	If line 43 is more than line 38, subtract line 38 from line 43. This is the amount you overpaid .	44	1,509.00
45a	Amount of line 44 you want refunded to you .	45a	609.00
b	Routing number <input type="text"/>	c	Type: <input type="checkbox"/> Checking <input type="checkbox"/> Savings
d	Account number <input type="text"/>		
46	Amount of line 44 you want applied to your 2004 estimated tax .	46	900.00
47	Amount you owe . Subtract line 43 from line 38. For details on how to pay, see page 53.	47	0.00
48	Estimated tax penalty (see page 53).	48	

Refunds

If the taxpayer wants an overpayment refunded, advise that a check should be mailed within 6-8 weeks after the return is filed. Remind the taxpayer of the availability to have the refund deposited directly into a financial account, such as a bank account.

Direct Deposit

Instead of getting a paper check, taxpayers may choose to have their refund deposited directly into their account at a bank or other financial institution such as a mutual fund, brokerage firm, or credit union.

Note. Taxpayers should check with their financial institution to make sure their direct deposit will be accepted and to get the correct routing and account number.

Exhibit 6 shows the general location of the routing and account number on a sample check. The routing number must be nine digits (the first two digits must begin with 01 through 12 or 21 through 32, otherwise the direct deposit will be rejected and a check sent instead). The account number can be up to 17 characters (both numbers and letters). It can include hyphens but not spaces or special symbols. The number should be entered from left to right with any unused boxes left blank.

Exhibit 6

The diagram shows a sample check with the following details:

- Payor:** LERON BROWN, RENA BROWN, 123 Main Street, Anyplace, CA 10000
- Payee:** PAY TO THE ORDER OF
- Amount:** \$ [] DOLLARS
- Bank:** ANYPLACE BANK, Anyplace, NY 10000
- Routing number:** 250250025 (labeled as (lir(line 72b)))
- Account number:** 202020 86 1234 (labeled as (lir(line 72d)))
- Check number:** 1234 (labeled as "Do not include the check number")
- Microprint:** 15-00000000

The routing number and account number are circled, and arrows point from the text labels to their respective positions on the check. A "SAMPLE" watermark is visible across the center.

Tax Due

If there are less tax payments than the amount of tax liability, then there is tax due to be paid with the return. When this happens, remind the taxpayer to make the check or money order payable to the "United States Treasury." Taxpayers can also pay by credit card or by authorizing a direct debit from their checking or savings account on the date they choose (anytime up to April 15, 2005). Encourage a 1040 filer to voluntarily send Form 1040-V, *Payment Voucher*, with his or her payment. The instructions for completing the voucher appear on the 1040-V. The taxpayer should write his or her name, address, social security number, daytime telephone number, and "2004 Form 1040 (or 1040A or 1040EZ, whichever applies)"

on the check or money order. The payment and Form 1040-V should be enclosed, but not attached to the tax return. Taxpayers should not mail cash with their returns.

To help IRS process the payment, the taxpayer should enter the amount on the right side of the check like this: \$XXX.XX. Do not use dashes or lines (for example, do not enter “\$XXX—” or “\$XXX^{XX}/₁₀₀”).

Electronic Payment Options

If the taxpayer owes an amount on his or her return, he/she can make the payment electronically. To pay by credit card, the taxpayer must use one of the service providers listed in the instructions for Forms 1040, 1040A, or 1040EZ. The taxpayer can also pay by authorizing a direct debit out of his/her checking or savings account by April 15, 2005.

If the taxpayer cannot pay the full amount owed shown on his/her return, the taxpayer may ask permission to make monthly installment payments. To ask for an installment agreement, the taxpayer should file Form 9465, *Installment Agreement Request*, with the tax return.

Estimated Tax Penalty. If line 12, Form 1040EZ, line 47, Form 1040A, or line 74, Form 1040, is \$1,000 or more and it is more than 10 percent of the tax shown on the return, or if the taxpayer underpaid his or her 2004 estimated tax liability, the taxpayer can owe a penalty for underpayment of estimated tax. If so, report the penalty on line 48 for Form 1040A or line 75 of Form 1040. Line 47 or line 74 should include the amount owed with the return plus the penalty reported on line 48 of Form 1040A or line 75 of Form 1040, respectively.

Because the Form 2210, *Underpayment of Estimated Tax by Individuals, Estates, and Trusts*, used to compute estimated tax penalty is complicated, the IRS encourages taxpayers to let the IRS figure the penalty for them. The IRS will figure the penalty for underpayment of estimated tax and, if a penalty is owed, the taxpayer will be sent a bill. If taxpayers want the IRS to figure the penalty for them, the taxpayers should leave the penalty line on their return blank and **should not** complete Form 2210. As long as the taxpayer files the return by April 15, 2005, the IRS will not charge interest on the penalty if the bill is paid by the date specified on the bill.

FIGURING ESTIMATED TAX FOR NEXT YEAR

Estimated tax is the amount a taxpayer expects to owe for the year after deducting any tax credits or federal income tax withheld. In other words, it is the amount the taxpayer anticipates will be owed on his or her 2005 federal income tax return.

If a taxpayer is an employee, the taxpayer's employer generally must withhold income, Medicare, and social security taxes on the wages paid. Also, most payers of taxable pensions withhold income tax and pay it to the government. However, a taxpayer may receive many types of taxable income that are not subject to having tax withheld.

A taxpayer who receives interest, dividends, alimony, unemployment compensation, rent, gains from the sale of assets, prizes, or awards, generally will have no income tax withheld on the payments. As a result, the taxpayer may find that he or she owes estimated tax. Most self-employed taxpayers will also find they are required to pay estimated tax.

Who Must Pay Estimated Tax

Estimated tax payments are required if certain conditions are met. Generally a taxpayer must make payments of estimated tax if:

1. He or she expects to owe \$1,000 or more in tax for 2005 after subtracting federal income tax withheld and credits from taxable income,

AND

2. He or she expects the 2005 tax withheld and credits to be less than the smaller of:
 - a) 90 percent of the tax to be shown on his or her 2005 tax return, or
 - b) 100 percent of the tax shown on his or her 2004 tax return. The return must cover all 12 months.

POTENTIAL PITFALLS



When figuring estimated tax, be sure to include all taxes, such as tax on lump-sum distributions and self-employment tax.

Married taxpayers can pay estimated tax either separately or jointly. How they pay their estimated tax will not affect their choice of filing a joint return or separate returns for the year. Joint estimated tax payments may be divided between the spouses if they later choose to file separate returns.

Example 4

Jayne is single and retired. She works part time as an usher in a movie theater. She estimates her 2005 income will be \$16,421, which includes \$3,500 of interest income from which there will be no tax withheld. Jayne calculates that she expects to owe \$1,008 (after taking into account her expected tax withheld and credits). Jayne meets condition 1 (mentioned earlier) and may have to pay estimated tax. Further checking tells Jayne that her expected 2005 tax withheld will be less than 100 percent of the tax shown on her 2004 return and less than 90 percent of the tax she will show on her 2005 tax return. Since Jayne also meets condition 2 (mentioned earlier), she is required to pay estimated tax.

Limit on the use of prior year's tax. Married taxpayers with joint AGI exceeding \$150,000 or \$75,000 if married filing separately cannot use 100% of their 2004 tax to figure their 2005 estimated tax payments.

For more information, see Publication 505, *Tax Withholding and Estimated Tax*.

How to Figure Estimated Tax

Estimated tax is paid by using Form 1040-ES, *Estimated Tax For Individuals*. Form 1040-ES also contains a worksheet that can be used in figuring a taxpayer's estimated tax. The taxpayer should keep the worksheet for his or her records.

To figure the estimated tax, the taxpayer must first figure his or her expected adjusted gross income, taxable income, taxes, and credits for 2005. All available facts that will affect those items during the year must be taken into account. Use the 2004 tax return as a starting point for estimating 2005 income, deductions, and credits. However, be careful to make adjustments both for anticipated changes in the taxpayer's situation and for recent changes in the tax law.

Form 1040-ES contains both the 2005 Tax Rate Schedules and the 2005 standard deduction and exemption amounts. Be sure to use the 2005 figures when figuring the estimated tax.

When to Pay Estimated Tax

For estimated tax purposes, the year is divided into four payment periods. Each period has a specific due date.

Date taxpayer receives income	Due date of first installment	No. of payments
January 1– March 31	April 15, 2005	4
April – May 31	June 16, 2005	3
June 1 – August 31	September 15, 2005	2
September 1 – December 31	January 16, 2006	1

POTENTIAL PITFALLS



Advise the taxpayer to use the pre-addressed envelopes that came with his or her Form 1040-ES package, or mail payment vouchers to the address shown in the Form-ES instructions for the place where he or she lives. *Do not* use the address shown in the Form 1040 or Form 1040A instructions.

Most of the taxpayers that you assist will pay their estimated tax in four equal installments. However, a taxpayer does not have to make estimated tax payments until he or she has income on which tax is owed. If a taxpayer receives income after one or more of the payment periods have passed, he or she will begin making payments during the period when the income is received.

The minimum payment due during the period when the income is received is one-fourth of the total estimated tax for the year, generally, plus an additional fourth of the yearly total for each period which has already passed. The balance of the estimated tax will be paid during the remaining periods (one-fourth of the yearly total for each remaining period).

The taxpayer also has the option of paying all the estimated tax at once. Instead of paying by installments, he or she may choose to pay the entire amount by the due date of the period during which the income is received.

Some taxpayers choose to pay all of their estimated tax with the first payment, April 15, 2005. It alleviates the need for them to remember to make the remaining payments.

Also, a taxpayer can apply all or part of an overpayment from his or her 2004 Form 1040 or Form 1040A to the estimated tax for 2005. The overpayment amount to be credited is entered on Form 1040, line 73, or Form 1040A, line 46. All of the credit can be applied to the first payment or it can be spread out among any or all of the payments.

If any due date falls on a Saturday, Sunday, or legal holiday, the payment is due on the next business day.

If a taxpayer files his or her 2005 Form 1040 or Form 1040A by January 31, 2006, and pays the entire amount of tax owed at that time, he or she is not required to make the estimated tax payment that would be due on January 16, 2006.

How Much Estimated Tax to Pay

The computed estimated tax is based on expected income and deductions and should take into account all facts known at the time the estimate is made. If the taxpayer is unsure about the accuracy of the estimate, he or she may want to pay more than the required minimum 90 percent of the 2005 estimated tax. Taxpayers who do not pay enough tax by the due date of each payment period may be charged a penalty, even if the filed 2005 return shows a refund. Generally, the simplest and safest procedure is to make sure that the total of tax withheld plus the amount of estimated tax for each payment period during 2005 is at least one-fourth of the tax shown on the 2004 return. For more information, see Publication 505.

How to Pay Estimated Tax

Estimated tax payments can be sent electronically to the IRS by direct debit payment from the taxpayer's checking or savings account, by credit card, or can be sent along with a payment voucher from Form 1040-ES. Each voucher is inscribed with its due date. Be sure to use the correct voucher for each payment. For more information on electronic filing and payments, see Form 1040-ES instructions.

If the taxpayer paid estimated tax in 2004, he or she should have received a Form 1040-ES package containing preprinted vouchers. These vouchers show the taxpayer's preprinted name, address, and social security number. To use them, simply enter the amount of the payment on the appropriate line. If a taxpayer does not have the preprinted forms, use a set of blank vouchers from Form 1040-ES and enter the information on the appropriate lines. Advise the taxpayer to write his or her social security number and "2004 Form 1040-ES" on the check or money order (payable to the "United States Treasury") when paying estimated tax.

FORMS W-4 AND W-4P

An employer withholds tax based on wages paid and information the employee provides on Form W-4, *Employee's Withholding Allowance Certificate*. The employee uses his or her expected income, deductions, adjustments to income, and credits to figure the total withholding allowances to claim on Form W-4. In addition, an employee can claim extra allowances in certain situations.

A taxpayer who receives distributions from a pension, an annuity, an IRA, a stock bonus plan, or certain deferred compensation plans should use Form W-4P, *Withholding Certificate for Pension or Annuity Payments*, to notify the payer whether, and how much, income tax should be withheld.

Income, deductions, and credits should be estimated carefully. Taxpayers who do not have enough federal income tax withheld can be subject to interest and penalties. Taxpayers who have a very large refund or who owe should consider adjusting their withholding.

Some taxpayers want their withholding to be high enough to ensure that they receive a tax refund. They do not want to pay an additional amount when filing their tax return. If a taxpayer wishes, it is legal to claim fewer allowances than he or she is allowed. More tax than required will be withheld each pay period and, at the end of the year, the taxpayer should be eligible for a refund of overpaid taxes.

Forms W-4 and W-4P also contain:

- Instructions
- *Personal Allowances Worksheet*
- *Deductions and Adjustments Worksheet*
- *Two-Earner/Two-Job, Multiple Pension/More Than One Income Worksheets*
- Tables

The worksheets incorporate the number of allowances, adjustments, deductions, and credits that the employee expects on his or her 2005 income tax return. Some or all of these additional worksheets will then be used by the employee in completing the allowance certificate.

If an employee has a working spouse or income from two jobs, only one set of Form W-4 Worksheets should be completed. Complete the Form W-4 Worksheets using the combined expected income (from all sources and for both spouses if filing a joint return), adjustments, deductions, and exemptions. The number of total allowances from this Form W-4 can then be divided among all jobs. Withholding will usually be the most accurate when an employee claims zero allowances on all jobs except for the highest paying one. **Reminder:** A separate Form W-4 is needed for each job.

Certain events can occur during the year that can change an employee's marital status, exemptions, allowances, deductions or credits. When this happens, the employee may have to change his or her withholding allowances by submitting a new Form W-4 to the employer. The original Form W-4 remains in effect until the employee changes it.

For more information on withholding, refer to Publication 919, *How Do I Adjust My Tax Withholding?*

W-5, Advance Earned Income Credit (AEIC)

At this time, you as the preparer have the opportunity and the means to assist the taxpayer with the Form W-5, *Earned Income Credit Advance Payment Certificate*. The amount of the AEIC

payments are based on wages by payroll cycle. Only persons with at least one qualifying child can get AEIC payments. If the taxpayer qualifies for the Earned Income Credit for 2004 refer them to Publication 596, *Earned Income Credit* or Form W-5 for additional information.

Completing and Assembling the Return

After all the decisions have been made regarding payments, overpayments, and estimated taxes, you should complete the taxpayer identification section, assemble the return, and submit it for quality review. When the review is completed, have the taxpayer sign the return and provide instructions on where and when to send it to the IRS. These steps are provided below.

Taxpayer Identification Section

This section is completed after the rest of the return. Often, this saves time because after you begin preparing Form 1040A, you may discover that Form 1040EZ or Form 1040 is more appropriate. If this happens, you will not have to complete the taxpayer identification section twice.

Taxpayers who filed returns last year probably received a forms package by mail this year. The package includes a preaddressed label which shows the name and address of the taxpayer(s).

Peel the label off and place it in the address area of the return. Mark through any errors on the label, and print the correct information on the label. Be sure to enter the social security number(s) Individual Taxpayer Identification Number (ITIN) to the right of the label area.

If a taxpayer did not receive a forms package or does not have a pre-addressed label, PRINT the required information. Enter the taxpayer's name and social security number (or ITIN) on the first line. If married taxpayers are filing a joint return, enter one spouse's complete name and social security number (or ITIN) on the first line and the other spouse's complete name and social security number (or ITIN) on the second line. Be sure that each taxpayer's name and social security number (or ITIN) appear on one line, separate from the spouse's information. If you enter the husband's name and the wife's social security number (or ITIN) on the same line, there can be a considerable delay in processing the return.

Enter the address where any refund or notices should be sent. If the post office delivers mail to a post office box rather than to a street address, enter the P.O. box number on the line for the home address.

The Presidential Election Campaign Fund appears in the name and address area of Forms 1040EZ, 1040A, or 1040. Check *Yes* if the taxpayer wishes to have \$3 go to the Presidential Election

ALERT



Before you complete any tax return you must request proof of identity. Follow guidelines in Lesson 1.

Campaign Fund. Otherwise, check *No*. Checking *Yes* will not change the tax or reduce the refund. On a joint return, each taxpayer chooses whether or not \$3 should go to the fund.

POTENTIAL PITFALLS



Using the pre-addressed label reduces processing time. However, to protect the taxpayer's privacy, the peel-off label that he or she received in the mail with the tax return booklet does not have his or her SSN (or that of his or her spouse if filing a joint return) printed on it. Therefore, *be sure* the taxpayer's SSN (and spouse's, if applicable) is entered in the space provided on the tax form (1040, 1040A, or 1040EZ).

Further, if the taxpayer filed a joint return for 2003 and is filing a joint return for 2004 with the same spouse, *be sure* the taxpayer's and spouse's names and SSNs are entered in the same order as on the 2003 tax return.

Assembling the Return

Make sure that all forms, schedules, and attachments show the taxpayer's name and social security number. List the names in the same order that they appear on the front of the return and use the first social security (or ITIN) number that appears on the front of the return.

Attach forms and schedules behind Form 1040 according to the attachment sequence number shown in the upper right corner of the form or schedule. Items without an attachment sequence number should be placed at the end. For Form 1040A, attach any forms or schedules in order by number with Schedule EIC last.

Attach Form(s) W-2 to the left margin of the return. If any Form 1099 shows federal income tax withheld, include that amount in the payments section of the return.

When any Form 1099 shows federal income tax withheld, attach a copy to the return, along with any Form(s) W-2.

IDENTIFYING RETURNS

- If taxpayers ask about the site identification number designation at the bottom of the return in the paid preparer's section, explain that this is entered for statistical purposes. Inform the taxpayers that the site identification number does not affect the likelihood of an IRS examination (audit) of the return.
- If you prepare over 50 percent of the tax return and you are reasonably sure that the return will be filed as you prepared it, enter the site identification number at the bottom of the return in the Paid Preparer Section in the PTIN/SSN field.
- Most sites will have forms preprinted with the site identification number format entered in the Paid Preparer Section of the return. You must enter the number that has been assigned by the Territory Office for that site.
- If you do not have forms with the pre-printed site identification number format, print the appropriate site identification number for that site in the Paid Preparer Section of the return.
- The e-file administrator will set up computers to default the SIDN in the Paid Preparer section of the return (e-file administrators should refer to Publication 3189, e-file Administrator Guide for detailed instructions.)

SITE IDENTIFICATION NUMBER

The Internal Revenue Service (IRS) will capture statistical information using the Individual Master File Report (IMF Report) and the Electronic Tax Administration (ETA) report. Based on this change, it is very important that **all returns** prepared by a volunteer tax preparation site be identified as VITA or TCE prepared.

The following procedures must be used when returns are prepared in a VITA or TCE site.

- The site identification number should be entered in the Paid Preparer Section of the return. (See Exhibit 7).
- The following procedures must be followed when returns are prepared in a VITA or TCE site.

1. Paper Returns

- All sites will enter the letter S followed by an 8 digit site identification number that is provided by the territory office. Sites should use the overprint form with the bold S format indicated in the Paid Preparer Section. Each of the numbers represent a certain area determined by the territory office. For instance, the fourth digit of the number will be 1 for VITA, 2 for Military VITA, 3 for Co-located site, 4 for TCE and 5 for AARP.
- If you use a return without the bold S format for the number enter the assigned number in the space provided in the Paid Preparer section of the return. Forms 1040EZ, 1040A, and 1040 with the bold “S” format are available from IRS and will be ordered by each site coordinator.

2. Electronically Filed Returns

- E-file administrators will set up computers to default to the proper location on the return where the number will already be entered. Ensure the default number has been entered for the site you are working.

Exhibit 7 illustrates a site identification number in the Paid Preparers section of three tax forms, 1040EZ, 1040A, and 1040.

Exhibit 7 Site Identification Number

Form 1040EZ

Paid preparer's use only	Preparer's signature	Date	Site Identification Number	Preparer's SSN or PTIN S10-05-1234
	Firm's name (or yours if self-employed), address, and ZIP code		EIN	
For Disclosure, Privacy Act, and Paperwork Reduction Act Notice, see page 24.			Phone no. ()	Form 1040EZ (2004)

Site Identification Number

Form 1040A

Paid preparer's use only	Preparer's signature	Date	Site Identification Number	Preparer's SSN or PTIN S10-05-1234
	Firm's name (or yours if self-employed), address, and ZIP code		EIN	
Printed on recycled paper			Phone no. ()	Form 1040A (2004)

Site Identification Number

Form 1040

Paid Preparer's Use Only	Preparer's signature	Date	Site Identification Number	Preparer's SSN or PTIN S10-05-1234
	Firm's name (or yours if self-employed), address, and ZIP code		EIN	
			Phone no. ()	Form 1040 (2004)

Site Identification Number

The goal of the TCE and VITA Programs is to provide high quality service.

On-Site Quality Review Program

Every site must have a quality review program. Properly reviewed returns will help prevent taxpayers from receiving an error notice from the IRS. At larger sites, an experienced volunteer should be designated as the quality reviewer. At small sites, volunteers may review each other's work. During the actual tax return, preparation process and while conducting the quality review of the tax return, volunteers should ask probing questions to get complete and accurate information that reflects the taxpayers' circumstances. A Quality Review Checklist, like the one shown may be used for this purpose. Volunteers must review the tax return with the taxpayer before he/she leaves the site and make applicable changes or additions to the return. Volunteer Site Coordinators should become familiar with the quality review process as shown in Publication 1084, Volunteer. On-site quality review is a mandatory part of the VITA/TCE programs.

Quality Review Checklist

Entity

- Are the name, address, and **social security number** correct for each taxpayer on the return?
- Is the social security number(s) or ITIN(s) entered to the right of the label area?
- Was the taxpayer and each dependent's identity validated?
- Is/Are the Presidential Election Campaign Fund box(es) checked?
- Is the filing status correct? Is the box checked?
- Are the exemptions and dependents checked, listed, and added correctly?
- Are dependents' social security numbers or ITINs entered?

Income

- Are income items correctly transferred from Form W-2, Form 1099-INT, Form 1099-DIV, Form 1099-G, Form 1099-R, and Form SSA-1099 (or RRB-1099), for example?
- Is tax-exempt interest income reported? Is "TEI" written to the left of line 2 on Form 1040EZ?
- Is the taxable portion of social security benefits, IRA distributions, pensions, and/or annuity income correctly figured?
- Are there IRA withdrawals to report?
- Is there any other income to report (lottery, fees, etc.)?
- If the taxpayer paid alimony, is the recipient's social security number entered?

Tax and Credits

- Are all appropriate boxes on line 38a, Form 1040 or line 23a, Form 1040A or line 5, Form 1040EZ checked?
- Is the standard deduction correct? Complete worksheet if taxpayer is someone else's dependent.
- Is the tax correct?
- Is the taxpayer eligible to claim the credit for child and dependent care expenses, child tax credit, education credits, adoption credit, or credit for the elderly or the disabled?

Payments

- Does the tax withheld agree with the total of amounts shown on all Forms W-2, 1099-INT, 1099-DIV, and 1099-R?
- Are the estimated tax payments correct?
- Is the taxpayer eligible to claim the earned income credit?
- Is the overpayment or the amount owed correct? Does the taxpayer want any part of the refund applied to next year's estimated tax? Does the taxpayer want the refund or any part directly deposited?

**Quality Review Checklist
(continued)**

Other

- Did you use a calculator to check your math?
- Are all Forms W-2 and 1099 (showing tax withheld), as well as schedules and forms, attached to the return?
- Is the appropriate site identification number entered?
- Did the taxpayer(s) sign, date, and fill in his/her occupation on the return?
- Is the taxpayer eligible to claim the Advanced Earned Income Credit?
- Is the Site Identification Number shown on the tax return?

ALERT



Publication 4012, Volunteer Resource Guide, contains a section entitled Return Signature to assist you with completing the tax return.

Signature Section

Make sure the taxpayer signs and dates the return before mailing. An unsigned return cannot be processed and may be sent back to the taxpayer. On a joint return, both spouses must sign, even if only one spouse had income. Also, make sure the occupation(s) of the taxpayer (or of both spouses, if married filing jointly) is/are entered.

If a taxpayer died before filing a return for 2004, the taxpayer's spouse or personal representative may have to file and sign a return for that taxpayer. A personal representative can be an executor, administrator, or anyone who is in charge of the deceased taxpayer's property. If the deceased taxpayer did not have to file a return but had tax withheld, a return must be filed to get a refund. The person who files the return should enter "DECEASED," the deceased taxpayer's name, and the date of death across the top of the return.

If the taxpayer's spouse died in 2004 and the taxpayer did not remarry in 2004, the taxpayer can file a joint return. (The taxpayer can also file a joint return if his or her spouse dies in 2005 before filing a 2004 return.) A joint return should show the taxpayer's spouse's 2004 income before death and the taxpayer's income for all of 2004. The taxpayer should enter "Filing as surviving spouse" in the area where the taxpayer signs the return. If someone else is the personal representative, he or she must also sign.

The surviving spouse or personal representative should promptly notify all payers of income, including financial institutions, of the taxpayer's death. This will ensure the proper reporting of income earned by the taxpayer's estate or heirs. A deceased taxpayer's social security number should not be used for tax years after the year of death, except for estate tax return purposes.

Third-Party Designee

If the taxpayer wants to allow a friend, family member, or any other person he or she chooses to discuss his or her 2004 tax return with the IRS, the taxpayer should check the “Yes” box in the “Third party designee” area of the return. Also, the taxpayer should enter the designee’s name, phone number, and any five numbers the designee chooses as his or her personal identification number (PIN).

If the taxpayer checks the “Yes” box, he or she, and his or her spouse if filing a joint return, is authorizing the IRS to call the designee to answer any questions that may arise during the processing of the return. The taxpayer is also authorizing the designee to:

- Give the IRS any information that is missing from the return,
- Call the IRS for information about the processing of the return or the status of the taxpayer’s refund or payment(s), and
- Respond to certain IRS notices that the taxpayer has shared with the designee about math errors, offsets, and return preparation. The notices will not be sent to the designee.

The taxpayer is not authorizing the designee to receive any refund check, bind the taxpayer to anything (including any additional tax liability), or otherwise represent the taxpayer before the IRS. If the taxpayer wants to expand the designee’s authorization, he or she should see Publication 947, *Practice Before the IRS and Power of Attorney*.

The authorization cannot be revoked. However, the authorization will automatically end no later than the due date (without regard to extensions) for filing the taxpayer’s 2005 tax return. This is April 15, 2006, for most people.

As a volunteer preparer you may not be designated as a “Third Party Designee.”

Ending the Interview

Make sure the taxpayer keeps a copy of all Forms W-2 and 1099 with a copy of the tax return. Advise the taxpayer to keep these copies for at least three years. As the volunteer assistor, you should not keep a copy of the return. Listed below is a more detailed list of information to discuss with the taxpayer(s) prior to him/her leaving the site.

If an envelope has been provided for the taxpayer’s records place the copies into it. **Advise the taxpayer to bring the tax return and records back next year.**

Information to provide Customer prior to their departure from sites.

As a volunteer it is your job to insure that the customers leave the site with all the information they need. You should answer any questions that the customer has and advise them that a copy of their return is not kept at the site.

Here are some suggested items to give your customers:

- 1) Copy of return with attachments and reminder to bring to site next year
- 2) Pub 730 Important Tax Records envelope with the Quality Review Checklist completed
- 3) All documents given to volunteer to prepare return including Social Security cards and Photo identification
- 4) If e-filed:
 - Signed Forms 8453 for federal and state unless Self-Select PIN was used
 - Info on direct deposit vs. paper check
 - Explanation of the e-file process
 - Explanation that nothing needs mailing
- 5) If paper:
 - Signed return (with attached W-2's and 1099's if any withholding) for mailing for federal and state or knowledge of where to sign
 - Envelope or address to mail return
- 6) Contact information if problems with return
- 7) If refund:
 - Expected receipt date per Refund Cycle Chart
 - Contacts if refund not received: www.irs.gov; 1-800-829-1954; 1-800-829-4477
 - W-4 information if refund too high and not related to EITC
- 8) If balance due:
 - Form 1040V Payment Voucher if e-filed
 - Address to send voucher
 - Information to show on check: payable to U.S. Treasury; SSN, daytime phone number, tax year and form number (1040, 1040EZ, 1040A)
 - Payment options: Refer to Pub 4012 or Pub 17
 - W-4 information if balance due to withholding
 - Information on estimated payments if balance not due to withholding
- 9) Information as to how long to retain records and what to retain

Reporting to IRS

Site coordinators are required to report the number of volunteers working at Volunteer Tax sites using the same information shown on Form 13206, Volunteer Summary Report. A draft copy of the form is shown below. This report lists the name, role and date certified of the volunteer. The data is used to identify, recognize, and provide information to the site sponsor. All volunteer and taxpayer data is covered under Privacy Act provisions. For further information on reporting, please contact your IRS SPEC office.

Form **13206**
(Rev. 9-2004)

Volunteer Assistance Summary Report

Please mail, fax, or e-mail this form, the preferred reporting method for volunteer assistance or a document containing all information requested on this form to your IRS reporting office by the 3rd business day after the end of the month. See IRS contact for mail or e-mail address.

Date: _____

Site Identification Number: - -

Note: For filing season 2005 the SIDN (Site Identification Number) will change from beginning with a "P" to beginning with an "S". The remaining digits of current SIDNs will not change. Beginning 2004, sites were issued new SIDNs. If your site does not have a number contact the IRS, SPEC Territory Office.

Site Name: _____

Site Address: _____

Special Services Offered: _____
(i.e. hearing impaired interpreter;
Language Assistance - German) _____

Site Coordinator/Manager's Name: _____

Site Coordinator/Manager's Mailing and Email Address: _____
Street Address

City _____ State _____ Zip Code _____

E-Mail Address

Site Coordinator/Manager's Phone Number: (_____) _____

Reminders:

1. Total Number of Volunteers Previously Counted _____
2. Total Number of New Volunteers _____
(*Enter the total number of volunteers that worked for the first time at a VITA/TCE site)
3. Total Number of New Volunteers Reported This Filing Season (Add 1 & 2) _____
4. For "Date Certified" an entry should be made for all volunteers who prepare tax returns. This includes tax professionals and other volunteers who were previously exempt from taking a test.

VOLUNTEER LIST

The name and complete mailing address of each volunteer should only be entered on this form the first time they report to your site. Future completion of this form is only necessary if new volunteers have reported to your site.

Volunteer Name and Volunteer Role	Date Certified	Check if volunteer worked at more than one site*		If Yes, Indicate Site Name(s)	If Yes, Indicate Program	
		Yes	No		VITA	TCE
Volunteer Name _____ Volunteer Role _____						
Volunteer Name _____ Volunteer Role _____						
Volunteer Name _____ Volunteer Role _____						

Exercise 1

- A.** Helen paid \$500 in estimated tax to the United States Treasury. Where is this reported on Form 1040A? _____

- B.** Shirley paid \$200, the amount owed on last year's income tax return. Is this \$200 in 2004 an estimated tax payment for this year's income tax return? _____
- C.** Elmer wants his refund deposited in his checking account. What information should you enter on line 45b of Form 1040A?

- D.** Jennifer had tax withheld from her wages on Form W-2. She also had some withholding on her Form 1099-R. Can these items be combined and listed on one line on her tax return?

Exercise 2

Look at the completed Form 1040EZ shown in Exhibit 8 and identify at least 3 areas that have not been properly completed.

Form
1040EZ

Department of the Treasury—Internal Revenue Service
**Income Tax Return for Single and
Joint Filers With No Dependents (99) 2004**

OMB No. 1545-0675

Label
(See page 12.)
Use the IRS label.
Otherwise, please print or type.

Presidential Election Campaign
(page 12)

L A B E L H E R E	Your first name and initial Jorge	Last name Mendez
	If a joint return, spouse's first name and initial Lucinda	Last name Mendez
	Home address (number and street). If you have a P.O. box, see page 12. 1040 Main Street	
	City, town or post office, state, and ZIP code. If you have a foreign address, see page 12. Anywhere USA 99999	

Your social security number
XXX XX XXXX
Spouse's social security number
XXX XX XXXX

▲ Important! ▲
You **must** enter your SSN(s) above.

Note. Checking "Yes" will not change your tax or reduce your refund.
Do you, or your spouse if a joint return, want \$3 to go to this fund? Yes No Yes No

Income

Attach Form(s) W-2 here.
Enclose, but do not attach, any payment.

Note. You must check Yes or No.

1 Wages, salaries, and tips. This should be shown in box 1 of your Form(s) W-2. Attach your Form(s) W-2.	1	14,900	00
2 Taxable interest. If the total is over \$1,500, you cannot use Form 1040EZ.	2		00
3 Unemployment compensation and Alaska Permanent Fund dividends (see page 14).	3		
4 Add lines 1, 2, and 3. This is your adjusted gross income .	4		
5 Can your parents (or someone else) claim you on their return? Yes. Enter amount from <input type="checkbox"/> worksheet on back. No. If single , enter \$7,950. If married filing jointly , enter \$15,900. See back for explanation. <input type="checkbox"/>	5		
6 Subtract line 5 from line 4. If line 5 is larger than line 4, enter -0-. This is your taxable income .	6	14,900	00

Payments and tax

7 Federal income tax withheld from box 2 of your Form(s) W-2.	7	1,700	00
8 Earned income credit (EIC).	8		
9 Add lines 7 and 8. These are your total payments .	9	1,700	00
10 Tax. Use the amount on line 6 above to find your tax in the tax table on pages 24–28 of the booklet. Then, enter the tax from the table on this line.	10	1,490	00

Refund

Have it directly deposited! See page 19 and fill in 11b, 11c, and 11d.

11a If line 9 is larger than line 10, subtract line 10 from line 9. This is your refund .	11a		200
b Routing number <input type="text"/>	c Type: <input type="checkbox"/> Checking <input type="checkbox"/> Savings		
d Account number <input type="text"/>			

Amount you owe

12 If line 10 is larger than line 9, subtract line 9 from line 10. This is the amount you owe . For details on how to pay, see page 20.	12		
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Third party designee

Do you want to allow another person to discuss this return with the IRS (see page 20)? **Yes.** Complete the following. **No**

Designee's name Phone no. () Personal identification number (PIN)

Sign here

Joint return? See page 11. Keep a copy for your records.

Under penalties of perjury, I declare that I have examined this return, and to the best of my knowledge and belief, it is true, correct, and accurately lists all amounts and sources of income I received during the tax year. Declaration of preparer (other than the taxpayer) is based on all information of which the preparer has any knowledge.

Your signature Jorge Mendez	Date 1/23/05	Your occupation	Daytime phone number ()
Spouse's signature. If a joint return, both must sign. Lucinda Mendez	Date	Spouse's occupation	

Paid preparer's use only

Preparer's signature <input type="text"/>	Date	Check if self-employed <input type="checkbox"/>	Preparer's SSN or PTIN
Firm's name (or yours if self-employed), address, and ZIP code <input type="text"/>	EIN	Phone no. ()	

For Disclosure, Privacy Act, and Paperwork Reduction Act Notice, see page 23.

Cat. No. 11329W

Form **1040EZ** (2004)

▶▶ SUMMING UP THIS LESSON ◀◀

The information for the payment section of the return comes from these sources:

- ▶ Federal income tax withheld by the employer, and
- ▶ Forms 1099, and
- ▶ Estimated tax payments paid by the taxpayer (not reported on Form 1040EZ), and
- ▶ Refundable credits.

If the amount owed is \$1,000 or more, the taxpayer may have to pay an estimated tax penalty. If there is an overpayment, the taxpayer can take one of the following courses of action:

- ▶ Receive a complete refund,
- ▶ Apply the overpayment to the next year's estimated tax, or
- ▶ Receive a partial refund and apply the remainder of the overpayment to the next year's estimated tax.

Estimated tax payments must be made if a taxpayer:

- ▶ Expects to owe \$1,000 or more in tax for 2005 after subtracting income tax withheld and credits,

AND

- ▶ Expects his or her 2005 tax withheld and credits to be less than the smaller of: 90 percent of the tax to be shown on his or her 2005 tax return or, generally, 100 percent of the tax shown on his or her 2004 tax return.

Withholding allowances for employees are reported on Form W-4. Allowances for pension or annuity recipients are reported on Form W-4P. They are figured by taking into account:

- ▶ Expected income
- ▶ Deductions
- ▶ Credits
- ▶ Adjustments to income

▶▶ **SUMMING UP THIS LESSON** ◀◀
(continued)

To finish the return:

- ▶ Consider the taxpayer's possible eligibility for Advance Earned Income Credit.
- ▶ Complete the taxpayer's identification section after you have finished the rest of the return.
- ▶ Enter the site identification number in the paid preparer's section.
- ▶ Assemble the return correctly, attaching any Forms W-2 and Forms 1099 showing federal income tax withholding.
- ▶ Check each return for completeness and accuracy.
- ▶ Submit each return for on-site quality review.
- ▶ Have the taxpayer(s) sign and date the return.

Answers to Exercise 1

- (A) Line 40
- (B) No
- (C) The routing number for his bank account.
- (D) Yes

Answers to Exercise 2

- Wife's SSN is missing
- Presidential Election Campaign is not marked
- Husband's signature is missing
- The Site Identification Number is missing in the preparer's SSN/PTIN section of the form.
- Line 4 is blank
- Line 5 is blank
- Line 6 is incorrect
- Line 11a is incorrect
- Occupations are missing
- Spouse's signature is missing

STUDENT NOTES

Lined writing area for student notes.

FINISHING AND FILING THE RETURN

Lesson 7
Military Segment

INTRODUCTION AND OBJECTIVES

General rules for filing returns may be found in the Basic segment of this lesson. This segment addresses special concerns of members of the Armed Forces and includes information for combat zone participants.

At the end of this lesson you should be able to:

- Determine where and when to file a federal tax return.
- Identify situations in which extensions of time to file are granted and determine the length of these extensions.
- Identify the deadline extension for combat zone participants.

TAXPAYER IDENTIFICATION

A member of the Armed Forces should include his or her name, social security number, and permanent home address on his or her return. A member who is due a refund and does not want it mailed to his or her permanent home address should enter a current address on the return. If the postal service does not deliver to the member's street address and the member has a post office box, he or she should enter the post office box number on the line for the present home address. A military person living overseas should use an APO or FPO address.

CHANGE OF ADDRESS

If a taxpayer changes his or her mailing address during the year, the taxpayer should notify the Internal Revenue Service of the change on Form 8822, *Change of Address*. However, if the taxpayer moves after filing a tax return, he or she should fill out and mail Form 8822 to the Internal Revenue Service Center where his or her returns were previously filed. Addresses for the service centers are listed on the back of the form.

WHERE TO FILE

Taxpayers should send their federal returns to the campus for the place where they reside. For example, Sgt. Keene, who is stationed in Maine but whose permanent home address is in California, should send her federal return to the campus in Maine. The tax form instructions give the addresses for the campuses, including the Philadelphia Campus for APO and FPO addresses.

WHEN TO FILE

Most individual tax returns cover a calendar year, January through December. Taxpayers who live in the United States or Puerto Rico and who use the calendar-year period should file their individual tax returns by April 15 of the following year. If April 15 falls on a Saturday, Sunday, or legal holiday, the due date is the next business day. (For 2004 tax returns, the due date is April 15, 2005.)

If a taxpayer has a balance due, they can pay by check, money order, direct debit (automatic withdrawal) or credit card. See Form 1040, 1040A, or 1040EZ instructions for complete details.

Taxpayers who cannot pay the tax due with their tax return should attach Form 9465, *Installment Agreement Request*. The Internal Revenue Service will try to arrange an installment payment agreement that reflects the taxpayer's ability to pay the tax owed. However, taxpayers should pay as much as possible with their return to reduce the amount of interest and penalties that will be charged on the unpaid balance.

EXTENSIONS

Taxpayers can receive extensions of time to file their returns. Different rules apply to taxpayers who live in the United States and those who live outside the United States. Deadline extensions are also available to members of the Armed Forces who served in a combat zone and Armed Forces on deployment outside the USA participating in a contingency operations operation.

IRS will charge interest on taxes not paid by the due date, even if an extension of time to file is granted, unless the combat zone extension is applicable.

Within the United States

A taxpayer living in the United States can receive an automatic 4-month extension of time to file his or her federal tax return. To get the automatic extension, the taxpayer must file Form 4868, *Application for Automatic Extension of Time To File U.S. Individual Income Tax Return*, by the due date for the tax return.

The taxpayer is not required to pay any of the tax due when submitting the form. However, the taxpayer will owe interest on any tax that is owed but not paid by the due date. Interest will be charged from the due date to the date of payment. In addition, the taxpayer may be charged a late-payment penalty if the amount of tax paid before the due date (from withheld taxes or estimated tax payments) is less than 90% of the actual tax owed.

For more details on penalties, refer to filing information in Publication 17.



If Form 4868 is filed late, the request for an extension will be denied. The Internal Revenue Service will inform the taxpayer if the request is denied.

Taxpayers **cannot** use the automatic extension if they:

- Choose to have the IRS figure their tax, or
- Are under a court order to file their returns by the regular due date.

When the tax return is actually filed, any payment made with the application should be entered in line 68, Form 1040; added to the total on line 43, Form 1040A; or added to the total on line 9, Form 1040EZ.

The taxpayer can request an extension beyond this 4-month period by filing Form 2688, *Application for Additional Extension of Time To File U.S. Individual Income Tax Return*, or by letter. Except in undue hardship cases, this additional extension will not be granted unless Form 4868 has been filed first. Form 2688 or the taxpayer's letter will not be considered if filed after the extended due date.

Outside the United States and Puerto Rico

U.S. citizens and resident aliens who are living outside the United States and Puerto Rico on April 15 and whose main place of business or assigned tour of duty is outside the United States and Puerto Rico are allowed an automatic 2-month extension of time until June 15, 2005, to file a 2004 return. However, interest will be charged from the due date to the date the tax is paid.

Note: Traveling outside the United States and Puerto Rico on the due date does not qualify the taxpayer for an automatic 2-month extension.

Taxpayers using this automatic extension must attach a statement to their return stating that they were living outside the United States and Puerto Rico on the due date and that their main place of business or their assigned tour of duty is outside the United States and Puerto Rico.

Joint returns. For married persons who file jointly, only one spouse needs to meet the requirements to take advantage of the automatic extension to June 15.

Separate returns. For married persons who file separately, only the spouse who meets the requirements qualifies for the automatic extension. If both spouses meet the requirements, each may take advantage of the extension.

As discussed earlier, taxpayers who live outside the United States and Puerto Rico and whose main place of business or assigned tour of duty is outside the United States and Puerto Rico can also request an additional extension by filing Form 4868 by the automatic extension date of June 15 or by paying the tax due by credit card by April 15, 2005. The due date will then be extended to August 16. To obtain the additional extension, the taxpayer



must file Form 4868 and write “Taxpayer Abroad” in the top margin of the form. If more time is needed, the taxpayer should file Form 2688.

Combat Zone Participants

The deadline for filing tax returns, paying taxes, filing claims for refund, and taking other actions with the IRS is automatically extended for members of the Armed Forces who served in a combat zone, qualified hazardous duty area, or began performing qualifying service outside of a combat zone or qualified hazardous duty area. The designation of the combat zone and the combat pay exclusion are described in Lesson 3, Military Segment.

There is also a 180 day extension if the taxpayer serves in the Armed Forces on deployment outside the United States away from your permanent duty station while participating in a contingency operation designated by the Secretary of Defense, the President or Congress. For further information on combat zones see Lesson 16, Tax Options for Combat Zone Participants.

Third-Party Designee. If the taxpayer wants to allow a friend, family member, or any other person he or she chooses to discuss his or her 2004 tax return with the IRS, the taxpayer should check the “Yes” box in the “Third part designee” area if the return. Also, the taxpayer should enter the designee’s name, phone number, and any five numbers the designee chooses as his or her personal identification number (PIN).

If the taxpayer checks the “Yes” box, he or she, and his or her spouse if filing a joint return, is authorizing the IRS to call the designee to answer any questions that may arise during the processing of the return. The taxpayer is also authorizing the designee to:

- Give the IRS any information that is missing from the return,
- Call the IRS for information about the processing of the return or the status of the taxpayer’s refund or payment(s), and
- Respond to certain IRS notices that the taxpayer has shared with the designee about math errors, offsets, and return preparation. The notices will not be sent to the designee.

The taxpayer is not authorizing the designee to receive any refund check, bind the taxpayer to anything (including any additional tax liability), or otherwise represent the taxpayer before the IRS. If the taxpayer wants to expand the designee’s authorization, he or she should see Publication 947, *Practice Before the IRS and Power of Attorney*.

The authorization cannot be revoked. However, the authorization will automatically end no later than the due date (without regard to extensions) for filing the taxpayer’s 2004 tax return. This is April 15, 2006, for most people.



Power of Attorney. Use Form 2848, *Power of Attorney and Declaration of Representative*, to grant authority to an individual to represent you before the IRS and to receive tax information. If an individual is acting on behalf of a taxpayer serving in the combat zone and does not have a power of attorney specifying that he/she can handle federal tax matters, the IRS will accept a general power of attorney or other statement signed by the person for whom the individual is acting. The general power of attorney or statement must authorize the individual to act on the other person's behalf even though federal tax matters are not specified. A copy must be attached to the tax return.

Signature. If it is not possible for the spouse of someone serving in the combat zone to obtain that person's signature on a joint return, power of attorney, or other signed authorization to act on his or her behalf, the IRS will accept a written statement explaining that the husband or wife is serving in the combat zone.

The statement must be signed by the spouse filing the tax return and attached to the return.



Exercise 1

Pvt. Franklin, a U.S. citizen, is a calendar-year taxpayer. What would be the due date for him to file a return if his assigned tour of duty were in the following places?

A. Puerto Rico

Answer _____

B. Germany

Answer _____

C. United States

Answer _____

Exercise 2

Capt. Regis is stationed in England on April 15. He is concerned about when he should file his federal tax return. Answer the following questions for Capt. Regis.

A. What extensions of time are available to him?

Answer _____

B. How can he get those extensions?

Answer _____

►► SUMMING UP THIS SEGMENT ◀◀

In this lesson you have learned where members of the Armed Forces should file their returns. You learned when the returns are due for taxpayers who live both inside and outside the United States and Puerto Rico and how extensions of time to file can affect the due date. You have also learned that members of the Armed Forces who served in a combat zone are allowed additional time to file their returns.



1.
 - a. April 15
 - b. June 15 if he attached a statement to his return indicating that he was on an assigned tour of duty in Germany on the due date.
 - c. April 15
2.
 - a. An automatic 2-month extension of time to June 15 and an additional 2-month extension to August 15 (for a total of 4 months).
 - b. Captain Regis can obtain the automatic 2-month extension by attaching a statement to his tax return indicating that he was on an assigned tour of duty outside the United States and Puerto Rico on April 15. If Captain Regis needs an additional extension of time, he should file Form 4868 by the automatic extension date of June 15 and write "Taxpayer Abroad" in the top margin of the form. If he still needs additional time, he should request it before the extended due date of August 15 by filing Form 2688, or by letter.

STUDENT NOTES



CREDIT FOR CHILD AND DEPENDENT CARE EXPENSES

Lesson 8

INTRODUCTION AND OBJECTIVES

In this lesson you will learn about the credit for child and dependent care expenses. This nonrefundable credit is one of the most commonly used credits. The requirements for claiming the credit are the same regardless of the form used. In fact, Form 2441 (used with Form 1040) and Schedule 2 (used with Form 1040A) are virtually identical. In order to qualify for this credit, the taxpayer must satisfy all six tests of eligibility.

Some taxpayers receive employer provided dependent care benefits. Dependent care benefits include amounts the employer paid directly to the taxpayer or to the care provider. These benefits can also include the fair market value of care in a day care facility provided or sponsored by the employer. The taxpayer's salary may have been reduced to pay for these benefits. The employer provided benefits will be reported on Form W-2, Box 10.

After completing this lesson you should be able to:

- Determine who is eligible for the credit for child and dependent care expenses.
- Calculate the credit, the exclusion and report the expenses on the correct form.

QUALIFYING PERSON TEST

The child and dependent care expenses must be for at least one qualifying person.

A qualifying person is:

- A child who was under the age of 13 when the care was provided and for whom a dependency exemption can be claimed. Special rules apply, however, if the parents are divorced or separated (see next page).
- A dependent who was physically or mentally not able to care for himself or herself and for whom a dependency exemption can be claimed (or could be claimed except the person had \$3,100 or more of gross income).
- A spouse who was physically or mentally not able to care for himself or herself.

ALERT



Publication 4012, Volunteer Resource Guide, contains a flow chart to assist you in determining whether a taxpayer can claim the credit. It also contains the definition of qualifying person and qualified expenses.

POTENTIAL PITFALLS



Normally, a qualifying person's age is defined as the age on the last day of the year. However, this credit allows a taxpayer to claim child and dependent care expenses up to the day the child turns 13.

Example 1

Jim paid someone to care for his wife, Janet. Janet is physically unable to care for herself. Jim also paid to have someone prepare meals for his 12-year-old daughter, Jill. Both Janet and Jill are qualifying persons for the credit.

Example 2

Bob and Rhonda paid child care expenses for their son, Ronnie. Ronnie turned 13 on July 15. Ronnie is a qualifying person until he reached the age of 13.

Children of Divorced or Separated Parents Exception

If the taxpayer is the **custodial** parent, he or she can treat the child as a qualifying person for the credit even if he or she cannot claim the child's dependency exemption. If the taxpayer **is not** the custodial parent, he or she cannot treat the child as a qualifying person for the credit even if he or she can claim the child's dependency exemption.

This exception applies only if **all** the following are true:

- One or both parents had custody of the child for more than half the year.
- One or both parents provided more than half of the child's support for the year.
- Either
 1. The custodial parent signed Form 8332, Release of Claim to Exemption for Child of Divorced or Separated Parents, or a similar statement, agreeing not to claim the child's exemption for the year, or
 2. The noncustodial parent provided at least \$600 for the child's support and can claim the child's exemption under a pre-1985 decree of divorce or separate maintenance, or written agreement.

Example 3

Amanda is divorced and has custody of her 8-year-old daughter, Carrie. Amanda signed Form 8332 to allow her ex-spouse to claim the dependency exemption for Carrie. In order to work, Amanda paid child care expenses for Carrie. Carrie is a qualifying person for the credit. Amanda can claim the credit for child and dependent care expenses. The ex-spouse cannot claim the credit.

KEEPING UP A HOME TEST

To claim the credit, the taxpayer must pay more than half the cost of keeping up a home for himself or herself and one or more qualifying persons. The cost of keeping up a home normally includes property taxes, mortgage interest, rent, utility charges, home repairs, insurance on the home, and food eaten in the home. Public assistance benefits are funds provided by the state not by the taxpayer.

EARNED INCOME TEST

The taxpayer (and spouse if married) must have earned income during the year. Earned income includes wages, salaries, tips, other taxable employee compensation, net earnings from self-employment, strike benefits, and disability pay reported as wages.

A spouse is treated as having earned income for any month he or she is a full-time student or physically or mentally not able to care for himself or herself. His or her earned income for each month is considered to be at least \$250 if there is one qualifying person in the home, or at least \$500 if there are two or more qualifying persons in the home. This applies to only one spouse for any one month. If, in the same month, both taxpayers do not work and are either full-time students or physically or mentally not able to care for themselves, only one of them can be treated as having earned income in that month.

A full-time student is defined as enrolled and attending a school for the number of hours or classes the school considers full-time. The taxpayer (or spouse) must be a student for some part of five calendar months during the year.

WORK-RELATED EXPENSE TEST

Child and dependent care expenses must be work related to qualify for the credit. Expenses are considered work related only if both of the following are true:

1. The expenses allow the taxpayer (and spouse if married) to work or look for work and
2. The expenses are for a qualifying person's care.

A spouse is treated as working during any month he or she is a full-time student or is physically or mentally not able to care for himself or herself.

To be work related, the expenses must be to provide care for a qualifying person. Expenses are for the care of a qualifying person only if their main purpose is the person's well being and protection.

Expenses for care do not include amounts paid for food, clothing, education, and entertainment. However, small amounts paid for these items can be included if they are incident to and cannot be separated from the cost of care.

Education. Expenses to attend first grade or a higher grade are not expenses for care.

Example 4

A taxpayer takes their 3-year-old child to a nursery school that provides lunch and educational activities as a part of its preschool child-care service. The total cost can be counted to figure the credit.

Example 5

A taxpayer places his/her 10-year-old child in a boarding school so he/she can work full-time. Only the part of the boarding school expense that is for the care of the child is a work related expense and only if it can be separated from the cost of education. The taxpayer cannot count any part of the amount paid for the child's education.

Camp. The cost of sending a child to an overnight camp is not considered a work-related expense.

Payments to relatives. Do not count amounts paid to:

1. A dependent for whom the taxpayer (or spouse if married) can claim as an exemption, or
2. The taxpayer's child who is under age 19 at the end of the year, even if he or she is not the taxpayer's dependent

JOINT RETURN TEST

Generally, a married couple must file a joint return to take the credit. However, if the taxpayer is legally separated or living apart from his or her spouse, the taxpayer may be able to file a separate return and still take the credit.

If the taxpayer's filing status is married filing separately and all of the following apply, the taxpayer is considered unmarried for purposes of figuring the credit:

1. The taxpayer lived apart from his or her spouse during the last six months of the year, and
2. The qualifying person lived in the taxpayer's home for more than half of the year, and
3. The taxpayer provided over half the cost of keeping up the home, and
4. The taxpayer met the other five tests for eligibility to take the credit.

PROVIDER IDENTIFICATION TEST

The taxpayer must provide the care provider's name, address, and taxpayer identification number. If the taxpayer is unable to provide this information or if the information is incorrect, he or she must show they used due diligence to obtain the information.

Due Diligence. The taxpayer can show due diligence by getting and keeping any of the following documents:

1. Form W-10, Dependent Care Provider's Identification and Certification.
2. Copy of the provider's social security card.
3. Copy of the provider's driver's license if it includes the social security number.
4. A copy of the provider's Form W-4 if the provider is the taxpayer's household employee.
5. A copy of the statement furnished by the taxpayer's employer if the provider is a dependent care plan.
6. A letter or invoice from the provider if it shows the name, address, and taxpayer identification number (EIN or SSN).

Provider Refusal. If the care provider refuses to give the taxpayer the identifying information, report whatever information is available, enter "see page 2" for the missing information, and provide a statement at the bottom of page 2 of Form 2441 or Schedule 2.

LIMIT ON EXPENSES

The amount of expenses eligible for the credit is limited to the lowest of the following amounts for the year.

- The lower paid spouse's earned income (in the case of married taxpayers).
- The single taxpayer's earned income.
- The actual expenses paid.
- The overall limit of \$3,000 for one qualifying person or \$6,000 for two or more qualifying persons.

Example 6

Mark earned \$14,000. His wife, Evelyn, earned \$5,600. Daycare expenses for their three-year-old daughter were \$2,200. The maximum amount of qualifying child care expenses is \$2,200. This is the lowest of:

- The lower paid spouse's earnings (\$5,600),
- The amount actually paid (\$2,200), and
- The overall limit for one qualifying person (\$3,000).

Some taxpayers receive dependent care benefits from their employers. If so, the overall limit of \$3,000/\$6,000 is reduced, dollar for dollar, by any reimbursement excluded from the taxpayer's income. The amount of dependent care benefits received is shown in box 10 of Form W-2.

Example 7

Geraldine has one dependent child, Donald, who is 6 years old. She paid \$2,900 in qualified expenses. Box 10 of Geraldine's Form W-2 shows she received \$1,400 during the year from her employer's dependent care assistance program. Because she received dependent care benefits, Part III of Form 2441 must be completed before completing Part II.

Nonworking Spouse

Married taxpayers usually must both work in order to claim the credit. However, if a spouse is either a full-time student during any five months of the year, or is not capable of caring for himself or herself for some period during the year, a credit can still be claimed. To figure the credit, the earned income for each month the spouse is either a full-time student or disabled is considered to be at least:

- \$250 with one qualifying person in the home, or
- \$500 with two or more qualifying persons in the home.

Example 8

Janice worked full time. Her husband, Ken, was a full-time student from January through May. Their son, Jason, was in daycare while Ken attended school. Ken's earned income for the time he attended school is considered to be \$1,250 (5 months \times \$250).

Exercise 1

- A. Karen earned \$18,000. She paid \$3,200 for child care expenses for her four-year-old daughter, Crystal. What is the maximum amount of child care expenses Karen can claim? _____
- B. Andrea is married to Bill. They have a seven-year-old son, Charles. Charles lived with Andrea for the entire year. Andrea paid all the expenses of keeping up the home for herself and Charles. Andrea also paid for before-school and after-school child care. Her total child care expenses were \$1,800. Bill left the area 18 months ago. He did not live with Andrea at all during 2004, but he did send \$1,200 in child support. Andrea and Bill will file separate returns. Andrea signed Form 8332 to allow Bill to claim the dependency exemption for Charles. Who can claim the credit for child and dependent care expenses? _____
- C. Ellen is divorced. She has custody of her 12-year-old daughter, Terri. Terri takes care of herself after school. In the summer, Ellen spends \$2,000 to send Terri to a two week long overnight camp. Are the camp expenses qualified expenses for the credit for child and dependent care credit? _____

FIGURING THE CREDIT

The credit is a percentage of qualifying expenses. For taxpayers with adjusted gross incomes of \$15,000 or less, the credit is 35 percent of qualifying expenses. As adjusted gross income increases, the percentage decreases. The lowest percentage is 20 percent for an AGI equal to or greater than \$43,000. There is no upper limitation on income for this credit. The tables on Schedule 2 (Form 1040A) and on Form 2441 (Form 1040) show the percentage for each adjusted gross income bracket. After the credit is figured using Form 2441 or Schedule 2, it is reported on Form 1040, line 46, or Form 1040A, line 29.

Example 9

David A. and Edith B. Fullerton are married and file a joint return. Last year, they paid \$3,500 for the care of their son, Jonathan. The payment was made to Karen's Kiddie Care, 456 Chapman Avenue, Your City, State, and Zip Code (EIN xx-xxxxxxx). The \$3,500 payment includes a \$1,000 dependent care benefit Edith received from her employer. This benefit was reported on Edith's Form W-2, Box 10. Edith earned \$18,979 and David earned \$20,450 last year. Their adjusted gross income is \$39,429 and their tax liability is \$2,349.

Exhibits 1 and 2 show the completed Form 2441 (Form 1040) for David and Edith.

Form **2441**
 Department of the Treasury
 Internal Revenue Service (99)

Child and Dependent Care Expenses

OMB No. 1545-0068
2004
 Attachment
 Sequence No. 21

▶ Attach to Form 1040.
 ▶ See separate instructions.

Name(s) shown on Form 1040: **David A. and Edith B. Fullerton**
 Your social security number: **xxx : xx : xxxxx**

Before you begin: You need to understand the following terms. See **Definitions** on page 1 of the instructions.

- **Dependent Care Benefits**
- **Qualifying Person(s)**
- **Qualified Expenses**
- **Earned Income**

Part I Persons or Organizations Who Provided the Care—You must complete this part.
 (If you need more space, use the bottom of page 2.)

1	(a) Care provider's name	(b) Address (number, street, apt. no., city, state, and ZIP code)	(c) Identifying number (SSN or EIN)	(d) Amount paid (see instructions)
	Karen's Kiddie Care	456 Chapman Ave. Your City, State, and Zip Code	xx-xxxxxxx	3,500

Did you receive dependent care benefits?

No → Complete only Part II below.
 Yes → Complete Part III on the back next.

Caution. If the care was provided in your home, you may owe employment taxes. See the instructions for Form 1040, line 61.

Part II Credit for Child and Dependent Care Expenses

2 Information about your **qualifying person(s)**. If you have more than two qualifying persons, see the instructions.

(a) Qualifying person's name		(b) Qualifying person's social security number	(c) Qualified expenses you incurred and paid in 2004 for the person listed in column (a)
First	Last		
Jonathan	Fullerton	xxx : xx : xxxxx	2,500

3 Add the amounts in column (c) of line 2. Do not enter more than \$3,000 for one qualifying person or \$6,000 for two or more persons. If you completed Part III, enter the amount from line 34	3		2,000																																																						
4 Enter your earned income	4		20,450																																																						
5 If married filing jointly, enter your spouse's earned income (if your spouse was a student or was disabled, see the instructions); all others , enter the amount from line 4	5		18,979																																																						
6 Enter the smallest of line 3, 4, or 5	6		2,000																																																						
7 Enter the amount from Form 1040, line 37	7	39,429																																																							
8 Enter on line 8 the decimal amount shown below that applies to the amount on line 7	8		× .22																																																						
If line 7 is: <table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 15%;">Over</th> <th style="width: 15%;">But not over</th> <th style="width: 15%;">Decimal amount is</th> </tr> </thead> <tbody> <tr><td>\$0—15,000</td><td></td><td>.35</td></tr> <tr><td>15,000—17,000</td><td></td><td>.34</td></tr> <tr><td>17,000—19,000</td><td></td><td>.33</td></tr> <tr><td>19,000—21,000</td><td></td><td>.32</td></tr> <tr><td>21,000—23,000</td><td></td><td>.31</td></tr> <tr><td>23,000—25,000</td><td></td><td>.30</td></tr> <tr><td>25,000—27,000</td><td></td><td>.29</td></tr> <tr><td>27,000—29,000</td><td></td><td>.28</td></tr> </tbody> </table>	Over	But not over	Decimal amount is	\$0—15,000		.35	15,000—17,000		.34	17,000—19,000		.33	19,000—21,000		.32	21,000—23,000		.31	23,000—25,000		.30	25,000—27,000		.29	27,000—29,000		.28		If line 7 is: <table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 15%;">Over</th> <th style="width: 15%;">But not over</th> <th style="width: 15%;">Decimal amount is</th> </tr> </thead> <tbody> <tr><td>\$29,000—31,000</td><td></td><td>.27</td></tr> <tr><td>31,000—33,000</td><td></td><td>.26</td></tr> <tr><td>33,000—35,000</td><td></td><td>.25</td></tr> <tr><td>35,000—37,000</td><td></td><td>.24</td></tr> <tr><td>37,000—39,000</td><td></td><td>.23</td></tr> <tr><td>39,000—41,000</td><td></td><td>.22</td></tr> <tr><td>41,000—43,000</td><td></td><td>.21</td></tr> <tr><td>43,000—No limit</td><td></td><td>.20</td></tr> </tbody> </table>	Over	But not over	Decimal amount is	\$29,000—31,000		.27	31,000—33,000		.26	33,000—35,000		.25	35,000—37,000		.24	37,000—39,000		.23	39,000—41,000		.22	41,000—43,000		.21	43,000—No limit		.20	
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9 Multiply line 6 by the decimal amount on line 8. If you paid 2003 expenses in 2004, see the instructions	9		440																																																						
10 Enter the amount from Form 1040, line 43	10	2,349																																																							
11 Enter the amount, if any, from Form 6251, line 31 (see the instructions)	11	0																																																							
12 Subtract line 11 from line 10. If zero or less, stop . You cannot take the credit	12		2,349																																																						
13 Credit for child and dependent care expenses. Enter the smaller of line 9 or line 12 here and on Form 1040, line 46	13		440																																																						

For Paperwork Reduction Act Notice, see page 3 of the instructions. Cat. No. 11862M Form **2441** (2004)

Part III Dependent Care Benefits

14	Enter the total amount of dependent care benefits you received in 2004. Amounts you received as an employee should be shown in box 10 of your Form(s) W-2. Do not include amounts reported as wages in box 1 of Form(s) W-2. If you were self-employed or a partner, include amounts you received under a dependent care assistance program from your sole proprietorship or partnership	14	1,000
15	Enter the amount forfeited, if any (see the instructions)	15	0
16	Subtract line 15 from line 14	16	1,000
17	Enter the total amount of qualified expenses incurred in 2004 for the care of the qualifying person(s)	17	3,500
18	Enter the smaller of line 16 or 17	18	1,000
19	Enter your earned income	19	20,450
20	Enter the amount shown below that applies to you. <ul style="list-style-type: none"> • If married filing jointly, enter your spouse's earned income (if your spouse was a student or was disabled, see the instructions for line 5). • If married filing separately, see the instructions for the amount to enter. • All others, enter the amount from line 19. 	20	18,979
21	Enter the smallest of line 18, 19, or 20	21	1,000
22	Enter the amount from line 14 that you received from your sole proprietorship or partnership. If you did not receive any such amounts, enter -0-	22	0
23	Subtract line 22 from line 16	23	1,000
24	Enter \$5,000 (\$2,500 if married filing separately and you were required to enter your spouse's earned income on line 20)	24	5,000
25	Deductible benefits. Enter the smallest of line 21, 22, or 24. Also, include this amount on the appropriate line(s) of your return (see the instructions)	25	0
26	Enter the smaller of line 21 or 24	26	1,000
27	Enter the amount from line 25	27	0
28	Excluded benefits. Subtract line 27 from line 26. If zero or less, enter -0-	28	1,000
29	Taxable benefits. Subtract line 28 from line 23. If zero or less, enter -0-. Also, include this amount on Form 1040, line 7. On the dotted line next to line 7, enter "DCB"	29	0

To claim the child and dependent care credit, complete lines 30-34 below.

30	Enter \$3,000 (\$6,000 if two or more qualifying persons)	30	3,000
31	Add lines 25 and 28	31	1,000
32	Subtract line 31 from line 30. If zero or less, stop . You cannot take the credit. Exception. If you paid 2003 expenses in 2004, see the instructions for line 9	32	2,000
33	Complete line 2 on the front of this form. Do not include in column (c) any benefits shown on line 31 above. Then, add the amounts in column (c) and enter the total here	33	2,500
34	Enter the smaller of line 32 or 33. Also, enter this amount on line 3 on the front of this form and complete lines 4-13	34	2,000

Exercise 2

Sam L. (xxx-xx-xxxx) and Sue D. Windham are married and will file a joint return. They have two dependent children whom they send to day-care to allow both parents to work. Sam's earned income is \$18,500 and Sue's earned income is \$19,350. Their AGI (Form 1040, line 36) is \$37,850 and their tax liability (Form 1040, line 43) is \$1,651.

During 2004, they paid The Learning Center (496 Irvine Road, Your City, State, and Zip Code, EIN xx-xxxxxxx) \$5,450 to care for their children. The Windhams paid \$2,950 of the total and Sue's employer paid \$2,500 under a dependent care benefits program. The \$2,500 is in Box 10 of Sue's Form W-2.

The children and the amounts paid for child care are as follows:

Doug	SSN xxx-xx-xxxx	\$3,000	\$1,250 dependent care benefit
Sally	SSN xxx-xx-xxxx	\$2,450	\$1,250 dependent care benefit

Complete their Form 1040, Form 2441 (Exhibits 3 and 4).

TaxWise Hints

Use the flow charts in Publication 4012, Volunteer Resource Guide, to determine credit eligibility. For each qualifying child, check the "DC" box on the Main Information Sheet, Dependents/ Non-dependents box. TaxWise will add a Form 2441 or Schedule 2 to the forms tree. Complete all entries annotated in red. TaxWise will then calculate any exclusion amounts, calculate the credit, complete the form and insert the credit amount on Form 1040 or Form 1040A.

▶▶ SUMMING UP THIS LESSON ◀◀

The credit for child and dependent care expenses is a nonrefundable credit which allows a taxpayer to reduce their tax liability for a portion of the expenses.

A taxpayer must satisfy the six tests to qualify for the credit. The tests are the qualifying person test; the keeping up a home test; the earned income test; the work-related expense test; the joint return test; and the provider identification test.

The credit is calculated and reported on Form 2441 (Form 1040) or Schedule 2 (Form 1040A).

Form **2441**

Child and Dependent Care Expenses

OMB No. 1545-0068

2004

Attachment
Sequence No. **21**

Department of the Treasury
Internal Revenue Service (99)

▶ Attach to Form 1040.

▶ See separate instructions.

Name(s) shown on Form 1040

Your social security number

Before you begin: You need to understand the following terms. See **Definitions** on page 1 of the instructions.

- **Dependent Care Benefits**
- **Qualifying Person(s)**
- **Qualified Expenses**
- **Earned Income**

Part I **Persons or Organizations Who Provided the Care**—You must complete this part.
(If you need more space, use the bottom of page 2.)

1	(a) Care provider's name	(b) Address (number, street, apt. no., city, state, and ZIP code)	(c) Identifying number (SSN or EIN)	(d) Amount paid (see instructions)

Did you receive dependent care benefits?

No → Complete only Part II below.
Yes → Complete Part III on the back next.

Caution. If the care was provided in your home, you may owe employment taxes. See the instructions for Form 1040, line 61.

Part II **Credit for Child and Dependent Care Expenses**

2 Information about your **qualifying person(s)**. If you have more than two qualifying persons, see the instructions.

(a) Qualifying person's name		(b) Qualifying person's social security number	(c) Qualified expenses you incurred and paid in 2004 for the person listed in column (a)
First	Last		

3 Add the amounts in column (c) of line 2. Do not enter more than \$3,000 for one qualifying person or \$6,000 for two or more persons. If you completed Part III, enter the amount from line 34	3																																																													
4 Enter your earned income	4																																																													
5 If married filing jointly, enter your spouse's earned income (if your spouse was a student or was disabled, see the instructions); all others , enter the amount from line 4	5																																																													
6 Enter the smallest of line 3, 4, or 5	6																																																													
7 Enter the amount from Form 1040, line 37	7																																																													
8 Enter on line 8 the decimal amount shown below that applies to the amount on line 7																																																														
<table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th colspan="3">If line 7 is:</th> <th colspan="3">If line 7 is:</th> </tr> <tr> <th style="border-bottom: 1px solid black;">Over</th> <th style="border-bottom: 1px solid black;">But not over</th> <th style="border-bottom: 1px solid black;">Decimal amount is</th> <th style="border-bottom: 1px solid black;">Over</th> <th style="border-bottom: 1px solid black;">But not over</th> <th style="border-bottom: 1px solid black;">Decimal amount is</th> </tr> </thead> <tbody> <tr> <td>\$0—15,000</td> <td></td> <td>.35</td> <td>\$29,000—31,000</td> <td></td> <td>.27</td> </tr> <tr> <td>15,000—17,000</td> <td></td> <td>.34</td> <td>31,000—33,000</td> <td></td> <td>.26</td> </tr> <tr> <td>17,000—19,000</td> <td></td> <td>.33</td> <td>33,000—35,000</td> <td></td> <td>.25</td> </tr> <tr> <td>19,000—21,000</td> <td></td> <td>.32</td> <td>35,000—37,000</td> <td></td> <td>.24</td> </tr> <tr> <td>21,000—23,000</td> <td></td> <td>.31</td> <td>37,000—39,000</td> <td></td> <td>.23</td> </tr> <tr> <td>23,000—25,000</td> <td></td> <td>.30</td> <td>39,000—41,000</td> <td></td> <td>.22</td> </tr> <tr> <td>25,000—27,000</td> <td></td> <td>.29</td> <td>41,000—43,000</td> <td></td> <td>.21</td> </tr> <tr> <td>27,000—29,000</td> <td></td> <td>.28</td> <td>43,000—No limit</td> <td></td> <td>.20</td> </tr> </tbody> </table>	If line 7 is:			If line 7 is:			Over	But not over	Decimal amount is	Over	But not over	Decimal amount is	\$0—15,000		.35	\$29,000—31,000		.27	15,000—17,000		.34	31,000—33,000		.26	17,000—19,000		.33	33,000—35,000		.25	19,000—21,000		.32	35,000—37,000		.24	21,000—23,000		.31	37,000—39,000		.23	23,000—25,000		.30	39,000—41,000		.22	25,000—27,000		.29	41,000—43,000		.21	27,000—29,000		.28	43,000—No limit		.20	8	X .
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Part III Dependent Care Benefits

14 Enter the total amount of dependent care benefits you received in 2004. Amounts you received as an employee should be shown in box 10 of your Form(s) W-2. Do not include amounts reported as wages in box 1 of Form(s) W-2. If you were self-employed or a partner, include amounts you received under a dependent care assistance program from your sole proprietorship or partnership	14		
15 Enter the amount forfeited, if any (see the instructions)	15		
16 Subtract line 15 from line 14	16		
17 Enter the total amount of qualified expenses incurred in 2004 for the care of the qualifying person(s)	17		
18 Enter the smaller of line 16 or 17	18		
19 Enter your earned income	19		
20 Enter the amount shown below that applies to you. <ul style="list-style-type: none"> • If married filing jointly, enter your spouse's earned income (if your spouse was a student or was disabled, see the instructions for line 5) • If married filing separately, see the instructions for the amount to enter. • All others, enter the amount from line 19. 	20		
21 Enter the smallest of line 18, 19, or 20	21		
22 Enter the amount from line 14 that you received from your sole proprietorship or partnership. If you did not receive any such amounts, enter -0-	22		
23 Subtract line 22 from line 16	23		
24 Enter \$5,000 (\$2,500 if married filing separately and you were required to enter your spouse's earned income on line 20)	24		
25 Deductible benefits. Enter the smallest of line 21, 22, or 24. Also, include this amount on the appropriate line(s) of your return (see the instructions)	25		
26 Enter the smaller of line 21 or 24	26		
27 Enter the amount from line 25	27		
28 Excluded benefits. Subtract line 27 from line 26. If zero or less, enter -0-	28		
29 Taxable benefits. Subtract line 28 from line 23. If zero or less, enter -0-. Also, include this amount on Form 1040, line 7. On the dotted line next to line 7, enter "DCB"	29		

To claim the child and dependent care credit, complete lines 30-34 below.

30 Enter \$3,000 (\$6,000 if two or more qualifying persons)	30		
31 Add lines 25 and 28	31		
32 Subtract line 31 from line 30. If zero or less, stop . You cannot take the credit. Exception. If you paid 2003 expenses in 2004, see the instructions for line 9	32		
33 Complete line 2 on the front of this form. Do not include in column (c) any benefits shown on line 31 above. Then, add the amounts in column (c) and enter the total here	33		
34 Enter the smaller of line 32 or 33. Also, enter this amount on line 3 on the front of this form and complete lines 4-13	34		

Exercise 1

- (A) \$3,000, which is the lowest of: earned income (\$18,000); the amount actually paid (\$3,200); and the limit of one qualifying person (\$3,000).
- (B) Andrea. Even though she is filing a separate tax return, she is eligible for the credit because she signed a Form 8332 to allow her husband to claim the dependency exemption. She also meets the joint return rule for married and living apart.
- (C) No.

CREDIT FOR CHILD AND DEPENDENT CARE EXPENSES

Lesson 8

ANSWERS TO EXERCISES

Exhibit 5 Exercise 2

The Windham's Form 2441, page 1

Form 2441 Department of the Treasury Internal Revenue Service (99)	Child and Dependent Care Expenses ▶ Attach to Form 1040. ▶ See separate instructions.	OMB No. 1545-0068 2004 Attachment Sequence No. 21																																																								
Name(s) shown on Form 1040 Sam L. and Sue D. Windham		Your social security number xxx : xx : xxxxx																																																								
Before you begin: You need to understand the following terms. See Definitions on page 1 of the instructions.																																																										
• Dependent Care Benefits • Qualifying Person(s) • Qualified Expenses • Earned Income																																																										
Part I Persons or Organizations Who Provided the Care —You must complete this part. (If you need more space, use the bottom of page 2.)																																																										
1	(a) Care provider's name The Learning Center	(b) Address (number, street, apt. no., city, state, and ZIP code) 496 Irvine Rd Your City, State, and Zip Code	(c) Identifying number (SSN or EIN) xx-xxxxxxx	(d) Amount paid (see instructions) 5,450																																																						
<table style="margin: auto;"> <tr> <td style="border: 1px solid black; padding: 5px;"> Did you receive dependent care benefits? </td> <td style="padding: 0 10px;"> No → Complete only Part II below. </td> </tr> <tr> <td style="padding: 0 10px;"> Yes → Complete Part III on the back next. </td> <td></td> </tr> </table>					Did you receive dependent care benefits?	No → Complete only Part II below.	Yes → Complete Part III on the back next.																																																			
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Part II Credit for Child and Dependent Care Expenses																																																										
2 Information about your qualifying person(s). If you have more than two qualifying persons, see the instructions.																																																										
	(a) Qualifying person's name First Last	(b) Qualifying person's social security number xxx : xx : xxxxx	(c) Qualified expenses you incurred and paid in 2004 for the person listed in column (a)																																																							
	Doug	Windham	xxx : xx : xxxxx	1,750																																																						
	Sally	Windham	xxx : xx : xxxxx	1,200																																																						
3	Add the amounts in column (c) of line 2. Do not enter more than \$3,000 for one qualifying person or \$6,000 for two or more persons. If you completed Part III, enter the amount from line 34			2,950																																																						
4	Enter your earned income			18,500																																																						
5	If married filing jointly, enter your spouse's earned income (if your spouse was a student or was disabled, see the instructions); all others , enter the amount from line 4			19,350																																																						
6	Enter the smallest of line 3, 4, or 5			2,950																																																						
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CREDIT FOR CHILD AND DEPENDENT CARE EXPENSES

ANSWERS TO EXERCISES Lesson 8

Exhibit 6 Exercise 2

The Windham's Form 2441, page 2

Form 2441 (2004)

Page **2**

Part III Dependent Care Benefits

14	Enter the total amount of dependent care benefits you received in 2004. Amounts you received as an employee should be shown in box 10 of your Form(s) W-2. Do not include amounts reported as wages in box 1 of Form(s) W-2. If you were self-employed or a partner, include amounts you received under a dependent care assistance program from your sole proprietorship or partnership	14	2,500
15	Enter the amount forfeited, if any (see the instructions)	15	0
16	Subtract line 15 from line 14	16	2,500
17	Enter the total amount of qualified expenses incurred in 2004 for the care of the qualifying person(s)	17	5,450
18	Enter the smaller of line 16 or 17	18	2,500
19	Enter your earned income	19	18,500
20	Enter the amount shown below that applies to you. <ul style="list-style-type: none"> • If married filing jointly, enter your spouse's earned income (if your spouse was a student or was disabled, see the instructions for line 5). • If married filing separately, see the instructions for the amount to enter. • All others, enter the amount from line 19. 	20	19,350
21	Enter the smallest of line 18, 19, or 20	21	2,500
22	Enter the amount from line 14 that you received from your sole proprietorship or partnership. If you did not receive any such amounts, enter -0-	22	0
23	Subtract line 22 from line 16	23	2,500
24	Enter \$5,000 (\$2,500 if married filing separately and you were required to enter your spouse's earned income on line 20)	24	5,000
25	Deductible benefits. Enter the smallest of line 21, 22, or 24. Also, include this amount on the appropriate line(s) of your return (see the instructions)	25	0
26	Enter the smaller of line 21 or 24	26	2,500
27	Enter the amount from line 25	27	0
28	Excluded benefits. Subtract line 27 from line 26. If zero or less, enter -0-	28	2,500
29	Taxable benefits. Subtract line 28 from line 23. If zero or less, enter -0-. Also, include this amount on Form 1040, line 7. On the dotted line next to line 7, enter "DCB"	29	0

To claim the child and dependent care credit, complete lines 30-34 below.

30	Enter \$3,000 (\$6,000 if two or more qualifying persons)	30	6,000
31	Add lines 25 and 28	31	2,500
32	Subtract line 31 from line 30. If zero or less, stop . You cannot take the credit. Exception. If you paid 2003 expenses in 2004, see the instructions for line 9	32	3,500
33	Complete line 2 on the front of this form. Do not include in column (c) any benefits shown on line 31 above. Then, add the amounts in column (c) and enter the total here	33	2,950
34	Enter the smaller of line 32 or 33. Also, enter this amount on line 3 on the front of this form and complete lines 4-13	34	2,950

 Printed on recycled paper

Form **2441** (2004)

STUDENT NOTES

INTRODUCTION AND OBJECTIVES

For tax year 2004, there are nine different tax benefits for higher education. Some of these benefits are not taxed (i.e., Coverdell education savings account, qualified tuition program, early IRA withdrawals, employer provided educational assistance and education savings bond programs). The student loan interest deduction and tuition and fees deduction were covered in Lesson 4, Adjustments. In this lesson you will learn about the two education credits: Hope credit and the lifetime learning credit.

After completing this lesson, you should be able to:

- Calculate the Hope credit on Form 8863.
- Calculate the lifetime learning credit on Form 8863.

GENERAL REQUIREMENTS

Taxpayers can claim the **Hope Scholarship Credit** (Hope credit) and the **Lifetime Learning Credit** for higher education expenses paid in 2004 for an eligible student. Both credits are **nonrefundable** and can be claimed on either Form 1040 or Form 1040A. These two credits are also called **education credits**.

To claim either of the education credits the taxpayer must:

- File using any filing status other than married filing separately,
- Meet all of the general requirements,
- Meet all of the specific requirements for the individual credit, and
- Meet the income limits.

The general requirements provide that the taxpayer must have incurred **qualified expenses** for an **eligible student** to attend **an eligible educational institution** during the tax year.

ALERT



Publication 4012, Volunteer Resource Guide, contains an Education Credits table to assist you in determining eligibility for the credits.

Qualified Expenses

The Hope credit and the lifetime learning credit are based on qualified tuition and related expenses the taxpayer pays for himself or herself, the taxpayer's spouse, or dependents the taxpayer claims on his or her tax return.

Qualified tuition and related expenses are tuition and fees required for enrollment or attendance at an eligible educational institution and generally **include fees for**:

- Course-related books, supplies and equipment, and
- Student activities.

The fees must be paid **to the institution** as a condition of enrollment or attendance.

Qualified tuition and related expenses **do not include** the cost of:

- Insurance,
- Medical expenses (including student health fees),
- Room and board,
- Transportation or similar personal, living, or family expenses, **even if** the fees must be paid to the institution as a condition of enrollment or attendance.

When considering qualified tuition and related expenses for the Hope credit, the cost of courses for athletics, sports, games, hobbies or noncredit courses are not used unless the course is part of the student's degree program. However, when computing the qualified tuition and related expenses for the lifetime learning credit, these types of expenses are includible if the course was taken to acquire or improve the job skills of the student.

If a taxpayer **prepaid** qualified tuition and related expenses for an academic period that begins in the first three months of the following year, he or she can use the prepaid amount in figuring the credit.

Example 1

Thomas pays \$1,500 in December 2004 for qualified tuition for the winter semester that begins in January 2005. He can use the \$1,500 paid in December of 2004 to compute his credit for 2004.

Payments with borrowed funds.

Taxpayers can claim the Hope credit and lifetime learning credit for qualified tuition and related expenses paid with the proceeds of a loan. Use the expenses to figure the credit for the year in which the expenses are paid, not the year in which the loan is repaid.

Eligible Student

The taxpayer, the taxpayer's spouse, or the taxpayer's dependent (for whom the taxpayer claims a dependency exemption) can be an eligible student.

In addition, for the Hope credit, the student must be:

- Enrolled in a program that leads to a degree, certificate or other recognized educational credential.
- Taking at least one-half of the normal full-time workload for his or her course of study for at least one academic period beginning during the calendar year.
- Enrolled for one of the first two years of his or her postsecondary education.
- Free of any felony conviction for possessing or distributing a controlled substance.

WHO CAN CLAIM EXPENSES?

The taxpayer must claim a dependent exemption for the eligible student in order to claim an education credit. Either the taxpayer or the dependent, but not both, can claim an education credit for that dependent's higher education expenses.

If the taxpayer...	Then only...
Claims an exemption on the tax return for a dependent who is an eligible student	The taxpayer can claim the Hope or lifetime learning credit based on that student's expenses. The student cannot claim the credit.
Does not claim an exemption for a dependent who is an eligible student (even if entitled to the exemption)	The student can claim the Hope or lifetime learning credit. The taxpayer cannot claim the student's expenses.

If someone other than the taxpayer, the taxpayer's spouse, or the dependent (such as a relative or former spouse) makes a payment directly to the eligible educational institution to pay for qualified tuition and related expenses, the student is treated as receiving the payment from the other person. The student is considered to have paid the qualified tuition and related expenses to the eligible institution. If the taxpayer claims an exemption for the student, the taxpayer is considered to have paid the expenses. If the taxpayer does not claim a dependent exemption for the student, the student may claim the credit.

Example 2

Mary Birch paid her grandson, Todd's, tuition for 2004 directly to the university. For purposes of claiming the Hope credit, her grandson is treated as receiving the money as a gift and in turn paying his qualified tuition and related expenses himself. Unless an exemption for Todd is claimed on someone else's return, only Todd can use the payment to claim the Hope credit. If Todd's parents claim his exemption, they may be able to use the expenses to claim the Hope credit. If anyone else claims an exemption for Todd, Todd cannot claim a Hope credit.

Eligible Educational Institution

An eligible educational institution is generally any accredited public, nonprofit, or proprietary (private) postsecondary institution eligible to participate in the student aid programs administered by the Department of Education. Most universities and colleges, including community colleges, meet these requirements.

Income Requirements

The Hope credit and the lifetime learning credit are phased out (gradually reduced) if the taxpayer's modified AGI is over \$42,000 (over \$85,000 if married filing jointly). If a taxpayer's modified AGI is \$52,000 or more (\$105,000 or more if married filing jointly), no credit is allowed. Education credits are not allowed to persons who are married filing separately.

Modified Adjusted Gross Income (MAGI)

For most taxpayers, modified adjusted gross income (MAGI) is adjusted gross income (AGI) as figured on their federal income tax return. MAGI when using Form 1040A is the AGI on line 22 of that form. MAGI when using Form 1040 is the AGI on line 36 of that form, modified by adding back any:

- 1) Foreign earned income exclusion
- 2) Foreign housing exclusion
- 3) Exclusion of income for bona fide residents of America Samoa, and
- 4) Exclusion of income from Puerto Rico.

HOPE CREDIT

A Hope credit can be claimed for *each* eligible student that is claimed on the taxpayer's return.

Credit Amounts

The Hope credit is figured on Form 8863, *Education Credits (Hope and Lifetime Learning Credits)*. The maximum Hope credit is \$1,500 *per student* for each of the first two taxable years of his or her postsecondary education. For each eligible student who qualifies for the Hope credit:

- If the expenses are \$1,000 or less, the credit is the amount of the expenses,
- If the expenses are \$2,000 or more, the credit is \$1,500, and
- If the expenses are between \$1,000 and \$2,000, the credit is \$1,000 plus one-half of the expenses over \$1,000. For example, if the expenses are \$1,500, the credit is \$1,250 (\$1,000 plus one-half of \$500).

Example 3

Sue and Ted Marshall paid \$7,000 in qualified tuition and fees for their daughter, Mary, to attend the local university. They determined it would be more beneficial for them to take the Hope Credit rather than the Tuition and Fees Deduction. Their AGI and MAGI is \$35,000 and their tax liability on Form 1040, Line 43, is \$1,689. Their Form 8863 is shown in Exhibit 1.

Form 8863 Department of the Treasury Internal Revenue Service	Education Credits (Hope and Lifetime Learning Credits) ▶ See instructions. ▶ Attach to Form 1040 or Form 1040A.	OMB No. 1545-1618 <div style="font-size: 2em; font-weight: bold;">2004</div> Attachment Sequence No. 50
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Name(s) shown on return: **Sue and Ted Marshall** Your social security number: **xxx xx xxxx**

Caution: You **cannot** take both an education credit and the tuition and fees deduction (Form 1040, line 27, or Form 1040A, line 19) for the **same student** in the same year.

Part I Hope Credit. Caution: You **cannot** take the Hope credit for more than **2** tax years for the **same student**.

1	(a) Student's name (as shown on page 1 of your tax return) First name Last name	(b) Student's social security number (as shown on page 1 of your tax return)	(c) Qualified expenses (see instructions). Do not enter more than \$2,000 for each student.	(d) Enter the smaller of the amount in column (c) or \$1,000	(e) Subtract column (d) from column (c)	(f) Enter one-half of the amount in column (e)
	Mary Marshall	xxx xx xxxx	2,000	1,000	1,000	500
2	Add the amounts in columns (d) and (f)					2 1,000
3	Tentative Hope credit. Add the amounts on line 2, columns (d) and (f). If you are taking the lifetime learning credit for another student, go to Part II; otherwise, go to Part III ▶					3 1,500

Part II Lifetime Learning Credit

4	(a) Student's name (as shown on page 1 of your tax return) First name Last name	(b) Student's social security number (as shown on page 1 of your tax return)	(c) Qualified expenses (see instructions)
5	Add the amounts on line 4, column (c), and enter the total		
6	Enter the smaller of line 5 or \$10,000		
7	Tentative lifetime learning credit. Multiply line 6 by 20% (.20) and go to Part III ▶		

Part III Allowable Education Credits

8	Tentative education credits. Add lines 3 and 7		8	1,500
9	Enter: \$105,000 if married filing jointly; \$52,000 if single, head of household, or qualifying widow(er)	105,000	9	
10	Enter the amount from Form 1040, line 37*, or Form 1040A, line 22	35,000	10	
11	Subtract line 10 from line 9. If zero or less, stop ; you cannot take any education credits.	70,000	11	
12	Enter: \$20,000 if married filing jointly; \$10,000 if single, head of household, or qualifying widow(er)	20,000	12	
13	If line 11 is equal to or more than line 12, enter the amount from line 8 on line 14 and go to line 15. If line 11 is less than line 12, divide line 11 by line 12. Enter the result as a decimal (rounded to at least three places)		13	× .
14	Multiply line 8 by line 13 ▶		14	1,500
15	Enter the amount from Form 1040, line 43, or Form 1040A, line 28 (minus any alternative minimum tax included on Form 1040A, line 28)		15	1,689
16	Enter the total, if any, of your credits from Form 1040, lines 46 and 47, or Form 1040A, lines 29 and 30	0	16	
17	Enter the amount from Form 6251, line 31	0	17	
18	Add lines 16 and 17		18	0
19	Subtract line 18 from line 15. If zero or less, stop ; you cannot take any education credits ▶		19	1,689
20	Education credits. Enter the smaller of line 14 or line 19 here and on Form 1040, line 48, or Form 1040A, line 31 ▶		20	1,500

*See Pub. 970 for the amount to enter if you are filing Form 2555, 2555-EZ, or 4563 or you are excluding income from Puerto Rico.

LIFETIME LEARNING CREDIT

The lifetime learning credit is based on the total qualified education expenses paid by the taxpayer and not on the number of eligible students. Education expenses are qualified for the lifetime learning credit if they are:

- For courses taken as part of a postsecondary degree program, or
- For courses that are not part of a postsecondary degree program, but that are taken to improve or acquire job skills.

Example 4

Samantha, a professional photographer, enrolls in an advanced photography course at a local community college. Although the course is not part of a degree program, she enrolls in it to improve her job skills. The course fee paid by Samantha is considered qualified tuition for the purpose of claiming the lifetime learning credit.

Example 5

Cleve, an engineer, plans to vacation in Europe next year. In preparation for the trip, he enrolls in a noncredit photography class at a local community college. Because Cleve is not taking the course as part of a degree program or to acquire or improve his job skills, the cost of the course is not a qualifying expense for claiming the lifetime learning credit.

Credit amounts

The lifetime learning credit is also figured on Form 8863. The maximum amount of the credit is \$2,000 per taxpayer for all eligible students. The credit amount is figured by multiplying total qualified educational expenses, up to \$10,000, by 20%.

Example 6

Judy Hood is single and took a course at the local college to recertify her to teach in public schools. Her qualified tuition expenses were \$500. She chooses to take the lifetime learning credit rather than the Tuition and Fees Deduction. Her AGI and MAGI is \$29,524 and her tax liability on Form 1040, Line 43, is \$2,879. Her completed Form 8863 is shown in Exhibit 2.

Form **8863**

**Education Credits
(Hope and Lifetime Learning Credits)**

OMB No. 1545-1618

2004

Department of the Treasury
Internal Revenue Service

▶ See instructions.
▶ Attach to Form 1040 or Form 1040A.

Attachment
Sequence No. **50**

Name(s) shown on return

Your social security number

Judy Hood

xxx xx xxxx

Caution: You **cannot** take both an education credit and the tuition and fees deduction (Form 1040, line 27, or Form 1040A, line 19) for the **same student** in the same year.

Part I Hope Credit. Caution: You **cannot** take the Hope credit for more than **2** tax years for the **same student**.

1	(a) Student's name (as shown on page 1 of your tax return) First name Last name	(b) Student's social security number (as shown on page 1 of your tax return)	(c) Qualified expenses (see instructions). Do not enter more than \$2,000 for each student.	(d) Enter the smaller of the amount in column (c) or \$1,000	(e) Subtract column (d) from column (c)	(f) Enter one-half of the amount in column (e)	
2	Add the amounts in columns (d) and (f)					2	
3	Tentative Hope credit. Add the amounts on line 2, columns (d) and (f). If you are taking the lifetime learning credit for another student, go to Part II; otherwise, go to Part III ▶					3	

Part II Lifetime Learning Credit

4	(a) Student's name (as shown on page 1 of your tax return) First name Last name	(b) Student's social security number (as shown on page 1 of your tax return)	(c) Qualified expenses (see instructions)
	<u>Judy Hood</u>	<u>xxx xx xxxx</u>	<u>500</u>
5	Add the amounts on line 4, column (c), and enter the total		5 500
6	Enter the smaller of line 5 or \$10,000		6 500
7	Tentative lifetime learning credit. Multiply line 6 by 20% (.20) and go to Part III ▶		7 100

Part III Allowable Education Credits

8	Tentative education credits. Add lines 3 and 7	8	100
9	Enter: \$105,000 if married filing jointly; \$52,000 if single, head of household, or qualifying widow(er)	9	52,000
10	Enter the amount from Form 1040, line 37*, or Form 1040A, line 22	10	29,524
11	Subtract line 10 from line 9. If zero or less, stop ; you cannot take any education credits.	11	22,476
12	Enter: \$20,000 if married filing jointly; \$10,000 if single, head of household, or qualifying widow(er)	12	10,000
13	If line 11 is equal to or more than line 12, enter the amount from line 8 on line 14 and go to line 15. If line 11 is less than line 12, divide line 11 by line 12. Enter the result as a decimal (rounded to at least three places)	13	×
14	Multiply line 8 by line 13 ▶	14	100
15	Enter the amount from Form 1040, line 43, or Form 1040A, line 28 (minus any alternative minimum tax included on Form 1040A, line 28)	15	2,879
16	Enter the total, if any, of your credits from Form 1040, lines 46 and 47, or Form 1040A, lines 29 and 30	16	0
17	Enter the amount from Form 6251, line 31	17	0
18	Add lines 16 and 17	18	0
19	Subtract line 18 from line 15. If zero or less, stop ; you cannot take any education credits ▶	19	2,879
20	Education credits. Enter the smaller of line 14 or line 19 here and on Form 1040, line 48, or Form 1040A, line 31 ▶	20	100

*See Pub. 970 for the amount to enter if you are filing Form 2555, 2555-EZ, or 4563 or you are excluding income from Puerto Rico.

No DOUBLE BENEFITS

A taxpayer cannot:

- Deduct higher education expenses and claim a credit based on those same expenses (as, for example, a business expense),
- Claim an education credit in the same year as a tuition and fees deduction is claimed for the same student,
- Claim a Hope credit and a lifetime learning credit based on the same qualified education expenses,
- Claim an education credit based on the expenses used to figure the tax-free portion of a distribution from a Coverdell ESA or qualified tuition program (QTP),
- Claim a credit based on qualified education expenses paid with a tax-free scholarship, grant, or employer-provided educational assistance.

However, a taxpayer can claim a credit based on expenses paid with the eligible student's earnings, loans, gifts, inheritances, or personal savings.

An eligible student cannot claim an education credit if he or she is claimed as a dependent on another taxpayer's tax return. Any amounts paid by the student are considered paid by the taxpayer who claims the student as a dependent.

The following table summarizes the differences between the credits.

Table: Comparison of Education Credits

Hope Credit	Lifetime Learning Credit
Up to \$1,500 credit per eligible student	Up to \$2,000 credit per return
Available only until the first 2 years of postsecondary education are completed	Available for all years of postsecondary education and for courses to acquire or improve job skills
Available only for 2 years per eligible student	Available for an unlimited number of years
Student must be pursuing an undergraduate degree or other recognized education credential	Student does not need to be pursuing a degree or other recognized education credential
Student must be enrolled at least half time for at least one academic period during the year	Available for one or more courses
No felony drug conviction on student's record	Felony drug conviction rule does not apply

Adjustments to Qualified Expenses

Tax-free educational assistance can include the following:

- Scholarships,
- Pell grants,
- Employer-provided educational assistance,

- Veteran’s educational assistance, and
Any other nontaxable payments (other than gifts, bequests, or inheritances) received for education expenses.

If the taxpayer paid qualified tuition expenses with these tax-free funds, a credit cannot be claimed for these amounts. Qualified expenses must be reduced by the amount of any tax-free educational assistance received.

Example 7

In 2004, Jackie paid \$3,000 for tuition and \$5,000 for room and board at her local university. To help pay these costs, she was awarded a \$2,000 scholarship and a \$4,000 student loan.

The scholarship is a qualified scholarship that is excludable from Jackie’s income. For purposes of the education credit, she must first use the scholarship to reduce her tuition (her only qualified expense). The student loan is not considered tax-free educational assistance so she does not use it to reduce the qualified expenses. Therefore, Jackie is treated as having paid only \$1,000 in qualified expenses (\$3,000 tuition - \$2,000 scholarship).

Refunds

Qualified tuition and related expenses do not include expenses for which the taxpayer received a refund. If the refund or tax-free assistance is received in the same year in which the expenses were paid or in the following year before the tax return is filed, reduce the qualified expenses by the amount received and figure the education credits using the reduced amount of qualified expenses.

If the refund or tax-free assistance is received after the tax return is filed for the year in which the expenses were paid, figure the amount by which the education credits would have been reduced if the refund or tax-free assistance had been received in the year for which the education credits were claimed. Include that amount as an additional tax for the year the refund or tax-free assistance was received. For 2004, enter the amount and “ECR” (Education Credit Repayment) on line 43.

Example 8

Sally paid \$2,250 tuition on December 26, 2003, for her daughter who began college on January 16, 2004. She filed her 2003 tax return on February 12, 2004, and claimed a Hope credit of \$1,500. After Sally filed her return, her daughter dropped two courses but maintained one-half of a full-time workload. Sally received a refund of \$750. She must refigure her 2003 Hope credit using \$1,500 of qualified expenses instead of \$2,250. The refigured credit is \$1,250. She must include the difference of \$250 on line 43 of her 2004 Form 1040 and annotate next to the line: \$250 ECR.

Exercise 1

Bruce (SSN xxx-xx-xxxx) and Toni Endicott are married and file a joint tax return. For 2004, their modified AGI (\$49,065) is the same as their AGI. They completed Form 1040 through line 44. Their tax amount on Line 43 is \$3,796. Toni is attending the local community college part-time to earn credits toward an associate degree in nursing. She paid \$2,500 in tuition and fees. Their son, Ben, is a full time freshman at the state university. Bruce and Toni paid \$8,000 in tuition and fees for Ben in 2004. They choose to take the lifetime learning credit for Toni and the Hope credit for Ben. They will claim no other credits. Toni's SSN is xxx-xx-xxxx. Ben's SSN is xxx-xx-xxxx. Complete their Form 8863 at Exhibit 3.

TaxWise Hints

To input qualified tuition expenses and prepare a Form 8863 using TaxWise, link from Form 1040, line 48, to select Form 8863, enter the student's name in either the Hope credit section or the lifetime learning credit section and complete all the entries annotated in red. TaxWise will automatically complete the form and carry the mathematical calculations to the Form 1040.

▶▶ SUMMING UP THIS LESSON◀◀

The Hope and lifetime learning credits are nonrefundable credits that allow a taxpayers to claim all or a portion of qualified tuition and related expenses paid for post-secondary education.

Generally, taxpayers can claim the Hope or lifetime learning credit if they pay qualified tuition and related expenses to an eligible higher education institution for an eligible student who is either the taxpayer, the taxpayer's spouse, or a dependent whom the taxpayer can claim an exemption on his or her tax return.

A taxpayer cannot:

- ▶ Deduct higher education expenses on his or her tax return and also claim a Hope or lifetime learning credit based on those same expenses,
- ▶ Claim a Hope credit and a lifetime learning credit based on the same qualified education expenses, or
- ▶ Claim a credit based on expenses paid with tax-free scholarship, grant, or employer-provided educational assistance.

The Hope and lifetime learning credits are claimed on Form 8863 which can be filed with either Form 1040 or Form 1040A.

Form **8863**
 Department of the Treasury
 Internal Revenue Service

**Education Credits
 (Hope and Lifetime Learning Credits)**

OMB No. 1545-1618

2004

Attachment
 Sequence No. **50**

▶ See instructions.

▶ Attach to Form 1040 or Form 1040A.

Name(s) shown on return

Your social security number

Caution: You **cannot** take both an education credit and the tuition and fees deduction (Form 1040, line 27, or Form 1040A, line 19) for the **same student** in the same year.

Part I Hope Credit. Caution: You **cannot** take the Hope credit for more than **2** tax years for the **same student**.

1	(a) Student's name (as shown on page 1 of your tax return) First name Last name	(b) Student's social security number (as shown on page 1 of your tax return)	(c) Qualified expenses (see instructions). Do not enter more than \$2,000 for each student.	(d) Enter the smaller of the amount in column (c) or \$1,000	(e) Subtract column (d) from column (c)	(f) Enter one-half of the amount in column (e)
2	Add the amounts in columns (d) and (f)					
3	Tentative Hope credit. Add the amounts on line 2, columns (d) and (f). If you are taking the lifetime learning credit for another student, go to Part II; otherwise, go to Part III ▶					3

Part II Lifetime Learning Credit

4	(a) Student's name (as shown on page 1 of your tax return) First name Last name	(b) Student's social security number (as shown on page 1 of your tax return)	(c) Qualified expenses (see instructions)
5	Add the amounts on line 4, column (c), and enter the total		5
6	Enter the smaller of line 5 or \$10,000		6
7	Tentative lifetime learning credit. Multiply line 6 by 20% (.20) and go to Part III . . ▶		7

Part III Allowable Education Credits

8	Tentative education credits. Add lines 3 and 7	8
9	Enter: \$105,000 if married filing jointly; \$52,000 if single, head of household, or qualifying widow(er)	9
10	Enter the amount from Form 1040, line 37*, or Form 1040A, line 22	10
11	Subtract line 10 from line 9. If zero or less, stop ; you cannot take any education credits.	11
12	Enter: \$20,000 if married filing jointly; \$10,000 if single, head of household, or qualifying widow(er)	12
13	If line 11 is equal to or more than line 12, enter the amount from line 8 on line 14 and go to line 15. If line 11 is less than line 12, divide line 11 by line 12. Enter the result as a decimal (rounded to at least three places)	13 × .
14	Multiply line 8 by line 13 ▶	14
15	Enter the amount from Form 1040, line 43, or Form 1040A, line 28 (minus any alternative minimum tax included on Form 1040A, line 28)	15
16	Enter the total, if any, of your credits from Form 1040, lines 46 and 47, or Form 1040A, lines 29 and 30	16
17	Enter the amount from Form 6251, line 31	17
18	Add lines 16 and 17	18
19	Subtract line 18 from line 15. If zero or less, stop ; you cannot take any education credits ▶	19
20	Education credits. Enter the smaller of line 14 or line 19 here and on Form 1040, line 48, or Form 1040A, line 31	20

*See Pub. 970 for the amount to enter if you are filing Form 2555, 2555-EZ, or 4563 or you are excluding income from Puerto Rico.

STUDENT NOTES

INTRODUCTION AND OBJECTIVES

In this lesson we will learn about the earned income credit (EIC) or earned income tax credit (EITC).

The EIC is a refundable tax credit for most people who work, but do not earn high incomes. Those who qualify can reduce their federal tax liability, potentially receiving a refund.

After completing this lesson you should be able to:

- Determine which taxpayers are eligible for the earned income credit.
- Determine when a taxpayer has a qualifying child for the EIC.
- Calculate and report the credit using the EIC worksheet.
- Explain how to request advance earned income credit (AEIC) payments.
- Report AEIC on the tax return.

GENERAL EIC REQUIREMENTS

Eligible taxpayers can receive a refund of this credit even if they owe no tax and had no income tax withheld. The taxpayer (and spouse, if filing a joint return) must meet certain eligibility rules and file a tax return, even if the taxpayer is not otherwise required to file a tax return. For tax year 2004 the maximum credit is:

Two or more qualifying children	\$4,300
One qualifying child	\$2,604
No children	\$ 390

To be eligible for a full or partial credit, the taxpayer cannot have investment income of more than \$2,650. The taxpayer must have earned income of at least \$1. Earned income and adjusted gross income must each be less than the limitation amounts discussed later.

ALERT



Use the EIC decision tree or EIC Critical Interview Questions, in Publication 4012, Volunteer Resource Guide, to determine if the taxpayer qualifies for EIC.

WHO CAN CLAIM THE EIC – GENERAL ELIGIBILITY RULES

All taxpayers claiming the EIC:

1. Earned income and adjusted gross income (AGI) must each be less than:

- \$34,458 (\$35,458 married filing jointly) with two or more qualifying children;
- \$30,338 (\$31,338 married filing jointly) with one qualifying child;
- \$11,490 (\$12,490 married filing jointly) with no qualifying children.

AGI is the amount on line 4 of Form 1040EZ, line 22 of Form 1040A, or line 37 of Form 1040.

2. Must have a valid Social Security Number (SSN):

SSNs are required for the taxpayer (and spouse, if filing jointly) and any qualifying children (discussed later) listed on Schedule EIC. The Social Security Administration issues SSNs to U.S. Citizens and to certain aliens.

If a Social Security card has the “**Not Valid for Employment**” imprint and the cardholder obtained the SSN to get a federally funded benefit, such as Medicaid, the SSN is not valid for EIC purposes.

3. Filing status cannot be married filing separately:

To qualify for the credit, the taxpayer must file as single, married filing a joint return, head of household, or qualifying widow(er) with dependent child.

4. Must be a U.S. citizen or resident alien for the entire year:

There are three types of aliens for tax purposes: nonresident, dual-status, and resident. Dual-status and resident aliens are taxed as U.S. citizens. Taxpayers claiming the EIC must be a U.S. citizen or resident alien all year, or a nonresident alien married to a U.S. citizen or resident alien and filing a joint return.

5. Must not file Form 2555 or 2555-EZ:

To qualify for the EIC, taxpayers must not exclude from gross income any income earned in foreign countries, or deduct or exclude a foreign housing amount.

6. Must meet the investment income limitation:

Investment income (such as interest from savings or tax-exempt bonds, dividends, etc.) must be \$2,650 or less for the tax year.

ALERT



Confirm, by inspection, that the taxpayer (and spouse, if filing jointly) and any qualifying children have valid Social Security Cards.

POTENTIAL PITFALLS



If the taxpayer's filing status is married filing separately, the taxpayer cannot claim the earned income credit.

ALERT



If the taxpayer chooses to be treated as a resident alien for the entire year, the taxpayer and spouse are taxed on their worldwide income.

7. **Must have earned income:**

Taxpayers must work full- or part-time and have earned income during the tax year. The income must be from employment or self-employment. If married and filing jointly, at least one spouse must work and have earned income. Earned income is discussed in detail later.

8. **Cannot be the qualifying child of another person.** In the case of a joint return, neither the taxpayer nor the spouse can be a qualifying child of another person. The taxpayer is a qualifying child of another person (the taxpayer's parent, guardian, foster parent, etc.) if all the following statements are true:

- a. **Relationship:** The taxpayer is the other person's son, daughter, stepson, stepdaughter, or a descendant of any of them. Or, the taxpayer is the other person's brother, sister, stepbrother, or stepsister, or a descendant of any of them, and that person cared for the taxpayer as his or her own child. Or, the taxpayer is the other person's eligible foster child (placed with the other person by an authorized placement agency, and that person cared for the taxpayer as his or her own child.)
- b. **Age:** On December 31st, the taxpayer was under age 19, or under age 24 and a full-time student, or any age and permanently and totally disabled at any time during the year.
- c. **Residency:** The taxpayer lived with that person in the United States for more than half of the year.

If the taxpayer (or spouse, if filing a joint return) is a qualifying child of another person, the taxpayer cannot claim the EIC.

INVESTMENT AND EARNED INCOME

Investment Income

Taxpayers whose investment income is more than \$2,650 cannot claim the EIC. Investment income includes:

1. Taxable interest
2. Tax-exempt interest
3. Ordinary dividends
4. Capital gain net income
5. Certain net income from rents and royalties. (Beyond the scope of VITA/TCE)
6. Net income from passive activities. (Beyond the scope of VITA/TCE)

Earned Income

To be eligible for a full or partial credit, the taxpayer must have earned income of at least \$1 but less than:

- \$34,458 (\$35,458 married filing jointly) with two or more qualifying children;
- \$30,338 (\$31,338 married filing jointly) with one qualifying child;
- \$11,490 (\$12,490 married filing jointly) with no qualifying children.

Earned income is wages, salaries, tips and other employee compensation, but only if the amounts are includible in gross income; plus net earnings from self-employment. Table 10-1, next page, provides examples of what to include and what not to include as earned income in computing the earned income credit.

POTENTIAL PITFALLS



Earnings while in prison are not considered earned income.

Notes:

Earnings while an inmate. Amounts received for work performed while an inmate in a penal institution are not considered earned income for purposes of the earned income credit. Enter “PRI” and the amount of the income earned while an inmate next to line 7 (Form 1040 or 1040A) or line 1 (Form 1040EZ). This income is still considered taxable for purposes of determining the taxpayer’s federal income tax.

Earnings while a household employee. If the taxpayer was a household employee who did not receive a Form W-2 because he or she was paid less than \$1,400, the income must still be included on line 7 (Form 1040A or 1040) or line 1 (Form 1040EZ). Enter “HSH” and the amount not reported on Form W-2 next to line 7 (Form 1040A or 1040) or Line 1 (Form 1040EZ).

Disability benefits. If a taxpayer retires on disability, benefits received under his or her employer’s disability retirement plan are considered earned income until the taxpayer reaches minimum retirement age. Minimum retirement age generally is the earliest age at which the taxpayer can receive a pension or annuity if not disabled. Taxpayers must report their taxable disability payments on line 7 of either Form 1040 or Form 1040A until they reach minimum retirement age (See Pension, Lesson 14).

Beginning on the day after a taxpayer reaches minimum retirement age, payments the taxpayer receives are taxable as a pension and are not considered earned income. Report taxable pension payments on Form 1040, lines 16a and 16b, or Form 1040A, lines 12a and 12b.

Disability Insurance Payments. Payments taxpayers receive from a disability insurance policy for which they paid the premiums are not earned income. It does not matter whether they have reached minimum retirement age. If this policy is through their employer, the amount may be shown in box 12 of their Form W-2 with code “J.”

ALERT



Disability payments received before a taxpayer reaches minimum retirement age is considered earned income.

Examples of Earned Income for the EIC

To qualify for the EIC, taxpayers must work full- or part-time and have earned income during the tax year. If married and filing jointly, at least one spouse must work and have earned income. Earned income includes all taxable income gained from working as an employee and net earnings from self-employment. Nontaxable income generally does not count as earned income. (See Table 10-1)

Table 10-1

Earned Income Table

Earned Income	
Includes	Does not include
<ul style="list-style-type: none"> ■ Taxable wages, salaries, and tips ■ Union strike benefits ■ Taxable long-term disability benefits received prior to minimum retirement age ■ Net earnings from self-employment ■ Gross income of a statutory employee ■ Household employee income 	<ul style="list-style-type: none"> ■ Interest and dividends ■ Social Security and railroad retirement benefits ■ Welfare benefits ■ Workfare payments ■ Pensions and annuities ■ Veteran's benefits (including VA rehabilitation payments) ■ Workers' compensation benefits ■ Alimony ■ Child Support ■ Nontaxable foster care payments ■ Unemployment compensation ■ Taxable scholarship or fellowship grants that are not reported on Form W-2 ■ Earnings for work performed while an inmate at a penal institution ■ Salary deferrals (for example, under a 401(k) or 403(b) plan or the Federal Thrift Savings Plan) ■ Basic housing and subsistence allowances for the U.S. Military (box 12, code Q of Form W-2) ■ The value of meals or lodging provided by an employer for the convenience of the employer ■ Housing allowance or rental value of a parsonage for the clergy ■ Excludable dependent care benefits (line 18 of either Form 2441, Form 1040, or Schedule 2, Form 1040A) ■ Salary reductions such as under a cafeteria plan ■ Excludable employer provided educational assistance benefits (may be shown in box 13 of Form W-2) ■ Anything else of value received from someone for services performed, if it is not currently taxable

WHO CAN CLAIM THE CREDIT – WITH A QUALIFYING CHILD

If the taxpayer meets the EIC general eligibility rules (previously discussed), you must now determine if the taxpayer can claim the credit with a qualifying child or without a qualifying child.

To be a qualifying child for the EIC, a child: **Must meet relationship, age, and residency tests. Note: A child is not a qualifying child until the child meets all 3 tests.**

The following chart outlines the relationship, age, and residency tests:

Table 10-2

RELATIONSHIP	AGE	RESIDENCY
<ul style="list-style-type: none"> ■ Son, daughter, stepson, stepdaughter or a descendant of any of them* <p>or</p> <ul style="list-style-type: none"> ■ Brother, sister, stepbrother, stepsister or a descendant of any of them, whom the taxpayer cares for as his or her own child <p>or</p> <ul style="list-style-type: none"> ■ Eligible foster child <p>and...</p>	<ul style="list-style-type: none"> ■ Under age 19 at the end of the tax year <p>or</p> <ul style="list-style-type: none"> ■ Under age 24 and a full-time student, at the end of the tax year <p>or</p> <ul style="list-style-type: none"> ■ Any age and permanently and totally disabled at any time during the year <p>and...</p>	<ul style="list-style-type: none"> ■ Lived with the taxpayer in the United States for more than half the tax year (at least 184 days for 2004). This includes the time that the taxpayer and the child are temporarily apart due to a special circumstance, such as military service, school attendance, hospitalization or juvenile detention <p>Note: Child birth/death: If the child was born or died during the year, the child is considered to meet the test if the child lived with the taxpayer while the child was alive.</p>

ALERT



EIC requirements for a qualifying child are not the same requirements to be a qualifying child for the Child Tax Credit.

*If the child was married at the end of the year, he or she does not meet the relationship test unless:

1. The taxpayer can claim the child's exemption,
- or
2. The taxpayer cannot claim the child's exemption because the taxpayer gave that right to the child's other parent.

Definitions

An **eligible foster child** is a child placed with the taxpayer by an authorized placement agency whom the taxpayer cares for as his or her own child. An authorized placement agency includes a state or local government agency or court. It also includes a tax-exempt organization licensed by a state. In addition, it includes an Indian tribal government, or an organization authorized by an Indian tribal government to place Indian children.

An **adopted child** is treated as a biological child and includes a child placed with the taxpayer for adoption by an authorized placement agency, even if the adoption is not final.

A child is **permanently and totally disabled** if:

1. He or she cannot engage in any substantial gainful activity because of a physical or mental condition, and
2. A doctor determines the condition has lasted or can be expected to last continuously for at least a year, or can lead to death.

Taxpayers may be able to claim the EIC on the basis of a **child who was kidnapped** by someone who is not a member of the taxpayer's family or the child's family. (See Publication 596, Earned Income Credit)

A taxpayer does not need a home to claim the EIC. For example, if the taxpayer and his or her child(ren) lived together for more than half the year in one or more homeless shelters, the child meets the residency test.

After you have determined that a child meets the three tests, make sure that the child has a valid SSN. (See page 10-2)

Qualifying Child of More Than One Taxpayer

The qualifying child cannot be used by more than one person to claim the EIC. If a child is a qualifying child of more than one taxpayer, the taxpayers may choose which of them will claim the credit on the basis of that child. If two or more children are qualifying children of the same taxpayers (not filing a joint return together), the taxpayers may agree that one will claim the credit on the basis of one child and the other will claim the credit on the basis of the other child.

In those instances where two or more persons have the same qualifying child and more than one taxpayer claims the child on their return for EIC purposes, the IRS will apply the **Tie-Breaker Rule** to determine who can claim the credit using the child.

Table 10-3

EIC Tie-Breaker Rule

IF more than one person claims the EIC using the same child and ...	THEN ...
Only one of the persons is the child's parent	Only the parent can treat the child as a qualifying child.
Two of the persons are the child's parents, and they do not file a joint return together	Only the parent with whom the child lived the longest during the year can treat the child as a qualifying child.
Two of the persons are the child's parents, the child lived with each parent the same amount of time during the year, and the parents do not file a joint return together	Only the parent with the highest adjusted gross income (AGI) can treat the child as a qualifying child.
None of the persons are the child's parent	Only the person with the highest AGI can treat the child as a qualifying child.

Example 1 Jane (age 30) is unmarried. In 2004, Jane lived with her four children and her mother, Linda. Provided they each meet the eligibility and income requirements, Jane may claim the EIC based on two of the children, and Linda may claim the EIC based on the other two children.

Example 2 John (age 26) is unmarried. In 2004, John and his daughter, Lynn, lived with John's father, Paul. John's sole income was wages of \$19,000. Paul's sole income was wages of \$12,000. Lynn is a qualifying child of both John and Paul. John and Paul agree that Paul will claim the EIC on the basis of Lynn, because Paul's credit would be more than John's. If John later decides to claim the credit, under the tie-breaker rule, Paul will lose the credit he claimed and must repay the EIC.

Table 10-4

Summary of Eligibility Requirements

Part A Rules for Everyone	Part B Rules If You Have a Qualifying Child	Part C Rules If You Do Not Have a Qualifying Child
Must have a valid social security number.	Child must meet the relationship, age, and residency tests.	Must be at least age 25 but under age 65.
Filing status cannot be "Married filing separately."	Qualifying child cannot be used by more than one person to claim the EIC.	Cannot be the dependent of another person.
Must be a U.S. citizen or resident alien all year.		Must have lived in the United States more than half the year.
Cannot file Form 2555 or Form 2555-EZ (relating to foreign earned income).		
Investment income must be \$2,650 or less.		
Cannot be a qualifying child of another person.		
Part D Earned Income and AGI Limitations Must be less than: <ul style="list-style-type: none"> ■ \$34,458 (\$35,458 for married filing jointly) if you have more than one qualifying child, ■ \$30,338 (\$31,338 for married filing jointly) if you have one qualifying child, or ■ \$11,490 (\$12,490 for married filing jointly) if you do not have a qualifying child 		
Part E Investment Income Investment income must not be more than \$2,650.		

Exercise 1 – EIC Eligibility Requirements

- A.** Sharon has an eligible foster child, Eric. Eric is 12 years old and began living with Sharon in August 2004. Sharon's earned income and her adjusted gross income are \$14,275. Can Sharon claim the earned income credit? _____
- B.** Doug and Donna are married and live together. Their combined earned income is \$22,242. Doug reports adjusted gross income of \$10,728 on his separate tax return, and Donna reports adjusted gross income of \$11,514 on her separate return. Sam, their four-year-old son, lives with Doug and Donna. Can Doug and/or Donna claim the earned income credit? _____
- C.** Randy and Cara were married and lived together until August when they divorced. Randy and Cara have two children, Jimmy, age seven, and Anna, age five. The children lived with both of their parents until August, and then they lived with their mother. Randy's earned income and adjusted gross income are \$19,251. Cara's earned income is \$14,751, and her adjusted gross income is \$15,362. Can Randy and/or Cara claim the earned income credit? _____
- D.** Benjamin, age 26, lives alone, is single, and earns \$8,250. His adjusted gross income is \$8,950. Can Benjamin claim the earned income credit? _____
- E.** Melanie is 18 years old and married. Melanie's husband is overseas, and she lives with her mother, Susan. Susan's earned income is \$18,431, and her adjusted gross income is \$18,453. Susan cannot claim Melanie as a dependent. Can Susan claim the earned income credit? _____
- F.** Circle the items that are considered earned income for earned income credit purposes.
1. Wages
 2. Child Support
 3. Social security benefits
 4. Interest income
 5. Unemployment compensation
 6. Tip income
 7. Dividend income
 8. Military subsistence allowances

POTENTIAL PITFALLS



Remember that the amount of the earned income credit depends on the taxpayer's income, number of qualifying children, and filing status. Be sure to use the correct column from the EIC Table.

DETERMINING ELIGIBILITY AND FIGURING THE CREDIT

The EIC is not for everyone. You can **minimize delays** in processing the taxpayer's current and future returns by using the EIC steps and Worksheet to **determine eligibility** and figure the credit.

Taxpayers determine their eligibility for EIC by working through the steps in the EIC instructions for 1040, 1040A, or 1040EZ. Taxpayers complete the EIC Worksheet in the instructions to figure the credit. Taxpayers should keep the steps and worksheet with their records.

Before completing line 65 of Form 1040, line 41 of Form 1040A, or line 8 of Form 1040EZ, you must complete the applicable EIC worksheet. If the taxpayer is not eligible to claim the credit but appears to be based on income limitations, write "No" next to line 65 of 1040, line 41 of 1040A, or line 8 of 1040EZ.

The **Earned Income Credit Table** is used to determine the amount of the credit. The tables are found in the instructions for Forms 1040EZ, 1040A, and 1040 and also in Appendix C of this book.

Using the EIC Worksheets

The EIC steps are used to determine eligibility. The EIC worksheet is used to determine the credit. Since the 1040A EIC worksheet is the more commonly used worksheet at VITA/TCE sites, our exercise will focus on using the Form 1040A EIC steps and EIC worksheet, which together consist of 5 pages.

In most cases, all that is needed to complete EIC tax returns are the appropriate tax form and instructions booklets for Forms 1040, 1040A, & 1040EZ. Each form has its own worksheet(s) as described below.

- **Form 1040 EIC Worksheet.** If the taxpayer files Form 1040, you will use the steps in the Form 1040 package and either Worksheet A or Worksheet B. Worksheet A is for taxpayers whose earned income was received as an employee. Worksheet B is for taxpayers who have self-employment income, a member of the clergy or a church employee who files Schedule SE, or a statutory employee filing Schedule C or C-EZ.
- **Form 1040A Worksheet.** If the taxpayer files Form 1040A, you will use the steps and EIC worksheet in the Form 1040A package (see Exhibits 4–8).
- **Form 1040EZ Worksheet.** If the taxpayer files Form 1040EZ, you will use the steps and EIC worksheet in the Form 1040EZ package.

Using the EIC Table (See Appendix C)

When using the earned income credit table to determine the credit, read down the columns labeled “*At least... But less than*” and find the line that includes the amount you are instructed to look up from the EIC Worksheet. Read across to the column that includes the number of qualifying children of the taxpayer and filing status. Enter the earned income credit from that column on the EIC Worksheet.

Example 6 - Using The EIC Table

Roger’s filing status is head of household and he has two qualifying children. The amount shown on lines 1 and 3 of his Form 1040A EIC Worksheet is \$19,300.

Roger’s earned income credit from the EIC Table is \$3,187. Exhibits 4 thru 8 shows how Roger’s EIC is computed.

POTENTIAL PITFALLS

Errors are easily made when using the earned income credit table. To ensure you have entered the correct amount on the tax form, look up the credit twice—once before you enter the credit on the form and once after you enter it on the form.

Form 1040A—Line 41

Line 41 Earned Income Credit (EIC)

What is the EIC?

The EIC is a credit for certain people who work. The credit may give you a refund even if you do not owe any tax.

To Take the EIC:

- Follow the steps below.
- Complete the worksheet that applies to you or let the IRS figure the credit for you.
- If you have a qualifying child, complete and attach Schedule EIC.



If you take the EIC even though you are not eligible and it is determined that your error is due to reckless or intentional disregard of the EIC rules, you will not be allowed to take the credit for 2 years even if you are otherwise eligible to do so. If you fraudulently take the EIC, you will not be allowed to take the credit for 10 years. You may also have to pay penalties.

Step 1 All Filers

- If, in 2004:
 - 2 children lived with you, is the amount on Form 1040A, line 22, less than \$34,458 (\$35,458 if married filing jointly)?
 - 1 child lived with you, is the amount on Form 1040A, line 22, less than \$30,338 (\$31,338 if married filing jointly)?
 - No children live with you, is the amount on Form 1040A, line 22, less than \$11,490 (\$12,490 if married filing jointly)?

Yes. *Continue* → **No.** You cannot take the credit.
- Do you, and your spouse if filing a joint return, have a social security number that allows you to work or is valid for EIC purposes (see page 41)?

Yes. *Continue* → **No.** You cannot take the credit. Put "No" to the left of the entry space for line 41.
- Is your filing status married filing separately?

Yes. **No.** *Continue* →

You cannot take the credit.
- Were you a nonresident alien for any part of 2004?

Yes. See *Nonresident aliens* on page 41. **No.** Go to Step 2.

Step 2 Investment Income

- Add the amounts from Form 1040A:

Line 8a _____
 Line 8b + _____
 Line 9a + _____
 Line 10 + _____

Investment Income =

- Is your investment income more than \$2,650?

Yes. **No.** *Continue* →

You cannot take the credit.
- Did a child live with you in 2004?

Yes. Go to Step 3 on page 39. **No.** Go to Step 4 on page 39.

Draft as of June 18, 2004 (subject to change)

(Continued on page 39)

Need more information or forms? See page 7.

Continued from page 38

Step 3 Qualifying Child

A qualifying child is a child who is your...

Son, daughter, adopted child, stepchild, or a descendant of any of them (for example, your grandchild)

or

Brother, sister, stepbrother, stepsister, or a descendant of any of them (for example, your niece or nephew) whom you cared for as you would your own child

or

Foster child (any child placed with you by an authorized placement agency whom you cared for as you would your own child)

AND

was at the end of 2004...

Under age 19

or

Under age 24 and a student (see page 41)

or

Any age and permanently and totally disabled (see page 41)

AND

who...

Lived with you in the United States for more than half of 2004. If the child did not live with you for the required time, see Exception to "time lived with you" condition on page 40.



If the child was married, see page 41.

1. Look at the qualifying child conditions above. Could you, or your spouse if filing a joint return, be a qualifying child of another person in 2004?

Yes.

No. *Continue* →

You cannot take the credit. Put "No" to the left of the entry space for line 41.

2. Do you have at least one child who meets the above conditions to be your qualifying child?

Yes. Go to question 3.

No. Skip question 3; go to Step 4, question 2.

3. Does the child meet the conditions to be a qualifying child of any other person (other than your spouse if filing a joint return) for 2004?

Yes. See *Qualifying child of more than one person* on page 41.

No. This child is your qualifying child. The child must have a valid social security number as defined on page 41 unless the child was born and died in 2004. Skip Step 4; go to Step 5 on page 40.

Step 4 Filers Without a Qualifying Child

1. Look at the qualifying child conditions in Step 3. Could you, or your spouse if filing a joint return, be a qualifying child of another person in 2004?

Yes.

No. *Continue* →

You cannot take the credit. Put "No" to the left of the entry space for line 41.

2. Can you, or your spouse if filing a joint return, be claimed as a dependent on someone else's 2004 tax return?

Yes.

No. *Continue* →

You cannot take the credit.

3. Were you, or your spouse if filing a joint return, born before January 2, 1980, but under age 65 at the end of 2004?

Yes. *Continue* →

No. You cannot take the credit.

4. Was your home, and your spouse's if filing a joint return, in the United States for more than half of 2004? Members of the military stationed outside the United States, see page 41 before you answer.

Yes. Go to Step 5 on page 40.

No. You cannot take the credit. Put "No" to the left of the entry space for line 41.

(Continued on page 40)

Form 1040A—Line 41

Continued from page 39

Step 5 Earned Income

1. Figure earned income:

Form 1040A, line 7 19,300.00

Subtract, if included on line 7, any:

- Taxable scholarship or fellowship grant not reported on a Form W-2.
- Amount paid to an inmate in a penal institution for work (put "PRI" and the amount subtracted to the left of the entry space for line 7 of Form 1040A).
- Amount received as a pension or annuity from a nonqualified deferred compensation plan or a nongovernmental section 457 plan (put "DFC" and the amount subtracted to the left of the entry space for line 7 of Form 1040A). This amount may be shown in box 11 of your Form W-2. If you received such an amount but box 11 is blank, contact your employer for the amount received as a pension or annuity.

Earned Income = 19,300.00

2. If you have:

- 2 or more qualifying children, is your earned income less than \$34,458 (\$35,458 if married filing jointly)?
- 1 qualifying child, is your earned income less than \$30,338 (\$31,338 if married filing jointly)?
- No qualifying children, is your earned income less than \$11,490 (\$12,490 if married filing jointly)?

Yes. Go to Step 6. **No.** You cannot take the credit.

Step 6 How To Figure the Credit

1. Do you want the IRS to figure the credit for you?

Yes. See *Credit figured by the IRS* on this page. **No.** Go to the worksheet on page 42.

Definitions and Special Rules

(listed in alphabetical order)

Adopted child. An adopted child is always treated as your own child. An adopted child includes a child placed with you by an authorized placement agency for legal adoption even if the adoption is not final. An authorized placement agency includes any person or court authorized by state law to place children for legal adoption.

Credit figured by the IRS. To have the IRS figure the credit for you:

1. Put "EIC" to the left of the entry space for line 41 of Form 1040A.
2. If you have a qualifying child, complete and attach Schedule EIC. If your EIC for a year after 1996 was reduced or disallowed, see *Form 8862, Who must file*, below.

Exception to "time lived with you" condition. A child is considered to have lived with you for all of 2004 if the child was born or died in 2004 and your home was this child's home for the entire time he or she was alive in 2004. Temporary absences, such as for school, vacation, medical care, or detention in a juvenile facility, count as time lived at home. If your child is presumed to have been kidnapped by someone who is not a family member, see Pub. 596 to find out if that child is a qualifying child for the EIC. To get Pub. 596, see page 7. If you were in the military stationed outside the United States, see *Members of the military* on page 41.

Form 8862, Who must file. You must file Form 8862 if your EIC for a year after 1996 was reduced or disallowed for any reason other than a math or clerical error. But you do not have to file Form 8862 if either of the following applies.

1. After your EIC was reduced or disallowed in an earlier year (a) you filed Form 8862 (or other documents) and your EIC was then allowed, and (b) your EIC has not been reduced or disallowed again for any reason other than a math or clerical error.
2. You are taking the EIC without a qualifying child and the only reason your EIC was reduced or disallowed in the earlier year was because it was determined that a child listed on Schedule EIC was not your qualifying child.

Also, do not file Form 8862 or take the credit for 2 years if it was determined that your error was due to reckless or intentional disregard of the EIC rules (or 10 years if due to fraud).

(Continued on page 41)

Continued from page 40

Married child. A child who was married at the end of 2004 is a qualifying child only if (a) you can claim him or her as your dependent on Form 1040A, line 6c, or (b) this child's other parent claims him or her as a dependent under the rules on page 20 for *Children of divorced or separated parents*.

Members of the military. If you were on extended active duty outside the United States, your home is considered to be in the United States during that duty period. Extended active duty is military duty ordered for an indefinite period or for a period of more than 90 days. Once you begin serving extended active duty, you are considered to be on extended active duty even if you serve fewer than 90 days.

Nonresident aliens. If your filing status is married filing jointly, go to Step 2 on page 38. Otherwise, stop; you cannot take the EIC.

Permanently and totally disabled child. A child who cannot engage in any substantial gainful activity because of a physical or mental condition and a doctor has determined that this condition:

- Has lasted or can be expected to last continuously for at least a year, or
- Can lead to death.

Qualifying child of more than one person. If the child meets the conditions to be a qualifying child of more than one person, only one person can take the EIC based on that child. The other person(s) cannot take the EIC for people without a qualifying child, but may take the EIC based on a different qualifying child. If you and the other person(s) cannot agree who will take the EIC, then the following rules apply.

- If only one of the persons is the child's parent, the child will be treated as the qualifying child of the parent.
- If both persons are the child's parents, the child will be treated as the qualifying child of the parent with whom the child lived for the longer period of time during 2004. If the child lived with each parent for the same amount of time, the child will be treated as the qualifying child of the parent who had the higher adjusted gross income (AGI) for 2004.
- If none of the persons is the child's parent, the child will be treated as the qualifying child of the person who had the highest AGI for 2004.

The child must have a valid social security number as defined below unless the child was born and died in 2004. If you do not have a qualifying child, stop; you cannot take the EIC. Put "No" to the left of the entry space for line 41. If you have a qualifying child, skip Step 4; go to Step 5 on page 40.

Example. You and your 5-year-old daughter moved in with your mother in April 2004. You are not a qualifying child of your mother. Your daughter meets the conditions to be a qualifying child for both you and your mother. If you and your mother cannot agree on who will treat your daughter as a qualifying child, the above rules apply. Under these rules, you are entitled to treat your daughter as a qualifying child because you are the child's parent. Your mother would not be entitled to claim any EIC unless she has a different qualifying child.

Social security number (SSN). For purposes of taking the EIC, a valid SSN is a number issued by the Social Security Administration unless "Not Valid for Employment" is printed on the social security card and the number was issued solely to apply for or receive a federally funded benefit.

To find out how to get an SSN, see page 18. If you will not have an SSN by April 15, 2005, see *What if You Cannot File on Time?* on page 12.

Student. A child who during any 5 months of 2004:

- Was enrolled as a full-time student at a school, or
- Took a full-time, on-farm training course given by a school or a state, county, or local government agency.

A school includes technical, trade, and mechanical schools. It does not include on-the-job training courses, correspondence schools, or night schools.

Welfare benefits, effect of credit on. Any refund you receive as a result of taking the EIC will not be used to determine if you are eligible for the following programs or how much you can receive from them. But if the refund you receive because of the EIC is not spent within a certain period of time, it may count as an asset (or resource) and affect your eligibility.

- Temporary Assistance for Needy Families (TANF).
- Medicaid and supplemental security income (SSI).
- Food stamps and low-income housing.

Form 1040A—Line 41

Earned Income Credit (EIC) Worksheet—Line 41

Keep for Your Records 

Part 1

All Filers

1. Enter your earned income from Step 5 on page 40.

1	19,300.00
---	-----------

2. Look up the amount on line 1 above in the EIC Table on pages 43–47 to find the credit. Be sure you use the correct column for your filing status and the number of children you have. Enter the credit here.

2	3,187.00
---	----------

If line 2 is zero,  You cannot take the credit. Put “No” to the left of the entry space for line 41.

3. Enter the amount from Form 1040A, line 22.

3	19,300.00
---	-----------

4. Are the amounts on lines 3 and 1 the same?
 Yes. Skip line 5; enter the amount from line 2 on line 6.
 No. Go to line 5.

Part 2

Filers Who Answered “No” on Line 4

5. If you have:
 • No qualifying children, is the amount on line 3 less than \$6,400 (\$7,400 if married filing jointly)?
 • 1 or more qualifying children, is the amount on line 3 less than \$14,050 (\$15,050 if married filing jointly)?
 Yes. Leave line 5 blank; enter the amount from line 2 on line 6.
 No. Look up the amount on line 3 in the EIC Table on pages 43–47 to find the credit. Be sure you use the correct column for your filing status and the number of children you have. Enter the credit here.

5	
---	--

Look at the amounts on lines 5 and 2. Then, enter the **smaller** amount on line 6.

Part 3

Your Earned Income Credit

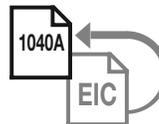
6. This is your earned income credit.

6	3,187.00
---	----------

Enter this amount on Form 1040A, line 41.

Reminder—

✓ If you have a qualifying child, complete and attach Schedule EIC.



If your EIC for a year after 1996 was reduced or disallowed, see page 40 to find out if you must file Form 8862 to take the credit for 2004.

Exercise 2 – Determining Eligibility and Figuring the Credit

- A.** Alex and Cheryl have two qualifying children. Their filing status is married filing jointly. The amount shown on lines 1 and 3 of their EIC Worksheet is \$19,866.

What is the earned income credit from the EIC Table? _____

- B.** Roxanne is divorced. She lives with her infant daughter. The amount shown on lines 1 and 3 of her EIC Worksheet is \$17,750.

What is the earned income credit from the EIC Table? _____

- C.** Sam U. and Robin O. Bell are married and file a joint return. Sam's social security number is xxx-xx-xxxx and Robin's is xxx-xx-xxxx. Form 1040A, line 7 shows that the Bells had wages of \$21,211, line 8a shows \$39 of taxable interest income, and line 22 shows the Bells' adjusted gross income of \$21,250. They have a child, Jennifer S. Bell (SSN xxx-xx-xxxx) who was born in 1996. Jennifer lived with her parents for the entire year. Complete the Form 1040A EIC Eligibility Questions and Worksheet, Exhibits 9–13.

Line 41 Earned Income Credit (EIC)

What is the EIC?

The EIC is a credit for certain people who work. The credit may give you a refund even if you do not owe any tax.

To Take the EIC:

- Follow the steps below.
- Complete the worksheet that applies to you or let the IRS figure the credit for you.
- If you have a qualifying child, complete and attach Schedule EIC.



If you take the EIC even though you are not eligible and it is determined that your error is due to reckless or intentional disregard of the EIC rules, you will not be allowed to take the credit for 2 years even if you are otherwise eligible to do so. If you fraudulently take the EIC, you will not be allowed to take the credit for 10 years. You may also have to pay penalties.

Step 1 All Filers

- If, in 2004:
 - 2 children lived with you, is the amount on Form 1040A, line 22, less than \$34,458 (\$35,458 if married filing jointly)?
 - 1 child lived with you, is the amount on Form 1040A, line 22, less than \$30,338 (\$31,338 if married filing jointly)?
 - No children live with you, is the amount on Form 1040A, line 22, less than \$11,490 (\$12,490 if married filing jointly)?

Yes. *Continue* → **No.** (STOP) You cannot take the credit.
- Do you, and your spouse if filing a joint return, have a social security number that allows you to work or is valid for EIC purposes (see page 41)?

Yes. *Continue* → **No.** (STOP) You cannot take the credit. Put "No" to the left of the entry space for line 41.
- Is your filing status married filing separately?

Yes. (STOP) You cannot take the credit. **No.** *Continue* →
- Were you a nonresident alien for any part of 2004?

Yes. See *Nonresident aliens* on page 41. **No.** Go to Step 2.

Step 2 Investment Income

- Add the amounts from Form 1040A:

Line 8a _____
 Line 8b + _____
 Line 9a + _____
 Line 10 + _____

Investment Income =

- Is your investment income more than \$2,650?

Yes. (STOP) **No.** *Continue* →
 You cannot take the credit.
- Did a child live with you in 2004?

Yes. Go to Step 3 on page 39. **No.** Go to Step 4 on page 39.

(subject to change)
 June 18, 2004
 Proof as of

(Continued on page 39)

Continued from page 38

Step 3 Qualifying Child

A qualifying child is a child who is your...

Son, daughter, adopted child, stepchild, or a descendant of any of them (for example, your grandchild)

or

Brother, sister, stepbrother, stepsister, or a descendant of any of them (for example, your niece or nephew) whom you cared for as you would your own child

or

Foster child (any child placed with you by an authorized placement agency whom you cared for as you would your own child)

AND

was at the end of 2004...

Under age 19

or

Under age 24 and a student (see page 41)

or

Any age and permanently and totally disabled (see page 41)

AND

who...

Lived with you in the United States for more than half of 2004. If the child did not live with you for the required time, see Exception to "time lived with you" condition on page 40.



If the child was married, see page 41.

1. Look at the qualifying child conditions above. Could you, or your spouse if filing a joint return, be a qualifying child of another person in 2004?

Yes. You cannot take the credit. Put "No" to the left of the entry space for line 41.

No. *Continue*

2. Do you have at least one child who meets the above conditions to be your qualifying child?

Yes. Go to question 3.

No. Skip question 3; go to Step 4, question 2.

3. Does the child meet the conditions to be a qualifying child of any other person (other than your spouse if filing a joint return) for 2004?

Yes. See *Qualifying child of more than one person* on page 41.

No. This child is your qualifying child. The child must have a valid social security number as defined on page 41 unless the child was born and died in 2004. Skip Step 4; go to Step 5 on page 40.

Step 4 Filers Without a Qualifying Child

1. Look at the qualifying child conditions in Step 3. Could you, or your spouse if filing a joint return, be a qualifying child of another person in 2004?

Yes. You cannot take the credit. Put "No" to the left of the entry space for line 41.

No. *Continue*

2. Can you, or your spouse if filing a joint return, be claimed as a dependent on someone else's 2004 tax return?

Yes. You cannot take the credit.

No. *Continue*

3. Were you, or your spouse if filing a joint return, born before January 2, 1980, but under age 65 at the end of 2004?

Yes. *Continue*

No. You cannot take the credit.

4. Was your home, and your spouse's if filing a joint return, in the United States for more than half of 2004? Members of the military stationed outside the United States, see page 41 before you answer.

Yes. Go to Step 5 on page 40.

No. You cannot take the credit. Put "No" to the left of the entry space for line 41.

(Continued on page 40)

Form 1040A—Line 41

Continued from page 39

Step 5 Earned Income

1. Figure earned income:

Form 1040A, line 7 _____

Subtract, if included on line 7, any:

- Taxable scholarship or fellowship grant not reported on a Form W-2.
- Amount paid to an inmate in a penal institution for work (put "PRI" and the amount subtracted to the left of the entry space for line 7 of Form 1040A).
- Amount received as a pension or annuity from a nonqualified deferred compensation plan or a nongovernmental section 457 plan (put "DFC" and the amount subtracted to the left of the entry space for line 7 of Form 1040A). This amount may be shown in box 11 of your Form W-2. If you received such an amount but box 11 is blank, contact your employer for the amount received as a pension or annuity.

Earned Income =

2. If you have:

- 2 or more qualifying children, is your earned income less than \$34,458 (\$35,458 if married filing jointly)?
- 1 qualifying child, is your earned income less than \$30,338 (\$31,338 if married filing jointly)?
- No qualifying children, is your earned income less than \$11,490 (\$12,490 if married filing jointly)?

Yes. Go to Step 6. **No.** **STOP**

You cannot take the credit.

Step 6 How To Figure the Credit

1. Do you want the IRS to figure the credit for you?

Yes. See *Credit figured by the IRS* on this page. **No.** Go to the worksheet on page 42.

Definitions and Special Rules

(listed in alphabetical order)

Adopted child. An adopted child is always treated as your own child. An adopted child includes a child placed with you by an authorized placement agency for legal adoption even if the adoption is not final. An authorized placement agency includes any person or court authorized by state law to place children for legal adoption.

Credit figured by the IRS. To have the IRS figure the credit for you:

1. Put "EIC" to the left of the entry space for line 41 of Form 1040A.
2. If you have a qualifying child, complete and attach Schedule EIC. If your EIC for a year after 1996 was reduced or disallowed, see *Form 8862, Who must file*, below.

Exception to "time lived with you" condition. A child is considered to have lived with you for all of 2004 if the child was born or died in 2004 and your home was this child's home for the entire time he or she was alive in 2004. Temporary absences, such as for school, vacation, medical care, or detention in a juvenile facility, count as time lived at home. If your child is presumed to have been kidnapped by someone who is not a family member, see Pub. 596 to find out if that child is a qualifying child for the EIC. To get Pub. 596, see page 7. If you were in the military stationed outside the United States, see *Members of the military* on page 41.

Form 8862, Who must file. You must file Form 8862 if your EIC for a year after 1996 was reduced or disallowed for any reason other than a math or clerical error. But you do not have to file Form 8862 if either of the following applies.

1. After your EIC was reduced or disallowed in an earlier year (a) you filed Form 8862 (or other documents) and your EIC was then allowed, and (b) your EIC has not been reduced or disallowed again for any reason other than a math or clerical error.
2. You are taking the EIC without a qualifying child and the only reason your EIC was reduced or disallowed in the earlier year was because it was determined that a child listed on Schedule EIC was not your qualifying child.

Also, do not file Form 8862 or take the credit for 2 years if it was determined that your error was due to reckless or intentional disregard of the EIC rules (or 10 years if due to fraud).

(Continued on page 41)

Continued from page 40

Married child. A child who was married at the end of 2004 is a qualifying child only if (a) you can claim him or her as your dependent on Form 1040A, line 6c, or (b) this child's other parent claims him or her as a dependent under the rules on page 20 for *Children of divorced or separated parents*.

Members of the military. If you were on extended active duty outside the United States, your home is considered to be in the United States during that duty period. Extended active duty is military duty ordered for an indefinite period or for a period of more than 90 days. Once you begin serving extended active duty, you are considered to be on extended active duty even if you serve fewer than 90 days.

Nonresident aliens. If your filing status is married filing jointly, go to Step 2 on page 38. Otherwise, stop; you cannot take the EIC.

Permanently and totally disabled child. A child who cannot engage in any substantial gainful activity because of a physical or mental condition and a doctor has determined that this condition:

- Has lasted or can be expected to last continuously for at least a year, or
- Can lead to death.

Qualifying child of more than one person. If the child meets the conditions to be a qualifying child of more than one person, only one person can take the EIC based on that child. The other person(s) cannot take the EIC for people without a qualifying child, but may take the EIC based on a different qualifying child. If you and the other person(s) cannot agree who will take the EIC, then the following rules apply.

- If only one of the persons is the child's parent, the child will be treated as the qualifying child of the parent.
- If both persons are the child's parents, the child will be treated as the qualifying child of the parent with whom the child lived for the longer period of time during 2004. If the child lived with each parent for the same amount of time, the child will be treated as the qualifying child of the parent who had the higher adjusted gross income (AGI) for 2004.
- If none of the persons is the child's parent, the child will be treated as the qualifying child of the person who had the highest AGI for 2004.

The child must have a valid social security number as defined below unless the child was born and died in 2004. If you do not have a qualifying child, stop; you cannot take the EIC. Put "No" to the left of the entry space for line 41. If you have a qualifying child, skip Step 4; go to Step 5 on page 40.

Example. You and your 5-year-old daughter moved in with your mother in April 2004. You are not a qualifying child of your mother. Your daughter meets the conditions to be a qualifying child for both you and your mother. If you and your mother cannot agree on who will treat your daughter as a qualifying child, the above rules apply. Under these rules, you are entitled to treat your daughter as a qualifying child because you are the child's parent. Your mother would not be entitled to claim any EIC unless she has a different qualifying child.

Social security number (SSN). For purposes of taking the EIC, a valid SSN is a number issued by the Social Security Administration unless "Not Valid for Employment" is printed on the social security card and the number was issued solely to apply for or receive a federally funded benefit.

To find out how to get an SSN, see page 18. If you will not have an SSN by April 15, 2005, see *What if You Cannot File on Time?* on page 12.

Student. A child who during any 5 months of 2004:

- Was enrolled as a full-time student at a school, or
- Took a full-time, on-farm training course given by a school or a state, county, or local government agency.

A school includes technical, trade, and mechanical schools. It does not include on-the-job training courses, correspondence schools, or night schools.

Welfare benefits, effect of credit on. Any refund you receive as a result of taking the EIC will not be used to determine if you are eligible for the following programs or how much you can receive from them. But if the refund you receive because of the EIC is not spent within a certain period of time, it may count as an asset (or resource) and affect your eligibility.

- Temporary Assistance for Needy Families (TANF).
- Medicaid and supplemental security income (SSI).
- Food stamps and low-income housing.

Form 1040A—Line 41

Earned Income Credit (EIC) Worksheet—Line 41

Keep for Your Records



Part 1

All Filers

1. Enter your earned income from Step 5 on page 40.

1	
----------	--

2. Look up the amount on line 1 above in the EIC Table on pages 43–47 to find the credit. Be sure you use the correct column for your filing status and the number of children you have. Enter the credit here.

2	
----------	--

If line 2 is zero, You cannot take the credit. Put “No” to the left of the entry space for line 41.

3. Enter the amount from Form 1040A, line 22.

3	
----------	--

4. Are the amounts on lines 3 and 1 the same?

- Yes.** Skip line 5; enter the amount from line 2 on line 6.
- No.** Go to line 5.

Part 2

Filers Who Answered “No” on Line 4

5. If you have:

- No qualifying children, is the amount on line 3 less than \$6,400 (\$7,400 if married filing jointly)?
- 1 or more qualifying children, is the amount on line 3 less than \$14,050 (\$15,050 if married filing jointly)?

Yes. Leave line 5 blank; enter the amount from line 2 on line 6.

No. Look up the amount on line 3 in the EIC Table on pages 43–47 to find the credit. Be sure you use the correct column for your filing status and the number of children you have. Enter the credit here.

5	
----------	--

Look at the amounts on lines 5 and 2. Then, enter the **smaller** amount on line 6.

Part 3

Your Earned Income Credit

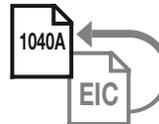
6. **This is your earned income credit.**

6	
----------	--

Enter this amount on Form 1040A, line 41.

Reminder—

✓ If you have a qualifying child, complete and attach Schedule EIC.



If your EIC for a year after 1996 was reduced or disallowed, see page 40 to find out if you must file Form 8862 to take the credit for 2004.

SCHEDULE EIC FOR QUALIFYING CHILD(REN)

Schedule EIC contains only information about qualifying children. Only taxpayers who have a qualifying child must fill out the schedule and attach it to Form 1040A or Form 1040. Note: The taxpayer cannot use Form 1040EZ to claim the EIC with a qualifying child.

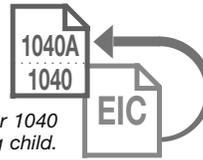
Example 7 – Completing Schedule EIC

Ronald Evans (SSNxxx-xx-xxxx) is single. His son, Harry (SSN xxx-xx-xxxx), was born in 1981. Harry lived with Ronald during all of 2004. Harry is a full-time college student. Harry is not married and is a qualifying child of his father. He is not a qualifying child of his mother. However, Harry 's mother claims him as a dependent on her tax return.

Exhibit 14 shows a completed Schedule EIC.

SCHEDULE EIC
(Form 1040A or 1040)

Earned Income Credit
Qualifying Child Information



OMB No. 1545-0074

2004

Attachment
Sequence No. **43**

Department of the Treasury
Internal Revenue Service

Complete and attach to Form 1040A or 1040
only if you have a qualifying child.

Name(s) shown on return
Ronald Evans

Your social security number
xxx : xx : xxxxx

Before you begin: See the instructions for Form 1040A, line 41, or Form 1040, line 65, to make sure that
(a) you can take the EIC and (b) you have a qualifying child.



- If you take the EIC even though you are not eligible, you may not be allowed to take the credit for up to 10 years. See back of schedule for details.
- It will take us longer to process your return and issue your refund if you do not fill in all lines that apply for each qualifying child.
- Be sure the child's name on line 1 and social security number (SSN) on line 2 agree with the child's social security card. Otherwise, at the time we process your return, we may reduce or disallow your EIC. If the name or SSN on the child's social security card is not correct, call the Social Security Administration at 1-800-772-1213.

Qualifying Child Information

Child 1

Child 2

	First name	Last name	First name	Last name
1 Child's name If you have more than two qualifying children, you only have to list two to get the maximum credit.	Harry Evans			
2 Child's SSN The child must have an SSN as defined on page 43 of the Form 1040A instructions or page 47 of the Form 1040 instructions unless the child was born and died in 2004. If your child was born and died in 2004 and did not have an SSN, enter "Died" on this line and attach a copy of the child's birth certificate.	xxx	xx	xxxx	
3 Child's year of birth	Year <u>1</u> <u>9</u> <u>8</u> <u>1</u>		Year _____	
	<i>If born after 1985, skip lines 4a and 4b; go to line 5.</i>		<i>If born after 1985, skip lines 4a and 4b; go to line 5.</i>	
4 If the child was born before 1986—				
a Was the child under age 24 at the end of 2004 and a student?	<input checked="" type="checkbox"/> Yes.	<input type="checkbox"/> No.	<input type="checkbox"/> Yes.	<input type="checkbox"/> No.
	<i>Go to line 5.</i>	<i>Continue</i>	<i>Go to line 5.</i>	<i>Continue</i>
b Was the child permanently and totally disabled during any part of 2004?	<input type="checkbox"/> Yes.	<input type="checkbox"/> No.	<input type="checkbox"/> Yes.	<input type="checkbox"/> No.
	<i>Continue</i>	The child is not a qualifying child.	<i>Continue</i>	The child is not a qualifying child.
5 Child's relationship to you (for example, son, daughter, grandchild, niece, nephew, foster child, etc.)	son			
6 Number of months child lived with you in the United States during 2004				
• If the child lived with you for more than half of 2004 but less than 7 months, enter "7".				
• If the child was born or died in 2004 and your home was the child's home for the entire time he or she was alive during 2004, enter "12".	<u>12</u> months		<u> </u> months	
	<i>Do not enter more than 12 months.</i>		<i>Do not enter more than 12 months.</i>	



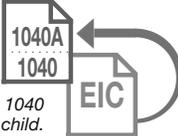
You may also be able to take the additional child tax credit if your child (a) was under age 17 at the end of 2004, (b) is claimed as your dependent on line 6c of Form 1040A or Form 1040, and (c) is a U.S. citizen or resident alien. For more details, see the instructions for line 42 of Form 1040A or line 67 of Form 1040.

Exercise 3 – Schedule EIC

Complete Schedule EIC, Exhibit 15, for Sam U. and Robin O. Bell in Exercise 2C using the information provided.

Exhibit 15

Complete Sam U. and Robin O.'s Schedule EIC, page 1

<p>SCHEDULE EIC (Form 1040A or 1040)</p> <p>Department of the Treasury Internal Revenue Service</p>	<p>Earned Income Credit Qualifying Child Information</p> <p><i>Complete and attach to Form 1040A or 1040 only if you have a qualifying child.</i></p> 	<p>OMB No. 1545-0074</p> <p style="font-size: 2em; font-weight: bold;">2004</p> <p>Attachment Sequence No. 43</p>								
Name(s) shown on return		Your social security number								
<p>Before you begin: See the instructions for Form 1040A, line 41, or Form 1040, line 65, to make sure that (a) you can take the EIC and (b) you have a qualifying child.</p>										
<div style="display: flex; align-items: flex-start;"> <div style="width: 30px; text-align: center; margin-right: 10px;">  </div> <ul style="list-style-type: none"> If you take the EIC even though you are not eligible, you may not be allowed to take the credit for up to 10 years. See back of schedule for details. It will take us longer to process your return and issue your refund if you do not fill in all lines that apply for each qualifying child. Be sure the child's name on line 1 and social security number (SSN) on line 2 agree with the child's social security card. Otherwise, at the time we process your return, we may reduce or disallow your EIC. If the name or SSN on the child's social security card is not correct, call the Social Security Administration at 1-800-772-1213. </div>										
<p>Qualifying Child Information</p>										
	Child 1	Child 2								
<p>1 Child's name If you have more than two qualifying children, you only have to list two to get the maximum credit.</p>	<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; border-bottom: 1px solid black;">First name</td> <td style="width: 50%; border-bottom: 1px solid black;">Last name</td> </tr> <tr> <td style="border-bottom: 1px solid black;"> </td> <td style="border-bottom: 1px solid black;"> </td> </tr> </table>	First name	Last name			<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; border-bottom: 1px solid black;">First name</td> <td style="width: 50%; border-bottom: 1px solid black;">Last name</td> </tr> <tr> <td style="border-bottom: 1px solid black;"> </td> <td style="border-bottom: 1px solid black;"> </td> </tr> </table>	First name	Last name		
First name	Last name									
First name	Last name									
<p>2 Child's SSN The child must have an SSN as defined on page 43 of the Form 1040A instructions or page 47 of the Form 1040 instructions unless the child was born and died in 2004. If your child was born and died in 2004 and did not have an SSN, enter "Died" on this line and attach a copy of the child's birth certificate.</p>	<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; border-bottom: 1px solid black;"> </td> <td style="width: 50%; border-bottom: 1px solid black;"> </td> </tr> </table>			<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; border-bottom: 1px solid black;"> </td> <td style="width: 50%; border-bottom: 1px solid black;"> </td> </tr> </table>						
<p>3 Child's year of birth</p>	<p>Year _____</p> <p><i>If born after 1985, skip lines 4a and 4b; go to line 5.</i></p>	<p>Year _____</p> <p><i>If born after 1985, skip lines 4a and 4b; go to line 5.</i></p>								
<p>4 If the child was born before 1986—</p>	<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 33%; border-bottom: 1px solid black;"> <p>a Was the child under age 24 at the end of 2004 and a student?</p> <p><input type="checkbox"/> Yes. <input type="checkbox"/> No.</p> <p><i>Go to line 5.</i> <i>Continue</i></p> </td> <td style="width: 33%; border-bottom: 1px solid black;"> <p><input type="checkbox"/> Yes. <input type="checkbox"/> No.</p> <p><i>Go to line 5.</i> <i>Continue</i></p> </td> <td style="width: 33%; border-bottom: 1px solid black;"> <p><input type="checkbox"/> Yes. <input type="checkbox"/> No.</p> <p><i>Go to line 5.</i> <i>Continue</i></p> </td> </tr> <tr> <td style="border-bottom: 1px solid black;"> <p>b Was the child permanently and totally disabled during any part of 2004?</p> <p><input type="checkbox"/> Yes. <input type="checkbox"/> No.</p> <p><i>Continue</i> <i>The child is not a qualifying child.</i></p> </td> <td style="border-bottom: 1px solid black;"> <p><input type="checkbox"/> Yes. <input type="checkbox"/> No.</p> <p><i>Continue</i> <i>The child is not a qualifying child.</i></p> </td> <td style="border-bottom: 1px solid black;"> <p><input type="checkbox"/> Yes. <input type="checkbox"/> No.</p> <p><i>Continue</i> <i>The child is not a qualifying child.</i></p> </td> </tr> </table>		<p>a Was the child under age 24 at the end of 2004 and a student?</p> <p><input type="checkbox"/> Yes. <input type="checkbox"/> No.</p> <p><i>Go to line 5.</i> <i>Continue</i></p>	<p><input type="checkbox"/> Yes. <input type="checkbox"/> No.</p> <p><i>Go to line 5.</i> <i>Continue</i></p>	<p><input type="checkbox"/> Yes. <input type="checkbox"/> No.</p> <p><i>Go to line 5.</i> <i>Continue</i></p>	<p>b Was the child permanently and totally disabled during any part of 2004?</p> <p><input type="checkbox"/> Yes. <input type="checkbox"/> No.</p> <p><i>Continue</i> <i>The child is not a qualifying child.</i></p>	<p><input type="checkbox"/> Yes. <input type="checkbox"/> No.</p> <p><i>Continue</i> <i>The child is not a qualifying child.</i></p>	<p><input type="checkbox"/> Yes. <input type="checkbox"/> No.</p> <p><i>Continue</i> <i>The child is not a qualifying child.</i></p>		
<p>a Was the child under age 24 at the end of 2004 and a student?</p> <p><input type="checkbox"/> Yes. <input type="checkbox"/> No.</p> <p><i>Go to line 5.</i> <i>Continue</i></p>	<p><input type="checkbox"/> Yes. <input type="checkbox"/> No.</p> <p><i>Go to line 5.</i> <i>Continue</i></p>	<p><input type="checkbox"/> Yes. <input type="checkbox"/> No.</p> <p><i>Go to line 5.</i> <i>Continue</i></p>								
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<p>5 Child's relationship to you (for example, son, daughter, grandchild, niece, nephew, foster child, etc.)</p>										
<p>6 Number of months child lived with you in the United States during 2004</p> <ul style="list-style-type: none"> If the child lived with you for more than half of 2004 but less than 7 months, enter "7". If the child was born or died in 2004 and your home was the child's home for the entire time he or she was alive during 2004, enter "12". 	<p style="text-align: center;">_____ months</p> <p><i>Do not enter more than 12 months.</i></p>	<p style="text-align: center;">_____ months</p> <p><i>Do not enter more than 12 months.</i></p>								
<div style="display: flex; align-items: flex-start;"> <div style="width: 30px; text-align: center; margin-right: 10px;">  </div> <p>You may also be able to take the additional child tax credit if your child (a) was under age 17 at the end of 2004, (b) is claimed as your dependent on line 6c of Form 1040A or Form 1040, and (c) is a U.S. citizen or resident alien. For more details, see the instructions for line 42 of Form 1040A or line 67 of Form 1040.</p> </div>										
<p>For Paperwork Reduction Act Notice, see Form 1040A Cat. No. 13339M Schedule EIC (Form 1040A or 1040) 2004</p>										

EIC - ELIGIBILITY TOOLS

The EIC is not for everyone. Only those taxpayers who are eligible should claim the credit. It is important to understand the eligibility requirements and claim the EIC on the returns of only those taxpayers who qualify for it. The following resources are available to navigate the complexity of EIC.

- Publication 4012, Volunteer Resource Guide
- EIC Eligibility Questions and Worksheet (Form 1040, 1040A, 1040EZ Instructions)
- Publication 17, Your Federal Income Tax

COMMON EIC RETURN ERRORS

1. **Claiming children who are not the taxpayer's EIC qualifying child.** Make sure the taxpayer's children pass the EIC qualifying child tests—relationship, age, and residency. Also review the tie-breaker rule.
2. **Selecting the incorrect filing status.** Married taxpayers filing separately are not eligible for the EIC. Married taxpayers cannot use the Single filing status. Married taxpayers, who lived apart during the last 6 months of the year, may qualify as Head of Household. **Don't guess; use Publication 4012 and the tools on filing status to make sure.**
3. **Submitting returns with income errors.** Earned income for EIC purposes includes wages, salaries and tips (box 1, Form W-2), net earnings from self-employment, and statutory employee gross income (line 1 on Schedule C or Schedule C-EZ). A statutory employee issue is beyond the scope of VITA/TCE.
4. **Submitting returns with incorrect Social Security numbers.** Confirm the accuracy of all names and SSN's shown on the return. The name(s) and number(s) must match official government records. Routinely ask to see the taxpayers' and their children's social security cards.

ALERT



Remember to ask the taxpayer if the IRS disallowed EIC in past years.

DISALLOWED EARNED INCOME CREDIT

With one exception, if a taxpayer's earned income credit was disallowed for any year after 1996 as a result of the deficiency procedures, he or she cannot claim the credit again unless Form 8862, *Information To Claim Earned Income Credit After Disallowance*, is attached to the return, and the taxpayer meets all the EIC requirements. If the credit is claimed without attaching Form 8862, it will be automatically denied, under the math error procedures.

Form 8862 is not required if the taxpayer's EIC was disallowed or reduced for any year after 2001 as a result of the deficiency procedures solely because a child listed on Schedule EIC was determined not to be the taxpayer's qualifying child, and the taxpayer is claiming the credit for the current year without a qualifying child.

A deficiency procedure occurs when the IRS questions the taxpayer's eligibility for the earned income credit for reasons other than a mathematical or clerical error. If the credit was disallowed in the earlier year because of a mathematical or clerical error, Form 8862 should not be completed.

A taxpayer who is determined to have claimed the EIC due to reckless or intentional disregard of rules or regulations is ineligible to claim the EIC for the next 2 tax years. A taxpayer who is determined to have fraudulently claimed the EIC is ineligible to claim the EIC for the next 10 tax years.

ADVANCE EARNED INCOME CREDIT PAYMENTS (AEIC)

Some taxpayers may choose to receive advance payments of the EIC. To receive advance payments, the taxpayer must be employed, must expect to have a least one qualifying child for the tax year, must expect to be eligible for the EIC, and must expect his or her earned income and adjusted gross income will be less than approximately \$30,000.

To receive advance payments, the taxpayer must give the employer a Form W-5, Earned Income Credit Advance Payment Certificate. The employer will include part of the credit regularly in the employee pay. Farm workers are excluded.

Taxpayers can receive only a portion of the credit through advance payments, so the eligibility questions and the EIC Worksheet must be completed when the tax return is prepared to determine the full amount of the credit the taxpayer is entitled to receive.

Employees who receive advance earned income credit payments must file a tax return even if they are not otherwise required to file. If the taxpayer received advance EIC payments in 2004, he or she must file a tax return to report the payments. Report the amount on line 60 (Form 1040) or line 37 (Form 1040A). Form 1040EZ cannot be used to report advance payments. The taxpayer's Form W-2 will show the advance EIC amount in box 9.

ALERT



Remember to check box 9 of Form W-2 for advance earned income.

Exercise 4 – Advance EIC

Kyle B. Evans is a single parent. His daughter Julie lives with him and he claims her as a dependent on his tax return. Kyle's social security number is xxx-xx-xxxx. Julie was born in November 2001. Her social security number is xxx-xx-xxxx. Kyle's earned income was \$18,751, and his total income and adjusted gross income were \$19,223. His filing status is head of household and he does not itemize deductions. Kyle's child tax credit is \$1,000 and his earned income credit is \$1,776. He received \$550 in advance earned income credit payments.

- A. Compute Kyle's refund or balance due amount based on the information given, using the attached page 2 of Form 1040A, Exhibit 16.

▶▶ SUMMING UP THIS LESSON ◀◀

- ▶ EIC is a tax break for qualified taxpayers. Eligible taxpayers must file a tax return to claim the credit.
- ▶ When the credit exceeds the amount of tax owed it can result in a tax refund.
- ▶ The taxpayer may be entitled to the credit even if he or she does not meet the income filing requirements. The taxpayer must have earned income of at least \$1. A tax return must be filed to claim the credit.
- ▶ There are specific eligibility rules for all taxpayers, taxpayers with a qualifying child, and taxpayers without a qualifying child as shown below:

EIC Rules			
Rules for all Taxpayers		Rules for Taxpayer With a Qualifying Child	Rules for Taxpayer Without a Qualifying Child
Must have a valid Social Security number	Investment income is limited to a certain amount	Child must meet the relationship, age, and residency tests	Must be at least age 25 but under age 65
Filing status cannot be "Married filing separately"	Must have earned income	Qualifying child cannot be used by more than one person to claim the EIC	Cannot be the dependent of another person
Generally must be a U.S. citizen or resident alien all year	Cannot be a qualifying child of another person		Must have lived in the United States more than half the year
Cannot file Form 2555 or Form 2555-EZ (relating to foreign earned income)			

- ▶ EIC is not for everyone; the taxpayer must qualify for the credit.
- ▶ Some of the most common reasons for disallowance are:
 - Claiming the credit with a child who is not the taxpayer's qualifying child.
 - Married taxpayers filing as single or head of household.
 - Reporting income incorrectly.
 - Missing or incorrect social security numbers.
- ▶ Don't guess, use Publication 4012, the EIC worksheets, Publication 596, and other tools when assisting taxpayers in claiming the EIC.

Exercise 1

- (A) No; to be a qualifying child, the child must live with the taxpayer more than half of the year.
- (B) Neither Donna nor Doug can claim the credit; in order to claim the earned income credit, married taxpayers living together must file a joint return.
- (C) Jimmy and Anna are qualifying children of both Randy and Cara. Randy and Cara can choose which of them will claim the credit based on each child. One can claim the credit on the basis of two children, or each can claim the credit on the basis of one child. If both claim the credit on the basis of the same child or both children, Cara will be entitled to the credit because each child lived with her for the longer period of time during the year.
- (D) Yes. He is between 25 and 65; his earned income is less than \$11,490; he cannot be claimed as a dependent and he is not a qualifying child of another person.
- (E) No; to be a qualifying child, a married child must generally be eligible to be claimed as a dependent by the taxpayer.
- (F) Numbers 1 and 6 should be circled.

Exercise 2

- (A) \$3,282
- (B) \$2,008

EARNED INCOME CREDIT

Lesson 10

ANSWERS TO EXERCISES

Exercise 2(C)

Sam U. and Robin O.'s Eligibility Questions, page 1

Line 41 Earned Income Credit (EIC)

What is the EIC?

The EIC is a credit for certain people who work. The credit may give you a refund even if you do not owe any tax.

To Take the EIC:

- Follow the steps below.
- Complete the worksheet that applies to you or let the IRS figure the credit for you.
- If you have a qualifying child, complete and attach Schedule EIC.



If you take the EIC even though you are not eligible and it is determined that your error is due to reckless or intentional disregard of the EIC rules, you will not be allowed to take the credit for 2 years even if you are otherwise eligible to do so. If you fraudulently take the EIC, you will not be allowed to take the credit for 10 years. You may also have to pay penalties.

Step 1 All Filers

1. If, in 2004:
 - 2 children lived with you, is the amount on Form 1040A, line 22, less than \$34,458 (\$35,458 if married filing jointly)?
 - 1 child lived with you, is the amount on Form 1040A, line 22, less than \$30,338 (\$31,338 if married filing jointly)?
 - No children live with you, is the amount on Form 1040A, line 22, less than \$11,490 (\$12,490 if married filing jointly)?

Yes. Continue → **No.** You cannot take the credit.
2. Do you, and your spouse if filing a joint return, have a social security number that allows you to work or is valid for EIC purposes (see page 41)?

Yes. Continue → **No.** You cannot take the credit. Put "No" to the left of the entry space for line 41.
3. Is your filing status married filing separately?

Yes. **No.** Continue →
You cannot take the credit.
4. Were you a nonresident alien for any part of 2004?

Yes. See *Nonresident aliens* on page 41. **No.** Go to Step 2.

Step 2 Investment Income

1. Add the amounts from Form 1040A:

Line 8a	_____	\$39
Line 8b	+	_____
Line 9a	+	_____
Line 10	+	_____

Investment Income =

2. Is your investment income more than \$2,650?

Yes. **No.** Continue →
You cannot take the credit.
3. Did a child live with you in 2004?

Yes. Go to Step 3 on page 39. **No.** Go to Step 4 on page 39.

(Continued on page 39)

Exercise 2(C)

Sam U. and Robin O.'s Eligibility Questions, page 2

Continued from page 38

Step 3 Qualifying Child

A qualifying child is a child who is your...

Son, daughter, adopted child, stepchild, or a descendant of any of them (for example, your grandchild)

or

Brother, sister, stepbrother, stepsister, or a descendant of any of them (for example, your niece or nephew) whom you cared for as you would your own child

or

Foster child (any child placed with you by an authorized placement agency whom you cared for as you would your own child)

AND

was at the end of 2004...

Under age 19

or

Under age 24 and a student (see page 41)

or

Any age and permanently and totally disabled (see page 41)

AND

who...

Lived with you in the United States for more than half of 2004. If the child did not live with you for the required time, see Exception to "time lived with you" condition on page 40.



If the child was married, see page 41.

1. Look at the qualifying child conditions above. Could you, or your spouse if filing a joint return, be a qualifying child of another person in 2004?

Yes.

You cannot take the credit. Put "No" to the left of the entry space for line 41.

No. *Continue* →

2. Do you have at least one child who meets the above conditions to be your qualifying child?

Yes. Go to question 3.

No. Skip question 3; go to Step 4, question 2.

3. Does the child meet the conditions to be a qualifying child of any other person (other than your spouse if filing a joint return) for 2004?

Yes. See *Qualifying child of more than one person* on page 41.

No. This child is your qualifying child. The child must have a valid social security number as defined on page 41 unless the child was born and died in 2004. Skip Step 4; go to Step 5 on page 40.

Step 4 Filers Without a Qualifying Child

1. Look at the qualifying child conditions in Step 3. Could you, or your spouse if filing a joint return, be a qualifying child of another person in 2004?

Yes.

You cannot take the credit. Put "No" to the left of the entry space for line 41.

No. *Continue* →

2. Can you, or your spouse if filing a joint return, be claimed as a dependent on someone else's 2004 tax return?

Yes.

You cannot take the credit.

No. *Continue* →

3. Were you, or your spouse if filing a joint return, born before January 2, 1980, but under age 65 at the end of 2004?

Yes. *Continue* →

No.

You cannot take the credit.

4. Was your home, and your spouse's if filing a joint return, in the United States for more than half of 2004? Members of the military stationed outside the United States, see page 41 before you answer.

Yes. Go to Step 5 on page 40.

No.

You cannot take the credit. Put "No" to the left of the entry space for line 41.

(Continued on page 40)

EARNED INCOME CREDIT

ANSWERS TO EXERCISES

Lesson 10

Exercise 2(C)

Sam U. and Robin O.'s Eligibility Questions, page 3

Continued from page 39

Step 5 Earned Income

1. Figure earned income:

Form 1040A, line 7 21,211.00

Subtract, if included on line 7, any:

- Taxable scholarship or fellowship grant not reported on a Form W-2.
- Amount paid to an inmate in a penal institution for work (put "PRI" and the amount subtracted to the left of the entry space for line 7 of Form 1040A).
- Amount received as a pension or annuity from a nonqualified deferred compensation plan or a nongovernmental section 457 plan (put "DFC" and the amount subtracted to the left of the entry space for line 7 of Form 1040A). This amount may be shown in box 11 of your Form W-2. If you received such an amount but box 11 is blank, contact your employer for the amount received as a pension or annuity.

Earned Income = 21,211.00

2. If you have:

- 2 or more qualifying children, is your earned income less than \$34,458 (\$35,458 if married filing jointly)?
- 1 qualifying child, is your earned income less than \$30,338 (\$31,338 if married filing jointly)?
- No qualifying children, is your earned income less than \$11,490 (\$12,490 if married filing jointly)?

Yes. Go to Step 6. **No.**  You cannot take the credit.

Step 6 How To Figure the Credit

1. Do you want the IRS to figure the credit for you?

- Yes.** See *Credit figured by the IRS* on this page. **No.** Go to the worksheet on page 42.

Definitions and Special Rules

(listed in alphabetical order)

Adopted child. An adopted child is always treated as your own child. An adopted child includes a child placed with you by an authorized placement agency for legal adoption even if the adoption is not final. An authorized placement agency includes any person or court authorized by state law to place children for legal adoption.

Credit figured by the IRS. To have the IRS figure the credit for you:

1. Put "EIC" to the left of the entry space for line 41 of Form 1040A.
2. If you have a qualifying child, complete and attach Schedule EIC. If your EIC for a year after 1996 was reduced or disallowed, see *Form 8862, Who must file*, below.

Exception to "time lived with you" condition. A child is considered to have lived with you for all of 2004 if the child was born or died in 2004 and your home was this child's home for the entire time he or she was alive in 2004. Temporary absences, such as for school, vacation, medical care, or detention in a juvenile facility, count as time lived at home. If your child is presumed to have been kidnapped by someone who is not a family member, see Pub. 596 to find out if that child is a qualifying child for the EIC. To get Pub. 596, see page 7. If you were in the military stationed outside the United States, see *Members of the military* on page 41.

Form 8862, Who must file. You must file Form 8862 if your EIC for a year after 1996 was reduced or disallowed for any reason other than a math or clerical error. But you do not have to file Form 8862 if either of the following applies.

1. After your EIC was reduced or disallowed in an earlier year (a) you filed Form 8862 (or other documents) and your EIC was then allowed, and (b) your EIC has not been reduced or disallowed again for any reason other than a math or clerical error.
2. You are taking the EIC without a qualifying child and the only reason your EIC was reduced or disallowed in the earlier year was because it was determined that a child listed on Schedule EIC was not your qualifying child.

Also, do not file Form 8862 or take the credit for 2 years if it was determined that your error was due to reckless or intentional disregard of the EIC rules (or 10 years if due to fraud).

(Continued on page 41)

EARNED INCOME CREDIT

ANSWERS TO EXERCISES

Lesson 10

Exercise 2(C)

Sam U. and Robin O.'s Eligibility Questions, page 4

Form 1040A—Line 41

Continued from page 40

Married child. A child who was married at the end of 2004 is a qualifying child only if (a) you can claim him or her as your dependent on Form 1040A, line 6c, or (b) this child's other parent claims him or her as a dependent under the rules on page 20 for *Children of divorced or separated parents*.

Members of the military. If you were on extended active duty outside the United States, your home is considered to be in the United States during that duty period. Extended active duty is military duty ordered for an indefinite period or for a period of more than 90 days. Once you begin serving extended active duty, you are considered to be on extended active duty even if you serve fewer than 90 days.

Nonresident aliens. If your filing status is married filing jointly, go to Step 2 on page 38. Otherwise, stop; you cannot take the EIC.

Permanently and totally disabled child. A child who cannot engage in any substantial gainful activity because of a physical or mental condition and a doctor has determined that this condition:

- Has lasted or can be expected to last continuously for at least a year, or
- Can lead to death.

Qualifying child of more than one person. If the child meets the conditions to be a qualifying child of more than one person, only one person can take the EIC based on that child. The other person(s) cannot take the EIC for people without a qualifying child, but may take the EIC based on a different qualifying child. If you and the other person(s) cannot agree who will take the EIC, then the following rules apply.

- If only one of the persons is the child's parent, the child will be treated as the qualifying child of the parent.
- If both persons are the child's parents, the child will be treated as the qualifying child of the parent with whom the child lived for the longer period of time during 2004. If the child lived with each parent for the same amount of time, the child will be treated as the qualifying child of the parent who had the higher adjusted gross income (AGI) for 2004.
- If none of the persons is the child's parent, the child will be treated as the qualifying child of the person who had the highest AGI for 2004.

The child must have a valid social security number as defined below unless the child was born and died in 2004. If you do not have a qualifying child, stop; you cannot take the EIC. Put "No" to the left of the entry space for line 41. If you have a qualifying child, skip Step 4; go to Step 5 on page 40.

Example. You and your 5-year-old daughter moved in with your mother in April 2004. You are not a qualifying child of your mother. Your daughter meets the conditions to be a qualifying child for both you and your mother. If you and your mother cannot agree on who will treat your daughter as a qualifying child, the above rules apply. Under these rules, you are entitled to treat your daughter as a qualifying child because you are the child's parent. Your mother would not be entitled to claim any EIC unless she has a different qualifying child.

Social security number (SSN). For purposes of taking the EIC, a valid SSN is a number issued by the Social Security Administration unless "Not Valid for Employment" is printed on the social security card and the number was issued solely to apply for or receive a federally funded benefit.

To find out how to get an SSN, see page 18. If you will not have an SSN by April 15, 2005, see *What if You Cannot File on Time?* on page 12.

Student. A child who during any 5 months of 2004:

- Was enrolled as a full-time student at a school, or
- Took a full-time, on-farm training course given by a school or a state, county, or local government agency.

A school includes technical, trade, and mechanical schools. It does not include on-the-job training courses, correspondence schools, or night schools.

Welfare benefits, effect of credit on. Any refund you receive as a result of taking the EIC will not be used to determine if you are eligible for the following programs or how much you can receive from them. But if the refund you receive because of the EIC is not spent within a certain period of time, it may count as an asset (or resource) and affect your eligibility.

- Temporary Assistance for Needy Families (TANF).
- Medicaid and supplemental security income (SSI).
- Food stamps and low-income housing.

EARNED INCOME CREDIT

ANSWERS TO EXERCISES

Lesson 10

Exercise 2(C)

Sam U. and Robin O.'s Completed EIC Worksheet

Form 1040A—Line 41

Earned Income Credit (EIC) Worksheet—Line 41

Keep for Your Records



Part 1

All Filers

1. Enter your earned income from Step 5 on page 40.

1	21,211.00
---	-----------

2. Look up the amount on line 1 above in the EIC Table on pages 43–47 to find the credit. Be sure you use the correct column for your filing status and the number of children you have. Enter the credit here.

2	1,616.00
---	----------

If line 2 is zero, You cannot take the credit. Put “No” to the left of the entry space for line 41.

3. Enter the amount from Form 1040A, line 22.

3	21,250.00
---	-----------

4. Are the amounts on lines 3 and 1 the same?
 Yes. Skip line 5; enter the amount from line 2 on line 6.
 No. Go to line 5.

Part 2

Filers Who Answered “No” on Line 4

5. If you have:
• No qualifying children, is the amount on line 3 less than \$6,400 (\$7,400 if married filing jointly)?
• 1 or more qualifying children, is the amount on line 3 less than \$14,050 (\$15,050 if married filing jointly)?
 Yes. Leave line 5 blank; enter the amount from line 2 on line 6.
 No. Look up the amount on line 3 in the EIC Table on pages 43–47 to find the credit. Be sure you use the correct column for your filing status and the number of children you have. Enter the credit here.

5	1,608.00
---	----------

Look at the amounts on lines 5 and 2. Then, enter the **smaller** amount on line 6.

Part 3

Your Earned Income Credit

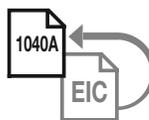
6. **This is your earned income credit.**

6	1,608.00
---	----------

Enter this amount on Form 1040A, line 41.

Reminder—

✓ If you have a qualifying child, complete and attach Schedule EIC.



If your EIC for a year after 1996 was reduced or disallowed, see page 40 to find out if you must file Form 8862 to take the credit for 2004.

EARNED INCOME CREDIT

ANSWERS TO EXERCISES

Lesson 10

Exercise 3

Sam U. and Robin O.'s Schedule EIC

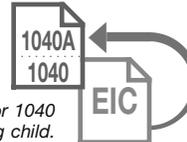
SCHEDULE EIC (Form 1040A or 1040)

Department of the Treasury
Internal Revenue Service

Earned Income Credit

Qualifying Child Information

Complete and attach to Form 1040A or 1040
only if you have a qualifying child.



OMB No. 1545-0074

2004

Attachment
Sequence No. **43**

Name(s) shown on return

Sam U. and Robin O. Bell

Your social security number

xxx | xx | xxxxx

Before you begin: See the instructions for Form 1040A, line 41, or Form 1040, line 65, to make sure that (a) you can take the EIC and (b) you have a qualifying child.



- If you take the EIC even though you are not eligible, you may not be allowed to take the credit for up to 10 years. See back of schedule for details.
- It will take us longer to process your return and issue your refund if you do not fill in all lines that apply for each qualifying child.
- Be sure the child's name on line 1 and social security number (SSN) on line 2 agree with the child's social security card. Otherwise, at the time we process your return, we may reduce or disallow your EIC. If the name or SSN on the child's social security card is not correct, call the Social Security Administration at 1-800-772-1213.

Qualifying Child Information

Child 1

Child 2

	First name	Last name	First name	Last name
1 Child's name If you have more than two qualifying children, you only have to list two to get the maximum credit.	Jennifer Bell			
2 Child's SSN The child must have an SSN as defined on page 43 of the Form 1040A instructions or page 47 of the Form 1040 instructions unless the child was born and died in 2004. If your child was born and died in 2004 and did not have an SSN, enter "Died" on this line and attach a copy of the child's birth certificate.	xxx | xx | xxxxx			
3 Child's year of birth	Year <u>1</u> <u>9</u> <u>9</u> <u>6</u> <i>If born after 1985, skip lines 4a and 4b; go to line 5.</i>		Year _____ <i>If born after 1985, skip lines 4a and 4b; go to line 5.</i>	
4 If the child was born before 1986—				
a Was the child under age 24 at the end of 2004 and a student?	<input type="checkbox"/> Yes. <i>Go to line 5.</i>	<input type="checkbox"/> No. <i>Continue</i>	<input type="checkbox"/> Yes. <i>Go to line 5.</i>	<input type="checkbox"/> No. <i>Continue</i>
b Was the child permanently and totally disabled during any part of 2004?	<input type="checkbox"/> Yes. <i>Continue</i>	<input type="checkbox"/> No. The child is not a qualifying child.	<input type="checkbox"/> Yes. <i>Continue</i>	<input type="checkbox"/> No. The child is not a qualifying child.
5 Child's relationship to you (for example, son, daughter, grandchild, niece, nephew, foster child, etc.)	daughter			
6 Number of months child lived with you in the United States during 2004 • If the child lived with you for more than half of 2004 but less than 7 months, enter "7". • If the child was born or died in 2004 and your home was the child's home for the entire time he or she was alive during 2004, enter "12".	<u>12</u> months <i>Do not enter more than 12 months.</i>		_____ months <i>Do not enter more than 12 months.</i>	



You may also be able to take the additional child tax credit if your child (a) was under age 17 at the end of 2004, (b) is claimed as your dependent on line 6c of Form 1040A or Form 1040, and (c) is a U.S. citizen or resident alien. For more details, see the instructions for line 42 of Form 1040A or line 67 of Form 1040.

For Paperwork Reduction Act Notice, see Form 1040A or 1040 instructions.

Cat. No. 13339M

Schedule EIC (Form 1040A or 1040) 2004

EARNED INCOME CREDIT

ANSWERS TO EXERCISES

Lesson 10

Exercise 4

Kyle B. Evans' 1040A, page 2

Form 1040A (2004)		Page 2
Tax, credits, and payments	22 Enter the amount from line 21 (adjusted gross income).	22 19,223
Standard Deduction for— ● People who checked any box on line 23a or 23b or who can be claimed as a dependent, see page 32. ● All others: Single or Married filing separately, \$4,850 Married filing jointly or Qualifying widow(er), \$9,700 Head of household, \$7,150	23a Check if: <input type="checkbox"/> You were born before January 2, 1940, <input type="checkbox"/> Blind <input type="checkbox"/> Spouse was born before January 2, 1940, <input type="checkbox"/> Blind } Total boxes checked <input type="checkbox"/> 23a	
	b If you are married filing separately and your spouse itemizes deductions, see page 32 and check here <input type="checkbox"/> 23b	
	24 Enter your standard deduction (see left margin).	24 7,150
	25 Subtract line 24 from line 22. If line 24 is more than line 22, enter -0-.	25 12,073
	26 Multiply \$3,100 by the total number of exemptions claimed on line 6d.	26 6,200
	27 Subtract line 26 from line 25. If line 26 is more than line 25, enter -0-. This is your taxable income .	27 5,873
	28 Tax , including any alternative minimum tax (see page 33).	28 588
	29 Credit for child and dependent care expenses. Attach Schedule 2.	29
	30 Credit for the elderly or the disabled. Attach Schedule 3.	30
	31 Education credits. Attach Form 8863.	31
	32 Child tax credit (see page 37).	32 1,000
	33 Retirement savings contributions credit. Attach Form 8880.	33
	34 Adoption credit. Attach Form 8839.	34
	35 Add lines 29 through 34. These are your total credits .	35 1,000
	36 Subtract line 35 from line 28. If line 35 is more than line 28, enter -0-.	36 0
	37 Advance earned income credit payments from Form(s) W-2.	37 550
	38 Add lines 36 and 37. This is your total tax .	38 550
	39 Federal income tax withheld from Forms W-2 and 1099.	39
	40 2004 estimated tax payments and amount applied from 2003 return.	40
	41 Earned income credit (EIC) .	41
	42 Additional child tax credit. Attach Form 8812.	42
	43 Add lines 39 through 42. These are your total payments .	43
	44 If line 43 is more than line 38, subtract line 38 from line 43. This is the amount you overpaid .	44
	45a Amount of line 44 you want refunded to you .	45a
	b Routing number <input type="text"/> c Type: <input type="checkbox"/> Checking <input type="checkbox"/> Savings	
	d Account number <input type="text"/>	
	46 Amount of line 44 you want applied to your 2005 estimated tax .	46
Amount you owe	47 Amount you owe . Subtract line 43 from line 38. For details on how to pay, see page 51.	47
	48 Estimated tax penalty (see page 52).	48
Third party designee	Do you want to allow another person to discuss this return with the IRS (see page 52)? <input type="checkbox"/> Yes. Complete the following. <input type="checkbox"/> No	
	Designee's name <input checked="" type="checkbox"/> X	Phone no. ()
	Personal identification number (PIN) <input type="text"/>	
Sign here	Under penalties of perjury, I declare that I have examined this return and accompanying schedules and statements, and to the best of my knowledge and belief, they are true, correct, and accurately list all amounts and sources of income I received during the tax year. Declaration of preparer (other than the taxpayer) is based on all information of which the preparer has any knowledge.	
	Your signature	Date
	Spouse's signature. If a joint return, both must sign.	Date
	Your occupation	Daytime phone number ()
	Spouse's occupation	
Paid preparer's use only	Preparer's signature <input checked="" type="checkbox"/> X	Date
	Firm's name (or yours if self-employed), address, and ZIP code	Preparer's SSN or PTIN
	EIN	Check if self-employed <input type="checkbox"/>
	Phone no. ()	

INTRODUCTION AND OBJECTIVES

In this lesson you will learn about the child tax credit. This credit is unique because it can be both nonrefundable and refundable. This lesson will discuss who qualifies for the credit and how to calculate the credit.

After completing this lesson you should be able to:

- Calculate the child tax credit using the child tax credit worksheet.
- Calculate the additional child tax credit by using Form 8812, Additional Child Tax Credit.

CHILD TAX CREDIT

A taxpayer can claim a child tax credit for each of the taxpayer's qualifying children. The maximum child tax credit is \$1000 per child for 2004. The credit can be claimed on either Form 1040 or 1040A.

Qualifying child

To qualify, the child must be:

- Under age 17 at the end of 2004, and
- A citizen or resident of the United States, and
- The taxpayer's dependent, and
- The taxpayer's:
 - Son or daughter,
 - Stepson or stepdaughter, adopted child,
 - Grandchild, or
 - Eligible foster child (Must be placed with the taxpayer by an authorized placement agency and the taxpayer care for the child as they would their own.)

The taxpayer must provide the name and identification number (usually a social security number) of each qualifying child on his or her tax return.

Limits on credit

The amount of a taxpayer's child tax credit depends on the taxpayer's modified adjusted gross income (modified AGI) and the taxpayer's filing status.

ALERT



The requirements for a "qualifying child" for purpose of the Child Tax Credit differ from those for a "qualifying child" for purpose of the Earned Income Credit.

Modified AGI

The credit begins to phase out if the taxpayer's modified AGI is above a certain amount (**Table 1**). For most taxpayers, modified AGI is generally the same as AGI. For 2004, AGI is shown on line 21 of Form 1040A and on line 36 of Form 1040.

Table 1: Child Tax Credit Threshold Modified AGI Amounts for Claiming Child Tax Credit	
Filing Status	Amount
Married filing jointly	\$110,000
Qualifying widow(er)	75,000
Head of household	75,000
Single	75,000
Married filing separately	55,000

Before you can figure a taxpayer's credit amount for the year, you must have the taxpayer answer certain questions (Exhibit 1) to see if you must use the worksheet in Publication 972, *Child Tax Credit*. These questions are in the tax form instructions. If you do not need to use Publication 972, you can use the shorter *Child Tax Credit Worksheet* in the Form 1040 or 1040A instructions.

Example 1

Bill and Mary Allen are married filing a joint return and have two dependent children under age 17. The children are qualifying children for purposes of claiming the child tax credit. Bill and Mary have modified AGI of \$55,600. Their tax on line 45 for 2004 is \$4,314. Bill and Mary need to answer questions to determine if they must use Publication 972 (Exhibit 1). The completed Child Tax Credit Worksheet (Exhibit 2) shows that their credit is \$2,000. Their modified AGI is less than the phaseout amount for their filing status (\$110,000). They do not need to use Publication 972 to compute their child tax credit.

Line 51—Child Tax Credit

What Is the Child Tax Credit?

This credit is for people who have a qualifying child (defined below). It is in addition to the credit for child and dependent care expenses on Form 1040, line 46, and the earned income credit on Form 1040, line 65.

Three Steps To Take the Child Tax Credit!

- Step 1.** Make sure you have a qualifying child for the child tax credit (defined below).
- Step 2.** Make sure you checked the box on Form 1040, line 6c, column (4), for each qualifying child.
- Step 3.** Answer the questions on this page to see if you may use the worksheet on page 41 to figure your credit or if you must use Pub. 972, Child Tax Credit. If you need Pub. 972, see page 7.

Qualifying Child for Child Tax Credit

A qualifying child for purposes of the child tax credit is a child who:

1. Is claimed as your dependent on line 6c, and
2. Was under age 17 at the end of 2004, and
3. Is your (a) son, daughter, adopted child, stepchild, or a descendant of any of them (for example, your grandchild); (b) brother, sister, stepbrother, stepsister, or a descendant of any of them (for example, your niece or nephew), whom you cared for as you would your own child; or (c) foster child (any child placed with you by an authorized placement agency whom you cared for as you would your own child), and
4. Is a U.S. citizen or resident alien.



The above requirements are not the same as the requirements to be a qualifying child for the earned income credit.

An adopted child is always treated as your own child. An adopted child includes a child placed with you by an authorized

placement agency for legal adoption even if the adoption is not final. An authorized placement agency includes any person or court authorized by state law to place children for legal adoption.

Questions

**Who Must Use
Pub. 972**



1. Are you excluding income from Puerto Rico or are you filing any of the following forms?
 - Form 2555 or 2555-EZ (relating to foreign earned income)
 - Form 4563 (exclusion of income for residents of American Samoa)

No. *Continue* **Yes.** You must use Pub. 972 to figure your credit.

2. Is the amount on Form 1040, line 37, more than the amount shown below for your filing status?
 - Married filing jointly – \$110,000
 - Single, head of household, or qualifying widow(er) – \$75,000
 - Married filing separately – \$55,000

No. *Continue* **Yes.** You must use Pub. 972 to figure your credit.

3. Are you claiming any of the following credits?
 - Retirement savings contributions credit, Form 8880 (see the instructions for Form 1040, line 52, on page 42)
 - Adoption credit, Form 8839 (see the instructions for Form 1040, line 53, on page 42)

No. Use the worksheet on page 38 to figure your child tax credit. **Yes.** You must use Pub. 972 to figure your child tax credit. You will also need the form(s) listed above for any credit(s) you are claiming.

Form 1040—Line 51

Child Tax Credit Worksheet—Line 51

Keep for Your Records



- To be a qualifying child for the child tax credit, the child must be **under age 17** at the end of 2004 and meet the other requirements listed on page 40.
- **Do not** use this worksheet if you answered “Yes” to question 1, 2, or 3 on page 40. Instead, use Pub. 972.

1. Number of qualifying children: 2 × \$1,000.
Enter the result.

1	2,000.00
---	----------

2. Enter the amount from Form 1040, line 45.

2	4,314.00
---	----------

3. Add the amounts from Form 1040:
Line 46 _____
Line 47 + _____
Line 48 + _____
Line 49 + _____
Line 50 + _____ Enter the total.

3	0.00
---	------

4. Are the amounts on lines 2 and 3 the same?
 Yes. You cannot take this credit because there is no tax to reduce. However, you may be able to take the **additional child tax credit**. See the **TIP** below.
 No. Subtract line 3 from line 2.

4	4,314.00
---	----------

5. Is the amount on line 1 more than the amount on line 4?
 Yes. Enter the amount from line 4. Also, you may be able to take the **additional child tax credit**. See the **TIP** below.
 No. Enter the amount from line 1.

5	2,000.00
---	----------

Enter this amount on Form 1040, line 51.



You may be able to take the **additional child tax credit** on Form 1040, line 67, if you answered “Yes” on line 4 or line 5 above.

- First, complete your Form 1040 through line 66.
- Then, use Form 8812 to figure any additional child tax credit.



Need more information or forms? See page 7.

Checking Your Withholding

The child tax credit decreases the tax liability dollar for dollar, but not below zero. If the taxpayer is having too much tax withheld, and he or she prefers to have the money during the year, the taxpayer may be able to reduce his or her withholding. A new Form W-4, Employee's Withholding Allowance Certificate, should be completed and given to his or her employer.

ADDITIONAL CHILD TAX CREDIT

The child tax credit is a nonrefundable credit that gives eligible taxpayers \$1000 for each qualifying child. If a taxpayer's tax liability is less than the allowable nonrefundable child tax credit, the taxpayer may be eligible to claim the refundable **additional child tax credit**.

Before figuring additional child tax credit, figure the taxpayer's:

- Unused nonrefundable child tax credit amount,
- Total Social Security and Medicare taxes withheld (Form W-2, Wage and Tax Statement, boxes 4 and 6),
- Earned income credit amount,
- Total taxable earned income (back of Form 8812), and
- For 1040 filers, one-half of self-employment tax paid, Form 1040, line 30.

The taxpayer will need to seek the assistance of a paid professional tax preparer if he or she has:

- Excess social security and RRTA tax withheld (more than one employer and gross income in excess of \$87,900) or
- Social Security and Medicare tax on unreported tip income.

Taxpayers must use **Form 8812, Additional Child Tax Credit**, to claim the additional child tax credit. This credit is based on 10% of the taxpayer's taxable earned income in excess of \$10,750.

Example 2

Maureen Langston (SSN xxx-xx-xxxx) is filing Form 1040. Her filing status is head of household for 2004. She has five dependent children, all of whom are qualifying children for purposes of the child tax credit. Maureen's earned income (and adjusted gross income) is \$26,375, her tax is \$64, Social Security/Medicare taxes are \$2,018, and the earned income credit is \$1,702. Based on this information, Maureen's child tax credit is \$64 (Exhibit 4) and her additional child tax credit was \$1,563. Exhibits 5 and 6 illustrate how Maureen's additional child tax credit was figured.

POTENTIAL PITFALLS



When figuring the additional child tax credit, you must use the back of Form 8812 to determine taxable earned income (line 4).

Line 51—Child Tax Credit

What Is the Child Tax Credit?

This credit is for people who have a qualifying child (defined below). It is in addition to the credit for child and dependent care expenses on Form 1040, line 46, and the earned income credit on Form 1040, line 65.

Three Steps To Take the Child Tax Credit!

- Step 1.** Make sure you have a qualifying child for the child tax credit (defined below).
- Step 2.** Make sure you checked the box on Form 1040, line 6c, column (4), for each qualifying child.
- Step 3.** Answer the questions on this page to see if you may use the worksheet on page 41 to figure your credit or if you must use Pub. 972, Child Tax Credit. If you need Pub. 972, see page 7.

Qualifying Child for Child Tax Credit

A qualifying child for purposes of the child tax credit is a child who:

1. Is claimed as your dependent on line 6c, and
2. Was under age 17 at the end of 2004, and
3. Is your (a) son, daughter, adopted child, stepchild, or a descendant of any of them (for example, your grandchild); (b) brother, sister, stepbrother, stepsister, or a descendant of any of them (for example, your niece or nephew), whom you cared for as you would your own child; or (c) foster child (any child placed with you by an authorized placement agency whom you cared for as you would your own child), and
4. Is a U.S. citizen or resident alien.



The above requirements are not the same as the requirements to be a qualifying child for the earned income credit.

An adopted child is always treated as your own child. An adopted child includes a child placed with you by an authorized

placement agency for legal adoption even if the adoption is not final. An authorized placement agency includes any person or court authorized by state law to place children for legal adoption.

Questions

Who Must Use Pub. 972



1. Are you excluding income from Puerto Rico or are you filing any of the following forms?
 - Form 2555 or 2555-EZ (relating to foreign earned income)
 - Form 4563 (exclusion of income for residents of American Samoa)

No. *Continue* **Yes.** You must use Pub. 972 to figure your credit.

2. Is the amount on Form 1040, line 37, more than the amount shown below for your filing status?
 - Married filing jointly – \$110,000
 - Single, head of household, or qualifying widow(er) – \$75,000
 - Married filing separately – \$55,000

No. *Continue* **Yes.** You must use Pub. 972 to figure your credit.

3. Are you claiming any of the following credits?
 - Retirement savings contributions credit, Form 8880 (see the instructions for Form 1040, line 52, on page 42)
 - Adoption credit, Form 8839 (see the instructions for Form 1040, line 53, on page 42)

No. Use the worksheet on page 38 to figure your child tax credit. **Yes.** You must use Pub. 972 to figure your child tax credit. You will also need the form(s) listed above for any credit(s) you are claiming.

Child Tax Credit Worksheet—Line 51

Keep for Your Records



• To be a qualifying child for the child tax credit, the child must be **under age 17** at the end of 2004 and meet the other requirements listed on page 40.

• **Do not** use this worksheet if you answered “Yes” to question 1, 2, or 3 on page 40. Instead, use Pub. 972.

1. Number of qualifying children: 5 × \$1,000. Enter the result. 1 5,000.00

2. Enter the amount from Form 1040, line 45. 2 64.00

3. Add the amounts from Form 1040:

Line 46 _____

Line 47 + _____

Line 48 + _____

Line 49 + _____

Line 50 + _____ Enter the total. 3 0.00

4. Are the amounts on lines 2 and 3 the same?

Yes. You cannot take this credit because there is no tax to reduce. However, you may be able to take the **additional child tax credit**. See the **TIP** below.

No. Subtract line 3 from line 2. 4 64.00

5. Is the amount on line 1 more than the amount on line 4?

Yes. Enter the amount from line 4. Also, you may be able to take the **additional child tax credit**. See the **TIP** below. **This is your child tax credit.** 5 64.00

No. Enter the amount from line 1.

Enter this amount on Form 1040, line 51.



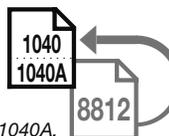
You may be able to take the **additional child tax credit** on Form 1040, line 67, if you answered “Yes” on line 4 or line 5 above.

- First, complete your Form 1040 through line 66.
- Then, use Form 8812 to figure any additional child tax credit.

Need more information or forms? See page 7.

Form **8812**

Additional Child Tax Credit



OMB No. 1545-1620

2004

Attachment Sequence No. **47**

Department of the Treasury
Internal Revenue Service (99)

Complete and attach to Form 1040 or Form 1040A.

Name(s) shown on return

Your social security number

Maureen Langston

XXX XX XXXX

Part I All Filers

1	Enter the amount from line 1 of your Child Tax Credit Worksheet on page 41 of the Form 1040 instructions or page 38 of the Form 1040A instructions. If you used Pub. 972, enter the amount from line 8 of the worksheet on page 4 of the publication	1	5,000
2	Enter the amount from Form 1040, line 51, or Form 1040A, line 32	2	64
3	Subtract line 2 from line 1. If zero, stop ; you cannot take this credit	3	4,936
4	Enter your total taxable earned income. See the instructions on back	4	26,375
5	Is the amount on line 4 more than \$10,750? <input type="checkbox"/> No. Leave line 5 blank and enter -0- on line 6. <input checked="" type="checkbox"/> Yes. Subtract \$10,750 from the amount on line 4. Enter the result	5	15,625
6	Multiply the amount on line 5 by 10% (.10) and enter the result Next. Do you have three or more qualifying children? <input type="checkbox"/> No. If line 6 is zero, stop ; you cannot take this credit. Otherwise, skip Part II and enter the smaller of line 3 or line 6 on line 13. <input checked="" type="checkbox"/> Yes. If line 6 is equal to or more than line 3, skip Part II and enter the amount from line 3 on line 13. Otherwise, go to line 7.	6	1,563

Part II Certain Filers Who Have Three or More Qualifying Children

7	Enter the total of the withheld social security and Medicare taxes from Form(s) W-2, boxes 4 and 6. If married filing jointly, include your spouse's amounts with yours. If you worked for a railroad, see the instructions on back	7	2,018
8	1040 filers: Enter the total of the amounts from Form 1040, lines 30 and 58, plus any uncollected social security and Medicare or tier 1 RRTA taxes included on line 62. 1040A filers: Enter -0-.	8	0
9	Add lines 7 and 8	9	2,018
10	1040 filers: Enter the total of the amounts from Form 1040, lines 65 and 66. 1040A filers: Enter the total of the amount from Form 1040A, line 41, plus any excess social security and tier 1 RRTA taxes withheld that you entered to the left of line 43 (see the instructions on back).	10	1,702
11	Subtract line 10 from line 9. If zero or less, enter -0-	11	316
12	Enter the larger of line 6 or line 11 here Next, enter the smaller of line 3 or line 12 on line 13.	12	1,563

Part III Your Additional Child Tax Credit

13	This is your additional child tax credit	13	1,563
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Enter this amount on
Form 1040, line 67, or
Form 1040A, line 42.

For Paperwork Reduction Act Notice, see back of form.

Cat. No. 10644E

Form **8812** (2004)

Instructions

Purpose of Form

Use Form 8812 to figure your additional child tax credit.



The additional child tax credit may give you a refund even if you do not owe any tax.

Who Should Use Form 8812

First, complete the Child Tax Credit Worksheet that applies to you. See the instructions for Form 1040, line 51, or Form 1040A, line 32. If you meet the condition given in the *TIP* at the end of your Child Tax Credit Worksheet, use Form 8812 to see if you can take the additional child tax credit.

Effect of Credit on Welfare Benefits

Any refund you receive as a result of taking the additional child tax credit will not be used to determine if you are eligible for the following programs, or how much you can receive from them.

- Temporary Assistance for Needy Families (TANF).
- Medicaid and supplemental security income (SSI).
- Food stamps and low-income housing.

Taxable Earned Income

1. Did you, or your spouse if filing a joint return, have net earnings from self-employment and use either optional method to figure those net earnings?

- No.** Go to question 2.
- Yes.** Use Pub. 972 to figure the amount to enter on Form 8812, line 4.

2. Are you claiming the earned income credit (EIC) on Form 1040, line 65, or Form 1040A, line 41?

- Yes.** Use the following chart to find the amount to enter on Form 8812, line 4.

IF you are filing Form . . .	AND you completed . . .	THEN enter on Form 8812, line 4, the amount from . . .
1040	Worksheet B on page 49 of your 1040 instructions	Worksheet B, line 4b.*
	Step 5 on page 46 of your 1040 instructions (but not Worksheet B)	Step 5, Earned Income
1040A	Step 5 on page 42 of your 1040A instructions	Step 5, Earned Income

* If you were a member of the clergy, subtract the following from the amount on line 4b: (a) the rental value of a home or the nontaxable portion of an allowance for a home furnished to you (including payments for utilities) and (b) the value of meals and lodging provided to you, your spouse, and your dependents for your employer's convenience.

- No. 1040 filers:** Go to question 3.
1040A filers: Skip question 3 and go to question 4.

3. Were you, or your spouse if filing a joint return, self-employed, or are you filing Schedule SE because you were a member of the clergy or you had church employee income, or are you filing Schedule C or C-EZ as a statutory employee?

- No.** Go to question 4.
- Yes.** Use Pub. 972 to figure the amount to enter on Form 8812, line 4.

4. Does the amount on line 7 of Form 1040 or Form 1040A include any of the following amounts?

- Taxable scholarship or fellowship grants not reported on a Form W-2.
- Amounts paid to an inmate in a penal institution for work (enter "PRI" and the amount paid in the space next to line 7 of Form 1040 or 1040A).
- Amounts received as a pension or annuity from a nonqualified deferred compensation plan or a nongovernmental section 457 plan (enter "DFC" and the amount received in the space next to line 7 of Form 1040 or 1040A). This amount may be reported in box 11 of your Form W-2. If you received such an amount but box 11 is blank, contact your employer for the amount received as a pension or annuity.
- Amounts from Form 2555, line 41, or Form 2555-EZ, line 18.

- No.** Enter the amount from line 7 of Form 1040 or Form 1040A on Form 8812, line 4.
- Yes.** Subtract the total of those amounts from the amount on line 7 of Form 1040 or Form 1040A. (If an amount is included in more than one of the above categories, include it only once in figuring the total amount to subtract.) Enter the result on Form 8812, line 4.

Railroad Employees

If you worked for a railroad, include the following taxes in the total on Form 8812, line 7.

- Tier 1 tax withheld from your pay. This tax should be shown in box 14 of your Form(s) W-2 and identified as "Tier 1 tax."
- If you were an employee representative, 50% of the total tier 1 tax and tier 1 Medicare tax you paid for 2004.

1040A Filers

If you, or your spouse if filing a joint return, had more than one employer for 2004 and total wages of over \$87,900, figure any excess social security and tier 1 railroad retirement (RRTA) taxes withheld. See the instructions for Form 1040A, line 43. Include any excess on Form 8812, line 10.

Paperwork Reduction Act Notice. We ask for the information on this form to carry out the Internal Revenue laws of the United States. You are required to give us the information. We need it to ensure that you are complying with these laws and to allow us to figure and collect the right amount of tax.

You are not required to provide the information requested on a form that is subject to the Paperwork Reduction Act unless the form displays a valid OMB control number. Books or records relating to a form or its instructions must be retained as long as their contents may become material in the administration of any Internal Revenue law. Generally, tax returns and return information are confidential, as required by Internal Revenue Code section 6103.

The time needed to complete and file this form will vary depending on individual circumstances. The estimated average time is: **Recordkeeping**, 6 min.; **Learning about the law or the form**, 5 min.; **Preparing the form**, 28 min.; **Copying, assembling, and sending the form to the IRS**, 20 min.

If you have comments concerning the accuracy of these time estimates or suggestions for making this form simpler, we would be happy to hear from you. See the Instructions for Form 1040 or Form 1040A.

Exercise 1

Victor (SSN xxx-xx-xxxx) and Emily Howard are married taxpayers with four children. They file married filing jointly for 2004 on Form 1040A. All of their children are qualifying for purposes of the child tax credit. They have no itemized deductions. Their adjusted gross income is \$31,467, of which \$18,467 is taxable earned income and \$13,000 is unemployment compensation. The Howards' taxable income is \$3,167, Social Security/Medicare taxes are \$1,413, and the earned income credit is \$839. They have no other credits entered in lines 29–34. Based on the facts given for the Howards:

- Figure the child tax credit.
- Complete page 2 of Form 1040A, lines 22 through 35.
- Figure the additional child tax credit.

Exhibit 8

Victor and Emily's Child Tax Credit Questions

Line 32—Child Tax Credit

What Is the Child Tax Credit?

This credit is for people who have a qualifying child (defined below). It is in addition to the credit for child and dependent care expenses on Form 1040A, line 29, and the earned income credit on Form 1040A, line 41.



The above requirements are not the same as the requirements to be a qualifying child for the earned income credit.

Three Steps To Take the Child Tax Credit!

- Step 1. Make sure you have a qualifying child for the child tax credit (defined below).
- Step 2. Make sure you checked the box in column (4) of line 6c on Form 1040A for each qualifying child.
- Step 3. Answer the questions on this page to see if you may use the worksheet on page 36 to figure your credit or if you must use Pub. 972, Child Tax Credit. If you need Pub. 972, see page 7.

Qualifying Child for Child Tax Credit.

A qualifying child for purposes of the child tax credit is a child who:

- Is claimed as your dependent on line 6c, and
- Was under age 17 at the end of 2004, and
- Is your (a) son, daughter, adopted child, stepchild, or a descendant of any of them (for example, your grandchild); (b) brother, sister, stepbrother, stepsister, or a descendant of any of them (for example, your niece or nephew), whom you cared for as you would your own child; or (c) foster child (any child placed with you by an authorized placement agency whom you cared for as you would your own child), and
- Is a U.S. citizen or resident alien.

An adopted child is always treated as your own child. An adopted child includes a child placed with you by an authorized placement agency for legal adoption even if the adoption is not final. An authorized placement agency includes any person or court authorized by state law to place children for legal adoption.

Questions

Who Must Use Pub. 972



- Is the amount on Form 1040A, line 22, more than the amount shown below for your filing status?
 - Married filing jointly – \$110,000
 - Single, head of household, or qualifying widow(er) – \$75,000
 - Married filing separately – \$55,000

No. Continue **Yes.** You must use Pub. 972 to figure your credit.
- Are you claiming the adoption credit on Form 8839 (see the instructions for Form 1040A, line 34, on page 37)?
 - No.** Use the worksheet on page 36 to figure your child tax credit.
 - Yes.** You must use Pub. 972 to figure your child tax credit. You will also need Form 8839.

Form 1040A—Line 32

Child Tax Credit Worksheet—Line 33

Keep for Your Records



- To be a qualifying child for the child tax credit, the child must be **under age 17** at the end of 2004 and meet the other requirements listed on page 35.
- Do not** use this worksheet if you answered “Yes” to question 1 or 2 on page 35. Instead, use Pub. 972.



1. Number of qualifying children: _____ × \$1,000. Enter the result. 1

2. Enter the amount from Form 1040A, line 28. 2

3. Add the amounts from Form 1040A:
 Line 29 _____
 Line 30 + _____
 Line 31 + _____ Enter the total. 3

4. Are the amounts on lines 2 and 3 the same?
 Yes. You cannot take this credit because there is no tax to reduce. However, you may be able to take the **additional child tax credit**. See the **TIP** below before completing the rest of your Form 1040A.
 No. Subtract line 3 from line 2. 4

5. Is the amount on line 1 more than the amount on line 4?
 Yes. Enter the amount from line 4. Also, you may be able to take the **additional child tax credit**. See the **TIP** below. 5
 No. Enter the amount from line 1. Enter this amount on Form 1040A, line 32.



You may be able to take the **additional child tax credit** on Form 1040A, line 42, if you answered “Yes” on line 4 or line 5 above.

- First, complete your Form 1040A through line 41.
- Then, use Form 8812 to figure any additional child tax credit.



Form 1040A (2004)

Page 2

Tax, credits, and payments	22 Enter the amount from line 21 (adjusted gross income).	22	
Standard Deduction for— • People who checked any box on line 23a or 23b or who can be claimed as a dependent, see page 32. • All others: Single or Married filing separately, \$4,850 Married filing jointly or Qualifying widow(er), \$9,700 Head of household, \$7,150	23a Check if: <input type="checkbox"/> You were born before January 2, 1940, <input type="checkbox"/> Blind } Total boxes checked <input type="checkbox"/> 23a <input type="checkbox"/>		
	b If you are married filing separately and your spouse itemizes deductions, see page 32 and check here 23b <input type="checkbox"/>		
	24 Enter your standard deduction (see left margin).	24	
	25 Subtract line 24 from line 22. If line 24 is more than line 22, enter -0-.	25	
	26 Multiply \$3,100 by the total number of exemptions claimed on line 6d.	26	
	27 Subtract line 26 from line 25. If line 26 is more than line 25, enter -0-. This is your taxable income .	27	
	28 Tax , including any alternative minimum tax (see page 33).	28	
	29 Credit for child and dependent care expenses. Attach Schedule 2.	29	
	30 Credit for the elderly or the disabled. Attach Schedule 3.	30	
	31 Education credits. Attach Form 8863.	31	
32 Child tax credit (see page 37).	32		
33 Retirement savings contributions credit. Attach Form 8880.	33		
34 Adoption credit. Attach Form 8839.	34		
35 Add lines 29 through 34. These are your total credits .	35		
36 Subtract line 35 from line 28. If line 35 is more than line 28, enter -0-.	36		
37 Advance earned income credit payments from Form(s) W-2.	37		
38 Add lines 36 and 37. This is your total tax .	38		
39 Federal income tax withheld from Forms W-2 and 1099.	39		
40 2004 estimated tax payments and amount applied from 2003 return.	40		
41 Earned income credit (EIC) .	41		
42 Additional child tax credit. Attach Form 8812.	42		
43 Add lines 39 through 42. These are your total payments .	43		
Refund	44 If line 43 is more than line 38, subtract line 38 from line 43. This is the amount you overpaid .	44	
Direct deposit? See page 50 and fill in 45b, 45c, and 45d.	45a Amount of line 44 you want refunded to you .	45a	
	b Routing number <input type="text"/> c Type: <input type="checkbox"/> Checking <input type="checkbox"/> Savings		
	d Account number <input type="text"/>		
	46 Amount of line 44 you want applied to your 2005 estimated tax .	46	
Amount you owe	47 Amount you owe . Subtract line 43 from line 38. For details on how to pay, see page 51.	47	
	48 Estimated tax penalty (see page 52).	48	
Third party designee	Do you want to allow another person to discuss this return with the IRS (see page 52)? <input type="checkbox"/> Yes . Complete the following. <input type="checkbox"/> No		
	Designee's name <input type="text"/>	Phone no. <input type="text"/>	Personal identification number (PIN) <input type="text"/>
Sign here	Under penalties of perjury, I declare that I have examined this return and accompanying schedules and statements, and to the best of my knowledge and belief, they are true, correct, and accurately list all amounts and sources of income I received during the tax year. Declaration of preparer (other than the taxpayer) is based on all information of which the preparer has any knowledge.		
Joint return? See page 20. Keep a copy for your records.	Your signature <input type="text"/>	Date <input type="text"/>	Your occupation <input type="text"/>
	Spouse's signature. If a joint return, both must sign. <input type="text"/>	Date <input type="text"/>	Spouse's occupation <input type="text"/>
Paid preparer's use only	Preparer's signature <input type="text"/>	Date <input type="text"/>	Preparer's SSN or PTIN <input type="text"/>
	Firm's name (or yours if self-employed), address, and ZIP code <input type="text"/>	EIN <input type="text"/>	Phone no. <input type="text"/>

Printed on recycled paper

Form 1040A (2004)

Form **8812**

Additional Child Tax Credit

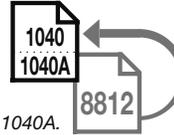
OMB No. 1545-1620

2004

Attachment Sequence No. **47**

Department of the Treasury
Internal Revenue Service (99)

Complete and attach to Form 1040 or Form 1040A.



Name(s) shown on return	Your social security number
-------------------------	-----------------------------

Part I All Filers

1 Enter the amount from line 1 of your Child Tax Credit Worksheet on page 41 of the Form 1040 instructions or page 38 of the Form 1040A instructions. If you used Pub. 972, enter the amount from line 8 of the worksheet on page 4 of the publication	1			
2 Enter the amount from Form 1040, line 51, or Form 1040A, line 32	2			
3 Subtract line 2 from line 1. If zero, stop ; you cannot take this credit	3			
4 Enter your total taxable earned income. See the instructions on back	4			
5 Is the amount on line 4 more than \$10,750? <input type="checkbox"/> No. Leave line 5 blank and enter -0- on line 6. <input type="checkbox"/> Yes. Subtract \$10,750 from the amount on line 4. Enter the result	5			
6 Multiply the amount on line 5 by 10% (.10) and enter the result Next. Do you have three or more qualifying children? <input type="checkbox"/> No. If line 6 is zero, stop ; you cannot take this credit. Otherwise, skip Part II and enter the smaller of line 3 or line 6 on line 13. <input type="checkbox"/> Yes. If line 6 is equal to or more than line 3, skip Part II and enter the amount from line 3 on line 13. Otherwise, go to line 7.	6			

Part II Certain Filers Who Have Three or More Qualifying Children

7 Enter the total of the withheld social security and Medicare taxes from Form(s) W-2, boxes 4 and 6. If married filing jointly, include your spouse's amounts with yours. If you worked for a railroad, see the instructions on back	7			
8 1040 filers: Enter the total of the amounts from Form 1040, lines 30 and 58, plus any uncollected social security and Medicare or tier 1 RRTA taxes included on line 62. 1040A filers: Enter -0-.	8			
9 Add lines 7 and 8	9			
10 1040 filers: Enter the total of the amounts from Form 1040, lines 65 and 66. 1040A filers: Enter the total of the amount from Form 1040A, line 41, plus any excess social security and tier 1 RRTA taxes withheld that you entered to the left of line 43 (see the instructions on back).	10			
11 Subtract line 10 from line 9. If zero or less, enter -0-	11			
12 Enter the larger of line 6 or line 11 here Next, enter the smaller of line 3 or line 12 on line 13.	12			

Part III Your Additional Child Tax Credit

13 This is your additional child tax credit	13			
---	----	--	--	--

Enter this amount on
Form 1040, line 67, or
Form 1040A, line 42.

Instructions

Purpose of Form

Use Form 8812 to figure your additional child tax credit.



The additional child tax credit may give you a refund even if you do not owe any tax.

Who Should Use Form 8812

First, complete the Child Tax Credit Worksheet that applies to you. See the instructions for Form 1040, line 51, or Form 1040A, line 32. If you meet the condition given in the *TIP* at the end of your Child Tax Credit Worksheet, use Form 8812 to see if you can take the additional child tax credit.

Effect of Credit on Welfare Benefits

Any refund you receive as a result of taking the additional child tax credit will not be used to determine if you are eligible for the following programs, or how much you can receive from them.

- Temporary Assistance for Needy Families (TANF).
- Medicaid and supplemental security income (SSI).
- Food stamps and low-income housing.

Taxable Earned Income

1. Did you, or your spouse if filing a joint return, have net earnings from self-employment and use either optional method to figure those net earnings?

- No.** Go to question 2.
- Yes.** Use Pub. 972 to figure the amount to enter on Form 8812, line 4.

2. Are you claiming the earned income credit (EIC) on Form 1040, line 65, or Form 1040A, line 41?

- Yes.** Use the following chart to find the amount to enter on Form 8812, line 4.

IF you are filing Form . . .	AND you completed . . .	THEN enter on Form 8812, line 4, the amount from . . .
1040	Worksheet B on page 49 of your 1040 instructions	Worksheet B, line 4b.*
	Step 5 on page 46 of your 1040 instructions (but not Worksheet B)	Step 5, Earned Income
1040A	Step 5 on page 42 of your 1040A instructions	Step 5, Earned Income

* If you were a member of the clergy, subtract the following from the amount on line 4b: (a) the rental value of a home or the nontaxable portion of an allowance for a home furnished to you (including payments for utilities) and (b) the value of meals and lodging provided to you, your spouse, and your dependents for your employer's convenience.

- No. 1040 filers:** Go to question 3.
1040A filers: Skip question 3 and go to question 4.

3. Were you, or your spouse if filing a joint return, self-employed, or are you filing Schedule SE because you were a member of the clergy or you had church employee income, or are you filing Schedule C or C-EZ as a statutory employee?

- No.** Go to question 4.
- Yes.** Use Pub. 972 to figure the amount to enter on Form 8812, line 4.

4. Does the amount on line 7 of Form 1040 or Form 1040A include any of the following amounts?

- Taxable scholarship or fellowship grants not reported on a Form W-2.
 - Amounts paid to an inmate in a penal institution for work (enter "PRI" and the amount paid in the space next to line 7 of Form 1040 or 1040A).
 - Amounts received as a pension or annuity from a nonqualified deferred compensation plan or a nongovernmental section 457 plan (enter "DFC" and the amount received in the space next to line 7 of Form 1040 or 1040A). This amount may be reported in box 11 of your Form W-2. If you received such an amount but box 11 is blank, contact your employer for the amount received as a pension or annuity.
 - Amounts from Form 2555, line 41, or Form 2555-EZ, line 18.
- No.** Enter the amount from line 7 of Form 1040 or Form 1040A on Form 8812, line 4.
- Yes.** Subtract the total of those amounts from the amount on line 7 of Form 1040 or Form 1040A. (If an amount is included in more than one of the above categories, include it only once in figuring the total amount to subtract.) Enter the result on Form 8812, line 4.

Railroad Employees

If you worked for a railroad, include the following taxes in the total on Form 8812, line 7.

- Tier 1 tax withheld from your pay. This tax should be shown in box 14 of your Form(s) W-2 and identified as "Tier 1 tax."
- If you were an employee representative, 50% of the total tier 1 tax and tier I Medicare tax you paid for 2004.

1040A Filers

If you, or your spouse if filing a joint return, had more than one employer for 2004 and total wages of over \$87,900, figure any excess social security and tier 1 railroad retirement (RRTA) taxes withheld. See the instructions for Form 1040A, line 43. Include any excess on Form 8812, line 10.

Paperwork Reduction Act Notice. We ask for the information on this form to carry out the Internal Revenue laws of the United States. You are required to give us the information. We need it to ensure that you are complying with these laws and to allow us to figure and collect the right amount of tax.

You are not required to provide the information requested on a form that is subject to the Paperwork Reduction Act unless the form displays a valid OMB control number. Books or records relating to a form or its instructions must be retained as long as their contents may become material in the administration of any Internal Revenue law. Generally, tax returns and return information are confidential, as required by Internal Revenue Code section 6103.

The time needed to complete and file this form will vary depending on individual circumstances. The estimated average time is: **Recordkeeping**, 6 min.; **Learning about the law or the form**, 5 min.; **Preparing the form**, 28 min.; **Copying, assembling, and sending the form to the IRS**, 20 min.

If you have comments concerning the accuracy of these time estimates or suggestions for making this form simpler, we would be happy to hear from you. See the Instructions for Form 1040 or Form 1040A.

Exercise 1(A)

The Howard's Child Tax Questions

Line 32—Child Tax Credit

What Is the Child Tax Credit?

This credit is for people who have a qualifying child (defined below). It is in addition to the credit for child and dependent care expenses on Form 1040A, line 29, and the earned income credit on Form 1040A, line 41.



The above requirements are not the same as the requirements to be a qualifying child for the earned income credit.

Three Steps To Take the Child Tax Credit!

- Step 1. Make sure you have a qualifying child for the child tax credit (defined below).
- Step 2. Make sure you checked the box in column (4) of line 6c on Form 1040A for each qualifying child.
- Step 3. Answer the questions on this page to see if you may use the worksheet on page 36 to figure your credit or if you must use Pub. 972, Child Tax Credit. If you need Pub. 972, see page 7.

Qualifying Child for Child Tax Credit.

A qualifying child for purposes of the child tax credit is a child who:

1. Is claimed as your dependent on line 6c, and
2. Was under age 17 at the end of 2004, and
3. Is your (a) son, daughter, adopted child, stepchild, or a descendant of any of them (for example, your grandchild); (b) brother, sister, stepbrother, stepsister, or a descendant of any of them (for example, your niece or nephew), whom you cared for as you would your own child; or (c) foster child (any child placed with you by an authorized placement agency whom you cared for as you would your own child), and
4. Is a U.S. citizen or resident alien.

An adopted child is always treated as your own child. An adopted child includes a child placed with you by an authorized placement agency for legal adoption even if the adoption is not final. An authorized placement agency includes any person or court authorized by state law to place children for legal adoption.

Questions

Who Must Use Pub. 972



1. Is the amount on Form 1040A, line 22, more than the amount shown below for your filing status?
 - Married filing jointly – \$110,000
 - Single, head of household, or qualifying widow(er) – \$75,000
 - Married filing separately – \$55,000

No. *Continue* **Yes.** You must use Pub. 972 to figure your credit.
2. Are you claiming the adoption credit on Form 8839 (see the instructions for Form 1040A, line 34, on page 37)?
 - No.** Use the worksheet on page 36 to figure your child tax credit.
 - Yes.** You must use Pub. 972 to figure your child tax credit. You will also need Form 8839.

Exercise 1(A)

The Howard's Additional Child Tax, page 2

Form 8812 (2004)

Page **2**

Instructions

Purpose of Form

Use Form 8812 to figure your additional child tax credit.



The additional child tax credit may give you a refund even if you do not owe any tax.

Who Should Use Form 8812

First, complete the Child Tax Credit Worksheet that applies to you. See the instructions for Form 1040, line 51, or Form 1040A, line 32. If you meet the condition given in the *TIP* at the end of your Child Tax Credit Worksheet, use Form 8812 to see if you can take the additional child tax credit.

Effect of Credit on Welfare Benefits

Any refund you receive as a result of taking the additional child tax credit will not be used to determine if you are eligible for the following programs, or how much you can receive from them.

- Temporary Assistance for Needy Families (TANF).
- Medicaid and supplemental security income (SSI).
- Food stamps and low-income housing.

Taxable Earned Income

1. Did you, or your spouse if filing a joint return, have net earnings from self-employment and use either optional method to figure those net earnings?

- No.** Go to question 2.
- Yes.** Use Pub. 972 to figure the amount to enter on Form 8812, line 4.

2. Are you claiming the earned income credit (EIC) on Form 1040, line 65, or Form 1040A, line 41?

- Yes.** Use the following chart to find the amount to enter on Form 8812, line 4.

IF you are filing Form . . .	AND you completed . . .	THEN enter on Form 8812, line 4, the amount from . . .
1040	Worksheet B on page 49 of your 1040 instructions	Worksheet B, line 4b.*
	Step 5 on page 46 of your 1040 instructions (but not Worksheet B)	Step 5, Earned Income
1040A	Step 5 on page 42 of your 1040A instructions	Step 5, Earned Income

* If you were a member of the clergy, subtract the following from the amount on line 4b: (a) the rental value of a home or the nontaxable portion of an allowance for a home furnished to you (including payments for utilities) and (b) the value of meals and lodging provided to you, your spouse, and your dependents for your employer's convenience.

- No. 1040 filers:** Go to question 3.
1040A filers: Skip question 3 and go to question 4.

3. Were you, or your spouse if filing a joint return, self-employed, or are you filing Schedule SE because you were a member of the clergy or you had church employee income, or are you filing Schedule C or C-EZ as a statutory employee?

- No.** Go to question 4.
- Yes.** Use Pub. 972 to figure the amount to enter on Form 8812, line 4.

4. Does the amount on line 7 of Form 1040 or Form 1040A include any of the following amounts?

- Taxable scholarship or fellowship grants not reported on a Form W-2.
- Amounts paid to an inmate in a penal institution for work (enter "PRI" and the amount paid in the space next to line 7 of Form 1040 or 1040A).
- Amounts received as a pension or annuity from a nonqualified deferred compensation plan or a nongovernmental section 457 plan (enter "DFC" and the amount received in the space next to line 7 of Form 1040 or 1040A). This amount may be reported in box 11 of your Form W-2. If you received such an amount but box 11 is blank, contact your employer for the amount received as a pension or annuity.
- Amounts from Form 2555, line 41, or Form 2555-EZ, line 18.

No. Enter the amount from line 7 of Form 1040 or Form 1040A on Form 8812, line 4.

Yes. Subtract the total of those amounts from the amount on line 7 of Form 1040 or Form 1040A. (If an amount is included in more than one of the above categories, include it only once in figuring the total amount to subtract.) Enter the result on Form 8812, line 4.

Railroad Employees

If you worked for a railroad, include the following taxes in the total on Form 8812, line 7.

- Tier 1 tax withheld from your pay. This tax should be shown in box 14 of your Form(s) W-2 and identified as "Tier 1 tax."
- If you were an employee representative, 50% of the total tier 1 tax and tier 1 Medicare tax you paid for 2004.

1040A Filers

If you, or your spouse if filing a joint return, had more than one employer for 2004 and total wages of over \$87,900, figure any excess social security and tier 1 railroad retirement (RRTA) taxes withheld. See the instructions for Form 1040A, line 43. Include any excess on Form 8812, line 10.

Paperwork Reduction Act Notice. We ask for the information on this form to carry out the Internal Revenue laws of the United States. You are required to give us the information. We need it to ensure that you are complying with these laws and to allow us to figure and collect the right amount of tax.

You are not required to provide the information requested on a form that is subject to the Paperwork Reduction Act unless the form displays a valid OMB control number. Books or records relating to a form or its instructions must be retained as long as their contents may become material in the administration of any Internal Revenue law. Generally, tax returns and return information are confidential, as required by Internal Revenue Code section 6103.

The time needed to complete and file this form will vary depending on individual circumstances. The estimated average time is: **Recordkeeping**, 6 min.; **Learning about the law or the form**, 5 min.; **Preparing the form**, 28 min.; **Copying, assembling, and sending the form to the IRS**, 20 min.

If you have comments concerning the accuracy of these time estimates or suggestions for making this form simpler, we would be happy to hear from you. See the Instructions for Form 1040 or Form 1040A.

Form 1040A—Line 32

Child Tax Credit Worksheet—Line 33

Keep for Your Records



- To be a qualifying child for the child tax credit, the child must be **under age 17** at the end of 2004 and meet the other requirements listed on page 35.
- Do not** use this worksheet if you answered “Yes” to question 1 or 2 on page 35. Instead, use Pub. 972.



1. Number of qualifying children: 4 × \$1,000. Enter the result.

1	4,000.00
---	----------

2. Enter the amount from Form 1040A, line 28.

2	318.00
---	--------

3. Add the amounts from Form 1040A:
 Line 29 _____
 Line 30 + _____
 Line 31 + _____ Enter the total.

3	0.00
---	------

4. Are the amounts on lines 2 and 3 the same?
 Yes.
 You cannot take this credit because there is no tax to reduce. However, you may be able to take the **additional child tax credit**. See the **TIP** below before completing the rest of your Form 1040A.
 No. Subtract line 3 from line 2.

4	318.00
---	--------

5. Is the amount on line 1 more than the amount on line 4?
 Yes. Enter the amount from line 4. Also, you may be able to take the **additional child tax credit**. See the **TIP** below. **This is your child tax credit.**

5	318.00
---	--------

 No. Enter the amount from line 1.

Enter this amount on Form 1040A, line 32.



You may be able to take the **additional child tax credit** on Form 1040A, line 42, if you answered “Yes” on line 4 or line 5 above.

- First, complete your Form 1040A through line 41.
- Then, use Form 8812 to figure any additional child tax credit.

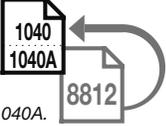
Exercise 1(B)

The Howard's 1040A, page 2

Form 1040A (2004)		Page 2
Tax, credits, and payments	22 Enter the amount from line 21 (adjusted gross income).	22 31,467
Standard Deduction for— ● People who checked any box on line 23a or 23b or who can be claimed as a dependent, see page 32. ● All others: Single or Married filing separately, \$4,850 Married filing jointly or Qualifying widow(er), \$9,700 Head of household, \$7,150	23a Check if: <input type="checkbox"/> You were born before January 2, 1940, <input type="checkbox"/> Blind } Total boxes checked ▶ 23a <input type="checkbox"/> <input type="checkbox"/> Spouse was born before January 2, 1940, <input type="checkbox"/> Blind }	
	b If you are married filing separately and your spouse itemizes deductions, see page 32 and check here ▶ 23b <input type="checkbox"/>	
	24 Enter your standard deduction (see left margin).	24 9,700
	25 Subtract line 24 from line 22. If line 24 is more than line 22, enter -0-.	25 21,767
	26 Multiply \$3,100 by the total number of exemptions claimed on line 6d.	26 18,600
	27 Subtract line 26 from line 25. If line 26 is more than line 25, enter -0-. This is your taxable income .	▶ 27 3,167
	28 Tax , including any alternative minimum tax (see page 33).	28 318
	29 Credit for child and dependent care expenses. Attach Schedule 2.	29
	30 Credit for the elderly or the disabled. Attach Schedule 3.	30
	31 Education credits. Attach Form 8863.	31
32 Child tax credit (see page 37).	32 318	
33 Retirement savings contributions credit. Attach Form 8880.	33	
34 Adoption credit. Attach Form 8839.	34	
35 Add lines 29 through 34. These are your total credits .	35 318	
36 Subtract line 35 from line 28. If line 35 is more than line 28, enter -0-.	36	
37 Advance earned income credit payments from Form(s) W-2.	37	
38 Add lines 36 and 37. This is your total tax .	▶ 38	
39 Federal income tax withheld from Forms W-2 and 1099.	39	
40 2004 estimated tax payments and amount applied from 2003 return.	40	
41 Earned income credit (EIC) .	41	
42 Additional child tax credit. Attach Form 8812.	42	
43 Add lines 39 through 42. These are your total payments .	▶ 43	
Refund	44 If line 43 is more than line 38, subtract line 38 from line 43. This is the amount you overpaid .	44
Direct deposit? See page 50 and fill in 45b, 45c, and 45d.	45a Amount of line 44 you want refunded to you .	▶ 45a
	▶ b Routing number <input type="text" value=""/> ▶ c Type: <input type="checkbox"/> Checking <input type="checkbox"/> Savings	
	▶ d Account number <input type="text" value=""/>	
	46 Amount of line 44 you want applied to your 2005 estimated tax .	46
Amount you owe	47 Amount you owe . Subtract line 43 from line 38. For details on how to pay, see page 51.	▶ 47
	48 Estimated tax penalty (see page 52).	48
Third party designee	Do you want to allow another person to discuss this return with the IRS (see page 52)? <input type="checkbox"/> Yes. Complete the following. <input type="checkbox"/> No	
	Designee's name ▶ _____	Phone no. ▶ () _____
		Personal identification number (PIN) ▶ <input type="text" value=""/>
Sign here	Under penalties of perjury, I declare that I have examined this return and accompanying schedules and statements, and to the best of my knowledge and belief, they are true, correct, and accurately list all amounts and sources of income I received during the tax year. Declaration of preparer (other than the taxpayer) is based on all information of which the preparer has any knowledge.	
Joint return? See page 20. Keep a copy for your records.	Your signature _____	Date _____
	Spouse's signature. If a joint return, both must sign. _____	Date _____
	Your occupation _____	Daytime phone number () _____
	Spouse's occupation _____	
Paid preparer's use only	Preparer's signature ▶ _____	Date _____
	Firm's name (or yours if self-employed), address, and ZIP code ▶ _____	Check if self-employed <input type="checkbox"/>
		Preparer's SSN or PTIN _____
		EIN _____
		Phone no. () _____

Exercise 1(C)

The Howard's Form 8812, page 1

Form 8812 Department of the Treasury Internal Revenue Service (99)	<h2 style="margin:0;">Additional Child Tax Credit</h2> <p style="font-size: small; margin: 5px 0;">Complete and attach to Form 1040 or Form 1040A.</p>		OMB No. 1545-1620 <h1 style="margin:0;">2004</h1> Attachment Sequence No. 47
Name(s) shown on return Victor and Emily Howard		Your social security number XXX XX XXXX	
Part I All Filers			
1 Enter the amount from line 1 of your Child Tax Credit Worksheet on page 41 of the Form 1040 instructions or page 38 of the Form 1040A instructions. If you used Pub. 972, enter the amount from line 8 of the worksheet on page 4 of the publication	1	4,000	
2 Enter the amount from Form 1040, line 51, or Form 1040A, line 32	2	318	
3 Subtract line 2 from line 1. If zero, stop ; you cannot take this credit	3	3,682	
4 Enter your total taxable earned income. See the instructions on back	4	18,467	
5 Is the amount on line 4 more than \$10,750? <input type="checkbox"/> No. Leave line 5 blank and enter -0- on line 6. <input checked="" type="checkbox"/> Yes. Subtract \$10,750 from the amount on line 4. Enter the result	5	7,717	
6 Multiply the amount on line 5 by 10% (.10) and enter the result Next. Do you have three or more qualifying children? <input type="checkbox"/> No. If line 6 is zero, stop ; you cannot take this credit. Otherwise, skip Part II and enter the smaller of line 3 or line 6 on line 13. <input checked="" type="checkbox"/> Yes. If line 6 is equal to or more than line 3, skip Part II and enter the amount from line 3 on line 13. Otherwise, go to line 7.	6	772	
Part II Certain Filers Who Have Three or More Qualifying Children			
7 Enter the total of the withheld social security and Medicare taxes from Form(s) W-2, boxes 4 and 6. If married filing jointly, include your spouse's amounts with yours. If you worked for a railroad, see the instructions on back	7	1,413	
8 1040 filers: Enter the total of the amounts from Form 1040, lines 30 and 58, plus any uncollected social security and Medicare or tier 1 RRTA taxes included on line 62. 1040A filers: Enter -0-.	8	0	
9 Add lines 7 and 8	9	1,413	
10 1040 filers: Enter the total of the amounts from Form 1040, lines 65 and 66. 1040A filers: Enter the total of the amount from Form 1040A, line 41, plus any excess social security and tier 1 RRTA taxes withheld that you entered to the left of line 43 (see the instructions on back).	10	839	
11 Subtract line 10 from line 9. If zero or less, enter -0-	11	574	
12 Enter the larger of line 6 or line 11 here Next, enter the smaller of line 3 or line 12 on line 13.	12	772	
Part III Your Additional Child Tax Credit			
13 This is your additional child tax credit	13	772	
		Enter this amount on Form 1040, line 67, or Form 1040A, line 42.	
For Paperwork Reduction Act Notice, see back of form.		Cat. No. 10644E	Form 8812 (2004)

WAGE EARNER COMPREHENSIVE PROBLEMS

INTRODUCTION

In this section, you will complete tax returns for several common wage earner scenarios often encountered at volunteer assistance sites. This will be valuable practice as you prepare to help taxpayers. Although answers to each of the problems are shown at the end of this section, you should try to complete the blank forms for each problem before referring to its answers.

After completing this section, you will be able to:

- accurately complete a basic tax return.

PROBLEM 1

John Marshall, a sophomore in college, wants help with preparing his tax return. He tells you he is 20 years old (born May 28, 1984). Although he lives in the dorm at college, his parents can claim him as a dependent on their tax return. He does not wish to contribute to the presidential election campaign. If he receives a refund he would like it direct deposited into his checking account (account number xxxxxx, routing number xxxxxxxxx). John does not want to name a third party designee. His address and SSN are correct on his Form W-2 and Form 1099-INT. Your site identification number is Sxxxxxxx.

a Control number		OMB No. 1545-0008		Safe, accurate, FAST! Use 		Visit the IRS website at www.irs.gov .									
b Employer identification number xx-xxxxxxx				1 Wages, tips, other compensation 2,694.00	2 Federal income tax withheld 52.00										
c Employer's name, address, and ZIP code Norfolk Trading Company 819 Ferris St. Your City, State, and Zip Code				3 Social security wages 2,694.00		4 Social security tax withheld 94.00									
				5 Medicare wages and tips 2,694.00		6 Medicare tax withheld 39.00									
				7 Social security tips		8 Allocated tips									
d Employee's social security number xxx-xx-xxxx				9 Advance EIC payment		10 Dependent care benefits									
e Employee's first name and initial Last name John Marshall 878 Hudson Ave Your City, State, and Zip Code				11 Nonqualified plans		12a See instructions for box 12									
				13 Statutory employee <input type="checkbox"/> Retirement plan <input checked="" type="checkbox"/> Third-party sick pay <input type="checkbox"/>		12b									
				14 Other		12c									
						12d									
f Employee's address and ZIP code				15 State Employer's state ID number Your xx-xxxxxxx		16 State wages, tips, etc. 2,694.00		17 State income tax 25.00		18 Local wages, tips, etc.		19 Local income tax		20 Locality name	

Form **W-2** Wage and Tax Statement **2004** Department of the Treasury—Internal Revenue Service

Copy B—To Be Filed With Employee's FEDERAL Tax Return.
This information is being furnished to the Internal Revenue Service.

WAGE EARNER COMPREHENSIVE PROBLEMS

CORRECTED (if checked)

PAYER'S name, street address, city, state, ZIP code, and telephone no. First Bank 2940 N. Second St. Your City, State, and Zip Code		Payer's RTN (optional)	OMB No. 1545-0112 2004 Form 1099-INT	Interest Income Copy B For Recipient This is important tax information and is being furnished to the Internal Revenue Service. If you are required to file a return, a negligence penalty or other sanction may be imposed on you if this income is taxable and the IRS determines that it has not been reported.
PAYER'S Federal identification number xx-xxxxxxx	RECIPIENT'S identification number xxx-xx-xxxx	1 Interest income not included in box 3 \$ 50.00		
RECIPIENT'S name John Marshall Street address (including apt. no.) 878 Hudson City, state, and ZIP code Your City, State, and Zip Code		2 Early withdrawal penalty \$	3 Interest on U.S. Savings Bonds and Treas. obligations \$	
		4 Federal income tax withheld \$	5 Investment expenses \$	
Account number (optional)		6 Foreign tax paid \$	7 Foreign country or U.S. possession	

Form **1099-INT**

(keep for your records)

Department of the Treasury - Internal Revenue Service

WAGE EARNER COMPREHENSIVE PROBLEMS

Use this form if

- Your filing status is single or married filing jointly. If you are not sure about your filing status, see page 11.
 - You (and your spouse if married filing jointly) were under age 65 and not blind at the end of 2004. If you were born on January 1, 1940, you are considered to be age 65 at the end of 2004.
 - You do not claim any dependents. For information on dependents, use TeleTax topic 354 (see page 6).
 - Your taxable income (line 6) is less than \$50,000.
 - You do not claim any adjustments to income. For information on adjustments to income, use TeleTax topics 451-458 (see page 6).
 - The only tax credit you can claim is the earned income credit. For information on credits, use TeleTax topics 601-608 and 610 (see page 6).
 - You had **only** wages, salaries, tips, taxable scholarship or fellowship grants, unemployment compensation, or Alaska Permanent Fund dividends, and your taxable interest was not over \$1,500. **But** if you earned tips, including allocated tips, that are not included in box 5 and box 7 of your W-2, you may not be able to use Form 1040EZ (see page 13). If you are planning to use Form 1040EZ for a child who received Alaska Permanent Fund dividends, see page 14.
 - You did not receive any advance earned income credit payments.
- If you have questions about dependents, use TeleTax topic 354 (see page 6). If you **cannot use this form**, use TeleTax topic 352 (see page 6).

Filling in your return

For tips on how to avoid common mistakes, see page 21.

If you received a scholarship or fellowship grant or tax-exempt interest income, such as on municipal bonds, see the booklet before filling in the form. Also, see the booklet if you received a Form 1099-INT showing Federal income tax withheld or if Federal income tax was withheld from your unemployment compensation or Alaska Permanent Fund dividends.

Remember, you must report all wages, salaries, and tips even if you do not get a Form W-2 from your employer. You must also report all your taxable interest, including interest from banks, savings and loans, credit unions, etc., even if you do not get a Form 1099-INT.

Worksheet for dependents who checked "Yes" on line 5

(keep a copy for your records)

Use this worksheet to figure the amount to enter on line 5 if someone can claim you (or your spouse if married filing jointly) as a dependent, even if that person chooses not to do so. To find out if someone can claim you as a dependent, use TeleTax topic 354 (see page 6).

- A. Amount, if any, from line 1 on front _____
 + 250.00 Enter total ► A. _____
- B. Minimum standard deduction B. 800.00
- C. Enter the **larger** of line A or line B here C. _____
- D. Maximum standard deduction. If **single**, enter \$4,850; if **married filing jointly**, enter \$9,700 D. _____
- E. Enter the **smaller** of line C or line D here. This is your standard deduction E. _____
- F. Exemption amount. } F. _____
- If single, enter -0-.
 - If married filing jointly and—
 - both you and your spouse can be claimed as dependents, enter -0-.
 - only one of you can be claimed as a dependent, enter \$3,100.
- G. Add lines E and F. Enter the total here and on line 5 on the front . . . G. _____

If you checked **"No"** on line 5 because no one can claim you (or your spouse if married filing jointly) as a dependent, enter on line 5 the amount shown below that applies to you.

- Single, enter \$7,950. This is the total of your standard deduction (\$4,850) and your exemption (\$3,100).
- Married filing jointly, enter \$15,900. This is the total of your standard deduction (\$9,700), your exemption (\$3,100), and your spouse's exemption (\$3,100).

Mailing return

Mail your return by **April 15, 2005**. Use the envelope that came with your booklet. If you do not have that envelope or if you moved during the year, see the back cover for the address to use.



WAGE EARNER COMPREHENSIVE PROBLEMS

PROBLEM 2

Melody York is 35 years old (born August 31, 1969) and single. Melody was laid off from her job as a clerk in September and received unemployment compensation for the remainder of the year. She would like to contribute to the Presidential election campaign. If she receives a refund, she would like it direct deposited into her savings account (account number xxxxxxxxxxxx; routing transit number xxxxxxxxxxxx). Melody does not want to name a third party designee. Her address and SSN are correct as shown on her Form W-2 and Form 1099-G. Your site identification number is Sxxxxxxxxx.

a Control number		OMB No. 1545-0008		Safe, accurate, FAST! Use  Visit the IRS website at www.irs.gov .	
b Employer identification number xx-xxxxxxx		1 Wages, tips, other compensation 6,923.12	2 Federal income tax withheld 261.00		
c Employer's name, address, and ZIP code Miller Industries 975 Parks Blvd Your City, State, and Zip Code		3 Social security wages 6,923.12	4 Social security tax withheld 429.00		
		5 Medicare wages and tips 6,923.12	6 Medicare tax withheld 100.00		
		7 Social security tips	8 Allocated tips		
d Employee's social security number xxx-xx-xxxx		9 Advance EIC payment		10 Dependent care benefits	
e Employee's first name and initial Last name Melody York 17 North 9th Avenue Your City, State, and Zip Code		11 Nonqualified plans		12a See instructions for box 12	
		13 Statutory employee <input type="checkbox"/> Retirement plan <input checked="" type="checkbox"/> Third-party sick pay <input type="checkbox"/>	12b		
		14 Other		12c	
f Employee's address and ZIP code				12d	
15 State Employer's state ID number Your xx-xxxxxxx	16 State wages, tips, etc. 6,923.12	17 State income tax 192.36	18 Local wages, tips, etc.	19 Local income tax	20 Locality name

Form **W-2** Wage and Tax Statement

2004

Department of the Treasury—Internal Revenue Service

Copy B—To Be Filed With Employee's FEDERAL Tax Return.
This information is being furnished to the Internal Revenue Service.

WAGE EARNER COMPREHENSIVE PROBLEMS

CORRECTED (if checked)

PAYER'S name, street address, city, state, ZIP code, and telephone no.

Department of Employment Security

4010 West Third St.

Your City, State, and Zip Code

1 Unemployment compensation

\$ **3,240.00**

2 State or local income tax refunds, credits, or offsets

\$

OMB No. 1545-0120

2004

Form **1099-G**

Certain Government Payments

PAYER'S Federal identification number

xx-xxxxxxx

RECIPIENT'S identification number

xxx-xx-xxxx

3 Box 2 amount is for tax year

\$

4 Federal income tax withheld

\$ **0.00**

Copy B For Recipient

RECIPIENT'S name

Melody York

Street address (including apt. no.)

17 North 9th Avenue

City, state, and ZIP code

Your City, State, and Zip Code

5

[Hatched area]

6 Taxable grants

\$

7 Agriculture payments

\$

8 Box 2 is trade or business income

This is important tax information and is being furnished to the Internal Revenue Service. If you are required to file a return, a negligence penalty or other sanction may be imposed on you if this income is taxable and the IRS determines that it has not been reported.

Account number (optional)

Form **1099-G**

(keep for your records)

Department of the Treasury - Internal Revenue Service

WAGE EARNER COMPREHENSIVE PROBLEMS

Problem 2

Form 1040A, front

Form 1040A	Department of the Treasury—Internal Revenue Service U.S. Individual Income Tax Return	2004	IRS Use Only—Do not write or staple in this space.
Label (See page 19.)	Your first name and initial _____ Last name _____		OMB No. 1545-0085 Your social security number _____
Use the IRS label. Otherwise, please print or type.	If a joint return, spouse's first name and initial _____ Last name _____		Spouse's social security number _____
L A B E L H E R E	Home address (number and street). If you have a P.O. box, see page 20. _____ Apt. no. _____		▲ Important! ▲ You must enter your SSN(s) above.
City, town or post office, state, and ZIP code. If you have a foreign address, see page 20. _____			
Presidential Election Campaign (See page 20.)			
Note. Checking "Yes" will not change your tax or reduce your refund. Do you, or your spouse if filing a joint return, want \$3 to go to this fund?		You <input type="checkbox"/> Yes <input type="checkbox"/> No	Spouse <input type="checkbox"/> Yes <input type="checkbox"/> No
Filing status Check only one box.	1 <input type="checkbox"/> Single 2 <input type="checkbox"/> Married filing jointly (even if only one had income) 3 <input type="checkbox"/> Married filing separately. Enter spouse's SSN above and full name here.		
		4 <input type="checkbox"/> Head of household (with qualifying person). (See page 20.) If the qualifying person is a child but not your dependent, enter this child's name here.	
		5 <input type="checkbox"/> Qualifying widow(er) with dependent child (see page 21)	
Exemptions	6a <input type="checkbox"/> Yourself. If someone can claim you as a dependent, do not check box 6a.		Boxes checked on 6a and 6b _____ No. of children on 6c who: • lived with you _____ • did not live with you due to divorce or separation (see page 23) _____ Dependents on 6c not entered above _____
		b <input type="checkbox"/> Spouse	
		c Dependents:	
If more than six dependents, see page 21.	(1) First name _____ Last name _____	(2) Dependent's social security number _____	(3) Dependent's relationship to you _____
		(4) <input checked="" type="checkbox"/> if qualifying child for child tax credit (see page 23)	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>
			Add numbers on lines above <input type="checkbox"/>
d Total number of exemptions claimed.			
Income Attach Form(s) W-2 here. Also attach Form(s) 1099-R if tax was withheld. If you did not get a W-2, see page 24. Enclose, but do not attach, any payment.	7 Wages, salaries, tips, etc. Attach Form(s) W-2. _____ 7		
		8a Taxable interest. Attach Schedule 1 if required. _____ 8a	
		b Tax-exempt interest. Do not include on line 8a. _____ 8b	
		9a Ordinary dividends. Attach Schedule 1 if required. _____ 9a	
		b Qualified dividends (see page 25). _____ 9b	
		10 Capital gain distributions (see page 25). _____ 10	
		11a IRA distributions. _____ 11a	11b Taxable amount (see page 25). _____ 11b
		12a Pensions and annuities. _____ 12a	12b Taxable amount (see page 26). _____ 12b
		13 Unemployment compensation and Alaska Permanent Fund dividends. _____ 13	
		14a Social security benefits. _____ 14a	14b Taxable amount (see page 28). _____ 14b
		15 Add lines 7 through 14b (far right column). This is your total income . ▶ 15	
Adjusted gross income	16 Deduction for clean-fuel vehicles (see page 28). _____ 16		
		17 IRA deduction (see page 28). _____ 17	
		18 Student loan interest deduction (see page 31). _____ 18	
		19 Tuition and fees deduction (see page 31). _____ 19	
		20 Add lines 16 through 19. These are your total adjustments . _____ 20	
		21 Subtract line 20 from line 15. This is your adjusted gross income . ▶ 21	
For Disclosure, Privacy Act, and Paperwork Reduction Act Notice, see page 57.			
		Cat. No. 11327A	Form 1040A (2004)

WAGE EARNER COMPREHENSIVE PROBLEMS

Problem 2

Form 1040A, Earned Income Credit Worksheet, page 1

Form 1040A—Line 41

Line 41 Earned Income Credit (EIC)

What is the EIC?

The EIC is a credit for certain people who work. The credit may give you a refund even if you do not owe any tax.

To Take the EIC:

- Follow the steps below.
- Complete the worksheet that applies to you or let the IRS figure the credit for you.
- If you have a qualifying child, complete and attach Schedule EIC.



If you take the EIC even though you are not eligible and it is determined that your error is due to reckless or intentional disregard of the EIC rules, you will not be allowed to take the credit for 2 years even if you are otherwise eligible to do so. If you fraudulently take the EIC, you will not be allowed to take the credit for 10 years. You may also have to pay penalties.

Step 1 All Filers

1. If, in 2004:
 - 2 children lived with you, is the amount on Form 1040A, line 22, less than \$34,458 (\$35,458 if married filing jointly)?
 - 1 child lived with you, is the amount on Form 1040A, line 22, less than \$30,338 (\$31,338 if married filing jointly)?
 - No children live with you, is the amount on Form 1040A, line 22, less than \$11,490 (\$12,490 if married filing jointly)?

Yes. *Continue* → **No.**  You cannot take the credit.
2. Do you, and your spouse if filing a joint return, have a social security number that allows you to work or is valid for EIC purposes (see page 41)?

Yes. *Continue* → **No.**  You cannot take the credit. Put "No" to the left of the entry space for line 41.
3. Is your filing status married filing separately?

Yes.  You cannot take the credit. **No.** *Continue* →
4. Were you a nonresident alien for any part of 2004?

Yes. See *Nonresident aliens* on page 41. **No.** Go to Step 2.

Step 2 Investment Income

1. Add the amounts from Form 1040A:

Line 8a _____
Line 8b + _____
Line 9a + _____
Line 10 + _____

Investment Income =

2. Is your investment income more than \$2,650?

Yes.  **No.** *Continue* →
You cannot take the credit.
3. Did a child live with you in 2004?

Yes. Go to Step 3 on page 39. **No.** Go to Step 4 on page 39.

(Continued on page 39)

Need more information or forms? See page 7.

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WAGE EARNER COMPREHENSIVE PROBLEMS

Problem 2

Form 1040A, Earned Income Credit Worksheet, page 2

Form 1040A—Line 41

Continued from page 38

Step 3 Qualifying Child

A qualifying child is a child who is your...

Son, daughter, adopted child, stepchild, or a descendant of any of them (for example, your grandchild)

or

Brother, sister, stepbrother, stepsister, or a descendant of any of them (for example, your niece or nephew) whom you cared for as you would your own child

or

Foster child (any child placed with you by an authorized placement agency whom you cared for as you would your own child)

AND

was at the end of 2004...

Under age 19

or

Under age 24 and a student (see page 41)

or

Any age and permanently and totally disabled (see page 41)

AND

who...

Lived with you in the United States for more than half of 2004. If the child did not live with you for the required time, see Exception to "time lived with you" condition on page 40.



If the child was married, see page 41.

1. Look at the qualifying child conditions above. Could you, or your spouse if filing a joint return, be a qualifying child of another person in 2004?

Yes.  **No.** *Continue* →

You cannot take the credit. Put "No" to the left of the entry space for line 41.

2. Do you have at least one child who meets the above conditions to be your qualifying child?

Yes. Go to question 3. **No.** Skip question 3; go to Step 4, question 2.

3. Does the child meet the conditions to be a qualifying child of any other person (other than your spouse if filing a joint return) for 2004?

Yes. See *Qualifying child of more than one person* on page 41. **No.** This child is your qualifying child. The child must have a valid social security number as defined on page 41 unless the child was born and died in 2004. Skip Step 4; go to Step 5 on page 40.

Step 4 Filers Without a Qualifying Child

1. Look at the qualifying child conditions in Step 3. Could you, or your spouse if filing a joint return, be a qualifying child of another person in 2004?

Yes.  **No.** *Continue* →

You cannot take the credit. Put "No" to the left of the entry space for line 41.

2. Can you, or your spouse if filing a joint return, be claimed as a dependent on someone else's 2004 tax return?

Yes.  **No.** *Continue* →

You cannot take the credit.

3. Were you, or your spouse if filing a joint return, born before January 2, 1980, but under age 65 at the end of 2004?

Yes. *Continue* → **No.**  You cannot take the credit.

4. Was your home, and your spouse's if filing a joint return, in the United States for more than half of 2004? Members of the military stationed outside the United States, see page 41 before you answer.

Yes. Go to Step 5 on page 40. **No.**  You cannot take the credit. Put "No" to the left of the entry space for line 41.

(Continued on page 40)

Form 1040A—Line 41

Continued from page 39

Step 5 Earned Income

1. Figure earned income:

Form 1040A, line 7 _____

Subtract, if included on line 7, any:

- Taxable scholarship or fellowship grant not reported on a Form W-2.
- Amount paid to an inmate in a penal institution for work (put "PRI" and the amount subtracted to the left of the entry space for line 7 of Form 1040A).
- Amount received as a pension or annuity from a nonqualified deferred compensation plan or a nongovernmental section 457 plan (put "DFC" and the amount subtracted to the left of the entry space for line 7 of Form 1040A). This amount may be shown in box 11 of your Form W-2. If you received such an amount but box 11 is blank, contact your employer for the amount received as a pension or annuity.

Earned Income =

2. If you have:

- 2 or more qualifying children, is your earned income less than \$34,458 (\$35,458 if married filing jointly)?
- 1 qualifying child, is your earned income less than \$30,338 (\$31,338 if married filing jointly)?
- No qualifying children, is your earned income less than \$11,490 (\$12,490 if married filing jointly)?

Yes. Go to Step 6.

No. You cannot take the credit.

Step 6 How To Figure the Credit

1. Do you want the IRS to figure the credit for you?

Yes. See *Credit figured by the IRS* on this page.

No. Go to the worksheet on page 42.

Definitions and Special Rules

(listed in alphabetical order)

Adopted child. An adopted child is always treated as your own child. An adopted child includes a child placed with you by an authorized placement agency for legal adoption even if the adoption is not final. An authorized placement agency includes any person or court authorized by state law to place children for legal adoption.

Credit figured by the IRS. To have the IRS figure the credit for you:

1. Put "EIC" to the left of the entry space for line 41 of Form 1040A.
2. If you have a qualifying child, complete and attach Schedule EIC. If your EIC for a year after 1996 was reduced or disallowed, see *Form 8862, Who must file*, below.

Exception to "time lived with you" condition. A child is considered to have lived with you for all of 2004 if the child was born or died in 2004 and your home was this child's home for the entire time he or she was alive in 2004. Temporary absences, such as for school, vacation, medical care, or detention in a juvenile facility, count as time lived at home. If your child is presumed to have been kidnapped by someone who is not a family member, see Pub. 596 to find out if that child is a qualifying child for the EIC. To get Pub. 596, see page 7. If you were in the military stationed outside the United States, see *Members of the military* on page 41.

Form 8862, Who must file. You must file Form 8862 if your EIC for a year after 1996 was reduced or disallowed for any reason other than a math or clerical error. But you do not have to file Form 8862 if either of the following applies.

1. After your EIC was reduced or disallowed in an earlier year (a) you filed Form 8862 (or other documents) and your EIC was then allowed, and (b) your EIC has not been reduced or disallowed again for any reason other than a math or clerical error.
2. You are taking the EIC without a qualifying child and the only reason your EIC was reduced or disallowed in the earlier year was because it was determined that a child listed on Schedule EIC was not your qualifying child.

Also, do not file Form 8862 or take the credit for 2 years if it was determined that your error was due to reckless or intentional disregard of the EIC rules (or 10 years if due to fraud).

(Continued on page 41)

WAGE EARNER COMPREHENSIVE PROBLEMS

Problem 2

Form 1040A, Earned Income Credit Worksheets, page 4

Form 1040A—Line 41

Continued from page 40

Married child. A child who was married at the end of 2004 is a qualifying child only if (a) you can claim him or her as your dependent on Form 1040A, line 6c, or (b) this child's other parent claims him or her as a dependent under the rules on page 20 for *Children of divorced or separated parents*.

Members of the military. If you were on extended active duty outside the United States, your home is considered to be in the United States during that duty period. Extended active duty is military duty ordered for an indefinite period or for a period of more than 90 days. Once you begin serving extended active duty, you are considered to be on extended active duty even if you serve fewer than 90 days.

Nonresident aliens. If your filing status is married filing jointly, go to Step 2 on page 38. Otherwise, stop; you cannot take the EIC.

Permanently and totally disabled child. A child who cannot engage in any substantial gainful activity because of a physical or mental condition and a doctor has determined that this condition:

- Has lasted or can be expected to last continuously for at least a year, or
- Can lead to death.

Qualifying child of more than one person. If the child meets the conditions to be a qualifying child of more than one person, only one person can take the EIC based on that child. The other person(s) cannot take the EIC for people without a qualifying child, but may take the EIC based on a different qualifying child. If you and the other person(s) cannot agree who will take the EIC, then the following rules apply.

- If only one of the persons is the child's parent, the child will be treated as the qualifying child of the parent.
- If both persons are the child's parents, the child will be treated as the qualifying child of the parent with whom the child lived for the longer period of time during 2004. If the child lived with each parent for the same amount of time, the child will be treated as the qualifying child of the parent who had the higher adjusted gross income (AGI) for 2004.
- If none of the persons is the child's parent, the child will be treated as the qualifying child of the person who had the highest AGI for 2004.

The child must have a valid social security number as defined below unless the child was born and died in 2004. If you do not have a qualifying child, stop; you cannot take the EIC. Put "No" to the left of the entry space for line 41. If you have a qualifying child, skip Step 4; go to Step 5 on page 40.

Example. You and your 5-year-old daughter moved in with your mother in April 2004. You are not a qualifying child of your mother. Your daughter meets the conditions to be a qualifying child for both you and your mother. If you and your mother cannot agree on who will treat your daughter as a qualifying child, the above rules apply. Under these rules, you are entitled to treat your daughter as a qualifying child because you are the child's parent. Your mother would not be entitled to claim any EIC unless she has a different qualifying child.

Social security number (SSN). For purposes of taking the EIC, a valid SSN is a number issued by the Social Security Administration unless "Not Valid for Employment" is printed on the social security card and the number was issued solely to apply for or receive a federally funded benefit.

To find out how to get an SSN, see page 18. If you will not have an SSN by April 15, 2005, see *What if You Cannot File on Time?* on page 12.

Student. A child who during any 5 months of 2004:

- Was enrolled as a full-time student at a school, or
- Took a full-time, on-farm training course given by a school or a state, county, or local government agency.

A school includes technical, trade, and mechanical schools. It does not include on-the-job training courses, correspondence schools, or night schools.

Welfare benefits, effect of credit on. Any refund you receive as a result of taking the EIC will not be used to determine if you are eligible for the following programs or how much you can receive from them. But if the refund you receive because of the EIC is not spent within a certain period of time, it may count as an asset (or resource) and affect your eligibility.

- Temporary Assistance for Needy Families (TANF).
- Medicaid and supplemental security income (SSI).
- Food stamps and low-income housing.

WAGE EARNER COMPREHENSIVE PROBLEMS

Problem 2

Form 1040A, Earned Income Credit Worksheets, page 5

Form 1040A—Line 41

Earned Income Credit (EIC) Worksheet—Line 41

Keep for Your Records



Part 1

All Filers

1. Enter your earned income from Step 5 on page 40.

1	
---	--

2. Look up the amount on line 1 above in the EIC Table on pages 43–47 to find the credit. Be sure you use the correct column for your filing status and the number of children you have. Enter the credit here.

2	
---	--

If line 2 is zero,  You cannot take the credit. Put “No” to the left of the entry space for line 41.

3. Enter the amount from Form 1040A, line 22.

3	
---	--

4. Are the amounts on lines 3 and 1 the same?

- Yes.** Skip line 5; enter the amount from line 2 on line 6.
 No. Go to line 5.

Part 2

Filers Who Answered “No” on Line 4

5. If you have:

- No qualifying children, is the amount on line 3 less than \$6,400 (\$7,400 if married filing jointly)?
- 1 or more qualifying children, is the amount on line 3 less than \$14,050 (\$15,050 if married filing jointly)?

Yes. Leave line 5 blank; enter the amount from line 2 on line 6.

No. Look up the amount on line 3 in the EIC Table on pages 43–47 to find the credit. Be sure you use the correct column for your filing status and the number of children you have. Enter the credit here.

5	
---	--

Look at the amounts on lines 5 and 2. Then, enter the **smaller** amount on line 6.

Part 3

Your Earned Income Credit

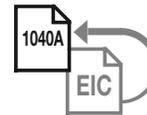
6. This is your earned income credit.

6	
---	--

Enter this amount on Form 1040A, line 41.

Reminder—

- ✓ If you have a qualifying child, complete and attach Schedule EIC.



If your EIC for a year after 1996 was reduced or disallowed, see page 40 to find out if you must file Form 8862 to take the credit for 2004.

Need more information or forms? See page 7.

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WAGE EARNER COMPREHENSIVE PROBLEMS

PROBLEM 3

Marvin Simmons is 56 (born on December 4, 1948). His grandson, Eric Simmons (SSN xxx-xx-xxxx; born on March 10, 1993), has lived with him for the last two years. Marvin pays the total cost of keeping up a home for himself and his grandson and provides all the support for Eric. Eric is a qualifying child for EIC purposes.

Marvin paid \$978 in child care expenses to allow him to work. The provider information is as follows:

Joy Day Care
 9192 East Huron St.
 Your City, State, Zip Code
 EIN: xx-xxxxxxx

He does not want to contribute to the presidential election campaign and if he is due a refund, he would like a direct deposit to his checking account (account xxxxxxxxxxxxxxxx; routing transit number xxxxxxxxx). His address and SSN are correct on his Form W-2. He does not want to designate a third party. Marvin is a mechanic. Your site identification number is Sxxxxxxxx.

a Control number		OMB No. 1545-0008		Safe, accurate, FAST! Use 		Visit the IRS website at www.irs.gov .			
b Employer identification number xx-xxxxxxx				1 Wages, tips, other compensation 24,952.00	2 Federal income tax withheld 1,964.00				
c Employer's name, address, and ZIP code Endicott Motors 473 Endicott Lane Your City, State, and Zip Code				3 Social security wages 24,952.00	4 Social security tax withheld 1,547.00				
				5 Medicare wages and tips 24,952.00		6 Medicare tax withheld 362.00			
				7 Social security tips		8 Allocated tips			
d Employee's social security number xxx-xx-xxxx				9 Advance EIC payment 600.00		10 Dependent care benefits			
e Employee's first name and initial Marvin Simmons		Last name		11 Nonqualified plans		12a See instructions for box 12			
9701 Austin Rd.		Your City, State, and Zip Code		13 Statutory employee <input type="checkbox"/> Retirement plan <input checked="" type="checkbox"/> Third-party sick pay <input type="checkbox"/>		12b			
f Employee's address and ZIP code				14 Other		12c			
						12d			
15 State	Employer's state ID number	16 State wages, tips, etc.	17 State income tax	18 Local wages, tips, etc.	19 Local income tax	20 Locality name			
Your	xx-xxxxxxx	24,952.00	875.00						

Form **W-2** Wage and Tax Statement

2004

Department of the Treasury—Internal Revenue Service

Copy B—To Be Filed With Employee's FEDERAL Tax Return.
 This information is being furnished to the Internal Revenue Service.

WAGE EARNER COMPREHENSIVE PROBLEMS

Problem 3

Form 1040, front

Form **1040**

Department of the Treasury—Internal Revenue Service
U.S. Individual Income Tax Return 2004

(99) IRS Use Only—Do not write or staple in this space.

For the year Jan. 1–Dec. 31, 2004, or other tax year beginning _____, 2004, ending _____, 20

OMB No. 1545-0074

Label

(See instructions on page 19.)

Use the IRS label. Otherwise, please print or type.

L A B E L H E R E

Your first name and initial		Last name	
If a joint return, spouse's first name and initial		Last name	
Home address (number and street). If you have a P.O. box, see page 19.			Apt. no.
City, town or post office, state, and ZIP code. If you have a foreign address, see page 19.			

Your social security number _____

Spouse's social security number _____

▲ Important! ▲
You must enter your SSN(s) above.

Presidential Election Campaign (See page 19.)

Note. Checking "Yes" will not change your tax or reduce your refund.
Do you, or your spouse if filing a joint return, want \$3 to go to this fund? **You** **Spouse**
 Yes **No** **Yes** **No**

Filing Status

Check only one box.

- 1 Single
- 2 Married filing jointly (even if only one had income)
- 3 Married filing separately. Enter spouse's SSN above and full name here. ▶
- 4 Head of household (with qualifying person). (See page 20.) If the qualifying person is a child but not your dependent, enter this child's name here. ▶
- 5 Qualifying widow(er) with dependent child (see page 20)

Exemptions

If more than four dependents, see page 21.

6a **Yourself.** If someone can claim you as a dependent, **do not** check box 6a

b **Spouse**

c Dependents:		(2) Dependent's social security number	(3) Dependent's relationship to you	(4) <input checked="" type="checkbox"/> if qualifying child for child tax credit (see page 21)
(1) First name	Last name			<input type="checkbox"/>
				<input type="checkbox"/>
				<input type="checkbox"/>
				<input type="checkbox"/>

d Total number of exemptions claimed

Boxes checked on 6a and 6b _____
No. of children on 6c who:
• lived with you _____
• did not live with you due to divorce or separation (see page 21) _____
Dependents on 6c not entered above _____
Add numbers on lines above ▶

Income

Attach Forms W-2 and W-2G here. Also attach Form(s) 1099-R if tax was withheld.

If you did not get a W-2, see page 22.

Enclose, but do not attach, any payment. Also, please use **Form 1040-V.**

7	Wages, salaries, tips, etc. Attach Form(s) W-2		7
8a	Taxable interest. Attach Schedule B if required		8a
b	Tax-exempt interest. Do not include on line 8a	8b	
9a	Ordinary dividends. Attach Schedule B if required		9a
b	Qualified dividends (see page 23)	9b	
10	Taxable refunds, credits, or offsets of state and local income taxes (see page 23)		10
11	Alimony received		11
12	Business income or (loss). Attach Schedule C or C-EZ		12
13	Capital gain or (loss). Attach Schedule D if required. If not required, check here ▶ <input type="checkbox"/>		13
14	Other gains or (losses). Attach Form 4797		14
15a	IRA distributions	15a	15b
b	Taxable amount (see page 25)		
16a	Pensions and annuities	16a	16b
b	Taxable amount (see page 25)		
17	Rental real estate, royalties, partnerships, S corporations, trusts, etc. Attach Schedule E		17
18	Farm income or (loss). Attach Schedule F		18
19	Unemployment compensation		19
20a	Social security benefits	20a	20b
b	Taxable amount (see page 27)		
21	Other income. List type and amount (see page 27)		21
22	Add the amounts in the far right column for lines 7 through 21. This is your total income ▶		22

Adjusted Gross Income

23	Deduction for clean-fuel vehicles (see page 29)	23	
24	Certain business expenses of reservists, performing artists, and fee-basis government officials. Attach Form 2106 or 2106-EZ	24	
25	IRA deduction (see page 29)	25	
26	Student loan interest deduction (see page 31)	26	
27	Tuition and fees deduction (see page 32)	27	
28	Health savings account deduction. Attach Form 8889	28	
29	Moving expenses. Attach Form 3903	29	
30	One-half of self-employment tax. Attach Schedule SE	30	
31	Self-employed health insurance deduction (see page 33)	31	
32	Self-employed SEP, SIMPLE, and qualified plans	32	
33	Penalty on early withdrawal of savings	33	
34a	Alimony paid b Recipient's SSN ▶	34a	
35	Add lines 23 through 34a	35	
36	Subtract line 35 from line 22. This is your adjusted gross income ▶	36	

For Disclosure, Privacy Act, and Paperwork Reduction Act Notice, see page 77.

Cat. No. 11320B

Form **1040** (2004)

WAGE EARNER COMPREHENSIVE PROBLEMS

Problem 3

Form 2441, page 1

Form **2441**

Child and Dependent Care Expenses

OMB No. 1545-0068

2004

Attachment Sequence No. **21**

Department of the Treasury
Internal Revenue Service (99)

▶ Attach to Form 1040.

▶ See separate instructions.

Name(s) shown on Form 1040

Your social security number

Before you begin: You need to understand the following terms. See **Definitions** on page 1 of the instructions.

- **Dependent Care Benefits**
- **Qualifying Person(s)**
- **Qualified Expenses**
- **Earned Income**

Part I **Persons or Organizations Who Provided the Care**—You must complete this part.
(If you need more space, use the bottom of page 2.)

1	(a) Care provider's name	(b) Address (number, street, apt. no., city, state, and ZIP code)	(c) Identifying number (SSN or EIN)	(d) Amount paid (see instructions)

Did you receive dependent care benefits?

No → Complete only Part II below.

Yes → Complete Part III on the back next.

Caution. If the care was provided in your home, you may owe employment taxes. See the instructions for Form 1040, line 61.

Part II **Credit for Child and Dependent Care Expenses**

2 Information about your **qualifying person(s)**. If you have more than two qualifying persons, see the instructions.

(a) Qualifying person's name		(b) Qualifying person's social security number	(c) Qualified expenses you incurred and paid in 2004 for the person listed in column (a)
First	Last		

3 Add the amounts in column (c) of line 2. Do not enter more than \$3,000 for one qualifying person or \$6,000 for two or more persons. If you completed Part III, enter the amount from line 34	3																																																													
4 Enter your earned income	4																																																													
5 If married filing jointly, enter your spouse's earned income (if your spouse was a student or was disabled, see the instructions); all others , enter the amount from line 4	5																																																													
6 Enter the smallest of line 3, 4, or 5	6																																																													
7 Enter the amount from Form 1040, line 37	7																																																													
8 Enter on line 8 the decimal amount shown below that applies to the amount on line 7	8	X .																																																												
<table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th colspan="3" style="text-align: left; border-bottom: 1px solid black;">If line 7 is:</th> <th colspan="3" style="text-align: left; border-bottom: 1px solid black;">If line 7 is:</th> </tr> <tr> <th style="text-align: left; border-bottom: 1px solid black;">Over</th> <th style="text-align: left; border-bottom: 1px solid black;">But not over</th> <th style="text-align: left; border-bottom: 1px solid black;">Decimal amount is</th> <th style="text-align: left; border-bottom: 1px solid black;">Over</th> <th style="text-align: left; border-bottom: 1px solid black;">But not over</th> <th style="text-align: left; border-bottom: 1px solid black;">Decimal amount is</th> </tr> </thead> <tbody> <tr> <td>\$0—15,000</td> <td></td> <td>.35</td> <td>\$29,000—31,000</td> <td></td> <td>.27</td> </tr> <tr> <td>15,000—17,000</td> <td></td> <td>.34</td> <td>31,000—33,000</td> <td></td> <td>.26</td> </tr> <tr> <td>17,000—19,000</td> <td></td> <td>.33</td> <td>33,000—35,000</td> <td></td> <td>.25</td> </tr> <tr> <td>19,000—21,000</td> <td></td> <td>.32</td> <td>35,000—37,000</td> <td></td> <td>.24</td> </tr> <tr> <td>21,000—23,000</td> <td></td> <td>.31</td> <td>37,000—39,000</td> <td></td> <td>.23</td> </tr> <tr> <td>23,000—25,000</td> <td></td> <td>.30</td> <td>39,000—41,000</td> <td></td> <td>.22</td> </tr> <tr> <td>25,000—27,000</td> <td></td> <td>.29</td> <td>41,000—43,000</td> <td></td> <td>.21</td> </tr> <tr> <td>27,000—29,000</td> <td></td> <td>.28</td> <td>43,000—No limit</td> <td></td> <td>.20</td> </tr> </tbody> </table>	If line 7 is:			If line 7 is:			Over	But not over	Decimal amount is	Over	But not over	Decimal amount is	\$0—15,000		.35	\$29,000—31,000		.27	15,000—17,000		.34	31,000—33,000		.26	17,000—19,000		.33	33,000—35,000		.25	19,000—21,000		.32	35,000—37,000		.24	21,000—23,000		.31	37,000—39,000		.23	23,000—25,000		.30	39,000—41,000		.22	25,000—27,000		.29	41,000—43,000		.21	27,000—29,000		.28	43,000—No limit		.20		
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27,000—29,000		.28	43,000—No limit		.20																																																									
9 Multiply line 6 by the decimal amount on line 8. If you paid 2003 expenses in 2004, see the instructions	9																																																													
10 Enter the amount from Form 1040, line 43	10																																																													
11 Enter the amount, if any, from Form 6251, line 31 (see the instructions)	11																																																													
12 Subtract line 11 from line 10. If zero or less, stop . You cannot take the credit	12																																																													
13 Credit for child and dependent care expenses. Enter the smaller of line 9 or line 12 here and on Form 1040, line 46	13																																																													

For Paperwork Reduction Act Notice, see page 3 of the instructions.

Cat. No. 11862M

Form **2441** (2004)

WAGE EARNER COMPREHENSIVE PROBLEMS

Form 2441 (2004)

Page **2**

Part III Dependent Care Benefits

14	Enter the total amount of dependent care benefits you received in 2004. Amounts you received as an employee should be shown in box 10 of your Form(s) W-2. Do not include amounts reported as wages in box 1 of Form(s) W-2. If you were self-employed or a partner, include amounts you received under a dependent care assistance program from your sole proprietorship or partnership	14		
15	Enter the amount forfeited, if any (see the instructions)	15		
16	Subtract line 15 from line 14	16		
17	Enter the total amount of qualified expenses incurred in 2004 for the care of the qualifying person(s)	17		
18	Enter the smaller of line 16 or 17	18		
19	Enter your earned income	19		
20	Enter the amount shown below that applies to you. <ul style="list-style-type: none"> • If married filing jointly, enter your spouse's earned income (if your spouse was a student or was disabled, see the instructions for line 5) • If married filing separately, see the instructions for the amount to enter. • All others, enter the amount from line 19. 	20		
21	Enter the smallest of line 18, 19, or 20	21		
22	Enter the amount from line 14 that you received from your sole proprietorship or partnership. If you did not receive any such amounts, enter -0-	22		
23	Subtract line 22 from line 16	23		
24	Enter \$5,000 (\$2,500 if married filing separately and you were required to enter your spouse's earned income on line 20)	24		
25	Deductible benefits. Enter the smallest of line 21, 22, or 24. Also, include this amount on the appropriate line(s) of your return (see the instructions)	25		
26	Enter the smaller of line 21 or 24	26		
27	Enter the amount from line 25	27		
28	Excluded benefits. Subtract line 27 from line 26. If zero or less, enter -0-	28		
29	Taxable benefits. Subtract line 28 from line 23. If zero or less, enter -0-. Also, include this amount on Form 1040, line 7. On the dotted line next to line 7, enter "DCB"	29		

To claim the child and dependent care credit, complete lines 30-34 below.

30	Enter \$3,000 (\$6,000 if two or more qualifying persons)	30		
31	Add lines 25 and 28	31		
32	Subtract line 31 from line 30. If zero or less, stop . You cannot take the credit. Exception. If you paid 2003 expenses in 2004, see the instructions for line 9	32		
33	Complete line 2 on the front of this form. Do not include in column (c) any benefits shown on line 31 above. Then, add the amounts in column (c) and enter the total here	33		
34	Enter the smaller of line 32 or 33. Also, enter this amount on line 3 on the front of this form and complete lines 4-13	34		

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Form **2441** (2004)

Form 1040—Line 51

Line 51—Child Tax Credit

What Is the Child Tax Credit?

This credit is for people who have a qualifying child (defined below). It is in addition to the credit for child and dependent care expenses on Form 1040, line 46, and the earned income credit on Form 1040, line 65.

Three Steps To Take the Child Tax Credit!

- Step 1.** Make sure you have a qualifying child for the child tax credit (defined below).
- Step 2.** Make sure you checked the box on Form 1040, line 6c, column (4), for each qualifying child.
- Step 3.** Answer the questions on this page to see if you may use the worksheet on page 41 to figure your credit or if you must use Pub. 972, Child Tax Credit. If you need Pub. 972, see page 7.

Qualifying Child for Child Tax Credit

A qualifying child for purposes of the child tax credit is a child who:

1. Is claimed as your dependent on line 6c, and
2. Was under age 17 at the end of 2004, and
3. Is your (a) son, daughter, adopted child, stepchild, or a descendant of any of them (for example, your grandchild); (b) brother, sister, stepbrother, stepsister, or a descendant of any of them (for example, your niece or nephew), whom you cared for as you would your own child; or (c) foster child (any child placed with you by an authorized placement agency whom you cared for as you would your own child), and
4. Is a U.S. citizen or resident alien.



The above requirements are not the same as the requirements to be a qualifying child for the earned income credit.

An adopted child is always treated as your own child. An adopted child includes a child placed with you by an authorized

placement agency for legal adoption even if the adoption is not final. An authorized placement agency includes any person or court authorized by state law to place children for legal adoption.

Questions

Who Must Use Pub. 972



1. Are you excluding income from Puerto Rico or are you filing any of the following forms?
 - Form 2555 or 2555-EZ (relating to foreign earned income)
 - Form 4563 (exclusion of income for residents of American Samoa)

No. Continue → **Yes.** You must use Pub. 972 to figure your credit.
2. Is the amount on Form 1040, line 37, more than the amount shown below for your filing status?
 - Married filing jointly – \$110,000
 - Single, head of household, or qualifying widow(er) – \$75,000
 - Married filing separately – \$55,000

No. Continue → **Yes.** You must use Pub. 972 to figure your credit.
3. Are you claiming any of the following credits?
 - Retirement savings contributions credit, Form 8880 (see the instructions for Form 1040, line 52, on page 42)
 - Adoption credit, Form 8839 (see the instructions for Form 1040, line 53, on page 42)

No. Use the worksheet on page 38 to figure your child tax credit. **Yes.** You must use Pub. 972 to figure your child tax credit. You will also need the form(s) listed above for any credit(s) you are claiming.

WAGE EARNER COMPREHENSIVE PROBLEMS

Problem 3

Form 1040 Child Tax Credit Worksheet, Page 2

Child Tax Credit Worksheet—Line 51

Keep for Your Records



• To be a qualifying child for the child tax credit, the child must be **under age 17** at the end of 2004 and meet the other requirements listed on page 40.

• **Do not** use this worksheet if you answered “Yes” to question 1, 2, or 3 on page 40. Instead, use Pub. 972.

1. Number of qualifying children: _____ × \$1,000.
Enter the result.

1	
---	--

2. Enter the amount from Form 1040, line 45.

2	
---	--

3. Add the amounts from Form 1040:

Line 46 _____

Line 47 + _____

Line 48 + _____

Line 49 + _____

Line 50 + _____ Enter the total.

3	
---	--

4. Are the amounts on lines 2 and 3 the same?

Yes.

You cannot take this credit because there is no tax to reduce. However, you may be able to take the **additional child tax credit**. See the **TIP** below.

No. Subtract line 3 from line 2.

4	
---	--

5. Is the amount on line 1 more than the amount on line 4?

Yes. Enter the amount from line 4. Also, you may be able to take the **additional child tax credit**. See the **TIP** below.

This is your child tax credit.

No. Enter the amount from line 1.

5	
---	--

Enter this amount on Form 1040, line 51.



You may be able to take the **additional child tax credit** on Form 1040, line 67, if you answered “Yes” on line 4 or line 5 above.



- First, complete your Form 1040 through line 66.
- Then, use Form 8812 to figure any additional child tax credit.

Line 65 Earned Income Credit (EIC)

What Is the EIC?

The EIC is a credit for certain people who work. The credit may give you a refund even if you do not owe any tax.

To Take the EIC:

- Follow the steps below.
- Complete the worksheet that applies to you or let the IRS figure the credit for you.
- If you have a qualifying child, complete and attach Schedule EIC.



If you take the EIC even though you are not eligible and it is determined that your error is due to reckless or intentional disregard of the EIC rules, you will not be allowed to take the credit for 2 years even if you are otherwise eligible to do so. If you fraudulently take the EIC, you will not be allowed to take the credit for 10 years. You may also have to pay penalties.

Step 1 All Filers

- If, in 2004:
 - 2 children lived with you, is the amount on Form 1040, line 37, less than \$34,458 (\$35,458 if married filing jointly)?
 - 1 child lived with you, is the amount on Form 1040, line 37, less than \$30,338 (\$31,338 if married filing jointly)?
 - No children lived with you, is the amount on Form 1040, line 37, less than \$11,490 (\$12,490 if married filing jointly)?

Yes. Continue → **No.** You cannot take the credit.
- Do you, and your spouse if filing a joint return, have a social security number that allows you to work or is valid for EIC purposes (see page 47)?

Yes. Continue → **No.** You cannot take the credit. Put "No" on the dotted line next to line 65.
- Is your filing status married filing separately?

Yes. You cannot take the credit. **No.** Continue →
- Are you filing Form 2555 or 2555-EZ (relating to foreign earned income)?

Yes. You cannot take the credit. **No.** Continue →
- Were you a nonresident alien for any part of 2004?

Yes. See *Nonresident aliens* on page 47. **No.** Go to Step 2.

Step 2 Investment Income

- Add the amounts from Form 1040:

Line 8a		_____
Line 8b	+	_____
Line 9a	+	_____
Line 13*	+	_____

Investment Income =

*Do not include if line 13 is a loss.

- Is your investment income more than \$2,650?

Yes. Continue → **No.** Skip question 3; go to question 4.
- Are you filing Form 4797 (relating to sales of business property)?

Yes. See *Form 4797 filers* on page 46. **No.** You cannot take the credit.
- Do any of the following apply for 2004?
 - You are filing Schedule E.
 - You are reporting income or a loss from the rental of personal property not used in a trade or business.
 - You are reporting income on Form 1040, line 21, from Form 8814 (relating to election to report child's interest and dividends).

Yes. You must use Worksheet 1 in Pub. 596 to see if you can take the credit. To get Pub. 596, see page 7. **No.** Continue →
- Did a child live with you in 2004?

Yes. Go to Step 3 on page 45. **No.** Go to Step 4 on page 45.

(Continued on page 45)

Continued from page 44

Step 3 Qualifying Child

A qualifying child is a child who is your...

- Son, daughter, adopted child, stepchild, or a descendant of any of them (for example, your grandchild)
or
Brother, sister, stepbrother, stepsister, or a descendant of any of them (for example, your niece or nephew), whom you cared for as you would your own child
or
Foster child (any child placed with you by an authorized placement agency whom you cared for as you would your own child)

AND

was at the end of 2004...

- Under age 19
or
Under age 24 and a student (see page 47)
or
Any age and permanently and totally disabled (see page 47)

AND

who...

- Lived with you in the United States for more than half of 2004.
If the child did not live with you for the required time, see *Exception to "time lived with you" condition* on page 46.



If the child was married, see page 47.

1. Look at the qualifying child conditions above. Could you, or your spouse if filing a joint return, be a qualifying child of another person in 2004?
- Yes.** **No.** *Continue* →
You cannot take the credit. Put "No" on the dotted line next to line 65.
2. Do you have at least one child who meets the above conditions to be your qualifying child?
- Yes.** Go to question 3. **No.** Skip the next two questions; go to Step 4, question 2.

3. Does the child meet the conditions to be a qualifying child of any other person (other than your spouse if filing a joint return) for 2004?
- Yes.** See *Qualifying child of more than one person* on page 47. **No.** This child is your qualifying child. The child must have a valid social security number as defined on page 47 unless the child was born and died in 2004. Skip Step 4; go to Step 5 on page 46.

Step 4 Filers Without a Qualifying Child

1. Look at the qualifying child conditions in Step 3. Could you, or your spouse if filing a joint return, be a qualifying child of another person in 2004?
- Yes.** **No.** *Continue* →
You cannot take the credit. Put "No" on the dotted line next to line 65.
2. Can you, or your spouse if filing a joint return, be claimed as a dependent on someone else's 2004 tax return?
- Yes.** **No.** *Continue* →
You cannot take the credit.
3. Were you, or your spouse if filing a joint return, at least age 25 but under age 65 at the end of 2004?
- Yes.** *Continue* → **No.**
You cannot take the credit.
4. Was your home, and your spouse's if filing a joint return, in the United States for more than half of 2004? Members of the military stationed outside the United States, see page 47 before you answer.
- Yes.** Go to Step 5 on page 46. **No.**
You cannot take the credit. Put "No" on the dotted line next to line 65.

(Continued on page 46)

WAGE EARNER COMPREHENSIVE PROBLEMS

Problem 3

Form 1040 EIC Worksheet, Page 3

Step 5 Earned Income

1. Are you filing Schedule SE because you were a member of the clergy or you had church employee income of \$108.28 or more?

Yes. See *Clergy or Church employees*, whichever applies, on this page. **No.** Continue →

2. Figure earned income:

Form 1040, line 7 _____

Subtract, if included on line 7, any:

- Taxable scholarship or fellowship grant not reported on a Form W-2.
- Amount paid to an inmate in a penal institution for work (put "PRI" and the amount subtracted on the dotted line next to Form 1040, line 7).
- Amount received as a pension or annuity from a nonqualified deferred compensation plan or a nongovernmental section 457 plan (put "DFC" and the amount subtracted on the dotted line next to Form 1040, line 7). This amount may be shown in Form W-2, box 11. If you received such an amount but box 11 is blank, contact your employer for the amount received as a pension or annuity.

Earned Income =

3. Were you self-employed, or are you filing Schedule SE because you were a member of the clergy or you had church employee income, or are you filing Schedule C or C-EZ as a statutory employee?

Yes. Skip question 4 and Step 6; go to Worksheet B on page 49. **No.** Continue →

4. If you have:

- 2 or more qualifying children, is your earned income less than \$34,458 (\$35,458 if married filing jointly)?
- 1 qualifying child, is your earned income less than \$30,338 (\$31,338 if married filing jointly)?
- No qualifying children, is your earned income less than \$11,490 (\$12,490 if married filing jointly)?

Yes. Go to Step 6. **No.**  You cannot take the credit.

Step 6 How To Figure the Credit

1. Do you want the IRS to figure the credit for you?

Yes. See *Credit figured by the IRS* on this page. **No.** Go to Worksheet A on page 48.

Definitions and Special Rules

(listed in alphabetical order)

Adopted child. An adopted child is always treated as your own child. An adopted child includes a child placed with you by an authorized placement agency for legal adoption even if the adoption is not final. An authorized placement agency includes any person or court authorized by state law to place children for legal adoption.

Church employees. Determine how much of the amount on Form 1040, line 7, was also reported on Schedule SE, line 5a. Subtract that amount from the amount on Form 1040, line 7, and enter the result in the first space of Step 5, line 2. Be sure to answer "Yes" on Step 5, line 3.

Clergy. The following instructions apply to ministers, members of religious orders who have not taken a vow of poverty, and Christian Science practitioners. If you are filing Schedule SE and the amount on line 2 of that schedule includes an amount that was also reported on Form 1040, line 7:

1. Put "Clergy" on the dotted line next to Form 1040, line 65.
2. Determine how much of the amount on Form 1040, line 7, was also reported on Schedule SE, line 2.
3. Subtract that amount from the amount on Form 1040, line 7. Enter the result in the first space of Step 5, line 2.
4. Be sure to answer "Yes" to question 3 in Step 5.

Credit figured by the IRS. To have the IRS figure the credit for you:

- Put "EIC" on the dotted line next to Form 1040, line 65.
- If you have a qualifying child, complete and attach Schedule EIC. If your EIC for a year after 1996 was reduced or disallowed, see *Form 8862, Who must file below*.

Exception to "time lived with you" condition. A child is considered to have lived with you for all of 2004 if the child was born or died in 2004 and your home was this child's home for the entire time he or she was alive in 2004. Temporary absences, such as for school, vacation, medical care, or detention in a juvenile facility, count as time lived at home. If your child is presumed to have been kidnapped by someone who is not a family member, see Pub. 596 to find out if that child is a qualifying child for the EIC. To get Pub. 596, see page 7. If you were in the military stationed outside the United States, see *Members of the military* on page 47.

Form 4797 filers. If the amount on Form 1040, line 13, includes an amount from Form 4797, you must use Worksheet 1 in Pub. 596 to see if you can take the EIC. To get Pub. 596, see page 7. Otherwise, stop; you cannot take the EIC.

Form 8862, Who must file. You must file Form 8862 if your EIC for a year after 1996 was reduced or disallowed for any reason other than a math or clerical error. But do not file Form 8862 if either of the following applies.

1. After your EIC was reduced or disallowed in an earlier year (a) you filed Form 8862 (or other documents) and your EIC was then allowed, and (b) your EIC has not been

Form 1040—Line 63

reduced or disallowed again for any reason other than a math or clerical error.

2. You are taking the EIC without a qualifying child and the only reason your EIC was reduced or disallowed in the earlier year was because it was determined that a child listed on Schedule EIC was not your qualifying child.

Also, do not file Form 8862 or take the credit for 2 years if it was determined that your error was due to reckless or intentional disregard of the EIC rules (10 years if due to fraud).

Married child. A child who was married at the end of 2004 is a qualifying child only if (a) you can claim him or her as your dependent on Form 1040, line 6c, or (b) this child's other parent claims him or her as a dependent under the rules in Pub. 501 for children of divorced or separated parents.

Members of the military. If you were on extended active duty outside the United States, your home is considered to be in the United States during that duty period. Extended active duty is military duty ordered for an indefinite period or for a period of more than 90 days. Once you begin serving extended active duty, you are considered to be on extended active duty even if you serve fewer than 90 days.

Nonresident aliens. If your filing status is married filing jointly, go to Step 2 on page 44. Otherwise, stop; you cannot take the EIC.

Permanently and totally disabled child. A child who cannot engage in any substantial gainful activity because of a physical or mental condition and a doctor has determined that this condition:

- Has lasted or can be expected to last continuously for at least a year, or
- Can lead to death.

Qualifying child of more than one person. If the child meets the conditions to be a qualifying child of more than one person, only one person can take the EIC based on that child. The other person(s) cannot take the EIC for people without a qualifying child, but may take the EIC based on a different qualifying child. If you and the other person(s) cannot agree who will take the EIC, then the following rules apply.

- If only one of the persons is the child's parent, the child will be treated as the qualifying child of the parent.
- If both persons are the child's parents, the child will be treated as the qualifying child of the parent with whom the child lived for the longer period of time during 2004. If the child lived with each parent for the same amount of time, the child will be treated as the qualifying child of the parent who had the higher adjusted gross income (AGI) for 2004.

- If none of the persons is the child's parent, the child will be treated as the qualifying child of the person who had the highest AGI for 2004.

The child must have a valid social security number as defined on this page unless the child was born and died in 2004. If you do not have a qualifying child, stop; you cannot take the EIC. Put "No" on the dotted line next to line 65. If you have a qualifying child, skip Step 4; go to Step 5 on page 46.

Example. You and your 5-year-old daughter moved in with your mother in April 2004. You are not a qualifying child of your mother. Your daughter meets the conditions to be a qualifying child for both you and your mother. If you and your mother cannot agree on who will treat your daughter as a qualifying child, the rules above apply. Under these rules, you are entitled to treat your daughter as a qualifying child because you are the child's parent. Your mother would not be entitled to claim any EIC unless she has a different qualifying child.

Social security number (SSN). For purposes of taking the EIC, a valid SSN is a number issued by the Social Security Administration unless "Not Valid for Employment" is printed on the social security card and the number was issued solely to apply for or receive a federally funded benefit.

To find out how to get an SSN, see page 15. If you will not have an SSN by April 15, 2005, see *What if You Cannot File on Time?* on page 12.

Student. A child who during any 5 months of 2004:

- Was enrolled as a full-time student at a school, or
- Took a full-time, on-farm training course given by a school or a state, county, or local government agency.

A school includes technical, trade, and mechanical schools. It does not include on-the-job training courses, correspondence schools, or night schools.

Welfare benefits, effect of credit on. Any refund you receive as a result of taking the EIC will not be used to determine if you are eligible for the following programs or how much you can receive from them. But if the refund you receive because of the EIC is not spent within a certain period of time, it may count as an asset (or resource) and affect your eligibility.

- Temporary Assistance for Needy Families (TANF).
- Medicaid and supplemental security income (SSI).
- Food stamps and low-income housing.

WAGE EARNER COMPREHENSIVE PROBLEMS

Problem 3

Form 1040 EIC Worksheet

Worksheet A—Earned Income Credit (EIC)—Line 65

Keep for Your Records

Before you begin: ✓ Be sure you are using the correct worksheet. Do not use this worksheet if you were self-employed, or you are filing Schedule SE because you were a member of the clergy or you had church employee income, or you are filing Schedule C or C-EZ as a statutory employee. Instead, use Worksheet B that begins on page 49.



Part 1

All Filers Using Worksheet A

1. Enter your earned income from Step 5 on page 46.

1	
---	--

2. Look up the amount on line 1 above in the EIC Table on pages 51–55 to find the credit. Be sure you use the correct column for your filing status and the number of children you have. Enter the credit here.

2	
---	--

If line 2 is zero,  You cannot take the credit. Put “No” on the dotted line next to line 65.

3. Enter the amount from Form 1040, line 37.

3	
---	--

4. Are the amounts on lines 3 and 1 the same?

Yes. Skip line 5; enter the amount from line 2 on line 6.

No. Go to line 5.

Part 2

Filers Who Answered “No” on Line 4

5. If you have:

- No qualifying children, is the amount on line 3 less than \$6,400 (\$7,400 if married filing jointly)?
- 1 or more qualifying children, is the amount on line 3 less than \$14,050 (\$15,050 if married filing jointly)?

Yes. Leave line 5 blank; enter the amount from line 2 on line 6.

No. Look up the amount on line 3 in the EIC Table on pages 51–55 to find the credit. Be sure you use the correct column for your filing status and the number of children you have. Enter the credit here.

Look at the amounts on lines 5 and 2. Then, enter the **smaller** amount on line 6.

5	
---	--

Part 3

Your Earned Income Credit

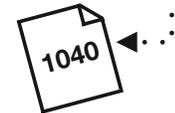
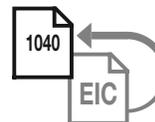
6. This is your earned income credit.

6	
---	--

Enter this amount on Form 1040, line 65.

Reminder—

✓ If you have a qualifying child, complete and attach Schedule EIC.



If your EIC for a year after 1996 was reduced or disallowed, see page 46 to find out if you must file Form 8862 to take the credit for 2004.

WAGE EARNER COMPREHENSIVE PROBLEMS

Problem 3

Schedule EIC, Page 1

SCHEDULE EIC
(Form 1040A or 1040)

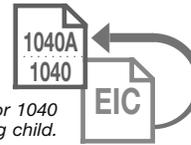
Department of the Treasury
Internal Revenue Service

Name(s) shown on return

Earned Income Credit

Qualifying Child Information

Complete and attach to Form 1040A or 1040
only if you have a qualifying child.



OMB No. 1545-0074

2004

Attachment
Sequence No. **43**

Your social security number

Before you begin: See the instructions for Form 1040A, line 41, or Form 1040, line 65, to make sure that (a) you can take the EIC and (b) you have a qualifying child.



- If you take the EIC even though you are not eligible, you may not be allowed to take the credit for up to 10 years. See back of schedule for details.
- It will take us longer to process your return and issue your refund if you do not fill in all lines that apply for each qualifying child.
- Be sure the child's name on line 1 and social security number (SSN) on line 2 agree with the child's social security card. Otherwise, at the time we process your return, we may reduce or disallow your EIC. If the name or SSN on the child's social security card is not correct, call the Social Security Administration at 1-800-772-1213.

Qualifying Child Information

Child 1

Child 2

1 Child's name	Child 1		Child 2	
	First name	Last name	First name	Last name
If you have more than two qualifying children, you only have to list two to get the maximum credit.				
2 Child's SSN The child must have an SSN as defined on page 43 of the Form 1040A instructions or page 47 of the Form 1040 instructions unless the child was born and died in 2004. If your child was born and died in 2004 and did not have an SSN, enter "Died" on this line and attach a copy of the child's birth certificate.				
3 Child's year of birth	Year _____ <i>If born after 1985, skip lines 4a and 4b; go to line 5.</i>		Year _____ <i>If born after 1985, skip lines 4a and 4b; go to line 5.</i>	
4 If the child was born before 1986—				
a Was the child under age 24 at the end of 2004 and a student?	<input type="checkbox"/> Yes. <i>Go to line 5.</i>	<input type="checkbox"/> No. <i>Continue</i>	<input type="checkbox"/> Yes. <i>Go to line 5.</i>	<input type="checkbox"/> No. <i>Continue</i>
b Was the child permanently and totally disabled during any part of 2004?	<input type="checkbox"/> Yes. <i>Continue</i>	<input type="checkbox"/> No. The child is not a qualifying child.	<input type="checkbox"/> Yes. <i>Continue</i>	<input type="checkbox"/> No. The child is not a qualifying child.
5 Child's relationship to you (for example, son, daughter, grandchild, niece, nephew, foster child, etc.)				
6 Number of months child lived with you in the United States during 2004				
• If the child lived with you for more than half of 2004 but less than 7 months, enter "7". • If the child was born or died in 2004 and your home was the child's home for the entire time he or she was alive during 2004, enter "12".	_____ months <i>Do not enter more than 12 months.</i>		_____ months <i>Do not enter more than 12 months.</i>	



You may also be able to take the additional child tax credit if your child (a) was under age 17 at the end of 2004, (b) is claimed as your dependent on line 6c of Form 1040A or Form 1040, and (c) is a U.S. citizen or resident alien. For more details, see the instructions for line 42 of Form 1040A or line 67 of Form 1040.

For Paperwork Reduction Act Notice, see Form 1040A or 1040 instructions.

Cat. No. 13339M

Schedule EIC (Form 1040A or 1040) 2004

Purpose of Schedule

The purpose of this schedule is to give the IRS information about your qualifying child after you have figured your earned income credit (EIC).

To figure the amount of your credit or to have the IRS figure it for you, see the instructions for Form 1040A, line 41, or Form 1040, line 65.

Taking the EIC When Not Eligible. If you take the EIC even though you are not eligible and it is determined that your error is due to reckless or intentional disregard of the EIC rules, you will not be allowed to take the credit for 2 years even if you are otherwise eligible to do so. If you fraudulently take the EIC, you will not be allowed to take the credit for 10 years. You may also have to pay penalties.

Qualifying Child

A qualifying child is a child who is your . . .

Son, daughter, adopted child, stepchild, or a descendant of any of them (for example, your grandchild)

or

Brother, sister, stepbrother, stepsister, or a descendant of any of them (for example, your niece or nephew) whom you cared for as you would your own child

or

Foster child (any child placed with you by an authorized placement agency whom you cared for as you would your own child)

AND

was at the end of 2004 . . .

Under age 19

or

Under age 24 and a student

or

Any age and permanently and totally disabled

AND

who . . .

Lived with you in the United States for more than half of 2004. If the child did not live with you for the required time, see Exception to "Time Lived With You" Condition on page 42 of the Form 1040A instructions or page 46 of the Form 1040 instructions.

Note. If the child was married or meets the conditions to be a qualifying child of another person (other than your spouse if filing a joint return), special rules apply. For details, see page 43 of the Form 1040A instructions or page 47 of the Form 1040 instructions.

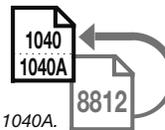


Do you want part of the EIC added to your take-home pay in 2005? To see if you qualify, get Form W-5 from your employer, call the IRS at 1-800-TAX-FORM (1-800-829-3676), or go to www.irs.gov.

WAGE EARNER COMPREHENSIVE PROBLEMS

Form **8812**

Additional Child Tax Credit



OMB No. 1545-1620

2004

Attachment
Sequence No. **47**

Department of the Treasury
Internal Revenue Service (99)

Complete and attach to Form 1040 or Form 1040A.

Name(s) shown on return

Your social security number

Part I All Filers

1	Enter the amount from line 1 of your Child Tax Credit Worksheet on page 41 of the Form 1040 instructions or page 38 of the Form 1040A instructions. If you used Pub. 972, enter the amount from line 8 of the worksheet on page 4 of the publication								
2	Enter the amount from Form 1040, line 51, or Form 1040A, line 32								
3	Subtract line 2 from line 1. If zero, stop ; you cannot take this credit								
4	Enter your total taxable earned income. See the instructions on back								
5	Is the amount on line 4 more than \$10,750? <input type="checkbox"/> No. Leave line 5 blank and enter -0- on line 6. <input type="checkbox"/> Yes. Subtract \$10,750 from the amount on line 4. Enter the result								
6	Multiply the amount on line 5 by 10% (.10) and enter the result Next. Do you have three or more qualifying children? <input type="checkbox"/> No. If line 6 is zero, stop ; you cannot take this credit. Otherwise, skip Part II and enter the smaller of line 3 or line 6 on line 13. <input type="checkbox"/> Yes. If line 6 is equal to or more than line 3, skip Part II and enter the amount from line 3 on line 13. Otherwise, go to line 7.								

Part II Certain Filers Who Have Three or More Qualifying Children

7	Enter the total of the withheld social security and Medicare taxes from Form(s) W-2, boxes 4 and 6. If married filing jointly, include your spouse's amounts with yours. If you worked for a railroad, see the instructions on back								
8	1040 filers: Enter the total of the amounts from Form 1040, lines 30 and 58, plus any uncollected social security and Medicare or tier 1 RRTA taxes included on line 62. 1040A filers: Enter -0-.								
9	Add lines 7 and 8								
10	1040 filers: Enter the total of the amounts from Form 1040, lines 65 and 66. 1040A filers: Enter the total of the amount from Form 1040A, line 41, plus any excess social security and tier 1 RRTA taxes withheld that you entered to the left of line 43 (see the instructions on back).								
11	Subtract line 10 from line 9. If zero or less, enter -0-								
12	Enter the larger of line 6 or line 11 here Next, enter the smaller of line 3 or line 12 on line 13.								

Part III Your Additional Child Tax Credit

13	This is your additional child tax credit								
----	--	--	--	--	--	--	--	--	--

Enter this amount on
Form 1040, line 67, or
Form 1040A, line 42.

For Paperwork Reduction Act Notice, see back of form.

Cat. No. 10644E

Form **8812** (2004)

WAGE EARNER COMPREHENSIVE PROBLEMS

Instructions

Purpose of Form

Use Form 8812 to figure your additional child tax credit.



The additional child tax credit may give you a refund even if you do not owe any tax.

Who Should Use Form 8812

First, complete the Child Tax Credit Worksheet that applies to you. See the instructions for Form 1040, line 51, or Form 1040A, line 32. If you meet the condition given in the *TIP* at the end of your Child Tax Credit Worksheet, use Form 8812 to see if you can take the additional child tax credit.

Effect of Credit on Welfare Benefits

Any refund you receive as a result of taking the additional child tax credit will not be used to determine if you are eligible for the following programs, or how much you can receive from them.

- Temporary Assistance for Needy Families (TANF).
- Medicaid and supplemental security income (SSI).
- Food stamps and low-income housing.

Taxable Earned Income

1. Did you, or your spouse if filing a joint return, have net earnings from self-employment and use either optional method to figure those net earnings?

- No.** Go to question 2.
- Yes.** Use Pub. 972 to figure the amount to enter on Form 8812, line 4.

2. Are you claiming the earned income credit (EIC) on Form 1040, line 65, or Form 1040A, line 41?

- Yes.** Use the following chart to find the amount to enter on Form 8812, line 4.

IF you are filing Form . . .	AND you completed . . .	THEN enter on Form 8812, line 4, the amount from . . .
1040	Worksheet B on page 49 of your 1040 instructions	Worksheet B, line 4b.*
	Step 5 on page 46 of your 1040 instructions (but not Worksheet B)	Step 5, Earned Income
1040A	Step 5 on page 42 of your 1040A instructions	Step 5, Earned Income

* If you were a member of the clergy, subtract the following from the amount on line 4b: (a) the rental value of a home or the nontaxable portion of an allowance for a home furnished to you (including payments for utilities) and (b) the value of meals and lodging provided to you, your spouse, and your dependents for your employer's convenience.

- No. 1040 filers:** Go to question 3.
1040A filers: Skip question 3 and go to question 4.

3. Were you, or your spouse if filing a joint return, self-employed, or are you filing Schedule SE because you were a member of the clergy or you had church employee income, or are you filing Schedule C or C-EZ as a statutory employee?

- No.** Go to question 4.
- Yes.** Use Pub. 972 to figure the amount to enter on Form 8812, line 4.

4. Does the amount on line 7 of Form 1040 or Form 1040A include any of the following amounts?

- Taxable scholarship or fellowship grants not reported on a Form W-2.
- Amounts paid to an inmate in a penal institution for work (enter "PRI" and the amount paid in the space next to line 7 of Form 1040 or 1040A).
- Amounts received as a pension or annuity from a nonqualified deferred compensation plan or a nongovernmental section 457 plan (enter "DFC" and the amount received in the space next to line 7 of Form 1040 or 1040A). This amount may be reported in box 11 of your Form W-2. If you received such an amount but box 11 is blank, contact your employer for the amount received as a pension or annuity.
- Amounts from Form 2555, line 41, or Form 2555-EZ, line 18.

No. Enter the amount from line 7 of Form 1040 or Form 1040A on Form 8812, line 4.

Yes. Subtract the total of those amounts from the amount on line 7 of Form 1040 or Form 1040A. (If an amount is included in more than one of the above categories, include it only once in figuring the total amount to subtract.) Enter the result on Form 8812, line 4.

Railroad Employees

If you worked for a railroad, include the following taxes in the total on Form 8812, line 7.

- Tier 1 tax withheld from your pay. This tax should be shown in box 14 of your Form(s) W-2 and identified as "Tier 1 tax."
- If you were an employee representative, 50% of the total tier 1 tax and tier 1 Medicare tax you paid for 2004.

1040A Filers

If you, or your spouse if filing a joint return, had more than one employer for 2004 and total wages of over \$87,900, figure any excess social security and tier 1 railroad retirement (RRTA) taxes withheld. See the instructions for Form 1040A, line 43. Include any excess on Form 8812, line 10.

Paperwork Reduction Act Notice. We ask for the information on this form to carry out the Internal Revenue laws of the United States. You are required to give us the information. We need it to ensure that you are complying with these laws and to allow us to figure and collect the right amount of tax.

You are not required to provide the information requested on a form that is subject to the Paperwork Reduction Act unless the form displays a valid OMB control number. Books or records relating to a form or its instructions must be retained as long as their contents may become material in the administration of any Internal Revenue law. Generally, tax returns and return information are confidential, as required by Internal Revenue Code section 6103.

The time needed to complete and file this form will vary depending on individual circumstances. The estimated average time is: **Recordkeeping**, 6 min.; **Learning about the law or the form**, 5 min.; **Preparing the form**, 28 min.; **Copying, assembling, and sending the form to the IRS**, 20 min.

If you have comments concerning the accuracy of these time estimates or suggestions for making this form simpler, we would be happy to hear from you. See the Instructions for Form 1040 or Form 1040A.

WAGE EARNER COMPREHENSIVE

PROBLEMS

ANSWERS TO PROBLEMS

Problem 1

Department of the Treasury—Internal Revenue Service		Income Tax Return for Single and Joint Filers With No Dependents (99) 2004		OMB No. 1545-0675																								
Form 1040EZ																												
Label (See page 12.) Use the IRS label. Otherwise, please print or type. Presidential Election Campaign (page 12)	L A B E L H E R E	Your first name and initial John	Last name Marshall	Your social security number xxx xx xxxx																								
	If a joint return, spouse's first name and initial		Last name		Spouse's social security number																							
	Home address (number and street). If you have a P.O. box, see page 12. 878 Hudson Ave			Apt. no.																								
	City, town or post office, state, and ZIP code. If you have a foreign address, see page 12. Your City, State, and Zip Code																											
<p style="text-align: center;">▲ Important! ▲ You must enter your SSN(s) above.</p>																												
<p style="text-align: center;">You Spouse Do you, or your spouse if a joint return, want \$3 to go to this fund? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No</p>																												
Income Attach Form(s) W-2 here. Enclose, but do not attach, any payment.	<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width: 5%;">1</td> <td style="width: 75%;">Wages, salaries, and tips. This should be shown in box 1 of your Form(s) W-2. Attach your Form(s) W-2.</td> <td style="width: 5%; text-align: center;">1</td> <td style="width: 15%; text-align: right;">2,694</td> </tr> <tr> <td>2</td> <td>Taxable interest. If the total is over \$1,500, you cannot use Form 1040EZ.</td> <td style="text-align: center;">2</td> <td style="text-align: right;">50</td> </tr> <tr> <td>3</td> <td>Unemployment compensation and Alaska Permanent Fund dividends (see page 14).</td> <td style="text-align: center;">3</td> <td></td> </tr> <tr> <td>4</td> <td>Add lines 1, 2, and 3. This is your adjusted gross income.</td> <td style="text-align: center;">4</td> <td style="text-align: right;">2,744</td> </tr> <tr> <td>5</td> <td>Can your parents (or someone else) claim you on their return? Yes. Enter amount from <input checked="" type="checkbox"/> worksheet on back. No. If single, enter \$7,950. If married filing jointly, enter \$15,900. See back for explanation. <input type="checkbox"/></td> <td style="text-align: center;">5</td> <td style="text-align: right;">2,944</td> </tr> <tr> <td>6</td> <td>Subtract line 5 from line 4. If line 5 is larger than line 4, enter -0-. This is your taxable income.</td> <td style="text-align: center;">6</td> <td style="text-align: right;">0</td> </tr> </table>				1	Wages, salaries, and tips. This should be shown in box 1 of your Form(s) W-2. Attach your Form(s) W-2.	1	2,694	2	Taxable interest. If the total is over \$1,500, you cannot use Form 1040EZ.	2	50	3	Unemployment compensation and Alaska Permanent Fund dividends (see page 14).	3		4	Add lines 1, 2, and 3. This is your adjusted gross income .	4	2,744	5	Can your parents (or someone else) claim you on their return? Yes. Enter amount from <input checked="" type="checkbox"/> worksheet on back. No. If single , enter \$7,950. If married filing jointly , enter \$15,900. See back for explanation. <input type="checkbox"/>	5	2,944	6	Subtract line 5 from line 4. If line 5 is larger than line 4, enter -0-. This is your taxable income .	6	0
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Payments and tax	<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width: 5%;">7</td> <td style="width: 75%;">Federal income tax withheld from box 2 of your Form(s) W-2.</td> <td style="width: 5%; text-align: center;">7</td> <td style="width: 15%; text-align: right;">52</td> </tr> <tr> <td>8</td> <td>Earned income credit (EIC).</td> <td style="text-align: center;">8</td> <td style="text-align: right;">0</td> </tr> <tr> <td>9</td> <td>Add lines 7 and 8. These are your total payments.</td> <td style="text-align: center;">9</td> <td style="text-align: right;">52</td> </tr> <tr> <td>10</td> <td>Tax. Use the amount on line 6 above to find your tax in the tax table on pages 24–28 of the booklet. Then, enter the tax from the table on this line.</td> <td style="text-align: center;">10</td> <td style="text-align: right;">0</td> </tr> </table>				7	Federal income tax withheld from box 2 of your Form(s) W-2.	7	52	8	Earned income credit (EIC).	8	0	9	Add lines 7 and 8. These are your total payments .	9	52	10	Tax. Use the amount on line 6 above to find your tax in the tax table on pages 24–28 of the booklet. Then, enter the tax from the table on this line.	10	0								
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Refund Have it directly deposited! See page 19 and fill in 11b, 11c, and 11d.	<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width: 5%;">11a</td> <td style="width: 75%;">If line 9 is larger than line 10, subtract line 10 from line 9. This is your refund.</td> <td style="width: 5%; text-align: center;">11a</td> <td style="width: 15%; text-align: right;">52</td> </tr> <tr> <td>▶ b</td> <td>Routing number <input type="text" value="x x x x x x x x x x"/></td> <td>▶ c</td> <td>Type: <input checked="" type="checkbox"/> Checking <input type="checkbox"/> Savings</td> </tr> <tr> <td>▶ d</td> <td>Account number <input type="text" value="x x x x x x x x x x"/></td> <td colspan="2"></td> </tr> </table>				11a	If line 9 is larger than line 10, subtract line 10 from line 9. This is your refund .	11a	52	▶ b	Routing number <input type="text" value="x x x x x x x x x x"/>	▶ c	Type: <input checked="" type="checkbox"/> Checking <input type="checkbox"/> Savings	▶ d	Account number <input type="text" value="x x x x x x x x x x"/>														
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▶ b	Routing number <input type="text" value="x x x x x x x x x x"/>	▶ c	Type: <input checked="" type="checkbox"/> Checking <input type="checkbox"/> Savings																									
▶ d	Account number <input type="text" value="x x x x x x x x x x"/>																											
Amount you owe	<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width: 5%;">12</td> <td style="width: 75%;">If line 10 is larger than line 9, subtract line 9 from line 10. This is the amount you owe. For details on how to pay, see page 20.</td> <td style="width: 5%; text-align: center;">12</td> <td style="width: 15%;"></td> </tr> <tr> <td colspan="4">Do you want to allow another person to discuss this return with the IRS (see page 20)? <input type="checkbox"/> Yes. Complete the following. <input checked="" type="checkbox"/> No</td> </tr> <tr> <td style="width: 5%;">Third party designee</td> <td style="width: 45%;">Designee's name ▶</td> <td style="width: 20%;">Phone no. ▶ ()</td> <td style="width: 30%;">Personal identification number (PIN) ▶ <input type="text" value=""/></td> </tr> </table>				12	If line 10 is larger than line 9, subtract line 9 from line 10. This is the amount you owe . For details on how to pay, see page 20.	12		Do you want to allow another person to discuss this return with the IRS (see page 20)? <input type="checkbox"/> Yes. Complete the following. <input checked="" type="checkbox"/> No				Third party designee	Designee's name ▶	Phone no. ▶ ()	Personal identification number (PIN) ▶ <input type="text" value=""/>												
12	If line 10 is larger than line 9, subtract line 9 from line 10. This is the amount you owe . For details on how to pay, see page 20.	12																										
Do you want to allow another person to discuss this return with the IRS (see page 20)? <input type="checkbox"/> Yes. Complete the following. <input checked="" type="checkbox"/> No																												
Third party designee	Designee's name ▶	Phone no. ▶ ()	Personal identification number (PIN) ▶ <input type="text" value=""/>																									
Sign here Joint return? See page 11. Keep a copy for your records.	<p>Under penalties of perjury, I declare that I have examined this return, and to the best of my knowledge and belief, it is true, correct, and accurately lists all amounts and sources of income I received during the tax year. Declaration of preparer (other than the taxpayer) is based on all information of which the preparer has any knowledge.</p> <table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width: 50%;">Your signature</td> <td style="width: 10%;">Date</td> <td style="width: 20%;">Your occupation Student</td> <td style="width: 20%;">Daytime phone number ()</td> </tr> <tr> <td>Spouse's signature. If a joint return, both must sign.</td> <td>Date</td> <td>Spouse's occupation</td> <td style="background-color: #cccccc;"></td> </tr> </table>				Your signature	Date	Your occupation Student	Daytime phone number ()	Spouse's signature. If a joint return, both must sign.	Date	Spouse's occupation																	
Your signature	Date	Your occupation Student	Daytime phone number ()																									
Spouse's signature. If a joint return, both must sign.	Date	Spouse's occupation																										
Paid preparer's use only	<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width: 40%;">Preparer's signature ▶</td> <td style="width: 10%;">Date</td> <td style="width: 10%;">Check if self-employed <input type="checkbox"/></td> <td style="width: 40%;">Preparer's SSN or PTIN Sxxxxxxxx</td> </tr> <tr> <td>Firm's name (or yours if self-employed), address, and ZIP code ▶</td> <td>EIN</td> <td colspan="2">Phone no. ()</td> </tr> </table>				Preparer's signature ▶	Date	Check if self-employed <input type="checkbox"/>	Preparer's SSN or PTIN Sxxxxxxxx	Firm's name (or yours if self-employed), address, and ZIP code ▶	EIN	Phone no. ()																	
Preparer's signature ▶	Date	Check if self-employed <input type="checkbox"/>	Preparer's SSN or PTIN Sxxxxxxxx																									
Firm's name (or yours if self-employed), address, and ZIP code ▶	EIN	Phone no. ()																										
For Disclosure, Privacy Act, and Paperwork Reduction Act Notice, see page 23.																												

WAGE EARNER COMPREHENSIVE

PROBLEMS

ANSWERS TO PROBLEMS

Problem 1

Form 1040EZ (2004)

Page **2**

Use this form if

- Your filing status is single or married filing jointly. If you are not sure about your filing status, see page 11.
- You (and your spouse if married filing jointly) were under age 65 and not blind at the end of 2004. If you were born on January 1, 1940, you are considered to be age 65 at the end of 2004.
- You do not claim any dependents. For information on dependents, use TeleTax topic 354 (see page 6).
- Your taxable income (line 6) is less than \$50,000.
- You do not claim any adjustments to income. For information on adjustments to income, use TeleTax topics 451-458 (see page 6).
- The only tax credit you can claim is the earned income credit. For information on credits, use TeleTax topics 601-608 and 610 (see page 6).
- You had **only** wages, salaries, tips, taxable scholarship or fellowship grants, unemployment compensation, or Alaska Permanent Fund dividends, and your taxable interest was not over \$1,500. **But** if you earned tips, including allocated tips, that are not included in box 5 and box 7 of your W-2, you may not be able to use Form 1040EZ (see page 13). If you are planning to use Form 1040EZ for a child who received Alaska Permanent Fund dividends, see page 14.
- You did not receive any advance earned income credit payments.

If you have questions about dependents, use TeleTax topic 354 (see page 6). If you **cannot use this form**, use TeleTax topic 352 (see page 6).

Filling in your return

For tips on how to avoid common mistakes, see page 21.

If you received a scholarship or fellowship grant or tax-exempt interest income, such as on municipal bonds, see the booklet before filling in the form. Also, see the booklet if you received a Form 1099-INT showing Federal income tax withheld or if Federal income tax was withheld from your unemployment compensation or Alaska Permanent Fund dividends.

Remember, you must report all wages, salaries, and tips even if you do not get a Form W-2 from your employer. You must also report all your taxable interest, including interest from banks, savings and loans, credit unions, etc., even if you do not get a Form 1099-INT.

Worksheet for dependents who checked "Yes" on line 5

(keep a copy for your records)

Use this worksheet to figure the amount to enter on line 5 if someone can claim you (or your spouse if married filing jointly) as a dependent, even if that person chooses not to do so. To find out if someone can claim you as a dependent, use TeleTax topic 354 (see page 6).

A. Amount, if any, from line 1 on front	2,694.00		
	+ 250.00	Enter total ▶	A. <u>2,944.00</u>
B. Minimum standard deduction			B. <u>800.00</u>
C. Enter the larger of line A or line B here			C. <u>2,944.00</u>
D. Maximum standard deduction. If single , enter \$4,850; if married filing jointly , enter \$9,700			D. <u>4,850.00</u>
E. Enter the smaller of line C or line D here. This is your standard deduction			E. <u>2,944.00</u>
F. Exemption amount.			F. <u>0.00</u>
• If single, enter -0-.			
• If married filing jointly and— —both you and your spouse can be claimed as dependents, enter -0-. —only one of you can be claimed as a dependent, enter \$3,100.			
G. Add lines E and F. Enter the total here and on line 5 on the front			G. <u>2,944.00</u>

If you checked **"No"** on line 5 because no one can claim you (or your spouse if married filing jointly) as a dependent, enter on line 5 the amount shown below that applies to you.

- Single, enter \$7,950. This is the total of your standard deduction (\$4,850) and your exemption (\$3,100).
- Married filing jointly, enter \$15,900. This is the total of your standard deduction (\$9,700), your exemption (\$3,100), and your spouse's exemption (\$3,100).

Mailing return

Mail your return by **April 15, 2005**. Use the envelope that came with your booklet. If you do not have that envelope or if you moved during the year, see the back cover for the address to use.



Form **1040EZ** (2004)

WAGE EARNER COMPREHENSIVE

PROBLEMS

ANSWERS TO PROBLEMS

Problem 2

Form 1040A	Department of the Treasury—Internal Revenue Service U.S. Individual Income Tax Return	2004	IRS Use Only—Do not write or staple in this space.	
Label (See page 19.) Use the IRS label. Otherwise, please print or type.	Your first name and initial Melody	Last name York	OMB No. 1545-0085 Your social security number XXX XX XXXX	
	If a joint return, spouse's first name and initial	Last name	Spouse's social security number	
	Home address (number and street). If you have a P.O. box, see page 20. 17 North 9th Avenue		Apt. no.	▲ Important! ▲ You must enter your SSN(s) above.
City, town or post office, state, and ZIP code. If you have a foreign address, see page 20. Your City, State, and Zip Code				
Presidential Election Campaign (See page 20.)	Note. Checking "Yes" will not change your tax or reduce your refund. Do you, or your spouse if filing a joint return, want \$3 to go to this fund?		You Spouse <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No	
Filing status Check only one box.	1 <input checked="" type="checkbox"/> Single 2 <input type="checkbox"/> Married filing jointly (even if only one had income) 3 <input type="checkbox"/> Married filing separately. Enter spouse's SSN above and full name here.			
	4 <input type="checkbox"/> Head of household (with qualifying person). (See page 20.) If the qualifying person is a child but not your dependent, enter this child's name here.			
	5 <input type="checkbox"/> Qualifying widow(er) with dependent child (see page 21)			
Exemptions If more than six dependents, see page 21.	6a <input checked="" type="checkbox"/> Yourself. If someone can claim you as a dependent, do not check box 6a.		Boxes checked on 6a and 6b 1	
	b <input type="checkbox"/> Spouse		No. of children on 6c who: • lived with you • did not live with you due to divorce or separation (see page 23) Dependents on 6c not entered above Add numbers on lines above 1	
	c Dependents:			
	(1) First name Last name	(2) Dependent's social security number		(3) Dependent's relationship to you
				(4) <input checked="" type="checkbox"/> if qualifying child for child tax credit (see page 23)
				<input type="checkbox"/>
			<input type="checkbox"/>	
	d Total number of exemptions claimed.			
Income Attach Form(s) W-2 here. Also attach Form(s) 1099-R if tax was withheld. If you did not get a W-2, see page 24. Enclose, but do not attach, any payment.	7 Wages, salaries, tips, etc. Attach Form(s) W-2. 7 6,923			
	8a Taxable interest. Attach Schedule 1 if required. 8a			
	b Tax-exempt interest. Do not include on line 8a. 8b			
	9a Ordinary dividends. Attach Schedule 1 if required. 9a			
	b Qualified dividends (see page 25). 9b			
	10 Capital gain distributions (see page 25). 10			
	11a IRA distributions. 11a	11b Taxable amount (see page 25). 11b		
	12a Pensions and annuities. 12a	12b Taxable amount (see page 26). 12b		
	13 Unemployment compensation and Alaska Permanent Fund dividends. 13 3,240			
	14a Social security benefits. 14a	14b Taxable amount (see page 28). 14b		
	15 Add lines 7 through 14b (far right column). This is your total income . 15 10,163			
Adjusted gross income	16 Deduction for clean-fuel vehicles (see page 28). 16			
	17 IRA deduction (see page 28). 17			
	18 Student loan interest deduction (see page 31). 18			
	19 Tuition and fees deduction (see page 31). 19			
	20 Add lines 16 through 19. These are your total adjustments . 20			
	21 Subtract line 20 from line 15. This is your adjusted gross income . 21 10,163			
For Disclosure, Privacy Act, and Paperwork Reduction Act Notice, see page 57. Cat. No. 11327A Form 1040A (2004)				

Problem 2

Form 1040A—Line 41

Line 41 Earned Income Credit (EIC)

What is the EIC?

The EIC is a credit for certain people who work. The credit may give you a refund even if you do not owe any tax.

To Take the EIC:

- Follow the steps below.
- Complete the worksheet that applies to you or let the IRS figure the credit for you.
- If you have a qualifying child, complete and attach Schedule EIC.



If you take the EIC even though you are not eligible and it is determined that your error is due to reckless or intentional disregard of the EIC rules, you will not be allowed to take the credit for 2 years even if you are otherwise eligible to do so. If you fraudulently take the EIC, you will not be allowed to take the credit for 10 years. You may also have to pay penalties.

Step 1 All Filers

1. If, in 2004:
 - 2 children lived with you, is the amount on Form 1040A, line 22, less than \$34,458 (\$35,458 if married filing jointly)?
 - 1 child lived with you, is the amount on Form 1040A, line 22, less than \$30,338 (\$31,338 if married filing jointly)?
 - No children live with you, is the amount on Form 1040A, line 22, less than \$11,490 (\$12,490 if married filing jointly)?

Yes. Continue → **No.** STOP
You cannot take the credit.
2. Do you, and your spouse if filing a joint return, have a social security number that allows you to work or is valid for EIC purposes (see page 41)?

Yes. Continue → **No.** STOP
You cannot take the credit.
Put "No" to the left of the entry space for line 41.
3. Is your filing status married filing separately?

Yes. STOP **No.** Continue →
You cannot take the credit.
4. Were you a nonresident alien for any part of 2004?

Yes. See *Nonresident aliens* on page 41. **No.** Go to Step 2.

Step 2 Investment Income

1. Add the amounts from Form 1040A:

Line 8a _____
Line 8b + _____
Line 9a + _____
Line 10 + _____

Investment Income =

2. Is your investment income more than \$2,650?

Yes. STOP **No.** Continue →
You cannot take the credit.
3. Did a child live with you in 2004?

Yes. Go to Step 3 on page 39. **No.** Go to Step 4 on page 39.

Problem 2

Form 1040A, Earned Income Credit Worksheet, line 8, page 2

Continued from page 38

Step 3 Qualifying Child

A qualifying child is a child who is your...

Son, daughter, adopted child, stepchild, or a descendant of any of them (for example, your grandchild)

or

Brother, sister, stepbrother, stepsister, or a descendant of any of them (for example, your niece or nephew) whom you cared for as you would your own child

or

Foster child (any child placed with you by an authorized placement agency whom you cared for as you would your own child)

AND

was at the end of 2004...

Under age 19

or

Under age 24 and a student (see page 41)

or

Any age and permanently and totally disabled (see page 41)

AND

who...

Lived with you in the United States for more than half of 2004. If the child did not live with you for the required time, see Exception to "time lived with you" condition on page 40.



If the child was married, see page 41.

1. Look at the qualifying child conditions above. Could you, or your spouse if filing a joint return, be a qualifying child of another person in 2004?

Yes. STOP

No. Continue

You cannot take the credit. Put "No" to the left of the entry space for line 41.

2. Do you have at least one child who meets the above conditions to be your qualifying child?

Yes. Go to question 3.

No. Skip question 3; go to Step 4, question 2.

3. Does the child meet the conditions to be a qualifying child of any other person (other than your spouse if filing a joint return) for 2004?

Yes. See *Qualifying child of more than one person* on page 41.

No. This child is your qualifying child. The child must have a valid social security number as defined on page 41 unless the child was born and died in 2004. Skip Step 4; go to Step 5 on page 40.

Step 4 Filers Without a Qualifying Child

1. Look at the qualifying child conditions in Step 3. Could you, or your spouse if filing a joint return, be a qualifying child of another person in 2004?

Yes. STOP

No. Continue

You cannot take the credit. Put "No" to the left of the entry space for line 41.

2. Can you, or your spouse if filing a joint return, be claimed as a dependent on someone else's 2004 tax return?

Yes. STOP

No. Continue

You cannot take the credit.

3. Were you, or your spouse if filing a joint return, born before January 2, 1980, but under age 65 at the end of 2004?

Yes. Continue

No. STOP

You cannot take the credit.

4. Was your home, and your spouse's if filing a joint return, in the United States for more than half of 2004? Members of the military stationed outside the United States, see page 41 before you answer.

Yes. Go to Step 5 on page 40.

No. STOP

You cannot take the credit. Put "No" to the left of the entry space for line 41.

(Continued on page 40)

Problem 2

Form 1040A, Earned Income Credit Worksheet, line 8, page 3

Continued from page 39

Step 5 Earned Income

1. Figure earned income:

Form 1040A, line 7 6,923.00

Subtract, if included on line 7, any:

- Taxable scholarship or fellowship grant not reported on a Form W-2.
- Amount paid to an inmate in a penal institution for work (put "PRI" and the amount subtracted to the left of the entry space for line 7 of Form 1040A).
- Amount received as a pension or annuity from a nonqualified deferred compensation plan or a nongovernmental section 457 plan (put "DFC" and the amount subtracted to the left of the entry space for line 7 of Form 1040A). This amount may be shown in box 11 of your Form W-2. If you received such an amount but box 11 is blank, contact your employer for the amount received as a pension or annuity.

Earned Income = 6,923.00

2. If you have:

- 2 or more qualifying children, is your earned income less than \$34,458 (\$35,458 if married filing jointly)?
- 1 qualifying child, is your earned income less than \$30,338 (\$31,338 if married filing jointly)?
- No qualifying children, is your earned income less than \$11,490 (\$12,490 if married filing jointly)?

Yes. Go to Step 6. **No.** 

You cannot take the credit.

Step 6 How To Figure the Credit

1. Do you want the IRS to figure the credit for you?

- Yes.** See *Credit figured by the IRS* on this page. **No.** Go to the worksheet on page 42.

Definitions and Special Rules

(listed in alphabetical order)

Adopted child. An adopted child is always treated as your own child. An adopted child includes a child placed with you by an authorized placement agency for legal adoption even if the adoption is not final. An authorized placement agency includes any person or court authorized by state law to place children for legal adoption.

Credit figured by the IRS. To have the IRS figure the credit for you:

1. Put "EIC" to the left of the entry space for line 41 of Form 1040A.
2. If you have a qualifying child, complete and attach Schedule EIC. If your EIC for a year after 1996 was reduced or disallowed, see *Form 8862, Who must file*, below.

Exception to "time lived with you" condition. A child is considered to have lived with you for all of 2004 if the child was born or died in 2004 and your home was this child's home for the entire time he or she was alive in 2004. Temporary absences, such as for school, vacation, medical care, or detention in a juvenile facility, count as time lived at home. If your child is presumed to have been kidnapped by someone who is not a family member, see Pub. 596 to find out if that child is a qualifying child for the EIC. To get Pub. 596, see page 7. If you were in the military stationed outside the United States, see *Members of the military* on page 41.

Form 8862, Who must file. You must file Form 8862 if your EIC for a year after 1996 was reduced or disallowed for any reason other than a math or clerical error. But you do not have to file Form 8862 if either of the following applies.

1. After your EIC was reduced or disallowed in an earlier year (a) you filed Form 8862 (or other documents) and your EIC was then allowed, and (b) your EIC has not been reduced or disallowed again for any reason other than a math or clerical error.
2. You are taking the EIC without a qualifying child and the only reason your EIC was reduced or disallowed in the earlier year was because it was determined that a child listed on Schedule EIC was not your qualifying child.

Also, do not file Form 8862 or take the credit for 2 years if it was determined that your error was due to reckless or intentional disregard of the EIC rules (or 10 years if due to fraud).

(Continued on page 41)

Problem 2

Form 1040A, Earned Income Credit Worksheet, line 8, page 4

Form 1040A—Line 41

Continued from page 40

Married child. A child who was married at the end of 2004 is a qualifying child only if (a) you can claim him or her as your dependent on Form 1040A, line 6c, or (b) this child's other parent claims him or her as a dependent under the rules on page 20 for *Children of divorced or separated parents*.

Members of the military. If you were on extended active duty outside the United States, your home is considered to be in the United States during that duty period. Extended active duty is military duty ordered for an indefinite period or for a period of more than 90 days. Once you begin serving extended active duty, you are considered to be on extended active duty even if you serve fewer than 90 days.

Nonresident aliens. If your filing status is married filing jointly, go to Step 2 on page 38. Otherwise, stop; you cannot take the EIC.

Permanently and totally disabled child. A child who cannot engage in any substantial gainful activity because of a physical or mental condition and a doctor has determined that this condition:

- Has lasted or can be expected to last continuously for at least a year, or
- Can lead to death.

Qualifying child of more than one person. If the child meets the conditions to be a qualifying child of more than one person, only one person can take the EIC based on that child. The other person(s) cannot take the EIC for people without a qualifying child, but may take the EIC based on a different qualifying child. If you and the other person(s) cannot agree who will take the EIC, then the following rules apply.

- If only one of the persons is the child's parent, the child will be treated as the qualifying child of the parent.
- If both persons are the child's parents, the child will be treated as the qualifying child of the parent with whom the child lived for the longer period of time during 2004. If the child lived with each parent for the same amount of time, the child will be treated as the qualifying child of the parent who had the higher adjusted gross income (AGI) for 2004.
- If none of the persons is the child's parent, the child will be treated as the qualifying child of the person who had the highest AGI for 2004.

The child must have a valid social security number as defined below unless the child was born and died in 2004. If you do not have a qualifying child, stop; you cannot take the EIC. Put "No" to the left of the entry space for line 41. If you have a qualifying child, skip Step 4; go to Step 5 on page 40.

Example. You and your 5-year-old daughter moved in with your mother in April 2004. You are not a qualifying child of your mother. Your daughter meets the conditions to be a qualifying child for both you and your mother. If you and your mother cannot agree on who will treat your daughter as a qualifying child, the above rules apply. Under these rules, you are entitled to treat your daughter as a qualifying child because you are the child's parent. Your mother would not be entitled to claim any EIC unless she has a different qualifying child.

Social security number (SSN). For purposes of taking the EIC, a valid SSN is a number issued by the Social Security Administration unless "Not Valid for Employment" is printed on the social security card and the number was issued solely to apply for or receive a federally funded benefit.

To find out how to get an SSN, see page 18. If you will not have an SSN by April 15, 2005, see *What if You Cannot File on Time?* on page 12.

Student. A child who during any 5 months of 2004:

- Was enrolled as a full-time student at a school, or
- Took a full-time, on-farm training course given by a school or a state, county, or local government agency.

A school includes technical, trade, and mechanical schools. It does not include on-the-job training courses, correspondence schools, or night schools.

Welfare benefits, effect of credit on. Any refund you receive as a result of taking the EIC will not be used to determine if you are eligible for the following programs or how much you can receive from them. But if the refund you receive because of the EIC is not spent within a certain period of time, it may count as an asset (or resource) and affect your eligibility.

- Temporary Assistance for Needy Families (TANF).
- Medicaid and supplemental security income (SSI).
- Food stamps and low-income housing.

Problem 2

Form 1040A, Earned Income Credit Worksheet, line 8, page 5

Earned Income Credit (EIC) Worksheet—Line 41

Keep for Your Records

**Part 1****All Filers**

1. Enter your earned income from Step 5 on page 40.

1	6,923.00
---	----------

2. Look up the amount on line 1 above in the EIC Table on pages 43–47 to find the credit. Be sure you use the correct column for your filing status and the number of children you have. Enter the credit here.

2	349.00
---	--------

If line 2 is zero, You cannot take the credit. Put “No” to the left of the entry space for line 41.

3. Enter the amount from Form 1040A, line 22.

3	10,163.00
---	-----------

4. Are the amounts on lines 3 and 1 the same?
 Yes. Skip line 5; enter the amount from line 2 on line 6.
 No. Go to line 5.

Part 2**Filers Who Answered “No” on Line 4**

5. If you have:
• No qualifying children, is the amount on line 3 less than \$6,400 (\$7,400 if married filing jointly)?
• 1 or more qualifying children, is the amount on line 3 less than \$14,050 (\$15,050 if married filing jointly)?
 Yes. Leave line 5 blank; enter the amount from line 2 on line 6.
 No. Look up the amount on line 3 in the EIC Table on pages 43–47 to find the credit. Be sure you use the correct column for your filing status and the number of children you have. Enter the credit here.

5	101.00
---	--------

Look at the amounts on lines 5 and 2. Then, enter the **smaller** amount on line 6.

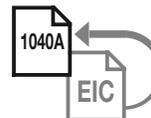
Part 3**Your Earned Income Credit**

6. **This is your earned income credit.**

6	101.00
---	--------

Enter this amount on Form 1040A, line 41.

Reminder—
✓ If you have a qualifying child, complete and attach Schedule EIC.



If your EIC for a year after 1996 was reduced or disallowed, see page 40 to find out if you must file Form 8862 to take the credit for 2004.

WAGE EARNER COMPREHENSIVE

PROBLEMS

ANSWERS TO PROBLEMS

Problem 3

Form	1040	Department of the Treasury—Internal Revenue Service U.S. Individual Income Tax Return 2004	(99)	IRS Use Only—Do not write or staple in this space.																		
Label (See instructions on page 19.) Use the IRS label. Otherwise, please print or type. Presidential Election Campaign (See page 19.)		For the year Jan. 1–Dec. 31, 2004, or other tax year beginning _____, 2004, ending _____, 20		OMB No. 1545-0074																		
		Your first name and initial Marvin		Last name Simmons																		
		Your social security number xxx xx xxxx		Spouse's social security number																		
Important! You must enter your SSN(s) above.		If a joint return, spouse's first name and initial		Last name																		
		Home address (number and street). If you have a P.O. box, see page 19. 9701 Austin Rd.		Apt. no.																		
Label HERE		City, town or post office, state, and ZIP code. If you have a foreign address, see page 19. Your City, State, and Zip Code																				
		Note. Checking "Yes" will not change your tax or reduce your refund. Do you, or your spouse if filing a joint return, want \$3 to go to this fund? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No																				
Filing Status Check only one box.		1 <input type="checkbox"/> Single 2 <input type="checkbox"/> Married filing jointly (even if only one had income) 3 <input type="checkbox"/> Married filing separately. Enter spouse's SSN above and full name here.																				
		4 <input checked="" type="checkbox"/> Head of household (with qualifying person). (See page 20.) If the qualifying person is a child but not your dependent, enter this child's name here.																				
Exemptions If more than four dependents, see page 21.		5 <input type="checkbox"/> Qualifying widow(er) with dependent child (see page 20)																				
		6a <input checked="" type="checkbox"/> Yourself. If someone can claim you as a dependent, do not check box 6a																				
b <input type="checkbox"/> Spouse		c Dependents:																				
		<table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th style="width:20%;">(1) First name</th> <th style="width:20%;">Last name</th> <th style="width:15%;">(2) Dependent's social security number</th> <th style="width:15%;">(3) Dependent's relationship to you</th> <th style="width:10%;">(4) <input checked="" type="checkbox"/> if qualifying child for child tax credit (see page 21)</th> </tr> </thead> <tbody> <tr> <td>Eric</td> <td>Simmons</td> <td>xxx xx xxxx</td> <td>Grandson</td> <td><input checked="" type="checkbox"/></td> </tr> <tr> <td> </td> <td> </td> <td> </td> <td> </td> <td><input type="checkbox"/></td> </tr> <tr> <td> </td> <td> </td> <td> </td> <td> </td> <td><input type="checkbox"/></td> </tr> </tbody> </table>			(1) First name	Last name	(2) Dependent's social security number	(3) Dependent's relationship to you	(4) <input checked="" type="checkbox"/> if qualifying child for child tax credit (see page 21)	Eric	Simmons	xxx xx xxxx	Grandson	<input checked="" type="checkbox"/>					<input type="checkbox"/>			
(1) First name	Last name	(2) Dependent's social security number	(3) Dependent's relationship to you	(4) <input checked="" type="checkbox"/> if qualifying child for child tax credit (see page 21)																		
Eric	Simmons	xxx xx xxxx	Grandson	<input checked="" type="checkbox"/>																		
				<input type="checkbox"/>																		
				<input type="checkbox"/>																		
d Total number of exemptions claimed		Boxes checked on 6a and 6b No. of children on 6c who: • lived with you • did not live with you due to divorce or separation (see page 21) Dependents on 6c not entered above																				
		Add numbers on lines above 2																				
Income Attach Forms W-2 and W-2G here. Also attach Form(s) 1099-R if tax was withheld. If you did not get a W-2, see page 22. Enclose, but do not attach, any payment. Also, please use Form 1040-V.		7 Wages, salaries, tips, etc. Attach Form(s) W-2 7 24,952																				
		8a Taxable interest. Attach Schedule B if required 8a																				
b Tax-exempt interest. Do not include on line 8a 8b		9a Ordinary dividends. Attach Schedule B if required 9a																				
		b Qualified dividends (see page 23) 9b																				
10 Taxable refunds, credits, or offsets of state and local income taxes (see page 23) 10		11 Alimony received 11																				
		12 Business income or (loss). Attach Schedule C or C-EZ 12																				
13 Capital gain or (loss). Attach Schedule D if required. If not required, check here <input type="checkbox"/> 13		14 Other gains or (losses). Attach Form 4797 14																				
		15a IRA distributions 15a																				
b Taxable amount (see page 25) 15b		16a Pensions and annuities 16a																				
		b Taxable amount (see page 25) 16b																				
17 Rental real estate, royalties, partnerships, S corporations, trusts, etc. Attach Schedule E 17		18 Farm income or (loss). Attach Schedule F 18																				
		19 Unemployment compensation 19																				
20a Social security benefits 20a		b Taxable amount (see page 27) 20b																				
		21 Other income. List type and amount (see page 27) 21																				
Adjusted Gross Income		22 Add the amounts in the far right column for lines 7 through 21. This is your total income ▶ 22 24,952																				
		23 Deduction for clean-fuel vehicles (see page 29) 23																				
24 Certain business expenses of reservists, performing artists, and fee-basis government officials. Attach Form 2106 or 2106-EZ 24		25 IRA deduction (see page 29) 25																				
		26 Student loan interest deduction (see page 31) 26																				
27 Tuition and fees deduction (see page 32) 27		28 Health savings account deduction. Attach Form 8889 28																				
		29 Moving expenses. Attach Form 3903 29																				
30 One-half of self-employment tax. Attach Schedule SE 30		31 Self-employed health insurance deduction (see page 33) 31																				
		32 Self-employed SEP, SIMPLE, and qualified plans 32																				
33 Penalty on early withdrawal of savings 33		34a Alimony paid b Recipient's SSN ▶ 34a																				
		35 Add lines 23 through 34a 35																				
36 Subtract line 35 from line 22. This is your adjusted gross income ▶ 36 24,952		36 Subtract line 35 from line 22. This is your adjusted gross income ▶ 36 24,952																				

For Disclosure, Privacy Act, and Paperwork Reduction Act Notice, see page 77.

Cat. No. 11320B

Form 1040 (2004)

Problem 3

Form 2441 Department of the Treasury Internal Revenue Service (99)	Child and Dependent Care Expenses ▶ Attach to Form 1040. ▶ See separate instructions.	OMB No. 1545-0068 2004 Attachment Sequence No. 21		
Name(s) shown on Form 1040 Marvin Simmons		Your social security number XXX : XX : XXXX		
Before you begin: You need to understand the following terms. See Definitions on page 1 of the instructions. • Dependent Care Benefits • Qualifying Person(s) • Qualified Expenses • Earned Income				
Part I Persons or Organizations Who Provided the Care—You must complete this part. (If you need more space, use the bottom of page 2.)				
1	(a) Care provider's name Joy Day Care	(b) Address (number, street, apt. no., city, state, and ZIP code) 9192 East Huron Your City, State, and Zip Code	(c) Identifying number (SSN or EIN) XX-XXXXXXX	(d) Amount paid (see instructions) 978
Did you receive dependent care benefits?				
No —————▶ Complete only Part II below.				
Yes —————▶ Complete Part III on the back next.				
Caution. If the care was provided in your home, you may owe employment taxes. See the instructions for Form 1040, line 61.				
Part II Credit for Child and Dependent Care Expenses				
2 Information about your qualifying person(s) . If you have more than two qualifying persons, see the instructions.				
	(a) Qualifying person's name First Last Eric Simmons	(b) Qualifying person's social security number XXX : XX : XXXX XXX : XX : XXXX	(c) Qualified expenses you incurred and paid in 2004 for the person listed in column (a) 978	
3	Add the amounts in column (c) of line 2. Do not enter more than \$3,000 for one qualifying person or \$6,000 for two or more persons. If you completed Part III, enter the amount from line 34			978
4	Enter your earned income			24,952
5	If married filing jointly, enter your spouse's earned income (if your spouse was a student or was disabled, see the instructions); all others , enter the amount from line 4			24,952
6	Enter the smallest of line 3, 4, or 5			978
7	Enter the amount from Form 1040, line 37			24,952
8	Enter on line 8 the decimal amount shown below that applies to the amount on line 7 If line 7 is:			.30
	Over	But not over	Decimal amount is	
				Over
				But not over
				Decimal amount is
	\$0—15,000		.35	\$29,000—31,000
	15,000—17,000		.34	31,000—33,000
	17,000—19,000		.33	33,000—35,000
	19,000—21,000		.32	35,000—37,000
	21,000—23,000		.31	37,000—39,000
	23,000—25,000		.30	39,000—41,000
	25,000—27,000		.29	41,000—43,000
	27,000—29,000		.28	43,000—No limit
9	Multiply line 6 by the decimal amount on line 8. If you paid 2003 expenses in 2004, see the instructions			293
10	Enter the amount from Form 1040, line 43			1,234
11	Enter the amount, if any, from Form 6251, line 31 (see the instructions)			0
12	Subtract line 11 from line 10. If zero or less, stop . You cannot take the credit			1,234
13	Credit for child and dependent care expenses. Enter the smaller of line 9 or line 12 here and on Form 1040, line 46			293
For Paperwork Reduction Act Notice, see page 3 of the instructions.				
			Cat. No. 11862M	Form 2441 (2004)

Problem 3

Form 2441 (2004)		Page 2																																																
Part III Dependent Care Benefits																																																		
<p>14 Enter the total amount of dependent care benefits you received in 2004. Amounts you received as an employee should be shown in box 10 of your Form(s) W-2. Do not include amounts reported as wages in box 1 of Form(s) W-2. If you were self-employed or a partner, include amounts you received under a dependent care assistance program from your sole proprietorship or partnership</p> <p>15 Enter the amount forfeited, if any (see the instructions)</p> <p>16 Subtract line 15 from line 14</p> <p>17 Enter the total amount of qualified expenses incurred in 2004 for the care of the qualifying person(s)</p> <p>18 Enter the smaller of line 16 or 17</p> <p>19 Enter your earned income</p> <p>20 Enter the amount shown below that applies to you.</p> <ul style="list-style-type: none"> • If married filing jointly, enter your spouse's earned income (if your spouse was a student or was disabled, see the instructions for line 5). • If married filing separately, see the instructions for the amount to enter. • All others, enter the amount from line 19. <p>21 Enter the smallest of line 18, 19, or 20</p> <p>22 Enter the amount from line 14 that you received from your sole proprietorship or partnership. If you did not receive any such amounts, enter -0-</p> <p>23 Subtract line 22 from line 16</p> <p>24 Enter \$5,000 (\$2,500 if married filing separately and you were required to enter your spouse's earned income on line 20)</p> <p>25 Deductible benefits. Enter the smallest of line 21, 22, or 24. Also, include this amount on the appropriate line(s) of your return (see the instructions)</p> <p>26 Enter the smaller of line 21 or 24</p> <p>27 Enter the amount from line 25</p> <p>28 Excluded benefits. Subtract line 27 from line 26. If zero or less, enter -0-</p> <p>29 Taxable benefits. Subtract line 28 from line 23. If zero or less, enter -0-. Also, include this amount on Form 1040, line 7. On the dotted line next to line 7, enter "DCB"</p>	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr><td style="width: 20px;">14</td><td style="width: 20px;"></td><td style="width: 20px;"></td></tr> <tr><td>15</td><td></td><td></td></tr> <tr><td>16</td><td></td><td></td></tr> <tr><td>17</td><td></td><td></td></tr> <tr><td>18</td><td></td><td></td></tr> <tr><td>19</td><td></td><td></td></tr> <tr><td>20</td><td></td><td></td></tr> <tr><td>21</td><td></td><td></td></tr> <tr><td>22</td><td></td><td></td></tr> <tr><td>23</td><td></td><td></td></tr> <tr><td>24</td><td></td><td></td></tr> <tr><td>25</td><td></td><td></td></tr> <tr><td>26</td><td></td><td></td></tr> <tr><td>27</td><td></td><td></td></tr> <tr><td>28</td><td></td><td></td></tr> <tr><td>29</td><td></td><td></td></tr> </table>	14			15			16			17			18			19			20			21			22			23			24			25			26			27			28			29			
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To claim the child and dependent care credit, complete lines 30-34 below.																																																		
<p>30 Enter \$3,000 (\$6,000 if two or more qualifying persons)</p> <p>31 Add lines 25 and 28</p> <p>32 Subtract line 31 from line 30. If zero or less, stop. You cannot take the credit. Exception. If you paid 2003 expenses in 2004, see the instructions for line 9</p> <p>33 Complete line 2 on the front of this form. Do not include in column (c) any benefits shown on line 31 above. Then, add the amounts in column (c) and enter the total here</p> <p>34 Enter the smaller of line 32 or 33. Also, enter this amount on line 3 on the front of this form and complete lines 4-13</p>	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr><td style="width: 20px;">30</td><td style="width: 20px;"></td><td style="width: 20px;"></td></tr> <tr><td>31</td><td></td><td></td></tr> <tr><td>32</td><td></td><td></td></tr> <tr><td>33</td><td></td><td></td></tr> <tr><td>34</td><td></td><td></td></tr> </table>	30			31			32			33			34																																				
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Problem 3

Form 1040, Child Tax Credit Worksheet, line 51

Line 51—Child Tax Credit

What Is the Child Tax Credit?

This credit is for people who have a qualifying child (defined below). It is in addition to the credit for child and dependent care expenses on Form 1040, line 46, and the earned income credit on Form 1040, line 65.

Three Steps To Take the Child Tax Credit!

- Step 1.** Make sure you have a qualifying child for the child tax credit (defined below).
- Step 2.** Make sure you checked the box on Form 1040, line 6c, column (4), for each qualifying child.
- Step 3.** Answer the questions on this page to see if you may use the worksheet on page 41 to figure your credit or if you must use Pub. 972, Child Tax Credit. If you need Pub. 972, see page 7.

Qualifying Child for Child Tax Credit

A qualifying child for purposes of the child tax credit is a child who:

1. Is claimed as your dependent on line 6c, and
2. Was under age 17 at the end of 2004, and
3. Is your (a) son, daughter, adopted child, stepchild, or a descendant of any of them (for example, your grandchild); (b) brother, sister, stepbrother, stepsister, or a descendant of any of them (for example, your niece or nephew), whom you cared for as you would your own child; or (c) foster child (any child placed with you by an authorized placement agency whom you cared for as you would your own child), and
4. Is a U.S. citizen or resident alien.



The above requirements are not the same as the requirements to be a qualifying child for the earned income credit.

An adopted child is always treated as your own child. An adopted child includes a child placed with you by an authorized

placement agency for legal adoption even if the adoption is not final. An authorized placement agency includes any person or court authorized by state law to place children for legal adoption.

Questions

Who Must Use Pub. 972



1. Are you excluding income from Puerto Rico or are you filing any of the following forms?
 - Form 2555 or 2555-EZ (relating to foreign earned income)
 - Form 4563 (exclusion of income for residents of American Samoa)

No. *Continue* → **Yes.** You must use Pub. 972 to figure your credit.
2. Is the amount on Form 1040, line 37, more than the amount shown below for your filing status?
 - Married filing jointly – \$110,000
 - Single, head of household, or qualifying widow(er) – \$75,000
 - Married filing separately – \$55,000

No. *Continue* → **Yes.** You must use Pub. 972 to figure your credit.
3. Are you claiming any of the following credits?
 - Retirement savings contributions credit, Form 8880 (see the instructions for Form 1040, line 52, on page 42)
 - Adoption credit, Form 8839 (see the instructions for Form 1040, line 53, on page 42)

No. Use the worksheet on page 38 to figure your child tax credit. **Yes.** You must use Pub. 972 to figure your child tax credit. You will also need the form(s) listed above for any credit(s) you are claiming.

WAGE EARNER COMPREHENSIVE

PROBLEMS

ANSWERS TO PROBLEMS

Problem 3

Form 1040, Child Tax Credit Worksheet, line 51

Child Tax Credit Worksheet—Line 51

Keep for Your Records



• To be a qualifying child for the child tax credit, the child must be **under age 17** at the end of 2004 and meet the other requirements listed on page 40.

• **Do not** use this worksheet if you answered “Yes” to question 1, 2, or 3 on page 40. Instead, use Pub. 972.

1. Number of qualifying children: 1 × \$1,000. 1 1,000.00
Enter the result.

2. Enter the amount from Form 1040, line 45. 2 1,234.00

3. Add the amounts from Form 1040:

Line 46 293.00

Line 47 + _____

Line 48 + _____

Line 49 + _____

Line 50 + _____ Enter the total. 3 293.00

4. Are the amounts on lines 2 and 3 the same?

Yes.

You cannot take this credit because there is no tax to reduce. However, you may be able to take the **additional child tax credit**. See the **TIP** below.

No. Subtract line 3 from line 2. 4 941.00

5. Is the amount on line 1 more than the amount on line 4?

Yes. Enter the amount from line 4. Also, you may be able to take the **additional child tax credit**. See the **TIP** below. **This is your child tax credit.**

No. Enter the amount from line 1.

5 941.00

Enter this amount on Form 1040, line 51.



You may be able to take the **additional child tax credit** on Form 1040, line 67, if you answered “Yes” on line 4 or line 5 above.

- First, complete your Form 1040 through line 66.
- Then, use Form 8812 to figure any additional child tax credit.



Problem 3

Form 1040, Earned Income Credit Worksheet, line 65, page 1

Line 65 Earned Income Credit (EIC)

What Is the EIC?

The EIC is a credit for certain people who work. The credit may give you a refund even if you do not owe any tax.

To Take the EIC:

- Follow the steps below.
- Complete the worksheet that applies to you or let the IRS figure the credit for you.
- If you have a qualifying child, complete and attach Schedule EIC.



If you take the EIC even though you are not eligible and it is determined that your error is due to reckless or intentional disregard of the EIC rules, you will not be allowed to take the credit for 2 years even if you are otherwise eligible to do so. If you fraudulently take the EIC, you will not be allowed to take the credit for 10 years. You may also have to pay penalties.

Step 1 All Filers

1. If, in 2004:
- 2 children lived with you, is the amount on Form 1040, line 37, less than \$34,458 (\$35,458 if married filing jointly)?
 - 1 child lived with you, is the amount on Form 1040, line 37, less than \$30,338 (\$31,338 if married filing jointly)?
 - No children lived with you, is the amount on Form 1040, line 37, less than \$11,490 (\$12,490 if married filing jointly)?

Yes. Continue **No.** You cannot take the credit.

2. Do you, and your spouse if filing a joint return, have a social security number that allows you to work or is valid for EIC purposes (see page 47)?

Yes. Continue **No.** You cannot take the credit. Put "No" on the dotted line next to line 65.

3. Is your filing status married filing separately?

Yes. You cannot take the credit. **No.** Continue

4. Are you filing Form 2555 or 2555-EZ (relating to foreign earned income)?

Yes. You cannot take the credit. **No.** Continue

5. Were you a nonresident alien for any part of 2004?

Yes. See *Nonresident aliens* on page 47. **No.** Go to Step 2.

Step 2 Investment Income

1. Add the amounts from Form 1040:

Line 8a		_____	0.00
Line 8b	+	_____	
Line 9a	+	_____	
Line 13*	+	_____	

Investment Income =

*Do not include if line 13 is a loss.

2. Is your investment income more than \$2,650?

Yes. Continue **No.** Skip question 3; go to question 4.

3. Are you filing Form 4797 (relating to sales of business property)?

Yes. See *Form 4797 filers* on page 46. **No.** You cannot take the credit.

4. Do any of the following apply for 2004?

- You are filing Schedule E.
 - You are reporting income or a loss from the rental of personal property not used in a trade or business.
 - You are reporting income on Form 1040, line 21, from Form 8814 (relating to election to report child's interest and dividends).
- Yes.** You must use Worksheet 1 in Pub. 596 to see if you can take the credit. To get Pub. 596, see page 7. **No.** Continue

5. Did a child live with you in 2004?

Yes. Go to Step 3 on page 45. **No.** Go to Step 4 on page 45.

(Continued on page 45)

Problem 3

Form 1040, Earned Income Credit Worksheet, line 65, page 2

Step 3 Qualifying Child

A qualifying child is a child who is your...

Son, daughter, adopted child, stepchild, or a descendant of any of them (for example, your grandchild)

or

Brother, sister, stepbrother, stepsister, or a descendant of any of them (for example, your niece or nephew), whom you cared for as you would your own child

or

Foster child (any child placed with you by an authorized placement agency whom you cared for as you would your own child)

AND

was at the end of 2004...

Under age 19

or

Under age 24 and a student (see page 47)

or

Any age and permanently and totally disabled (see page 47)

AND

who...

Lived with you in the United States for more than half of 2004.

If the child did not live with you for the required time, see *Exception to "time lived with you" condition* on page 46.



If the child was married, see page 47.

1. Look at the qualifying child conditions above. Could you, or your spouse if filing a joint return, be a qualifying child of another person in 2004?

Yes.

You cannot take the credit. Put "No" on the dotted line next to line 65.

No. *Continue* →

2. Do you have at least one child who meets the above conditions to be your qualifying child?

Yes. Go to question 3.

No. Skip the next two questions; go to Step 4, question 2.

3. Does the child meet the conditions to be a qualifying child of any other person (other than your spouse if filing a joint return) for 2004?

Yes. See *Qualifying child of more than one person* on page 47.

No. This child is your qualifying child. The child must have a valid social security number as defined on page 47 unless the child was born and died in 2004. Skip Step 4; go to Step 5 on page 46.

Step 4 Filers Without a Qualifying Child

1. Look at the qualifying child conditions in Step 3. Could you, or your spouse if filing a joint return, be a qualifying child of another person in 2004?

Yes.

You cannot take the credit. Put "No" on the dotted line next to line 65.

No. *Continue* →

2. Can you, or your spouse if filing a joint return, be claimed as a dependent on someone else's 2004 tax return?

Yes.

You cannot take the credit.

No. *Continue* →

3. Were you, or your spouse if filing a joint return, at least age 25 but under age 65 at the end of 2004?

Yes. *Continue* →

No.

You cannot take the credit.

4. Was your home, and your spouse's if filing a joint return, in the United States for more than half of 2004? Members of the military stationed outside the United States, see page 47 before you answer.

Yes. Go to Step 5 on page 46.

No.

You cannot take the credit. Put "No" on the dotted line next to line 65.

(Continued on page 46)

Problem 3

Form 1040, Earned Income Credit Worksheet, line 65, page 3

Step 5 Earned Income

1. Are you filing Schedule SE because you were a member of the clergy or you had church employee income of \$108.28 or more?

Yes. See *Clergy or Church employees*, whichever applies, on this page. **No.** Continue

2. Figure earned income:

Form 1040, line 7 24,952.00

Subtract, if included on line 7, any:

- Taxable scholarship or fellowship grant not reported on a Form W-2.
- Amount paid to an inmate in a penal institution for work (put "PRI" and the amount subtracted on the dotted line next to Form 1040, line 7).
- Amount received as a pension or annuity from a nonqualified deferred compensation plan or a nongovernmental section 457 plan (put "DFC" and the amount subtracted on the dotted line next to Form 1040, line 7). This amount may be shown in Form W-2, box 11. If you received such an amount but box 11 is blank, contact your employer for the amount received as a pension or annuity.

Earned Income = 24,952.00

3. Were you self-employed, or are you filing Schedule SE because you were a member of the clergy or you had church employee income, or are you filing Schedule C or C-EZ as a statutory employee?

Yes. Skip question 4 and Step 6; go to Worksheet B on page 49. **No.** Continue

4. If you have:

- 2 or more qualifying children, is your earned income less than \$34,458 (\$35,458 if married filing jointly)?
- 1 qualifying child, is your earned income less than \$30,338 (\$31,338 if married filing jointly)?
- No qualifying children, is your earned income less than \$11,490 (\$12,490 if married filing jointly)?

Yes. Go to Step 6. **No.** STOP

You cannot take the credit.

Step 6 How To Figure the Credit

1. Do you want the IRS to figure the credit for you?

Yes. See *Credit figured by the IRS* on this page. **No.** Go to Worksheet A on page 48.

Definitions and Special Rules

(listed in alphabetical order)

Adopted child. An adopted child is always treated as your own child. An adopted child includes a child placed with you by an authorized placement agency for legal adoption even if the adoption is not final. An authorized placement agency includes any person or court authorized by state law to place children for legal adoption.

Church employees. Determine how much of the amount on Form 1040, line 7, was also reported on Schedule SE, line 5a. Subtract that amount from the amount on Form 1040, line 7, and enter the result in the first space of Step 5, line 2. Be sure to answer "Yes" on Step 5, line 3.

Clergy. The following instructions apply to ministers, members of religious orders who have not taken a vow of poverty, and Christian Science practitioners. If you are filing Schedule SE and the amount on line 2 of that schedule includes an amount that was also reported on Form 1040, line 7:

1. Put "Clergy" on the dotted line next to Form 1040, line 65.
2. Determine how much of the amount on Form 1040, line 7, was also reported on Schedule SE, line 2.
3. Subtract that amount from the amount on Form 1040, line 7. Enter the result in the first space of Step 5, line 2.
4. Be sure to answer "Yes" to question 3 in Step 5.

Credit figured by the IRS. To have the IRS figure the credit for you:

- Put "EIC" on the dotted line next to Form 1040, line 65.
- If you have a qualifying child, complete and attach Schedule EIC. If your EIC for a year after 1996 was reduced or disallowed, see *Form 8862, Who must file below*.

Exception to "time lived with you" condition. A child is considered to have lived with you for all of 2004 if the child was born or died in 2004 and your home was this child's home for the entire time he or she was alive in 2004. Temporary absences, such as for school, vacation, medical care, or detention in a juvenile facility, count as time lived at home. If your child is presumed to have been kidnapped by someone who is not a family member, see Pub. 596 to find out if that child is a qualifying child for the EIC. To get Pub. 596, see page 7. If you were in the military stationed outside the United States, see *Members of the military* on page 47.

Form 4797 filers. If the amount on Form 1040, line 13, includes an amount from Form 4797, you must use Worksheet 1 in Pub. 596 to see if you can take the EIC. To get Pub. 596, see page 7. Otherwise, stop; you cannot take the EIC.

Form 8862, Who must file. You must file Form 8862 if your EIC for a year after 1996 was reduced or disallowed for any reason other than a math or clerical error. But do not file Form 8862 if either of the following applies.

1. After your EIC was reduced or disallowed in an earlier year (a) you filed Form 8862 (or other documents) and your EIC was then allowed, and (b) your EIC has not been

Problem 3

Form 1040, Earned Income Credit Worksheet, line 65, page 4

reduced or disallowed again for any reason other than a math or clerical error.

2. You are taking the EIC without a qualifying child and the only reason your EIC was reduced or disallowed in the earlier year was because it was determined that a child listed on Schedule EIC was not your qualifying child.

Also, do not file Form 8862 or take the credit for 2 years if it was determined that your error was due to reckless or intentional disregard of the EIC rules (10 years if due to fraud).

Married child. A child who was married at the end of 2004 is a qualifying child only if (a) you can claim him or her as your dependent on Form 1040, line 6c, or (b) this child's other parent claims him or her as a dependent under the rules in Pub. 501 for children of divorced or separated parents.

Members of the military. If you were on extended active duty outside the United States, your home is considered to be in the United States during that duty period. Extended active duty is military duty ordered for an indefinite period or for a period of more than 90 days. Once you begin serving extended active duty, you are considered to be on extended active duty even if you serve fewer than 90 days.

Nonresident aliens. If your filing status is married filing jointly, go to Step 2 on page 44. Otherwise, stop; you cannot take the EIC.

Permanently and totally disabled child. A child who cannot engage in any substantial gainful activity because of a physical or mental condition and a doctor has determined that this condition:

- Has lasted or can be expected to last continuously for at least a year, or
- Can lead to death.

Qualifying child of more than one person. If the child meets the conditions to be a qualifying child of more than one person, only one person can take the EIC based on that child. The other person(s) cannot take the EIC for people without a qualifying child, but may take the EIC based on a different qualifying child. If you and the other person(s) cannot agree who will take the EIC, then the following rules apply.

- If only one of the persons is the child's parent, the child will be treated as the qualifying child of the parent.
- If both persons are the child's parents, the child will be treated as the qualifying child of the parent with whom the child lived for the longer period of time during 2004. If the child lived with each parent for the same amount of time, the child will be treated as the qualifying child of the parent who had the higher adjusted gross income (AGI) for 2004.

- If none of the persons is the child's parent, the child will be treated as the qualifying child of the person who had the highest AGI for 2004.

The child must have a valid social security number as defined on this page unless the child was born and died in 2004. If you do not have a qualifying child, stop; you cannot take the EIC. Put "No" on the dotted line next to line 65. If you have a qualifying child, skip Step 4; go to Step 5 on page 46.

Example. You and your 5-year-old daughter moved in with your mother in April 2004. You are not a qualifying child of your mother. Your daughter meets the conditions to be a qualifying child for both you and your mother. If you and your mother cannot agree on who will treat your daughter as a qualifying child, the rules above apply. Under these rules, you are entitled to treat your daughter as a qualifying child because you are the child's parent. Your mother would not be entitled to claim any EIC unless she has a different qualifying child.

Social security number (SSN). For purposes of taking the EIC, a valid SSN is a number issued by the Social Security Administration unless "Not Valid for Employment" is printed on the social security card and the number was issued solely to apply for or receive a federally funded benefit.

To find out how to get an SSN, see page 15. If you will not have an SSN by April 15, 2005, see *What if You Cannot File on Time?* on page 12.

Student. A child who during any 5 months of 2004:

- Was enrolled as a full-time student at a school, or
- Took a full-time, on-farm training course given by a school or a state, county, or local government agency.

A school includes technical, trade, and mechanical schools. It does not include on-the-job training courses, correspondence schools, or night schools.

Welfare benefits, effect of credit on. Any refund you receive as a result of taking the EIC will not be used to determine if you are eligible for the following programs or how much you can receive from them. But if the refund you receive because of the EIC is not spent within a certain period of time, it may count as an asset (or resource) and affect your eligibility.

- Temporary Assistance for Needy Families (TANF).
- Medicaid and supplemental security income (SSI).
- Food stamps and low-income housing.

Problem 3

Form 1040, Earned Income Credit Worksheet, line 65, page 5

Worksheet **A**—Earned Income Credit (EIC)—Line 65

Keep for Your Records

Before you begin: ✓ Be sure you are using the correct worksheet. Do not use this worksheet if you were self-employed, or you are filing Schedule SE because you were a member of the clergy or you had church employee income, or you are filing Schedule C or C-EZ as a statutory employee. Instead, use Worksheet B that begins on page 49.



Part 1

All Filers Using Worksheet A

1. Enter your earned income from Step 5 on page 46.

1	24,952.00
---	-----------

2. Look up the amount on line 1 above in the EIC Table on pages 51–55 to find the credit. Be sure you use the correct column for your filing status and the number of children you have. Enter the credit here.

2	857.00
---	--------

If line 2 is zero, You cannot take the credit. Put “No” on the dotted line next to line 65.

3. Enter the amount from Form 1040, line 37.

3	24,952.00
---	-----------

4. Are the amounts on lines 3 and 1 the same?

 Yes. Skip line 5; enter the amount from line 2 on line 6. **No.** Go to line 5.

Part 2

Filers Who Answered “No” on Line 4

5. If you have:

- No qualifying children, is the amount on line 3 less than \$6,400 (\$7,400 if married filing jointly)?

- 1 or more qualifying children, is the amount on line 3 less than \$14,050 (\$15,050 if married filing jointly)?

 Yes. Leave line 5 blank; enter the amount from line 2 on line 6. **No.** Look up the amount on line 3 in the EIC Table on pages 51–55 to find the credit. Be sure you use the correct column for your filing status and the number of children you have. Enter the credit here.

5	
---	--

Look at the amounts on lines 5 and 2. Then, enter the **smaller** amount on line 6.

Part 3

Your Earned Income Credit

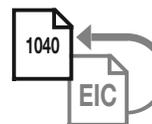
6. This is your earned income credit.

6	857.00
---	--------

Enter this amount on Form 1040, line 65.

Reminder—

✓ If you have a qualifying child, complete and attach Schedule EIC.



If your EIC for a year after 1996 was reduced or disallowed, see page 46 to find out if you must file Form 8862 to take the credit for 2004.

WAGE EARNER COMPREHENSIVE

PROBLEMS

ANSWERS TO PROBLEMS

Problem 3

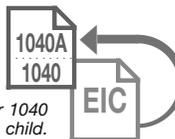
Schedule EIC

SCHEDULE EIC
(Form 1040A or 1040)

Department of the Treasury
Internal Revenue Service

Earned Income Credit
Qualifying Child Information

Complete and attach to Form 1040A or 1040
only if you have a qualifying child.



OMB No. 1545-0074

2004

Attachment
Sequence No. **43**

Name(s) shown on return

Marvin Simmons

Your social security number

xxx : xx : xxxxx

Before you begin: See the instructions for Form 1040A, line 41, or Form 1040, line 65, to make sure that
(a) you can take the EIC and (b) you have a qualifying child.



- If you take the EIC even though you are not eligible, you may not be allowed to take the credit for up to 10 years. See back of schedule for details.
- It will take us longer to process your return and issue your refund if you do not fill in all lines that apply for each qualifying child.
- Be sure the child's name on line 1 and social security number (SSN) on line 2 agree with the child's social security card. Otherwise, at the time we process your return, we may reduce or disallow your EIC. If the name or SSN on the child's social security card is not correct, call the Social Security Administration at 1-800-772-1213.

Qualifying Child Information

Child 1

Child 2

	First name	Last name	First name	Last name
1 Child's name If you have more than two qualifying children, you only have to list two to get the maximum credit.	Eric	Simmons		
2 Child's SSN The child must have an SSN as defined on page 43 of the Form 1040A instructions or page 47 of the Form 1040 instructions unless the child was born and died in 2004. If your child was born and died in 2004 and did not have an SSN, enter "Died" on this line and attach a copy of the child's birth certificate.	xxx	xx	xxxxx	
3 Child's year of birth	Year 1 9 9 3		Year _____	
	<i>If born after 1985, skip lines 4a and 4b; go to line 5.</i>		<i>If born after 1985, skip lines 4a and 4b; go to line 5.</i>	
4 If the child was born before 1986—				
a Was the child under age 24 at the end of 2004 and a student?	<input type="checkbox"/> Yes. <i>Go to line 5.</i>	<input type="checkbox"/> No. <i>Continue</i>	<input type="checkbox"/> Yes. <i>Go to line 5.</i>	<input type="checkbox"/> No. <i>Continue</i>
b Was the child permanently and totally disabled during any part of 2004?	<input type="checkbox"/> Yes. <i>Continue</i>	<input type="checkbox"/> No. The child is not a qualifying child.	<input type="checkbox"/> Yes. <i>Continue</i>	<input type="checkbox"/> No. The child is not a qualifying child.
5 Child's relationship to you (for example, son, daughter, grandchild, niece, nephew, foster child, etc.)	Grandchild			
6 Number of months child lived with you in the United States during 2004 • If the child lived with you for more than half of 2004 but less than 7 months, enter "7". • If the child was born or died in 2004 and your home was the child's home for the entire time he or she was alive during 2004, enter "12".	12 months <i>Do not enter more than 12 months.</i>		_____ months <i>Do not enter more than 12 months.</i>	



You may also be able to take the additional child tax credit if your child (a) was under age 17 at the end of 2004, (b) is claimed as your dependent on line 6c of Form 1040A or Form 1040, and (c) is a U.S. citizen or resident alien. For more details, see the instructions for line 42 of Form 1040A or line 67 of Form 1040.

For Paperwork Reduction Act Notice, see Form 1040A or 1040 instructions.

Cat. No. 13339M

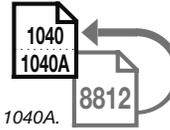
Schedule EIC (Form 1040A or 1040) 2004

Problem 3

Form 8812

Form **8812**

Additional Child Tax Credit



OMB No. 1545-1620

2004

Attachment Sequence No. **47**

Department of the Treasury
Internal Revenue Service (99)

Complete and attach to Form 1040 or Form 1040A.

Name(s) shown on return

Marvin Simmons

Your social security number

xxx xx xxxx

Part I All Filers

1	Enter the amount from line 1 of your Child Tax Credit Worksheet on page 41 of the Form 1040 instructions or page 38 of the Form 1040A instructions. If you used Pub. 972, enter the amount from line 8 of the worksheet on page 4 of the publication	1	1,000
2	Enter the amount from Form 1040, line 51, or Form 1040A, line 32	2	941
3	Subtract line 2 from line 1. If zero, stop ; you cannot take this credit	3	59
4	Enter your total taxable earned income. See the instructions on back	4	24,952
5	Is the amount on line 4 more than \$10,750? <input type="checkbox"/> No. Leave line 5 blank and enter -0- on line 6. <input checked="" type="checkbox"/> Yes. Subtract \$10,750 from the amount on line 4. Enter the result	5	14,202
6	Multiply the amount on line 5 by 10% (.10) and enter the result Next. Do you have three or more qualifying children? <input checked="" type="checkbox"/> No. If line 6 is zero, stop ; you cannot take this credit. Otherwise, skip Part II and enter the smaller of line 3 or line 6 on line 13. <input type="checkbox"/> Yes. If line 6 is equal to or more than line 3, skip Part II and enter the amount from line 3 on line 13. Otherwise, go to line 7.	6	1,420

Part II Certain Filers Who Have Three or More Qualifying Children

7	Enter the total of the withheld social security and Medicare taxes from Form(s) W-2, boxes 4 and 6. If married filing jointly, include your spouse's amounts with yours. If you worked for a railroad, see the instructions on back	7	
8	1040 filers: Enter the total of the amounts from Form 1040, lines 30 and 58, plus any uncollected social security and Medicare or tier 1 RRTA taxes included on line 62. 1040A filers: Enter -0-.	8	
9	Add lines 7 and 8	9	
10	1040 filers: Enter the total of the amounts from Form 1040, lines 65 and 66. 1040A filers: Enter the total of the amount from Form 1040A, line 41, plus any excess social security and tier 1 RRTA taxes withheld that you entered to the left of line 43 (see the instructions on back).	10	
11	Subtract line 10 from line 9. If zero or less, enter -0-	11	
12	Enter the larger of line 6 or line 11 here Next, enter the smaller of line 3 or line 12 on line 13.	12	

Part III Your Additional Child Tax Credit

13	This is your additional child tax credit	13	59
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Enter this amount on Form 1040, line 67, or Form 1040A, line 42.

For Paperwork Reduction Act Notice, see back of form.

Cat. No. 10644E

Form **8812** (2004)

Problem 3

Form 8812 (2004)

Page **2**

Instructions

Purpose of Form

Use Form 8812 to figure your additional child tax credit.



The additional child tax credit may give you a refund even if you do not owe any tax.

Who Should Use Form 8812

First, complete the Child Tax Credit Worksheet that applies to you. See the instructions for Form 1040, line 51, or Form 1040A, line 32. If you meet the condition given in the *TIP* at the end of your Child Tax Credit Worksheet, use Form 8812 to see if you can take the additional child tax credit.

Effect of Credit on Welfare Benefits

Any refund you receive as a result of taking the additional child tax credit will not be used to determine if you are eligible for the following programs, or how much you can receive from them.

- Temporary Assistance for Needy Families (TANF).
- Medicaid and supplemental security income (SSI).
- Food stamps and low-income housing.

Taxable Earned Income

1. Did you, or your spouse if filing a joint return, have net earnings from self-employment and use either optional method to figure those net earnings?

- No.** Go to question 2.
- Yes.** Use Pub. 972 to figure the amount to enter on Form 8812, line 4.

2. Are you claiming the earned income credit (EIC) on Form 1040, line 65, or Form 1040A, line 41?

- Yes.** Use the following chart to find the amount to enter on Form 8812, line 4.

IF you are filing Form . . .	AND you completed . . .	THEN enter on Form 8812, line 4, the amount from . . .
1040	Worksheet B on page 49 of your 1040 instructions	Worksheet B, line 4b.*
	Step 5 on page 46 of your 1040 instructions (but not Worksheet B)	Step 5, Earned Income
1040A	Step 5 on page 42 of your 1040A instructions	Step 5, Earned Income

* If you were a member of the clergy, subtract the following from the amount on line 4b: (a) the rental value of a home or the nontaxable portion of an allowance for a home furnished to you (including payments for utilities) and (b) the value of meals and lodging provided to you, your spouse, and your dependents for your employer's convenience.

- No. 1040 filers:** Go to question 3.
1040A filers: Skip question 3 and go to question 4.

3. Were you, or your spouse if filing a joint return, self-employed, or are you filing Schedule SE because you were a member of the clergy or you had church employee income, or are you filing Schedule C or C-EZ as a statutory employee?

- No.** Go to question 4.
- Yes.** Use Pub. 972 to figure the amount to enter on Form 8812, line 4.

4. Does the amount on line 7 of Form 1040 or Form 1040A include any of the following amounts?

- Taxable scholarship or fellowship grants not reported on a Form W-2.
- Amounts paid to an inmate in a penal institution for work (enter "PRI" and the amount paid in the space next to line 7 of Form 1040 or 1040A).
- Amounts received as a pension or annuity from a nonqualified deferred compensation plan or a nongovernmental section 457 plan (enter "DFC" and the amount received in the space next to line 7 of Form 1040 or 1040A). This amount may be reported in box 11 of your Form W-2. If you received such an amount but box 11 is blank, contact your employer for the amount received as a pension or annuity.
- Amounts from Form 2555, line 41, or Form 2555-EZ, line 18.

No. Enter the amount from line 7 of Form 1040 or Form 1040A on Form 8812, line 4.

Yes. Subtract the total of those amounts from the amount on line 7 of Form 1040 or Form 1040A. (If an amount is included in more than one of the above categories, include it only once in figuring the total amount to subtract.) Enter the result on Form 8812, line 4.

Railroad Employees

If you worked for a railroad, include the following taxes in the total on Form 8812, line 7.

- Tier 1 tax withheld from your pay. This tax should be shown in box 14 of your Form(s) W-2 and identified as "Tier 1 tax."
- If you were an employee representative, 50% of the total tier 1 tax and tier 1 Medicare tax you paid for 2004.

1040A Filers

If you, or your spouse if filing a joint return, had more than one employer for 2004 and total wages of over \$87,900, figure any excess social security and tier 1 railroad retirement (RRTA) taxes withheld. See the instructions for Form 1040A, line 43. Include any excess on Form 8812, line 10.

Paperwork Reduction Act Notice. We ask for the information on this form to carry out the Internal Revenue laws of the United States. You are required to give us the information. We need it to ensure that you are complying with these laws and to allow us to figure and collect the right amount of tax.

You are not required to provide the information requested on a form that is subject to the Paperwork Reduction Act unless the form displays a valid OMB control number. Books or records relating to a form or its instructions must be retained as long as their contents may become material in the administration of any Internal Revenue law. Generally, tax returns and return information are confidential, as required by Internal Revenue Code section 6103.

The time needed to complete and file this form will vary depending on individual circumstances. The estimated average time is: **Recordkeeping**, 6 min.; **Learning about the law or the form**, 5 min.; **Preparing the form**, 28 min.; **Copying, assembling, and sending the form to the IRS**, 20 min.

If you have comments concerning the accuracy of these time estimates or suggestions for making this form simpler, we would be happy to hear from you. See the Instructions for Form 1040 or Form 1040A.

OBJECTIVES

After completing this lesson you should be able to:

- Identify the items that affect the basis of a stock.
- Determine if a stock's holding period is long term or short term.
- Determine when and how to report commissions from sale of stock on Schedule D.
- Calculate the taxable gain or deductible loss using Schedule D.
- Calculate the tax liability using the Schedule D Tax Worksheet.

What You Will Need

In order to complete Schedule D, the taxpayer will need to show you his or her records, including information returns.

- Form 1099-B, *Proceeds From Broker and Barter Exchange Transactions*, which the broker gives the taxpayer to report the sale price of stock.
- The taxpayer's records of basis in the stock sold. Basis is explained in this lesson.
- The taxpayer's records of the date the stock was originally acquired.
- Form 1099-DIV, *Dividends and Distributions*, if the taxpayer received capital gain distributions (for example, from a mutual fund).
- The taxpayer's *Capital Loss Carryover Worksheet* from last year's Schedule D instructions if the taxpayer is carrying over a loss to 2004.

The Internal Revenue Service (IRS) receives copies of Form 1099-B from the broker and copies of Form 1099-DIV from the payer. The taxpayer should not file these items with their return, but keep them with his or her records.

Capital Asset

A **capital asset** is any asset held either for personal use or for investment. Thus, all your items of personal property, such as your home and car, are capital assets. Property held for investment includes stocks and bonds. Property used in a trade or business, such as inventory or machinery, is not a capital asset.

In this lesson, corporate stock is the only capital asset discussed.

Capital gain distributions are also discussed. They are recognized when the entity (such as a mutual fund) that owned a capital asset disposes of it and passes gain through to its shareholders.

The discussion of capital gain distributions in this lesson supplements what you previously learned in Lesson 3.

Capital Gains Distribution (Only)

The Schedule D generally is not needed for taxpayers who received capital gain distributions from mutual funds but did not sell any shares of stock and do not have any Forms 1099-B as explained in Lesson 3, Income. Instead, report the total capital gain distribution on Form 1040, line 13, or on Form 1040A, line 10. If the taxpayer must file Form 1040, remember to check the box next to line 13 of Form 1040 to indicate that Schedule D is not required. If the taxpayer sold stocks, he or she must file Form 1040 and cannot report capital gain distributions on Form 1040A.

Basis

The **basis** of property is usually its cost. Certain additional costs relating to its purchase are included in the basis of a capital asset. An example of an expense to include in the basis of stock is the commission or fee paid to a broker when stock is purchased.

If the taxpayer is not able to provide his or her basis in the property, the IRS will deem it to be zero. The taxpayer should make every effort to determine the basis. Refer taxpayers to their stockbroker or financial planner for assistance in determining basis.

Once the taxpayer has the basis, volunteers may assist in preparing the tax return.

Adjusted Basis

Events after purchase can require adjustments to the basis of stock. The term **adjusted basis** refers to the basis after changes are made. For example, when a stock dividend or stock split is declared, the stockholder receives additional shares of stock. Some of the basis from the original stock is then allocated to the new stock. This change reduces the basis per share of the original shares.

Example 1

Fran paid \$1,100 for 100 shares of ABC, Inc. stock (including the broker's commission of \$25). Fran received 10 additional shares of ABC stock as a tax-free stock dividend. Her \$1,100 basis must be spread over 110 shares (100 original shares plus the 10-share stock dividend). Her basis per share decreases from \$11 to \$10 per share.

Holding Period

Long-term or short-term. Capital gains and losses are classified as either "long-term" or "short-term," depending on how long the taxpayer owned the stock. Stock held for more than one year (12 months) has a long-term holding period. Stock held for one year or less has a short-term holding period.

Example 2

Loretta bought stock on January 11, 2003 (trade date). Her holding period began the next day, January 12. If she sells that stock on January 11, 2004, she will not have owned them for more than a year. The holding period will be short-term. However, if she sells the stock on January 12, 2004, or later, the holding period will be long-term.

Blocks. Frequently, a taxpayer owns shares of stock that were bought on different dates or for different prices. That is, the individual owns more than one block of stock. Each block may differ from the others in its holding period (long-term or short-term), its basis (amount paid for the stock), or both.

In directing a broker to sell stock, the taxpayer may specify which block, or part of a block, to sell. Specification can make a difference in determining the holding period or basis of the stock sold, giving the taxpayer an element of control and versatility in handling an investment. To be valid, any such specification must be made before or at the time of sale. It cannot be made after the sale. If the taxpayer does not identify the specific block at the time of sale, shares sold are treated as coming from the earliest block purchased.

TAX TIPS



To find out how long the taxpayer has held the stocks, begin counting on the day *after the day* he or she bought the shares of stock and include the day the shares were sold. This sale trade date is part of the holding period.

POTENTIAL PITFALLS

Stock splits and stock dividends do not occur often. However, do not assume that they never happen. Ask taxpayers if they received any additional shares from a stock split or stock dividend.

Example 3

In 1996, Tina bought 100 shares of Acme Corporation stock for \$2,000. In 1997 she bought another 100 shares of Acme for \$2,300. In 2004, Tina sold 100 shares of Acme for \$3,000.

The adjusted basis of the shares sold is \$2,000. However, if Tina had told her broker to sell the 100 shares bought in 1997, the adjusted basis of the shares sold would have been \$2,300, reducing her profit (and any taxable amount) on the sale.

Tax-free stock dividends and stock splits. Stock acquired in a tax-free stock dividend or stock split has the same holding period as the original stock owned. Thus, if the original stock has a long-term holding period, stock received in a tax-free stock dividend also has a long-term holding period. Similarly, if the original stock has a holding period of three months, the new stock immediately has a three-month holding period.

Example 4

On February 18, 1999, Wallace bought 500 shares of XYZ Corporation stock for \$1,500, including his broker's commission. XYZ distributed a two-percent stock dividend on April 6, 2004. On April 9, 2004, Wallace sold all his XYZ stock for \$2,030. He has a long-term capital gain of \$530 on the sale of his stock. Although he owned the 10 shares he received as a tax-free stock dividend for only three days, all the stock has a long-term holding period.

Taxable dividends. There are several types of taxable dividends, as discussed in Lesson 3. A taxpayer who participates in a dividend reinvestment plan (one type of taxable dividend) will use the dividends to purchase more shares of the stock. The stocks acquired (including fractional shares) through the dividend reinvestment plan are added to the taxpayer's basis at fair market value on the date of distribution. Thus, the new shares of stock do not always have the same holding period as the original stock. If the taxpayer does not know their basis refer them to their stockbroker or financial planner.

Demutualization

Some taxpayers have been informed by their insurance company that the company has been demutualized. When this happens the policy holder receives either a block of stock or the cash equivalent of company stock. The holding period for such stock is the length of time the policy has been in effect, usually many years. The basis for this stock is zero. The taxpayer must report all of the proceeds as a capital gain, usually long term, when the stock is sold.

Wash Sales

Generally, a **wash sale** occurs when stock is sold and, within 30 days before or after the sale, substantially identical stock is bought. A loss on a wash sale is not deductible, and special rules relate to the basis of the replacement stock. However, a gain on a wash sale must be reported. Any taxpayer with a wash sale should be referred to a paid professional tax preparer.

Sales Price, Form 1099-B, and Adjusted Basis

The stockbroker reports **sales price** to the Internal Revenue Service in box 2 of Form 1099-B, *Proceeds From Broker and Barter Exchange Transactions* (see Exhibit 1). Some brokers do not subtract commissions and fees; they report the **gross proceeds** as the sales price. Other brokers do subtract commissions and fees, reporting the **gross proceeds less commissions** (referred to as **net proceeds** in this lesson) as the sales price. The broker checks the appropriate square at the right of box 2 to indicate whether the gross or net proceeds were reported to IRS.

If Form 1099-B reports gross proceeds, add the sales broker's commissions and fees to the basis. If Form 1099-B reports net proceeds, the broker already subtracted the commissions and fees the seller paid. Do not adjust the basis further.

Exhibit 1

Form 1099-B

7979		<input type="checkbox"/> VOID <input type="checkbox"/> CORRECTED		OMB No. 1545-0715		Proceeds From Broker and Barter Exchange Transactions
PAYER'S name, street address, city, state, ZIP code, and telephone no.		1a Date of sale or exchange		<div style="font-size: 2em; font-weight: bold;">2004</div> Form 1099-B		
		1b CUSIP no.				
		2 Stocks, bonds, etc.		Reported to IRS } <input type="checkbox"/> Gross proceeds <input type="checkbox"/> Gross proceeds less commissions and option premiums		Copy A For Internal Revenue Service Center File with Form 1096. For Privacy Act and Paperwork Reduction Act Notice, see the 2004 General Instructions for Forms 1099, 1098, 5498, and W-2G.
\$		3 Bartering		4 Federal income tax withheld		
PAYER'S Federal identification number	RECIPIENT'S identification number	\$		\$		
RECIPIENT'S name		5 No. of shares exchanged		6 Classes of stock exchanged		
Street address (including apt. no.)		7 Description				
City, state, and ZIP code		8 Profit or (loss) realized in 2004		9 Unrealized profit or (loss) on open contracts—12/31/2003		
\$		\$		\$		
CORPORATION'S name, street address, city, state, and ZIP code		10 Unrealized profit or (loss) on open contracts—12/31/2004		11 Aggregate profit or (loss)		
\$		\$		\$		
Account number (optional)	2nd TIN not.	12 Check the box if recipient cannot take a loss on their tax return based on the amount in box 2 <input type="checkbox"/>				
		<input type="checkbox"/>				

Form **1099-B** Cat. No. 14411V Department of the Treasury - Internal Revenue Service
Do Not Cut or Separate Forms on This Page — Do Not Cut or Separate Forms on This Page

Example 5

George sold stock for \$2,300. He paid his broker a commission of \$35 on the sale and received net proceeds of \$2,265. If his broker reported the gross proceeds, box 2 of Form 1099-B would show \$2,300, and the box next to gross proceeds would be checked. If his broker reported the net proceeds, box 2 of Form 1099-B would show \$2,265, and the box next to gross proceeds less commissions would be checked.

As a general rule, you will need the following information from Form 1099-B:

Information You Will Need From Form 1099-B	
IF Form 1099-B shows information in:	THEN report it on:
Box 1a, Date of sale	Schedule D, column (c), of either Part I, line 1, or Part II, line 8
Box 2, Sales price reported to Internal Revenue Service whether gross or net proceeds were reported	Schedule D, column (d), of either Part I, line 1, or Part II, line 8
Box 4, Federal income tax withheld	Form 1040, line 63
Box 7, Description of the property sold	Schedule D, column (a) in either Part I, line 1, or Part II, line 8

If there are entries in box 3 or in boxes 8 through 12 of Form 1099-B, refer the taxpayer to a paid professional tax preparer.

Form 1099-B does **not** include the date the taxpayer bought the stock or what he or she paid for it. The taxpayer will need to provide you with this information.

Some brokers do not issue standard Forms 1099-B. Instead they issue a statement, sometimes titled “A 1099 Consolidated Statement,” which shows stock sales and other types of distributions such as dividends and interest. Exhibit 2 is an example of such a statement

Exhibit 2

A 1099 Consolidated Statement

Payer		Account Number 7764366		SS# 000-00-7026	
King Investments 555 Center Street New York, NY 10022		Paul J. Birch or Susan L. Birch 123 Green Street Claremont, VA 91711			
1099-INT Interest Income 2004					
Interest Income not included in Box 3	Early Withdrawal penalty	US Savings Bonds & other US Treasury Interest	Federal Income Tax Withheld	Foreign Tax Paid	Foreign Country or US Possession
Box 1 \$378.00	Box 2	Box 3 \$100.00	Box 4	Box 5	Box 6
1099-DIV Dividends & Distributions 2004					
Ordinary Dividends	Capital Gain Distributions	28% Rate Gain	Unrecaptured Sec 1250 Gain	Section 1202 Gain	Nontaxable Distributions
Box 1 \$559.00	Box 2a \$179.00	Box 2b	Box 2c	Box 2d	Box 3
Investment Expenses	Foreign Tax Paid	Foreign Country or US Possession	Liquid Distrib. Cash	Liquid Distrib Non-cash	
Box 5	Box 6 \$25.00	Box 7	Box 8	Box 9	
1099-B Proceeds from Broker or Barter Exchange Transactions 2004					
Reference Number	Trade Date	CUSIP Number	Quantity Description	Price	Gross Proceeds Less Commissions
	Box 1a	Box 1b	Box 5		Box 2
145367	7/17/04	765298	200 Shs ABC Corp	\$16.75	\$3,299.90
239863	10/23/04	927651	300 Shs XYZ Markets Inc	\$83.65	\$25,000.20
TOTALS			\$28,300.10		
1099-R Distributions from IRAs 2004					
Gross Distribution	Taxable Amount	Taxable Amount Not Determined	Total Distribution	Federal Income Tax Withheld	Distribution Code
Box 1	Box 2a		Box 2b	Box 4	Box 7
\$2,000.00	\$2,000.00				7 - Normal
					IRA/SEP SIMPLE
					Yes

Exercise 1

For the following situations, determine the adjusted basis of the stock sold, whether the holding period is long-term or short-term, and how the sales price is reported.

A. On May 11, 2001, Morris bought 1,000 shares of ZZZ Corporation stock for \$5,000, plus a \$100 commission. On February 14, 2004, he sold 500 shares for \$3,300 and paid a \$45 commission. The broker reported net proceeds on the sale.

1. What is the adjusted basis of the stock sold? _____

2. Is the holding period long term or short term? _____

3. What amount is reported to the Internal Revenue Service in box 2 of Form 1099-B? _____

B. In the case of Morris, above, assume that he bought 500 more shares of ZZZ stock on October 6, 2003, for \$3,500, plus a \$50 commission. At the time of the 2004 sale, he told the broker to sell the stock he had bought in 2003.

1. What is the adjusted basis of the stock sold? _____

2. Is the holding period long term or short term? _____

C. On November 30, 2001, Janice bought 100 shares of ABC Corporation stock for \$9,965, plus a \$35 commission. On January 5, 2004, the stock split two-for-one, and she then held a total of 200 shares. On March 6, 2004, she sold 100 shares for \$6,470 and paid a \$30 commission. Her broker reported net proceeds.

1. What is the adjusted basis of the stock sold? _____

2. Is the holding period long term or short term? _____

3. What amount is reported to the Internal Revenue Service in box 2 of Form 1099-B? _____

REPORTING GAIN OR LOSS ON SCHEDULE D

Use Schedule D (Form 1040), *Capital Gains and Losses*, to report gain or loss on the sale of stock. Figure gain or loss by subtracting the adjusted basis of stock sold from its sales price. If the sales price is greater, the taxpayer has gain on the sale. By contrast, if the adjusted basis is greater than the sales price, the taxpayer has a loss on the sale. To denote a loss, place the number in parentheses. The taxpayer should receive Form 1099-B, reporting each sale of stock.

Also use Schedule D to report capital gain distributions that the taxpayer has in addition to any sales of stock. Enter the capital gain distributions on Schedule D, Part II, line 13. They are reported to the taxpayer on Form 1099-DIV, *Dividends and Distributions*, box 2a.

If the taxpayer had capital gain distributions, but did not sell stock, he or she may not have to use Schedule D. Instead, report the capital gain distributions as explained in Lesson 3, Income.

Schedule D is divided into three parts with a tax calculation worksheet.

- Part I, *Short-Term Capital Gains and Losses*. For assets held one year or less.
- Part II, *Long-Term Capital Gains and Losses*. For assets held more than one year. Part II shows all long-term gains and losses and identifies the part subject to the 28% tax rate. The 28% rate applies to section 1202 gain from the sale or exchange of qualified small business stock and to collectibles.
- Part III, *Taxable Gain or Deductible Loss*.
- Qualified Dividends and Capital Gain Tax Worksheet or Schedule D Tax Worksheet, as required.

Parts I and II: Short-Term and Long-Term Capital Gains and Losses

Report transactions in Parts I and II as follows:

To Report Capital Gain or Loss in Part I or II, Schedule D		
	Short-Term	Long-Term
Show the first four sales on:	Part I, Line 1, Schedule D	Part II, line 8, Schedule D
For additional sales, use:	Part I, line 1, Schedule D-1	Part II, line 8, Schedule D-1
And transfer the total sales amount:	From Part I, line 2, Schedule D-1	From Part II, line 9, Schedule D-1
	Onto Part I, line 2, Schedule D	Onto Part II, line 9, Schedule D

Add the sales price amounts in column (d), lines 1 and 2 of Part I. Enter the result on line 3. Then add the amounts in column (d), lines 8 and 9 of Part II. Enter the result on line 10. The total of line 3 plus line 10 must equal the total from box 2 of all the taxpayer's Forms 1099-B. If they do not agree, the taxpayer should attach a statement to the return to explain the difference.

The Internal Revenue Service will compare the amounts reported on all of a taxpayer's Forms 1099-B with the sum of the amounts reported on lines 3 and 10 of Schedule D. If the numbers do not agree and the taxpayer did not explain the difference, IRS will contact the taxpayer.

Example 6

On November 13, 2003, Mary Lou bought 500 shares of XEN, Inc. stock for \$20 a share (\$10,000 total), plus a \$50 commission. On February 26, 2004, she sold the stock for \$8,090 and paid selling expenses of \$40. The Form 1099-B from her broker reported a sales price of \$8,090 (gross proceeds). Part I of Mary Lou's completed Schedule D appears in Exhibit 3.

Mary Lou has a short-term capital loss. Notice that Mary Lou shows the loss in column (f) of line 1. She completes Part I by entering the net short-term loss on line 7. This example shows that:

- Her broker reported gross proceeds on Form 1099-B. The amount shown in column (d) is \$8,090 (because selling expenses have not been subtracted), and
- She works those expenses into the computation as an adjustment to basis, column (e)—and the result in column (f) reflects her true gain or loss.

Exhibit 3

Mary Lou's Schedule D, Part I

Part I Short-Term Capital Gains and Losses—Assets Held One Year or Less						
(a) Description of property (Example: 100 sh. XYZ Co.)	(b) Date acquired (Mo., day, yr.)	(c) Date sold (Mo., day, yr.)	(d) Sales price (see page D-6 of the instructions)	(e) Cost or other basis (see page D-6 of the instructions)	(f) Gain or (loss) Subtract (e) from (d)	
1 500 sh. XEN	11/13/03	2/26/04	8,090 00	10,090 00	(2,000 00)	
2 Enter your short-term totals, if any, from Schedule D-1, line 2						
3 Total short-term sales price amounts. Add lines 1 and 2 in column (d)			8,090 00			
4 Short-term gain from Form 6252 and short-term gain or (loss) from Forms 4684, 6781, and 8824					4	
5 Net short-term gain or (loss) from partnerships, S corporations, estates, and trusts from Schedule(s) K-1					5	
6 Short-term capital loss carryover. Enter the amount, if any, from line 8 of your Capital Loss Carryover Worksheet on page D-5 of the Instructions					6	()
7 Net short-term capital gain or (loss). Combine lines 1 through 6 in column (f)					7	(2000 00)

Example 7

Exhibit 4 shows the three long-term transactions that Tess is reporting on Schedule D, Part II, for 2004. On August 21, 1999, she bought 200 shares of XYZ Company for \$1,500. On October 1, 2000, she bought 500 shares of TUV, Inc., for \$8,000, and on November 18, 2000, she bought 2,000 shares of QRS, Inc., for \$5,000. Each amount includes the commission.

On January 10, 2004, Tess sold the stock in XYZ and TUV. The Form 1099-B from her broker reported gross proceeds of \$1,875 for the XYZ stock, and \$6,000 for TUV. Tess paid commissions of \$35 for selling the XYZ shares, and \$40 for selling TUV. On May 27, 2004, Tess sold the QRS stock for \$10,000. She paid a \$50 commission. Her broker reported net proceeds of \$9,950 on Form 1099-B.

This example shows how to:

- Report basis when Form 1099-B shows gross proceeds (XYZ and TUV—basis includes commissions on the sale, as well as prior adjusted basis), in contrast to when it shows net proceeds (QRS—basis does not include commissions on the sale, but only the prior adjusted basis).
- Net gains and losses in column (f).

Part II Long-Term Capital Gains and Losses—Assets Held More Than One Year

(a) Description of property (Example: 100 sh. XYZ Co.)	(b) Date acquired (Mo., day, yr.)	(c) Date sold (Mo., day, yr.)	(d) Sales price (see page D-6 of the instructions)	(e) Cost or other basis (see page D-6 of the instructions)	(f) Gain or (loss) Subtract (e) from (d)
8 200 sh. XYZ	8/21/99	1/10/04	1,875.00	1,535.00	340.00
500 sh. TUV	10/1/00	1/10/04	6,000.00	8,040.00	(2,040.00)
2,000 sh. QRS	11/18/00	5/27/04	9,950.00	5,000.00	4,950.00
9 Enter your long-term totals, if any, from Schedule D-1, line 9	9				
10 Total long-term sales price amounts. Add lines 8 and 9 in column (d)	10		17,825.00		
11 Gain from Form 4797, Part I; long-term gain from Forms 2439 and 6252; and long-term gain or (loss) from Forms 4684, 6781, and 8824	11				
12 Net long-term gain or (loss) from partnerships, S corporations, estates, and trusts from Schedule(s) K-1	12				
13 Capital gain distributions. See page D-2 of the instructions	13				
14 Long-term capital loss carryover. Enter the amount, if any, from line 13 of your Capital Loss Carryover Worksheet on page D-5 of the Instructions	14				()
15 Net long-term capital gain or (loss). Combine lines 8 through 14 in column (f). Then go to Part III on the back	15				3,250.00

For Paperwork Reduction Act Notice, see Form 1040 instructions.

Cat. No. 11338H

Schedule D (Form 1040) 2004

Exercise 2

For each of the following situations, figure the gain or loss on the sale of stock and indicate whether the gain or loss will be long term or short term.

A. On March 15, 2003, Bill bought 1,000 shares of stock for \$15,000, including commission. On March 15, 2004, he sold 600 shares of the stock for \$7,800, net proceeds on Form 1099-B.

1. Will Bill report a gain or a loss? _____
2. How much is the gain or loss? _____
3. Is the holding period long term or short term? _____

B. On January 7, 2001, Margo bought stock for \$1,500, plus a \$25 commission. On July 15, 2004, she sold the stock for \$2,000 and paid a \$25 commission. Her Form 1099-B shows the gross proceeds of \$2,000 as the sales price.

1. Will Margo report a gain or a loss? _____
2. How much is the gain or loss? _____
3. Is the holding period long term or short term? _____

Reporting Capital Gain Distributions From Form 1099-DIV on Schedule D

If the taxpayer received Form 1099-DIV, *Dividends and Distributions*, see whether an amount is shown in box 2a.

- If capital gain distributions from Form 1099-DIV are the only capital gains or losses the taxpayer had for the year, the taxpayer may be able to report them directly on Form 1040A or Form 1040, as explained in Lesson 3, *Income*.
- If the taxpayer also sold stock reported on Form 1099-B, report the total capital gain distributions from Form 1099-DIV on line 13, column (f), of Schedule D.

Example 8

Alec received a Form 1099-DIV. Box 2a which shows he received a total capital gain distribution of \$170. Alec also received a Form 1099-B that shows a net sales price of \$1,200 on the sale of 600 shares of ABC Group, Inc. He bought the stock on February 19, 2000, and sold it on August 25, 2004. His basis in ABC, including commission, is \$1,455. Alec's Form 1099-DIV, and Part II of his Schedule D, are shown in Exhibits 6. In this example, the capital gain distribution must be shown on Schedule D because Alec also sold stock in 2004 that must be reported on Schedule D.

Exhibit 5

Alec's Form 1099-DIV

9191		<input type="checkbox"/> VOID <input type="checkbox"/> CORRECTED		OMB No. 1545-0110		2004	Form 1099-DIV	Dividends and Distributions
PAYER'S name, street address, city, state, ZIP code, and telephone no. MIG INC. 4321 Main Street Anytown, VA 00012		1a Total ordinary dividends \$	1b Qualified dividends \$	2a Total capital gain distr. \$ 170.00	2b Unrecap. Sec. 1250 gain \$				Copy A For Internal Revenue Service Center File with Form 1096.
PAYER'S Federal identification number 00-0000123	RECIPIENT'S identification number 000-00-0128							
RECIPIENT'S name Alec Green		2c Section 1202 gain \$	2d Collectibles (28%) gain \$	3 Nontaxable distributions \$	4 Federal income tax withheld \$	For Privacy Act and Paperwork Reduction Act Notice, see the 2004 General Instructions for Forms 1099, 1098, 5498, and W-2G.		
Street address (including apt. no.) 1234 A Street				5 Investment expenses \$				
City, state, and ZIP code Anytown, VA 00013		6 Foreign tax paid \$	7 Foreign country or U.S. possession					
Account number (optional)	2nd TIN not. <input type="checkbox"/>	8 Cash liquidation distributions \$	9 Noncash liquidation distributions \$					
Form 1099-DIV		Cat. No. 14415N		Department of the Treasury - Internal Revenue Service				
Do Not Cut or Separate Forms on This Page				Do Not Cut or Separate Forms on This Page				

Part II Long-Term Capital Gains and Losses—Assets Held More Than One Year						
(a) Description of property (Example: 100 sh. XYZ Co.)	(b) Date acquired (Mo., day, yr.)	(c) Date sold (Mo., day, yr.)	(d) Sales price (see page D-6 of the instructions)	(e) Cost or other basis (see page D-6 of the instructions)	(f) Gain or (loss) Subtract (e) from (d)	
8 600 sh. ABC	2/19/00	8/25/04	1,200 00	1,455 00	(255 00)	
9 Enter your long-term totals, if any, from Schedule D-1, line 9						
10 Total long-term sales price amounts. Add lines 8 and 9 in column (d)			1,200 00			
11 Gain from Form 4797, Part I; long-term gain from Forms 2439 and 6252; and long-term gain or (loss) from Forms 4684, 6781, and 8824					11	
12 Net long-term gain or (loss) from partnerships, S corporations, estates, and trusts from Schedule(s) K-1					12	
13 Capital gain distributions. See page D-2 of the instructions					13 170 00	
14 Long-term capital loss carryover. Enter the amount, if any, from line 13 of your Capital Loss Carryover Worksheet on page D-5 of the Instructions					14 (85 00)	
15 Net long-term capital gain or (loss). Combine lines 8 through 14 in column (f). Then go to Part III on the back					15	

For Paperwork Reduction Act Notice, see Form 1040 instructions.

Cat. No. 11338H

Schedule D (Form 1040) 2004

After Completing Parts I and II of Schedule D

Double-check your entries on Schedule D up to this point.

- Check that the sales price amount from each Form 1099-B agrees with the amount entered in column (d) of either line 1 or line 8.
- Check that all entries in column (d), lines 1 and 2, add up to the amount on line 3.
- Check that all entries in column (d), lines 8 and 9, add up to the amount on line 10.
- Check that line 3, added to line 10, agrees with the total sales price reported on all of the taxpayer's Forms 1099-B.
- Check that the amount on line 13, column (f), is the same as the total from all the taxpayer's Forms 1099-DIV, box 2a.

Exercise 3

This exercise will give you practice with Schedule D. Use the following information to complete Parts I and II of Jane's Schedule D.

Jane sold five stocks during 2004. Her broker reported net proceeds as sales price.

Stock	Purchase Date	Date Sold	Net Sales Price	Adjusted Basis
500 sh LSR	1/21/03	1/4/04	\$ 4,000	\$ 9,000
250 sh BGI	3/11/03	2/12/04	10,000	2,500
75 sh ABC	1/22/01	1/29/04	2,000	7,500
400 sh XYZ	12/3/99	3/6/04	15,000	10,000
100 sh DEF	4/2/99	10/16/04	1,200	2,000

Jane also owns shares in a mutual fund that sent her a Form 1099-DIV. It reported \$1,200 paid to her in total capital gain distributions for the year.

Part I Short-Term Capital Gains and Losses—Assets Held One Year or Less						
(a) Description of property (Example: 100 sh. XYZ Co.)	(b) Date acquired (Mo., day, yr.)	(c) Date sold (Mo., day, yr.)	(d) Sales price (see page D-6 of the instructions)	(e) Cost or other basis (see page D-6 of the instructions)	(f) Gain or (loss) Subtract (e) from (d)	
1						
2 Enter your short-term totals, if any, from Schedule D-1, line 2						
3 Total short-term sales price amounts. Add lines 1 and 2 in column (d)						
4 Short-term gain from Form 6252 and short-term gain or (loss) from Forms 4684, 6781, and 8824					4	
5 Net short-term gain or (loss) from partnerships, S corporations, estates, and trusts from Schedule(s) K-1					5	
6 Short-term capital loss carryover. Enter the amount, if any, from line 8 of your Capital Loss Carryover Worksheet on page D-5 of the Instructions					6	()
7 Net short-term capital gain or (loss). Combine lines 1 through 6 in column (f)					7	

Part II Long-Term Capital Gains and Losses—Assets Held More Than One Year						
(a) Description of property (Example: 100 sh. XYZ Co.)	(b) Date acquired (Mo., day, yr.)	(c) Date sold (Mo., day, yr.)	(d) Sales price (see page D-6 of the instructions)	(e) Cost or other basis (see page D-6 of the instructions)	(f) Gain or (loss) Subtract (e) from (d)	
8						
9 Enter your long-term totals, if any, from Schedule D-1, line 9						
10 Total long-term sales price amounts. Add lines 8 and 9 in column (d)						
11 Gain from Form 4797, Part I; long-term gain from Forms 2439 and 6252; and long-term gain or (loss) from Forms 4684, 6781, and 8824					11	
12 Net long-term gain or (loss) from partnerships, S corporations, estates, and trusts from Schedule(s) K-1					12	
13 Capital gain distributions. See page D-2 of the instructions					13	
14 Long-term capital loss carryover. Enter the amount, if any, from line 13 of your Capital Loss Carryover Worksheet on page D-5 of the Instructions					14	()
15 Net long-term capital gain or (loss). Combine lines 8 through 14 in column (f). Then go to Part III on the back					15	

Part III: Summary of Parts I and II

Combine the amounts from line 7 (net short-term capital gain or loss) and line 15 (net long-term capital gain or loss). Enter the result on line 16 in Part III. This combined number may be a gain or a loss.

- If the line 16 amount is a gain, also enter it on line 13 of Form 1040.
- If the line 16 amount is a loss, skip to line 21 of Schedule D. Line 21 ensures that no more than the maximum allowable capital loss is deducted on Form 1040. The line 21 amount is limited to the smaller of:
 - The loss from line 16 or
 - \$3,000 (\$1,500 for a married taxpayer filing separately).

Also enter this amount on line 13 of Form 1040. Because it is a loss, be sure to put parentheses around the number when you enter it on Form 1040.

Tax Computation using either Qualified Dividends and Capital Gain Tax Worksheet or the Schedule D Tax Worksheet

The law limits tax rates on net long-term capital gains. To obtain the lowest rate, taxpayers with long-term capital gains must go to Schedule D Tax Worksheet to figure their tax. To determine whether you need a worksheet, complete Form 1040 through line 42, Taxable Income. Then go to the appropriate worksheet when:

- Both lines 15 and 16 of Schedule D are gains, and
- Form 1040, line 42, is more than zero.

Example 9

Edmund's tax return shows:

Filing status:	Form 1040, line 1 box checked, single.
Amount from:	Form 1040, line 42: \$65,001
	Schedule D, line 7: (5,000)
	Schedule D, line 15: 16,000
	Schedule D, line 16: 11,000
	(Transferred to Form 1040, line 13.)

There is capital gain on Schedule D, line 15, and Form 1040, line 42, is more than zero.

Exhibits 8 and 9 show Edmund's Schedule D Part III, his Qualified Dividends and Capital Gain Tax Worksheet, and his Form 1040, lines 13 and 42. His tax is \$11,894. Without Schedule D, his tax from the Tax Table would be \$12,994. Using Schedule D saved Edmund \$1,100.

Part III Summary

<p>16 Combine lines 7 and 15 and enter the result. If line 16 is a loss, skip lines 17 through 20, and go to line 21. If a gain, enter the gain on Form 1040, line 13</p>	16		
<p>17 Are lines 15 and 16 both gains? <input type="checkbox"/> Yes. Go to line 18. <input type="checkbox"/> No. Skip lines 18 through 21, and go to line 22.</p>			
<p>18 Enter the amount, if any, from line 7 of the 28% Rate Gain Worksheet on page D-7 of the instructions ▶</p>	18		
<p>19 Enter the amount, if any, from line 18 of the Unrecaptured Section 1250 Gain Worksheet on page D-8 of the instructions ▶</p>	19		
<p>20 Are lines 18 and 19 both zero or blank? <input type="checkbox"/> Yes. Complete Form 1040 through line 42, and then complete the Qualified Dividends and Capital Gain Tax Worksheet on page 37 of the Instructions for Form 1040. Do not complete lines 21 and 22 below. <input type="checkbox"/> No. Complete the Schedule D Tax Worksheet on page D-10 of the instructions. Do not complete lines 21 and 22 below.</p>			
<p>21 If line 16 is a loss, enter here and on Form 1040, line 13, the smaller of:</p> <ul style="list-style-type: none"> • The loss on line 16 or • (\$3,000), or if married filing separately, (\$1,500) } 	21	()	
<p>Note. When figuring which amount is smaller, treat both amounts as positive numbers.</p> <p>22 Do you have qualified dividends on Form 1040, line 9b? <input type="checkbox"/> Yes. Complete Form 1040 through line 42, and then complete the Qualified Dividends and Capital Gain Tax Worksheet on page 37 of the Instructions for Form 1040. <input type="checkbox"/> No. Complete the rest of Form 1040.</p>			

Proof as of
Nov 18, 2004
(subject to change)

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Schedule D (Form 1040) 2004

Qualified Dividends and Capital Gain Tax Worksheet—Line 43

Keep for Your Records

Before you begin: ✓ See the instructions for line 43 on page 36 to see if you can use this worksheet to figure your tax.
 ✓ If you do not have to file Schedule D and you received capital gain distributions, be sure you checked the box on line 13 of Form 1040.



1. Enter the amount from Form 1040, line 42	1.	65,001.00
2. Enter the amount from Form 1040, line 9b	2.	
3. Are you filing Schedule D?		
<input checked="" type="checkbox"/> Yes. Enter the smaller of line 15 or 16 of Schedule D, but do not enter less than -0-	}	3,11,000.00
<input type="checkbox"/> No. Enter the amount from Form 1040, line 13		
4. Add lines 2 and 3	4.	11,000.00
5. If you are claiming investment interest expense on Form 4952, enter the amount from line 4g of that form. Otherwise, enter -0-	5.	
6. Subtract line 5 from line 4. If zero or less, enter -0-	6.	11,000.00
7. Subtract line 6 from line 1. If zero or less, enter -0-	7.	54,001.00
8. Enter the smaller of:		
• The amount on line 1 or	}	8,29,050.00
• \$29,050 if single or married filing separately,		
\$58,100 if married filing jointly or qualifying widow(er), or \$38,900 if head of household.		
9. Is the amount on line 7 equal to or more than the amount on line 8?		
<input checked="" type="checkbox"/> Yes. Skip lines 9 through 11; go to line 12 and check the "No" box.		
<input type="checkbox"/> No. Enter the amount from line 7	9.	
10. Subtract line 9 from line 8	10.	
11. Multiply line 10 by 5% (.05)	11.	
12. Are the amounts on lines 6 and 10 the same?		
<input type="checkbox"/> Yes. Skip lines 12 through 15; go to line 16.		
<input checked="" type="checkbox"/> No. Enter the smaller of line 1 or line 6	12.	11,000.00
13. Enter the amount from line 10 (if line 10 is blank, enter -0-)	13.	
14. Subtract line 13 from line 12	14.	11,000.00
15. Multiply line 14 by 15% (.15)	15.	1,650.00
16. Figure the tax on the amount on line 7. Use the Tax Table or Tax Computation Worksheet, whichever applies	16.	10,244.00
17. Add lines 11, 15, and 16	17.	11,894.00
18. Figure the tax on the amount on line 1. Use the Tax Table or Tax Computation Worksheet, whichever applies	18.	12,994.00
19. Tax on all taxable income. Enter the smaller of line 17 or line 18. Also include this amount on Form 1040, line 43	19.	11,894.00

Need more information or forms? See page 7.

12	Business income or (loss). Attach Schedule C or C-EZ	12		
13	Capital gain or (loss). Attach Schedule D if required. If not required, check here <input type="checkbox"/>	13	11,000	00
42	Taxable income. Subtract line 41 from line 40. If line 41 is more than line 40, enter -0-	42	65,001	00
43	Tax (see page 36). Check if any tax is from: a <input type="checkbox"/> Form(s) 8814 b <input type="checkbox"/> Form 4972	43	11,894	00

Exercise 4

Melvin sold the following stocks during 2004. His broker reported net sales proceeds on Form 1099-B.

Stock	Purchase Date	Date Sold	Net Sales Price	Adjusted Basis
50 sh ABC	9/15/03	7/26/04	\$ 4,000	\$5,000
200 sh MLG	9/10/03	6/7/04	1,200	1,000
150 sh XYZ	4/17/02	3/8/04	5,500	6,000
300 sh MLS	1/13/98	6/19/04	6,000	3,000

Melvin also had shares in a mutual fund. The fund sent him a Form 1099-DIV that showed he received \$1,500 in total capital gain distributions. His taxable income (line 42, Form 1040) was \$67,001. His filing status is single.

Use the information given to complete Melvin's Schedule D.

What amounts would be shown on his:

- (A) 1. Form 1040, line 13? _____
- 2. Form 1040, line 42? _____
- _____

**SCHEDULE D
(Form 1040)**

Department of the Treasury
Internal Revenue Service (99)

Name(s) shown on Form 1040

Capital Gains and Losses

▶ Attach to Form 1040. ▶ See Instructions for Schedule D (Form 1040).
▶ Use Schedule D-1 to list additional transactions for lines 1 and 8.

OMB No. 1545-0074

2004

Attachment
Sequence No. **12**

Your social security number

Part I Short-Term Capital Gains and Losses—Assets Held One Year or Less

(a) Description of property (Example: 100 sh. XYZ Co.)	(b) Date acquired (Mo., day, yr.)	(c) Date sold (Mo., day, yr.)	(d) Sales price (see page D-6 of the instructions)	(e) Cost or other basis (see page D-6 of the instructions)	(f) Gain or (loss) Subtract (e) from (d)
1					
2 Enter your short-term totals, if any, from Schedule D-1, line 2		2			
3 Total short-term sales price amounts. Add lines 1 and 2 in column (d)		3			
4 Short-term gain from Form 6252 and short-term gain or (loss) from Forms 4684, 6781, and 8824					4
5 Net short-term gain or (loss) from partnerships, S corporations, estates, and trusts from Schedule(s) K-1					5
6 Short-term capital loss carryover. Enter the amount, if any, from line 8 of your Capital Loss Carryover Worksheet on page D-5 of the Instructions					6 ()
7 Net short-term capital gain or (loss). Combine lines 1 through 6 in column (f)					7

Part II Long-Term Capital Gains and Losses—Assets Held More Than One Year

(a) Description of property (Example: 100 sh. XYZ Co.)	(b) Date acquired (Mo., day, yr.)	(c) Date sold (Mo., day, yr.)	(d) Sales price (see page D-6 of the instructions)	(e) Cost or other basis (see page D-6 of the instructions)	(f) Gain or (loss) Subtract (e) from (d)
8					
9 Enter your long-term totals, if any, from Schedule D-1, line 9		9			
10 Total long-term sales price amounts. Add lines 8 and 9 in column (d)		10			
11 Gain from Form 4797, Part I; long-term gain from Forms 2439 and 6252; and long-term gain or (loss) from Forms 4684, 6781, and 8824					11
12 Net long-term gain or (loss) from partnerships, S corporations, estates, and trusts from Schedule(s) K-1					12
13 Capital gain distributions. See page D-2 of the instructions					13
14 Long-term capital loss carryover. Enter the amount, if any, from line 13 of your Capital Loss Carryover Worksheet on page D-5 of the Instructions					14 ()
15 Net long-term capital gain or (loss). Combine lines 8 through 14 in column (f). Then go to Part III on the back					15

For Paperwork Reduction Act Notice, see Form 1040 instructions.

Cat. No. 11338H

Schedule D (Form 1040) 2004

Exhibit 12

(C) Complete this form.

Schedule D (Form 1040) 2004 Page **2**

Part III Summary

<p>16 Combine lines 7 and 15 and enter the result. If line 16 is a loss, skip lines 17 through 20, and go to line 21. If a gain, enter the gain on Form 1040, line 13</p>	16	
<p>17 Are lines 15 and 16 both gains? <input type="checkbox"/> Yes. Go to line 18. <input type="checkbox"/> No. Skip lines 18 through 21, and go to line 22.</p>		
<p>18 Enter the amount, if any, from line 7 of the 28% Rate Gain Worksheet on page D-7 of the instructions ▶</p>	18	
<p>19 Enter the amount, if any, from line 18 of the Unrecaptured Section 1250 Gain Worksheet on page D-8 of the instructions ▶</p>	19	
<p>20 Are lines 18 and 19 both zero or blank? <input type="checkbox"/> Yes. Complete Form 1040 through line 42, and then complete the Qualified Dividends and Capital Gain Tax Worksheet on page 37 of the Instructions for Form 1040. Do not complete lines 21 and 22 below. <input type="checkbox"/> No. Complete the Schedule D Tax Worksheet on page D-10 of the instructions. Do not complete lines 21 and 22 below.</p>		
<p>21 If line 16 is a loss, enter here and on Form 1040, line 13, the smaller of:</p> <ul style="list-style-type: none"> • The loss on line 16 or • (\$3,000), or if married filing separately, (\$1,500) } <p>Note. When figuring which amount is smaller, treat both amounts as positive numbers.</p>	21 ()	
<p>22 Do you have qualified dividends on Form 1040, line 9b? <input type="checkbox"/> Yes. Complete Form 1040 through line 42, and then complete the Qualified Dividends and Capital Gain Tax Worksheet on page 37 of the Instructions for Form 1040. <input type="checkbox"/> No. Complete the rest of Form 1040.</p>		

Printed on recycled paper Schedule D (Form 1040) 2004

Exhibit 13

Qualified Dividends and Capital Gain Tax Worksheet—Line 43

Keep for Your Records

Before you begin: ✓ See the instructions for line 43 on page 36 to see if you can use this worksheet to figure your tax.

✓ If you do not have to file Schedule D and you received capital gain distributions, be sure you checked the box on line 13 of Form 1040.

<p>1. Enter the amount from Form 1040, line 42</p>	1.	
<p>2. Enter the amount from Form 1040, line 9b</p>	2.	
<p>3. Are you filing Schedule D? <input type="checkbox"/> Yes. Enter the smaller of line 15 or 16 of Schedule D, but do not enter less than -0- <input type="checkbox"/> No. Enter the amount from Form 1040, line 13</p>	3.	
<p>4. Add lines 2 and 3</p>	4.	
<p>5. If you are claiming investment interest expense on Form 4952, enter the amount from line 4g of that form. Otherwise, enter -0-</p>	5.	
<p>6. Subtract line 5 from line 4. If zero or less, enter -0-</p>	6.	
<p>7. Subtract line 6 from line 1. If zero or less, enter -0-</p>	7.	
<p>8. Enter the smaller of: <ul style="list-style-type: none"> • The amount on line 1 or • \$29,050 if single or married filing separately, \$58,100 if married filing jointly or qualifying widow(er), or \$38,900 if head of household. </p>	8.	
<p>9. Is the amount on line 7 equal to or more than the amount on line 8? <input type="checkbox"/> Yes. Skip lines 9 through 11; go to line 12 and check the "No" box. <input type="checkbox"/> No. Enter the amount from line 7</p>	9.	
<p>10. Subtract line 9 from line 8</p>	10.	
<p>11. Multiply line 10 by 5% (.05)</p>	11.	
<p>12. Are the amounts on lines 6 and 10 the same? <input type="checkbox"/> Yes. Skip lines 12 through 15; go to line 16. <input type="checkbox"/> No. Enter the smaller of line 1 or line 6</p>	12.	
<p>13. Enter the amount from line 10 (if line 10 is blank, enter -0-)</p>	13.	
<p>14. Subtract line 13 from line 12</p>	14.	
<p>15. Multiply line 14 by 15% (.15)</p>	15.	
<p>16. Figure the tax on the amount on line 7. Use the Tax Table or Tax Computation Worksheet, whichever applies</p>	16.	
<p>17. Add lines 11, 15, and 16</p>	17.	
<p>18. Figure the tax on the amount on line 1. Use the Tax Table or Tax Computation Worksheet, whichever applies</p>	18.	
<p>19. Tax on all taxable income. Enter the smaller of line 17 or line 18. Also include this amount on Form 1040, line 43</p>	19.	

Capital Loss Carryovers

Use the *Capital Loss Carryover Worksheet* in the Schedule D instructions to figure how much capital loss the taxpayer can carry from 2004 to 2005. As you learned earlier, a taxpayer cannot take net losses of more than \$3,000 (\$1,500 for married taxpayers filing separately) in figuring taxable income. The allowable loss for the year is also referred to as the deduction limit.

Unused losses are not gone forever. Rather, they are carried over to the next year. The carryover losses are combined with the gains and losses that actually occur in that next year. Unused losses are recycled this way, year after year, until they are all deducted. There is no limit on how many times a loss can be carried over during the taxpayer's life.

Unused losses keep their short-term or long-term classification when they are carried over. If the taxpayer has a short-term capital loss carryover from 2003, enter it on line 6, Part I, Schedule D. Enter it on line 14, Part II, if it is long-term.

NOTE: If a capital loss is limited and the remainder must be carried forward to 2005, remind the taxpayer to bring a copy of the 2004 return for 2005 return preparation.

Example 10

Andrew sold two stocks in 2004, as summarized here.

Stock	Purchase Date	Date Sold	Net Sales Price	Adjusted Basis
200 sh FFF	5/8/03	1/6/04	\$ 4,000	\$ 3,025
50 sh WWW	11/6/00	3/12/04	8,700	11,000

Andrew's 2003 return showed the following capital loss carryovers to 2004: a \$4,200 short-term loss (line 8 of the 2002 *Capital Loss Carryover Worksheet*) and a \$240 long-term loss (line 13 of the 2003 worksheet). His 2004 Form 1040, line 42, shows \$55,825.

Andrew's Schedule D, Parts I through III, his 2004 Form 1040, line 13, and his 2003 *Capital Loss Carryover Worksheet* appear below as Exhibits 12 through 15. This example shows how to:

- Report a capital loss carryover from 2003 and work it into the computation on Schedule D as if it had resulted from a 2004 sale. This example shows both a short-term loss (reported on Schedule D, Part I, line 6) and a long-term loss (reported on Schedule D, Part II, line 14).

TAX TIPS

★★★★★★

It is easy to double check the carryover from 2004 to 2005. Take as much as possible of the \$3,000 (or \$1,500) deduction from short-term capital losses first. Then take any remaining amount of the \$3,000 (or \$1,500) from long-term capital losses. What is left is the carryover to 2005.

- Combine a short-term capital loss and a long-term capital loss and apply the deduction limit (\$3,000 for Andrew). Andrew reports the combined long-term and short-term loss on Schedule D, Part III, line 16. Line 21 applies Andrew's deduction limit, his allowable loss for the year.
- Show the allowable loss for the year (\$3,000 for Andrew) in the Income section of Form 1040.
- The *Capital Loss Carryover Worksheet* was being revised and not available for this publication. See the Schedule D instructions for additional detail on Carryover Losses from 2004 to 2005.

**SCHEDULE D
(Form 1040)**

Department of the Treasury
Internal Revenue Service (99)

Name(s) shown on Form 1040

Capital Gains and Losses

▶ Attach to Form 1040. ▶ See Instructions for Schedule D (Form 1040).
▶ Use Schedule D-1 to list additional transactions for lines 1 and 8.

OMB No. 1545-0074

2004

Attachment
Sequence No. **12**

Your social security number

Part I Short-Term Capital Gains and Losses—Assets Held One Year or Less

(a) Description of property (Example: 100 sh. XYZ Co.)	(b) Date acquired (Mo., day, yr.)	(c) Date sold (Mo., day, yr.)	(d) Sales price (see page D-6 of the instructions)	(e) Cost or other basis (see page D-6 of the instructions)	(f) Gain or (loss) Subtract (e) from (d)
1 200 sh. FFF	5/8/03	1/6/04	4,000.00	3,025.00	975.00
2 Enter your short-term totals, if any, from Schedule D-1, line 2	2				
3 Total short-term sales price amounts. Add lines 1 and 2 in column (d)	3		4,000.00		
4 Short-term gain from Form 6252 and short-term gain or (loss) from Forms 4684, 6781, and 8824	4				
5 Net short-term gain or (loss) from partnerships, S corporations, estates, and trusts from Schedule(s) K-1	5				
6 Short-term capital loss carryover. Enter the amount, if any, from line 8 of your Capital Loss Carryover Worksheet on page D-5 of the Instructions	6				(4,200.00)
7 Net short-term capital gain or (loss). Combine lines 1 through 6 in column (f)	7				(3,225.00)

Part II Long-Term Capital Gains and Losses—Assets Held More Than One Year

(a) Description of property (Example: 100 sh. XYZ Co.)	(b) Date acquired (Mo., day, yr.)	(c) Date sold (Mo., day, yr.)	(d) Sales price (see page D-6 of the instructions)	(e) Cost or other basis (see page D-6 of the instructions)	(f) Gain or (loss) Subtract (e) from (d)
8 50 sh. WWW	11/6/00	3/12/04	8,700.00	11,000.00	(2,300.00)
9 Enter your long-term totals, if any, from Schedule D-1, line 9	9				
10 Total long-term sales price amounts. Add lines 8 and 9 in column (d)	10		8,700.00		
11 Gain from Form 4797, Part I; long-term gain from Forms 2439 and 6252; and long-term gain or (loss) from Forms 4684, 6781, and 8824	11				
12 Net long-term gain or (loss) from partnerships, S corporations, estates, and trusts from Schedule(s) K-1	12				
13 Capital gain distributions. See page D-2 of the instructions	13				
14 Long-term capital loss carryover. Enter the amount, if any, from line 13 of your Capital Loss Carryover Worksheet on page D-5 of the Instructions	14				(240.00)
15 Net long-term capital gain or (loss). Combine lines 8 through 14 in column (f). Then go to Part III on the back	15				(2,540.00)

For Paperwork Reduction Act Notice, see Form 1040 instructions.

Cat. No. 11338H

Schedule D (Form 1040) 2004

Part III Summary

16	Combine lines 7 and 15 and enter the result. If line 16 is a loss, skip lines 17 through 20, and go to line 21. If a gain, enter the gain on Form 1040, line 13	16	(5,765	00)
17	Are lines 15 and 16 both gains? <input type="checkbox"/> Yes. Go to line 18. <input type="checkbox"/> No. Skip lines 18 through 21, and go to line 22.			
18	Enter the amount, if any, from line 7 of the 28% Rate Gain Worksheet on page D-7 of the instructions ▶	18		
19	Enter the amount, if any, from line 18 of the Unrecaptured Section 1250 Gain Worksheet on page D-8 of the instructions ▶	19		
20	Are lines 18 and 19 both zero or blank? <input type="checkbox"/> Yes. Complete Form 1040 through line 42, and then complete the Qualified Dividends and Capital Gain Tax Worksheet on page 37 of the Instructions for Form 1040. Do not complete lines 21 and 22 below. <input type="checkbox"/> No. Complete the Schedule D Tax Worksheet on page D-10 of the instructions. Do not complete lines 21 and 22 below.			
21	If line 16 is a loss, enter here and on Form 1040, line 13, the smaller of: <ul style="list-style-type: none"> • The loss on line 16 or 	21	(3,000	00)

Exhibit 16

Andrew's Form 1040, line 13

13	Capital gain or (loss). Attach Schedule D if required. If not required, check here ▶ <input type="checkbox"/>	13	(3,000	00)
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Exhibit 17

Andrew's Capital Loss Carryover Worksheet

Capital Loss Carryover Worksheet—Line 18

Keep for Your Records

Use this worksheet to figure your capital loss carryovers from 2003 to 2004 if Schedule D, line 18, is a loss and (a) that loss is a smaller loss than the loss on Schedule D, line 17, or (b) Form 1040, line 39, is less than zero. Otherwise, you do not have any carryovers.



1. Enter the amount from Form 1040, line 39. If a loss, enclose the amount in parentheses	1.	<u>55,825.00</u>
2. Enter the loss from Schedule D, line 18, as a positive amount	2.	<u>3,000.00</u>
3. Combine lines 1 and 2. If zero or less, enter -0-	3.	<u>58,825.00</u>
4. Enter the smaller of line 2 or line 3	4.	<u>3,000.00</u>
If line 7 of Schedule D is a loss, go to line 5; otherwise, enter -0- on line 5 and go to line 9.		
5. Enter the loss from Schedule D, line 7, as a positive amount	5.	<u>3,225.00</u>
6. Enter any gain from Schedule D, line 16	6.	<u> </u>
7. Add lines 4 and 6	7.	<u>3,000.00</u>
8. Short-term capital loss carryover to 2004. Subtract line 7 from line 5. If zero or less, enter -0-	8.	<u>225.00</u>
If line 16 of Schedule D is a loss, go to line 9; otherwise, skip lines 9 through 13.		
9. Enter the loss from Schedule D, line 16, as a positive amount	9.	<u>2,540.00</u>
10. Enter any gain from Schedule D, line 7	10.	<u> </u>
11. Subtract line 5 from line 4. If zero or less, enter -0-	11.	<u> </u>
12. Add lines 10 and 11	12.	<u> </u>
13. Long-term capital loss carryover to 2004. Subtract line 12 from line 9. If zero or less, enter -0-	13.	<u>2,540.00</u>

Exercise 5

This exercise and the next one review the concepts covered in this lesson. They will measure your ability to apply what you have learned.

Matthew has a Form 1099-B from Broker One, who reported gross proceeds:

Stock	Date Sold	Sales Price
100 sh MNO	2/8/04	\$5,050
500 sh ZYX	8/7/04	\$5,250

Broker One reported sales commissions to Matthew separately. They were:

MNO: \$50 ZYX: \$200

Matthew also has a Form 1099-B from Broker Two, who reported net proceeds:

Stock	Date Sold	Sales Price
200 sh BCA	8/7/04	\$4,000
300 sh JKL	8/7/04	\$5,910

Matthew gave you the following information about the stocks he sold:

- He paid \$6,940, plus a \$60 commission, to buy the MNO stock on February 9, 2003.
- He bought the ZYX on March 11, 2001, for \$5,200, plus a \$100 commission.
- He paid \$3,900, plus a \$50 commission, to buy the BCA stock on January 29, 2004.
- He bought the JKL on June 26, 2002, for \$6,300, plus a \$30 commission.

Matthew's filing status is head of household. His Form 1040, line 42, shows \$55,282. When you look at Matthew's Form 1040 and Capital Loss Carryover Worksheet from 2003, you see that he has a \$450 short-term loss and a \$325 long-term loss that he can carry over to his 2004 return.

Use this information to complete Matthew's Schedule D, Parts I, II, and III, and his Form 1040, line 13, for 2004.

Exhibit 18

(A) Complete this form.

Schedule D, Parts I and II

<p>SCHEDULE D (Form 1040)</p> <p>Department of the Treasury Internal Revenue Service (99)</p> <p>Name(s) shown on Form 1040</p>	<p>Capital Gains and Losses</p> <p>▶ Attach to Form 1040. ▶ See Instructions for Schedule D (Form 1040).</p> <p>▶ Use Schedule D-1 to list additional transactions for lines 1 and 8.</p>	<p>OMB No. 1545-0074</p> <p>2004</p> <p>Attachment Sequence No. 12</p> <p>Your social security number</p>			
<p>Part I Short-Term Capital Gains and Losses—Assets Held One Year or Less</p>					
<p>(a) Description of property (Example: 100 sh. XYZ Co.)</p>	<p>(b) Date acquired (Mo., day, yr.)</p>	<p>(c) Date sold (Mo., day, yr.)</p>	<p>(d) Sales price (see page D-6 of the instructions)</p>	<p>(e) Cost or other basis (see page D-6 of the instructions)</p>	<p>(f) Gain or (loss) Subtract (e) from (d)</p>
1					
2	Enter your short-term totals, if any, from Schedule D-1, line 2		2		
3	Total short-term sales price amounts. Add lines 1 and 2 in column (d)		3		
4	Short-term gain from Form 6252 and short-term gain or (loss) from Forms 4684, 6781, and 8824			4	
5	Net short-term gain or (loss) from partnerships, S corporations, estates, and trusts from Schedule(s) K-1			5	
6	Short-term capital loss carryover. Enter the amount, if any, from line 8 of your Capital Loss Carryover Worksheet on page D-5 of the Instructions			6	()
7	Net short-term capital gain or (loss). Combine lines 1 through 6 in column (f)			7	
<p>Part II Long-Term Capital Gains and Losses—Assets Held More Than One Year</p>					
<p>(a) Description of property (Example: 100 sh. XYZ Co.)</p>	<p>(b) Date acquired (Mo., day, yr.)</p>	<p>(c) Date sold (Mo., day, yr.)</p>	<p>(d) Sales price (see page D-6 of the instructions)</p>	<p>(e) Cost or other basis (see page D-6 of the instructions)</p>	<p>(f) Gain or (loss) Subtract (e) from (d)</p>
8					
9	Enter your long-term totals, if any, from Schedule D-1, line 9		9		
10	Total long-term sales price amounts. Add lines 8 and 9 in column (d)		10		
11	Gain from Form 4797, Part I; long-term gain from Forms 2439 and 6252; and long-term gain or (loss) from Forms 4684, 6781, and 8824			11	
12	Net long-term gain or (loss) from partnerships, S corporations, estates, and trusts from Schedule(s) K-1			12	
13	Capital gain distributions. See page D-2 of the instructions			13	
14	Long-term capital loss carryover. Enter the amount, if any, from line 13 of your Capital Loss Carryover Worksheet on page D-5 of the Instructions			14	()
15	Net long-term capital gain or (loss). Combine lines 8 through 14 in column (f). Then go to Part III on the back			15	
<p>For Paperwork Reduction Act Notice, see Form 1040 instructions. Cat. No. 11338H Schedule D (Form 1040) 2004</p>					

Exhibit 19

(B) Complete this form.

Schedule D, Part III

Schedule D (Form 1040) 2004	Page 2
Part III Summary	
<p>16 Combine lines 7 and 15 and enter the result. If line 16 is a loss, skip lines 17 through 20, and go to line 21. If a gain, enter the gain on Form 1040, line 13</p>	16
<p>17 Are lines 15 and 16 both gains? <input type="checkbox"/> Yes. Go to line 18. <input type="checkbox"/> No. Skip lines 18 through 21, and go to line 22.</p>	
<p>18 Enter the amount, if any, from line 7 of the 28% Rate Gain Worksheet on page D-7 of the instructions ▶</p>	18
<p>19 Enter the amount, if any, from line 18 of the Unrecaptured Section 1250 Gain Worksheet on page D-8 of the instructions ▶</p>	19
<p>20 Are lines 18 and 19 both zero or blank? <input type="checkbox"/> Yes. Complete Form 1040 through line 42, and then complete the Qualified Dividends and Capital Gain Tax Worksheet on page 37 of the Instructions for Form 1040. Do not complete lines 21 and 22 below. <input type="checkbox"/> No. Complete the Schedule D Tax Worksheet on page D-10 of the instructions. Do not complete lines 21 and 22 below.</p>	
<p>21 If line 16 is a loss, enter here and on Form 1040, line 13, the smaller of: <ul style="list-style-type: none"> • The loss on line 16 or </p>	21 ()

Exhibit 20

(C) Complete this line on Matthew's Form 1040.

Form 1040, line 13

13 Capital gain or (loss). Attach Schedule D if required. If not required, check here ▶ <input type="checkbox"/>	13	
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Exercise 6

Katherine has two Forms 1099-B. They show:

From Broker No. 1 (gross proceeds reported):

Stock	Date Sold	Sales Price
100 sh LMN	4/20/04	\$3,000
50 sh PQR	4/17/04	2,600
500 OLE	6/17/04	7,800

Expenses for selling the stock through Broker No. 1 (reported to Katherine separately from Form 1099-B) were:

On the sale of: LMN stock: \$175 PQR stock: \$105 OLE: \$590

From Broker No. 2 (net proceeds reported):

Stock	Date Sold	Sales Price
75 sh ABC	1/24/04	\$2,500
125 sh XYZ	3/22/04	6,000

Katherine gave you the following information about these stocks:

- She bought 100 shares of LMN stock on March 6, 2000, for \$12.50 a share (\$1,250), plus a 10% broker's commission (\$125).
- She bought 200 shares of PQR stock on January 8, 2004, for \$14 a share (\$2,800), plus a 10% broker's commission (\$280).
- Katherine bought OLE stock on two dates. On November 27, 2000, she bought 800 shares for \$10 a share (\$8,000), plus 10% broker's commission (\$800). On March 6, 2003, she bought 600 more shares for \$18 a share (\$10,800), plus a 10% broker's commission (\$1,080). When Katherine sold 500 shares of OLE in 2003, she did not specify which block they came from.
- Katherine bought 100 shares of ABC on October 15, 1999, for \$72 a share (\$7,200), plus a 5% broker's commission (\$360). On May 8, 2000, the stock split two-for-one, so Katherine owned 200 shares after the split.
- She bought 125 shares of XYZ stock on October 26, 2003, for \$74 a share (\$9,250), plus a broker's commission of \$250.

Katherine also gave you a Form 1099-DIV from the Acme Mutual Fund. It showed \$1,050 in total capital gain distributions. From Katherine's tax return and worksheets for last year (2003), you found she has a \$150 long-term capital loss carryover from 2003 to 2004.

Complete Katherine's Schedule D, Parts I through III, and her Form 1040, lines 13 and 43. She is single, and her taxable income shown on line 42 of her Form 1040 is \$61,221.

Exhibit 21

(A) Complete this form.

Schedule D, Parts I and II

SCHEDULE D (Form 1040) <small>Department of the Treasury Internal Revenue Service (99)</small>	Capital Gains and Losses ▶ Attach to Form 1040. ▶ See Instructions for Schedule D (Form 1040). ▶ Use Schedule D-1 to list additional transactions for lines 1 and 8.	OMB No. 1545-0074 2004 Attachment Sequence No. 12
Name(s) shown on Form 1040		Your social security number

Part I Short-Term Capital Gains and Losses—Assets Held One Year or Less						
(a) Description of property <small>(Example: 100 sh. XYZ Co.)</small>	(b) Date acquired <small>(Mo., day, yr.)</small>	(c) Date sold <small>(Mo., day, yr.)</small>	(d) Sales price <small>(see page D-6 of the instructions)</small>	(e) Cost or other basis <small>(see page D-6 of the instructions)</small>	(f) Gain or (loss) <small>Subtract (e) from (d)</small>	
1						
2 Enter your short-term totals, if any, from Schedule D-1, line 2						
3 Total short-term sales price amounts. Add lines 1 and 2 in column (d)						
4 Short-term gain from Form 6252 and short-term gain or (loss) from Forms 4684, 6781, and 8824					4	
5 Net short-term gain or (loss) from partnerships, S corporations, estates, and trusts from Schedule(s) K-1					5	
6 Short-term capital loss carryover. Enter the amount, if any, from line 8 of your Capital Loss Carryover Worksheet on page D-5 of the Instructions					6	()
7 Net short-term capital gain or (loss). Combine lines 1 through 6 in column (f)					7	

Part II Long-Term Capital Gains and Losses—Assets Held More Than One Year						
(a) Description of property <small>(Example: 100 sh. XYZ Co.)</small>	(b) Date acquired <small>(Mo., day, yr.)</small>	(c) Date sold <small>(Mo., day, yr.)</small>	(d) Sales price <small>(see page D-6 of the instructions)</small>	(e) Cost or other basis <small>(see page D-6 of the instructions)</small>	(f) Gain or (loss) <small>Subtract (e) from (d)</small>	
8						
9 Enter your long-term totals, if any, from Schedule D-1, line 9						
10 Total long-term sales price amounts. Add lines 8 and 9 in column (d)						
11 Gain from Form 4797, Part I; long-term gain from Forms 2439 and 6252; and long-term gain or (loss) from Forms 4684, 6781, and 8824					11	
12 Net long-term gain or (loss) from partnerships, S corporations, estates, and trusts from Schedule(s) K-1					12	
13 Capital gain distributions. See page D-2 of the instructions					13	
14 Long-term capital loss carryover. Enter the amount, if any, from line 13 of your Capital Loss Carryover Worksheet on page D-5 of the Instructions					14	()
15 Net long-term capital gain or (loss). Combine lines 8 through 14 in column (f). Then go to Part III on the back					15	

Exhibit 22

(B) Complete this form.

Part III Summary

<p>16 Combine lines 7 and 15 and enter the result. If line 16 is a loss, skip lines 17 through 20, and go to line 21. If a gain, enter the gain on Form 1040, line 13</p>	16		
<p>17 Are lines 15 and 16 both gains? <input type="checkbox"/> Yes. Go to line 18. <input type="checkbox"/> No. Skip lines 18 through 21, and go to line 22.</p>			
<p>18 Enter the amount, if any, from line 7 of the 28% Rate Gain Worksheet on page D-7 of the instructions ▶</p>	18		
<p>19 Enter the amount, if any, from line 18 of the Unrecaptured Section 1250 Gain Worksheet on page D-8 of the instructions ▶</p>	19		
<p>20 Are lines 18 and 19 both zero or blank? <input type="checkbox"/> Yes. Complete Form 1040 through line 42, and then complete the Qualified Dividends and Capital Gain Tax Worksheet on page 37 of the Instructions for Form 1040. Do not complete lines 21 and 22 below. <input type="checkbox"/> No. Complete the Schedule D Tax Worksheet on page D-10 of the instructions. Do not complete lines 21 and 22 below.</p>			
<p>21 If line 16 is a loss, enter here and on Form 1040, line 13, the smaller of:</p> <ul style="list-style-type: none"> • The loss on line 16 or • (\$3,000), or if married filing separately, (\$1,500) } <p>Note. When figuring which amount is smaller, treat both amounts as positive numbers.</p>	21	()	
<p>22 Do you have qualified dividends on Form 1040, line 9b? <input type="checkbox"/> Yes. Complete Form 1040 through line 42, and then complete the Qualified Dividends and Capital Gain Tax Worksheet on page 37 of the Instructions for Form 1040. <input type="checkbox"/> No. Complete the rest of Form 1040.</p>			

Proof as of
 1/18/2004
 (subject to change)

Form 1040—Line 43

Qualified Dividends and Capital Gain Tax Worksheet—Line 43

Keep for Your Records

Before you begin: ✓ See the instructions for line 43 on page 36 to see if you can use this worksheet to figure your tax.
 ✓ If you do not have to file Schedule D and you received capital gain distributions, be sure you checked the box on line 13 of Form 1040.



1. Enter the amount from Form 1040, line 42	1.	
2. Enter the amount from Form 1040, line 9b	2.	
3. Are you filing Schedule D? <input type="checkbox"/> Yes. Enter the smaller of line 15 or 16 of Schedule D, but do not enter less than -0- <input type="checkbox"/> No. Enter the amount from Form 1040, line 13	3.	
4. Add lines 2 and 3	4.	
5. If you are claiming investment interest expense on Form 4952, enter the amount from line 4g of that form. Otherwise, enter -0-	5.	
6. Subtract line 5 from line 4. If zero or less, enter -0-	6.	
7. Subtract line 6 from line 1. If zero or less, enter -0-	7.	
8. Enter the smaller of: <ul style="list-style-type: none"> • The amount on line 1 or • \$29,050 if single or married filing separately, \$58,100 if married filing jointly or qualifying widow(er), or \$38,900 if head of household. 	8.	
9. Is the amount on line 7 equal to or more than the amount on line 8? <input type="checkbox"/> Yes. Skip lines 9 through 11; go to line 12 and check the "No" box. <input type="checkbox"/> No. Enter the amount from line 7	9.	
10. Subtract line 9 from line 8	10.	
11. Multiply line 10 by 5% (.05)	11.	
12. Are the amounts on lines 6 and 10 the same? <input type="checkbox"/> Yes. Skip lines 12 through 15; go to line 16. <input type="checkbox"/> No. Enter the smaller of line 1 or line 6	12.	
13. Enter the amount from line 10 (if line 10 is blank, enter -0-)	13.	
14. Subtract line 13 from line 12	14.	
15. Multiply line 14 by 15% (.15)	15.	
16. Figure the tax on the amount on line 7. Use the Tax Table or Tax Computation Worksheet, whichever applies	16.	
17. Add lines 11, 15, and 16	17.	
18. Figure the tax on the amount on line 1. Use the Tax Table or Tax Computation Worksheet, whichever applies	18.	
19. Tax on all taxable income. Enter the smaller of line 17 or line 18. Also include this amount on Form 1040, line 43	19.	

Exhibit 24

(C) Complete these lines from Katherine’s Form 1040.

Form 1040, lines 13 and 42

13	Capital gain or (loss). Attach Schedule D if required. If not required, check here <input type="checkbox"/>	13		
42	Taxable income. Subtract line 41 from line 40. If line 41 is more than line 40, enter -0-	42		
43	Tax (see page 36). Check if any tax is from: a <input type="checkbox"/> Form(s) 8814 b <input type="checkbox"/> Form 4972	43		

▶▶ Summing Up This Lesson ◀◀

To figure and properly report a taxpayer’s gain or loss on a sale of stock, you need to know:

1. Sales price (reported to the taxpayer and to the IRS on Form 1099-B),
2. Adjusted basis, and
3. Holding period.

To determine gain or loss, subtract adjusted basis from sales price. The holding period determines whether the gain or loss is long-term or short-term. Long-term capital gains are generally taxed at lower rates than short-term capital gains.

Use Schedule D, Parts I through IV, to figure capital gain or loss and the correct tax. Be sure the total sales price you report on line 3 plus line 10 of Schedule D is the same as the total sales price from all the taxpayer’s Forms 1099-B, box 2.

Include capital gain distributions (reported to the taxpayer and to IRS on Form 1099-DIV) in the computation of long-term capital gains. Show them on Schedule D, Part II, line 13. Report capital gains distributions directly on Form 1040, line 13 (or on Form 1040A, line 10), if a Schedule D is not required to be completed for the gain or loss on a sale of stock.

A taxpayer can deduct up to \$3,000 (\$1,500 for a married taxpayer filing separately) in net capital loss for the year. The taxpayer can carry over any remaining loss to the next year. If the taxpayer has a carryover loss from 2003, include it on Schedule D, Part I, line 6, or Part II, line 14. The *Capital Loss Carryover Worksheet*, in the Schedule D instructions, can help you figure the carryover amount for 2005.

Report capital gain or loss on Form 1040, line 13.

Exercise 1

A. 1. \$2,550. $[(\$5,000 + \$100) \div 1,000] \times 500 = \$2,550$

2. Long-term.

3. \$3,255. $\$3,300 - \$45 = \$3,255$

B. 1. \$3,550. $\$3,500 + \$50 = \$3,550$

2. Short-term.

C. 1. \$5,000. $[(\$9,965 + \$35) \div 200] \times 100 = \$5,000$

2. Long-term.

3. \$6,440. $\$6,470 - \$30 = \$6,440$

Exercise 2

A. 1. Loss.

2. \$1,200. $\$7,800 - [(\$15,000 \div 1,000) \times 600] = (\$1,200)$

3. Short-term.

B. 1. Gain.

2. \$450. $\$2,000 - (\$1,500 + \$25 + \$25) = \$450$

3. Long-term.

Exercise 3

Jane's Schedule D, Parts I and II

SCHEDULE D (Form 1040) <small>Department of the Treasury Internal Revenue Service (99)</small>	Capital Gains and Losses ▶ Attach to Form 1040. ▶ See Instructions for Schedule D (Form 1040). ▶ Use Schedule D-1 to list additional transactions for lines 1 and 8.	OMB No. 1545-0074 <div style="font-size: 2em; font-weight: bold;">2004</div> Attachment Sequence No. 12				
Name(s) shown on Form 1040		Your social security number				
Part I Short-Term Capital Gains and Losses—Assets Held One Year or Less						
(a) Description of property <small>(Example: 100 sh. XYZ Co.)</small>	(b) Date acquired <small>(Mo., day, yr.)</small>	(c) Date sold <small>(Mo., day, yr.)</small>	(d) Sales price <small>(see page D-6 of the instructions)</small>	(e) Cost or other basis <small>(see page D-6 of the instructions)</small>	(f) Gain or (loss) <small>Subtract (e) from (d)</small>	
1	500 sh. LSR	1/12/03	1/4/04	4,000:00	9,000:00	(5,000:00)
	250 sh. BGI	3/11/03	2/12/04	10,000:00	2,500:00	7,500:00
2 Enter your short-term totals, if any, from Schedule D-1, line 2		2				
3 Total short-term sales price amounts. Add lines 1 and 2 in column (d)		3	14,000:00			
4 Short-term gain from Form 6252 and short-term gain or (loss) from Forms 4684, 6781, and 8824		4				
5 Net short-term gain or (loss) from partnerships, S corporations, estates, and trusts from Schedule(s) K-1		5				
6 Short-term capital loss carryover. Enter the amount, if any, from line 8 of your Capital Loss Carryover Worksheet on page D-5 of the Instructions		6			()	
7 Net short-term capital gain or (loss). Combine lines 1 through 6 in column (f)		7				2,500:00
Part II Long-Term Capital Gains and Losses—Assets Held More Than One Year						
(a) Description of property <small>(Example: 100 sh. XYZ Co.)</small>	(b) Date acquired <small>(Mo., day, yr.)</small>	(c) Date sold <small>(Mo., day, yr.)</small>	(d) Sales price <small>(see page D-6 of the instructions)</small>	(e) Cost or other basis <small>(see page D-6 of the instructions)</small>	(f) Gain or (loss) <small>Subtract (e) from (d)</small>	
8	75 sh. ABC	1/22/01	1/29/04	2,000:00	7,500:00	(5,500:00)
	400 sh. XYZ	12/3/99	3/6/04	15,000:00	10,000:00	5,000:00
	100 sh. DEF	4/2/99	1/16/04	1,200:00	2,000:00	(800:00)
9 Enter your long-term totals, if any, from Schedule D-1, line 9		9				
10 Total long-term sales price amounts. Add lines 8 and 9 in column (d)		10	18,200:00			
11 Gain from Form 4797, Part I; long-term gain from Forms 2439 and 6252; and long-term gain or (loss) from Forms 4684, 6781, and 8824		11				
12 Net long-term gain or (loss) from partnerships, S corporations, estates, and trusts from Schedule(s) K-1		12				
13 Capital gain distributions. See page D-2 of the instructions		13				1,200:00
14 Long-term capital loss carryover. Enter the amount, if any, from line 13 of your Capital Loss Carryover Worksheet on page D-5 of the Instructions		14			()	
15 Net long-term capital gain or (loss). Combine lines 8 through 14 in column (f). Then go to Part III on the back		15				(100:00)
For Paperwork Reduction Act Notice, see Form 1040 instructions.			Cat. No. 11338H	Schedule D (Form 1040) 2004		

Exercise 4

- (A) 1. Form 1040, line 13: \$3,200
- 2. Form 1040, line 43: \$12,766
- (B) Melvin's Schedule D, Page 1

Part I Short-Term Capital Gains and Losses—Assets Held One Year or Less						
(a) Description of property <small>(Example: 100 sh. XYZ Co.)</small>	(b) Date acquired <small>(Mo., day, yr.)</small>	(c) Date sold <small>(Mo., day, yr.)</small>	(d) Sales price <small>(see page D-6 of the instructions)</small>	(e) Cost or other basis <small>(see page D-6 of the instructions)</small>	(f) Gain or (loss) <small>Subtract (e) from (d)</small>	
1	50 sh. ABC	9/15/03	7/26/04	4,000.00	5,000.00	(1,000.00)
	200 sh. MLG	9/10/03	6/7/04	1,200.00	1,000.00	200.00
2 Enter your short-term totals, if any, from Schedule D-1, line 2			2			
3 Total short-term sales price amounts. Add lines 1 and 2 in column (d)			3	5,200.00		
4 Short-term gain from Form 6252 and short-term gain or (loss) from Forms 4684, 6781, and 8824					4	
5 Net short-term gain or (loss) from partnerships, S corporations, estates, and trusts from Schedule(s) K-1					5	
6 Short-term capital loss carryover. Enter the amount, if any, from line 8 of your Capital Loss Carryover Worksheet on page D-5 of the Instructions					6	()
7 Net short-term capital gain or (loss). Combine lines 1 through 6 in column (f)					7	(800.00)
Part II Long-Term Capital Gains and Losses—Assets Held More Than One Year						
(a) Description of property <small>(Example: 100 sh. XYZ Co.)</small>	(b) Date acquired <small>(Mo., day, yr.)</small>	(c) Date sold <small>(Mo., day, yr.)</small>	(d) Sales price <small>(see page D-6 of the instructions)</small>	(e) Cost or other basis <small>(see page D-6 of the instructions)</small>	(f) Gain or (loss) <small>Subtract (e) from (d)</small>	
8	150 sh. XYZ	4/17/02	3/8/04	5,500.00	6,000.00	(500.00)
	300 sh. MLS	1/13/98	6/19/04	6,000.00	3,000.00	3,000.00
9 Enter your long-term totals, if any, from Schedule D-1, line 9			9			
10 Total long-term sales price amounts. Add lines 8 and 9 in column (d)			10	11,500.00		
11 Gain from Form 4797, Part I; long-term gain from Forms 2439 and 6252; and long-term gain or (loss) from Forms 4684, 6781, and 8824					11	
12 Net long-term gain or (loss) from partnerships, S corporations, estates, and trusts from Schedule(s) K-1					12	
13 Capital gain distributions. See page D-2 of the instructions					13	1,500.00
14 Long-term capital loss carryover. Enter the amount, if any, from line 13 of your Capital Loss Carryover Worksheet on page D-5 of the Instructions					14	()
15 Net long-term capital gain or (loss). Combine lines 8 through 14 in column (f). Then go to Part III on the back					15	4,000.00

For Paperwork Reduction Act Notice, see Form 1040 instructions.

Cat. No. 11338H

Schedule D (Form 1040) 2004

(C) Melvin's Schedule D, Page 2

Schedule D (Form 1040) 2004		Page 2
Part III Summary		
<p>16 Combine lines 7 and 15 and enter the result. If line 16 is a loss, skip lines 17 through 20, and go to line 21. If a gain, enter the gain on Form 1040, line 13</p>	16	3,200 00
<p>17 Are lines 15 and 16 both gains? <input type="checkbox"/> Yes. Go to line 18. <input type="checkbox"/> No. Skip lines 18 through 21, and go to line 22.</p>		
<p>18 Enter the amount, if any, from line 7 of the 28% Rate Gain Worksheet on page D-7 of the instructions ▶</p>	18	
<p>19 Enter the amount, if any, from line 18 of the Unrecaptured Section 1250 Gain Worksheet on page D-8 of the instructions ▶</p>	19	
<p>20 Are lines 18 and 19 both zero or blank? <input type="checkbox"/> Yes. Complete Form 1040 through line 42, and then complete the Qualified Dividends and Capital Gain Tax Worksheet on page 37 of the Instructions for Form 1040. Do not complete lines 21 and 22 below. <input type="checkbox"/> No. Complete the Schedule D Tax Worksheet on page D-10 of the instructions. Do not complete lines 21 and 22 below.</p>		
<p>21 If line 16 is a loss, enter here and on Form 1040, line 13, the smaller of:</p> <ul style="list-style-type: none"> • The loss on line 16 or • (\$3,000), or if married filing separately, (\$1,500) } <p>Note. When figuring which amount is smaller, treat both amounts as positive numbers.</p>	21 ()
<p>22 Do you have qualified dividends on Form 1040, line 9b? <input type="checkbox"/> Yes. Complete Form 1040 through line 42, and then complete the Qualified Dividends and Capital Gain Tax Worksheet on page 37 of the Instructions for Form 1040. <input type="checkbox"/> No. Complete the rest of Form 1040.</p>		
Printed on recycled paper		Schedule D (Form 1040) 2004

Qualified Dividends & Capital Gain Tax Worksheet for Melvin

Form 1040—Line 43

Qualified Dividends and Capital Gain Tax Worksheet—Line 43

Keep for Your Records

- Before you begin:**
- ✓ See the instructions for line 43 on page 36 to see if you can use this worksheet to figure your tax.
 - ✓ If you do not have to file Schedule D and you received capital gain distributions, be sure you checked the box on line 13 of Form 1040.



1. Enter the amount from Form 1040, line 42	1.	67,001.00
2. Enter the amount from Form 1040, line 9b	2.	0.00
3. Are you filing Schedule D?		
<input checked="" type="checkbox"/> Yes. Enter the smaller of line 15 or 16 of Schedule D, but do not enter less than -0-	}	
<input type="checkbox"/> No. Enter the amount from Form 1040, line 13		3,200.00
4. Add lines 2 and 3	4.	3,200.00
5. If you are claiming investment interest expense on Form 4952, enter the amount from line 4g of that form. Otherwise, enter -0-	5.	0.00
6. Subtract line 5 from line 4. If zero or less, enter -0-	6.	3,200.00
7. Subtract line 6 from line 1. If zero or less, enter -0-	7.	63,801.00
8. Enter the smaller of:		
• The amount on line 1 or	}	
• \$29,050 if single or married filing separately,		
\$58,100 if married filing jointly or qualifying widow(er), or \$38,900 if head of household.		29,050.00
9. Is the amount on line 7 equal to or more than the amount on line 8?		
<input checked="" type="checkbox"/> Yes. Skip lines 9 through 11; go to line 12 and check the "No" box.	}	
<input type="checkbox"/> No. Enter the amount from line 7		9.
10. Subtract line 9 from line 8	10.	
11. Multiply line 10 by 5% (.05)	11.	3,200.00
12. Are the amounts on lines 6 and 10 the same?		
<input type="checkbox"/> Yes. Skip lines 12 through 15; go to line 16.	}	
<input checked="" type="checkbox"/> No. Enter the smaller of line 1 or line 6		12.
13. Enter the amount from line 10 (if line 10 is blank, enter -0-)	13.	3,200.00
14. Subtract line 13 from line 12	14.	
15. Multiply line 14 by 15% (.15)	15.	480.00
16. Figure the tax on the amount on line 7. Use the Tax Table or Tax Computation Worksheet, whichever applies	16.	12,694.00
17. Add lines 11, 15, and 16	17.	13,174.00
18. Figure the tax on the amount on line 1. Use the Tax Table or Tax Computation Worksheet, whichever applies	18.	13,494.00
19. Tax on all taxable income. Enter the smaller of line 17 or line 18. Also include this amount on Form 1040, line 43	19.	13,174.00

Exercise 5

(A) Matthew's Schedule D, Parts I and II

Part I Short-Term Capital Gains and Losses—Assets Held One Year or Less						
(a) Description of property (Example: 100 sh. XYZ Co.)	(b) Date acquired (Mo., day, yr.)	(c) Date sold (Mo., day, yr.)	(d) Sales price (see page D-6 of the instructions)	(e) Cost or other basis (see page D-6 of the instructions)	(f) Gain or (loss) Subtract (e) from (d)	
1	100 sh. MNO	2/9/03	2/8/04	5,050 00	7,050 00	(2,000 00)
	200 sh. BCA	1/29/04	8/7/04	4,000 00	3,950 00	50 00
2 Enter your short-term totals, if any, from Schedule D-1, line 2			2			
3 Total short-term sales price amounts. Add lines 1 and 2 in column (d)			3	9,050 00		
4 Short-term gain from Form 6252 and short-term gain or (loss) from Forms 4684, 6781, and 8824			4			
5 Net short-term gain or (loss) from partnerships, S corporations, estates, and trusts from Schedule(s) K-1			5			
6 Short-term capital loss carryover. Enter the amount, if any, from line 8 of your Capital Loss Carryover Worksheet on page D-5 of the Instructions			6		(450 00)	
7 Net short-term capital gain or (loss). Combine lines 1 through 6 in column (f)			7		(2,400 00)	
Part II Long-Term Capital Gains and Losses—Assets Held More Than One Year						
(a) Description of property (Example: 100 sh. XYZ Co.)	(b) Date acquired (Mo., day, yr.)	(c) Date sold (Mo., day, yr.)	(d) Sales price (see page D-6 of the instructions)	(e) Cost or other basis (see page D-6 of the instructions)	(f) Gain or (loss) Subtract (e) from (d)	
8	500 sh. ZYX	3/11/01	8/7/04	5,250 00	5,500 00	(250 00)
	300 sh. JKL	6/26/01	8/7/04	5,910 00	6,330 00	(420 00)
9 Enter your long-term totals, if any, from Schedule D-1, line 9			9			
10 Total long-term sales price amounts. Add lines 8 and 9 in column (d)			10	11,160 00		
11 Gain from Form 4797, Part I; long-term gain from Forms 2439 and 6252; and long-term gain or (loss) from Forms 4684, 6781, and 8824			11			
12 Net long-term gain or (loss) from partnerships, S corporations, estates, and trusts from Schedule(s) K-1			12			
13 Capital gain distributions. See page D-2 of the instructions			13			
14 Long-term capital loss carryover. Enter the amount, if any, from line 13 of your Capital Loss Carryover Worksheet on page D-5 of the Instructions			14		(325 00)	
15 Net long-term capital gain or (loss). Combine lines 8 through 14 in column (f). Then go to Part III on the back			15		(995 00)	

For Paperwork Reduction Act Notice, see Form 1040 instructions.

Cat. No. 11338H

Schedule D (Form 1040) 2004

(B) Matthew's Schedule D, Part III

Schedule D (Form 1040) 2004		Page 2
Part III Summary		
16	Combine lines 7 and 15 and enter the result. If line 16 is a loss, skip lines 17 through 20, and go to line 21. If a gain, enter the gain on Form 1040, line 13	(3,395.00)
17	Are lines 15 and 16 both gains? <input type="checkbox"/> Yes. Go to line 18. <input checked="" type="checkbox"/> No. Skip lines 18 through 21, and go to line 22.	
18	Enter the amount, if any, from line 7 of the 28% Rate Gain Worksheet on page D-7 of the instructions ▶	
19	Enter the amount, if any, from line 18 of the Unrecaptured Section 1250 Gain Worksheet on page D-8 of the instructions ▶	
20	Are lines 18 and 19 both zero or blank? <input checked="" type="checkbox"/> Yes. Complete Form 1040 through line 42, and then complete the Qualified Dividends and Capital Gain Tax Worksheet on page 37 of the Instructions for Form 1040. Do not complete lines 21 and 22 below. <input type="checkbox"/> No. Complete the Schedule D Tax Worksheet on page D-10 of the instructions. Do not complete lines 21 and 22 below.	
21	If line 16 is a loss, enter here and on Form 1040, line 13, the smaller of: <ul style="list-style-type: none"> • The loss on line 16 or • (\$3,000), or if married filing separately, (\$1,500) } Note. When figuring which amount is smaller, treat both amounts as positive numbers.	(3,000.00)

(C) Matthew's Form 1040, Line 13

13	Capital gain or (loss). Attach Schedule D if required. If not required, check here ▶ <input type="checkbox"/>	(3,000.00)
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Exercise 6***Basis Computations:***LMN:

100 shares bought at \$12.50	=	\$1,250
Commission on purchase	=	125
Commission on sale	=	<u>+ 175</u>
Adjusted basis, LMN sold	=	<u>\$1,550</u>

PQR:

200 shares bought at \$14	=	\$2,800
Commission on purchase	=	<u>+ 280</u>
Total paid for purchase	=	3,080
Divided by number of shares bought		<u>÷ 200</u>
Per share basis after purchase	=	15.40
Times number of shares sold		x 50
	=	770
Commission on sale	=	<u>+ 105</u>
Adjusted basis, PQR sold		<u>\$ 875</u>

OLE: Katherine did not specify which block of stock to sell; the stocks sold are assumed to be from the block purchased first.

800 shares bought at \$10	=	\$8,000
Commission on purchase	=	<u>+ 800</u>
Total paid for purchase	=	8,800
Divided by number of shares bought		<u>÷ 800</u>
Per share basis after purchase	=	11
Times number of shares sold		<u>x 500</u>
	=	5,500
Commission on sale	=	<u>+ 590</u>
Adjusted basis, OLE sold		<u>\$6,090</u>

ABC:

100 shares bought at \$72	=	\$7,200
Commission on purchase	=	<u>+ 360</u>
Total paid for purchase	=	7,560
Divided by number of shares Katherine held after the two-for-one split		<u>÷ 200</u>
Per share basis after the split	=	37.80
Times number of shares sold	=	<u>x 75</u>
Adjusted basis, ABC sold	=	<u><u>\$2,835</u></u>

XYZ:

125 shares bought at \$74	=	\$9,250
Commission on purchase	=	<u>+ 250</u>
Adjusted basis, XYZ sold	=	<u><u>\$9,500</u></u>

Exercise 6

(A) Katherine's Schedule D, Parts I and II

SCHEDULE D (Form 1040)		Capital Gains and Losses				OMB No. 1545-0074
Department of the Treasury Internal Revenue Service (99)		▶ Attach to Form 1040. ▶ See Instructions for Schedule D (Form 1040). ▶ Use Schedule D-1 to list additional transactions for lines 1 and 8.				2004
Name(s) shown on Form 1040					Your social security number	
Part I Short-Term Capital Gains and Losses—Assets Held One Year or Less						
(a) Description of property (Example: 100 sh. XYZ Co.)	(b) Date acquired (Mo., day, yr.)	(c) Date sold (Mo., day, yr.)	(d) Sales price (see page D-6 of the instructions)	(e) Cost or other basis (see page D-6 of the instructions)	(f) Gain or (loss) Subtract (e) from (d)	
1	50 sh. PQR	1/8/04	4/17/04	2,600.00	875.00	1,725.00
	125 sh. XYZ	10/26/03	3/22/04	6,000.00	9,500.00	(3,500.00)
2 Enter your short-term totals, if any, from Schedule D-1, line 2			2			
3 Total short-term sales price amounts. Add lines 1 and 2 in column (d)			3	8,600.00		
4 Short-term gain from Form 6252 and short-term gain or (loss) from Forms 4684, 6781, and 8824					4	
5 Net short-term gain or (loss) from partnerships, S corporations, estates, and trusts from Schedule(s) K-1					5	
6 Short-term capital loss carryover. Enter the amount, if any, from line 8 of your Capital Loss Carryover Worksheet on page D-5 of the Instructions					6	()
7 Net short-term capital gain or (loss). Combine lines 1 through 6 in column (f)					7	(1,775.00)
Part II Long-Term Capital Gains and Losses—Assets Held More Than One Year						
(a) Description of property (Example: 100 sh. XYZ Co.)	(b) Date acquired (Mo., day, yr.)	(c) Date sold (Mo., day, yr.)	(d) Sales price (see page D-6 of the instructions)	(e) Cost or other basis (see page D-6 of the instructions)	(f) Gain or (loss) Subtract (e) from (d)	
8	100 sh. LMN	3/6/00	4/20/04	3,000.00	1,550.00	1,450.00
	500 sh. OLE	11/27/00	6/17/04	7,800.00	6,090.00	1,710.00
	75 sh. ABC	10/15/99	1/24/04	2,500.00	2,835.00	(335.00)
9 Enter your long-term totals, if any, from Schedule D-1, line 9			9			
10 Total long-term sales price amounts. Add lines 8 and 9 in column (d)			10	13,300.00		
11 Gain from Form 4797, Part I; long-term gain from Forms 2439 and 6252; and long-term gain or (loss) from Forms 4684, 6781, and 8824					11	
12 Net long-term gain or (loss) from partnerships, S corporations, estates, and trusts from Schedule(s) K-1					12	
13 Capital gain distributions. See page D-2 of the instructions					13	1,050.00
14 Long-term capital loss carryover. Enter the amount, if any, from line 13 of your Capital Loss Carryover Worksheet on page D-5 of the Instructions					14	(150.00)
15 Net long-term capital gain or (loss). Combine lines 8 through 14 in column (f). Then go to Part III on the back					15	3,725.00

For Paperwork Reduction Act Notice, see Form 1040 instructions.

Cat. No. 11338H

Schedule D (Form 1040) 2004

(B) Katherine's Schedule D, Part III

Schedule D (Form 1040) 2004		Page 2
Part III Summary		
16 Combine lines 7 and 15 and enter the result. If line 16 is a loss, skip lines 17 through 20, and go to line 21. If a gain, enter the gain on Form 1040, line 13	16	1,950.00
17 Are lines 15 and 16 both gains? <input checked="" type="checkbox"/> Yes. Go to line 18. <input type="checkbox"/> No. Skip lines 18 through 21, and go to line 22.		
18 Enter the amount, if any, from line 7 of the 28% Rate Gain Worksheet on page D-7 of the instructions	18	
19 Enter the amount, if any, from line 18 of the Unrecaptured Section 1250 Gain Worksheet on page D-8 of the instructions	19	
20 Are lines 18 and 19 both zero or blank? <input checked="" type="checkbox"/> Yes. Complete Form 1040 through line 42, and then complete the Qualified Dividends and Capital Gain Tax Worksheet on page 37 of the Instructions for Form 1040. Do not complete lines 21 and 22 below. <input type="checkbox"/> No. Complete the Schedule D Tax Worksheet on page D-10 of the instructions. Do not complete lines 21 and 22 below.		
21 If line 16 is a loss, enter here and on Form 1040, line 13, the smaller of: <ul style="list-style-type: none"> • The loss on line 16 or • (\$3,000), or if married filing separately, (\$1,500) } 	21 ()	
Note. When figuring which amount is smaller, treat both amounts as positive numbers.		
22 Do you have qualified dividends on Form 1040, line 9b? <input type="checkbox"/> Yes. Complete Form 1040 through line 42, and then complete the Qualified Dividends and Capital Gain Tax Worksheet on page 37 of the Instructions for Form 1040. <input type="checkbox"/> No. Complete the rest of Form 1040.		

Printed on recycled paper Schedule D (Form 1040) 2004

Qualified Dividends and Capital Gain Tax Worksheet—Line 43

Keep for Your Records

Before you begin:

- ✓ See the instructions for line 43 on page 36 to see if you can use this worksheet to figure your tax.
- ✓ If you do not have to file Schedule D and you received capital gain distributions, be sure you checked the box on line 13 of Form 1040.

1. Enter the amount from Form 1040, line 42	1. 61,221.00
2. Enter the amount from Form 1040, line 9b	2. _____
3. Are you filing Schedule D? <input checked="" type="checkbox"/> Yes. Enter the smaller of line 15 or 16 of Schedule D, but do not enter less than -0- <input type="checkbox"/> No. Enter the amount from Form 1040, line 13	3. 1,950.00
4. Add lines 2 and 3	4. 1,950.00
5. If you are claiming investment interest expense on Form 4952, enter the amount from line 4g of that form. Otherwise, enter -0-	5. _____
6. Subtract line 5 from line 4. If zero or less, enter -0-	6. 1,950.00
7. Subtract line 6 from line 1. If zero or less, enter -0-	7. 59,271.00
8. Enter the smaller of: <ul style="list-style-type: none"> • The amount on line 1 or • \$29,050 if single or married filing separately, \$58,100 if married filing jointly or qualifying widow(er), or \$38,900 if head of household. 	8. 29,050.00
9. Is the amount on line 7 equal to or more than the amount on line 8? <input checked="" type="checkbox"/> Yes. Skip lines 9 through 11; go to line 12 and check the "No" box. <input type="checkbox"/> No. Enter the amount from line 7	9. _____
10. Subtract line 9 from line 8	10. _____
11. Multiply line 10 by 5% (.05)	11. _____
12. Are the amounts on lines 6 and 10 the same? <input type="checkbox"/> Yes. Skip lines 12 through 15; go to line 16. <input checked="" type="checkbox"/> No. Enter the smaller of line 1 or line 6	12. 1,950.00
13. Enter the amount from line 10 (if line 10 is blank, enter -0-)	13. _____
14. Subtract line 13 from line 12	14. 1,950.00
15. Multiply line 14 by 15% (.15)	15. 293.00
16. Figure the tax on the amount on line 7. Use the Tax Table or Tax Computation Worksheet, whichever applies	16. 11,556.00
17. Add lines 11, 15, and 16	17. 11,849.00
18. Figure the tax on the amount on line 1. Use the Tax Table or Tax Computation Worksheet, whichever applies	18. 12,044.00
19. Tax on all taxable income. Enter the smaller of line 17 or line 18. Also include this amount on Form 1040, line 43	19. 11,849.00

(C) Katherine's Form 1040, lines 13 and 43

13	Capital gain or (loss). Attach Schedule D if required. If not required, check here <input type="checkbox"/>	13	1,950	00
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43	Tax (see page 36). Check if any tax is from: a <input type="checkbox"/> Form(s) 8814 b <input type="checkbox"/> Form 4972	43	11,849	00
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INTRODUCTION AND OBJECTIVES

Introduction

This lesson discusses the tax rules that apply when a taxpayer sells his or her **main home** in 2004. The taxpayer's **main home** is the one in which he or she lives most of the time.

A taxpayer does not need to report the sale of his or her main home on his or her tax return if the gain on the sale is less than or equal to an **exclusion amount** (discussed later). Generally, a taxpayer who meets the ownership and use tests, discussed later, can generally exclude from income a gain of up to \$250,000 (\$500,000 if married filing jointly) on a sale of a main home.

This lesson does not cover the sale of a main home used as rental property or partially for business.

Objective

- At the end of this lesson you will be able to determine the amount of gain a taxpayer may exclude if a primary residence is sold.

MAIN HOME

Only the gain from the sale of the taxpayer's main home is eligible for the rules discussed in this lesson. If a home that is not the taxpayer's main home is sold during the year, the gain generally will have to be reported as income. Any gain that must be reported as income is reported on Schedule D (Form 1040), *Capital Gains and Losses*. A clear understanding of what is an individual's main home is very important.

A **main home** is where the taxpayer lives most of the time. The home does not necessarily have to be a house. A houseboat, a mobile home, a cooperative apartment, or a condominium (house or apartment) may also qualify as a main home. A taxpayer's main home is not necessarily a home that is owned by the taxpayer. A rented home or apartment may be a main home. Taxpayers cannot choose which home to designate as their main home. Facts and circumstances determine which home is the main home.

If a taxpayer has more than one home, it is necessary to determine which home he or she lives in most of the time. In many cases the taxpayer owns a single home in which he or she lives all the time.

You must be sure that the owner of a single home also meets the requirement of living in the home most of the time. If not, it cannot be considered the main home.

Never assume that the house sold during the year was the taxpayer's main home, even if the house was the only one owned by the taxpayer. Be sure to check that the house was, in fact, the individual's main home.

Example 1

Lucille owns a home in a Colorado ski area (the ski home). She stays at the ski home most weekends and spends the entire months of December, January, and February there. When she is not at the ski home, she lives in a four-room apartment that she rents in Denver. For over half the year, she lives in Denver. Lucille's main home is her rental apartment in Denver, because she lives there most of the time. This is so even though she does not own the apartment in Denver.

GAIN ON SALE OF MAIN HOME

To figure the gain (or loss) on the sale of the taxpayer's main home, you must know the **selling price**, the **amount realized**, and the **adjusted basis**.

Selling price

The selling price is the total amount the taxpayer (seller) received for his or her main home. It includes money, all notes, mortgages, or other debts taken over by the buyer as part of the sale, and the fair market value of any other property or services that the seller received.

Form 1099-S

If the taxpayer received Form 1099-S, *Proceeds From Real Estate Transactions*, box 1 shows the date of sale (closing) and box 2 shows the **gross proceeds** received from the sale of his or her main home. If the taxpayer can exclude the entire gain from a sale in 2004, the person responsible for closing the sale (for example, a real estate broker or settlement agent) generally will not have to report it on Form 1099-S.

Example 1

Joe and Sarah Blackhawk sold their main home on July 7, 2004. They will not be able to exclude the entire gain from income (they had paid \$200,000 for the home; their gain exceeds \$500,000). The Lincoln Title Company provided them with a Form 1099-S (Exhibit 1).

Exhibit 1 - Blackhawk 1099-S

CORRECTED (if checked)

FILER'S name, street address, city, state, ZIP code, and telephone no. LINCOLN TITLE COMPANY 123 LINCOLN AVE YOUR CITY, STATE ZIP		1 Date of closing 7-7-04	OMB No. 1545-0997 2004 Form 1099-S	Proceeds From Real Estate Transactions
FILER'S Federal identification number XX-XXXXXXX		2 Gross proceeds \$ 789,000.00		
TRANSFEROR'S name JOE AND SARAH BLACKHAWK Street address (including apt. no.) 91 YALE DR City, state, and ZIP code YOUR CITY, STATE ZIP		3 Address or legal description 84 NORTHEAST ST YOUR CITY, STATE ZIP		Copy B For Transferor This is important tax information and is being furnished to the Internal Revenue Service. If you are required to file a return, a negligence penalty or other sanction may be imposed on you if this item is required to be reported and the IRS determines that it has not been reported.
Account or escrow number (optional)		4 Transferor received or will receive property or services as part of the consideration (if checked). . . . ▶ <input type="checkbox"/>		
		5 Buyer's part of real estate tax \$		

Form **1099-S**

(keep for your records)

Department of the Treasury - Internal Revenue Service

Amount realized

The amount realized is the selling price minus **selling expenses**.

Selling expenses

Selling expenses include commissions, advertising fees, legal fees, and loan charges paid by the seller, such as points.

Adjusted basis

While the taxpayer owned his or her main home, he or she may have made adjustments (increases or decreases) to the **basis**. This adjusted basis is used to figure gain or loss on the sale of the taxpayer's main home.

Amount of gain (or loss)

When you know the amount realized and the home's adjusted basis, you can figure the taxpayer's **gain or loss**. If the amount realized is more than the adjusted basis, the difference is a gain and the taxpayer may be able to exclude all or part of it. If the amount realized is less than the adjusted basis, the difference is a loss. ***A loss on the sale of the taxpayer's main home cannot be deducted.***

POTENTIAL PITFALLS



A taxpayer who used his or her main home for business should seek the assistance of a paid professional preparer.

AMOUNT OF EXCLUSION

A single homeowner can generally exclude up to \$250,000 of gain from the sale of a main home. A married couple can exclude up to \$500,000 if they meet all of the following conditions.

1. They filed a joint return.
2. Either spouse or both meet the ownership test.
3. Both individuals meet the use test.
4. Neither individual excluded gain in the 2 years before the current sale of the home (not counting any sales before May 7, 1997).

For married individuals filing jointly if either spouse does not satisfy all these requirements, the maximum exclusion that can be claimed by the couple is the total of the maximum exclusion that each spouse would qualify for if not married and the amounts were figured separately. For this purpose, each spouse is treated as owning the property during the period that either spouse owned the property.

POTENTIAL PITFALLS

There are exceptions to the ownership and use tests. Sales due to a change in employment location, health issues, or unforeseen circumstances may qualify for an exception. These taxpayers should seek the assistance of a paid preparer.

OWNERSHIP AND USE TESTS

The **exclusion** is allowed each time a taxpayer sells or exchanges his or her main home, but generally no more than once every 2 years. To be eligible, the property must have been:

1. Owned by the taxpayer for a combined period of at least 2 years out of a 5-year period ending on the date of sale (the ownership test).
2. Lived in as the taxpayer's main home for at least 2 years of that 5-year period (the use test).

Period of ownership and use

The required 2 years of ownership and use do not have to be continuous. The taxpayer meets the tests if the taxpayer can show that he or she owned and lived in the property as his or her main home for either 24 full months or 730 days during the 5-year period. Short temporary absences, even if the property is rented during those absences, are counted as periods of use.

Ownership and use tests can be met during different 2-year periods. However, a taxpayer must meet both tests during the 5-year period ending on the date of the sale.

Example 2

In 1996, Helen Jones lived in a rented apartment. The apartment building was later changed to a condominium, and she bought her apartment on December 1, 2001. In 2002, Helen became ill and on April 14 of that year she moved in to her daughter's home. On July 10, 2004, while still living in her daughter's home, she sold her apartment.

Helen can exclude all the gain on the sale of her apartment because she met the ownership and use tests. Her 5-year period is from July 11, 1999, to July 10, 2004, the date she sold the apartment. She owned her apartment from December 1, 2001, to July 10, 2004 (over 2 years). She lived in the apartment from July 11, 1999 (the beginning of the 5-year period), to April 14, 2002 (over 2 years).

Reduced Exclusion

If the property was owned and used as a main home for less than 2 years, a taxpayer may be able to claim a reduced exclusion. If this situation applies to a taxpayer, he or she should consult a paid preparer.

Exercise 1

John is single and sold his home in July 2004, for \$300,000. The amount he realized from the sale was \$297,500. His adjusted basis in the home was \$255,500. Assuming he meets the ownership and use tests,

- a. What is the amount of the gain?
- b. What is his exclusion amount?

Exercise 2

Tim owns two homes. One residence is located in St. Louis where he works and the other is located in a resort area approximately 100 miles away. Tim lives in his St. Louis home during the week (Monday through Friday) and travels to his weekend home for Saturday and Sunday. His office allows him to work from home so approximately 2 months of the year he works from his weekend home. Which home is his main home?

TAXWISE HINTS

If a gain on the sale of a main home must be reported on the taxpayer's Form 1040. Link to a Schedule D, enter the description of property, and complete the remaining entries annotated in red. The software will calculate the gain and carry the calculation to the Form 1040.

▶▶ **SUMMING UP THIS LESSON** ◀◀

In this lesson you have learned about the rules that apply to homeowners who sell or exchange their principal residence.

- Exercise 1a. \$42,000 (\$297,500 minus \$255,500)
1b. \$42,000
- Exercise 2. His main home is the St. Louis residence.

STUDENT NOTES

Lined writing area for student notes.

INTRODUCTION AND OBJECTIVES

On November 11, 2003, President Bush signed the Military Families Tax Relief Act. One of the provisions of the act affected the sale of home rules. This lesson will explain the current rules for calculating taxable gain on the sale of a military member's home.

At the end of this lesson, you should be able to:

- List the two tests that generally must be met to exclude the gain on the sale of a residence
- Determine when the 5-year ownership/use test period can be suspended

GENERAL RULE FOR HOME SALES IN 2004

A taxpayer can generally exclude up to \$250,000 of gain (\$500,000, in most cases, if married filing a joint return) realized on the sale or exchange of a main home in 2004. The exclusion is allowed each time the taxpayer sells or exchanges a main home, but generally not more than once every 2 years. To be eligible, during the 5-year period ending on the date of sale, the taxpayer must have owned the home for at least 2 years (the ownership test) and lived in the home as his/her main home for at least 2 years (the use test).

Example 1

John and Mary sold their main home on April 20, 2004 for \$218,000. They paid \$100,000 for the house in 1997. They lived in the house from September 1, 1997 until April 20, 2004. They never operated a business from the house. They meet the ownership and use tests. They can exclude the \$118,000 gain from their income.

Exercise 1

What two tests must be met to use the general rules for home sales in 2004?

_____ Test

_____ Test

5-YEAR TEST PERIOD SUSPENSION

The taxpayer can choose to have the 5-year test period for ownership and use suspended during any period when he/she or his/her spouse serve on **qualified official extended duty** as a member of the Armed Forces. This means that the taxpayer may be able to meet the 2-year use test even if, because of their service, they do not actually live in the home for at least the required 2 years during the 5-year period ending on the date of sale. The period of suspension cannot last more than 10 years. The suspension cannot be used on more than one property at a time.

The taxpayer is on **qualified official extended duty** if he/she serves on extended duty either at a duty station at least 50 miles from his/her main home or while he/she lives in Government quarters under Government order. The taxpayer is considered on extended duty when he/she is called or ordered to active duty for a period of more than 90 days or for an indefinite period.

Example 2

Peter bought a home in 1996. He lived in it as his main home for 2 ½ years (1996–1998). From 1999–2004 he did not live in the home because he was on qualified official extended duty with the U.S. Army. He sold the home in 2004 and had a \$12,000 gain. Under the general sale of home rules, Peter would have to include the gain on his tax return because he did not meet the ownership and use test (2 out of the last 5 years). Peter chooses to suspend the 5-year test period for the 6 years he was on qualifying official extended duty. Therefore, Peter's 5-year test period consists of the 5 years before he went on qualifying official extended duty. He meets the ownership and use tests and can exclude the gain from his tax return.

Exercise 2

Jennifer and Lance sold their main home on July 12, 2004 and had a capital gain of \$26,000. They had bought the home in 1995 and lived in it as their main home until October, 1998 when Jennifer went on qualified official extended duty. Jennifer's qualified official extended duty ended on February 14, 2004. She and Lance lived in their main home until they sold it.

- A. Do Jennifer and Lance meet the ownership test under the general rules for home sales in 2004? _____
- B. Do Jennifer and Lance meet the use test under the general rules for home sales in 2004? _____
- C. Can Jennifer and Lance choose to have the 5-year test period suspended? _____
- D. Can Jennifer and Lance exclude the 2004 capital gain on the sale of their home from their income? _____

CLAIMING A REFUND FOR A PRIOR-YEAR HOME SALE

The rule for suspending the 5-year period became law in 2003, but is available for any sale of a main home after May 6, 1997. Therefore, the taxpayer may be entitled to a refund if this rule applies and the taxpayer paid tax on a gain from the sale of a home after that date.

RULES FOR SALES BEFORE MAY 7, 1997

Separate rules apply for sales of a main home before May 7, 1997. In general, if the home was sold for a gain, the taxpayer had to include the gain as income in the year of the sale. There were exceptions for postponed or excluded gain.

1. Ownership testUse test

2. A. Yes, Jennifer and Lance meet the ownership test under the general rules. In the last 5 years (July 13, 1999 through July 12, 2004) they had owned the home for more than 2 years.
- B. No, Jennifer and Lance do not meet the use test under the general rules. In the last five years, they had not used the home as their main home for more than 2 years.
- C. Yes, Jennifer and Lance can choose to have the 5-year test period suspended for the time that Jennifer was on qualified official extended duty.
- D. Yes, Jennifer and Lance can exclude the gain on the sale of their home, if they choose to suspend the 5-year test period.

INTRODUCTION AND OBJECTIVES

In this lesson, you will learn about pensions and annuities including taxable and nontaxable retirement income. Pensions and annuities provide cash payments, usually after a person has retired. These payments may be for life or for a fixed period of time. They may begin at retirement or at a specific age. This lesson covers pensions, annuities, social security benefits, railroad retirement benefits and individual retirement arrangements.

This lesson will refer to forms that are used to report pension and annuity income. The most current version of the forms is available at www.irs.gov (Note: Railroad Retirement and Social Security forms are not available on this site.)

After completing this lesson, you should be able to:

- Determine the taxable portion of different types of retirement income.
- Report retirement income on the tax return.
- Explain when a minimum distribution is required.
- Determine when an adjustment to withholding should be made.

Asking the Right Questions

Many of you will use software to complete the tax returns for your customers. While the software will do an excellent job of calculating the return, you are the key to calculating the correct tax treatment of your customer's pension or annuity income. As you work through this lesson, note what questions you may need to ask your customer. A thorough interview can help eliminate common errors.

PENSIONS AND ANNUITIES

Pensions and annuities provide cash payments, usually after a person has retired. The payments may be for life or a fixed period of time. They may begin at retirement or at a specific age.

- A **pension** is generally a series of definitely determinable payments made to an employee or survivor (the beneficiary of a deceased employee's pension) after the employee retires from work. Payments are made regularly and are for past services with an employer.
- An **annuity** is a series of payments under a contract from an insurance company, a trust company, or an individual. Annuity payments are made at regular intervals over a period of more than one full year.
- A **qualified employee plan** is an employer's stock bonus, pension or profit-sharing plan that is for the exclusive benefit of employees. The plan must meet Internal Revenue Code requirements. Most plans that you will be working with will be qualified plans.
- A **401(k) plan** is an arrangement that permits an employee to elect to have the employer contribute part of the employee's cash wages to a retirement plan on a pre-tax basis. These deferred wages are not subject to income tax withholding at the time of deferral. The deferred wages are not reflected on Form 1040 since they were not included in taxable wages of box 1, Form W-2. (However, they are included as wages subject to social security, Medicare, and federal unemployment taxes.)

The most common form used to report pension and annuity distributions is **Form 1099-R, Distributions from Pensions, Annuities, Retirement or Profit-Sharing Plans, IRAs, Insurance Contracts etc.** This lesson will help you understand how to treat the amounts listed on the Form 1099-R.

POTENTIAL PITFALLS



Retirement distributions for civil service retirees may appear on Form CSA-1099. Retirement distributions for railroad retirees are reported on RRB-1099 forms (covered later in this lesson).

PENSIONS AND ANNUITIES – FULLY OR PARTIALLY TAXABLE

A pension is fully or partially taxable depending on whether the employee contributed to the pension plan. Employee contributions are “after-tax” amounts that the employee paid into the pension fund. The employer usually deducts the contributions from wages and deposits them into the pension fund on behalf of the employee. Each year, the employee pays tax on the amount that he or she contributed that year. The employee's contributions are included in his or her Form W-2. Employee contributions are often referred to as the **cost** of the pension or as the **investment** in the annuity contract. For pensions discussed here, the employer will also have contributed to the pension fund.

■ **Fully Taxable Pensions**

If a taxpayer receives periodic payments of retirement benefits in the form of pension or annuity payments from a qualified employer retirement plan, the amounts received may be fully taxable or partially taxable. (IRAs, social security, and equivalent railroad retirement benefits are discussed later in this lesson.) Periodic payments are amounts paid at regular intervals for a period of time greater than one year.

Generally, if the taxpayer did not contribute to the cost of the pension plan, the pension benefits received are fully taxable. Military pensions are noncontributory and, therefore, fully taxable.

(Note: If the taxpayer participates in the uniformed services Thrift Savings Plan, their account may include contributions from combat zone pay. This pay is tax-exempt and contributions attributable to that pay are tax-exempt when they are distributed.)

Fully taxable pension payments are reported on line 16b, Form 1040, or line 12b, Form 1040A. You should make no entry on 16a, Form 1040, or line 12a, Form 1040A.

■ Partially Taxable Pensions and Annuities

If a taxpayer contributed to a pension plan with after-tax dollars while employed, part of the pension received is a return of the income taxed in earlier years and, therefore, is nontaxable. If the taxpayer has paid tax on the pension contribution (it was included in wages), the amount contributed is not taxed again when the pension is received.

For periodic payments that began after 1992, the payer is required to enter the taxpayer's contributions to a profit-sharing or retirement plan, or insurance premiums that the taxpayer may recover tax-free this year in box 5, Form 1099-R.

Example 1 Rudy retired from The Mart in 2002. He started receiving pension payments in October, 2002. His 2004 Form 1099-R shows an amount of \$2,043 in box 5. This is the amount of his 2004 payments that are considered a recovery of his cost. He will not include this portion of the payment in his income.

If the payer is unable to reasonably obtain the data necessary to compute the taxpayer's cost, box 5 can be left blank.

Exercise 1

Wanda retired from the flour company in 2003. She receives a monthly pension of \$1,000 from her former employer's pension plan. She shows you her 2004 Form 1099-R. The amount in box 5 is \$892. How much of Wanda's 2004 distribution is considered a recovery of her cost in the plan? _____

In the next section, you will learn how to determine the taxable portion of a partially taxable pension or annuity when the payer has not determined the taxable portion of the payment.

DETERMINING TAXABLE RETIREMENT INCOME

If the taxpayer has a cost to recover from the pension or annuity plan, he or she can exclude part of each annuity payment from income as a recovery of cost, until all of the cost has been recovered. The tax-free part of the payment is figured when the annuity starts and remains the same each year, even if the amount of the payment changes.

The General Rule for Annuity Payments

Most taxpayers who are covered by a qualified retirement plan will no longer be eligible to use the General Rule for annuity payments received from the plan. However, if a taxpayer is 75 or over and his or her annuity starting date is after November 18, 1996, use the General Rule if the payments are guaranteed for at least 5 years.

Initial calculation of the tax-free portion of a pension under the General Rule is beyond the scope of the volunteer program. However, volunteers can assist taxpayers who already know the amount they can exclude under the General Rule.

The Simplified Method for Figuring Taxable Retirement Income

If the taxpayer's annuity starting date is after November 18, 1996, generally the Simplified Method must be used to figure the taxable portion of the pension if the taxpayer participated in a qualified plan.

If the payer does not calculate the taxable portion of the distribution, you will need to complete a **Simplified Method Worksheet** if this is the first year of the distribution. The tax-free amount remains the same each month, even if the amount of the payment changes.

The **Simplified Method Worksheet** requires that you figure the tax-free part of each annuity payment by dividing the taxpayer's cost (or investment) by the total number of anticipated monthly payments. The number of anticipated monthly payments is based on the annuitant's age when the payments start and is determined from a table that is included in the worksheet.

Example 2

Peter, age 65, receives retirement benefits under a joint and survivor annuity, to be paid over the joint lives of Peter and his wife, Mary, age 62. Peter's annuity starting date is January 1, 2004. He contributed \$31,000 to a qualified plan and did not receive any distributions before the annuity starting date. Peter receives monthly payments of \$1,200 and his tax-free monthly amount is \$100. Mary will receive monthly survivor benefits of \$600 upon her husband's death. See Exhibit 1 for a completed Simplified Method Worksheet for Peter.

Use the Simplified Method for Peter because his annuity starting date is after November 18, 1996, and the payments are from a qualified plan. In addition, because his annuity is payable over the lives of more than one annuitant, you must combine his age with his wife's age in completing line 3 of the worksheet.

Exhibit 1 – Peter's Simplified Method Worksheet

Keep for Your Records

Before you begin: ✓ If you are the beneficiary of a deceased employee or former employee who died **before** August 21, 1996, see Pub. 939 to find out if you are entitled to a death benefit exclusion of up to \$5,000. If you are, include the exclusion in the amount entered on line 2 below. 

Note. If you had more than one partially taxable pension or annuity, figure the taxable part of each separately. Enter the total of the taxable parts on Form 1040A, line 12b. Enter the total pension or annuity payments received in 2004 on Form 1040A, line 12a.

1. Enter the total pension or annuity payments received in 2004. Also, enter this amount on Form 1040A, line 12a . . .	1.	14,400.00
2. Enter your cost in the plan at the annuity starting date	2.	31,000.00
3. Enter the appropriate number from Table 1 below. But if your annuity starting date was after 1997 and the payments are for your life and that of your beneficiary, enter the appropriate number from Table 2 below	3.	310
4. Divide line 2 by the number on line 3	4.	100.00
5. Multiply line 4 by the number of months for which this year's payments were made. If your annuity starting date was before 1987, skip lines 6 and 7 and enter this amount on line 8. Otherwise, go to line 6	5.	1,200.00
6. Enter the amount, if any, recovered tax free in years after 1986	6.	0.00
7. Subtract line 6 from line 2	7.	31,000.00
8. Enter the smaller of line 5 or line 7	8.	1,200.00
9. Taxable amount. Subtract line 8 from line 1. Enter the result, but not less than zero. Also, enter this amount on Form 1040A, line 12b. If your Form 1099-R shows a larger amount, use the amount on this line instead of the amount from Form 1099-R	9.	13,200.00

Table 1 for Line 3 Above

IF the age at annuity starting date (see page 24) was . . .	AND your annuity starting date was—	
	before November 19, 1996, enter on line 3 . . .	after November 18, 1996, enter on line 3 . . .
55 or under	300	360
56–60	260	310
61–65	240	260
66–70	170	210
71 or older	120	160

Table 2 for Line 3 Above

IF the combined ages at annuity starting date (see page 24) were . . .	THEN enter on line 3 . . .
110 or under	410
111–120	360
121–130	310
131–140	260
141 or older	210

After Peter excludes \$31,000 from taxable income the rest of his retirement benefits will be fully taxable. Because this is a joint and survivor annuity, if Peter dies before recovering all of the pension cost, his wife will also exclude \$100 from her \$600 monthly payment until the pension cost is fully recovered. If she dies before recovering all of the pension cost, the remaining unrecovered cost will be deducted on her final income tax return as a miscellaneous itemized deduction on Schedule A (Form 1040) (not subject to the 2-percent of adjusted-gross-income limitation).

Note: The Simplified Method Worksheet is part of the 1099R input screen in the Taxwise® software. Scroll to the bottom of the input screen to see the worksheet.

Exercise 2

George, age 65, began receiving pension income under a joint and survivor annuity. George's annuity starting date is January 1, 2004. George had contributed \$26,000 to a qualified plan and had received no distribution before 2004. George is to receive a monthly retirement benefit of \$1,000 and his wife, age 68, is to receive a monthly survivor benefit of \$500 upon George's death. Using the 2004 Form 1099-R (Exhibit 2) for George, complete the Simplified Method Worksheet (Exhibit 3).

Exhibit 2 – George's Form 1099-R

<input type="checkbox"/> CORRECTED (if checked)		OMB No. 1545-0119		2004 Form 1099-R	Distributions From Pensions, Annuities, Retirement or Profit-Sharing Plans, IRAs, Insurance Contracts, etc.
PAYER'S name, street address, city, state, and ZIP code THE COMPANY #1 MAPLE SQUARE YOUR CITY, STATE, ZIP		1 Gross distribution \$ 12,000.00	2a Taxable amount \$			2b Taxable amount not determined ☒
PAYER'S Federal identification number XX-XXXXXXX	RECIPIENT'S identification number XXX-XX-XXXX	3 Capital gain (included in box 2a) \$	4 Federal income tax withheld \$		Copy B Report this income on your Federal tax return. If this form shows Federal income tax withheld in box 4, attach this copy to your return.
RECIPIENT'S name GEORGE LINCOLN		5 Employee contributions or insurance premiums \$	6 Net unrealized appreciation in employer's securities \$		
Street address (including apt. no.) 123 CALHOUN AVE		7 Distribution code(s) 7	8 Other \$ %	This information is being furnished to the Internal Revenue Service.	
City, state, and ZIP code YOUR CITY, STATE, ZIP		9a Your percentage of total distribution %	9b Total employee contributions \$ 26,000		
Account number (optional)		10 State tax withheld \$	11 State/Payer's state no.		12 State distribution \$
		13 Local tax withheld \$	14 Name of locality		15 Local distribution \$

Form **1099-R**

Department of the Treasury - Internal Revenue Service

Before you begin: ✓ If you are the beneficiary of a deceased employee or former employee who died **before** August 21, 1996, see Pub. 939 to find out if you are entitled to a death benefit exclusion of up to \$5,000. If you are, include the exclusion in the amount entered on line 2 below.



Note. If you had more than one partially taxable pension or annuity, figure the taxable part of each separately. Enter the total of the taxable parts on Form 1040A, line 12b. Enter the total pension or annuity payments received in 2004 on Form 1040A, line 12a.

1. Enter the total pension or annuity payments received in 2004. Also, enter this amount on Form 1040A, line 12a . . .	1.	
2. Enter your cost in the plan at the annuity starting date	2.	
3. Enter the appropriate number from Table 1 below. But if your annuity starting date was after 1997 and the payments are for your life and that of your beneficiary, enter the appropriate number from Table 2 below	3.	
4. Divide line 2 by the number on line 3	4.	
5. Multiply line 4 by the number of months for which this year’s payments were made. If your annuity starting date was before 1987, skip lines 6 and 7 and enter this amount on line 8. Otherwise, go to line 6	5.	
6. Enter the amount, if any, recovered tax free in years after 1986	6.	
7. Subtract line 6 from line 2	7.	
8. Enter the smaller of line 5 or line 7	8.	
9. Taxable amount. Subtract line 8 from line 1. Enter the result, but not less than zero. Also, enter this amount on Form 1040A, line 12b. If your Form 1099-R shows a larger amount, use the amount on this line instead of the amount from Form 1099-R	9.	

Table 1 for Line 3 Above

IF the age at annuity starting date (see page 24) was . . .	AND your annuity starting date was—	
	before November 19, 1996, enter on line 3 . . .	after November 18, 1996, enter on line 3 . . .
55 or under	300	360
56–60	260	310
61–65	240	260
66–70	170	210
71 or older	120	160

Table 2 for Line 3 Above

IF the combined ages at annuity starting date (see page 24) were . . .	THEN enter on line 3 . . .
110 or under	410
111–120	360
121–130	310
131–140	260
141 or older	210

Reporting Retirement Income

It is important that you enter the retirement income on the correct line of the tax return. Tax software will make the correct entries if you input the income information correctly.

Type of Retirement Income	Form 1040A Line(s)	Form 1040 Line(s)
Fully taxable IRA distribution	11b	15b
Nontaxable IRA Rollover	11a & 11b (zero)	15a & 15b (zero)
Fully taxable pension or annuity	12b	16b
Partially taxable pension or annuity	12a & 12b	16a & 16b
Social Security and RRBTier1 No portion subject to tax	14b (zero) if filing separate and did not live with spouse	20b (zero) if filing separate and did not live with spouse
Partially taxable Social Security and RRBTier 1	14a & 14b	20a & 20b

Disability pension income

If the taxpayer retired on disability, he or she generally must include in income any disability pension received under a plan that is paid for by the employer. Taxable disability payments are treated as wages (and entered on line 7 of the Form 1040 or Form 1040A) until the taxpayer reaches minimum retirement age. The minimum retirement age generally is the age at which the taxpayer could first receive a pension or annuity, from that employer, if he or she was not disabled. (The payer may report the disability income on a Form W-2 or a Form 1099-R with code 3 in box 7.)

Example 3

Jason, age 41, retired on permanent and total disability in August due to multiple sclerosis. He received \$700 per month (starting in August) from a plan that his employer had paid for. Jason had received \$10,000 in wages from January 1 until his disability retirement. Jason will report the following income on line 7 of his tax return:

Wages	\$10,000
Disability (5 x \$700)	<u>3,500</u>
Total	\$ 13,500

When Jason reaches minimum retirement age, the monthly amount will no longer be treated as wages; it will be considered pension income.

Lump-sum Distributions

If the taxpayer received a lump-sum distribution from a qualified retirement plan or a qualified retirement annuity and the plan participant was born before 1936, the taxpayer may be able to elect optional methods of figuring the tax on the distribution. These optional methods can be elected only once after 1986 for

any eligible plan participant. **If the plan participant was born after January 2, 1936, the elections for lump-sum distributions do not apply.**

A **lump-sum distribution** is the distribution or payment within one tax year of an employee's entire balance (less deductible voluntary employee contributions and certain amounts forfeited or subject to forfeiture) from all qualified pension, stock bonus, or profit-sharing plans that the employer maintains. Usually, lump-sum distributions are reported on Form 1099-R. Some lump-sum distributions qualify for special tax treatments. Code A in box 7 of the 1099-R indicates that it is a lump-sum distribution and it may qualify for special tax treatments. The application of the special tax treatment is beyond the scope of the volunteer program. Suggest that the taxpayer seek the assistance of a paid preparer.

Minimum Distributions

To make sure that most retirement benefits are paid during the taxpayer's lifetime, rather than to the taxpayer's beneficiaries, payments from qualified retirement plans (other than Roth IRAs) must begin no later than the **required beginning date**.

Generally, the **required beginning date** is April 1 of the year following the later of:

- The calendar year in which the taxpayer reached age 70 ½, or
- The calendar year in which the taxpayer retired.

By the required beginning date, the taxpayer must either receive their entire interest in the plan or begin receiving periodic distributions based on life expectancy. The amount that must be taken out is known as the **minimum required distribution**.

A minimum distribution is:

- The entire amount in the pension plan, or
- Regular periodic distributions in an amount large enough to use up the entire amount in the pension plan over:
 1. The taxpayer's life expectancy,
 2. The joint life expectancies of the taxpayer and a designated surviving beneficiary, or
 3. A shorter period of time than these life expectancies.

IMPORTANT! If the taxpayer does not receive the minimum distribution, an excise tax may be imposed. The tax is 50 percent of the difference between the minimum distribution and the amount actually distributed for the tax year.

Railroad Retirement Benefits and Reporting Forms RRB-1099

Benefits paid under the Railroad Retirement Act fall into **two categories**. These categories are treated differently for income tax purposes.

1. The **first category** is the amount of tier 1 railroad retirement benefits that equal the social security benefit that a railroad employee or beneficiary would have been entitled to receive under the social security system.

This part of the tier 1 benefit is called the “social security equivalent benefit” and is treated for tax purposes like social security benefits. It is shown on the blue part of the Form RRB-1099, *Payments by the Railroad Retirement Board*. Use the amount from box 5 of Form RRB-1099.

2. The **second category** contains the rest of the tier 1 benefits, called the “non-social security equivalent benefit,” any tier 2 benefits, vested dual benefits, and supplemental annuity benefits.

This category of benefits, shown on Form RRB-1099-R, *Annuities or Pensions by the Railroad Retirement Board*, is treated as an amount received from a qualified employer plan. Vested dual benefits and supplemental annuity benefits are fully taxable pensions.

Example 4

David is retired from the Drake Railroad Line. He files Form 1040, jointly with his wife Elizabeth. He received a Form RRB-1099 (Exhibit 4) and a Form RRB-1099-R (Exhibit 5) for 2004. Elizabeth also received a Form RRB-1099-R (Exhibit 6). Elizabeth had wages of \$7,390 (line 7, Form 1040). They had \$3,598 of interest income (line 8a, Form 1040). They also had ordinary dividends of \$2,019 (line 9a, Form 1040) and \$480 (line 13, Form 1040) in capital gain distributions.

Since box 3 on the Forms RRB-1099-R is blank, the payments shown in box 4 are fully taxable. The amount in box 6 is also fully taxable. They will include the \$13,544 (\$3,054 + \$10,490) on line 16b of their Form 1040.

The Social Security (and Tier 1 Equivalent) Benefits worksheet (Exhibit 7) reveals that \$613 of the amount on Form RRB-1099 is taxable.

Exhibit 4 – David’s Form RRB-1099

PAYER'S NAME, STREET ADDRESS, CITY, STATE, AND ZIP CODE UNITED STATES RAILROAD RETIREMENT BOARD 844 N RUSH ST CHICAGO IL 60611-2092		2004		PAYMENTS BY THE RAILROAD RETIREMENT BOARD	
PAYER'S FEDERAL IDENTIFYING NO. 36-3314600		3. Gross Social Security Equivalent Benefit Portion of Tier 1 Paid in 2004		12,390.00	COPY C - FOR RECIPIENT'S RECORDS THIS INFORMATION IS BEING FURNISHED TO THE INTERNAL REVENUE SERVICE.
1. Claim Number and Payee Code X XXXXXX		4. Social Security Equivalent Benefit Portion of Tier 1 Repaid to RRB in 2004		0.00	
2. Recipient's Identification Number XXX-XX-XXXX		5. Net Social Security Equivalent Benefit Portion of Tier 1 Paid in 2004		12,390.00	
Recipient's Name, Street Address, City, State, and Zip Code DAVID YALE 1900 S STATE ST YOUR CITY, STATE, ZIP		6. Workers' Compensation Offset in 2004		0.00	
		7. Social Security Equivalent Benefit Portion of Tier 1 Paid for 2003		25.00	
		8. Social Security Equivalent Benefit Portion of Tier 1 Paid for 2002			
		9. Social Security Equivalent Benefit Portion of Tier 1 Paid for Years Prior to 2000			
		10. Federal Income Tax Withheld		120.00		11. Medicare Premium Total	799.00

FORM RRB-1099

DO NOT ATTACH TO YOUR INCOME TAX RETURN

Exhibit 5 – David’s Form RRB-1099-R

PAYERS' NAME, STREET ADDRESS, CITY, STATE, AND ZIP CODE UNITED STATES RAILROAD RETIREMENT BOARD 844 N RUSH ST CHICAGO IL 60611-2092		2004		ANNUITIES OR PENSIONS BY THE RAILROAD RETIREMENT BOARD	
PAYER'S FEDERAL IDENTIFYING NO. 36-3314600		3. Employee Contributions		COPY B - REPORT THIS INCOME ON YOUR FEDERAL TAX RETURN. IF THIS FORM SHOWS FEDERAL INCOME TAX WITHHELD IN BOX 9 ATTACH THIS COPY TO YOUR RETURN. THIS INFORMATION IS BEING FURNISHED TO THE INTERNAL REVENUE SERVICE.	
1. Claim Number and Payee Code X XXXXXXX		4. Contributory Amount Paid	9,906.00		
2. Recipient's Identification Number XXX-XX-XXXX		5. Vested Dual Benefit			
Recipient's Name, Street Address, City, State, and ZIP Code DAVID YALE 1900 S STATE ST YOUR CITY, STATE, ZIP		6. Supplemental Annuity	584.00		
		7. Total Gross Paid	10,490.00		
		8. Repayments			
		9. Federal Income Tax Withheld	0.00		
		10. Rate of Tax				11. Country	12. Medicare Premium Total

FORM RRB-1099-R

Exhibit 6 – Elizabeth’s Form RRB-1099-R

PAYERS' NAME, STREET ADDRESS, CITY, STATE, AND ZIP CODE UNITED STATES RAILROAD RETIREMENT BOARD 844 N RUSH ST CHICAGO IL 60611-2092		2004		ANNUITIES OR PENSIONS BY THE RAILROAD RETIREMENT BOARD	
PAYER'S FEDERAL IDENTIFYING NO. 36-3314600		3. Employee Contributions		COPY B - REPORT THIS INCOME ON YOUR FEDERAL TAX RETURN. IF THIS FORM SHOWS FEDERAL INCOME TAX WITHHELD IN BOX 9 ATTACH THIS COPY TO YOUR RETURN. THIS INFORMATION IS BEING FURNISHED TO THE INTERNAL REVENUE SERVICE.	
1. Claim Number and Payee Code X XXXXXXX		4. Contributory Amount Paid	2,470.00		
2. Recipient's Identification Number XXX-XX-XXXX		5. Vested Dual Benefit			
Recipient's Name, Street Address, City, State, and ZIP Code ELIZABETH YALE 1900 S STATE ST YOUR CITY, STATE, ZIP		6. Supplemental Annuity	584.00		
		7. Total Gross Paid	3,054.00		
		8. Repayments			
		9. Federal Income Tax Withheld	1,280.00		
		10. Rate of Tax				11. Country	12. Medicare Premium Total

FORM RRB-1099-R

Before you begin:

- ✓ Complete Form 1040, lines 21, 23 through 25, and 28 through 34a, if they apply to you.
- ✓ Figure any write-in adjustments to be entered on the dotted line next to line 35 (see page 33).
- ✓ If you are married filing separately and you lived apart from your spouse for all of 2004, enter “D” to the right of the word “benefits” on line 20a.
- ✓ Be sure you have read the **Exception** on page 27 to see if you can use this worksheet instead of a publication to find out if any of your benefits are taxable.



1. Enter the total amount from box 5 of all your Forms SSA-1099 and Forms RRB-1099	1.	12,390.00
2. Enter one-half of line 1	2.	6,195.00
3. Enter the total of the amounts from Form 1040, lines 7, 8a, 9a, 10 through 14, 15b, 16b, 17 through 19, and 21	3.	27,031.00
4. Enter the amount, if any, from Form 1040, line 8b	4.	0.00
5. Add lines 2, 3, and 4	5.	33,226.00
6. Enter the total of the amounts from Form 1040, lines 23 through 25, and 28 through 34a, plus any write-in adjustments you entered on the dotted line next to line 35	6.	0.00
7. Is the amount on line 6 less than the amount on line 5? <input type="checkbox"/> No. None of your social security benefits are taxable.		
<input checked="" type="checkbox"/> Yes. Subtract line 6 from line 5	7.	33,226.00
8. If you are: • Married filing jointly, enter \$32,000 • Single, head of household, qualifying widow(er), or married filing separately and you lived apart from your spouse for all of 2004, enter \$25,000 • Married filing separately and you lived with your spouse at any time in 2004, skip lines 8 through 15; multiply line 7 by 85% (.85) and enter the result on line 16. Then go to line 17	8.	32,000.00
9. Is the amount on line 8 less than the amount on line 7? <input type="checkbox"/> No. None of your social security benefits are taxable. You do not have to enter any amounts on line 20a or 20b of Form 1040. But if you are married filing separately and you lived apart from your spouse for all of 2004, enter -0- on line 20b. Be sure you entered “D” to the right of the word “benefits” on line 20a.		
<input checked="" type="checkbox"/> Yes. Subtract line 8 from line 7	9.	1,226.00
10. Enter: \$12,000 if married filing jointly; \$9,000 if single, head of household, qualifying widow(er), or married filing separately and you lived apart from your spouse for all of 2004 ..	10.	12,000.00
11. Subtract line 10 from line 9. If zero or less, enter -0-	11.	0.00
12. Enter the smaller of line 9 or line 10	12.	1,226.00
13. Enter one-half of line 12	13.	613.00
14. Enter the smaller of line 2 or line 13	14.	613.00
15. Multiply line 11 by 85% (.85). If line 11 is zero, enter -0-	15.	0.00
16. Add lines 14 and 15	16.	613.00
17. Multiply line 1 by 85% (.85)	17.	10,532.00
18. Taxable social security benefits. Enter the smaller of line 16 or line 17	18.	613.00
<ul style="list-style-type: none"> • Enter the amount from line 1 above on Form 1040, line 20a. • Enter the amount from line 18 above on Form 1040, line 20b. 		
<p>TIP If part of your benefits are taxable for 2004 and they include benefits paid in 2004 that were for an earlier year, you may be able to reduce the taxable amount. See Pub. 915 for details.</p>		

Social Security and Tier 1 Railroad Retirement Benefits

This section explains the federal income tax rules for social security benefits and equivalent tier 1 railroad retirement benefits. Social security benefits (as they are used in this lesson) include monthly survivor and disability benefits. They do not include supplemental security benefits (SSI) which are not taxable.

The Social Security Administration issues Form SSA-1099 to social security benefit recipients. The net benefit for the year is listed in box five (5). The social security equivalent of the Railroad Retirement Benefits is shown in box five (5) of Form RRB-1099.

To determine whether any of the taxpayer's benefits may be taxable, you must select the **base amount** for the taxpayer. The base amounts are as follows:

- \$25,000 if the filing status is single, head of household, or qualifying widow(er),
- \$25,000 if the filing status is married filing separately and the taxpayer lived apart from the spouse for all of the year,
- \$32,000 if the filing status is married filing jointly, or
- \$-0- if the filing status is married filing separately and the taxpayer lived with the spouse at any time during the year

Next, compare the base amount with the total of:

- One-half of the social security benefits (and equivalent tier 1 railroad retirement benefits), plus
- All other income, including tax-exempt interest

If the total is more than the base amount for the filing status, a portion of the taxpayer's social security benefit may be subject to federal income tax.

If part of the benefits is taxable, how much is taxable depends on the total amount of the benefits and other income. Generally, the higher that total amount, the greater the taxable part of the benefits.

The person who has the legal right to receive the benefits is the one who must consider whether the benefits are taxable.

Form SSA-1099

Social security benefits are reported to the taxpayer on Form SSA-1099, *Social Security Benefit Statement*. The amount in box 5, *Net benefits for 2004*, is entered on a worksheet to figure if any of the benefits are taxable. Make sure you enter the amount from box 5 of Form SSA-1099 on line 1 of the worksheet. Neither Form SSA-1099 nor the worksheet (explained below) is attached to the income tax return. They are kept with the taxpayer's other personal records.

A worksheet to figure the taxable portion of the social security benefits (and equivalent tier 1 railroad retirement benefits) is included in the instructions to the Form 1040 and the Form 1040A. If you are using software to prepare the return, you may not actually complete a worksheet. The software can make the determination of the taxable portion of the benefits based on the personal and financial information you enter for the taxpayer. Taxable portions of social security benefits (and equivalent tier 1 railroad retirement benefits) cannot be reported on Form 1040EZ.

Example 5

Gilbert, age 72, is single and files Form 1040A. In addition to receiving social security payments, he received a fully taxable pension of \$18,600 (line 12b), wages from a part-time job of \$9,400 (line 7) and taxable interest income of \$990 (line 8a), for a total of \$28,990. He received a Form SSA-1099 that shows his net social security benefits of \$5,980 in box 5. His completed worksheet is shown in Exhibit 8. On line 14a of his Form 1040A, Gilbert will enter \$5,980. On line 14b he will enter the taxable benefit of \$2,990.

Exhibit 8 – Gilbert’s Social Security Worksheet

Social Security Benefits Worksheet—Lines 14a and 14b

Keep for Your Records

Before you begin:

- ✓ Complete Form 1040A, lines 16 and 17, if they apply to you.
- ✓ If you are married filing separately and you **lived apart** from your spouse for all of 2004, enter “D” to the right of the word “benefits” on line 14a.
- ✓ Be sure you have read the **Exception** on page 25 to see if you can use this worksheet instead of a publication to find out if any of your benefits are taxable.

1. Enter the total amount from box 5 of all your Forms SSA-1099 and Forms RRB-1099 1.	5,980.00
2. Enter one-half of line 1 2.	2,990.00
3. Enter the total of the amounts from Form 1040A, lines 7, 8a, 9a, 10, 11b, 12b, and 13 3.	28,990.00
4. Enter the amount, if any, from Form 1040A, line 8b 4.	0.00
5. Add lines 2, 3, and 4 5.	31,980.00
6. Enter the total of the amounts from Form 1040A, lines 16 and 17 6.	0.00
7. Is the amount on line 6 less than the amount on line 5? <input type="checkbox"/> No.  None of your social security benefits are taxable.	
<input checked="" type="checkbox"/> Yes. Subtract line 6 from line 5 7.	31,980.00
8. If you are: • Married filing jointly, enter \$32,000. • Single, head of household, qualifying widow(er), or married filing separately and you lived apart from your spouse for all of 2004, enter \$25,000. • Married filing separately and you lived with your spouse at any time in 2004, skip lines 8 through 15; multiply line 7 by 85% (.85) and enter the result on line 16. Then go to line 17.	25,000.00
9. Is the amount on line 8 less than the amount on line 7? <input type="checkbox"/> No.  None of your social security benefits are taxable. You do not have to enter any amount on line 14a or 14b of Form 1040A. But if you are married filing separately and you lived apart from your spouse for all of 2004, enter -0- on line 14b. Be sure you entered “D” to the right of the word “benefits” on line 14a.	
<input checked="" type="checkbox"/> Yes. Subtract line 8 from line 7 9.	6,980.00
10. Enter: \$12,000 if married filing jointly; \$9,000 if single, head of household, qualifying widow(er), or married filing separately and you lived apart from your spouse for all of 2004 10.	9,000.00
11. Subtract line 10 from line 9. If zero or less, enter -0- 11.	0.00
12. Enter the smaller of line 9 or line 10 12.	6,980.00
13. Enter one-half of line 12 13.	3,490.00
14. Enter the smaller of line 2 or line 13 14.	2,990.00
15. Multiply line 11 by 85% (.85). If line 11 is zero, enter -0- 15.	0.00
16. Add lines 14 and 15 16.	2,990.00
17. Multiply line 1 by 85% (.85) 17.	5,083.00
18. Taxable social security benefits. Enter the smaller of line 16 or line 17 18. • Enter the amount from line 1 above on Form 1040A, line 14a. • Enter the amount from line 18 above on Form 1040A, line 14b.	2,990.00

TIP If part of your benefits are taxable for 2004 **and** they include benefits paid in 2004 that were for an earlier year, you may be able to reduce the taxable amount. See Pub. 915 for details.

Lump-Sum Social Security Benefits Payments – Figuring the Taxable Portion

Some taxpayers may have received a **lump-sum benefit payment** in 2004. This payment could be for both the current tax year and prior tax year(s). The lump-sum payment will be included in box 3 of the Form SSA-1099 or Form RRB-1099 that the taxpayer receives. The form will also show the year, or years, of the payment.

This type of lump-sum benefit payment should not be confused with the lump-sum death benefits that both the Social Security Administration and the Railroad Retirement Board pay to many of their beneficiaries. No part of the lump-sum death benefit is subject to tax.

When figuring the taxable portion of social security benefits, (and RRB Tier1 equivalents), two options are available for lump-sum benefit payments.

1. The first option allows the taxpayer to report the whole payment in the year it was received. When the taxpayer chooses this option, complete the *Social Security Benefits Worksheet* as usual by including the entire lump-sum payment on line 1.
2. The taxpayer also has the option of treating the payment as received in the earlier year or years. This is done by figuring whether any part of these benefits is taxable, based on the earlier year's income. Any part that is taxable is then added to any taxable benefits for the current year (2004) and included on Form 1040, line 20b.

If the taxpayer chooses to spread the payments back to earlier years, only 2004 income will be adjusted. The taxpayer does not file amended returns for the earlier years. However, a special procedure **must** be used to figure the taxable portion of the benefits assigned to the earlier years. If the taxpayer wants to use this option, he or she should consult a paid preparer.

Individual Retirement Arrangement (IRA) Distributions

As a volunteer, you can complete the return of a taxpayer who received either a fully taxable or a totally tax free distribution from an IRA. If only part of the distribution is taxable, the taxpayer should consult a paid preparer.

A **traditional IRA** is any IRA that is not a Roth IRA or a SIMPLE IRA. A traditional IRA is sometimes called an ordinary or regular IRA.

A **Roth IRA** is an individual retirement arrangement that is designated as a Roth when it is set up. Taxpayers cannot deduct contributions to a Roth IRA. However, if the taxpayer satisfies the requirements described later, qualified distributions are tax-free.

A **Savings Incentive Match Plan for Employees (SIMPLE)** is a tax-favored retirement plan that certain small employers (including self-employed individuals) can set up for the benefit of their employees. For SIMPLE plan purposes, the term employee includes a self-employed individual who received earned income.

IRAs – Traditional Taxation of Distributions

General Rules

In general, distributions from a traditional IRA are taxable in the year received. Taxable distributions from traditional IRAs are treated as ordinary income. The taxpayer cannot use the 10-year tax option or the capital gain treatment for a lump-sum distribution from an IRA.

Fully Taxable

If only deductible contributions were made to a traditional IRA, the taxpayer has no basis (cost or investment) in the IRA. Because the taxpayer has no basis, any distribution from the IRA is fully taxable when received.

Partly Taxable

If the taxpayer made nondeductible contributions to a traditional IRA, he or she has a cost basis (investment in the contract) equal to the amount of those contributions. The nondeductible contributions are not taxed when they are distributed because they represent a return of the investment in the IRA. The volunteer program does not cover distributions that are partly taxable.

If the taxpayer receives a distribution from a traditional IRA, he or she will receive Form 1099-R, or similar statement. IRA distributions are shown in boxes 1 and 2 of Form 1099-R. The IRA box to the right of box 7 should be checked.

Example 6

Tyrone contributed \$500 a year to a traditional IRA. Each year he deducted his traditional IRA contribution from his income. This year he received his first distribution from the traditional IRA. It is fully taxable. Tyrone will pay income tax on the distributions he receives which represent the contributions he made and deducted as well as the money the contributions have earned over the years.

Traditional Required Minimum Distributions

Taxpayers cannot keep funds in a traditional IRA indefinitely. Eventually, the funds must be distributed. The owner of a traditional IRA must start taking distributions when he or she reaches age 70 ½. The taxpayer must take the first distributions from the IRA by April 1 of the year following the year in which he or she reaches age 70 ½. The taxpayer will need to take two distributions in the same tax year if he or she postpones the first distribution until the year following the year he or she turns 70 ½.

If there are no distributions or the distributions are not large enough, the taxpayer may have to pay the additional 50% tax (described earlier in this lesson) on the amount not distributed.

Roth Taxation of Distributions

In general, taxpayers do not include **qualified distributions** from Roth IRAs in gross income.

A qualified distribution is generally any payment or distribution made after the 5-taxable-year period beginning with the first year for which a contribution was made to a Roth IRA and that is made:

- On or after the taxpayer reaches age 59½, or
- Because the taxpayer is disabled, or
- To a beneficiary or an estate after the death of the taxpayer, or
- To buy, build or rebuild a first home

Part of any distribution that is not a qualified distribution may be taxable as ordinary income and subject to the additional 10% tax on early distributions. Distributions of conversion contributions within a 5-year period following a conversion may be subject to the 10% early distribution tax, even if the contributions have been included as income in an earlier year.

Taxpayers are not required to take distributions from a Roth IRA at any age. The minimum distribution rules that apply to traditional IRAs do not apply to Roth IRAs while the owner is alive. The amount withdrawn from a Roth IRA cannot be used to satisfy the minimum distribution requirements for the taxpayer's traditional IRA(s), if any.

Pension Withholding and Estimated Tax Payments

Income tax is normally withheld from the taxable part of a pension or annuity. The taxpayer can adjust the withholding amount or stop the withholding completely by notifying the payer. The taxpayer usually communicates these changes by completing Form W-4P, *Withholding Certificate for Pension or Annuity Payments*, and providing it to the payer of the pension.

A taxpayer who chooses not to have tax withheld (or has too little tax withheld) may have to pay estimated tax. Taxpayers, who owe more than \$1,000 when they file their tax return, may be penalized for failure to estimate (and pay) the proper amount of tax.

Health Coverage Tax Credit

The Health Coverage Tax Credit (HCTC) is a federal tax credit. It was established by the Trade Act of 2002 to assist the following groups of people:

1. Workers who lose their jobs due to the effects of international trade and
 - Are eligible for certain Trade Adjustment Assistance (TAA) benefits; or
 - Are eligible for benefits under the Alternative Trade Adjustment Assistance (ATAA) program.

2. People who receive benefits from the Pension Benefit Guaranty Corporation (PBGC) and are at least 55 years old.

The program is a partnership of the federal government, state governments and health plan administrators. The federal government administers the program. State agencies help identify people who are eligible and help promote the program. State agencies and health plan administrators work together to make qualified coverage options available for eligible individuals.

Taxpayers who are potentially eligible will be notified. If the taxpayer is receiving benefit payments from the PBGC and is at least 55 years of age, he or she will receive notification from the appropriate state agency. Shortly thereafter, the HCTC Customer Contact Center will send the taxpayer the HCTC Program Kit, a booklet describing the program and eligibility requirements. In addition to the Program Kit, the HCTC program sent two mailings (Publications 4258 and 4260) in early 2004 to all HCTC candidates reminding them to claim the credit if they are eligible.

For additional information visit www.irs.gov and search for HCTC. This credit is outside of the scope of the volunteer program. Taxpayers who need assistance with this credit may need to seek the assistance of a paid professional tax preparer.

Summary Exercise

Using the concepts you learned in this lesson, complete the following summary exercise.

Bart, age 66, and Mildred, age 56, are filing a joint return for 2004. They want to file their return on a Form 1040 because that is what they have always done. They had the following income:

Mildred's wage	\$9,500
Interest (joint)	500
Dividends	2,000
Bart's pension	20,900
Bart's IRA distribution	3,400
Bart's Social Security	9,500

Bart never made any after-tax contributions to his pension plan. All of Bart's IRA contributions were tax-deductible when made.

- A) How much of the pension income is taxable? _____
- B) What line(s) will you list the pension income on? _____
- C) How much of the IRA distribution is taxable? _____
- D) What line(s) will you list the IRA distribution on? _____
- E) Will any portion of the social security benefits be taxable? _____

▶▶ SUMMING UP THIS LESSON ◀◀

In this lesson, you learned about the taxability of several types of retirement income.

- ▶ You now know that some retirement income, such as a qualified Roth IRA distribution, is not taxed.
- ▶ Some retirement income, such as a pension plan that had after-tax contributions, is partially taxable.
- ▶ Retirement income, such as a social security benefits, may be taxable if total income exceeds a specified amount.
- ▶ Retirement income, such as a distribution from a traditional IRA, can be fully taxable if the taxpayer does not have a basis in the plan.
- ▶ The Simplified Method Worksheet is used to compute the taxable portion of a partially taxable pension or annuity.
- ▶ A worksheet is also available to calculate the taxable portion, if any, of Social Security benefits.
- ▶ The scope of the volunteer program does not include IRA distributions that are partly taxable.
- ▶ Some taxpayers may need to make estimated tax payments.

Exercise 1

\$892.00

The amount in box 5 of Form 1099R is considered the amount of the current year's pension distribution that is considered a recovery of cost or investment.

Exercise 2

Please see Exhibit 9 on the following page for George's completed Simplified Method worksheet.

Answer to Summary Exercise

A. \$20,900

Since Bart did not make any after-tax contributions to the pension plan, the entire distribution is taxable.

B. 16b

The pension is fully taxable; no entry should be made on 16a.

C. \$3,400

Bart was able to deduct all of his contributions to the traditional IRA, the distribution is fully taxable.

D. 15b

The distribution is fully taxable. No entry should be made on 15a.

E. Yes.

The joint income (with $\frac{1}{2}$ the social security benefits added) is \$41,050. This exceeds the base amount for a married filing joint taxpayer. A portion of the social security benefits will be subject to tax.

Exhibit 9 – George’s Completed Simplified Method Worksheet

Simplified Method Worksheet—Lines 12a and 12b

Keep for Your Records

Before you begin: ✓ If you are the beneficiary of a deceased employee or former employee who died **before** August 21, 1996, see Pub. 939 to find out if you are entitled to a death benefit exclusion of up to \$5,000. If you are, include the exclusion in the amount entered on line 2 below. 

Note. If you had more than one partially taxable pension or annuity, figure the taxable part of each separately. Enter the total of the taxable parts on Form 1040A, line 12b. Enter the total pension or annuity payments received in 2004 on Form 1040A, line 12a.

1. Enter the total pension or annuity payments received in 2004. Also, enter this amount on Form 1040A, line 12a . . .	1.	12,000.00
2. Enter your cost in the plan at the annuity starting date	2.	26,000.00
3. Enter the appropriate number from Table 1 below. But if your annuity starting date was after 1997 and the payments are for your life and that of your beneficiary, enter the appropriate number from Table 2 below	3.	260
4. Divide line 2 by the number on line 3	4.	100.00
5. Multiply line 4 by the number of months for which this year’s payments were made. If your annuity starting date was before 1987, skip lines 6 and 7 and enter this amount on line 8. Otherwise, go to line 6	5.	1,200.00
6. Enter the amount, if any, recovered tax free in years after 1986	6.	0.00
7. Subtract line 6 from line 2	7.	26,000.00
8. Enter the smaller of line 5 or line 7	8.	1,200.00
9. Taxable amount. Subtract line 8 from line 1. Enter the result, but not less than zero. Also, enter this amount on Form 1040A, line 12b. If your Form 1099-R shows a larger amount, use the amount on this line instead of the amount from Form 1099-R	9.	10,800.00

Table 1 for Line 3 Above

IF the age at annuity starting date (see page 24) was . . .	AND your annuity starting date was—	
	before November 19, 1996, enter on line 3 . . .	after November 18, 1996, enter on line 3 . . .
55 or under	300	360
56–60	260	310
61–65	240	260
66–70	170	210
71 or older	120	160

Table 2 for Line 3 Above

IF the combined ages at annuity starting date (see page 24) were . . .	THEN enter on line 3 . . .
110 or under	410
111–120	360
121–130	310
131–140	260
141 or older	210

PENSION EARNER COMPREHENSIVE PROBLEMS

INTRODUCTION

In this section, you will complete tax returns for several common pension-earner scenarios often encountered at volunteer assistance sites. This will be valuable practice as you prepare to help taxpayers. Although answers to each of the problems are shown at the end of this section, you should try to complete the blank forms for each problem before referring to its answers.

After completing this section, you will be able to:

- accurately complete a basic tax return with some advanced topics.

PROBLEM 1

Stuart and Donna Morehouse are married and need your help with their 2004 federal income tax return. They provide you with the following information:

- Stuart was born July 2, 1936. Donna was born December 28, 1951.
- The address and social security numbers are correct on their income statements. Stuart's middle name is Liam and Donna's middle name is Rae. They show their social security cards and a photo ID to you.
- Neither one wishes to contribute to the Presidential Election Campaign.
- They want to file a joint return.
- Neither Stuart nor Donna can be claimed as someone else's dependent.
- They do not have any dependents.
- Stuart is retired. Donna is a secretary at the local bank.
- Donna has W-2 (**Exhibit 1**) for her wages.
- Stuart has interest income from a savings account (**Exhibit 4**).
- They did not have any dividend or capital gain income. They do not have any capital loss carryovers.
- They did not take any money out of an IRA nor did they have any unemployment income.

PENSION EARNER COMPREHENSIVE PROBLEMS

- Stuart received a distribution from a qualified pension (**Exhibit 3**) and Social Security (**Exhibit 2**) income.
- Donna made a \$900 contribution to her 2004 IRA on January 15, 2005. (She has never taken any money out of the IRA.) She always gets to deduct the contribution on her tax return (because their joint income does not exceed the amount allowable for their filing status). They have no other adjustments to income.
- They want to use the standard deduction. Neither one of them is blind.
- They did not make any estimated tax payments.
- If they are entitled to a refund, they want the check mailed to their house.
- They do not want to designate a third-party representative.
- Your site identification number is Sxxxxxxxxx.

Complete their Form 1040A (**Exhibit 5**) including the Social Security Benefits worksheet (**Exhibit 6**) and Form 8880 (**Exhibit 7**), if needed.

See **Exhibits 16–18** for the answer.

Exhibit 1—Donna's W-2

a Control number 8162834		OMB No. 1545-0008		Safe, accurate, FAST! Use 		Visit the IRS website at www.irs.gov .	
b Employer identification number XX-XXXXXXX		1 Wages, tips, other compensation 18526.00		2 Federal income tax withheld 2423.00			
c Employer's name, address, and ZIP code FIRST BANK OF MARTIN CITY 1000 TAFT STREET YOUR CITY, STATE, ZIP		3 Social security wages 18525.00		4 Social security tax withheld 1149.00			
		5 Medicare wages and tips 18526.00		6 Medicare tax withheld 269.00			
		7 Social security tips		8 Allocated tips			
d Employee's social security number XXX-XX-XXXX		9 Advance EIC payment		10 Dependent care benefits			
e Employee's first name and initial Last name DONNA MOREHOUSE 10923 FRANKLIN ST YOUR CITY, STATE, ZIP		11 Nonqualified plans		12a See instructions for box 12 C o o l u m n			
		13 Statutory employee Retirement plan Third-party sick pay <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/>		12b C o o l u m n			
		14 Other		12c C o o l u m n			
f Employee's address and ZIP code				12d C o o l u m n			
15 State	Employer's state ID number XX-XXXXXXX	16 State wages, tips, etc. 18526.00	17 State income tax 984.00	18 Local wages, tips, etc.	19 Local income tax	20 Locality name	

Form **W-2** Wage and Tax Statement

2004

Department of the Treasury—Internal Revenue Service

Copy B—To Be Filed With Employee's FEDERAL Tax Return.
This information is being furnished to the Internal Revenue Service.

PENSION EARNER COMPREHENSIVE PROBLEMS

Exhibit 3—Stuart's Form 1099R

CORRECTED (if checked)

PAYER'S name, street address, city, state, and ZIP code APPLE INDUSTRIES 123 PEACH STREET YOUR CITY, STATE, ZIP		1 Gross distribution \$ 13,567.00	OMB No. 1545-0119 2004 Form 1099-R		Distributions From Pensions, Annuities, Retirement or Profit-Sharing Plans, IRAs, Insurance Contracts, etc.
		2a Taxable amount \$ 13,567.00	2b Taxable amount not determined <input type="checkbox"/> Total distribution <input type="checkbox"/>		
PAYER'S Federal identification number XX-XXXXXXX	RECIPIENT'S identification number XXX-XX-XXXX	3 Capital gain (included in box 2a) \$	4 Federal income tax withheld \$ 1,357.00		Copy B Report this income on your Federal tax return. If this form shows Federal income tax withheld in box 4, attach this copy to your return.
RECIPIENT'S name STUART MOREHOUSE		5 Employee contributions or insurance premiums \$	6 Net unrealized appreciation in employer's securities \$		
Street address (including apt. no.) 10923 FRANKLIN ST		7 Distribution code(s) 7	IRA/SEP/SIMPLE <input type="checkbox"/>	8 Other \$ %	
City, state, and ZIP code YOUR CITY, STATE, ZIP		9a Your percentage of total distribution %	9b Total employee contributions \$		This information is being furnished to the Internal Revenue Service.
Account number (optional)		10 State tax withheld \$	11 State/Payer's state no.		12 State distribution \$
		13 Local tax withheld \$	14 Name of locality		15 Local distribution \$

Form **1099-R**

Department of the Treasury - Internal Revenue Service

PENSION EARNER COMPREHENSIVE PROBLEMS

Exhibit 4—Stuart's 1099-INT

<input type="checkbox"/> CORRECTED (if checked)				2004		Interest Income
PAYER'S name, street address, city, state, ZIP code, and telephone no. EMBRY BANK 4000 N BIRCH ST YOUR CITY, STATE, ZIP		Payer's RTN (optional)		OMB No. 1545-0112 Form 1099-INT		
PAYER'S Federal identification number XX-XXXXXXX	RECIPIENT'S identification number XXX-XX-XXXX	1 Interest income not included in box 3 \$ 716.00		Copy B For Recipient <small>This is important tax information and is being furnished to the Internal Revenue Service. If you are required to file a return, a negligence penalty or other sanction may be imposed on you if this income is taxable and the IRS determines that it has not been reported.</small>		
RECIPIENT'S name STUART MOREHOUSE		2 Early withdrawal penalty \$	3 Interest on U.S. Savings Bonds and Treas. obligations \$			
Street address (including apt. no.) 10923 FRANKLIN ST		4 Federal income tax withheld \$	5 Investment expenses \$			
City, state, and ZIP code YOUR CITY, STATE, ZIP		6 Foreign tax paid \$	7 Foreign country or U.S. possession			
Account number (optional)		Form 1099-INT (keep for your records) Department of the Treasury - Internal Revenue Service				

PENSION EARNER COMPREHENSIVE PROBLEMS

Exhibit 5 (continued)—Morehouse Form 1040A

Form 1040A (2004)		Page 2	
Tax, credits, and payments Standard Deduction for— <ul style="list-style-type: none"> • People who checked any box on line 23a or 23b or who can be claimed as a dependent, see page 32. • All others: Single or Married filing separately, \$4,850 Married filing jointly or Qualifying widow(er), \$9,700 Head of household, \$7,150 	22 Enter the amount from line 21 (adjusted gross income). 22		
	23a Check if: <input type="checkbox"/> You were born before January 2, 1940, <input type="checkbox"/> Blind } Total boxes checked <input type="checkbox"/> 23a <input type="checkbox"/> Spouse was born before January 2, 1940, <input type="checkbox"/> Blind }		
	b If you are married filing separately and your spouse itemizes deductions, see page 32 and check here ▶ 23b <input type="checkbox"/>		
	24 Enter your standard deduction (see left margin). 24		
	25 Subtract line 24 from line 22. If line 24 is more than line 22, enter -0-. 25		
	26 Multiply \$3,100 by the total number of exemptions claimed on line 6d. 26		
	27 Subtract line 26 from line 25. If line 26 is more than line 25, enter -0-. This is your taxable income . ▶ 27		
	28 Tax , including any alternative minimum tax (see page 33). 28		
	29 Credit for child and dependent care expenses. Attach Schedule 2. 29		
	30 Credit for the elderly or the disabled. Attach Schedule 3. 30		
	31 Education credits. Attach Form 8863. 31		
	32 Child tax credit (see page 37). 32		
	33 Retirement savings contributions credit. Attach Form 8880. 33		
	34 Adoption credit. Attach Form 8839. 34		
	35 Add lines 29 through 34. These are your total credits . 35		
	36 Subtract line 35 from line 28. If line 35 is more than line 28, enter -0-. 36		
	37 Advance earned income credit payments from Form(s) W-2. 37		
	38 Add lines 36 and 37. This is your total tax . ▶ 38		
	39 Federal income tax withheld from Forms W-2 and 1099. 39		
	40 2004 estimated tax payments and amount applied from 2003 return. 40		
41 Earned income credit (EIC) . 41			
42 Additional child tax credit. Attach Form 8812. 42			
43 Add lines 39 through 42. These are your total payments . ▶ 43			
Refund 44 If line 43 is more than line 38, subtract line 38 from line 43. This is the amount you overpaid . 44			
45a Amount of line 44 you want refunded to you . ▶ 45a			
▶ b Routing number <input style="width: 100px;" type="text"/> ▶ c Type: <input type="checkbox"/> Checking <input type="checkbox"/> Savings			
▶ d Account number <input style="width: 200px;" type="text"/>			
46 Amount of line 44 you want applied to your 2005 estimated tax . 46			
Amount you owe 47 Amount you owe . Subtract line 43 from line 38. For details on how to pay, see page 51. ▶ 47			
48 Estimated tax penalty (see page 52). 48			
Third party designee Do you want to allow another person to discuss this return with the IRS (see page 52)? <input type="checkbox"/> Yes . Complete the following. <input type="checkbox"/> No	Designee's name <input style="width: 150px;" type="text"/>	Phone no. <input style="width: 50px;" type="text"/> (<input style="width: 50px;" type="text"/>)	
Sign here Under penalties of perjury, I declare that I have examined this return and accompanying schedules and statements, and to the best of my knowledge and belief, they are true, correct, and accurately list all amounts and sources of income I received during the tax year. Declaration of preparer (other than the taxpayer) is based on all information of which the preparer has any knowledge.	Your signature <input style="width: 150px;" type="text"/>	Date <input style="width: 50px;" type="text"/>	
Joint return? See page 20. Keep a copy for your records.	Your occupation <input style="width: 150px;" type="text"/>	Daytime phone number (<input style="width: 50px;" type="text"/>)	
Spouse's signature. If a joint return, both must sign.	Spouse's signature <input style="width: 150px;" type="text"/>	Spouse's occupation <input style="width: 150px;" type="text"/>	
Paid preparer's use only	Preparer's signature <input style="width: 100px;" type="text"/>	Date <input style="width: 50px;" type="text"/>	
Firm's name (or yours if self-employed), address, and ZIP code <input style="width: 200px;" type="text"/>	Check if self-employed <input type="checkbox"/>	Preparer's SSN or PTIN <input style="width: 50px;" type="text"/>	
EIN <input style="width: 50px;" type="text"/>	Phone no. (<input style="width: 50px;" type="text"/>)		

Printed on recycled paper

Form 1040A (2004)

PENSION EARNER COMPREHENSIVE PROBLEMS

Exhibit 6—Stuart's Social Security Worksheet

Social Security Benefits Worksheet—Lines 14a and 14b

Keep for Your Records

Before you begin:

- ✓ Complete Form 1040A, lines 16 and 17, if they apply to you.
- ✓ If you are married filing separately and you **lived apart** from your spouse for all of 2004, enter "D" to the right of the word "benefits" on line 14a.
- ✓ Be sure you have read the **Exception** on page 25 to see if you can use this worksheet instead of a publication to find out if any of your benefits are taxable.



1. Enter the total amount from box 5 of all your Forms SSA-1099 and Forms RRB-1099	1.		
2. Enter one-half of line 1	2.		
3. Enter the total of the amounts from Form 1040A, lines 7, 8a, 9a, 10, 11b, 12b, and 13	3.		
4. Enter the amount, if any, from Form 1040A, line 8b	4.		
5. Add lines 2, 3, and 4	5.		
6. Enter the total of the amounts from Form 1040A, lines 16 and 17	6.		
7. Is the amount on line 6 less than the amount on line 5?			
<input type="checkbox"/> No. None of your social security benefits are taxable.			
<input type="checkbox"/> Yes. Subtract line 6 from line 5	7.		
8. If you are:			
• Married filing jointly, enter \$32,000.			
• Single, head of household, qualifying widow(er), or married filing separately and you lived apart from your spouse for all of 2004, enter \$25,000.	8.		
• Married filing separately and you lived with your spouse at any time in 2004, skip lines 8 through 15; multiply line 7 by 85% (.85) and enter the result on line 16. Then go to line 17.			
9. Is the amount on line 8 less than the amount on line 7?			
<input type="checkbox"/> No. None of your social security benefits are taxable. You do not have to enter any amount on line 14a or 14b of Form 1040A. But if you are married filing separately and you lived apart from your spouse for all of 2004, enter -0- on line 14b. Be sure you entered "D" to the right of the word "benefits" on line 14a.			
<input type="checkbox"/> Yes. Subtract line 8 from line 7	9.		
10. Enter: \$12,000 if married filing jointly; \$9,000 if single, head of household, qualifying widow(er), or married filing separately and you lived apart from your spouse for all of 2004	10.		
11. Subtract line 10 from line 9. If zero or less, enter -0-	11.		
12. Enter the smaller of line 9 or line 10	12.		
13. Enter one-half of line 12	13.		
14. Enter the smaller of line 2 or line 13	14.		
15. Multiply line 11 by 85% (.85). If line 11 is zero, enter -0-	15.		
16. Add lines 14 and 15	16.		
17. Multiply line 1 by 85% (.85)	17.		
18. Taxable social security benefits. Enter the smaller of line 16 or line 17	18.		
• Enter the amount from line 1 above on Form 1040A, line 14a.			
• Enter the amount from line 18 above on Form 1040A, line 14b.			



If part of your benefits are taxable for 2004 **and** they include benefits paid in 2004 that were for an earlier year, you may be able to reduce the taxable amount. See Pub. 915 for details.

PENSION EARNER COMPREHENSIVE PROBLEMS

Exhibit 7—Morehouse Form 8880

Form **8880**

Credit for Qualified Retirement Savings Contributions

OMB No. 1545-1805

2004

Attachment Sequence No. **129**

Department of the Treasury
Internal Revenue Service

▶ Attach to Form 1040 or Form 1040A.
▶ See instructions on back.

Name(s) shown on return

Your social security number



You **cannot** take this credit if **either** of the following applies.

- The amount on Form 1040, line 37, or Form 1040A, line 22, is more than \$25,000 (\$37,500 if head of household; \$50,000 if married filing jointly).
- The person(s) who made the qualified contribution or elective deferral **(a)** was born after January 1, 1987, **(b)** is claimed as a dependent on someone else's 2004 tax return, or **(c)** was a **student** (see instructions).

	(a) You		(b) Your spouse																																																													
1 Traditional and Roth IRA contributions for 2004. Do not include rollover contributions	1																																																															
2 Elective deferrals to a 401(k) or other qualified employer plan, voluntary employee contributions, and 501(c)(18)(D) plan contributions for 2004 (see instructions)	2																																																															
3 Add lines 1 and 2	3																																																															
4 Certain distributions received after 2001 and before the due date (including extensions) of your 2004 tax return (see instructions). If married filing jointly, include both spouses' amounts in both columns. See instructions for an exception	4																																																															
5 Subtract line 4 from line 3. If zero or less, enter -0-	5																																																															
6 In each column, enter the smaller of line 5 or \$2,000	6																																																															
7 Add the amounts on line 6. If zero, stop ; you cannot take this credit			7																																																													
8 Enter the amount from Form 1040, line 37, or Form 1040A, line 22	8																																																															
9 Enter the applicable decimal amount shown below:																																																																
<table border="1"> <thead> <tr> <th colspan="2">If line 8 is—</th> <th colspan="3">And your filing status is—</th> </tr> <tr> <th>Over—</th> <th>But not over—</th> <th>Married filing jointly</th> <th>Head of household</th> <th>Single, Married filing separately, or Qualifying widow(er)</th> </tr> </thead> <tbody> <tr> <td>---</td> <td>\$15,000</td> <td>.5</td> <td>.5</td> <td>.5</td> </tr> <tr> <td>\$15,000</td> <td>\$16,250</td> <td>.5</td> <td>.5</td> <td>.2</td> </tr> <tr> <td>\$16,250</td> <td>\$22,500</td> <td>.5</td> <td>.5</td> <td>.1</td> </tr> <tr> <td>\$22,500</td> <td>\$24,375</td> <td>.5</td> <td>.2</td> <td>.1</td> </tr> <tr> <td>\$24,375</td> <td>\$25,000</td> <td>.5</td> <td>.1</td> <td>.1</td> </tr> <tr> <td>\$25,000</td> <td>\$30,000</td> <td>.5</td> <td>.1</td> <td>.0</td> </tr> <tr> <td>\$30,000</td> <td>\$32,500</td> <td>.2</td> <td>.1</td> <td>.0</td> </tr> <tr> <td>\$32,500</td> <td>\$37,500</td> <td>.1</td> <td>.1</td> <td>.0</td> </tr> <tr> <td>\$37,500</td> <td>\$50,000</td> <td>.1</td> <td>.0</td> <td>.0</td> </tr> <tr> <td>\$50,000</td> <td>---</td> <td>.0</td> <td>.0</td> <td>.0</td> </tr> </tbody> </table>					If line 8 is—		And your filing status is—			Over—	But not over—	Married filing jointly	Head of household	Single, Married filing separately, or Qualifying widow(er)	---	\$15,000	.5	.5	.5	\$15,000	\$16,250	.5	.5	.2	\$16,250	\$22,500	.5	.5	.1	\$22,500	\$24,375	.5	.2	.1	\$24,375	\$25,000	.5	.1	.1	\$25,000	\$30,000	.5	.1	.0	\$30,000	\$32,500	.2	.1	.0	\$32,500	\$37,500	.1	.1	.0	\$37,500	\$50,000	.1	.0	.0	\$50,000	---	.0	.0	.0
If line 8 is—		And your filing status is—																																																														
Over—	But not over—	Married filing jointly	Head of household	Single, Married filing separately, or Qualifying widow(er)																																																												
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			9	X .																																																												
10 Multiply line 7 by line 9			10																																																													
11 Enter the amount from Form 1040, line 45, or Form 1040A, line 28	11																																																															
12 Enter the total of your credits from Form 1040, lines 46 through 51, or Form 1040A, lines 29 through 32	12																																																															
13 Subtract line 12 from line 11. If zero, stop ; you cannot take this credit			13																																																													
14 Credit for qualified retirement savings contributions. Enter the smaller of line 10 or line 13 here and on Form 1040, line 52, or Form 1040A, line 33			14																																																													

Note: If line 9 is zero, **stop**; you cannot take this credit.

*See Pub. 590 for the amount to enter if you are filing Form 2555, 2555-EZ, or 4563 or you are excluding income from Puerto Rico.

For Paperwork Reduction Act Notice, see back of form.

Cat. No. 33394D

Form **8880** (2004)

Comprehensive Problems

CP-9

PENSION EARNER

PENSION EARNER COMPREHENSIVE PROBLEMS

PROBLEM 2

Jay and Sandra Madison are married and they need your help with their 2004 federal income tax return. They provide you with the following information:

- Jay was born February 14, 1931. Sandra was born November 27, 1936.
- The address and social security numbers are correct on their income statements. Jay's middle name is Roy and Sandra's middle name is Helen. They show their social security cards and a photo ID to you.
- They want to file a joint return and both of them want to contribute to the Presidential Election Campaign.
- Neither of them can be claimed as someone else's dependent and they do not have any dependents.
- Jay is retired. Sandra has never worked outside the home.
- Jay receives pension (**Exhibit 8**) and social security income (**Exhibit 9**).
- The only other income they have is from the sale of stock (**Exhibits 10 and 11**). The 100 shares of ABC stock was bought on 12/01/1985 at \$24.00 per share. The 200 shares of XYZ stock was bought on 12/20/1987 at \$28.50 per share. The basis of the stock has not changed since the purchase date. No commission was paid on the purchase or the sale. There are no capital loss carryovers.
- They do not have enough deductions to itemize. They are not blind.
- They did not make any estimated tax payments.
- If they are entitled to a refund, they want the check mailed to their house.
- They do not want to designate a third party representative.
- Your site identification number is Sxxxxxxxx.

Complete their Form 1040 (**Exhibit 12**) using the Schedule D (**Exhibit 13**), the Social Security Worksheet (**Exhibit 14**) and the Qualified Dividends and Capital Gain Tax Worksheet (**Exhibit 15**) if needed.

See **Exhibits 19–22** for the answer.

PENSION EARNER COMPREHENSIVE PROBLEMS

Exhibit 8—Jay's Form 1099-R

<input type="checkbox"/> CORRECTED (if checked)		1 Gross distribution \$ 18,946.00		OMB No. 1545-0119 2004 Form 1099-R	Distributions From Pensions, Annuities, Retirement or Profit-Sharing Plans, IRAs, Insurance Contracts, etc.
PAYER'S name, street address, city, state, and ZIP code CONCORD ASSOCIATES 345 EAST 100TH ST YOUR CITY, STATE, ZIP		2a Taxable amount \$ 18,946.00			
PAYER'S Federal identification number XX-XXXXXXX		RECIPIENT'S identification number XXX-XX-XXXX		3 Capital gain (included in box 2a) \$	
RECIPIENT'S name JAY R MADISON Street address (including apt. no.) 99 DOUGLAS AVE City, state, and ZIP code YOUR CITY, STATE, ZIP		5 Employee contributions or insurance premiums \$		4 Federal income tax withheld \$ 2,560.00	
		7 Distribution code(s) 7		6 Net unrealized appreciation in employer's securities \$	
		9a Your percentage of total distribution %		8 Other \$ %	
		9b Total employee contributions \$		This information is being furnished to the Internal Revenue Service.	
Account number (optional)		10 State tax withheld \$		11 State/Payer's state no.	
		13 Local tax withheld \$		12 State distribution \$	
		14 Name of locality		15 Local distribution \$	

Form 1099-R

Department of the Treasury - Internal Revenue Service

PENSION EARNER COMPREHENSIVE PROBLEMS

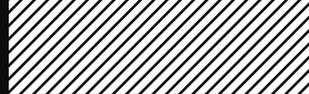


Exhibit 10—Jay's 1099-B

<input type="checkbox"/> CORRECTED (if checked)				2004		Proceeds From Broker and Barter Exchange Transactions
PAYER'S name, street address, city, state, ZIP code, and telephone no. Harris Inc 123 Lamar Your City, State Zip		1a Date of sale or exchange 07/15/2004	OMB No. 1545-0715		Form 1099-B	
		1b CUSIP no.	2 Stocks, bonds, etc. Reported to IRS } <input checked="" type="checkbox"/> Gross proceeds <input type="checkbox"/> Gross proceeds less commissions and option premiums			
		\$ 5,124				
PAYER'S Federal identification number XX-XXXXXXX	RECIPIENT'S identification number XXX-XX-XXXX	3 Bartering \$	4 Federal income tax withheld \$		Copy B For Recipient This is important tax information and is being furnished to the Internal Revenue Service. If you are required to file a return, a negligence penalty or other sanction may be imposed on you if this income is taxable and the IRS determines that it has not been reported.	
RECIPIENT'S name JAY R MADISON		5 No. of shares exchanged	6 Classes of stock exchanged			
Street address (including apt. no.) 99 DOUGLAS		7 Description 100 shares ABC Inc.				
City, state, and ZIP code YOUR CITY, STATE ZIP		8 Profit or (loss) realized in 2004 \$	9 Unrealized profit or (loss) on open contracts—12/31/2003 \$			
CORPORATION'S name, street address, city, state, and ZIP code		10 Unrealized profit or (loss) on open contracts—12/31/2004 \$	11 Aggregate profit or (loss) \$			
Account number (optional)	2nd TIN not. <input type="checkbox"/>	12 If this box is checked, you cannot take a loss on your tax return based on the amount in box 2 <input type="checkbox"/>				
Form 1099-B		(keep for your records)		Department of the Treasury - Internal Revenue Service		

PENSION EARNER COMPREHENSIVE PROBLEMS

Exhibit 11—Sandra's 1099-B

CORRECTED (if checked)

PAYER'S name, street address, city, state, ZIP code, and telephone no. Dillard Inc 345 Fairbury Your City, State Zip		1a Date of sale or exchange 11/14/2004	OMB No. 1545-0715 2004	Proceeds From Broker and Barter Exchange Transactions
		1b CUSIP no.	Form 1099-B	
		2 Stocks, bonds, etc. \$ 10,796	Reported } <input checked="" type="checkbox"/> Gross proceeds to IRS } <input type="checkbox"/> Gross proceeds less commissions and option premiums	
PAYER'S Federal identification number XX-XXXXXXX	RECIPIENT'S identification number XXX-XX-XXXX	3 Bartering \$	4 Federal income tax withheld \$	Copy B For Recipient This is important tax information and is being furnished to the Internal Revenue Service. If you are required to file a return, a negligence penalty or other sanction may be imposed on you if this income is taxable and the IRS determines that it has not been reported.
RECIPIENT'S name SANDRA H MADISON		5 No. of shares exchanged	6 Classes of stock exchanged	
Street address (including apt. no.) 99 DOUGLAS		7 Description 200 shares XYZ Inc.		
City, state, and ZIP code YOUR CITY, STATE ZIP		8 Profit or (loss) realized in 2004 \$	9 Unrealized profit or (loss) on open contracts—12/31/2003 \$	
CORPORATION'S name, street address, city, state, and ZIP code		10 Unrealized profit or (loss) on open contracts—12/31/2004 \$	11 Aggregate profit or (loss) \$	
Account number (optional)	2nd TIN not. <input type="checkbox"/>	12 If this box is checked, you cannot take a loss on your tax return based on the amount in box 2 <input type="checkbox"/>		

Form **1099-B**

(keep for your records)

Department of the Treasury - Internal Revenue Service

PENSION EARNER COMPREHENSIVE PROBLEMS

Exhibit 12—Jay and Sandra's Form 1040

Form	1040	Department of the Treasury—Internal Revenue Service U.S. Individual Income Tax Return 2004	(99) IRS Use Only—Do not write or staple in this space.																																																																
Label (See instructions on page 19.) Use the IRS label. Otherwise, please print or type. Presidential Election Campaign (See page 19.)		For the year Jan. 1—Dec. 31, 2004, or other tax year beginning _____, 2004, ending _____, 20		OMB No. 1545-0074																																																															
		Your first name and initial _____ Last name _____		Your social security number _____																																																															
		If a joint return, spouse's first name and initial _____ Last name _____		Spouse's social security number _____																																																															
		Home address (number and street). If you have a P.O. box, see page 19. _____ Apt. no. _____		▲ Important! ▲ You must enter your SSN(s) above.																																																															
City, town or post office, state, and ZIP code. If you have a foreign address, see page 19. _____																																																																			
Note. Checking "Yes" will not change your tax or reduce your refund. Do you, or your spouse if filing a joint return, want \$3 to go to this fund? <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No		You <input type="checkbox"/> Yes <input type="checkbox"/> No Spouse <input type="checkbox"/> Yes <input type="checkbox"/> No																																																																	
Filing Status Check only one box.		1 <input type="checkbox"/> Single 2 <input type="checkbox"/> Married filing jointly (even if only one had income) 3 <input type="checkbox"/> Married filing separately. Enter spouse's SSN above and full name here. <input type="checkbox"/> 4 <input type="checkbox"/> Head of household (with qualifying person). (See page 20.) If the qualifying person is a child but not your dependent, enter this child's name here. <input type="checkbox"/> 5 <input type="checkbox"/> Qualifying widow(er) with dependent child (see page 20)																																																																	
Exemptions If more than four dependents, see page 21.		6a <input type="checkbox"/> Yourself. If someone can claim you as a dependent, do not check box 6a b <input type="checkbox"/> Spouse c Dependents: <table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th style="width:30%;">(1) First name</th> <th style="width:20%;">Last name</th> <th style="width:15%;">(2) Dependent's social security number</th> <th style="width:15%;">(3) Dependent's relationship to you</th> <th style="width:20%;">(4) <input checked="" type="checkbox"/> if qualifying child for child tax credit (see page 21)</th> </tr> </thead> <tbody> <tr><td> </td><td> </td><td> </td><td> </td><td><input type="checkbox"/></td></tr> </tbody> </table> d Total number of exemptions claimed <input style="width:50px;" type="text"/>			(1) First name	Last name	(2) Dependent's social security number	(3) Dependent's relationship to you	(4) <input checked="" type="checkbox"/> if qualifying child for child tax credit (see page 21)					<input type="checkbox"/>					<input type="checkbox"/>					<input type="checkbox"/>					<input type="checkbox"/>																																						
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Income Attach Forms W-2 and W-2G here. Also attach Form(s) 1099-R if tax was withheld. If you did not get a W-2, see page 22. Enclose, but do not attach, any payment. Also, please use Form 1040-V.		<table border="1" style="width:100%; border-collapse: collapse;"> <tr><td>7 Wages, salaries, tips, etc. Attach Form(s) W-2</td><td>7</td><td></td></tr> <tr><td>8a Taxable interest. Attach Schedule B if required</td><td>8a</td><td></td></tr> <tr><td>b Tax-exempt interest. Do not include on line 8a</td><td>8b</td><td></td></tr> <tr><td>9a Ordinary dividends. Attach Schedule B if required</td><td>9a</td><td></td></tr> <tr><td>b Qualified dividends (see page 23)</td><td>9b</td><td></td></tr> <tr><td>10 Taxable refunds, credits, or offsets of state and local income taxes (see page 23)</td><td>10</td><td></td></tr> <tr><td>11 Alimony received</td><td>11</td><td></td></tr> <tr><td>12 Business income or (loss). Attach Schedule C or C-EZ</td><td>12</td><td></td></tr> <tr><td>13 Capital gain or (loss). Attach Schedule D if required. If not required, check here <input type="checkbox"/></td><td>13</td><td></td></tr> <tr><td>14 Other gains or (losses). Attach Form 4797</td><td>14</td><td></td></tr> <tr><td>15a IRA distributions</td><td>15a</td><td></td></tr> <tr><td>b Taxable amount (see page 25)</td><td>15b</td><td></td></tr> <tr><td>16a Pensions and annuities</td><td>16a</td><td></td></tr> <tr><td>b Taxable amount (see page 25)</td><td>16b</td><td></td></tr> <tr><td>17 Rental real estate, royalties, partnerships, S corporations, trusts, etc. Attach Schedule E</td><td>17</td><td></td></tr> <tr><td>18 Farm income or (loss). Attach Schedule F</td><td>18</td><td></td></tr> <tr><td>19 Unemployment compensation</td><td>19</td><td></td></tr> <tr><td>20a Social security benefits</td><td>20a</td><td></td></tr> <tr><td>b Taxable amount (see page 27)</td><td>20b</td><td></td></tr> <tr><td>21 Other income. List type and amount (see page 27)</td><td>21</td><td></td></tr> <tr><td>22 Add the amounts in the far right column for lines 7 through 21. This is your total income</td><td>22</td><td></td></tr> </table>			7 Wages, salaries, tips, etc. Attach Form(s) W-2	7		8a Taxable interest. Attach Schedule B if required	8a		b Tax-exempt interest. Do not include on line 8a	8b		9a Ordinary dividends. Attach Schedule B if required	9a		b Qualified dividends (see page 23)	9b		10 Taxable refunds, credits, or offsets of state and local income taxes (see page 23)	10		11 Alimony received	11		12 Business income or (loss). Attach Schedule C or C-EZ	12		13 Capital gain or (loss). Attach Schedule D if required. If not required, check here <input type="checkbox"/>	13		14 Other gains or (losses). Attach Form 4797	14		15a IRA distributions	15a		b Taxable amount (see page 25)	15b		16a Pensions and annuities	16a		b Taxable amount (see page 25)	16b		17 Rental real estate, royalties, partnerships, S corporations, trusts, etc. Attach Schedule E	17		18 Farm income or (loss). Attach Schedule F	18		19 Unemployment compensation	19		20a Social security benefits	20a		b Taxable amount (see page 27)	20b		21 Other income. List type and amount (see page 27)	21		22 Add the amounts in the far right column for lines 7 through 21. This is your total income	22	
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For Disclosure, Privacy Act, and Paperwork Reduction Act Notice, see page 77.		Cat. No. 11320B		Form 1040 (2004)																																																															

PENSION EARNER COMPREHENSIVE PROBLEMS

Exhibit 13—Jay and Sandra's Schedule D

SCHEDULE D (Form 1040) <small>Department of the Treasury Internal Revenue Service (99)</small>	Capital Gains and Losses ▶ Attach to Form 1040. ▶ See Instructions for Schedule D (Form 1040). ▶ Use Schedule D-1 to list additional transactions for lines 1 and 8.	OMB No. 1545-0074 2004 Attachment Sequence No. 12			
Name(s) shown on Form 1040		Your social security number			
Part I Short-Term Capital Gains and Losses—Assets Held One Year or Less					
(a) Description of property <small>(Example: 100 sh. XYZ Co.)</small>	(b) Date acquired <small>(Mo., day, yr.)</small>	(c) Date sold <small>(Mo., day, yr.)</small>	(d) Sales price <small>(see page D-6 of the instructions)</small>	(e) Cost or other basis <small>(see page D-6 of the instructions)</small>	(f) Gain or (loss) <small>Subtract (e) from (d)</small>
1					
2	Enter your short-term totals, if any, from Schedule D-1, line 2		2		
3	Total short-term sales price amounts. Add lines 1 and 2 in column (d)		3		
4	Short-term gain from Form 6252 and short-term gain or (loss) from Forms 4684, 6781, and 8824				4
5	Net short-term gain or (loss) from partnerships, S corporations, estates, and trusts from Schedule(s) K-1				5
6	Short-term capital loss carryover. Enter the amount, if any, from line 8 of your Capital Loss Carryover Worksheet on page D-5 of the Instructions				6 ()
7	Net short-term capital gain or (loss). Combine lines 1 through 6 in column (f)				7
Part II Long-Term Capital Gains and Losses—Assets Held More Than One Year					
(a) Description of property <small>(Example: 100 sh. XYZ Co.)</small>	(b) Date acquired <small>(Mo., day, yr.)</small>	(c) Date sold <small>(Mo., day, yr.)</small>	(d) Sales price <small>(see page D-6 of the instructions)</small>	(e) Cost or other basis <small>(see page D-6 of the instructions)</small>	(f) Gain or (loss) <small>Subtract (e) from (d)</small>
8					
9	Enter your long-term totals, if any, from Schedule D-1, line 9		9		
10	Total long-term sales price amounts. Add lines 8 and 9 in column (d)		10		
11	Gain from Form 4797, Part I; long-term gain from Forms 2439 and 6252; and long-term gain or (loss) from Forms 4684, 6781, and 8824				11
12	Net long-term gain or (loss) from partnerships, S corporations, estates, and trusts from Schedule(s) K-1				12
13	Capital gain distributions. See page D-2 of the instructions				13
14	Long-term capital loss carryover. Enter the amount, if any, from line 13 of your Capital Loss Carryover Worksheet on page D-5 of the Instructions				14 ()
15	Net long-term capital gain or (loss). Combine lines 8 through 14 in column (f). Then go to Part III on the back				15
For Paperwork Reduction Act Notice, see Form 1040 instructions.			Cat. No. 11338H	Schedule D (Form 1040) 2004	

PENSION EARNER COMPREHENSIVE PROBLEMS

Exhibit 13 (continued)—Jay and Sandra's Schedule D

Schedule D (Form 1040) 2004		Page 2
Part III Summary		
<p>16 Combine lines 7 and 15 and enter the result. If line 16 is a loss, skip lines 17 through 20, and go to line 21. If a gain, enter the gain on Form 1040, line 13</p> <p>17 Are lines 15 and 16 both gains? <input type="checkbox"/> Yes. Go to line 18. <input type="checkbox"/> No. Skip lines 18 through 21, and go to line 22.</p> <p>18 Enter the amount, if any, from line 7 of the 28% Rate Gain Worksheet on page D-7 of the instructions ▶</p> <p>19 Enter the amount, if any, from line 18 of the Unrecaptured Section 1250 Gain Worksheet on page D-8 of the instructions ▶</p> <p>20 Are lines 18 and 19 both zero or blank? <input type="checkbox"/> Yes. Complete Form 1040 through line 42, and then complete the Qualified Dividends and Capital Gain Tax Worksheet on page 37 of the Instructions for Form 1040. Do not complete lines 21 and 22 below. <input type="checkbox"/> No. Complete the Schedule D Tax Worksheet on page D-10 of the instructions. Do not complete lines 21 and 22 below.</p> <p>21 If line 16 is a loss, enter here and on Form 1040, line 13, the smaller of: <ul style="list-style-type: none"> • The loss on line 16 or • (\$3,000), or if married filing separately, (\$1,500) } <p>Note. When figuring which amount is smaller, treat both amounts as positive numbers.</p> <p>22 Do you have qualified dividends on Form 1040, line 9b? <input type="checkbox"/> Yes. Complete Form 1040 through line 42, and then complete the Qualified Dividends and Capital Gain Tax Worksheet on page 37 of the Instructions for Form 1040. <input type="checkbox"/> No. Complete the rest of Form 1040.</p> </p>	<p>16</p> <hr/> <p>18</p> <hr/> <p>19</p> <hr/> <p>21 ()</p>	
Printed on recycled paper		Schedule D (Form 1040) 2004

PENSION EARNER COMPREHENSIVE PROBLEMS

Exhibit 14—Jay and Sandra’s Social Security Worksheet

Social Security Benefits Worksheet—Lines 20a and 20b

Keep for Your Records

- Before you begin:**
- ✓ Complete Form 1040, lines 21, 23 through 25, and 28 through 34a, if they apply to you.
 - ✓ Figure any write-in adjustments to be entered on the dotted line next to line 35 (see page 33).
 - ✓ If you are married filing separately and you lived apart from your spouse for all of 2004, enter “D” to the right of the word “benefits” on line 20a.
 - ✓ Be sure you have read the **Exception** on page 27 to see if you can use this worksheet instead of a publication to find out if any of your benefits are taxable.



<p>1. Enter the total amount from box 5 of all your Forms SSA-1099 and Forms RRB-1099 1. <input style="width: 100px; height: 20px;" type="text"/></p> <p>2. Enter one-half of line 1 2. <input style="width: 100px; height: 20px;" type="text"/></p> <p>3. Enter the total of the amounts from Form 1040, lines 7, 8a, 9a, 10 through 14, 15b, 16b, 17 through 19, and 21 3. <input style="width: 100px; height: 20px;" type="text"/></p> <p>4. Enter the amount, if any, from Form 1040, line 8b 4. <input style="width: 100px; height: 20px;" type="text"/></p> <p>5. Add lines 2, 3, and 4 5. <input style="width: 100px; height: 20px;" type="text"/></p> <p>6. Enter the total of the amounts from Form 1040, lines 23 through 25, and 28 through 34a, plus any write-in adjustments you entered on the dotted line next to line 35 6. <input style="width: 100px; height: 20px;" type="text"/></p> <p>7. Is the amount on line 6 less than the amount on line 5?</p> <p><input type="checkbox"/> No. None of your social security benefits are taxable.</p> <p><input type="checkbox"/> Yes. Subtract line 6 from line 5 7. <input style="width: 100px; height: 20px;" type="text"/></p> <p>8. If you are:</p> <ul style="list-style-type: none"> • Married filing jointly, enter \$32,000 • Single, head of household, qualifying widow(er), or married filing separately and you lived apart from your spouse for all of 2004, enter \$25,000 • Married filing separately and you lived with your spouse at any time in 2004, skip lines 8 through 15; multiply line 7 by 85% (.85) and enter the result on line 16. Then go to line 17 <p>9. Is the amount on line 8 less than the amount on line 7?</p> <p><input type="checkbox"/> No. None of your social security benefits are taxable. You do not have to enter any amounts on line 20a or 20b of Form 1040. But if you are married filing separately and you lived apart from your spouse for all of 2004, enter -0- on line 20b. Be sure you entered “D” to the right of the word “benefits” on line 20a.</p> <p><input type="checkbox"/> Yes. Subtract line 8 from line 7 9. <input style="width: 100px; height: 20px;" type="text"/></p> <p>10. Enter: \$12,000 if married filing jointly; \$9,000 if single, head of household, qualifying widow(er), or married filing separately and you lived apart from your spouse for all of 2004 . . 10. <input style="width: 100px; height: 20px;" type="text"/></p> <p>11. Subtract line 10 from line 9. If zero or less, enter -0- 11. <input style="width: 100px; height: 20px;" type="text"/></p> <p>12. Enter the smaller of line 9 or line 10 12. <input style="width: 100px; height: 20px;" type="text"/></p> <p>13. Enter one-half of line 12 13. <input style="width: 100px; height: 20px;" type="text"/></p> <p>14. Enter the smaller of line 2 or line 13 14. <input style="width: 100px; height: 20px;" type="text"/></p> <p>15. Multiply line 11 by 85% (.85). If line 11 is zero, enter -0- 15. <input style="width: 100px; height: 20px;" type="text"/></p> <p>16. Add lines 14 and 15 16. <input style="width: 100px; height: 20px;" type="text"/></p> <p>17. Multiply line 1 by 85% (.85) 17. <input style="width: 100px; height: 20px;" type="text"/></p> <p>18. Taxable social security benefits. Enter the smaller of line 16 or line 17 18. <input style="width: 100px; height: 20px;" type="text"/></p> <ul style="list-style-type: none"> • Enter the amount from line 1 above on Form 1040, line 20a. • Enter the amount from line 18 above on Form 1040, line 20b. 	
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TIP If part of your benefits are taxable for 2004 **and** they include benefits paid in 2004 that were for an earlier year, you may be able to reduce the taxable amount. See Pub. 915 for details.

PENSION EARNER COMPREHENSIVE PROBLEMS

Exhibit 15—Madison Tax Computation

Qualified Dividends and Capital Gain Tax Worksheet—Line 43

Keep for Your Records

- Before you begin:**
- ✓ See the instructions for line 43 on page 36 to see if you can use this worksheet to figure your tax.
 - ✓ If you do not have to file Schedule D and you received capital gain distributions, be sure you checked the box on line 13 of Form 1040.



1. Enter the amount from Form 1040, line 42	1.	
2. Enter the amount from Form 1040, line 9b	2.	
3. Are you filing Schedule D?		
<input type="checkbox"/> Yes. Enter the smaller of line 15 or 16 of Schedule D, but do not enter less than -0-	} . . . 3.	
<input type="checkbox"/> No. Enter the amount from Form 1040, line 13		
4. Add lines 2 and 3	4.	
5. If you are claiming investment interest expense on Form 4952, enter the amount from line 4g of that form. Otherwise, enter -0-	5.	
6. Subtract line 5 from line 4. If zero or less, enter -0-	6.	
7. Subtract line 6 from line 1. If zero or less, enter -0-	7.	
8. Enter the smaller of:		
• The amount on line 1 or	} 8.	
• \$29,050 if single or married filing separately,		
• \$58,100 if married filing jointly or qualifying widow(er), or \$38,900 if head of household.		
9. Is the amount on line 7 equal to or more than the amount on line 8?		
<input type="checkbox"/> Yes. Skip lines 9 through 11; go to line 12 and check the "No" box.	} 9.	
<input type="checkbox"/> No. Enter the amount from line 7		
10. Subtract line 9 from line 8	10.	
11. Multiply line 10 by 5% (.05)	11.	
12. Are the amounts on lines 6 and 10 the same?		
<input type="checkbox"/> Yes. Skip lines 12 through 15; go to line 16.	} 12.	
<input type="checkbox"/> No. Enter the smaller of line 1 or line 6		
13. Enter the amount from line 10 (if line 10 is blank, enter -0-)	13.	
14. Subtract line 13 from line 12	14.	
15. Multiply line 14 by 15% (.15)	15.	
16. Figure the tax on the amount on line 7. Use the Tax Table or Tax Computation Worksheet, whichever applies	16.	
17. Add lines 11, 15, and 16	17.	
18. Figure the tax on the amount on line 1. Use the Tax Table or Tax Computation Worksheet, whichever applies	18.	
19. Tax on all taxable income. Enter the smaller of line 17 or line 18. Also include this amount on Form 1040, line 43	19.	

Need more information or forms? See page 7.

PENSION EARNER COMPREHENSIVE PROBLEMS

ANSWERS TO PROBLEMS

Exhibit 16—Morehouse 1040A

Form 1040A	Department of the Treasury—Internal Revenue Service U.S. Individual Income Tax Return	2004	IRS Use Only—Do not write or staple in this space.	
Label (See page 19.) Use the IRS label. Otherwise, please print or type.	Your first name and initial STUART L	Last name MOREHOUSE	OMB No. 1545-0085	
	If a joint return, spouse's first name and initial DONNA R	Last name MOREHOUSE	Your social security number XXX : XX : XXXX	
	Home address (number and street). If you have a P.O. box, see page 20. 10923 FRANKLIN ST		Apt. no.	Spouse's social security number XXX : XX : XXXX
	City, town or post office, state, and ZIP code. If you have a foreign address, see page 20. YOUR CITY, STATE, ZIP			▲ Important! ▲ You must enter your SSN(s) above.
Presidential Election Campaign (See page 20.) Note. Checking "Yes" will not change your tax or reduce your refund. Do you, or your spouse if filing a joint return, want \$3 to go to this fund?				
You <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Spouse <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No				
Filing status (Check only one box.)				
1 <input type="checkbox"/> Single 4 <input type="checkbox"/> Head of household (with qualifying person). (See page 20). 2 <input checked="" type="checkbox"/> Married filing jointly (even if only one had income) If the qualifying person is a child but not your dependent, enter this child's name here. ▶ 3 <input type="checkbox"/> Married filing separately. Enter spouse's SSN above and full name here. ▶ 5 <input type="checkbox"/> Qualifying widow(er) with dependent child (see page 21)				
Exemptions				
6a <input checked="" type="checkbox"/> Yourself. If someone can claim you as a dependent, do not check box 6a.				
b <input checked="" type="checkbox"/> Spouse				
c Dependents:				
If more than six dependents, see page 21.	(1) First name	Last name	(2) Dependent's social security number	
			(3) Dependent's relationship to you	
			(4) <input checked="" type="checkbox"/> If qualifying child for child tax credit (see page 23)	
			Boxes checked on 6a and 6b 2 No. of children on 6c who: • lived with you • did not live with you due to divorce or separation (see page 23) Dependents on 6c not entered above	
			Add numbers on lines above ▶ 2	
d Total number of exemptions claimed.				
Income				
Attach Form(s) W-2 here. Also attach Form(s) 1099-R if tax was withheld.	7 Wages, salaries, tips, etc. Attach Form(s) W-2.		7 18,526	
If you did not get a W-2, see page 24.	8a Taxable interest. Attach Schedule 1 if required.		8a 716	
Enclose, but do not attach, any payment.	b Tax-exempt interest. Do not include on line 8a.		8b	
	9a Ordinary dividends. Attach Schedule 1 if required.		9a	
	b Qualified dividends (see page 25).		9b	
	10 Capital gain distributions (see page 25).		10	
	11a IRA distributions.	11b Taxable amount (see page 25).	11b	
	12a Pensions and annuities.	12b Taxable amount (see page 26).	12b 13,567	
	13 Unemployment compensation and Alaska Permanent Fund dividends.		13	
	14a Social security benefits.	14b Taxable amount (see page 28).	14b 2,704	
	14a	10,998.00		
	15 Add lines 7 through 14b (far right column). This is your total income .		15 35,513	
Adjusted gross income				
	16 Deduction for clean-fuel vehicles (see page 28).		16	
	17 IRA deduction (see page 28).		17 900	
	18 Student loan interest deduction (see page 31).		18	
	19 Tuition and fees deduction (see page 31).		19	
	20 Add lines 16 through 19. These are your total adjustments .		20 900	
	21 Subtract line 20 from line 15. This is your adjusted gross income .		21 34,613	
For Disclosure, Privacy Act, and Paperwork Reduction Act Notice, see page 57. Cat. No. 11327A Form 1040A (2004)				

PENSION EARNER COMPREHENSIVE PROBLEMS

ANSWERS TO PROBLEMS

Exhibit 16 (continued)—Morehouse 1040A

Form 1040A (2004)		Page 2
Tax, credits, and payments	22 Enter the amount from line 21 (adjusted gross income).	22 34,613
Standard Deduction for— • People who checked any box on line 23a or 23b or who can be claimed as a dependent, see page 32. • All others: Single or Married filing separately, \$4,850 Married filing jointly or Qualifying widow(er), \$9,700 Head of household, \$7,150	23a Check if: <input checked="" type="checkbox"/> You were born before January 2, 1940, <input type="checkbox"/> Blind } Total boxes checked ▶ 23a 1 <input type="checkbox"/> Spouse was born before January 2, 1940, <input type="checkbox"/> Blind }	
	b If you are married filing separately and your spouse itemizes deductions, see page 32 and check here ▶ 23b <input type="checkbox"/>	
	24 Enter your standard deduction (see left margin).	24 10,650
	25 Subtract line 24 from line 22. If line 24 is more than line 22, enter -0-.	25 23,963
	26 Multiply \$3,100 by the total number of exemptions claimed on line 6d.	26 6,200
	27 Subtract line 26 from line 25. If line 26 is more than line 25, enter -0-. This is your taxable income . ▶ 27	27 17,763
	28 Tax, including any alternative minimum tax (see page 33).	28 1,951
	29 Credit for child and dependent care expenses. Attach Schedule 2.	29
	30 Credit for the elderly or the disabled. Attach Schedule 3.	30
	31 Education credits. Attach Form 8863.	31
32 Child tax credit (see page 37).	32	
33 Retirement savings contributions credit. Attach Form 8880.	33	
34 Adoption credit. Attach Form 8839.	34	
35 Add lines 29 through 34. These are your total credits .	35	
36 Subtract line 35 from line 28. If line 35 is more than line 28, enter -0-.	36 1,951	
37 Advance earned income credit payments from Form(s) W-2.	37	
38 Add lines 36 and 37. This is your total tax . ▶ 38	38 1,951	
39 Federal income tax withheld from Forms W-2 and 1099.	39 3,780	
40 2004 estimated tax payments and amount applied from 2003 return.	40	
41 Earned income credit (EIC) .	41	
42 Additional child tax credit. Attach Form 8812.	42	
43 Add lines 39 through 42. These are your total payments . ▶ 43	43 3,780	
Refund	44 If line 43 is more than line 38, subtract line 38 from line 43. This is the amount you overpaid .	44 1,829
Direct deposit? See page 50 and fill in 45b, 45c, and 45d.	45a Amount of line 44 you want refunded to you . ▶ 45a	45a 1,829
	b Routing number <input type="text" value=""/> c Type: <input type="checkbox"/> Checking <input type="checkbox"/> Savings	
	d Account number <input type="text" value=""/>	
	46 Amount of line 44 you want applied to your 2005 estimated tax .	46
Amount you owe	47 Amount you owe . Subtract line 43 from line 38. For details on how to pay, see page 51. ▶ 47	
	48 Estimated tax penalty (see page 52).	48
Third party designee	Do you want to allow another person to discuss this return with the IRS (see page 52)? <input type="checkbox"/> Yes. Complete the following. <input checked="" type="checkbox"/> No	
	Designee's name <input type="text" value=""/>	Phone no. <input type="text" value=""/>
		Personal identification number (PIN) <input type="text" value=""/>
Sign here	Under penalties of perjury, I declare that I have examined this return and accompanying schedules and statements, and to the best of my knowledge and belief, they are true, correct, and accurately list all amounts and sources of income I received during the tax year. Declaration of preparer (other than the taxpayer) is based on all information of which the preparer has any knowledge.	
Joint return? See page 20. Keep a copy for your records.	Your signature <input type="text" value=""/>	Date <input type="text" value=""/>
	Spouse's signature. If a joint return, both must sign. <input type="text" value=""/>	Date <input type="text" value=""/>
	Your occupation RETIRED	Daytime phone number <input type="text" value=""/>
	Spouse's occupation SECRETARY	<input style="background-color: #cccccc;" type="text" value=""/>
Paid preparer's use only	Preparer's signature <input type="text" value=""/>	Date <input type="text" value=""/>
	Firm's name (or yours if self-employed), address, and ZIP code <input type="text" value=""/>	Check if self-employed <input type="checkbox"/>
	EIN <input type="text" value=""/>	Preparer's SSN or PTIN SXXXXXXXXX
	Phone no. <input type="text" value=""/>	

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Form **1040A** (2004)

PENSION EARNER COMPREHENSIVE PROBLEMS

ANSWERS TO PROBLEMS

Exhibit 17—Morehouse Social Security Worksheet

Social Security Benefits Worksheet—Lines 14a and 14b

Keep for Your Records

- Before you begin:**
- ✓ Complete Form 1040A, lines 16 and 17, if they apply to you.
 - ✓ If you are married filing separately and you **lived apart** from your spouse for all of 2004, enter "D" to the right of the word "benefits" on line 14a.
 - ✓ Be sure you have read the **Exception** on page 25 to see if you can use this worksheet instead of a publication to find out if any of your benefits are taxable.



1. Enter the total amount from box 5 of all your Forms SSA-1099 and Forms RRB-1099 1.	10,998.00
2. Enter one-half of line 1 2.	5,499.00
3. Enter the total of the amounts from Form 1040A, lines 7, 8a, 9a, 10, 11b, 12b, and 13 3.	32,809.00
4. Enter the amount, if any, from Form 1040A, line 8b 4.	
5. Add lines 2, 3, and 4 5.	38,308.00
6. Enter the total of the amounts from Form 1040A, lines 16 and 17 6.	900.00
7. Is the amount on line 6 less than the amount on line 5? <input type="checkbox"/> No. None of your social security benefits are taxable.	
<input checked="" type="checkbox"/> Yes. Subtract line 6 from line 5 7.	37,408.00
8. If you are: • Married filing jointly, enter \$32,000. • Single, head of household, qualifying widow(er), or married filing separately and you lived apart from your spouse for all of 2004, enter \$25,000. • Married filing separately and you lived with your spouse at any time in 2004, skip lines 8 through 15; multiply line 7 by 85% (.85) and enter the result on line 16. Then go to line 17.	32,000.00
9. Is the amount on line 8 less than the amount on line 7? <input type="checkbox"/> No. None of your social security benefits are taxable. You do not have to enter any amount on line 14a or 14b of Form 1040A. But if you are married filing separately and you lived apart from your spouse for all of 2004, enter -0- on line 14b. Be sure you entered "D" to the right of the word "benefits" on line 14a.	
<input checked="" type="checkbox"/> Yes. Subtract line 8 from line 7 9.	5,408.00
10. Enter \$12,000 if married filing jointly; \$9,000 if single, head of household, qualifying widow(er), or married filing separately and you lived apart from your spouse for all of 2004 10.	12,000.00
11. Subtract line 10 from line 9. If zero or less, enter -0- 11.	0.00
12. Enter the smaller of line 9 or line 10 12.	5,408.00
13. Enter one-half of line 12 13.	2,704.00
14. Enter the smaller of line 2 or line 13 14.	2,704.00
15. Multiply line 11 by 85% (.85). If line 11 is zero, enter -0- 15.	0.00
16. Add lines 14 and 15 16.	2,704.00
17. Multiply line 1 by 85% (.85) 17.	9,348.00
18. Taxable social security benefits. Enter the smaller of line 16 or line 17 18. • Enter the amount from line 1 above on Form 1040A, line 14a. • Enter the amount from line 18 above on Form 1040A, line 14b.	2,704.00



If part of your benefits are taxable for 2004 and they include benefits paid in 2004 that were for an earlier year, you may be able to reduce the taxable amount. See Pub. 915 for details.

PENSION EARNER COMPREHENSIVE PROBLEMS

ANSWERS TO PROBLEMS

Exhibit 18—Morehouse Form 8880

Form 8880 Department of the Treasury Internal Revenue Service	Credit for Qualified Retirement Savings Contributions ▶ Attach to Form 1040 or Form 1040A. ▶ See instructions on back.	OMB No. 1545-1805 <div style="font-size: 2em; font-weight: bold; text-align: center;">2004</div> Attachment Sequence No. 129																																																																																																																	
Name(s) shown on return STUART L AND DONNA R MOREHOUSE		Your social security number XXX XX XXXX																																																																																																																	
<div style="display: flex; align-items: flex-start;"> <div style="margin-right: 10px;"> <p>CAUTION</p> </div> <div> <p>You cannot take this credit if either of the following applies.</p> <ul style="list-style-type: none"> • The amount on Form 1040, line 37, or Form 1040A, line 22, is more than \$25,000 (\$37,500 if head of household; \$50,000 if married filing jointly). • The person(s) who made the qualified contribution or elective deferral (a) was born after January 1, 1987, (b) is claimed as a dependent on someone else's 2004 tax return, or (c) was a student (see instructions). </div> </div>																																																																																																																			
<table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 5%;"></th> <th style="width: 65%;">(a) You</th> <th style="width: 30%;">(b) Your spouse</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>Traditional and Roth IRA contributions for 2004. Do not include rollover contributions</td> <td style="text-align: right;">900</td> </tr> <tr> <td>2</td> <td>Elective deferrals to a 401(k) or other qualified employer plan, voluntary employee contributions, and 501(c)(18)(D) plan contributions for 2004 (see instructions)</td> <td></td> </tr> <tr> <td>3</td> <td>Add lines 1 and 2</td> <td style="text-align: right;">900.00</td> </tr> <tr> <td>4</td> <td>Certain distributions received after 2001 and before the due date (including extensions) of your 2004 tax return (see instructions). If married filing jointly, include both spouses' amounts in both columns. See instructions for an exception</td> <td style="text-align: right;">13,567.00</td> </tr> <tr> <td>5</td> <td>Subtract line 4 from line 3. If zero or less, enter -0-</td> <td style="text-align: right;">0.00</td> </tr> <tr> <td>6</td> <td>In each column, enter the smaller of line 5 or \$2,000</td> <td style="text-align: right;">0.00</td> </tr> <tr> <td>7</td> <td>Add the amounts on line 6. If zero, stop; you cannot take this credit</td> <td style="text-align: right;">0.00</td> </tr> <tr> <td>8</td> <td>Enter the amount from Form 1040, line 37*, or Form 1040A, line 22</td> <td></td> </tr> <tr> <td>9</td> <td>Enter the applicable decimal amount shown below:</td> <td></td> </tr> <tr> <td colspan="3"> <table border="1" style="width:100%; border-collapse: collapse; text-align: center;"> <thead> <tr> <th colspan="2">If line 8 is—</th> <th colspan="3">And your filing status is—</th> </tr> <tr> <th>Over—</th> <th>But not over—</th> <th>Married filing jointly</th> <th>Head of household</th> <th>Single, Married filing separately, or Qualifying widow(er)</th> </tr> <tr> <th colspan="5">Enter on line 9—</th> </tr> </thead> <tbody> <tr> <td>---</td> <td>\$15,000</td> <td>.5</td> <td>.5</td> <td>.5</td> </tr> <tr> <td>\$15,000</td> <td>\$16,250</td> <td>.5</td> <td>.5</td> <td>.2</td> </tr> <tr> <td>\$16,250</td> <td>\$22,500</td> <td>.5</td> <td>.5</td> <td>.1</td> </tr> <tr> <td>\$22,500</td> <td>\$24,375</td> <td>.5</td> <td>.2</td> <td>.1</td> </tr> <tr> <td>\$24,375</td> <td>\$25,000</td> <td>.5</td> <td>.1</td> <td>.1</td> </tr> <tr> <td>\$25,000</td> <td>\$30,000</td> <td>.5</td> <td>.1</td> <td>.0</td> </tr> <tr> <td>\$30,000</td> <td>\$32,500</td> <td>.2</td> <td>.1</td> <td>.0</td> </tr> <tr> <td>\$32,500</td> <td>\$37,500</td> <td>.1</td> <td>.1</td> <td>.0</td> </tr> <tr> <td>\$37,500</td> <td>\$50,000</td> <td>.1</td> <td>.0</td> <td>.0</td> </tr> <tr> <td>\$50,000</td> <td>---</td> <td>.0</td> <td>.0</td> <td>.0</td> </tr> </tbody> </table> <p>Note: If line 9 is zero, stop; you cannot take this credit.</p> </td> </tr> <tr> <td>10</td> <td>Multiply line 7 by line 9</td> <td></td> </tr> <tr> <td>11</td> <td>Enter the amount from Form 1040, line 45, or Form 1040A, line 28</td> <td></td> </tr> <tr> <td>12</td> <td>Enter the total of your credits from Form 1040, lines 46 through 51, or Form 1040A, lines 29 through 32</td> <td></td> </tr> <tr> <td>13</td> <td>Subtract line 12 from line 11. If zero, stop; you cannot take this credit</td> <td></td> </tr> <tr> <td>14</td> <td>Credit for qualified retirement savings contributions. Enter the smaller of line 10 or line 13 here and on Form 1040, line 52, or Form 1040A, line 33</td> <td></td> </tr> </tbody> </table>				(a) You	(b) Your spouse	1	Traditional and Roth IRA contributions for 2004. Do not include rollover contributions	900	2	Elective deferrals to a 401(k) or other qualified employer plan, voluntary employee contributions, and 501(c)(18)(D) plan contributions for 2004 (see instructions)		3	Add lines 1 and 2	900.00	4	Certain distributions received after 2001 and before the due date (including extensions) of your 2004 tax return (see instructions). If married filing jointly, include both spouses' amounts in both columns. See instructions for an exception	13,567.00	5	Subtract line 4 from line 3. If zero or less, enter -0-	0.00	6	In each column, enter the smaller of line 5 or \$2,000	0.00	7	Add the amounts on line 6. 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<div style="border: 1px solid black; padding: 5px; margin-top: 10px;"> <p>Stuart's pension distribution exceeds Donna's IRA contribution. Therefore, they are not eligible for the credit.</p> </div>																																																																																																																			
<p>*See Pub. 590 for the amount to enter if you are filing Form 2555, 2555-EZ, or 4563 or you are excluding income from Puerto Rico.</p>																																																																																																																			
<p>For Paperwork Reduction Act Notice, see back of form. Cat. No. 33394D Form 8880 (2004)</p>																																																																																																																			

PENSION EARNER COMPREHENSIVE PROBLEMS

ANSWERS TO PROBLEMS

Exhibit 19—Madison Form 1040

Form	1040	Department of the Treasury—Internal Revenue Service U.S. Individual Income Tax Return 2004	(99)	IRS Use Only—Do not write or staple in this space.		
		For the year Jan. 1—Dec. 31, 2004, or other tax year beginning _____, 2004, ending _____, 20	OMB No. 1545-0074			
Label (See instructions on page 19.) Use the IRS label. Otherwise, please print or type. Presidential Election Campaign (See page 19.)	L A B E L H E R E	Your first name and initial JAY R	Last name MADISON			
		If a joint return, spouse's first name and initial SANDRA H	Last name MADISON			
		Home address (number and street). If you have a P.O. box, see page 19. 99 DOUGLAS AVE		Apt. no.		
		City, town or post office, state, and ZIP code. If you have a foreign address, see page 19. YOUR CITY, STATE, ZIP				
Important!		You must enter your SSN(s) above.				
You		Spouse				
Do you, or your spouse if filing a joint return, want \$3 to go to this fund?		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No			<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
Filing Status		1 <input type="checkbox"/> Single 2 <input checked="" type="checkbox"/> Married filing jointly (even if only one had income) 3 <input type="checkbox"/> Married filing separately. Enter spouse's SSN above and full name here. 4 <input type="checkbox"/> Head of household (with qualifying person). (See page 20.) If the qualifying person is a child but not your dependent, enter this child's name here. ▶ 5 <input type="checkbox"/> Qualifying widow(er) with dependent child (see page 20)				
Exemptions		6a <input checked="" type="checkbox"/> Yourself. If someone can claim you as a dependent, do not check box 6a b <input checked="" type="checkbox"/> Spouse. c Dependents:			Boxes checked on 6a and 6b 2 No. of children on 6c who: • lived with you _____ • did not live with you due to divorce or separation (see page 21) _____ Dependents on 6c not entered above _____ Add numbers on lines above ▶ 2	
(1) First name Last name (2) Dependent's social security number (3) Dependent's relationship to you (4) <input checked="" type="checkbox"/> if qualifying child for child tax credit (see page 21)						
If more than four dependents, see page 21.		d Total number of exemptions claimed				
Income		7 Wages, salaries, tips, etc. Attach Form(s) W-2 7 8a Taxable interest. Attach Schedule B if required 8a b Tax-exempt interest. Do not include on line 8a 8b 9a Ordinary dividends. Attach Schedule B if required 9a b Qualified dividends (see page 23) 9b 10 Taxable refunds, credits, or offsets of state and local income taxes (see page 23) 10 11 Alimony received 11 12 Business income or (loss). Attach Schedule C or C-EZ 12 13 Capital gain or (loss). Attach Schedule D if required. If not required, check here ▶ <input type="checkbox"/> 13 7,820 14 Other gains or (losses). Attach Form 4797 14 15a IRA distributions 15a b Taxable amount (see page 25) 15b 16a Pensions and annuities 16a b Taxable amount (see page 25) 16b 18,946 17 Rental real estate, royalties, partnerships, S corporations, trusts, etc. Attach Schedule E 17 18 Farm income or (loss). Attach Schedule F 18 19 Unemployment compensation 19 20a Social security benefits 20a 14,264 b Taxable amount (see page 27) 20b 949 21 Other income. List type and amount (see page 27) 21 22 Add the amounts in the far right column for lines 7 through 21. This is your total income ▶ 22 27,715				
Adjusted Gross Income		23 Deduction for clean-fuel vehicles (see page 29) 23 24 Certain business expenses of reservists, performing artists, and fee-basis government officials. Attach Form 2106 or 2106-EZ 24 25 IRA deduction (see page 29) 25 26 Student loan interest deduction (see page 31) 26 27 Tuition and fees deduction (see page 32) 27 28 Health savings account deduction. Attach Form 8889 28 29 Moving expenses. Attach Form 3903 29 30 One-half of self-employment tax. Attach Schedule SE 30 31 Self-employed health insurance deduction (see page 33) 31 32 Self-employed SEP, SIMPLE, and qualified plans 32 33 Penalty on early withdrawal of savings 33 34a Alimony paid b Recipient's SSN ▶ 34a 35 Add lines 23 through 34a 35 36 Subtract line 35 from line 22. This is your adjusted gross income ▶ 36 27,715				
For Disclosure, Privacy Act, and Paperwork Reduction Act Notice, see page 77. Cat. No. 11320B Form 1040 (2004)						

PENSION EARNER COMPREHENSIVE PROBLEMS

ANSWERS TO PROBLEMS

Exhibit 20—Madison Schedule D

SCHEDULE D (Form 1040) <small>Department of the Treasury Internal Revenue Service (99)</small>	Capital Gains and Losses ▶ Attach to Form 1040. ▶ See Instructions for Schedule D (Form 1040). ▶ Use Schedule D-1 to list additional transactions for lines 1 and 8.	OMB No. 1545-0074 2004 Attachment Sequence No. 12			
Name(s) shown on Form 1040 JAY R AND SANDRA H MADISON		Your social security number XXX XX XXXX			
Part I Short-Term Capital Gains and Losses—Assets Held One Year or Less					
(a) Description of property <small>(Example: 100 sh. XYZ Co.)</small>	(b) Date acquired <small>(Mo., day, yr.)</small>	(c) Date sold <small>(Mo., day, yr.)</small>	(d) Sales price <small>(see page D-6 of the instructions)</small>	(e) Cost or other basis <small>(see page D-6 of the instructions)</small>	(f) Gain or (loss) <small>Subtract (e) from (d)</small>
1					
2 Enter your short-term totals, if any, from Schedule D-1, line 2		2			
3 Total short-term sales price amounts. Add lines 1 and 2 in column (d)		3			
4 Short-term gain from Form 6252 and short-term gain or (loss) from Forms 4684, 6781, and 8824					4
5 Net short-term gain or (loss) from partnerships, S corporations, estates, and trusts from Schedule(s) K-1					5
6 Short-term capital loss carryover. Enter the amount, if any, from line 8 of your Capital Loss Carryover Worksheet on page D-5 of the Instructions					6 ()
7 Net short-term capital gain or (loss). Combine lines 1 through 6 in column (f)					7
Part II Long-Term Capital Gains and Losses—Assets Held More Than One Year					
(a) Description of property <small>(Example: 100 sh. XYZ Co.)</small>	(b) Date acquired <small>(Mo., day, yr.)</small>	(c) Date sold <small>(Mo., day, yr.)</small>	(d) Sales price <small>(see page D-6 of the instructions)</small>	(e) Cost or other basis <small>(see page D-6 of the instructions)</small>	(f) Gain or (loss) <small>Subtract (e) from (d)</small>
8 100 SHARES ABC INC	12/01/85	07/15/04	5,124	2,400	2,724
200 SHARES XYZ	12/20/87	11/14/04	10,796	5,700	5,096
9 Enter your long-term totals, if any, from Schedule D-1, line 9		9			
10 Total long-term sales price amounts. Add lines 8 and 9 in column (d)		10	15,920		
11 Gain from Form 4797, Part I; long-term gain from Forms 2439 and 6252; and long-term gain or (loss) from Forms 4684, 6781, and 8824					11
12 Net long-term gain or (loss) from partnerships, S corporations, estates, and trusts from Schedule(s) K-1					12
13 Capital gain distributions. See page D-2 of the instructions					13
14 Long-term capital loss carryover. Enter the amount, if any, from line 13 of your Capital Loss Carryover Worksheet on page D-5 of the Instructions					14 ()
15 Net long-term capital gain or (loss). Combine lines 8 through 14 in column (f). Then go to Part III on the back					15 7,820
For Paperwork Reduction Act Notice, see Form 1040 instructions.			Cat. No. 11338H	Schedule D (Form 1040) 2004	

PENSION EARNER COMPREHENSIVE PROBLEMS

ANSWERS TO PROBLEMS

Exhibit 20 (continued)—Madison Schedule D

Schedule D (Form 1040) 2004

Page **2**

Part III Summary

<p>16 Combine lines 7 and 15 and enter the result. If line 16 is a loss, skip lines 17 through 20, and go to line 21. If a gain, enter the gain on Form 1040, line 13</p>	16	7,820	
<p>17 Are lines 15 and 16 both gains? <input checked="" type="checkbox"/> Yes. Go to line 18. <input type="checkbox"/> No. Skip lines 18 through 21, and go to line 22.</p>			
<p>18 Enter the amount, if any, from line 7 of the 28% Rate Gain Worksheet on page D-7 of the instructions ▶</p>	18	0	
<p>19 Enter the amount, if any, from line 18 of the Unrecaptured Section 1250 Gain Worksheet on page D-8 of the instructions ▶</p>	19	0	
<p>20 Are lines 18 and 19 both zero or blank? <input checked="" type="checkbox"/> Yes. Complete Form 1040 through line 42, and then complete the Qualified Dividends and Capital Gain Tax Worksheet on page 37 of the Instructions for Form 1040. Do not complete lines 21 and 22 below. <input type="checkbox"/> No. Complete the Schedule D Tax Worksheet on page D-10 of the instructions. Do not complete lines 21 and 22 below.</p>			
<p>21 If line 16 is a loss, enter here and on Form 1040, line 13, the smaller of:</p> <ul style="list-style-type: none"> • The loss on line 16 or • (\$3,000), or if married filing separately, (\$1,500) } <p>Note. When figuring which amount is smaller, treat both amounts as positive numbers.</p>	21 ()
<p>22 Do you have qualified dividends on Form 1040, line 9b? <input type="checkbox"/> Yes. Complete Form 1040 through line 42, and then complete the Qualified Dividends and Capital Gain Tax Worksheet on page 37 of the Instructions for Form 1040. <input type="checkbox"/> No. Complete the rest of Form 1040.</p>			

Proof as of June 18, 2004 (subject to change)

Printed on recycled paper

Schedule D (Form 1040) 2004

PENSION EARNER COMPREHENSIVE PROBLEMS

ANSWERS TO PROBLEMS

Exhibit 21—Madison Social Security Benefits Worksheet

Social Security Benefits Worksheet—Lines 20a and 20b

Keep for Your Records

- Before you begin:**
- ✓ Complete Form 1040, lines 21, 23 through 25, and 28 through 34a, if they apply to you.
 - ✓ Figure any write-in adjustments to be entered on the dotted line next to line 35 (see page 33).
 - ✓ If you are married filing separately and you lived apart from your spouse for all of 2004, enter “D” to the right of the word “benefits” on line 20a.
 - ✓ Be sure you have read the **Exception** on page 27 to see if you can use this worksheet instead of a publication to find out if any of your benefits are taxable.



1. Enter the total amount from box 5 of all your Forms SSA-1099 and Forms RRB-1099	1.	14,264.00
2. Enter one-half of line 1	2.	7,132.00
3. Enter the total of the amounts from Form 1040, lines 7, 8a, 9a, 10 through 14, 15b, 16b, 17 through 19, and 21	3.	26,766.00
4. Enter the amount, if any, from Form 1040, line 8b	4.	
5. Add lines 2, 3, and 4	5.	33,898.00
6. Enter the total of the amounts from Form 1040, lines 23 through 25, and 28 through 34a, plus any write-in adjustments you entered on the dotted line next to line 35	6.	
7. Is the amount on line 6 less than the amount on line 5? <input type="checkbox"/> No. None of your social security benefits are taxable.		
<input checked="" type="checkbox"/> Yes. Subtract line 6 from line 5	7.	33,898.00
8. If you are: • Married filing jointly, enter \$32,000 • Single, head of household, qualifying widow(er), or married filing separately and you lived apart from your spouse for all of 2004, enter \$25,000 • Married filing separately and you lived with your spouse at any time in 2004, skip lines 8 through 15; multiply line 7 by 85% (.85) and enter the result on line 16. Then go to line 17	8.	32,000.00
9. Is the amount on line 8 less than the amount on line 7? <input type="checkbox"/> No. None of your social security benefits are taxable. You do not have to enter any amounts on line 20a or 20b of Form 1040. But if you are married filing separately and you lived apart from your spouse for all of 2004, enter -0- on line 20b. Be sure you entered “D” to the right of the word “benefits” on line 20a.		
<input checked="" type="checkbox"/> Yes. Subtract line 8 from line 7	9.	1,898.00
10. Enter: \$12,000 if married filing jointly; \$9,000 if single, head of household, qualifying widow(er), or married filing separately and you lived apart from your spouse for all of 2004 ..	10.	12,000.00
11. Subtract line 10 from line 9. If zero or less, enter -0-	11.	0.00
12. Enter the smaller of line 9 or line 10	12.	1,898.00
13. Enter one-half of line 12	13.	949.00
14. Enter the smaller of line 2 or line 13	14.	949.00
15. Multiply line 11 by 85% (.85). If line 11 is zero, enter -0-	15.	0.00
16. Add lines 14 and 15	16.	949.00
17. Multiply line 1 by 85% (.85)	17.	12,124.00
18. Taxable social security benefits. Enter the smaller of line 16 or line 17	18.	949.00
• Enter the amount from line 1 above on Form 1040, line 20a. • Enter the amount from line 18 above on Form 1040, line 20b.		



TIP If part of your benefits are taxable for 2004 **and** they include benefits paid in 2004 that were for an earlier year, you may be able to reduce the taxable amount. See Pub. 915 for details.

PENSION EARNER COMPREHENSIVE PROBLEMS

ANSWERS TO PROBLEMS

Exhibit 22—Madison Tax Computation

Qualified Dividends and Capital Gain Tax Worksheet—Line 43

Keep for Your Records

- Before you begin:**
- ✓ See the instructions for line 43 on page 36 to see if you can use this worksheet to figure your tax.
 - ✓ If you do not have to file Schedule D and you received capital gain distributions, be sure you checked the box on line 13 of Form 1040.



1. Enter the amount from Form 1040, line 42	1.	9,915.00	
2. Enter the amount from Form 1040, line 9b	2.		
3. Are you filing Schedule D?			
<input checked="" type="checkbox"/> Yes. Enter the smaller of line 15 or 16 of Schedule D, but do not enter less than -0-	} ... 3.	7,820.00	
<input type="checkbox"/> No. Enter the amount from Form 1040, line 13			
4. Add lines 2 and 3	4.	7,820.00	
5. If you are claiming investment interest expense on Form 4952, enter the amount from line 4g of that form. Otherwise, enter -0-	5.		
6. Subtract line 5 from line 4. If zero or less, enter -0-	6.	7,820.00	
7. Subtract line 6 from line 1. If zero or less, enter -0-	7.	2,095.00	
8. Enter the smaller of:			
<ul style="list-style-type: none"> • The amount on line 1 or • \$29,050 if single or married filing separately, \$58,100 if married filing jointly or qualifying widow(er), or \$38,900 if head of household. 	} ... 8.	9,915.00	
9. Is the amount on line 7 equal to or more than the amount on line 8?			
<input type="checkbox"/> Yes. Skip lines 9 through 11; go to line 12 and check the "No" box.	} ... 9.	2,095.00	
<input checked="" type="checkbox"/> No. Enter the amount from line 7			
10. Subtract line 9 from line 8	10.	7,820.00	
11. Multiply line 10 by 5% (.05)	11.	391.00	
12. Are the amounts on lines 6 and 10 the same?			
<input checked="" type="checkbox"/> Yes. Skip lines 12 through 15; go to line 16.	} ... 12.		
<input type="checkbox"/> No. Enter the smaller of line 1 or line 6			
13. Enter the amount from line 10 (if line 10 is blank, enter -0-)	13.		
14. Subtract line 13 from line 12	14.		
15. Multiply line 14 by 15% (.15)	15.		
16. Figure the tax on the amount on line 7. Use the Tax Table or Tax Computation Worksheet, whichever applies	16.	209.00	
17. Add lines 11, 15, and 16	17.	600.00	
18. Figure the tax on the amount on line 1. Use the Tax Table or Tax Computation Worksheet, whichever applies	18.	993.00	
19. Tax on all taxable income. Enter the smaller of line 17 or line 18. Also include this amount on Form 1040, line 43	19.	600.00	

FOREIGN EARNED INCOME EXCLUSION

Lesson 15
Military Segment

INTRODUCTION AND OBJECTIVES

This lesson will discuss the *foreign earned income exclusion*. Certain taxpayers can exclude income earned in foreign countries. For 2004, the maximum exclusion amount is \$80,000. However, the foreign earned income exclusion **does not apply** to wages and salaries of military and civilian employees of the U.S. Government. Employees of the U.S. Government, include those who work at Armed Forces post exchanges, officer and enlisted personnel clubs, and embassy commissaries. Other foreign income earned by military personnel or their spouses may be eligible for the exclusion.

To qualify for the foreign earned income exclusion, the taxpayer's tax home must be in a foreign country throughout your period of stay. This lesson will explain this requirement.

After completing this lesson, you should be able to:

- Determine whether the taxpayer qualifies for the foreign earned income exclusion.
- Calculate the foreign earned income exclusion.

REQUIREMENTS TO QUALIFY FOR THE FOREIGN EARNED INCOME EXCLUSION

There are two requirements to qualify for the foreign earned income exclusion. First, the taxpayer must show that his or her **tax home** is in a foreign country. ("Foreign country" does not include Puerto Rico, Guam, the Northern Mariana Islands, the Virgin Islands, or U.S. possessions such as American Samoa, Wake Island, the Midway Islands and Johnston Island.) The second requirement is that the taxpayer must meet either the **bona fide residence test** or the **physical presence test**.

Exercise 1

Miranda has lived in Puerto Rico since 1998. Is she eligible for the foreign earned income exclusion?

Answer _____

The requirements are applied separately to each individual. If a husband and wife are each working overseas, each must meet both requirements, to apply the exclusion. If they do so, each is entitled to an exclusion of up to \$80,000 (on qualified income) for 2004. **(Remember military pay is not eligible for the exclusion.)**

Tax Home. To claim the foreign earned income exclusion, the taxpayer's home must be in a foreign country. Generally, one's tax home is the area of the taxpayer's main place of business, employment or post of duty, regardless of where the taxpayer maintains his or her family home. If the taxpayer does not have a regular place of business because of the nature of the work, their tax home is the place where they regularly live.

Military Note: The tax home for military personnel is the permanent duty station, either land based or on a ship. This is true whether it is feasible or permissible for the taxpayer's family to live with him or her. **Generally, most military personnel and their dependents will not qualify for the Foreign Earned Income Exclusion.**

Example 1

John and Mary are both in the Armed Forces and have been permanently stationed in Germany since August 2002. Their tax home for 2004 would be Germany.

Exercise 2

Alan has lived and worked in China since August 16, 1999. For 2004, what country is his tax home?

Answer _____

When the taxpayer has a tax home in the U.S. and goes overseas temporarily, or on business, the tax home has not changed. If the taxpayer is assigned overseas on business for an indefinite period, their tax home is overseas and the taxpayer may be eligible for the foreign earned income exclusion.

The law provides that the taxpayer will not be treated as temporarily away from home if the employment away from home exceeds one year. Therefore the person will generally be considered to have a tax home in a foreign country if the employment in the foreign country will be for more than one year. However for purposes of the foreign earned income exclusion a person will not be considered to have a tax home in a foreign country for any time during which they are living in the United States.

DETERMINING THE REGULAR PLACE OF ABODE

Three questions are important in showing whether or not a U.S. home is the regular place of abode. The questions that you should ask the taxpayer are:

1. Did you use your home in the United States as a residence while you worked at your job in the United States just before going abroad to your new job, and did you continue to maintain



work contacts, job seeking, leave of absence, ongoing business, etc.) in that area in the United States during the time you worked abroad?

2. Are your living expenses duplicated at the U.S. and foreign home because your work requires you to be away from your U.S. home?
3. Do you have a family member or members continuing to live at your U.S. home, or do you frequently use your U.S. home for lodging during the period you work abroad?

If the taxpayer **cannot** answer “yes” to at least two of these three questions, the taxpayer will be considered indefinitely assigned to the new location abroad. Thus, since the tax home is abroad, no expenses for travel, meals, or lodging while there are deductible. However, one may be able to exclude earnings from income under the foreign earned income exclusion rules.

If he/she realistically expects the job to last, and it does last, less than 1 year and that he/she will return to the U.S. home, and can answer “yes” to all three questions, the taxpayer is considered temporarily away from home. The taxpayer does not qualify for the foreign earned income exclusion, but may qualify to deduct away-from-home expenses.

If the taxpayer can answer “yes” to two of the questions, with the same expectation of job duration and return to the U.S. home, the location of the tax home depends on all the facts and circumstances.

Example 2

Henry is in the Armed Forces. He was assigned to a post in Japan in 2004. This assignment was for an indefinite period. Margaret, his wife, accompanied him to Japan and has foreign earned income. Their tax home for 2004 would be Japan.

Period of Stay. Another qualification for the exclusion is the length of time the taxpayer stays overseas. This requirement can be satisfied in one of two ways.

The taxpayer must be:

1. A U.S. citizen or resident alien from a tax treaty country who is a **bona fide resident** of a foreign country (or countries) for an uninterrupted period that includes an entire tax year, or
2. A U.S. citizen or U.S. resident alien who is physically present in a foreign country or countries for at least 330 full days during any period of 12 consecutive months.



Exercise 3

Jennifer is a U.S. citizen who has lived in Israel since October 1, 2004. She expects to return to the U.S. in May, 2005. Does she meet either period of stay test?

Answer _____

Bona Fide Resident Test. To meet the test, the taxpayer must show that he or she has set up permanent quarters in a foreign country. The period must be for an uninterrupted period that includes an entire tax year. Taking a brief trip to the U.S. will not prevent the taxpayer from being a bona fide resident, as long as the intention is clear to return to the foreign country.

Example 3

Jane is a military spouse who has lived in England since 1999. Her mother still lives in the U.S. Jane came to the U.S. for two weeks in 2004 to be with her mother after she had surgery. Jane's trip to the U.S. does not affect her status as a bona fide resident of a foreign country.

Physical Presence Test. The other test that may be met instead of the bona fide residence test is the physical presence test. To qualify, the taxpayer must be physically present in a foreign country 330 full days during a period of twelve consecutive months.

In order for a day to count for the test, it must be a full day in a foreign country. When arriving from the U.S., or returning to the U.S., any day in which part of the time is spent in the U.S. or over international waters does not count as a qualifying day in a foreign country.

The taxpayer may move about from one place to another in a foreign country, or to another foreign country without losing full days. But if any part of the taxpayer's travel is not within a foreign country or countries and takes 24 hours or more, the taxpayer will lose full days.

Example 4

The taxpayer leaves Southampton, England, by ship at 10:00 p.m. on July 6 and arrives in Lisbon at 6:00 a.m. on July 8. Since the trip takes more than 24 hours, the taxpayer loses as full days, July 6, 7, and 8. If the taxpayer remains in Lisbon, the first full day is July 9.



Exercise 4

Shauntell is using the twelve months of 2004 to determine if she qualifies for the physical presence test. She arrived in Kenya on January 3, 2004 and worked there until August 12, 2004 when she returned to the U.S. for 6 weeks. On October 1, 2004 she returned to Kenya and worked there until she permanently returned to the U.S. on January 1, 2005. Does she meet the physical presence test for 2004?

Answer _____

Figuring the 12 Month Period. Any 12-month period may be used if the 330 days in a foreign country fall within that period. If necessary, more than one period may be used, including periods that overlap. By using more than one period, it may be possible to meet the physical presence test for an entire stay, even though there may have been intervening visits to the U.S.

Waiver of Time Requirements. The minimum time requirements for period of stay may be waived, if the taxpayer is forced to leave a foreign country because of war, civil unrest, or similar adverse conditions in that country. The taxpayer must show that he/she could have met the minimum time requirements if it had not been for the adverse conditions.

QUALIFYING INCOME

To qualify for the exclusion, income must be **earned income**. Examples of earned income are salaries, wages, commissions and professional fees. Earned income does not include dividends, interest, capital gains, alimony, social security benefits, pensions or annuities. To qualify for the exclusion, the earned income must be for services (other than military or U.S. government) performed in a foreign country.

Amounts paid by the United States or its agencies to its employees **do not qualify** for the exclusion. This includes military pay and payment for such activities as post exchanges, commissaries, and officers clubs.

Example 5

Maria, a U.S. resident, is in the Armed Forces and has lived in Lisbon since 1999. Her military pay is not eligible for the foreign earned income exclusion. In her spare time, she is a self-employed DJ in Lisbon and the surrounding area. The income from her self-employment may qualify for the exclusion.

Source of earned income. The source of earned income is the place where the services are performed. To qualify for the exclusion, services must be performed in a foreign country. Where the payments come from for the service or where they are deposited is not a factor in the determining source of the income. If a taxpayer



works predominantly in a foreign country, but does some work in the U.S., an adjustment must be made to the total of foreign earned income.

Example 6

Charles Thompson works and lives in the Bahamas. After vacation, he worked 50 weeks in 2004. For one week, he attended a business meeting in Florida. 1/50 or 2% of his wages are not foreign earned income, because that week was spent working in Florida.

Exercise 5

Maurice is stationed in Germany. His only income is from his U.S. military salary. Does he qualify for the foreign earned income exclusion?

Answer _____

Exercise 6

Juanita lives in Scotland. She is retired and her income consists of U.S. Social Security, a pension and several stock dividends. Does she qualify for the foreign earned income exclusion?

Answer _____

Exercise 7

Jose and Kim live in a foreign country. Jose has wages from the U.S. military. Kim has wages from a bank that she works at in the foreign country. Do they have qualifying income for the foreign earned income exclusion?

Answer _____

CHOOSING THE EXCLUSION

The foreign earned income exclusion is voluntary. (There are times when it may be to the taxpayer's advantage to not claim the exclusion. An example is that a taxpayer may not claim the Earned Income Tax Credit, if foreign income is excluded.) The initial choice of the exclusion on Form 2555 or Form 2555EZ must be filed with a timely return (including extensions). Exceptions do apply that allow the initial choice to be made after a return is filed. Taxpayers who wish to take advantage of these exceptions should seek professional tax assistance.

The taxpayer may revoke the election for any tax year. When the exclusion is revoked, the taxpayer may not claim the exclusion again for the next five tax years without the approval of the IRS.



COMPLETING AND FILING FORM 2555 OR FORM 2555EZ

If the taxpayer is qualified to, and wishes to claim the foreign earned income exclusion, it is necessary to complete Form 2555 or 2555EZ and attach it to Form 1040. The tax return should be filed with Internal Revenue Service Processing Campus, Philadelphia, PA, 19255.

To be able to use Form 2555EZ, the taxpayer must be a U.S. citizen or resident alien who has wages and salaries, but not self-employment income. The total foreign earned income must be \$80,000 or less, and the person cannot be claiming any business or moving expenses. Taxpayers, who do not meet these restrictions, should file Form 2555 to claim the credit.

Example 7

Michael and his wife Melissa have been stationed in Hong Kong since 2002. Michael is employed by the armed forces. Melissa operates a home day care business. Their tax home is Hong Kong. They meet the physical presence test. Melissa wants to exclude her self-employment income from U.S. taxation.

She will need to complete Form 2555 instead of Form 2555EZ, because her income is from self-employment.

Exercise 8

Assuming that the following taxpayers meet the period of stay test, should they file a Form 2555, or Form 2555EZ?

- a. Mallory has \$34,000 of foreign earned wages. She has no other income. Which form should she file?

Answer _____

- b. Jacob has U.S. military wages and self-employment income he earned in a foreign country. Which form should he file?

Answer _____

- c. Ramie has \$86,000 of foreign earned income. Which form should he file?

Answer _____

Taxpayers, who are eligible to file Form 2555EZ, should complete all four sections of the form.

On the following two pages, you will find a sample copy of Form 2555EZ for taxpayer Kenyon Napora, a U.S. citizen living and working in Germany for a German computer company.



Form **2555-EZ**

Foreign Earned Income Exclusion

OMB No. 1545-1326

2004

Attachment Sequence No. **34A**

Department of the Treasury
Internal Revenue Service

▶ See separate instructions. ▶ Attach to Form 1040.

Name shown on Form 1040

Kenyon S. Napora

Your social security number

XXX XX XXXX

You May Use This Form If You:

- Are a U.S. citizen or a resident alien.
- Earned wages/salaries in a foreign country.
- Had total foreign earned income of \$80,000 or less.
- Are filing a calendar year return that covers a 12-month period.

And You:

- Do not have self-employment income.
- Do not have business/moving expenses.
- Do not claim the foreign housing exclusion or deduction.

Part I Tests To See If You Can Take the Foreign Earned Income Exclusion

1 Bona Fide Residence Test

- a Were you a bona fide resident of a foreign country or countries for a period that includes an entire tax year (see page 2 of the instructions)? Yes No
- If you answered "Yes," you meet this test. Fill in line 1b and then go to line 3.
 - If you answered "No," you **do not** meet this test. Go to line 2 to see if you meet the Physical Presence Test.
- b Enter the date your bona fide residence began ▶ _____, and ended (see instructions) ▶ _____.

2 Physical Presence Test

- a Were you physically present in a foreign country or countries for at least 330 full days during—
 { 2004 or any other period of 12 months in a row starting or ending in 2004? } Yes No
- If you answered "Yes," you meet this test. Fill in line 2b and then go to line 3.
 - If you answered "No," you **do not** meet this test. You **cannot** take the exclusion unless you meet the Bona Fide Residence Test above.
- b The physical presence test is based on the 12-month period from ▶ 01/01/2004 through ▶ 12/29/2004.

3 Tax Home Test. Was your tax home in a foreign country or countries throughout your period of bona fide residence or physical presence, whichever applies?

- Yes No
- If you answered "Yes," you can take the exclusion. Complete Part II below and then go to page 2.
 - If you answered "No," you **cannot** take the exclusion. **Do not** file this form.

Part II General Information

4 Your foreign address (including country)

**278435 Waldorf Lane
Munich, Germany**

5 Your occupation

Computer Sales

6 Employer's name
Wagner Computers

7 Employer's U.S. address (including ZIP code)

8 Employer's foreign address
**567524 Gannon Lane
Munich, Germany**

9 Employer is (check any that apply):

- a A U.S. business
- b A foreign business
- c Other (specify) ▶ _____

10a If you filed Form 2555 or 2555-EZ after 1981, enter the last year you filed the form. ▶ _____

- b If you did not file Form 2555 or 2555-EZ after 1981, check here ▶ and go to line 11a now.
- c Have you ever revoked the foreign earned income exclusion? Yes No
- d If you answered "Yes," enter the tax year for which the revocation was effective. ▶ _____

11a List your tax home(s) during 2004 and date(s) established. ▶ 1/2004 278435 Waldorf Lane Munich, Germany

b Of what country are you a citizen/national? ▶ United States of America

For Paperwork Reduction Act Notice, see page 3 of separate instructions.

Cat. No. 13272W

Form **2555-EZ** (2004)

Part III Days Present in the United States—Complete this part if you were in the United States or its possessions during 2004.

12 (a) Date arrived in U.S.	(b) Date left U.S.	(c) Number of days in U.S. on business	(d) Income earned in U.S. on business (attach computation)

Proof as of June 18, 2004 (subject to change)

Part IV Figure Your Foreign Earned Income Exclusion

13	Maximum foreign earned income exclusion	13	\$80,000	00
14	Enter the number of days in your qualifying period that fall within 2004	14	362	days
15	Did you enter 366 on line 14? <input type="checkbox"/> Yes. Enter "1.000." <input type="checkbox"/> No. Divide line 14 by 366 and enter the result as a decimal (rounded to at least three places). }	15	×	0.992
16	Multiply line 13 by line 15	16	79,360	
17	Enter, in U.S. dollars, the total foreign earned income you earned and received in 2004 (see instructions). Be sure to include this amount on Form 1040, line 7.	17	21,000	
18	Foreign earned income exclusion. Enter the smaller of line 16 or line 17 here and in parentheses on Form 1040, line 21 . Next to the amount enter "2555-EZ." On Form 1040, subtract this amount from your income to arrive at total income on Form 1040, line 22 ▶	18	21,000	

For those who must file Form 2555, the first section of the form is for general information, and must be completed by all taxpayers who claim the exclusion.

Taxpayers who claim the bona fide residence test must complete Part II of Form 2555. Taxpayers who qualify under the physical presence test must complete Part III.

Part IV, completed by all taxpayers, is where foreign earned income is listed. It must be completed in U.S. dollars. If the taxpayer has difficulty in converting income, IRS can provide exchange rates to be used. However, the taxpayer is not required to use only rates provided by the IRS or the federal government. Note that earned income includes not only wages and salaries but also non-cash income and allowances and reimbursements received by the taxpayer.

Military Note: Do not list military wages in this section; they are not considered foreign earned income.

Page 3 of the form is where the exclusion is computed. Taxpayers claiming only the basic exclusion fill out Parts V and VII. Most of the lines are self-explanatory. The concept of qualifying period is essential. For those qualifying under the bona fide residence test, this qualifying period is the period of actual residence. For the physical presence test, the qualifying period or periods is chosen by the taxpayer. Any period may be chosen as long as 330 days are spent in a foreign country during the period.

Military Note: Generally, armed forces personnel and their spouses will not qualify for the housing exclusion (the housing allowance is already considered non-taxable income).

On the following three pages, you will find a sample Form 2555 for taxpayer Howard Humboldt, a U.S. citizen living and working in Germany for a Dutch pharmaceutical company.



Form **2555**

Department of the Treasury
Internal Revenue Service

Foreign Earned Income

▶ See separate instructions. ▶ Attach to Form 1040.

OMB No. 1545-0067

2004

Attachment
Sequence No. **34**

For Use by U.S. Citizens and Resident Aliens Only

Name shown on Form 1040

Howard Humboldt

Your social security number

XXX : XX : XXXX

Part I General Information

1 Your foreign address (including country)
156782 Albion Lane, Munich Germany

2 Your occupation
Medical Sales

3 Employer's name ▶ **Feagler Pharmacy**

4a Employer's U.S. address ▶

b Employer's foreign address ▶ **357631 Felrum Lane, Munich Germany**

5 Employer is (check ▶) **a** A foreign entity **b** A U.S. company **c** Self
any that apply: **d** A foreign affiliate of a U.S. company **e** Other (specify) ▶

6a If, after 1981, you filed Form 2555 to claim either of the exclusions or Form 2555-EZ to claim the foreign earned income exclusion, enter the last year you filed the form. ▶

b If you did not file Form 2555 or 2555-EZ after 1981 to claim either of the exclusions, check here ▶ and go to line 7.

c Have you ever revoked either of the exclusions? Yes No

d If you answered "Yes," enter the type of exclusion and the tax year for which the revocation was effective. ▶

7 Of what country are you a citizen/national? ▶ **United States of America**

8a Did you maintain a separate foreign residence for your family because of adverse living conditions at your tax home? See **Second foreign household** on page 3 of the instructions. Yes No

b If "Yes," enter city and country of the separate foreign residence. Also, enter the number of days during your tax year that you maintained a second household at that address. ▶

9 List your tax home(s) during your tax year and date(s) established. ▶ **1/2004 Munich, Germany**

Next, complete either Part II or Part III. If an item does not apply, enter "NA." If you do not give the information asked for, any exclusion or deduction you claim may be disallowed.

Part II Taxpayers Qualifying Under Bona Fide Residence Test (See page 2 of the instructions.)

10 Date bona fide residence began ▶ , and ended ▶

11 Kind of living quarters in foreign country ▶ **a** Purchased house **b** Rented house or apartment **c** Rented room
d Quarters furnished by employer

12a Did any of your family live with you abroad during any part of the tax year? Yes No

b If "Yes," who and for what period? ▶ **45**

13a Have you submitted a statement to the authorities of the foreign country where you claim bona fide residence that you are not a resident of that country? (See instructions.) Yes No

b Are you required to pay income tax to the country where you claim bona fide residence? (See instructions.) Yes No

If you answered "Yes" to 13a and "No" to 13b, you do not qualify as a bona fide resident. Do not complete the rest of this part.

14 If you were present in the United States or its possessions during the tax year, complete columns (a)-(d) below. **Do not** include the income from column (d) in Part IV, but report it on Form 1040.

(a) Date arrived in U.S.	(b) Date left U.S.	(c) Number of days in U.S. on business	(d) Income earned in U.S. on business (attach computation)	(a) Date arrived in U.S.	(b) Date left U.S.	(c) Number of days in U.S. on business	(d) Income earned in U.S. on business (attach computation)

15a List any contractual terms or other conditions relating to the length of your employment abroad. ▶

b Enter the type of visa under which you entered the foreign country. ▶

c Did your visa limit the length of your stay or employment in a foreign country? If "Yes," attach explanation Yes No

d Did you maintain a home in the United States while living abroad? Yes No

e If "Yes," enter address of your home, whether it was rented, the names of the occupants, and their relationship to you. ▶

For Paperwork Reduction Act Notice, see page 4 of separate instructions.

Cat. No. 11900P

Form **2555** (2004)

Part III Taxpayers Qualifying Under Physical Presence Test (See page 2 of the instructions.)

- 16 The physical presence test is based on the 12-month period from **▶ 01/01/2004** through **▶ 12/28/2004**
- 17 Enter your principal country of employment during your tax year. **▶ Germany**
- 18 If you traveled abroad during the 12-month period entered on line 16, complete columns (a)–(f) below. Exclude travel between foreign countries that did not involve travel on or over international waters, or in or over the United States, for 24 hours or more. If you have no travel to report during the period, enter “Physically present in a foreign country or countries for the entire 12-month period.” **Do not** include the income from column (f) below in Part IV, but report it on Form 1040.

(a) Name of country (including U.S.)	(b) Date arrived	(c) Date left	(d) Full days present in country	(e) Number of days in U.S. on business	(f) Income earned in U.S. on business (attach computation)

Part IV All Taxpayers

Note: Enter on lines 19 through 23 all income, including noncash income, you earned and actually or constructively received during your 2004 tax year for services you performed in a foreign country. If any of the foreign earned income received this tax year was earned in a prior tax year, or will be earned in a later tax year (such as a bonus), see the instructions. **Do not** include income from line 14, column (d), or line 18, column (f). Report amounts in U.S. dollars, using the exchange rates in effect when you actually or constructively received the income.

If you are a cash basis taxpayer, report on Form 1040 all income you received in 2004, no matter when you performed the service.

2004 Foreign Earned Income	Amount (in U.S. dollars)	
19 Total wages, salaries, bonuses, commissions, etc.	19	100,000
20 Allowable share of income for personal services performed (see instructions):		
a In a business (including farming) or profession	20a	
b In a partnership. List partnership’s name and address and type of income. ▶	20b	
21 Noncash income (market value of property or facilities furnished by employer—attach statement showing how it was determined):		
a Home (lodging)	21a	
b Meals	21b	
c Car	21c	
d Other property or facilities. List type and amount. ▶	21d	
22 Allowances, reimbursements, or expenses paid on your behalf for services you performed:		
a Cost of living and overseas differential	22a	
b Family	22b	
c Education	22c	
d Home leave	22d	
e Quarters	22e	
f For any other purpose. List type and amount. ▶	22f	
g Add lines 22a through 22f	22g	
23 Other foreign earned income. List type and amount. ▶	23	
24 Add lines 19 through 21d, line 22g, and line 23	24	
25 Total amount of meals and lodging included on line 24 that is excludable (see instructions)	25	
26 Subtract line 25 from line 24. Enter the result here and on line 27 on page 3. This is your 2004 foreign earned income . ▶	26	100,000

Part V All Taxpayers

27 Enter the amount from line 26	27	100,000	
Are you claiming the housing exclusion or housing deduction?			
<input type="checkbox"/> Yes. Complete Part VI.			
<input type="checkbox"/> No. Go to Part VII.			

Part VI Taxpayers Claiming the Housing Exclusion and/or Deduction

28 Qualified housing expenses for the tax year (see instructions)	28		
29 Number of days in your qualifying period that fall within your 2004 tax year (see instructions)	29	days	
30 Multiply \$31.64 by the number of days on line 29. If 366 is entered on line 29, enter \$11,581.00 here	30		
31 Subtract line 30 from line 28. If the result is zero or less, do not complete the rest of this part or any of Part IX	31		
32 Enter employer-provided amounts (see instructions)	32		
33 Divide line 32 by line 27. Enter the result as a decimal (rounded to at least three places), but do not enter more than "1.000"	33	×	.
34 Housing exclusion. Multiply line 31 by line 33. Enter the result but do not enter more than the amount on line 32. Also, complete Part VIII	34		

Note: The housing deduction is figured in Part IX. If you choose to claim the foreign earned income exclusion, complete Parts VII and VIII before Part IX.

Part VII Taxpayers Claiming the Foreign Earned Income Exclusion

35 Maximum foreign earned income exclusion	35	\$80,000	00
36 • If you completed Part VI, enter the number from line 29. • All others, enter the number of days in your qualifying period that fall within your 2004 tax year (see the instructions for line 29).	36	362	days
37 • If line 36 and the number of days in your 2004 tax year (usually 366) are the same, enter "1.000." • Otherwise, divide line 36 by the number of days in your 2004 tax year and enter the result as a decimal (rounded to at least three places).	37	×	. 99
38 Multiply line 35 by line 37	38	79,126	
39 Subtract line 34 from line 27	39		
40 Foreign earned income exclusion. Enter the smaller of line 38 or line 39. Also, complete Part VIII	40	79,126	

Part VIII Taxpayers Claiming the Housing Exclusion, Foreign Earned Income Exclusion, or Both

41 Add lines 34 and 40	41	79,126	
42 Deductions allowed in figuring your adjusted gross income (Form 1040, line 36) that are allocable to the excluded income. See instructions and attach computation	42		
43 Subtract line 42 from line 41. Enter the result here and in parentheses on Form 1040, line 21. Next to the amount enter "Form 2555." On Form 1040, subtract this amount from your income to arrive at total income on Form 1040, line 22.	43	79,126	

Part IX Taxpayers Claiming the Housing Deduction—Complete this part only if (a) line 31 is more than line 34 and (b) line 27 is more than line 41.

44 Subtract line 34 from line 31	44		
45 Subtract line 41 from line 27	45		
46 Enter the smaller of line 44 or line 45	46		
Note: If line 45 is more than line 46 and you could not deduct all of your 2003 housing deduction because of the 2003 limit, use the worksheet on page 4 of the instructions to figure the amount to enter on line 47. Otherwise, go to line 48.			
47 Housing deduction carryover from 2003 (from worksheet on page 4 of the instructions)	47		
48 Housing deduction. Add lines 46 and 47. Enter the total here and on Form 1040 to the left of line 35. Next to the amount on Form 1040, enter "Form 2555." Add it to the total adjustments reported on that line	48		

Although the exclusion may never be more than the foreign earned income, it may be less. The exclusion can be no more than \$80,000. If the number of qualifying days in the tax year is less than 365, the \$80,000 limit is lowered proportionally.

Example 8

Tina York is claiming the exclusion. Her qualifying period is March 15, 2003 to March 14, 2004. On line 36 of Form 2555, Tina enters 73 days because 73 days of her qualifying period fall in the 2004 tax year.

On line 37, she divides 73 by 365, and enters the result, “.200.”

On line 38, \$80,000 is multiplied by .200, which results in \$16,000.”

Exhibit 6

Form 2555, lines 35-40

Part VII Taxpayers Claiming the Foreign Earned Income Exclusion		35	\$80,000	00
35	Maximum foreign earned income exclusion			
36	<ul style="list-style-type: none"> If you completed Part VI, enter the number from line 29. All others, enter the number of days in your qualifying period that fall within your 2003 tax year (see the instructions for line 29). 	36	73	days
37	<ul style="list-style-type: none"> If line 36 and the number of days in your 2003 tax year (usually 365) are the same, enter “1.000.” Otherwise, divide line 36 by the number of days in your 2003 tax year and enter the result as a decimal (rounded to at least three places). 	37	×	.200
38	Multiply line 35 by line 37	38	\$16,000	.00
39	Subtract line 34 from line 27	39		
40	Foreign earned income exclusion. Enter the smaller of line 38 or line 39. Also, complete Part VIII ▶	40		

Regardless of how much foreign earned income Tina had, her exclusion can be no more than \$16,000.

DEDUCTIONS ALLOCABLE TO EXCLUDED INCOME

In section VIII of Form 2555, the taxpayer is required to list the deductions allowed in figuring adjusted gross income that are allocable to the excluded income. To the extent a deduction that is allocable to the excluded income is claimed, the exclusion must be reduced by the deduction.

The three most common deductions that may affect the exclusion are **self-employment tax**, **itemized deductions** and **moving expenses**.

1. Self-Employment Tax. The taxpayer must take all earned income into account in figuring self-employment tax, even though the income is exempt from income tax because of the foreign earned income exclusion.

An individual is allowed a deduction for one-half of self-employment tax on the Form 1040. This deduction is related to the operation of the business. If foreign earned income is excluded, the deduction for S.E. tax must be allocated to the excluded income. The amount allocated to the excluded income reduces the Foreign Earned Income exclusion allowed.



The following formula is used to determine the amount of the deduction allocable to excluded income:

$$\frac{\text{Excluded Earned Income}}{\text{Qualifying Earned Income}} \times \text{Self-Employment Tax Deduction (From Form 1040, Line 28)}$$

When the qualifying earned income is fully excluded, none of the self-employment tax deduction is allowed; therefore the full amount of this deduction is put on line 42 of Form 2555. This will reduce your Foreign Earned Income exclusion by the amount of the deduction. However, the self-employment tax deduction is still entered on line 30 of Form 1040.

- 2. Itemized Deductions.** The treatment for itemized deductions is somewhat different. In reporting itemized deductions on Schedule A (Form 1040) that are wholly or partly allocable to excluded income, the taxpayer must reduce the gross deduction by the disallowed amount in arriving at the net deduction shown on Schedule A. Then the taxpayer attaches a statement showing how the deductible amount was figured and writes “Form 2555” in the upper right corner of Schedule A. The most common itemized deductions that are allocable to excluded foreign earned income are unreimbursed employee business expenses. The same formula, as presented above, is used to determine the amounts allocable to the excluded foreign income.
- 3. Moving Expenses.** The rules for deducting moving expenses allocable to excluded income are still more complex. In the year of the move, if the taxpayer has at least 120 days of his qualifying period during the tax year, the moving expense is allocated solely to the year of the move. If the taxpayer has less than 120 full days in the tax year, the moving expense is allocated to income in the year of the move, and the year after. Taxpayers affected by this provision may want to seek assistance from the IRS or a tax preparer.

After adjusting the exclusion for any deductions allocable to excluded income the net exclusion needs to be carried to Form 1040. The amount from Form 2555 EZ line 18 or Form 2555 line 43 is entered in parenthesis on Form 1040 line 21. It is subtracted from other sources of income.



▶▶ SUMMING UP THIS LESSON ◀◀

The foreign earned income exclusion does not apply to income from the U.S. government, regardless of the tax home. The exclusion can be up to \$80,000 for income earned in a foreign country. It is necessary to complete either Form 2555 or 2555EZ to claim the exclusion.

In this lesson, we have discussed the basic examples of the exclusion. When a taxpayer has a more complex situation, he or she will need to seek professional tax assistance.



FOREIGN EARNED INCOME EXCLUSION

ANSWERS TO EXERCISES

1. No, Puerto Rico is not considered a foreign country.
2. His 2004 tax home is China.
3. No.
4. No, she was not present in the foreign country for a full 330 days.
5. No, U.S. military pay is not eligible.
6. No, only earned income is eligible.
7. Yes, Kim's salary.
8.
 - a. Form 2555EZ
 - b. Form 2555
 - c. Form 2555

SUMMARY EXERCISES

1. List the two forms that the foreign earned income exclusion can be claimed on.
2. Is a taxpayer required to take the exclusion on foreign earned income?
3. Are military wages eligible for the foreign earned income exclusion?
4. Complete the form 2555EZ on the next two pages using the following information.

Robert (000-00-0001) and Sara (000-00-0002) Johnson (both U.S. citizens) have lived in Germany since August, 2003. Robert is employed by the U.S. Armed Forces. In 2004, Sara worked at a local bakery (Gulden's, 349028 Gannon Lane, Munich, Germany) in Germany and earned the equivalent of \$12,000. Robert and Sara do not consider themselves bona fide residents of Germany. During 2004, they resided in Germany for the full year, except for a three day vacation period in France. Their address in Germany is 239084 Menlo Lane, Munich, Germany. They have never claimed the foreign earned income exclusion before.



Form **2555-EZ**

Foreign Earned Income Exclusion

OMB No. 1545-1326

2004

Department of the Treasury
Internal Revenue Service

▶ See separate instructions. ▶ Attach to Form 1040.

Attachment
Sequence No. **34A**

Name shown on Form 1040

Your social security number

You May Use This Form If You:

- Are a U.S. citizen or a resident alien.
- Earned wages/salaries in a foreign country.
- Had total foreign earned income of \$80,000 or less.
- Are filing a calendar year return that covers a 12-month period.

And You:

- Do not have self-employment income.
- Do not have business/moving expenses.
- Do not claim the foreign housing exclusion or deduction.

Part I Tests To See If You Can Take the Foreign Earned Income Exclusion

1 Bona Fide Residence Test

- a** Were you a bona fide resident of a foreign country or countries for a period that includes an entire tax year (see page 2 of the instructions)? Yes No
- If you answered "Yes," you meet this test. Fill in line 1b and then go to line 3.
 - If you answered "No," you **do not** meet this test. Go to line 2 to see if you meet the Physical Presence Test.
- b** Enter the date your bona fide residence began ▶ _____, and ended (see instructions) ▶ _____.

2 Physical Presence Test

- a** Were you physically present in a foreign country or countries for at least 330 full days during—
 { 2004 or any other period of 12 months in a row starting or ending in 2004? } Yes No
- If you answered "Yes," you meet this test. Fill in line 2b and then go to line 3.
 - If you answered "No," you **do not** meet this test. You **cannot** take the exclusion unless you meet the Bona Fide Residence Test above.
- b** The physical presence test is based on the 12-month period from ▶ _____ through ▶ _____.

3 Tax Home Test. Was your tax home in a foreign country or countries throughout your period of bona fide residence or physical presence, whichever applies? Yes No

- If you answered "Yes," you can take the exclusion. Complete Part II below and then go to page 2.
- If you answered "No," you **cannot** take the exclusion. **Do not** file this form.

Part II General Information

4 Your foreign address (including country) **5** Your occupation

6 Employer's name **7** Employer's U.S. address (including ZIP code) **8** Employer's foreign address

- 9** Employer is (check any that apply):
- a** A U.S. business
 - b** A foreign business
 - c** Other (specify) ▶ _____

- 10a** If you filed Form 2555 or 2555-EZ after 1981, enter the last year you filed the form. ▶ _____
- b** If you did not file Form 2555 or 2555-EZ after 1981, check here and go to line 11a now.
- c** Have you ever revoked the foreign earned income exclusion? Yes No
- d** If you answered "Yes," enter the tax year for which the revocation was effective. ▶ _____

- 11a** List your tax home(s) during 2004 and date(s) established. ▶ _____
- b** Of what country are you a citizen/national? ▶ _____

For Paperwork Reduction Act Notice, see page 3 of separate instructions.

Cat. No. 13272W

Form **2555-EZ** (2004)

Part III Days Present in the United States—Complete this part if you were in the United States or its possessions during 2004.

12	(a) Date arrived in U.S.	(b) Date left U.S.	(c) Number of days in U.S. on business	(d) Income earned in U.S. on business (attach computation)

Proof as of June 18, 2004 (subject to change)

Part IV Figure Your Foreign Earned Income Exclusion

13	Maximum foreign earned income exclusion	13	\$80,000	00
14	Enter the number of days in your qualifying period that fall within 2004	14	days	
15	Did you enter 366 on line 14? <input type="checkbox"/> Yes. Enter "1.000." <input type="checkbox"/> No. Divide line 14 by 366 and enter the result as a decimal (rounded to at least three places).	15	×	.
16	Multiply line 13 by line 15	16		
17	Enter, in U.S. dollars, the total foreign earned income you earned and received in 2004 (see instructions). Be sure to include this amount on Form 1040, line 7.	17		
18	Foreign earned income exclusion. Enter the smaller of line 16 or line 17 here and in parentheses on Form 1040, line 21 . Next to the amount enter "2555-EZ." On Form 1040, subtract this amount from your income to arrive at total income on Form 1040, line 22 ▶	18		



FOREIGN EARNED INCOME EXCLUSION

ANSWERS TO EXERCISES

ANSWERS TO SUMMARY EXERCISE

1. Form 2555 and Form 2555EZ.
2. No, it is voluntary.
3. No.
4. See the completed form on the next two pages.

FOREIGN EARNED INCOME EXCLUSION

ANSWERS TO EXERCISES

Form 2555EZ, page 1

Form **2555-EZ**

Foreign Earned Income Exclusion

OMB No. 1545-1326

2004

Department of the Treasury
Internal Revenue Service

▶ See separate instructions. ▶ Attach to Form 1040.

Attachment
Sequence No. **34A**

Name shown on Form 1040

Robert and Sara Johnson

Your social security number

000 : 00 : 0001

You May Use This Form If You:

- Are a U.S. citizen or a resident alien.
- Earned wages/salaries in a foreign country.
- Had total foreign earned income of \$80,000 or less.
- Are filing a calendar year return that covers a 12-month period.

And You:

- Do not have self-employment income.
- Do not have business/moving expenses.
- Do not claim the foreign housing exclusion or deduction.

Part I Tests To See If You Can Take the Foreign Earned Income Exclusion

1 Bona Fide Residence Test

- a Were you a bona fide resident of a foreign country or countries for a period that includes an entire tax year (see page 2 of the instructions)? Yes No
- If you answered "Yes," you meet this test. Fill in line 1b and then go to line 3.
 - If you answered "No," you **do not** meet this test. Go to line 2 to see if you meet the Physical Presence Test.
- b Enter the date your bona fide residence began ▶ _____, and ended (see instructions) ▶ _____.

2 Physical Presence Test

- a Were you physically present in a foreign country or countries for at least 330 full days during—
 { 2004 or any other period of 12 months in a row starting or ending in 2004? } Yes No
- If you answered "Yes," you meet this test. Fill in line 2b and then go to line 3.
 - If you answered "No," you **do not** meet this test. You **cannot** take the exclusion unless you meet the Bona Fide Residence Test above.
- b The physical presence test is based on the 12-month period from ▶ 8/2003 through ▶ 12/31/04.

3 Tax Home Test. Was your tax home in a foreign country or countries throughout your period of bona fide residence or physical presence, whichever applies?

- Yes No
- If you answered "Yes," you can take the exclusion. Complete Part II below and then go to page 2.
 - If you answered "No," you **cannot** take the exclusion. **Do not** file this form.

Part II General Information

4 Your foreign address (including country)		5 Your occupation
--	--	-------------------

6 Employer's name	7 Employer's U.S. address (including ZIP code)	8 Employer's foreign address
-------------------	--	------------------------------

9 Employer is (check any that apply):

a A U.S. business

b A foreign business

c Other (specify) ▶ _____

10a If you filed Form 2555 or 2555-EZ after 1981, enter the last year you filed the form. ▶ _____

b If you did not file Form 2555 or 2555-EZ after 1981, check here and go to line 11a now.

c Have you ever revoked the foreign earned income exclusion? Yes No

d If you answered "Yes," enter the tax year for which the revocation was effective. ▶ _____

11a List your tax home(s) during 2004 and date(s) established. ▶ 8/2000
239084 Marzolf Lane Muncich, Germany

b Of what country are you a citizen/national? ▶ United States of America

For Paperwork Reduction Act Notice, see page 3 of separate instructions.

Cat. No. 13272W

Form **2555-EZ** (2004)

FOREIGN EARNED INCOME EXCLUSION

ANSWERS TO EXERCISES

Form 2555EZ, page 2

Form 2555-EZ (2004)

Page 2

Part III Days Present in the United States—Complete this part if you were in the United States or its possessions during 2004.

12 (a) Date arrived in U.S.	(b) Date left U.S.	(c) Number of days in U.S. on business	(d) Income earned in U.S. on business (attach computation)

Part IV Figure Your Foreign Earned Income Exclusion

13	Maximum foreign earned income exclusion	13	\$80,000 00
14	Enter the number of days in your qualifying period that fall within 2004	14	days
15	Did you enter 366 on line 14? <input type="checkbox"/> Yes. Enter "1.000." <input type="checkbox"/> No. Divide line 14 by 366 and enter the result as a decimal (rounded to at least three places).	15	× 0.992
16	Multiply line 13 by line 15	16	79,360
17	Enter, in U.S. dollars, the total foreign earned income you earned and received in 2004 (see instructions). Be sure to include this amount on Form 1040, line 7.	17	12,000
18	Foreign earned income exclusion. Enter the smaller of line 16 or line 17 here and in parentheses on Form 1040, line 21 . Next to the amount enter "2555-EZ." On Form 1040, subtract this amount from your income to arrive at total income on Form 1040, line 22 ▶	18	12,000

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Form 2555-EZ (2004)

STUDENT NOTES

TAX OPTIONS FOR COMBAT ZONE PARTICIPANTS

Lesson 16
Military Segment

INTRODUCTION AND OBJECTIVES

This lesson will discuss some of the tax benefits that are available to Armed Forces personnel serving in a combat zone. Service in the Persian Gulf area, the Kosovo area, and the Afghanistan area are eligible for combat zone tax treatment. In addition, U.S. military personnel located in the former Yugoslavia, including Bosnia, Herzegovina, Croatia, and Macedonia are in a hazardous duty area and are eligible for combat zone tax treatment.

Members of the Armed Forces deployed overseas away from their permanent duty station in support of operations in a qualified hazardous duty area, but outside the qualified hazardous duty area, are treated as if they are in a combat zone solely for the purposes of the extension deadlines. These personnel are not entitled to other combat zone tax benefits. The IRS will not impose penalties or interest on members during an extension period.

After completing this lesson, you should be able to:

1. Determine who qualifies for an extension of deadline.
2. Identify special tax benefits that are available to persons who die in a combat zone or from a terrorist or military action.
3. Explain how to file claims for tax forgiveness for these individuals.

EXTENSION OF DEADLINE

Members of the Armed Forces who served in a combat zone are allowed additional time to take care of tax matters. This extension also applies to any individual who is deployed from his or her permanent duty station in support of operations in a qualified hazardous duty area, or performing qualifying service outside the qualified hazardous duty area. The law provides that certain periods of time are disregarded when determining whether certain tax matters have been taken care of on time. For ease of understanding, this publication refers to these provisions as “extensions of deadlines.” These deadline extensions should not be confused with other parts of the tax law that refer to extensions of time for performing acts.

The deadline for filing tax returns, paying taxes, filing claims for refund, and taking other actions with the IRS is automatically extended if the taxpayer serves in the Armed Forces in a combat zone. The deadline for the IRS to take certain actions, such as collection and examination actions, is also extended.

Additionally, if members of the Armed Forces are deployed overseas away from their permanent duty station in support of operations in a qualified hazardous duty area, but outside the qualified hazardous duty area, they also receive these extensions (but not other combat zone benefits). The deadline for IRS to take certain actions, such as collection and examination actions, is also extended. See Lesson 1 for the beginning dates for the Afghanistan area combat zone, the Kosovo area combat zone, the Persian Gulf area combat zone, and the qualified hazardous duty areas.

The deadline for taking actions with the IRS is extended for 180 days after the later of:

1. The last day the taxpayer is in a combat zone/qualified hazardous duty area or have qualifying service outside of the combat zone/qualified hazardous duty area (or the last day the area qualifies as a combat zone or qualified hazardous duty area), or
2. The last day of any continuous qualified hospitalization (defined later) for injury from service in the combat zone/qualified hazardous duty area or while performing qualifying service outside of the combat zone/qualified hazardous duty area.

In addition to the 180 days, the deadline is also extended by the number of days remaining for the member to take the action with the IRS when he/she entered a combat zone/qualified hazardous duty area (or began performing qualifying service outside the combat zone/qualified hazardous duty area). If a taxpayer entered the combat zone/qualified hazardous duty area (or began performing qualifying service outside the combat zone/qualified hazardous duty area) before the period of time to take the action began, the deadline is extended by the entire period of time he/she has to take the action.

Example 1

Captain Margaret Jones entered Saudi Arabia on December 1, 2002. She remained there through March 31, 2004, when she departed for the United States. She was not injured and did not return to the combat zone. The deadlines for filing Captain Jones' 2002, 2003, and 2004 returns are figured as follows.

- **The 2002 tax return.** The deadline is January 10, 2005. This deadline is 285 days (180 plus 105) after Captain Jones' last day in the combat zone (March 31, 2004). The 105 additional days are the number of days in the 3 1/2 month filing period that were left when she entered the combat zone (January 1 - April 15, 2003).
- **The 2003 tax return.** The deadline is January 10, 2005. The deadline is 285 days (180 plus 105) after Capt. Jones' last day in the combat zone (March 31, 2004).
- **The 2004 tax return.** The deadline is not extended because the 180-day extension period after March 31, 2004, ends on September 27, 2004, which is before the start of the filing period for her 2004 return (January 1 - April 15, 2005).



Example 2

Petty Officer Leonard Brown's ship entered the Persian Gulf on January 5, 2003. On February 15, 2003, Leonard was injured and was flown to a U. S. hospital. He remained in the hospital through April 20, 2004. The deadlines for filing Petty Officer Brown's 2002, 2003, and 2004 returns are figured as follows.

- **The 2002 tax return.** The deadline is January 27, 2005. Petty Officer Brown has 280 days (180 plus 100) after his last day in the hospital (April 21, 2004) to file his 2002 return. The 100 additional days are the number of days in the 3 1/2 month filing period that were left when he entered the combat zone (January 5 - April 15).
- **The 2003 tax return.** The deadline is January 27, 2005. Petty Officer Brown has 280 days (180 plus 100) after April 21, 2004, to file his 2003 tax return. The 100 additional days are the number of days in the 2004 filing period that were left when he entered the combat zone.
- **The 2004 tax return.** The deadline is not extended because the 180-day extension period after April 21, 2004, ends on October 18, 2004, which is before the start of the filing period for his 2004 return (January 1 - April 15, 2005).

Example 3

You generally have 3 years from April 15, 2001, to file a claim for refund against your timely filed 2000 tax return. This means that your claim normally must be filed by April 15, 2004. However, if you served in a combat zone from November 1, 2002, through March 23, 2003, and were not injured, your deadline for filing that claim is extended 346 days (180 plus 166) after you leave the combat zone. This extends your deadline to March 4, 2005. The 166 additional days are the number of days in the 3-year period for filing the refund claim that were left when you entered the combat zone on November 1 (November 1, 2002 - April 15, 2003).

Missing status. Time in a missing status (missing in action or prisoner of war) counts as time in a combat zone or a qualified hazardous duty area.

Support personnel. The deadline extension provision also applies if a taxpayer is serving in a combat zone or a qualified hazardous duty area in support of the Armed Forces. This includes Red Cross personnel, accredited correspondents, and civilian personnel acting under the direction of the Armed Forces in support of those forces.

Qualified hospitalization. The hospitalization must be the result of an injury received while serving in a combat zone or a qualified hazardous duty area. Qualified hospitalization means:

1. Any hospitalization outside the United States, and
2. Up to 5 years of hospitalization in the United States.



Actions Extended

The actions to which the deadline extension provision applies include:

- Filing any return of income, estate, or gift tax (except employment and withholding taxes),
- Paying any income, estate, or gift tax (except employment and withholding taxes),
- Filing a petition with the Tax Court for redetermination of a deficiency or for review of a Tax Court decision,
- Filing a claim for credit or refund of any tax,
- Bringing suit for any claim for credit or refund,
- Making a qualified retirement contribution to an IRA,
- Allowing a credit or refund of any tax by IRS,
- Assessment of any tax by the IRS,
- Giving or making any notice or demand by the IRS for the payment of any tax or for any liability for any tax,
- Collection by the IRS of any tax due, and
- Bringing suit by the United States for any tax due.

If the IRS takes any actions covered by these provisions or sends the taxpayer a notice of examination before learning that they are entitled to an extension of the deadline, the taxpayer should contact their legal assistance office. No penalties or interest will be imposed for failure to file a return or pay taxes during the extension period.

Spouses. Spouses of individuals who served in a combat zone are entitled to the same deadline extension with two exceptions.

1. The extension does not apply to a spouse for any tax year beginning more than 2 years after the date the area ceases to be a combat zone.
2. The extension does not apply to a spouse for any period the qualifying individual is hospitalized in the United States for injuries incurred in a combat zone.

Not in a combat zone. Reservists called to active duty or regular military members who are not in a combat zone may still qualify to defer the payment of back taxes. To qualify, these individuals must:

- Be serving their initial period of service and
- Show that their ability to pay the back taxes has been materially impaired.

Initial period of service. The initial period of service is defined as the period of active duty following recall to active duty from an inactive reserve or National Guard unit. For regular military personnel, it is the period following induction or first enlistment in the Armed Forces or the first period of reenlistment for a person who



has been out of the service for a year or more. For an officer, the initial period of service is limited to two years of active service after one of the above occurrences.

Material impairment. To indicate material impairment, the taxpayer must show that his or her income dropped as a result of going into military service.

Request for deferment. Military members who have a current payment agreement or who have received a notice requesting payment must make a written request for deferment to the IRS office where you have the agreement.

Information needed. The request for deferment must include the member's name, social security number, monthly income and source of income before military service, current monthly income, military rank, date of entry into the military service, and date the member is eligible for discharge. Enclosing a copy of the military orders is helpful.

The IRS will review each request and advise the taxpayer in writing of its decision. Should the taxpayer need further assistance, they can call the IRS at **1-800-829-1040** to discuss their situation. If the IRS grants the request for deferment, the taxpayer will be able to defer payment of back taxes until 6 months after the end of his/her initial period of service.

DECEDENTS

Special tax forgiveness provisions apply to individuals who:

- Die while serving in a combat zone or from wounds, disease, or injury incurred while serving in a combat zone, or
- Die from wounds or injury incurred in a terrorist or military action while a U. S. employee.

Filing a Decedent Return

The personal representative (executor, administrator, or anyone who is in charge of the decedent's property) must file the final income tax return (Form 1040) of the decedent for the year of death and any returns not filed for preceding years. A surviving spouse, under certain circumstances, may have to file the returns for the decedent. See *Joint Return*, later.

Return for preceding year. If an individual died after the close of the tax year, but before the return for that year was filed, the return for the year just closed will not be the final return. The return for that year will be a regular return and the personal representative must file it.

Example 4

Samantha Smith died on March 21, 2004, before filing her 2003 tax return. Her personal representative must file her 2003 return by April 15, 2004. Her final tax return is due April 15, 2005.

When and Where To File

The final income tax return is due at the same time the decedent's return would have been due had death not occurred. A final return for a decedent who was a calendar year taxpayer is generally due on April 15 following the year of death, regardless of when during that year death occurred.

The tax return must be prepared on a form for the year of death regardless of when during the year death occurred.

Generally, you must file the final income tax return of the decedent with the Internal Revenue Service center for the place where you live.

Combat Zone Forgiveness

Federal income tax liability is forgiven for U. S. military personnel who die while serving in a combat zone or as a result of wounds, disease, or injury incurred while so serving. The forgiveness of tax applies for the year of death and for any prior year ending on or after the first day that the individual served in a combat zone in active service. Any forgiven tax liability that has already been paid will be refunded, and any unpaid tax liability at the date of death will be forgiven.

This forgiveness provision also applies to a member of the Armed Forces serving outside the combat zone if the service:

1. Was in direct support of military operations in the zone, and
2. Qualified the member for special military pay for duty subject to hostile fire or imminent danger.

Missing status. The date of death for a member of the Armed Forces who was in a missing status (missing in action or prisoner of war) is the date his or her name is removed from missing status for military pay purposes. This is true even if death actually occurred earlier.

Tax Forgiveness for Deaths Due to Military or Terroristic Actions

A decedent's income tax liability may be forgiven if his or her death was due to service in a combat zone or to military or terroristic actions.

The Victims of Terrorism Tax Relief Act of 2001 provides tax relief for those injured or killed as a result of terrorist attacks, certain survivors of those killed as a result of terrorist attacks, and others who were affected by terrorist attacks. For information on that Act, see Publication 3920.



Military or Terroristic Actions

The decedent's income tax liability is forgiven if, at death, he or she was a military or civilian employee of the United States who died because of wounds or injury incurred:

- While a U. S. employee, and
- In a military or terroristic action.

For tax years ending after September 10, 2001, tax liability is forgiven for an individual who dies from wounds or injury incurred while a U. S. employee in a terroristic or military action regardless of where the action occurred.

The forgiveness applies to the tax year in which death occurred and for any prior tax year in the period beginning with the year before the year in which the wounds or injury occurred.

Military or terroristic action defined. A military or terroristic action means the following.

- Any terroristic activity that most of the evidence indicates was directed against the United States or any of its allies.
- Any military action involving the U. S. Armed Forces and resulting from violence or aggression against the United States or any of its allies, or the threat of such violence or aggression.

Military action does not include training exercises. Any multinational force in which the United States is participating is treated as an ally of the United States.

Claims for Credit or Refund

If any of these tax-forgiveness situations applies to a prior year tax, any tax paid for which the period for filing a claim has not ended will be credited or refunded. If any tax is still due, it will be canceled. The normal period for filing a claim for credit or refund is 3 years after the return was filed or 2 years after the tax was paid, whichever is later.

If death occurred in a combat zone or from wounds, disease, or injury incurred in a combat zone, the period for filing the claim is extended by:

- The amount of time served in the combat zone (including any period in which the individual was in missing status), plus
- The period of continuous qualified hospitalization for injury from service in the combat zone, if any, plus
- The next 180 days.
- Qualified hospitalization means any hospitalization outside the United States and any hospitalization in the United States of not more than 5 years.



Filing a claim. Use the following procedures to file a claim.

- File Form 1040, 1040A, or 1040EZ if an income tax return has not been filed for the tax year. Form W-2, *Wage and Tax Statement*, must accompany all returns.
- File Form 1040X if an income tax return has been filed. A separate Form 1040X must be filed for each year in question.

These returns and claims must be filed with the Internal Revenue Service, P. O. Box 4053, Woburn, MA 01888.

All returns and claims must be identified by writing “Enduring Freedom—KIA,” “Kosovo Operation—KIA,” “Desert Storm—KIA,” or “Former Yugoslavia—KIA” in bold letters on the top of page 1 of the return or claim. On Forms 1040 and 1040X, the phrase “Enduring Freedom—KIA,” “Kosovo Operation — KIA,” “Desert Storm—KIA,” or “Former Yugoslavia—KIA” must be written on the line for total tax. If the individual was killed in a terroristic or military action outside the United States, put “KITA” on the front of the return and on the line for total tax.

An attachment should accompany any return or claim that includes a computation of the decedent’s tax liability before any amount is forgiven and the amount that is to be forgiven. For joint returns, see *Joint returns*, later.

Necessary documents. The following documents must accompany all returns and claims for refund. For returns and claims relating to individuals who died as a result of a terrorist attack, see Publication 3920.

- Form 1310, *Statement of Person Claiming Refund Due a Deceased Taxpayer*.
- A certification from the Department of Defense or the Department of State that the death was due to a military or terroristic action.

For military and civilian employees of the Department of Defense, certification must be made by that department on Form DOD 1300, *Report of Casualty*. For other civilian employees who die as a result of wounds or injury incurred outside the United States, certification must be a letter signed by the Director General of the Foreign Service, Department of State, or his/her delegate. The certification must include the individual’s name and social security number, the date of injury, the date of death, and a statement that the individual died as the result of a military or terroristic action outside the United States and was an employee of the United States at the date of injury and at the date of death.

If the certification has been received, but you do not have enough tax information to file a timely claim for refund, file Form 1040X. Attach Form 1310 and a statement that an amended claim will be filed as soon as the required tax information is available.



Joint returns. Only the decedent's part of the joint income tax liability is eligible for the refund or tax forgiveness. To determine the part for the decedent, the person filing the claim must complete the following steps:

1. Figure the income tax for which the decedent would have been liable if a separate return had been filed.
2. Figure the income tax for which the spouse would have been liable as if a separate return had been filed.
3. Multiply the joint tax liability by a fraction. The top number of the fraction is the amount in (1) above. The bottom number of the fraction is the total of (1) and (2).

The amount in (3) is the decedent's tax liability that is eligible for the refund or tax forgiveness. If a taxpayer is unable to complete this process, he or she should attach a statement of all income and deductions indicating the part that belongs to each spouse. The IRS will make the proper allocation.

Residents of community property states. If the member of the Armed Forces was domiciled in a community property state and the spouse reported half the military pay on a separate return, the spouse can get a refund of taxes paid on his or her share of the pay for the years involved. The forgiveness of unpaid tax on the military pay would also apply to the half owed by the spouse for the years involved.

Exercise 1

Major Joe Wells entered Afghanistan on 6 January 2004. He remained there through 7 April 2004, when he departed for the United States. He was not injured and did not return to the combat zone.

What is the deadline for filing Major Wells' 2003 tax return?

Answer _____



Calendar for year 2004

January 2004

Su	Mo	Tu	We	Th	Fr	Sa
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

February 2004

Su	Mo	Tu	We	Th	Fr	Sa
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29						

March 2004

Su	Mo	Tu	We	Th	Fr	Sa
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

April 2004

Su	Mo	Tu	We	Th	Fr	Sa
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	

May 2004

Su	Mo	Tu	We	Th	Fr	Sa
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

June 2004

Su	Mo	Tu	We	Th	Fr	Sa
	1	2	3	4	5	
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30			

July 2004

Su	Mo	Tu	We	Th	Fr	Sa
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

August 2004

Su	Mo	Tu	We	Th	Fr	Sa
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

September 2004

Su	Mo	Tu	We	Th	Fr	Sa
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	

October 2004

Su	Mo	Tu	We	Th	Fr	Sa
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

November 2004

Su	Mo	Tu	We	Th	Fr	Sa
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30				

December 2004

Su	Mo	Tu	We	Th	Fr	Sa
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

Exercise 2

Mr. Tim Morris, a civilian employee of the United States, died in 2005 as a result of injuries he suffered during a terrorist attack in 2003.

What years are Mr. Morris' income liabilities forgiven?

Answer _____



TAX BENEFITS FOR COMBAT ZONE PARTICIPANTS

ANSWERS TO EXERCISES

Lesson 16
Military Segment

Exercise 1– **The 2003 tax return.** The deadline is 12 January 2005. The deadline is 280 days (180 plus 100) after Major West’s last day in the combat zone (7 April 2004). The 100 additional days are the number of days in the 3 1/2 month filing period that were left when he entered the combat zone (6 January - 15 April 2004).

Exercise 2– 2003-2005

▶▶ SUMMING UP THIS LESSON ◀◀

In this lesson you have learned that:

- ▶ The deadline for filing tax returns, paying taxes, and taking other actions with the Internal Revenue Service is automatically extended if an individual serves in a combat zone.
- ▶ The income tax liability of a member of the Armed Forces is forgiven if a member dies as a result of service in a combat zone or from a terrorist or military action outside the United States.
- ▶ The terrorist or military action forgiveness also applies to an individual who is a U.S. employee at death and who dies from wounds or injury incurred while a U.S. employee in a terrorist or military action regardless of where the action occurred.

STUDENT NOTES



INTRODUCTION AND OBJECTIVES

This lesson will discuss the importance of “alien” status in determining federal income tax reporting requirements for Armed Forces personnel. Publication 519, U.S. Tax Guide for Aliens is a major source of information on this subject.

After completing this lesson, you should be able to:

1. Determine whether an alien should file a resident, non-resident, or dual-status tax return.
2. Determine what sources of income an alien must report on his or her return.
3. Explain the special choice that permits a nonresident alien spouse of a U. S. citizen or resident to be treated as a resident alien and file a joint return.
4. Determine the use for an ITIN for undocumented aliens.
5. Explain the process for securing a social security number for children born abroad.

NONRESIDENT ALIENS

A nonresident alien is an individual who is not a citizen or resident of the United States. A nonresident alien generally must pay tax only on income received from sources within the United States. If the income is connected with conducting a trade or business in the United States, the income (after allowable deductions) is taxed at regular U. S. tax rates. If other income from U. S. sources is not connected with conducting a trade or business in the United States, it is taxed at a flat 30%(or lower treaty) rate. For example, Survivor Benefit Plan payments made to a nonresident alien surviving spouse may be subject to a 30%withholding (or lower treaty) rate. In either case, the nonresident alien must file a Form 1040NR, *U. S. Nonresident Alien Income Tax Return*.

RESIDENT ALIENS

ALERT



The Social Security Administration does not issue social security numbers (SSNs) to nonresident aliens unless they have legal permission to work in the United States. SSNs will be issued to lawful permanent residents.

An alien may qualify as a U. S. resident for tax purposes by meeting either the *green card test* or the *substantial presence test* for the calendar year.

Green card test. An alien is a resident for tax purposes if he or she is a lawful permanent resident of the United States (holder of a green card) at any time during the calendar year. However, see the discussion on *Dual-Status Aliens*, later.

Substantial presence test. If the alien does not meet the green card test, the alien may still be a U. S. resident for tax purposes if the substantial presence test for the calendar year is met. To meet this test, the alien must have been physically present in the United States for at least 31 days during 2004 and for a total of at least 183 days in 2004, 2003, and 2002.

When you count the days for the substantial presence test, count:

1. All the days the alien was present in 2004,
2. One-third of the days present in 2003, and
3. One-sixth of the days present in 2002.

Example

Ana Garcia was present in the United States for several years. She believes that she can qualify for the substantial presence test. Ana was here from December 1 through December 31 of 2004. She was present in the U. S. all of 2003. In 2002, she stayed in the United States from June 1 through December 31. Here's how to figure if Ana meets the substantial presence test:

<u>YEAR</u>	<u>MULTIPLY BY</u>	<u>DAYS PRESENT</u>	<u>TOTAL</u>
2004	1	31	= 31
2003	1/3	365	= 122
2002	1/6	214	= 36
			189

Since Ana was present in the United States at least 31 days in 2004 and at least 183 days during the current and last two years, she meets the test in 2004 to qualify as a resident of the U. S.

Exceptions. For purposes of counting days for the substantial presence test, there are exceptions for regular commuters from Canada or Mexico, persons in transit through the United States, persons who are unable to leave because of becoming ill while in the United States, diplomats, employees of international organizations, teachers, trainees, and students. Also, the substantial presence test does not apply if the alien was present in the United

States for fewer than 183 days during 2004 and establishes that he or she has a closer connection to a foreign country. Publication 519 has more details on these exceptions.

First-year choice. If the alien does not meet the green card test or the substantial presence test for 2003 or 2004, and did not choose to be treated as a resident for part of 2002, but will meet the substantial presence test for 2005, he or she can choose to be treated as a U. S. resident for part of 2004. To make this choice, he or she must have been:

1. Present in the U. S. for at least 31 consecutive days in 2004, and
2. Present in the U. S. for at least 75% of the days beginning with the first day of the 31-day period in (1) and ending with the last day of 2004.

The taxpayer should be referred to Publication 519 for complete details concerning this special first-year choice. This choice, once made, cannot be revoked without the consent of the Internal Revenue Service.

Resident aliens generally are taxed on their worldwide income, the same as U. S. citizens. Resident aliens use the same tax forms as U.S. citizens.

DUAL-STATUS ALIENS

An alien may be both a nonresident and resident alien during the same tax year. The most common dual-status tax years are the years of arrival and departure. Dual-status aliens are taxed on income from all sources for the part of the year they are resident aliens. They are taxed only on income from U. S. sources for the time they are nonresident aliens. They must file Form 1040 and mark it “Dual Status Return” if they are resident aliens on the last day of the tax year. If they are nonresident aliens at the end of the year, they must file Form 1040NR and mark it “Dual Status Return.” In either case, they must attach a separate statement to explain their income and compute the tax for the other part of their dual-status year. Dual-status aliens must either itemize their allowable deductions or claim zero deductions because they cannot use the standard deduction.



Exercise 1

Sgt. Zapata is stationed in Korea and is married to a Korean citizen. Sgt. and Mrs. Zapata came to the United States for a 3-week visit and returned to his post of duty in Korea. Mrs. Zapata entered the United States on a non-immigrant visa.

- a. What is Mrs. Zapata's U. S. alien status?

Answer _____

- b. If the Zapatas moved to the United States in June 2004 and Mrs. Zapata got a green card, what would Mrs. Zapata's U. S. alien status be for 2004?

Answer _____

Exercise 2

Karen is a British citizen and a U. S. resident alien (green card holder). She married Lt. Trimble, a U. S. citizen, who has a permanent residence in New York. The Trimbles moved to Germany in 2003 for a 2-year tour of duty. They plan to return to New York when his duty ends. Karen earned \$12,000 a year working for a German employer while they were stationed in Germany.

- a. If Lt. Trimble files a separate return, does Karen have to file a U. S. federal tax return?

Answer _____

- b. If the Trimbles were divorced in 2004 and Karen gave up her green card and moved to England, what would her U. S. alien status be for 2004?

Answer _____

UNDOCUMENTED (ILLEGAL) ALIENS

Undocumented aliens who meet the substantial presence test are considered resident aliens for tax purposes. They are not eligible for an SSN because they have no legal work authorization.

A common scenario is that the undocumented alien "acquires" (buys, trades etc.) an SSN to provide to their employer. The employer hires the alien and gives them a W-2 at the end of the year with the invalid SSN. The alien then files a tax return with their ITIN listed as their identification number. This causes a processing problem for the IRS. The refund will most likely be held until the issue can be resolved.



CHILDREN BORN ABROAD

Military families living overseas who experience the birth of a child in a host nation hospital or “off base on the economy” should check with their base legal office or U. S. embassy officials for exact procedures for securing the Report of Birth Abroad. This document serves as proof of citizenship and can be used in the future. To formally register the birth of a child born abroad, the U. S. citizen parent or parents should bring the child to the Embassy/Consulate office along with:

- An original of the child’s birth certificate
- The parent’s marriage certificate
- Any divorce (original) decree or death certificate from any previous marriage
- Cash or bank check to pay the fee (usually \$65)

Parents should also apply for a passport for their child at the same time as the Report of Birth. Along with your application for Report of Birth and passport, it is also advisable to request the form to apply for an SSN for the child. The Social Security International Office in Baltimore, MD assigns an SSN. The SSN will be mailed directly to the taxpayer. The process takes several months. But without an SSN the parents will NOT be able to claim the EITC even if all of the other prerequisites are met.

ALIEN MILITARY PERSONNEL

As a general rule, most alien enlistees in the Armed Forces are resident aliens. This would almost certainly be true of an alien who has lived in the United States before enlistment. In peacetime, the enlistment requirements of the Armed Services state that no person may enlist unless that person is a citizen or has been lawfully admitted to the United States for permanent residence under the immigration laws. These two factors, voluntary enlistment and admittance for permanent residence, are usually enough to classify an alien enlistee as a resident alien. The United States has treaty agreements with certain nations that allow a very limited number of their citizens to retain their nonresident alien status. Alien enlistees in this category should seek advice from their base legal officer. Other aliens who are present in the United States merely because of military assignment and who have a residence outside the United States are nonresident aliens.



CHOICE TO TREAT NONRESIDENT SPOUSE AS A RESIDENT

A nonresident alien spouse may choose to be treated as a resident alien if all the following conditions are met.

1. The nonresident alien spouse must be married to a U. S. citizen or resident alien at the end of the tax year.
2. Both spouses must choose to treat the alien spouse as a resident alien.
3. One of the spouses must be a U. S. citizen or resident alien on the last day of the tax year.

How to Make the Choice

A statement signed by both spouses must be attached to their joint return for the first tax year for which the choice applies. The statement should contain:

1. A declaration that one spouse was a nonresident alien and the other spouse was a U. S. citizen or resident alien on the last day of their tax year and that the nonresident alien spouse chooses to be treated as a U. S. resident for the entire tax year, and
2. The name, address, and social security number of each spouse. If the nonresident alien spouse is not eligible to get a social security number, he or she should file Form W-7, *Application for IRS Individual Taxpayer Identification Number* with their tax return.

Caution. Once the choice is made, the worldwide income of the nonresident alien spouse is subject to U. S. tax. If the nonresident alien spouse has substantial foreign income, there may be no advantage to making the choice.

Ending the Choice

Once made, this choice applies to all later tax years unless one of the following situations occurs.

- **Revocation**—Either spouse may revoke the choice for any tax year if both the choice and the revocation are made by the due date for filing the tax return for that tax year.
- **Death**—The death of either spouse will end the choice. This ordinarily begins with the first year following the year in which the spouse died. If the spouse who survived is a U. S. citizen or resident and is entitled to the joint return rates as a surviving spouse, the choice will not end until the close of the last year for which these joint rates may be used.
- **Legal separation**—A legal separation under a decree of divorce or separate maintenance will end the choice beginning January 1 of the tax year in which the legal separation occurs.



- **Inadequate records**—The Internal Revenue Service can end the choice for any year that either spouse fails to keep adequate tax records, to provide adequate access to those records, or to supply other information reasonably necessary to determine the correct income tax liability.

If the choice is ended for any of these reasons, neither spouse can make a choice for any future tax year. For example, divorced individuals who previously made the choice and later remarry cannot make another choice.

Choice Not Made

If the choice is not made:

1. The nonresident alien spouse cannot file a joint return.
2. The nonresident alien spouse is generally not eligible for certain credits, such as the earned income credit or the education credits.
3. The spouse who is a U. S. citizen or resident may claim an exemption for the nonresident alien spouse if the nonresident alien has no gross income for U. S. tax purposes and is not another taxpayer's dependent. Check the box on line 6b of Form 1040 or Form 1040A and write "NRA" to the right of the word "spouse."
4. The nonresident alien spouse does not have to file a federal income tax return if he or she had no U. S. source income. He or she does not have to report any income from sources outside the United States so long as he or she remains a nonresident alien.

Questions concerning alien status and the special choice can be complex. Further information can be found in Publication 519.



Exercise 3

Stephen Rowan is a Navy officer who resides in New York and is on duty in Japan. He has \$30,000 in taxable income for the year. His wife, to whom he has been married for 3 years, is a Japanese citizen who has never visited the United States. She earned \$5,000 from employment in Japan during the year.

a. Is he required to file a U. S. income tax return?

Answer _____

b. Is Mrs. Rowan required to file a U. S. income tax return?

Answer _____

c. Can the Rowans file a joint return?

Answer _____

▶▶ SUMMING UP THIS LESSON ◀◀

Questions of alien status can be difficult. To find answers to their questions and to learn whether they qualify for the option to treat the nonresident spouse as a U.S. resident, military personnel should see Publication 519, visit their base legal office, or call the IRS at 1-800-829-1040.



1.
 - a. Nonresident alien
 - b. Dual-status alien
2.
 - a. Yes. She is a resident alien.
 - b. Dual-status alien
3.
 - a. Yes
 - b. No
 - c. Yes. They can make the choice, but they should figure their tax both ways to determine which option is best for them.

STUDENT NOTES



INTRODUCTION AND OBJECTIVES

This lesson will discuss what “home leave expenses” can be deducted by U.S. taxpayers traveling to their home in the United States under orders from the head of Foreign Affairs agency.

After completing this lesson, you should be able to:

1. Determine who is eligible for home leave expenses.
2. Determine what expenses are deductible.

HOME LEAVE

Section 903 of the Foreign Service Act of 1980 provides that the head of a Foreign Affairs Agency may order a member of the Service who is a citizen of the United States to take home leave upon completion of 18 months of continuous service abroad; and shall so order as soon as possible after completion of 3 years of continuous service abroad.

Because members of the foreign service are required by law to take a leave of absence, they are allowed to deduct amounts paid for travel, meals, and lodging while on home leave as employee business expenses. The taxpayers who are eligible for this leave will deduct these expenses on a Form 2106 just like an employee that is conducting business away from the home.

As with all deductible employee business expenses, records and receipts must be maintained to support the deductions that are taken. The deductible expenses are those we discussed in the previous lesson and these expenses are subject to the same limitations.

Any expenses paid for on behalf of a foreign service member’s family are personal expenses and therefore are not deductible.

▶▶ SUMMING UP THIS LESSON ◀◀

- ▶ Taxpayers who are U.S. citizens and members of the foreign service can deduct travel, meals and lodging expenses, while on home leave, as employee business expenses by using Form 2106.
- ▶ Expenses incurred by members of the family are personal expenses and therefore they are not deductible.

SUMMARY EXERCISE

1. Larry Lee is a foreign service employee. He has been stationed in a foreign country for 3 years and comes back to the United States for 4 weeks on home leave. His family accompanies him. He incurred expenses for travel of \$1,500; meals \$850; and lodging \$1,400. His family incurred expenses for travel of \$2,500; meals \$1,700; and lodging \$2,200. Larry was reimbursed \$450 for his travel to and from his post of duty and did not show it as income. (Larry rented a car. He did not use his own car.)
 - a. Is Larry eligible for a home leave deduction? Yes or No.
 - b. Can Larry deduct the expenses that this family members incur? Yes or No.
 - c. Complete Form 2106.



Form **2106**
 Department of the Treasury
 Internal Revenue Service (99)

Employee Business Expenses

▶ See separate instructions.

▶ Attach to Form 1040.

OMB No. 1545-0139

2004

Attachment
 Sequence No. **54**

Your name	Occupation in which you incurred expenses	Social security number : : :
-----------	---	---------------------------------------

Part I Employee Business Expenses and Reimbursements

Step 1 Enter Your Expenses	Column A Other Than Meals and Entertainment	Column B Meals and Entertainment
1 Vehicle expense from line 22 or line 29. (Rural mail carriers: See instructions.)	1	
2 Parking fees, tolls, and transportation, including train, bus, etc., that did not involve overnight travel or commuting to and from work	2	
3 Travel expense while away from home overnight, including lodging, airplane, car rental, etc. Do not include meals and entertainment.	3	
4 Business expenses not included on lines 1 through 3. Do not include meals and entertainment.	4	
5 Meals and entertainment expenses (see instructions)		
6 Total expenses. In Column A, add lines 1 through 4 and enter the result. In Column B, enter the amount from line 5	6	

Note: If you were not reimbursed for any expenses in Step 1, skip line 7 and enter the amount from line 6 on line 8.

Step 2 Enter Reimbursements Received From Your Employer for Expenses Listed in Step 1

7 Enter reimbursements received from your employer that were not reported to you in box 1 of Form W-2. Include any reimbursements reported under code "L" in box 12 of your Form W-2 (see instructions)	7	
---	----------	--

Step 3 Figure Expenses To Deduct on Schedule A (Form 1040)

8 Subtract line 7 from line 6. If zero or less, enter -0-. However, if line 7 is greater than line 6 in Column A, report the excess as income on Form 1040, line 7	8	
Note: If both columns of line 8 are zero, you cannot deduct employee business expenses. Stop here and attach Form 2106 to your return.		
9 In Column A, enter the amount from line 8. In Column B, multiply line 8 by 50% (.50). (Employees subject to Department of Transportation (DOT) hours of service limits: Multiply meal expenses incurred while away from home on business by 70% (.70) instead of 50%. For details, see instructions.)	9	
10 Add the amounts on line 9 of both columns and enter the total here. Also, enter the total on Schedule A (Form 1040), line 20. (Armed Forces reservists, fee-basis state or local government officials, qualified performing artists, and individuals with disabilities: See the instructions for special rules on where to enter the total.) ▶	10	

1.
 - a. Yes
 - b. No
 - c. See completed Form 2106

Form 2106 Department of the Treasury Internal Revenue Service (99)	Employee Business Expenses ▶ See separate instructions. ▶ Attach to Form 1040.	OMB No. 1545-0139 <div style="font-size: 2em; font-weight: bold; text-align: center;">2004</div> Attachment Sequence No. 54
Your name Larry Lee	Occupation in which you incurred expenses Foreign Service	Social security number : :

Part I Employee Business Expenses and Reimbursements

Step 1 Enter Your Expenses	Column A Other Than Meals and Entertainment	Column B Meals and Entertainment
1 Vehicle expense from line 22 or line 29. (Rural mail carriers: See instructions.)	1	
2 Parking fees, tolls, and transportation, including train, bus, etc., that did not involve overnight travel or commuting to and from work	2	
3 Travel expense while away from home overnight, including lodging, airplane, car rental, etc. Do not include meals and entertainment.	3	2,900.00
4 Business expenses not included on lines 1 through 3. Do not include meals and entertainment.	4	
5 Meals and entertainment expenses (see instructions)	5	850.00
6 Total expenses. In Column A, add lines 1 through 4 and enter the result. In Column B, enter the amount from line 5	6	2,900.00

Note: If you were not reimbursed for any expenses in Step 1, skip line 7 and enter the amount from line 6 on line 8.

Step 2 Enter Reimbursements Received From Your Employer for Expenses Listed in Step 1

7 Enter reimbursements received from your employer that were not reported to you in box 1 of Form W-2. Include any reimbursements reported under code "L" in box 12 of your Form W-2 (see instructions)	7	450.00
--	---	--------

Step 3 Figure Expenses To Deduct on Schedule A (Form 1040)

8 Subtract line 7 from line 6. If zero or less, enter -0-. However, if line 7 is greater than line 6 in Column A, report the excess as income on Form 1040, line 7	8	2,450.00
Note: If both columns of line 8 are zero, you cannot deduct employee business expenses. Stop here and attach Form 2106 to your return.		
9 In Column A, enter the amount from line 8. In Column B, multiply line 8 by 50% (.50). (Employees subject to Department of Transportation (DOT) hours of service limits: Multiply meal expenses incurred while away from home on business by 70% (.70) instead of 50%. For details, see instructions.)	9	2,450.00
10 Add the amounts on line 9 of both columns and enter the total here. Also, enter the total on Schedule A (Form 1040), line 20. (Armed Forces reservists, fee-basis state or local government officials, qualified performing artists, and individuals with disabilities: See the instructions for special rules on where to enter the total.) ▶	10	2,875.00

For Paperwork Reduction Act Notice, see instructions.

Cat. No. 11700N

Form **2106** (2004)

STUDENT NOTES

Lined area for student notes.



The volunteer tax preparation program must continuously seek the most efficient and effective training method.

Integrated training combines tax law training with tax preparation software training. The goal is a certified volunteer in less time than teaching tax law and tax software separately. Additional goals include:

- Making integrated training more interesting, less fatiguing and less intimidating than traditional methods,
- Achieving higher training retention, and
- Achieving tax law learning objectives as outlined in the Publication 678, Volunteer Assistor's Guide, lessons.

Testing and Certification

You are encouraged to complete the test using tax software where appropriate. The requirements for certification are the same as the traditional training approach.

Evaluations

Evaluations by instructors and students are vital. Please refer to the evaluation procedures found in the traditional training material.

Overview

The suggested approach to integrated training is to introduce a segment of tax law (with views and examples from the actual software as well as the paper forms) followed by software navigation and implementation of that tax law using tax software. At appropriate times, you are provided the opportunity to work exercises on your own to reinforce what you have just learned. This process is continued until all of the tax law is covered.

Exercises

There are three types of exercises in this approach:

1. **Comprehensive Training Exercises (CTE):**

There are two comprehensive exercises you and your instructor will work together. As the instructor works the exercise, the instructor's tax screen is displayed so you can emulate the instructor's entries. This part of the training should focus on an interactive approach—ask questions and see the results of entries in the application.

Comprehensive Training Exercise A covers most course material except Earned Income Credit (EIC) and Child Tax Credit (CTC).

Comprehensive Training Exercise B covers EIC, Advance EIC, CTC and Additional CTC.

After you and the instructor together complete a section of the comprehensive exercise, the correct Federal Tax Liability is listed. You can compare this tax liability with the number in the bottom left-hand corner of the TaxWise screen or select F7 and compare it to the Refund Due line. If the two numbers agree, there is a high probability you have properly entered the information. If not, the instructor can work with you to correct the entry before proceeding to the next section.

2. Individual Exercises: Ten individual exercises are provided for you to work independently. These exercises are designed to allow you to practice what you have learned in the comprehensive exercise.

3. Supplemental Exercises: References to supplemental exercises indicate you will return to a previously completed individual exercise. The supplemental exercises provide additional information for you to input into the software. These supplemental exercises follow the delivery of the related tax law.

Process

Tax law is presented beginning with the data collected for the TaxWise Main Information Sheet and then in the order it appears on IRS Form 1040. The modules and their associated Publication 678 lessons are:

Module 1	Lesson 1, Getting Started Lesson 2, Filing Status and Filing Requirements
Module 2	Lesson 3, Income (Wages, Interest, & Dividends)
Module 3	Lesson 3, Income (Taxable Refund, Alimony and Business Income)
Module 4	Lesson 12, Sale of Stock Lesson 13, Sale of Home
Module 5	Lesson 3, Income (Unemployment Compensation and Other Income) Lesson 14, Pensions
Module 6	Lesson 4, Adjustments
Module 7	Lesson 5, Standard and Itemized Deductions
Module 8	Lesson 6, Miscellaneous Credits Lesson 8, Credit for Child and Dependent Care Expenses Lesson 9, Education Credits Lesson 11, Child Tax Credit
Module 9	Lesson 10, Earned Income Credit
Module 10	Lesson 7, Finishing the Return Lesson 11, Additional Child Tax Credit

Directions

The exercises are designed to be completed by the student at appropriate times during the lesson.

- The 2003 exercise answers were derived using TaxWise 2003 (TW03). Because this publication goes to print long before TaxWise 2004 (TW04) is released and because tax law changes have not been finalized, the answers for 2004 are estimates based on the best information available at the time of publication.
- If TaxWise 2003 is used, assume no Advanced Child Tax Credit was received and check box 3 on 1040 Worksheet 3.
- If TaxWise 2003 is used, reduce all year values by one year. For example, Comprehensive Exercise 1, Line 10, states John and Jane itemized deductions in 2003. If you are using TaxWise 2003 software, change the year to 2002.
- All of the tax forms are for 2004. If TaxWise 2003 is used, assume the forms are for 2003.
- Use the “Training” User Name when completing these exercises. This user name requires all social security numbers and EIN’s begin with three unique numbers followed by the EFIN. See the table below for suggested exercise social security number and EIN assignments.

Suggested Training User SSNs/EINs

Exercise	Taypayer SSN	Additional SSNs/EINs As Needed
1	011-EFIN	012-EFIN, 013-EFIN.....
2	021-EFIN	022-EFIN, 023-EFIN.....
3	031-EFIN	032-EFIN, 033-EFIN.....
4	041-EFIN	042-EFIN, 043-EFIN.....
5	051-EFIN	052-EFIN, 053-EFIN.....
6	061-EFIN	062-EFIN, 063-EFIN.....
7	071-EFIN	072-EFIN, 073-EFIN.....
8	081-EFIN	082-EFIN, 083-EFIN.....
9	091-EFIN	092-EFIN, 093-EFIN.....
10	101-EFIN	102-EFIN, 103-EFIN.....
COMP A	111-EFIN	112-EFIN, 113-EFIN.....
COMP B	121-EFIN	122-EFIN, 123-EFIN.....

- For entering telephone numbers, enter your telephone number or use 200 as the area code plus any other numbers.
- If your state has an income tax, enter your state abbreviation. If your state has no income tax, check the box indicating no state return is being prepared.

- If an automatic debit withdrawal is requested for tax due, the Payment Date must be later than the current date.
- None of the taxpayers excluded any Puerto Rico income from their tax return.
- None of the taxpayers had an interest in or a signature or other authority over a financial account in a foreign country. None of the taxpayers received a distribution from, or were grantors of, or transferors to a foreign trust. This is information needed to complete the Schedule B for interest income.
- In those exercises that request Self Select PINS be used, the return may not qualify. To ensure the return qualifies to be signed by a PIN do not enter the PIN data until all other tax data has been entered, then return to the Main Information Sheet and check under the “Self Select and Practitioner PIN” section. If the return qualifies, fill in the necessary information. If the return does not qualify, Form 8453 must be used.
- Each exercise is to be completed to the point of obtaining the correct AGI, Taxable Income and refund/due amount and achieving “Return is eligible for electronic filing” when running the diagnostic checks (except for Married Filing Separately returns which aren’t eligible for e-file in some states such as community property states).
- Some of the exercises will be reopened and additional information added as additional tax law is covered.

Publication 4012, Volunteer Resource Guide

Publication 4012, can be very helpful for training and as a resource when performing tax preparation using tax software.

Comprehensive Training Exercise A

Customer Card

Taxpayer Name: <u>JOHN Q DAVIDSON</u>	SSN: <u>XXX-XX-XXXX</u>
Spouse Name: <u>JANE D SMITH</u>	SSN: <u>XXX-XX-XXXX</u>
Street Address: <u>1067 POST STREET</u>	
City, State and Zip Code: <u>[Your City, State and Zip Code]</u>	
Telephone Number: <u>[Your telephone number]</u>	
Date of Birth: Taxpayer: <u>07/28/1940</u> (for TW 2004) Spouse: <u>01/16/1940</u> Taxpayer: <u>07/28/1939</u> (for TW 2003)	
Occupation: TP: <u>CLERK</u>	SP: <u>SCHOOL TEACHER</u>
Give to Presidential Election Campaign Fund (Y/N):	TP: <u>YES</u> SP: <u>NO</u>

John and Jane have a daughter, Mary Davidson, who is a junior at a local community college. Her date of birth is 03/13/1983 and her SSN is XXX-XX-XXXX. They also have John's granddaughter, Ashley Tyler, living with them full time. Her date of birth is 05/08/1991 and her SSN is XXX-XX-XXXX. They indicated they paid for day care for Ashley while they both worked.

John and Jane are full time residents of your state and they want to file a state return.

If they have a refund, they want half of the refund applied to next years taxes and the other half deposited directly into their checking account. If they owe money, they want direct debit of any amount taken from their checking account. They show you a personal check with routing number 065502789 and account number XX-XXXXXXXX.

John provides you with tax documents and tax information that you sort in the order that will follow IRS Form 1040.

Line 7 – Wages

a Control number		OMB No. 1545-0008		Safe, accurate, FAST! Use  Visit the IRS website at www.irs.gov .	
b Employer identification number XX-XXXXXXX		1 Wages, tips, other compensation 28,134.00		2 Federal income tax withheld 2,176.00	
c Employer's name, address, and ZIP code Martin Petroleum 549 Baylor Street Your City, State and Zip Code		3 Social security wages 31,087.63		4 Social security tax withheld 1,927.33	
		5 Medicare wages and tips 31,087.63		6 Medicare tax withheld 450.77	
		7 Social security tips		8 Allocated tips	
d Employee's social security number XXX-XX-XXXX		9 Advance EIC payment		10 Dependent care benefits	
e Employee's first name and initial Last name John Q. Davidson 1067 Post Street Your City, State and Zip Code		11 Nonqualified plans		12a See instructions for box 12 D 2,953.63	
		13 Statutory employee Retirement plan Third-party sick pay <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/>		12b	
		14 Other		12c	
				12d	
f Employee's address and ZIP code					
15 State Employer's state ID number Your XX-XXXXXXX	16 State wages, tips, etc. 28,134.00	17 State income tax 844.00	18 Local wages, tips, etc.	19 Local income tax	20 Locality name

Form **W-2 Wage and Tax Statement** **2004** Department of the Treasury—Internal Revenue Service
Copy B—To Be Filed With Employee's FEDERAL Tax Return.
 This information is being furnished to the Internal Revenue Service.

a Control number		OMB No. 1545-0008		Safe, accurate, FAST! Use  Visit the IRS website at www.irs.gov .	
b Employer identification number XX-XXXXXXX		1 Wages, tips, other compensation 13,817.00		2 Federal income tax withheld 987.00	
c Employer's name, address, and ZIP code Jackson School District 12210 Coker Rd Your City, State and Zip Code		3 Social security wages 13,817.00		4 Social security tax withheld 856.65	
		5 Medicare wages and tips 13,817.00		6 Medicare tax withheld 200.45	
		7 Social security tips		8 Allocated tips	
d Employee's social security number XXX-XX-XXXX		9 Advance EIC payment		10 Dependent care benefits	
e Employee's first name and initial Last name Jane D. Smith 130 Kilgore Your City, State and Zip Code		11 Nonqualified plans		12a See instructions for box 12	
		13 Statutory employee Retirement plan Third-party sick pay <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/>		12b	
		14 Other		12c	
				12d	
f Employee's address and ZIP code					
15 State Employer's state ID number Your XX-XXXXXXX	16 State wages, tips, etc. 13,817.00	17 State income tax 693.00	18 Local wages, tips, etc.	19 Local income tax	20 Locality name

Form **W-2 Wage and Tax Statement** **2004** Department of the Treasury—Internal Revenue Service
Copy B—To Be Filed With Employee's FEDERAL Tax Return.
 This information is being furnished to the Internal Revenue Service.

PRESS [F7]. TAX REFUND (DUE) – \$1,822 (TW03); \$2097
 (Est. for TW04 with completion of Form 8880)

Line 8 – Interest

John is collecting payments on a seller financed mortgage. The purchaser is Charles Campbell (SSN XXX-XX-XXXX), 1523 North Curry Rd, Your City, State, and Zip Code. Last year John received \$2,782.15 interest on that loan.

PAYER'S name, street address, city, state, ZIP code, and telephone no.		Payer's RTN (optional)	OMB No. 1545-0112		
Kendalt Federal Credit Union 2602 Parks Road Your City, State and Zip Code			2004 Interest Income Form 1099-INT		
PAYER'S Federal identification number XX-XXXXXXX	RECIPIENT'S identification number XXX-XX-XXXX	1 Interest income not included in box 3 \$ 456.34			Copy B For Recipient This is important tax information and is being furnished to the Internal Revenue Service. If you are required to file a return, a negligence penalty or other sanction may be imposed on you if this income is taxable and the IRS determines that it has not been reported.
RECIPIENT'S name John Q. Davidson		2 Early withdrawal penalty \$ 45.63	3 Interest on U.S. Savings Bonds and Treas. obligations \$		
Street address (including apt. no.) 1067 Post Street		4 Federal income tax withheld \$	5 Investment expenses \$		
City, state, and ZIP code Your City, State and Zip Code		6 Foreign tax paid \$	7 Foreign country or U.S. possession		
Account number (optional)					
Form 1099-INT		(keep for your records)		Department of the Treasury - Internal Revenue Service	

PAYER'S name, street address, city, state, ZIP code, and telephone no.		Payer's RTN (optional)	OMB No. 1545-0112		
Hanover Bank P.O. Box 4019 Your City, State and Zip Code			2004 Interest Income Form 1099-INT		
PAYER'S Federal identification number XX-XXXXXXX	RECIPIENT'S identification number XXX-XX-XXXX	1 Interest income not included in box 3 \$ 123.00			Copy B For Recipient This is important tax information and is being furnished to the Internal Revenue Service. If you are required to file a return, a negligence penalty or other sanction may be imposed on you if this income is taxable and the IRS determines that it has not been reported.
RECIPIENT'S name John Q. Davidson		2 Early withdrawal penalty \$	3 Interest on U.S. Savings Bonds and Treas. obligations \$ 864.35		
Street address (including apt. no.) 1067 Post Street		4 Federal income tax withheld \$ 86.43	5 Investment expenses \$		
City, state, and ZIP code Your City, State and Zip Code		6 Foreign tax paid \$	7 Foreign country or U.S. possession		
Account number (optional)					
Form 1099-INT		(keep for your records)		Department of the Treasury - Internal Revenue Service	

John received word from the Gordon Investment Service that he had been paid \$148.63 in tax exempt interest on that account.

PRESS [F7]. TAX REFUND (DUE) – \$1,285 (TW03); \$1,560 (Est. for TW04)

Line 9 – Dividends

<input type="checkbox"/> CORRECTED (if checked)				2004	Dividends and Distributions
PAYER'S name, street address, city, state, ZIP code, and telephone no. Pembroke Fund PO Box 5270 Your City, State and Zip Code		1a Total ordinary dividends \$ 231.86	OMB No. 1545-0110 Form 1099-DIV		
PAYER'S Federal identification number XX-XXXXXXX		1b Qualified dividends \$ 231.86	2a Total capital gain distr. \$ 68.75	2b Unrecap. Sec. 1250 gain \$	Copy B For Recipient
RECIPIENT'S identification number XXX-XX-XXXX					
RECIPIENT'S name John Q. Davidson Street address (including apt. no.) 1067 Post Street City, state, and ZIP code Your City, State and Zip Code		2c Section 1202 gain \$	2d Collectibles (28%) gain \$	4 Federal income tax withheld \$ 0.00	This is important tax information and is being furnished to the Internal Revenue Service. If you are required to file a return, a negligence penalty or other sanction may be imposed on you if this income is taxable and the IRS determines that it has not been reported.
Account number (optional)		3 Nontaxable distributions \$	5 Investment expenses \$	6 Foreign tax paid \$ 3.65	
		8 Cash liquidation distributions \$	7 Foreign country or U.S. possession	9 Noncash liquidation distributions \$	
Form 1099-DIV		(keep for your records)		Department of the Treasury - Internal Revenue Service	

PRESS [F7]. TAX REFUND (DUE) – \$1,266 (TW03); \$1,545 (Est. for TW04)

Line 44 (2003) Line 50 (2004) – Foreign Tax Credit

John has \$3.65 foreign tax credit reported on the above Form 1099-Div.

PRESS [F7]. TAX REFUND (DUE) – \$1,270 (TW03); \$1,549 (Est. for TW04)

<input type="checkbox"/> CORRECTED (if checked)				Certain Government Payments	
PAYER'S name, street address, city, state, ZIP code, and telephone no. Your State Department of Revenue 1600 W Moberly Your City, State and Zip Code		1 Unemployment compensation \$	OMB No. 1545-0120	2004 Form 1099-G	
		2 State or local income tax refunds, credits, or offsets \$ 437.00			
PAYER'S Federal identification number XX-XXXXXXX	RECIPIENT'S identification number XXX-XX-XXXX	3 Box 2 amount is for tax year	4 Federal income tax withheld \$ 0.00	Copy B For Recipient This is important tax information and is being furnished to the Internal Revenue Service. If you are required to file a return, a negligence penalty or other sanction may be imposed on you if this income is taxable and the IRS determines that it has not been reported.	
RECIPIENT'S name John Q Davidson & Jane D Smith		5 	6 Taxable grants \$		
Street address (including apt. no.) 1067 Post Street		7 Agriculture payments \$	8 Box 2 is trade or business income <input type="checkbox"/>		
City, state, and ZIP code Your City, State and Zip Code					
Account number (optional)					
Form 1099-G		(keep for your records)		Department of the Treasury - Internal Revenue Service	

Line 10 – Taxable Refunds

John and Jane itemized deductions last year and received a \$437 tax refund from the state. Their taxable income was \$75,000 and their total itemized deductions were _____ (use \$8,210 for 2002 and \$9,860 for 2003).

PRESS [F7]. TAX REFUND (DUE) – \$1,218 (TW03); \$1,497 (Est. for TW04)

Line 11 – Alimony Received

During the year Jane received \$1,200 in alimony payments from a previous husband.

PRESS [F7]. TAX REFUND (DUE) – \$1,038 (TW03); \$1,317 (Est. for TW04)

Line 12 – Business Income

Jane has a small business, which she operates out of her home typing medical transcripts. The business code is 561410. In addition to the following Form 1099-MISC, she also received \$1,082 during the year from other doctors for this service. Her expenses were \$49 for paper and \$67.50 for a printer cartridge. Jane used her second car for picking up and delivering the typing jobs. She maintained a written record of mileage of 425 business miles and 10,000 other miles. She bought the car and started using it for business on January 2, 2003. Jane has another car available for personal use.

CORRECTED (if checked)

PAYER'S name, street address, city, state, ZIP code, and telephone no. Pratt Medical Centers, Inc 826 Paine Ave Your City, State and Zip Code		1 Rents	OMB No. 1545-0115 <div style="font-size: 2em; font-weight: bold;">2004</div>	Miscellaneous Income
		\$		
		2 Royalties	Form 1099-MISC	
PAYER'S Federal identification number XX-XXXXXXX		3 Other income	4 Federal income tax withheld	Copy B For Recipient
		\$	\$	
RECIPIENT'S identification number XXX-XX-XXXX		5 Fishing boat proceeds	6 Medical and health care payments	
		\$	\$	
RECIPIENT'S name Jane D Smith Street address (including apt. no.) 1067 Post Street City, state, and ZIP code Your City, State and Zip Code		7 Nonemployee compensation	8 Substitute payments in lieu of dividends or interest	
		\$ 1,637.00	\$	
		9 Payer made direct sales of \$5,000 or more of consumer products to a buyer (recipient) for resale <input type="checkbox"/>	10 Crop insurance proceeds	
Account number (optional)		11	12	
		13 Excess golden parachute payments	14 Gross proceeds paid to an attorney	
15		\$	\$		This is important tax information and is being furnished to the Internal Revenue Service. If you are required to file a return, a negligence penalty or other sanction may be imposed on you if this income is taxable and the IRS determines that it has not been reported.
		\$	\$	
16 State tax withheld		\$	17 State/Payer's state no.	
		\$	\$	
18 State income		\$	\$	
		\$	\$	

Form **1099-MISC** (keep for your records) Department of the Treasury - Internal Revenue Service

PRESS [F7]. TAX REFUND (DUE) – \$347 (TW03); \$427 (Est. for TW04)

Line 13 – Capital Gain Or Loss

CORRECTED (if checked)

PAYER'S name, street address, city, state, ZIP code, and telephone no. Felrum Brokerage Service 82 Douglas St Your City, State and Zip Code		1a Date of sale or exchange	OMB No. 1545-0715 <div style="font-size: 2em; font-weight: bold;">2004</div>	Proceeds From Broker and Barter Exchange Transactions
		3/10/2004		
		1b CUSIP no.	Form 1099-B	
PAYER'S Federal identification number XX-XXXXXXX		2 Stocks, bonds, etc.	Reported to IRS } <input type="checkbox"/> Gross proceeds <input checked="" type="checkbox"/> Gross proceeds less commissions and option premiums	
		\$ 8,858.61		
RECIPIENT'S identification number XXX-XX-XXXX		3 Bartering	4 Federal income tax withheld	Copy B For Recipient
		\$	\$	
RECIPIENT'S name John Q Davidson Street address (including apt. no.) 1067 Post Street City, state, and ZIP code Your City, State, and Zip Code		5 No. of shares exchanged	6 Classes of stock exchanged	
		100		
		7 Description		
CORPORATION'S name, street address, city, state, and ZIP code		8 Profit or (loss) realized in 2004	9 Unrealized profit or (loss) on open contracts—12/31/2003	
		\$	\$	
Account number (optional)		10 Unrealized profit or (loss) on open contracts—12/31/2004	11 Aggregate profit or (loss)	
		\$	\$	
2nd TIN not. <input type="checkbox"/>		12 If this box is checked, you cannot take a loss on your tax return based on the amount in box 2 <input type="checkbox"/>		

Form **1099-B** (keep for your records) Department of the Treasury - Internal Revenue Service

John paid \$10,123 for the above stock on July 13, 1998.

John also made the following stock transactions during the tax year.

STOCK	QTY	BUY DATE	SELL DATE	SELL PRICE	COST / BASIS
Rust Corp	100	11/01/1998	09/23/2004	1,700.00	3,200.00
Rio Motors	150	07/15/2003	06/01/2004	10,675.00	9,543.00
Rider Corp	65	08/12/1996	12/30/2004	5,663.00	7,222.00

PRESS [F7]. TAX REFUND (DUE) – \$804 (TW03); \$1,080 (Est. TW04)

Line15 – IRA Distributions

PAYER'S name, street address, city, state, and ZIP code		1 Gross distribution		OMB No. 1545-0119		Distributions From Pensions, Annuities, Retirement or Profit-Sharing Plans, IRAs, Insurance Contracts, etc.
Sauk Trust Co PO Box 254 Your City, State and Zip Code		\$ 837.55		2004 Form 1099-R		
		2a Taxable amount \$ 837.55				
PAYER'S Federal identification number XX-XXXXXXX		RECIPIENT'S identification number XXX-XX-XXXX		3 Capital gain (included in box 2a) \$		Copy B Report this income on your Federal tax return. If this form shows Federal income tax withheld in box 4, attach this copy to your return.
RECIPIENT'S name John Q Davidson		4 Federal income tax withheld \$		5 Employee contributions or insurance premiums \$		
Street address (including apt. no.) 1067 Post Street		6 Net unrealized appreciation in employer's securities \$		7 Distribution code(s) 7		This information is being furnished to the Internal Revenue Service.
City, state, and ZIP code Your City, State and Zip Code		8 Other \$ %		9a Your percentage of total distribution % %		
Account number (optional)		9b Total employee contributions \$		10 State tax withheld \$ 0		12 State distribution \$ 837.55
		11 State/Payer's state no. Your State XX-XXXXXXX		13 Local tax withheld \$		
		14 Name of locality		15 Local distribution \$		

Form 1099-R Department of the Treasury - Internal Revenue Service

CORRECTED (if checked)

PAYER'S name, street address, city, state, and ZIP code Yale Security IRA PO Box 25237 Your City, State and Zip Code		1 Gross distribution \$ 11,754.52		OMB No. 1545-0119 2004 Form 1099-R		Distributions From Pensions, Annuities, Retirement or Profit-Sharing Plans, IRAs, Insurance Contracts, etc.
PAYER'S Federal identification number XX-XXXXXXX		2a Taxable amount \$		2b Taxable amount not determined <input checked="" type="checkbox"/> Total distribution <input type="checkbox"/>		
RECIPIENT'S name John Q Davidson		3 Capital gain (included in box 2a) \$		4 Federal income tax withheld \$		Copy B Report this income on your Federal tax return. If this form shows Federal income tax withheld in box 4, attach this copy to your return.
RECIPIENT'S identification number XXX-XX-XXXX		5 Employee contributions or insurance premiums \$		6 Net unrealized appreciation in employer's securities \$		
Street address (including apt. no.) 1067 Post Street		7 Distribution code(s) G		8 Other \$ %		This information is being furnished to the Internal Revenue Service.
City, state, and ZIP code Your City, State and Zip Code		9a Your percentage of total distribution %		9b Total employee contributions \$		
Account number (optional)		10 State tax withheld \$		11 State/Payer's state no. \$		12 State distribution \$
		13 Local tax withheld \$		14 Name of locality \$		15 Local distribution \$

Form **1099-R**

Department of the Treasury - Internal Revenue Service

John transferred the above IRA account to Merrill Lynch

PRESS [F7]. TAX REFUND (DUE) – \$676

Line 16 – Pensions And Annuities

CORRECTED (if checked)

PAYER'S name, street address, city, state, and ZIP code Defense Finance & Accounting SVC US Military Retirement Pay PO Box 7139 Your City, State and Zip Code		1 Gross distribution \$ 1,200.00		OMB No. 1545-0119 2004 Form 1099-R		Distributions From Pensions, Annuities, Retirement or Profit-Sharing Plans, IRAs, Insurance Contracts, etc.
PAYER'S Federal identification number XX-XXXXXXX		2a Taxable amount \$ 1,200.00		2b Taxable amount not determined <input type="checkbox"/> Total distribution <input type="checkbox"/>		
RECIPIENT'S name Jane D Smith		3 Capital gain (included in box 2a) \$		4 Federal income tax withheld \$		Copy B Report this income on your Federal tax return. If this form shows Federal income tax withheld in box 4, attach this copy to your return.
RECIPIENT'S identification number XXX-XX-XXXX		5 Employee contributions or insurance premiums \$		6 Net unrealized appreciation in employer's securities \$		
Street address (including apt. no.) 1067 Post Street		7 Distribution code(s) 7		8 Other \$ %		This information is being furnished to the Internal Revenue Service.
City, state, and ZIP code Your City, State and Zip Code		9a Your percentage of total distribution %		9b Total employee contributions \$		
Account number (optional)		10 State tax withheld \$ 0		11 State/Payer's state no. Your State		12 State distribution \$ 1,200.00
		13 Local tax withheld \$		14 Name of locality \$		15 Local distribution \$

Form **1099-R**

Department of the Treasury - Internal Revenue Service

CORRECTED (if checked)

PAYER'S name, street address, city, state, and ZIP code Stillman Pension Fund 36964 Dana Rd Your City, State and Zip Code		1 Gross distribution OMB No. 1545-0119 <div style="text-align: right; font-size: 2em; font-weight: bold;">2004</div>	Distributions From Pensions, Annuities, Retirement or Profit-Sharing Plans, IRAs, Insurance Contracts, etc.	
		\$ 18,625.00 2a Taxable amount \$		Form 1099-R
PAYER'S Federal identification number XX-XXXXXXX		2b Taxable amount not determined <input type="checkbox"/> Total distribution <input type="checkbox"/>		Copy B Report this income on your Federal tax return. If this form shows Federal income tax withheld in box 4, attach this copy to your return. This information is being furnished to the Internal Revenue Service.
		RECIPIENT'S identification number XXX-XX-XXXX	3 Capital gain (included in box 2a) \$	
RECIPIENT'S name John Q Davidson Street address (including apt. no.) 1067 Post Street City, state, and ZIP code Your City, State and Zip Code		5 Employee contributions or insurance premiums \$	6 Net unrealized appreciation in employer's securities \$	
		7 Distribution code(s) 7	IRA/SEP/SIMPLE <input type="checkbox"/> 8 Other \$ %	
Account number (optional)		10 State tax withheld \$ 0	11 State/Payer's state no. Your State XX-XXXXXXX	
		13 Local tax withheld \$	14 Name of locality	15 Local distribution \$

Form **1099-R** Department of the Treasury - Internal Revenue Service

John retired at the age of 62 and started drawing his retirement pay on January 1, 2002 (2003 for TaxWise 2004). He has recovered \$271.00 tax free in prior years. Jane is not included in his retirement plan.

PRESS [F7]. TAX REFUND (DUE) – \$(541) (TW03); \$(465) (Est. TW04)

Line 19 – Unemployment Compensation

CORRECTED (if checked)

PAYER'S name, street address, city, state, ZIP code, and telephone no. Your State Unemployment Commission 32 Suffolk Street Your City, State and Zip Code		1 Unemployment compensation OMB No. 1545-0120 <div style="text-align: right; font-size: 2em; font-weight: bold;">2004</div>	Certain Government Payments	
		\$ 1,263.00 2 State or local income tax refunds, credits, or offsets \$		Form 1099-G
PAYER'S Federal identification number XX-XXXXXXX	RECIPIENT'S identification number XXX-XX-XXXX	3 Box 2 amount is for tax year	4 Federal income tax withheld \$ 120.00	Copy B For Recipient This is important tax information and is being furnished to the Internal Revenue Service. If you are required to file a return, a negligence penalty or other sanction may be imposed on you if this income is taxable and the IRS determines that it has not been reported.
RECIPIENT'S name John Q. Davidson Street address (including apt. no.) 1067 Post Street City, state, and ZIP code Your City, State and Zip Code		5	6 Taxable grants \$	
		7 Agriculture payments \$	8 Box 2 is trade or business income <input type="checkbox"/>	
Account number (optional)				

Form **1099-G** (keep for your records) Department of the Treasury - Internal Revenue Service

PRESS [F7]. TAX REFUND (DUE) – \$(609) (TW03); \$(533)
(Est. TW04)

Line 20 – Social Security Benefits

FORM SSA-1099 – SOCIAL SECURITY BENEFIT STATEMENT		
2004 • PART OF YOUR SOCIAL SECURITY BENEFITS SHOWN IN BOX 5 MAY BE TAXABLE INCOME. • SEE THE REVERSE FOR MORE INFORMATION.		
Box 1. Name John Q. Davidson	Box 2. Beneficiary's Social Security Number xxx-xx-xxxx	
Box 3. Benefits Paid in 2004 12,682.00	Box 4. Benefits Repaid to SSA in 2004	Box 5. Net Benefits for 2003 (Box 3 minus Box 4) 12,682.00
DESCRIPTION OF AMOUNT IN BOX 3 Paid by check or direct deposit: \$11,883.00 Medicare Premiums: \$799.00 Total: \$12,682.00		DESCRIPTION OF AMOUNT IN BOX 4 Box 6. Voluntary Federal Income Tax Withholding 600.00
		Box 7. Address 1067 Post Street Your City, State, and Zip Code
		Box 8. Claim Number (Use this number if you need to contact SSA.)
Form SSA-1099-SM (1-2005) DO NOT RETURN THIS FORM TO SSA OR IRS		

PRESS [F7]. TAX REFUND (DUE) – \$(1773) (TW03); \$(1,569)
(Est. TW04 with \$24 penalty)

Line 21 – Other Income

<input type="checkbox"/> CORRECTED (if checked)				OMB No. 1545-0238	
PAYER'S name, address, ZIP code, Federal identification number, and telephone number Lottery Board 15 West Jackson Your City, State, and Zip Code	1 Gross winnings 1,200.00	2 Federal income tax withheld	2004 Form W-2G Certain Gambling Winnings		
	3 Type of wager Lottery	4 Date won 04 : 14 : 2004			
	5 Transaction	6 Race			
	7 Winnings from identical wagers	8 Cashier			
WINNER'S name, address (including apt. no.), and ZIP code Jane D. Smith 1067 Post Street Your City, State, and Zip Code	9 Winner's taxpayer identification no. xxx-xx-xxxx	10 Window	This information is being furnished to the Internal Revenue Service. Copy B Report this income on your Federal tax return. If this form shows Federal income tax withheld in box 2, attach this copy to your return.		
	11 First I.D.	12 Second I.D.			
	13 State/Payer's state identification no. xx-xxxxxxx	14 State income tax withheld 36.00			
Under penalties of perjury, I declare that, to the best of my knowledge and belief, the name, address, and taxpayer identification number that I have furnished correctly identify me as the recipient of this payment and any payments from identical wagers, and that no other person is entitled to any part of these payments.					
Signature ►				Date ►	
Form W-2G		Department of the Treasury - Internal Revenue Service			

Jane had \$2,250 in gambling losses

PRESS [F7]. TAX REFUND (DUE) – \$(2080) (TW03); \$(1,816)
(Est. TW04 with \$30 penalty)

Line 24 (2003) Line 25 (2004) – IRA Deductions

If possible Jane would like to put \$2,000, *tax free*, into her regular IRA account.

PRESS [F7]. TAX REFUND (DUE) – \$(2080) (TW03); \$(1,816)
(Est. TW04 with \$30 penalty)

Line 25 (2003) Line 26 (2004) – Student Loan Interest Deduction

Jane paid \$268 interest on a student loan she took to obtain her teaching degree.

PRESS [F7]. TAX REFUND (DUE) – \$(2004) (TW03); \$(1,715)
(Est. TW04 with \$28 penalty)

Line 26 (2003) Line 27 (2004) – Tuition And Fees Deductions

Jane had to take several special training courses which were required by her job at the local college. The class tuition and fees totaled \$317.85. (This should be re-examined when all entries have been completed to see if an Education Credit, Form 8863 results in a lower tax.)

PRESS [F7]. TAX REFUND (DUE) – \$(1927) (TW03); \$(1,690)
(Est. TW04 with \$27 penalty)

Line 32a (2003) Line 34a (2004) – Alimony Paid

John paid \$3,600 in alimony to a previous wife. Her social security number is xxx-xx-xxxx. His previous wife, Mary Dana, lives at 2708 Mills Drive, Your City, State and Zip Code.

PRESS [F7]. TAX REFUND (DUE) – \$(1193) (TW03); \$(1,115)
(Est. TW04 with \$12 penalty)

Line 37 (2003) Line 39 (2004) – Itemized Deductions

Because of high medical expenses this year, John wants to itemize deductions and provides the following:

Medical Insurance	\$1,200
Doctor Bills	1,653
Hospital Bills	3,200
Medical Mileage	1,236 Miles
Prescription drugs	965
Prescription Eye Glasses	210
Church cash donations	1,650
Misc cash donations to nonprofit orgs.	225
Contribution to Millsap Elementary School	250
Salvation Army (FMV of clothes and TV)	350
Home mortgage interest	3,164
County Real Estate Tax	875
City Real Estate Tax	258

Personal property tax(based on the value) 624
 Gambling Losses 2,250

PRESS [F7]. TAX REFUND (DUE) – \$(736) (TW03); \$(683)
 (Est. TW04)

Line 45 (2003) Line 46 (2004) – Credit For Child And Dependent Care Expenses

John and Jane paid the Maryville Day Care Center \$1,100 to watch Ashley after school each day. The center’s address is 128 Menio St, your City, State, and Zip Code. Their EIN is XX-XXXXXX.

PRESS [F7]. TAX REFUND (DUE) – \$(516) (TW03); \$(463)
 (Est. TW04)

Line 47 (2003) Line 48 (2004) – Education Credits

John and Jane paid \$1,715 in tuition and fees for their daughter to attend the local college as a junior.

PRESS [F7]. TAX REFUND (DUE) – \$(173) (TW03); \$(120)
 (Est. TW04)

Line 62 (2003) Line 64 (2004) – Estimated Tax Payments

John and Jane made the following estimated tax payments.

DATE PAID	AMOUNT PAID
04/14	\$100
09/18	\$100

They also applied \$200 from last year’s tax refund toward this year’s taxes.

PRESS [F7]. TAX REFUND (DUE) – \$227 (TW03); \$280
 (Est. TW04)

Recheck Tuition Deduction Taken On Line 26 (2003) Line 27 (2004)—Remove Tuition and Fees deduction from line 26 (2003) line 27 (2004) and enter on Form 8863, Education Credits, to see if a lesser tax results.

PRESS [F7]. TAX REFUND (DUE) – \$238 (TW03); \$292
 (Est. TW04)

Line 70a (2003) Line 72a (2004) – Amount You Want Refunded To You

John and Jane want any refund or debit deposited or withdrawn from their checking account. (See the first page for their bank routing and account numbers.)

Line 71 (2003) Line 73 (2004) – Applied To next year’s Estimated Taxes

If John and Jane have a refund coming they want half of the refund applied to next year’s taxes.

PRESS [F7]. TAX REFUND (DUE) – \$119 (TW03); \$146
(Est. TW04)

Signature Line

John and Jane want to sign their return using pins. John enters “45678” and Jane enters “89123”. Their last year’s AGI was \$75,000.

Exercise No. 1
Customer Card

Taxpayer Name: <u>DAVID A CHAPMAN</u>	SSN: <u>XXX-XX-XXXX</u>
Spouse Name: <u>MARY E CHAPMAN</u>	SSN: <u>XXX-XX-XXXX</u>
Street Address: <u>876 KENYON AVE</u>	
City, State and Zip Code: <u>[Your City, State and Zip Code]</u>	
Telephone Number: <u>[Your telephone number]</u>	
Date of Birth: Taxpayer: <u>11/18/71</u>	Spouse: <u>08/07/73</u>
Occupation: TP: <u>MECHANIC</u>	SP: <u>TEACHER</u>
Give to Pres Elect Campaign Fund (Y/N):	TP: <u>YES</u> SP: <u>NO</u>

Other Information Provided By The Taxpayer

- David and Mary were married on October 11, 2004. David has one daughter, from his previous marriage. His daughter's name is Alice and she was born on April 14, 1994, and has a Social Security Number of XXX-XX-XXXX. Alice lived with David all of last year but her mother provided almost half of her support.
- Mary, whose maiden name was Wilson, tells you she has not yet notified the Social Security Administration of her name change to Chapman.

a Control number		OMB No. 1545-0008		Safe, accurate, FAST! Use 		Visit the IRS website at www.irs.gov .				
b Employer identification number XX-XXXXXXX				1 Wages, tips, other compensation 32,810.49	2 Federal income tax withheld 4,812.52					
c Employer's name, address, and ZIP code Huron Airlines Inc P.O. Box 6610 Your City, State and Zip Code				3 Social security wages 34,040.49	4 Social security tax withheld 2,110.00					
				5 Medicare wages and tips 34,040.49	6 Medicare tax withheld 494.00					
				7 Social security tips	8 Allocated tips					
d Employee's social security number XXX-XX-XXXX				9 Advance EIC payment		10 Dependent care benefits				
e Employee's first name and initial Last name David A Chapman 876 Kenyon Ave Your City, State and Zip Code				11 Nonqualified plans		12a See instructions for box 12 D 1,230.00				
				13 Statutory employee <input type="checkbox"/>	Retirement plan <input checked="" type="checkbox"/>	Third-party sick pay <input type="checkbox"/>	12b			
				14 Other		12c				
						12d				
f Employee's address and ZIP code										
15 State Employer's state ID number Your XX-XXXXXXX	16 State wages, tips, etc. 32,810.49	17 State income tax 984.00	18 Local wages, tips, etc.	19 Local income tax	20 Locality name					

Form **W-2** Wage and Tax Statement

2004

Department of the Treasury—Internal Revenue Service

Copy B—To Be Filed With Employee's FEDERAL Tax Return.
This information is being furnished to the Internal Revenue Service.

a Control number		OMB No. 1545-0008		Safe, accurate, FAST! Use 		Visit the IRS website at www.irs.gov .	
b Employer identification number XX-XXXXXXX				1 Wages, tips, other compensation 26,189.53	2 Federal income tax withheld 547.00		
c Employer's name, address, and ZIP code Department of Public Schools 100 Snow Street Your City, State and Zip Code				3 Social security wages 26,189.53	4 Social security tax withheld 1,624.00		
				5 Medicare wages and tips 26,189.53	6 Medicare tax withheld 380.00		
				7 Social security tips	8 Allocated tips		
d Employee's social security number XXX-XX-XXXX				9 Advance EIC payment		10 Dependent care benefits	
e Employee's first name and initial Last name Mary E. Chapman 546 Berry Street Your City, State and Zip Code				11 Nonqualified plans		12a See instructions for box 12	
				13 Statutory employee Retirement plan Third-party sick pay <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/>		12b	
				14 Other		12c	
						12d	
f Employee's address and ZIP code							
15 State	Employer's state ID number	16 State wages, tips, etc.	17 State income tax	18 Local wages, tips, etc.	19 Local income tax	20 Locality name	
Your	XX-XXXXXXX	26,189.53	526.00				

Form **W-2** Wage and Tax Statement

2004

Department of the Treasury—Internal Revenue Service

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CORRECTED (if checked)

PAYER'S name, street address, city, state, ZIP code, and telephone no. Lamar Bank 5501 South Ave Your City, State and Zip Code		Payer's RTN (optional)	OMB No. 1545-0112 2004 Form 1099-INT	Interest Income
PAYER'S Federal identification number XX-XXXXXXX	RECIPIENT'S identification number XXX-XX-XXXX	1 Interest income not included in box 3 \$ 217.00		
RECIPIENT'S name David A. Chapman Street address (including apt. no.) 876 Kenyon Ave City, state, and ZIP code Your City, State and Zip Code		2 Early withdrawal penalty \$	3 Interest on U.S. Savings Bonds and Treas. obligations \$	
Account number (optional)		4 Federal income tax withheld \$ 0.00	5 Investment expenses \$	
		6 Foreign tax paid \$	7 Foreign country or U.S. possession	Copy B For Recipient This is important tax information and is being furnished to the Internal Revenue Service. If you are required to file a return, a negligence penalty or other sanction may be imposed on you if this income is taxable and the IRS determines that it has not been reported.

Form **1099-INT**

(keep for your records)

Department of the Treasury - Internal Revenue Service

CORRECTED (if checked)

PAYER'S name, street address, city, state, ZIP code, and telephone no. Quincy Savings Bank 4801 W. Belmont Ave Your City, State and Zip Code		1a Total ordinary dividends \$ 237.35	OMB No. 1545-0110 2004 Form 1099-DIV	Dividends and Distributions
		1b Qualified dividends \$ 237.35		
PAYER'S Federal identification number XX-XXXXXXX	RECIPIENT'S identification number XXX-XX-XXXX	2a Total capital gain distr. \$ 120.33	2b Unrecap. Sec. 1250 gain \$	Copy B For Recipient This is important tax information and is being furnished to the Internal Revenue Service. If you are required to file a return, a negligence penalty or other sanction may be imposed on you if this income is taxable and the IRS determines that it has not been reported.
RECIPIENT'S name Mary E. Chapman Street address (including apt. no.) 876 Kenyon Ave City, state, and ZIP code Your City, State and Zip Code		2c Section 1202 gain \$	2d Collectibles (28%) gain \$	
Account number (optional)		3 Nontaxable distributions \$	4 Federal income tax withheld \$ 24.00	
		6 Foreign tax paid \$	7 Foreign country or U.S. possession	
		8 Cash liquidation distributions \$	9 Noncash liquidation distributions \$	

Form **1099-DIV**

(keep for your records)

Department of the Treasury - Internal Revenue Service

Optional Exercise No. 2

Customer Card

Taxpayer Name: <u>ASHLEY L MADISON</u>	SSN: <u>XXX-XX-XXXX</u>
Spouse Name: _____	SSN: _____
Street Address: <u>1715 MARION DRIVE</u>	
City, State and Zip Code: [Your City, State and Zip Code]	
Telephone Number: [Your telephone number]	
Date of Birth: Taxpayer: <u>04/02/1983</u>	Spouse: _____
Occupation: TP: <u>STUDENT</u>	SP: _____
Give to Pres Elect Campaign Fund (Y/N):	TP: <u>YES</u> SP: <u>___</u>

Other Information Provided By The Taxpayer

- She wants to earn a business degree and carried a full credit load six months last year.
- She was supported by and lived with her parents last year.
- She worked part time to earn some extra spending money.
- This is the first year Ashley has filed a tax return.
- If there is a refund she wants it sent to her home. If she owes more taxes she will pay by check.
- The family moved into a new house in January of this year.

a Control number	OMB No. 1545-0008	Safe, accurate, FAST! Use		Visit the IRS website at www.irs.gov .	
b Employer identification number XX-XXXXXXX	1 Wages, tips, other compensation 4,311.68	2 Federal income tax withheld 453.00			
c Employer's name, address, and ZIP code The Rockford Steakhouse 341 1st Street Your City, State and Zip Code	3 Social security wages 4,311.68	4 Social security tax withheld 267.28			
	5 Medicare wages and tips 4,311.68	6 Medicare tax withheld 63.48			
	7 Social security tips	8 Allocated tips 2,672.00			
d Employee's social security number XXX-XX-XXXX	9 Advance EIC payment	10 Dependent care benefits			
e Employee's first name and initial Last name Ashley L. Madison 2715 Alma Street Your City, State and Zip Code	11 Nonqualified plans	12a See instructions for box 12			
	13 Statutory employee Retirement plan Third-party sick pay <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	12b			
	14 Other	12c			
f Employee's address and ZIP code			12d		
15 State Employer's state ID number Your XX-XXXXXXX	16 State wages, tips, etc. 4,311.68	17 State income tax 64.00	18 Local wages, tips, etc.	19 Local income tax	20 Locality name

Form **W-2** Wage and Tax Statement

2004

Department of the Treasury—Internal Revenue Service

Copy B—To Be Filed With Employee's FEDERAL Tax Return.
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CORRECTED (if checked)

PAYER'S name, street address, city, state, ZIP code, and telephone no. Fisk Federal Bank P.O. Box 319194 Your City, State and Zip Code		Payer's RTN (optional)	OMB No. 1545-0112 2004 Form 1099-INT	Interest Income
PAYER'S Federal identification number XX-XXXXXXX	RECIPIENT'S identification number XXX-XX-XXXX	1 Interest income not included in box 3 \$ 17.83		
RECIPIENT'S name Ashley L. Madison Street address (including apt. no.) 2715 Alma Street City, state, and ZIP code Your City, State and Zip Code		2 Early withdrawal penalty \$	3 Interest on U.S. Savings Bonds and Treas. obligations \$	
Account number (optional)		4 Federal income tax withheld \$ 0.00	5 Investment expenses \$	
		6 Foreign tax paid \$	7 Foreign country or U.S. possession	Copy B For Recipient This is important tax information and is being furnished to the Internal Revenue Service. If you are required to file a return, a negligence penalty or other sanction may be imposed on you if this income is taxable and the IRS determines that it has not been reported.

Form **1099-INT**

(keep for your records)

Department of the Treasury - Internal Revenue Service

Exercise No. 3

Customer Card

Taxpayer Name:	<u>SUSANNE E DENISON</u>	SSN:	<u>XXX-XX-XXXX</u>
Spouse Name:	_____	SSN:	_____
Street Address:	<u>2125 HOOD DRIVE</u>		
City, State and Zip Code:	<u>[Your City, State and Zip Code]</u>		
Telephone Number:	<u>[Your telephone number]</u>		
Date of Birth:	Taxpayer: <u>07/07/1962</u>	Spouse:	_____
Occupation:	TP: <u>TEACHER</u>	SP:	_____
Give to Pres Elect Campaign Fund (Y/N):	TP: <u>NO</u>	SP:	<u>___</u>

Other Information Provided By The Taxpayer

- Susanne has not lived with her husband since September of 2004 and he will not agree to file jointly with her. Her husband's name is Charles V. Denison (SS# XXX-XX-XXXX) and he lives at 130 N Elon Ave, Your City, State and Zip Code.
- Susanne has one daughter, Agnes (SS# XXX-XX-XXXX) who was born on the February 26, 1986. She is a full time student (freshman) at the local college. Susanne provided for all of Agnes' support during last year.
- All year Susanne has been typing medical transcripts, at night, in her home to make extra money. She provided you with a Form 1099-MISC from the Parsons Medical Centers for the money she received from them. She also received \$1,576.50 from other doctors for this service. Last year she paid \$49 for paper, \$67.87 for printer cartridges and \$187 for repairs to her computer. She also paid \$52 a month for high speed Internet access that is needed to download and send transcription data.
- Susanne and Charles did not itemize deductions last year. Charles already submitted his tax return and he did not itemize deductions this year.
- Susanne will take care of any amount due by check and wants any refund sent to her home address.

a Control number		OMB No. 1545-0008		Safe, accurate, FAST! Use  Visit the IRS website at www.irs.gov .	
b Employer identification number XX-XXXXXXX			1 Wages, tips, other compensation 36,240.67	2 Federal income tax withheld 6,933.87	
c Employer's name, address, and ZIP code Marion School District 1309 Ferns Street SE Your City, State and Zip Code			3 Social security wages 36,240.67	4 Social security tax withheld 2,246.92	
			5 Medicare wages and tips 36,240.67	6 Medicare tax withheld 525.00	
			7 Social security tips	8 Allocated tips	
d Employee's social security number XXX-XX-XXXX			9 Advance EIC payment		10 Dependent care benefits
e Employee's first name and initial Last name Susanne Denison 2125 Hood Drive Your City, State and Zip Code			11 Nonqualified plans		12a See instructions for box 12
			13 Statutory employee <input type="checkbox"/> Retirement plan <input checked="" type="checkbox"/> Third-party sick pay <input type="checkbox"/>	12b	
			14 Other		12c
					12d
f Employee's address and ZIP code					
15 State Employer's state ID number Your XX-XXXXXXX	16 State wages, tips, etc. 36,240.67	17 State income tax 1,087.00	18 Local wages, tips, etc.	19 Local income tax	20 Locality name

Form **W-2** Wage and Tax Statement

2004

Department of the Treasury—Internal Revenue Service

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CORRECTED (if checked)

PAYER'S name, street address, city, state, ZIP code, and telephone no. Salem Bank PO Box 27865 Your City, State and Zip Code		Payer's RTN (optional)	OMB No. 1545-0112 2004 Form 1099-INT		Interest Income
PAYER'S Federal identification number XX-XXXXXXX	RECIPIENT'S identification number XXX-XX-XXXX	1 Interest income not included in box 3 \$ 683.45		Copy B For Recipient This is important tax information and is being furnished to the Internal Revenue Service. If you are required to file a return, a negligence penalty or other sanction may be imposed on you if this income is taxable and the IRS determines that it has not been reported.	
RECIPIENT'S name Susanne Denison		2 Early withdrawal penalty \$	3 Interest on U.S. Savings Bonds and Treas. obligations \$		
Street address (including apt. no.) 2125 Hood Drive		4 Federal income tax withheld \$	5 Investment expenses \$		
City, state, and ZIP code Your City, State and Zip Code		6 Foreign tax paid \$	7 Foreign country or U.S. possession		
Account number (optional)					

Form **1099-INT**

(keep for your records)

Department of the Treasury - Internal Revenue Service

CORRECTED (if checked)

PAYER'S name, street address, city, state, ZIP code, and telephone no. Parsons Medical Centers, Inc 826 Parks Ave Your City, State and Zip Code		1 Rents \$	OMB No. 1545-0115 2004 Form 1099-MISC	Miscellaneous Income
		2 Royalties \$	4 Federal income tax withheld \$ 0.00	
PAYER'S Federal identification number XX-XXXXXXX	RECIPIENT'S identification number XXX-XX-XXXX	3 Other income \$	5 Fishing boat proceeds \$	Copy B For Recipient
RECIPIENT'S name Susanne E. Denison Street address (including apt. no.) 2125 Hood Drive City, state, and ZIP code Your City, State and Zip Code		7 Nonemployee compensation \$ 5,637.00	6 Medical and health care payments \$	
Account number (optional)		9 Payer made direct sales of \$5,000 or more of consumer products to a buyer (recipient) for resale <input type="checkbox"/>	8 Substitute payments in lieu of dividends or interest \$	This is important tax information and is being furnished to the Internal Revenue Service. If you are required to file a return, a negligence penalty or other sanction may be imposed on you if this income is taxable and the IRS determines that it has not been reported.
		10 Crop insurance proceeds \$	11 	
		12 	13 Excess golden parachute payments \$	
		14 Gross proceeds paid to an attorney \$	15	
		16 State tax withheld \$	17 State/Payer's state no.	18 State income \$

Form **1099-MISC**

(keep for your records)

Department of the Treasury - Internal Revenue Service

Exercise No. 4

Customer Card

Taxpayer Name:	<u>CLARK M KNOX</u>	SSN:	<u>XXX-XX-XXXX</u>
Spouse Name:	_____	SSN:	_____
Street Address:	<u>516 WELLS AVE</u>		
City, State and Zip Code:	<u>[Your City, State and Zip Code]</u>		
Telephone Number:	<u>[Your telephone number]</u>		
Date of Birth:	Taxpayer: <u>04/02/1983</u>	Spouse:	_____
Occupation:	TP: <u>STEEL WORKER</u>	SP:	_____
Give to Pres Elect Campaign Fund (Y/N):	TP: <u>YES</u>	SP:	___

Other Information Provided By The Taxpayer

- Clark's wife died in June 2002 and he has not remarried. He has a son, Frank (SS# XXX-XX-XXXX), born October 2, 1990.
- Clark did not itemize deductions last year.
- Clark sold the following stock this year:
 - 100 shares of Coe. He received this stock on April 12, 2004, as part of an inheritance. The stock was originally purchased for \$350 but the Fair Market Value of the stock when he inherited it was \$1,650 and was \$1,120 when he sold it on November 17, 2004.
 - 150 shares of Fullerton Motor Co. He sold the stock on June 1, 2004 for \$10,675. He bought the stock for \$6,675 on July 7, 1995. He had to pay a \$25 brokerage fee to sell the stock.
 - 65 shares of Alma Corp. Clark sold this stock for \$5,663 on December 12, 2004. He bought the stock through a stock purchase plan with the earliest date being May 4, 1999, and the final date being June 1, 2002. The total cost basis was \$7,218.
- Clark wants any money refunded or due handled by check.

a Control number		OMB No. 1545-0008		Safe, accurate, FAST! Use 		Visit the IRS website at www.irs.gov .				
b Employer identification number XX-XXXXXXX				1 Wages, tips, other compensation 20,986.56	2 Federal income tax withheld 1,319.00					
c Employer's name, address, and ZIP code Case Foundry and Machine Co 74 Harvard Ave. Your City, State and Zip Code				3 Social security wages 22,765.56	4 Social security tax withheld 1,411.46					
				5 Medicare wages and tips 22,765.56	6 Medicare tax withheld 330.10					
				7 Social security tips	8 Allocated tips					
d Employee's social security number XXX-XX-XXXX				9 Advance EIC payment		10 Dependent care benefits				
e Employee's first name and initial Last name Clark M. Knox 516 Wells Ave Your City, State and Zip Code				11 Nonqualified plans		12a See instructions for box 12 D 1,779.00				
				13 Statutory employee <input type="checkbox"/>	Retirement plan <input checked="" type="checkbox"/>	Third-party sick pay <input type="checkbox"/>	12b			
				14 Other			12c			
							12d			
f Employee's address and ZIP code				15 State Employer's state ID number Your XX-XXXXXXX	16 State wages, tips, etc. 20,986.56	17 State income tax 545.00	18 Local wages, tips, etc.	19 Local income tax	20 Locality name	

Form **W-2** Wage and Tax Statement

2004

Department of the Treasury—Internal Revenue Service

Copy B—To Be Filed With Employee's FEDERAL Tax Return.
This information is being furnished to the Internal Revenue Service.

a Control number		OMB No. 1545-0008		Safe, accurate, FAST! Use 		Visit the IRS website at www.irs.gov .				
b Employer identification number XX-XXXXXXX				1 Wages, tips, other compensation 16,765.11	2 Federal income tax withheld 1,268.23					
c Employer's name, address, and ZIP code Piedmont Steel Corp 1134 Martin Street Your City, State and Zip Code				3 Social security wages 17,923.65	4 Social security tax withheld 1,111.27					
				5 Medicare wages and tips 17,923.65	6 Medicare tax withheld 259.89					
				7 Social security tips	8 Allocated tips					
d Employee's social security number XXX-XX-XXXX				9 Advance EIC payment		10 Dependent care benefits				
e Employee's first name and initial Last name Clark M Knox 516 Wells Ave Your City, State and Zip Code				11 Nonqualified plans		12a See instructions for box 12 D 1,158.54				
				13 Statutory employee <input type="checkbox"/>	Retirement plan <input checked="" type="checkbox"/>	Third-party sick pay <input type="checkbox"/>	12b			
				14 Other			12c			
							12d			
f Employee's address and ZIP code				15 State Employer's state ID number Your XX-XXXXXXX	16 State wages, tips, etc. 16,765.11	17 State income tax 503.00	18 Local wages, tips, etc.	19 Local income tax	20 Locality name	

Form **W-2** Wage and Tax Statement

2004

Department of the Treasury—Internal Revenue Service

Copy B—To Be Filed With Employee's FEDERAL Tax Return.
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CORRECTED (if checked)

PAYER'S name, street address, city, state, ZIP code, and telephone no. Wheeling National Bank 3265 Martin Street Your City, State and Zip Code		Payer's RTN (optional)	OMB No. 1545-0112 2004 Form 1099-INT	Interest Income
PAYER'S Federal identification number XX-XXXXXXX	RECIPIENT'S identification number XXX-XX-XXXX	1 Interest income not included in box 3 \$ 47.31		
RECIPIENT'S name Clark M. Knox Street address (including apt. no.) 516 Wells City, state, and ZIP code Your City, State and Zip Code Account number (optional)		2 Early withdrawal penalty \$	3 Interest on U.S. Savings Bonds and Treas. obligations \$	Copy B For Recipient This is important tax information and is being furnished to the Internal Revenue Service. If you are required to file a return, a negligence penalty or other sanction may be imposed on you if this income is taxable and the IRS determines that it has not been reported.
		4 Federal income tax withheld \$	5 Investment expenses \$	
		6 Foreign tax paid \$	7 Foreign country or U.S. possession	
Form 1099-INT		(keep for your records)	Department of the Treasury - Internal Revenue Service	

Optional Exercise No. 5

Customer Card

Taxpayer Name: ANDREW J HOWARD SSN: XXX-XX-XXXX
Spouse Name: SARAH A HOWARD SSN: XXX-XX-XXXX
Street Address: 2708 OAKWOOD DRIVE
City, State and Zip Code: [Your City, State and Zip Code]
Telephone Number: [Your telephone number]
Date of Birth: Taxpayer: 08/12/1966 Spouse: 11/03/1968
Occupation: TP: STORE MANAGER SP: DISPATCHER
Give to Pres Elect Campaign Fund (Y/N): TP: YES SP: YES

Other Information Provided By The Taxpayer

- Andrew and Sarah have been married for over 8 years and they would like you to file their return electronically.
- They have one son, Anthony, who was born on July 21, 1998, and has Social Security Number XXX-XX-XXXX. Anthony lived with his Grandparents five months last year. He lived with Andrew and Sarah for the rest of the year.
- Andrew and Sarah supported Sarah's mother, Nancy Hinds, who lived with them all of last year. Nancy's date of birth is March 2, 1931 (SS# XXX-XX-XXX). Although Nancy was born in the United States she later moved to Canada and became a Canadian citizen. Nancy received over \$5,000 in interest and dividends payments last year.
- The Howards itemized deductions last year but still had to pay the state \$123. They do not have enough deductions to itemize this year.
- Andrew sold some Pace stock last year and provides you with a Form 1099-B. He originally bought 50 shares of the stock on September 13, 1996, for \$91.60 a share. The stock split two for one in November 1998.
- Three years ago, Andrew sold a house at 1523 North Curry Rd., Your City, State and Zip Code to Charles Martin (SS# XXX-XX-XXXX) who is currently living there. The selling price of the house was \$65,500 which Andrew financed himself. Last year Andrew received \$5,764 in payments of which \$4,782 was interest.

a Control number		OMB No. 1545-0008		Safe, accurate, FAST! Use 		Visit the IRS website at www.irs.gov .	
b Employer identification number XX-XXXXXXX		1 Wages, tips, other compensation 27,510.00		2 Federal income tax withheld 1,375.50			
c Employer's name, address, and ZIP code Alma Hardware, Inc 643 Danville Your City, State and Zip Code		3 Social security wages 27,510.00		4 Social security tax withheld 1,705.62			
		5 Medicare wages and tips 27,510.00		6 Medicare tax withheld 399.00			
		7 Social security tips		8 Allocated tips			
d Employee's social security number XXX-XX-XXXX		9 Advance EIC payment		10 Dependent care benefits			
e Employee's first name and initial Last name Andrew J. Howard 2708 Oakwood Drive Your City, State and Zip Code		11 Nonqualified plans		12a See instructions for box 12			
		13 Statutory employee Retirement plan Third-party sick pay <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>		12b			
		14 Other		12c			
f Employee's address and ZIP code				12d			
15 State Employer's state ID number Your XX-XXXXXXX	16 State wages, tips, etc. 27,510.00	17 State income tax 171.00	18 Local wages, tips, etc.	19 Local income tax	20 Locality name		

Form **W-2 Wage and Tax Statement** **2004** Department of the Treasury—Internal Revenue Service
Copy B—To Be Filed With Employee's FEDERAL Tax Return.
This information is being furnished to the Internal Revenue Service.

a Control number		OMB No. 1545-0008		Safe, accurate, FAST! Use 		Visit the IRS website at www.irs.gov .	
b Employer identification number XX-XXXXXXX		1 Wages, tips, other compensation 21,441.00		2 Federal income tax withheld 1,072.05			
c Employer's name, address, and ZIP code County of Ventura 12 Marin Street Your City, State and Zip Code		3 Social security wages 23,517.00		4 Social security tax withheld 1,458.05			
		5 Medicare wages and tips 23,517.00		6 Medicare tax withheld 341.00			
		7 Social security tips		8 Allocated tips			
d Employee's social security number XXX-XX-XXXX		9 Advance EIC payment		10 Dependent care benefits			
e Employee's first name and initial Last name Sarah A Howard 2708 Oakwood Your City, State and Zip Code		11 Nonqualified plans		12a See instructions for box 12 D 2,076.00			
		13 Statutory employee Retirement plan Third-party sick pay <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/>		12b			
		14 Other		12c			
f Employee's address and ZIP code				12d			
15 State Employer's state ID number Your XX-XXXXXXX	16 State wages, tips, etc. 21,441.00	17 State income tax 177.00	18 Local wages, tips, etc.	19 Local income tax	20 Locality name		

Form **W-2 Wage and Tax Statement** **2004** Department of the Treasury—Internal Revenue Service
Copy B—To Be Filed With Employee's FEDERAL Tax Return.
This information is being furnished to the Internal Revenue Service.

CORRECTED (if checked)

PAYER'S name, street address, city, state, ZIP code, and telephone no. Bank of Amarillo 200 E Glendale Your City, State and Zip Code		Payer's RTN (optional)	OMB No. 1545-0112 2004 Form 1099-INT	Interest Income
PAYER'S Federal identification number XX-XXXXXXX	RECIPIENT'S identification number XXX-XX-XXXX	1 Interest income not included in box 3 \$ 42.57		
RECIPIENT'S name Andrew J Howard Street address (including apt. no.) 2708 Oakwood Drive City, state, and ZIP code Your City, State and Zip Code		2 Early withdrawal penalty \$	3 Interest on U.S. Savings Bonds and Treas. obligations \$ 911.12	
Account number (optional)		4 Federal income tax withheld \$ 91.00	5 Investment expenses \$	
		6 Foreign tax paid \$	7 Foreign country or U.S. possession	Copy B For Recipient This is important tax information and is being furnished to the Internal Revenue Service. If you are required to file a return, a negligence penalty or other sanction may be imposed on you if this income is taxable and the IRS determines that it has not been reported.

Form **1099-INT** (keep for your records) Department of the Treasury - Internal Revenue Service

CORRECTED (if checked)

PAYER'S name, street address, city, state, ZIP code, and telephone no. Fairmont Brokerage Services 82 Dartmouth Drive Your City, State and Zip Code		1a Date of sale or exchange 3/10/2004	OMB No. 1545-0715 2004 Form 1099-B	Proceeds From Broker and Barter Exchange Transactions
		1b CUSIP no.		
		2 Stocks, bonds, etc. \$ 8,859		Copy B For Recipient This is important tax information and is being furnished to the Internal Revenue Service. If you are required to file a return, a negligence penalty or other sanction may be imposed on you if this income is taxable and the IRS determines that it has not been reported.
PAYER'S Federal identification number XX-XXXXXXX	RECIPIENT'S identification number XXX-XX-XXXX	3 Bartering \$	4 Federal income tax withheld \$	
RECIPIENT'S name Andrew J Howard Street address (including apt. no.) 2708 Oakwood Drive City, state, and ZIP code Your City, State, and Zip Code		5 No. of shares exchanged 100	6 Classes of stock exchanged	
CORPORATION'S name, street address, city, state, and ZIP code		7 Description Pace	9 Unrealized profit or (loss) on open contracts—12/31/2003 \$	
Account number (optional)		8 Profit or (loss) realized in 2004 \$	10 Unrealized profit or (loss) on open contracts—12/31/2004 \$	
2nd TIN not.		11 Aggregate profit or (loss) \$		
		12 If this box is checked, you cannot take a loss on your tax return based on the amount in box 2 <input type="checkbox"/>		

Form **1099-B** (keep for your records) Department of the Treasury - Internal Revenue Service

Exercise No. 6

Customer Card

Taxpayer Name: <u>JAMES D GORDON</u>	SSN: <u>XXX-XX-XXXX</u>
Spouse Name: _____	SSN: _____
Street Address: <u>128 BROWN LANE</u>	
City, State and Zip Code: <u>[Your City, State and Zip Code]</u>	
Telephone Number: <u>[Your telephone number]</u>	
Date of Birth: Taxpayer: <u>02/11/1938</u> (for TW 2004)	Spouse: _____
Taxpayer: <u>02/11/1937</u> (for TW 2003)	
Occupation: TP: <u>CHEMIST</u>	SP: _____
Give to Pres Elect Campaign Fund (Y/N):	TP: <u>NO</u> SP: _____

Other Information Provided By The Taxpayer

- After a one-year separation James received a final divorce from his wife, Kathy, on November 11th last year. They have three grown children.
- James itemized deductions last year and received a \$171 refund check from his state. His taxable income was \$19,200 and his total itemized deductions were \$8,100. He filed Married Filing Separately last year.
- James's federal tax for last year was \$2,137 and he does not have enough itemized deductions to beat the standard deduction.
- James retired from the railroad on June 1, 2002 (2003 for TaxWise 2004) at the age of 65 and received his first retirement check on July 1 of that year. He has collected \$125 tax free the first year of his retirement and \$249 the second year.
- If there is an underpayment penalty don't complete Form 2210 at this time. This will be covered as part of a supplementary exercise.
- James does not want to provide his bank account information.

a Control number		OMB No. 1545-0008		Safe, accurate, FAST! Use 		Visit the IRS website at www.irs.gov .	
b Employer identification number XX-XXXXXXX				1 Wages, tips, other compensation 22,876.00		2 Federal income tax withheld 917.00	
c Employer's name, address, and ZIP code Franklin Industrial Minerals 612 10th Ave Your City, State and Zip Code				3 Social security wages 22,876.00		4 Social security tax withheld 1,418.32	
				5 Medicare wages and tips 22,876.00		6 Medicare tax withheld 331.70	
				7 Social security tips		8 Allocated tips	
d Employee's social security number XXX-XX-XXXX				9 Advance EIC payment		10 Dependent care benefits	
e Employee's first name and initial Last name James D Gordon 128 Brown Lane Your City, State and Zip Code				11 Nonqualified plans		12a See instructions for box 12	
				13 Statutory employee <input type="checkbox"/> Retirement plan <input checked="" type="checkbox"/> Third-party sick pay <input type="checkbox"/>		12b	
				14 Other		12c	
						12d	
f Employee's address and ZIP code				15 State Employer's state ID number Your XX-XXXXXXX		16 State wages, tips, etc. 22,876.00	
				17 State income tax 0.00		18 Local wages, tips, etc.	
				19 Local income tax		20 Locality name	

Form **W-2** Wage and Tax Statement **2004** Department of the Treasury—Internal Revenue Service
Copy B—To Be Filed With Employee's FEDERAL Tax Return.
 This information is being furnished to the Internal Revenue Service.

CORRECTED (if checked)

PAYER'S name, street address, city, state, ZIP code, and telephone no. Hope National Bank 561 14th Street Your City, State and Zip Code		Payer's RTN (optional)	OMB No. 1545-0112 2004 Form 1099-INT	Interest Income	
PAYER'S Federal identification number XX-XXXXXXX	RECIPIENT'S identification number XXX-XX-XXXX	1 Interest income not included in box 3 \$ 327.50			
RECIPIENT'S name James D Gordon Street address (including apt. no.) 128 Brown Lane City, state, and ZIP code Your City, State and Zip Code		2 Early withdrawal penalty \$	3 Interest on U.S. Savings Bonds and Treas. obligations \$	Copy B For Recipient This is important tax information and is being furnished to the Internal Revenue Service. If you are required to file a return, a negligence penalty or other sanction may be imposed on you if this income is taxable and the IRS determines that it has not been reported.	
		4 Federal income tax withheld \$	5 Investment expenses \$		
Account number (optional)		6 Foreign tax paid \$	7 Foreign country or U.S. possession		
Form 1099-INT		(keep for your records)				Department of the Treasury - Internal Revenue Service

CORRECTED (if checked)

PAYER'S name, street address, city, state, ZIP code, and telephone no. Armstrong Brokerage 1300 10th AVE Your City, State and Zip Code		1a Total ordinary dividends \$ 123.75	OMB No. 1545-0110 2004 Form 1099-DIV	Dividends and Distributions
		1b Qualified dividends \$ 123.75		
		2a Total capital gain distr. \$ 68.12	2b Unrecap. Sec. 1250 gain \$	
PAYER'S Federal identification number XX-XXXXXXX	RECIPIENT'S identification number XXX-XX-XXXX			Copy B For Recipient
RECIPIENT'S name James D Gordon Street address (including apt. no.) 128 Brown Lane City, state, and ZIP code Your City, State and Zip Code Account number (optional)		2c Section 1202 gain \$	2d Collectibles (28%) gain \$	
		3 Nontaxable distributions \$	4 Federal income tax withheld \$	This is important tax information and is being furnished to the Internal Revenue Service. If you are required to file a return, a negligence penalty or other sanction may be imposed on you if this income is taxable and the IRS determines that it has not been reported.
			5 Investment expenses \$	
		6 Foreign tax paid \$	7 Foreign country or U.S. possession	
		8 Cash liquidation distributions \$	9 Noncash liquidation distributions \$	

Form 1099-DIV

(keep for your records)

Department of the Treasury - Internal Revenue Service

CORRECTED (if checked)

PAYER'S name, street address, city, state, and ZIP code Asbury Trust Co P O Box 254 Your City, State and Zip Code		1 Gross distribution \$ 837.55	OMB No. 1545-0119 2004 Form 1099-R	Distributions From Pensions, Annuities, Retirement or Profit-Sharing Plans, IRAs, Insurance Contracts, etc.
		2a Taxable amount \$ 837.55		
		2b Taxable amount not determined <input type="checkbox"/>	Total distribution <input type="checkbox"/>	Copy B Report this income on your Federal tax return. If this form shows Federal income tax withheld in box 4, attach this copy to your return.
PAYER'S Federal identification number XX-XXXXXXX	RECIPIENT'S identification number XXX-XX-XXXX	3 Capital gain (included in box 2a) \$	4 Federal income tax withheld \$ 0.00	
RECIPIENT'S name James D Gordon Street address (including apt. no.) 128 Brown Lane City, state, and ZIP code Your City, State and Zip Code Account number (optional)		5 Employee contributions or insurance premiums \$	6 Net unrealized appreciation in employer's securities \$	This information is being furnished to the Internal Revenue Service.
		7 Distribution code(s) 7	8 Other \$ %	
		9a Your percentage of total distribution %	9b Total employee contributions \$	
		10 State tax withheld \$ 0.00	11 State/Payer's state no. Your State XX-XXXXXXX	
		13 Local tax withheld \$	14 Name of locality	12 State distribution \$ 837.55
				15 Local distribution \$

Form 1099-R

Department of the Treasury - Internal Revenue Service

PAYER'S NAME, STREET ADDRESS, CITY, STATE, AND ZIP CODE UNITED STATES RAILROAD RETIREMENT BOARD 844 N RUSH ST CHICAGO IL 60611-2092		2004		ANNUITIES OR PENSIONS BY THE RAILROAD RETIREMENT BOARD			
PAYER'S FEDERAL IDENTIFYING NO. 36-3314600		3. Employee Contributions	5,397.25	COPY B - REPORT THIS INCOME ON YOUR FEDERAL TAX RETURN. IF THIS FORM SHOWS FEDERAL INCOME TAX WITHHELD IN BOX 9 ATTACH THIS COPY TO YOUR RETURN. THIS INFORMATION IS BEING FURNISHED TO THE INTERNAL REVENUE SERVICE.			
1. Claim Number and Payee Code		4. Contributory Amount Paid	4,631.04				
2. Recipient's Identification Number XX-XXXXXXXX		5. Vested Dual Benefit					
Recipient's Name, Street Address, City, State, and ZIP Code James D. Gordon 128 Brown Lane Your City, State, and Zip Code		6. Supplemental Annuity					
		7. Total Gross Paid	4,631.04				
		8. Repayments					
		9. Federal Income Tax Withheld	561.00				
		10. Rate of Tax					
		11. Country				12. Medicare Premium Total	

FORM RRB-1099-R

PAYER'S NAME, STREET ADDRESS, CITY, STATE, AND ZIP CODE UNITED STATES RAILROAD RETIREMENT BOARD 844 N RUSH ST CHICAGO IL 60611-2092		2004		PAYMENTS BY THE RAILROAD RETIREMENT BOARD	
PAYER'S FEDERAL IDENTIFYING NO. 36-3314600		3. Gross Social Security Equivalent Benefit Portion of Tier 1 Paid in 2004	10,368.00	COPY C - FOR RECIPIENT'S RECORDS THIS INFORMATION IS BEING FURNISHED TO THE INTERNAL REVENUE SERVICE.	
1. Claim Number and Payee Code		4. Social Security Equivalent Benefit Portion of Tier 1 Repaid to RRB in 2004			
2. Recipient's Identification Number XX-XXXXXXXX		5. Net Social Security Equivalent Benefit Portion of Tier 1 Paid in 2004	10,368.00		
Recipient's Name, Street Address, City, State, and Zip Code James D. Gordon 128 Brown Lane Your City, State, and Zip Code		6. Workers' Compensation Offset in 2004			
		7. Social Security Equivalent Benefit Portion of Tier 1 Paid for 2003			
		8. Social Security Equivalent Benefit Portion of Tier 1 Paid for 2002			
		9. Social Security Equivalent Benefit Portion of Tier 1 Paid for Years Prior to 2000			
		10. Federal Income Tax Withheld			
		11. Medicare Premium Total	799.00		

FORM RRB-1099

DO NOT ATTACH TO YOUR INCOME TAX RETURN

Exercise No. 7

Customer Card

Taxpayer Name:	<u>TROY H McCOOK</u>	SSN:	<u>XXX-XX-XXXX</u>
Spouse Name:	<u>YVONNE A McCOOK</u>	SSN:	<u>XXX-XX-XXXX</u>
Street Address:	<u>30911 BARD ROAD</u>		
City, State and Zip Code:	<u>[Your City, State and Zip Code]</u>		
Telephone Number:	<u>[Your telephone number]</u>		
Date of Birth:	Taxpayer: <u>03/12/1933</u>	Spouse:	<u>10/30/1935</u>
Occupation:	TP: <u>RETIRED</u>	SP:	<u>HOUSEWIFE</u>
Give to Pres Elect Campaign Fund (Y/N):	TP: <u>NO</u>	SP:	<u>NO</u>

Other Information Provided By The Taxpayer

- Troy's wife, Yvonne, died on April 15, 2003 (2004 for TaxWise 2004).
- Troy's granddaughter Ashley Fergus (SS# XXX-XX-XXXX) moved in with Troy in May of last year. Troy has provided all of her support since that time. She was born on April 5, 1993 in France where her parents were stationed .
- Because of high medical expenses this year Troy wants to see if it would be to his advantage to itemized deductions this year. He provides these possible deductions

Doctors Bills	\$4,723
Hospital Bills	5,168
Medical Mileage	1,119 miles
Prescription Drugs	1,756
Prescription eyeglasses	210
Church Donations	850
Church Raffle Ticket (Didn't win)	25
Misc Cash Donations (non profit organizations)	201
Salvation Army (Old Clothes)	350
Funeral Expenses	6,875
Home Mortgage Interest	2,164
Country Real Estate Tax	378
City Real Estate Tax	120
Personal Property Tax (based on vehicle value)	623
Gambling Losses	2,550
Automobile Sales Tax	840

- The McCooks did not itemize deductions last year

CORRECTED (if checked)

PAYER'S name, street address, city, state, ZIP code, and telephone no. Alvin Bond Fund Suite 567 100 Wiley Street Your City, State and Zip Code		1a Total ordinary dividends \$ 1,564.67	OMB No. 1545-0110 2004 Form 1099-DIV	Dividends and Distributions
		1b Qualified dividends \$ 874.50		
PAYER'S Federal identification number XX-XXXXXXX		RECIPIENT'S identification number XXX-XX-XXXX	2a Total capital gain distr. \$ 737	2b Unrecap. Sec. 1250 gain \$
RECIPIENT'S name Troy H McCook Street address (including apt. no.) 30911 Bard Road City, state, and ZIP code Your City, State and Zip Code Account number (optional)		2c Section 1202 gain \$	2d Collectibles (28%) gain \$	Copy B For Recipient This is important tax information and is being furnished to the Internal Revenue Service. If you are required to file a return, a negligence penalty or other sanction may be imposed on you if this income is taxable and the IRS determines that it has not been reported.
		3 Nontaxable distributions \$	4 Federal income tax withheld \$ 0.00	
		5 Investment expenses \$	6 Foreign tax paid \$	
		7 Foreign country or U.S. possession	8 Cash liquidation distributions \$	
		9 Noncash liquidation distributions \$		

Form **1099-DIV**

(keep for your records)

Department of the Treasury - Internal Revenue Service

CORRECTED (if checked)

PAYER'S name, street address, city, state, and ZIP code Harris Trust P O Box 1389 Your City, State and Zip Code		1 Gross distribution \$ 13,223.00	OMB No. 1545-0119 2004 Form 1099-R	Distributions From Pensions, Annuities, Retirement or Profit-Sharing Plans, IRAs, Insurance Contracts, etc.
		2a Taxable amount \$ 13,223.00		
PAYER'S Federal identification number XX-XXXXXXX		RECIPIENT'S identification number XXX-XX-XXXX	2b Taxable amount not determined <input type="checkbox"/>	Total distribution <input type="checkbox"/>
RECIPIENT'S name Troy D McCook Street address (including apt. no.) 30911 Bard Road City, state, and ZIP code Your City, State and Zip Code Account number (optional)		3 Capital gain (included in box 2a) \$	4 Federal income tax withheld \$ 0.00	Copy B Report this income on your Federal tax return. If this form shows Federal income tax withheld in box 4, attach this copy to your return. This information is being furnished to the Internal Revenue Service.
		5 Employee contributions or insurance premiums \$	6 Net unrealized appreciation in employer's securities \$	
		7 Distribution code(s) 7	8 Other \$ %	
		9a Your percentage of total distribution %	9b Total employee contributions \$	
		10 State tax withheld \$ 0.00	11 State/Payer's state no. Your State	12 State distribution \$ 13,223.00
		13 Local tax withheld \$	14 Name of locality XX-XXXXXXX	15 Local distribution \$

Form **1099-R**

Department of the Treasury - Internal Revenue Service

CORRECTED (if checked)

PAYER'S name, street address, city, state, and ZIP code Defense Finance and Accounting Service US Military Retirement Pay P O Box 7139 Your City, State and Zip Code		1 Gross distribution \$ 23,919.00	OMB No. 1545-0119 2004 Form 1099-R	Distributions From Pensions, Annuities, Retirement or Profit-Sharing Plans, IRAs, Insurance Contracts, etc.
		2a Taxable amount \$ 23,919.00	2b Taxable amount not determined <input type="checkbox"/> Total distribution <input type="checkbox"/>	
PAYER'S Federal identification number XX-XXXXXXX	RECIPIENT'S identification number XXX-XX-XXXX	3 Capital gain (included in box 2a) \$	4 Federal income tax withheld \$ 1,580.00	Copy B Report this income on your Federal tax return. If this form shows Federal income tax withheld in box 4, attach this copy to your return.
RECIPIENT'S name Troy H McCook		5 Employee contributions or insurance premiums \$	6 Net unrealized appreciation in employer's securities \$	
Street address (including apt. no.) 30911 Bard Road		7 Distribution code(s) 7	8 Other \$ %	
City, state, and ZIP code Your City, State and Zip Code		9a Your percentage of total distribution %	9b Total employee contributions \$	This information is being furnished to the Internal Revenue Service.
Account number (optional)		10 State tax withheld \$ 0.00	11 State/Payer's state no. Your State XX-XXXXXXX	
		13 Local tax withheld \$	14 Name of locality	12 State distribution \$ 23,919.00
				15 Local distribution \$

Form **1099-R**

Department of the Treasury - Internal Revenue Service

FORM SSA-1099 - SOCIAL SECURITY BENEFIT STATEMENT

2004 • PART OF YOUR SOCIAL SECURITY BENEFITS SHOWN IN BOX 5 MAY BE TAXABLE INCOME.
• SEE THE REVERSE FOR MORE INFORMATION.

Box 1. Name Troy H. McCook		Box 2. Beneficiary's Social Security Number XXX-XX-XXXX	
Box 3. Benefits Paid in 2004 12,675.00	Box 4. Benefits Repaid to SSA in 2004	Box 5. Net Benefits for 2003 (Box 3 minus Box 4) 12,675.00	
DESCRIPTION OF AMOUNT IN BOX 3 Paid by check or direct deposit \$11,876 Medicare Prem. deducted \$799 Total \$12,675		DESCRIPTION OF AMOUNT IN BOX 4 Box 6. Voluntary Federal Income Tax Withholding Box 7. Address 30911 Bard Road Your City, State, and Zip Code Box 8. Claim Number (Use this number if you need to contact SSA.)	

Form SSA-1099-SM (1-2005)

DO NOT RETURN THIS FORM TO SSA OR IRS

FORM SSA-1099 – SOCIAL SECURITY BENEFIT STATEMENT

2004 : PART OF YOUR SOCIAL SECURITY BENEFITS SHOWN IN BOX 5 MAY BE TAXABLE INCOME.
 : SEE THE REVERSE FOR MORE INFORMATION.

Box 1. Name Yvonne McCook		Box 2. Beneficiary's Social Security Number XXX-XX-XXXX	
Box 3. Benefits Paid in 2004 3,645.00	Box 4. Benefits Repaid to SSA in 2004	Box 5. Net Benefits for 2003 (Box 3 minus Box 4) 3,645.00	
DESCRIPTION OF AMOUNT IN BOX 3 Paid by check or direct deposit \$3,245 Medicare Prem. deducted \$400 Total \$3,645		DESCRIPTION OF AMOUNT IN BOX 4 Box 6. Voluntary Federal Income Tax Withholding Box 7. Address 30911 Bard Road Your City, State, and Zip Code	
		Box 8. Claim Number (Use this number if you need to contact SSA.)	

Form SSA-1099-SM (1-2005)

DO NOT RETURN THIS FORM TO SSA OR IRS

CORRECTED (if checked)

PAYER'S name, address, ZIP code, Federal identification number, and telephone number Rockhurst Casino xx-xxxxxxx 14011 Athens Road Your City, State, and Zip Code	1 Gross winnings 1,200.00	2 Federal income tax withheld
	3 Type of wager 25 slots	4 Date won 4 : 14 : 2004
	5 Transaction	6 Race
	7 Winnings from identical wagers	8 Cashier 2718
WINNER'S name, address (including apt. no.), and ZIP code Yvonne McCook 30911 Bard Road Your City, State, and Zip Code	9 Winner's taxpayer identification no. XXX-XX-XXXX	10 Window
	11 First I.D.	12 Second I.D.
	13 State/Payer's state identification no. XX XX-XXXXXXX	14 State income tax withheld 120.00
Under penalties of perjury, I declare that, to the best of my knowledge and belief, the name, address, and taxpayer identification number that I have furnished correctly identify me as the recipient of this payment and any payments from identical wagers, and that no other person is entitled to any part of these payments.		
Signature ►	Date ►	

OMB No. 1545-0238

2004
Form W-2G
Certain Gambling Winnings

This information is being furnished to the Internal Revenue Service.

Copy B
 Report this income on your Federal tax return. If this form shows Federal income tax withheld in box 2, attach this copy to your return.

Form **W-2G**

Department of the Treasury - Internal Revenue Service

Comprehensive Training Exercise B

Customer Card

Taxpayer Name:	<u>MARY J HOOD</u>	SSN:	<u>XXX-XX-XXXX</u>
Spouse Name:	_____	SSN:	_____
Street Address:	<u>3717 E LEE STREET</u>		
City, State and Zip Code:	<u>[Your City, State and Zip Code]</u>		
Telephone Number:	<u>[Your telephone number]</u>		
Date of Birth:	Taxpayer: <u>12/12/1964</u>	Spouse:	_____
Occupation:	TP: <u>OPERATOR</u>	SP:	_____
Give to Pres Elect Campaign Fund (Y/N):	TP: <u>YES</u>	SP:	_____

Other Information Provided By The Taxpayer

- Mary has a daughter, Lauren Salem, and a son, William Hood, who live with her full time. Mary is divorced and provided for all of her children's support.
- Lauren's date of birth is 05/03/1987 and her SSN is XXX-XX-XXXX.
- William's date of birth is 02/15/1989 and his SSN is XXX-XX-XXXX.
- Mary's mother Barbara Bates also lives with her full time and Mary provides over half of her support. Barbara's date of birth is 03/12/1932 and her SSN# is XXX-XX-XXXX. Her only income is from Social Security and a small amount of bank interest.
- Mary is a full time resident of [Your state] and she wants to file a state return.
- If there is a refund she wants it sent to her home. If she owes more taxes she will pay by check.
- Mary provides you with a Form W-2 that is her only tax document.
- She did not itemize deductions last year.
- She did not have her EIC reduced or disallowed last year.

a Control number		OMB No. 1545-0008		Safe, accurate, FAST! Use 		Visit the IRS website at www.irs.gov .	
b Employer identification number XX-XXXXXXX				1 Wages, tips, other compensation 24,612.00		2 Federal income tax withheld 687.00	
c Employer's name, address, and ZIP code Bluefield Telecommunications 5775 Pomona Street Your City, State and Zip Code				3 Social security wages 24,612.00		4 Social security tax withheld 1,525.94	
				5 Medicare wages and tips 24,612.00		6 Medicare tax withheld 356.87	
				7 Social security tips		8 Allocated tips	
d Employee's social security number XXX-XX-XXXX				9 Advance EIC payment 1,200.00		10 Dependent care benefits	
e Employee's first name and initial Last name Mary Jane Hood 3717 E Lee Street Your City, State and Zip Code				11 Nonqualified plans		12a See instructions for box 12	
				13 Statutory employee Retirement plan Third-party sick pay <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>		12b	
				14 Other		12c	
						12d	
f Employee's address and ZIP code				15 State Employer's state ID number Your XX-XXXXXXX		16 State wages, tips, etc. 24,612.00	
				17 State income tax 265.00		18 Local wages, tips, etc.	
						19 Local income tax	
						20 Locality name	

Form **W-2** Wage and Tax Statement

2004

Department of the Treasury—Internal Revenue Service

Copy B—To Be Filed With Employee's FEDERAL Tax Return.
This information is being furnished to the Internal Revenue Service.

Exercise No. 8

Customer Card

Taxpayer Name: JOHN J REED SSN: XXX-XX-XXXX
Spouse Name: _____ SSN: _____
Street Address: 108 N PHILLIPS STREET
City, State and Zip Code: [Your City, State and Zip Code]
Telephone Number: [Your telephone number]
Date of Birth: Taxpayer: 06/15/1965 Spouse: _____
Occupation: TP: MANAGER SP: _____
Give to Pres Elect Campaign Fund (Y/N): TP: NO SP: _____

Other Information Provided By The Taxpayer

- John is married to Elizabeth Reed (SSN xxx-xx-xxxx). However, she left him a year ago last November and has not lived with him since. Last year John and his wife filed separate tax returns and neither itemized deductions.
- John paid the total cost of maintaining his home for himself and two children. One of the children is his son, Jack (SSN xxx-xx-xxxx), whose date of birth is September 9, 1984. The other child is John's nephew, Jeffery Lamar (SSN xxx-xx-xxxx). Jeffery moved in with John on the first of June of last year when John's sister became ill. John cared for Jeffery as if he were his own child. Jeffery was born on March 23, 1989.
- In addition to a \$500 tax-free grant Jack received, John paid \$1,238 for tuition, books and lab fees for Jack who is a junior and a full time student at the local college.
- If a refund is due he wants a check to be mailed to his house and he will pay any tax due by check

a Control number		OMB No. 1545-0008		Safe, accurate, FAST! Use 		Visit the IRS website at www.irs.gov .	
b Employer identification number XX-XXXXXXX				1 Wages, tips, other compensation 14,713.78		2 Federal income tax withheld 1,383.57	
c Employer's name, address, and ZIP code King Insulation, Inc 2300 E Olivet Your City, State and Zip Code				3 Social security wages 15,609.34		4 Social security tax withheld 967.78	
				5 Medicare wages and tips 15,609.34		6 Medicare tax withheld 226.34	
				7 Social security tips		8 Allocated tips	
d Employee's social security number XXX-XX-XXXX				9 Advance EIC payment		10 Dependent care benefits	
e Employee's first name and initial Last name John J Reed 108 N Phillips Street Your City, State and Zip Code				11 Nonqualified plans		12a See instructions for box 12 D 895.56	
				13 Statutory employee Retirement plan Third-party sick pay <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/>		12b	
				14 Other		12c	
						12d	
f Employee's address and ZIP code							
15 State Employer's state ID number Your XX-XXXXXXX		16 State wages, tips, etc. 14,713.78		17 State income tax 334.00		18 Local wages, tips, etc.	
						19 Local income tax 20 Locality name	

Form **W-2 Wage and Tax Statement** **2004** Department of the Treasury—Internal Revenue Service
Copy B—To Be Filed With Employee's FEDERAL Tax Return.
This information is being furnished to the Internal Revenue Service.

<input type="checkbox"/> CORRECTED (if checked)		OMB No. 1545-0117		2004	Original Issue Discount
PAYER'S name, street address, city, state, ZIP code, and telephone no. Fergus Investment & Loan 175 N. Fivier Your City, State, and Zip Code		1 Original issue discount for 2004* \$ 837.00				Form 1099-OID
PAYER'S Federal identification number XX-XXXXXXX		RECIPIENT'S identification number XXX-XX-XXXX		3 Early withdrawal penalty \$	
RECIPIENT'S name John Reed		5 Description		Copy B For Recipient This is important tax information and is being furnished to the Internal Revenue Service. If you are required to file a return, a negligence penalty or other sanction may be imposed on you if this income is taxable and the IRS determines that it has not been reported.	
Street address (including apt. no.) 108 N. Phillips St.		6 Original issue discount on U.S. Treasury obligations* \$			
City, state, and ZIP code Your City, State, and Zip Code		7 Investment expenses \$			
Account number (optional)		* This may not be the correct figure to report on your income tax return. See instructions on the back.			
Form 1099-OID		(keep for your records)		Department of the Treasury - Internal Revenue Service	

CORRECTED (if checked)

PAYER'S name, street address, city, state, ZIP code, and telephone no. Adelphi Investment Service 2121 N 7th Street Your City, State and Zip Code		1a Total ordinary dividends \$ 108.96	OMB No. 1545-0110 2004	Dividends and Distributions
		1b Qualified dividends \$ 108.96	Form 1099-DIV	
PAYER'S Federal identification number XX-XXXXXXX		RECIPIENT'S identification number XXX-XX-XXXX		Copy B For Recipient
RECIPIENT'S name John J Reed		2a Total capital gain distr. \$	2b Unrecap. Sec. 1250 gain \$	
Street address (including apt. no.) 108 N Phillips		2c Section 1202 gain \$	2d Collectibles (28%) gain \$	This is important tax information and is being furnished to the Internal Revenue Service. If you are required to file a return, a negligence penalty or other sanction may be imposed on you if this income is taxable and the IRS determines that it has not been reported.
City, state, and ZIP code Your City, State and Zip Code		3 Nontaxable distributions \$	4 Federal income tax withheld \$	
Account number (optional)		5 Investment expenses \$	6 Foreign tax paid \$	
		7 Foreign country or U.S. possession	8 Cash liquidation distributions \$	
		9 Noncash liquidation distributions \$		

Form **1099-DIV**

(keep for your records)

Department of the Treasury - Internal Revenue Service

CORRECTED (if checked)

PAYER'S name, street address, city, state, and ZIP code Defense Finance and Accounting Service US Military Retirement Pay P O Box 7139 Your City, State and Zip Code		1 Gross distribution \$ 12,174.00	OMB No. 1545-0119 2004	Distributions From Pensions, Annuities, Retirement or Profit-Sharing Plans, IRAs, Insurance Contracts, etc.
		2a Taxable amount \$ 12,174.00	Form 1099-R	
PAYER'S Federal identification number XX-XXXXXXX		RECIPIENT'S identification number XXX-XX-XXXX		Copy B Report this income on your Federal tax return. If this form shows Federal income tax withheld in box 4, attach this copy to your return.
RECIPIENT'S name John J Reed		3 Capital gain (included in box 2a) \$	4 Federal income tax withheld \$ 675.00	
Street address (including apt. no.) 108 N Phillips Street		5 Employee contributions or insurance premiums \$	6 Net unrealized appreciation in employer's securities \$	This information is being furnished to the Internal Revenue Service.
City, state, and ZIP code Your City, State and Zip Code		7 Distribution code(s) 7	8 Other \$ %	
Account number (optional)		9a Your percentage of total distribution %	9b Total employee contributions \$	
		10 State tax withheld \$ 0.00	11 State/Payer's state no. Your State	12 State distribution \$ 12,174.00
		13 Local tax withheld \$	14 Name of locality XX-XXXXXXX	15 Local distribution \$

Form **1099-R**

Department of the Treasury - Internal Revenue Service

Exercise No. 9
Customer Card

Taxpayer Name:	<u>HELEN E ROSEMONT</u>	SSN:	<u>XXX-XX-XXXX</u>
Spouse Name:	_____	SSN:	_____
Street Address:	<u>356 WILKES DRIVE</u>		
City, State and Zip Code:	<u>[Your City, State and Zip Code]</u>		
Telephone Number:	<u>[Your telephone number]</u>		
Date of Birth:	Taxpayer: <u>09/16/1970</u>	Spouse:	_____
Occupation:	TP: <u>Editor</u>	SP:	_____
Give to Pres Elect Campaign Fund (Y/N):	TP: <u>YES</u>	SP:	_____

Other Information Provided By The Taxpayer

- Helen is a single mother who was divorced from her husband two years ago. They had two children, Mary (SSN XXX-XX-XXXX) whose date of birth is October 16, 1997, and Charles (SSN XXX-XX-XXXX) who was born on Christmas Day 1998. Both children lived with Helen all of last year and she provided all of their support. However the divorce settlement allows her ex-husband to claim Charles as a dependent on his tax return.
- Helen did not itemize deductions last year.
- She was supposed to receive \$3,600 in alimony last year but her ex husband was out of work part of the year and she only received \$2,400.
- Helen did not have her EIC reduced or disallowed last year.
- The Global Investment Service notified Helen that she received \$418.13 in Federal and State exempt interest on her investments.
- Helen did editing work from her home for the Waldorf Publishing Co. and provided a Form 1099-MISC document showing the amount paid. She put 254 miles on her only car for the business and she kept a record of her mileage. She recorded 10,000 other miles. She started doing this extra work on the 1st of July last year. Other expenses were \$25 for paper, \$47.50 for a printer cartridge and \$101.95 for postage.
- She took a word processing course at the local college in the evenings to improve her skills on the job. The course tuition was \$75.
- She prefers to receive a check if there is a refund and pay by check if there is an amount due.

a Control number		OMB No. 1545-0008		Safe, accurate, FAST! Use 		Visit the IRS website at www.irs.gov .		
b Employer identification number XX-XXXXXXX				1 Wages, tips, other compensation 2,532.00	2 Federal income tax withheld 328.00			
c Employer's name, address, and ZIP code Butler, Inc. 1906 Lawrence Drive Your City, State and Zip Code				3 Social security wages 2,532.00		4 Social security tax withheld 156.98		
				5 Medicare wages and tips 2,532.00		6 Medicare tax withheld 36.71		
				7 Social security tips		8 Allocated tips		
d Employee's social security number XXX-XX-XXXX				9 Advance EIC payment		10 Dependent care benefits		
e Employee's first name and initial Last name Helen E Rosemont 12 Emory Street Your City, State and Zip Code				11 Nonqualified plans		12a See instructions for box 12		
				13 Statutory employee Retirement plan Third-party sick pay <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/>		12b		
				14 Other		12c		
						12d		
f Employee's address and ZIP code								
15 State	Employer's state ID number	16 State wages, tips, etc.	17 State income tax	18 Local wages, tips, etc.	19 Local income tax	20 Locality name		
Your	XX-XXXXXXX	2,532.00	201.00					

Form **W-2 Wage and Tax Statement** **2004** Department of the Treasury—Internal Revenue Service
Copy B—To Be Filed With Employee's FEDERAL Tax Return.
This information is being furnished to the Internal Revenue Service.

a Control number		OMB No. 1545-0008		Safe, accurate, FAST! Use 		Visit the IRS website at www.irs.gov .		
b Employer identification number XX-XXXXXXX				1 Wages, tips, other compensation 19,998.00	2 Federal income tax withheld 1,001.65			
c Employer's name, address, and ZIP code Oakwood World-Herald 1334 Dana Street Your City, State and Zip Code				3 Social security wages 21,266.00		4 Social security tax withheld 1,318.49		
				5 Medicare wages and tips 21,266.00		6 Medicare tax withheld 308.36		
				7 Social security tips		8 Allocated tips		
d Employee's social security number XXX-XX-XXXX				9 Advance EIC payment		10 Dependent care benefits		
e Employee's first name and initial Last name Helen E Rosemont 356 Wilkes Your City, State and Zip Code				11 Nonqualified plans		12a See instructions for box 12 D 1,268.00		
				13 Statutory employee Retirement plan Third-party sick pay <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/>		12b		
				14 Other		12c		
						12d		
f Employee's address and ZIP code								
15 State	Employer's state ID number	16 State wages, tips, etc.	17 State income tax	18 Local wages, tips, etc.	19 Local income tax	20 Locality name		
Your	XX-XXXXXXX	19,998.00	574.50					

Form **W-2 Wage and Tax Statement** **2004** Department of the Treasury—Internal Revenue Service
Copy B—To Be Filed With Employee's FEDERAL Tax Return.
This information is being furnished to the Internal Revenue Service.

CORRECTED (if checked)

PAYER'S name, street address, city, state, ZIP code, and telephone no. Parks National Bank 102 Rust Street Your City, State and Zip Code		Payer's RTN (optional)	OMB No. 1545-0112 2004 Form 1099-INT	Interest Income Copy B For Recipient This is important tax information and is being furnished to the Internal Revenue Service. If you are required to file a return, a negligence penalty or other sanction may be imposed on you if this income is taxable and the IRS determines that it has not been reported.
PAYER'S Federal identification number XX-XXXXXXX	RECIPIENT'S identification number XXX-XX-XXXX	1 Interest income not included in box 3 \$ 416.87		
RECIPIENT'S name Helen E Rosemont Street address (including apt. no.) 356 Wilkes Street City, state, and ZIP code Your City, State and Zip Code		2 Early withdrawal penalty \$	3 Interest on U.S. Savings Bonds and Treas. obligations \$	
Account number (optional)		4 Federal income tax withheld \$ 38.56	5 Investment expenses \$	
		6 Foreign tax paid \$	7 Foreign country or U.S. possession	

Form **1099-INT**

(keep for your records)

Department of the Treasury - Internal Revenue Service

CORRECTED (if checked)

PAYER'S name, street address, city, state, ZIP code, and telephone no. Waldorf Publishing Co PO Box 1765 Your City, State and Zip Code		1 Rents \$	OMB No. 1545-0115 2004 Form 1099-MISC	Miscellaneous Income Copy B For Recipient This is important tax information and is being furnished to the Internal Revenue Service. If you are required to file a return, a negligence penalty or other sanction may be imposed on you if this income is taxable and the IRS determines that it has not been reported.
PAYER'S Federal identification number XX-XXXXXXX	RECIPIENT'S identification number XXX-XX-XXXX	2 Royalties \$	4 Federal income tax withheld \$	
RECIPIENT'S name Helen E Rosemont Street address (including apt. no.) 356 Wilkes City, state, and ZIP code Your City, State and Zip Code		3 Other income \$	5 Fishing boat proceeds \$	
Account number (optional)		7 Nonemployee compensation \$ 2,875.88	6 Medical and health care payments \$	
		9 Payer made direct sales of \$5,000 or more of consumer products to a buyer (recipient) for resale <input type="checkbox"/>	8 Substitute payments in lieu of dividends or interest \$	
		10 Crop insurance proceeds \$	11 	
		12 	13 Excess golden parachute payments \$	
		14 Gross proceeds paid to an attorney \$	15	
		16 State tax withheld \$	17 State/Payer's state no.	18 State income \$
		17 State/Payer's state no.	18 State income \$	

Form **1099-MISC**

(keep for your records)

Department of the Treasury - Internal Revenue Service

CORRECTED (if checked)

PAYER'S name, street address, city, state, ZIP code, and telephone no. Your State Unemployment Commission 1 Stockton Street Your City, State and Zip Code		1 Unemployment compensation \$ 1,345.00	OMB No. 1545-0120 2004 Form 1099-G
PAYER'S Federal identification number XX-XXXXXXX	RECIPIENT'S identification number XXX-XX-XXXX	2 State or local income tax refunds, credits, or offsets \$	3 Box 2 amount is for tax year
RECIPIENT'S name Helen E Rosemont Street address (including apt. no.) 356 Wilkes Street City, state, and ZIP code Your City, State and Zip Code Account number (optional)		5 	4 Federal income tax withheld \$ 135.00
		6 Taxable grants \$	7 Agriculture payments \$
			8 Box 2 is trade or business income <input type="checkbox"/>

**Certain
Government
Payments**

**Copy B
For Recipient**

This is important tax information and is being furnished to the Internal Revenue Service. If you are required to file a return, a negligence penalty or other sanction may be imposed on you if this income is taxable and the IRS determines that it has not been reported.

Form **1099-G**

(keep for your records)

Department of the Treasury - Internal Revenue Service

Exercise No. 10

Customer Card

Taxpayer Name: <u>FRED P STERLING</u>	SSN: <u>XXX-XX-XXXX</u>
Spouse Name: <u>CHERYL A STERLING</u>	SSN: <u>XXX-XX-XXXX</u>
Street Address: <u>3717 BATES STREET</u>	
City, State and Zip Code: <u>[Your City, State and Zip Code]</u>	
Telephone Number: <u>[Your telephone number]</u>	
Date of Birth: Taxpayer: <u>09/21/1938</u> (for TW 2004)	Spouse: <u>02/11/1943</u>
	Taxpayer: <u>09/21/1937</u> (for TW 2003)
Occupation: TP: <u>RETIRED</u>	SP: <u>HOUSEWIFE</u>
Give to Pres Elect Campaign Fund (Y/N):	TP: <u>NO</u> SP: <u>NO</u>

Other Information Provided By The Taxpayer

- Fred and Cheryl have been married for over 40 years and each year they come into your site to have their tax returns completed.
- Fred's' sister, Louise Smith (SSN XXX-XX-XXXX) lived with them all year. Louise is an invalid and must rely upon Fred and Cheryl for her support. Louise receives \$250 a month in Social Security disability. She was born on 01/13/1940.
- Fred provides you with a doctor's certified statement that Cheryl has less than 20/200 vision in both eyes.
- The Sterlings itemized deductions last year but did not receive any state refund.
- In 1983 Fred purchased 100 shares of Chapman stock for \$12,000. He sold the stock on March 23 for \$23,789, which included the commission on the sale.
- Fred retired from the International Brotherhood of Electrical Workers at the age of 65 and started drawing his retirement on January 1, 2002 (2003 for TaxWise 2004). Cheryl is not covered by the plan. He recovered \$271 tax free each year since his retirement.
- The Sterlings would like to have any refunds or amount due handled by check.

CORRECTED (if checked)

PAYER'S name, street address, city, state, ZIP code, and telephone no. Chapman Federal S&L Assn. 1413 41st Ave Your City, State and Zip Code		Payer's RTN (optional)	OMB No. 1545-0112 2004 Form 1099-INT	Interest Income
PAYER'S Federal identification number XX-XXXXXXX	RECIPIENT'S identification number XXX-XX-XXXX	1 Interest income not included in box 3 \$ 124.73		
RECIPIENT'S name Fred P Sterling Street address (including apt. no.) 3717 Bates Street City, state, and ZIP code Your City, State and Zip Code		2 Early withdrawal penalty \$	3 Interest on U.S. Savings Bonds and Treas. obligations \$	Copy B For Recipient This is important tax information and is being furnished to the Internal Revenue Service. If you are required to file a return, a negligence penalty or other sanction may be imposed on you if this income is taxable and the IRS determines that it has not been reported.
Account number (optional)		4 Federal income tax withheld \$	5 Investment expenses \$	
		6 Foreign tax paid \$	7 Foreign country or U.S. possession	

Form **1099-INT** (keep for your records) Department of the Treasury - Internal Revenue Service

CORRECTED (if checked)

PAYER'S name, street address, city, state, ZIP code, and telephone no. Newberry City Bank 1 McCook Plaza Your City, State and Zip Code		Payer's RTN (optional)	OMB No. 1545-0112 2004 Form 1099-INT	Interest Income
PAYER'S Federal identification number XX-XXXXXXX	RECIPIENT'S identification number XXX-XX-XXXX	1 Interest income not included in box 3 \$ 1,863.78		
RECIPIENT'S name Fred P Sterling Street address (including apt. no.) 3717 Bates Street City, state, and ZIP code Your City, State and Zip Code		2 Early withdrawal penalty \$	3 Interest on U.S. Savings Bonds and Treas. obligations \$	Copy B For Recipient This is important tax information and is being furnished to the Internal Revenue Service. If you are required to file a return, a negligence penalty or other sanction may be imposed on you if this income is taxable and the IRS determines that it has not been reported.
Account number (optional)		4 Federal income tax withheld \$	5 Investment expenses \$	
		6 Foreign tax paid \$	7 Foreign country or U.S. possession	

Form **1099-INT** (keep for your records) Department of the Treasury - Internal Revenue Service

CORRECTED (if checked)

PAYER'S name, street address, city, state, ZIP code, and telephone no. Colgate Fund PO Box 5250 Your City, State and Zip Code		1a Total ordinary dividends \$ 162.99	OMB No. 1545-0110 2004 Form 1099-DIV	Dividends and Distributions Copy B For Recipient
		1b Qualified dividends \$ 106.00		
2a Total capital gain distr. \$ 68.75	2b Unrecap. Sec. 1250 gain \$	This is important tax information and is being furnished to the Internal Revenue Service. If you are required to file a return, a negligence penalty or other sanction may be imposed on you if this income is taxable and the IRS determines that it has not been reported.		
PAYER'S Federal identification number XX-XXXXXXX	RECIPIENT'S identification number XXX-XX-XXXX		(shaded)	
RECIPIENT'S name Fred P Sterling Street address (including apt. no.) 3717 Bates Street City, state, and ZIP code Your City, State and Zip Code	2c Section 1202 gain \$		2d Collectibles (28%) gain \$	
	3 Nontaxable distributions \$		4 Federal income tax withheld \$	
Account number (optional)	6 Foreign tax paid \$ 13.15		7 Foreign country or U.S. possession	
	8 Cash liquidation distributions \$		9 Noncash liquidation distributions \$	
(shaded)		(shaded)		

Form **1099-DIV**

(keep for your records)

Department of the Treasury - Internal Revenue Service

CORRECTED (if checked)

PAYER'S name, street address, city, state, and ZIP code Scripps Investment Partners 101 Morris Street Your City, State and Zip Code		1 Gross distribution \$ 11,793.00	OMB No. 1545-0119 2004 Form 1099-R	Distributions From Pensions, Annuities, Retirement or Profit-Sharing Plans, IRAs, Insurance Contracts, etc. Copy B Report this income on your Federal tax return. If this form shows Federal income tax withheld in box 4, attach this copy to your return.
		2a Taxable amount \$ 11,793.00		
PAYER'S Federal identification number XX-XXXXXXX	RECIPIENT'S identification number XXX-XX-XXXX	2b Taxable amount not determined <input type="checkbox"/>	Total distribution <input type="checkbox"/>	
RECIPIENT'S name Fred P Sterling Street address (including apt. no.) 3717 Bates Street City, state, and ZIP code Your City, State and Zip Code	3 Capital gain (included in box 2a) \$	4 Federal income tax withheld \$ 1,179.00		
	5 Employee contributions or insurance premiums \$	6 Net unrealized appreciation in employer's securities \$		
Account number (optional)	7 Distribution code(s) IRA/SEP/SIMPLE <input type="checkbox"/>	8 Other \$ %		
	9a Your percentage of total distribution %	9b Total employee contributions \$		
Account number (optional)	10 State tax withheld \$ 0.00	11 State/Payer's state no. Your State XX-XXXXXXX	12 State distribution \$ 11,793.00	
	13 Local tax withheld \$	14 Name of locality	15 Local distribution \$	

Form **1099-R**

Department of the Treasury - Internal Revenue Service

CORRECTED (if checked)

PAYER'S name, street address, city, state, and ZIP code Averett Pension Fund 36964 Doanne Rd Your City, State and Zip Code		1 Gross distribution \$ 18,625.00	OMB No. 1545-0119 2004 Form 1099-R		Distributions From Pensions, Annuities, Retirement or Profit-Sharing Plans, IRAs, Insurance Contracts, etc.
		2a Taxable amount \$	2b Taxable amount not determined <input checked="" type="checkbox"/> Total distribution <input type="checkbox"/>		
PAYER'S Federal identification number XX-XXXXXXX	RECIPIENT'S identification number XXX-XX-XXXX	3 Capital gain (included in box 2a) \$	4 Federal income tax withheld \$ 1,715.00		Copy B Report this income on your Federal tax return. If this form shows Federal income tax withheld in box 4, attach this copy to your return. This information is being furnished to the Internal Revenue Service.
RECIPIENT'S name Fred P Sterling		5 Employee contributions or insurance premiums \$	6 Net unrealized appreciation in employer's securities \$		
Street address (including apt. no.) 3717 Bates Street		7 Distribution code(s) 7	8 Other \$	9b Total employee contributions \$ 5,864.00	
City, state, and ZIP code Your City, State and Zip Code		9a Your percentage of total distribution %			
Account number (optional)		10 State tax withheld \$	11 State/Payer's state no.	12 State distribution \$	
		13 Local tax withheld \$	14 Name of locality	15 Local distribution \$	

Form **1099-R**

Department of the Treasury - Internal Revenue Service

FORM SSA-1099 - SOCIAL SECURITY BENEFIT STATEMENT

2004 : PART OF YOUR SOCIAL SECURITY BENEFITS SHOWN IN BOX 5 MAY BE TAXABLE INCOME.
: SEE THE REVERSE FOR MORE INFORMATION.

Box 1. Name Fred Sterling		Box 2. Beneficiary's Social Security Number xxx-xx-xxxx	
Box 3. Benefits Paid in 2004 12,682.00	Box 4. Benefits Repaid to SSA in 2004	Box 5. Net Benefits for 2003 (Box 3 minus Box 4) 12,682.00	
DESCRIPTION OF AMOUNT IN BOX 3 Paid by check or direct deposit <p style="text-align: right;">\$11,883</p> Medicare premium deducted <p style="text-align: right;">\$ 799</p> Total <p style="text-align: right;">\$12,682</p>		DESCRIPTION OF AMOUNT IN BOX 4 Box 6. Voluntary Federal Income Tax Withholding <p style="text-align: right;">600.00</p> Box 7. Address <p style="text-align: center;">3717 Bates Your City, State, and Zip Code</p> Box 8. Claim Number (Use this number if you need to contact SSA.)	

Form SSA-1099-SM (1-2005)

DO NOT RETURN THIS FORM TO SSA OR IRS

Optional Supplemental Exercise No. 1

1. Open Exercise 3 (Susanne Denison) and enter the following tax document.

<input type="checkbox"/> CORRECTED (if checked)		OMB No. 1545-0119		2004	Form 1099-R	Distributions From Pensions, Annuities, Retirement or Profit-Sharing Plans, IRAs, Insurance Contracts, etc.
PAYER'S name, street address, city, state, and ZIP code 1ST Oakdale IRA P O Box 25237 Your City, State and Zip Code		1 Gross distribution \$ 11,754.52	2a Taxable amount \$				2b Taxable amount not determined ☒ Total distribution ☐
PAYER'S Federal identification number XX-XXXXXXX	RECIPIENT'S identification number XXX-XX-XXXX	3 Capital gain (included in box 2a) \$	4 Federal income tax withheld \$		Copy B Report this income on your Federal tax return. If this form shows Federal income tax withheld in box 4, attach this copy to your return.	
RECIPIENT'S name Susanne E Denison Street address (including apt. no.) 2125 Hood Drive City, state, and ZIP code Your City, State and Zip Code		5 Employee contributions or insurance premiums \$	6 Net unrealized appreciation in employer's securities \$			
Account number (optional)		7 Distribution code(s) G	IRA/SEP/SIMPLE <input checked="" type="checkbox"/>	8 Other \$ %		This information is being furnished to the Internal Revenue Service.
		9a Your percentage of total distribution %		9b Total employee contributions \$		
Account number (optional)		10 State tax withheld \$ \$	11 State/Payer's state no.		12 State distribution \$ \$	
Account number (optional)		13 Local tax withheld \$ \$	14 Name of locality		15 Local distribution \$ \$	

Form **1099-R** Department of the Treasury - Internal Revenue Service

Susanne rolled her IRA account from 1st Oakdale IRA over into a Merrill Lynch IRA account.

2. Open Exercise 4 (Clark Knox) and enter the following tax document.

CORRECTED (if checked)

PAYER'S name, street address, city, state, and ZIP code Newcomb Financial Services 200 Lincoln Street, 5th Floor Your City, State and Zip Code		1 Gross distribution \$ 10,000.00		OMB No. 1545-0119 2004 Form 1099-R		Distributions From Pensions, Annuities, Retirement or Profit-Sharing Plans, IRAs, Insurance Contracts, etc.
PAYER'S Federal identification number XX-XXXXXXX		2a Taxable amount \$ 10,000.00		2b Taxable amount not determined <input type="checkbox"/>		
RECIPIENT'S name Clark M Knox		3 Capital gain (included in box 2a) \$		4 Federal income tax withheld \$ 1,000.00		This information is being furnished to the Internal Revenue Service.
Street address (including apt. no.) 516 Wells		5 Employee contributions or insurance premiums \$		6 Net unrealized appreciation in employer's securities \$		
City, state, and ZIP code Your City, State and Zip Code		7 Distribution code(s) 1		8 Other \$ %		
Account number (optional)		9a Your percentage of total distribution %		9b Total employee contributions \$		
10 State tax withheld \$ 0.00		11 State/Payer's state no. Your State XX-XXXXXXX		12 State distribution \$ 10,000.00		
13 Local tax withheld \$		14 Name of locality		15 Local distribution \$		

Form 1099-R

Department of the Treasury - Internal Revenue Service

Optional Supplemental Exercise No. 2

1. Open Exercise 1 (David Chapman) and enter the following tax information.
 - a. David put \$2,000.00 into his regular IRA Account this year. Mary put the same amount into her ROTH IRA Account.
 - b. Last year Mary paid \$317.00 interest on the student loan she took to help pay for her teachers' degree.
-

2. Open Exercise 5 (Andrew Howard) and enter the following tax information.

Andrew paid his first wife, Elizabeth Howard (SS#XXX-XX-XXXX), \$350.00 a month alimony last year.

3. Open Exercise 3 (Susanne Denison) and enter the following tax information.

Susanne paid \$1473.50 last year for tuition, books and lab fees for her daughter Agnes.

Optional Supplemental Exercise No. 3

1. Open Exercise 1 (David Chapman) and enter the following tax information.

David paid his neighbor, Betty Wells (SSN XXX-XX-XXXX) who lives next door at 878 Kenyon Ave, to look after Alice while he and Mary were at work. He paid her \$1,875.

2. Open Exercise 5 (Andrew Howard) and enter the following tax information.

Andrew paid the Salem Day Care Center (EIN XX-XXXXXX) located at 87 North Casper Dr, [Your city, state, and zip] to take care of Anthony while he and Sarah were at work. He paid the day care center \$1,793.

Optional Supplemental Exercise No. 4

Open Exercise 4 (Clark M. Knox) and enter the following information:

Clark made a \$300.00 estimated tax payment on both 12 April and 16 June of last year. He reduced that value to \$250.00 for the payments made on 10 September of last year and 8 January of this year.

If Clark has a refund coming or owes more taxes he wants the amount either direct deposited or debited against his checking account. He gives you a bank card which identifies his bank's routing number as 065502789 and his account number as XX-XXXXXXX.

Optional Supplemental Exercise No. 5

Open Exercise 7 (Troy McCook) and enter the following tax information.

Troy decides that he wants half of any refund applied to next year's taxes with the rest being direct deposited to his checking account. If he owes money he would like it debited against his checking account. He provides you with the following information from his personal check. Routing number is 125106708 and the account number is XX-XXXXXXX.

Optional Supplemental Exercise No. 6

1. Open Exercise 5 (Andrew Howard)
 - a. If there is a refund, the Howards would like to receive it by check. However, because of the Pace stock sale they believe they will owe money. If there is an amount due over \$500 they will have to make arrangements to pay by the IRS installment plan. If that happens they want the total amount due paid by installments. They can pay \$100 a month and would like the payments due on the 15th of each month. They will make the payments by check.
 - b. If there is any underpayment penalty they would like to request a waiver because of the unexpected and late sale of the stock. The Howard's total federal tax for last year was \$3,720.
2. Open Exercise 6 (James Gordon)

If there is an Underpayment Penalty imposed on this return add last year's tax to line 8 of Form 2210. If there is still a penalty, zero out the penalty on page 2 of form 1040. Inform the taxpayer that the IRS will figure any penalty.

Optional Supplemental Exercise No. 7

1. Open Exercise 4 (Clark Knox)

Clark wants to sign his return using the PIN System. His AGI for last year was \$46,543.00. He enters “76541” as his PIN.

2. Open Exercise 8 (John Reed)

John decides that he wants to use a PIN to sign his return. His AGI for last year was \$32,186.00 and he will enter “76923” as his PIN.

STUDENT NOTES

Lined area for student notes.



STUDENT NOTES

Lined writing area for student notes.



STUDENT NOTES

Lined writing area for student notes.



2004 Earned Income Credit (EIC) Table

Caution. This is not a tax table.

1. To find your credit, read down the "At least - But less than" columns and find the line that includes the amount you were told to look up from your EIC Worksheet.

2. Then, go to the column that includes your filing status and the number of qualifying children you have. Enter the credit from that column on your EIC Worksheet.

Example. If your filing status is single, you have one qualifying child, and the amount you are looking up from your EIC Worksheet is \$2,455, you would enter \$842.

If the amount you are looking up from the worksheet is—		And your filing status is—		
		Single, head of household, or qualifying widow(er) and you have—		
		No children	One child	Two children
At least	But less than	Your credit is—		
2,400	2,450	186	825	970
2,450	2,500	189	842	990

If the amount you are looking up from the worksheet is—		And your filing status is—						If the amount you are looking up from the worksheet is—		And your filing status is—					
		Single, head of household, or qualifying widow(er) and you have—			Married filing jointly and you have—					Single, head of household, or qualifying widow(er) and you have—			Married filing jointly and you have—		
		No children	One child	Two children	No children	One child	Two children			No children	One child	Two children	No children	One child	Two children
At least	But less than	Your credit is—			Your credit is—			At least	But less than	Your credit is—			Your credit is—		
\$1	\$50	\$2	\$9	\$10	\$2	\$9	\$10	2,750	2,800	212	944	1,110	212	944	1,110
50	100	6	26	30	6	26	30	2,800	2,850	216	961	1,130	216	961	1,130
100	150	10	43	50	10	43	50	2,850	2,900	220	978	1,150	220	978	1,150
150	200	13	60	70	13	60	70	2,900	2,950	224	995	1,170	224	995	1,170
200	250	17	77	90	17	77	90	2,950	3,000	228	1,012	1,190	228	1,012	1,190
250	300	21	94	110	21	94	110	3,000	3,050	231	1,029	1,210	231	1,029	1,210
300	350	25	111	130	25	111	130	3,050	3,100	235	1,046	1,230	235	1,046	1,230
350	400	29	128	150	29	128	150	3,100	3,150	239	1,063	1,250	239	1,063	1,250
400	450	33	145	170	33	145	170	3,150	3,200	243	1,080	1,270	243	1,080	1,270
450	500	36	162	190	36	162	190	3,200	3,250	247	1,097	1,290	247	1,097	1,290
500	550	40	179	210	40	179	210	3,250	3,300	251	1,114	1,310	251	1,114	1,310
550	600	44	196	230	44	196	230	3,300	3,350	254	1,131	1,330	254	1,131	1,330
600	650	48	213	250	48	213	250	3,350	3,400	258	1,148	1,350	258	1,148	1,350
650	700	52	230	270	52	230	270	3,400	3,450	262	1,165	1,370	262	1,165	1,370
700	750	55	247	290	55	247	290	3,450	3,500	266	1,182	1,390	266	1,182	1,390
750	800	59	264	310	59	264	310	3,500	3,550	270	1,199	1,410	270	1,199	1,410
800	850	63	281	330	63	281	330	3,550	3,600	273	1,216	1,430	273	1,216	1,430
850	900	67	298	350	67	298	350	3,600	3,650	277	1,233	1,450	277	1,233	1,450
900	950	71	315	370	71	315	370	3,650	3,700	281	1,250	1,470	281	1,250	1,470
950	1,000	75	332	390	75	332	390	3,700	3,750	285	1,267	1,490	285	1,267	1,490
1,000	1,050	78	349	410	78	349	410	3,750	3,800	289	1,284	1,510	289	1,284	1,510
1,050	1,100	82	366	430	82	366	430	3,800	3,850	293	1,301	1,530	293	1,301	1,530
1,100	1,150	86	383	450	86	383	450	3,850	3,900	296	1,318	1,550	296	1,318	1,550
1,150	1,200	90	400	470	90	400	470	3,900	3,950	300	1,335	1,570	300	1,335	1,570
1,200	1,250	94	417	490	94	417	490	3,950	4,000	304	1,352	1,590	304	1,352	1,590
1,250	1,300	98	434	510	98	434	510	4,000	4,050	308	1,369	1,610	308	1,369	1,610
1,300	1,350	101	451	530	101	451	530	4,050	4,100	312	1,386	1,630	312	1,386	1,630
1,350	1,400	105	468	550	105	468	550	4,100	4,150	316	1,403	1,650	316	1,403	1,650
1,400	1,450	109	485	570	109	485	570	4,150	4,200	319	1,420	1,670	319	1,420	1,670
1,450	1,500	113	502	590	113	502	590	4,200	4,250	323	1,437	1,690	323	1,437	1,690
1,500	1,550	117	519	610	117	519	610	4,250	4,300	327	1,454	1,710	327	1,454	1,710
1,550	1,600	120	536	630	120	536	630	4,300	4,350	331	1,471	1,730	331	1,471	1,730
1,600	1,650	124	553	650	124	553	650	4,350	4,400	335	1,488	1,750	335	1,488	1,750
1,650	1,700	128	570	670	128	570	670	4,400	4,450	339	1,505	1,770	339	1,505	1,770
1,700	1,750	132	587	690	132	587	690	4,450	4,500	342	1,522	1,790	342	1,522	1,790
1,750	1,800	136	604	710	136	604	710	4,500	4,550	346	1,539	1,810	346	1,539	1,810
1,800	1,850	140	621	730	140	621	730	4,550	4,600	350	1,556	1,830	350	1,556	1,830
1,850	1,900	143	638	750	143	638	750	4,600	4,650	354	1,573	1,850	354	1,573	1,850
1,900	1,950	147	655	770	147	655	770	4,650	4,700	358	1,590	1,870	358	1,590	1,870
1,950	2,000	151	672	790	151	672	790	4,700	4,750	361	1,607	1,890	361	1,607	1,890
2,000	2,050	155	689	810	155	689	810	4,750	4,800	365	1,624	1,910	365	1,624	1,910
2,050	2,100	159	706	830	159	706	830	4,800	4,850	369	1,641	1,930	369	1,641	1,930
2,100	2,150	163	723	850	163	723	850	4,850	4,900	373	1,658	1,950	373	1,658	1,950
2,150	2,200	166	740	870	166	740	870	4,900	4,950	377	1,675	1,970	377	1,675	1,970
2,200	2,250	170	757	890	170	757	890	4,950	5,000	381	1,692	1,990	381	1,692	1,990
2,250	2,300	174	774	910	174	774	910	5,000	5,050	384	1,709	2,010	384	1,709	2,010
2,300	2,350	178	791	930	178	791	930	5,050	5,100	388	1,726	2,030	388	1,726	2,030
2,350	2,400	182	808	950	182	808	950	5,100	5,150	390	1,743	2,050	390	1,743	2,050
2,400	2,450	186	825	970	186	825	970	5,150	5,200	390	1,760	2,070	390	1,760	2,070
2,450	2,500	189	842	990	189	842	990	5,200	5,250	390	1,777	2,090	390	1,777	2,090
2,500	2,550	193	859	1,010	193	859	1,010	5,250	5,300	390	1,794	2,110	390	1,794	2,110
2,550	2,600	197	876	1,030	197	876	1,030	5,300	5,350	390	1,811	2,130	390	1,811	2,130
2,600	2,650	201	893	1,050	201	893	1,050	5,350	5,400	390	1,828	2,150	390	1,828	2,150
2,650	2,700	205	910	1,070	205	910	1,070	5,400	5,450	390	1,845	2,170	390	1,845	2,170
2,700	2,750	208	927	1,090	208	927	1,090	5,450	5,500	390	1,862	2,190	390	1,862	2,190

(Continued on page 49)

2004 Earned Income Credit (EIC) Table—Continued (Caution. This is not a tax table.)

If the amount you are looking up from the worksheet is—		And your filing status is—						If the amount you are looking up from the worksheet is—		And your filing status is—					
		Single, head of household, or qualifying widow(er) and you have—			Married filing jointly and you have—					Single, head of household, or qualifying widow(er) and you have—			Married filing jointly and you have—		
		No children	One child	Two children	No children	One child	Two children			No children	One child	Two children	No children	One child	Two children
At least	But less than	Your credit is—			Your credit is—			At least	But less than	Your credit is—			Your credit is—		
5,500	5,550	390	1,879	2,210	390	1,879	2,210	8,500	8,550	227	2,604	3,410	303	2,604	3,410
5,550	5,600	390	1,896	2,230	390	1,896	2,230	8,550	8,600	223	2,604	3,430	299	2,604	3,430
5,600	5,650	390	1,913	2,250	390	1,913	2,250	8,600	8,650	219	2,604	3,450	296	2,604	3,450
5,650	5,700	390	1,930	2,270	390	1,930	2,270	8,650	8,700	215	2,604	3,470	292	2,604	3,470
5,700	5,750	390	1,947	2,290	390	1,947	2,290	8,700	8,750	212	2,604	3,490	288	2,604	3,490
5,750	5,800	390	1,964	2,310	390	1,964	2,310	8,750	8,800	208	2,604	3,510	284	2,604	3,510
5,800	5,850	390	1,981	2,330	390	1,981	2,330	8,800	8,850	204	2,604	3,530	280	2,604	3,530
5,850	5,900	390	1,998	2,350	390	1,998	2,350	8,850	8,900	200	2,604	3,550	277	2,604	3,550
5,900	5,950	390	2,015	2,370	390	2,015	2,370	8,900	8,950	196	2,604	3,570	273	2,604	3,570
5,950	6,000	390	2,032	2,390	390	2,032	2,390	8,950	9,000	192	2,604	3,590	269	2,604	3,590
6,000	6,050	390	2,049	2,410	390	2,049	2,410	9,000	9,050	189	2,604	3,610	265	2,604	3,610
6,050	6,100	390	2,066	2,430	390	2,066	2,430	9,050	9,100	185	2,604	3,630	261	2,604	3,630
6,100	6,150	390	2,083	2,450	390	2,083	2,450	9,100	9,150	181	2,604	3,650	257	2,604	3,650
6,150	6,200	390	2,100	2,470	390	2,100	2,470	9,150	9,200	177	2,604	3,670	254	2,604	3,670
6,200	6,250	390	2,117	2,490	390	2,117	2,490	9,200	9,250	173	2,604	3,690	250	2,604	3,690
6,250	6,300	390	2,134	2,510	390	2,134	2,510	9,250	9,300	169	2,604	3,710	246	2,604	3,710
6,300	6,350	390	2,151	2,530	390	2,151	2,530	9,300	9,350	166	2,604	3,730	242	2,604	3,730
6,350	6,400	390	2,168	2,550	390	2,168	2,550	9,350	9,400	162	2,604	3,750	238	2,604	3,750
6,400	6,450	387	2,185	2,570	390	2,185	2,570	9,400	9,450	158	2,604	3,770	234	2,604	3,770
6,450	6,500	384	2,202	2,590	390	2,202	2,590	9,450	9,500	154	2,604	3,790	231	2,604	3,790
6,500	6,550	380	2,219	2,610	390	2,219	2,610	9,500	9,550	150	2,604	3,810	227	2,604	3,810
6,550	6,600	376	2,236	2,630	390	2,236	2,630	9,550	9,600	146	2,604	3,830	223	2,604	3,830
6,600	6,650	372	2,253	2,650	390	2,253	2,650	9,600	9,650	143	2,604	3,850	219	2,604	3,850
6,650	6,700	368	2,270	2,670	390	2,270	2,670	9,650	9,700	139	2,604	3,870	215	2,604	3,870
6,700	6,750	365	2,287	2,690	390	2,287	2,690	9,700	9,750	135	2,604	3,890	212	2,604	3,890
6,750	6,800	361	2,304	2,710	390	2,304	2,710	9,750	9,800	131	2,604	3,910	208	2,604	3,910
6,800	6,850	357	2,321	2,730	390	2,321	2,730	9,800	9,850	127	2,604	3,930	204	2,604	3,930
6,850	6,900	353	2,338	2,750	390	2,338	2,750	9,850	9,900	124	2,604	3,950	200	2,604	3,950
6,900	6,950	349	2,355	2,770	390	2,355	2,770	9,900	9,950	120	2,604	3,970	196	2,604	3,970
6,950	7,000	345	2,372	2,790	390	2,372	2,790	9,950	10,000	116	2,604	3,990	192	2,604	3,990
7,000	7,050	342	2,389	2,810	390	2,389	2,810	10,000	10,050	112	2,604	4,010	189	2,604	4,010
7,050	7,100	338	2,406	2,830	390	2,406	2,830	10,050	10,100	108	2,604	4,030	185	2,604	4,030
7,100	7,150	334	2,423	2,850	390	2,423	2,850	10,100	10,150	104	2,604	4,050	181	2,604	4,050
7,150	7,200	330	2,440	2,870	390	2,440	2,870	10,150	10,200	101	2,604	4,070	177	2,604	4,070
7,200	7,250	326	2,457	2,890	390	2,457	2,890	10,200	10,250	97	2,604	4,090	173	2,604	4,090
7,250	7,300	322	2,474	2,910	390	2,474	2,910	10,250	10,300	93	2,604	4,110	169	2,604	4,110
7,300	7,350	319	2,491	2,930	390	2,491	2,930	10,300	10,350	89	2,604	4,130	166	2,604	4,130
7,350	7,400	315	2,508	2,950	390	2,508	2,950	10,350	10,400	85	2,604	4,150	162	2,604	4,150
7,400	7,450	311	2,525	2,970	387	2,525	2,970	10,400	10,450	81	2,604	4,170	158	2,604	4,170
7,450	7,500	307	2,542	2,990	384	2,542	2,990	10,450	10,500	78	2,604	4,190	154	2,604	4,190
7,500	7,550	303	2,559	3,010	380	2,559	3,010	10,500	10,550	74	2,604	4,210	150	2,604	4,210
7,550	7,600	299	2,576	3,030	376	2,576	3,030	10,550	10,600	70	2,604	4,230	146	2,604	4,230
7,600	7,650	296	2,593	3,050	372	2,593	3,050	10,600	10,650	66	2,604	4,250	143	2,604	4,250
7,650	7,700	292	2,604	3,070	368	2,604	3,070	10,650	10,700	62	2,604	4,270	139	2,604	4,270
7,700	7,750	288	2,604	3,090	365	2,604	3,090	10,700	10,750	59	2,604	4,290	135	2,604	4,290
7,750	7,800	284	2,604	3,110	361	2,604	3,110	10,750	10,800	55	2,604	4,300	131	2,604	4,300
7,800	7,850	280	2,604	3,130	357	2,604	3,130	10,800	10,850	51	2,604	4,300	127	2,604	4,300
7,850	7,900	277	2,604	3,150	353	2,604	3,150	10,850	10,900	47	2,604	4,300	124	2,604	4,300
7,900	7,950	273	2,604	3,170	349	2,604	3,170	10,900	10,950	43	2,604	4,300	120	2,604	4,300
7,950	8,000	269	2,604	3,190	345	2,604	3,190	10,950	11,000	39	2,604	4,300	116	2,604	4,300
8,000	8,050	265	2,604	3,210	342	2,604	3,210	11,000	11,050	36	2,604	4,300	112	2,604	4,300
8,050	8,100	261	2,604	3,230	338	2,604	3,230	11,050	11,100	32	2,604	4,300	108	2,604	4,300
8,100	8,150	257	2,604	3,250	334	2,604	3,250	11,100	11,150	28	2,604	4,300	104	2,604	4,300
8,150	8,200	254	2,604	3,270	330	2,604	3,270	11,150	11,200	24	2,604	4,300	101	2,604	4,300
8,200	8,250	250	2,604	3,290	326	2,604	3,290	11,200	11,250	20	2,604	4,300	97	2,604	4,300
8,250	8,300	246	2,604	3,310	322	2,604	3,310	11,250	11,300	16	2,604	4,300	93	2,604	4,300
8,300	8,350	242	2,604	3,330	319	2,604	3,330	11,300	11,350	13	2,604	4,300	89	2,604	4,300
8,350	8,400	238	2,604	3,350	315	2,604	3,350	11,350	11,400	9	2,604	4,300	85	2,604	4,300
8,400	8,450	234	2,604	3,370	311	2,604	3,370	11,400	11,450	5	2,604	4,300	81	2,604	4,300
8,450	8,500	231	2,604	3,390	307	2,604	3,390	11,450	11,500	*	2,604	4,300	78	2,604	4,300

*If the amount you are looking up from the worksheet is at least \$11,450 (\$12,450 if married filing jointly) but less than \$11,490 (\$12,490 if married filing jointly), your credit is \$2. Otherwise, you cannot take the credit.

(Continued on page 50)

2004 Earned Income Credit (EIC) Table—Continued

(Caution. This is not a tax table.)

If the amount you are looking up from the worksheet is—		And your filing status is—						If the amount you are looking up from the worksheet is—		And your filing status is—					
		Single, head of household, or qualifying widow(er) and you have—			Married filing jointly and you have—					Single, head of household, or qualifying widow(er) and you have—			Married filing jointly and you have—		
		No children	One child	Two children	No children	One child	Two children			No children	One child	Two children	No children	One child	Two children
At least	But less than	Your credit is—			Your credit is—			At least	But less than	Your credit is—			Your credit is—		
11,500	11,550	0	2,604	4,300	74	2,604	4,300	16,000	16,050	0	2,287	3,882	0	2,447	4,093
11,550	11,600	0	2,604	4,300	70	2,604	4,300	16,050	16,100	0	2,279	3,871	0	2,439	4,082
11,600	11,650	0	2,604	4,300	66	2,604	4,300	16,100	16,150	0	2,271	3,861	0	2,431	4,071
11,650	11,700	0	2,604	4,300	62	2,604	4,300	16,150	16,200	0	2,263	3,850	0	2,423	4,061
11,700	11,750	0	2,604	4,300	59	2,604	4,300	16,200	16,250	0	2,255	3,840	0	2,415	4,050
11,750	11,800	0	2,604	4,300	55	2,604	4,300	16,250	16,300	0	2,247	3,829	0	2,407	4,040
11,800	11,850	0	2,604	4,300	51	2,604	4,300	16,300	16,350	0	2,239	3,819	0	2,399	4,029
11,850	11,900	0	2,604	4,300	47	2,604	4,300	16,350	16,400	0	2,231	3,808	0	2,391	4,019
11,900	11,950	0	2,604	4,300	43	2,604	4,300	16,400	16,450	0	2,223	3,798	0	2,383	4,008
11,950	12,000	0	2,604	4,300	39	2,604	4,300	16,450	16,500	0	2,215	3,787	0	2,375	3,998
12,000	12,050	0	2,604	4,300	36	2,604	4,300	16,500	16,550	0	2,207	3,777	0	2,367	3,987
12,050	12,100	0	2,604	4,300	32	2,604	4,300	16,550	16,600	0	2,199	3,766	0	2,359	3,977
12,100	12,150	0	2,604	4,300	28	2,604	4,300	16,600	16,650	0	2,191	3,756	0	2,351	3,966
12,150	12,200	0	2,604	4,300	24	2,604	4,300	16,650	16,700	0	2,183	3,745	0	2,343	3,956
12,200	12,250	0	2,604	4,300	20	2,604	4,300	16,700	16,750	0	2,175	3,735	0	2,335	3,945
12,250	12,300	0	2,604	4,300	16	2,604	4,300	16,750	16,800	0	2,167	3,724	0	2,327	3,935
12,300	12,350	0	2,604	4,300	13	2,604	4,300	16,800	16,850	0	2,159	3,713	0	2,319	3,924
12,350	12,400	0	2,604	4,300	9	2,604	4,300	16,850	16,900	0	2,151	3,703	0	2,311	3,914
12,400	12,450	0	2,604	4,300	5	2,604	4,300	16,900	16,950	0	2,143	3,692	0	2,303	3,903
12,450	12,500	0	2,604	4,300	*	2,604	4,300	16,950	17,000	0	2,135	3,682	0	2,295	3,892
12,500	14,050	0	2,604	4,300	0	2,604	4,300	17,000	17,050	0	2,127	3,671	0	2,287	3,882
14,050	14,100	0	2,599	4,293	0	2,604	4,300	17,050	17,100	0	2,119	3,661	0	2,279	3,871
14,100	14,150	0	2,591	4,282	0	2,604	4,300	17,100	17,150	0	2,111	3,650	0	2,271	3,861
14,150	14,200	0	2,583	4,272	0	2,604	4,300	17,150	17,200	0	2,103	3,640	0	2,263	3,850
14,200	14,250	0	2,575	4,261	0	2,604	4,300	17,200	17,250	0	2,095	3,629	0	2,255	3,840
14,250	14,300	0	2,567	4,251	0	2,604	4,300	17,250	17,300	0	2,087	3,619	0	2,247	3,829
14,300	14,350	0	2,559	4,240	0	2,604	4,300	17,300	17,350	0	2,079	3,608	0	2,239	3,819
14,350	14,400	0	2,551	4,229	0	2,604	4,300	17,350	17,400	0	2,071	3,598	0	2,231	3,808
14,400	14,450	0	2,543	4,219	0	2,604	4,300	17,400	17,450	0	2,063	3,587	0	2,223	3,798
14,450	14,500	0	2,535	4,208	0	2,604	4,300	17,450	17,500	0	2,055	3,577	0	2,215	3,787
14,500	14,550	0	2,527	4,198	0	2,604	4,300	17,500	17,550	0	2,047	3,566	0	2,207	3,777
14,550	14,600	0	2,519	4,187	0	2,604	4,300	17,550	17,600	0	2,040	3,556	0	2,199	3,766
14,600	14,650	0	2,511	4,177	0	2,604	4,300	17,600	17,650	0	2,032	3,545	0	2,191	3,756
14,650	14,700	0	2,503	4,166	0	2,604	4,300	17,650	17,700	0	2,024	3,534	0	2,183	3,745
14,700	14,750	0	2,495	4,156	0	2,604	4,300	17,700	17,750	0	2,016	3,524	0	2,175	3,735
14,750	14,800	0	2,487	4,145	0	2,604	4,300	17,750	17,800	0	2,008	3,513	0	2,167	3,724
14,800	14,850	0	2,479	4,135	0	2,604	4,300	17,800	17,850	0	2,000	3,503	0	2,159	3,713
14,850	14,900	0	2,471	4,124	0	2,604	4,300	17,850	17,900	0	1,992	3,492	0	2,151	3,703
14,900	14,950	0	2,463	4,114	0	2,604	4,300	17,900	17,950	0	1,984	3,482	0	2,143	3,692
14,950	15,000	0	2,455	4,103	0	2,604	4,300	17,950	18,000	0	1,976	3,471	0	2,135	3,682
15,000	15,050	0	2,447	4,093	0	2,604	4,300	18,000	18,050	0	1,968	3,461	0	2,127	3,671
15,050	15,100	0	2,439	4,082	0	2,599	4,293	18,050	18,100	0	1,960	3,450	0	2,119	3,661
15,100	15,150	0	2,431	4,071	0	2,591	4,282	18,100	18,150	0	1,952	3,440	0	2,111	3,650
15,150	15,200	0	2,423	4,061	0	2,583	4,272	18,150	18,200	0	1,944	3,429	0	2,103	3,640
15,200	15,250	0	2,415	4,050	0	2,575	4,261	18,200	18,250	0	1,936	3,419	0	2,095	3,629
15,250	15,300	0	2,407	4,040	0	2,567	4,251	18,250	18,300	0	1,928	3,408	0	2,087	3,619
15,300	15,350	0	2,399	4,029	0	2,559	4,240	18,300	18,350	0	1,920	3,398	0	2,079	3,608
15,350	15,400	0	2,391	4,019	0	2,551	4,229	18,350	18,400	0	1,912	3,387	0	2,071	3,598
15,400	15,450	0	2,383	4,008	0	2,543	4,219	18,400	18,450	0	1,904	3,377	0	2,063	3,587
15,450	15,500	0	2,375	3,998	0	2,535	4,208	18,450	18,500	0	1,896	3,366	0	2,055	3,577
15,500	15,550	0	2,367	3,987	0	2,527	4,198	18,500	18,550	0	1,888	3,355	0	2,047	3,566
15,550	15,600	0	2,359	3,977	0	2,519	4,187	18,550	18,600	0	1,880	3,345	0	2,040	3,556
15,600	15,650	0	2,351	3,966	0	2,511	4,177	18,600	18,650	0	1,872	3,334	0	2,032	3,545
15,650	15,700	0	2,343	3,956	0	2,503	4,166	18,650	18,700	0	1,864	3,324	0	2,024	3,534
15,700	15,750	0	2,335	3,945	0	2,495	4,156	18,700	18,750	0	1,856	3,313	0	2,016	3,524
15,750	15,800	0	2,327	3,935	0	2,487	4,145	18,750	18,800	0	1,848	3,303	0	2,008	3,513
15,800	15,850	0	2,319	3,924	0	2,479	4,135	18,800	18,850	0	1,840	3,292	0	2,000	3,503
15,850	15,900	0	2,311	3,914	0	2,471	4,124	18,850	18,900	0	1,832	3,282	0	1,992	3,492
15,900	15,950	0	2,303	3,903	0	2,463	4,114	18,900	18,950	0	1,824	3,271	0	1,984	3,482
15,950	16,000	0	2,295	3,892	0	2,455	4,103	18,950	19,000	0	1,816	3,261	0	1,976	3,471

*If the amount you are looking up from the worksheet is at least \$11,450 (\$12,450 if married filing jointly) but less than \$11,490 (\$12,490 if married filing jointly), your credit is \$2. Otherwise, you cannot take the credit.

(Continued on page 51)

2004 Earned Income Credit (EIC) Table—Continued

(Caution. This is not a tax table.)

If the amount you are looking up from the worksheet is—		And your filing status is—						If the amount you are looking up from the worksheet is—		And your filing status is—					
		Single, head of household, or qualifying widow(er) and you have—			Married filing jointly and you have—					Single, head of household, or qualifying widow(er) and you have—			Married filing jointly and you have—		
		No children	One child	Two children	No children	One child	Two children			No children	One child	Two children	No children	One child	Two children
At least	But less than	Your credit is—			Your credit is—			At least	But less than	Your credit is—			Your credit is—		
19,000	19,050	0	1,808	3,250	0	1,968	3,461	22,000	22,050	0	1,328	2,618	0	1,488	2,829
19,050	19,100	0	1,800	3,240	0	1,960	3,450	22,050	22,100	0	1,320	2,608	0	1,480	2,818
19,100	19,150	0	1,792	3,229	0	1,952	3,440	22,100	22,150	0	1,312	2,597	0	1,472	2,808
19,150	19,200	0	1,784	3,219	0	1,944	3,429	22,150	22,200	0	1,304	2,587	0	1,464	2,797
19,200	19,250	0	1,776	3,208	0	1,936	3,419	22,200	22,250	0	1,296	2,576	0	1,456	2,787
19,250	19,300	0	1,768	3,198	0	1,928	3,408	22,250	22,300	0	1,288	2,566	0	1,448	2,776
19,300	19,350	0	1,760	3,187	0	1,920	3,398	22,300	22,350	0	1,280	2,555	0	1,440	2,766
19,350	19,400	0	1,752	3,176	0	1,912	3,387	22,350	22,400	0	1,272	2,545	0	1,432	2,755
19,400	19,450	0	1,744	3,166	0	1,904	3,377	22,400	22,450	0	1,264	2,534	0	1,424	2,745
19,450	19,500	0	1,736	3,155	0	1,896	3,366	22,450	22,500	0	1,256	2,524	0	1,416	2,734
19,500	19,550	0	1,728	3,145	0	1,888	3,355	22,500	22,550	0	1,248	2,513	0	1,408	2,724
19,550	19,600	0	1,720	3,134	0	1,880	3,345	22,550	22,600	0	1,241	2,503	0	1,400	2,713
19,600	19,650	0	1,712	3,124	0	1,872	3,334	22,600	22,650	0	1,233	2,492	0	1,392	2,703
19,650	19,700	0	1,704	3,113	0	1,864	3,324	22,650	22,700	0	1,225	2,481	0	1,384	2,692
19,700	19,750	0	1,696	3,103	0	1,856	3,313	22,700	22,750	0	1,217	2,471	0	1,376	2,682
19,750	19,800	0	1,688	3,092	0	1,848	3,303	22,750	22,800	0	1,209	2,460	0	1,368	2,671
19,800	19,850	0	1,680	3,082	0	1,840	3,292	22,800	22,850	0	1,201	2,450	0	1,360	2,660
19,850	19,900	0	1,672	3,071	0	1,832	3,282	22,850	22,900	0	1,193	2,439	0	1,352	2,650
19,900	19,950	0	1,664	3,061	0	1,824	3,271	22,900	22,950	0	1,185	2,429	0	1,344	2,639
19,950	20,000	0	1,656	3,050	0	1,816	3,261	22,950	23,000	0	1,177	2,418	0	1,336	2,629
20,000	20,050	0	1,648	3,040	0	1,808	3,250	23,000	23,050	0	1,169	2,408	0	1,328	2,618
20,050	20,100	0	1,640	3,029	0	1,800	3,240	23,050	23,100	0	1,161	2,397	0	1,320	2,608
20,100	20,150	0	1,632	3,018	0	1,792	3,229	23,100	23,150	0	1,153	2,387	0	1,312	2,597
20,150	20,200	0	1,624	3,008	0	1,784	3,219	23,150	23,200	0	1,145	2,376	0	1,304	2,587
20,200	20,250	0	1,616	2,997	0	1,776	3,208	23,200	23,250	0	1,137	2,366	0	1,296	2,576
20,250	20,300	0	1,608	2,987	0	1,768	3,198	23,250	23,300	0	1,129	2,355	0	1,288	2,566
20,300	20,350	0	1,600	2,976	0	1,760	3,187	23,300	23,350	0	1,121	2,345	0	1,280	2,555
20,350	20,400	0	1,592	2,966	0	1,752	3,176	23,350	23,400	0	1,113	2,334	0	1,272	2,545
20,400	20,450	0	1,584	2,955	0	1,744	3,166	23,400	23,450	0	1,105	2,324	0	1,264	2,534
20,450	20,500	0	1,576	2,945	0	1,736	3,155	23,450	23,500	0	1,097	2,313	0	1,256	2,524
20,500	20,550	0	1,568	2,934	0	1,728	3,145	23,500	23,550	0	1,089	2,302	0	1,248	2,513
20,550	20,600	0	1,560	2,924	0	1,720	3,134	23,550	23,600	0	1,081	2,292	0	1,241	2,503
20,600	20,650	0	1,552	2,913	0	1,712	3,124	23,600	23,650	0	1,073	2,281	0	1,233	2,492
20,650	20,700	0	1,544	2,903	0	1,704	3,113	23,650	23,700	0	1,065	2,271	0	1,225	2,481
20,700	20,750	0	1,536	2,892	0	1,696	3,103	23,700	23,750	0	1,057	2,260	0	1,217	2,471
20,750	20,800	0	1,528	2,882	0	1,688	3,092	23,750	23,800	0	1,049	2,250	0	1,209	2,460
20,800	20,850	0	1,520	2,871	0	1,680	3,082	23,800	23,850	0	1,041	2,239	0	1,201	2,450
20,850	20,900	0	1,512	2,861	0	1,672	3,071	23,850	23,900	0	1,033	2,229	0	1,193	2,439
20,900	20,950	0	1,504	2,850	0	1,664	3,061	23,900	23,950	0	1,025	2,218	0	1,185	2,429
20,950	21,000	0	1,496	2,839	0	1,656	3,050	23,950	24,000	0	1,017	2,208	0	1,177	2,418
21,000	21,050	0	1,488	2,829	0	1,648	3,040	24,000	24,050	0	1,009	2,197	0	1,169	2,408
21,050	21,100	0	1,480	2,818	0	1,640	3,029	24,050	24,100	0	1,001	2,187	0	1,161	2,397
21,100	21,150	0	1,472	2,808	0	1,632	3,018	24,100	24,150	0	993	2,176	0	1,153	2,387
21,150	21,200	0	1,464	2,797	0	1,624	3,008	24,150	24,200	0	985	2,166	0	1,145	2,376
21,200	21,250	0	1,456	2,787	0	1,616	2,997	24,200	24,250	0	977	2,155	0	1,137	2,366
21,250	21,300	0	1,448	2,776	0	1,608	2,987	24,250	24,300	0	969	2,145	0	1,129	2,355
21,300	21,350	0	1,440	2,766	0	1,600	2,976	24,300	24,350	0	961	2,134	0	1,121	2,345
21,350	21,400	0	1,432	2,755	0	1,592	2,966	24,350	24,400	0	953	2,123	0	1,113	2,334
21,400	21,450	0	1,424	2,745	0	1,584	2,955	24,400	24,450	0	945	2,113	0	1,105	2,324
21,450	21,500	0	1,416	2,734	0	1,576	2,945	24,450	24,500	0	937	2,102	0	1,097	2,313
21,500	21,550	0	1,408	2,724	0	1,568	2,934	24,500	24,550	0	929	2,092	0	1,089	2,302
21,550	21,600	0	1,400	2,713	0	1,560	2,924	24,550	24,600	0	921	2,081	0	1,081	2,292
21,600	21,650	0	1,392	2,703	0	1,552	2,913	24,600	24,650	0	913	2,071	0	1,073	2,281
21,650	21,700	0	1,384	2,692	0	1,544	2,903	24,650	24,700	0	905	2,060	0	1,065	2,271
21,700	21,750	0	1,376	2,682	0	1,536	2,892	24,700	24,750	0	897	2,050	0	1,057	2,260
21,750	21,800	0	1,368	2,671	0	1,528	2,882	24,750	24,800	0	889	2,039	0	1,049	2,250
21,800	21,850	0	1,360	2,660	0	1,520	2,871	24,800	24,850	0	881	2,029	0	1,041	2,239
21,850	21,900	0	1,352	2,650	0	1,512	2,861	24,850	24,900	0	873	2,018	0	1,033	2,229
21,900	21,950	0	1,344	2,639	0	1,504	2,850	24,900	24,950	0	865	2,008	0	1,025	2,218
21,950	22,000	0	1,336	2,629	0	1,496	2,839	24,950	25,000	0	857	1,997	0	1,017	2,208

(Continued on page 52)

2004 Earned Income Credit (EIC) Table—Continued

(Caution. This is not a tax table.)

If the amount you are looking up from the worksheet is—		And your filing status is—						If the amount you are looking up from the worksheet is—		And your filing status is—					
		Single, head of household, or qualifying widow(er) and you have—			Married filing jointly and you have—					Single, head of household, or qualifying widow(er) and you have—			Married filing jointly and you have—		
		No children	One child	Two children	No children	One child	Two children			No children	One child	Two children	No children	One child	Two children
At least	But less than	Your credit is—			Your credit is—			At least	But less than	Your credit is—			Your credit is—		
25,000	25,050	0	849	1,987	0	1,009	2,197	28,000	28,050	0	370	1,355	0	529	1,565
25,050	25,100	0	841	1,976	0	1,001	2,187	28,050	28,100	0	362	1,344	0	521	1,555
25,100	25,150	0	833	1,965	0	993	2,176	28,100	28,150	0	354	1,334	0	513	1,544
25,150	25,200	0	825	1,955	0	985	2,166	28,150	28,200	0	346	1,323	0	505	1,534
25,200	25,250	0	817	1,944	0	977	2,155	28,200	28,250	0	338	1,313	0	497	1,523
25,250	25,300	0	809	1,934	0	969	2,145	28,250	28,300	0	330	1,302	0	489	1,513
25,300	25,350	0	801	1,923	0	961	2,134	28,300	28,350	0	322	1,292	0	481	1,502
25,350	25,400	0	793	1,913	0	953	2,123	28,350	28,400	0	314	1,281	0	473	1,492
25,400	25,450	0	785	1,902	0	945	2,113	28,400	28,450	0	306	1,271	0	465	1,481
25,450	25,500	0	777	1,892	0	937	2,102	28,450	28,500	0	298	1,260	0	457	1,471
25,500	25,550	0	769	1,881	0	929	2,092	28,500	28,550	0	290	1,249	0	449	1,460
25,550	25,600	0	761	1,871	0	921	2,081	28,550	28,600	0	282	1,239	0	442	1,450
25,600	25,650	0	753	1,860	0	913	2,071	28,600	28,650	0	274	1,228	0	434	1,439
25,650	25,700	0	745	1,850	0	905	2,060	28,650	28,700	0	266	1,218	0	426	1,428
25,700	25,750	0	737	1,839	0	897	2,050	28,700	28,750	0	258	1,207	0	418	1,418
25,750	25,800	0	729	1,829	0	889	2,039	28,750	28,800	0	250	1,197	0	410	1,407
25,800	25,850	0	721	1,818	0	881	2,029	28,800	28,850	0	242	1,186	0	402	1,397
25,850	25,900	0	713	1,808	0	873	2,018	28,850	28,900	0	234	1,176	0	394	1,386
25,900	25,950	0	705	1,797	0	865	2,008	28,900	28,950	0	226	1,165	0	386	1,376
25,950	26,000	0	697	1,786	0	857	1,997	28,950	29,000	0	218	1,155	0	378	1,365
26,000	26,050	0	689	1,776	0	849	1,987	29,000	29,050	0	210	1,144	0	370	1,355
26,050	26,100	0	681	1,765	0	841	1,976	29,050	29,100	0	202	1,134	0	362	1,344
26,100	26,150	0	673	1,755	0	833	1,965	29,100	29,150	0	194	1,123	0	354	1,334
26,150	26,200	0	665	1,744	0	825	1,955	29,150	29,200	0	186	1,113	0	346	1,323
26,200	26,250	0	657	1,734	0	817	1,944	29,200	29,250	0	178	1,102	0	338	1,313
26,250	26,300	0	649	1,723	0	809	1,934	29,250	29,300	0	170	1,092	0	330	1,302
26,300	26,350	0	641	1,713	0	801	1,923	29,300	29,350	0	162	1,081	0	322	1,292
26,350	26,400	0	633	1,702	0	793	1,913	29,350	29,400	0	154	1,070	0	314	1,281
26,400	26,450	0	625	1,692	0	785	1,902	29,400	29,450	0	146	1,060	0	306	1,271
26,450	26,500	0	617	1,681	0	777	1,892	29,450	29,500	0	138	1,049	0	298	1,260
26,500	26,550	0	609	1,671	0	769	1,881	29,500	29,550	0	130	1,039	0	290	1,249
26,550	26,600	0	601	1,660	0	761	1,871	29,550	29,600	0	122	1,028	0	282	1,239
26,600	26,650	0	593	1,650	0	753	1,860	29,600	29,650	0	114	1,018	0	274	1,228
26,650	26,700	0	585	1,639	0	745	1,850	29,650	29,700	0	106	1,007	0	266	1,218
26,700	26,750	0	577	1,629	0	737	1,839	29,700	29,750	0	98	997	0	258	1,207
26,750	26,800	0	569	1,618	0	729	1,829	29,750	29,800	0	90	986	0	250	1,197
26,800	26,850	0	561	1,607	0	721	1,818	29,800	29,850	0	82	976	0	242	1,186
26,850	26,900	0	553	1,597	0	713	1,808	29,850	29,900	0	74	965	0	234	1,176
26,900	26,950	0	545	1,586	0	705	1,797	29,900	29,950	0	66	955	0	226	1,165
26,950	27,000	0	537	1,576	0	697	1,786	29,950	30,000	0	58	944	0	218	1,155
27,000	27,050	0	529	1,565	0	689	1,776	30,000	30,050	0	50	934	0	210	1,144
27,050	27,100	0	521	1,555	0	681	1,765	30,050	30,100	0	42	923	0	202	1,134
27,100	27,150	0	513	1,544	0	673	1,755	30,100	30,150	0	34	912	0	194	1,123
27,150	27,200	0	505	1,534	0	665	1,744	30,150	30,200	0	26	902	0	186	1,113
27,200	27,250	0	497	1,523	0	657	1,734	30,200	30,250	0	18	891	0	178	1,102
27,250	27,300	0	489	1,513	0	649	1,723	30,250	30,300	0	10	881	0	170	1,092
27,300	27,350	0	481	1,502	0	641	1,713	30,300	30,350	0	**	870	0	162	1,081
27,350	27,400	0	473	1,492	0	633	1,702	30,350	30,400	0	0	860	0	154	1,070
27,400	27,450	0	465	1,481	0	625	1,692	30,400	30,450	0	0	849	0	146	1,060
27,450	27,500	0	457	1,471	0	617	1,681	30,450	30,500	0	0	839	0	138	1,049
27,500	27,550	0	449	1,460	0	609	1,671	30,500	30,550	0	0	828	0	130	1,039
27,550	27,600	0	442	1,450	0	601	1,660	30,550	30,600	0	0	818	0	122	1,028
27,600	27,650	0	434	1,439	0	593	1,650	30,600	30,650	0	0	807	0	114	1,018
27,650	27,700	0	426	1,428	0	585	1,639	30,650	30,700	0	0	797	0	106	1,007
27,700	27,750	0	418	1,418	0	577	1,629	30,700	30,750	0	0	786	0	98	997
27,750	27,800	0	410	1,407	0	569	1,618	30,750	30,800	0	0	776	0	90	986
27,800	27,850	0	402	1,397	0	561	1,607	30,800	30,850	0	0	765	0	82	976
27,850	27,900	0	394	1,386	0	553	1,597	30,850	30,900	0	0	755	0	74	965
27,900	27,950	0	386	1,376	0	545	1,586	30,900	30,950	0	0	744	0	66	955
27,950	28,000	0	378	1,365	0	537	1,576	30,950	31,000	0	0	733	0	58	944

**If the amount you are looking up from the worksheet is at least \$30,300 (\$31,300 if married filing jointly) but less than \$30,338 (\$31,338 if married filing jointly), your credit is \$3. Otherwise, you cannot take the credit.

(Continued on page 53)

2004 Earned Income Credit (EIC) Table—Continued (Caution. This is not a tax table.)

If the amount you are looking up from the worksheet is—		And your filing status is—						If the amount you are looking up from the worksheet is—		And your filing status is—					
		Single, head of household, or qualifying widow(er) and you have—			Married filing jointly and you have—					Single, head of household, or qualifying widow(er) and you have—			Married filing jointly and you have—		
		No children	One child	Two children	No children	One child	Two children			No children	One child	Two children	No children	One child	Two children
At least	But less than	Your credit is—			Your credit is—			At least	But less than	Your credit is—			Your credit is—		
31,000	31,050	0	0	723	0	50	934	33,500	33,550	0	0	196	0	0	407
31,050	31,100	0	0	712	0	42	923	33,550	33,600	0	0	186	0	0	397
31,100	31,150	0	0	702	0	34	912	33,600	33,650	0	0	175	0	0	386
31,150	31,200	0	0	691	0	26	902	33,650	33,700	0	0	165	0	0	375
31,200	31,250	0	0	681	0	18	891	33,700	33,750	0	0	154	0	0	365
31,250	31,300	0	0	670	0	10	881	33,750	33,800	0	0	144	0	0	354
31,300	31,350	0	0	660	0	**	870	33,800	33,850	0	0	133	0	0	344
31,350	31,400	0	0	649	0	0	860	33,850	33,900	0	0	123	0	0	333
31,400	31,450	0	0	639	0	0	849	33,900	33,950	0	0	112	0	0	323
31,450	31,500	0	0	628	0	0	839	33,950	34,000	0	0	102	0	0	312
31,500	31,550	0	0	618	0	0	828	34,000	34,050	0	0	91	0	0	302
31,550	31,600	0	0	607	0	0	818	34,050	34,100	0	0	81	0	0	291
31,600	31,650	0	0	597	0	0	807	34,100	34,150	0	0	70	0	0	281
31,650	31,700	0	0	586	0	0	797	34,150	34,200	0	0	60	0	0	270
31,700	31,750	0	0	576	0	0	786	34,200	34,250	0	0	49	0	0	260
31,750	31,800	0	0	565	0	0	776	34,250	34,300	0	0	39	0	0	249
31,800	31,850	0	0	554	0	0	765	34,300	34,350	0	0	28	0	0	239
31,850	31,900	0	0	544	0	0	755	34,350	34,400	0	0	17	0	0	228
31,900	31,950	0	0	533	0	0	744	34,400	34,450	0	0	7	0	0	218
31,950	32,000	0	0	523	0	0	733	34,450	34,500	0	0	***	0	0	207
32,000	32,050	0	0	512	0	0	723	34,500	34,550	0	0	0	0	0	196
32,050	32,100	0	0	502	0	0	712	34,550	34,600	0	0	0	0	0	186
32,100	32,150	0	0	491	0	0	702	34,600	34,650	0	0	0	0	0	175
32,150	32,200	0	0	481	0	0	691	34,650	34,700	0	0	0	0	0	165
32,200	32,250	0	0	470	0	0	681	34,700	34,750	0	0	0	0	0	154
32,250	32,300	0	0	460	0	0	670	34,750	34,800	0	0	0	0	0	144
32,300	32,350	0	0	449	0	0	660	34,800	34,850	0	0	0	0	0	133
32,350	32,400	0	0	439	0	0	649	34,850	34,900	0	0	0	0	0	123
32,400	32,450	0	0	428	0	0	639	34,900	34,950	0	0	0	0	0	112
32,450	32,500	0	0	418	0	0	628	34,950	35,000	0	0	0	0	0	102
32,500	32,550	0	0	407	0	0	618	35,000	35,050	0	0	0	0	0	91
32,550	32,600	0	0	397	0	0	607	35,050	35,100	0	0	0	0	0	81
32,600	32,650	0	0	386	0	0	597	35,100	35,150	0	0	0	0	0	70
32,650	32,700	0	0	375	0	0	586	35,150	35,200	0	0	0	0	0	60
32,700	32,750	0	0	365	0	0	576	35,200	35,250	0	0	0	0	0	49
32,750	32,800	0	0	354	0	0	565	35,250	35,300	0	0	0	0	0	39
32,800	32,850	0	0	344	0	0	554	35,300	35,350	0	0	0	0	0	28
32,850	32,900	0	0	333	0	0	544	35,350	35,400	0	0	0	0	0	17
32,900	32,950	0	0	323	0	0	533	35,400	35,450	0	0	0	0	0	7
32,950	33,000	0	0	312	0	0	523	35,450	35,458	0	0	0	0	0	1
33,000	33,050	0	0	302	0	0	512	35,458 or more		0	0	0	0	0	0
33,050	33,100	0	0	291	0	0	502								
33,100	33,150	0	0	281	0	0	491								
33,150	33,200	0	0	270	0	0	481								
33,200	33,250	0	0	260	0	0	470								
33,250	33,300	0	0	249	0	0	460								
33,300	33,350	0	0	239	0	0	449								
33,350	33,400	0	0	228	0	0	439								
33,400	33,450	0	0	218	0	0	428								
33,450	33,500	0	0	207	0	0	418								

**If the amount you are looking up from the worksheet is at least \$30,300 (\$31,300 if married filing jointly) but less than \$30,338 (\$31,338 if married filing jointly), your credit is \$3. Otherwise, you cannot take the credit.

***If the amount you are looking up from the worksheet is at least \$34,450 but less than \$34,458, your credit is \$1. Otherwise, you cannot take the credit.

2004 Tax Table

Use if your taxable income is less than \$100,000.
If \$100,000 or more, use the Tax Rate Schedules.

Example. Mr. and Mrs. Brown are filing a joint return. Their taxable income on line 40 of Form 1040 is \$25,300. First, they find the \$25,300–25,350 income line. Next, they find the column for married filing jointly and read down the column. The amount shown where the income line and filing status column meet is \$3,099. This is the tax amount they should enter on line 41 of their Form 1040.

Sample Table

At least	But less than	Single	Married filing jointly *	Married filing separately	Head of a household
Your tax is—					
25,200	25,250	3,426	3,069	3,426	3,274
25,250	25,300	3,434	3,076	3,434	3,281
25,300	25,350	3,441	3,084	3,441	3,289
25,350	25,400	3,449	3,091	3,449	3,296

If line 40 (taxable income) is—		And you are—				If line 40 (taxable income) is—		And you are—				If line 40 (taxable income) is—		And you are—			
At least	But less than	Single	Married filing jointly *	Married filing separately	Head of a household	At least	But less than	Single	Married filing jointly *	Married filing separately	Head of a household	At least	But less than	Single	Married filing jointly *	Married filing separately	Head of a household
		Your tax is—						Your tax is—						Your tax is—			
0	5	0	0	0	0	1,300	1,325	131	131	131	131	2,700	2,725	271	271	271	271
5	15	1	1	1	1	1,325	1,350	134	134	134	134	2,725	2,750	274	274	274	274
15	25	2	2	2	2	1,350	1,375	136	136	136	136	2,750	2,775	276	276	276	276
25	50	4	4	4	4	1,375	1,400	139	139	139	139	2,775	2,800	279	279	279	279
50	75	6	6	6	6	1,400	1,425	141	141	141	141	2,800	2,825	281	281	281	281
75	100	9	9	9	9	1,425	1,450	144	144	144	144	2,825	2,850	284	284	284	284
100	125	11	11	11	11	1,450	1,475	146	146	146	146	2,850	2,875	286	286	286	286
125	150	14	14	14	14	1,475	1,500	149	149	149	149	2,875	2,900	289	289	289	289
150	175	16	16	16	16	1,500	1,525	151	151	151	151	2,900	2,925	291	291	291	291
175	200	19	19	19	19	1,525	1,550	154	154	154	154	2,925	2,950	294	294	294	294
200	225	21	21	21	21	1,550	1,575	156	156	156	156	2,950	2,975	296	296	296	296
225	250	24	24	24	24	1,575	1,600	159	159	159	159	2,975	3,000	299	299	299	299
250	275	26	26	26	26	1,600	1,625	161	161	161	161	3,000					
275	300	29	29	29	29	1,625	1,650	164	164	164	164	3,000	3,050	303	303	303	303
300	325	31	31	31	31	1,650	1,675	166	166	166	166	3,050	3,100	308	308	308	308
325	350	34	34	34	34	1,675	1,700	169	169	169	169	3,100	3,150	313	313	313	313
350	375	36	36	36	36	1,700	1,725	171	171	171	171	3,150	3,200	318	318	318	318
375	400	39	39	39	39	1,725	1,750	174	174	174	174	3,200	3,250	323	323	323	323
400	425	41	41	41	41	1,750	1,775	176	176	176	176	3,250	3,300	328	328	328	328
425	450	44	44	44	44	1,775	1,800	179	179	179	179	3,300	3,350	333	333	333	333
450	475	46	46	46	46	1,800	1,825	181	181	181	181	3,350	3,400	338	338	338	338
475	500	49	49	49	49	1,825	1,850	184	184	184	184	3,400	3,450	343	343	343	343
500	525	51	51	51	51	1,850	1,875	186	186	186	186	3,450	3,500	348	348	348	348
525	550	54	54	54	54	1,875	1,900	189	189	189	189	3,500	3,550	353	353	353	353
550	575	56	56	56	56	1,900	1,925	191	191	191	191	3,550	3,600	358	358	358	358
575	600	59	59	59	59	1,925	1,950	194	194	194	194	3,600	3,650	363	363	363	363
600	625	61	61	61	61	1,950	1,975	196	196	196	196	3,650	3,700	368	368	368	368
625	650	64	64	64	64	1,975	2,000	199	199	199	199	3,700	3,750	373	373	373	373
650	675	66	66	66	66	2,000						3,750	3,800	378	378	378	378
675	700	69	69	69	69	2,000	2,025	201	201	201	201	3,800	3,850	383	383	383	383
700	725	71	71	71	71	2,025	2,050	204	204	204	204	3,850	3,900	388	388	388	388
725	750	74	74	74	74	2,050	2,075	206	206	206	206	3,900	3,950	393	393	393	393
750	775	76	76	76	76	2,075	2,100	209	209	209	209	3,950	4,000	398	398	398	398
775	800	79	79	79	79	2,100	2,125	211	211	211	211	4,000					
800	825	81	81	81	81	2,125	2,150	214	214	214	214	4,000	4,050	403	403	403	403
825	850	84	84	84	84	2,150	2,175	216	216	216	216	4,050	4,100	408	408	408	408
850	875	86	86	86	86	2,175	2,200	219	219	219	219	4,100	4,150	413	413	413	413
875	900	89	89	89	89	2,200	2,225	221	221	221	221	4,150	4,200	418	418	418	418
900	925	91	91	91	91	2,225	2,250	224	224	224	224	4,200	4,250	423	423	423	423
925	950	94	94	94	94	2,250	2,275	226	226	226	226	4,250	4,300	428	428	428	428
950	975	96	96	96	96	2,275	2,300	229	229	229	229	4,300	4,350	433	433	433	433
975	1,000	99	99	99	99	2,300	2,325	231	231	231	231	4,350	4,400	438	438	438	438
1,000						2,325	2,350	234	234	234	234	4,400	4,450	443	443	443	443
1,000	1,025	101	101	101	101	2,350	2,375	236	236	236	236	4,450	4,500	448	448	448	448
1,025	1,050	104	104	104	104	2,375	2,400	239	239	239	239	4,500	4,550	453	453	453	453
1,050	1,075	106	106	106	106	2,400	2,425	241	241	241	241	4,550	4,600	458	458	458	458
1,075	1,100	109	109	109	109	2,425	2,450	244	244	244	244	4,600	4,650	463	463	463	463
1,100	1,125	111	111	111	111	2,450	2,475	246	246	246	246	4,650	4,700	468	468	468	468
1,125	1,150	114	114	114	114	2,475	2,500	249	249	249	249	4,700	4,750	473	473	473	473
1,150	1,175	116	116	116	116	2,500	2,525	251	251	251	251	4,750	4,800	478	478	478	478
1,175	1,200	119	119	119	119	2,525	2,550	254	254	254	254	4,800	4,850	483	483	483	483
1,200	1,225	121	121	121	121	2,550	2,575	256	256	256	256	4,850	4,900	488	488	488	488
1,225	1,250	124	124	124	124	2,575	2,600	259	259	259	259	4,900	4,950	493	493	493	493
1,250	1,275	126	126	126	126	2,600	2,625	261	261	261	261	4,950	5,000	498	498	498	498
1,275	1,300	129	129	129	129	2,625	2,650	264	264	264	264						
						2,650	2,675	266	266	266	266						
						2,675	2,700	269	269	269	269						

(Continued on page 63)

* This column must also be used by a qualifying widow(er).

If line 40 (taxable income) is—		And you are—				If line 40 (taxable income) is—		And you are—				If line 40 (taxable income) is—		And you are—			
At least	But less than	Single	Married filing jointly *	Married filing separately	Head of a household	At least	But less than	Single	Married filing jointly *	Married filing separately	Head of a household	At least	But less than	Single	Married filing jointly *	Married filing separately	Head of a household
		Your tax is—						Your tax is—						Your tax is—			
5,000						8,000						11,000					
5,000	5,050	503	503	503	503	8,000	8,050	846	803	846	803	11,000	11,050	1,296	1,103	1,296	1,144
5,050	5,100	508	508	508	508	8,050	8,100	854	808	854	808	11,050	11,100	1,304	1,108	1,304	1,151
5,100	5,150	513	513	513	513	8,100	8,150	861	813	861	813	11,100	11,150	1,311	1,113	1,311	1,159
5,150	5,200	518	518	518	518	8,150	8,200	869	818	869	818	11,150	11,200	1,319	1,118	1,319	1,166
5,200	5,250	523	523	523	523	8,200	8,250	876	823	876	823	11,200	11,250	1,326	1,123	1,326	1,174
5,250	5,300	528	528	528	528	8,250	8,300	884	828	884	828	11,250	11,300	1,334	1,128	1,334	1,181
5,300	5,350	533	533	533	533	8,300	8,350	891	833	891	833	11,300	11,350	1,341	1,133	1,341	1,189
5,350	5,400	538	538	538	538	8,350	8,400	899	838	899	838	11,350	11,400	1,349	1,138	1,349	1,196
5,400	5,450	543	543	543	543	8,400	8,450	906	843	906	843	11,400	11,450	1,356	1,143	1,356	1,204
5,450	5,500	548	548	548	548	8,450	8,500	914	848	914	848	11,450	11,500	1,364	1,148	1,364	1,211
5,500	5,550	553	553	553	553	8,500	8,550	921	853	921	853	11,500	11,550	1,371	1,153	1,371	1,219
5,550	5,600	558	558	558	558	8,550	8,600	929	858	929	858	11,550	11,600	1,379	1,158	1,379	1,226
5,600	5,650	563	563	563	563	8,600	8,650	936	863	936	863	11,600	11,650	1,386	1,163	1,386	1,234
5,650	5,700	568	568	568	568	8,650	8,700	944	868	944	868	11,650	11,700	1,394	1,168	1,394	1,241
5,700	5,750	573	573	573	573	8,700	8,750	951	873	951	873	11,700	11,750	1,401	1,173	1,401	1,249
5,750	5,800	578	578	578	578	8,750	8,800	959	878	959	878	11,750	11,800	1,409	1,178	1,409	1,256
5,800	5,850	583	583	583	583	8,800	8,850	966	883	966	883	11,800	11,850	1,416	1,183	1,416	1,264
5,850	5,900	588	588	588	588	8,850	8,900	974	888	974	888	11,850	11,900	1,424	1,188	1,424	1,271
5,900	5,950	593	593	593	593	8,900	8,950	981	893	981	893	11,900	11,950	1,431	1,193	1,431	1,279
5,950	6,000	598	598	598	598	8,950	9,000	989	898	989	898	11,950	12,000	1,439	1,198	1,439	1,286
6,000						9,000						12,000					
6,000	6,050	603	603	603	603	9,000	9,050	996	903	996	903	12,000	12,050	1,446	1,203	1,446	1,294
6,050	6,100	608	608	608	608	9,050	9,100	1,004	908	1,004	908	12,050	12,100	1,454	1,208	1,454	1,301
6,100	6,150	613	613	613	613	9,100	9,150	1,011	913	1,011	913	12,100	12,150	1,461	1,213	1,461	1,309
6,150	6,200	618	618	618	618	9,150	9,200	1,019	918	1,019	918	12,150	12,200	1,469	1,218	1,469	1,316
6,200	6,250	623	623	623	623	9,200	9,250	1,026	923	1,026	923	12,200	12,250	1,476	1,223	1,476	1,324
6,250	6,300	628	628	628	628	9,250	9,300	1,034	928	1,034	928	12,250	12,300	1,484	1,228	1,484	1,331
6,300	6,350	633	633	633	633	9,300	9,350	1,041	933	1,041	933	12,300	12,350	1,491	1,233	1,491	1,339
6,350	6,400	638	638	638	638	9,350	9,400	1,049	938	1,049	938	12,350	12,400	1,499	1,238	1,499	1,346
6,400	6,450	643	643	643	643	9,400	9,450	1,056	943	1,056	943	12,400	12,450	1,506	1,243	1,506	1,354
6,450	6,500	648	648	648	648	9,450	9,500	1,064	948	1,064	948	12,450	12,500	1,514	1,248	1,514	1,361
6,500	6,550	653	653	653	653	9,500	9,550	1,071	953	1,071	953	12,500	12,550	1,521	1,253	1,521	1,369
6,550	6,600	658	658	658	658	9,550	9,600	1,079	958	1,079	958	12,550	12,600	1,529	1,258	1,529	1,376
6,600	6,650	663	663	663	663	9,600	9,650	1,086	963	1,086	963	12,600	12,650	1,536	1,263	1,536	1,384
6,650	6,700	668	668	668	668	9,650	9,700	1,094	968	1,094	968	12,650	12,700	1,544	1,268	1,544	1,391
6,700	6,750	673	673	673	673	9,700	9,750	1,101	973	1,101	973	12,700	12,750	1,551	1,273	1,551	1,399
6,750	6,800	678	678	678	678	9,750	9,800	1,109	978	1,109	978	12,750	12,800	1,559	1,278	1,559	1,406
6,800	6,850	683	683	683	683	9,800	9,850	1,116	983	1,116	983	12,800	12,850	1,566	1,283	1,566	1,414
6,850	6,900	688	688	688	688	9,850	9,900	1,124	988	1,124	988	12,850	12,900	1,574	1,288	1,574	1,421
6,900	6,950	693	693	693	693	9,900	9,950	1,131	993	1,131	993	12,900	12,950	1,581	1,293	1,581	1,429
6,950	7,000	698	698	698	698	9,950	10,000	1,139	998	1,139	998	12,950	13,000	1,589	1,298	1,589	1,436
7,000						10,000						13,000					
7,000	7,050	703	703	703	703	10,000	10,050	1,146	1,003	1,146	1,003	13,000	13,050	1,596	1,303	1,596	1,444
7,050	7,100	708	708	708	708	10,050	10,100	1,154	1,008	1,154	1,008	13,050	13,100	1,604	1,308	1,604	1,451
7,100	7,150	713	713	713	713	10,100	10,150	1,161	1,013	1,161	1,013	13,100	13,150	1,611	1,313	1,611	1,459
7,150	7,200	719	719	719	719	10,150	10,200	1,169	1,018	1,169	1,018	13,150	13,200	1,619	1,318	1,619	1,466
7,200	7,250	726	723	726	723	10,200	10,250	1,176	1,023	1,176	1,024	13,200	13,250	1,626	1,323	1,626	1,474
7,250	7,300	734	728	734	728	10,250	10,300	1,184	1,028	1,184	1,031	13,250	13,300	1,634	1,328	1,634	1,481
7,300	7,350	741	733	741	733	10,300	10,350	1,191	1,033	1,191	1,039	13,300	13,350	1,641	1,333	1,641	1,489
7,350	7,400	749	738	749	738	10,350	10,400	1,199	1,038	1,199	1,046	13,350	13,400	1,649	1,338	1,649	1,496
7,400	7,450	756	743	756	743	10,400	10,450	1,206	1,043	1,206	1,054	13,400	13,450	1,656	1,343	1,656	1,504
7,450	7,500	764	748	764	748	10,450	10,500	1,214	1,048	1,214	1,061	13,450	13,500	1,664	1,348	1,664	1,511
7,500	7,550	771	753	771	753	10,500	10,550	1,221	1,053	1,221	1,069	13,500	13,550	1,671	1,353	1,671	1,519
7,550	7,600	779	758	779	758	10,550	10,600	1,229	1,058	1,229	1,076	13,550	13,600	1,679	1,358	1,679	1,526
7,600	7,650	786	763	786	763	10,600	10,650	1,236	1,063	1,236	1,084	13,600	13,650	1,686	1,363	1,686	1,534
7,650	7,700	794	768	794	768	10,650	10,700	1,244	1,068	1,244	1,091	13,650	13,700	1,694	1,368	1,694	1,541
7,700	7,750	801	773	801	773	10,700	10,750	1,251	1,073	1,251	1,099	13,700	13,750	1,701	1,373	1,701	1,549
7,750	7,800	809	778	809	778	10,750	10,800	1,259	1,078	1,259	1,106	13,750	13,800	1,709	1,378	1,709	1,556
7,800	7,850	816	783	816	783	10,800	10,850	1,266	1,083	1,266	1,114	13,800	13,850	1,716	1,383	1,716	1,564
7,850	7,900	824	788	824	788	10,850	10,900	1,274	1,088	1,274	1,121	13,850	13,900	1,724	1,388	1,724	1,571
7,900	7,950	831	793	831	793	10,900	10,950	1,281	1,093	1,281	1,129	13,900	13,950	1,731	1,393	1,731	1,579
7,950	8,000	839	798	839	798	10,950	11,000	1,289	1,098	1,289	1,136	13,950	14,000	1,739	1,398	1,739	1,586

* This column must also be used by a qualifying widow(er).

(Continued on page 64)

2004 Tax Table—Continued

If line 40 (taxable income) is—		And you are—				If line 40 (taxable income) is—		And you are—				If line 40 (taxable income) is—		And you are—			
At least	But less than	Single	Married filing jointly *	Married filing separately	Head of a household	At least	But less than	Single	Married filing jointly *	Married filing separately	Head of a household	At least	But less than	Single	Married filing jointly *	Married filing separately	Head of a household
		Your tax is—						Your tax is—						Your tax is—			
14,000						17,000						20,000					
14,000	14,050	1,746	1,403	1,746	1,594	17,000	17,050	2,196	1,839	2,196	2,044	20,000	20,050	2,646	2,289	2,646	2,494
14,050	14,100	1,754	1,408	1,754	1,601	17,050	17,100	2,204	1,846	2,204	2,051	20,050	20,100	2,654	2,296	2,654	2,501
14,100	14,150	1,761	1,413	1,761	1,609	17,100	17,150	2,211	1,854	2,211	2,059	20,100	20,150	2,661	2,304	2,661	2,509
14,150	14,200	1,769	1,418	1,769	1,616	17,150	17,200	2,219	1,861	2,219	2,066	20,150	20,200	2,669	2,311	2,669	2,516
14,200	14,250	1,776	1,423	1,776	1,624	17,200	17,250	2,226	1,869	2,226	2,074	20,200	20,250	2,676	2,319	2,676	2,524
14,250	14,300	1,784	1,428	1,784	1,631	17,250	17,300	2,234	1,876	2,234	2,081	20,250	20,300	2,684	2,326	2,684	2,531
14,300	14,350	1,791	1,434	1,791	1,639	17,300	17,350	2,241	1,884	2,241	2,089	20,300	20,350	2,691	2,334	2,691	2,539
14,350	14,400	1,799	1,441	1,799	1,646	17,350	17,400	2,249	1,891	2,249	2,096	20,350	20,400	2,699	2,341	2,699	2,546
14,400	14,450	1,806	1,449	1,806	1,654	17,400	17,450	2,256	1,899	2,256	2,104	20,400	20,450	2,706	2,349	2,706	2,554
14,450	14,500	1,814	1,456	1,814	1,661	17,450	17,500	2,264	1,906	2,264	2,111	20,450	20,500	2,714	2,356	2,714	2,561
14,500	14,550	1,821	1,464	1,821	1,669	17,500	17,550	2,271	1,914	2,271	2,119	20,500	20,550	2,721	2,364	2,721	2,569
14,550	14,600	1,829	1,471	1,829	1,676	17,550	17,600	2,279	1,921	2,279	2,126	20,550	20,600	2,729	2,371	2,729	2,576
14,600	14,650	1,836	1,479	1,836	1,684	17,600	17,650	2,286	1,929	2,286	2,134	20,600	20,650	2,736	2,379	2,736	2,584
14,650	14,700	1,844	1,486	1,844	1,691	17,650	17,700	2,294	1,936	2,294	2,141	20,650	20,700	2,744	2,386	2,744	2,591
14,700	14,750	1,851	1,494	1,851	1,699	17,700	17,750	2,301	1,944	2,301	2,149	20,700	20,750	2,751	2,394	2,751	2,599
14,750	14,800	1,859	1,501	1,859	1,706	17,750	17,800	2,309	1,951	2,309	2,156	20,750	20,800	2,759	2,401	2,759	2,606
14,800	14,850	1,866	1,509	1,866	1,714	17,800	17,850	2,316	1,959	2,316	2,164	20,800	20,850	2,766	2,409	2,766	2,614
14,850	14,900	1,874	1,516	1,874	1,721	17,850	17,900	2,324	1,966	2,324	2,171	20,850	20,900	2,774	2,416	2,774	2,621
14,900	14,950	1,881	1,524	1,881	1,729	17,900	17,950	2,331	1,974	2,331	2,179	20,900	20,950	2,781	2,424	2,781	2,629
14,950	15,000	1,889	1,531	1,889	1,736	17,950	18,000	2,339	1,981	2,339	2,186	20,950	21,000	2,789	2,431	2,789	2,636
15,000						18,000						21,000					
15,000	15,050	1,896	1,539	1,896	1,744	18,000	18,050	2,346	1,989	2,346	2,194	21,000	21,050	2,796	2,439	2,796	2,644
15,050	15,100	1,904	1,546	1,904	1,751	18,050	18,100	2,354	1,996	2,354	2,201	21,050	21,100	2,804	2,446	2,804	2,651
15,100	15,150	1,911	1,554	1,911	1,759	18,100	18,150	2,361	2,004	2,361	2,209	21,100	21,150	2,811	2,454	2,811	2,659
15,150	15,200	1,919	1,561	1,919	1,766	18,150	18,200	2,369	2,011	2,369	2,216	21,150	21,200	2,819	2,461	2,819	2,666
15,200	15,250	1,926	1,569	1,926	1,774	18,200	18,250	2,376	2,019	2,376	2,224	21,200	21,250	2,826	2,469	2,826	2,674
15,250	15,300	1,934	1,576	1,934	1,781	18,250	18,300	2,384	2,026	2,384	2,231	21,250	21,300	2,834	2,476	2,834	2,681
15,300	15,350	1,941	1,584	1,941	1,789	18,300	18,350	2,391	2,034	2,391	2,239	21,300	21,350	2,841	2,484	2,841	2,689
15,350	15,400	1,949	1,591	1,949	1,796	18,350	18,400	2,399	2,041	2,399	2,246	21,350	21,400	2,849	2,491	2,849	2,696
15,400	15,450	1,956	1,599	1,956	1,804	18,400	18,450	2,406	2,049	2,406	2,254	21,400	21,450	2,856	2,499	2,856	2,704
15,450	15,500	1,964	1,606	1,964	1,811	18,450	18,500	2,414	2,056	2,414	2,261	21,450	21,500	2,864	2,506	2,864	2,711
15,500	15,550	1,971	1,614	1,971	1,819	18,500	18,550	2,421	2,064	2,421	2,269	21,500	21,550	2,871	2,514	2,871	2,719
15,550	15,600	1,979	1,621	1,979	1,826	18,550	18,600	2,429	2,071	2,429	2,276	21,550	21,600	2,879	2,521	2,879	2,726
15,600	15,650	1,986	1,629	1,986	1,834	18,600	18,650	2,436	2,079	2,436	2,284	21,600	21,650	2,886	2,529	2,886	2,734
15,650	15,700	1,994	1,636	1,994	1,841	18,650	18,700	2,444	2,086	2,444	2,291	21,650	21,700	2,894	2,536	2,894	2,741
15,700	15,750	2,001	1,644	2,001	1,849	18,700	18,750	2,451	2,094	2,451	2,299	21,700	21,750	2,901	2,544	2,901	2,749
15,750	15,800	2,009	1,651	2,009	1,856	18,750	18,800	2,459	2,101	2,459	2,306	21,750	21,800	2,909	2,551	2,909	2,756
15,800	15,850	2,016	1,659	2,016	1,864	18,800	18,850	2,466	2,109	2,466	2,314	21,800	21,850	2,916	2,559	2,916	2,764
15,850	15,900	2,024	1,666	2,024	1,871	18,850	18,900	2,474	2,116	2,474	2,321	21,850	21,900	2,924	2,566	2,924	2,771
15,900	15,950	2,031	1,674	2,031	1,879	18,900	18,950	2,481	2,124	2,481	2,329	21,900	21,950	2,931	2,574	2,931	2,779
15,950	16,000	2,039	1,681	2,039	1,886	18,950	19,000	2,489	2,131	2,489	2,336	21,950	22,000	2,939	2,581	2,939	2,786
16,000						19,000						22,000					
16,000	16,050	2,046	1,689	2,046	1,894	19,000	19,050	2,496	2,139	2,496	2,344	22,000	22,050	2,946	2,589	2,946	2,794
16,050	16,100	2,054	1,696	2,054	1,901	19,050	19,100	2,504	2,146	2,504	2,351	22,050	22,100	2,954	2,596	2,954	2,801
16,100	16,150	2,061	1,704	2,061	1,909	19,100	19,150	2,511	2,154	2,511	2,359	22,100	22,150	2,961	2,604	2,961	2,809
16,150	16,200	2,069	1,711	2,069	1,916	19,150	19,200	2,519	2,161	2,519	2,366	22,150	22,200	2,969	2,611	2,969	2,816
16,200	16,250	2,076	1,719	2,076	1,924	19,200	19,250	2,526	2,169	2,526	2,374	22,200	22,250	2,976	2,619	2,976	2,824
16,250	16,300	2,084	1,726	2,084	1,931	19,250	19,300	2,534	2,176	2,534	2,381	22,250	22,300	2,984	2,626	2,984	2,831
16,300	16,350	2,091	1,734	2,091	1,939	19,300	19,350	2,541	2,184	2,541	2,389	22,300	22,350	2,991	2,634	2,991	2,839
16,350	16,400	2,099	1,741	2,099	1,946	19,350	19,400	2,549	2,191	2,549	2,396	22,350	22,400	2,999	2,641	2,999	2,846
16,400	16,450	2,106	1,749	2,106	1,954	19,400	19,450	2,556	2,199	2,556	2,404	22,400	22,450	3,006	2,649	3,006	2,854
16,450	16,500	2,114	1,756	2,114	1,961	19,450	19,500	2,564	2,206	2,564	2,411	22,450	22,500	3,014	2,656	3,014	2,861
16,500	16,550	2,121	1,764	2,121	1,969	19,500	19,550	2,571	2,214	2,571	2,419	22,500	22,550	3,021	2,664	3,021	2,869
16,550	16,600	2,129	1,771	2,129	1,976	19,550	19,600	2,579	2,221	2,579	2,426	22,550	22,600	3,029	2,671	3,029	2,876
16,600	16,650	2,136	1,779	2,136	1,984	19,600	19,650	2,586	2,229	2,586	2,434	22,600	22,650	3,036	2,679	3,036	2,884
16,650	16,700	2,144	1,786	2,144	1,991	19,650	19,700	2,594	2,236	2,594	2,441	22,650	22,700	3,044	2,686	3,044	2,891
16,700	16,750	2,151	1,794	2,151	1,999	19,700	19,750	2,601	2,244	2,601	2,449	22,700	22,750	3,051	2,694	3,051	2,899
16,750	16,800	2,159	1,801	2,159	2,006	19,750	19,800	2,609	2,251	2,609	2,456	22,750	22,800	3,059	2,701	3,059	2,906
16,800	16,850	2,166	1,809	2,166	2,014	19,800	19,850	2,616	2,259	2,616	2,464	22,800	22,850	3,066	2,709	3,066	2,914
16,850	16,900	2,174	1,816	2,174	2,021	19,850	19,900	2,624	2,266	2,624	2,471	22,850	22,900	3,074	2,716	3,074	2,921
16,900	16,950	2,181	1,824	2,181	2,029	19,900	19,950	2,631	2,274	2,631	2,479	22,900	22,950	3,081	2,724	3,081	2,929
16,950	17,000	2,189	1,831	2,189	2,036	19,950	20,000	2,639	2,281	2,639</							

If line 40 (taxable income) is—		And you are—				If line 40 (taxable income) is—		And you are—				If line 40 (taxable income) is—		And you are—			
At least	But less than	Single	Married filing jointly *	Married filing separately	Head of a household	At least	But less than	Single	Married filing jointly *	Married filing separately	Head of a household	At least	But less than	Single	Married filing jointly *	Married filing separately	Head of a household
		Your tax is—						Your tax is—						Your tax is—			
23,000						26,000						29,000					
23,000	23,050	3,096	2,739	3,096	2,944	26,000	26,050	3,546	3,189	3,546	3,394	29,000	29,050	3,996	3,639	3,996	3,844
23,050	23,100	3,104	2,746	3,104	2,951	26,050	26,100	3,554	3,196	3,554	3,401	29,050	29,100	4,006	3,646	4,006	3,851
23,100	23,150	3,111	2,754	3,111	2,959	26,100	26,150	3,561	3,204	3,561	3,409	29,100	29,150	4,019	3,654	4,019	3,859
23,150	23,200	3,119	2,761	3,119	2,966	26,150	26,200	3,569	3,211	3,569	3,416	29,150	29,200	4,031	3,661	4,031	3,866
23,200	23,250	3,126	2,769	3,126	2,974	26,200	26,250	3,576	3,219	3,576	3,424	29,200	29,250	4,044	3,669	4,044	3,874
23,250	23,300	3,134	2,776	3,134	2,981	26,250	26,300	3,584	3,226	3,584	3,431	29,250	29,300	4,056	3,676	4,056	3,881
23,300	23,350	3,141	2,784	3,141	2,989	26,300	26,350	3,591	3,234	3,591	3,439	29,300	29,350	4,069	3,684	4,069	3,889
23,350	23,400	3,149	2,791	3,149	2,996	26,350	26,400	3,599	3,241	3,599	3,446	29,350	29,400	4,081	3,691	4,081	3,896
23,400	23,450	3,156	2,799	3,156	3,004	26,400	26,450	3,606	3,249	3,606	3,454	29,400	29,450	4,094	3,699	4,094	3,904
23,450	23,500	3,164	2,806	3,164	3,011	26,450	26,500	3,614	3,256	3,614	3,461	29,450	29,500	4,106	3,706	4,106	3,911
23,500	23,550	3,171	2,814	3,171	3,019	26,500	26,550	3,621	3,264	3,621	3,469	29,500	29,550	4,119	3,714	4,119	3,919
23,550	23,600	3,179	2,821	3,179	3,026	26,550	26,600	3,629	3,271	3,629	3,476	29,550	29,600	4,131	3,721	4,131	3,926
23,600	23,650	3,186	2,829	3,186	3,034	26,600	26,650	3,636	3,279	3,636	3,484	29,600	29,650	4,144	3,729	4,144	3,934
23,650	23,700	3,194	2,836	3,194	3,041	26,650	26,700	3,644	3,286	3,644	3,491	29,650	29,700	4,156	3,736	4,156	3,941
23,700	23,750	3,201	2,844	3,201	3,049	26,700	26,750	3,651	3,294	3,651	3,499	29,700	29,750	4,169	3,744	4,169	3,949
23,750	23,800	3,209	2,851	3,209	3,056	26,750	26,800	3,659	3,301	3,659	3,506	29,750	29,800	4,181	3,751	4,181	3,956
23,800	23,850	3,216	2,859	3,216	3,064	26,800	26,850	3,666	3,309	3,666	3,514	29,800	29,850	4,194	3,759	4,194	3,964
23,850	23,900	3,224	2,866	3,224	3,071	26,850	26,900	3,674	3,316	3,674	3,521	29,850	29,900	4,206	3,766	4,206	3,971
23,900	23,950	3,231	2,874	3,231	3,079	26,900	26,950	3,681	3,324	3,681	3,529	29,900	29,950	4,219	3,774	4,219	3,979
23,950	24,000	3,239	2,881	3,239	3,086	26,950	27,000	3,689	3,331	3,689	3,536	29,950	30,000	4,231	3,781	4,231	3,986
24,000						27,000						30,000					
24,000	24,050	3,246	2,889	3,246	3,094	27,000	27,050	3,696	3,339	3,696	3,544	30,000	30,050	4,244	3,789	4,244	3,994
24,050	24,100	3,254	2,896	3,254	3,101	27,050	27,100	3,704	3,346	3,704	3,551	30,050	30,100	4,256	3,796	4,256	4,001
24,100	24,150	3,261	2,904	3,261	3,109	27,100	27,150	3,711	3,354	3,711	3,559	30,100	30,150	4,269	3,804	4,269	4,009
24,150	24,200	3,269	2,911	3,269	3,116	27,150	27,200	3,719	3,361	3,719	3,566	30,150	30,200	4,281	3,811	4,281	4,016
24,200	24,250	3,276	2,919	3,276	3,124	27,200	27,250	3,726	3,369	3,726	3,574	30,200	30,250	4,294	3,819	4,294	4,024
24,250	24,300	3,284	2,926	3,284	3,131	27,250	27,300	3,734	3,376	3,734	3,581	30,250	30,300	4,306	3,826	4,306	4,031
24,300	24,350	3,291	2,934	3,291	3,139	27,300	27,350	3,741	3,384	3,741	3,589	30,300	30,350	4,319	3,834	4,319	4,039
24,350	24,400	3,299	2,941	3,299	3,146	27,350	27,400	3,749	3,391	3,749	3,596	30,350	30,400	4,331	3,841	4,331	4,046
24,400	24,450	3,306	2,949	3,306	3,154	27,400	27,450	3,756	3,399	3,756	3,604	30,400	30,450	4,344	3,849	4,344	4,054
24,450	24,500	3,314	2,956	3,314	3,161	27,450	27,500	3,764	3,406	3,764	3,611	30,450	30,500	4,356	3,856	4,356	4,061
24,500	24,550	3,321	2,964	3,321	3,169	27,500	27,550	3,771	3,414	3,771	3,619	30,500	30,550	4,369	3,864	4,369	4,069
24,550	24,600	3,329	2,971	3,329	3,176	27,550	27,600	3,779	3,421	3,779	3,626	30,550	30,600	4,381	3,871	4,381	4,076
24,600	24,650	3,336	2,979	3,336	3,184	27,600	27,650	3,786	3,429	3,786	3,634	30,600	30,650	4,394	3,879	4,394	4,084
24,650	24,700	3,344	2,986	3,344	3,191	27,650	27,700	3,794	3,436	3,794	3,641	30,650	30,700	4,406	3,886	4,406	4,091
24,700	24,750	3,351	2,994	3,351	3,199	27,700	27,750	3,801	3,444	3,801	3,649	30,700	30,750	4,419	3,894	4,419	4,099
24,750	24,800	3,359	3,001	3,359	3,206	27,750	27,800	3,809	3,451	3,809	3,656	30,750	30,800	4,431	3,901	4,431	4,106
24,800	24,850	3,366	3,009	3,366	3,214	27,800	27,850	3,816	3,459	3,816	3,664	30,800	30,850	4,444	3,909	4,444	4,114
24,850	24,900	3,374	3,016	3,374	3,221	27,850	27,900	3,824	3,466	3,824	3,671	30,850	30,900	4,456	3,916	4,456	4,121
24,900	24,950	3,381	3,024	3,381	3,229	27,900	27,950	3,831	3,474	3,831	3,679	30,900	30,950	4,469	3,924	4,469	4,129
24,950	25,000	3,389	3,031	3,389	3,236	27,950	28,000	3,839	3,481	3,839	3,686	30,950	31,000	4,481	3,931	4,481	4,136
25,000						28,000						31,000					
25,000	25,050	3,396	3,039	3,396	3,244	28,000	28,050	3,846	3,489	3,846	3,694	31,000	31,050	4,494	3,939	4,494	4,144
25,050	25,100	3,404	3,046	3,404	3,251	28,050	28,100	3,854	3,496	3,854	3,701	31,050	31,100	4,506	3,946	4,506	4,151
25,100	25,150	3,411	3,054	3,411	3,259	28,100	28,150	3,861	3,504	3,861	3,709	31,100	31,150	4,519	3,954	4,519	4,159
25,150	25,200	3,419	3,061	3,419	3,266	28,150	28,200	3,869	3,511	3,869	3,716	31,150	31,200	4,531	3,961	4,531	4,166
25,200	25,250	3,426	3,069	3,426	3,274	28,200	28,250	3,876	3,519	3,876	3,724	31,200	31,250	4,544	3,969	4,544	4,174
25,250	25,300	3,434	3,076	3,434	3,281	28,250	28,300	3,884	3,526	3,884	3,731	31,250	31,300	4,556	3,976	4,556	4,181
25,300	25,350	3,441	3,084	3,441	3,289	28,300	28,350	3,891	3,534	3,891	3,739	31,300	31,350	4,569	3,984	4,569	4,189
25,350	25,400	3,449	3,091	3,449	3,296	28,350	28,400	3,899	3,541	3,899	3,746	31,350	31,400	4,581	3,991	4,581	4,196
25,400	25,450	3,456	3,099	3,456	3,304	28,400	28,450	3,906	3,549	3,906	3,754	31,400	31,450	4,594	3,999	4,594	4,204
25,450	25,500	3,464	3,106	3,464	3,311	28,450	28,500	3,914	3,556	3,914	3,761	31,450	31,500	4,606	4,006	4,606	4,211
25,500	25,550	3,471	3,114	3,471	3,319	28,500	28,550	3,921	3,564	3,921	3,769	31,500	31,550	4,619	4,014	4,619	4,219
25,550	25,600	3,479	3,121	3,479	3,326	28,550	28,600	3,929	3,571	3,929	3,776	31,550	31,600	4,631	4,021	4,631	4,226
25,600	25,650	3,486	3,129	3,486	3,334	28,600	28,650	3,936	3,579	3,936	3,784	31,600	31,650	4,644	4,029	4,644	4,234
25,650	25,700	3,494	3,136	3,494	3,341	28,650	28,700	3,944	3,586	3,944	3,791	31,650	31,700	4,656	4,036	4,656	4,241
25,700	25,750	3,501	3,144	3,501	3,349	28,700	28,750	3,951	3,594	3,951	3,799	31,700	31,750	4,669	4,044	4,669	4,249
25,750	25,800	3,509	3,151	3,509	3,356	28,750	28,800	3,959	3,601	3,959	3,806	31,750	31,800	4,681	4,051	4,681	4,256
25,800	25,850	3,516	3,159	3,516	3,364	28,800	28,850	3,966	3,609	3,966	3,814	31,800	31,850	4,694	4,059	4,694	4,264
25,850	25,900	3,524	3,166	3,524	3,371	28,850	28,900	3,974	3,616	3,974	3,821	31,850	31,900	4,706	4,066	4,706	4,271
25,900	25,950	3,531	3,174	3,531	3,379	28,900	28,950	3,981	3,624	3,981	3,829	31,900	31,950	4,719	4,074	4,719	4,279
25,950	26,000	3,539	3,181	3,539	3,386	28,950	29,000	3,989	3,631	3,989							

2004 Tax Table—Continued

If line 40 (taxable income) is—		And you are—				If line 40 (taxable income) is—		And you are—				If line 40 (taxable income) is—		And you are—			
		Single	Married filing jointly *	Married filing separately	Head of a household			Single	Married filing jointly *	Married filing separately	Head of a household			Single	Married filing jointly *	Married filing separately	Head of a household
		Your tax is—						Your tax is—						Your tax is—			
32,000						35,000						38,000					
32,000	32,050	4,744	4,089	4,744	4,294	35,000	35,050	5,494	4,539	5,494	4,744	38,000	38,050	6,244	4,989	6,244	5,194
32,050	32,100	4,756	4,096	4,756	4,301	35,050	35,100	5,506	4,546	5,506	4,751	38,050	38,100	6,256	4,996	6,256	5,201
32,100	32,150	4,769	4,104	4,769	4,309	35,100	35,150	5,519	4,554	5,519	4,759	38,100	38,150	6,269	5,004	6,269	5,209
32,150	32,200	4,781	4,111	4,781	4,316	35,150	35,200	5,531	4,561	5,531	4,766	38,150	38,200	6,281	5,011	6,281	5,216
32,200	32,250	4,794	4,119	4,794	4,324	35,200	35,250	5,544	4,569	5,544	4,774	38,200	38,250	6,294	5,019	6,294	5,224
32,250	32,300	4,806	4,126	4,806	4,331	35,250	35,300	5,556	4,576	5,556	4,781	38,250	38,300	6,306	5,026	6,306	5,231
32,300	32,350	4,819	4,134	4,819	4,339	35,300	35,350	5,569	4,584	5,569	4,789	38,300	38,350	6,319	5,034	6,319	5,239
32,350	32,400	4,831	4,141	4,831	4,346	35,350	35,400	5,581	4,591	5,581	4,796	38,350	38,400	6,331	5,041	6,331	5,246
32,400	32,450	4,844	4,149	4,844	4,354	35,400	35,450	5,594	4,599	5,594	4,804	38,400	38,450	6,344	5,049	6,344	5,254
32,450	32,500	4,856	4,156	4,856	4,361	35,450	35,500	5,606	4,606	5,606	4,811	38,450	38,500	6,356	5,056	6,356	5,261
32,500	32,550	4,869	4,164	4,869	4,369	35,500	35,550	5,619	4,614	5,619	4,819	38,500	38,550	6,369	5,064	6,369	5,269
32,550	32,600	4,881	4,171	4,881	4,376	35,550	35,600	5,631	4,621	5,631	4,826	38,550	38,600	6,381	5,071	6,381	5,276
32,600	32,650	4,894	4,179	4,894	4,384	35,600	35,650	5,644	4,629	5,644	4,834	38,600	38,650	6,394	5,079	6,394	5,284
32,650	32,700	4,906	4,186	4,906	4,391	35,650	35,700	5,656	4,636	5,656	4,841	38,650	38,700	6,406	5,086	6,406	5,291
32,700	32,750	4,919	4,194	4,919	4,399	35,700	35,750	5,669	4,644	5,669	4,849	38,700	38,750	6,419	5,094	6,419	5,299
32,750	32,800	4,931	4,201	4,931	4,406	35,750	35,800	5,681	4,651	5,681	4,856	38,750	38,800	6,431	5,101	6,431	5,306
32,800	32,850	4,944	4,209	4,944	4,414	35,800	35,850	5,694	4,659	5,694	4,864	38,800	38,850	6,444	5,109	6,444	5,314
32,850	32,900	4,956	4,216	4,956	4,421	35,850	35,900	5,706	4,666	5,706	4,871	38,850	38,900	6,456	5,116	6,456	5,321
32,900	32,950	4,969	4,224	4,969	4,429	35,900	35,950	5,719	4,674	5,719	4,879	38,900	38,950	6,469	5,124	6,469	5,331
32,950	33,000	4,981	4,231	4,981	4,436	35,950	36,000	5,731	4,681	5,731	4,886	38,950	39,000	6,481	5,131	6,481	5,344
33,000						36,000						39,000					
33,000	33,050	4,994	4,239	4,994	4,444	36,000	36,050	5,744	4,689	5,744	4,894	39,000	39,050	6,494	5,139	6,494	5,356
33,050	33,100	5,006	4,246	5,006	4,451	36,050	36,100	5,756	4,696	5,756	4,901	39,050	39,100	6,506	5,146	6,506	5,369
33,100	33,150	5,019	4,254	5,019	4,459	36,100	36,150	5,769	4,704	5,769	4,909	39,100	39,150	6,519	5,154	6,519	5,381
33,150	33,200	5,031	4,261	5,031	4,466	36,150	36,200	5,781	4,711	5,781	4,916	39,150	39,200	6,531	5,161	6,531	5,394
33,200	33,250	5,044	4,269	5,044	4,474	36,200	36,250	5,794	4,719	5,794	4,924	39,200	39,250	6,544	5,169	6,544	5,406
33,250	33,300	5,056	4,276	5,056	4,481	36,250	36,300	5,806	4,726	5,806	4,931	39,250	39,300	6,556	5,176	6,556	5,419
33,300	33,350	5,069	4,284	5,069	4,489	36,300	36,350	5,819	4,734	5,819	4,939	39,300	39,350	6,569	5,184	6,569	5,431
33,350	33,400	5,081	4,291	5,081	4,496	36,350	36,400	5,831	4,741	5,831	4,946	39,350	39,400	6,581	5,191	6,581	5,444
33,400	33,450	5,094	4,299	5,094	4,504	36,400	36,450	5,844	4,749	5,844	4,954	39,400	39,450	6,594	5,199	6,594	5,456
33,450	33,500	5,106	4,306	5,106	4,511	36,450	36,500	5,856	4,756	5,856	4,961	39,450	39,500	6,606	5,206	6,606	5,469
33,500	33,550	5,119	4,314	5,119	4,519	36,500	36,550	5,869	4,764	5,869	4,969	39,500	39,550	6,619	5,214	6,619	5,481
33,550	33,600	5,131	4,321	5,131	4,526	36,550	36,600	5,881	4,771	5,881	4,976	39,550	39,600	6,631	5,221	6,631	5,494
33,600	33,650	5,144	4,329	5,144	4,534	36,600	36,650	5,894	4,779	5,894	4,984	39,600	39,650	6,644	5,229	6,644	5,506
33,650	33,700	5,156	4,336	5,156	4,541	36,650	36,700	5,906	4,786	5,906	4,991	39,650	39,700	6,656	5,236	6,656	5,519
33,700	33,750	5,169	4,344	5,169	4,549	36,700	36,750	5,919	4,794	5,919	4,999	39,700	39,750	6,669	5,244	6,669	5,531
33,750	33,800	5,181	4,351	5,181	4,556	36,750	36,800	5,931	4,801	5,931	5,006	39,750	39,800	6,681	5,251	6,681	5,544
33,800	33,850	5,194	4,359	5,194	4,564	36,800	36,850	5,944	4,809	5,944	5,014	39,800	39,850	6,694	5,259	6,694	5,556
33,850	33,900	5,206	4,366	5,206	4,571	36,850	36,900	5,956	4,816	5,956	5,021	39,850	39,900	6,706	5,266	6,706	5,569
33,900	33,950	5,219	4,374	5,219	4,579	36,900	36,950	5,969	4,824	5,969	5,029	39,900	39,950	6,719	5,274	6,719	5,581
33,950	34,000	5,231	4,381	5,231	4,586	36,950	37,000	5,981	4,831	5,981	5,036	39,950	40,000	6,731	5,281	6,731	5,594
34,000						37,000						40,000					
34,000	34,050	5,244	4,389	5,244	4,594	37,000	37,050	5,994	4,839	5,994	5,044	40,000	40,050	6,744	5,289	6,744	5,606
34,050	34,100	5,256	4,396	5,256	4,601	37,050	37,100	6,006	4,846	6,006	5,051	40,050	40,100	6,756	5,296	6,756	5,619
34,100	34,150	5,269	4,404	5,269	4,609	37,100	37,150	6,019	4,854	6,019	5,059	40,100	40,150	6,769	5,304	6,769	5,631
34,150	34,200	5,281	4,411	5,281	4,616	37,150	37,200	6,031	4,861	6,031	5,066	40,150	40,200	6,781	5,311	6,781	5,644
34,200	34,250	5,294	4,419	5,294	4,624	37,200	37,250	6,044	4,869	6,044	5,074	40,200	40,250	6,794	5,319	6,794	5,656
34,250	34,300	5,306	4,426	5,306	4,631	37,250	37,300	6,056	4,876	6,056	5,081	40,250	40,300	6,806	5,326	6,806	5,669
34,300	34,350	5,319	4,434	5,319	4,639	37,300	37,350	6,069	4,884	6,069	5,089	40,300	40,350	6,819	5,334	6,819	5,681
34,350	34,400	5,331	4,441	5,331	4,646	37,350	37,400	6,081	4,891	6,081	5,096	40,350	40,400	6,831	5,341	6,831	5,694
34,400	34,450	5,344	4,449	5,344	4,654	37,400	37,450	6,094	4,899	6,094	5,104	40,400	40,450	6,844	5,349	6,844	5,706
34,450	34,500	5,356	4,456	5,356	4,661	37,450	37,500	6,106	4,906	6,106	5,111	40,450	40,500	6,856	5,356	6,856	5,719
34,500	34,550	5,369	4,464	5,369	4,669	37,500	37,550	6,119	4,914	6,119	5,119	40,500	40,550	6,869	5,364	6,869	5,731
34,550	34,600	5,381	4,471	5,381	4,676	37,550	37,600	6,131	4,921	6,131	5,126	40,550	40,600	6,881	5,371	6,881	5,744
34,600	34,650	5,394	4,479	5,394	4,684	37,600	37,650	6,144	4,929	6,144	5,134	40,600	40,650	6,894	5,379	6,894	5,756
34,650	34,700	5,406	4,486	5,406	4,691	37,650	37,700	6,156	4,936	6,156	5,141	40,650	40,700	6,906	5,386	6,906	5,769
34,700	34,750	5,419	4,494	5,419	4,699	37,700	37,750	6,169	4,944	6,169	5,149	40,700	40,750	6,919	5,394	6,919	5,781
34,750	34,800	5,431	4,501	5,431	4,706	37,750	37,800	6,181	4,951	6,181	5,156	40,750	40,800	6,931	5,401	6,931	5,794
34,800	34,850	5,444	4,509	5,444	4,714	37,800	37,850	6,194	4,959	6,194	5,164	40,800	40,850	6,944	5,409	6,944	5,806
34,850	34,900	5,456	4,516	5,456	4,721	37,850	37,900	6,206	4,966	6,206	5,171	40,850	40,900	6,956	5,416	6,956	5,819
34,900	34,950	5,469	4,524	5,469	4,729	37,900	37,950	6,219	4,974	6,219	5,179	40,900	40,950	6,969	5,424	6,969	5,831
34,950	35,000	5,481	4,531	5,481	4,736	37,950	38,000	6,231	4,981	6,231	5,186	40,950	41,000	6,			

If line 40 (taxable income) is—		And you are—				If line 40 (taxable income) is—		And you are—				If line 40 (taxable income) is—		And you are—			
At least	But less than	Single	Married filing jointly *	Married filing separately	Head of a household	At least	But less than	Single	Married filing jointly *	Married filing separately	Head of a household	At least	But less than	Single	Married filing jointly *	Married filing separately	Head of a household
		Your tax is—						Your tax is—						Your tax is—			
41,000						44,000						47,000					
41,000	41,050	6,994	5,439	6,994	5,856	44,000	44,050	7,744	5,889	7,744	6,606	47,000	47,050	8,494	6,339	8,494	7,356
41,050	41,100	7,006	5,446	7,006	5,869	44,050	44,100	7,756	5,896	7,756	6,619	47,050	47,100	8,506	6,346	8,506	7,369
41,100	41,150	7,019	5,454	7,019	5,881	44,100	44,150	7,769	5,904	7,769	6,631	47,100	47,150	8,519	6,354	8,519	7,381
41,150	41,200	7,031	5,461	7,031	5,894	44,150	44,200	7,781	5,911	7,781	6,644	47,150	47,200	8,531	6,361	8,531	7,394
41,200	41,250	7,044	5,469	7,044	5,906	44,200	44,250	7,794	5,919	7,794	6,656	47,200	47,250	8,544	6,369	8,544	7,406
41,250	41,300	7,056	5,476	7,056	5,919	44,250	44,300	7,806	5,926	7,806	6,669	47,250	47,300	8,556	6,376	8,556	7,419
41,300	41,350	7,069	5,484	7,069	5,931	44,300	44,350	7,819	5,934	7,819	6,681	47,300	47,350	8,569	6,384	8,569	7,431
41,350	41,400	7,081	5,491	7,081	5,944	44,350	44,400	7,831	5,941	7,831	6,694	47,350	47,400	8,581	6,391	8,581	7,444
41,400	41,450	7,094	5,499	7,094	5,956	44,400	44,450	7,844	5,949	7,844	6,706	47,400	47,450	8,594	6,399	8,594	7,456
41,450	41,500	7,106	5,506	7,106	5,969	44,450	44,500	7,856	5,956	7,856	6,719	47,450	47,500	8,606	6,406	8,606	7,469
41,500	41,550	7,119	5,514	7,119	5,981	44,500	44,550	7,869	5,964	7,869	6,731	47,500	47,550	8,619	6,414	8,619	7,481
41,550	41,600	7,131	5,521	7,131	5,994	44,550	44,600	7,881	5,971	7,881	6,744	47,550	47,600	8,631	6,421	8,631	7,494
41,600	41,650	7,144	5,529	7,144	6,006	44,600	44,650	7,894	5,979	7,894	6,756	47,600	47,650	8,644	6,429	8,644	7,506
41,650	41,700	7,156	5,536	7,156	6,019	44,650	44,700	7,906	5,986	7,906	6,769	47,650	47,700	8,656	6,436	8,656	7,519
41,700	41,750	7,169	5,544	7,169	6,031	44,700	44,750	7,919	5,994	7,919	6,781	47,700	47,750	8,669	6,444	8,669	7,531
41,750	41,800	7,181	5,551	7,181	6,044	44,750	44,800	7,931	6,001	7,931	6,794	47,750	47,800	8,681	6,451	8,681	7,544
41,800	41,850	7,194	5,559	7,194	6,056	44,800	44,850	7,944	6,009	7,944	6,806	47,800	47,850	8,694	6,459	8,694	7,556
41,850	41,900	7,206	5,566	7,206	6,069	44,850	44,900	7,956	6,016	7,956	6,819	47,850	47,900	8,706	6,466	8,706	7,569
41,900	41,950	7,219	5,574	7,219	6,081	44,900	44,950	7,969	6,024	7,969	6,831	47,900	47,950	8,719	6,474	8,719	7,581
41,950	42,000	7,231	5,581	7,231	6,094	44,950	45,000	7,981	6,031	7,981	6,844	47,950	48,000	8,731	6,481	8,731	7,594
42,000						45,000						48,000					
42,000	42,050	7,244	5,589	7,244	6,106	45,000	45,050	7,994	6,039	7,994	6,856	48,000	48,050	8,744	6,489	8,744	7,606
42,050	42,100	7,256	5,596	7,256	6,119	45,050	45,100	8,006	6,046	8,006	6,869	48,050	48,100	8,756	6,496	8,756	7,619
42,100	42,150	7,269	5,604	7,269	6,131	45,100	45,150	8,019	6,054	8,019	6,881	48,100	48,150	8,769	6,504	8,769	7,631
42,150	42,200	7,281	5,611	7,281	6,144	45,150	45,200	8,031	6,061	8,031	6,894	48,150	48,200	8,781	6,511	8,781	7,644
42,200	42,250	7,294	5,619	7,294	6,156	45,200	45,250	8,044	6,069	8,044	6,906	48,200	48,250	8,794	6,519	8,794	7,656
42,250	42,300	7,306	5,626	7,306	6,169	45,250	45,300	8,056	6,076	8,056	6,919	48,250	48,300	8,806	6,526	8,806	7,669
42,300	42,350	7,319	5,634	7,319	6,181	45,300	45,350	8,069	6,084	8,069	6,931	48,300	48,350	8,819	6,534	8,819	7,681
42,350	42,400	7,331	5,641	7,331	6,194	45,350	45,400	8,081	6,091	8,081	6,944	48,350	48,400	8,831	6,541	8,831	7,694
42,400	42,450	7,344	5,649	7,344	6,206	45,400	45,450	8,094	6,099	8,094	6,956	48,400	48,450	8,844	6,549	8,844	7,706
42,450	42,500	7,356	5,656	7,356	6,219	45,450	45,500	8,106	6,106	8,106	6,969	48,450	48,500	8,856	6,556	8,856	7,719
42,500	42,550	7,369	5,664	7,369	6,231	45,500	45,550	8,119	6,114	8,119	6,981	48,500	48,550	8,869	6,564	8,869	7,731
42,550	42,600	7,381	5,671	7,381	6,244	45,550	45,600	8,131	6,121	8,131	6,994	48,550	48,600	8,881	6,571	8,881	7,744
42,600	42,650	7,394	5,679	7,394	6,256	45,600	45,650	8,144	6,129	8,144	7,006	48,600	48,650	8,894	6,579	8,894	7,756
42,650	42,700	7,406	5,686	7,406	6,269	45,650	45,700	8,156	6,136	8,156	7,019	48,650	48,700	8,906	6,586	8,906	7,769
42,700	42,750	7,419	5,694	7,419	6,281	45,700	45,750	8,169	6,144	8,169	7,031	48,700	48,750	8,919	6,594	8,919	7,781
42,750	42,800	7,431	5,701	7,431	6,294	45,750	45,800	8,181	6,151	8,181	7,044	48,750	48,800	8,931	6,601	8,931	7,794
42,800	42,850	7,444	5,709	7,444	6,306	45,800	45,850	8,194	6,159	8,194	7,056	48,800	48,850	8,944	6,609	8,944	7,806
42,850	42,900	7,456	5,716	7,456	6,319	45,850	45,900	8,206	6,166	8,206	7,069	48,850	48,900	8,956	6,616	8,956	7,819
42,900	42,950	7,469	5,724	7,469	6,331	45,900	45,950	8,219	6,174	8,219	7,081	48,900	48,950	8,969	6,624	8,969	7,831
42,950	43,000	7,481	5,731	7,481	6,344	45,950	46,000	8,231	6,181	8,231	7,094	48,950	49,000	8,981	6,631	8,981	7,844
43,000						46,000						49,000					
43,000	43,050	7,494	5,739	7,494	6,356	46,000	46,050	8,244	6,189	8,244	7,106	49,000	49,050	8,994	6,639	8,994	7,856
43,050	43,100	7,506	5,746	7,506	6,369	46,050	46,100	8,256	6,196	8,256	7,119	49,050	49,100	9,006	6,646	9,006	7,869
43,100	43,150	7,519	5,754	7,519	6,381	46,100	46,150	8,269	6,204	8,269	7,131	49,100	49,150	9,019	6,654	9,019	7,881
43,150	43,200	7,531	5,761	7,531	6,394	46,150	46,200	8,281	6,211	8,281	7,144	49,150	49,200	9,031	6,661	9,031	7,894
43,200	43,250	7,544	5,769	7,544	6,406	46,200	46,250	8,294	6,219	8,294	7,156	49,200	49,250	9,044	6,669	9,044	7,906
43,250	43,300	7,556	5,776	7,556	6,419	46,250	46,300	8,306	6,226	8,306	7,169	49,250	49,300	9,056	6,676	9,056	7,919
43,300	43,350	7,569	5,784	7,569	6,431	46,300	46,350	8,319	6,234	8,319	7,181	49,300	49,350	9,069	6,684	9,069	7,931
43,350	43,400	7,581	5,791	7,581	6,444	46,350	46,400	8,331	6,241	8,331	7,194	49,350	49,400	9,081	6,691	9,081	7,944
43,400	43,450	7,594	5,799	7,594	6,456	46,400	46,450	8,344	6,249	8,344	7,206	49,400	49,450	9,094	6,699	9,094	7,956
43,450	43,500	7,606	5,806	7,606	6,469	46,450	46,500	8,356	6,256	8,356	7,219	49,450	49,500	9,106	6,706	9,106	7,969
43,500	43,550	7,619	5,814	7,619	6,481	46,500	46,550	8,369	6,264	8,369	7,231	49,500	49,550	9,119	6,714	9,119	7,981
43,550	43,600	7,631	5,821	7,631	6,494	46,550	46,600	8,381	6,271	8,381	7,244	49,550	49,600	9,131	6,721	9,131	7,994
43,600	43,650	7,644	5,829	7,644	6,506	46,600	46,650	8,394	6,279	8,394	7,256	49,600	49,650	9,144	6,729	9,144	8,006
43,650	43,700	7,656	5,836	7,656	6,519	46,650	46,700	8,406	6,286	8,406	7,269	49,650	49,700	9,156	6,736	9,156	8,019
43,700	43,750	7,669	5,844	7,669	6,531	46,700	46,750	8,419	6,294	8,419	7,281	49,700	49,750	9,169	6,744	9,169	8,031
43,750	43,800	7,681	5,851	7,681	6,544	46,750	46,800	8,431	6,301	8,431	7,294	49,750	49,800	9,181	6,751	9,181	8,044
43,800	43,850	7,694	5,859	7,694	6,556	46,800	46,850	8,444	6,309	8,444	7,306	49,800	49,850	9,194	6,759	9,194	8,056
43,850	43,900	7,706	5,866	7,706	6,569	46,850	46,900	8,456	6,316	8,456	7,319	49,850	49,900	9,206	6,766	9,206	8,069
43,900	43,950	7,719	5,874	7,719	6,581	46,900	46,950	8,469	6,324	8,469	7,331	49,900	49,950	9,219	6,774	9,219	8,081
43,950	44,000	7,731	5,881	7,731	6,594	46,950	47,000	8,481	6,331	8,481							

2004 Tax Table—Continued

If line 40 (taxable income) is—		And you are—				If line 40 (taxable income) is—		And you are—				If line 40 (taxable income) is—		And you are—			
At least	But less than	Single	Married filing jointly *	Married filing separately	Head of a household	At least	But less than	Single	Married filing jointly *	Married filing separately	Head of a household	At least	But less than	Single	Married filing jointly *	Married filing separately	Head of a household
		Your tax is—						Your tax is—						Your tax is—			
50,000						53,000						56,000					
50,000	50,050	9,244	6,789	9,244	8,106	53,000	53,050	9,994	7,239	9,994	8,856	56,000	56,050	10,744	7,689	10,744	9,606
50,050	50,100	9,256	6,796	9,256	8,119	53,050	53,100	10,006	7,246	10,006	8,869	56,050	56,100	10,756	7,696	10,756	9,619
50,100	50,150	9,269	6,804	9,269	8,131	53,100	53,150	10,019	7,254	10,019	8,881	56,100	56,150	10,769	7,704	10,769	9,631
50,150	50,200	9,281	6,811	9,281	8,144	53,150	53,200	10,031	7,261	10,031	8,894	56,150	56,200	10,781	7,711	10,781	9,644
50,200	50,250	9,294	6,819	9,294	8,156	53,200	53,250	10,044	7,269	10,044	8,906	56,200	56,250	10,794	7,719	10,794	9,656
50,250	50,300	9,306	6,826	9,306	8,169	53,250	53,300	10,056	7,276	10,056	8,919	56,250	56,300	10,806	7,726	10,806	9,669
50,300	50,350	9,319	6,834	9,319	8,181	53,300	53,350	10,069	7,284	10,069	8,931	56,300	56,350	10,819	7,734	10,819	9,681
50,350	50,400	9,331	6,841	9,331	8,194	53,350	53,400	10,081	7,291	10,081	8,944	56,350	56,400	10,831	7,741	10,831	9,694
50,400	50,450	9,344	6,849	9,344	8,206	53,400	53,450	10,094	7,299	10,094	8,956	56,400	56,450	10,844	7,749	10,844	9,706
50,450	50,500	9,356	6,856	9,356	8,219	53,450	53,500	10,106	7,306	10,106	8,969	56,450	56,500	10,856	7,756	10,856	9,719
50,500	50,550	9,369	6,864	9,369	8,231	53,500	53,550	10,119	7,314	10,119	8,981	56,500	56,550	10,869	7,764	10,869	9,731
50,550	50,600	9,381	6,871	9,381	8,244	53,550	53,600	10,131	7,321	10,131	8,994	56,550	56,600	10,881	7,771	10,881	9,744
50,600	50,650	9,394	6,879	9,394	8,256	53,600	53,650	10,144	7,329	10,144	9,006	56,600	56,650	10,894	7,779	10,894	9,756
50,650	50,700	9,406	6,886	9,406	8,269	53,650	53,700	10,156	7,336	10,156	9,019	56,650	56,700	10,906	7,786	10,906	9,769
50,700	50,750	9,419	6,894	9,419	8,281	53,700	53,750	10,169	7,344	10,169	9,031	56,700	56,750	10,919	7,794	10,919	9,781
50,750	50,800	9,431	6,901	9,431	8,294	53,750	53,800	10,181	7,351	10,181	9,044	56,750	56,800	10,931	7,801	10,931	9,794
50,800	50,850	9,444	6,909	9,444	8,306	53,800	53,850	10,194	7,359	10,194	9,056	56,800	56,850	10,944	7,809	10,944	9,806
50,850	50,900	9,456	6,916	9,456	8,319	53,850	53,900	10,206	7,366	10,206	9,069	56,850	56,900	10,956	7,816	10,956	9,819
50,900	50,950	9,469	6,924	9,469	8,331	53,900	53,950	10,219	7,374	10,219	9,081	56,900	56,950	10,969	7,824	10,969	9,831
50,950	51,000	9,481	6,931	9,481	8,344	53,950	54,000	10,231	7,381	10,231	9,094	56,950	57,000	10,981	7,831	10,981	9,844
51,000						54,000						57,000					
51,000	51,050	9,494	6,939	9,494	8,356	54,000	54,050	10,244	7,389	10,244	9,106	57,000	57,050	10,994	7,839	10,994	9,856
51,050	51,100	9,506	6,946	9,506	8,369	54,050	54,100	10,256	7,396	10,256	9,119	57,050	57,100	11,006	7,846	11,006	9,869
51,100	51,150	9,519	6,954	9,519	8,381	54,100	54,150	10,269	7,404	10,269	9,131	57,100	57,150	11,019	7,854	11,019	9,881
51,150	51,200	9,531	6,961	9,531	8,394	54,150	54,200	10,281	7,411	10,281	9,144	57,150	57,200	11,031	7,861	11,031	9,894
51,200	51,250	9,544	6,969	9,544	8,406	54,200	54,250	10,294	7,419	10,294	9,156	57,200	57,250	11,044	7,869	11,044	9,906
51,250	51,300	9,556	6,976	9,556	8,419	54,250	54,300	10,306	7,426	10,306	9,169	57,250	57,300	11,056	7,876	11,056	9,919
51,300	51,350	9,569	6,984	9,569	8,431	54,300	54,350	10,319	7,434	10,319	9,181	57,300	57,350	11,069	7,884	11,069	9,931
51,350	51,400	9,581	6,991	9,581	8,444	54,350	54,400	10,331	7,441	10,331	9,194	57,350	57,400	11,081	7,891	11,081	9,944
51,400	51,450	9,594	6,999	9,594	8,456	54,400	54,450	10,344	7,449	10,344	9,206	57,400	57,450	11,094	7,899	11,094	9,956
51,450	51,500	9,606	7,006	9,606	8,469	54,450	54,500	10,356	7,456	10,356	9,219	57,450	57,500	11,106	7,906	11,106	9,969
51,500	51,550	9,619	7,014	9,619	8,481	54,500	54,550	10,369	7,464	10,369	9,231	57,500	57,550	11,119	7,914	11,119	9,981
51,550	51,600	9,631	7,021	9,631	8,494	54,550	54,600	10,381	7,471	10,381	9,244	57,550	57,600	11,131	7,921	11,131	9,994
51,600	51,650	9,644	7,029	9,644	8,506	54,600	54,650	10,394	7,479	10,394	9,256	57,600	57,650	11,144	7,929	11,144	10,006
51,650	51,700	9,656	7,036	9,656	8,519	54,650	54,700	10,406	7,486	10,406	9,269	57,650	57,700	11,156	7,936	11,156	10,019
51,700	51,750	9,669	7,044	9,669	8,531	54,700	54,750	10,419	7,494	10,419	9,281	57,700	57,750	11,169	7,944	11,169	10,031
51,750	51,800	9,681	7,051	9,681	8,544	54,750	54,800	10,431	7,501	10,431	9,294	57,750	57,800	11,181	7,951	11,181	10,044
51,800	51,850	9,694	7,059	9,694	8,556	54,800	54,850	10,444	7,509	10,444	9,306	57,800	57,850	11,194	7,959	11,194	10,056
51,850	51,900	9,706	7,066	9,706	8,569	54,850	54,900	10,456	7,516	10,456	9,319	57,850	57,900	11,206	7,966	11,206	10,069
51,900	51,950	9,719	7,074	9,719	8,581	54,900	54,950	10,469	7,524	10,469	9,331	57,900	57,950	11,219	7,974	11,219	10,081
51,950	52,000	9,731	7,081	9,731	8,594	54,950	55,000	10,481	7,531	10,481	9,344	57,950	58,000	11,231	7,981	11,231	10,094
52,000						55,000						58,000					
52,000	52,050	9,744	7,089	9,744	8,606	55,000	55,050	10,494	7,539	10,494	9,356	58,000	58,050	11,244	7,989	11,244	10,106
52,050	52,100	9,756	7,096	9,756	8,619	55,050	55,100	10,506	7,546	10,506	9,369	58,050	58,100	11,256	7,996	11,256	10,119
52,100	52,150	9,769	7,104	9,769	8,631	55,100	55,150	10,519	7,554	10,519	9,381	58,100	58,150	11,269	8,006	11,269	10,131
52,150	52,200	9,781	7,111	9,781	8,644	55,150	55,200	10,531	7,561	10,531	9,394	58,150	58,200	11,281	8,019	11,281	10,144
52,200	52,250	9,794	7,119	9,794	8,656	55,200	55,250	10,544	7,569	10,544	9,406	58,200	58,250	11,294	8,031	11,294	10,156
52,250	52,300	9,806	7,126	9,806	8,669	55,250	55,300	10,556	7,576	10,556	9,419	58,250	58,300	11,306	8,044	11,306	10,169
52,300	52,350	9,819	7,134	9,819	8,681	55,300	55,350	10,569	7,584	10,569	9,431	58,300	58,350	11,319	8,056	11,319	10,181
52,350	52,400	9,831	7,141	9,831	8,694	55,350	55,400	10,581	7,591	10,581	9,444	58,350	58,400	11,331	8,069	11,331	10,194
52,400	52,450	9,844	7,149	9,844	8,706	55,400	55,450	10,594	7,599	10,594	9,456	58,400	58,450	11,344	8,081	11,344	10,206
52,450	52,500	9,856	7,156	9,856	8,719	55,450	55,500	10,606	7,606	10,606	9,469	58,450	58,500	11,356	8,094	11,356	10,219
52,500	52,550	9,869	7,164	9,869	8,731	55,500	55,550	10,619	7,614	10,619	9,481	58,500	58,550	11,369	8,106	11,369	10,231
52,550	52,600	9,881	7,171	9,881	8,744	55,550	55,600	10,631	7,621	10,631	9,494	58,550	58,600	11,381	8,119	11,381	10,244
52,600	52,650	9,894	7,179	9,894	8,756	55,600	55,650	10,644	7,629	10,644	9,506	58,600	58,650	11,394	8,131	11,394	10,256
52,650	52,700	9,906	7,186	9,906	8,769	55,650	55,700	10,656	7,636	10,656	9,519	58,650	58,700	11,406	8,144	11,406	10,269
52,700	52,750	9,919	7,194	9,919	8,781	55,700	55,750	10,669	7,644	10,669	9,531	58,700	58,750	11,419	8,156	11,422	10,281
52,750	52,800	9,931	7,201	9,931	8,794	55,750	55,800	10,681	7,651	10,681	9,544	58,750	58,800	11,431	8,169	11,436	10,294
52,800	52,850	9,944	7,209	9,944	8,806	55,800	55,850	10,694	7,659	10,694	9,556	58,800	58,850	11,444	8,181	11,450	10,306
52,850	52,900	9,956	7,216	9,956	8,819	55,850	55,900	10,706	7,666	10,706	9,569	58,850	58,900	11,456	8,194	11,464	10,319
52,900	52,950	9,969	7,224	9,969													

If line 40 (taxable income) is—		And you are—				If line 40 (taxable income) is—		And you are—				If line 40 (taxable income) is—		And you are—			
At least	But less than	Single	Married filing jointly *	Married filing separately	Head of a household	At least	But less than	Single	Married filing jointly *	Married filing separately	Head of a household	At least	But less than	Single	Married filing jointly *	Married filing separately	Head of a household
		Your tax is—						Your tax is—						Your tax is—			
59,000						62,000						65,000					
59,000	59,050	11,494	8,231	11,506	10,356	62,000	62,050	12,244	8,981	12,346	11,106	65,000	65,050	12,994	9,731	13,186	11,856
59,050	59,100	11,506	8,244	11,520	10,369	62,050	62,100	12,256	8,994	12,360	11,119	65,050	65,100	13,006	9,744	13,200	11,869
59,100	59,150	11,519	8,256	11,534	10,381	62,100	62,150	12,269	9,006	12,374	11,131	65,100	65,150	13,019	9,756	13,214	11,881
59,150	59,200	11,531	8,269	11,548	10,394	62,150	62,200	12,281	9,019	12,388	11,144	65,150	65,200	13,031	9,769	13,228	11,894
59,200	59,250	11,544	8,281	11,562	10,406	62,200	62,250	12,294	9,031	12,402	11,156	65,200	65,250	13,044	9,781	13,242	11,906
59,250	59,300	11,556	8,294	11,576	10,419	62,250	62,300	12,306	9,044	12,416	11,169	65,250	65,300	13,056	9,794	13,256	11,919
59,300	59,350	11,569	8,306	11,590	10,431	62,300	62,350	12,319	9,056	12,430	11,181	65,300	65,350	13,069	9,806	13,270	11,931
59,350	59,400	11,581	8,319	11,604	10,444	62,350	62,400	12,331	9,069	12,444	11,194	65,350	65,400	13,081	9,819	13,284	11,944
59,400	59,450	11,594	8,331	11,618	10,456	62,400	62,450	12,344	9,081	12,458	11,206	65,400	65,450	13,094	9,831	13,298	11,956
59,450	59,500	11,606	8,344	11,632	10,469	62,450	62,500	12,356	9,094	12,472	11,219	65,450	65,500	13,106	9,844	13,312	11,969
59,500	59,550	11,619	8,356	11,646	10,481	62,500	62,550	12,369	9,106	12,486	11,231	65,500	65,550	13,119	9,856	13,326	11,981
59,550	59,600	11,631	8,369	11,660	10,494	62,550	62,600	12,381	9,119	12,500	11,244	65,550	65,600	13,131	9,869	13,340	11,994
59,600	59,650	11,644	8,381	11,674	10,506	62,600	62,650	12,394	9,131	12,514	11,256	65,600	65,650	13,144	9,881	13,354	12,006
59,650	59,700	11,656	8,394	11,688	10,519	62,650	62,700	12,406	9,144	12,528	11,269	65,650	65,700	13,156	9,894	13,368	12,019
59,700	59,750	11,669	8,406	11,702	10,531	62,700	62,750	12,419	9,156	12,542	11,281	65,700	65,750	13,169	9,906	13,382	12,031
59,750	59,800	11,681	8,419	11,716	10,544	62,750	62,800	12,431	9,169	12,556	11,294	65,750	65,800	13,181	9,919	13,396	12,044
59,800	59,850	11,694	8,431	11,730	10,556	62,800	62,850	12,444	9,181	12,570	11,306	65,800	65,850	13,194	9,931	13,410	12,056
59,850	59,900	11,706	8,444	11,744	10,569	62,850	62,900	12,456	9,194	12,584	11,319	65,850	65,900	13,206	9,944	13,424	12,069
59,900	59,950	11,719	8,456	11,758	10,581	62,900	62,950	12,469	9,206	12,598	11,331	65,900	65,950	13,219	9,956	13,438	12,081
59,950	60,000	11,731	8,469	11,772	10,594	62,950	63,000	12,481	9,219	12,612	11,344	65,950	66,000	13,231	9,969	13,452	12,094
60,000						63,000						66,000					
60,000	60,050	11,744	8,481	11,786	10,606	63,000	63,050	12,494	9,231	12,626	11,356	66,000	66,050	13,244	9,981	13,466	12,106
60,050	60,100	11,756	8,494	11,800	10,619	63,050	63,100	12,506	9,244	12,640	11,369	66,050	66,100	13,256	9,994	13,480	12,119
60,100	60,150	11,769	8,506	11,814	10,631	63,100	63,150	12,519	9,256	12,654	11,381	66,100	66,150	13,269	10,006	13,494	12,131
60,150	60,200	11,781	8,519	11,828	10,644	63,150	63,200	12,531	9,269	12,668	11,394	66,150	66,200	13,281	10,019	13,508	12,144
60,200	60,250	11,794	8,531	11,842	10,656	63,200	63,250	12,544	9,281	12,682	11,406	66,200	66,250	13,294	10,031	13,522	12,156
60,250	60,300	11,806	8,544	11,856	10,669	63,250	63,300	12,556	9,294	12,696	11,419	66,250	66,300	13,306	10,044	13,536	12,169
60,300	60,350	11,819	8,556	11,870	10,681	63,300	63,350	12,569	9,306	12,710	11,431	66,300	66,350	13,319	10,056	13,550	12,181
60,350	60,400	11,831	8,569	11,884	10,694	63,350	63,400	12,581	9,319	12,724	11,444	66,350	66,400	13,331	10,069	13,564	12,194
60,400	60,450	11,844	8,581	11,898	10,706	63,400	63,450	12,594	9,331	12,738	11,456	66,400	66,450	13,344	10,081	13,578	12,206
60,450	60,500	11,856	8,594	11,912	10,719	63,450	63,500	12,606	9,344	12,752	11,469	66,450	66,500	13,356	10,094	13,592	12,219
60,500	60,550	11,869	8,606	11,926	10,731	63,500	63,550	12,619	9,356	12,766	11,481	66,500	66,550	13,369	10,106	13,606	12,231
60,550	60,600	11,881	8,619	11,940	10,744	63,550	63,600	12,631	9,369	12,780	11,494	66,550	66,600	13,381	10,119	13,620	12,244
60,600	60,650	11,894	8,631	11,954	10,756	63,600	63,650	12,644	9,381	12,794	11,506	66,600	66,650	13,394	10,131	13,634	12,256
60,650	60,700	11,906	8,644	11,968	10,769	63,650	63,700	12,656	9,394	12,808	11,519	66,650	66,700	13,406	10,144	13,648	12,269
60,700	60,750	11,919	8,656	11,982	10,781	63,700	63,750	12,669	9,406	12,822	11,531	66,700	66,750	13,419	10,156	13,662	12,281
60,750	60,800	11,931	8,669	11,996	10,794	63,750	63,800	12,681	9,419	12,836	11,544	66,750	66,800	13,431	10,169	13,676	12,294
60,800	60,850	11,944	8,681	12,010	10,806	63,800	63,850	12,694	9,431	12,850	11,556	66,800	66,850	13,444	10,181	13,690	12,306
60,850	60,900	11,956	8,694	12,024	10,819	63,850	63,900	12,706	9,444	12,864	11,569	66,850	66,900	13,456	10,194	13,704	12,319
60,900	60,950	11,969	8,706	12,038	10,831	63,900	63,950	12,719	9,456	12,878	11,581	66,900	66,950	13,469	10,206	13,718	12,331
60,950	61,000	11,981	8,719	12,052	10,844	63,950	64,000	12,731	9,469	12,892	11,594	66,950	67,000	13,481	10,219	13,732	12,344
61,000						64,000						67,000					
61,000	61,050	11,994	8,731	12,066	10,856	64,000	64,050	12,744	9,481	12,906	11,606	67,000	67,050	13,494	10,231	13,746	12,356
61,050	61,100	12,006	8,744	12,080	10,869	64,050	64,100	12,756	9,494	12,920	11,619	67,050	67,100	13,506	10,244	13,760	12,369
61,100	61,150	12,019	8,756	12,094	10,881	64,100	64,150	12,769	9,506	12,934	11,631	67,100	67,150	13,519	10,256	13,774	12,381
61,150	61,200	12,031	8,769	12,108	10,894	64,150	64,200	12,781	9,519	12,948	11,644	67,150	67,200	13,531	10,269	13,788	12,394
61,200	61,250	12,044	8,781	12,122	10,906	64,200	64,250	12,794	9,531	12,962	11,656	67,200	67,250	13,544	10,281	13,802	12,406
61,250	61,300	12,056	8,794	12,136	10,919	64,250	64,300	12,806	9,544	12,976	11,669	67,250	67,300	13,556	10,294	13,816	12,419
61,300	61,350	12,069	8,806	12,150	10,931	64,300	64,350	12,819	9,556	12,990	11,681	67,300	67,350	13,569	10,306	13,830	12,431
61,350	61,400	12,081	8,819	12,164	10,944	64,350	64,400	12,831	9,569	13,004	11,694	67,350	67,400	13,581	10,319	13,844	12,444
61,400	61,450	12,094	8,831	12,178	10,956	64,400	64,450	12,844	9,581	13,018	11,706	67,400	67,450	13,594	10,331	13,858	12,456
61,450	61,500	12,106	8,844	12,192	10,969	64,450	64,500	12,856	9,594	13,032	11,719	67,450	67,500	13,606	10,344	13,872	12,469
61,500	61,550	12,119	8,856	12,206	10,981	64,500	64,550	12,869	9,606	13,046	11,731	67,500	67,550	13,619	10,356	13,886	12,481
61,550	61,600	12,131	8,869	12,220	10,994	64,550	64,600	12,881	9,619	13,060	11,744	67,550	67,600	13,631	10,369	13,900	12,494
61,600	61,650	12,144	8,881	12,234	11,006	64,600	64,650	12,894	9,631	13,074	11,756	67,600	67,650	13,644	10,381	13,914	12,506
61,650	61,700	12,156	8,894	12,248	11,019	64,650	64,700	12,906	9,644	13,088	11,769	67,650	67,700	13,656	10,394	13,928	12,519
61,700	61,750	12,169	8,906	12,262	11,031	64,700	64,750	12,919	9,656	13,102	11,781	67,700	67,750	13,669	10,406	13,942	12,531
61,750	61,800	12,181	8,919	12,276	11,044	64,750	64,800	12,931	9,669	13,116	11,794	67,750	67,800	13,681	10,419	13,956	12,544
61,800	61,850	12,194	8,931	12,290	11,056	64,800	64,850	12,944	9,681	13,130	11,806	67,800	67,850	13,694			

2004 Tax Table—Continued

If line 40 (taxable income) is—		And you are—				If line 40 (taxable income) is—		And you are—				If line 40 (taxable income) is—		And you are—			
At least	But less than	Single	Married filing jointly *	Married filing separately	Head of a household	At least	But less than	Single	Married filing jointly *	Married filing separately	Head of a household	At least	But less than	Single	Married filing jointly *	Married filing separately	Head of a household
		Your tax is—						Your tax is—						Your tax is—			
68,000						71,000						74,000					
68,000	68,050	13,744	10,481	14,026	12,606	71,000	71,050	14,514	11,231	14,866	13,356	74,000	74,050	15,354	11,981	15,706	14,106
68,050	68,100	13,756	10,494	14,040	12,619	71,050	71,100	14,528	11,244	14,880	13,369	74,050	74,100	15,368	11,994	15,720	14,119
68,100	68,150	13,769	10,506	14,054	12,631	71,100	71,150	14,542	11,256	14,894	13,381	74,100	74,150	15,382	12,006	15,734	14,131
68,150	68,200	13,781	10,519	14,068	12,644	71,150	71,200	14,556	11,269	14,908	13,394	74,150	74,200	15,396	12,019	15,748	14,144
68,200	68,250	13,794	10,531	14,082	12,656	71,200	71,250	14,570	11,281	14,922	13,406	74,200	74,250	15,410	12,031	15,762	14,156
68,250	68,300	13,806	10,544	14,096	12,669	71,250	71,300	14,584	11,294	14,936	13,419	74,250	74,300	15,424	12,044	15,776	14,169
68,300	68,350	13,819	10,556	14,110	12,681	71,300	71,350	14,598	11,306	14,950	13,431	74,300	74,350	15,438	12,056	15,790	14,181
68,350	68,400	13,831	10,569	14,124	12,694	71,350	71,400	14,612	11,319	14,964	13,444	74,350	74,400	15,452	12,069	15,804	14,194
68,400	68,450	13,844	10,581	14,138	12,706	71,400	71,450	14,626	11,331	14,978	13,456	74,400	74,450	15,466	12,081	15,818	14,206
68,450	68,500	13,856	10,594	14,152	12,719	71,450	71,500	14,640	11,344	14,992	13,469	74,450	74,500	15,480	12,094	15,832	14,219
68,500	68,550	13,869	10,606	14,166	12,731	71,500	71,550	14,654	11,356	15,006	13,481	74,500	74,550	15,494	12,106	15,846	14,231
68,550	68,600	13,881	10,619	14,180	12,744	71,550	71,600	14,668	11,369	15,020	13,494	74,550	74,600	15,508	12,119	15,860	14,244
68,600	68,650	13,894	10,631	14,194	12,756	71,600	71,650	14,682	11,381	15,034	13,506	74,600	74,650	15,522	12,131	15,874	14,256
68,650	68,700	13,906	10,644	14,208	12,769	71,650	71,700	14,696	11,394	15,048	13,519	74,650	74,700	15,536	12,144	15,888	14,269
68,700	68,750	13,919	10,656	14,222	12,781	71,700	71,750	14,710	11,406	15,062	13,531	74,700	74,750	15,550	12,156	15,902	14,281
68,750	68,800	13,931	10,669	14,236	12,794	71,750	71,800	14,724	11,419	15,076	13,544	74,750	74,800	15,564	12,169	15,916	14,294
68,800	68,850	13,944	10,681	14,250	12,806	71,800	71,850	14,738	11,431	15,090	13,556	74,800	74,850	15,578	12,181	15,930	14,306
68,850	68,900	13,956	10,694	14,264	12,819	71,850	71,900	14,752	11,444	15,104	13,569	74,850	74,900	15,592	12,194	15,944	14,319
68,900	68,950	13,969	10,706	14,278	12,831	71,900	71,950	14,766	11,456	15,118	13,581	74,900	74,950	15,606	12,206	15,958	14,331
68,950	69,000	13,981	10,719	14,292	12,844	71,950	72,000	14,780	11,469	15,132	13,594	74,950	75,000	15,620	12,219	15,972	14,344
69,000						72,000						75,000					
69,000	69,050	13,994	10,731	14,306	12,856	72,000	72,050	14,794	11,481	15,146	13,606	75,000	75,050	15,634	12,231	15,986	14,356
69,050	69,100	14,006	10,744	14,320	12,869	72,050	72,100	14,808	11,494	15,160	13,619	75,050	75,100	15,648	12,244	16,000	14,369
69,100	69,150	14,019	10,756	14,334	12,881	72,100	72,150	14,822	11,506	15,174	13,631	75,100	75,150	15,662	12,256	16,014	14,381
69,150	69,200	14,031	10,769	14,348	12,894	72,150	72,200	14,836	11,519	15,188	13,644	75,150	75,200	15,676	12,269	16,028	14,394
69,200	69,250	14,044	10,781	14,362	12,906	72,200	72,250	14,850	11,531	15,202	13,656	75,200	75,250	15,690	12,281	16,042	14,406
69,250	69,300	14,056	10,794	14,376	12,919	72,250	72,300	14,864	11,544	15,216	13,669	75,250	75,300	15,704	12,294	16,056	14,419
69,300	69,350	14,069	10,806	14,390	12,931	72,300	72,350	14,878	11,556	15,230	13,681	75,300	75,350	15,718	12,306	16,070	14,431
69,350	69,400	14,081	10,819	14,404	12,944	72,350	72,400	14,892	11,569	15,244	13,694	75,350	75,400	15,732	12,319	16,084	14,444
69,400	69,450	14,094	10,831	14,418	12,956	72,400	72,450	14,906	11,581	15,258	13,706	75,400	75,450	15,746	12,331	16,098	14,456
69,450	69,500	14,106	10,844	14,432	12,969	72,450	72,500	14,920	11,594	15,272	13,719	75,450	75,500	15,760	12,344	16,112	14,469
69,500	69,550	14,119	10,856	14,446	12,981	72,500	72,550	14,934	11,606	15,286	13,731	75,500	75,550	15,774	12,356	16,126	14,481
69,550	69,600	14,131	10,869	14,460	12,994	72,550	72,600	14,948	11,619	15,300	13,744	75,550	75,600	15,788	12,369	16,140	14,494
69,600	69,650	14,144	10,881	14,474	13,006	72,600	72,650	14,962	11,631	15,314	13,756	75,600	75,650	15,802	12,381	16,154	14,506
69,650	69,700	14,156	10,894	14,488	13,019	72,650	72,700	14,976	11,644	15,328	13,769	75,650	75,700	15,816	12,394	16,168	14,519
69,700	69,750	14,169	10,906	14,502	13,031	72,700	72,750	14,990	11,656	15,342	13,781	75,700	75,750	15,830	12,406	16,182	14,531
69,750	69,800	14,181	10,919	14,516	13,044	72,750	72,800	15,004	11,669	15,356	13,794	75,750	75,800	15,844	12,419	16,196	14,544
69,800	69,850	14,194	10,931	14,530	13,056	72,800	72,850	15,018	11,681	15,370	13,806	75,800	75,850	15,858	12,431	16,210	14,556
69,850	69,900	14,206	10,944	14,544	13,069	72,850	72,900	15,032	11,694	15,384	13,819	75,850	75,900	15,872	12,444	16,224	14,569
69,900	69,950	14,219	10,956	14,558	13,081	72,900	72,950	15,046	11,706	15,398	13,831	75,900	75,950	15,886	12,456	16,238	14,581
69,950	70,000	14,231	10,969	14,572	13,094	72,950	73,000	15,060	11,719	15,412	13,844	75,950	76,000	15,900	12,469	16,252	14,594
70,000						73,000						76,000					
70,000	70,050	14,244	10,981	14,586	13,106	73,000	73,050	15,074	11,731	15,426	13,856	76,000	76,050	15,914	12,481	16,266	14,606
70,050	70,100	14,256	10,994	14,600	13,119	73,050	73,100	15,088	11,744	15,440	13,869	76,050	76,100	15,928	12,494	16,280	14,619
70,100	70,150	14,269	11,006	14,614	13,131	73,100	73,150	15,102	11,756	15,454	13,881	76,100	76,150	15,942	12,506	16,294	14,631
70,150	70,200	14,281	11,019	14,628	13,144	73,150	73,200	15,116	11,769	15,468	13,894	76,150	76,200	15,956	12,519	16,308	14,644
70,200	70,250	14,294	11,031	14,642	13,156	73,200	73,250	15,130	11,781	15,482	13,906	76,200	76,250	15,970	12,531	16,322	14,656
70,250	70,300	14,306	11,044	14,656	13,169	73,250	73,300	15,144	11,794	15,496	13,919	76,250	76,300	15,984	12,544	16,336	14,669
70,300	70,350	14,319	11,056	14,670	13,181	73,300	73,350	15,158	11,806	15,510	13,931	76,300	76,350	15,998	12,556	16,350	14,681
70,350	70,400	14,332	11,069	14,684	13,194	73,350	73,400	15,172	11,819	15,524	13,944	76,350	76,400	16,012	12,569	16,364	14,694
70,400	70,450	14,346	11,081	14,698	13,206	73,400	73,450	15,186	11,831	15,538	13,956	76,400	76,450	16,026	12,581	16,378	14,706
70,450	70,500	14,360	11,094	14,712	13,219	73,450	73,500	15,200	11,844	15,552	13,969	76,450	76,500	16,040	12,594	16,392	14,719
70,500	70,550	14,374	11,106	14,726	13,231	73,500	73,550	15,214	11,856	15,566	13,981	76,500	76,550	16,054	12,606	16,406	14,731
70,550	70,600	14,388	11,119	14,740	13,244	73,550	73,600	15,228	11,869	15,580	13,994	76,550	76,600	16,068	12,619	16,420	14,744
70,600	70,650	14,402	11,131	14,754	13,256	73,600	73,650	15,242	11,881	15,594	14,006	76,600	76,650	16,082	12,631	16,434	14,756
70,650	70,700	14,416	11,144	14,768	13,269	73,650	73,700	15,256	11,894	15,608	14,019	76,650	76,700	16,096	12,644	16,448	14,769
70,700	70,750	14,430	11,156	14,782	13,281	73,700	73,750	15,270	11,906	15,622	14,031	76,700	76,750	16,110	12,656	16,462	14,781
70,750	70,800	14,444	11,169	14,796	13,294	73,750	73,800	15,284	11,919	15,636	14,044	76,750	76,800	16,124	12,669	16,476	14,794
70,800	70,850	14,45															

If line 40 (taxable income) is—		And you are—				If line 40 (taxable income) is—		And you are—				If line 40 (taxable income) is—		And you are—			
At least	But less than	Single	Married filing jointly *	Married filing separately	Head of a household	At least	But less than	Single	Married filing jointly *	Married filing separately	Head of a household	At least	But less than	Single	Married filing jointly *	Married filing separately	Head of a household
		Your tax is—						Your tax is—						Your tax is—			
77,000						80,000						83,000					
77,000	77,050	16,194	12,731	16,546	14,856	80,000	80,050	17,034	13,481	17,386	15,606	83,000	83,050	17,874	14,231	18,226	16,356
77,050	77,100	16,208	12,744	16,560	14,869	80,050	80,100	17,048	13,494	17,400	15,619	83,050	83,100	17,888	14,244	18,240	16,369
77,100	77,150	16,222	12,756	16,574	14,881	80,100	80,150	17,062	13,506	17,414	15,631	83,100	83,150	17,902	14,256	18,254	16,381
77,150	77,200	16,236	12,769	16,588	14,894	80,150	80,200	17,076	13,519	17,428	15,644	83,150	83,200	17,916	14,269	18,268	16,394
77,200	77,250	16,250	12,781	16,602	14,906	80,200	80,250	17,090	13,531	17,442	15,656	83,200	83,250	17,930	14,281	18,282	16,406
77,250	77,300	16,264	12,794	16,616	14,919	80,250	80,300	17,104	13,544	17,456	15,669	83,250	83,300	17,944	14,294	18,296	16,419
77,300	77,350	16,278	12,806	16,630	14,931	80,300	80,350	17,118	13,556	17,470	15,681	83,300	83,350	17,958	14,306	18,310	16,431
77,350	77,400	16,292	12,819	16,644	14,944	80,350	80,400	17,132	13,569	17,484	15,694	83,350	83,400	17,972	14,319	18,324	16,444
77,400	77,450	16,306	12,831	16,658	14,956	80,400	80,450	17,146	13,581	17,498	15,706	83,400	83,450	17,986	14,331	18,338	16,456
77,450	77,500	16,320	12,844	16,672	14,969	80,450	80,500	17,160	13,594	17,512	15,719	83,450	83,500	18,000	14,344	18,352	16,469
77,500	77,550	16,334	12,856	16,686	14,981	80,500	80,550	17,174	13,606	17,526	15,731	83,500	83,550	18,014	14,356	18,366	16,481
77,550	77,600	16,348	12,869	16,700	14,994	80,550	80,600	17,188	13,619	17,540	15,744	83,550	83,600	18,028	14,369	18,380	16,494
77,600	77,650	16,362	12,881	16,714	15,006	80,600	80,650	17,202	13,631	17,554	15,756	83,600	83,650	18,042	14,381	18,394	16,506
77,650	77,700	16,376	12,894	16,728	15,019	80,650	80,700	17,216	13,644	17,568	15,769	83,650	83,700	18,056	14,394	18,408	16,519
77,700	77,750	16,390	12,906	16,742	15,031	80,700	80,750	17,230	13,656	17,582	15,781	83,700	83,750	18,070	14,406	18,422	16,531
77,750	77,800	16,404	12,919	16,756	15,044	80,750	80,800	17,244	13,669	17,596	15,794	83,750	83,800	18,084	14,419	18,436	16,544
77,800	77,850	16,418	12,931	16,770	15,056	80,800	80,850	17,258	13,681	17,610	15,806	83,800	83,850	18,098	14,431	18,450	16,556
77,850	77,900	16,432	12,944	16,784	15,069	80,850	80,900	17,272	13,694	17,624	15,819	83,850	83,900	18,112	14,444	18,464	16,569
77,900	77,950	16,446	12,956	16,798	15,081	80,900	80,950	17,286	13,706	17,638	15,831	83,900	83,950	18,126	14,456	18,478	16,581
77,950	78,000	16,460	12,969	16,812	15,094	80,950	81,000	17,300	13,719	17,652	15,844	83,950	84,000	18,140	14,469	18,492	16,594
78,000						81,000						84,000					
78,000	78,050	16,474	12,981	16,826	15,106	81,000	81,050	17,314	13,731	17,666	15,856	84,000	84,050	18,154	14,481	18,506	16,606
78,050	78,100	16,488	12,994	16,840	15,119	81,050	81,100	17,328	13,744	17,680	15,869	84,050	84,100	18,168	14,494	18,520	16,619
78,100	78,150	16,502	13,006	16,854	15,131	81,100	81,150	17,342	13,756	17,694	15,881	84,100	84,150	18,182	14,506	18,534	16,631
78,150	78,200	16,516	13,019	16,868	15,144	81,150	81,200	17,356	13,769	17,708	15,894	84,150	84,200	18,196	14,519	18,548	16,644
78,200	78,250	16,530	13,031	16,882	15,156	81,200	81,250	17,370	13,781	17,722	15,906	84,200	84,250	18,210	14,531	18,562	16,656
78,250	78,300	16,544	13,044	16,896	15,169	81,250	81,300	17,384	13,794	17,736	15,919	84,250	84,300	18,224	14,544	18,576	16,669
78,300	78,350	16,558	13,056	16,910	15,181	81,300	81,350	17,398	13,806	17,750	15,931	84,300	84,350	18,238	14,556	18,590	16,681
78,350	78,400	16,572	13,069	16,924	15,194	81,350	81,400	17,412	13,819	17,764	15,944	84,350	84,400	18,252	14,569	18,604	16,694
78,400	78,450	16,586	13,081	16,938	15,206	81,400	81,450	17,426	13,831	17,778	15,956	84,400	84,450	18,266	14,581	18,618	16,706
78,450	78,500	16,600	13,094	16,952	15,219	81,450	81,500	17,440	13,844	17,792	15,969	84,450	84,500	18,280	14,594	18,632	16,719
78,500	78,550	16,614	13,106	16,966	15,231	81,500	81,550	17,454	13,856	17,806	15,981	84,500	84,550	18,294	14,606	18,646	16,731
78,550	78,600	16,628	13,119	16,980	15,244	81,550	81,600	17,468	13,869	17,820	15,994	84,550	84,600	18,308	14,619	18,660	16,744
78,600	78,650	16,642	13,131	16,994	15,256	81,600	81,650	17,482	13,881	17,834	16,006	84,600	84,650	18,322	14,631	18,674	16,756
78,650	78,700	16,656	13,144	17,008	15,269	81,650	81,700	17,496	13,894	17,848	16,019	84,650	84,700	18,336	14,644	18,688	16,769
78,700	78,750	16,670	13,156	17,022	15,281	81,700	81,750	17,510	13,906	17,862	16,031	84,700	84,750	18,350	14,656	18,702	16,781
78,750	78,800	16,684	13,169	17,036	15,294	81,750	81,800	17,524	13,919	17,876	16,044	84,750	84,800	18,364	14,669	18,716	16,794
78,800	78,850	16,698	13,181	17,050	15,306	81,800	81,850	17,538	13,931	17,890	16,056	84,800	84,850	18,378	14,681	18,730	16,806
78,850	78,900	16,712	13,194	17,064	15,319	81,850	81,900	17,552	13,944	17,904	16,069	84,850	84,900	18,392	14,694	18,744	16,819
78,900	78,950	16,726	13,206	17,078	15,331	81,900	81,950	17,566	13,956	17,918	16,081	84,900	84,950	18,406	14,706	18,758	16,831
78,950	79,000	16,740	13,219	17,092	15,344	81,950	82,000	17,580	13,969	17,932	16,094	84,950	85,000	18,420	14,719	18,772	16,844
79,000						82,000						85,000					
79,000	79,050	16,754	13,231	17,106	15,356	82,000	82,050	17,594	13,981	17,946	16,106	85,000	85,050	18,434	14,731	18,786	16,856
79,050	79,100	16,768	13,244	17,120	15,369	82,050	82,100	17,608	13,994	17,960	16,119	85,050	85,100	18,448	14,744	18,800	16,869
79,100	79,150	16,782	13,256	17,134	15,381	82,100	82,150	17,622	14,006	17,974	16,131	85,100	85,150	18,462	14,756	18,814	16,881
79,150	79,200	16,796	13,269	17,148	15,394	82,150	82,200	17,636	14,019	17,988	16,144	85,150	85,200	18,476	14,769	18,828	16,894
79,200	79,250	16,810	13,281	17,162	15,406	82,200	82,250	17,650	14,031	18,002	16,156	85,200	85,250	18,490	14,781	18,842	16,906
79,250	79,300	16,824	13,294	17,176	15,419	82,250	82,300	17,664	14,044	18,016	16,169	85,250	85,300	18,504	14,794	18,856	16,919
79,300	79,350	16,838	13,306	17,190	15,431	82,300	82,350	17,678	14,056	18,030	16,181	85,300	85,350	18,518	14,806	18,870	16,931
79,350	79,400	16,852	13,319	17,204	15,444	82,350	82,400	17,692	14,069	18,044	16,194	85,350	85,400	18,532	14,819	18,884	16,944
79,400	79,450	16,866	13,331	17,218	15,456	82,400	82,450	17,706	14,081	18,058	16,206	85,400	85,450	18,546	14,831	18,898	16,956
79,450	79,500	16,880	13,344	17,232	15,469	82,450	82,500	17,720	14,094	18,072	16,219	85,450	85,500	18,560	14,844	18,912	16,969
79,500	79,550	16,894	13,356	17,246	15,481	82,500	82,550	17,734	14,106	18,086	16,231	85,500	85,550	18,574	14,856	18,926	16,981
79,550	79,600	16,908	13,369	17,260	15,494	82,550	82,600	17,748	14,119	18,100	16,244	85,550	85,600	18,588	14,869	18,940	16,994
79,600	79,650	16,922	13,381	17,274	15,506	82,600	82,650	17,762	14,131	18,114	16,256	85,600	85,650	18,602	14,881	18,954	17,006
79,650	79,700	16,936	13,394	17,288	15,519	82,650	82,700	17,776	14,144	18,128	16,269	85,650	85,700	18,616	14,894	18,968	17,019
79,700	79,750	16,950	13,406	17,302	15,531	82,700	82,750	17,790	14,156	18,142	16,281	85,700	85,750	18,630	14,906	18,982	17,031
79,750	79,800	16,964	13,419	17,316	15,544	82,750	82,800	17,804	14,169	18,156	16,294	85,750	85,800	18,644	14,919	18,996	17,044
79,800	79,850	16,978															

2004 Tax Table—Continued

If line 40 (taxable income) is—		And you are—				If line 40 (taxable income) is—		And you are—				If line 40 (taxable income) is—		And you are—			
		Single	Married filing jointly *	Married filing separately	Head of a household			Single	Married filing jointly *	Married filing separately	Head of a household			Single	Married filing jointly *	Married filing separately	Head of a household
		Your tax is—						Your tax is—						Your tax is—			
86,000						89,000						92,000					
86,000	86,050	18,714	14,981	19,066	17,106	89,000	89,050	19,554	15,731	19,906	17,856	92,000	92,050	20,394	16,481	20,881	18,606
86,050	86,100	18,728	14,994	19,080	17,119	89,050	89,100	19,568	15,744	19,920	17,869	92,050	92,100	20,408	16,494	20,897	18,619
86,100	86,150	18,742	15,006	19,094	17,131	89,100	89,150	19,582	15,756	19,934	17,881	92,100	92,150	20,422	16,506	20,914	18,631
86,150	86,200	18,756	15,019	19,108	17,144	89,150	89,200	19,596	15,769	19,948	17,894	92,150	92,200	20,436	16,519	20,930	18,644
86,200	86,250	18,770	15,031	19,122	17,156	89,200	89,250	19,610	15,781	19,962	17,906	92,200	92,250	20,450	16,531	20,947	18,656
86,250	86,300	18,784	15,044	19,136	17,169	89,250	89,300	19,624	15,794	19,976	17,919	92,250	92,300	20,464	16,544	20,963	18,669
86,300	86,350	18,798	15,056	19,150	17,181	89,300	89,350	19,638	15,806	19,990	17,931	92,300	92,350	20,478	16,556	20,980	18,681
86,350	86,400	18,812	15,069	19,164	17,194	89,350	89,400	19,652	15,819	20,006	17,944	92,350	92,400	20,492	16,569	20,996	18,694
86,400	86,450	18,826	15,081	19,178	17,206	89,400	89,450	19,666	15,831	20,023	17,956	92,400	92,450	20,506	16,581	21,013	18,706
86,450	86,500	18,840	15,094	19,192	17,219	89,450	89,500	19,680	15,844	20,039	17,969	92,450	92,500	20,520	16,594	21,029	18,719
86,500	86,550	18,854	15,106	19,206	17,231	89,500	89,550	19,694	15,856	20,056	17,981	92,500	92,550	20,534	16,606	21,046	18,731
86,550	86,600	18,868	15,119	19,220	17,244	89,550	89,600	19,708	15,869	20,072	17,994	92,550	92,600	20,548	16,619	21,062	18,744
86,600	86,650	18,882	15,131	19,234	17,256	89,600	89,650	19,722	15,881	20,089	18,006	92,600	92,650	20,562	16,631	21,079	18,756
86,650	86,700	18,896	15,144	19,248	17,269	89,650	89,700	19,736	15,894	20,105	18,019	92,650	92,700	20,576	16,644	21,095	18,769
86,700	86,750	18,910	15,156	19,262	17,281	89,700	89,750	19,750	15,906	20,122	18,031	92,700	92,750	20,590	16,656	21,112	18,781
86,750	86,800	18,924	15,169	19,276	17,294	89,750	89,800	19,764	15,919	20,138	18,044	92,750	92,800	20,604	16,669	21,128	18,794
86,800	86,850	18,938	15,181	19,290	17,306	89,800	89,850	19,778	15,931	20,155	18,056	92,800	92,850	20,618	16,681	21,145	18,806
86,850	86,900	18,952	15,194	19,304	17,319	89,850	89,900	19,792	15,944	20,171	18,069	92,850	92,900	20,632	16,694	21,161	18,819
86,900	86,950	18,966	15,206	19,318	17,331	89,900	89,950	19,806	15,956	20,188	18,081	92,900	92,950	20,646	16,706	21,178	18,831
86,950	87,000	18,980	15,219	19,332	17,344	89,950	90,000	19,820	15,969	20,204	18,094	92,950	93,000	20,660	16,719	21,194	18,844
87,000						90,000						93,000					
87,000	87,050	18,994	15,231	19,346	17,356	90,000	90,050	19,834	15,981	20,221	18,106	93,000	93,050	20,674	16,731	21,211	18,856
87,050	87,100	19,008	15,244	19,360	17,369	90,050	90,100	19,848	15,994	20,237	18,119	93,050	93,100	20,688	16,744	21,227	18,869
87,100	87,150	19,022	15,256	19,374	17,381	90,100	90,150	19,862	16,006	20,254	18,131	93,100	93,150	20,702	16,756	21,244	18,881
87,150	87,200	19,036	15,269	19,388	17,394	90,150	90,200	19,876	16,019	20,270	18,144	93,150	93,200	20,716	16,769	21,260	18,894
87,200	87,250	19,050	15,281	19,402	17,406	90,200	90,250	19,890	16,031	20,287	18,156	93,200	93,250	20,730	16,781	21,277	18,906
87,250	87,300	19,064	15,294	19,416	17,419	90,250	90,300	19,904	16,044	20,303	18,169	93,250	93,300	20,744	16,794	21,293	18,919
87,300	87,350	19,078	15,306	19,430	17,431	90,300	90,350	19,918	16,056	20,320	18,181	93,300	93,350	20,758	16,806	21,310	18,931
87,350	87,400	19,092	15,319	19,444	17,444	90,350	90,400	19,932	16,069	20,336	18,194	93,350	93,400	20,772	16,819	21,326	18,944
87,400	87,450	19,106	15,331	19,458	17,456	90,400	90,450	19,946	16,081	20,353	18,206	93,400	93,450	20,786	16,831	21,343	18,956
87,450	87,500	19,120	15,344	19,472	17,469	90,450	90,500	19,960	16,094	20,369	18,219	93,450	93,500	20,800	16,844	21,359	18,969
87,500	87,550	19,134	15,356	19,486	17,481	90,500	90,550	19,974	16,106	20,386	18,231	93,500	93,550	20,814	16,856	21,376	18,981
87,550	87,600	19,148	15,369	19,500	17,494	90,550	90,600	19,988	16,119	20,402	18,244	93,550	93,600	20,828	16,869	21,392	18,994
87,600	87,650	19,162	15,381	19,514	17,506	90,600	90,650	20,002	16,131	20,419	18,256	93,600	93,650	20,842	16,881	21,409	19,006
87,650	87,700	19,176	15,394	19,528	17,519	90,650	90,700	20,016	16,144	20,435	18,269	93,650	93,700	20,856	16,894	21,425	19,019
87,700	87,750	19,190	15,406	19,542	17,531	90,700	90,750	20,030	16,156	20,452	18,281	93,700	93,750	20,870	16,906	21,442	19,031
87,750	87,800	19,204	15,419	19,556	17,544	90,750	90,800	20,044	16,169	20,468	18,294	93,750	93,800	20,884	16,919	21,458	19,044
87,800	87,850	19,218	15,431	19,570	17,556	90,800	90,850	20,058	16,181	20,485	18,306	93,800	93,850	20,898	16,931	21,475	19,056
87,850	87,900	19,232	15,444	19,584	17,569	90,850	90,900	20,072	16,194	20,501	18,319	93,850	93,900	20,912	16,944	21,491	19,069
87,900	87,950	19,246	15,456	19,598	17,581	90,900	90,950	20,086	16,206	20,518	18,331	93,900	93,950	20,926	16,956	21,508	19,081
87,950	88,000	19,260	15,469	19,612	17,594	90,950	91,000	20,100	16,219	20,534	18,344	93,950	94,000	20,940	16,969	21,524	19,094
88,000						91,000						94,000					
88,000	88,050	19,274	15,481	19,626	17,606	91,000	91,050	20,114	16,231	20,551	18,356	94,000	94,050	20,954	16,981	21,541	19,106
88,050	88,100	19,288	15,494	19,640	17,619	91,050	91,100	20,128	16,244	20,567	18,369	94,050	94,100	20,968	16,994	21,557	19,119
88,100	88,150	19,302	15,506	19,654	17,631	91,100	91,150	20,142	16,256	20,584	18,381	94,100	94,150	20,982	17,006	21,574	19,131
88,150	88,200	19,316	15,519	19,668	17,644	91,150	91,200	20,156	16,269	20,600	18,394	94,150	94,200	20,996	17,019	21,590	19,144
88,200	88,250	19,330	15,531	19,682	17,656	91,200	91,250	20,170	16,281	20,617	18,406	94,200	94,250	21,010	17,031	21,607	19,156
88,250	88,300	19,344	15,544	19,696	17,669	91,250	91,300	20,184	16,294	20,633	18,419	94,250	94,300	21,024	17,044	21,623	19,169
88,300	88,350	19,358	15,556	19,710	17,681	91,300	91,350	20,198	16,306	20,650	18,431	94,300	94,350	21,038	17,056	21,640	19,181
88,350	88,400	19,372	15,569	19,724	17,694	91,350	91,400	20,212	16,319	20,666	18,444	94,350	94,400	21,052	17,069	21,656	19,194
88,400	88,450	19,386	15,581	19,738	17,706	91,400	91,450	20,226	16,331	20,683	18,456	94,400	94,450	21,066	17,081	21,673	19,206
88,450	88,500	19,400	15,594	19,752	17,719	91,450	91,500	20,240	16,344	20,699	18,469	94,450	94,500	21,080	17,094	21,689	19,219
88,500	88,550	19,414	15,606	19,766	17,731	91,500	91,550	20,254	16,356	20,716	18,481	94,500	94,550	21,094	17,106	21,706	19,231
88,550	88,600	19,428	15,619	19,780	17,744	91,550	91,600	20,268	16,369	20,732	18,494	94,550	94,600	21,108	17,119	21,722	19,244
88,600	88,650	19,442	15,631	19,794	17,756	91,600	91,650	20,282	16,381	20,749	18,506	94,600	94,650	21,122	17,131	21,739	19,256
88,650	88,700	19,456	15,644	19,808	17,769	91,650	91,700	20,296	16,394	20,765	18,519	94,650	94,700	21,136	17,144	21,755	19,269
88,700	88,750	19,470	15,656	19,822	17,781	91,700	91,750	20,310	16,406	20,782	18,531	94,700	94,750	21,150	17,156	21,772	19,281
88,750	88,800	19,484	15,669	19,836	17,794	91,750	91,800	20,324	16,419	20,798	18,544	94,750	94,800	21,164	17,169	21,788	19,294
88,800	88,850	19,498	15,681	19,850	17,806												

If line 40 (taxable income) is—		And you are—				If line 40 (taxable income) is—		And you are—			
		Single	Married filing jointly *	Married filing separately	Head of a household			Single	Married filing jointly *	Married filing separately	Head of a household
At least	But less than	Your tax is—				At least	But less than	Your tax is—			
95,000						98,000					
95,000	95,050	21,234	17,231	21,871	19,356	98,000	98,050	22,074	17,981	22,861	20,106
95,050	95,100	21,248	17,244	21,887	19,369	98,050	98,100	22,088	17,994	22,877	20,119
95,100	95,150	21,262	17,256	21,904	19,381	98,100	98,150	22,102	18,006	22,894	20,131
95,150	95,200	21,276	17,269	21,920	19,394	98,150	98,200	22,116	18,019	22,910	20,144
95,200	95,250	21,290	17,281	21,937	19,406	98,200	98,250	22,130	18,031	22,927	20,156
95,250	95,300	21,304	17,294	21,953	19,419	98,250	98,300	22,144	18,044	22,943	20,169
95,300	95,350	21,318	17,306	21,970	19,431	98,300	98,350	22,158	18,056	22,960	20,181
95,350	95,400	21,332	17,319	21,986	19,444	98,350	98,400	22,172	18,069	22,976	20,194
95,400	95,450	21,346	17,331	22,003	19,456	98,400	98,450	22,186	18,081	22,993	20,206
95,450	95,500	21,360	17,344	22,019	19,469	98,450	98,500	22,200	18,094	23,009	20,219
95,500	95,550	21,374	17,356	22,036	19,481	98,500	98,550	22,214	18,106	23,026	20,231
95,550	95,600	21,388	17,369	22,052	19,494	98,550	98,600	22,228	18,119	23,042	20,244
95,600	95,650	21,402	17,381	22,069	19,506	98,600	98,650	22,242	18,131	23,059	20,256
95,650	95,700	21,416	17,394	22,085	19,519	98,650	98,700	22,256	18,144	23,075	20,269
95,700	95,750	21,430	17,406	22,102	19,531	98,700	98,750	22,270	18,156	23,092	20,281
95,750	95,800	21,444	17,419	22,118	19,544	98,750	98,800	22,284	18,169	23,108	20,294
95,800	95,850	21,458	17,431	22,135	19,556	98,800	98,850	22,298	18,181	23,125	20,306
95,850	95,900	21,472	17,444	22,151	19,569	98,850	98,900	22,312	18,194	23,141	20,319
95,900	95,950	21,486	17,456	22,168	19,581	98,900	98,950	22,326	18,206	23,158	20,331
95,950	96,000	21,500	17,469	22,184	19,594	98,950	99,000	22,340	18,219	23,174	20,344
96,000						99,000					
96,000	96,050	21,514	17,481	22,201	19,606	99,000	99,050	22,354	18,231	23,191	20,356
96,050	96,100	21,528	17,494	22,217	19,619	99,050	99,100	22,368	18,244	23,207	20,369
96,100	96,150	21,542	17,506	22,234	19,631	99,100	99,150	22,382	18,256	23,224	20,381
96,150	96,200	21,556	17,519	22,250	19,644	99,150	99,200	22,396	18,269	23,240	20,394
96,200	96,250	21,570	17,531	22,267	19,656	99,200	99,250	22,410	18,281	23,257	20,406
96,250	96,300	21,584	17,544	22,283	19,669	99,250	99,300	22,424	18,294	23,273	20,419
96,300	96,350	21,598	17,556	22,300	19,681	99,300	99,350	22,438	18,306	23,290	20,431
96,350	96,400	21,612	17,569	22,316	19,694	99,350	99,400	22,452	18,319	23,306	20,444
96,400	96,450	21,626	17,581	22,333	19,706	99,400	99,450	22,466	18,331	23,323	20,456
96,450	96,500	21,640	17,594	22,349	19,719	99,450	99,500	22,480	18,344	23,339	20,469
96,500	96,550	21,654	17,606	22,366	19,731	99,500	99,550	22,494	18,356	23,356	20,481
96,550	96,600	21,668	17,619	22,382	19,744	99,550	99,600	22,508	18,369	23,372	20,494
96,600	96,650	21,682	17,631	22,399	19,756	99,600	99,650	22,522	18,381	23,389	20,506
96,650	96,700	21,696	17,644	22,415	19,769	99,650	99,700	22,536	18,394	23,405	20,519
96,700	96,750	21,710	17,656	22,432	19,781	99,700	99,750	22,550	18,406	23,422	20,531
96,750	96,800	21,724	17,669	22,448	19,794	99,750	99,800	22,564	18,419	23,438	20,544
96,800	96,850	21,738	17,681	22,465	19,806	99,800	99,850	22,578	18,431	23,455	20,556
96,850	96,900	21,752	17,694	22,481	19,819	99,850	99,900	22,592	18,444	23,471	20,569
96,900	96,950	21,766	17,706	22,498	19,831	99,900	99,950	22,606	18,456	23,488	20,581
96,950	97,000	21,780	17,719	22,514	19,844	99,950	100,000	22,620	18,469	23,504	20,594
97,000						<div style="border: 1px solid black; border-radius: 50%; padding: 20px; width: fit-content; margin: 0 auto;"> <p>\$100,000 or over — use the Tax Rate Schedules on page 74</p> </div>					
97,000	97,050	21,794	17,731	22,531	19,856						
97,050	97,100	21,808	17,744	22,547	19,869						
97,100	97,150	21,822	17,756	22,564	19,881						
97,150	97,200	21,836	17,769	22,580	19,894						
97,200	97,250	21,850	17,781	22,597	19,906						
97,250	97,300	21,864	17,794	22,613	19,919						
97,300	97,350	21,878	17,806	22,630	19,931						
97,350	97,400	21,892	17,819	22,646	19,944						
97,400	97,450	21,906	17,831	22,663	19,956						
97,450	97,500	21,920	17,844	22,679	19,969						
97,500	97,550	21,934	17,856	22,696	19,981						
97,550	97,600	21,948	17,869	22,712	19,994						
97,600	97,650	21,962	17,881	22,729	20,006						
97,650	97,700	21,976	17,894	22,745	20,019						
97,700	97,750	21,990	17,906	22,762	20,031						
97,750	97,800	22,004	17,919	22,778	20,044						
97,800	97,850	22,018	17,931	22,795	20,056						
97,850	97,900	22,032	17,944	22,811	20,069						
97,900	97,950	22,046	17,956	22,828	20,081						
97,950	98,000	22,060	17,969	22,844	20,094						

* This column must also be used by a qualifying widow(er).

2004 Tax Rate Schedules



Use **only** if your taxable income (Form 1040, line 40) is \$100,000 or more. If less, use the **Tax Table**. Even though you cannot use the Tax Rate Schedules below if your taxable income is less than \$100,000, all levels of taxable income are shown so taxpayers can see the tax rate that applies to each level.

Schedule X—Use if your filing status is **Single**

If the amount on Form 1040, line 40, is: <i>Over—</i>	<i>But not over—</i>	Enter on Form 1040, line 41	<i>of the amount over—</i>
\$0	\$7,150	..... 10%	\$0
7,150	29,050	\$715.00 + 15%	7,150
29,050	70,350	4,000.00 + 25%	29,050
70,350	146,750	14,325.00 + 28%	70,350
146,750	319,100	35,717.00 + 33%	146,750
319,100	.....	92,592.50 + 35%	319,100

Schedule Y-1—Use if your filing status is **Married filing jointly** or **Qualifying widow(er)**

If the amount on Form 1040, line 40, is: <i>Over—</i>	<i>But not over—</i>	Enter on Form 1040, line 41	<i>of the amount over—</i>
\$0	\$14,300	..... 10%	\$0
14,300	58,100	\$1,430.00 + 15%	14,300
58,100	117,250	8,000.00 + 25%	58,100
117,250	178,650	22,787.50 + 28%	117,250
178,650	319,100	39,979.50 + 33%	178,650
319,100	.....	86,328.00 + 35%	319,100

Schedule Y-2—Use if your filing status is **Married filing separately**

If the amount on Form 1040, line 40, is: <i>Over—</i>	<i>But not over—</i>	Enter on Form 1040, line 41	<i>of the amount over—</i>
\$0	\$7,150	..... 10%	\$0
7,150	29,050	\$715.00 + 15%	7,150
29,050	58,625	4,000.00 + 25%	29,050
58,625	89,325	11,393.75 + 28%	58,625
89,325	159,550	19,989.75 + 33%	89,325
159,550	.....	43,164.00 + 35%	159,550

Schedule Z—Use if your filing status is **Head of household**

If the amount on Form 1040, line 40, is: <i>Over—</i>	<i>But not over—</i>	Enter on Form 1040, line 41	<i>of the amount over—</i>
\$0	\$10,200	..... 10%	\$0
10,200	38,900	\$1,020.00 + 15%	10,200
38,900	100,500	5,325.00 + 25%	38,900
100,500	162,700	20,725.00 + 28%	100,500
162,700	319,100	38,141.00 + 33%	162,700
319,100	89,753.00 + 35%	319,100

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Lined writing area for student notes.

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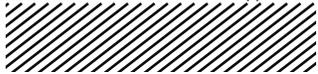
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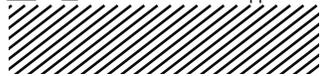
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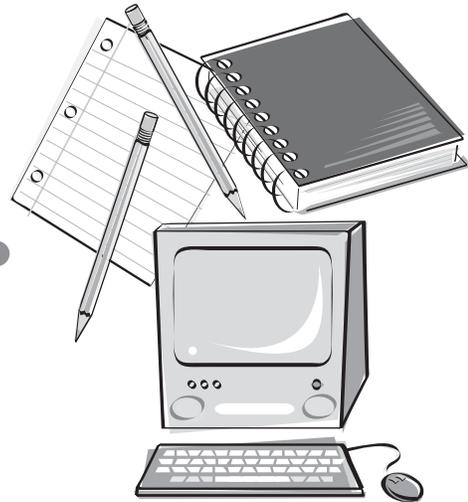
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