



**Note:** *The draft you are looking for begins on the next page.*

## **Caution: DRAFT—NOT FOR FILING**

This is an early release draft of an IRS tax form, instructions, or publication, which the IRS is providing for your information. **Do not file draft forms.** We incorporate all significant changes to forms posted with this coversheet. However, unexpected issues occasionally arise, or legislation is passed—in this case, we will post a new draft of the form to alert users that changes were made to the previously posted draft. Thus, there are never any changes to the last posted draft of a form and the final revision of the form. Forms and instructions are subject to OMB approval before they can be officially released, so we post drafts of them until they are approved. Drafts of instructions and pubs usually have some additional changes before their final release. Early release drafts are at [IRS.gov/DraftForms](https://www.irs.gov/DraftForms) and remain there after the final release is posted at [IRS.gov/LatestForms](https://www.irs.gov/LatestForms). Also see [IRS.gov/Forms](https://www.irs.gov/Forms).

Most forms and publications have a page on IRS.gov: [IRS.gov/Form1040](https://www.irs.gov/Form1040) for Form 1040; [IRS.gov/Pub501](https://www.irs.gov/Pub501) for Pub. 501; [IRS.gov/W4](https://www.irs.gov/W4) for Form W-4; and [IRS.gov/ScheduleA](https://www.irs.gov/ScheduleA) for Schedule A (Form 1040), for example, and similarly for other forms, pubs, and schedules for Form 1040. When typing in a link, type it into the address bar of your browser, not a Search box on IRS.gov.

If you wish, you can submit comments to the IRS about draft or final forms, instructions, or pubs at [IRS.gov/FormsComments](https://www.irs.gov/FormsComments). Include “NTF” followed by the form or pub number (for example, “NTF1040”, “NTFW4”, “NTF501”, etc.) in the body of the message to route your message properly. We cannot respond to all comments due to the high volume we receive and may not be able to consider many suggestions until the subsequent revision of the product, but we will review each “NTF” message. If you have comments on reducing paperwork and respondent (filer) burden, with respect to draft or final forms, please respond to the relevant information collection through the Federal Register process; for more info, click [here](#).

Form **8858**  
 (Rev. December 2026)  
 Department of the Treasury  
 Internal Revenue Service

**Information Return of U.S. Persons With Respect to Foreign Disregarded Entities (FDEs) and Foreign Branches (FBs)**

Go to [www.irs.gov/Form8858](http://www.irs.gov/Form8858) for instructions and the latest information.  
 Information furnished for the FDE's or FB's annual accounting period (see instructions) beginning \_\_\_\_\_, 20\_\_\_\_, and ending \_\_\_\_\_, 20\_\_\_\_

OMB No. 1545-1910

Attachment Sequence No. **140**

Name of person filing this return			Filer's identifying number
Number and street. If a P.O. box, see instructions.			Room or suite no.
City or town	State or province	Country	ZIP or foreign postal code
Filer's tax year beginning _____, 20____, and ending _____, 20____			

**Important:** Fill in all applicable lines and schedules. All information **must** be in English. All amounts **must** be stated in U.S. dollars unless otherwise indicated.

Check here  FDE of a U.S. person  FDE of a controlled foreign corporation (CFC)  FDE of a foreign controlled foreign corporation (FCFC)  
 FDE of a controlled foreign partnership  FB of a U.S. person  FB of a CFC  
 FB of an FCFC  FB of a controlled foreign partnership

Check here  Initial Form 8858  Final Form 8858

<b>1a</b> Name and address of FDE or FB		<b>b(1)</b> U.S. identifying number, if any	
		<b>b(2)</b> Reference ID number (see instructions)	
<b>c</b> For FDE, country(ies) under whose laws organized and entity type under local tax law		<b>d</b> Date(s) of organization	<b>e</b> Effective date as FDE
<b>f</b> If benefits under a U.S. tax treaty were claimed with respect to income of the FDE or FB, enter the treaty and article number.		<b>g</b> Country in which principal business activity is conducted	
<b>h</b> Principal business activity code number	<b>i</b> Principal business activity	<b>j</b> Functional currency	

**2** Provide the following information for the FDE's or FB's accounting period stated above.

<b>a</b> Name, address, and identifying number of branch office or agent (if any) in the United States	<b>b</b> Name and address (including corporate department, if applicable) of person(s) with custody of the books and records of the FDE or FB, and the location of such books and records, if different
--	---

**3** For the **tax owner** of the FDE or FB (if different from the filer), provide the following. See instructions.

<b>a</b> Name and address	<b>b</b> Annual accounting period covered by the return (see instructions)	
	<b>c(1)</b> U.S. identifying number, if any	
	<b>c(2)</b> Reference ID number (see instructions)	
	<b>d</b> Country under whose laws organized	<b>e</b> Functional currency

**4** For the **direct owner** of the FDE or FB (if different from the tax owner), provide the following. See instructions.

<b>a</b> Name and address	<b>b</b> Country under whose laws organized	
	<b>c</b> U.S. identifying number, if any	<b>d</b> Functional currency

**5** Attach an organizational chart that identifies the name, placement, percentage of ownership, tax classification, and country of organization of all entities in the chain of ownership between the tax owner and the FDE or FB, and the chain of ownership between the FDE or FB and each entity in which the FDE or FB has a 10%-or-more direct or indirect interest. See instructions.

DRAFT — DO NOT FILE

DRAFT — DO NOT FILE

**Schedule C Income Statement** (see instructions)

**Important:** Report all information in functional currency in accordance with U.S. GAAP. Also, report each amount in U.S. dollars translated from functional currency (using GAAP translation rules or the average exchange rate determined under section 989(b)). If the functional currency is the U.S. dollar, complete only the U.S. dollars column. See instructions for special rules for FDEs or FBs that use U.S. dollar approximate separate transactions method of accounting (DASTM). If you are using the average exchange rate (determined under section 989(b)), check the following box

	Functional currency	U.S. dollars
1	1	
2	2	
3	3	
4	4	
5	5	
6	6	
7	7	
8	8	
9	9	
10	10	
11	11	
12	12	
13	13	
14	14	

**Schedule C-1 Section 987 Gain or Loss Information**

**Note:** See the instructions if there are multiple recipients of remittances from the FDE or FB.

	(a) Amount stated in functional currency of FDE or FB	(b) Amount stated in functional currency of recipient	
		Yes	No
1	1		
2	2		
3	3		
4			
5			

**Schedule F Balance Sheet**

**Important:** Report all amounts in U.S. dollars computed in functional currency and translated into U.S. dollars in accordance with U.S. GAAP. See instructions for an exception for FDEs or FBs that use DASTM.

Assets		(a) Beginning of annual accounting period	(b) End of annual accounting period
1	1		
2	2		
3	3		
Liabilities and Owner's Equity			
4	4		
5	5		
6	6		

**Schedule G Other Information** (see instructions)

	Yes	No
1		
2		
3		
4		
5		

DRAFT — DO NOT FILE

DRAFT — DO NOT FILE

**Schedule G** Other Information (continued)

		Yes	No
<b>6a</b>	Is the FDE or FB a qualified business unit as defined in section 989(a)? . . . . .		
<b>b</b>	Is the FDE or FB a section 904(b)(6) branch? See instructions. If "Yes," complete line 15 . . . . .		
<i>Do not complete lines 7 and 8 if you are an individual who owns an FB or FDE directly or through tiers of FBs and FDEs.</i>			
<b>7a</b>	During the tax year, did the FDE or FB receive, or accrue the receipt of, any amounts defined as a base erosion payment under section 59A(d) or have a base erosion tax benefit under section 59A(c)(2) from a foreign person, which is a related party of the taxpayer? See instructions. If "Yes," complete lines 7b and 7c . . . . .		
<b>b</b>	Enter the total amount of the base erosion payments . . . . . \$ _____		
<b>c</b>	Enter the total amount of the base erosion tax benefit . . . . . \$ _____		
<b>8a</b>	During the tax year, did the FDE or FB pay, or accrue the payment of, any amounts defined as a base erosion payment under section 59A(d) or have a base erosion tax benefit under section 59A(c)(2) to a foreign person, which is a related party of the taxpayer? See instructions. If "Yes," complete lines 8b and 8c . . . . .		
<b>b</b>	Enter the total amount of the base erosion payments . . . . . \$ _____		
<b>c</b>	Enter the total amount of the base erosion tax benefit . . . . . \$ _____		
<b>9</b>	<i>Answer only if the tax owner of the FDE or FB is a CFC or FCFC: Were there any intracompany transactions between the FDE or FB and the CFC or FCFC or any other branch of the CFC or FCFC during the tax year, in which the FDE or FB acted as a manufacturing, selling, or purchasing branch? . . . . .</i> <i>Answer the remaining questions in Schedule G only if the tax owner of the FB or the interest in the FDE is a U.S. corporation. Answer questions 10a through 11c if the tax owner of the FB or the interest in the FDE is treated as a U.S. corporation solely for purposes of these questions.</i>		
<b>10a</b>	If the FB or the interest in the FDE is a separate unit under Regulations section 1.1503(d)-1(b)(4), and is not part of a combined separate unit under Regulations section 1.1503(d)-1(b)(4)(ii), does the separate unit have a dual consolidated loss as defined in Regulations section 1.1503(d)-1(b)(5)(ii)? . . . . .		
<b>b</b>	If "Yes," enter the amount of the dual consolidated loss . . . . . \$ ( _____ )		
<b>11a</b>	If the FB or the interest in the FDE is a separate unit and part of a combined separate unit under Regulations section 1.1503(d)-1(b)(4)(ii), does the combined separate unit have a dual consolidated loss as defined in Regulations section 1.1503(d)-1(b)(5)(ii)? If "Yes," complete lines 11b and 11c . . . . .		
<b>b</b>	Enter the amount of the dual consolidated loss for the combined separate unit . . . . . \$ ( _____ )		
<b>c</b>	Enter the net income (loss) attributed to the individual FB or the individual interest in the FDE as determined under Regulations section 1.1503(d)-5(c)(4)(ii)(A) . . . . . \$ _____		
<b>12a</b>	Was any portion of the dual consolidated loss on line 10b or 11b taken into account in computing U.S. taxable income for the year? If "Yes," go to line 12b. If "No," go to line 13 . . . . .		
<b>b</b>	Was this a permitted domestic use of the dual consolidated loss under Regulations section 1.1503(d)-6? If "Yes," see the instructions and go to line 12c. If "No," go to line 12d . . . . .		
<b>c</b>	If "Yes," is the documentation that is required for the permitted domestic use under Regulations section 1.1503(d)-6 attached to the return? After answering this question, go to line 13a . . . . .		
<b>d</b>	If this was not a permitted domestic use, was the dual consolidated loss used to compute consolidated taxable income as provided under Regulations section 1.1503(d)-4? If "Yes," go to line 12e . . . . .		
<b>e</b>	Enter the separate unit's contribution to the cumulative consolidated taxable income ("cumulative register") as of the beginning of the tax year . . . . . \$ _____		
<b>13a</b>	During the tax year, did any triggering event(s) occur under Regulations section 1.1503(d)-6(e) requiring recapture of any dual consolidated loss(es) attributable to the FB or interest in the FDE, individually or as part of a combined separate unit, in any prior tax years? . . . . .		
<b>b</b>	If "Yes," enter the total amount of recapture . . . . . \$ _____		
<b>14a</b>	During the tax year, did the FDE or FB pay or accrue any Top-up Tax? See instructions . . . . .		
<b>b</b>	If "Yes," enter the amount of each type of tax paid or accrued. (1) Income Inclusion Rule (IIR) (or similar taxes) . . . . . \$ _____ (2) Qualified Domestic Minimum Top-up Tax (QDMTT) (or similar taxes) . . . . . \$ _____ (3) UTPR (or similar taxes) . . . . . \$ _____		
<b>15a</b>	During the tax year, did the FDE or FB receive, or accrue the receipt of, or pay, or accrue the payment of, an amount in connection with a section 904(b)(6) sale? See instructions. If "Yes," complete lines 15b and 15c . . . . .		
<b>b</b>	Enter the total amount of section 904(b)(6) sales income derived by the tax owner of the FDE or FB . . . . . \$ _____		
<b>c</b>	Enter the total amount of section 904(b)(6) sales income attributable to the FDE or FB \$ _____		

DRAFT — DO NOT FILE

DRAFT — DO NOT FILE

**Schedule H Current Earnings and Profits or Taxable Income** (see instructions)

**Important:** Enter the amounts on lines 1 through 6 in functional currency.

<b>1</b>	Current year net income (loss) per foreign books of account . . . . .	<b>1</b>	
<b>2</b>	Total net additions . . . . .	<b>2</b>	
<b>3</b>	Total net subtractions . . . . .	<b>3</b>	
<b>4</b>	Current earnings and profits (or taxable income—see instructions) (line 1 plus line 2 minus line 3) . . . . .	<b>4</b>	
<b>5</b>	DASTM gain (loss) (if applicable) . . . . .	<b>5</b>	
<b>6</b>	Combine lines 4 and 5 . . . . .	<b>6</b>	
<b>7</b>	Current earnings and profits (or taxable income) in U.S. dollars (line 6 translated at the average exchange rate determined under section 989(b) and the related regulations (see instructions)) . . . . .	<b>7</b>	
<b>8</b>	Enter exchange rate used for line 7 . . . . .		

**Schedule I Transferred Loss Amount**

**Important:** See instructions for who has to complete this section.

		Yes	No
<b>1</b>	Were any assets of an FB (including an FB that is an FDE) transferred to a foreign corporation? If “No,” stop here. If “Yes,” go to line 2 . . . . .		
<b>2</b>	Was the transferor a domestic corporation that transferred substantially all of the assets of an FB (including an FB that is an FDE) to a specified 10%-owned foreign corporation? If “No,” stop here. If “Yes,” go to line 3 . . . . .		
<b>3</b>	Immediately after the transfer, was the domestic corporation a U.S. shareholder with respect to the transferee foreign corporation? If “No,” stop here. If “Yes,” go to line 4 . . . . .		
<b>4</b>	Enter the transferred loss amount included in gross income as required under section 91. See instructions . . . . .	<b>4</b>	

**Schedule J Income Taxes Paid or Accrued** (see instructions)

(a) Country or territory	Foreign Income Taxes				Foreign Tax Credit Separate Categories			
	(b) Foreign tax year (YYYY-MM-DD)	(c) Foreign currency	(d) Conversion rate	(e) U.S. dollars	(f) Foreign branch	(g) Passive	(h) General	(i) Other
<b>Totals</b>								

DRAFT — DO NOT FILE

DRAFT — DO NOT FILE