



**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** and do **not** rely on draft forms, instructions, and publications for filing. We do **not** release draft forms until we believe we have incorporated all changes (except when explicitly stated on 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 generally are subject to OMB approval before they can be officially released, so we post only drafts of them until they are approved. Drafts of instructions and publications usually have some 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). All information about all forms, instructions, and pubs is at [IRS.gov/Forms](https://www.irs.gov/Forms).

Almost every form and publication has a page on IRS.gov with a friendly shortcut. For example, the Form 1040 page is at [IRS.gov/Form1040](https://www.irs.gov/Form1040); the Pub. 501 page is at [IRS.gov/Pub501](https://www.irs.gov/Pub501); the Form W-4 page is at [IRS.gov/W4](https://www.irs.gov/W4); and the Schedule A (Form 1040/SR) page is at [IRS.gov/ScheduleA](https://www.irs.gov/ScheduleA). If typing in a link above instead of clicking on it, be sure to type the link into the address bar of your browser, not a Search box.

If you wish, you can submit comments to the IRS about draft or final forms, instructions, or publications at [IRS.gov/FormsComments](https://www.irs.gov/FormsComments). 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.

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](#).

# 2021



Department of the Treasury  
Internal Revenue Service

# Instructions for Form 1040-C

## U.S. Departing Alien Income Tax Return

Section references are to the Internal Revenue Code unless otherwise noted.

**Future developments.** For the latest information about developments related to Form 1040-C and its instructions, such as legislation enacted after they were published, go to [IRS.gov/Form1040C](https://www.irs.gov/Form1040C).

### What's New

**Excess business losses.** The Coronavirus Aid, Relief, and Economic Security Act (CARES) Act repealed the limitation on excess business losses under section 461 of the Internal Revenue Code for tax years 2018, 2019, and 2020. Beginning in 2021, you must limit the deduction of excess business losses. For more information, see the instructions for [Line 16 Adjustments](#) under *Part III--Figuring Your Income Tax*.

**Standard deduction.** If you do not itemize your deductions, you may be able to take the standard deduction. The basic standard deduction has increased for 2021. See [Standard Deduction \(Group I only\)](#), later.

**Alternative minimum tax (AMT) exemption amount increased.** The AMT exemption amount is increased to \$73,600 (\$114,600 if married filing jointly or qualifying widow(er); \$57,300 if married filing separately). The income level at which the AMT exemption begins to phase out has increased to \$523,600 (\$1,047,200 if married filing jointly; \$523,600 if married filing separately).

**Social security tax.** For 2021, the maximum amount of earned income (wages and net earnings from self-employment) subject to the social security tax is \$142,800.

## General Instructions

### Reminders

Use your 2020 tax return as a guide in figuring your 2021 tax, but be sure to consider the following.

**Former U.S. citizens and former U.S. long-term residents.** If you expatriate or terminate your long-term residency in 2021, you must file Form 8854, Initial and Annual Expatriation Statement, with your 2021 income tax return. You may also be subject to income tax under section 877A on the net unrealized gain on your property as if the property had been sold on the day before your expatriation date. You figure this tax on Form 8854. For more details, see the Form 8854 and its instructions at [IRS.gov/Form8854](https://www.irs.gov/Form8854). Also, see Pub. 519, U.S. Tax Guide for Aliens.

**Social security or Medicare taxes withheld in error.** If you are a foreign student on an F-1, J-1, M, or Q visa, and social security or Medicare taxes were withheld on your wages in error, you may want to file Form 843, Claim for Refund or Request for Abatement, to request a refund of these taxes. For more information, see [Nonresident Alien Students](#) and [Refund of Taxes Withheld in Error](#) in chapter 8 of Pub. 519.

**Child tax credit not refundable for resident aliens electing to exclude foreign earned income from tax.** Group I (resident alien) filers who exclude foreign earned income from their gross income may not claim any additional child tax credit on line 28. These filers are only allowed to claim the child tax credit to the extent allowable on line 19.

**Individual taxpayer identification number (ITIN) renewal.** ITINs that were not included on at least one tax return filed in the last three consecutive years (2018, 2019, or 2020 for tax year 2021) expired on December 31, 2020. For more information, go to [IRS.gov/ITIN](https://www.irs.gov/ITIN). If you need to renew your ITIN, see the Instructions for Form W-7 at [IRS.gov/FormW7](https://www.irs.gov/FormW7).

**Social security number (SSN) required for child tax credit.** Your child must have an SSN issued before the due date of your 2021 return

(including extensions) to be claimed as a qualifying child for the child tax credit or additional child tax credit. If your dependent child has an ITIN, but not an SSN, issued before the due date of your 2021 return (including extensions), you may be able to claim the new credit for other dependents for that child.

### Purpose of Form

Form 1040-C is used by aliens who intend to leave the United States or any of its possessions to:

- Report income received or expected to be received for the entire tax year, and
- Pay the expected tax liability on that income, if they are required to do so.

Form 1040-C must be filed before an alien leaves the United States or any of its possessions. For more information, see [How To Get the Certificate](#), later.

**TIP** If you are a nonresident alien, use the 2020 Instructions for Form 1040-NR, U.S. Nonresident Alien Income Tax Return, to help you complete Form 1040-C.

**TIP** If you are a resident alien, use the 2020 Instructions for Forms 1040 and 1040-SR, to help you complete Form 1040-C.

You can get tax forms, instructions, and publications from the IRS. See [Additional information](#), later.

**Alien status rules.** If you are not a citizen of the United States, specific rules apply to determine if you are a resident or nonresident alien for tax purposes. Intent is not a factor in determining your residency status.

You are considered a resident alien if you meet either the green card test or the substantial presence test. However, even though you otherwise would meet the substantial presence test, you will not be considered a U.S. resident if you qualify for the closer connection to a foreign country exception or you are able to qualify as a nonresident alien by reason of a tax

treaty. These tests and the exception are discussed in the instructions for [Part I—Explanation of Status—Resident or Nonresident Alien](#), later.

**Additional information.** For more information on the taxation of resident and nonresident aliens, residency tests, and other special rules, see Pub. 519.



You can download tax forms, instructions, and publications at [IRS.gov/Forms-Pubs](https://www.irs.gov/forms-pubs).



**Ordering forms and publications.** Go to [IRS.gov/OrderForms](https://www.irs.gov/OrderForms) to order current and prior-year forms and instructions. Your order should arrive within 10 business days.



People who are deaf, hard-of-hearing, or have a speech disability and who have access to TTY/TDD equipment can call 800-829-4059. Deaf or hard-of-hearing individuals can also contact the IRS through relay services such as the Federal Relay Service available at [www.gsa.gov/FedRelay](https://www.gsa.gov/FedRelay).



To get information, forms, and publications in Spanish, go to [IRS.gov/Espanol](https://www.irs.gov/Espanol).



**Tax questions.** If you have a tax question not answered by this publication, go to [IRS.gov/Individuals/International-Taxpayers](https://www.irs.gov/Individuals/International-Taxpayers).

**Getting a transcript of your return.** The quickest way to get a copy of your tax transcript is to go to [IRS.gov/Transcripts](https://www.irs.gov/Transcripts). Click on either “Get Transcript Online” or “Get Transcript by Mail” to order a free copy of your transcript. If you prefer, you can order your transcript by calling 800-908-9946.

### Reporting and resolving your tax-related identity theft issues.

- Tax-related identity theft happens when someone steals your personal information to commit tax fraud. Your taxes can be affected if your SSN is used to file a fraudulent return or to claim a refund or credit.
- The IRS doesn't initiate contact with taxpayers by email, text messages, telephone calls, or social media channels to request personal or financial information. This includes

requests for personal identification numbers (PINs), passwords, or similar information for credit cards, banks, or other financial accounts.

- Go to [IRS.gov/IdentityTheft](https://www.irs.gov/IdentityTheft), the IRS Identity Theft Central webpage, for information on identity theft and data security protection for taxpayers, tax professionals, and businesses. If your SSN has been lost or stolen or you suspect you're a victim of tax-related identity theft, you can learn what steps you should take.

- Get an Identity Protection PIN (IP PIN). IP PINs are six-digit numbers assigned to eligible taxpayers to help prevent the misuse of their SSNs on fraudulent federal income tax returns. When you have an IP PIN, it prevents someone else from filing a tax return with your SSN. To learn more, go to [IRS.gov/IPPIN](https://www.irs.gov/IPPIN).

### The Taxpayer Advocate Service (TAS) Is Here To Help You

**What is TAS?** TAS is an independent organization within the IRS that helps taxpayers and protects taxpayer rights. Their job is to ensure that every taxpayer is treated fairly and that you know and understand your rights under the [Taxpayer Bill of Rights](#).

**How can you learn about your taxpayer rights?** The Taxpayer Bill of Rights describes 10 basic rights that all taxpayers have when dealing with the IRS. Go to [TaxpayerAdvocate.IRS.gov](https://www.irs.gov/TaxpayerAdvocate) to help you understand [what these rights mean to you](#) and how they apply. These are **your** rights. Know them. Use them.

**What can TAS do for you?** TAS can help you resolve problems that you can't resolve with the IRS. And their service is free. If you qualify for their assistance, you will be assigned to one advocate who will work with you throughout the process and will do everything possible to resolve your issue. TAS can help you if:

- Your problem is causing financial difficulty for you, your family, or your business;
- You face (or your business is facing) an immediate threat of adverse action; or
- You've tried repeatedly to contact the IRS but no one has responded, or the IRS hasn't responded by the date promised.

**How can you reach TAS?** TAS has offices [in every state, the District of Columbia, and Puerto Rico](#). Your local advocate's number is in your local directory and at [TaxpayerAdvocate.IRS.gov/Contact-Us](https://www.irs.gov/TaxpayerAdvocate). You can also call them at 877-777-4778.

**How else does TAS help taxpayers?** TAS works to resolve large-scale problems that affect many taxpayers. If you know of one of these broad issues, please report it to them at [IRS.gov/SAMS](https://www.irs.gov/SAMS).

### TAS for Tax Professionals

TAS can provide a variety of information for tax professionals, including tax law updates and guidance, TAS programs, and ways to let TAS know about systemic problems you've seen in your practice.

### Final Return Required

A Form 1040-C is not a final return. You must file a final income tax return after your tax year ends.

If you are a U.S. citizen or resident alien on the last day of the year, you should file Form 1040 or 1040-SR reporting your worldwide income. If you are not a U.S. citizen or resident alien on the last day of the year, you should file Form 1040-NR. However, certain individuals who were resident aliens at the beginning of the tax year but nonresident aliens at the end of the tax year must file a “dual-status” return. See [Dual-status tax year](#), later.

Any tax you pay with Form 1040-C counts as a credit against tax on your final return. Any overpayment shown on Form 1040-C will be refunded only if and to the extent your final return for the tax year shows an overpayment.

**Note.** There are some tax items that are not addressed on Form 1040-C or in these instructions that must be taken into account on your final return. For example, if you are a Group 1 (resident alien) filer, you must reconcile any advance payments of the premium tax credit with the premium tax credit allowed on your tax return. See Form 8962 Premium Tax Credit (PTC), and its instructions, for more information.

## Certificate of Compliance

**Note.** The issuance of a certificate of compliance is not a final determination of your tax liability. If it is later determined that you owe more tax, you will have to pay the additional tax due.

**Form 1040-C or Form 2063.** If you are an alien, you should not leave the United States or any of its possessions without getting a certificate of compliance from your IRS Field Assistance Area Director on Form 1040-C or Form 2063, U.S. Departing Alien Income Tax Statement, unless you meet one of the [Exceptions](#), explained later.

You can file the shorter Form 2063 if you have filed all U.S. income tax returns you were required to file, you paid any tax due, and either of the following applies.

- You have no taxable income for the year of departure and for the preceding year (if the time for filing the earlier year's return has not passed).
- You are a resident alien with taxable income for the preceding year or for the year of departure, but the Area Director has decided that your leaving will not hinder collecting the tax.

**Exceptions.** You do not need a certificate of compliance if any of the following applies.

1. You are a representative of a foreign government who holds a diplomatic passport, a member of the representative's household, a servant who accompanies the representative, an employee of an international organization or foreign government whose pay for official services is exempt from U.S. taxes and who has no other U.S. source income, or a member of the employee's household who has no income from U.S. sources. However, if you signed a waiver of nonimmigrant's privileges as a condition of holding both your job and your status as an immigrant, this exception does not apply, and you must get a certificate.
2. You are a student, industrial trainee, or exchange visitor, or the spouse or child of such an individual. To qualify for this exception, you must have an F-1, F-2, H-3, H-4, J-1, J-2, or Q visa. Additionally, you must not have received any income from

sources in the United States other than:

- a. Allowances covering expenses incident to your study or training in the United States (including expenses for travel, maintenance, and tuition);
  - b. The value of any services or accommodations furnished incident to such study or training;
  - c. Income from employment authorized under U.S. immigration laws; or
  - d. Interest on deposits, but only if that interest is not effectively connected with a U.S. trade or business.
3. You are a student, or the spouse or child of a student, with an M-1 or M-2 visa. To qualify, you must not have received any income from sources in the United States other than:
    - a. Income from employment authorized under U.S. immigration laws, or
    - b. Interest on deposits, but only if that interest is not effectively connected with a U.S. trade or business.
  4. Any of the following applies.
    - a. You are on a pleasure trip and have a B-2 visa.
    - b. You are on a business trip, have a B-1 visa or a combined B-1/B-2 visa, and do not stay in the United States or any of its possessions for more than 90 days during the tax year.
    - c. You are passing through the United States or any of its possessions, including travel on a C-1 visa or under a contract, such as a bond agreement, between a transportation line and the U.S. Attorney General.
    - d. You are admitted on a border-crossing identification card.
    - e. You do not need to carry passports, visas, or border-crossing identification cards because you are (i) visiting for pleasure or (ii) visiting for business and do not stay in the United States or any of its possessions for more than 90 days during the tax year.
    - f. You are a resident of Canada or Mexico who commutes frequently to the United States to work and your wages are subject to income tax withholding.

g. You are a military trainee admitted for instruction under the Department of Defense and you will leave the United States on official military travel orders.

However, exception 4 does not apply if the Area Director believes you had taxable income during the current tax year through your departure date or the preceding tax year and your leaving the United States would hinder collecting the tax.

## How To Get the Certificate

To get a certificate of compliance, you must go to an IRS office **at least 2 weeks** before you leave the United States and file either Form 2063 or Form 1040-C and any other required tax returns that have not been filed. The certificate may not be issued more than 30 days before you leave. If both you and your spouse are aliens and both of you are leaving the United States, both of you must go to the IRS office.

To find an IRS office, click on [Contact Your Local IRS Office](#) and enter your zip code to find the nearest office.



Please note that all Taxpayer Assistance Centers (TACs) operate by appointment. Services are limited and not all services are available at every TAC office. Call 844-545-5640 to schedule an appointment.

Remember that you must visit an IRS office at least 2 weeks (but no more than 30 days) before you leave the United States, so make sure you call for an appointment well before those time frames.

Please be prepared to furnish your anticipated date of departure and bring the following records with you if they apply.

1. A valid passport with your alien registration card or visa.
2. Copies of your U.S. income tax returns filed for the past 2 years. If you were in the United States for less than 2 years, bring copies of the income tax returns you filed for that period.
3. Receipts for income taxes paid on these returns.
4. Receipts, bank records, canceled checks, and other documents that prove your

deductions, business expenses, and dependents claimed on the returns.

5. A statement from each employer you worked for this year showing wages paid and tax withheld. If you are self-employed, you must bring a statement of income and expenses up to the date you plan to leave.

6. Proof of any payments of estimated tax for the past year and the current year.

7. Documents showing any gain or loss from the sale of personal and/or real property, including capital assets and merchandise.

8. Documents concerning scholarship or fellowship grants, such as: (a) verification of the grantor, source, and purpose of the grant; (b) copies of the application for, and approval of, the grant; (c) a statement of the amount paid, and your duties and obligations under the grant; and (d) a list of any previous grants.

9. Documents indicating qualification for special tax treaty benefits.

10. Document verifying your date of departure from the United States, such as an airline ticket.

11. Document verifying your U.S. taxpayer identification number (TIN), such as a social security card or an IRS-issued Notice CP 565 showing your ITIN.

**Note.** If you are married and reside in a community property state, also bring the documents listed on this page for your spouse. This applies whether or not your spouse requires a certificate.

If you are filing Form 1040-C, file an original and one copy for the tax year in which you plan to leave. If you are departing between January 1, 2021, and April 15, 2021, you must also file Form 1040-NR, 1040, or 1040-SR for 2020 and pay any tax due.

Generally, a certificate of compliance on Form 1040-C will be issued without your paying tax or posting bond if you have not received a termination assessment. A **termination assessment** is a demand for immediate payment of income tax for the current and immediately preceding year.

This certificate applies to all of your departures during the current tax year, subject to revocation on any later

departure if the Area Director believes your leaving would hinder collecting the tax.

If you owe income tax and the Area Director determines that your departure will jeopardize the collection of the tax, a certificate of compliance on Form 1040-C will be issued only when you pay the tax due or post bond. The certificate will apply only to the departure for which it is issued.

For additional information, go to [IRS.gov/Individuals/International-Taxpayers/Departing-Alien-Clearance-Sailing-Permit](https://www.irs.gov/Individuals/International-Taxpayers/Departing-Alien-Clearance-Sailing-Permit).

## Specific Instructions

**Joint return.** Nonresident aliens cannot file a joint return. Resident aliens can file a joint return on Form 1040-C only if both of the following apply.

1. The alien and his or her spouse reasonably expect to be eligible to file a joint return at the close of the tax period for which the return is made.

2. If the tax period of the alien is terminated, the tax period of his or her spouse is terminated at the same time.

If Form 1040-C is filed as a joint return, enter both spouses' names, identification numbers, and passport or alien registration card numbers in the spaces provided on page 1 of the form. Also, include both spouses' income in Part III and furnish both spouses' information in Part I of the form. It may be necessary to complete a separate Part I for each spouse.

**Identifying number.** You must enter your identifying number where requested at the top of page 1 of Form 1040-C. Generally, this is your SSN. If you do not have an SSN, contact the Social Security Administration (SSA) to find out if you are eligible for one.



You can call the SSA at 800-772-1213 (for the deaf or hard-of-hearing, call the TTY number, 800-325-0778).



You can also visit the SSA's website at [www.ssa.gov/ssnumber/](https://www.ssa.gov/ssnumber/), and then enter "Noncitizen" in the search box.

**ITIN.** If you do not have an SSN and are not eligible to get one, you

must apply for an ITIN. For details on how to apply for an ITIN, see Form W-7, Application for IRS Individual Taxpayer Identification Number, and its instructions. Get the form and its instructions at [IRS.gov/FormW7](https://www.irs.gov/FormW7). If you already have an ITIN, enter it wherever your SSN is requested on your tax return.

If you are required to include another person's SSN on your return and that person does not have and cannot get an SSN, enter that person's ITIN.



*An ITIN is for tax use only. It does not entitle you to social security benefits or change your employment or immigration status under U.S. law. For more information, go to [IRS.gov/Individuals/International-Taxpayers/Taxpayer-Identification-Numbers-TIN](https://www.irs.gov/Individuals/International-Taxpayers/Taxpayer-Identification-Numbers-TIN).*

## Part I—Explanation of Status—Resident or Nonresident Alien

Generally, you are considered a resident alien if you meet either the green card test or the substantial presence test for 2021. You are considered a nonresident alien for the year if you do not meet either of these tests. For more information on resident and nonresident alien status, see Pub. 519.

**Green card test.** You are a resident alien for tax purposes if you are a lawful permanent resident of the United States at any time during 2021. You are a lawful permanent resident of the United States if you have been given the privilege, under U.S. immigration laws, of residing permanently in the United States as an immigrant. You generally have this status if the U.S. Citizenship and Immigration Services (USCIS) (or its predecessor organization, the Immigration and Naturalization Service) has issued you an alien registration card, also known as a green card.

**Substantial presence test.** You are considered a resident alien for tax purposes if you meet the substantial presence test for 2021. You meet this test if you were physically present in the United States for at least:

- 31 days during 2021, and

- 183 days during the period 2021, 2020, and 2019, using the following chart.

(a) Year	(b) Days of physical presence	(c) Multiplier	(d) Testing days (multiply (b) times (c))
2021		1.000	
2020		.333	
2019		.167	
Total testing days (add column (d))			

**Days of presence in the United States.** Generally, you are treated as present in the United States on any day that you are physically present in the country at any time during the day. However, you do not count the following days of presence in the United States for the substantial presence test.

- Days you commuted to work in the United States from a residence in Canada or Mexico if you regularly commuted from Canada or Mexico.
- Days you were in the United States for less than 24 hours while you were traveling between two places outside the United States.
- Days you were temporarily present in the United States as a regular member of the crew of a foreign vessel engaged in transportation between the United States and a foreign country or a possession of the United States. This rule does not apply to any day you were otherwise engaged in a trade or business in the United States.
- Days you intended, but were unable, to leave the United States because of a medical condition or medical problem that arose while you were in the United States.
- Days you were an exempt individual. In general, an exempt individual is: (a) a foreign-government-related individual, (b) a teacher or trainee, (c) a student, or (d) a professional athlete who is temporarily present in the United States to compete in a charitable sports event.

**Note.** If you qualify to exclude days of presence in the United States because you are an exempt individual

(other than a foreign-government-related individual) or because of a medical condition or problem, file Form 8843, Statement for Exempt Individuals and Individuals With a Medical Condition, with your final income tax return.

**Closer connection to a foreign country exception.** Even though you otherwise would meet the substantial presence test, you are not treated as having met that test for 2021 if you: (a) were present in the United States for fewer than 183 days during 2021, (b) establish that during 2021 you had a tax home in a foreign country, and (c) establish that during 2021 you had a closer connection to one foreign country in which you had a tax home than to the United States unless you had a closer connection to 2 foreign countries.

**Note.** If you meet this exception, file Form 8840, Closer Connection Exception Statement for Aliens, with your final income tax return.

**Residence determined by tax treaty.** If you are a dual-resident taxpayer, you can still claim the benefits under an income tax treaty on Form 8833. A dual-resident taxpayer is one who is a resident of both the United States and another country under each country's tax laws. The income tax treaty between the two countries must contain a provision that provides for resolution of conflicting claims of residence (tie-breaker rule). If you are treated as a resident of a foreign country under a tax treaty, you are treated as a nonresident alien in figuring your U.S. income tax. For purposes other than figuring your tax, you will be treated as a U.S. resident.

**TIP** For more information, go to [IRS.gov/Individuals/International-Taxpayers/Tax-Treaties](https://www.irs.gov/Individuals/International-Taxpayers/Tax-Treaties).

**Dual-status tax year.** A dual-status tax year is one in which you have been both a resident alien and a nonresident alien. The most common dual-status tax years are the years of arrival and departure. In figuring your income tax liability for a dual-status tax year, different U.S. income tax rules apply to each status. You must follow these rules in completing Form

1040-C. See the Instructions for Form 1040-NR for details.

**Note.** Certain resident aliens who leave the United States during the year may be subject to tax under section 877A. These resident aliens compute their tax using the method prescribed under section 877A when completing Form 1040-C. See [Form 8854 and its instructions](#). Also, see chapter 4 of Pub. 519 for more information.

**Income effectively connected with a U.S. trade or business—nonresident aliens.** If you are a nonresident alien, the tax on your income depends on whether the income is or is not effectively connected with a U.S. trade or business.

Income effectively connected with a U.S. trade or business (including wages earned by an employee) is taxed at the graduated rates that apply to U.S. citizens and resident aliens. Income you receive as a partner in a partnership or as a beneficiary of an estate or trust is considered effectively connected with a U.S. trade or business if the partnership, estate, or trust conducts a U.S. trade or business.

Income from U.S. sources that is not effectively connected with a U.S. trade or business is generally taxed at 30%. Your rate may be lower if the country of which you are a resident and the United States have a treaty setting lower rates.

For a list of the types of income not considered effectively connected with a U.S. trade or business, see the instructions for [Schedule A—Income](#) and [Schedule B—Certain Gains and Losses From Sales or Exchanges by Nonresident Aliens of Property Not Effectively Connected With a U.S. Trade or Business](#), later. If you are a nonresident alien in the United States to study or train, see Pub. 519.

## Part II—Dependents

You may be able to claim a tax credit for your dependents. To find out if a person qualifies as your dependent, and to find out if your dependent qualifies you to take the child tax credit or the credit for other dependents, see the Instructions for Forms 1040 and 1040-SR or the Instructions for Form 1040-NR.

**Line 14, column (b).** You must enter each dependent's SSN or ITIN. See [Identifying number](#), earlier.

**Line 14, column (d).** Check the appropriate box in this column if your dependent is a qualifying child for the child tax credit or for the credit for other dependents.

### Part III—Figuring Your Income Tax

Read the descriptions on line 1 of Form 1040-C for Groups I, II, and III to see which group(s) applies to you. If Group I or II applies, use lines 15 through 22 to figure your tax. If Group III applies, use lines 23 and 24 to figure your tax. If you are a nonresident alien to which both Groups II and III apply, use lines 15 through 24 to figure your tax.

**Line 16. Adjustments.** If you are a resident alien, you can take the adjustments allowed on Form 1040 or 1040-SR. The 2020 Instructions for Forms 1040 and 1040-SR has information on adjustments you can take.

If you are a nonresident alien and have income effectively connected with a U.S. trade or business, you can take the adjustments allowed on Form 1040-NR. See the Form 1040-NR instructions.

If you are a nonresident alien and all your income is not effectively connected with a U.S. trade or business, you cannot take any adjustments.

Adjustments that you take on line 16 include the qualified business income deduction and the excess business loss adjustment figured on Form 461.

• **Qualified business income deduction.** Generally, taxpayers other than corporations are allowed a deduction of up to 20% of their qualified business income from a qualified trade or business. The deduction is subject to multiple limitations such as the type of trade or business, the taxpayer's taxable income, the amount of W-2 wages paid with respect to the qualified trade or business, and the unadjusted basis of qualified property held by the trade or business. The deduction can be taken in addition to the standard or itemized deductions. For more

information, see Forms 8995 and 8995-A, and their instructions.

• **Excess business loss adjustment.** Beginning in 2021, and before 2026, you must limit the deduction of excess business losses. For 2021, an excess business loss is the amount of losses from trades or businesses of a noncorporate taxpayer that is more than the threshold amount of \$262,000 (\$524,000 for married taxpayers filing a joint return). The threshold amount is subject to inflation adjustment, and will be published in a revenue procedure issued each year.

**Note.** The CARES Act repealed the limitation on excess business losses under section 461(l) of the Internal Revenue Code for tax years 2018, 2019, and 2020. If you filed a 2018, 2019, or 2020, return with the limitation, you can file an amended tax return to use the losses to reduce your income.

**Line 19. Credits.** If you are a Group I (resident alien) filer, you can claim the same credits as on Form 1040 or 1040-SR. If you are a Group II (nonresident alien with income effectively connected with a U.S. trade or business) filer, you can generally claim the same credits as on Form 1040-NR.

**Line 21. Other taxes.** Enter on line 21 any other taxes such as those listed below. Also use the 2020 Instructions for Forms 1040 and 1040-SR or the 2020 Instructions for Form 1040-NR for information on the additional taxes to include on this line.

• **Self-employment tax.** This tax applies to resident aliens and to nonresident aliens if an international social security agreement in effect determines that the nonresident alien is covered under the U.S. social security system. The self-employment tax rate for 2021 is 15.3%. This includes a 2.9% Medicare tax and a 12.4% social security tax. Use Schedule SE (Form 1040), Form 1040-PR, or Form 1040-SS to figure your self-employment tax. For 2021, the maximum amount of self-employment income subject to the social security tax is \$142,800. There is no limit on the amount of self-employment income subject to the Medicare tax.



You can find more information on international social security agreements (also known as totalization agreements) at [IRS.gov/Individuals/International-Taxpayers/Totalization-Agreements](https://www.irs.gov/Individuals/International-Taxpayers/Totalization-Agreements).

• **Social security and Medicare taxes on tip income not reported to employer.** If you received tips of \$20 or more in any month and you did not report the full amount to your employer, you must generally pay these taxes. See the Instructions for Forms 1040 and 1040-SR or the Instructions for Form 1040-NR.

• **Social security and Medicare taxes not withheld by employer.** If you are an employee who received wages from an employer who did not withhold social security and Medicare tax from your wages, you may owe these taxes. See the Instructions for Forms 1040 and 1040-SR or the Instructions for Form 1040-NR.

• **Additional Medicare Tax.** For information about the Additional Medicare Tax, see the Instructions for Form 8959.

• **Net Investment Income Tax.** For information about the Net Investment Income Tax, see the Instructions for Form 8960.

• **Additional tax on IRAs, other qualified retirement plans, etc.** If you received a distribution from or

made an excess contribution to one of these plans, you may owe this tax. See the Instructions for Forms 1040 and 1040-SR or the Instructions for Form 1040-NR.

• **Household employment taxes.** If you pay cash wages to any one household employee in 2021, you may owe this tax. See the Instructions for Forms 1040 and 1040-SR or the Instructions for Form 1040-NR.

• **Tax on accumulation distribution of trusts.** Use Form 4970 to figure the tax.

• **Tax from recapture of investment credit.** Use Form 4255 to figure the tax.


• **Tax from recapture of low-income housing credit.** Use Form 8611 to figure the tax.

• **Tax from recapture of federal mortgage subsidy.** Use Form 8828 to figure the tax.

• **Repayment of first-time homebuyer credit.** You must repay the first-time homebuyer credit if you bought the home in 2008. For details about repaying the first-time

homebuyer credit, see the Instructions for Form 5405.

**Line 24. Tax.** Generally, you must enter 30% of the amount on line 23. However, if you are entitled to a lower rate or an exemption from tax because of a treaty between your country and the United States, attach a statement showing your computation of the tax. Also, include the applicable treaty article(s).

 You can find information on lower rates or an exemption from tax because of a treaty between your country and the United States at [IRS.gov/Individuals/International-Taxpayers/Tax-Treaty-Tables](https://www.irs.gov/Individuals/International-Taxpayers/Tax-Treaty-Tables).

**Line 28. Other payments.** Include on line 28 any of the following payments. See the Instructions for Forms 1040 and 1040-SR or the Instructions for Form 1040-NR for details on other payments to include on this line.

- **Earned income credit (EIC).** This credit applies only to resident aliens. Enter any EIC that is due to you.
- **Additional child tax credit.** For information on the credit and any changes for 2021, see Pub. 505. If you are a Group I (resident alien) filer and you exclude any foreign earned income from your gross income (see section 911 and Form 2555), you may not claim any additional child tax credit here on line 28. You are only allowed to claim the child tax credit to the extent allowable on line 19.
- **Net Premium Tax Credit.** For information about the Net Premium Tax Credit, see the Instructions for Form 8962, and Pub. 974.
- **U.S. income tax paid at previous departure during the tax period.** Enter any tax you paid if you previously departed the United States during this tax period.
- **Excess social security and RRTA tax withheld.** If you had two or more employers in 2021 who together paid you more than \$142,800 in wages, too much social security tax or tier 1 railroad retirement (RRTA) tax may have been withheld. See Pub. 505.
- **Credit for federal tax paid on fuels.** Use Form 4136 to figure the credit.

## Signature

Form 1040-C is not considered a valid return unless you sign it. You may have an agent in the United States prepare and sign your return if you are sick or otherwise unable to sign.

However, you must have IRS approval to use an agent. To obtain approval, file a statement with the IRS office where you file Form 1040-C explaining why you cannot sign.

If an agent (including your spouse) signs for you, your authorization of the signature must be filed with the return.

**Court-appointed conservator, guardian, or other fiduciary.** If you are a court-appointed conservator, guardian, or other fiduciary for an individual who has to file Form 1040-C, sign your name for the individual. File Form 56.

### Paid preparers must sign.

Generally, anyone you pay to prepare your return must sign it and include their Preparer Tax Identification Number (PTIN) in the space provided. The preparer must also give you a copy of the return for your records. Someone who prepares your return but does not charge you should not sign your return.

## Schedule A—Income

**Line 1, column (c).** Enter amounts shown as federal income tax withheld on your Forms W-2, 1099, 1042-S, etc. Be sure to enter the amount withheld on the same line on which the related income is reported. Include the amount of any Additional Medicare Tax withheld by your employer. For more information, visit [IRS.gov/Businesses/Small-Businesses-Self-Employed/Questions-And-Answers-For-The-Additional-Medicare-Tax](https://www.irs.gov/Businesses/Small-Businesses-Self-Employed/Questions-And-Answers-For-The-Additional-Medicare-Tax).

**Line 1, column (d).** Resident aliens should include income that would be included on Form 1040 or 1040-SR, such as wages, salaries, interest, dividends, rents, and certain alimony received (see *Caution*, later).



*Alimony or separate maintenance received pursuant to a divorce or separation agreement entered into on or before December 31, 2018, is income on your Form 1040-C unless that agreement was changed after December 31, 2018, to expressly*

*provide that alimony received isn't included in your income. Alimony received is not included in your income if you entered into the divorce or separation agreement after December 31, 2018.*

**Line 1, column (e).** Enter nonresident alien income effectively connected with a U.S. trade or business. Nonresident aliens should include income that would be included on page 1 of Form 1040-NR. This includes:

- Salaries and wages (generally shown in box 1 of Form W-2),
- The taxable part of a scholarship or fellowship grant,
- Business income or loss (income that would be included on Schedule C (Form 1040) as an attachment to Form 1040-NR), and
- Any other income considered to be effectively connected with a U.S. trade or business. See the Instructions for Form 1040-NR for details.

**Line 1, column (f).** Enter nonresident alien income from U.S. sources that is not effectively connected with a U.S. trade or business, including:

- Interest, dividends, rents, salaries, wages, premiums, annuities, compensation, remuneration, and other fixed or determinable annual or periodic gains, profits, income, and certain alimony received (see *Caution*, earlier);
- Prizes, awards, and certain gambling winnings. Proceeds from lotteries, raffles, etc., are gambling winnings. You must report the full amount of your winnings. In most cases, you cannot offset losses against winnings and report the difference;
- 85% of the U.S. social security benefits you receive. This amount is treated as U.S. source income not effectively connected with a U.S. trade or business and is subject to the 30% tax rate, unless exempt or taxed at a reduced rate under a U.S. tax treaty. Social security benefits include any monthly benefit under Title II of the Social Security Act or part of a tier 1 railroad retirement benefit treated as a social security benefit. They do not include any supplemental security income (SSI) payments.

**Line 5.** Include on line 5, column (d), (e), or (f), all income you received



during the year that is exempt by Code (see examples below). Also, include on line 5 income that is exempt by treaty, but only if the income is reportable in column (d) or (e). Attach a statement that shows the basis for the treaty exemption (including treaty and article(s)).

**Note.** Do not include on line 5 income reportable in column (f) that is exempt by treaty. Instead, report these amounts on line 1 of column (f) and explain on the statement required for Part III, line 24, the basis for the reduced rate or exemption.

Be sure to include on line 5, column (c), any amount withheld on exempt income you are reporting on line 5, column (d), (e), or (f). For example, include amounts that were withheld by a withholding agent that was required to withhold due to lack of documentation. However, do not include amounts reimbursed by the withholding agent.

Do not include on lines 1 through 4 any amount that is reportable on line 5.

**Exempt income for nonresident aliens.** The following income received by nonresident aliens is exempt from U.S. tax.

1. Interest on bank deposits or withdrawable accounts with savings and loan associations or credit unions that are chartered and supervised under federal or state law, or amounts held by an insurance company under an agreement to pay interest on them, if the income is not effectively connected with a U.S. trade or business. Certain portfolio interest on obligations issued after July 18, 1984, is also exempt income.

2. Your personal service income if:

- You were in the United States 90 days or less during the tax year,
- You received \$3,000 or less for your services, and
- You performed the services as an employee of or under contract with a nonresident alien individual, foreign partnership, or foreign corporation not engaged in a U.S. trade or business; or for a foreign office of a U.S. partnership, corporation, citizen, or resident.

3. Capital gains not effectively connected with a U.S. trade or business if you were in the United

States fewer than 183 days during the tax year. **Exception:** Gain or loss on the disposition of a U.S. real property interest is not exempt.

4. U.S. bond income. Your income from series E, EE, H, or HH U.S. savings bonds that you bought while a resident of the Ryukyu Islands (including Okinawa) or the Trust Territory of the Pacific Islands (Caroline and Marshall Islands).

5. Annuities you received from qualified annuity plans or trusts if both of the following conditions apply.

a. The work that entitles you to the annuity was performed either (1) in the United States for a foreign employer and you met the conditions under 2 earlier, or (2) outside the United States; and

b. When the first amount was paid as an annuity, at least 90% of the employees covered by the plan (or by the plan or plans that included the trust) were U.S. citizens or residents.

6. U.S. source dividends paid by certain foreign corporations if they are not effectively connected with your U.S. trade or business. See *Second exception* under *Dividends* in chapter 2 of Pub. 519 for the definition of foreign corporation and how to figure the amount of excludable dividends.

Certain items of income may be exempt from federal tax under a tax treaty. For more information, go to [IRS.gov/Individuals/International-Taxpayers/Tax-Treaty-Tables](https://www.irs.gov/Individuals/International-Taxpayers/Tax-Treaty-Tables). For general information on tax treaties, go to [IRS.gov/Individuals/International-Taxpayers/Tax-Treaties](https://www.irs.gov/Individuals/International-Taxpayers/Tax-Treaties). Also, see Pub. 901 at [IRS.gov/Forms-Pubs/About-Publication-901](https://www.irs.gov/Forms-Pubs/About-Publication-901).

## Schedule B—Certain Gains and Losses From Sales or Exchanges by Nonresident Aliens of Property Not Effectively Connected With a U.S. Trade or Business

If you are a nonresident alien, use Schedule B to figure your gain or loss from the sale or exchange of property not effectively connected with a U.S. trade or business. Include the following types of income. For more information on these types of income,

see Pub. 519 and the Instructions for Form 1040-NR.

**1. Capital gains.** Capital gains in excess of capital losses if you were in the United States at least 183 days during the year.

**Note.** The gain or loss on the disposition of a U.S. real property interest is considered effectively connected and should be shown in Schedule A, column (e).

**2. Income other than capital gains.**

- Gains on the disposal of timber, coal, or U.S. iron ore with a retained economic interest.
- Gains from the sale or exchange of patents, copyrights, secret processes and formulas, goodwill, trademarks, trade brands, franchises, and other like property, or of any interest in any such property. The gains must result from payments for the production, use, or disposition of the property or interest.

**Original issue discount (OID).** If you sold or exchanged the obligation, include only the OID that accrued while you held the obligation minus the amount previously included in income. If you received a payment on the obligation, see Pub. 519.

## Schedule C—Itemized Deductions

If you are a resident alien, you can take the deductions allowed on Schedule A (Form 1040). See the Instructions for Schedule A (Form 1040).

If you are a nonresident alien and have income effectively connected with a U.S. trade or business, you can take the deductions allowed on Schedule A (Form 1040-NR). See the Instructions for Form 1040-NR.

**Note.** If you do not have income effectively connected with a U.S. trade or business, you cannot take any deductions.



*Residents of India who were students or business apprentices may be able to take the standard deduction. See Pub. 519 for details.*

**Personal casualty losses.** You can claim an itemized deduction for any personal casualty loss only to the extent it is attributable to a federally declared disaster.

**Disaster tax relief.** You can find information on prior and the most recent Presidentially declared disasters at [IRS.gov/DisasterTaxRelief](https://www.irs.gov/DisasterTaxRelief).

For prior declared disaster and tax relief provided by the IRS based on FEMA's declarations of individual assistance, visit [Around the Nation](https://www.irs.gov/around-the-nation). For more information, see the 2020 Instructions for Form 4684.

**Line 2.** Add the amounts in columns (b) and (d) of line 1. Enter the total here and on Schedule D, line 2 or line 8, whichever applies.

## Schedule D—Tax Computation

### Standard Deduction (Group I only)

If you do not itemize your deductions, you can take the 2021 standard deduction listed below for your filing status.

Filing Status	Standard Deduction
Married filing jointly or Qualifying widow(er) . . . . .	\$25,100*
Head of household . . . . .	\$18,800*
Single or Married filing separately . . . . .	\$12,550*

\*To these amounts, add the additional amount shown, later.

**Additional amount for the elderly or the blind.** An additional standard deduction amount of \$1,350 is allowed for a married individual (whether filing jointly or separately) or a qualifying widow(er) who is age 65 or older or blind in 2021 (\$2,700 if the individual is both age 65 or older and blind, \$5,400 if both spouses are age 65 or older and blind).

An additional standard deduction amount of \$1,700 is allowed for an unmarried individual (single or head of household) who is age 65 or older or blind (\$3,400 if the individual is both age 65 or older and blind).

**Note.** If you were born before January 2, 1957, you are considered to be age 65 or older in 2021.



**CAUTION** Your standard deduction is zero if (a) your spouse itemizes on a separate return, or (b) you were a dual-status alien and you do not elect to be taxed as a resident alien for 2021.

### Lines 4 and 10

Include in the total on line 4 or line 10, whichever applies, any tax from Form 4972, Tax on Lump-Sum Distributions, and Form 8814, Parents' Election To Report Child's Interest and Dividends.

Also, include any recapture of an education credit. You may owe this tax if you claimed an education credit in an earlier year and either tax-free educational assistance or a refund of qualified expenses was received in 2021 for the student. See Form 8863 for more details.

### Lines 5 and 11

Include in the total on line 5 or line 11, whichever applies, any tax from Form 6251, Alternative Minimum Tax—Individuals.

The AMT exemption amount is:

- \$73,600 if single or head of household;
- \$114,600 if married filing jointly or a qualifying widow(er);
- \$57,300 if married filing separately.

### Lines 6 and 12

Include in the total on line 6 or line 12, the excess advance premium tax credit repayment from line 29 of Form 8962. See the Instructions for Form 8962.

**Disclosure, Privacy Act, and Paperwork Reduction Act Notice.** We ask for the information on this form to carry out the Internal Revenue laws of the United States. Sections 6001, 6011, 6012(a), 6851, and their regulations require that you 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. Section 6109 requires you to provide your identifying number on the return.

Generally, tax returns and return information are confidential, as required by section 6103. However, section 6103 allows or requires the Internal Revenue Service to disclose or give the information shown on your tax return to others as described in the Code. For example, we may disclose your tax information to the Department of Justice to enforce the tax laws, both civil and criminal, and to cities, states, the District of Columbia, U.S. commonwealths and possessions to carry out their tax laws. We also may disclose this information to other countries under a tax treaty, to federal and state agencies to enforce federal nontax criminal laws, or to federal law enforcement and intelligence agencies to combat terrorism. If you do not provide the information requested, or provide false information, you may be subject to penalties.

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.

The average time and expenses required to complete and file this form will vary depending on individual circumstances. For the estimated time and expenses, see the Instructions for Forms 1040 and 1040-SR or your income tax return.

**Comments.** You can send us comments from [IRS.gov/FormComments](https://www.irs.gov/FormComments). You can write to the Internal Revenue Service, Tax Forms and Publications Division, 1111 Constitution Ave. NW, IR-6526, Washington, DC 20224. Do not send the tax form to this address. Instead, see [How To Get the Certificate](https://www.irs.gov/HowToGetTheCertificate), earlier.

2021 Tax Rate Schedules (Groups I and II)



**Do not use these Tax Rate Schedules to figure your 2020 taxes. Use only to figure your 2021 taxes.**

Schedule X—Single Taxpayers (Groups I and II)				Schedule Z—Head of Household (Group I only)			
If the amount on Schedule D, line 3 or 9, is:				If the amount on Schedule D, line 3, is:			
The tax is:				The tax is:			
Over—	But not over—		of the amount over—	Over—	But not over—		of the amount over—
\$0	\$9,950	-----	10%	\$0	\$14,200	-----	10%
9,950	40,525	<b>\$995.00</b>	<b>+ 12%</b>	9,950	14,200	<b>\$1,420.00</b>	<b>+ 12%</b>
40,525	86,375	<b>4,664.00</b>	<b>+ 22%</b>	40,525	54,200	<b>6,220.00</b>	<b>+ 22%</b>
86,375	164,925	<b>14,751.00</b>	<b>+ 24%</b>	86,375	86,350	<b>13,293.00</b>	<b>+ 24%</b>
164,925	209,425	<b>33,603.00</b>	<b>+ 32%</b>	164,925	164,900	<b>32,145.00</b>	<b>+ 32%</b>
209,425	523,600	<b>47,843.00</b>	<b>+ 35%</b>	209,425	209,400	<b>46,385.00</b>	<b>+ 35%</b>
523,600	-----	<b>157,804.25</b>	<b>+ 37%</b>	523,600	-----	<b>156,355.00</b>	<b>+ 37%</b>
		<b>523,600</b>				<b>523,600</b>	
Schedule Y—Married Filing Joint Return (Group I only) and Qualifying Widow or Widower (Groups I and II)				Schedule Y—Married Filing Separate Return (Groups I and II)			
If the amount on Schedule D, line 3 or 9, is:				If the amount on Schedule D, line 3 or 9, is:			
The tax is:				The tax is:			
Over—	But not over—		of the amount over—	Over—	But not over—		of the amount over—
\$0	\$19,900	-----	10%	\$0	\$9,950	-----	10%
19,900	81,050	<b>\$1,990.00</b>	<b>+ 12%</b>	9,950	40,525	<b>\$995.00</b>	<b>+ 12%</b>
81,050	172,750	<b>9,328.00</b>	<b>+ 22%</b>	40,525	86,375	<b>4,664.00</b>	<b>+ 22%</b>
172,750	329,850	<b>29,502.00</b>	<b>+ 24%</b>	86,375	164,925	<b>14,751.00</b>	<b>+ 24%</b>
329,850	418,850	<b>67,206.00</b>	<b>+ 32%</b>	164,925	209,425	<b>33,603.00</b>	<b>+ 32%</b>
418,850	628,300	<b>95,686.00</b>	<b>+ 35%</b>	209,425	314,150	<b>47,843.00</b>	<b>+ 35%</b>
628,300	-----	<b>168,993.50</b>	<b>+ 37%</b>	314,150	-----	<b>84,496.75</b>	<b>+ 37%</b>
		<b>628,300</b>				<b>314,150</b>	