

# Instructions for Form 4626

## Alternative Minimum Tax—Corporations

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

### Changes To Note

The Taxpayer Relief Act of 1997 made the following changes that affect the alternative minimum tax (AMT) for corporations. Except as noted below, these changes are effective for tax years beginning after December 31, 1997.

- Certain “small corporations” are exempt from the alternative minimum tax (AMT). For more information, see **Who Must File** below.
- For property placed in service after 1998, the same recovery period that was used for the regular tax is used to figure any AMT depreciation adjustment.
- For certain pollution control facilities placed in service after 1998, the amortization deduction for the AMT is figured under the modified accelerated cost recovery system (MACRS) using the straight line method.
- A corporation may elect to use a simplified foreign tax credit limitation for the AMT. See the instructions for line 12 on page 7.
- Partners in an electing large partnership must take into account amounts from Schedule K-1 (Form 1065-B) as an adjustment on line 2k or 2r. See section 772(a)(5).

### General Instructions

#### Purpose of Form

Use Form 4626 to figure the AMT imposed on a corporation by section 55.

**Note:** For an affiliated group filing a consolidated return under the rules of section 1501, AMT must be figured on a consolidated basis.

#### Who Must File

File Form 4626 if:

- The corporation is **not** a “small corporation” exempt from the AMT (as explained below); and
- The corporation's taxable income or (loss) before the net operating loss

(NOL) deduction plus its adjustments and preferences total more than \$40,000 or, if smaller, its allowable exemption amount.

#### Small Corporation Exemption

For tax years beginning in 1998, a corporation is treated as a small corporation exempt from the AMT if:

- Its average annual gross receipts for all 3-tax-year periods beginning after 1993 and ending before its tax year beginning in 1998 did not exceed \$7.5 million, **and**
- Its average annual gross receipts for the **first** of these 3-tax-year periods did not exceed \$5 million.

If this year is the corporation's first tax year in existence, the corporation automatically qualifies as a small corporation exempt from the AMT. For aggregation rules and other special rules that may apply in figuring gross receipts, see sections 448(c)(2) and (3).

**Example.** A calendar year corporation that existed on January 1, 1994, would qualify as a small corporation exempt from the AMT if **(a)** its average annual gross receipts for 1994 through 1996 did not exceed \$5 million, **and (b)** its average annual gross receipts for 1995 through 1997 did not exceed \$7.5 million.

#### Recordkeeping

Certain items of income, deductions, credits, etc., receive different tax treatment for the AMT than for the regular tax. The corporation should keep adequate records to support items refigured for the AMT. Examples include:

- Tax forms completed a second time to refigure the AMT.
- The computation of a carryback or carryforward to other tax years of certain deductions or credits (e.g., net operating loss, capital loss, and foreign tax credit) if the AMT amount is different from the regular tax amount.

- The computation of a carryforward of a passive loss or tax shelter farm activity loss if the AMT amount is different from the regular tax amount.
- A “running balance” of the excess of the corporation's total increases in alternative minimum taxable income (AMTI) from prior year adjusted current earnings (ACE) adjustments over the total reductions in AMTI from prior year ACE adjustments (line 4d). See the instructions for line 4d.

#### Short Period Return

If the corporation is filing for a period of less than 12 months, AMTI must be placed on an annual basis and the AMT prorated based on the number of months in the short period.

Complete Form 4626 as follows:

1. Complete lines 1 through 6 in the normal manner. Subtract line 6 from line 5 to figure AMTI for the short period, but do not enter it on line 7.
2. Multiply AMTI for the short period by 12. Divide the result by the number of months in the short period. Enter this result on line 7 and write “Sec. 443(d)(1)” on the dotted line to the left of the entry space.
3. Complete lines 8 through 12.
4. Subtract line 12 from line 11. Multiply the result by a fraction, the numerator of which is the number of months in the short period and the denominator of which is 12. Enter the result on line 13 and write “Sec. 443(d)(2)” on the dotted line to the left of the entry space.
5. Complete the rest of the form in the normal manner.

#### Allocating Differently Treated Items Between Certain Entities and Their Investors

For a regulated investment company, a real estate investment trust, or a common trust fund, see section 59(d) for details on allocating certain differently treated items between the entity and its investors.

## Credit for Prior Year Minimum Tax

A corporation may be able to take a minimum tax credit against the regular tax for AMT incurred in prior years. See **Form 8827**, Credit for Prior Year Minimum Tax—Corporations, for details.

## Specific Instructions

### Line 1—Taxable Income or (Loss) Before Net Operating Loss Deduction

Enter the corporation's taxable income or (loss) before the NOL deduction and after the special deductions and without regard to any excess inclusion (e.g., if filing Form 1120, subtract line 29b from line 28 of that form).

### Line 2—Adjustments and Preferences

**Caution:** To avoid duplication, do not include any AMT adjustment or preference taken into account on line 2j, 2k, 2l, or 2r in the amounts to be entered on any other line of this form.

### Line 2a—Depreciation of Post-1986 Property

**DO NOT** make a depreciation adjustment on line 2a for:

- **Passive activities.** Take this adjustment into account on line 2k.
- **An activity for which the corporation is NOT at risk OR income or loss from a partnership or an S corporation if the basis limitations apply.** Take this adjustment into account on line 2l.
- **A tax shelter farm activity.** Take this adjustment into account on line 2j.

### What Depreciation MUST Be Refigured for the AMT?

Generally, depreciation must be refigured for the AMT if, for the regular tax, it is either claimed for tangible property placed in service after 1986, or capitalized to inventory.

**Transitional election.** If the transitional election was made under section 203(a)(1)(B) of the Tax Reform Act of 1986, this rule applies to property placed in service after July 31, 1986.

### What Depreciation Is NOT Refigured for the AMT?

**Do not** refigure depreciation for the AMT for:

- Property for which the corporation made an election to use the alternative depreciation system (ADS) for the regular tax.
- Property expensed under section 179 for the regular tax.
- Property described in sections 168(f)(1) through (4).

### How Is Depreciation Refigured for the AMT?

The following table summarizes the rules for refiguring depreciation for the AMT for property placed in service before 1999. For property placed in service after 1998, use the depreciation method shown in the table, but use the regular tax recovery period and convention.

IF the property is...	THEN figure AMT depreciation using the...
Section 1250(c) real property (generally nonresidential real and residential rental property).	Straight line method over 40 years, with the same mid-month convention used for the regular tax.
Tangible property (other than section 1250(c) real property) that was depreciated under straight line for the regular tax.	Straight line method over the property's class life with the same convention used for the regular tax.
Any other tangible property.	150% declining balance method, switching to the straight line method for the first tax year it gives a larger deduction, over the property's class life. Use the same convention used for the regular tax.

### How Is the AMT Class Life Determined?

The class life used for the AMT is not necessarily the same as the recovery period used for the regular tax. The class lives for the AMT are listed in Rev. Proc. 87-56, 1987-2, C.B. 674, and in **Pub. 946**, How to Depreciate Property. Use 12 years for any tangible personal property not assigned a class life.

**TIP.** See Rev. Proc. 87-57, 1987-2 C.B. 687, for optional tables (14 through 18) that can be used to figure AMT depreciation. These optional tables also appear in **Pub. 946**. Rev. Proc. 89-15, 1989-1 C.B. 816, has special rules for applying Rev. Proc.

87-57 to short years and for property disposed of before the end of the recovery period.

**Special rules for transition property and public utility property.** Be sure to consider the transitional rules (see section 56(a)(1)(C)) and the normalization rules (see section 56(a)(1)(D)).

### How Is the Line 2a Adjustment Figured?

Subtract the AMT depreciation from the regular tax depreciation. If the AMT depreciation is more than the regular tax depreciation, enter the difference as a negative amount.

### Line 2b—Amortization of Certified Pollution Control Facilities

For facilities placed in service after 1986 and before 1999, figure the amortization deduction for the AMT using the ADS described in section 168(g) (i.e., the straight line method over the facility's class life). For facilities placed in service after 1998, figure the amortization deduction for the AMT under the modified accelerated cost recovery system (MACRS) using the straight line method. Figure the AMT deduction using 100% of the asset's amortizable basis. Do not reduce the corporation's AMT basis by the 20% section 291 adjustment that applied for the regular tax.

Subtract the AMT deduction from the regular tax deduction. Enter the result on line 2b. If the AMT deduction is more than the regular tax deduction, enter the difference as a negative amount.

### Line 2c—Amortization of Mining Exploration and Development Costs

**Important:** Do not make this adjustment for costs for which the corporation elected the optional 10-year writeoff under section 59(e) for the regular tax.

For the AMT, the regular tax deductions under sections 616(a) and 617(a) for costs paid or incurred after 1986 are not allowed. Instead, capitalize these costs and amortize them ratably over a 10-year period beginning with the tax year in which the corporation paid or incurred them. The 10-year amortization applies to 100% of the mining development and exploration costs paid or incurred during the tax year. Do not reduce the corporation's AMT basis by the

30% section 291 adjustment that applied for the regular tax.

If the corporation had a loss on property for which mining exploration and development costs have not been fully amortized for the AMT, the AMT deduction is the smaller of **(a)** the loss allowable for the costs had they remained capitalized, or **(b)** the remaining costs to be amortized for the AMT.

Subtract the AMT deduction from the regular tax deduction. Enter the result on line 2c. If the AMT deduction is more than the regular tax deduction, enter the difference as a negative amount.

### Line 2d—Amortization of Circulation Expenditures

**Note:** This adjustment applies *only* to personal holding companies.

**Important:** Do not make this adjustment for costs for which the corporation elected the optional 3-year writeoff under section 59(e) for the regular tax.

For the regular tax, circulation expenditures may be deducted in full when paid or incurred. For the AMT, these expenditures must be capitalized and amortized over 3 years.

If the corporation had a loss on property for which circulation expenditures have not been fully amortized for the AMT, the AMT deduction is the smaller of **(a)** the loss allowable for the expenditures had they remained capitalized, or **(b)** the remaining expenditures to be amortized for the AMT.

Subtract the AMT deduction from the regular tax deduction. Enter the result on line 2d. If the AMT deduction is more than the regular tax deduction, enter the difference as a negative amount.

### Line 2e—Adjusted Gain or Loss

If, during the tax year, the corporation disposed of property for which it is making (or previously made) any of the adjustments described on lines 2a through 2d above, refigure the property's adjusted basis for the AMT. Then refigure the gain or loss on the disposition.

The property's adjusted basis for the AMT is its cost minus all applicable depreciation or amortization deductions allowed for the AMT during the current tax year and previous tax years. Subtract this AMT basis from the sales price to get the AMT gain or loss.

**Important:** The corporation may also have gains or losses from lines 2j, 2k, and 2l that must be considered on line 2e. For example, if for the regular tax the corporation reports a loss from the disposition of an asset used in a passive activity, include the loss in the computations for line 2k to determine if any passive activity loss is limited for the AMT. Then, include the AMT passive activity loss allowed that relates to the disposition of the asset on line 2e in determining the corporation's AMT basis adjustment. It may be helpful to refigure Form 8810 and related worksheets and Schedule D (Form 1120), Form 4684 (Section B), or Form 4797 for the AMT.

Enter the difference between the regular tax gain or loss and the AMT gain or loss. Enter the difference as a negative amount if:

- The AMT gain is less than the regular tax gain, OR
- The AMT loss exceeds the regular tax loss, OR
- The corporation has an AMT loss and a regular tax gain.

### Line 2f—Long-Term Contracts

For the AMT, the corporation generally must use the percentage-of-completion method described in section 460(b) to determine the taxable income from any long-term contract (defined in section 460(f)). However, this rule does not apply to any home construction contract (as defined in section 460(e)(6)).

For contracts excepted from the percentage-of-completion method for the regular tax by section 460(e)(1), determine the percentage of completion using the simplified procedures for allocating costs outlined in section 460(b)(3).

Subtract the regular tax income from the AMT income. Enter the difference on line 2f. If the AMT income is less than the regular tax income, enter the difference as a negative amount.

### Line 2g—Installment Sales

The installment method does not apply for the AMT to any nondealer disposition of property that occurred after August 16, 1986, but before the first day of the corporation's tax year that began in 1987, if an installment obligation to which the proportionate disallowance rule applied arose from the disposition. Enter as a negative adjustment on line 2g the amount of

installment sale income reported for the regular tax.

If the corporation disposed of property during the tax year that was used or produced in a farming business and held primarily for sale to customers, **do not** make an adjustment on this line. If the corporation reported income for the regular tax on an installment sale of such property disposed of in a prior year **and** also reported the sale for the AMT in the year of the disposition, enter as a negative amount on line 2g the amount of installment sale income reported for the regular tax. Instead of making this adjustment, the corporation may be able to apply the installment method for the AMT in a prior year by filing **Form 1120X**, Amended U.S. Corporation Income Tax Return. For more details, see **Pub 225**, Farmer's Tax Guide.

### Line 2h—Merchant Marine Capital Construction Funds

Amounts deposited in these funds (established under section 607 of the Merchant Marine Act of 1936) are not deductible for the AMT. Earnings on these funds are not excludable from gross income for the AMT. If the corporation deducted these amounts or excluded them from income for the regular tax, add them back on line 2h. See section 56(c)(2) for more details.

### Line 2i—Section 833(b) Deduction

This deduction is not allowed for the AMT. If the corporation took this deduction for the regular tax, add it back on line 2i.

### Line 2j—Tax Shelter Farm Activities

**Important:** Complete this line only if the corporation is a personal service corporation and it has a gain or loss from a tax shelter farm activity (as defined in section 58(a)(2)) that is **not** a passive activity. If the tax shelter farm activity **is** a passive activity, include the gain or loss in the computations for line 2k below.

Refigure all gains and losses reported for the regular tax from tax shelter farm activities by taking into account any AMT adjustments and preferences. Determine the AMT gain or loss using the rules for the regular tax with the following modifications:

- No loss is allowed except to the extent the personal service corporation is insolvent (see section 58(c)(1)).

- Do not use a loss in the current tax year to offset gains from other tax shelter farm activities. Instead, suspend any loss and carry it forward indefinitely until the corporation has a gain in a subsequent tax year from that same tax shelter farm activity OR it disposes of the activity.

**Note:** *Keep adequate records for losses that are not deductible (and therefore carried forward) for both the AMT and regular tax.*

Enter on line 2j the difference between the AMT gain or loss and the regular tax gain or loss. Enter the difference as a negative amount if the corporation had:

- An AMT loss and a regular tax gain, OR
- An AMT loss that exceeds the regular tax loss, OR
- A regular tax gain that exceeds the AMT gain.

### Line 2k—Passive Activities

**Note:** *This adjustment applies only to closely held corporations and personal service corporations.*

Refigure all passive activity gains and losses reported for the regular tax by taking into account the corporation's AMT adjustments, preferences, and AMT prior year unallowed losses.

Determine the corporation's AMT passive activity gain or loss using the same rules used for the regular tax. If the corporation is insolvent, see section 58(c)(1).

Disallowed losses of a personal service corporation are suspended until the corporation has income from that (or any other) passive activity or until the passive activity is disposed of (i.e., its passive losses cannot offset "net active income" (defined in section 469(e)(2)(B)) or "portfolio income"). Disallowed losses of a closely held corporation that is not a personal service corporation are treated the same except that, in addition, they may be used to offset "net active income."

**Note:** *Keep adequate records for losses that are not deductible (and therefore carried forward) for both the AMT and regular tax.*

Enter on line 2k the difference between the AMT gain or loss and the regular tax gain or loss. Enter the difference as a negative amount if the corporation had:

- An AMT loss and a regular tax gain, OR

- An AMT loss that exceeds the regular tax loss, OR
- A regular tax gain that exceeds the AMT gain.

### Tax Shelter Farm Activities That Are Passive Activities

Refigure all gains and losses reported for the regular tax by taking into account the corporation's AMT adjustments and preferences and AMT prior year unallowed losses.

Use the same rules as outlined above for other passive assets, with the following modifications:

- AMT gains from tax shelter farm activities that are passive activities may be used to offset AMT losses from other passive activities.
- AMT losses from tax shelter farm activities that are passive activities may not be used to offset AMT gains from other passive activities. These losses must be suspended and carried forward indefinitely until the corporation has a gain in a subsequent year from that same activity or it disposes of the activity.

### Line 2l—Loss Limitations

Refigure gains and losses reported for the regular tax from at-risk activities and partnerships by taking into account the corporation's AMT adjustments and preferences. If the corporation has recomputed losses that must be limited for the AMT (under section 59(h)) by section 465 or by section 704(d) OR if, for the regular tax, the corporation reported losses from at-risk activities or partnerships that were limited by those sections, figure the difference between the loss limited for the AMT and the loss limited for the regular tax for each applicable at-risk activity or partnership. "Loss limited" means the amount of loss that is not allowable for the year because of the limitation of section 465 or 704(d).

Enter on line 2l the excess of the loss limited for the AMT over the loss limited for the regular tax. If the loss limited for the regular tax is more than the loss limited for the AMT, enter the difference as a negative amount.

### Line 2m—Depletion

Refigure depletion using only income and deductions allowed for the AMT when refiguring the limit based on taxable income from the property under section 613(a) and the limit based on taxable income, with certain adjustments, under section 613A(d)(1). Also, the depletion

deduction for mines, wells, and other natural deposits under section 611 is limited to the property's adjusted basis at the end of the year, as refigured for the AMT, unless the corporation is an independent producer or royalty owner claiming percentage depletion for oil and gas wells under section 613A(c). Figure this limit separately for each property. When refiguring the property's adjusted basis, take into account any AMT adjustments the corporation made this year or in previous years that affect basis (other than the current year's depletion). Do not include in the property's adjusted basis any unrecovered costs of depreciable tangible property used to exploit the deposits (e.g., machinery, tools, pipes, etc.).

For iron ore and coal (including lignite), apply the section 291 adjustment before figuring this preference.

Enter on line 2m the difference between the regular tax and the AMT deduction. If the AMT deduction is more than the regular tax deduction, enter the difference as a negative amount.

### Line 2n—Tax-Exempt Interest From Specified Private Activity Bonds

Enter interest earned on specified private activity bonds reduced by any deduction that would have been allowable if the interest were includible in gross income for the regular tax. Generally, a specified private activity bond is any private activity bond (as defined in section 141) issued after August 7, 1986. See section 57(a)(5) for exceptions and for more details.

### Line 2o—Intangible Drilling Costs

**Important:** *Do not make this adjustment for costs for which the corporation elected the optional 60-month writeoff under section 59(e) for the regular tax.*

Intangible drilling costs (IDCs) from oil, gas, and geothermal properties are a preference to the extent excess IDCs exceed 65% of the net income from the properties. Figure the preference for all geothermal deposits separately from the preference for all oil and gas properties that are not geothermal deposits.

Excess IDCs are the excess of:

1. The amount of IDCs the corporation paid or incurred for oil,

gas, or geothermal properties that it elected to expense for the regular tax under section 263(c) (not including any section 263(c) deduction for nonproductive wells) reduced by the section 291(b)(1) adjustment for integrated oil companies and increased by any amortization of IDCs allowed under section 291(b)(2); over

**2.** The amount that would have been allowed if the corporation had amortized that amount over a 120-month period starting with the month the well was placed in production.

**Note:** *If the corporation prefers not to use the 120-month period, it can elect any method that is permissible in determining cost depletion.*

Net income is the gross income the corporation received or accrued from all oil, gas, and geothermal wells minus the deductions allocable to these properties (reduced by the excess IDCs). When refiguring net income, use only income and deductions allowed for the AMT.

**Exception.** The preference for IDCs from oil and gas wells does not apply to corporations that are independent producers (i.e., not integrated oil companies as defined in section 291(b)(4)). However, this benefit may be limited. First, figure the IDC preference as if this exception did not apply. Then, for purposes of this exception, complete a second Form 4626 through line 5, including the IDC preference. If the amount of the IDC preference exceeds 40% of the amount figured for line 5, enter the excess on line 2o (the benefit of this exception is limited). If the amount of the IDC preference is equal to or less than 40% of the amount figured for line 5, do not enter an amount on line 2o (the benefit of this exception is not limited).

### Line 2p—Accelerated Depreciation of Real Property (Pre-1987)

Refigure depreciation for the AMT using the straight line method for real property for which accelerated depreciation was determined for the regular tax using pre-1987 rules. Use a recovery period of 19 years for 19-year real property and 15 years for low-income housing property. Figure the excess of the regular tax depreciation over the AMT depreciation separately for each property and include only positive adjustments on line 2p.

### Line 2q—Accelerated Depreciation of Leased Personal Property (Pre-1987)

**Note:** *This preference applies only to personal holding companies.*

For leased personal property other than recovery property, enter the excess of the depreciation claimed for the property for the regular tax using the pre-1987 rules over the depreciation allowable for the AMT as refigured using the straight line method.

For leased 10-year recovery property and leased 15-year public utility property, enter the amount by which the regular tax depreciation exceeds the depreciation allowable using the straight line method with a half-year convention, no salvage value, and a recovery period of 15 years (22 years for 15-year public utility property).

Figure this amount separately for each property and include only positive adjustments on line 2q.

### Line 2r—Other Adjustments

Include the following adjustments:

- **Income eligible for the possessions tax credit.** If this income was included in the corporation's taxable income for the regular tax, include this amount on line 2r as a negative amount.
- **Income from the alcohol fuel credit.** If this income was included in the corporation's income for the regular tax, include this amount on line 2r as a negative amount.
- **Income as the beneficiary of an estate or trust.** If the corporation is the beneficiary of an estate or trust, include on line 2r the minimum tax adjustment from Schedule K-1 (Form 1041), line 9.
- **Net AMT adjustment from an electing large partnership.** If the corporation is a partner in an electing large partnership, include on line 2r the amount from Schedule K-1 (Form 1065-B), box 6. Also include on line 2r any amount from Schedule K-1 (Form 1065-B), box 5, unless the corporation is closely held or a personal service corporation. Closely held and personal service corporations should take any amount from box 5 into account when figuring the amount to enter on line 2k.
- **Patron's AMT adjustment.** Distributions the corporation received from a cooperative may be includible in income. Unless the distributions are nontaxable, include on line 2r the

total AMT patronage dividend adjustment reported to the corporation from the cooperative.

- **Cooperative's AMT adjustment.** If the corporation is a cooperative, refigure the cooperative's deduction for patronage dividends by taking into account the cooperative's AMT adjustments and preferences. Subtract the cooperative's AMT deduction for patronage dividends from its regular tax deduction for patronage dividends and include the result on line 2r. If the AMT deduction is more than the regular tax deduction, include the result as a negative amount.
- **Related adjustments.** AMT adjustments and preferences may affect deductions that are based on an income limit (e.g. charitable contributions). Refigure these deductions using the income limit as modified for the AMT. Include on line 2r an adjustment for the difference between the regular tax and AMT amounts for all such deductions. If the AMT deduction is more than the regular tax deduction, include the difference as a negative amount.

### Line 4—Adjusted Current Earnings (ACE) Adjustment

**Note:** *The ACE adjustment does not apply to a regulated investment company or a real estate investment trust.*

#### Line 4b.

**Important:** *For an affiliated group filing a consolidated return under the rules of section 1501, figure line 4b on a consolidated basis.*

The following examples illustrate the manner in which line 3 is subtracted from line 4a to get the amount to enter on line 4b.

**Example 1.** Corporation A has line 4a ACE of \$25,000. If Corporation A has line 3 pre-adjustment AMTI in the amounts shown below, its line 3 pre-adjustment AMTI and line 4a ACE would be combined as follows to determine the amount to enter on line 4b:

Line 4a ACE	\$25,000	\$25,000	\$25,000
Line 3 pre-adjustment AMTI	<u>10,000</u>	<u>30,000</u>	<u>(50,000)</u>
Amount to enter on line 4b	\$15,000	\$(5,000)	\$75,000

**Example 2.** Corporation B has line 4a ACE of \$(25,000). If Corporation B has line 3 pre-adjustment AMTI in the amounts shown below, its line 3

pre-adjustment AMTI and line 4a ACE would be combined as shown below to determine the amount to enter on line 4b:

Line 4a ACE	\$(25,000)	\$(25,000)	\$(25,000)
Line 3 pre-adjustment AMTI	(10,000)	(30,000)	50,000
Amount to enter on line 4b	\$(15,000)	\$5,000	\$(75,000)

**Line 4d.** A potential negative ACE adjustment (i.e., a negative amount on line 4b multiplied by 75%) is allowed as a negative ACE adjustment on line 4e only if the corporation's total increases in AMTI from prior year ACE adjustments exceed its total reductions in AMTI from prior year ACE adjustments (line 4d). The purpose of line 4d is to provide a "running balance" of this limitation amount. As such, the corporation must keep adequate records (e.g., a copy of Form 4626 completed at least through line 5) from year to year (even in years in which it does not owe any AMT).

Any potential negative ACE adjustment that is not allowed as a negative ACE adjustment in a tax year because of the line 4d limitation may not be used to reduce a positive ACE adjustment in any other tax year.

Combine lines 4d and 4e of the 1997 Form 4626 and enter the result on line 4d of the 1998 form. Do not enter a negative amount on line 4d for the reason given in the preceding paragraph.

**Example.** Corporation C, a calendar-year corporation, was incorporated January 1, 1994. Its ACE and pre-adjustment AMTI for 1994 through 1998 were as follows:

Year	ACE	Pre-adjustment AMTI
1994	\$700,000	\$800,000
1995	900,000	600,000
1996	400,000	500,000
1997	(100,000)	300,000
1998	250,000	100,000

Corporation C subtracts its pre-adjustment AMTI from its ACE in each of the years and then multiplies the result by 75% to get the following potential ACE adjustments for 1994 through 1998:

Year	ACE minus pre-adjustment AMTI	Potential ACE adjustment
1994	\$(100,000)	\$ (75,000)
1995	300,000	225,000
1996	(100,000)	(75,000)
1997	(400,000)	(300,000)
1998	150,000	112,500

Under these facts, Corporation C has the following increases or reductions in AMTI for 1994 through 1998:

Year	Increase or (reduction) in AMTI from ACE adjustment
1994	\$0
1995	225,000
1996	(75,000)
1997	(150,000)
1998	112,500

In 1994, Corporation C was not allowed to reduce its AMTI by any part of the potential negative ACE adjustment because it had no increases in AMTI from prior year ACE adjustments.

In 1995, Corporation C had to increase its AMTI by the full amount of its potential ACE adjustment. It was not allowed to use any part of its 1994 unallowed potential negative ACE adjustment of \$75,000 to reduce its 1995 positive ACE adjustment of \$225,000.

In 1996, Corporation C was allowed to reduce its AMTI by the full amount of its potential negative ACE adjustment because that amount is less than its line 4d limit of \$225,000.

In 1997, Corporation C was allowed to reduce its AMTI by only \$150,000. Its potential negative ACE adjustment of \$300,000 was limited to its 1995 increase in AMTI of \$225,000 minus its 1996 reduction in AMTI of \$75,000.

In 1998, Corporation C must increase its AMTI by the full amount of its potential ACE adjustment. It may not use any part of its 1997 unallowed potential negative ACE adjustment of \$150,000 to reduce its 1998 positive ACE adjustment of \$112,500. Corporation C would complete the relevant portion of its 1998 Form 4626 as follows:

Line	Amount
4a	\$250,000
4b	150,000
4c	112,500
4d	-0-
4e	112,500

## Line 6—Alternative Tax Net Operating Loss Deduction (ATNOLD)

The alternative tax net operating loss deduction is the aggregate of the alternative tax net operating loss (ATNOL) carrybacks and carryovers to the tax year, subject to the limitation explained below. For a corporation that held a residual interest in a real estate mortgage investment conduit (REMIC), figure

the ATNOLD without regard to any excess inclusion.

For a loss year that began after 1986, the ATNOL is the excess of the deductions allowed in figuring AMTI (excluding the ATNOLD) over the income included in AMTI. This excess is figured with the modifications in section 172(d), taking into account the adjustments in sections 56 and 58 and preferences in section 57 (i.e., the section 172(d) modifications must be separately computed in figuring the ATNOL).

In applying the rules relating to the determination of the amount of carrybacks and carryovers, use the modification to those rules described in section 56(d)(1)(B)(ii).

If, for any tax year that began before 1987, the corporation had minimum tax that was deferred under section 56(b) (as in effect before the enactment of the Tax Reform Act of 1986) and that deferred tax has not been paid, reduce the amount of ATNOL carryovers that may be carried over to this year by the corporation's preferences that caused the deferred add-on minimum tax. (Section 701(f)(2)(B) of the Tax Reform Act of 1986.)

The corporation's ATNOLD is limited. To figure the ATNOLD limitation, first figure AMTI without the ATNOLD. To do this, use a second Form 4626 as a worksheet. Complete the form through line 5, but when figuring lines 2m and 2r, treat line 6 as if it were zero. Multiply line 5 of the second Form 4626 used as a worksheet by 90%. This is the corporation's ATNOLD limitation.

The amount of any ATNOL that is not deductible may be carried back or carried over using the rules outlined in section 172(b). An election under section 172(b)(3) to forego the carryback period for the regular tax also applies for the AMT. The ATNOL carried back or carried over may differ from the NOL (if any) that is carried back or carried over for the regular tax. Keep adequate records for both the AMT and the regular tax.

## Line 7—Alternative Minimum Taxable Income

For a corporation that held a residual interest in a REMIC and is not a thrift institution, line 7 may not be less than the total of the amounts shown on line 2c of **Schedule(s) Q (Form 1066)**, Quarterly Notice to Residual Interest Holder of REMIC Taxable Income or

Net Loss Allocation, for the periods included in the corporation's tax year. If the total of the line 2c amounts is larger than the amount the corporation would otherwise enter on line 7, enter that total and write "Sch. Q" on the dotted line next to line 7.

## Line 9—Exemption Phase-out Computation

**Line 9a.** If this Form 4626 is for a member of a controlled group of corporations, subtract \$150,000 from the combined AMTI of all members of the controlled group. Divide the result among the members of the group in the same manner as the \$40,000 tentative exemption is divided among the members. Enter this member's share on line 9a. The tentative exemption must be divided equally among the members, unless all members consent to a different allocation. See section 1561 for details.

**Line 9c.** If this Form 4626 is for a member of a controlled group of corporations, reduce the member's share of the \$40,000 tentative exemption by the amount entered on line 9b.

## Line 12—Alternative Minimum Tax Foreign Tax Credit (AMTFTC)

The AMTFTC is the foreign tax credit refigured as follows:

1. Use a separate AMT Form 1118 for each separate limitation income category specified at the top of Form 1118. Include as a separate limitation category dividends received from a corporation that qualifies for the possessions tax credit if the dividends-received deduction for those dividends is disallowed under the ACE rules.

**Note:** *In determining if any income is "high-taxed" in applying the separate limitation categories, use the AMT rate (20%) instead of the regular tax rate.*

2. If the corporation is making the **simplified limitation election** (see below), skip Schedule A of the AMT Form 1118 and enter on Schedule B, Part II, line 6, the same amount you entered on that line for the regular tax. Otherwise, complete Schedule A using only income and deductions allowed for the AMT that are attributable to sources outside the United States.

3. Complete Schedule B, Part II of the AMT Form 1118. Enter any AMTFTC carryover on Schedule B, Part II, line 4 of the AMT Form 1118. Enter the AMTI from Form 4626, line 7, on Schedule B, Part II, line 7a. Enter the amount from Form 4626, line 11, on Schedule B, Part II, line 9.

**Note:** *When completing Schedule B of the AMT Form 1118, treat as a tax paid to a foreign country 75% of any withholding or income tax paid to a U.S. possession on dividends received from a corporation that qualifies for the possessions tax credit (if the dividends-received deduction for those dividends is disallowed under the ACE rules).*

4. Complete Schedule B, Part III of the AMT Form 1118. The foreign tax credit from line 13 of that part is limited to the tax on Form 4626, line 11, minus 10% of the tax that would be on that line if Form 4626 were refigured using zero on line 6 and if the exception for intangible drilling costs (IDCs) under section 57(a)(2)(E) did not apply.

If there is no entry on Form 4626, line 6, and no IDCs (or the exception does not apply to the corporation), enter on Form 4626, line 12, the **smaller** of:

- 90% of Form 4626, line 11, or
- The amount from the AMT Form 1118, Schedule B, Part III, line 13.

If Form 4626, line 6, has an amount or the exception for IDCs applies to the corporation:

- Refigure what the tax on line 11 would have been if line 6 were zero and the exception did not apply.
- Multiply that amount by 10%.
- Subtract the result from the tax on line 11.
- Enter on Form 4626, line 12, the **smaller** of that amount or the amount from the AMT Form 1118, Schedule B, Part III, line 13.

Any AMT foreign tax credit the corporation cannot claim (because of the limitation fraction or the 90% limit) may be carried back or carried over using the rules in section 904(c). Also, any foreign tax credit that the corporation cannot claim (and can therefore be carried back or carried over) for the AMT may differ from the amount (if any) that is carried back or carried over for the regular tax.

Keep adequate records for both the AMT and the regular tax.

## Simplified Limitation Election

The corporation may elect to use a simplified section 904 limitation for tax years beginning after 1997. To do so, use the corporation's regular tax income instead of refiguring its foreign source income for the AMT, as described in 2 above. The corporation must make the election for its first tax year beginning after 1997 for which it has a foreign tax credit. If it does not make the election for that tax year, it cannot make the election for a later tax year. Once made, the election applies to all later tax years and can only be revoked with IRS consent.

## Line 14

Enter the corporation's regular tax liability (as defined in section 26(b)) minus any foreign tax credit and possessions tax credit (e.g., for Form 1120, Schedule J, line 3, minus the sum of Schedule J, lines 4a and 4b).

**Do not** include any:

- Tax on accumulation distribution of trusts from Form 4970;
- Recapture of investment credit (under section 49(b) or 50(a)) from Form 4255; and
- Recapture of low-income housing credit (under section 42(j) or (k)) from Form 8611.

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## ACE Worksheet Instructions

### Treatment of Certain Ownership Changes

If a corporation with a net unrealized built-in loss (within the meaning of section 382(h)) undergoes an ownership change (within the meaning of Regulations section 1.56(g)-1(k)(2)), refigure the adjusted basis of each asset of the corporation (immediately after the ownership change). The new adjusted basis of each asset is its proportionate share (based on respective fair market values) of the fair market value of the corporation's assets (determined under section 382(h)) immediately before the ownership change.

To determine if the corporation has a net unrealized built-in loss, use the aggregate adjusted basis of its assets used for computing its ACE.

**Note:** *Use these new adjusted bases for all future ACE calculations (such as depreciation and gain or loss on disposition of an asset).*

## Line 2—ACE Depreciation Adjustment

**Line 2a.** Generally, the amount entered on this line is: **(a)** the depreciation the corporation claimed for the regular tax (Form 4562, line 21), modified by **(b)** the AMT depreciation adjustments reported on lines 2a, 2p, and 2q of Form 4626.

**Line 2b(1).** For property placed in service after 1993, the ACE depreciation is the same as the AMT depreciation. Therefore, enter on line 2b(1) the same depreciation expense you entered on line 2a for such property.

**Line 2b(2).** For property placed in service in a tax year that began after 1989, and before 1994, use the ADS described in section 168(g). However, for property **(a)** placed in service in a tax year that began after 1989, and **(b)** described in sections 168(f)(1) through (4), use the same depreciation claimed for the regular tax and enter it on line 2b(5).

**Line 2b(3).** For property placed in service in a tax year that began after 1986 and before 1990 (MACRS property), use the straight line method over the remainder of the recovery period for the property under the ADS of section 168(g). In doing so, use the convention that would have applied to the property under section 168(d). For more information (including an example that illustrates the application of these rules), see Regulations section 1.56(g)-1(b)(2).

**Line 2b(4).** For property placed in service in a tax year that began after 1980 and before 1987 (to which the original ACRS applies), use the straight line method over the remainder of the recovery period for the property under ADS. In doing so, use the convention that would have applied to the property under section 168(d) (without regard to section 168(d)(3)). For more information (including an example that illustrates the application of these rules), see Regulations section 1.56(g)-1(b)(3).

**Line 2b(5).** For property described in sections 168(f)(1) through (4), use the regular tax depreciation, regardless of when the property was placed in service.

**Important:** *Line 2b(5) takes priority over lines 2b(1), 2b(2), 2b(3), and 2b(4) (i.e., for property that is described in sections 168(f)(1) through (4), use line 2b(5) instead of the line (2b(1), 2b(2), 2b(3), or 2b(4)) that would otherwise apply).*

**Line 2b(6).** Use the regular tax depreciation for **(a)** property placed in service before 1981 AND **(b)** property placed in service after 1980, in a tax year that began before 1990, that is excluded from MACRS by section 168(f)(5)(A)(i) or original ACRS by section 168(e)(4), as in effect before the Tax Reform Act of 1986.

**Line 2c.** Subtract line 2b(7) from line 2a and enter the result on line 2c. If line 2b(7) exceeds line 2a, enter the difference as a negative amount.

## Line 3—Inclusion in ACE of Items Included in Earnings and Profits (E&P)

In general, any income item that is not taken into account (see below) in determining the corporation's pre-adjustment AMTI but that is taken into account in determining its E&P must be included in ACE. Any such income item may be reduced by all items related to that income item and that would be deductible when figuring pre-adjustment AMTI if the income items to which they relate were included in the corporation's pre-adjustment AMTI for the tax year. Examples of adjustments for these income items include:

- Interest income from tax-exempt obligations excluded under section 103 minus any costs incurred in carrying these tax-exempt obligations; and
- Proceeds of life insurance contracts excluded under section 101 minus the basis in the contract for purposes of ACE.

An income item is considered taken into account without regard to the timing of its inclusion in a corporation's pre-adjustment AMTI or its E&P. Only income items that are permanently excluded from pre-adjustment AMTI are included in ACE. An income item will not be considered taken into account merely because the proceeds from that item might eventually be reflected in a corporation's pre-adjustment AMTI (e.g., that of a shareholder) on the liquidation or disposal of a business.

**Exception.** Do not make an adjustment for the following:

- Any income from discharge of indebtedness excluded from gross income under section 108 (or the corresponding provision of prior law).
- In the case of an insurance company taxed under section 831(b), any amount not included in gross

investment income as defined in section 834(b).

**Line 3d.** Include in ACE the income on life insurance contracts (as determined under section 7702(g)) for the tax year minus the part of any premium attributable to insurance coverage.

**Line 3e.** Do not include any adjustment related to the E&P effects of any charitable contribution (section 56(g)(4)(I)).

## Line 4—Disallowance of Items Not Deductible From E&P

Generally, no deduction is allowed when figuring ACE for items not taken into account (see below) in computing E&P for the tax year. These amounts increase ACE if they are deductible in computing pre-adjustment AMTI (i.e., they would be positive adjustments). However, there are exceptions. **Do not** add back: **(a)** any deduction allowable under section 243 or 245 for any dividend that qualifies for a 100% dividends-received deduction under section 243(a), 245(b), or 245(c); and **(b)** any dividend received from a 20%-owned corporation (see section 243(c)(2)), but only if the dividend is from income of the paying corporation that is subject to Federal income tax. See sections 56(g)(4)(C)(iii) and (iv) for special rules for dividends from section 936 corporations (including section 30A corporations) and certain dividends received by certain cooperatives.

An item is considered taken into account without regard to the timing of its deductibility in computing pre-adjustment AMTI or E&P.

Therefore, only deduction items that are permanently disallowed in figuring E&P are disallowed in figuring ACE.

## Items described in Regulations section 1.56(g)-1(e) for which no adjustment is necessary.

Generally, no deduction is allowed for an item in figuring ACE if the item is not deductible in figuring pre-adjustment AMTI (even if the item is deductible in figuring E&P). The only exceptions to this general rule are the related reductions to an income item described in the second sentence of the instructions for line 3 on page 6. Deductions that are not allowed in figuring ACE include:

- Capital losses that exceed capital gains;
- Bribes, fines, and penalties disallowed under section 162;
- Charitable contributions that exceed the limitations of section 170;

- Meals and entertainment expenses that exceed the limitations of section 274;
- Federal taxes disallowed under section 275; and
- Golden parachute payments that exceed the limitation of section 280G.

**Note:** *No adjustment is necessary for these items since they were not allowed in figuring pre-adjustment AMTI.*

**Line 4e.** Do not include any adjustment related to the E&P effects of any charitable contribution (section 56(g)(4)(I)).

#### **Line 5—Other Adjustments**

**Line 5a.** Except as noted below, in figuring ACE, determine the deduction for intangible drilling costs (section 263(c)) under section 312(n)(2)(A). Subtract the ACE expense (if any) from the AMT expense (used to figure line 2o of Form 4626) and enter the result on line 5a. If the ACE expense exceeds the AMT amount, enter the result as a negative amount.

**Exception.** The above rule does not apply to amounts paid or incurred in a tax year that began after 1992 for any oil and gas well by corporations other than integrated oil companies (see section 291(b)(4)). If this exception applies, do not enter an amount on line 5a.

**Line 5b.** When figuring ACE, the current year deduction for circulation expenditures under section 173 does not apply. Therefore, treat circulation expenditures for ACE using the case law that existed before section 173 was enacted. Subtract the ACE expense (if any) from the regular tax expense (for a personal holding company, from the AMT expense used to figure line 2d of Form 4626) and enter the result on line 5b. If the ACE expense exceeds the regular tax amount (for a personal holding company, the AMT amount), enter the result as a negative amount.

**Note:** *Do not make this adjustment for expenditures for which the corporation elected the optional*

*3-year writeoff under section 59(e) for the regular tax.*

**Line 5c.** When figuring ACE, the amortization provisions of section 248 do not apply. Therefore, charge all organizational expenditures to a capital account and do not take them into account when figuring ACE until the corporation is sold or otherwise disposed of. Enter on line 5c all amortization deductions for organizational expenditures that were taken for the regular tax during the tax year.

**Line 5d.** The adjustments provided in section 312(n)(4) apply in figuring ACE. See Regulations section 1.56(g)-1(f)(3).

**Line 5e.** For any installment sale in a tax year that began after 1989, the corporation generally cannot use the installment method to figure ACE. However, it may use the installment method for the applicable percentage (as determined under section 453A) of the gain from any installment sale to which section 453A(a)(1) applies. Subtract the installment sale income reported for AMT from the ACE income from the sales and enter the result on line 5e. If the ACE income from the sales is less than the AMT amount, enter the difference as a negative amount.

#### **Line 6—Disallowance of Loss on Exchange of Debt Pools**

When figuring ACE, the corporation may not recognize any loss on the exchange of any pool of debt obligations for any other pool of debt obligations having substantially the same effective interest rates and maturities. Add back (i.e., enter as a positive adjustment) on line 6 any such loss to the extent recognized for the regular tax.

#### **Line 7—Acquisition Expenses of Life Insurance Companies for Qualified Foreign Contracts**

For ACE, acquisition expenses of life insurance companies for qualified foreign contracts (as defined in section 807(e)(4)) without regard to the treatment of reinsurance contract

rules of section 848(e)(5)) must be capitalized and amortized by applying the treatment generally required under generally accepted accounting principles (and as if this rule applied to such contracts for all applicable tax years). Subtract the ACE expense (if any) from the regular tax expense and enter the result on line 7. If the ACE expense is more than the regular tax expense, enter the result as a negative amount.

#### **Line 8—Depletion**

When figuring ACE, the allowance for depletion for any property placed in service in a tax year that began after 1989 generally must be determined under the cost depletion method of section 611.

Subtract the ACE expense (if any) from the AMT expense (used to figure line 2m of Form 4626) and enter the result on line 8 of the worksheet. If the ACE expense is more than the AMT amount, enter the result as a negative amount.

**Exception.** Independent oil and gas producers and royalty owners that figured their regular tax depletion deduction under section 613A(c) do not have an adjustment for ACE purposes.

#### **Line 9—Basis Adjustments in Determining Gain or Loss From Sale or Exchange of Pre-1994 Property**

If, during the tax year, the corporation disposed of property for which it is making (or previously made) any of the section 56(g) ACE adjustments, refigure the property's adjusted basis for ACE. Then refigure the property's gain or loss.

Enter the difference between the AMT gain or loss (used to figure line 2e of Form 4626) and the ACE gain or loss. Enter the difference as a negative amount if:

- The ACE gain is less than the AMT gain, OR
- The ACE loss is more than the AMT loss, OR
- The corporation had an ACE loss and an AMT gain.

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**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 section 6103.

The time needed to complete and file this form will vary depending on individual circumstances. The estimated average time is:

<b>Recordkeeping</b> .....	18 hr., 11 min.
<b>Learning about the law or the form</b> .....	14 hr., 48 min.
<b>Preparing and sending the form to the IRS</b> .....	15 hr., 45 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 the tax return with which this form is filed.

## Adjusted Current Earnings Worksheet

▶ See ACE Worksheet Instructions (which begin on page 7).

<b>1</b> Pre-adjustment AMTI. Enter the amount from line 3 of Form 4626 . . . . .			<b>1</b>
<b>2</b> ACE depreciation adjustment:			
<b>a</b> AMT depreciation . . . . .	<b>2a</b>		
<b>b</b> ACE depreciation:			
<b>(1)</b> Post-1993 property . . . . .	<b>2b(1)</b>		
<b>(2)</b> Post-1989, pre-1994 property . . . . .	<b>2b(2)</b>		
<b>(3)</b> Pre-1990 MACRS property . . . . .	<b>2b(3)</b>		
<b>(4)</b> Pre-1990 original ACRS property . . . . .	<b>2b(4)</b>		
<b>(5)</b> Property described in sections 168(f)(1) through (4) . . . . .	<b>2b(5)</b>		
<b>(6)</b> Other property . . . . .	<b>2b(6)</b>		
<b>(7)</b> Total ACE depreciation. Add lines 2b(1) through 2b(6) . . . . .	<b>2b(7)</b>		
<b>c</b> ACE depreciation adjustment. Subtract line 2b(7) from line 2a . . . . .			<b>2c</b>
<b>3</b> Inclusion in ACE of items included in earnings and profits (E&P):			
<b>a</b> Tax-exempt interest income . . . . .	<b>3a</b>		
<b>b</b> Death benefits from life insurance contracts . . . . .	<b>3b</b>		
<b>c</b> All other distributions from life insurance contracts (including surrenders)	<b>3c</b>		
<b>d</b> Inside buildup of undistributed income in life insurance contracts . . . . .	<b>3d</b>		
<b>e</b> Other items (see Regulations sections 1.56(g)-1(c)(6)(iii) through (ix) for a partial list) . . . . .	<b>3e</b>		
<b>f</b> Total increase to ACE from inclusion in ACE of items included in E&P. Add lines 3a through 3e			<b>3f</b>
<b>4</b> Disallowance of items not deductible from E&P:			
<b>a</b> Certain dividends received . . . . .	<b>4a</b>		
<b>b</b> Dividends paid on certain preferred stock of public utilities that are deductible under section 247 . . . . .	<b>4b</b>		
<b>c</b> Dividends paid to an ESOP that are deductible under section 404(k)	<b>4c</b>		
<b>d</b> Nonpatronage dividends that are paid and deductible under section 1382(c) . . . . .	<b>4d</b>		
<b>e</b> Other items (see Regulations sections 1.56(g)-1(d)(3)(i) and (ii) for a partial list) . . . . .	<b>4e</b>		
<b>f</b> Total increase to ACE because of disallowance of items not deductible from E&P. Add lines 4a through 4e . . . . .			<b>4f</b>
<b>5</b> Other adjustments based on rules for figuring E&P:			
<b>a</b> Intangible drilling costs . . . . .	<b>5a</b>		
<b>b</b> Circulation expenditures . . . . .	<b>5b</b>		
<b>c</b> Organizational expenditures . . . . .	<b>5c</b>		
<b>d</b> LIFO inventory adjustments . . . . .	<b>5d</b>		
<b>e</b> Installment sales . . . . .	<b>5e</b>		
<b>f</b> Total other E&P adjustments. Combine lines 5a through 5e . . . . .			<b>5f</b>
<b>6</b> Disallowance of loss on exchange of debt pools . . . . .			<b>6</b>
<b>7</b> Acquisition expenses of life insurance companies for qualified foreign contracts . . . . .			<b>7</b>
<b>8</b> Depletion . . . . .			<b>8</b>
<b>9</b> Basis adjustments in determining gain or loss from sale or exchange of pre-1994 property . . . . .			<b>9</b>
<b>10</b> <b>Adjusted current earnings.</b> Combine lines 1, 2c, 3f, 4f, and 5f through 9. Enter the result here and on line 4a of Form 4626 . . . . .			<b>10</b>