

Form 8843

# Form 8843

**Non-resident aliens (NRAs) in  
F, J, M or Q visa status  
who were in the US for even 1 day in 2018  
must file Form 8843.**

**It is the law.**

# Form 8843

## Who Does Not Complete the 8843:

1. Individuals who were in the US in H-1B or another visa status (B, VW, H, etc.) do not complete the 8843.
2. Individuals who were classified as Residents for Tax Purposes (RA) in 2018 do not complete the 8843. This is true even if the RA is in F, J, M or Q visa status. (Contact Devon Slough in OIT if you need assistance determining whether you are an NRA or RA.)

# Form 8843

## Quick Explanation:

Form 8843 is an information statement that is filed with the IRS and demonstrates that you should not be taxed on your worldwide income (as US citizens and residents for tax purposes must be taxed on their worldwide income.)

If required to do so, filing Form 8843 is mandated by Treasury Regulations 301.7701(b)-8(a)(2) and (b)(2).

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## Long Explanation:

The 8843 is an SPT (substantial presence test) that counts the number of days an individual has been in the US over current and past years.

In very basic terms, the IRS looks at non-US persons as either residents for tax purposes (RA) or non-residents for tax purposes (NRA). Form 8843 determines whether the individual is an RA or NRA. Based on this determination, the individual is taxed appropriately.

For example, an RA usually has FICA (Social Security, Medicare and Unemployment Insurance) withheld from paychecks during summer employment, but an NRA does not.

Some individuals do not need to count days – these individuals are termed “exempt from counting days.” An exempt individual can be someone who is temporarily present in the US under an F, J, M or Q visa.

NOTE: You can not exclude days of presence in 2018, if you were exempt as a teacher, trainee or student for any part of more than 5 calendar years unless you reestablish residency (i.e. you have gone home for more than 365 days in between visas.)

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## **No Income Earned in US :**

If you do not have to file a federal income tax return (1040NR EZ or 1040NR) but you were in the US in 2018 as an NRA for even one day (called a day of presence) on a nonimmigrant visa (F, J, M or Q), you still must submit a Form 8843.

Mailing Address: Department of the Treasury  
Internal Revenue Service  
Austin, TX 73301-0215

Due Date: June 15, 2019

## **Income Earned in US:**

If you are filing a federal income tax return (1040NR EZ or 1040NR), you must submit the 8843 with your tax return. Attach the 8843 to your income tax return and mail the two documents together.

Mailing Address: Use the address listed in your 1040NR EZ or 1040NR  
instruction booklet

Due Date: April 15, 2019

**Form 8843 cannot be submitted electronically. It must be mailed to the IRS.**

# Form 8843

Form **8843**

## Statement for Exempt Individuals and Individuals With a Medical Condition For use by alien individuals only.

OMB No. 1545-0074

**2018**

Attachment  
Sequence No. **102**

Department of the Treasury  
Internal Revenue Service

▶ Go to [www.irs.gov/Form8843](http://www.irs.gov/Form8843) for the latest information.

For the year January 1—December 31, 2018, or other tax year  
beginning \_\_\_\_\_, 2018, and ending \_\_\_\_\_, 20\_\_\_\_.

Your first name and initial

Last name

Your U.S. taxpayer identification number, if any

**Fill in your  
addresses only if  
you are filing this  
form by itself and  
not with your tax  
return**

Address in country of residence

Address in the United States

### **Part I** General Information

- 1a** Type of U.S. visa (for example, F, J, M, Q, etc.) and date you entered the United States ▶ \_\_\_\_\_
- b** Current nonimmigrant status. If your status has changed, also enter date of change and previous status. See instructions. \_\_\_\_\_
- 2** Of what country or countries were you a citizen during the tax year? \_\_\_\_\_
- 3a** What country or countries issued you a passport? \_\_\_\_\_
- b** Enter your passport number(s) ▶ \_\_\_\_\_

If you are attaching Form 8843 to Form 1040NR EZ or Form 1040NR, you are not required to complete Lines #1 - #3b if you provide the requested information on the corresponding lines of Form 1040NR EZ or 1040NR. Just write "Information provided on Form 1040NR EZ on Line #1 - #3b."

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**4a** Enter the actual number of days you were present in the United States during:

2018 \_\_\_\_\_ 2017 \_\_\_\_\_ 2016 \_\_\_\_\_

**b** Enter the number of days in 2018 you claim you can exclude for purposes of the substantial presence test ►

By completing Lines #4a and #4b, you are determining whether you can be considered by the IRS to be an exempt individual (i.e. an NRA).

If you do not remember the exact number of days you were in the US in a particular year, you can get your travel history at <https://i94.cbp.dhs.gov/I94/#/home> when you view your travel history.

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## Part II Teachers and Trainees

5 For teachers, enter the name, address, and telephone number of the academic institution where you taught in 2018 ► \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

6 For trainees, enter the name, address, and telephone number of the director of the academic or other specialized program you participated in during 2018 ► \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

7 Enter the type of U.S. visa (J or Q) you held during: ►      2012 \_\_\_\_\_      2013 \_\_\_\_\_  
2014 \_\_\_\_\_      2015 \_\_\_\_\_      2016 \_\_\_\_\_      2017 \_\_\_\_\_. If the type of visa you held during any  
of these years changed, attach a statement showing the new visa type and the date it was acquired.

8 Were you present in the United States as a teacher, trainee, or student for any part of 2 of the 6 prior  
calendar years (2012 through 2017)? . . . . .  Yes     No

If you checked the "Yes" box on line 8, you cannot exclude days of presence as a teacher or trainee unless  
you meet the *Exception* explained in the instructions.

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## Part III Students

- 9 Enter the name, address, and telephone number of the academic institution you attended during 2018 ► \_\_\_\_\_  
\_\_\_\_\_
- 10 Enter the name, address, and telephone number of the director of the academic or other specialized program you participated in during 2018 ► \_\_\_\_\_  
\_\_\_\_\_
- 11 Enter the type of U.S. visa (F, J, M, or Q) you held during: ► 2012 \_\_\_\_\_ 2013 \_\_\_\_\_  
2014 \_\_\_\_\_ 2015 \_\_\_\_\_ 2016 \_\_\_\_\_ 2017 \_\_\_\_\_. If the type of visa you held during any  
of these years changed, attach a statement showing the new visa type and the date it was acquired.
- 12 Were you present in the United States as a teacher, trainee, or student for any part of more than 5 calendar  
years? . . . . .  Yes  No  
If you checked the "Yes" box on line 12, you must provide sufficient facts on an attached statement to  
establish that you do not intend to reside permanently in the United States.
- 13 During 2018, did you apply for, or take other affirmative steps to apply for, lawful permanent resident status  
in the United States or have an application pending to change your status to that of a lawful permanent  
resident of the United States? . . . . .  Yes  No
- 14 If you checked the "Yes" box on line 13, explain ► \_\_\_\_\_  
\_\_\_\_\_

Line #10: List Krittika Onsanit in International Education as the director of the academic program. (Her telephone number is 804-287-6499.)

**Sign here  
only if you  
are filing  
this form by  
itself and  
not with  
your tax  
return**

Under penalties of perjury, I declare that I have examined this form and the accompanying attachments, and, to the best of my knowledge and belief, they are true, correct, and complete.



Your signature



Date

Sign the form as required.