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If you have any comments on this draft form, you can submit them to us on our web site. Include the word DRAFT in your response. You may make comments anonymously, or you may include your name and e-mail address or phone number. We will be unable to respond to all comments due to the high volume we receive. However, we will carefully consider each suggestion. So that we can properly consider your comments, please send them to us within 30 days from the date the draft was posted.

**Credit for Prior Year Minimum Tax—
 Individuals, Estates, and Trusts**

▶ See separate instructions.
 ▶ Attach to Form 1040, 1040NR, or 1041.

Name(s) shown on return

Identifying number

Part I Net Minimum Tax on Exclusion Items

1	Combine lines 1, 6, and 10 of your 2007 Form 6251. Estates and trusts, see instructions	1		
2	Enter adjustments and preferences treated as exclusion items (see instructions)	2		
3	Minimum tax credit net operating loss deduction (see instructions)	3	()
4	Combine lines 1, 2, and 3. If zero or less, enter -0- here and on line 15 and go to Part II. If more than \$207,500 and you were married filing separately for 2007, see instructions	4		
5	Enter: \$66,250 if married filing jointly or qualifying widow(er) for 2007; \$44,350 if single or head of household for 2007; or \$33,125 if married filing separately for 2007. Estates and trusts, enter \$22,500	5		
6	Enter: \$150,000 if married filing jointly or qualifying widow(er) for 2007; \$112,500 if single or head of household for 2007; or \$75,000 if married filing separately for 2007. Estates and trusts, enter \$75,000	6		
7	Subtract line 6 from line 4. If zero or less, enter -0- here and on line 8 and go to line 9	7		
8	Multiply line 7 by 25% (.25)	8		
9	Subtract line 8 from line 5. If zero or less, enter -0-. If this form is for a child under age 18, see instructions	9		
10	Subtract line 9 from line 4. If zero or less, enter -0- here and on line 15 and go to Part II. Form 1040NR filers, see instructions	10		
11	<ul style="list-style-type: none"> • If for 2007 you filed Form 2555 or 2555-EZ, see page 2 of the instructions for the amount to enter. • If for 2007 you reported capital gain distributions directly on Form 1040, line 13; you reported qualified dividends on Form 1040, line 9b (Form 1041, line 2b(2)); or you had a gain on both lines 15 and 16 of Schedule D (Form 1040) (lines 14a and 15, column (2), of Schedule D (Form 1041)), complete Part III of Form 8801 and enter the amount from line 48 here. Form 1040NR filers, see instructions. • All others: If line 10 is \$175,000 or less (\$87,500 or less if married filing separately for 2007), multiply line 10 by 26% (.26). Otherwise, multiply line 10 by 28% (.28) and subtract \$3,500 (\$1,750 if married filing separately for 2007) from the result. Form 1040NR filers, see instructions. 	11		
12	Minimum tax foreign tax credit on exclusion items (see instructions)	12		
13	Tentative minimum tax on exclusion items. Subtract line 12 from line 11	13		
14	Enter the amount from your 2007 Form 6251, line 34, or 2007 Form 1041, Schedule I, line 55	14		
15	Net minimum tax on exclusion items. Subtract line 14 from line 13. If zero or less, enter -0-	15		

Part II Current Year Nonrefundable and Refundable Credits and Carryforward to 2009

16	Enter the amount from your 2007 Form 6251, line 35, or 2007 Form 1041, Schedule I, line 56	16		
17	Enter the amount from line 15 above	17		
18	Subtract line 17 from line 16. If less than zero, enter as a negative amount	18		
19	2007 credit carryforward. Enter the amount from your 2007 Form 8801, line 28	19		
20	Enter your 2007 unallowed qualified electric vehicle credit (see instructions)	20		
21	Combine lines 18, 19, and 20. If zero or less, stop here and see instructions	21		
22	Enter your 2008 regular income tax liability minus allowable credits (see instructions)	22		
23	Enter the amount from your 2008 Form 6251, line 33, or 2008 Form 1041, Schedule I, line 54	23		
24	Subtract line 23 from line 22. If zero or less, enter -0-	24		
25	Current year nonrefundable credit. Enter the smaller of line 21 or line 24. Also enter this amount on your 2008 Form 1040, line 54; Form 1040NR, line 49; or Form 1041, Schedule G, line 2d	25		
26	<ul style="list-style-type: none"> • Estates and trusts: Leave lines 26 and 27 blank and go to line 28. • Individuals: Did you have a minimum tax credit carryforward to 2006 (on your 2005 Form 8801, line 26)? <input type="checkbox"/> No. Leave lines 26 and 27 blank and go to line 28. <input type="checkbox"/> Yes. Complete Part IV of Form 8801 to figure the amount to enter 	26		
27	Is line 26 more than line 25? <ul style="list-style-type: none"> <input type="checkbox"/> No. Leave line 27 blank and go to line 28. <input type="checkbox"/> Yes. Subtract line 25 from line 26. This is your current year refundable credit. Enter the result here and on your 2008 Form 1040, line 68, or Form 1040NR, line 68 	27		
28	Credit carryforward to 2009. Subtract the larger of line 25 or line 26 from line 21. Keep a record of this amount because you may use it in future years	28		

Part III Tax Computation Using Maximum Capital Gains Rates

Caution. If you did not complete the 2007 Qualified Dividends and Capital Gain Tax Worksheet, the 2007 Schedule D Tax Worksheet, or Part V of the 2007 Schedule D (Form 1041), see the instructions before completing this part.

29 Enter the amount from Form 8801, line 10. If you filed Form 2555 or 2555-EZ for 2007, enter the amount from line 3 of the worksheet on page 2 of the instructions

29

Caution. If for **2007** you filed Form 1040NR, 1041, 2555, or 2555-EZ, see page 4 of the instructions before completing lines 30, 31, and 32.

30 Enter the amount from line 6 of your 2007 Qualified Dividends and Capital Gain Tax Worksheet, the amount from line 13 of your 2007 Schedule D Tax Worksheet, or the amount from line 22 of the 2007 Schedule D (Form 1041), whichever applies*

30

If you figured your 2007 tax using the 2007 Qualified Dividends and Capital Gain Tax Worksheet, skip line 31 and enter the amount from line 30 on line 32. Otherwise, go to line 31.

31 Enter the amount from line 19 of your 2007 Schedule D (Form 1040), or line 14b, column (2), of the 2007 Schedule D (Form 1041)

31

32 Add lines 30 and 31, and enter the **smaller** of that result or the amount from line 10 of your 2007 Schedule D Tax Worksheet

32

33 Enter the **smaller** of line 29 or line 32

33

34 Subtract line 33 from line 29

34

35 If line 34 is \$175,000 or less (\$87,500 or less if married filing separately for 2007), multiply line 34 by 26% (.26). Otherwise, multiply line 34 by 28% (.28) and subtract \$3,500 (\$1,750 if married filing separately for 2007) from the result. Form 1040NR filers, see instructions . . . ▶

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36 Enter:

- \$63,700 if married filing jointly or qualifying widow(er) for 2007,
- \$31,850 if single or married filing separately for 2007,
- \$42,650 if head of household for 2007, or
- \$2,150 for an estate or trust.

Form 1040NR filers, see instructions

36

37 Enter the amount from line 7 of your 2007 Qualified Dividends and Capital Gain Tax Worksheet, the amount from line 14 of your 2007 Schedule D Tax Worksheet, or the amount from line 23 of the 2007 Schedule D (Form 1041), whichever applies. If you did not complete either worksheet or Part V of the 2007 Schedule D (Form 1041), enter -0-. Form 1040NR filers, see instructions

37

38 Subtract line 37 from line 36. If zero or less, enter -0-

38

39 Enter the **smaller** of line 29 or line 30

39

40 Enter the **smaller** of line 38 or line 39

40

41 Multiply line 40 by 5% (.05) ▶

41

42 Subtract line 40 from line 39

42

43 Multiply line 42 by 15% (.15) ▶

43

If line 31 is zero or blank, skip lines 44 and 45 and go to line 46. Otherwise, go to line 44.

44 Subtract line 39 from line 33

44

45 Multiply line 44 by 25% (.25) ▶

45

46 Add lines 35, 41, 43, and 45

46

47 If line 29 is \$175,000 or less (\$87,500 or less if married filing separately for 2007), multiply line 29 by 26% (.26). Otherwise, multiply line 29 by 28% (.28) and subtract \$3,500 (\$1,750 if married filing separately for 2007) from the result. Form 1040NR filers, see instructions

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48 Enter the **smaller** of line 46 or line 47 here and on line 11. If you filed Form 2555 or 2555-EZ for 2007, do not enter this amount on line 11. Instead, enter it on line 4 of the worksheet on page 2 of the instructions

48

* The 2007 Qualified Dividends and Capital Gain Tax Worksheet is on page 35 of the 2007 Instructions for Form 1040. The 2007 Schedule D Tax Worksheet is on page D-10 of the 2007 Instructions for Schedule D (Form 1040) (page 43 of the 2007 Instructions for Form 1041).

Part IV Tentative Refundable Credit

49	Enter the amount from line 21			49	
50	Enter the total of lines 18 and 20 from your 2006 Form 8801. If zero or less, enter -0-	50			
51	Enter the total of lines 18 and 20 from your 2007 Form 8801. If zero or less, enter -0-	51			
52	Enter the total of lines 18 and 20 from your 2008 Form 8801. If zero or less, enter -0-	52			
53	Add lines 50 through 52			53	
54	Long-term unused minimum tax credit. Subtract line 53 from line 49 (If zero or less, stop ; enter -0- on line 26. Do not complete the rest of Part IV)			54	
55	If line 54 is: • Less than \$5,000, enter the amount from line 54 • At least \$5,000, but not more than \$25,000, enter \$5,000 • More than \$25,000, multiply line 54 by 20% (.20)			55	
56	Enter the amount from your 2007 Form 8801, line 55			56	
57	Enter the larger of line 55 or line 56			57	
58	Enter the smaller of line 54 or line 57			58	
59	Enter the amount from Form 1040, line 38, or Form 1040NR, line 36 (If you are filing Form 2555, 2555-EZ, or 4563, or you are excluding income from sources within Puerto Rico, see the instructions for the amount to enter)	59			
60	Is line 59 more than the amount shown below for your filing status? • Single—\$159,950 • Married filing jointly or qualifying widow(er)—\$239,950 • Married filing separately—\$119,975 • Head of Household—\$199,950 <input type="checkbox"/> No. Stop; enter the amount from line 58 above on line 26. Do not complete the rest of Part IV. <input type="checkbox"/> Yes. Enter the amount shown above for your filing status	60			
61	Subtract line 60 from line 59	61			
62	Is line 61 more than \$122,500 (\$61,250 if married filing separately)? <input type="checkbox"/> Yes. Stop; enter -0- on line 26. Do not complete the rest of Part IV. <input type="checkbox"/> No. Divide line 61 by \$2,500 (\$1,250 if married filing separately). If the result is not a whole number, increase it to the next higher whole number (for example, increase 0.0004 to 1)	62			
63	Multiply line 62 by 2% (.02) and enter the result as a decimal (rounded to at least three places)			63	
64	Multiply line 58 by line 63			64	
65	Subtract line 64 from line 58. Enter the result here and on line 26			65	