



## Easy Steps toward Renouncing your US Citizenship

So, you are a US expat and do not want to file your annual tax returns and FBAR (FinCEN Form 114) any longer? Tired of double tax reporting to the country you now reside and to the country you were born? Renouncing your US citizenship is not a difficult process. There are five easy phases to complete.

**Phase 1** is to obtain a passport from another country. The US State Department will *not* consider your application for renunciation if you do not have one. The temptations to purchase a phony one is easy but avoid it as it will turn an easy process into a legal chaos.

**Phase 2** will involve the US forms needed for your meeting with the State Department representative but it is advisable to review these forms before the appointment. The forms would need to be completed at your scheduled time. The necessary forms are listed below: (find the fillable forms at: <https://eforms.state.gov>)

**DS-4079:** Questionnaire – Information for Determining Possible Loss of U.S. Citizenship, US State

**DS-4080:** Oath of Renunciation of the Nationality of the United States, US State Dept.

**DS-4081:** Statement of Understanding Concerning the Consequences and Ramifications of Relinquishment or Renunciation of U.S. Citizenship, US State Dept.

**DS-4082:** Witnesses' Attestation Renunciation/Relinquishment of Citizenship, US State Dept.

**DS-4083:** Certificate of Loss of Nationality of the United States, US State Dept.



**Phase 3** means that you are ready to call the embassy or consulate office to make an appointment to personally present your reunification application. An appointment can be made at the embassy or consulate in the city you are living but best to investigate other offices to determine which would have the smaller wait times to get an appointment. Also, make an appointment for each person in your family. You will need to inform them of each person making the application. An attorney could make an appointment but this could delay the process due to the fact that the State Department will require an approved Form G-28, which gives the attorney the power to make your appointment.

**Phase 4** is time to go to your renunciation meeting at the embassy or consulate. Upon arriving for your appointment, if there are long lines to get inside, inform an official that you have an appointment for renunciation. You may be allowed to move ahead to the meeting office. Remember to bring your US passport and the new, second passport with you to the appointment. Also bring your original birth certificate, as well as the new certificate of naturalization of your new country.

While you are waiting to get into the appointment, you will be asked to complete several forms, some multiple times. Be sure to proof each form after completion and keep them in an organized order. Also, proofread anything that the State Department may also write on the forms. Ensure that your signature is appropriately placed in the right places.

At the end of your meeting, the official should give you a copy of the Form DS-4083, which is the Certificate for Loss of Nationality, or CLN. This is a very important form which should be kept in a safe place. This form will be the only record that you will have as proof that you have completed the renunciation process with the State Department. The form should be signed and affixed with an official seal of the appointment by the State Department. The CLN however will need final approval which could take several months so the copy you receive at your appointment will be your only record that you have of the renunciation being in progress.



**Phase 5** brings you to the final step necessary as an American citizen, which is to file your last US tax return. The final tax return should cover the days of January 1 through the date you received the CLN at your appointment. The treatment of the fair market value of all of your assets is the date before your CLN date. On the day that you renounced, you are no longer a taxable person to the IRS of the US. If your date is another date other than December 31, you may need to file a **Form 1040** and **1040NR** (if applicable) as your final tax return. An additional form will be needed, **Form 8854, the Expatriation Information Statement**. This is the exit tax form which is filed with the final tax return. Ensure that you seek assistance with the form.

The Form 8854 is for “covered expatriates.” A covered expatriate is one meets the wealth criteria as defined by the IRS. The wealth criterion is defined as having a net worth of \$2 million or more, or a threshold annual tax liability from the preceding five years. In order to understand the terminology of “covered expatriate”, the [IRS website](#) can be more informative. If you fall within this definition, it is advisable to complete the Form 8854 with your accountant. If any information is deemed sensitive, seek a tax attorney. With a tax attorney, a person has attorney-client privilege, while not with your accountant. If you are holding any foreign financial accounts, the **FBAR** may be required to be filed.

Renunciation of citizenship of the United States is a major decision of life, which you should ensure is the proper conclusion for you and your family. Seeking the guidance of a US attorney as well as your financial advisor should be advisable before the appointment is made.

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