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**. We incorporate all significant changes to forms posted with 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 are subject to OMB approval before they can be officially released, so we post drafts of them until they are approved. Drafts of instructions and pubs usually have some additional changes before their final release. Early release drafts are at IRS.gov/DraftForms and remain there after the final release is posted at IRS.gov/LatestForms. Also see IRS.gov/Forms.

Most forms and publications have a page on IRS.gov: IRS.gov/Form1040 for Form 1040; IRS.gov/Pub501 for Pub. 501; IRS.gov/W4 for Form W-4; and IRS.gov/ScheduleA for Schedule A (Form 1040), for example, and similarly for other forms, pubs, and schedules for Form 1040. When typing in a link, type it into the address bar of your browser, not a Search box on IRS.gov.

If you wish, you can submit comments to the IRS about draft or final forms, instructions, or pubs at IRS.gov/FormsComments. Include “NTF” followed by the form or pub number (for example, “NTF1040”, “NTFW4”, “NTF501”, etc.) in the body of the message to route your message properly. 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, but we will review each “NTF” message. 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.

Form **708** (December 2025)
Department of the Treasury
Internal Revenue Service

United States Return of Tax for Gifts and Bequests Received From Covered Expatriates

For covered gifts or covered bequests received during **calendar year 20** .

Go to *www.irs.gov/Form708* for instructions and the latest information.

OMB No. 1545-2309

Part I General Information (see instructions)

1 Recipient individual's name, or filing trust's name	2 Individual's SSN or ITIN	3 Trust's EIN
4a Address (number and street). If you have a P.O. box, see instructions.		4b Apt. or suite no.
4c City, town, or post office. For foreign addresses, also complete lines 4f, 4g, and 4h.	4d State	4e ZIP code
4f Foreign country name	4g Foreign province/state/county	4h Foreign postal code
5 Name of fiduciary	6 Title of fiduciary	

		Yes	No
7	Did you receive a covered gift or covered bequest from a covered expatriate? If "Yes," complete Part IV, Section 1	☐	☐
8	Did you receive a distribution attributable to covered gifts and covered bequests from a non-electing foreign trust? If "Yes," complete Part IV, Section 2; and Part VI	☐	☐
9	Did you extend the date to file this Form 708?	☐	☐
10	Are you filing a protective Form 708?	☐	☐
11a	Are you an individual? If "Yes," answer 11b, and go to line 16	☐	☐
b	Check whether: ☐ U.S. citizen ☐ U.S. resident (noncitizen)		
12	Are you a domestic trust? If "Yes," go to line 14	☐	☐
13a	Are you a foreign trust? If "Yes," complete (as instructed) lines 13b–13f, and go to line 15	☐	☐
b	Are you electing to be treated as a domestic trust pursuant to section 2801(e)(4)(B)(iii)? If "Yes," go to line 15, and complete Parts VII and VIII	☐	☐
c	Do you already have a valid election in effect to be treated as a domestic trust pursuant to section 2801(e)(4)(B)(iii) for the current year?	☐	☐
d	If line 13c is "Yes," enter the calendar year for which the Form 708 making the election was filed: ________________		
e	Are you terminating an election to be treated as a domestic trust pursuant to section 2801(e)(4)(B)(iii)?	☐	☐
f	Has the identity or address of your U.S. agent changed since you last filed Form 708? If "Yes," complete Part VII, Section 1	☐	☐
14	Did you become a migrated foreign trust described in Reg. section 28.2801-4(a)(2)(iv) during this year? If "Yes," complete Part VII, Section 2	☐	☐
15	If line 13b or line 14 is "Yes," did you receive a covered gift or covered bequest in a prior calendar year? If "Yes," complete Part IV, Section 3	☐	☐
16	Were gift or estate taxes paid to a foreign country with respect to covered gifts or covered bequests reported on this return? If "Yes," complete Part V	☐	☐

Part II Tax Computation (see instructions)

1	Total value of covered gifts and covered bequests (from Part IV, Section 4, line 4)	1	
2	Amount of section 2801(c) exclusion for the calendar year. See instructions	2	
3	Taxable amount. Subtract line 2 from line 1. If zero or less, enter -0-	3	
4	**Tax.** Multiply line 3 by 40% (0.40)	4	
5	Foreign gift or estate taxes paid on covered gifts and covered bequests (from Part V, line 4)	5	
6	**Total tax.** Subtract line 5 from line 4. If zero or less, enter -0-	6	
7	Amount paid with Form 7004	7	
8	**Tax due.** If the amount on line 6 is more than the amount on line 7, subtract line 7 from line 6. For details on how to pay, go to *www.irs.gov/Payments* or see the instructions	8	
9a	**Overpayment.** If the amount on line 7 is more than the amount on line 6, subtract line 6 from line 7 and complete lines 9b, 9c, and 9d	9a	
b	Routing number ______ **c** Type: ☐ Checking ☐ Savings		
d	Account number ______		

Sign Here

Under penalties of perjury, I declare that I have examined this return, along with accompanying schedules and statements, and to the best of my knowledge and belief, it is true, correct, and complete. Declaration of preparer (other than trustee or designated filer) is based on all information of which preparer has any knowledge.

Signature	Date

Paid Preparer Use Only

Preparer's name	Preparer's signature	Date	Check ☐ if self-employed	PTIN
Firm's name			Firm's EIN	
Firm's address			Phone no.	

DRAFT — DO NOT FILE

Part III Covered Expatriates (see instructions)

If additional entries are needed, duplicate and use this page.

1 Enter the information for each covered expatriate from whom you received a covered gift or covered bequest, or a distribution attributable to a covered gift or covered bequest, reported on this return.

(a) Name of covered expatriate donor or decedent	**(b)** Expatriation date	**(c)** Identifying number	**(d)** If deceased, date of death

DRAFT — DO NOT FILE

Part IV Covered Gifts and Covered Bequests (see instructions)

If additional entries are needed, duplicate and use this page.

Section 1—Covered Gifts & Covered Bequests (excluding Distributions From Non-Electing Foreign Trusts)

1 Enter, in the order received, the covered gifts and covered bequests received during the calendar year.

(a) Item number	(b) Name of covered expatriate donor or decedent	(c) Reg. section 28.2801-4(d)(8)(ii) election for future interests not in trust	(d) Date of receipt	(e) Description of covered gift or covered bequest	(f) Value
A		☐			
A		☐			
A		☐			
A		☐			
A		☐			
A		☐			
A		☐			
A		☐			
A		☐			
A		☐			
A		☐			
A		☐			
A		☐			
A		☐			
A		☐			

2	Add all amounts in column (f)	2	
3	Total from column (f) from additional Parts IV, Section 1, attached to this return	3	
4	**Total covered gifts and covered bequests (excluding distributions from non-electing foreign trusts).** Add lines 2 and 3. Enter here and on Part IV, Section 4, line 1	4	

DRAFT — DO NOT FILE

Part IV Covered Gifts and Covered Bequests (see instructions) *(continued)*

If additional entries are needed, duplicate and use this page.

Section 2—Distributions from Non-Electing Foreign Trusts. Complete this section if you received a distribution from a non-electing foreign trust attributable to covered gifts or covered bequests. You must first complete Part VI for each non-electing foreign trust from which you received a distribution.

1 Enter, in the order received, the distributions received during the calendar year.

(a) Item number	**(b)** Description of distributed property	**(c)** Date of receipt of distribution	**(d)** Value of distribution	**(e)** Section 2801 ratio on date in column (c) (from Part VI, Section 2, column (h))	**(f)** Value (multiply column (d) by column (e))
B					
B					
B					
B					
B					
B					
B					
B					
B					
B					
B					
B					
B					
B					
B					

2	Add all amounts in column (f)	2	
3	Total from column (f) from additional Parts IV, Section 2, attached to this return	3	
4	**Total distributions from non-electing foreign trusts.** Add lines 2 and 3. Enter here and on Part IV, Section 4, line 2	4	

Part IV **Covered Gifts and Covered Bequests** (see instructions) *(continued)*

If additional entries are needed for Section 3, line 1, duplicate and use this page.

Section 3—Covered Gifts or Covered Bequests Received by Electing Foreign Trusts and Migrated Foreign Trusts in Prior Year(s). If you are or were a foreign trust, complete this part to report covered gifts or covered bequests you received in a prior year if this is the initial calendar year for which (1) you are making the election to be treated as a domestic trust for purposes of section 2801, or (2) you are treated as a domestic trust as defined in section 7701(a)(30)(E).

1 **Section 2801 Ratio.** List the initial covered gift or covered bequest received by you, as a non-electing foreign trust, first, and then list all contributions you received subsequent to the initial covered gift or covered bequest received as a non-electing foreign trust in chronological order.

(a) Date of foreign trust's receipt of contribution	(b) Value of contribution to foreign trust on date in column (a)	(c) Pre-contribution value of trust	(d) Post-contribution value of trust (add column (b) and column (c))	(e) Pre-contribution value of covered gift or covered bequest portion of trust (multiply column (c) by column (h) of previous line)*	(f) Is contribution a covered gift or covered bequest? (i) Yes	(ii) No	(g) Post-contribution value of covered gift or covered bequest portion of the trust. If column (f) is "Yes," add column (b) and column (e). If "No," enter amount in column (e).	(h) Section 2801 ratio (divide column (g) by column (d))	(i) Name of covered expatriate. If column (f) is "No," leave blank.	(j) Description of covered gift or covered bequest. If column (f) is "No," leave blank.
					☐	☐				
					☐	☐				
					☐	☐				
					☐	☐				
					☐	☐				
					☐	☐				

2 Complete columns (b)–(e) below to determine the value of covered gifts or covered bequests received by you as a non-electing foreign trust in prior year(s).

(a) Item number	(b) Immediately preceding calendar year	(c) Value of trust on December 31 of year listed in column (b)	(d) Last Section 2801 ratio from line 1(h) above on December 31 of year listed in column (b)	(e) Value (multiply column (c) by (d)). Include on Part IV, Section 4, line 3.
C1				

Section 4—Total Covered Gifts and Covered Bequests

1	Total value of Section 1—Covered Gifts and Covered Bequests. Enter amount from Part IV, Section 1, line 4	1	
2	Total value of Section 2—Distributions from Non-Electing Foreign Trusts. Enter amount from Part IV, Section 2, line 4	2	
3	Total value of Section 3—Covered Gifts or Covered Bequests Received by Electing Foreign Trusts and Migrated Foreign Trusts in Prior Year(s). Enter amount from Part IV, Section 3, line 2, column (e)	3	
4	**Total value of covered gifts or covered bequests listed on Part IV.** Add lines 1 through 3. Enter here and on Part II, line 1	4	

* If this is your initial entry on line 1 and there is no previous column (h) with a ratio, enter -0-.

DRAFT — DO NOT FILE

Part V Foreign Gift or Estate Taxes (see instructions)

If additional entries are needed, duplicate and use this page.

1 Complete for each item reported on Part IV for which you are claiming a reduction for foreign gift or estate taxes paid.

(a) Item number	**(b)** Value (from Part IV)	**(c)** Date(s) of payment (if more than one, list separately)	**(d)** Country to which foreign gift or estate tax is paid	**(e)** Amount of foreign gift or estate tax paid	**(f)** Amount claimed or allowed as refund	**(g)** Subtract column (f) from (e). If zero or less, enter -0-.

2	Add all amounts from column (g)	**2**	
3	Total from column (g) from additional Parts V attached to this return	**3**	
4	**Total foreign gift or estate taxes paid.** Add lines 2 and 3. Enter here and on Part II, line 5	**4**	

Part VI Section 2801 Ratio for Distributions Received From Foreign Trust (see instructions)

If additional entries are needed, duplicate and use this page.

If you received a distribution from a non-electing foreign trust, complete and attach this Part VI for each non-electing foreign trust from which you received a distribution reported on Part IV, Section 2. You must attach the additional information required by the instructions.

Section 1—Foreign Trust Information

1 Name of distributing foreign trust	**2** Name of trustee	
3 Address (number and street). If you have a P.O. box, see instructions.		**4** Apt. or suite no.
5 City, town, or post office. For foreign addresses, also complete lines 8, 9, and 10.	**6** State	**7** ZIP code
8 Foreign country name	**9** Foreign province/state/county	**10** Foreign postal code

Section 2—Section 2801 Ratio. List the initial covered gift or covered bequest received by the foreign trust first, and then list all contributions received subsequent to the initial covered gift or covered bequest received by the foreign trust in chronological order.

(a) Date of foreign trust's receipt of contribution	**(b)** Value of contribution to foreign trust on date in column (a)	**(c)** Pre-contribution value of trust	**(d)** Post-contribution value of trust (add column (b) and column (c))	**(e)** Pre-contribution value of covered gift or covered bequest portion of trust (multiply column (c) by column (h) of previous line)*	**(f)** Is contribution a covered gift or covered bequest? **(i)** Yes	**(ii)** No	**(g)** Post-contribution value of covered gift or covered bequest portion of the trust. If column (f) is "Yes," add column (b) and column (e). If "No," enter amount in column (e).	**(h)** Section 2801 ratio (divide column (g) by column (d))	**(i)** Name of covered expatriate. If column (f) is "No," leave blank.	**(j)** Description of covered gift or covered bequest. If column (f) is "No," leave blank.
					☐	☐				
					☐	☐				
					☐	☐				
					☐	☐				
					☐	☐				
					☐	☐				
					☐	☐				

* If this is your initial entry on line 1 and there is no previous column (h) with a ratio, enter -0-.

Part VII U.S. Agent, Prior Distributions to U.S. Recipients, and Permissible Distributees (see instructions)

If additional entries are needed for Section 2, line 2, duplicate and use this page.

Section 1—U.S. Agent. Complete this part to provide or update information about your U.S. agent.

1 U.S. agent's first name and middle initial	2 U.S. agent's last name	3 TIN

4 Address (number and street). If you have a P.O. box, see instructions.	5 Apt. or suite no.

6 City, town, or post office	7 State	8 ZIP code	9 Phone number

10 Have you made the required designation of the above-named U.S. agent by filing Form 2848, Power of Attorney and Declaration of Representative? . . . . ☐ Yes ☐ No

11 If "Yes" to line 10, enter the date Form 2848 was filed. If "No," a valid designation of a U.S. agent has not been made . . . .

Section 2—Prior Distributions to U.S. Recipients. Complete this part to disclose all of your prior distributions to U.S. recipients attributable to covered gifts or covered bequests made before (1) if you are an electing foreign trust, the initial effective date of the domestic trust election made on this return; or (2) if you are a migrated foreign trust, the date that you became a domestic trust.

1 Check this box if you have not made any prior distributions to U.S. recipients attributable to covered gifts or covered bequests: ☐

2 Enter prior distributions to U.S. recipients. You must first complete Part IV, Section 3, line 1, to determine your section 2801 ratio.

(a) Date of distribution	(b) Name of U.S. recipient	(c) Address of U.S. recipient	(d) TIN of U.S. recipient	(e) Description of distribution	(f) Value of distribution	(g) Section 2801 ratio on date in column (a) (from Part IV, Section 3, line 1, column (h))	(h) Value of distribution attributable to covered gifts or covered bequests (multiply column (f) by column (g))

DRAFT — DO NOT FILE

Part VII U.S. Agent, Prior Distributions to U.S. Recipients, and Permissible Distributees (see instructions) *(continued)*

If additional entries are needed, duplicate and use this page.

Section 3—Permissible Distributees. Complete this part to identify all permissible distributees of the trust. A permissible distributee generally refers to any U.S. citizen or resident who currently may or must receive distributions of income or principal from the trust, any U.S. citizen or resident who currently or in the future may withdraw income or principal from the trust, and any U.S. citizen or resident who would be entitled to receive such distributions or make such withdrawals upon an immediate termination of either the trust or certain interests in the trust. See Regulations section 28.2801-5(d)(3)(ii)(F) for more information.

(a) Name of permissible distributee	**(b)** Address of permissible distributee	**(c)** TIN of permissible distributee

Part VIII Declaration of Foreign Trustee (see instructions)

Complete this Part VIII if you are a foreign trust electing to be treated as a domestic trust pursuant to section 2801(e)(4)(B)(iii).

By my signature below, I, as the trustee of a foreign trust that is electing to be treated as a domestic trust pursuant to section 2801(e)(4)(B)(iii), hereby agree to timely file a return to report each covered gift and covered bequest made to the trust in accordance with Reg. section 28.2801-5(d)(3) and, under penalties of perjury, I declare that each permissible distributee was notified that I am making (or have made) the election effective as of January 1 of the calendar year for which this Form 708 is filed.

1 Name of electing foreign trust

2 Signature	**3** Title	**4** Date
Name		

DRAFT — DO NOT FILE