

Pentagon Federal Credit Union

CERTIFICATE OF FOREIGN STATUS OF BENEFICIAL OWNER FOR UNITED STATES TAX WITHHOLDING AND REPORTING (INDIVIDUALS)

Form W-8BEN

(Substitute)

Department of the Treasury Internal Revenue Service

Give form to PenFed DO NOT send to IRS

OMB-No. 1545-1621

For use by individuals. Entities must use Form W-8BEN-E.

For additional W-8BEN information go to www.irs.gov.

Give this form to the withholding agent or payer. Do not send to the IRS.

Do not use this form if:

- You are NOT an individual
You are a citizen or other U.S. person, including a resident alien individual
You are a beneficial owner claiming that income is effectively connected with the conduct of a trade or business in the United States
A person acting as an intermediary
Notice of change in status - To notify PenFed that you no longer qualify for exemption check here []

Instead, use Form:

Part I Identification of Beneficial Owner (See instructions)

1 Name of individual who is the beneficial owner
2 Country of Citizenship
3 Permanent residence address (street, apt. or suite no., or rural route). Do not use a P.O. box. or in-care-of address
4 Mailing address (if different from above)
5 U.S. taxpayer identification number (SSN or ITIN) if required
6 Foreign tax identifying number
7 Member's share account number

Part II Claim of Tax Treaty Benefits (for chapter 3 purposes only) (see instructions)

9 I certify that the beneficial owner is a resident of ... within the meaning of the income tax treaty between the United States and that country.
10 Special rates and conditions (if applicable - see instructions): The beneficial owner is claiming the provisions of Article of the treaty identified on line 9 above to claim a ... % rate of withholding on (specify type of income):
Explain the reasons the beneficial owner meets the terms of the treaty article:

Part III Certification

Under penalties of perjury, I declare that I have examined the information on this form and to the best of my knowledge and belief it is true, correct, and complete. I further certify under penalties of perjury that:

- I am the individual that is the beneficial owner (or am authorized to sign for the individual that is the beneficial owner) of all the income to which this form relates or am using this form to document myself as an individual that is an owner or account holder of a foreign financial institution,
The person named on line 1 of this form is not a U.S. person,
The income to which this form relates is:
(a) not effectively connected with the conduct of a trade or business in the United States,
(b) effectively connected but is not subject to tax under an applicable income tax treaty, or
(c) the partner's share of a partnership's effectively connected income,
The person named on line 1 of this form is a resident of the treaty country listed on line 9 of the form (if any) within the meaning of the income tax treaty between the United States and that country, and
For broker transactions or barter exchanges, the beneficial owner is an exempt foreign person as defined in the instructions.

Furthermore, I authorize this form to be provided to any withholding agent that has control, receipt, or custody of the income of which I am the beneficial owner or any withholding agent that can disburse or make payments of the income of which I am the beneficial owner. I agree that I will submit a new form within 30 days if any certification made on this form becomes incorrect.

Sign Here

Signature of beneficial owner (or individual authorized to sign for beneficial owner)
Date (MM-DD-YYYY)
Print name of signer
Capacity in which acting (if form is not signed by beneficial owner)

Instructions for Substitute W-8BEN

Certificate of Foreign Status of Beneficial Owner for United States Tax Withholding and Reporting (Individuals)

Individual account holders (both U.S. and foreign) that do not document their status may be deemed recalcitrant and, in some cases, subject to 30% withholding on certain payments. Foreign individuals can avoid being classified as recalcitrant account holders by using **Form W-8BEN** (or substitute Form W-8BEN) to document their foreign status.

Foreign individuals should use **Form W-8BEN** (or substitute Form W-8BEN) to document their foreign status and claim any applicable treaty benefits for chapter 3 purposes (including a foreign individual that is the single member of an entity that is disregarded for U.S. tax purposes).

General Instructions

Purpose of Form. Establishing status for chapter 3 purposes. Foreign persons are subject to U.S. tax at a 30% rate on income they receive from U.S. sources that consists of, for example, interest (including original issue discount)(OID), or other fixed or determinable annual or periodical gains, profits, or income.

If you receive certain types of income, you must provide **Form W-8BEN** (or a substitute form containing a substantially similar statement) to establish that you are not a U.S. person and to claim that you are the beneficial owner of the income for which **Form W-8BEN** (or substitute Form W-8BEN) is being provided.

You may also be required to provide **Form W-8BEN** (or substitute Form W-8BEN) to claim an exception from domestic information reporting and backup withholding, including for certain types of income that are not subject to foreign-person withholding at 30%, such as **bank deposit** interest and short-term (183 days or less) OID (at rate under section 3406).

A withholding agent or payer of the income may rely on a properly completed **Form W-8BEN** (or substitute Form W-8BEN) to treat a payment associated with the **Form W-8BEN** (or substitute Form W-8BEN) as a payment to a foreign person who beneficially owns the amounts paid. If applicable, the withholding agent may rely on the **Form W-8BEN** (or substitute Form W-8BEN) to apply a reduced rate of, or exemption from withholding at source.

Giving Form W-8BEN (or substitute Form W-8BEN) to the withholding agent.

If you are a nonresident alien who is the beneficial owner of an amount subject to withholding, or if you are an account holder of a foreign financial institution (FFI) documenting yourself as a nonresident alien, you must give **Form W-8BEN** (or substitute Form W-8BEN) to the withholding agent or payer when requested whether or not you are claiming a reduced rate of, or exemption from, withholding. **DO NOT** send **Form W-8BEN** (or substitute Form W-8BEN) to the IRS. Instead, provide **Form W-8BEN** (or substitute Form W-8BEN) to the withholding agent or payer before income is paid or credited to you. Failure to provide a **Form W-8BEN** (or substitute Form W-8BEN) when requested may lead to 30% foreign-person withholding or backup withholding from the amount of the payment.

If a withholding agent or payer does not receive a **Form W-8BEN** (or substitute Form W-8BEN) from all of the joint owners of an account or it receives a Form W-9 from any of the joint owners, the payment must be treated as made to a U.S. person and the account treated as a U.S. account. In this case, the withholding rate will be at the U.S. backup withholding rate of 28%.

Change in circumstances. If a change in circumstances makes any information on the **Form W-8BEN** (or substitute Form W-8BEN) you have submitted incorrect, you must notify the withholding agent, payer, or FFI with which you hold an account within 30 days of the change in circumstances and you must file a new **Form W-8BEN** (or substitute Form W-8BEN) or other appropriate form.

Expiration of Form W-8BEN (or substitute Form W-8BEN). Generally, a **Form W-8BEN** (or substitute Form W-8BEN) will remain in effect for purposes of establishing foreign status for a period starting on the date the form is signed and ending on the last day of the third succeeding calendar year, unless a change in circumstances makes any information on the form incorrect. To determine the period of validity for **Form W-8BEN** (or substitute Form W-8BEN) for purposes of chapter 4, see Regulations section 1.1471-3(c)(6)(ii). To determine the period of validity for **Form W-8BEN** (or substitute Form W-8BEN) for purposes of chapter 3, see Regulations section 1.1441-1(e)(4)(ii).

Definitions

Account holder. An account holder is generally the person listed or identified as the holder or owner of a financial account.

Beneficial owner. For payments other than those for which a reduced rate of, or exemption from, withholding is claimed under an income tax treaty, the beneficial owner of income is generally the person who is required under U.S. tax principles to include the payment in gross income on a tax return. A person is not a beneficial owner of income, however, to the extent that person is receiving the income as a nominee, agent, or custodian, or to the extent the person is a conduit whose participation in a transaction is disregarded.

Foreign person. A foreign person includes a nonresident alien individual and certain foreign entities that are not U.S. persons (entities should complete Form W-8BEN-E).

Nonresident alien individual. Any individual who is not a citizen or resident alien of the United States is a nonresident alien individual. An alien individual meeting either the "green card test" or the "substantial presence test" for the calendar year is a resident alien. Any person not meeting either test is a nonresident alien individual.

Nonresident alien who becomes a resident alien. Generally, only a nonresident alien individual may use the terms of a tax treaty to reduce or eliminate U.S. tax on certain types of income. However, most tax treaties contain a provision known as a "saving clause". Exceptions specified in the saving clause may permit an exemption from tax to continue for certain types of income even after the recipient has otherwise become a U.S. resident alien for tax purposes. The individual must use Form W-9 to claim the tax treaty benefit. See the instructions for Form W-9 for more information.

U.S. person. A U.S. person is defined in section 7701(a) (30) and includes an individual who is a citizen or resident of the United States.

Specific Instructions: Part I - Identification of Beneficial Owner

Line 1. Enter your name. If you are a disregarded entity with a single owner that is a foreign individual and you are not claiming treaty benefits as a hybrid entity, the form should be completed and signed by your foreign single owner.

Line 2. Enter your country of citizenship. If you are a dual citizen, enter the country where you are both a citizen and a resident at the time you complete this form. If you are not a resident in any country in which you have citizenship, enter the country where you were most recently a resident.

Line 3. Your permanent residence address is the address in the country where you claim to be a resident for purposes of that country's income tax. If you are completing **Form W-8BEN** (or substitute Form W-BEN) to claim a reduced rate of withholding under an income tax treaty, you must determine your residency in the manner required by the treaty. If you are an individual who does not have a tax residence in any country, your permanent residence address is where you normally reside.

Line 4. Enter your mailing address only if it is different from the address you show on Line 3.

Line 5. A U.S. taxpayer identification number (TIN) is a social security number (SSN), employer identification number (EIN), or IRS individual taxpayer identification number (ITIN). Check the approximate box for the type of TIN you are providing.

Contact a Social Security Administration office to find out if you are eligible to get an SSN. If you do not have an SSN but are eligible to get one, apply on **Form SS-5**, Application for a Social Security Card. If you do not have an SSN, and **are not eligible to obtain one**, you may apply for an ITIN using **Form W-7**, Application for IRS Individual Taxpayer Identification Number.

If you are claiming treaty benefits, you are generally required to provide an ITIN if you do not provide a tax identifying number issued to you your jurisdiction of tax residence on line 6. To claim tax treaty benefits without an ITIN, see instructions.

Line 6. If you are providing this Form W-8BEN to document yourself with respect to a financial account that you hold at a U.S. office of a financial institution, provide the tax identifying number (TIN) issued to you by your jurisdiction of tax residence unless:

- You have not been issued a TIN, or
- The jurisdiction does not issue TINs.

If you have not provided your jurisdiction of residence TIN on line 6, provide your date of birth in line 7.

Line 7. List all account numbers with the same withholding agent or payer unless the withholding agent or payer requires you to submit a separate **Form W-8BEN** (or substitute Form W-8BEN) for each account.

Line 8. If you are providing this Form W-8BEN to document yourself with respect to a financial account that you hold with a U.S. office of a financial institution, provide your date of birth. Use the following format to input your information MM-DD-YYYY. For example, if you were born on April 15, 1956, you would enter 04-15-1956.

Part II - Tax Treaty Benefits

Line 9. If you are claiming treaty benefits as a resident of a foreign country with which the United States has an income tax treaty for payments subject to withholding under chapter 3, identify the country where you claim to be a resident for income tax treaty purposes. For treaty purposes, a person is a resident of a treaty country if the person is a resident of that country under the terms of the treaty. A list of U.S tax treaties is available at www.irs.gov/Individuals/International-Taxpayers/Tax-Treaties.

Line 10. Line 10 must be used only if you are claiming treaty benefits that require that you meet conditions not covered by the representations you make on line 9 and Part III. For example, persons claiming treaty benefits on royalties must complete this line if the treaty contains different withholding rates for different types of royalties. However, this line should always be completed by foreign students and researchers claiming treaty benefits. See *Scholarship and fellowship grants*.

This line is generally not applicable to treaty benefits under an interest or dividends article of a treaty.

Part III - Certification

Form W-8BEN (or substitute Form W-8BEN) must be signed and dated by the beneficial owner of the amount subject to withholding or the account holder of an FFI, or by an authorized representative or office of the beneficial owner. If **Form W-8BEN** (or substitute Form W-8BEN) is completed by an agent acting under a duly authorized power of attorney, the form must be accompanied by the power of attorney in proper form or a copy therefor specifically authorizing the agent to represent the principal in making, executing, and presenting the form. **Form 2848**, Power of Attorney and Declaration of Representative, may be used for this purpose. The agent, as well as the beneficial owner, may incur liability for the penalties provided for an erroneous, false, or fraudulent form.