



## **Missionaries and Pastors A Practical Tax Guide**

In 1913, U.S. Federal income tax was signed into law and imposed on all U.S. citizens. In 1921, Congress, the Courts and the Internal Revenue Service all agreed that a “Minister of the Gospel”, should receive additional tax benefits beyond the general population. For tax reporting purposes you are a “**Minister of the Gospel**” if you meet all of the following criteria:

- To qualify, a minister must be ordained, licensed or commissioned, through a church, religious organization, or a 501(c)(3) ministry. For the purposes of this tax guide, I will refer to each of these types of entities as a **church**.
- A minister includes missionaries, pastors, priests, rabbis, imams, and similar members of the clergy. For the purposes of this guide, I will refer to each of these occupations as **ministers**.
- Ministers are individuals who were duly ordained, commissioned, or licensed by a religious body constituting a church or church denomination. This includes retired ministers.
- Ministers must have the authority to conduct religious worship, perform sacerdotal functions, and administer ordinances or sacraments according to the prescribed tenets and practices of that church or denomination to maintain their status as a minister.
- If a church or denomination ordains some ministers and licenses or commissions others, anyone licensed or commissioned must be able to

perform substantially all the religious functions of an ordained minister to be treated as a minister for self-employment tax purposes.

- A minister must maintain a relationship with a church and be under the authority of a church.
- For the following discussions, Social Security tax and self-employment tax are considered to be the same tax. Social Security tax is paid by the employee and the employer equally; the minister solely pays self-employment tax.

Note: Once you meet the above criteria you should retain an association with a church to which you are accountable and which oversees your activities.

## **What if you are not associated with a church?**

In some circumstances, the IRS states that an independent or retired minister does not have to be associated with a church to maintain their status as a minister. This sounds contrary to the above statements, however, some ministers working through government agencies or other non-church entities may maintain their status as a minister. The downside is that the government agency or non-church entity is not a church and therefore the minister must have a separate working relationship with a church to receive allowed tax benefits.

When the 1099 minister has a working association with a church, the following tax benefits are available:

- Tax-deductible donations for those who make contributions to your non-profit entity. New for tax year 2026 donors may deduct limited charitable contributions even if not itemizing.
- When working for a church as a 1099 minister you have implied credibility.
- To claim exemption from self-employment tax, you must be associated with a religious order (church) that has licensed, ordained, or commissioned you as a minister and you have filed IRS form 4361.

- If a minister is licensed, ordained and or commissioned but is no longer affiliated with that religious order you are under a heavier burden to prove you are performing the required duties of a minister to maintain an exemption from self-employment tax.
- A 1099 minister may exclude from their 1099 income the allocated portion of their payments from the church to the extent used for rent or ownership of a home. This is deemed part of the 1099 minister's compensation paid by the church. However, if the paying church does not provide a written statement regarding the amount of the housing allowance, the housing allowance may not be claimed.
- Regarding an independent 1099 minister, the section 107 housing allowance must be a written statement designating the amount of the housing allowance and issued as a written statement by a church.
- Based on IRS interpretation of IRC section 107, the housing allowance must be designated with your employing church organization in advance of payment. If there is no church entity issuing the statement, then this exclusion from income will be a substantial loss to the minister.
- If you do not have a structured church or religious non-profit entity issuing you a 1099 then you may not be able claim any of the above tax benefits.

To Note: The IRS does in certain circumstances recognize that ministers can operate independently and without formal association with a church. However, several of the above benefits are limited. For example, the housing allowance may be limited if they are not associated with a church.

## **Paying Federal Income Taxes:**

All U.S. citizens are required under law to file annual income tax returns (form 1040) and report all worldwide income, not just income received as a minister. For income tax reporting purposes, ministers are taxed as follows:

- The U.S. government imposes two types of taxes on its individual citizens. The **first** tax is an income tax and the **second** is the Social Security or self-employment tax.

- Ministers receiving support from one church entity are to be considered W-2 employees for Federal income tax reporting purposes and must file an annual income tax return (form 1040).
- However, ministers are considered self-employed for Social Security purposes and must pay self-employment tax on their taxable wages including any housing allowance received, unless they have filed to be exempt from self-employment tax by filing form 4361 with the IRS.
- Therefore, the employing church does not treat the minister as an employee for Social Security withholding purposes but does for income tax reporting.
- The employing church must issue a W-2 to the minister at year end. This W-2 should allocate the total payments received by the minister between taxable wages, any income tax withholdings and any housing allowance paid.
- Even though ministers are considered employees for income tax purposes, ministers are considered self-employed for Social Security taxes. Therefore, ministers must pay self-employment taxes on their wages including their housing allowance payments unless they have elected to be exempt.
- A minister may claim a housing allowance as part of their compensation which is exempt from income tax reporting. Therefore, their taxable wages for W-2 reporting purposes will only reflect their net wages paid after subtracting the allowed and documented housing allowance paid.
- A minister may elect to have federal and or state income tax withheld from their wages by their church employer. This is done to cover any income or self-employment taxes which may be due on their taxable wages when they file their annual tax form 1040.

### **When to File a Tax Return:**

All U.S. citizens are required to file an annual individual tax return, (form 1040) by April 15th of the following year. The 1040 is to report all taxable income received and earned in the prior calendar year. However, if you are residing outside of the

U.S. (on the regular due date of your return), you are allowed an **automatic 2-month extension** to file your return without requesting an extension. The regular due date of your return is April 15, and the automatic extended due date would be June 15. If the due date falls on a Saturday, Sunday, or legal holiday, the due date is delayed until the next business day. This applies to all U.S. citizens residing abroad, not just ministers.

To Note: To support obtaining this automatic extension, I would advise you state your foreign address on tax form 2555 if applicable. Your main U.S. address may be used for page one of your 1040 tax return. This main U.S. address is important to accept any correspondence from the IRS. Showing the foreign address on form 2555 will assist the IRS in granting the extension, which may hopefully avoid a late filing notice from their office.

## **How to File:**

The following tax filing status options are available to be claimed when filing a US individual income tax return:

1. Single
2. Married Joint
3. Married Filing Separate
4. Head of Household
5. Surviving Spouse

Generally, the single or married joint filing status is claimed when filing a US tax return. However, if you are married and your spouse is not a US citizen, you have four separate filing options as follows:

1. Assume you are married to a foreign national, and your spouse has not earned any income nor traveled to the states during the tax year. Assume also you have no children or other tax dependents during the tax year. Under this scenario you will file as married separate for the tax year reporting all your worldwide income on your tax return.
2. Assume the same facts as in #1 but you have children. You may consider filing as head of household if you meet the following criteria:
  - You paid more than half the cost of maintaining a home for the year.

- Your home was the main home of your child, stepchild, or foster child for more than half the year. Note, your spouse is not considered to be a qualifying person for head of household filing purposes. You must have another qualifying person and meet the other tests to be eligible to file as head of household.
- Your spouse was a non-resident alien for the entire tax year.
- If you qualify to file as head of household, your tax rate will usually be lower than the rates for single or married filing separately. You will also receive a higher standard deduction than if you file as single or married filing separately.

3. Assume you are married to a foreign national and you are a US citizen. If your spouse has traveled to the US and earned income while in the states, then your spouse must obtain an ITIN to report their income earned while in the states. They will then file a married separate unless they elect to file a joint return with you as described below. The spouse with the ITIN will only report their U.S. source income earned on their married separate 1040 NR return.

4. Assume the same facts as in #3 above but you have decided to file a joint return with your spouse who has an ITIN. Under this scenario the spouse with the ITIN is to be treated as a US taxpayer and must report their world-wide income on the joint return. Be cautious in filing a joint return with your spouse this way as this is the way you must file all future returns unless this election is suspended or revoked. All future returns filed by you and your spouse must report your worldwide income and the worldwide income of your spouse. This election and requirement to file a joint return is defined by IRC section 7701(b)(1)(A).

This election for a joint return may be suspended or revoked if both the US citizen and the spouse with the ITIN do not reside in the U.S. anytime within the tax year. However, the U.S. citizen spouse must still file and report their worldwide income as either married separate or as head of household.

If you owe tax to the IRS, the most secure way to pay your tax due is electronically. Most tax preparation software companies provide the option to remit electronically, your balance due along with future estimated tax payments directly from your bank accounts. The other option is to go directly to the IRS web site as follows to remit your balance due. <https://www.irs.gov/payments>

## Taxation of Ministers:

An ordained, licensed, or commissioned minister who performs ministerial services is treated as a self-employed person for Social Security tax reporting purposes. This means when a minister is employed by a church, they are only to be treated as employees for income tax wage reporting purposes. The church employer should issue a W-2 for all wage payments received by you. Note, only the following boxes are reported on the W-2.

- W-2 Box #1 – Only report net taxable wages paid after subtracting any designated housing allowance claimed.
- W-2 Box #2 – This is generally blank, except if the minister elects to have federal income tax withholding on their net wages. If the minister has not elected out of self-employment tax by filing tax form 4361, I would advise the following:
  - Electing to have your church employer withhold income tax on your wages to cover any income and self-employment tax due, or:
  - File quarterly estimated vouchers, (1040ES) so that any income tax and self-employment tax which is estimated to be due is paid prior to year-end.
  - Note, currently the self-employment tax rate is 15.3% on all wages received including any housing allowance received or the fair market value of the parsonage used.
  - Again, self-employment tax is due on all payments received including base pay, a housing allowance or parsonage allowance, medical payment reimbursements, (unless part of a qualified medical insurance reimbursement account) and any gifts received through the church.
- W-2 Box F: This box contains your address. You may want to use your U.S. address to assure you do not receive any IRS correspondence abroad.
- W-2 Box #14: This is where you report your excluded housing allowance received, or parsonage allowance value received.
- W-2 Box #16 – If applicable report state wages for any earned support while residing in the U.S.
- W-2 Box #17 – Report state income tax withholdings on the taxable state wages received.

Note: If the minister is residing abroad Box 16 and 17 will be blank. Ministers are employees for income tax reporting purposes. Ministers are to report their wage payments on Form 1040. However, under certain circumstances, ministers may be treated as self-employed, (1099) for **income tax** reporting purposes and therefore, report compensation payments on schedule “C” as a self-employed minister. This treatment is generally rare for ministers as most ministers serve only one church.

## **Living Abroad Receiving Compensation:**

### **If you are employed by an American company living abroad:**

In general, U.S. Social Security and Medicare taxes continue to apply to wages for services you perform as an employee outside of the United States if one of the following applies:

- You are working for an **American employer:**
- You perform the services on or in connection with an American vessel or aircraft.
- You are working in one of the countries with which the United States has entered into a bilateral Social Security agreement (also known as a Totalization Agreement), and the agreement provides that your foreign employment is subject to U.S. Social Security and Medicare taxes.
- You are working for a foreign affiliate of an American employer under a voluntary agreement between the American employer and the U.S. Treasury Department.

### **If you are employed by a foreign company while living abroad:**

- In general, U.S. Social Security and Medicare taxes **do not** apply to wages for services you perform as an employee outside the United States if employed by a **foreign entity**.

### **You are self-employed living in a foreign country:**

- If you are a self-employed U.S. citizen or resident, the rules for paying self-employment tax are generally the same whether you are living in the United States or abroad.

- The self-employment tax is a Social Security and Medicare tax on net earnings from self-employment. You must pay self-employment tax if your net earnings from self-employment are at least \$400.

## **Exemptions and Deductions for Ministers:**

Ministers have been granted two special tax benefits under the Internal Revenue code as follows:

### **1. Housing allowance and parsonage exclusion:**

IRC section 107 of the Internal Revenue reads as follows:

*In the case of a minister of the gospel, gross income does not include— (1) the rental value of a home furnished to him as part of his compensation; or (2) the rental allowance paid to him as part of his compensation, to the extent used by him to rent or provide a home and to the extent such allowance does not exceed the fair rental value of the home, including furnishings and appurtenances such as a garage, plus the cost of utilities.*

Much overlooked and incorrectly computed, this housing and or value of a parsonage allowance only applies to ministers. To correctly compute this deduction, you must first determine **the lesser of the following limit computations at the end of the year:**

1. Compute your total housing costs for the year including mortgage payments, real estate taxes, insurance, appliances, household items, utilities, and maintenance, then compare this to the following,
2. The fair rental value of your fully furnished house plus utilities, then compare this to the following:
3. Reasonable compensation for your ministry services.

The allowed housing deduction will be the **lower of the three** computations computed above. At the beginning of each tax year, ministers are required to provide an estimate of the anticipated lower of the three computations to

your church employer. Your employer is to proportionally apply this estimate amount over your annual pay periods and exclude that amount as taxable wages from each income tax wage reporting period. To be able to exclude the housing allowance from income, the minister's employing church organization must officially designate the housing allowance as such before paying it to the minister.

At tax time, a reconciliation must be made between the housing allowance received to the three limits above. If your housing allowance received through your church is greater than any of the following:

- Your reasonable compensation
- The fair rental value of the home plus utilities, or
- Your actual expenses directly relating to providing the home

You must include this excess amount as additional taxable wages on the form 1040. If it is less, then you do not make any further adjustments to your tax return.

If you **own** your home, you may still claim deductions for mortgage interest and real property taxes on schedule "A" of your tax return.

To note: A Minister of the Gospel is a licensed, commissioned, or ordained minister who performs ministerial services as an employee. Once you pass this test you can exclude from your taxable compensation a parsonage allowance, or a housing allowance provided, if used to rent or otherwise provide a home for you or your family. This estimate of a projected annual housing allowance should be determined at the beginning of each tax year and provided to the church for wage reporting purposes.

A minister who is furnished a parsonage may exclude from gross income the fair rental value of the parsonage, including utilities. However, this parsonage benefit is subject to self-employment tax if not elected out.

Based on language from the IRS, ministers employed by a church should receive a W-2 with their housing allowance designated. However, there are instances where an independent minister may receive a 1099, where several churches have compensated the minister. In this instance each church must provide the minister with a written statement regarding the portion of compensation which represents a housing allowance. Further clarification

was provided by the Rick Warren IRS case, (*United States Court of Appeals, Ninth Circuit. Richard D. Warren; Elizabeth K. Warren, Petitioners-Appellees, v. Commissioner of Internal Revenue, Respondent-Appellant. No. 00 71217. Decided: August 26, 2002*) and later signed into law by President Bush which reads as follows:

*Since 1921, pastors and other religious leaders have been able to deduct from federal taxes a portion of their income for housing. The new law is intended to preserve the exemption by amending the Internal Revenue Code to make clear the allowance should not exceed the “fair rental value” of a house, including furnishings, accessories and utilities. While the bill would not settle the issue of constitutionality, its supporters believe it will end the Ninth Circuit’s threat to the allowance by codifying the “fair rental value” language formerly used by the Internal Revenue Service. The legislation would provide a way for both sides in the Ninth Circuit case to resolve the dispute. It would not prevent a future challenge to the allowance’s constitutionality, however.*

Note, the fair rental value of a parsonage or the housing allowance is excludable only for income tax purposes. A minister who has not filed IRS form 4361 to be exempt from self-employment tax must include the parsonage or housing allowance as additional taxable income in computing their self-employment tax due.

## **2. Exemption from self-employment tax (also called Social Security Tax on Wages):**

For normal **non-ministry** wage reporting purposes, the IRS requires your non-church employer to withhold income tax and Social Security taxes on your wage payments. However, a licensed, commissioned, or ordained minister who performs ministerial services as an employee of the church may request an exemption from self-employment tax for your ministerial earnings.

Payments made to you as a minister are payments to a self-employed person. If you meet the tests mentioned above, (as a minister) and are performing sacerdotal duties for the church or church related organization, your

employer is only to report to the IRS your base net taxable wage payments, (net of your housing allowance) and any income tax withholdings. They are not to withhold and remit any Social Security payments from your wages. Since ministers are self-employed for Social Security tax purposes, they must separately pay self-employment tax on their wages when they file their tax return at year-end on IRS schedule SE.

Ministers are exempt from self-employment tax for only their ministry related wages based on any of the following positions:

- You are opposed to public Social Security coverage, or
- You have not taken a vow of poverty.
- Ministers can't request an exemption for economic reasons.

To request this exemption, you must file:

- **Form 4361** (Application for Exemption from self-employment Tax for Use by Ministers, Members of Religious Orders and Christian Science Practitioners) with the IRS.
- You must file form 4361 by the due date of your income tax return (including extensions) by the second tax year in which you have net earnings from self-employment of at least \$400.

This rule applies if any part of your net earnings from each of the two years came from the performance of ministerial services. The two years don't have to be consecutive. The exemption is granted if the IRS approves your application. Once granted, this exemption is generally irrevocable.

I have experienced a 50/50 split on this issue with the ministers I have served. If you file form 4361 for the exemption, be sure to save for retirement through some other means. If you have filed this exemption request, you will not be eligible to receive social security benefits at age 62 or Medicare benefits at age 65 unless you have paid social security taxes from non-ministry related employment.

I would recommend if you filed the exemption request, please also supplement your present or future income with non-ministry wages by

paying in Social Security taxes so that you may qualify for Medicare benefits at age 65.

## **Foreign Earned Income Deduction:**

If you are residing in a foreign country, you may be entitled to exclude from taxation your taxable wages received while residing in a foreign country. This applies to wages paid by any U.S. entity, wages paid by a foreign entity or 1099 payments received while you are abroad.

To claim the foreign earned income exclusion, you must file form 2555 with your 1040 tax return. To claim these benefits, you must have foreign earned income, your tax home must be in a foreign country, and you must be one of the following:

- A U.S. citizen who is a bona fide resident of a foreign country or countries for an uninterrupted period that includes an entire tax year
- A U.S. resident alien who is a citizen or national of a country with which the United States has an income tax treaty in effect and who is a bona fide resident of a foreign country or countries for an uninterrupted period that includes an entire tax year, or:
- A U.S. citizen or a U.S. resident alien who is physically present in a foreign country or countries for at least 330 full days during any period of 12 consecutive months.

However, I would recommend not filing this 2555 form under the following conditions:

1. **Your foreign address** must be stated on the form. If you are concerned about stating your foreign address do not submit the form. Note, form 2555 only is filed with the IRS and it is a crime if your personal information becomes public. You may want to consider claiming a housing allowance instead. However, a housing allowance may only exclude a portion of your foreign taxable wages received.
2. If you file form 2555 you **cannot claim** any of the following credits:

- **Child Tax Credit.** The IRS allows taxpayers to claim a credit for all children under the age of 17, which is called the Child Credit. The entire child credit is first computed on tax form 8812. The credit is first applied against an income tax due on your tax return. If there is an excess child credit unused it is generally a refundable credit on your tax return. However, if you claim either the foreign earned income exclusion or the foreign housing deduction the additional child credit is lost and is not refundable.

- **Earned Income Credit.** You can't take the earned income credit if you claim either the foreign earned income exclusion or the election to be exempt from self-employment tax. However, if **neither apply** the earned income credit is fully allowed. See IRS publication, (Military and clergy rules for the Earned Income Tax Credit, go to; <https://www.irs.gov/credits-deductions/individuals/earned-income-tax-credit/military-and-clergy-rules-for-the-earned-income-tax-credit>)

- **Foreign Tax Credit or Deduction:** You cannot take a credit or deduction for foreign taxes paid or accrued on income that is excluded under either of the above exclusions. If all your foreign earned income is excluded, you cannot claim a credit or deduction for the foreign taxes paid or accrued on that income. If only part of your income is excluded, you can't claim a credit or deduction for the foreign taxes allocable to the excluded income. See IRS Publication 514 for details on how to compute the amount allocable to the excluded income.

- **IRA Deduction:** If you claim either of the above exclusions, special rules apply in figuring the amount of your IRA deduction. For details, see Pub. 590-A.

## **Earned Income Tax Credit, (EITC), vs. Foreign Earned Income Exclusion, (FEIE):**

- The Earned Income Tax Credit (EITC) is available to American expats who lived in the United States for more than half the tax year and **do not claim** the Foreign Earned Income Exclusion (FEIE).

- The EITC is a refundable tax credit worth up to \$8,046 for families with three or more children in 2025. However, most expats living abroad full-time cannot claim the EITC due to the residency requirement and the conflict with Form 2555. The FEIE allows expats to exclude up to \$130,000, (for tax year 2025, \$132,900 for tax year 2026), of foreign earned income from U.S. taxation, which is particularly beneficial for those in low-tax jurisdictions.
- However, the FEIE does not apply to investment income, pensions, Social Security, or U.S.-source pay. The choice between the two depends on the expat's income level, tax rate abroad, eligibility and if child credits are available.

### **How to claim: Earned Income Tax Credit (EITC):**

You are allowed to claim the earned income tax credit if your exempt organization issues you a W-2. The calculation for the earned income credit includes W-2 wages. Even if you filed form 4361 your W-2 wages qualify. However, your non-taxable housing allowance payments are not considered wages for the earned income credit calculation. Also, if you were issued a 1099 from your church or non-profit organization those payments reported on the 1099 do not qualify as wages for the earned income credit.

### **Retirement Plans Available and Allowed:**

Ministers like other U.S. taxpayers need to save for retirement. This is true especially for ministers who have filed form 4361 and are exempt from paying self-employment tax on their ministry wages. Therefore, I strongly urge you to consistently contribute to a qualified retirement plan or other non-qualified investment account for retirement income that you can draw on in the future. Popular qualified retirement plans are as follows:

1. **Roth Account:** Contributions are not current tax deductions, but when distributions occur the distributions are tax free. Under current law, if you are under 50 years old your limit is \$7,000. If over 50 your limit is \$8,000. Note, your limit is reduced if your earned income is under the above limits. There is no age limit on allowed contributions to a Roth account.

2. **Traditional IRA Account:** Contributions are currently tax deductible and have the same limits as Roth accounts for above. However, under current law, at age 73 you must begin to liquidate the account into taxable income based on the RMD rules.

3. **Church 403(b) Account:** Under current law you may be able to contribute up to \$23,000 into this account if you are under 50 years old. If over 50 your limit is \$31,000 and if 60 to 63 your limit is \$34,750.

4. **Self-employed Retirement:** See;([https://www.irs.gov/retirement-plans/retirement-plans for-self-employed-people](https://www.irs.gov/retirement-plans/retirement-plans-for-self-employed-people))

**For additional questions or concerns, please contact:**

## **MISSIONS TAX**

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References:

- Church & Clergy Tax Guide (Book) [https://store.churchlawandtax.com/2024-church-clergy-tax guide-book/](https://store.churchlawandtax.com/2024-church-clergy-tax-guide-book/)
- IRS topic #417, Earnings for Clergy