Author Full Name : Mark Neel **Received Date :** 04/29/2024 03:58 AM

Comments Received :

I am a US citizen, born in Atlanta in 1964, but as an Air Force brat, was raised and educated in many different parts of the United States. This mobility at a young age no doubt contributed to my love of travel and interest in different cultures, which finally led me to meeting a German woman while I was an exchange student in southwest Germany. In 1995 we married, and I have been living there continuously with her (and later our son) since then.

For many years I didn't give any thought to US tax matters or reporting requirements, or even knew that such things existed. I was really only occupied with starting a career and family. And why should I? My wife and I were mostly just getting by and had little savings -- what could the US government possibly want from us?

This all changed after around 2010, when suddenly compliance of tax and financial laws for citizens living in countries outside of the US were sharpened and given teeth by new penalties. To what end? Supposedly, this all was to find rich citizens parking their money or washing their income in foreign countries to avoid taxation, but the new requirements ended up in practice being a shotgun to shoot a sparrow -- they are just far too broadly written for the intended target and end up hitting people with average income levels like me.

In my case, my wife and I earn enough to put us around the median income level in Germany. Our (little) wealth is almost entirely in our house, which we will still be paying off for many years, most likely into retirement. Despite being far from having the large income and wealth that the strict compliance laws like FBAR were intended, I still, every year, must sacrifice significant time and expense to meet my FATCA and FBAR requirements. Why should I be penalized for my US citizenship? Just taking out a car loan, which often leads to a temporary bank balance well in excess of $10,000 until the payment for the car takes place, makes an FBAR report mandatory. How is impacting someone who doesn't have enough money to pay cash for a car in any way helpful toward catching tax cheats? Even our 22-year old son, a dual citizen of the US and Germany, had to do his FBAR filing due to his savings and earnings from internships exceeding the laughably low threshold last year. This is nonsense!

Due to the expenses and risk of penalties facing financial institutions in Germany and the rest of Europe from US compliance laws, many of them flat-out decline to approve accounts for US citizens. That means the very standard means of saving and growing wealth which are available to everyone in the US are unavailable to citizens abroad like me. Again, why am I penalized just for being a US citizen in a different country?

As is hopefully clear from my comments, the FBAR requirements are deeply onerous for US citizens abroad like me. Although well intended to reign in those actively attempting to hide their wealth, FBAR is way too broadly written and ends up adversely impacting citizens with even little income or savings. This is why I strongly urge FBAR to either be completely eliminated or, at least, its threshold be raised to such a high level that citizens of average means are exempted from reporting.