The employer (or any other person) must have been subject to indictment or conviction based on business transactions related to the bankruptcy.

If you choose to make these catch-up contributions, the higher contribution limits for individuals who are age 50 or older do not apply. The most that can be contributed to your Roth IRA is the smaller of $8,000 or your taxable compensation for the year.

**CAUTION**

You can repay qualified reservist, qualified hurricane, qualified disaster recovery assistance, and qualified recovery assistance distributions even if the repayments would cause your total contributions to the Roth IRA to be more than the general limit on contributions. However, the total repayments cannot be more than the amount of your distribution.

**Worksheet 2-1. Modified Adjusted Gross Income for Roth IRA Purposes**

*Use this worksheet to figure your modified adjusted gross income for Roth IRA purposes.*

1. Enter your adjusted gross income from Form 1040, line 38; Form 1040A, line 22; or Form 1040NR, line 36.  
2. Enter any income resulting from the conversion of an IRA (other than a Roth IRA) to a Roth IRA, a rollover from a qualified retirement plan to a Roth IRA, and a minimum required distribution from an IRA (for conversions and rollovers from qualified retirement plans only).  
3. Subtract line 2 from line 1.  
4. Enter any traditional IRA deduction from Form 1040, line 32; Form 1040A, line 17; or Form 1040NR, line 31.  
5. Enter any student loan interest deduction from Form 1040, line 33; Form 1040A, line 18; or Form 1040NR, line 32.  
6. Enter any tuition and fees deduction from Form 1040, line 34 or Form 1040A, line 19.  
7. Enter any domestic production activities deduction from Form 1040, line 35, or Form 1040NR, line 33.  
8. Enter any foreign earned income exclusion and/or housing exclusion from Form 2555, line 45, or Form 2555-EZ, line 18.  
9. Enter any foreign housing deduction from Form 2555, line 50.  
10. Enter any excludable qualified savings bond interest from Form 8815, line 14.  
11. Enter any excluded employer-provided adoption benefits from Form 8839, line 30.  
12. Add the amounts on lines 3 through 11.  
13. Enter:  
   - $169,000 if married filing jointly or qualifying widow(er),  
   - $10,000 if married filing separately and you lived with your spouse at any time during the year, or  
   - $116,000 for all others.  

Is the amount on line 12 more than the amount on line 13?  
If yes, see the note below.  
If no, the amount on line 12 is your modified adjusted gross income for Roth IRA purposes.

**Note.** If the amount on line 12 is more than the amount on line 13 and you have other income or loss items, such as social security income or passive activity losses, that are subject to AGI-based phaseouts, you can refigure your AGI solely for the purpose of figuring your modified AGI for Roth IRA purposes. When figuring your modified AGI for conversion purposes, refigure your AGI without taking into account any income from conversions or minimum required distributions from IRAs. (If you receive social security benefits, use Worksheet 1 in Appendix B to refigure your AGI.) Then go to list item 2 under Modified AGI earlier or line 3 above in Worksheet 2-1 to refigure your modified AGI. If you do not have other income or loss items subject to AGI-based phaseouts, your modified adjusted gross income for Roth IRA purposes is the amount on line 12 above.