

## IRM PROCEDURAL UPDATE

**DATE: 05/02/2016**

**NUMBER: WI-21-0516-0843**

**SUBJECT: Clarified Procedures for Disclosure**

**AFFECTED IRM(s)/SUBSECTION(s): 21.2.1**

**CHANGE(s):**

**IRM 21.2.1.40 - Updated (9) to clarify disclosure procedures.**

9. If the taxpayer is calling to request the prior year AGI or SSP in order to e-file, authenticate the caller following procedures in IRM 21.1.3.2.3, *Required Taxpayer Authentication* and IRM 21.1.3.2.4, *Additional Taxpayer Authentication*. If the taxpayer fails high risk disclosure, follow procedures in IRM 21.2.1.40.2, *Taxpayer Fails High Risk Disclosure during AGI Request*. When the call is identified by the IAT disclosure tool as having identity theft involvement and needs a transfer as directed in IRM 21.2.1.40.1, *E-file 1040 Series Online Filing with Prior Year Identity Theft*, you can bypass disclosure and inform the taxpayer you are transferring their call to an assistor who will authenticate them on the account and provide them with a special number to file their tax return electronically. See IRM 21.2.1.40.1(4), *E-file 1040 Series Online Filing with Prior Year Identity Theft*, for transfer procedures.

**NOTE:** The AGI or SSP can be provided to either spouse over the telephone only for the year the joint return was filed if he/she meets the disclosure requirements above.

**CAUTION:** If the IAT disclosure tool displays an identity theft indicator see paragraph (11) below.

**IRM 21.2.1.40.1 - Clarified procedures for transferring calls. Updated (9) to clarify disclosure procedures.**

1. The IAT Disclosure Tool will alert users to conditions on modules of accounts on which identity theft is a factor and/or suspected and documented. A list of identity theft action codes can be found in IRM 25.23.4.3, *Identity Theft General Research*. See IRM 25.23.2, *Identity Protection and Victim Assistance - General Case Processing*, for more detailed information on identity theft action codes. The IAT Disclosure Tool will display "IDT Indicator" in the alert box.

**CAUTION:** After securing the SSN and identifying the account as having identity theft as a factor do not complete the disclosure process and do not provide the Adjusted Gross Income (AGI) or Self-Select PIN (SSP).

2. Taxpayers affected by identity theft will not be able to provide their immediate prior year AGI to file their current year return. Taxpayers may be affected by identity theft whether they filed for the prior year or not.
3. Accounts identified where identity theft is a factor can be transferred prior to performing disclosure by advising the taxpayer "Your call will be transferred to an assistor who will authenticate you on the account and provide you with a special number to file your return electronically".

**CAUTION:** Do not transfer the call unless the issue is regarding immediate prior year AGI or SSP and the IDT marker is present. Follow normal procedures on all other contacts when the IDT marker is present.

4. Transfer the call to extension 92161 for English or 92162 for Spanish; for sites using Infrastructure Upgrade Project (IUP) numbers, use 1161 for English or 1162 for Spanish. If you addressed an issue and performed disclosure prior to addressing the prior year AGI issue, apologize to the caller prior to the transfer and explain that due to the presence of an identity theft marker on the account the next assistor will need to cover the authentication process prior to providing the special number for them to file electronically.

**EXCEPTION:** International assistors at the Philadelphia site are not allowed to transfer calls per IRM 21.8.1.1.4(2), *Web Sites and Telephone Numbers*. In this situation (and only this situation) Philadelphia International assistors would need to perform the procedures normally designated to the AM IPSU function. Follow the steps described in IRM 25.23.3.2.3.1, *Responding to Calls related to E-filing, Prior Year AGI and Identity Theft - App 161/162 only*.

#### **IRM 21.2.1.48.2 - Updated grammar and dates in (5).**

1. Taxpayers who electronically file the returns or tax forms listed below via an electronic return originator (ERO) or online can simultaneously authorize the Treasury to make an electronic funds withdrawal (direct debit) from a designated checking or savings account to pay a balance due, including interest and/or penalty.
2. The following types of taxes may be paid by electronic funds withdrawal when these forms are filed electronically:
  - a. Form 1040 series
  - b. Form 4868
  - c. Form 2350

- d. Form 1040-ES
- e. Form 941
- f. Form 941-PR
- g. Form 941-SS
- h. Form 940
- i. Form 940-PR
- j. Form 943
- k. Form 943PR
- l. Form 944
- m. Form 945
- n. Form 1041
- o. Form 1065/1065B
- p. Form 1120/1120S/1120POL/ 1120F
- q. Form 7004
- r. Form 990-PF
- s. Form 8868
- t. Form 720
- u. Form 2290

3. Late payments, including interest and/or penalty may be accepted if the electronic filing option extends beyond the return due date. There are no separate entries on the payment record for interest and/or penalty amounts. Those amounts should be combined with the tax due and the total should be reflected in the "Amount of Tax Payment" entry on the payment record.
4. For some forms, such as Form 1040 and Form 1120 series returns, taxpayers may e-file early and schedule a payment for withdrawal on a future date, up to and including the return due date. After the return due date, the payment date is equal to the date the return is filed electronically. For example: If there are issues that prevent the return from being processed until 05/01/11, then 05/01/11 is treated as the payment date.
5. Form 1040-ES payment requests must be authorized at the same time the Form 1040 series return, or Form 4868 extension is electronically filed. Estimated tax payments may be made whether or not there is a balance due on the return. Taxpayers may schedule payments for withdrawal on April 15, 2014 (1st quarter), June 17, 2014 (2nd quarter), September 16, 2014 (3rd quarter) or January 15, 2015 (4th quarter).
6. Up to four estimated payments may be initiated with an electronically filed Form 1040 series return, or a Form 1040 return. Form 2350 extension, or Form 4868 extension form (using Modernized e-File (MeF) software). When one or more 1040-ES payments are made, IRS automatically enrolls a taxpayer in the Electronic Federal Tax Payment System (EFTPS), if not already enrolled. An enrollment letter is only mailed to a taxpayer when the taxpayer calls EFTPS to request one. A taxpayer does not have to use EFTPS. We offer this option in case the taxpayer cancels an EFW payment and/or did not submit all four of their payments through EFW, and therefore

now needs to make one or more additional payments. Taxpayers should call 1-800-316-6541 (available 24/7) for more information.

7. For Form 2350 and Form 4868, taxpayers may schedule a payment for withdrawal on a future date up to and including the return due date.
8. For Form 1065/1065B, taxpayers may schedule a payment for withdrawal on a future date up to and including the return due date.
9. A taxpayer should refer to his/her tax preparation software or tax professional to determine if a partial payment may be made and to find out what the operational periods are for any electronic payment they may make.
10. Taxpayers are prompted to enter the bank account number and routing transit number. Most rejects (a reject is technically referred to as a "return" by the financial institution) occur because one or more of these numbers do not exactly match the information contained by a taxpayer's financial institution. Taxpayers should verify these numbers with their financial institution **prior to** entering them on the payment record to prevent rejection of the payment.
11. **Taxpayers cannot change the bank account number or routing transit number once the return or form is filed.** If the bank information changes, was entered incorrectly, or the account is closed prior to the scheduled payment date, the taxpayer should cancel the payment (time permitting) and make other payment arrangements to ensure that the balance is satisfied.
12. To cancel scheduled payments, taxpayers should call toll-free, **1-888-353-4537**. Cancellations must be requested no later than 11:59 p.m., Eastern Time, at least two business days prior to the scheduled payment date.
13. Taxpayers may also call the above number to inquire about the status of their payment(s) or for assistance regarding the letter 4870C they may have received pertaining to their electronic funds withdrawal request. This inquiry service is available year round, 24/7.

**NOTE:** Taxpayers should wait at least ten days after returns are electronically filed and accepted before making any inquiries.

14. The payer's bank statement provides confirmation of payment. The statement will include "United States Treasury Tax Payment" or something similar.