



DEPARTMENT OF THE TREASURY
INTERNAL REVENUE SERVICE
WASHINGTON, D. C. 20224

Small Business/Self-Employed Division

January 26, 2026

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5.9.15, 5.9.19, 1.4.51

MEMORANDUM FOR ALL SPECIALTY COLLECTION INSOLVENCY EMPLOYEES

FROM: Thomas Kramer
Director, Collection Policy **Thomas D. Kramer** Digitally signed by Thomas D. Kramer
Date: 2026.01.26 13:38:35 -08'00'



SUBJECT: Interim Guidance on the Mandatory Use of Digital Tools for Collection
Insolvency Employees

Purpose

The purpose of this memorandum is to issue procedural guidance on the mandatory use of available and appropriate, IT-approved, digital tools for all Collection employees (e.g. Document Upload Tool (DUT), Taxpayer Digital Communications (TDC) Secure Messaging (SM), Live Assistance (Text Chat), etc.). Digital tools provide the IRS with a more efficient process for requesting and reviewing taxpayer submissions. The benefits of using these digital tools include:

- Reduced paper correspondence
- Decreased case processing time
- Improved customer service

Offering these digital solutions to all taxpayers, when available, will help to improve taxpayer service and efficiency across Collection.

Background

The IRM currently references acceptable means of receiving information from taxpayers through postal mail, face-to-face contacts, and digital tools. Digital tools include Enterprise e-Fax system (EEFax), TDC Secure Messaging, DUT, and Live Assistance (Text Chat).

Procedural Changes

- 1 Employees are required to offer the use of available and appropriate, IT-approved, digital communication tools to taxpayers or their representatives to secure necessary information or documents.
- 2 It is not mandatory for taxpayers to communicate using digital tools; however, paper correspondence should be the last resort, only after all available digital communication options have been offered, declined, and exhausted. Postal mail response options should only be offered to taxpayers who cannot or will not use these digital communication tools.
- 3 Follow current guidance where digital tools are not currently authorized as an acceptable means to secure tax returns. This mandate does not supersede that guidance, and taxpayers should be encouraged to file returns through authorized means.
- 4 If a taxpayer cannot use a specific digital communication tool, employees must first offer any available alternative digital tool before resorting to paper correspondence. Employees must also prioritize the taxpayer's preferred digital communication method, explain how to use digital tools if the taxpayer needs help, and document the taxpayer's choice.
- 5 Employees must use the digital tools and systems available to them to review and respond to taxpayers, following IRM guidelines for processing taxpayer responses.
- 6 When using TDC Secure Messaging, employees must mark the Case Status and IRS Case Status fields as Closed/Complete once taxpayer responses have been processed, documented, and all attachments properly handled. This will mark messages and attachments to be purged. TDC Secure Messaging should not be used as long-term storage to retain incoming taxpayer communications.

Employees can also find more information about digital tools on the Emerging Technologies Knowledge Base Homepage.

Effect on Other Documents: This guidance will be incorporated into the impacted IRM sections as specified on the following pages within two years from the date of this memorandum.

Effective Date: This guidance, which impacts all IRM sections listed above, is effective as of January 26, 2026, the date of this memorandum.

Contact: If you have any questions about the guidance in this memorandum you may contact Eric Slayback, Program Manager, HQ Collection Policy – Case Resolution Alternatives.

Distribution:

Director, Specialty Collection – Insolvency
Taxpayer Advocate Service
Special Counsel (GL) L&A
IRS.gov

Interim Guidance: SBSE-05-0126-0018

The following changes take effect January 26, 2026, for the IRM references listed below. This memorandum uses ellipses (...) to show existing policy not changed and only shows the paragraphs with changes.

1.4.51.2

(01-26-2026)

Role of the Field Insolvency Manager and Centralized Insolvency Operation Manager

Fundamental responsibilities for all managers are discussed in IRM 1.4.1, Management Roles and Responsibilities. An SCI manager must provide oversight and direction in a number of areas, which will result in accomplishing the mission of the IRS. Oversight responsibilities include, but are not limited to:

SCI Manager Oversight Responsibilities
1. Ensuring case actions are timely and in accordance with current law, policies, and procedures.
2. Ensuring employees maintain high standards of professionalism in all correspondence and telephone contacts with the public, internal customers, external customers, and coworkers.
3. Ensuring taxpayer rights are observed and taxpayers and/or their representatives are advised of those rights and how to exercise them.
4. Ensuring employees are aware of the role of the Taxpayer Advocate Service and the Low Income Tax Clinics (refer to Pub 4134, Low Income Taxpayer Clinic List), and the service these functions provide is properly communicated with taxpayers and/or their representative.
5. Ensuring employees are aware of ongoing changes to the laws, policies, and procedures that relate to their responsibilities (preferably during group meetings).
6. Addressing system issues that impact either internal or external customer needs.
7. Ensuring cases are assigned timely and employee workload:- Reflects current priorities.- Reflects employee experience and skill level.- Addresses Servicewide objectives.- Protects public interests.- Allows for effective case processing
8. Helping employees make the appropriate next case decision.
9. Providing ongoing employee feedback that is candid and meaningful and will establish a basis for determining an accurate assessment of performance and developmental needs.
10. Issuing the Critical Job Elements (CJE) timely and evaluating employee performance against their CJEs
11. Creating and maintaining a work environment that will promote team work, positive working relationships, and increased employee satisfaction.

SCI Manager Oversight Responsibilities

12. Ensuring employees have necessary functioning equipment and supplies.

13. Ensuring employees are accountable for the appropriateness of their actions.

14. Ensuring employees are using mandatory digital tools (e.g. Document Upload Tool (DUT), Efax, etc.). Review reports that may be created in connection with the use of these digital tools.

5.9.3.3

(01-26-2026)

Taxpayer/Debtor Contacts

(1) **Obtaining Pertinent Information.** When the IRS is advised through oral or written contact that a taxpayer has filed for bankruptcy, or issues remain from a prior bankruptcy, pertinent information should be collected to help SCI research the issue. Suggested information to gather from the taxpayer include the following:

- a. Current status of the taxpayer's bankruptcy (opened or closed),
- b. Date the petition was filed,
- c. Court location where the bankruptcy was filed,
- d. Chapter under which the bankruptcy was filed,
- e. Case (docket) number,
- f. Taxpayer identification numbers (TINs),
- g. Method of closure (dismissal or discharge) and the closure date (or general time frame), if the case is closed, and
- h. Any other pertinent information.

Note: Employees must offer and encourage taxpayers and Powers of Attorney (POA) to use digital tools to submit the required documentation. It is not mandatory for taxpayers to communicate using digital tools; however, paper correspondence should be the last resort option, only after all available digital communication options have been offered, declined, and exhausted. For information about DUT see IRM 5.9.5.5.1.1, Document Upload Tool.

5.9.5.5.1.1

(01-26-2026)

Document Upload Tool (DUT)

(1) The Document Upload Tool (DUT) is an application on IRS.GOV that will allow taxpayers to upload documentation that is requested or required of them to provide and transmit to the IRS during or shortly after their interaction (phone conversation, correspondence, field visitation, 341 meeting, etc.). The caseworker will provide taxpayers or their representatives with a unique, one-time use access code along with a corresponding link to Documentation Upload Tool | Internal Revenue Service | TPF (irs.gov) to upload the required documents. To establish a DUT profile, you must first

submit a BEARS request. In addition, new users must also elevate their request through their business unit. Once DUT profile has been created, you will receive a confirmation email from Accenture Federal Services (IT Contractor) providing the URL for DUT, as well as, DUT Admin SSO Login Instructions. ~~Use of the DUT by Bargaining Unit employees is voluntary, but highly recommended.~~ Employees must offer and encourage taxpayers and Powers of Attorney (POA) use digital tools, such as the Document Upload Tool (DUT), to submit the required documentation. It is not mandatory for taxpayers to communicate using digital tools; however, paper correspondence should be the last resort option, only after all available digital communication options have been offered, declined, and exhausted.

Taxpayer/POA must be reminded of the following limitations when using DUT:
The unique access code is valid ONLY for 70 days and for ONE use by the taxpayer.
The taxpayer will only upload scans, photos, or digital copies in the form of JPG, PNG, or PDF with a maximum file size of 15MB per file up to 40 files (120-page limit per file).
The taxpayer must name their file before uploading and the file name will not contain any special characters.
All required documents must be uploaded before pressing the submit button.
If the taxpayer/POA needs to upload additional documents after hitting the submit button, then they must contact the caseworker to request a new unique access code.

Note: The following information is noted in the DUT upload link: **You are never authorized to use the Document Upload Tool to file your tax return, even if you have received correspondence requesting that you file a tax return.** Attempting to upload your tax return through the Document Upload Tool **does not** relieve you of the requirement to file your tax return through authorized means. The tax return instructions will explain how to file. Failure to file your tax return through authorized means may result in penalties.

Reminder: Documents received through the use of DUT method, upon receipt, will be destroyed by the receiving area.

Note: For a detailed description of DUT capabilities and features, please see information found on the Document Upload Tool (DUT) Information Page for SBSE Collection at Document Upload Tool (DUT) Information Page for SBSE Collection.

**5.9.8.4.2
(01-26-2026)**

Aspects of the Initial Case Review in the Chapter 11 Case

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(2) 341 Meeting. Issues requiring clarification at the 341 meeting of creditors may be identified as the caseworker completes the initial case review. The caseworker may also

determine that there are no issues for discussion at the 341 meeting. Document the AIS history clearly with any issues requiring a discussion at the 341 meeting. If there are no issues, state that there are no issues for discussion at the 341 meeting. The caseworker must document whether or not they will attend the 341 meeting. The following list contains examples of items that may be discussed at the 341 meeting(not all-inclusive):

- Give the taxpayer Publication 1, Your Rights as a Taxpayer, when not issued prior to the 341 meeting.
- In an individual or joint debtor case, discuss the debtor's responsibility to obtain an Employer Identification Number (EIN), report income on Form 1041, U.S. Income Tax Return for Estates and Trusts, and to provide the EIN to the caseworker shown on the Letter 4914, Notice to Individual Chapter 11 Debtor Regarding Income Tax Filing Responsibilities.
- Ask the debtor how they arrived at the value of assets listed in the bankruptcy schedules.
- Ask why specific assets (including foreign assets) are not listed in the bankruptcy schedules. This is important when research performed by the caseworker locates assets not disclosed in the bankruptcy schedules.
- Who are the persons that may be responsible for the TFRP?
- Is the debtor's business continuing to operate?
- How many employees does the business currently employ?
- Does the business pay employees weekly, bi-weekly, or monthly?
- What is the total wage expense per payroll period?
- Ask the debtor to file any delinquent tax returns by an established deadline. Then, advise the taxpayer of the consequences of non-compliance.
- Take the opportunity to discuss Federal Tax Deposit (FTD) requirements with the debtor. Ask if they understand FTD requirements.
- Ask if the debtor plans to reorganize or liquidate through the Chapter 11 proceeding.
Note: The caseworker can gather information regarding the taxpayer's business by sending Letter 3928 and Form 13648, Request for Business Information, to the taxpayer before the 341 meeting.

Note: Employees must offer and encourage taxpayers and Powers of Attorney (POA) to use digital tools to submit the required documentation. It is not mandatory for taxpayers to communicate using digital tools; however, paper correspondence should be the last resort option, only after all available digital communication options have been offered, declined, and exhausted. For information about DUT see IRM 5.9.5.5.1.1, Document Upload Tool.

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(8) **Letters to Fiduciary.** To promote post-petition filing and paying compliance, the caseworker must issue the following letters to the DIP or Trustee, when applicable:

- Letter 982, Fiduciary Payment of Claim. This letter advises the DIP or Trustee of the basic requirements for the treatment of the IRS's claim in the bankruptcy plan for IRS to accept the proposed plan of reorganization.
- Letter 986, Letter to Fiduciary. This letter clarifies the fiduciary's obligation to file tax returns and pay taxes that become due during the pendency of the bankruptcy proceeding.

Note: This letter must be issued for all cases with an open filing requirement for a tax form that may require Federal Tax Deposits (FTDs).

- Letter 4914, Notice to Individual Chapter 11 Debtor Regarding Income Tax Filing Responsibilities. This letter notifies the DIP in the individual or joint bankruptcy case that income tax filing and reporting requirements may have changed. In the joint bankruptcy case, send each individual a Letter 4914. The Form 1041 is not a joint income tax return. (See IRM 5.9.8.14, Internal Revenue Code 1398 Issues - The Bankruptcy Estate in the Individual Chapter 11 Case.)The Letter 4914 also instructs the debtor to notify the FI caseworker of their EIN, when secured. If the debtor has not provided the EIN within 60 days of issuance of the Letter 4914, contact the debtor to secure the EIN.

Note: Employees must offer and encourage taxpayers and Powers of Attorney (POA) to use digital tools to submit the required documentation. It is not mandatory for taxpayers to communicate using digital tools; however, paper correspondence should be the last resort option, only after all available digital communication options have been offered, declined, and exhausted. For information about DUT see IRM 5.9.5.5.1.1, Document Upload Tool.

5.9.8.6

(01-26-2026)

Adequate Protection

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(2) **Initial Considerations for Adequate Protection.** The caseworker must first determine if schedules of assets and liabilities have been filed. If so, and the IRS does not have copies, the caseworker must contact the DIP or trustee to request the schedules along with an aged list of the business' accounts receivable. Schedules may also be viewed electronically through PACER. From this information, the caseworker can establish a rationale for requesting adequate protection. The IRS may be entitled to adequate protection when a pre-petition NFTL attaches to equity in assets which will depreciate during the bankruptcy proceeding or which may be consumed in the normal course of business, as is the case with cash collateral or inventory. If the debtor arranges for post-petition financing for property subject to the NFTL, the IRS may also be entitled to adequate protection of its interest. When determining priority of competing security interests, including the NFTL, the caseworker should consider the "45-Day Rule". See IRC 6323(c) and IRM 5.17.2.6.6.1, Commercial Transaction Financing Agreements, for additional information.

Note: If available, Accurint should be researched to identify related entities and to value assets.

Note: Employees must offer and encourage taxpayers and Powers of Attorney (POA) to use digital tools to submit the required documentation. It is not mandatory for taxpayers to communicate using digital tools; however, paper correspondence should be the last resort option, only after all available digital communication options have been offered, declined, and exhausted. For information about DUT see IRM 5.9.5.5.1.1, Document Upload Tool.

5.9.8.8

(01-26-2026)

Cash Collateral/Property Depreciation of the Estate

(6) **Insolvency Actions.** If the IRS is entitled to adequate protection based on lien equity, FI should:

1. Send AIS Letter 2173, Adequate Protection, or an equivalent local letter to the debtor with a copy to the debtor's attorney advising that the IRS does not consent to the use of the cash collateral;
2. Based on response(s) received, attempt to reach an agreement; negotiations for adequate protection of the government's lien interests will follow guidelines similar to those used when the IRS negotiates a pre-petition levy agreement; and
3. Make a prompt referral to Counsel, asking for a motion to provide adequate protection to the IRS if delay is experienced and/or nonproductive responses are received.

Note: Employees must offer and encourage taxpayers and Powers of Attorney (POA) to use digital tools to submit the required documentation. It is not mandatory for taxpayers to communicate using digital tools; however, paper correspondence should be the last resort option, only after all available digital communication options have been offered, declined, and exhausted. For information about DUT see IRM 5.9.5.5.1.1, Document Upload Tool.

5.9.8.13

(01-26-2026)

Post-petition/Pre-confirmation BMF Monitoring

(3) **Contact with Debtor.** At any time the debtor is found to be delinquent in making FTDs, the caseworker must attempt to contact the debtor by phone. During the phone call, the caseworker must advise the debtor that the business has 10 calendar days to deposit all delinquent FTDs. The caseworker must enumerate the possible consequences of non-compliance, which may include the IRS:

- Filing Form 6338-A(C), Request for Payment of Internal Revenue Taxes, with the court (see paragraph (8) below)
- Requesting the appointment of a trustee
- Filing a motion to have the Chapter 11 case converted to a Chapter 7 bankruptcy
- Filing a motion to have the case dismissed
- Filing a motion for relief from the automatic stay

If the debtor cannot be reached by phone, the caseworker must send a letter to the debtor establishing the 10-day deadline to respond. Alternatively, the caseworker may contact the debtor's attorney of record in the bankruptcy proceeding regarding the delinquent FTDs. However, the caseworker must first confirm the attorney's status as the debtor's bankruptcy attorney before making contact.

Note: The caseworker should consider whether an existing adequate protection order requires timely deposits. If so, and the debtor is not making deposits, the case may be referred to Counsel if the tolerance criterion in IRM 5.9.4.15.4, is met.

Note: Employees must offer and encourage taxpayers and Powers of Attorney (POA) to use digital tools to submit the required documentation. It is not mandatory for taxpayers to communicate using digital tools; however, paper correspondence should be the last resort option, only after all available digital communication options have been offered, declined, and exhausted. For information about DUT see IRM 5.9.5.5.1.1, Document Upload Tool.

5.9.8.14.1

(01-26-2026)

Post-petition Debts - Chapter 11 Individuals

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(3) **Collection.** In the Chapter 11 case of an individual, the automatic stay prohibits collection of Form 1041 liabilities outside the bankruptcy. Form 1041 liabilities are administrative expenses that must be paid through the bankruptcy. The Collection Statute Expiration Date (CSED) is extended by the bankruptcy on these liabilities. If the liabilities are not paid through the bankruptcy, they will generally be discharged. The caseworker must:

- a. Contact the debtor or debtor's attorney and establish a 10 day deadline for the debtor to pay the outstanding post-petition tax liability. If the liability remains unpaid,
- b. File Form 6338-A(C), Request for Payment of Internal Revenue Taxes, to request payment of the outstanding liability from the bankruptcy estate, and
- c. Ensure that a TC 520 bankruptcy freeze is input for the outstanding liability that prevents all collection activity and suspends the CSED. Generally, the TC 520 cc 64 or TC 520 cc 65 is input, subject to local procedures.
- d. For liabilities that meet the referral tolerances in IRM 5.9.4.15.4, the caseworker must refer the case to Counsel for a motion to dismiss or convert, or an objection to discharge.

Note: Employees must offer and encourage taxpayers and Powers of Attorney (POA) to use digital tools to submit the required documentation. It is not mandatory for taxpayers to communicate using digital tools; however, paper correspondence should be the last resort option, only after all available digital communication options have been offered, declined, and exhausted. For information about DUT see IRM 5.9.5.5.1.1, Document Upload Tool.

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(6) **Filing Compliance.** The individual debtor is required to report all post-petition personal service income on Form 1041. Caseworkers must monitor the individual bankruptcy case yearly to ensure that the Form 1041 is filed for each year in which the automatic stay is in place. Generally, this is from the petition date through discharge upon completion of the plan. Failure to file the Form 1041 should be referred to Counsel when local tolerances and additional concerns listed in IRM 5.9.4.15, Referrals-Representing IRS in Bankruptcy Court, permit the referral. If the debtor did not provide

the EIN as directed in the Letter 4914, the caseworker must contact the debtor and document actions taken to secure the EIN.

Note: Chapter 11 no liability cases are not required to be held open to monitor only for Form 1041 compliance.

Note: Employees must offer and encourage taxpayers and Powers of Attorney (POA) to use digital tools to submit the required documentation. It is not mandatory for taxpayers to communicate using digital tools; however, paper correspondence should be the last resort option, only after all available digital communication options have been offered, declined, and exhausted. For information about DUT see IRM 5.9.5.5.1.1, Document Upload Tool.

5.9.9.6

(01-26-2026)

Reasons to Object to the Plan

(1) **Inadequate Plan Provisions.** If the plan does not provide for appropriate payment of the IRS's claims, the Insolvency caseworker should contact debtor's counsel to discuss the deficiencies. If the debtor can demonstrate acceptance of a deficient plan is in the best interests of the government, the case should be referred to Counsel. The caseworker should recommend acceptance of the plan in lieu of objection. Include the debtor's TIN(s) in the referral.

Note: This recommendation may be made only if no other creditor benefits to the detriment of the IRS. *Under no circumstances will the IRS accept less than would be recoverable in a Chapter 7 case.* In making that determination, determine the value of the assets of the estate and subtract valid liens, the debtor's exemptions, and costs of administration that would be incurred in a Chapter 7 case. For a case involving a claim described in 11 USC 1232(a) IRM 5.9.9.5.2 (2), Modification after Confirmation.

Note: Employees must offer and encourage taxpayers and Powers of Attorney (POA) to use digital tools to submit the required documentation. It is not mandatory for taxpayers to communicate using digital tools; however, paper correspondence should be the last resort option, only after all available digital communication options have been offered, declined, and exhausted. For information about DUT see IRM 5.9.5.5.1.1, Document Upload Tool.

IRM 5.9.9.10

(01-26-2026)

Monitoring Compliance

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(2) **Monitoring Liability Cases.** Insolvency must monitor post-petition compliance of the Chapter 12 debtor owing pre-petition debts. Compliance monitoring can be discontinued at dismissal, discharge, conversion, or closing of the case. See IRM 5.9.8.13, Post-petition/Pre-confirmation BMF Monitoring.

- a. Insolvency should establish a follow-up schedule to monitor plan payments after confirmation or use AIS plan reports.
- b. Systemic monitoring for Forms 941 can be conducted in the same manner as in Chapter 11 proceedings. (See IRM 5.9.8.13, Post-petition/Pre-confirmation BMF Monitoring.)
- c. Manual monitoring for Form 943 will be necessary. However, the Last Return Amount code (LRA-CD) may be input with a TC 136 to cause post-petition Form 943 delinquencies to appear on the Post-petition Monitoring Report.
- d. If the debtor becomes delinquent on plan payments, the Insolvency caseworker must contact the DIP or trustee, if appointed, by phone. The cause and a cure for the delinquencies/default must be determined. Caseworkers must *establish a deadline* for the payments to become current. Advise the DIP or trustee that the IRS will request dismissal of the case if the payments are not current by the deadline. Confirm the contact *in writing*.
- e. If the debtor fails to comply with current filing and payment requirements, the Insolvency caseworker must contact the debtor by phone. Advise the debtor of the non-compliance. Give the debtor a *deadline* to come into full compliance. Advise the debtor of the consequences for failing to come into filing or paying compliance. Confirm the conversation with the debtor *in writing*.

Note: The caseworker may *only* contact the debtor's attorney instead of the debtor regarding post-petition noncompliance *when* the IRS has filed a court action or filed a response to a court action regarding the debtor's post-petition tax liability.

Note: Employees must offer and encourage taxpayers and Powers of Attorney (POA) to use digital tools to submit the required documentation. It is not mandatory for taxpayers to communicate using digital tools; however, paper correspondence should be the last resort option, only after all available digital communication options have been offered, declined, and exhausted. For information about DUT see IRM 5.9.5.5.1.1, Document Upload Tool.

5.9.9.10.3

(01-26-2026)

Post-petition Liabilities in Chapter 12 — Individual Cases

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(4) **FI and Section 1232 Notices.** When an FI caseworker receives a notice of claim per 11 USC 1232 from CIO, the caseworker will:

- a. input "11 USC Section 1232" case classification on the AIS case classification screen,
- b. check IDRS for the filing of the return,
- c. input a TC 520 to IDRS and to the AIS freeze screen,
- d. add the tax liability to the pre-petition POC, and use POC statement "92", *Section 1232*,
- e. document the AIS history with actions taken.

Note: The caseworker should contact the trustee and request an updated notice if the

notice is missing any required information listed in IRM 5.9.9.10.3 (2), Post-petition Tax Debts in Individual Cases.

Note: Employees must offer and encourage taxpayers and Powers of Attorney (POA) to use digital tools to submit the required documentation. It is not mandatory for taxpayers to communicate using digital tools; however, paper correspondence should be the last resort option, only after all available digital communication options have been offered, declined, and exhausted. For information about DUT see IRM 5.9.5.5.1.1, Document Upload Tool.

5.9.9.11.2 (01-26-2026) Insolvency Mail

(1) National Addresses. The IRS has established two national addresses for the receipt of Insolvency mail.

- Payments and remittances are to be sent to: Insolvency Remittance, PO Box 7317, Philadelphia, PA 19101-7317.
- Administrative mail such as court documents, forms, general correspondence, and other bankruptcy-related communications should be sent to: Centralized Insolvency Operation, PO Box 7346, Philadelphia, PA 19101-7346.

(2) Local Addresses. From a standpoint of practicality, some mail may continue to be mailed to local FI addresses. However, mail better handled at the Centralized Insolvency Operation (CIO) and received at a Field office should be faxed (if “expedite”) or sent by overnight courier to the CIO street address: 2970 Market St., Mail Stop 5-Q30-133, Philadelphia, PA 19104-5016. (See IRM 5.9.11.3 (3), Expedite Mail for the CIO.)

Note: All Insolvency contacts, CIO and FI, require employees to use and offer, when available, the use of available digital communication tools to taxpayers or their representatives to secure necessary information or documents. It is not mandatory for taxpayers to communicate using digital tools, but paper correspondence should be the last resort, only after digital communications have been offered and declined. See IRM 5.9.5.5.1.1, Document Upload Tool (DUT), for more information.

5.9.10.5.3 (01-26-2026) Plan Review

(1) Timely Review of Plan. FI caseworkers have sole responsibility for reviewing Chapter 13 plans and plan amendments. Absent extenuating circumstances, FI caseworkers must review plans prior to the deadline for objection to confirmation. This ensures if an objection is necessary, the referral will be made in time for the IRS to be represented in bankruptcy court. The FI caseworker must access the plan on the court's electronic site or contact the court or debtor's attorney to have a copy sent directly to the FI office address.

Note: All Insolvency contacts, CIO and FI, require employees to use and offer, when available, the use of available digital communication tools to taxpayers or their representatives to secure necessary information or documents. It is not mandatory for taxpayers to communicate using digital tools, but paper correspondence should be the last resort, only after digital communications have been offered and declined. See IRM 5.9.5.5.1.1, Document Upload Tool (DUT), for more information.

5.9.11.3
(01-26-2026)
Field Insolvency Mail

(8) Original Returns. If appropriate, FI should require debtors to send original pre-petition tax returns directly to the local Insolvency office using available digital tools. It is not mandatory for taxpayers to communicate using digital tools, but paper correspondence should be the last resort, only after digital communications have been offered and declined. See IRM 5.9.5.5.1.1, Document Upload Tool (DUT), for more information. In cases where multiple returns are received, a received date must be stamped on the front page of each return. (See IRM 5.9.11.4.1 (2), Administrative Mail, Tax Returns, for additional information on date stamping.) The left margin of the first sheet of the original return should be annotated with "TC 599 cc 067". Within one business day of receipt, the return, along with any attached payment, must be sent overnight to the delegated Campus for processing. Form 3210 must accompany the returns and remittances annotating the:

- Volume and return type(s) (e.g., 1040, 941, 1065)
- TIN(s)
- Dollar amount(s) of the check(s)

Note: If an Insolvency caseworker cannot review a return before it is sent for processing, photocopies should be made for later review.

5.9.13.18.2
(01-26-2026)
Addressing Unfiled Returns

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(5) **Reply to Letter 1714.** Responses to the 1714 letter may be written, telephonic or through the Document Upload Tool (DUT). Written or DUT replies may contain copies of returns or original returns. The following table explains actions required for potential replies to Letter 1714.

Note: Employees must offer and encourage taxpayers and Powers of Attorney (POA) to use digital tools to submit the required documentation. It is not mandatory for taxpayers to communicate using digital tools; however, paper correspondence should be the last resort option, only after all available digital communication options have been offered, declined, and exhausted. For information about DUT see IRM 5.9.5.5.1.1, Document Upload Tool.

5.9.15.20

(01-26-2026)

Tracing Missing Payments

(1) A payment tracer is the process used to locate a missing or misapplied payment. A missing payment is one that cannot be found on the taxpayer's account. A payment tracer case is not resolved until the missing or misapplied payment is correctly applied to a taxpayer's account.

(2) Before conducting research to locate the payment, determine if at least two weeks have passed since the taxpayer mailed their payment or scheduled an authorized electronic payment. If not, ask the taxpayer to call back at that time & input a 20 day follow-up in AIS.

(3) If more than two weeks have passed since the payment was mailed or electronically issued, then an attempt should be made to resolve the missing payment through internal research, including using the Remittance Transaction Research (RTR) system, refer to IRM 21.5.7.3.1, Remittance Transaction Research (RTR) System, before requesting any documentation from the taxpayer. The caseworker assisting the taxpayer can also research IDRS and CFOL command codes. For detailed information about the command codes that should be used to research missing payment see IRM 21.5.7.3.2, Integrated Data Retrieval System (IDRS) Research for Payment. If the payment information cannot be located through internal research, determine if the documentation can be obtained via the Document Upload Tool (DUT) while you are on the phone with the taxpayer.

Note: Employees must offer and encourage taxpayers and Powers of Attorney (POA) to use digital tools such as the Document Upload Tool (DUT) to submit the required documentation. It is not mandatory for taxpayers to communicate using digital tools; however, paper correspondence should be the last resort option, only after all available digital communication options have been offered, declined, and exhausted. For additional information about DUT see IRM 5.9.5.5.1.1, Document Upload Tool.

5.9.19.3

(01-26-2026)

Field Insolvency (FI) Telephone Contacts

(1) **Telephone Contacts.** Because of the large geographic areas handled by FI caseworkers, most of their contacts with debtors and debtor's attorneys are by telephone.

Note: On phone contacts, FI employees are required to offer, when available, the use of available digital communication tools to taxpayers or their representatives to secure necessary information or documents. It is not mandatory for taxpayers to communicate using digital tools, but paper correspondence should be the last resort, only after digital communications have been offered and declined. See IRM 5.9.5.5.1.1, Document Upload Tool (DUT), for more information.

5.9.19.4

(01-26-2026)

CIO Telephone Procedures

(1) Overview of Response to Incoming Calls.

The technical units handle bankruptcy calls concerning Chapter 7 No Asset and Chapter 13 issues in the CIO inventory unless the inquiry concerns a complex issue.

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