

Letter 5935

Do Not Mail This Page

Selectable Paragraphs

Select only one

Selectable Paragraph A

Our records show you made a preclearance request to IRS Criminal Investigation for an Offshore Voluntary Disclosure Program/Initiative (OVDP) or submitted a voluntary disclosure letter to IRS Criminal Investigation under the terms of an OVDP. After contacting IRS Criminal Investigation, you received a letter from the IRS stating you weren't eligible to make a voluntary disclosure or that it was declined.

Selectable Paragraph B

Our records show you made a preclearance request to IRS Criminal Investigation for an Offshore Voluntary Disclosure Program/Initiative (OVDP) or submitted a voluntary disclosure letter to IRS Criminal Investigation under the terms of an OVDP. After contacting IRS Criminal Investigation, you withdrew your preclearance request or your voluntary disclosure letter and communicated an intention to participate in the Streamlined Filing Compliance Procedures.

Selectable Paragraph C

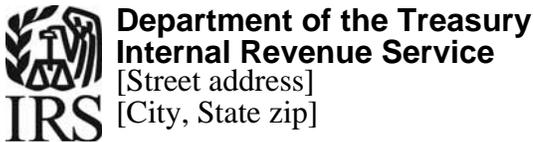
Our records show you made a preclearance request to IRS Criminal Investigation for an Offshore Voluntary Disclosure Program/Initiative (OVDP) or submitted a voluntary disclosure letter to IRS Criminal Investigation under the terms of an OVDP. After contacting IRS Criminal Investigation, you failed to take necessary steps to complete your voluntary disclosure under the terms of an OVDP.

Selectable Paragraph D

Use fillable field below to complete the paragraph

[blank – insert “approved” verbiage]

Our records show you made a preclearance request to IRS Criminal Investigation for an Offshore Voluntary Disclosure Program/Initiative (OVDP) or submitted a voluntary disclosure letter to IRS Criminal Investigation under the terms of an OVDP. After contacting IRS Criminal Investigation, [blank – insert “approved” verbiage]



Date:

RE: Taxpayer Name & Last 4 SSN:

Person to contact:

Contact telephone number:

Employee ID number:

Response due date:

Dear [Name]:

Our records indicate that you haven't taken necessary action to remedy your non-compliance with U.S. reporting requirements relating to foreign income, foreign entities, or foreign financial accounts. We've outlined three options available for you to do this. If you don't use one of the three options below, the IRS may initiate an audit to determine your compliance with U.S. reporting requirements.

Option #1

You can make a submission under the Streamlined Filing Compliance Procedures if you meet the eligibility requirements. See the "Streamlined Filing Compliance Procedures" at www.irs.gov for more information about eligibility criteria and how to make a submission.

If you are eligible to use this option, you must write "**RESPONSE TO LETTER 5935**" in **red** across the top of your Form 14653, Certification by U.S. Person Residing Outside of the United States for Streamlined Foreign Offshore Procedures, or Form 14654, Certification by U.S. Person Residing in the United States for Streamlined Domestic Offshore Procedures.

Option #2

If you're not eligible or you choose not to use Option 1, submit all required tax returns, information returns, and related filings to the address on the enclosed Form 15023, Offshore Compliance Status Response . (NOTE: FinCEN Form 114, Report of Foreign Bank and Financial Accounts (a.k.a. FBAR), must be filed electronically with FinCEN; additional information can be found at www.FinCEN.gov).

Submissions under this option are subject to all applicable penalties unless you establish that your noncompliance was due to reasonable cause. If you want to present reasonable cause, provide a statement explaining all the facts and circumstances.

Returns submitted under this option won't be subject to IRS audit automatically, but may be selected for audit under the existing audit selection processes applicable to any U.S. tax return and can also be checked against information received from banks, financial advisors, and other sources for accuracy.

Option #3

If you believe you're fully compliant with all U.S. reporting requirements relating to foreign income, foreign entities, and foreign financial accounts, then provide a narrative statement of facts explaining your position. You must provide a complete history of previous unreported foreign income, foreign entities, and foreign financial accounts and explain the actions you took to become compliant with U.S. reporting requirements.

SUMMARY

Please review these three options and respond to this letter using the enclosed Form 15023, Offshore Compliance Status Response. Attach your response and the completed Form 15023 to ensure proper handling. **Make and keep a copy for your records. You may need additional copies if multiple responses are required.**

If you don't reply to this letter by the response date listed above the IRS may initiate an audit to determine your compliance with U.S. reporting requirements relating to foreign income, foreign entities, or foreign financial accounts. If you need additional time to respond, you can request an extension of up to 60 days by using the enclosed Form 15023.

If you have questions, contact the OVDP Hotline at 737-800-7990 (not a toll-free number).

Sincerely,

[Name]

[Title]

Enclosure:
Form 15023

Information Copy