New Technologies To Communicate with Exam and Appeals

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Agenda

- Confidentiality of tax return information
- Overview of New IRS Communication Tools
- Secure email in LB&I exam
- WebEx for IRS Appeals conferences
Confidentiality of Tax Information

- Section 6103 prohibits the IRS and others from disclosing or using tax returns and return information unless specifically authorized by the Internal Revenue Code.
  - Criminal penalties may apply to unauthorized disclosure or inspection of tax return information under section 7213 and section 7213A.
  - Civil damages may apply for unauthorized disclosure or inspection under section 7431.
- IRS must ensure safety and security of its information technology.
  - See IRM Part 10 for more on these requirements.
  - See also IRS Publication 1075.
Confidentiality of Tax Information

- Section 6103(c) provides that a taxpayer may consent to disclosure of their return information to a third party
  - Form 2848, Power of Attorney, allows the taxpayer to appoint a taxpayer representative and authorize the IRS to disclose the taxpayer’s return information to the representative
  - Form 8821, Tax Information Authorization, allows the taxpayer to authorize the IRS to disclose the taxpayer’s return information to third parties
  - Form 4506, Request for Copy of Tax Return, allows the taxpayer to authorize the IRS to mail a copy of a tax return to the taxpayer or a third party
  - Form 4506-T, Request for Transcript of Tax Return, and Form 4506T-EZ, Short Form Request for Individual Tax Return Transcript, allows the taxpayer to authorize the IRS to mail transcripts to the taxpayer or a third party
Overview of New IRS Technology to Communicate with Practitioners

IRS has launched web-based Secure Messaging across a number of areas...
- SB/SE Correspondence Exam
- LB&I ACA Feepayer Correspondence
- TAS Levy & EITC
- TE/GE Tax Exempt Bonds

...has launched unauthenticated Text Chat to support...
- Online Payment Agreements

...and is exploring opportunities to deploy additional capabilities and reach additional audiences
Secure Messaging

- Taxpayers and IRS representatives can send and receive messages via a secure web-based online portal with the option for notifications and attachments. This is very useful supplementing mail correspondence.

- Messages are exchanged entirely within the portal, which looks and acts like a typical web-based email client. However, since both sides access the service through the protected portal, messages are not sent through the broader internet as regular email and are not subject to the same risk of interception.
Secure Messaging Inbox
Secure Messaging Draft
Secure Messaging response has been very positive

- SB/SE Correspondence Exam Secure Messaging users were asked\(^1\) to provide feedback at case closure
  - 92% of responses were positive
  - 2/3 of responses - All positive comments
  - 1/4 of responses - Liked process, but offered suggestion(s) for improvement or raised specific concerns
  - < 6% of respondents disliked process

- A broader automated survey\(^2\) for the same program has demonstrated 82% customer satisfaction

- IRS Employees have also enjoyed the experience
  - Users responded more quickly
  - Users seem more cooperative and less intimidated

\(^1\) May-August, 2018
\(^2\) ForeSee, 2018
Early Text Chat feedback also shows promise

- Text chat can currently be used by taxpayers navigating the Online Payment Agreement Application.
- Currently the service is limited to anonymous, unauthenticated interactions. Future use could be expanded to more personalized service via authenticated chat.
- Reviews
  - “Despite not being able to talk specifics, my question was answered quickly - much better than sitting on hold. Should have taken advantage of the chat line sooner and saved myself some time. Great feature! (Redacted) was very helpful.”
  - “(Redacted) was excellent and his responses were very clear and I have an understanding about what I need to do moving forward. I will probably use the chat feature now....easy and there is no wait. Weird to say, but it was a good experience with the IRS today. Thank you (Redacted)!!!!! great customer service.....”
Text Chat Example

IRS VIEW

TAXPAYER VIEW
Secure Email

- Secure Email allows IRS and taxpayers and their representatives communicate with the IRS through email.
- Secure Email is a streamlined and efficient way to encrypt the contents and attachments of secure messages.
- Secure E-mail is only needed for messages that contain Sensitive But Unclassified (SBU) data.
- To use Secure E-mail, both sender and recipient must have secure messaging installed.
- Since subject lines and names of attached files are not encrypted, users must ensure that emails and files are named without including 6103 data, such as taxpayer names and TINs.
LB&I Secure E-mail Participant Criteria

The following 5 criteria must be met to participate:

1. **Email Client:** Microsoft Outlook (XP or above) with current patches installed

2. **Authentication:** Requires an in-person, face-to-face meeting, to verify identities
   - If the IRS Team Coordinator is located in a different city and/or state, authentication may be completed by an LB&I Revenue Agent or an Agent approved by LB&I in the taxpayer’s local area

3. **Digital Certificates:** Ability to process IRS Secure/Multipurpose Internet Mail Extensions (S/MIME) compatible digital certificates
   - The certificate will need to specify the email address that will be used by the taxpayer or their representative to send messages
LB&I Secure E-mail Participant Criteria (cont’d)

4. **Memorandum of Understanding (MOU):** Original signature, by both IRS Audit Team Coordinator and Taxpayer Representative

5. **Disclaimers:** The Taxpayer's IT system must **NOT** make changes to the encrypted email after it has been digitally signed
   - Addition of company disclaimers, logos, banners, etc. by taxpayer's email servers must be disabled
Appeals Guidance - In Person Conferences

- Most Appeals conferences are conducted over the telephone.
- Prior to October 2017, Appeals Officers had the discretion to grant a taxpayer an in-person conference in a case worked out of an Appeals field office.
- Interim Guidance AP-08-1017-0017 (October 13, 2017) shifted the decision whether to have an in-person conference to the taxpayer.
- Taxpayers traditionally could not obtain an in-person conference in cases worked out of Appeals campus offices.
- On 11/28/2018, Appeals issued guidance (AP-08-1118-0013) providing that if a taxpayer wants an in-person conference in a campus case, Appeals will send the case to an office that can accommodate the in-person conference request.
Appeals - WebEx Video Conferencing

WebEx is a commercial software that enables video conferencing. A WebEx conference is essentially an “enhanced” phone call that allows for...

- Virtual, face-to-face interaction
- Visual sharing of documents and files with authorized individuals
- Participation through an internet connection (including mobile devices)
Appeals - WebEx Video Conferencing

1. How can I share documents with an Appeals Officer using the WebEx video conference program?
2. Is the WebEx video conference secure? How does the IRS ensure the program is secure?
3. Does the IRS recommend certain computer specifications to take part in the WebEx video conference?
4. How has the WebEx video conference been received by taxpayers and practitioners?