



April 3, 2017

The Honorable Orrin G. Hatch, Chairman
Senate Committee on Finance
219 Dirksen Senate Office Building
Washington, DC 20510

The Honorable Kevin Brady, Chairman
House Committee on Ways & Means
1102 Longworth House Office Building
Washington, DC 20515

The Honorable Ron Wyden, Ranking Member
Senate Committee on Finance
219 Dirksen Senate Office Building
Washington, DC 20510

The Honorable Richard E. Neal, Ranking Member
House Committee on Ways & Means
1102 Longworth House Office Building
Washington, DC 20515

RE: Ensuring a Modern-Functioning IRS for the 21st Century

Dear Chairmen and Ranking Members:

On behalf of tax practitioners, our organizations are committed to supporting Congress in its efforts to ensure a service-oriented, modernized tax administration system that earns the respect and appreciation of individuals, businesses, exempt organizations, as well as their advisers. Since we advise millions of taxpayers on tax-related matters, assist them with compliance responsibilities, and represent them before the Internal Revenue Service (IRS), we are uniquely poised to being part of the solution.

In collaboration with other professional organizations and former agency executives, we submit the enclosed "Ensuring a Modern-Functioning IRS for the 21st Century" framework for your consideration. In summary, we offer the following recommendations:

- Any effort to modernize the business practices and technology of the IRS should build on the foundation established by the [Report of the National Commission on Restructuring the Internal Revenue Service](#) (report released June 25, 1997).
- As part of Congressional oversight, we recommend re-establishing the annual joint hearing review. The Joint Committee on Taxation should provide a bi-annual report on the overall state of the Federal tax system.
- The GAO should review the IRS Oversight Board and determine if it is an essential component to allow the IRS to become a respected, service-oriented organization.
- We recommend enabling and encouraging the IRS to utilize the full range of available authorities to hire and compensate qualified and experienced professionals from the private sector, as needed, to improve the Service's ability to meet its mission.
- The legislative and executive branches should determine the appropriate level of service and compliance they want the IRS accountable to provide and then dedicate appropriate resources for the agency to meet those goals.

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- Customer satisfaction surveys are valuable and should continue as an appropriate success measure for the agency.
- The IRS should provide the needed face-to-face interaction to accommodate those taxpayers who cannot afford or choose not to use the online account features.
- It is crucial for the IRS to designate a new dedicated “executive-level” practitioner services unit. Under this service unit, the IRS should provide tax practitioners with a tax professional account with immediate account access to all of their clients’ information. The secure account must also include single sign-on authentication. The IRS should also offer robust practitioner priority hotlines with higher-skilled employees capable of addressing complex technical and procedural issues. Finally, the IRS should assign customer service representatives to address complex issues that practitioners are unable to resolve through the priority hotlines.

Simply put, it is time for change. We are committed to focusing on solutions and how, together, we ensure the IRS becomes the modern-functioning agency that is desired by all. We appreciate your consideration of our views and welcome an opportunity to meet with you to answer any questions, provide feedback or discuss how we can continue to support your efforts in improving our tax administration system.

Sincerely,

alliantgroup, LP

American Institute of CPAs (AICPA)

Crowe Horwath, LLP

National Association of Enrolled Agents (NAEA)

National Association of Tax Professionals (NATP)

National Conference of CPA Practitioners (NCCPAP)

National Society of Accountants (NSA)

National Society of Tax Professionals (NSTP)

Padgett Business Services

cc: Members of the Senate Committee on Finance
Members of the House Committee on Ways and Means
The Honorable Steven T. Mnuchin, Secretary, Department of the Treasury
The Honorable John Koskinen, Commissioner, Internal Revenue Service
Ms. Nina Olson, National Taxpayer Advocate, Internal Revenue Service

Ensuring a Modern-Functioning IRS for the 21st Century

Approved by:

**alliantgroup, LP
American Institute of CPAs
Crowe Horwath, LLP
National Association of Enrolled Agents
National Association of Tax Professionals
National Conference of CPA Practitioners
National Society of Accountants
National Society of Tax Professionals
Padgett Business Services**

Developed by:

John Ams	Melanie E. Lauridsen
Scott Artman	Troy K. Lewis
John Barrie	Stephen Mankowski
Michael P. Dolan	Annette Nellen
Justin Edwards	W. Val Oveson
Larry Gray	Kathy Petronchak
Roger Harris	Jeffrey A. Porter
Keith Huebel	Christine Speidel
Edward Karl	Jeff Trinca
Sheldon Kay	Nina Tross
Melissa M. Labant	Derek Wagner

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Ensuring a Modern-Functioning IRS for the 21st Century

Statement of Purpose

As we approach the 20th anniversary of the [Report of the National Commission on Restructuring the Internal Revenue Service](#) (“Restructuring Commission” or “commission”), we recommend that any effort to modernize the Internal Revenue Service (IRS or “Service”) and its technology infrastructure should build on the foundation established by the Restructuring Commission. The similarities between the condition of the IRS today and the circumstances that motivated the creation of the Restructuring Commission are striking.

The current degradation of the IRS taxpayer services is unacceptable. The percentage of calls from taxpayers the IRS answered between 2004 and 2016 has dropped from 87% to 53%. Comparing 2004 to 2016, the number of calls the IRS received from taxpayers increased from 71 million to 104 million, yet the number of calls answered by telephone assistants declined from 36 million to 26 million.¹ The National Taxpayer Advocate Nina Olson observed that “taxpayers are receiving the worst levels of taxpayer service since at least 2001, when the IRS implemented its current performance measures. In fact, the levels of service are the lowest I have witnessed in my 40 years of working in the field of taxation.”²

As tax practitioners, we advise millions of taxpayers on tax matters, assist them with compliance responsibilities, and represent them before the IRS. We understand what is working and not working with tax administration from both taxpayer and practitioner perspectives. As one of the IRS’s most significant stakeholders,³ we are both poised and committed to being part of the solution.

Vision Statement

The following vision statement is a quote from the original report of the Restructuring Commission issued on June 25, 1997.⁴ We believe this statement is as valid today as it was then, and is the basis of our efforts to provide recommendations on how to make the IRS an evolutionary and respected federal agency of the 21st Century.

...This Vision embraces an efficient, service oriented institution dedicated to collecting the proper amount of tax through the use of taxpayer education, modern customer service practices, and effective law enforcement techniques. The

¹ National Taxpayer Advocate, [Annual Report to Congress 2016, Executive Summary: Preface, Special Focus and Highlights](#), 2016, page 16.

² National Taxpayer Advocate, [written statement](#) on “The National Taxpayer Advocate’s 2014 Annual Report to Congress” before the Subcommittee on Government Operations Committee on Oversight and Government Reform U.S. House of Representatives, on April 15, 2015.

³ 60% of all e-filed returns in 2016 were prepared by a tax professional, according to the [Filing Season Statistic for Week Ending Dec.2, 2016](#).

⁴ The National Commission of Restructuring the Internal Revenue Service, [A Vision for a New IRS, Report of the National Commission on Restructuring the Internal Revenue Service](#), June 25, 1997, page 8.

motivated, skilled employees of this new IRS would receive the proper training, incentives, authority, tools, and management oversight to get the job done. This new IRS would be able to help people comply with a simplified tax code, while managing its data collection and taxpayer accounts according to methods and standards employed in the best private and public sector organizations. Finally, taxpayers would have adequate protections when the agency exercised its powers in an improper fashion...

IRS Governance & Oversight

As practitioners with vast experience working with the IRS, we have incorporated the lessons learned from the Restructuring Commission and outline below governance and oversight recommendations to shape the agency of the future that everyone desires.

Governance Objectives. Successful governance of the IRS will include strong leadership, accountability, and transparent policies working collectively towards needed change. In order to hold the IRS accountable, the agency's governance, management and oversight structure must:⁵

- Develop and maintain a shared vision among all personnel and stakeholders with continuity;
- Set and maintain consistent priorities and strategic direction;
- Impose accountability on senior management;
- Develop appropriate measures of success;
- Ensure that the budget and technology support priorities and strategic direction; and
- Coordinate oversight and identify problems at an early stage.

Congressional Oversight. Congressional oversight is a critical process in ensuring executive branch compliance with laws, evaluating performance, and providing the transparency necessary to maintain the public's trust. We recommend **re-establishing the annual joint hearing review**⁶ to focus on the following priorities: (1) strategic and business plans; (2) taxpayer service and compliance; (3) technology and modernization; and (4) filing season.

As once required by statute,⁷ the Joint Committee on Taxation should provide a **bi-annual report on the overall state of the Federal tax system**.⁸ However, the statute stipulates that the report is *only required if the necessary resources are appropriated* to carry out the requirement. We believe that such a report would contribute to stability at the IRS and assist the agency in achieving its mission. Therefore, we urge Congress to **appropriate the necessary funds for the report**.

⁵ *Supra*, page 9.

⁶ P.L. 105-206, sec. 4002, expanded IRC section 8022(c) regarding reporting by the Joint Committee on Taxation. P.L. 108-311 (10/4/04) modified this provision by removing the specifics required for the annual report and eliminating the joint review after 2004 (also see IRC section 8021(f)). A statutory change is needed to reinstate the required joint review.

⁷ *Id.*

⁸ IRC section 8022(3).

IRS Oversight Board. The IRS Oversight Board was intended to provide experience, independence and stability to assist the IRS in moving forward in a focused direction. However, the board received criticism for being “ineffective” and “missing in action” in achieving its stated mission,⁹ and suspended operations due to an insufficient number of members to constitute a quorum.

We recommend that Congress require a Government Accountability Office (GAO) **review of the private sector board** and determine if it is an essential component to providing the trust and continuity that will allow the IRS to become a respected, service-oriented organization. The GAO could provide recommendations to make certain the board has sufficient authority to (1) hold the IRS accountable for successfully fulfilling its mission; (2) oversee the implementation of key recommendations from advisory groups; and (3) ensure the IRS remains independent and non-partisan.

Human Resources. Congress should enable and encourage the IRS to utilize the full range of available authorities to **hire and compensate qualified and experienced professionals** from the private sector, as needed, to improve the Service’s ability to meet its mission. It is also crucial for the IRS to designate a senior-level executive dedicated to overseeing and collaborating with the practitioner community in creating a practitioner services unit (see discussion below).

IRS Taxpayer Service

Congress and the administration should determine the appropriate level of service desired and needed by taxpayers. Agreed upon measures of success are necessary to improve both customer service and voluntary compliance.

To instill trust in the tax administration system, we recommend taxpayer service goals based on the following two guiding principles:

- The IRS should only initiate contact with a taxpayer if the IRS is prepared to devote the resources necessary for a proper and timely resolution of the matter.
- Customer satisfaction must be a goal in every interaction the IRS has with taxpayers, including enforcement actions. Taxpayers expect quality service in all interactions with the IRS, including taxpayer assistance, filing tax returns, paying taxes, and examination and collection actions.¹⁰

Resources necessary. Appropriate hiring, adequate training, skillful management, and the necessary technological tools are essential for the IRS to meet its responsibilities. The leaders of the IRS must have the experience and skills to motivate their workforce and lead them to the realization of the desired vision. Organizational alignment from Congress, the President, the Commissioner, and through the ranks of the IRS, is necessary to delivering the promised goals. The legislative and executive branches should **determine the appropriate level of service and**

⁹ Morningstar, Inc., [The IRS Has No Independent Oversight This Tax Season](#), April 18, 2016.

¹⁰ Verbatim quote of the two guiding principles, The National Commission of Restructuring the Internal Revenue Service, [A Vision for a New IRS, Report of the National Commission on Restructuring the Internal Revenue Service](#), June 25, 1997, page 23.

compliance they want the IRS accountable to provide and then **dedicate appropriate resources for the agency to meet those goals**.

Furthermore, to enable the IRS to achieve the improvements required for a 21st century tax administration system, the IRS needs a modern technological infrastructure. Currently, the IRS has two of the oldest information systems in the federal government making the information technology functions one of the biggest constraints overall for the IRS.¹¹ Without modern infrastructure, the IRS is unable to timely and efficiently meet the needs of taxpayers and practitioners.

Customer satisfaction. Measurement tools are required to achieve customer satisfaction goals, including fairness in enforcement. The IRS made significant progress in measuring taxpayers' opinions in the years following the issuance of the Restructuring Commission. However, in recent years, the Service has stopped reporting on customer satisfaction surveys and analysis. We recommend that **customer satisfaction surveys**, gauging performance at all levels within the IRS, continue as an appropriate success measure. Congress should utilize the survey results during the oversight and appropriations processes to ensure the agency is continually meeting the needs of taxpayers.

A service-focused approach, with taxpayer education in mind, will require the IRS to take into consideration the needs of both tax practitioners and un-represented taxpayers, and the varying methods needed to interact with them. For example, the IRS may need to hone its traditional account services to provide the needed face-to-face interaction to accommodate those taxpayers who cannot afford or choose not to use the online account features.¹²

IRS Practitioner Services Unit

The IRS should create a new **dedicated “executive-level” practitioner services unit** that would centralize and modernize its approach to all practitioners. Over time, the IRS has established a number of functional departments. These individuals are dispersed across the IRS and are not coordinated in a way that enables practitioners to timely access critical information (such as, their clients' account status or the availability of dispute resolution opportunities). Nor do the current teams or processes systematically solicit, gather or evaluate practitioner feedback. Enhancing the relationship between the IRS and practitioners would benefit both the IRS and the millions of taxpayers served by the practitioner community.¹³

A dedicated practitioner services unit would allow the IRS to rationalize, enhance, and place under common management the many current, disparate practitioner-impacting programs, processes, and

¹¹ National Taxpayer Advocate, [Annual Report to Congress 2016, Executive Summary: Preface, Special Focus and Highlights](#), 2016, page 31-32. The report references a 2016 GAO report (GAO-16-468) which found that some of technology the IRS still relies on was first placed in use 56 years ago.

¹² Currently the IRS is focusing on technological service by relying heavily upon the Web-First Strategy Conjoint survey which ignores those taxpayers who are not online or who are unwilling to participate in online surveys. National Taxpayer Advocate, [Annual Report to Congress 2016, Executive Summary: Preface, Special Focus and Highlights](#), 2016, page 20.

¹³ The IRS's Office of National Public Liaison (NPL) has enhanced the communications between the IRS and national *stakeholder organizations* with an interest in tax administration. The new unit would focus on centralizing and modernizing its overall approach (technology, programs, processes, communications and tools) to *practitioners*.

tools. Moreover, by centralizing these programs, IRS employees would have a **consolidated approach to timely resolving issues**. This coordination and improved access of information would prevent unnecessary delays and inefficiencies (such as, requiring practitioners to submit the same information multiple times to multiple IRS employees). Finally, to ensure success of the practitioner services unit, it is essential for these services to **approximate comparable private sector services** and allow practitioners to resolve account issues for their clients in a timely and efficient manner.

Online tax professional account. The IRS should provide tax practitioners with a tax professional account as part of the IRS's **online portal with account access to all of their clients' information** (both individual and business accounts) where the practitioner has a valid power of attorney (POA) on file. Additionally, the secure tax professional account should allow the IRS to communicate directly to practitioners the information necessary to improve taxpayer awareness and allow **practitioner correspondence** with timely acknowledgement of receipt.

Furthermore, a **centralized login system** allowing for single sign-on authentication of the practitioner and immediate access to all client data, as opposed to practitioner authentication before accessing each client's account, is an indispensable efficiency for the IRS and practitioners alike.

Secure platform. The development of the online portal should include a comprehensive, agile platform that protects users' identities and their data, detects threats and immediately responds to potential security breaches. In order to enhance taxpayer protection, practitioners who want access to taxpayer accounts should consent to guidelines such as Circular 230 or other similarly approved requirements.¹⁴ Professional tax practitioners can become particularly active and safe users of online services if the IRS invests early in providing a **digital mechanism for POA and disclosure authorization** and creates practitioner accounts *contemporaneously* with individual online accounts.

To continue to improve efficiency, we also recommend that the IRS focus its attention on replacing the Centralized Authorization File (CAF) with a **consolidated online solution utilizing electronic signatures and an algorithmic-driven approval process** that is as close to real time as possible.

Robust practitioner hotlines. IRS should provide practitioners with a **robust practitioner priority hotline** (or hotlines) with higher-skilled employees. These employees should have the experience and training to understand and address more complex technical and procedural issues. This expertise would allow the IRS to focus its training to a particular technical area allowing designated employees to resemble its counterparts in the private sector. The IRS should also consider hiring experienced people such as graduate students or retired practitioners seeking part-time or seasonal employment.

Designated customer service representatives. Under the practitioner services unit, the IRS should assign **customer service representatives** (also known as a single point of contact) to each

¹⁴ At the time of drafting this document, [Circular 230](#) is under the process of review. Circular 230 is a document containing the statute and regulations detailing a tax professional's duties and obligations while practicing before the IRS; authorizing specific sanctions for violations of the duties and obligations; and, describing the procedures that apply to administrative proceedings for discipline.

geographic area to address unusual or complex issues that practitioners were unable to resolve through the priority hotlines. We recommend allocating the number of representatives based on the number of practitioners in a specific geographic area.

Summary

The current level of IRS taxpayer services is simply unacceptable. By ensuring an appropriate governance and oversight structure which focuses on taxpayer service and creating an executive-level practitioner services unit, we will increase the likelihood that the agency serves the needs of taxpayers and practitioners in a timely and efficient manner.

To summarize, we offer the following recommendations:

- Re-establish the annual joint hearing review;
- Require the Joint Committee on Taxation to provide a bi-annual report;
- Require a GAO review of the private sector board;
- Enable the hiring of qualified and experienced professionals at the IRS;
- Determine the appropriate level of service and compliance the IRS is accountable to and dedicate appropriate resources for the agency to meet those goals;
- Gauge performance with customer satisfaction surveys; and
- Establish a dedicated “executive-level” practitioner services unit that provides for centralized and modernized services to timely resolve issues.

We are committed to a service-oriented, modernized tax administration system that earns the respect and appreciation of all taxpayers and stakeholders.