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MEMORANDUM FOR DIRECTORS: FIELD COLLECTION;
SPECIALTY COLLECTION OFFERS, LIENS &
ADVISORY; AND
CAMPUS COLLECTIONS

FROM: Rashaunda Simmons
Acting Director, Collection Policy

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SUBJECT: Actions Required when Addressing Assessments Related to Employee
Benefit Plans (MFT 74 and 76)

This memorandum provides interim guidance (IG) for Collection and Specialty Collection
employees and supplements or introduces new Internal Revenue Manual (IRM) sections
as attached.
This guidance will be incorporated in the IRM within one year of this memorandum.

Background

The excise tax (MFT 76) and failure to file penalty (MFT 74) assessments associated with
employee benefit plans include a unique plan identifier number that is incompatible with
most IRS automated systems.   Systemic processing is limited.
While stand-alone modules are not currently issued to Collection personnel, the
assessments must be addressed if related modules are assigned, or if the taxpayer
requests review via an offer in compromise or installment agreement request.

Most processes related to Collection, including Collection Due Process Notices, Notices of
Federal Tax Lien, and closing actions such as Offers in Compromise OIC), Installment
Agreements, and Currently Not Collectible, require manual input. The following revised
procedures will assist Collection in addressing the systemic processing limitations posed
by these assessments.

Summary

The guidance provided in this memorandum is intended to provide procedures for MFT 74 and 76 assessments to ensure the Internal Revenue Service properly records collection actions and information.

You may direct any questions regarding these procedures to Diana Estey, National Offer in Compromise Program Manager, or a member of your staff may contact OIC Analyst, Christine Matz.

Attachment A: IRM 5.8.10.16 Assessments Related to Employee Benefit Plans – MFT 74 and 76

Attachment B: IRM 5.11.1.3.3.14 Issuing Notice of Intent to Levy / Notice of a Right to a Hearing for Employee Benefit Plans & IRM 5.11.6.19 Levy on Employee Benefit Plans

Attachment C: IRM 5.12.7.7.6 Employee Benefit Plans and IRM 5.19.12.2.5.6 NFTLs on Employee Benefit Plans

Attachment D: IRM 5.14.4.7 Employee Benefit Plans and Installment Agreements; IRM 5.19.1.4.20 Employee Benefit Plans; & IRM 5.19.1.5.6 Manually Monitored Installment Agreements MMIA

Attachment E: 5.16.1.3 Special Conditions

cc: Director, Collection
    Director, Quality and Technical Support
    Director, Tax Exempt and Government Entities
    Office of Chief Counsel
    Chief, Appeals
    National Taxpayer Advocate
    www.irs.gov

Attachment A
Offers in Compromise
IRM 5.8.10.16 Assessments Related to Employee Benefit Plans – MFT 74 and 76

(1) This section relates to offer in compromise situations in which the taxpayer has included an MFT 74 and/or MFT 76 module on the offer.
(2) MFT 74 is penalty for late filing of Form 5500, Annual Return/Report of Employee Benefit Plan. MFT 76 is excise tax based on noncompliance with various statutes relating to employee benefit plans. The largest assessments usually relate to inadequate funding of employee pension plans. A tax of 10% [4971(a)] of the underfunded amount may apply each year. A tax of 100% [4971(b)] can be imposed in certain cases. The tax may be self-reported on Form 5330, or identified by IRS in an Examination proceeding.

5.8.10.16.1   Identification of MFT 74 and MFT 76 Modules

(1) Currently, due to programming limitations, the systemic input of certain transaction codes to a MFT 74/76 module is not possible due to the 3 digit plan identifier associated with these assessments.   Automated systems do not recognize the identifier number.
(2) Notices are sent when the tax is assessed and each time interest is updated; however, cases cannot move beyond status 21, and are therefore not delivered for a collection determination. In some cases, the assessment is reflected on IDRS with no status.

(3) Research of these modules requires a specific format which include:

Command code	Format	Notes
INOLEP	INOLEPxx-xxxxxxx	Lists the employee benefit plans and their 3 digit identifiers
BMFOLT	BMFOLTxx-xxxxxxx 74201212001	
TXMODA	TXMODAxx-xxxxxxx 74 001 201212	
MFREQ	MFREQCxx-xxxxxxx 76 201212 NAME 001	If TXMOD is needed for CFOL only period

5.8.10.16.2   Processing of MFT 74 and MFT 76 Modules

(1) The MFT 74/76 modules should be input onto the AOIC MFT screen. The uploaded transactions will appear on the error listing. Manually request TC 480, including the 3-digit plan identifier. In AOIC Remarks, indicate the closing TC 48X will also require manual release.

Note: The status code of the modules will not update to 71. Additional instructions are in IRM 5.8.2.7.

(2) Transfer the case to the Territory 1 dedicated OIC group, AOIC assignment # 0701071200. Additional instructions are in IRM 5.8.3.4.

5.8.10.16.3   Field Actions Relating to MFT 74 and MFT 76 Modules

(1) Once assigned to the dedicated group in Territory 1, the Offer Specialist should take the following action:

   a. Refer to 5.8.10.16 for background and 5.8.10.16.1 regarding how to research these assessments.
   b. Determine the current status of the taxpayer's employee benefit plan(s). Has the plan been terminated? If the taxpayer still owns the plan, they remain responsible for maintaining required funding levels, and are liable for additional excise tax each year.

   Note: Ensure the taxpayer is aware that under the Form 656 provisions they agree to timely file tax returns and pay taxes for a five year compliance period. Accrual of additional liability will result in the default of the offer in compromise requirements and reinstatement of the compromised liability.

   c. Inquire if the taxpayer has applied for or obtained a distress termination with the Pension Benefit Guaranty Corporation (PBGC). PBGC may have conducted a financial investigation similar to OIC. You may be able to obtain the results of their investigation to assist with your analysis.

5.8.10.16.4   Procedures Relating to MFT 74 and MFT 76 Modules - Notice of Federal Tax Lien (NFTL)

(1) TC 582s do not automatically populate in all instances. In every case, ALS and IDRS must be researched to verify any previously filed NFTL are properly identified on IDRS via TC 582.

   Caution: TC 582s are required to ensure systemic release of NFTL.

(2) If an NFTL has been filed and is not reflected on IDRS, prepare Form 4844 to request TC 582 with the date the NFTL was recorded for each module.

(3) Forward the request to CCP

(4) Calendar a follow up to verify input before closing the CIP.

(5) If you determine a NFTL is required, follow the instructions outlined in the NFTL section of this Interim Guidance, which will be updated in 5.12.7.7.6.

5.8.10.16.5 Procedures Relating to MFT 74 and MFT 76 Modules - Case Closures

(1) The following actions are required when closing an MFT 74 or 76 case:

    a. In all cases, document the AOIC Remarks with the following statement:
        Special Processing Required – MFT 74/76 case.

    b. Document AOIC regarding any NFTLs that are outstanding.

    c. If the taxpayer is a multi-employer pension plan, ensure the OCC code in AOIC is 32 (or 3210 if the offer was submitted by a multi-employer pension plan during a CDP hearing). If the taxpayer requests review of the offer on the basis of equitable special circumstances, the NEH-ETA OIC group will direct the use of the appropriate code.

    d. Document AMS regarding case recommendation.

(2) Closing actions are not uploaded by AOIC. Additional action may be required as indicated in the chart below.

Return	Submit Form 4844 to CCP to request TC 481 = date of return letter
Mandatory Withdrawal	Submit Form 4844 to CCP to request TC 482 = date of mandatory withdrawal letter
Voluntary Withdrawal	Submit Form 4844 to CCP to request TC 482 = date stipulated in IRM 5.8.7.4.3
Rejection no Appeal	Submit Form 4844 to CCP to request TC 481 = date of rejection letter + 30 days
Rejection with Appeal	See 5.8.10.16.5.1
Acceptance	No other action required

5.8.10.16.5.1 - Procedures Relating to MFT 74 and MFT 76 Modules - Case Closures – Rejection with Appeal

(1) Before forwarding the case to Appeals, take the following actions:

    a. Clearly mark the case file that a manual request for TC 481/482 must be input by Appeals if the OIC is closed as other than an acceptance.

    b. In closing, the ICS history entry must contain the following language: "**Required closing actions are in IRM 5.8.10.16.5(2).**" Print the updated ICS history for the file.

    c. Annotate Form 3210: "**MFT 74/76 case.**"

Attachment B
Field Enforcement – Levies

IRM 5.11.1.3.3.14, Issuing Notice of Intent to Levy/Notice of a Right to a Hearing for Assessments related to Employee Benefit Plans

(1)   Levies may be issued in relation to Form 5330, Return of Initial Excise Taxes Related to Employee Benefit Plans, and Form 5500, Annual Return/Report of Employee Benefit Plan. These assessments create unique challenges for revenue officers since manual actions are required prior to issuing the levy.

(2)   Assessments made for Form 5330 appear on IDRS under MFT 76 and for Form 5500 under MFT 74. Whenever an assessment is made under either of these MFTs, a corresponding plan number is embedded in the assessment.

•   Each plan has an associated three digit plan number assigned by the employer/sponsor (e.g., 001, 002).

•   Employers may have more than one type of retirement or benefit plan. Command code INOLEP lists all plans maintained by the employer.

•   Multiple MFT 74/76 assessments can exist for each tax period if the employer has a deficit in more than one plan.

•   Proper identification of the plan number related to the assessment is needed when issuing the Letter 1058.

(3)   The same required notices and pre-levy determination used for other balance due accounts apply for these assessments. See IRM 5.11.1.3.2, *Required Notices.*

      NOTE: CP 504 notices are not generated on MFT 74/76 accounts.

(4)   Prepare manual Letter 1058 and take following steps.

   a) In the Form Number section, enter "5330" or "5500" and include the plan number associated with the assessment (i.e. Plan Number 001).
   b) Issue Letter 1058 per IRM 5.11.1.3.3.3.
   c) Prepare 4844 to request input Transaction Code (TC) 971, Action Code (AC) 069, and follow-up with the appropriate transaction code per IRM 5.11.1.3.3.1 when the results of the delivery are known.

5.11.6.19, Levy on Employee Benefit Plan Assessments

(1)   Levies may be issued in relation to Form 5330, Return of Initial Excise Taxes Related to Employee Benefit Plans, and Form 5500, Annual Return/Report of Employee Benefit Plan. See IRM 5.11.1.3.3.14.

(2)   The same required notices and pre-levy determination used for other balance due accounts apply for these assessments. See IRM 5.11.1.3.2, Required Notices.

(3)   Prepare manual Form 668-A, Notice of Levy per IRM 5.11.2.2.2. In the Kind of Tax section, enter "5330" or "5500" and include the plan number associated with the assessment (i.e. Plan Number 001).

Attachment C
Notices of Federal Tax Lien

IRM 5.12.7.7.6, Employee Benefit Plans

(1) NFTLs may be filed for assessments made in relation to Form 5330, *Return of Initial Excise Taxes Related to Employee Benefit Plans*, and Form 5500, *Annual Return/Report of Employee Benefit Plan*; however, the process to create these NFTLs differs slightly from normal procedures.

(2) Assessments made for Form 5330 appear on IDRS under MFT 76 and for Form 5500 under MFT 74. Whenever an assessment is made under either of these MFTs, a corresponding plan number is embedded in the assessment.

- Each plan has an associated three digit plan number assigned by the employer/sponsor (e.g., 001, 002).

- Employers may have more than one type of retirement or benefit plan.

- Multiple MFT 74/76 assessments can exist for each tax period if the employer has a deficit in more than one plan.

- Proper identification of the plan number related to the assessment is needed when creating the NFTL.

(3) The same NFTL determination pre-filing considerations and criteria used for other balance due accounts apply for these assessments. See IRM 5.12.2, *Notice of Lien Determinations*.

(4) To request a NFTL for a MFT 74/76 assessment, complete Form 12636, *Request for Filing or Refiling Notice of Federal Tax Lien*. **Do NOT use ICS to request the NFTL**. Show the taxpayer's unredacted TIN on the Form 12636 and follow other standard guidance for completing the request, with the exceptions noted below.

Form 5330/MFT 76 Assessments
a) In the Item 8, Tax Form section, do **NOT** enter "5330." Instead enter the <u>plan number</u> associated with the assessment, preceded by an "E" (e.g., E001).
NOTE: Using the plan number is necessary for proper systemic generation and posting transaction codes to IDRS. When printed through ALS, the NFTL will convert the plan number to show Form 5330
b) In Items 8-12, enter only MFT 76 employee benefit assessments. Do not include any other types of assessments (e.g., 941, 1120, etc.).

Table continued

Form 5500/MFT 74 Assessments
a) In the Item 8, Tax Form section, enter "5500." NOTE: At this time, ALS cannot process the plan numbers for MFT 74 assessments. b) In Items 8-12, enter only MFT 74 employee benefit assessments. Do not include any other types of assessments (e.g., 941, 1120, etc.).

(5) Forward the Form 12636 via secure email to the Centralized Lien Operation (CLO). In your email, state that the NFTL is for a employee benefit plan.

(6) In rare situations, circumstances may necessitate that the NFTL is manually prepared and hand-carried for filing. Use the ICS Form 668(Y)(c) template to manually prepare the Restitution NFTL. Follow standard guidance for the manual NFTL preparation, giving particular attention to the following items.

    a) Under Kind of Tax (column "a"), enter the type of tax form involved (i.e., 5330 or 5500). Do **NOT** enter the plan number on the Form 668(Y)(c).

    b) Include **only** MFT 74 or 76 assessments. Do not include any other types of assessments (e.g., 941, 1120, etc.).

    c) Redact the first five digits of the TIN (e.g., xxx-xx-1234, xx-xxx1234).

(7) Before filing the NFTL, secure a SLID from ALS by forwarding a copy of the NFTL to CLO. **DO NOT use ICS to generate a SLID**. In your request to CLO, state that the NFTL is for a employee benefit plan assessment and that it is being hand carried for filing. Also, provide the following details:

- The complete TIN of the taxpayer

- The plan number associated with any MFT 76 assessment, preceded by an "E" (e.g., E001)

- Your t-sign number

(8) When the SLID is provided by CLO, place it on the NFTL and print the NFTL. After filing the document with the appropriate recording office, provide the recording information to CLO.

(9) The taxpayer must be notified of their Collection Due Process (CDP) rights by the issuance of Letter 3172, *Notice of Federal Tax Lien Filing and Your Rights to a Hearing Under IRC 6320*).

    a) For NFTLs generated through ALS and filed by CLO, the taxpayer's notice is systemically issued.

    b) For NFTLs manually prepared and filed, the employee initiating the NFTL is responsible for manually issuing the Letter 3172. See IRM 5.12.6.3.7, *Preparation and Delivery of Manual CDP Notices*.

(10) It is the responsibility of the employee requesting the NFTL to ensure the transaction codes 582, 360, and 971 AC 252 are input to the respective tax module(s) on IDRS whenever a NFTL is filed.

   a) For NFTLs generated through ALS and filed by CLO on **MFT 76 assessments**, the transaction codes are systemically uploaded to IDRS.
   b) For NFTLs generated through ALS and filed by CLO on **MFT 74 assessments**, the employee must request input of the transaction codes following standard IDRS input procedures.
   c) For NFTLs that are manually prepared and filed, the employee must request input of the transaction codes following standard IDRS input procedures. See IRM 5.12.7.10.5, *Hand-Carried NFTL for Filing*.

   REMINDER: For proper posting, the input request <u>must</u> include the plan number with the MFT and Tax Period information (e.g., 74-001-201412).

IRM 5.19.12.2.5.6, NFTLs on Employee Benefit Plans

(1) NFTLs may be requested for assessments made in relation to Form 5330, *Return of Initial Excise Taxes Related to Employee Benefit Plans*, and Form 5500, *Annual Return/Report of Employee Benefit Plan*. The process to create these NFTLs in ALS differs slightly from normal procedures. These NFTLs can be printed through ALS or manually prepared by the revenue officer (RO).

(2) Assessments made for Form 5330 appear on IDRS under MFT 76 and for Form 5500 under MFT 74. Whenever an assessment is made under either of these MFTs, a corresponding plan number is embedded in the assessment. Each plan has an associated three digit plan number assigned by the employer/sponsor (e.g., 001, 002) and multiple MFT 74/76 assessments can exist for each tax period. Proper identification of the plan number related to the assessment is needed when creating the NFTL.

   Note: See IRM 5.12.7.7.6, *Employee Benefit Plans*, for additional information.

(3) Requests for NFTLs for MFT 74/76 assessments cannot be made through ICS. The requester must submit Form 12636 (or, if manually prepared, a copy of the NFTL) to CLO for input to ALS.

(4) Upon receipt of Form 12636, follow standard processes to review the request and input the information to ALS, with the following exceptions:

Form 5330/MFT 76 Assessments
a) The type of tax must be the plan number associated with the assessment, preceded by an "E." (e.g., E001). NOTE: The alpha prefix is crucial for ALS to recognize the NFTL as a MFT 76 assessment. When printed through ALS, the NFTL will convert the plan number to show Form 5330. The plan number also facilitates the posting of the NFTL transaction codes to IDRS. b) Only MFT 76 employee benefit assessments should be included on the NFTL.
Form 5500/MFT 74 Assessments
a) The type of tax should be entered as "5500." NOTE: At this time, ALS cannot process the plan numbers for MFT 74 assessments. b) Only MFT 74 employee benefit assessments should be included on the NFTL.

(5) Print and mail NFTLs generated by ALS for these assessments following standard procedures.

(6) In situations where the NFTL will be hand-carried for filing, the requester must manually prepare the NFTL and contact CLO for a SLID. Upon receipt of a request for a SLID, follow the standard CREATE process with exceptions noted below.

a) In the type of tax field for Form 5330/MFT 76 assessments, place an "E" in front of the plan number (e.g., E001). The requestor must provide the plan information with the request. For Form 5500/MFT 74 assessments, input "5500."

b) Ensure that only MFT 74 or 76 assessments are included on the NFTL.

c) Suppress the NFTL from printing through ALS.

d) Suppress the NFTL from the voucher.

e) Suppress the systemic CDP notification.

f) Input a history to ALS about the manual preparation and filing.

g) Provide the SLID to the requestor.

(7) For NFTLs, printed and filed by CLO, the taxpayer's CDP notice is systemically issued. For those manually prepared, the requester is responsible for the issuance of the CDP notice and the input of all applicable transaction codes to IDRS.

Attachment D
Installment Agreements

IRM 5.14.4.7 Assessments related to Employee Benefit Plans – MFT 74 and 76

1. This section relates to actions required when establishing installment agreements which include an MFT 74 and/or MFT 76 module.

2. MFT 74 identifies the tax module in which an adjustment for Form 5500, Annual Return/Report of Employee Benefit Plan, is to post. Form 5550 concerns compliance with qualification provisions. For Form 5500 penalties (e.g., late filing), see IRM 20.1.8.3 (04-17-2009) Employee Plans (EP).

3. MFT 76 identifies the tax module in which an adjustment for Form 5330, Return of Excise Taxes Related to Employee Benefit Plans, is to post. Form 5330 is used to report and pay the excise tax related to employee benefit plans under several IRC provisions. The largest assessments usually relate to inadequate funding of employee pension plans. A tax of 10% [4971(a)] of the underfunded amount may apply each year. A tax of 100% [4971(b)] can be imposed in certain cases. The tax may be self-reported on Form 5330, or identified by IRS in an Examination proceeding.

4. Currently, due to programming limitations, the systemic input of certain transaction codes to a MFT 74/76 module is not possible due to the 3 digit plan identifier associated with these assessments.   Automated systems do not recognize the identifier number. Notices requesting payment are sent when the tax is assessed and every time interest is updated, but the cases do not move beyond status 21. Sometimes no status is reflected on IDRS, just the assessment.

5. Research of these modules requires a specific format which include:

Command code	Format	Notes
BMFOLT	BMFOLTxx-xxxxxxx 74201212001	
TXMODA	TXMODAxx-xxxxxxx 74 001 201212	
MFREQ	MFREQCxx-xxxxxxx 76 201210 NAME 001	(if TXMOD is needed for CFOL only period)
INOLEP	INOLEPxx-xxxxxxx	Lists the employee benefit plans and their 3 digit identifiers

Note: Bal Due Modules cannot be created on ICS for these assessments.

6. IAs which include MFT 74 or 76 cannot be systemically established on IDRS; they must be processed following MMIA procedures. See IRM 5.14.9, *Routine and Manually Monitored Installment Agreement Dispositions.* Clearly identify the IA as"MMIA - MFT 74/76" in red on the top of the IA.

7. If the entity has other assessments (i.e. MFT 01, 02, 10, etc.) and those modules will not be fully satisfied (taxpayer placed in a Partial Payment IA), do not create a separate IA for CCP manual monitoring. If the taxpayer has a systemically monitored IA that will result in full payment of the other assessments, create a separate IA for manual monitoring in CCP. Clearly document the 433D and the ICS history that both a systemic and manually monitored IA exist and that payments will post to the non-MFT 74/76 assessments until full payment is received.

8. Request input of a TC 971, AC 063 on each MFT 74/76 module at the time the manually monitored IA is forwarded to CCP.

9. If a Notice of Federal Tax Lien is required, follow the instructions outlined in the NFTL section of this Interim Guidance, which will be updated in 5.12.7.7.6

IRM 5.19.1.4.20, Pension Benefit Plans

1. This section relates to actions required when establishing installment agreements which include an MFT 74 and/or MFT 76 module.

2. MFT 74 identifies the tax module in which an adjustment for Form 5500, Annual Return/Report of Employee Benefit Plan, is to post. Form 5550 concerns compliance with qualification provisions. For Form 5500 penalties (e.g., late filing), see IRM 20.1.8.3 (04-17-2009) Employee Plans (EP).

3. MFT 76 identifies the tax module in which an adjustment for Form 5330, Return of Excise Taxes Related to Employee Benefit Plans, is to post. Form 5330 is used to report and pay the excise tax related to employee benefit plans under several IRC provisions. The largest assessments usually relate to inadequate funding of employee pension plans. A tax of 10% [4971(a)] of the underfunded amount may apply each year. A tax of 100% [4971(b)] can be imposed in certain cases. The tax may be self-reported on Form 5330, or identified by IRS in an Examination proceeding.

4. Currently, due to programming limitations, the systemic input of certain transaction codes to a MFT 74/76 module is not possible due to the 3 digit plan identifier associated with these assessments.   Automated systems do not

recognize the identifier number. Notices requesting payment are sent when the tax is assessed and every time interest is updated, but the cases do not move beyond status 21. Sometimes no status is reflected on IDRS, just the assessment.

5. Research of these modules requires a specific format which include:

Command code	Format	Notes
BMFOLT	BMFOLTxx-xxxxxxx 74201212001	
TXMODA	TXMODAxx-xxxxxxx 74 001 201212	
MFREQ	MFREQCxx-xxxxxxx 76 201210 NAME 001	(if TXMOD is needed for CFOL only period)
INOLEP	INOLEPxx-xxxxxxx	Lists the employee benefit plans and their 3 digit identifiers

Note: Bal Due Modules cannot be created on ICS for these assessments.

6. IAs which include MFT 74 or 76 cannot be systemically established on IDRS; they must be processed following MMIA procedures. See IRM 5.19.1.5.6 *Manually Monitored Installment Agreement, MMIA.*

IRM 5.19.1.5.6, Manually Monitored Installment Agreement, MMIA

1. Some IAs require special handling. There are *rare* instances when an IA should not be established through CC IAGRE or does not qualify to be "mirrored" as in IRM 5.19.1.5.7.1, *Front End Mirror Assessments Process for IA and CNC Closures*. These types of IAs, MMIA, are not to be confused with MFT 31 Mirrored assessments.

NOTE: MMIAs cannot be DDIA, but may be PDIA.

2. The types of IAs listed below must be manually monitored ensuring compliance with the terms of the IA:

   a. IAs calling for variable amounts.

EXAMPLE: A taxpayer with seasonal income and payment amounts vary from season to season.

b. IAs secured from more than one person at different addresses paying on the same liability.

c. IAs secured from the secondary taxpayer only.

NOTE: If the secondary taxpayer has a joint and individual tax liability, follow procedures for both primary and secondary taxpayer in paragraph (3) below.

EXCEPTION: If the account meets mirroring requirements, follow instructions in: IRM 5.19.1.5.7.1, *Front End Mirror Assessments Process for IA and CNC Closures.*

d. A balance due on a joint liability, but the primary taxpayer is deceased and has open TDI modules which cannot be resolved.

NOTE: Establish as an MMIA on the secondary taxpayer SSN if in filing compliance; for disposition of TDI module on a deceased taxpayer's account. See IRM 5.19.2.5.4.6.6, IMF Response Taxpayer Deceased.

e. IAs on a joint liability from both taxpayers, but one taxpayer has a return delinquency; when establishing as an MMIA: IRM 5.19.1.5.4.4, *IMF/BMF Related Accounts.*

f. Payments at irregular intervals.

g. IAs containing both MF and NMF accounts.

h. NMF accounts.

i. The IA has related modules in Bankruptcy (ST 72). IRM 5.19.1.4.2, *Insolvency Issues.*

j. IAs from the requesting spouse when there is an unresolved Innocent Spouse claim filed TC 971 AC 065 on the module; establish as an MMIA and do not include modules with unreversed TC 971 AC 065 in the IA. IRM 5.19.1.5.4.12(3), *Innocent Spouse - IA Request.*

k. A balance due on a joint liability where one taxpayer is collectible and the other taxpayer is CNC and the NCs are different.

l. The taxpayer requests separate treatment from their spouse and the account includes one or more Individual SRP modules (MFT 35).

NOTE: After January 1, 2016, Individual SRP modules may be mirrored. See IRM [5.19.1.5.4.12.1](#), *Front End Mirror Assessments Process for IA and CNC Closures.* MMIAs will no longer be required on accounts with Individual SRP modules,. unless a condition in this paragraph 2 of subsection 5.19.1.5.6 applies.

       m. Accounts including MFT 74.

       n. Accounts including MFT 76.

       o. Any other IA not compatible with IDRS monitoring.

Attachment E
Currently Not Collectible
5.16.1.3 (04-29-2011) Special Conditions

(1) In certain circumstances employees will be required to take additional actions to

(2) Assessments made for Form 5330 appear on IDRS under MFT 76 and for Form

- Each plan has an associated three digit plan number assigned by the employer/sponsor (e.g., 001, 002).

- Employers may have more than one type of retirement or benefit plan.

- Multiple MFT 74/76 assessments can exist for each tax period if the employer has a deficit in more than one plan.

(3) Create an incoming OI on the ICS case. From the ICS Summary Screen, select the following:

a. "Collection Activities"
b. "Create Modules"
c. "Create OI In"
d. For the initial assignment, use the originator's (primary RO) assignment number
e. In the "Action Requested" field, select "Other"
f. In the Remarks Section input, "Pursue collection on MFT 74-20XXXX (or MFT 76-20XXXX) – plan number 00X.

(4) When recommending an account be reported CNC and there are MFT 74 or MFT

a. Determine the correct type of CNC based on IRM 5.16.1 criteria, including the

Note: If the total balance due including the MFT 74 and 76 modules

b. Input the CNC request on ICS excluding the MFT 74 and 76 modules.

c. Send Form 4844 to CCP requesting input of the appropriate TC 530 closing

d. Document the closing ICS history that the MFT 74 and 76 modules were

(5) Close OI module on ICS:

a. Select the OI from the Summary of Modules

b. "Close Mod"

c. Select the closure: "Requested action taken."

(6) A TC 530 on MFT 74 and 76 modules will not reverse systemically, and as noted

a. If you are working a case with MFT 74 or 76 modules, review to determine if a

b. If a TC 530 was previously input and should be reversed, send Form 4844 to