



MANUAL TRANSMITTAL

Department of the Treasury
Internal Revenue Service

5.1.18

MAY 28, 2025

EFFECTIVE DATE

(05-28-2025)

PURPOSE

- (1) This transmits revised IRM 5.1.18, Locating Taxpayers and their Assets.

MATERIAL CHANGES

- (1) The following table outlines changes made to IRM 5.1.18.

IRM Subsection	Description of Change
Throughout	Editorial Changes

EFFECT ON OTHER DOCUMENTS

This IRM supersedes IRM 5.1.18 dated August 13, 2024.

AUDIENCE

All Collection employees who need to locate taxpayers and/or their assets as a part of their official duties.

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Director, Collection Policy

5.1.18

Locating Taxpayers and their Assets

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5.1.18.1
(08-13-2024)
Program Scope and Objectives

- (1) **Purpose.** This IRM subsection describes tools and sources Collection employees can use to locate taxpayers and/or their assets. It also provides procedures to help protect taxpayer privacy when using these sources.
- (2) **Audience.** The procedures in this IRM are specifically intended for use by revenue officers, although other employees in SB/SE and employees in other functions may find them useful.
- (3) **Policy Owner.** SB/SE Director, Collection Policy.
- (4) **Program Owner.** SB/SE Collection Policy is the program owner of this IRM.
- (5) **Primary Stakeholders.** Field Collection, Civil Enforcement Advice and Support Operations, Specialty Collection Offers, Specialty Collection Insolvency, and Campus Collection employees.
- (6) **Program Goals.** This guidance explains how to research public records in person or online to locate taxpayers and/or their assets. By following the procedures in this IRM, employees will be able to appropriately conduct records searches to locate taxpayers and/or their assets.
- (7) **Contact Information.** Email recommendations and suggested changes to this IRM to the Content Product Owner. The owner is indicated on the Product Catalog Information page which is found on the Forms/Pubs/Products IRM listing of the Media and Publications website.

5.1.18.1.1
(08-31-2018)
Background

- (1) IRM 5.1.18, Locating Taxpayers and their Assets provides guidance and information for revenue officers. The content includes information on how to access the national asset locator tool, real and personal property records, historical travel information, and credit bureau requests. The value and applicability of these taxpayer and asset locator procedures, services and sources depend upon the nature, complexity and the stage of each Collection investigation.

5.1.18.1.2
(08-31-2018)
Authority

- (1) 31 USC 3711(h), Collection and Compromise
- (2) 603 of the Fair Credit Reporting Act 15 USC 1681a, Definitions; Rules of Construction
- (3) 604 of the Fair Credit Reporting Act 15 USC 1681b, Permissible Purposes of Consumer Reports
- (4) IRC 6103, Confidentiality and Disclosure of Returns and Return Information
- (5) IRC 7602(c), Notice of Contact of Third Parties
- (6) IRC 6321, Lien for Taxes
- (7) IRC 6020(b), Execution of Return by Secretary
- (8) IRC 7609, Special Procedures for Third-party Summonses
- (9) Treasury Regulation 301.6323(f)-1, Place for Filing Notice; Form

5.1.18.1.3
(08-13-2024)

**Roles and
Responsibilities**

- (1) The Director, Collection Policy is the executive responsible for the policies and procedures to be employed by Collection personnel.
- (2) Collection Area Directors, Field Compliance Managers (FCM) / Territory Managers (TM), and Group Managers are responsible for ensuring compliance by Collection personnel with these procedures.
- (3) Revenue officers conducting research using the locator tools and processes discussed in this section will observe the Taxpayer Bill of Rights listed in Publication 1, Your Rights as a Taxpayer, particularly with respect to confidentiality and privacy. See IRM 25.27.1, Third-Party Contact Program and IRM 5.1.1.12, Third-Party Contacts for more information on third-party contacts.

5.1.18.1.4
(08-31-2018)

**Program Management
and Review**

- (1) Program Reports: Collection Area Directors and Field Compliance Managers (FCM) / Territory Managers (TM) conduct operational reviews annually to evaluate program delivery and conformance to administrative and program requirements. Group managers use the Embedded Quality Review System (EQRS) to assist with periodic case and performance reviews as described in IRM 1.4.50, Resource Guide for Managers, Collection Group Manager, Territory Manager and Area Director Operational Aid. Collection managers utilize reports from EQRS to provide information for managerial use in guiding revenue officers to locate taxpayers and their assets. Collection managers of employees with access to the FinCEN Query system conduct annual online reviews using the audit trail report.
- (2) Program Effectiveness: National Quality Reviews and consistency reviews are routinely conducted to measure consistency, efficacy, and compliance with policy and procedures. Trends reported in these reviews are used to promote and improve program effectiveness.

5.1.18.1.5
(08-13-2024)

Program Controls

- (1) Collection managers verify program and procedural compliance through case consultations, case reviews, and performance reviews. Collection manager's internal controls are detailed in IRM 1.4.50, Resource Guide for Managers, Collection Group Manager, Territory Manager and Area Director Operational Aid.
- (2) There are several program controls developed to oversee the various programs referenced in this IRM:
 - Managerial approval is required for certain actions that include the requirement for specific locator source checks to be completed;
 - Manager approval is required to issue a third-party summons to locate assets and records;
 - Managerial approval is required for consumer credit report requests;
 - Managerial approval through BEARS is required to access the online national asset locator tool;
 - Managerial approval is required to obtain a passport check;
 - Managerial approval is required to request entry of a taxpayer on TECS;
 - Managerial approval through BEARS is required for direct access to FinCEN, and
 - Managers review the annual audit trail for FinCEN Query request.

5.1.18.1.6

(08-13-2024)

Terms and Acronyms

(1) This table below lists commonly used acronyms and their definitions.

Acronym	Definition
ABA	American Bankers Association
ACS	Automated Collection System
AMM	Automated Market Maker
ASTARS	Abusive Schemes Tracking and Reporting System
ATAT	Abusive Tax Avoidance Transaction
BAL DUE	Balance Due
BEARS	Business Entitlement Access Request System
BMF	Business Master File
BSA	Bank Secrecy Act
CAC	Collection Automation Coordinator
CARS	Centralized Asset Research System
CASS	Collection Automation Support and Security
CBSR	Credit Bureau Security Reviewer
CC	Command Code
CDP	Collection Due Process
CDW	Compliance Data Warehouse
CEX	Centralized Exchange
CKGE	CDW Knowledge Graph Environment
CMIR	Currency and Monetary Instruments Report
CNC	Currently Not Collectible
COTS	Commercial Off-the-Shelf
CTR	Currency Transaction Report
CVC	Convertible Virtual Currency
DEL RET	Delinquent Return
DEX	Decentralized Exchange
DHS	Department of Homeland Security
DLN	Document Locator Number

Acronym	Definition
DMDC	Defense Manpower Data Center
DMV	Department of Motor Vehicles
DOEP	Designation of Exempt Person
E-Business	Electronic business
EC	Employment Commission
EIN	Employer Identification Number
ELF	Electronic Filing
EOI	Exchange of Information
EQRS	Embedded Quality Review System
FAA	Federal Aviation Administration
FAS	Functional Automation Support
FASC	Field Automation Security Coordinator
FATCA	Foreign Account Tax Compliance Act
FBAR	Foreign Bank and Financial Account Report
FCF	Federal Contractor File
FCQ	FinCEN Query
FCRA	Fair Credit Reporting Act
FOIA	Freedom of Information Act
FPLP	Federal Payment Levy Program
FTD	Federal Tax Deposit
FTI	Federal Tax Information
GM	Group Manager
IA	Installment Agreement
ICS	Integrated Collection System
ID	Identification
IDRS	Integrated Data Retrieval System
IG	Interim Guidance
IMF	Individual Master File
INT	Interest
IRC	Internal Revenue Code

Acronym	Definition
IRM	Internal Revenue Manual
IRMF	Information Returns Master File
IRSC	Internal Revenue Service Campus
IT	Information Technology
ITM	Integrated Talent Management
L&E	Learning & Education
LLC	Limited Liability Company
LS	Liaison Services
MCAR	Mutual Collection Assistance Request
NCOA	National Change of Address
NFT	Non-Fungible Token
NFTL	Notice of Federal Tax Lien
OCI	Offshore Compliance Initiatives
OI	Other Investigation
OIC	Offer in Compromise
OPM	Office of Personnel Management
OSINT	Open Source Intelligence
P2P	Peer-to-Peer
PII	Personally Identifiable Information
PIV	Personal Identity Verification
PMB	Private Mailbox
PO	Post Office
PPC	Privacy Policy and Compliance
QR	Quick Response
RMSB	Registration of Money Services Businesses
RO	Revenue Officer
RT	Real Time
SAR	Suspicious Activity Report
SB/SE	Small Business/Self-Employed
SBU	Sensitive But Unclassified
SFR	Substitute for Return

Acronym	Definition
SME	Subject Matter Expert
SPDER	Servicewide Policy Directives and Electronic Resources
SSA	Social Security Administration
SSN	Social Security Number
TBOR	Taxpayer Bill of Rights
TC	Transaction Code
TFRP	Trust Fund Recovery Penalty
TIF	Taxpayer Information File
TIGTA	Treasury Inspector General for Tax Administration
TIN	Taxpayer Identification Number
UCC	Uniform Commercial Code
USC	United States Code
USPS	United States Postal Service
UTC	Unable to Contact
UTL	Unable to Locate
VASP	Virtual Asset Service Provider
VCC	Virtual Currency Code

5.1.18.1.7
(08-13-2024)

Related Resources

(1) IRM Resources:

IRM Resources
IRM 25.27.1, Third-Party Contact Program
IRM 1.4.50, Collection Group Manager, Territory Manager and Area Director Operational Aid
IRM 5.1.22, Disclosure
IRM 11.3.21, Disclosure of Returns and Return Information for Tax Administrative Purposes under IRC 6103(k)
IRM 10.5.1, Privacy and Information Protection, Privacy Policy
IRM 10.8.1, Information Technology (IT) Security, Security Policy
IRM 5.10.1, Pre-Seizure Considerations
IRM 1.4.5, Corporate Tax Administration Tools
IRM 1.35.4, Purchase Card Program

IRM Resources
IRM 5.1.21, Collecting from Limited Liability Companies
IRM 5.11.1, Background, Pre-Levy Actions, Restrictions on Levy & Post-Levy Actions
IRM 21.7.13, Assigning Employer Identification Numbers (EINs)
IRM 5.16.1, Currently Not Collectible
IRM 5.1.10, Taxpayer Contacts
IRM 25.5.6, Summonses on Third-Party Witnesses
IRM 25.5.8, Use of Summons Special Applications
IRM 5.1.8, Courtesy Investigations
IRM 25.5.5, Summons for Taxpayer Records and Testimony
IRM 5.9.4, Common Bankruptcy Issues
IRM 5.17.6, Legal Reference Guide for Revenue Officers, Summonses
IRM 6.735.1, Ethics and Conduct Matters: Guidance
IRM 2.3.60, Command Codes NAMES, NAMEE, NAMEI, FINDS, FINDE, AND TPIIP
IRM 2.3.35, Command Code IRPTR
IRM 5.14.2, Partial Payment Installment Agreements and the Collection Statute Expiration Date (CSED)
IRM 5.8.5, Offer in Compromise, Financial Analysis
IRM 5.1.1.12, Third-Party Contacts
IRM 5.19.4.3.5.2, Levy on Digital Assets
IRM 5.7.4.2, TFRP Determinations, Interviews and Investigations
IRM 5.19.25.2, Passport Certification Overview
IRM 5.21.7.4, Mutual Collection Assistance Requests (MCAR)
IRM 5.12, Federal Tax Liens
IRM 5.5.7, Collecting Estate Tax
IRM 4.60.1.10, Automatic Exchange of Information (AEOI) Program
IRM 5.5.9, Collecting Gift Tax and Generation-Skipping Transfer Tax

(2) Web resources:

Web Resource Links
<i>Taxpayer Bill of Rights</i>
<i>IRS Virtual Library</i>

Web Resource Links
<i>Servicewide Policy Directives and Electronic Resources (SPDER)</i>
<i>Accurint</i>
<i>ReferenceNet Legal and Tax Research Services</i>
<i>Virtual Library Collection Floor</i>
<i>Disclosure and Privacy Knowledge Base</i>
<i>Internal Management Documents</i>
<i>State of Delaware</i>
<i>United States Postal Service</i>
<i>U.S. Customs and Border Protection</i>
<i>Functional Automation Support (FAS)</i>
<i>International Tools and Actions Knowledge Base: Travel Record Tools, TECS</i>
<i>FinCEN</i>
<i>CKGE</i>

- (3) The Internal Revenue Code (IRC) provides taxpayers specific rights. The Taxpayer Bill of Rights groups these rights into ten fundamental rights. See IRC 7803(a)(3). IRS employees are responsible for being familiar with and following these rights. For additional information about your taxpayer rights, please see Pub 1, Your Rights as a Taxpayer, or visit *Taxpayer Bill of Rights*.

5.1.18.2
(08-07-2023)
**Locator Services
Program**

- (1) Locator services assist employees in locating taxpayers and/or their assets. These services include (but are not limited to) the following:
- National asset locator tool (Accurint at the time of publication of this IRM)
 - Credit bureau web browser (CreditBrowser® application at the time of publication of this IRM)
 - Tax research portal (Bloomberg Tax and Westlaw at the time of publication of this IRM)
 - Department of Motor Vehicles (DMV) databases
 - Real property title reports
 - Uniform Commercial Code (UCC) filings
 - Corporate information - Secretary of State
- (2) Headquarters is responsible for providing leadership, support, assistance, technical expertise, funding, and oversight for all field collection locator service activity nationwide, which includes allocation of resources to the area offices for maintaining current local locator services.
- (3) Elevate any concerns about the administration of the Locator Services Program to Headquarters via your local management.

- | | |
|---|---|
| <p>5.1.18.2.1
(08-13-2024)
Locator Services
Security Considerations</p> | <p>(1) You must comply with existing security and legal requirements regarding access to taxpayer data/information when you access taxpayer data, including locator services information. Relevant disclosure (IRM 5.1.18.2.1.1), privacy (IRM 5.1.18.2.1.2), and third-party contact procedures (IRM 5.1.18.2.1.3) apply when using these locator sources.</p> |
| <p>5.1.18.2.1.1
(08-13-2024)
Disclosure</p> | <p>(1) All information obtained by the IRS in order to collect a tax liability is protected from disclosure by IRC 6103, Confidentiality and Disclosure of Returns and Return Information. Any disclosure made to obtain information must meet IRC 6103 standards.</p> <p>(2) Analyze each such potential disclosure in advance to ensure the disclosure is necessary to obtain the information contained in the desired report (e.g., a report from the national asset locator tool or a consumer credit report).</p> <p>(3) Before making a disclosure to obtain information, ensure that the information in the desired report is not otherwise reasonably available from internal sources and that the return information disclosed:</p> <p style="margin-left: 40px;">a. Is the minimum necessary to obtain the report; and</p> <p style="margin-left: 40px;">b. Originated from BAL DUE or lien files.</p> <p>(4) Follow the disclosure procedures contained in the following IRMs when you use various locator sources:</p> <p style="margin-left: 40px;">a. IRM 5.1.22, Disclosure.</p> <p style="margin-left: 40px;">b. IRM 11.3.21, Disclosure of Returns and Return Information for Tax Administrative Purposes under IRC 6103(k), including IRM 11.3.21.12, Internet Research, for guidance on conducting research on the internet.</p> |
| <p>5.1.18.2.1.2
(08-13-2024)
Privacy</p> | <p>(1) The Privacy Policy and Compliance (PPC) office is responsible for ensuring the privacy and protection of sensitive but unclassified (SBU) data for taxpayers and employees, including personally identifiable information (PII), such as federal tax information (FTI), tax return, financial, and employment information regardless of format. Also, PPC manages the IRS process for timely reaction and appropriate responses to occurrences of IRS data losses, thefts, and disclosures involving SBU data including PII and FTI.</p> <p>(2) Refer to the <i>Disclosure and Privacy Knowledge Base</i> for additional information on privacy.</p> <p>(3) Also see IRM Part 10, Security, Privacy and Assurance, including:</p> <p style="margin-left: 40px;">a. IRM 10.5.1, Privacy Policy, for guidance on protecting tax information.</p> <p style="margin-left: 40px;">b. IRM 10.8.1, Information Technology (IT) Security, Security Policy, for a</p> |
| <p>5.1.18.2.1.3
(06-10-2015)
Third-Party Contacts</p> | <p>(1) Follow the procedures in IRM 25.27.1, Third-Party Contact Program, as they pertain to respecting taxpayer rights in accordance with IRC 7602(c), Notice of Contact of Third Parties, when you use the various locator sources.</p> |

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5.1.18.2.2
(08-13-2024)
Asset Locator Research

- (1) The national asset locator tool is an important resource for locating taxpayers or their assets. This tool provides the capability of searching several asset/locator services, credit bureau services, and tax law research services, including the following public records:

- Real property
- Real estate transactions
- Corporate officers
- Vehicles and aircraft
- Information on people and businesses

- (2) Servicewide Policy, Directives and Electronic Resources (SPDER) manages the national asset locator tool and contracts with various subscription search services. See *Servicewide Policy Directives and Electronic Resources (SPDER)*.

Note: At the time of publication of this IRM revision, the current contract vendors are Bloomberg Tax and Westlaw, and the national asset locator tool is Accurint.

5.1.18.2.2.1
(08-13-2024)
Using the Online National Asset Locator Tool

- (1) To gain access to Accurint, initiate a BEARS “add user” request to the following application: Accurint - SBSE Collection (Accurint).
- (2) Once access is approved, you will be assigned a Accurint username and password.
- (3) You can access Accurint directly through the *Accurint* website, or on the *Accurint SharePoint*.
- (4) The information on the internet can also assist you in locating taxpayers and/or their assets and is considered a supplement to the national asset locator tool. See IRM 5.1.18.3, Performing Research on the Internet/Intranet.

5.1.18.2.2.2
(08-07-2023)
Use of Asset Locator Research Results

- (1) IRM 5.1.18.11, United States Postal Service provides information on verifying a taxpayer address, the appropriate use of postal tracers, and an example about sending an appropriate contact letter.

Caution: Information from the national asset locator tool is not considered adequate to verify a taxpayer’s ownership interest when the IRM requires a complete public records search. See paragraph (1) of IRM 5.10.1.5.3.3, Equity Determination—Verify Ownership and Identify Encumbrances. A search of the actual courthouse records or other official governmental records (official, legal recordation sites such as Department of Motor Vehicles (DMV), Federal Aviation Administration (FAA), etc.) is required to verify the accuracy of the information obtained from the national asset locator tool prior to taking seizure action.

5.1.18.2.2.3
(07-17-2019)
Training on the Use of Locator Services

- (1) Managers are responsible for ensuring that employees have access to the tools needed to perform the job effectively and receive the training required to use the tools appropriately.

Note: Collection management will work with Learning & Education (L&E) personnel to ensure that appropriate locator services related topics are adequately covered in Collection CPE sessions.

5.1.18.2.2.4 (08-13-2024) Locator Services Support

- (2) Members of the Functional Automation Support (FAS) groups provide training to Collection employees on how to use software programs that facilitate effective use of the various locator services.
- (1) FAS also provides technical support and system issues troubleshooting related to automated locator service programs and processes.
- (2) The primary programs supported by FAS include:
 - Case Diagnostic Tools
 - Locator Services.
- (3) Collection Automation Coordinators (CACs) are professional employees who are subject matter experts (SMEs) for the case diagnostic tools and locator services. The CACs responsibilities include the following:
 - Ensure automation programs and management applications are compatible with all technical, legal, and administrative provisions,
 - Complete analytical reviews,
 - Develop reports, memoranda, and decision packages,
 - Coordinate and conduct training, and
 - Act as liaison with other functions at Headquarters, the Areas, and IT.
- (4) Field Automation Security Coordinators (FASCs) are technical employees who provide administrative support to the Area CACs. The FASCs responsibilities include the following:
 - Oversee BEARS applications.
 - Support Commercial Off-the-Shelf (COTS) software.
- (5) Contact the appropriate Collection Automation Coordinator or Field Automation Security Coordinator in FAS if you require assistance, support, or training.
- (6) You can locate the appropriate contact using the *Functional Automation Support (FAS)* website.

5.1.18.2.2.5 (08-13-2024) Procurement of Locator Services

- (1) Functional Automation Support (FAS) provides procurement support for locator services. Generally, the FASC or the CAC is responsible for requisitioning specific locator services and related equipment. The responsible procurement office will provide any necessary procurement assistance. Local contracts may still be required for data that is unavailable from the national contract vehicles.
- (2) FAS supports local locator service contracts, such as contracts with the state for employment and DMV information as well as title report contracts. FAS inputs the annual contract renewals and completes the monthly, quarterly, or annual "Receipt and Acceptance." Some contracts require automation support to connect the IRS network to the vendor network. In these cases, FAS facilitates communication between IT, Mission Assurance, and the end users to ensure the setup, installation, and testing of software when necessary. In some cases, based on requests from the Area, FAS will locate new vendors, secure contracts for services, etc. FAS supports end users on their use of national locator services contracts as well as use of the local contracts.
- (3) Refer to IRM 1.4.5, Corporate Tax Administration Tools, when considering any procurements. It provides helpful information regarding the background on the

corporate delivery of electronic research services, an overview of each corporate tax administration tool, how to access them, and the related training products that are available.

- (4) Your FAS contact can provide information about available locator services and access procedures.

5.1.18.2.2.5.1
(06-10-2015)

Enforcement Purchase Card

- (1) As a revenue officer directly involved with enforcement activity, you are authorized to receive a Purchase Card (Enforcement Purchase Card) that is restricted to enforcement related purchases.
- (2) See IRM 1.35.4, Purchase Card Program.
- (3) See IRM 1.35.4.2.2, Enforcement Purchase Card (SBSE).

5.1.18.3
(08-13-2024)

Performing Research on the Internet / Intranet

- (1) The decision to use the internet to locate taxpayers and/or their assets must be based on the particular aspects of the case. In reaching this decision, apply a strategic approach to casework and consider the different aspects of each case, such as the size of the liability, complexity of the case, compliance history, and the cooperation level of the taxpayer to determine the applicable extent of locator research.
- (2) The internet is a powerful tool for gathering information about individuals and businesses. It can access a vast amount of information, usually free of charge, although many websites charge a usage fee or provide information on a subscription basis.
- (3) The IRS has current corporate contracts for locator services, credit bureau services, and tax law research services. Whenever possible, IRS employees who work tax-related matters should use the contracted subscription search services to obtain information about a tax case or taxpayer. At the time of publication of this IRM, these services include the following:
 - The national asset locator tool — Accurint
 - The credit bureau web browser — CreditBrowser® application
 - The tax research portal — Bloomberg Tax and Westlaw
- (4) Additional information on these services can be found on the *ReferenceNet Legal and Tax Research Services* page, and on the *Servicewide Policy Directives and Electronic Resources* site.
- (5) Access to the *IRS Virtual Library* can help you do the following:
 - a. Locate taxpayers or their assets and verify mailing addresses
 - b. Understand various types of businesses
 - c. Understand various types of property ownership
 - d. Confirm/validate the information taxpayers have provided to you.
- (6) Consider the following factors when deciding to use the internet:
 - a. Cooperation level of taxpayer
 - b. Type of liability and entity
 - c. Size of liability
 - d. Case complexity
 - e. Results of financial analysis.

Note: This list is not all-inclusive.

Caution: With the exception of approved IRS communicators handling official IRS media initiatives, IRS employees are not authorized to use (such as publicly post or interact while logged in to) social media platforms in an official capacity. Social media encompasses internet forums, blogs, websites used for collaborative editing, picture, audio or video sharing. Examples of social applications include Google Groups, TikTok, LinkedIn, Facebook, Instagram, and Twitter. However, it is allowable to search for publicly available social media information without using those social platforms as described above. See IRM 11.3.21.12.1 , IRC 6103(k)(6) Disclosures by IRS Employees Using Social Networking and Other Internet Sites for additional guidance.

- (7) Follow the steps below if the information you seek is not reasonably available through the contracted subscription search services.
 - a. Use discretion and consider on a case-by-case basis what return information or PII needs to be entered when using public internet search engines (for example, name, address, telephone number, or Taxpayer Identification Number (TIN)).
 - b. A search on a TIN is allowable if necessary, but you must secure managerial approval before conducting an internet search on a TIN. This approval must be documented in the ICS history.

Note: A search on an EIN or an SSN rarely results in any useful information. A telephone number search will probably provide more useful information than a TIN search; IRM 11.3.21.12, Internet Research, provides that the disclosure of a TIN is sensitive and must be carefully considered.

- (8) Refer to the following IRMs for further guidance:
 - a. IRM 10.8.1, Information Technology (IT) Security, Security Policy, which provides security policies to be followed by all IRS organizations and discusses Sensitive But Unclassified (SBU) Information and Personally Identifiable Information (PII).
 - b. IRM 11.3.21.12, Internet Research, which allows the disclosure of return information with respect to internet searches when you reasonably believe, based on the facts and circumstances at the time of the disclosure, such disclosure is necessary to obtain information to properly perform your official duties.

5.1.18.3.1 (08-13-2024) Interim Guidance Directives

- (1) Headquarters will issue an Interim Guidance (IG) Memorandum (memo) to provide the most up-to-date guidance about a particular subject.
- (2) Access Interim Guidance Directives from the *Internal Management Documents Search Interim Guidance* webpage.
- (3) Determine if an IG Memo provides more up-to-date guidance about a particular subject when you search the IRM.
- (4) Consider adding the Internal Management Documents page to your list of internet favorites.

5.1.18.3.2
(08-13-2024)
**Collection Knowledge
Management**

- (1) Knowledge Management has developed a Servicewide Knowledge Repository – The IRS Virtual Library. This library has floors for various operating divisions of the IRS. Collection has a floor on the virtual library. *See Virtual Library Collection Floor.* Consider adding this site to your list of favorites in your internet browser.
- (2) The Collection floor contains Knowledge Bases on topics related to collection. Each Knowledge Base has a section to engage with content creators and subject matter experts by using the sections on the page:
 - FAQs
 - Contact An Expert
 - Provide Feedback
 - Site Contacts
- (3) Each Knowledge Base contains books and chapters that provide subsections of the topic. The information found within Knowledge Management contains information such as job aids or other reference materials that support day-to-day duties.

Note: The IRM is the official source for guidance, information contained in Knowledge Management provides supporting guidance but does not replace the IRM.

5.1.18.3.3
(08-13-2024)
**Corporate Tax Law
Research Tools**

- (1) The IRS has current corporate contracts for tax and legal research services. These services are managed by SPDER and provide the following:
 - a. An up-to-date, searchable web-based version of the *Internal Revenue Manual (IRM)*.
 - b. Primary and secondary federal tax resources, news, business, and legal on the *ReferenceNet Legal and Tax Research Services*.
- (2) These electronic research services are fully linked to cited references which allow access to all tax law research material from one place.

Reminder: Although you could perform tax and legal research using a search engine (such as Google, Bing, or Yahoo!), you should use the commercial electronic research services provided by the IRS. The trustworthy sources provided by the IRS (such as Bloomberg Tax at the time of publication of this IRM) yield more credible results upon which you can base your tax administration decision.

- (3) Follow the steps below if the information you seek is not reasonably available through the contracted subscription search services:
 - a. Use discretion and consider on a case-by-case basis what return information or PII (i.e., name, address or Employer Identification Number) needs to be entered when using public internet search engines.
 - b. See IRM 11.3.21.12, Internet Research.

5.1.18.4
(07-17-2019)
Real Property Records

- (1) Real property records are a critical source for locating taxpayers and their major assets. Real property records are currently available for all the states and the District of Columbia through the national asset locator tool. However, the national asset locator tool does not provide an index of transactions or copies of the actual documents.

- (2) In some states, and especially in large metropolitan areas, the real property records are available electronically from the courthouse without going through a third-party vendor.
- (3) Although many real property records are available online, real property records are not completely automated. Furthermore, electronic real property research may only provide limited coverage and is subject to the following limitations:
 - a. The locator vendor may not provide electronic coverage for every county in that state.
 - b. The electronic grantee/grantor indexes may not be sufficient to determine how ownership in a piece of property occurred or was conveyed.
 - c. The public records data in third-party vendor electronic systems may contain errors due to erroneous data entry or incorrect processing. The data may also be out-dated or be otherwise defective.
- (4) Some Collection areas have direct database access where courthouse records are automated and the index as well as copies of the actual documents are available. Check with your local FAS to see if your area has this capability. See IRM 5.1.18.2.2.5, Procurement of Locator Services.
- (5) Search real property records as provided in your area, either in-person or online, according to the following procedures.

5.1.18.4.1 (03-27-2012) **Courthouse Records Check**

- (1) Local courthouse records often contain the most recent and accurate information regarding real and personal property, as well as other types of documents and information that merit or require official recordation.
- (2) Courthouse records checks can be conducted online if you have access to the index of transactions and copies of the actual documents. If the IRM requires a courthouse records check and you do not have the ability to research both the index and the actual documents online, make a field visit to perform a courthouse records check.
- (3) Make a field visit to perform a courthouse records check in-person prior to a seizure. See IRM 5.10.1.5.3.3, Equity Determination - Verify Ownership and Identify Encumbrances.
- (4) Treat all data secured from locator services as sensitive but unclassified (SBU) data.

5.1.18.4.1.1 (09-17-2010) **Electronic Access to Actual Courthouse Records**

- (1) Complete a real property records search electronically if you have the ability to research both the index and the actual documents online.

Note: Researching actual property tax records online is not considered a courthouse real property records search, so an online property tax records search would not be sufficient prior to a seizure of real property. The property tax appraisal office maintains the tax records, not the office of the county clerk. The property tax records only show who owned the property when the property tax statements were sent out.
- (2) Make a field visit and perform a courthouse records check in-person prior to a seizure of real property.

5.1.18.4.1.2
(09-17-2010)
**Electronic Access to
Third-Party Vendor
Records**

- (1) Complete a real property records search electronically if you have access to the records via a third-party vendor.

Note: Researching third-party vendor property tax records online is not considered a courthouse real property records search so an online property search of third-party tax records would not be sufficient prior to a seizure of real property.
- (2) Do not rely upon third-party vendor electronic sources as definitively accurate; be wary of their limitations.
- (3) Make a field visit and perform a courthouse records check in-person prior to a seizure of real property.

5.1.18.4.2
(03-27-2012)
Title Reports

- (1) Title reports provide the following information:
 - Liens and Judgments — Listing of recorded property liens, tax certificates, and claims against the property.
 - Legal — Full real estate legal description.
 - Current Owner — Identification of the actual owner of the subject property and ownership structure (i.e., joint, individual, trust, etc.).
 - Purchase Price / Date — Reveals what the current owners paid, seller information, and deed document details.
 - Mortgage Amount — Mortgage details for open loans against the property with lender name, amounts, and dates. Copy of current deed showing conveyance with abstract of all current liens, mortgages, and recorded documents.
- (2) Secure a title report as provided in your area.

Note: The Area office establishes procedures for obtaining title reports. Functional Automation Support (FAS) provides administrative support for title report service contracts; however, FAS does not provide interpretation of title reports.

5.1.18.5
(08-31-2018)
**Department of Motor
Vehicles**

- (1) All states and the District of Columbia have a department or office of motor vehicles (DMV). DMVs require state residents who own a motor vehicle to register their motor vehicle and require state residents who drive a motor vehicle to hold a valid driver's license.
- (2) In addition to driver's licenses, motor vehicle departments issue identification (ID) cards to persons who require an ID card. The ID card looks like a driver license, but it is used for identification purposes only.
- (3) Information maintained by the various DMVs varies from state to state. Most states provide driver information, lien holders, and vehicle information on cars, trucks, etc. ID card information is also provided.
- (4) Information from 36 DMVs is currently available through the national asset locator tool at the time of publication of this IRM. Due to contractual and regulatory restrictions, some states are not available, and it is illegal to make this information public in some other states.
- (5) Some Collection areas have been able to arrange for direct database access to DMV records. Check your local procedures.

5.1.18.6
(09-17-2010)
**Uniform Commercial
Code**

(1) National Uniform Commercial Code (UCC) filing records contain information from commercial lien filings. These records can help you find assets used by businesses to secure commercial loans or to learn about financial relationships between businesses and individuals. The results include:

- Debtor name and address
- Date and state of filing
- Document number
- Legal type
- Secured parties name and address
- Number of secured parties
- Number of debtor parties
- Number of filings
- List of collateral

(2) Uniform Commercial Code (UCC) information is currently available for all the states and the District of Columbia through the national asset locator tool.

Note: The national locator tool may not have the latest information; at times, the information is weeks or months old. For purposes of conducting an adequate UCC search prior to a seizure of personal property, a search of the national asset locator tool is not considered an adequate UCC search.

(3) Use the “UCC Filings” tab in the national asset locator tool to conduct your search.

(4) Use any of the search criteria provided in the “UCC Filings” template.

(5) Conduct a search of the UCC records held by the official governmental record keeper prior to a seizure of personal property.

- a. Go to the governmental recording office and search the official UCC records.
- b. Contact the governmental recording office by mail (or by phone, if permitted by the governmental recording office) to obtain the official UCC records.

5.1.18.7
(08-13-2024)
**Corporate Information —
Secretary of State**

(1) Corporate information refers to each individual state’s Secretary of State, State Corporation Commission, or equivalent. These organizations provide information regarding the date of incorporation and the officers of the corporation.

(2) All states and the District of Columbia require that corporations register at the time of their incorporation, and the registration information is usually maintained in each state’s capital. Secretary of State information is one of the most effective sources available for corporate accounts. It provides third party information, corporate officers, and registered agents, and it is also fairly effective for verifying the existence of assets. However, the effectiveness of Secretary of State information varies from one state to another based on the method used to access the information.

(3) Secretary of State information is currently available for all the states and the District of Columbia through the national asset locator tool at the time of publication of this IRM with the exception of Delaware.

Exception: Due to contractual restrictions, Secretary of State information is not currently available for Delaware through the national asset locator tool.

Revenue officers in the Dover, Delaware commuting area can make a field visit to the state office where visitors are permitted free access to the on-site computers provided and are allowed to write the information down free of charge. Revenue officers outside of the Dover, Delaware commuting area can access the *Secretary of State of Delaware* to secure corporate information online for a fee that can be charged to the employee's Enforcement Purchase Card (see IRM 1.35.4, Purchase Card Program Handbook). At the time of publication of this IRM, the cost is \$10.00 per entity for status or \$20.00 per entity for more detailed information including current franchise tax assessment, current filing history, and more.

- (4) Use the corporate information received from the Secretary of State to investigate individuals who may be responsible for the Trust Fund Recovery Penalty (TFRP), if applicable. See IRM 5.7.4.2, TFRP Determinations, Interviews and Investigations.

5.1.18.7.1
(05-20-2008)
**Limited Liability
Company Information —
Secretary of State**

- (1) Limited Liability Company (LLC) Information is maintained by each individual state's Secretary of State, or equivalent, often in the same database as corporation records. These organizations provide information regarding the date of organization and the members and/or managers of the LLC.
- (2) Information available from state records may assist you in identifying if a taxpayer is liable for certain employment taxes. See IRM 5.1.21, Collecting from Limited Liability Companies, for additional information.

5.1.18.8
(08-13-2024)
**State and Local Locator
Contracts**

- (1) Access to additional information found in state and local databases, including employment data, varies greatly. Direct any questions regarding state or local locator contracts to your local Functional Automation Support Group.
- (2) Additional information may also be secured from your local government liaison.

5.1.18.9
(08-13-2024)
Utility Companies

- (1) Utility company information can help to locate a taxpayer.
- (2) Taxpayers attempting to avoid contact with the IRS and other creditors may not notify the post office of a new address. However, taxpayers generally will transfer their utility service from an old address to their new one, so when a taxpayer moves within an area served by the same utility company, the taxpayer will provide an updated address to the utility company. See IRM 5.1.18.11.2, Postal Tracer — Form 4759, for information on the use of postal tracers to verify these addresses.
- (3) Utility information can help determine who occupies a certain building when there is an indication that the taxpayer resides at an address, but the post office and other locator sources do not provide confirmation. The utility company can provide the name of a person billed for the utility services.

Note: If you provide a name and address to the utility company in person, by mail, or by phone, the utility company will probably be able to confirm the name of the person billed for the utility services in response to your request for confirmation without a summons.

Caution: If the utility company is a local government owned facility, then the contact will not be a third-party contact per IRM 25.27.1.2(2). If the utility company is privately owned, then contact with the utility company will be treated as a third-party contact.

- (4) If necessary, summon the utility company to obtain the taxpayer's new address. Provide the taxpayer's name and last address in the summons.
- (5) Use any new address or new asset information from the utility company as discussed above.

5.1.18.10 (09-17-2010) Social Security Administration

- (1) Sole proprietors, corporations, partnerships, estates, trusts, and other entities use Form SS-4, Application for Employer Identification Number, to apply for an employer identification number (EIN).
- (2) In the past, the IRS sent Forms SS-4 to the Social Security Administration (SSA). SSA maintained the records, and IRS employees could request a copy of a specific form. However, with the advent of weekly electronic transmissions of Form SS-4 data to SSA, the IRS no longer sends the forms to SSA.
- (3) Contact SSA to obtain a copy Form SS-4 for years 1998 and prior, as needed. See IRM 21.7.13.3.2.12, Form SS-4 Retention (Past and Present) and Requests for Copies of Form SS-4.
- (4) Do not contact SSA regarding any Form SS-4 processed after 1998.
- (5) Use any new address or new asset information from SSA research as discussed above.

5.1.18.11 (09-17-2010) United States Postal Service

- (1) The United States Postal Service (USPS) provides an address update product — the National Change of Address Linkage (NCOA^{Link}).
- (2) The IRS is a licensee of NCOA^{Link}, and receives a consolidated data file with change-of-address information from the USPS on a regular basis to help deliver tax related mail in a timely fashion and reduce undeliverable mail. The IRS benefits from the NCOA^{Link} address update process by using the new addresses to attempt contact and/or maintain contact with taxpayers.
- (3) When the USPS receives a change of address form from a taxpayer with a new address, the IRS will receive that new address. The process works as follows:
 1. NCOA^{Link} obtains change of address information when a taxpayer submits a change of address to the USPS.
 2. The IRS receives a weekly NCOA^{Link} file from USPS. The file contains all of the reported changes of address in the United States for the week.
 3. NCOA^{Link} will attempt to match the NCOA^{Link} file to the Master File address for any change of address form filed in the past 48 months.
 4. The "name" and "from" address must match what is on IDRS for the "to" address to be updated as the new address for a taxpayer.
 5. The Master File is updated for all matched addresses.

Note: The only time the address of a taxpayer updates through NCOA^{Link} is when the taxpayer submits a change of address form to USPS. Then, and only then, will NCOA^{Link} update the taxpayer's address from one location to another.

- (4) NCOA^{Link} substantially reduces the need for using a postal tracer — Form 4759, Address Information Request - Postal Tracer, to obtain new addresses for most taxpayers.

Note: NCOA^{Link} does not eliminate the need for using Form 4759.

5.1.18.11.1
(08-13-2024)

How to Identify an NCOA Address Change

- (1) An address change resulting from the NCOA^{Link} update generates a unique Transaction Code (TC) 014 (Address Change) and document locator number (DLN). All DLNs created by NCOA^{Link} have a common DLN format:

- IMF — XX 2 63 995 999 99 Y
- BMF — XX 9 63 995 777 66 Y
- EPMF — XX 0 63 995 777 66 Y

Note: "XX" represents the File Location Code (Internal Revenue Service Campus (IRSC) Code). "Y" represents the year of the NCOA^{Link} update.

5.1.18.11.2
(08-13-2024)

Postal Tracer — Form 4759

- (1) The only appropriate use of Form 4759, Address Information Request - Postal Tracer is to request information from USPS. Form 4759 can be used to:

- Confirm the Master File address of record when the Letter 725-B is returned undeliverable, and an observational drive-by field call indicates that the taxpayer is unable to locate or unable to contact at that address.
- Obtain a possible non-Master File address for the taxpayer when the Letter 725-B is returned undeliverable.

- (2) NCOA^{Link} substantially reduces the need for using Form 4759 but does not eliminate the need for using Form 4759. You may obtain valuable information in response to Form 4759, which may not be included on returned mail:

- a. Change of address date
- b. Forwarding order expiration date
- c. Expired forwarding address(es).

- (3) Form 4759 is helpful as USPS will:

- Provide the forwarding address on returned mail for 12 months
- Confirm whether mail is delivered to the taxpayer at that address
- Provide the new address if the address was changed within the past 48 months.

- (4) USPS mail carriers may provide additional useful information. The carrier may annotate the returned correspondence with an extra note, such as "moved two years ago," "gone for over five years," or other information that will assist you in establishing the "timeline" of various addresses. USPS will:

- Provide the forwarding address on returned mail for 12 months.
- Provide the forwarding address for 48 months in response to Form 4759.

- (5) USPS will take one of the following actions when you send correspondence to one or several alternate addresses:
 - a. Forward the correspondence to the taxpayer but not send you notification of a new address.
Note: Form 4759 may be helpful since it may provide new address information (if mail was forwarded) or confirm whether mail is delivered to the taxpayer at that address.
 - b. Return the correspondence to you with the annotation "Forwarding order expired," if it has been more than 12 months since the forwarding order was filed.
Note: Form 4759 may be helpful because it may provide the new address if the address was changed within the past 48 months.
 - c. Return the correspondence to you with the annotation "Moved, left no forwarding."
- (6) Do not use Form 4759 to verify a taxpayer's Master File address. This will add more processing time and postal costs to our cases without providing value. The taxpayer's Master File address will be updated by NCOA^{Link} if the taxpayer has submitted a change of address form to USPS within the previous 48 months.
- (7) Confirm the Master File address in accordance with paragraph (5) of IRM 5.16.1.2.1, Unable to Locate and Unable to Contact, before you close the case with TC 530 when you have made a field call and verified the taxpayer is UTL or UTC at the Master File address of record.
- (8) Follow the procedures below when it is necessary to send Form 4759 to the USPS.
- (9) Use Form 4759 to obtain the physical address of a Post Office (PO) Box holder from USPS.
- (10) Refer to IRM 5.1.18.11.2.3, Verify Possible Non-Master File Addresses, to appropriately use Form 4759 in other situations.

5.1.18.11.2.1

(08-07-2023)

Properly Preparing Form 4759

- (1) When it is necessary to send Form 4759 to the USPS, always:
 - Use the most recent version of Form 4759
 - Include the appropriate return address.
- (2) The most common error with Form 4759 is neglecting to include the complete return IRS address. Be sure to use your STOP number and/or organization symbol in your return address. Other common errors include:
 - Using an outdated form
 - Including an envelope for return.
 - No signature on the Form 4759. (The Postmaster will reject and return the Form 4759 if it is not signed).
- (3) Do not include a return envelope. It is unnecessary and a waste of our postage resources to include an IRS Business Reply Mail envelope since the USPS has agreed to return Form 4759 to the IRS in a USPS envelope. The

authority for this is in a USPS document; it is in Exhibit 5-2 under Section 5, Requests for Special Categories of Records, of the USPS Handbook AS353.

5.1.18.11.2.2

(08-13-2024)

Undeliverable Mail

- (1) Mail might be rejected as undeliverable because of various reasons, including the following:

- An inappropriate rural route address, or
- An error in processing a two-line address.

5.1.18.11.2.2.1

(09-17-2010)

Rural Route Addresses

- (1) Print rural route addresses on a piece of mail as follows: **RR N BOX NN**

- (2) Do not use the words "RURAL", "NUMBER", "NO", or the pound sign.

5.1.18.11.2.2.2

(09-17-2010)

Two-Line Addresses

- (1) Form 4759 is pre-printed with the words "To: Postmaster" in the upper left-hand corner and provides space for insertion of the city, state, and ZIP Code of a particular post office, resulting in a two-line address (like those used by our service centers).

- (2) Two-line addresses are completely acceptable, but sometimes, we encounter a problem with Form 4759 being returned as "not deliverable as addressed" or "undeliverable." This problem is encountered because USPS has automated high speed equipment (optical character readers) which start reading a piece of mail from the bottom. The intent of the automated processing is to process a piece of mail to its "final sort" (practically to the carrier's mail bag) without it ever being touched by human hands. The processing equipment also looks for a "match" in the address database. This match depends on a street address or PO Box to continue on its way. Since we only insert the city, state, and ZIP Code of a particular post office on Form 4759, the Form 4759 is ejected from the automated system and reviewed manually.

- (3) Sometimes, instead of recognizing that Form 4759 with a two-line address should be delivered to the "Postmaster" at the post office identified by the ZIP Code, a postal worker who sees that Form 4759 does not have a street address or PO Box number may stamp Form 4759 "not deliverable as addressed" or "undeliverable" and return it.

- (4) Contact the Delivery Services Operations Manager at the specific post office that returned Form 4759 if you encounter this problem.

5.1.18.11.2.3

(08-13-2024)

**Verify Possible
Non-Master File
Addresses**

- (1) The national asset locator tool or other locator research may provide possible new addresses for a taxpayer from diverse sources such as credit applications, mortgage companies, etc.

- (2) Follow these procedures to verify possible new address(es) when you have been unable to contact / locate a taxpayer during the initial field contact attempt. See IRM 5.1.10, Taxpayer Contacts, for the initial contact requirements.

- (3) Check IDRS command code NAMES to eliminate new addresses received from asset locator research for individuals with similar names but different SSNs.

Note: The training for the national asset locator tool emphasizes beginning your research with the taxpayer's Taxpayer Identification Number (TIN) to better target locator information on that person. Using the TIN will usually eliminate the need to sort stray information by using IDRS Command Code (CC) NAMES.

- (4) Use any new address received from asset locator research to attempt taxpayer contact in accordance with the guidelines set forth in IRM 5.1.10.3, if you have not yet made taxpayer contact:
 - a. For BMF taxpayers, issue Letter 725-B to schedule a phone appointment to verify the possible new address.
 - b. For IMF taxpayers, send the L725-B to the new address to schedule an office or telephonic appointment.

Caution: Be careful not to disclose any more confidential information (SBU or PII) than is necessary to verify the identity of the taxpayer.

Example: RO Jones is trying to contact taxpayer Baker to collect the BAL Dues on the taxpayer's sole proprietorship, Sweets & Treats Bakery. RO Jones found a possible new address for taxpayer Baker using the national asset locator tool. RO Jones needs to send an appropriate contact letter. RO Jones is aware not to disclose confidential information. RO Jones writes a brief note addressed to taxpayer Baker at the new possible address. The contact letter says, in part:
Dear Taxpayer Baker, I have been trying to get in touch with you to discuss a federal tax matter regarding your bakery that went out of business. Please contact me at your earliest convenience.

- (5) Do not routinely verify a non-Master File possible address(es) with Form 4759. Even if the taxpayer has not submitted a change of address form to the United States Postal Service (USPS), mail from the IRS will be delivered to an address where other mail is being delivered to the taxpayer. Sending correspondence addressed to the taxpayer at the possible address(es) is more efficient, since it may result in immediate contact.

5.1.18.11.3 (05-20-2008) Locating a Taxpayer's Address

- (1) This IRM subsection provides strategies and information for locating a taxpayer.
 - a. Requesting assistance to locate a taxpayer's address
 - b. Private mailbox companies
 - c. Tracking online mail

5.1.18.11.3.1 (09-17-2010) Requesting Assistance from USPS Personnel to Locate a Taxpayer's Address

- (1) In the case of a Rural Route address or when a location has new streets not yet reflected on local maps, you may need to request directions to locate the taxpayer's address. Take one of the following actions when you need assistance locating the taxpayer's address.

- a. Ask the postal carrier for directions to a taxpayer's address.

Note: It is always acceptable to request directions from the postal carrier.

- b. You can also write a note on Form 4759 requesting written directions to the taxpayer's address.

5.1.18.11.3.2
(09-17-2010)
**Private Mailbox
Companies**

- (1) Some private companies offer private mailbox (PMB) rental services to taxpayers (individuals or businesses). Any contact with any of these PMB sources would be considered a third-party contact. IRM 5.1.18.2.1.3, Third-Party Contacts.
- (2) PMB companies include:
 - USPS contract stations (stations or branches operated under contract with USPS by persons who are not postal employees).
 - Other mailing service locations.

5.1.18.11.3.2.1
(09-17-2010)
**Private Mailbox
Addresses**

- (1) Private mailbox companies may require a box number as part of the address for the "final sort". Instead of using the terms "Post Office Box" or "PO Box" in their addresses, some of these PMB companies use "Suite NNN" or "PMB NNN" or just "NNN" to identify the "final sort" delivery point.

Note: The words "Post Office Box" or "PO Box" cannot be used on the delivery address line of a PMB address. According to the *USPS* website, only USPS is entitled to provide delivery to a PO Box, so only USPS can use the terms "Post Office Box" or "PO Box" in the delivery address.

- (2) Postal regulations require that these companies do the following:
 - Secure a completed PS Form 1583, *Application for Delivery of Mail Through Agent*, (a USPS form) from the taxpayer, in duplicate,
 - Provide the original to USPS, and
 - Maintain a copy at their business location.
- (3) PS Form 1583 provides contact information for the person who rented the box, including address, phone, corporate officers, and/or names of other individuals whose mail is to be delivered.
- (4) Request a copy of PS Form 1583 from the PMB company, in person or by mail.

Note: Some PMB companies may immediately provide a copy of PS Form 1583 completed by the taxpayer upon written or verbal request. Others may require a summons before providing that information.

- (5) Follow the procedures for a third-party summons, if necessary. See IRM 25.5.6, Summonses on Third-Party Witnesses.

5.1.18.11.3.3
(09-17-2010)
Online Mail Tracking

- (1) Various IRM sections require "return receipt requested" when sending certified mail. The United States Postal Service (USPS) provides an online feature called "Track & Confirm" providing timely assurance of receipt instead of waiting for the return receipt post card to be returned.
 - With certified mail, the unique article number allows verification of delivery at no additional cost.
 - Delivery confirmation includes information about the date and time of delivery or attempted delivery.

- When the IRM requires “return receipt requested”, an additional fee will apply.

Note: This does not replace the IRM requirement for “return receipt requested,” even though an additional fee will apply.

- (2) Find additional information about “Track and Confirm”, certified mail, delivery confirmation, and return receipt at: *USPS*.

5.1.18.11.4
(08-31-2018)

**Action when Form 4759
is Received from USPS**

- (1) Do not update the Master File address with information received from Form 4759 unless the taxpayer provides clear and explicit written or oral notification as provided by Rev. Proc. 2010-16.
- (2) Updating a taxpayer’s address with a new address received from a third party, even when verified by a postal tracer, is not permitted without that notification. See IRM 5.11.1.3.2.1, Last Known Address.

5.1.18.12
(08-07-2023)

**United States Passport
Office**

- (1) The IRS may obtain passport information from the United States Passport Office in connection with an official investigation. Request a passport check when the taxpayer travels overseas frequently (or there is reason to believe the taxpayer travels overseas frequently). Requests for information from the US Passport Office are called “passport checks.” Passport checks provide information contained on the most recent passport application filed by a U.S. citizen. The information may include the following:

- The last known mailing and/or permanent address of the applicant
- Applicant’s occupation
- Applicant’s employer
- Applicant’s phone number
- Emergency contact’s name, address and phone number
- Spouse’s name and birthplace.

Note: This information includes the taxpayer’s current address, if available. It also includes next of kin information as a third-party source to contact because they may know the current address of the taxpayer.

Caution: A passport check will not provide you with any travel information. If you are searching for historical travel information, see IRM 5.1.18.13.8, TECS Historical Travel Information.

Note: A passport check is separate and distinct from the passport certification under IRC 7345 which requires the IRS to notify the State Department when an individual is certified as owing a seriously delinquent tax debt. See IRM 5.19.25.2, Passport Certification Overview.

- (2) Request a passport check when you are certain that your taxpayer is a U.S. citizen and when you have the following types of cases:
 - a. IMF taxpayer cases with an assessed balance that meets the dollar criteria for international and domestic cases in paragraph (4) below.
 - b. Combination BAL DUE and DEL RET cases where the existing balance due and the potential liability from unfiled returns meets the criteria displayed in paragraph (4) below.

- c. Currently not Collectible cases closed as Unable to Locate (03), Unable to Contact (12), or international closing code (06), where the aggregate unpaid balance of assessment meets the dollar criteria in paragraph (4) below.
- (3) The SB/SE International Passport coordinator will handle all passport checks. The information on the passport application can be requested with managerial approval through the SB/SE International Passport coordinator by completing Letter 4263, Passport Letter Request.

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5.1.18.12.1
(06-10-2015)
**Requesting a Passport
Check**

- (1) To request a copy of the passport file:
 - a. Prepare Letter 4263 to request a passport check. See IRM 5.1.18.12.1.1, Preparing Letter 4263.
 - b. Obtain managerial approval/signature via **secure** email.

Note: To signify approval, your manager will digitally sign the PDF file of Letter 4263, include your email address on the “Cc” line, and send the email message, including the digitally signed Letter 4263 as an attachment, to the International Passport coordinator at “*SBSE International Passport Coordinator” via secure email.
 - c. Send an email message to “*SBSE International Passport Coordinator” if you need to contact the coordinator.

Reminder: Be sure to send any email message via secure email when you include Sensitive but Unclassified (SBU) taxpayer data in the message.

5.1.18.12.1.1
(08-13-2024)
Preparing Letter 4263

- (1) Enter the following in Letter 4263:
 - a. Taxpayer’s name and/or alias
 - b. Taxpayer’s place of birth
 - c. Taxpayer’s date of birth
 - d. Taxpayer’s SSN
- (2) Use IDRS command code MFTRA-U to obtain the taxpayer’s place of birth and/or date of birth.
- (3) Use MFTRA-U to obtain citizenship and status information. The following citizenship and status information codes are listed in Document 6209.
 - A — US Citizen
 - B — Legal Alien, Authorized to work in the US
 - C — Legal Alien, Not authorized to work in the US
 - D — Other
 - E — Alien Student (restricted work)
 - F — Conditional Legal Alien

Note: Citizenship indicator and place of birth information may also be available on CDW Knowledge Graph Environment (CKGE). Search for *CKGE Quick Tip 63* for additional information.

- (4) Save the completed Letter 4263 as a PDF file.
- (5) Attach the PDF file of Letter 4263 in an email to your manager.

5.1.18.12.2
(07-17-2019)
Form 14223

- (1) The International Passport coordinator will send the information obtained from the passport application on Form 14223, Taxpayer Locator Information Request.

5.1.18.12.3
(08-07-2023)
Using Passport Information

- (1) Use any new address or new asset information received from the passport office as discussed above.
- (2) See IRM 5.21.7.4, Mutual Collection Assistance Requests (MCAR), if you determine that the taxpayer:
 - a. Resides in a treaty country, or
 - b. Has assets in a treaty country.

5.1.18.13
(08-31-2018)
TECS

- (1) TECS is a database maintained by the Department of Homeland Security (DHS), and it is used extensively by the law enforcement community. It contains information about individuals and businesses suspected of, or involved in, violations of federal law.
- (2) For IRS Collection, TECS provides two sources to help make contact with taxpayers or locate assets:
 - a. Revenue officers can request that delinquent balance due taxpayers be entered into TECS, and the Department of Homeland Security (DHS) will then advise IRS when those taxpayers travel into the United States for business, employment, or personal reasons. The taxpayers entered into TECS for this purpose are on a TECS lookout indicators list. IRS employees must help maintain the TECS database by requesting that appropriate taxpayers be entered into TECS or be deleted from TECS. See IRM 5.1.18.13.7.1, Criteria For Entering A Taxpayer On TECS For A TECS Lookout Indicator.
 - b. Revenue officers can also request information housed in TECS on past travel that a taxpayer has made to and from the United States.

5.1.18.13.1
(08-31-2018)
TECS Lookout Indicators

- (1) International and domestic taxpayers can be placed on the TECS lookout indicator list. For domestic taxpayers consideration should be given if it is believed the domestic taxpayer travels frequently outside the U.S. or Commonwealth Territories and contact cannot otherwise be made. Information derived from DHS can facilitate contact with the taxpayer or discovery of asset information which may facilitate payment of the outstanding liability.
- (2) Consider using TECS to place the taxpayer on the TECS lookout indicator list early in the case. If the taxpayer does not provide the information requested by your deadline, and the case meets the criteria to be placed on TECS, enter the taxpayer on TECS for a lookout indicator. The following example is an illustration of how using TECS early in the case could help in your casework.

Example: A domestic revenue officer has a balance due taxpayer (TP) located in Cleveland, OH in their inventory. TP owes a total of \$141,000 for tax periods 30/201312 and 30/201412. During the interview, TP mentions that they are a truck driver that travels to Canada quite often for

business purposes. As the RO is securing a Form 433-A, Collection Information Statement for Wage Earners and Self-Employed Individuals, TP says that they will never pay and hangs up the phone. The domestic RO then requests the TP be placed on TECS by submitting Form 6668, TECS Entry Request, to the GM and closes the case as CNC - Unable to Contact. One month later, TP is crossing the border from Canada. DHS informs the TECS coordinator of the following information: TP's U.S. employer, TP's U.S. address, and TP's U.S. phone number. The TECS coordinator informs the originating GM and RO about the TECS lookout information. The TECS coordinator creates an OI to input the TECS lookout information and issues the OI to the GM and RO for further action. TP's employer information received from the TECS lookout information is a new levy source. The RO levies TP's U.S. employer and closes the case as continuous wage levy. The GM or RO will inform the TECS coordinator that the TP will remain on the TECS lookout.

- (3) Some of the information from a TECS lookout is time sensitive and requires immediate action by the RO and/or GM. The following example is an illustration where the GM and the RO took immediate action.

Example: An international revenue officer has a balance due TP located in Hong Kong. The international RO is unable to make contact with the TP, and TP has no assets in the United States. TP meets the requirements to be placed on TECS, and RO closes the case as International TC 530 CC 06. One year later, TP travels to the U.S. and arrives in Miami, FL. DHS informs the TECS coordinator that TP will be staying at the hotel in Miami for three days and will then depart to Mexico. No additional information was given by DHS. The TECS coordinator informs the international GM about the TECS lookout information. The TECS coordinator creates an OI to input the TECS lookout information and issues an OI to the GM and RO for further action. The international GM issues an OI to a domestic RO in Miami to meet with TP and secure full pay and/or a Form 433-A, Collection Information Statement. The international GM contacts the domestic GM in Miami stating that TP will be departing Miami in three days. The domestic RO meets TP at the hotel and secures full payment for the balance due. The international GM or RO will inform the TECS coordinator to remove TP from the TECS lookout.

5.1.18.13.2
(06-10-2015)

Disclosure to Taxpayer

- (1) Taxpayer's name, date of birth, place of crossing, date and time of crossing, and document number can be disclosed to the taxpayer and/or their representative.

Note: Any additional information requires authorization from DHS.

Caution: Do not disclose TECS information to third parties.

5.1.18.13.3
(08-13-2024)

TECS Web Page

- (1) Access the TECS web page on the Collection Floor of the Virtual Library, *International Tools and Actions Knowledge Base*, *Travel Record Tools* book.

5.1.18.13.4
(08-31-2018)
The Role of the TECS Coordinator

(1) The TECS coordinator:

- Will coordinate the investigation of TECS cases,
- Is responsible for informing SB/SE Collection group managers and revenue officers upon receipt of notifications of imminent taxpayer arrival into the U.S. from DHS.

Note: The TECS coordinator will open an OI or courtesy investigation on ICS to input the TECS lookout information. If the case is archived on ICS, the TECS coordinator will create a case on ICS and open an OI or courtesy investigation and input the TECS lookout information in the ICS case history.

- Will review all cases referred from revenue officers requesting that a taxpayer be entered on TECS to ensure that they meet the TECS lookout indicator criteria,
- Maintain a spreadsheet of taxpayers placed on TECS, and
- Will handle the referred cases as displayed in the following table:

(2) The table below describes the actions the TECS coordinator takes for accepted referrals and referral that do not meet TECS criteria.

If	Then
The case is accepted	The TECS coordinator will: <ul style="list-style-type: none"> • Forward the taxpayer information to Criminal Investigation for input into TECS, • Document the ICS history.
The case does not meet TECS criteria	The TECS coordinator will: <ul style="list-style-type: none"> • Document the ICS history with the reason • Return the referral to the originator.

(3) Contact the TECS coordinator via email at: *SBSE International TECS Coordinator.

5.1.18.13.5
(08-13-2024)
The Role of the Group Manager and Revenue Officer when TECS Lookout Information is Provided

(1) Once the TECS coordinator notifies the GM and RO of the TECS lookout information, and the case is assigned to a revenue officer, the revenue officer will analyze the information and take prompt action as needed. This may include attempting contact with the taxpayer or issuing an Other Investigation (OI) to have a RO at the taxpayer's location contact the taxpayer. See IRM 5.1.8, Courtesy Investigations, for procedures on creating and working Courtesy Investigations.

Note: If the TP has been outside the U.S. for an extended length of time, it is urgent that the RO act promptly on the information provided by DHS. If the RO will not take any action to contact the TP, the ICS case history must be documented to explain the reason.

Caution: Prior to initiating contact verify if the taxpayer has valid representation. Refer to IRM 5.1.10, Taxpayer Contacts, for guidance.

- (2) If the case is closed, the GM will determine whether assignment of the case within their group or issuance of an OI to the location of the taxpayer is warranted. If no action will be taken on the information secured by DHS, the GM will document the ICS case history with the reason no action is being taken regarding the TECS lookout information.

Note: For cases that are archived on ICS, the TECS coordinator will open an OI or courtesy investigation for the GM to document the ICS case history if no action is to be taken regarding the TECS lookout information.

- (3) Once the GM or RO has determined the appropriate action to take on the information secured by DHS, the GM or RO will advise the TECS coordinator whether the taxpayer will be retained or removed from the TECS lookout indicator list.

5.1.18.13.6
(08-31-2018)
**Notification by
Department of Homeland
Security (DHS) of
Taxpayer Arrival**

- (1) DHS will notify the TECS coordinator when U.S. Immigration and Customs Enforcement (ICE) becomes aware that a balance due taxpayer on TECS is arriving in the US.
- (2) DHS may provide the TECS coordinator with some or all of the following information:
- The taxpayer's address while in the United States
 - Nature of visit
 - Transportation of any currency over \$10,000.00
 - Any other available travel and/or asset information.

5.1.18.13.7
(08-13-2024)
**Providing Taxpayer
Information For Placing
A Taxpayer On The
TECS Lookout Indicator
List**

- (1) Entering a taxpayer on TECS allows DHS to notify the IRS in the future (via TECS coordinator) about when and where a taxpayer has entered the United States.
- (2) Use TECS information to facilitate the collection of delinquent liabilities from taxpayers.
- (3) Follow the procedures below to request that a taxpayer be entered on or removed from TECS.

5.1.18.13.7.1
(08-31-2018)
**Criteria For Entering A
Taxpayer On TECS For A
TECS Lookout Indicator**

- (1) Taxpayers will be entered on TECS for a lookout indicator only when the case meets all of the following conditions:
- The taxpayer is living outside the United States and the United States commonwealths and territories or is about to depart to reside in a foreign country.

Note: Puerto Rico, American Samoa, Guam, the U.S. Virgin Islands, and the Northern Mariana Islands are commonwealths or territories of the United States.

Exception: Enter a balance due taxpayer on TECS if, despite an official IRS domestic address of record, you believe the taxpayer resides in a foreign country or travels outside the United States and the United States commonwealths and territories on a frequent basis and we have not been able to contact the taxpayer.

- The taxpayer has not voluntarily resolved their case by full payment or other voluntary action, including an installment agreement (IA).
- A Notice of Federal Tax Lien (NFTL) has been filed for all balance due modules. See Treasury Regulation 301.6323(f)-1.
- The total unpaid balance of assessment equals or exceeds the dollar criteria for requesting a taxpayer be entered on TECS.
- The dollar criteria for requesting a taxpayer be entered on TECS is:
- \$50,000.00 or more for international cases,
- \$100,000.00 or more for domestic cases.

Exception: TECS input can also be requested for a lesser amount when your group manager concurs there are significant compliance issues and approves your request. This approval must be documented in the ICS history.

- The taxpayer is not in bankruptcy.
- The IRS has not accepted an Offer in Compromise (OIC) to settle the taxpayer's liabilities.
- The taxpayer's case is in Status 26 or the taxpayer's case is being reported currently not collectible (CNC) with closing code 06, 03 or 12.

- (2) Do not request placement of taxpayers onto TECS for lookout indicator purposes if there are only DEL RETs.

Note: The TECS lookout indicator process is only for taxpayers with BAL DUEs and a Notice of Federal Tax Lien (NFTL) must have been filed for all liabilities.

5.1.18.13.7.2
(08-07-2023)

Procedures for Requesting Entry of a Taxpayer on TECS — Form 6668

- (1) Coordinate all requests for entering a taxpayer on TECS with the TECS coordinator.
- (2) Ensure a Notice of Federal Tax Lien (NFTL) has been properly filed for all liabilities.
- (3) Use Form 6668, TECS Entry Request, to request that a taxpayer be entered on TECS.
- (4) Complete Form 6668 in its entirety.
- (5) Save Form 6668 as a PDF file.
- (6) Attach the PDF file to an email message to your group manager (GM) to request their approval of Form 6668.
- (7) Use secure email to encrypt the message since it contains taxpayer data.
- (8) Send the secure message to your GM to obtain their approval of Form 6668.

Note: The GM will indicate their approval by digitally signing the PDF file of Form 6668. Additionally your GM will provide you with a courtesy copy when they send the approved Form 6668 to the TECS coordinator as provided below (i.e., your GM will include you on the "Cc" line of the message).

- (9) Prepare Letter 4106 after your manager approves Form 6668.
- (10) Mail Letter 4106, Department of Homeland Security Notified of Taxes Owed, to the taxpayer and all of the taxpayer representatives.

Note: Verify that the taxpayer is on TECS before sending Letter 4106.

- (11) Document the case history noting reasons for placing taxpayer on TECS and manager's approval.
- (12) Retain copies of Letter 4106 and the approved Form 6668 in the case file.

Note: The GM will send the digitally approved PDF file of Form 6668 in an email message to the TECS coordinator to request that the taxpayer be entered on TECS. The GM will use secure email to encrypt the message since it contains taxpayer data.

Note: The GM will send the secure email message (with the attachment) to the TECS coordinator at: *SBSE International TECS Coordinator to request that the taxpayer be entered on TECS.

Note: The TECS coordinator will send the taxpayer information to CI; the actual input of the taxpayer data into TECS will be done by CI.

5.1.18.13.7.3
(07-17-2019)
Expedited TECS Entry Procedures

- (1) Notify your group manager (GM) to request expedited TECS entry when a taxpayer's arrival in the United States is imminent and the taxpayer is not already on TECS.

Note: A GM, Tax Attaché, or Deputy Tax Attaché may request expedited TECS entry by making a telephone call to the TECS coordinator, as long as all the conditions listed above for entering a taxpayer on TECS are met.

5.1.18.13.7.4
(08-31-2018)
Criteria For Removing A Taxpayer From The TECS Lookout Indicator List

- (1) Remove a taxpayer from TECS promptly when the case meets one or more of the following conditions:

- The tax liability is satisfied.
- The taxpayer enters into IRS approved arrangements to satisfy the tax liability, including an installment agreement (IA).
- The taxpayer is deceased and their death is verified.
- The taxpayer's Offer in Compromise (OIC) has been accepted.

Caution: Do not delete a taxpayer from TECS if an OIC is still under investigation; only an accepted OIC qualifies the taxpayer for removal from TECS. Presence of a TC 780 on IDRS indicates an accepted OIC.

- The taxpayer is in bankruptcy.
- Any other situation renders the continuation of the TECS entry unnecessary.

5.1.18.13.7.5
(08-31-2018)
Procedures for Requesting Removal of a Taxpayer from the TECS Lookout Indicator List

- (1) Coordinate all requests for removal from TECS with the TECS coordinator.
- (2) Contact the TECS coordinator immediately by email at: *SBSE International TECS Coordinator if a taxpayer already on TECS should be removed for any of the above case conditions.
- (3) Entitle any email message to the TECS coordinator concerning this topic as "Request To Delete Taxpayer from TECS".

- (4) Include the following information in the memorandum:
 - Taxpayer name
 - Taxpayer identification number
 - Taxpayer date of birth
 - The reason deletion is being requested.
- (5) Send the email message to the TECS coordinator using secure email to encrypt the message since it contains taxpayer data.
- (6) Retain a copy of the email in the case file.

Note: The TECS coordinator will send the taxpayer information to CI; the actual removal of the taxpayer data from TECS will be done by CI.

5.1.18.13.7.6 (03-27-2012) **TC 971 Indicator of Taxpayer**

- (1) Transaction Code (TC) 971 with Action Code (AC) 692 will post on each balance due module for any taxpayer who has been entered in the TECS lookout indicator list. The code will be captioned with "DHS indicator" and will alert you that the taxpayer is already on the lookout indicator list.
- (2) TC 972 with AC 692 will post to each relevant module when the taxpayer is removed from the lookout indicator list.
- (3) TC 971 with AC 692 will automatically be reversed whenever any of the following post to a module:
 - Case closes into status 12
 - TC 520 with accompanying code of 60-67, 70, 74, 80, 81, or 83-89
 - TC 530 with accompanying code of 08, 14, or 24-32
 - TC 470 CC 90
 - TC 780
 - TC 971 AC 063
 - Further programming will be done for other codes to generate automatic reversal.
- (4) The international CAC will determine if the taxpayer entity should be removed from the lookout indicator list based on the reason for the automatic reversal. The international CAC will also request reversals of TC 971 with AC 692 when appropriate.

5.1.18.13.8 (08-13-2024) **TECS Historical Travel Information**

- (1) TECS also is a database that tracks historical travel information about taxpayers. This IRM subsection provides guidance for using the historical travel information available in TECS. This information may also help you attempt taxpayer contact and/or locate asset information as it can contain extensive records of commercial airline flight arrivals and departures. TECS also contains other records of air and sea travel, records of border crossings, and the specific dates that individuals have traveled to and from the United States.
- (2) The travel information in TECS can facilitate collection of delinquent liabilities from taxpayers who are not subject to ordinary administrative and judicial collection procedures because they often reside outside the jurisdiction of the US Courts.

- (3) TECS provides information that may not otherwise be available to the IRS, such as where a taxpayer has traveled. This travel information may lead to the discovery of where the taxpayer has assets or conducts business activity. Additionally, TECS travel information can help determine the taxpayer's correct country of current residency.
- (4) TECS provides information in the following ways:
 - Employees can query TECS for historical travel information as discussed below.
 - The IRS may also receive "current" travel information from the TECS coordinator when taxpayers with a TECS lookout indicator are traveling into the United States, as was discussed above (IRM 5.1.18.13.1, TECS Lookout Indicators).
- (5) Use TECS historical travel information to do the following:
 - Learn possible address information to attempt taxpayer contact or identify assets
 - Determine a taxpayer's status regarding their contention regarding US residency or non-residency
 - Confirm the validity of information on the taxpayer's returns or collection information statement.

Note: TECS historical travel information will provide both U.S. entrance **and** exit information for U.S. Citizens, resident aliens and non-resident aliens.

- (6) You can request TECS historical travel information on any taxpayer case. You do not have to have a BAL DUE case with a Notice of Federal Tax Lien on file. You can request TECS historical travel if you only have a DEL RET case and where requesting the information would be helpful in your investigation.

Note: TECS historical travel information is only available from 2010 through the current year.

5.1.18.13.9
(03-27-2012)

**Keep TECS Travel
Information Secure**

- (1) Use secure email (encrypted messages) to transmit any request for historical TECS travel information.
- (2) Use secure files and folders to store any TECS travel information.
- (3) Stamp all historical travel information retrieved from TECS "OFFICIAL USE ONLY" if you receive a hardcopy not already stamped as such or if you create a hardcopy.

Note: If you do not have an **OFFICIAL USE ONLY** stamp, you may write "OUO" in red ink on any hard copy document (or on the top sheet of any multi-page document which is stapled together).

- (4) Maintain the security of TECS travel information at all times.

5.1.18.13.10
(08-13-2024)

**Taxpayer Request for
Source Information**

- (1) Advise the taxpayer to do the following if a taxpayer asks how you learned about their past travel:
 - Write a letter requesting source information under the Freedom of Information Act (FOIA)

- Send the letter to the address provided at *U.S. Customs and Border Protection* website.

5.1.18.13.11
(08-07-2023)
**Using TECS Historical
Travel Information**

- (1) TECS contains information about specific dates of past international travel and locations of travel for individuals over a period of several years. It has extensive information concerning airline travel and also contains some information on other modes of travel into the US. A request for this information will provide the revenue officer (RO) with all travel information that is available; there is no need to specify particular time periods of travel.

Caution: Never confirm or deny the existence of a TECS record of historical travel information if a taxpayer asks how you learned about their past travel. Taxpayers must submit a written request to obtain information about the source of the travel information. See IRM 5.1.18.13.10, Taxpayer Request for Source Information.

Reminder: Stamp all TECS historical travel information documents (i.e., all documents you print) “Official Use Only” and handle them according to IRM 5.1.18.13.9, Keep TECS Travel Information Secure.

- (2) Note the following examples of how TECS historical travel information may be helpful to you:

Example: A revenue officer (RO) requests TECS historical travel information to learn how a taxpayer living in India paid for airline tickets. Up to this point, the RO has not been able to identify any levy sources for this uncooperative taxpayer. The RO discovers that the payment was made from a bank account in the US. The US bank account is in the name of a family trust. By performing further case investigation, the RO verifies that the family trust is not authentic. The RO coordinates with Advisory and Area Counsel to prepare a transferee assessment which results in collection of part of the balance due. Then the taxpayer contacts the RO to discuss resolution of the remaining balance.

Example: A revenue officer (RO) requests TECS historical travel information because the RO is unsure where the taxpayer resides. The case currently has an address of record in Florida, but the RO has not been able to contact the taxpayer. The RO believes the taxpayer may often be out of the United States. Historical information in the case file shows the taxpayer once resided in Great Britain. The TECS historical travel information reveals that the taxpayer visited Canada three times in the last 18 months. Through subsequent investigation, the RO learns that the taxpayer is now residing permanently in Canada but continues to use the Florida address as a mail drop. This information leads the RO to refer the case for an outgoing Mutual Collection Assistance Request (MCAR) to request assistance from Canada, our treaty partner. The MCAR results in the collection of the outstanding liabilities via levy.

- (3) Use any new address or new asset information received from TECS research as discussed above in IRM 5.1.18.13.11, Using TECS Historical Travel Information.

Caution: Never confirm or deny the existence of a TECS record of historical travel information if a taxpayer asks how you learned about their past travel. Taxpayers must submit a written request to obtain information about the source of the travel information. See IRM 5.1.18.13.10, Taxpayer Request for Source Information.

- (4) See IRM 5.21.7.4, Mutual Collection Assistance Requests (MCAR), if you determine that the taxpayer:
- Resides in a treaty country (which are Canada, Denmark, France, The Netherlands, Japan or Sweden), or
 - Has assets in a treaty country.

5.1.18.13.12
(08-07-2023)

**Procedures for
Requesting Historical
Travel Information from
TECS**

- (1) Prepare Form 13931, TECS Historical Travel Request, for submission to the TECS coordinator and include the following information:
- Taxpayer Name (Last, First, Initial)
 - Known Alias(s)
 - SSN
 - Place of Birth (City & State or Country)
 - Passport Number
 - Citizenship (if not U.S.)
- (2) Input "Request For TECS Historical Travel Information" in the subject line of the email.
- (3) Include all applicable, available information about the traveler on Form 13931.
- (4) Send the Form 13931 via secured email to your group manager for approval and signature.
- (5) Once managerial approval and signature has been secured, send Form 13931 via secure email to the TECS coordinator at *SBSE International TECS Coordinator.

5.1.18.14
(08-07-2023)

**Financial Crimes
Enforcement Network
Query (FCQ) System**

- (1) Financial Crimes Enforcement Network Query (FCQ) is a web-based application owned by the Financial Crimes Enforcement Network (FinCEN), a bureau within the Department of the Treasury. FCQ is a powerful and versatile tool to query and analyze Bank Secrecy Act (BSA) data, which is accessible through the FinCEN portal. FCQ stores information reported by financial institutions.
- (2) Access must be in connection with active and assigned cases.
- (3) Current authorized users include revenue officers who are general program grade 13, all grades of ATAT and International revenue officers, and managers of any authorized users. See IRM 5.1.18.15, Accessing Information on the FinCEN Query (FCQ) System, for obtaining direct access.
- (4) Revenue officers who do not have direct access to FCQ can still obtain FCQ information. See Exhibit 5.1.18-1 for FCQ records (non-SAR) and Exhibit 5.1.18-2 for FCQ SAR records.

5.1.18.14.1
(08-07-2023)
**Bank Secrecy Act
Reports**

- (1) The FCQ system provides authorized users with access to currency and other Bank Secrecy Act reports, such as the following:
 - Currency Transaction Report (CTR) - Cash transactions over \$10,000
 - Report of Foreign Bank and Financial Accounts (FBAR) - Foreign bank accounts with a total value over \$10,000
 - Designation of Exempt Person (DOEP)
 - Registration of Money Services Businesses (RMSB)
 - Report of International Transportation of Currency and Monetary Instruments (CMIR)
 - Report of Cash Payments Over \$10,000 Received in a Trade or Business (Form 8300)
 - Suspicious Activity Report (SAR)

5.1.18.15
(08-07-2023)
**Accessing Information
on the FinCEN Query
(FCQ) System**

- (1) Prior to being authorized direct access to FCQ, revenue officers and their managers must complete: ITM Briefing 41166, SBE-SP-BSA: Safeguarding Online Access and Using Suspicious Activity Rpt (SAR) Info
- (2) Managers of employees requesting direct access to FCQ must also take: ITM Briefing 41167, SBE-SP-BSA: Manager Online Suspicious Activity Report (SAR) Audit Trail Reviews

Note: Collection managers of employees with electronic access to BSA information (direct access to the FinCEN Query) must conduct online reviews of the FinCEN audit trails at least annually. See Exhibit 5.1.18-4, BSA Review Procedures for Managers, for instructions.

5.1.18.15.1
(08-13-2024)
**Requesting access to
FinCEN Query System**

- (1) Once the briefings have been completed, submit a BEARS request for the application titled: **SYS USER FINCEN QUERY SYSTEM -IRS COLLECTION FUNCTIONS (FINCEN QUERY -CURRENCY AND BANKING RETRIEVAL SYSTEM).**

Note: In the BEARS comment section of the request include a statement that indicates the user fits the criteria for direct access and that the required briefing(s) have been completed.

Example: Grade 13 revenue officer authorized online access. Required ITM briefings by RO and manager have been completed.

- (2) After the RO submits the BEARS request and it is approved, the IRS Collection Division Agency Coordinator will create the user's account in the FinCEN Portal. See Exhibit 5.1.18-3, FinCEN Query Authorized User Training and Access Procedures, for next steps in finalizing access to the FCQ system.

5.1.18.15.2
(08-13-2024)
Research on FCQ

- (1) FCQ information is useful in identifying cash activity that may not be accurately reported on the income tax return or disclosed on financial statements. FCQ information is a "window" on the underground economy, with invaluable information not obtainable elsewhere.
- (2) Authorized users have the ability to select from one of four search options and use enhancements, such as filters, wild cards, operators and import lists, to facilitate search efforts. Revenue officers can refer to the FCQ User Manual for

guidance in interpreting FCQ extracts. The FinCEN User Manual is located under the Training/Help Tile on the FinCEN Portal home page.

- (3) New search justification data fields must contain the following:
 - Agency Reference box: acceptable language includes “IRS Official Matter”, “IRS Collection Division Investigation” or the RO can use a personalized letter/number combination, such as a case control number, so long as it does not contain SBU data or PII information.
 - Brief Description box: acceptable language includes “IRS Official Matter” or “IRS Collection Division Investigation”.
- (4) For additional information refer to the FinCEN Collection Requests book on the Collection Investigation Tools Knowledge Base on the Collection Floor of the Knowledge Management Virtual Library.

5.1.18.16
(08-13-2024)
**Suspicious Activity
Report (SAR)**

- (1) A SAR report is made by a financial institution to FinCEN regarding suspicious or potentially suspicious activity. SARs include detailed information about transactions that are or appear to be suspicious and are stored in FCQ.
- (2) Access to BSA information through FCQ for tax purposes is governed by the Memorandum of Understanding (MOU) between FinCEN and IRS dated September 24, 2010.
- (3) Suspicious Activity Reports (SARs) are useful tools in tax compliance cases where the taxpayer’s location or banking information is unknown, or when potential fraud indicators point to hidden income or assets. SARs can also reveal indicators that a taxpayer is operating on a cash-basis to avoid reporting income or to evade collection. Examining SARs can open new case avenues to pursue. Compliance employees have successfully used SAR information to do the following:
 - Locate bank accounts opened in the names of deceased relatives
 - Levy newly-revealed bank accounts, income sources and assets
 - Contact the taxpayer at a newly-revealed location
 - Support a nominee lien in an erroneous lien filing suit.
- (4) Because of the sensitivity and need for careful oversight for access to and use of SARs, access will be limited to revenue officers with the type of inventory where a SAR would be most likely to occur and be helpful. See IRM 5.1.18.15, Accessing Information on the FinCEN Query (FCQ) System.
- (5) Revenue officers not authorized direct online access to FCQ (general program ROs through grade 12) can request a search for SARs through their Area SAR gatekeeper. See Exhibit 5.1.18-2, Procedures for General Program revenue officers to obtain FCQ SAR Information, for procedures to request. The link to the Area SAR gatekeepers can be found in the FinCEN Collection Requests book on the Collection Investigation Tools Knowledge Base on the Collection Floor of the Knowledge Management Virtual Library.

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[illegible]

- (1) Each U.S. person who has a financial interest in, or signature or other authority over, one or more foreign accounts that have an aggregate value greater than \$10,000 at any time during a calendar year is required to file a Report of Foreign Bank and Financial Accounts (FBAR), FinCEN Form 114 (formerly Form TD F 90-22.1).
- (2) When a taxpayer files an FBAR form, IDRS command code IRPTR will reflect that FinCEN Form 114 was filed by or for the taxpayer. However, command code IRPTR does not provide any of the specific information entered on the form such as the name of the bank, account number, account balance, etc.
- (3) See IRM 5.9.4.21, Report of Foreign Bank and Financial Accounts (FBARs).
- (4) All the information on the FBAR form will be available from FCQ system. IRPTR includes the filing of an FBAR (Foreign Bank and Financial Account Report) form by a taxpayer. Although IRPTR will not reflect all information

present on the FBAR form, additional information may be obtained by re-searching the FCQ system which lists all FBAR filings. FCQ system will reflect any foreign bank account or other information that was listed on the FBAR form.

- (5) Conduct FCQ system research when IRPTR reflects that a taxpayer has filed an FBAR form to obtain the name of the bank where the account is located, the amount in the account, co-owner, and other useful information.

Reminder: The information is not always complete as it will only reflect the information the taxpayer entered on the form.

5.1.18.18
(03-27-2012)
**Centralized Asset
Research System —
Systemic Levy**

- (1) The Centralized Asset Research System (CARS) gathers levy source information from both internal and external sources, prioritizes it, and uploads it to IDRS.
- (2) View the information on:
 - IDRS— command code LEVYS
 - ACS levy source screen
 - ICS levy source screen
- (3) Refer to IRM 5.11, Notice of Levy.
- (4) Use any new address or new asset information obtained from CARS research as discussed above.

5.1.18.18.1
(03-27-2012)
**Internal Sources for
CARS**

- (1) The internal sources for CARS are as follows:
 - Information Returns Master File (IRMF) for W-2 and 1099 information (IRP)
 - FTD Levy Program (FTD) for BMF deposit information
 - Remittance Processing System (RPS) for information on payments made through service centers
 - Federal Contractor File (FCF)
 - Electronic Filing System (ELF)
 - Federal Payment Levy Program (FPLP)

5.1.18.18.2
(03-27-2012)
**External Sources for
CARS**

- (1) The external sources for CARS are as follows:
 - State employment commissions (EC)
 - Office of Personnel Management (OPM) for federal employees
 - United States Postal Service (USPS) for postal employees
 - Defense Manpower Data Center (DMDC) for retired federal employees (military or civil service)

5.1.18.18.3
(08-07-2023)
**Levy Sources
Prioritization**

- (1) The Taxpayer Information File (TIF) can hold a maximum of fifteen levy sources. The type of source is identified by a literal. This literal appears on the far right of the levy source screen.
- (2) The TIF levy sources are re-prioritized when a new levy source is added to the TIF.
- (3) The TIF levy sources have the following literals and priority:

- FCF — Federal Contractor File
- FPLP — Federal Payment Levy Program
- RT — Real time non-wages sources manually loaded to IDRS
- EC, FTD, RPS, DMDC, OPM, and USPS
- RT — Real time Wage Sources
- ELF — Electronic Filing System
- IRP — Information Reporting Program

(4) IRP has the following additional priorities:

- INT — interest
- W-2 — wage document
- 1099-R — document
- CTR — Currency Transaction Report
- All other documents

5.1.18.18.4 (03-27-2012) Centralized Address for Notice of Levy

- (1) Some businesses have multiple locations but want all levies sent to one centralized address. You may be contacted by a levy recipient or other business contact to provide a centralized address.
- (2) Handle any request for centralized address as follows:
 - a. Load the centralized address information into the centralized address subroutine of CARS when you initially create and upload the levy source address to IDRS, or
 - b. Update the levy address on ICS to the centralized address for the specific case.

Note: When you update ICS for the specific case, that update will not upload the centralized address information to IDRS.

5.1.18.18.4.1 (03-27-2012) Updating a Centralized Levy Address to CARS

- (1) Attempt to change the levy address on IDRS to reflect the centralized address requested by the levy recipient whenever possible.
- (2) Follow these procedures to update a centralized address to IDRS:
- (3) Inform any levy recipients who want their centralized addresses updated on IDRS to submit their requests on company letterhead and include the following information:
 - a. Address for levy mailings
 - b. Employer Identification Number (EIN)

Note: Banks and other financial institutions must include the American Bankers Association routing transit numbers (ABA RTNs) for each branch.

- (4) Submit the update to the CARS Systemic Levy Analyst upon receipt of a written request using one of the following methods to submit the update:

Preferred Method	Alternate Method
<ul style="list-style-type: none"> • Scan the written request. • Send a copy of the scanned document via secure email to: <p>*SBSE CARS Systemic Levy Analyst</p>	<ul style="list-style-type: none"> • Mail the written request to: <p>Internal Revenue Service Attn: Systemic Levy Analyst SE:S:C:CP:CPA, C9-358 5000 Ellin Road Lanham, MD 20706</p>

5.1.18.19
(07-17-2019)
Consumer Credit Reports

- (1) This subsection discusses the nature of consumer credit reports and their value in Collection investigations, limitations on their use and procedures for ordering them.
- (2) When properly interpreted and analyzed, consumer credit reports can be a useful source of locator and asset information. In addition to loan, employment, financial, and payment information, consumer credit reports also include the identity of other subscribers who have made credit inquiries. These subscribers can be an important source for IRS personnel to contact for taxpayer information, such as current address and financial data.
- (3) At the time of publication of this IRM, there are three principal consumer credit bureaus:
 - Equifax
 - Experian (formerly TRW)
 - TransUnion
- (4) The IRS source of authority for obtaining credit reports in connection with the collection of tax liability can be found at 31 U.S.C. 3711(h), which provides:
 - a. The head of an executive, judicial, or legislative agency acting under subsection (a) (1), (2), or (3) of this section to collect a claim, compromise a claim, or terminate collection action on a claim may obtain a consumer report (as that term is defined in section 603 of the Fair Credit Reporting Act (15 U.S.C. 1681a)) or comparable credit information on any person who is liable for the claim.
 - b. The obtaining of a consumer report under this subsection is deemed to be a circumstance or purpose authorized or listed under section 604 of the Fair Credit Reporting Act (15 U.S.C. 1681b).
- (5) Each credit bureau company maintains consumer records that may be queried by SSN or taxpayer name and address using a personal computer and the appropriate credit bureau accessing software. Businesses subscribing to the credit bureaus, including the IRS, create a line item on the credit bureau database every time they access it. The credit bureaus provide credit information (consumer credit reports) to their subscribers.

Note: At the time of the publication of this IRM revision, Headquarters has arranged a national contract with Experian.

Note: For the Collection Groups in Puerto Rico only, a separate contract is in negotiation.

5.1.18.19.1
(08-31-2018)
Fair Credit Reporting Act (FCRA)

- (1) The Fair Credit Reporting Act (FCRA), an amendment to the Consumer Credit Protection Act in effect since April 24, 1971, defines those individuals and organizations who are entitled to receive consumer credit information. The FCRA further defines the nature and extent of the information which can be given out by these consumer reporting agencies.
- (2) The FCRA was intended to apply only to reports relating to a consumer's eligibility for personal credit or commercial benefits as a consumer and not to the consumer's business transactions. Accordingly, the FCRA does not restrict the availability of consumer credit reports of corporations, partnerships or trusts.
- (3) See IRM 5.17.6.9, Fair Credit Reporting Act, for further information.
- (4) Do not violate the FCRA. Unauthorized access to credit bureau data is a violation of the FCRA. The Act provides both civil and criminal penalties for obtaining information under false pretenses and for unauthorized disclosure by officers and employees of the consumer reporting agencies.
- (5) An unauthorized access occurs when you obtain a consumer credit report that does NOT involve efforts to collect assessment liens as provided under IRC 6321, or the use of a summons, IRM 5.1.18.19.2.7, Summons for Credit Information.
- (6) Report any and all willful violations of the FCRA to TIGTA.

5.1.18.19.2
(07-17-2019)
Limitations on Ordering Consumer Credit Reports

- (1) Order a consumer credit report to receive information about a particular taxpayer **only** to collect a BAL DUE assessment as provided in IRC 6321. You may request and obtain a consumer credit report if such an assessment exists and you are attempting to collect it on behalf of the IRS.

Note: Occasionally open BAL DUE cases close on ICS while the investigations continue. For the purposes of this section, such cases involve efforts to collect assessment liens under IRC 6321 for which consumer credit reports can be obtained.

Caution: There may be instances when an other investigation (OI) is received prior to the statutory lien arising (see IRM 5.12.1.3(1), Creation and Duration); in these instances, a request for a credit report will require the issuance of a summons. If the request for the credit report is initiated 10 days after the assessment date and collection efforts are ongoing, a summons will not be required.

- (2) Do not access credit reports for any person when there is no open BAL DUE or combination BAL DUE/DEL RET. See IRM 6.735.1.1.7, Ethics and Conduct Matters: Guidance, Related Resources, regarding conflicts of interest.
- (3) Do not attempt to secure consumer credit reports on DEL RETs or Other Investigations (OIs) that do not include BAL DUEs unless you serve a summons.

- (4) Do not attempt to secure consumer credit reports on a NON-BAL DUE SPOUSE, except in those instances where the taxpayers reside in a community property state. (See IRM 5.1.18.19.2.2, Non-liable Spouse).
- (5) You cannot secure a consumer credit report using a foreign address. See IRM 5.1.18.19.2.1, Credit Bureau Requests for Foreign Taxpayers, below for further information on obtaining credit reports on taxpayers with foreign addresses.
- (6) In combination (combo) cases (i.e., cases with both a BAL DUE and DEL RET for the same taxpayer), the consumer credit report can only be used to assist in collecting on the BAL DUE portion of the assignment.
- (7) Do not order or use a consumer credit report to establish the basis for an assessment under IRC 6020(b) or the Substitute for Return Program (SFR).
- (8) Do not order or use a consumer credit report as the basis for a referral to Examination or Criminal Investigation.
- (9) If a consumer credit report is needed as the basis for a referral to the Examination or Criminal Investigation or as the basis for an SFR assessment, you must issue a summons per IRC 7609 to obtain one. (See IRM 5.1.18.19.2.7, Summons for Credit Information below.)
- (10) Become familiar with consumer credit reports.
 - a. Learn to use consumer credit reports appropriately and effectively.
 - b. Interpret the data correctly.
 - c. Use the consumer credit report data, including the subscriber information, to locate taxpayers and/or their assets.
- (11) Credit reports are limited to one request per taxpayer every 30 days. Use discretion and consider on a case-by-case basis the need to request multiple credit reports on the same taxpayer.

5.1.18.19.2.1
(03-27-2012)

**Credit Bureau Requests
for Foreign Taxpayers**

- (1) Do not attempt to secure a credit report using a foreign address. A credit bureau vendor does not store any foreign addresses in its database.
- (2) Revenue officers assigned taxpayers with last known addresses in foreign countries may use the last known United States address for a taxpayer if the case requires requesting a United States credit report.
 - It does not matter how old the last known address is.
 - The taxpayer address used for a credit bureau request should be the same as that on the Integrated Data Retrieval System (IDRS) except when the address on IDRS is foreign. Use the last known United States address in that instance.
- (3) IRM 2.3.60 provides information about Command Codes (CCs) NAMES, NAMEE, NAMEI, NAMEB, FINDS, FINDE, and TPIIP. These CCs will provide all addresses and names that a taxpayer has ever used when filing a tax return with IRS.
 - FINDE is input for an EIN
 - FINDS is input for an SSN
 - Definer "D" will provide all domestic addresses
 - Definer "I" will provide all international addresses

- (4) If the taxpayer has never had a known address in the United States, a credit report cannot be requested.

5.1.18.19.2.2
(06-10-2015)
Non-liable Spouse

- (1) It is generally permissible for the IRS to obtain a credit report for a non-liable spouse in a community property state because such a report could constitute the “consumer report” of the liable taxpayer, as defined in the FCRA.

5.1.18.19.2.3
(08-13-2024)
Types of Entities and Liabilities

- (1) The IRS may obtain consumer credit reports from credit bureaus without a summons, court order, or written permission of the taxpayer on the following types of cases:
- a. IMF (Individual Master File) Balance Due Accounts (BAL DUEs).
 - b. BMF (Business Master File) BAL DUEs on sole proprietors.
 - c. Individual partners for partnership BMF BAL DUEs where the partner is liable for the tax under state law.
 - d. An individual member for single member limited liability company (LLC) BAL DUEs where the individual is liable for the tax under Treas. Reg. 301.7701-2.
- Note:** See IRM 5.1.21, Collecting from Limited Liability Companies, to identify the taxpayer liable for the tax.
- e. A fiduciary for BAL DUEs of a trust, where the IRS has an assessment lien under IRC 6321 against the individual fiduciary.
 - f. A fiduciary for an estate that may be personally liable under IRC 6324 statutory lien. See IRM 5.5.9, Collecting Gift Tax and Generation-Skipping Transfer Tax, for additional guidance.
- (2) The following table includes a summary of the kinds of cases for which consumer credit reports may be obtained without a summons based on liability and entity types and the TINS that should be used for requests:

Type of Liability	BAL DUE Assessed	Obtain consumer credit report for
Single Individual <ul style="list-style-type: none"> Form 1040 — MFT 30 	SSN of Individual	SSN of Individual
Married Couple (Joint Filers) <ul style="list-style-type: none"> Form 1040 — MFT 30 	SSN of Primary Spouse	SSNs of Both Individuals
Married Couple (Separate Filers) <ul style="list-style-type: none"> Form 1040 — MFT 30 	SSN of Individual(s) Who Owes	SSN of Individual(s) Who Owes

Type of Liability	BAL DUE Assessed	Obtain consumer credit report for
Sole Proprietor <ul style="list-style-type: none"> Form 941 — MFT 01 Form 940 — MFT 10 Form 94X — various MFTs 	EIN of Business	SSN of Proprietor
Partnership <ul style="list-style-type: none"> Form 1065 — MFT 06 Form 941 — MFT 01 Form 940 — MFT 10 Form 94X — various MFTs 	EIN of Partnership	SSN of Partner(s) liable under state law
Trust <ul style="list-style-type: none"> Form 1041 — MFT 05 	EIN of Trust	N/A Note: Do not request a consumer credit report on the individual who is the fiduciary.
Corporation <ul style="list-style-type: none"> Form 1120 — MFT 02 Form 941 — MFT 01 Form 940 — MFT 10 Form 94X — various MFTs 	EIN of Corporation	N/A Note: Do not obtain a consumer credit report under the SSN of an Individual who is a Corporate Officer to collect a corporate assessment.
LLC where the individual owner is the liable party <ul style="list-style-type: none"> Form 941 — MFT 01 Form 940 — MFT 10 Form 94X — various MFTs 	EIN of the LLC or EIN of the owner of the LLC	SSN of Individual Owner Note: Do not pull the consumer credit report of the individual owner for employment tax liabilities on wages paid on or after January 1, 2009.

Type of Liability	BAL DUE Assessed	Obtain consumer credit report for
LLC where the LLC is the liable party <ul style="list-style-type: none"> Form 1120 — MFT 02 Form 1065 — MFT 06 Form 941 — MFT 01 Form 940 — MFT 10 Form 94X — various MFTs 	EIN of the LLC	N/A Note: Do not obtain a consumer credit report under the SSN of an Individual who is a member of an LLC if the LLC is the liable party.
Individual responsible for Trust Fund Recovery Penalty <ul style="list-style-type: none"> Form 2749 — MFT 55 	SSN of Individual	SSN of Individual Note: Obtain a consumer credit report under the SSN of an Individual who is a responsible party only after you assess the TFRP under the SSN of that Individual.
Individual responsible for Excise Tax Related to Plan /Trust <ul style="list-style-type: none"> Form 5330 — MFT 76 	SSN of Individual	SSN of Individual
Individual Personal Liability of the Fiduciary under 31 USC 3713(b) <ul style="list-style-type: none"> Suit under IRC 7402(a) or Notice of Fiduciary Liability under IRC 6901(a)(1)(B) 	SSN of Individual	SSN of Individual personally liable Note: Refer to IRM 5.5.7.22.3, Estate Tax Transferee and Fiduciary Liability.
Individual Liability of Donee under 31 USC 3711 (h) <ul style="list-style-type: none"> Suit under IRC 7402 (a) or Notice of Transferee Liability under IRC 6901 (a)(1)(A) 	SSN of Individual	SSN of Individual personally liable Note: Refer to IRM 5.5.9.3.8, Donee and Subsequent Transferee Liability for Gift Tax

Type of Liability	BAL DUE Assessed	Obtain consumer credit report for
Individual Liability of Donor <ul style="list-style-type: none"> Form 709 	SSN of Individual	SSN of Individual personally liable Note: Refer to IRM 5.5.9.3.7, Donor Liability for Gift Tax.
Individual Liability of Distributee under 31 USC 3711 (h) <ul style="list-style-type: none"> Suit under IRC 7402 (a) or Notice of Distributee Liability under IRC 6901 (a)(1)(A) 	SSN of Individual	SSN of Individual personally liable Note: Refer to IRM 5.5.9.4, Collecting Generation-Skipping Transfer Tax.
Liability assessed against one spouse in a community property state <ul style="list-style-type: none"> Form 1040 — MFT 30) Form 941 — MFT 01 Form 940 — MFT 10 Form 94X — various MFTs 	EIN of Business or SSN of Liable Spouse	<ul style="list-style-type: none"> SSN of liable spouse and SSN of non-liable spouse in a community property state (See IRM 5.1.18.19.2.2 (1)).
LLC that is wholly owned by both husband and wife as community property, where the owner is the liable party: <ul style="list-style-type: none"> Form 941 — MFT 01 Form 940 — MFT 10 Form 94X — various MFTs 	EIN of LLC	<ul style="list-style-type: none"> SSN of Individual Owner SSN of non-liable spouse in a community property state (See IRM 5.1.18.19.2.2 (1)). Note: Do not obtain a consumer credit report on both spouses. Note: Do not obtain a consumer credit report on an individual owner or a non-liable spouse in a community property state for employment tax liabilities on wages paid on or after January 1, 2009.

- (3) Do not pull the consumer credit report of a non-liable spouse of a liable taxpayer except in community property states.

- | | | |
|--|---|-------------------------------------|
| <p>5.1.18.19.2.4
(03-27-2012)
Optional Credit Reports</p> | <p>(1) Request a consumer credit report whenever you determine that information contained in the report is needed to resolve a BAL DUE case. There is no dollar criteria for ordering a consumer credit report when you determine that it is necessary to resolve a case with a BAL DUE assessment.</p> | |
| <p>5.1.18.19.2.5
(08-13-2024)
Required Credit Reports</p> | <p>(1) A consumer credit report is required by various IRMs based on the current balance due/aggregate unpaid balance of assessments.</p> <p>(3) To verify assets/income/encumbrances in order to close a case as follows:</p> | <p>#</p> <p>#</p> <p>#</p> <p>#</p> |
| <p>5.1.18.19.2.6
(08-31-2018)
Procedures for Ordering Consumer Credit Reports</p> | <p>(1) Requests for credit reports must be submitted using the ICS Credit Report Application. This template permits submission to the employee's manager for review and approval prior to forwarding to the person designated to access the Credit Bureau Web Browser. (See IRM 5.1.18.19.3, Credit Bureau Web Browser, below for information about those authorized to request and generate consumer credit reports). This ICS Credit Report Application helps ensure the accuracy of the information and reduces unauthorized requests.</p> <p>(2) Follow these steps to request a consumer credit report:</p> <ol style="list-style-type: none"> 1. Document the case history regarding the need for a consumer credit report. 2. Generate copies of the following IDRS transcripts: CC INOLE or ENMOD and CC SUMRY or IMFOLI / BMFOLI (when applicable). 3. Complete the ICS Credit Report Application. 4. Send the request for approval to group manager via ICS Credit Report Application along with the above-listed IDRS prints via secure email. | |
| <p>5.1.18.19.2.7
(06-10-2015)
Summons for Credit Information</p> | <p>(1) As discussed above, consumer credit reports may be secured on a BAL DUE taxpayer without serving a summons.</p> <p>(2) Consumer credit reports may not be secured on DEL RETs or DEL RET Courtesy Investigations unless a summons is served to the credit bureau and notice of the summons is provided to the taxpayer per IRC 7609(a).</p> | |
| <p>5.1.18.19.2.7.1
(03-27-2012)
Consumer Credit Report Summons Procedures</p> | <p>(1) Serve a summons on the credit bureau when you require consumer credit report information to determine the amount of the taxpayer's liability for any period on:</p> <p>Note: This IRM guidance does not apply to alter ego lien assessments.</p> <ul style="list-style-type: none"> • standalone IMF and/or BMF DEL RET taxpayers assigned to you. • any taxpayer assigned to you as a Form 2209, Courtesy Investigation, that does not involve a BAL DUE. (A courtesy investigation is also known as an other investigation (OI)). | |

- a taxpayer assigned to you when the IRS does not have an assessment lien under IRC 6321.
 - assessments resulting from nominee liens.
- (2) Refer to IRM 25.5, Summons Handbook, for further information on IRC 7609 summons.
 - (3) See IRM 25.5.5.3, Taxpayer Records In Possession of Others.
 - (4) Provide notice of the summons to the taxpayer.
 - (5) Do not input TC 360 to attempt to recover the fees for a consumer credit report from the taxpayer as summoned information is an administrative expense with no charge to the taxpayer.
 - (6) Retain a copy of the summons and the consumer credit report with the Collection case file if the summons inquired into the amount of the taxpayer's liability so management can verify the appropriateness of using the summoned information.

5.1.18.19.2.8
(08-13-2024)

Consumer Credit Report Disclosure Procedures

- (1) A consumer credit report received in a balance due case, without the issuance of a summons, may be shared by the revenue officer with IRS Independent Office of Appeals, to consider a taxpayer's Collection Due Process (CDP) request. Absent a summons, court order, or written permission of the taxpayer, a revenue officer may not share a consumer credit report with Examination or Criminal Investigation. While you may share a consumer credit report with IRS Independent Office of Appeals, do not disclose consumer credit report information obtained without a summons, court order, or written permission of the taxpayer, to Criminal Investigation, Examination, Treasury Inspector General for Tax Administration (TIGTA), or any other government agency. See IRM 5.1.18.2.1.1, Disclosure.

Note: You may provide the consumer credit report or information from a consumer credit report to the taxpayer who is the subject of the report unless you make a determination that its disclosure would seriously impair federal tax administration under IRC 6103(e)(7), or in the context of a Freedom of Information Act (FOIA) request, that its disclosure could reasonably be expected to interfere with ongoing law enforcement proceedings.

- (2) Notify the credit bureau immediately via the ICS Area Field Automation Security Coordinator (FASC) in instances where you erroneously obtained a consumer credit report on a non-BAL DUE case or on the wrong taxpayer using the following procedure:

- a. Contact the FASC and provide information regarding the erroneous credit report.

Note: You are required to immediately notify the FASC so the credit bureau may delete the inquiry from the taxpayer's credit history. The Credit Bureau Security Reviewer (CBSR) will send a memorandum to the credit bureau to advise of the inappropriate access.

- b. Remove all of the consumer credit report information from the case file.
- c. Destroy all of the consumer credit report information.
- (3) Do not access consumer credit reports without a summons on any person for which there is no BAL DUE assessment as provided in IRC 6321.

- (4) Do not violate the Fair Credit Reporting Act by making an unauthorized disclosure as noted above. See IRM 5.1.18.19.1, Fair Credit Reporting Act.
- (5) Take reasonable measures to protect against unauthorized access to or use of credit information while you are working on a case.
- (6) Take reasonable measures to avoid inadvertent or duplicate inquiries as they may negatively affect a consumer's credit rating. Notify the FASC of any inadvertent or duplicate inquiries.

5.1.18.19.2.9 (08-13-2024) **Disposal of Credit Information**

- (1) The Fair and Accurate Credit Transactions Act of 2003 requires that persons who dispose of credit information take reasonable measures to protect against unauthorized access to or use of credit information in connection with its disposal.
- (2) Follow these procedures for proper disposal of the credit information:
 - a. Determine whether or not you need to retain the consumer credit report for review by your group manager (GM).
 - b. Provide the consumer credit report to your GM for review, if necessary.
 - c. Remove the consumer credit report from the closed case file after your GM has completed their review or if they do not need to review it.
 - d. Shred the consumer credit report.
- (3) Leave the consumer credit report in the case file if the taxpayer has exercised their right to a Collection Due Process (CDP) hearing. IRS Independent Office of Appeals may need to review the consumer credit report to determine what collection alternatives are available to the taxpayer during the CDP hearing. IRS Independent Office of Appeals will destroy the consumer credit report when it closes the case.

5.1.18.19.3 (03-27-2012) **Credit Bureau Web Browser**

- (1) Access to the national contract credit bureau is controlled by the credit bureau web browser.
- (2) To ensure compliance with the Fair Credit Reporting Act, IRS policy limits access to consumer credit report data to employees who:
 - Are authorized to access the credit bureau web browser
 - Are gathering information to assist in collecting an assessed BAL DUE.

Note: At the time of the publication of this IRM, CreditBrowser® application is the credit bureau web browser that is required to access credit bureau information and the national contract credit bureau is Experian. It is up to local area management to designate the authorized users for their areas. In some areas, access to the web browser is centralized to limit unauthorized and/or inadvertent accesses to sensitive credit bureau data.

5.1.18.20 (08-13-2024) **Definition of Digital Assets**

- (1) Virtual currency includes digital assets. Digital assets are broadly defined as any digital representation of value which is recorded on a cryptographically secured distributed ledger or any similar technology.
 - a. Common digital assets include (but are not limited to): Cryptocurrency, Stablecoins, and Nonfungible tokens (NFTs).
 - b. In certain contexts, virtual currency may serve one or more of the functions of "real" currency – i.e., the coin and paper money of the United

States or of any other country that is designated as legal tender, circulates, and is customarily used and accepted as a medium of exchange in the country of issuance – but the use of virtual currency to perform “real” currency functions is limited.

- c. Digital assets that have an equivalent value in real currency or that acts as a substitute for real currency are referred to as “convertible” virtual currency (CVC).
 - d. Virtual currency may be a capital asset, a form of payment to acquire goods or services, compensation or held as an investment.
 - e. A cryptocurrency is an example of a CVC digital asset that can be used as payment for goods and services, digitally traded between users, and exchanged for or into real currency (fiat currency) or other digital assets.
- (2) Virtual currency is defined in Notice 2014-21 I.R.B 938, Notice 2014-16 I.R.B 938 (April 14, 2014), modified by Notice 2023-34, for Federal income tax purposes as a digital representation of value that functions as a medium of exchange, a unit of account, or a store of value other than the U.S. dollar or a foreign currency (fiat currency). This Notice provides that CVC is treated as property for Federal income tax purposes.

Note: The IRS is moving towards using the term “digital assets” over “virtual currency” a term used in previous years. Regardless of the label applied, if a particular asset has the characteristics of a digital asset (which includes virtual currency) it is treated as property.

5.1.18.20.1
(08-13-2024)

Digital Asset Storage

- (1) A digital asset account or wallet generally provides its owner or custodian with the ability to store the public and private keys and thus to control the ability to transfer those digital assets. Wallets can be digital (software) or physical (hardware) and can be connected to the internet (hot) or disconnected from the internet (cold). Wallets can be custodial (hosted) or non-custodial (unhosted). Non-custodial (unhosted) wallets are sometimes referred to as self-hosted or self-custodial wallets.
- Both the public and private keys are a long string of random alphanumeric characters. Every public key is paired with a corresponding private key and together, they are used to encrypt and decrypt data.
 - The public key is like a bank account number and can be shared by the owner to receive digital assets.
 - The private key is like a bank account password or PIN and should be kept secret because it’s used to transfer the digital assets.
- (2) Some owners use the services of a custodial (hosted) wallet provider that stores their public and private keys. A hosted wallet provider may also maintain balance information, provide cybersecurity services, and facilitate the owners’ ability to own, and conduct transactions using, digital assets.
- (3) Other owners do not use the services of a custodial (hosted) wallet provider and instead store private keys in a software program, often referred to as a non-custodial (unhosted) wallet, or written record. In general, only the user of a non-custodial wallet has access to both the public and private keys necessary to effect transactions of the digital assets associated with those keys.
- (4) A digital asset wallet is needed to perform certain actions such as buying and selling digital assets or interacting with decentralized applications. Many wallets have quick response (QR) codes and near-field scanner technology

that allow users to scan a code, select an amount, enter the key, select the transaction fee, and transfer the digital assets.

- (5) A third-party custody service offers a way to store digital assets without the responsibility of managing the private key. An example is a Virtual Asset Service Provider (VASP) or trading platform also referred to as an Exchange. A VASP is a business that conducts one or more of the following actions on behalf of its clients: exchange between digital assets and fiat currencies, exchange between one or more forms of digital assets, transfer of digital assets, safekeeping and/or administration of digital assets or instruments enabling control over digital assets, and participation in and provision of financial services related to an issuer's offer and/or sale of digital assets. A VASP can be either centralized or decentralized.

- a. A trading platform that provides a custodial (hosted) wallet service and maintains control over both the public and private keys with the assets under their control may sometimes be referred to as a centralized

payments by debit or credit card, wire transfers, money orders, digital assets or other payment methods. The CEX oversees the transactions and establishes the rules and fees.

- b. Some digital asset trading platforms do not have access to the private keys and, therefore, do not take custody of their users' digital assets. These platforms may sometimes be referred to as decentralized exchanges (DEX). Owners of digital assets using these non-custodial (unhosted) digital asset trading platforms can buy, sell, and trade digital assets directly with others using automatically executing contracts (called smart contracts) to ensure that transactions are executed as agreed.
- c. Many DEX do not truly embody decentralization. A considerable portion of these platforms are under the control of a small number of individuals or investors. Generally trading platforms are categorized into two distinct types: custodial (hosted) and non-custodial (unhosted). The concept of centralization and decentralization exists on a spectrum.

Example: Some peer-to-peer (P2P) trading platforms facilitate transactions between owners of digital assets by matching buyers and sellers without holding the funds or digital assets of buyers or sellers.

Example: Some P2P trading platforms use software that connects buyers and sellers, who then effect the desired transactions off the platforms use

matically facilitate buy and sell orders through use of smart contracts on a platform.

5.1.18.20.2
(08-13-2024)
Locating Digital Assets

- (1) Digital assets may be identified through normal collection investigative techniques which include interviews, bank or credit card analysis, summons and investigations. Appropriate research may be required when digital assets are confirmed or suspected (e.g., IDRS, FinCEN, and Abusive Schemes Tracking and Reporting System (ASTARS)).
- (2) While interviewing the taxpayer to secure a Collection Information Statement (CIS) inquire about ownership in digital assets (e.g., convertible virtual

currency and cryptocurrency such as Bitcoin, Ethereum, or Litecoin; stable-coins such as Tether and USD Coin; and NFTs).

- a. It's important to establish a taxpayer's exposure to and understanding of digital assets. This includes asking questions directed at understanding what terminology is used by the taxpayer when referring to digital assets. Make sure the taxpayer understands the term digital assets includes convertible virtual currency, stablecoins, NFTs, and any other digital representations of value that is recorded on a cryptographically secured distributed ledger or any similar technology.

Example: If the taxpayer refers to a specific digital asset (e.g., Bitcoin), ask additional questions directed at understanding whether the taxpayer deals only in that specific digital asset or any other digital assets.

- b. Ask the taxpayer probing questions to determine their level of involvement with digital assets (e.g., received as payment for goods or services, used to pay expenses such as rent or payroll, investment, operating a mining rig, etc.). Additional questions may be required, based on the taxpayer's answers.

Example: You ask the taxpayer if they or their business transact in digital assets. If yes, then ask if they or their business sold any goods or services in exchange for digital assets that were never converted into U.S. dollars or fiat currency. If yes, then ask how much and what type of digital assets they are currently holding and what trading platform they go through and the types of digital asset wallets they have.

Example: You ask the taxpayer if they or their business use a smart contract. If yes, then ask for what purpose and what are the terms of the smart contract. Ask for the public key and the nature of the tokens used and request the summary ledger showing the transactions. This may be a potential levy source. See IRM 5.19.4.3.5.2, Levy on Digital Assets.

- (3) While conducting bank and/or credit card statement analysis, look for words that identify a digital asset exchange or marketplace showing the taxpayer is buying and/or selling digital assets. Also, review online payment systems that

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conduct a "follow the money" approach when digital assets are located.

- (4) Digital assets aren't financial assets. They aren't cash, they don't represent an ownership in an entity, and they don't provide a right to receive cash or another financial instrument. Instead, they are generally considered an intangible asset and would be recorded at acquisition cost (e.g., price paid, or consideration given).
 - a. Look for digital assets on the business balance sheets and income statements (aka profit and loss statement) and ask the taxpayer questions to clarify any digital asset reporting (e.g., received as payment for goods or services, used to pay expenses such as rent or payroll, investment, operating a mining rig, etc.).
 - b. A business that accepts digital assets might have a QR code near the cash register and/or advertise the type of digital asset they accept on

their website. IDRS command code (cc) IRPTR may show Form 1099-K, Payment Card and Third Party Network Transactions, Form 1099-B, Proceeds from Broker and Barter Exchange Transactions, or Form 1099-MISC, Miscellaneous Information, relative to businesses that use and/or invest in digital assets.

- c. Digital assets can be transacted in a centralized or decentralized manner. Centralized transactions are regulated by a centralized repository (like a digital asset trading platform) with a central administrator. The administrator oversees all the transactions and establishes the rules and fees.
 - d. If a business or individual participates in a mining pool or receives staking rewards the income may be reported on Form 1099-MISC, Miscellaneous Information, or Form 1099-NEC, Nonemployee Compensation, and will be located on IDRS cc IRPTR. This may be a potential levy source. See IRM 5.19.4.3.5.2, Levy on Digital Assets.
- (5) Research the Compliance Data Warehouse (CDW) Knowledge Graph Environment (CKGE). Look for the virtual currency alert, represented by a green wallet. It will appear on the Return and SSN Nodes. When present, it means the taxpayer confirmed digital asset involvement by checking “Yes” on the Form 1040, U.S. Individual Income Tax Return, digital asset question. Interview the taxpayer and ask probing question concerning digital assets.

Note: Additional information on how to use CKGE and resources available can be found on the *Compliance Data Warehouse* webpage.

- (6) Review Financial Crimes Enforcement Network (FinCEN) for Suspicious Activity Reports (SARs). The VASPs must comply with the Bank Security Act (BSA) standards, including being registered as a money service business. FinCEN SARs are filed by VASPs to report suspicious activity that might signal criminal activity (e.g., digital asset related money laundering, tax evasion).
- a. The SAR might contain information to assist in your investigation (e.g., the taxpayer’s email address, the transaction ID/hash or digital asset wallet address used in the buy/sell transactions, and a possible nexus). The additional information located can be used to do additional FinCEN research.
 - b. If a transaction ID/hash or digital asset wallet address is located, contact a digital asset SME to conduct a blockchain analysis to follow the funds. This research may lead to a potential levy source.

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- (7) Research the Offshore Compliance Initiatives Information Database (OCI) aka Abusive Schemes Tracking and Reporting System (ASTARS). It contains account and transactional records on taxpayers with a financial interest in specific offshore financial centers, commonly called “tax havens.” It also contains account records from certain VASPs. If information from a VASP is located, you will want to ask the taxpayer about it and/or issue a summons to the VASP to obtain the most current information. See IRM Exhibit 25.5.2-15 for

sample wording on the summons. This database can be used in identifying possible assets and hidden income that can be used to satisfy a tax deficiency. The VASP is a potential levy source. See IRM 5.19.4.3.5.2, Levy on Digital Assets.

- (8) Review IDRS cc RTVUE and look for the Virtual Currency Code (VCC). The VCC is numeric and is one character in length. When present, it means the taxpayer confirmed digital asset involvement by checking “Yes” on the Form 1040, U.S. Individual Income Tax Return, digital asset question. Interview the taxpayer and ask probing questions concerning digital assets. The VCC codes are:
 - 0 is the default if no box is checked
 - 1 is present if the “yes” box is checked
 - 2 is present if “no” box is checked
 - 3 is present if both the “yes” and “no” boxes are checked
- (9) Research the taxpayer’s current (and prior) Form 1040, U.S. Individual Income Tax Return, to identify digital assets as potential levy sources. For example, the taxpayer can receive digital assets through staking or mining rewards which are treated as other income. This may be a potential levy source. See IRM 5.19.4.3.5.2, Levy on Digital Assets.
- (10) Research Open-Source Intelligence (OSINT) information. OSINT is publicly available information that is gathered and available to analyze. People often place their digital asset footprint alongside their social media footprint. A wealth of valuable information can be uncovered and used to determine collectability. It may lead to unknown eCommerce transactions and business entities with links to the direct source of the information.
 - a. Search the internet using both the taxpayer’s personal and business name. Look for news articles, websites, or other information to see if you can identify if they use and/or accept digital assets or talk about non-fungible tokens they may have purchased or are selling.
 - b. If you locate a website, look for any public keys. Also, look to see if they utilize smart contracts.

Example: OSINT information is used for research and information located shows the taxpayer mentioned they purchased an expensive NFT on a public social media discussion group and plans to sell it at an upcoming digital asset conference in Las Vegas. The taxpayer listed their public key to their digital asset wallet that will be used for the sale of the NFT. This may be a potential levy source. See IRM 5.19.4.3.5.2, Levy on Digital Assets.
- (11) If the taxpayer is uncooperative, you will want to issue a summons to any third parties (e.g., VASPs or digital asset marketplaces). They can provide information on financial institutions, credit cards, or investment accounts that are linked to the taxpayers’ digital assets. See IRM Exhibit 25.5.2-15 for sample wording on the summons. The statement from a VASP might reflect a zero balance. It’s important you contact your area digital asset SME to conduct a blockchain analysis on some of the higher digital asset transactions to follow the funds. This can lead to potential levy sources. See IRM 5.19.4.3.5.2, Levy on Digital Assets. You may need to issue additional summonses as needed. See IRM Exhibit 25.5.2-15 for sample wording on the summons.

Note: The IRS cannot issue a summons directly to any individual or entity located outside the U.S. If you are seeking foreign-based information refer to IRM 25.5.8.5, Records Outside the United States, and contact the EOI Program to determine what information could be obtained through a request for information under an international exchange agreement.

- (12) Contact your area digital asset SME with any questions you have concerning digital assets. They have received specialized training and are available to assist with complex digital asset issues and can guide you with the next steps to take in your collection investigation. Contact information is located in the Servicewide Compliance Programs - Digital Asset Knowledge Base. The digital asset SMEs have access to third party blockchain tracing software and can conduct blockchain analysis that can lead to potential levy sources (e.g., a NFT purchase or additional VASP). See IRM 5.19.4.3.5.2, Levy on Digital Assets.

Example: You contact a digital asset SME to have them do blockchain analysis using the statement you received from a VASP. Information is located showing the taxpayer moved digital assets to another VASP. You can issue a summons and levy to the newly located VASP based on the analysis provided.

5.1.18.21 (08-07-2023) FATCA Research

- (1) The Foreign Account Tax Compliance Act (FATCA) requires U.S. taxpayers to report certain interests in foreign financial assets on Form 8938, Statement of Specified Foreign Financial Assets, as an attachment to their Form 1040.
- (2) FATCA also requires foreign financial institutions (FFIs) and certain non-financial foreign entities to report interest in non-U.S. financial accounts or assets held by U.S. account holders on Form 8966, FATCA Report. Information contained in Form 8966 may be subject to IRC 6105, Confidentiality of information arising under treaty obligations. In some instances, treaty restrictions may limit or prohibit the IRS from using the information contained in the Form 8966, FATCA Report.
- (3) FATCA data is an additional resource that is required to be used in the same manner as any other income or locator source when evaluating a taxpayer's ability to pay and when identifying potential sources of collection, subject to applicable treaty disclosure restrictions.
- (4) FATCA research should be conducted in balance due and delinquent return investigations which meet the prescribed threshold; or cases below the threshold amount which contain an international or ATAT component; or domestic cases where the taxpayer frequently travels outside the U.S. or employs subterfuge to conceal assets.
- (5) FATCA data should be analyzed when received and documented in the ICS history. Any discrepancies between the information reported on Form 433-A/B and the FATCA data report should be investigated by the employee. The Form 8966 provides the revenue officer with the name, address and TIN of the entity and taxpayer. It provides the type of account and the account balance. The data found on the FATCA report can be used to make a collection determination and addressed with the taxpayer or their representative to come to an agreeable resolution, if possible. If an agreed resolution cannot be met, the FATCA data can be utilized in support of enforced collection actions, as basis

to reject pending installment agreements, and proposed offers in comprise (OIC's). More information can be found in IRM 5.8.1, IRM 5.10.1, IRM 5.11.1 and IRM 5.14.9.7.

5.1.18.21.1
(08-07-2023)

How to Request Form 8938 FATCA Data

- (1) IDRS command code RTVUE will indicate that a taxpayer has filed Form 8938. The "CC CD" indicator (or Computer Condition Code) will include an "H" to indicate that Form 8938 was filed. If Form 8938 has been filed, ESTAB the return or use the Employee User Portal (EUP) to view the foreign account or asset listed on the form. Information derived from Form 8938 is considered return information provided by the taxpayer and its disclosure requirements are consistent with general case processing.

5.1.18.21.2
(08-13-2024)

How to Request Research for Form 8966 FATCA Report

- (1) An employee in the Field Collection or Specialty Collection programs may request Form 8966 FATCA Report data research on their assigned taxpayer case by sending an encrypted email request to their Super User (listed at: FATCA Super Users-Collection) with a completed FATCA Information Request for Collection Employees. The form is available at: FATCA Information Request-Collection.
- (2) Prior to requesting Form 8966 FATCA Report data, employees must complete course number 82470, SBC:FC Foreign Account Tax Compliance Act (FATCA) for Revenue Officers, which will assist you in determining applicable treaty restrictions on the use and disclosure of the information. Course completion must be recorded in the requesting employee's Learning History in the Integrated Talent Management (ITM) system.

5.1.18.21.3
(08-13-2024)

Mandatory contact of AEOI - Civil Litigation or Criminal Fraud Referral

- (1) Approval from Automatic Exchange of Information (AEOI) must be secured prior to submission of any suit recommendation or criminal fraud referral containing any Form 8966 FATCA Report information. The AEOI office may request consent from the host country to use the Form 8966, FATCA Report, or coordinate with the Office of Associate Chief Counsel (International) in connection with civil litigation or a criminal proceeding. Please see IRM 4.60.1.10, Automatic Exchange of Information (AEOI) Program, for additional information.

5.1.18.22
(08-13-2024)

Compliance Data Warehouse Knowledge Graph Environment (CKGE)

- (1) Compliance Data Warehouse Knowledge Graph Environment (CKGE) is an interactive tool that provides linked data and graph analytics to visualize a taxpayer's relationships with related entities or records.
- (2) CKGE transforms data from the Compliance Data Warehouse (CDW) into a format which displays links between related information. The information is displayed as:
 - Nodes: Circles depicting entities (individuals/businesses) or objects (such as phone numbers, addresses etc.).
 - Relationships: Edge lines connecting nodes. Relationship edges define the interactions between nodes.
 - Properties: Properties provide additional information about the nodes and relationships.

Note: Note: The information displayed in CKGE is not live data. The data is only current as of the last data pull from CDW. See the Release Notes link on the

CKGE Main Graph Portal for additional information on when the latest update was finalized and what new information has been added or updated.

- (3) Additional information on how to use CKGE and resources available can be found on the *CKGE Main Graph Portal*.

5.1.18.22.1 (08-13-2024) Access to CKGE

- (1) CKGE is provided by the Data Management Division (DMD) of Research, Applied Analytics, and Statistics (RAAS).
- (2) Executive level approval is required for access to CKGE. The user requesting access must complete the RAAS Logical Access Request (RLAR) Template and forward through their management chain to secure first-level executive approval. The RLAR and instructions can be found on the *Compliance Data Warehouse* webpage. The *IRS Executive Biographical Information* can assist in determining the appropriate executive to approve.
- (3) Include the signed RLAR as an attachment to the BEARS access request. The entitlement to request CKGE in BEARS is PROD ELEV PII CKGE MAIN GRAPH (RAAS DMD).

Note: The executive must be in a permanent role (not acting) and the signature on the request template must be less than 30 days old or the BEARS request will be rejected. RAAS will provide notification of approval for account access once the request is approved in BEARS.

- (4) Access to CKGE is through the *CKGE Main Graph Portal*. The site uses login from the user's SmartID and PIV for access. No separate password is required.

Note: CKGE has a 90-day deactivation rule. An account will be deactivated after 90-days of non use and the user will have to go through the entire approval process again, including executive signature of the RLAR and BEARS requests.

- (5) The CKGE Manager Audit Module (CMAM) is available to front line managers an internal control for review of employee search history in CKGE.

5.1.18.22.2 (08-13-2024) Performing research on CKGE

- (1) CKGE provides the ability to interact with connected data. This can help to quickly identify compliance issues that should be addressed, and to support effective case actions based on the information. A search in CKGE can be an efficient way to quickly visualize useful information and may identify related information that would not be easily found in other collection research.
- (2) Research on CKGE can help to visualize and identify:
 - Bank accounts, wage, and income sources
 - Spousal and dependent relationships
 - EIN applications
 - Ownership relationship to other businesses or entities
 - Real property
 - Tax return information
 - Employer and employee relationships
 - Address information from the USPS delivery point (zip codes)

- (3) The CKGE graph visualization can help a financial analysis determination by visualizing the flow and relationship of the taxpayer to other assets, businesses or income. CKGE research can be beneficial in investigations that address non-compliance such as pyramiding, concealment of assets, or potential badges of fraud. In situations where a revenue officer has been unable to contact a taxpayer, this tool may help provide new leads, or support that all previously identified sources have been appropriately exhausted.

Example: CKGE can help to identify flow-through relationships or investments passed between entities that would support the determination to pursue a legal theory such as transferee, successor in interest or alter ego to address assets put out of reach by the taxpayer.

- (4) Within the graph visualization, nodes related to the taxpayer can be expanded or filtered down to assist in prioritizing the most relevant information. CKGE includes reports within the nodes that can view groups of information (such as W2 & 1099 records or Form 941/944 returns). Alerts use picture images and color schemes to identify account indicators such as categories of balances due, FATCA records, bankruptcy, CTR info, CI freeze codes, etc.

5.1.18.22.3
(08-13-2024)
CKGE Results

- (1) Information located in CKGE comes from the Compliance Data Warehouse (CDW), which sources data from existing IRS databases and external sources, then outputs the search results viewable in an interactive graph. Users have the ability to export the graph images and data from their search.
- (2) CKGE is only a repository of records, it is not a primary source of information and does not create any original records. The official/authorized source of reference would be the actual forms or registration systems that the data originated from. CKGE outputs do not serve as official records. When records are needed to support collection actions, the underlying source documents should be secured from the appropriate IRS systems. IDRS will often be the production system that would be cited as the source for the CKGE data displayed.
- (3) Access to information in CKGE is subject to UNAX guidelines and must only be researched in connection with specific and assigned cases. Queries in this system are logged and systemically shared with Cyber IT. The RO will ensure that the ICS history is documented with specifics of the research including what nexus of information was identified and details of the searched information.
- (4) Do not provide CKGE prints of graphs or tables to taxpayers or representatives pursuant to IRC 6103, IRC 7213, and IRC 7431 as these prints may contain tax return information of other taxpayers.

Exhibit 5.1.18-1 (08-13-2024)**Procedures for General Program revenue officers to obtain FCQ Information**

Revenue officers who are not authorized for direct FCQ access can obtain FCQ information when mandated by the IRM or when deemed necessary for case resolution by taking the following steps:

1. Complete the electronic Form 10509, FinCEN Query (FCQ) Request.
2. Forward request for managerial approval.
3. Manager will indicate approval by affixing their electronic signature in the box labeled: Signature of Group Manager.
4. Manager sends the approved form to the Functional Automated Support (FAS) employee, via encrypted email to the following address:

Area of Origin	Send Form 10509 to:
North Atlantic Area and South Atlantic Area	*SBSE CASS FAS East
Northwestern Area and Central Area	*SBSE CASS FAS Midstates
Southwest Area and Gulf States Area	*SBSE CASS FAS West

5. FAS will extract the requested information within 1-3 business days and return to the requesting revenue officer via encrypted email.

Note: All BSA reports available in FCQ will be provided, except for SAR records. A request for SAR records requires a separate request through the SAR Gatekeeper. Those procedures are listed in Exhibit 5.1.18-2.

Exhibit 5.1.18-2 (08-07-2023)**Procedures for General Program revenue officers to obtain FCQ SAR Information**

For revenue officers who do not have direct access to FinCEN Query (general program ROs through grade 12), follow the steps below to request FCQ SAR information.

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The following prerequisites are required prior to granting access to the FCQ system:

1. Complete Form 10509-A, FinCEN Query SAR Request.
 2. Forward request for managerial approval.
 3. Manager will indicate approval by affixing their electronic signature in the box labeled: Signature of Group Manager.
 4. The approved request will be forwarded to the Area SAR Gatekeeper who will complete a search on Financial Crimes Enforcement Network Query (FCQ).
- Note:** The link to the Area SAR gatekeepers can be found in the FinCEN Collection Requests book on the Collection Investigation Tools Knowledge Base, Collection Floor of the Knowledge Management Virtual Library.
5. Prior to receiving any SAR information, the revenue officer and their manager are required to complete security briefing(s). The RO must complete ITM Briefing 36427 SBE-SP-BSA: Safeguarding, Requesting, and Using Suspicious Activity Report (SAR) Security. The managers of employees who will use SARs (but will not have direct online access) must complete ITM Briefing 36427 SBE-SP-BSA: Safeguarding, Requesting, and Using Suspicious Activity Report (SAR) Security and ITM Briefing 36428 SBE-SP-BSA: Manager SAR Audit Trail Reviews.
 6. After receiving confirmation that the briefing(s) have been completed, the gatekeeper will communicate any useful information reported in the SAR to the revenue officer by secure email.
 7. If the SAR information is too extensive to send by email, a copy may be printed and mailed to the RO in a sealed envelope. Place TD Form 15-05.11, Sensitive But Unclassified (SBU) Cover Sheet, on the front with instructions to shred when no longer needed.
 8. The RO must uphold the proper safeguarding of SAR information. See IRM 5.1.18.16, Suspicious Activity Report (SAR).

Exhibit 5.1.18-3 (08-13-2024)

FinCEN Query Authorized User Training and Access Procedures

Requesting Access

1. After the RO submits the BEARS request and it is approved, the IRS Collection Division Agency Coordinator will create your account in the FinCEN Portal.
2. You will automatically receive an email that contains the link to the FinCEN Identify Manager, to update your profile.
3. There are two sections to the FinCEN Identify Manager that must be filled out, : the User Contact Information (must include the Background Investigation Completed) and the Supervisor Information.
4. FinCEN will also send a temporary password: The user will be required to create a new password and answer three challenge questions.
5. Fill out all the information referenced above and click on Submit. (If successful, the page goes black and then you will see a confirmation on the top of the page with a Request ID.)
6. You will soon receive an email certifying your information is complete and correct.
7. Once approved, your request for access is routed to FinCEN Liaison Services (LS).
8. LS will then review the request. Once approved, you will receive a confirmation email.

Procedures for Authorized Users with SMART CARDS

IRS users who have a Personal Identity Verification/SMART card (PIV) will take the following steps:

- a. Insert PIV into the computer
- b. Open up Microsoft Edge browser
- c. Enter the website: <https://bsa.fincen.gov>
- d. A list of certificates will appear.
- e. The first one will automatically be highlighted, click OK.
- f. If you receive a message saying "Incorrect PIV," this just means the wrong certification was selected.
- g. If this message appears, close completely out of the internet browser, log back in and select the 2nd certificate.
- h. Users will be prompted to enter their PIN number that is associated with their PIV.
- i. You will then be taken into the FinCEN Portal.

Required BSA Certification Training in FinCEN Portal

1. To query the FCQ system, you must first complete the Law Enforcement BSA Data Certification Training in FinCEN Portal
2. To access this training, click on the "Training/Help" icon on the main Portal page under FinCEN Tools.
3. The training will say: ***BSA Data Certification Training -- Mandatory training required every 2 years for access to BSA Data Applications***
4. It may take approximately 45 minutes to complete the training
5. There will be a test at the end, 80% or better is passing.
6. You **MUST** click on "Record Results" or it will not update in their profile.
7. Next, log out and log back into the Portal. The profile will updated automatically and they will be able to access Query.

FCQ technical support is available by contacting the FinCEN Application Service Desk at FinCENAppsHD@FinCEN.GOV, and can assist with issues such as expired password or smart ID certificate issues. IRS users who do not have a PIV will need to send an email to the FinCEN Application Service Desk and request a Soft Certificate.

Exhibit 5.1.18-4 (06-10-2015)**BSA Review Procedures for Managers**

Collection managers of employees with electronic access to BSA information must conduct online reviews of the FinCEN audit trails at least annually. Collection managers with ATAT or Grade 13 ROs are responsible for conducting reviews on their employees. The IDRS Data Security Staff is responsible for conducting reviews on FAS employees. The audits must include all FCQ searches within a selected 30 day period within the past year. BSA will provide an audit trail report, which is a history of the query parameters used by the FCQ user. The system will maintain 13 months of user query information.

BSA has established a FinCEN Query audit report mailbox to use when requesting audit trail information on specific FCQ system users. The mailbox address is: *SBSE FCQ AUDIT TRAIL

When managers or data security analysts need an audit trail report for a FCQ user, they send the full employee email address and the period of the audit trail request using the above mailbox address. Multiple FCQ user audit trails can be included in each email request.

BSA will send the requested audit trail information directly to the requestor through secure email. Managers or data security analysts can contact their FCQ administrators for specific audit trail requirements beyond the basics outlined here.