

MSP
#5

TAXPAYER ACCESS TO ONLINE ACCOUNT SYSTEM: As the IRS Develops an Online Account System, It May Do Less to Address the Service Needs of Taxpayers Who Wish to Speak With an IRS Employee Due to Preference or Lack of Internet Access or Who Have Issues That Are Not Conducive to Resolution Online

RESPONSIBLE OFFICIALS

Terry Milholland, Chief Technology Officer
 Edward Killen, Director, Privacy, Governmental Liaison and Disclosure
 Debra Holland, Commissioner, Wage and Investment Division
 Rene Schwartzman, Business Modernization Executive, Wage and Investment Division
 Rajive Mathur, Director, Office of Online Services

TAXPAYER RIGHTS IMPACTED¹

- *The Right to Be Informed*
- *The Right to Quality Service*
- *The Right to Pay No More Than the Correct Amount of Tax*

DEFINITION OF PROBLEM

The National Taxpayer Advocate has advocated for years that the Internal Revenue Service (IRS) develop an online account system for taxpayers.² In fact, the IRS is now planning an online account system and even identified taxpayer online account access as one of the key capabilities to achieve its compliance vision.³ We are pleased that the IRS is moving forward with plans to develop such a system, due to the benefits to both taxpayers and the IRS. Taxpayers with access to the system will be more informed about their tax accounts and have the tools to interact with the IRS in a convenient manner. The IRS, in turn, may benefit from both reduced and more fruitful phone calls because many of the callers will be more prepared to discuss relevant issues or ask pointed questions due to the information available on the online account system.⁴ However, the IRS cannot ignore the service needs of a significant portion of the taxpayer population who still require more personalized service options, such as face-to-face or telephone services, due to preference or lack of access to the Internet. In addition, even the most technologically savvy taxpayers may at times need to use personal services because the issue they have is not conducive to resolve online. While in the current budget environment it may be tempting to move taxpayer service toward superficially lower-cost self-assistance options, any efforts to significantly reduce personal service

1 See Taxpayer Bill of Rights, available at www.TaxpayerAdvocate.irs.gov/taxpayer-rights.

2 See, e.g., National Taxpayer Advocate 2013 Annual Report to Congress vol. 2, 67-96 (Research Study: *Fundamental Changes to Return Filing and Processing Will Assist Taxpayers in Return Preparation and Decrease Improper Payments*).

3 IRS, *IRS Enterprise Concept of Operations (CONOPS): Taxpayer Advocate Service Briefing 5* (July 28, 2015) (on file with the National Taxpayer Advocate).

4 As of May 2, 2015, approximately 83.2 million taxpayers contacted the IRS by calling the various Customer Account Services function toll-free telephone assistance lines. IRS assistants have answered approximately 8.3 million calls and provided a 37.6 percent Level of Service with a 23.5 minute Average Speed of Answer. Treasury Inspector General for Tax Administration, Ref. No. 2015-40-080, *Results of the 2015 Filing Season 17* (Aug. 31, 2015).

While in the current budget environment it may be tempting to move taxpayer service toward superficially lower-cost self-assistance options, any efforts to significantly reduce personal service options may ultimately impair voluntary compliance and undermine the taxpayers' *right to quality service, right to be informed, and right to pay no more than the correct amount of tax.*

options may ultimately impair voluntary compliance and undermine the taxpayers' *right to quality service, right to be informed, and right to pay no more than the correct amount of tax.*⁵

Research has shown individuals and businesses prefer multi-channel service delivery for government services. For example, a survey of German taxpayers showed that even those who ordinarily demand online services prefer to interact in person when they need more individualized services.⁶ While the delivery of online services may appear cost-effective at first glance, focusing solely on one method of service delivery is short-sighted, because it does not properly address the actual service needs of taxpayers. Ignoring the service needs of a significant segment of the population will likely impact voluntary compliance and have far more costly downstream consequences for the IRS.

Finally, the National Taxpayer Advocate remains concerned about the scope of the self-correction authority set forth in the draft Concept of Operations (CONOPS). It is unclear whether the self-corrections could address adjustments made pursuant to the agency's math error authority or whether they will extend beyond math error so that they constitute an abbreviated audit.⁷ More importantly, it is unclear if these corrections will constitute an amended return or if the original return remains unprocessed until corrected. All of these options have legal consequences to the taxpayer with potential negative impacts on taxpayer rights.

ANALYSIS OF PROBLEM

Background

The IRS's Enterprise CONOPS is a formal servicewide plan developed to define the future direction of the agency and identify the capabilities it needs to achieve this vision.⁸ One of the main themes of the CONOPS is to empower taxpayers with the tools they need to facilitate compliance. In order to achieve this goal, the IRS has identified digital taxpayer account management and self-correction as key capabilities.⁹ According to the IRS draft CONOPS, online account access would enable taxpayers, preparers, and authorized third parties to securely interact with the IRS to obtain return information, submit payments, and receive status updates. It would also enable them to perform "self-correction" functions such as verifying return changes made by the IRS, updating or amending returns, and providing additional documents.¹⁰

5 For a detailed discussion of the Taxpayer Bill of Rights, see <http://www.taxpayeradvocate.irs.gov/About-TAS/Taxpayer-Rights>.

6 Julia Klier, Regina Pflieger & Lea Thiel, *Just Digital or Multi-Channel? The Preferences of E-Government Service Adoption by Citizens and Business Users*, WIRTSCHAFTSINFORMATIK PROCEEDINGS 2015 180, 190 (2015), available at <http://aisel.aisnet.org/cgi/viewcontent.cgi?article=1012&context=wi2015>.

7 See IRC §§ 6213(b)(1),(g)(2).

8 See Most Serious Problem: *Taxpayer Service: The IRS Has Developed a Comprehensive "Future State" Plan That Aims to Transform the Way It Interacts with Taxpayers, But Its Plan May Leave Critical Taxpayer Needs and Preferences Unmet*, *supra*.

9 IRS, *IRS Enterprise Concept of Operations (CONOPS): Taxpayer Advocate Service Briefing 5* (July 28, 2015) (on file with the National Taxpayer Advocate).

10 Draft IRS Compliance Concept of Operations (CONOPS) 3, 19-22 (June 8, 2014) (on file with TAS).

The IRS Cannot Drastically Reduce Both Face-to-Face and Telephone Services As It Focuses on Online Services Because Taxpayers Will Still Continue to Require Personal Services

Based on a 2014 survey, Forrester Research concluded that the public still uses non-digital channels more than digital ones. In fact, 37 percent of these survey participants indicated they do not trust the federal government to secure their personal data. Based on the survey findings, Forrester concluded that “[f]ederal agencies must act more strategically. They can win trust by perfecting existing [channels] before expanding and explaining the benefits of new channels as they roll out.”¹¹ The recent security breaches pertaining to the IRS’s “Get Transcript” online application and the Office of Personnel Management’s (OPM) breach of federal employee records will only serve to undermine taxpayers’ trust in communicating with the IRS and government online.¹²

Furthermore, additional research has shown individuals and businesses prefer multi-channel service delivery for government services.¹³ Individuals prefer online services for information services, because they can gather and receive information or data on their own schedule and without a need for further discussion. However, they prefer to interact in-person when they need more individualized services. This multi-channel preference even exists for younger and well-educated individuals who typically have greater preferences for online services.¹⁴ As for businesses, the medium to large companies prefer online services more than small businesses.¹⁵

It is not surprising that taxpayers continue to demand more personalized services considering the complexity of the tax law.¹⁶ For those taxpayers comfortable using self-service options online, they must still struggle with understanding the substance of the tax law and how it applies to their unique circumstances. While the IRS official website is helpful and extensive, it currently has approximately 140,000 pages which can be overwhelming to taxpayers unfamiliar with the tax law.¹⁷ Moreover, the website is not currently easy to navigate when using a mobile device, which could be a serious access issue for the increasing taxpayer population using smartphones.¹⁸

- 11 Rick Parrish, Forrester Research, *Washington Must Work Harder to Spur the Public's Interest in Digital Government: Federal Agencies Are Spending Millions on Digital CX That Customers May Not Want* (Apr. 28, 2015) (in response to the survey question “In which of the following ways do you interact with US federal government agencies?” respondents chose the following digital methods: 41 percent indicated website, 16 percent indicated email, four percent chose Facebook, three percent chose mobile app, three percent chose online chat (text), two percent chose online chat (video), two percent chose Twitter, one percent chose Instagram, and one percent chose other social media. Respondents chose the following nondigital methods: 37 percent chose in person, 33 percent chose postal mail, and 32 percent chose phone).
- 12 IRS, *IRS Statement on the “Get Transcript” Application* (June 2, 2015); OPM, *Announcements, Information About the Recent Cybersecurity Incidents* (June 23, 2015).
- 13 As noted above, this was a survey of German taxpayers published in 2015. See Julia Klier, Regina Pflieger & Lea Thiel, *Just Digital or Multi-Channel? The Preferences of E-Government Service Adoption by Citizens and Business Users*, *WIRTSCHAFTSINFORMATIK PROCEEDINGS* 2015, 180, 190 (2015), available at <http://aisel.aisnet.org/cgi/viewcontent.cgi?article=1012&context=wi2015>.
- 14 In fact, the 2013 Taxpayer Experience Survey conducted by IRS W&I Research and Analysis (WIRA) found that for all age categories of taxpayers (not just the elderly), only 34 percent felt secure sharing personal financial information over the Internet. IRS, W&I, *Use of Technology among Elderly and Low-income Taxpayers, Research Support for Fiscal Year (FY) 2015 Services Approach Efforts* 34 (May 2015).
- 15 Julia Klier, Regina Pflieger & Lea Thiel, *Just Digital or Multi-Channel? The Preferences of E-Government Service Adoption by Citizens and Business Users*, *WIRTSCHAFTSINFORMATIK PROCEEDINGS* 2015, 180, 190 (2015), available at <http://aisel.aisnet.org/cgi/viewcontent.cgi?article=1012&context=wi2015>.
- 16 For a discussion of tax law complexity, see National Taxpayer Advocate 2012 Annual Report to Congress 3-23.
- 17 Information provided from IRS Office of Online Services, Online Engagement, Operations and Media (Sept. 25, 2015).
- 18 Aaron Smith, Pew Research Center, *U.S. Smartphone Use in 2015* 1 (April 1, 2015).

The IRS can partially address the demand for more individualized service by offering personalized digital services, such as live chat. Live chat has been found to successfully meet the needs of those who need immediate answers to simple questions.¹⁹ However, a recent survey found demand for live chat falls short of demand for telephone services when addressing complex financial questions.²⁰

The IRS Must Balance the Added Convenience of Expanding Online Services Against the Inherent Security Risks

The IRS is planning to expand its online service offerings to include more convenient methods for taxpayers to interact with the tax agency.²¹ However, there is a risk involved in expanding online services, given the sensitive nature of the information entrusted with the IRS. The recent unauthorized access by cybercriminals of the IRS's "Get Transcript" application and resulting theft of the confidential tax return information of more than three hundred thousand taxpayers highlights the importance of cybersecurity considerations.²² The OPM announcement earlier in the year concerning the hacking of its database, making vulnerable the personal information, and in some cases the fingerprints, of an estimated 21.5 million current and former federal employees, applicants, and their families has further undermined public trust in government online applications.²³ The continuing discovery of the depth of the breach will likely erode taxpayer confidence in using online services offered by the government.

Individuals prefer online services for information services, because they can gather and receive information or data on their own schedule and without a need for further discussion. However, they prefer to interact in-person when they need more individualized services.

In the wake of these recent cybersecurity breaches, the IRS should take time to investigate how taxpayers will respond to the necessary cybersecurity-related barriers to entry. Most taxpayers are fully aware that IRS systems contain extremely confidential tax return information and may be willing to tolerate extra security measures to access their accounts. In fact, the IRS has one of the most important and valuable stores of information in the world. Because the information it stores is a major asset of the United States and the stakes are high if the system is compromised, the IRS needs to take significant measures to protect its data. However, it is unclear at what point taxpayers decide the extra security precautions are too burdensome and avoid online account access as a result.

Further, the IRS should conduct a biennial nationwide survey of taxpayers to gauge what specific types of transactions or other activities they would be willing to conduct with the IRS digitally. By conducting the survey every other year, the IRS will have the ability to identify trends in IRS-specific digital needs and respond accordingly. In addition, the survey should include oversamples of low

19 The IRS has researched taxpayer demand for a potential secure online chat feature or "live chat" and a 2014 IRS study shows that taxpayers are interested in using this feature for the following transactions: submitting documentation, obtaining the status of a case, and discussing case details. IRS, WIRA, *Compliance TDC Conjoint: Findings and Recommendations* (Sept. 2014).

20 A survey conducted by Software Advice found 74 percent of respondents prefer telephone for complex financial questions. Craig Borowski, *The Impact of Demographics on Live Chat Customer Service*, Software Advice (Jan. 6, 2015).

21 IRS, *IRS Enterprise Concept of Operations (CONOPS): Taxpayer Advocate Service Briefing 5* (July 28, 2015) (on file with the National Taxpayer Advocate).

22 IRS, *Additional IRS Statement on the "Get Transcript" Incident* (Aug. 17, 2015).

23 OPM Statement, *Statement by OPM Press Secretary Sam Schumach on Background Investigations Incident* (Sept. 23, 2015); Devlin Barrett and Damian Paletta, *Officials Masked Severity of Hack*, WALL ST. J., June 24, 2015, available at <http://www.wsj.com/articles/hack-defined-as-two-distinct-breaches-1435158334>; Ellen Nakashima, *Chinese Breach Data of 4 Million Federal Workers*, Wash. Post, June 4, 2015, available at http://www.washingtonpost.com/world/national-security/chinese-hackers-breach-federal-governments-personnel-office/2015/06/04/889c0e52-0af7-11e5-95fd-d580f1c5d44e_story.html.

income, Spanish-speaking and small business taxpayers to ensure that the IRS tracks the needs of these populations.²⁴

Comprehensive Studies Demonstrate Low Income and Other Vulnerable Taxpayer Populations Need Person-to-Person Assistance to Comply with Their Federal Tax Obligations

In 2014, TAS, which oversees and administers the Low Income Taxpayer Clinic (LITC) grant program for the IRS,²⁵ commissioned a survey by Russell Research to better understand the needs and circumstances of taxpayers eligible to use the clinics. The survey found 15 percent of LITC-eligible taxpayers reported receiving notices from the IRS. In response, 55 percent called the IRS, 29 percent replied by letter, 24 percent contacted their preparers, and nearly 20 percent did nothing (the survey allowed more than one response).²⁶

Further, Pew Research Center periodically conducts surveys to determine Internet usage by American adults. While the survey results clearly show a steady rise in Internet usage among all populations, some populations adopt at a slower pace than others. Significant percentages of certain populations still fall behind and will need to use methods that do not involve Internet usage to interact with the IRS. The following figure shows categories of taxpayers with lower Internet usage rates, as of May 2015:²⁷

FIGURE 1.5.1, 2015 Pew Research Center Survey Results of Internet Use Among Different Categories of Taxpayers

Category	Percent
Overall American adult population	84%
Age: American adults 65+	58%
Education Attainment: Less than high school degree	66%
Household Income: Less than \$30,000	74%
Race or Ethnicity: African Americans	78%
Race or Ethnicity: Hispanics	81%
Community Type: Rural	78%

- 24 This recommended survey is envisioned to be more comprehensive than the Compliance TDC Conjoint study conducted by the IRS in 2014. It should specifically address the reasons why taxpayers would or would not use a particular service channel for each type of transaction conducted with the IRS, with a particular focus on low income and small business taxpayers. IRS, WIRA, *Compliance TDC Conjoint: Findings and Recommendations* (Sept. 2014). “Low income taxpayer” is generally defined as a taxpayer who has a household income that does not exceed 250% of the federal poverty level (FPL), based on the annual poverty guidelines published by the Department of Health and Human Services.
- 25 The IRS awards matching grants to organizations that provide representation to low income individuals who need help resolving tax problems with the IRS. See IRC § 7526. At least 90 percent of the taxpayers represented by an LITC must have incomes that do not exceed 250 percent of the federal poverty level. See IRC § 7526(b)(1)(B)(i). The U.S. Department of Health and Human Services publishes yearly poverty guidelines in the Federal Register, which the IRS uses to establish the 250 percent threshold for LITC representation. For the 2015 poverty guidelines, see 80 F.R. 3236-3237 (Jan. 22, 2015).
- 26 This Random-Digit Dialed (RDD) telephone survey utilized both cell phone numbers and landline numbers to reach participants. This approach was used to make sure all groups of the LITC-eligible taxpayers were represented in the survey. The survey included more than 1,100 individuals and gathered information on eligible taxpayers’ awareness and use of LITC services, the types of issues for which they would consider using clinic services, and other items including demographic information. See National Taxpayer Advocate 2014 Annual Report to Congress vol. 2, 1-26 (Research Study: *Low Income Taxpayer Clinic Program: A Look at Those Eligible to Seek Help from the Clinics*).
- 27 Andrew Perrin and Maeve Duggan, Pew Research Center, *Americans’ Internet Access: 2000–2015* (June 26, 2015).

A 2015 online survey by Forrester Research explored the use of certain devices to conduct various transactions online. While this study was conducted online and thus excluded responses from offline individuals or those with limited online capabilities, it produced some noteworthy findings:²⁸

- On average, only 19 percent of adults search for government services and policies with a personal computer or laptop. This rate drops to 11 percent when using personal tablets and to seven percent when using a mobile phone.
- With few exceptions, those in lower income brackets used all devices to conduct online financial transactions less frequently than the national average.
- On average, 22 percent of adults use their mobile phones to check financial statements. Only 16 percent use their mobile phones to pay bills and 16 percent used their mobile phones to transfer money between accounts.

In fiscal year (FY) 2015, the Wage and Investment (W&I) Operating Division compiled existing research on American technology usage to determine the impact reductions in the Taxpayer Assistance Center (TAC) budget and IRS printed forms and publications would have on the elderly, low income, and rural communities.²⁹ The research found that, while each community saw a steady increase in Internet usage, these communities had lower computer ownership and Internet usage rates. Interestingly, the research

also found that southern states are more likely to have lower percentage of households that own a computer. The research emphasized that offline taxpayers are equally as likely to access face-to-face services at TACs as they are to use irs.gov, and that they are more likely to use the IRS toll-free line compared to TACs and irs.gov.³⁰ The research also noted that the 2013 Taxpayer Experience Survey conducted by IRS W&I Research and Analysis (WIRA) found that for all age categories of taxpayers (not just the elderly), only 34 percent of taxpayers felt secure sharing personal financial information over the Internet.³¹

Finally, the IRS conducted a survey in 2014 to determine taxpayer usage of existing service channels as well as planned future service channels for different types of transactions. The findings showed migration for each type of transaction toward future service channels, including secure message, secure online chat, the online account program, smartphone applications, and automatic email or text notifications. However, the results showed that some taxpayers prefer to stay with existing service channels. The following figure illustrates the percentages of taxpayers who would prefer to use existing service channels, when compared with a potential future state service configuration, by type of transaction.³²

While the IRS official website is helpful and extensive, it currently has approximately 140,000 pages which can be overwhelming to taxpayers unfamiliar with the tax law. Moreover, the website is not currently easy to navigate when using a mobile device, which could be a serious access issue for the increasing taxpayer population using smartphones.

28 Because this survey was conducted online, the reported usage rates may be higher than for the general population. Forrester Research, *North American Consumer Technographics Online Benchmark Survey, Part 1* (2015) (on file with TAS).

29 IRS, Wage & Investment, *Use of Technology among Elderly and Low-income Taxpayers, Research Support for Fiscal Year (FY) 2015 Services Approach Efforts* (May 2015).

30 *Id.* at 23.

31 *Id.* at 13.

32 IRS, W&I Research & Analysis, *Compliance TDC Conjoint: Findings and Recommendations* (Sept. 2014).

FIGURE 1.5.2, Percentage of Taxpayers Choosing to Remain with Existing Service Channels Despite the Introduction of New Channels, By Type of Transaction

Type of Transaction	Percentage of Taxpayers Choosing to Stay With Existing Service Channel
Status of Case	Phone (Customer Service Representative (CSR)): 11%
Sign a Document	Phone (CSR): 13% Fax: 15% Regular Mail: 16%
Discuss Case Details	Phone (CSR): 43% Regular Mail: 15%
Request an Extension	Phone (CSR): 30% Regular Mail: 23%

The LITC-eligible taxpayer survey, the Pew and Forrester findings, as well as the IRS's own research support the need for the IRS to design a taxpayer service strategy based on the actual requirements of the taxpayer population rather than focusing on initially attractive but ultimately short-term resource savings. The survey findings and studies show a significant portion of taxpayers may not use online or self-assistance services. While online self-help tools certainly have significant benefits in that they address the needs of an increasing portion of the population in a lower-cost manner, the IRS is harming offline taxpayers when it significantly decreases the face-to-face and person-to-person telephone services. The IRS has already begun to reduce the amount of full-time equivalent employee (FTE) resources to the phones and to the TACs. Figure 1.5.3 illustrates the budgeted FTE for both types of services between FY 2013 to FY 2015.³³

FIGURE 1.5.3, W&I Full-Time Equivalent Employee Expenditures for Toll-Free and Field Assistance

	FY 2013	FY 2014	FY 2015	FYs 2013 to 2015 % Change
Toll-Free	7,726	6,915	4,591	-40.6%
Field Assistance	1,892	1,927	1,868	-1.3%

Questions Remain Concerning the Legal Implications of Self-Correction Authority

The National Taxpayer Advocate remains concerned about the scope of the self-correction authority set forth in the draft CONOPS. For example, it is unclear whether the self-corrections could address adjustments made pursuant to the agency's math error authority or whether they will extend beyond math error so that they constitute an abbreviated audit.³⁴ More importantly, it is unclear what these corrections will constitute. If the taxpayer corrects the return pursuant to the new self-correction authority, will the correction constitute an amended return or is the return still an original return that the IRS has not yet completely processed? All of these possible options have legal consequences to the taxpayer and all have potential negative impacts on taxpayer rights.

33 IRS, W&I Division response to TAS information request (Sept. 22, 2015) (Field Assistance numbers include management and headquarters; for FY 2015, Field Assistance FTE is projected and Toll-free is through Aug. 15, 2015).

34 The IRS is currently authorized to correct mathematical or clerical errors — arithmetic mistakes and the like — and assess any tax increase using summary assessment procedures that do not provide the taxpayer an opportunity to challenge the proposed deficiency in the United States Tax Court before the tax is assessed. See IRC §§ 6213(b)(1),(g)(2). Consequently, the use of math error bypasses critical procedural taxpayer rights protections.

Even more disturbing is the Administration's proposed legislation to give the IRS more flexibility to address "correctable errors" (by regulation); this new category of "correctable errors" would give the IRS the authority to make adjustments not covered by existing math error authority.³⁵ It is unclear if the IRS will give preparers and third parties the authority to address these correctable errors.³⁶ The National Taxpayer Advocate will seek a Counsel opinion to determine the boundaries and corresponding legal implications of such authority.

CONCLUSION

As the IRS migrates toward more digital interactions with the taxpayers, it is essential that it continues to offer personal services to those taxpayers who either (1) do not have the ability to use digital services, (2) have a strong preference to conduct certain transactions by phone or face-to-face, or (3) have an issue that is not conducive for resolution through digital means. The various studies discussed herein show that a significant segment of the taxpayer base may not be ready to interact with the IRS digitally. Furthermore, recent cybersecurity attacks on both IRS applications and OPM databases highlight the need to balance security risks with any online benefits applicable to both taxpayers and the IRS.

RECOMMENDATIONS

The National Taxpayer Advocate recommends that the IRS:

1. Conduct a biennial nationwide survey of taxpayers to identify trends and determine the types of transactions or other activities taxpayers would be willing to conduct with the IRS digitally. The survey should include oversamples of low income, Spanish-speaking, and small business taxpayers to ensure that the IRS tracks their needs.
2. Conduct research to identify the taxpayer base who will utilize the online taxpayer account system as well as other online service offerings. For those taxpayers likely to use the online services, the research should break it down by specific types of transaction or interaction with the IRS. Further, if a taxpayer has indicated that he or she will not use the program, the research should address the reasons for not using the program.
3. Incorporate into the CONOPS, budget initiatives, and in the strategic plan a recognition and plan for meeting the service needs of those taxpayers who are not likely to use online service offerings. Such plan should take into account the reasons for the taxpayer's behavior and potentially tailor the personal services to meet those needs.
4. Research taxpayer response to the necessary online account system cybersecurity and authentication measures to determine the percentage of taxpayers who decide the necessary barriers to entry are too burdensome and avoid online account access as a result.

35 The proposed correctable error authority would enable the IRS to assess tax without using the deficiency procedures in the following situations: (1) the information provided by the taxpayer does not match the information in government databases; (2) the taxpayer has exceeded the lifetime limit for claiming a deduction or credit; or (3) the taxpayer has failed to include with his or her return documentation required by statute. Department of the Treasury, *General Explanations of the Administration's Fiscal Year 2016 Revenue Proposals* 245-46 (Feb. 2015), available at http://www.treasury.gov/resource-center/tax-policy/Pages/general_explanation.aspx.

36 For more detail on the National Taxpayer Advocate's position on the proposed correctable error legislation, see *The National Taxpayer Advocate's 2014 Annual Report to Congress: Hearing Before the H. Comm. on Oversight and Government Reform, Subcomm. on Government Operations*, 114th Cong. 34-35 (2015) (written testimony of Nina E. Olson, National Taxpayer Advocate).