

Index to Text

A

ABATEMENT OF INTEREST

Taxpayer rights, **8:53**

ABUSES AND ABUSIVE TAX SHELTERS

Investigation tools of IRS, **7:44**

Selection of tax returns for audit, **1:63**

Tax advisor, practitioner as, **6:47**

ABUSIVE SCHEMES

Selection of tax returns for audit, **1:62**

ACCOUNTANTS

Fraud, accountant blame syndrome, **5:38**

Investigation tools of IRS, **7:51**

ACCOUNTS AND ACCOUNTING

Audit system, **2:18**

Fraud, **5:9**

Selection of tax returns for audit, **1:25**

ACCUMULATED EARNINGS

Tax court litigation, **10:24**

ADMINISTRATIVE PROCEEDINGS

Independent contractor employee examination program, **11:42**

Investigation tools. See index heading INVESTIGATION TOOLS OF IRS

Partnerships. See index heading PARTNERSHIP RETURN AUDITS

Practitioner's role and ethical concerns, **6:29**

Taxpayer rights. See index heading TAXPAYER RIGHTS

ADMINISTRATIVE SUMMONS

Representation during audit, **3:31**

ADMISSION TO PRACTICE BEFORE IRS

Representation during audit, **3:2**

ADVANCE PRICING AGREEMENTS

Representation during audit, **3:97**

ADVICE OF COUNSEL

Fraud, **5:14**

ADVOCATE

Practitioner as, **6:36 to 6:38**

AGE OF PENDING CASES

Tax court litigation, **App. 10Q**

AGENCY-WIDE SERVICE ORGANIZATIONS

Audit system, **2:9**

AGENT WORK PAPERS

Representation during audit, **3:33**

AGREED AND PARTIALLY AGREED CASES

Representation during audit, **3:65**

AIDING AND ABETTING

Fraud, **5:31**

Practitioner's role and ethical concerns, **6:32**

ALTERNATIVE DISPUTE RESOLUTION

Representation during audit. See index heading

REPRESENTATION DURING AUDIT

AMENDED INDIVIDUAL TAX RETURN

Representation during audit, **App. 3J**

AMERICAN JOBS CREATION ACT OF 2004

Representation during audit, **3:2**

AMOUNT OF LIABILITY

Taxpayer rights, **8:76**

ANCILLARY CONCERNS

Fraud, **5:31, 5:32**

ANSWER

Refund litigation, **App. 10I, App. 10J**

APA PROCESS FOR SMALL BUSINESSES

Specialized audit procedures, **4:50**

APPEALS

Generally, **9:1 to 9:41**

Appeals Judicial Approach and Culture (AJAC) project, **9:21.50, App. 9G**

Audit system

generally, **2:72 to 2:77**

for detailed treatment see index heading AUDIT SYSTEM

Basic appeal procedures, generally, **9:16 to 9:21, 9:21.50**

Choice of forum considerations, **9:12**

Clarification of Office of Appeals policies by IRS, **App. 9A**

Closing agreements

generally, **9:33 to 9:41**

characteristics of, **9:34**

combined agreement, **9:39**

contents of, **9:40**

finality, **9:34**

forms

generally, **9:36**

Form 866, **9:37, App. 9F**

Form 906, **9:38, App. 9E**

APPEALS—Cont'd

- Closing agreements—Cont'd
 - IRS position on, **9:41**
 - when closing agreements may be used, **9:35**
- Compromise. Settlements, below
- Conference procedure
 - generally, **9:22, 9:23**
 - preparation for conference, **9:27 to 9:29**
- Consents extending statutory period of assessment, **9:19**
- Coordinated cases, **9:8**
- Criminal cases, **9:8**
- Discovery rules, **9:12**
- District office review of protest letter, **9:17**
- Docketed cases, procedure in, **9:21**
- Dollars. Nondocketed cases, below
- Evidence, **9:12**
- Exclusive authority of appeals office, **9:3**
- Exempt organizations and plans, **9:6**
- Final determination, Forms 906 and 866, **App. 9E, App. 9F**
- Finality of closing agreements, **9:34**
- Forms
 - closing agreements, above
 - settlements, **9:31, 9:32**
- Forum shopping, **9:12**
- Fraud penalties, **9:8**
- Geographic jurisdiction of appeals office, **9:9**
- Golson rule, **9:12**
- Hazards of litigation standard, **9:24**
- Interest on money, **9:12**
- Introduction, **9:1**
- Inventory. Nondocketed cases, below
- Joint committee cases, **9:8**
- Jurisdiction of appeals office, generally, **9:3 to 9:7**
- Jury trial considerations, **9:12**
- Limitations on jurisdiction of appeals office, **9:8, 9:9**
- LMSB activities, **9:2**
- Negotiations, preparation for conference, **9:29**
- Non-docketed cases, preliminary review of, **9:18**
- Offer of settlement or compromise, **9:25**
- Organizational structure of office of appeals, **9:2, App. 9A1**
- Partnership return audits, **4:14**
- Penalty appeals, **9:5**
- Post-assessment penalty appeals, **9:5**
- Preassessment jurisdiction, **9:4**
- Preliminary review of non-docketed case, **9:18**
- Preparation for conference, **9:27 to 9:29**
- Procedures, generally, **9:16 to 9:21, 9:21.50**
- Protest
 - sample form of protest, **App. 9D**
 - written protest requirement, below

APPEALS—Cont'd

- Quasi-judicial approach to handling cases, **9:21.50, App. 9G**
- Refund litigation, **10:37**
- Representation, **3:81 to 3:83, 9:16**
- Rules of evidence, **9:12**
- SB/SE activities, **9:2**
- Settlements
 - agreements, generally, **9:30 to 9:32**
 - Form 870 agreement, **9:31**
 - Form 870-AD agreement, **9:32**
 - hazards of litigation standard, **9:24**
 - negotiations, preparation for conference, **9:29**
 - offer of settlement, **9:25**
 - practice and procedure, **9:24 to 9:26**
 - types of settlements, **9:26**
- Statutory period of assessment, consents extending, **9:19**
- Subject matter limitations of appeals office, **9:8**
- Tax Court, **9:7**
- Tax court litigation, **9:7, 10:28, App. 10T**
- Taxpayer rights. See index heading TAXPAYER RIGHTS
- Technical advice for conference procedure, **9:23**
- TE/GE activities, **9:2**
- Thirty day letters, **9:10**
- Types of settlements, **9:26**
- Verification of new information, **9:20**
- Waiver of jurisdiction, **9:7**
- Whipsaw cases, **9:8**
- Written protest requirement
 - generally, **9:10 to 9:15**
 - choice of forum considerations, **9:12**
 - discovery rules, **9:12**
 - factors which influence protest decision, **9:11**
 - formalities of written protest, **9:14**
 - forum shopping, **9:12**
 - Golson rule, **9:12**
 - interest on money, **9:12**
 - jury trial considerations, **9:12**
 - nature of protest, **9:15**
 - protest, generally, **9:13**
 - review of protest letter, **9:17**
 - rules of evidence, **9:12**
 - thirty day letters, **9:10**

APPEARANCES

- Investigation tools of IRS, **7:20, 7:21**

APPLICATIONS

- Audit system, **2:97**
- Practitioner's role and ethical concerns, **App. 6C**

APPROVAL

- See index heading CONSENT OR APPROVAL

INDEX TO TEXT

AREA COUNSEL

- Audit system
 - generally, **2:78 to 2:84**
 - for detailed treatment see index heading **AUDIT SYSTEM**

AREA RESPONSIBILITIES

- Independent contractor employee examination program, **11:37**

ASSESSMENT DATE

- Representation during audit, **3:77**

ASSISTANCE ORDERS

- Taxpayer rights
 - generally, **8:34 to 8:40**
 - for detailed treatment see index heading **TAXPAYER RIGHTS**

ASSISTANTS

- Independent contractor employee examination program, **11:9**

ATG GUIDES

- Audit system, **2:69, 2:70**

ATTESTATION

- Investigation tools of IRS, **7:18**
- Practitioner's role and ethical concerns, **6:20**

ATTORNEY-CLIENT PRIVILEGE

- Investigation tools of IRS, **7:47**

ATTORNEYS

- Advice of counsel, **5:14**
- Area counsel
 - audit system
 - generally, **2:78 to 2:84**
 - for detailed treatment see index heading **AUDIT SYSTEM**
- Chief counsel. See index heading **CHIEF COUNSEL**
- Fees. See index heading **ATTORNEYS' FEES**
- Fraud, **5:14, 5:37**
- Investigative tools. See index heading **INVESTIGATION TOOLS OF IRS**
- Practitioner's role. See index heading **PRACTITIONER'S ROLE AND ETHICAL CONCERNS**
- Specialized audit procedures, attorney interview sheet, **App. 4C**

ATTORNEYS' FEES

- Taxpayer rights, **8:45**

AUDIT PENETRATION

- Selection of tax returns for audit
 - generally, **1:2 to 1:7**
 - for detailed treatment see index heading **SELECTION OF TAX RETURNS FOR AUDIT**

AUDIT PROCESS

- Partnership return audits, **4:9**

AUDIT PROCESS—Cont'd

- Representation during audit
 - generally, **3:9 to 3:24**
 - for detailed treatment see index heading **REPRESENTATION DURING AUDIT**

AUDIT SYSTEM

- Generally, **2:1 to 2:103**
- Accounts management W&I, **2:18**
- Advice to area personnel, **2:81**
- Agency-wide service organizations, **2:9**
- Agent's interview, **2:57**
- Aligned by industry, **2:14**
- Appeal and review
 - generally, **2:72 to 2:77**
 - bargaining conference, **2:75**
 - criminal prosecution recommendations, review of, **2:83**
 - docketed cases, appeals procedure in, **2:77**
 - informality, **2:76**
 - role of appeals, **2:73**
 - staffing distribution, **2:10**
 - types of cases considered, **2:74**
- Application for taxpayer assistance order, **2:97**
- Area counsel
 - generally, **2:78 to 2:84**
 - advice to area personnel, **2:81**
 - bankruptcy, **2:82**
 - counsel field organization, **2:79**
 - criminal prosecution recommendations, review of, **2:83**
 - other matters, **2:84**
 - review of criminal prosecution recommendations, **2:83**
 - tax court litigation, **2:80**
- ATG approach, industry specialization program, **2:69, 2:70**
- Automatic collection system (ACS), **2:4**
- Automobile expenses, **2:46**
- Bankruptcy, **2:82**
- Bargaining conference, **2:75**
- Business supplement, form 4700B, **App. 2G**
- Cash transaction (T) account, **App. 2H**
- Casualty losses
 - office audits, **2:48**
 - sample form 4684, **App. 2D**
- Charitable contributions, **2:42, 2:47**
- Chart IRS organization, **App. 2A**
- Closely held businesses, **2:60, 2:61**
- Closing agreement assessment, inappropriate requests, **2:38**
- Collection, **2:4**
- Commissioner of Internal Revenue, **2:2**
- Compliance center audits
 - generally, **2:23 to 2:38**
 - audit reconsideration, **2:33, 2:35**

AUDIT SYSTEM—Cont'd

Compliance center audits—Cont'd
 closing agreement assessment, inappropriate requests, **2:38**
 correspondence audits and procedure, **2:27, 2:28**
 criteria for reconsideration, **2:37**
 definition of an audit reconsideration, **2:35**
 document matches, **2:26**
 examination division guidelines, **2:34**
 guidelines, **2:34**
 inappropriate requests, **2:38**
 mathematical errors, **2:24**
 notices from compliance center, **2:4**
 omitted schedules, **2:25**
 quality of service examiners, **2:32**
 reasons for a request, **2:36**
 reconsideration, generally, **2:33, 2:35**
 response to IRS audit, **2:31**
 taxpayer reply, **2:29**
 TEFRA assessment, inappropriate requests, **2:38**
 undeliverable correspondence, **2:30**
 Compliance initiative projects (CIP), **2:101**
 Compliance Initiative Projects (CIP), **2:99**
 Compliance services, **2:20**
 Computers, use of, generally, **2:58**
 Coordination between officers and corporation, closely held businesses, **2:61**
 Correspondence audits and procedure, **2:27, 2:28**
 Counsel, staffing distribution, **2:10**
 Criminal investigations, **2:7, 2:10, 2:83**
 Definition of an audit reconsideration, **2:35**
 Discretion of auditor, **2:44**
 Divided service centers, **2:16**
 Docketed cases, appeals procedure in, **2:77**
 Document matches, **2:26**
 Educational expenses, **2:49**
 Employee business expense, pro forma audit aids, **2:42**
 Examination, **2:5, 2:34, App. 2E**
 Examination workpapers, form 4700, **App. 2E**
 Exceptions to CIP Procedures, **2:100**
 Field audits
 generally, **2:52 to 2:59**
 agent's interview, **2:57**
 computers, use of, **2:58**
 financial status examinations, **2:54**
 limitation on financial status examinations audit techniques, **2:55**
 location of audit, **2:56**
 plans of audit, **2:59**
 unreported income, **2:53**
 Financial status examinations, **2:54**
 Geographically based organization, **2:88**

AUDIT SYSTEM—Cont'd

Guidelines, industry specialization program, **2:67**
 Guides available, industry specialization program, **2:68**
 Hardship, **2:95**
 Implementation timing, **2:21**
 Inappropriate requests, compliance center audits, **2:38**
 Industry specialization program
 generally, **2:65 to 2:71**
 ATG approach, **2:69, 2:70**
 audit guidelines, **2:67**
 guidelines, **2:67**
 guides available, **2:68**
 list of industries in program
 audit guides, generally, **2:67**
 market segment, **2:66, 2:71**
 potential benefits to IRS of ATG, **2:70**
 Informality in appeals division, **2:76**
 Information systems, staffing distribution, **2:10**
 Initial interview, office audits, **2:41**
 Initiation of office audits, office audits, **2:40**
 Interest expense, office audits, **2:42, 2:50**
 IRS reorganization, **2:8**
 K-1 matching, **2:103**
 Large and mid-sized businesses (L&MSB), **2:10**
 Large Business and International (LB&I), **2:13**
 Large case audits, **2:62 to 2:64**
 Limitation on financial status examinations audit techniques, **2:55**
 List of industries in program. Industry specialization program, above
 Location of audit, **2:56**
 LTA actions, **2:93**
 Market segment, **2:66, 2:71**
 Mathematical errors, **2:24**
 Medical expense
 office audits, generally, **2:42**
 More dollars for IRS, **2:103**
 Moving expense, pro forma audit aids, **2:42**
 National headquarters, staffing distribution, **2:10**
 Nonfilers, **2:99 to 2:102**
 Notices
 compliance center, notices from, **2:4**
 proposed changes to tax return, **App. 2C**
 Office audits
 generally, **2:39 to 2:44**
 automobile expenses, **2:46**
 casualty losses, **2:48**
 charitable contributions, **2:42, 2:47**
 discretion of auditor, **2:44**
 educational expenses, **2:49**
 employee business expense, pro forma audit aids, **2:42**
 initial interview, **2:41**

AUDIT SYSTEM—Cont'd

- Office audits—Cont'd
 - initiation of office audits, **2:40**
 - interest expense, **2:42, 2:50**
 - issues in office audits, generally, **2:45 to 2:51**
 - medical expense, pro forma audit aids, **2:42**
 - miscellaneous expense, pro forma audit aids, **2:42**
 - moving expense, pro forma audit aids, **2:42**
 - other issues, **2:51**
 - pro forma audit aids, **2:42**
 - rental income expense, pro forma audit aids, **2:42**
 - scope of audit, **2:43**
 - theft losses, **2:48**
- Omitted schedules, **2:25**
- Organization of IRS
 - generally, **2:1 to 2:21**
 - blueprint, **App. 2B**
 - chart, **App. 2A**
- Plans and planning, **2:59, 2:64**
- Practitioner priority service, **2:98**
- Pro forma audit aids, **2:42**
- Quality of service examiners, **2:32**
- Reconsideration, generally, **2:33, 2:35**
- Rental income expense, office audits, generally, **2:42**
- Reorganization of IRS, **2:8**
- Requesting assistance from taxpayer advocate service, **2:92**
- Resolution of problems by taxpayer advocate service, **2:94**
- Response to IRS audit, **2:31**
- Review. Appeal and review, above
- SB/SE accounts management, **2:19**
- Scope of office audits, **2:43**
- Service campuses, **2:3**
- Shared services, staffing distribution, **2:10**
- Six years of returns, nonfilers, **2:102**
- Small Business & Supplemental Income, staffing distribution, **2:10**
- Small business/self-employed (SB/SE), **2:12**
- Staffing distribution, **2:10**
- Submission processing centers, **2:17**
- Supplement, form 4700, **App. 2G**
- Supplement, form 4700A, **App. 2F**
- Tax court litigation, **2:80**
- Tax exempt and government entities (TE/GE), **2:6, 2:10, 2:15**
- Taxpayer advocate service
 - generally, **2:85 to 2:97, App. 2I**
 - all categories of taxpayer issues, **2:89**
 - application for taxpayer assistance order, **2:97**
 - criteria for assistance, **2:91**
 - geographically based organization, **2:88**
 - hardship, **2:95**

AUDIT SYSTEM—Cont'd

- Taxpayer advocate service—Cont'd
 - LTA actions, **2:93**
 - mission, **2:87**
 - nonexclusive, **2:96**
 - organizational issues, **2:90**
 - requesting assistance, **2:92**
 - resolution of problems, **2:94**
 - significant hardship, **2:95**
 - staffing distribution, **2:10**
 - taxpayer advocates, generally, **2:86**
- Team in large case audits, **2:63**
- TEFRA assessment, inappropriate requests, **2:38**
- Theft losses
 - office audits, **2:48**
 - sample form 4684, **App. 2D**
- Types of examinations, **2:22**
- Undeliverable correspondence, **2:30**
- Unreported income, field audits, **2:53**
- Wage and investment (W&I), **2:10, 2:11**

AUTHORITY AND AUTHORIZATION

- Practitioner's role. See index heading PRACTITIONER'S ROLE AND ETHICAL CONCERNS

AUTOMATIC COLLECTION SYSTEM (ACS)

- Audit system, **2:4**

AUTOMOBILE EXPENSES

- Audit system, **2:46**

B

BALANCE SHEET ISSUES

- Selection of tax returns for audit, **1:9, 1:25**

BANKRUPTCY AND INSOLVENCY

- Audit system, **2:82**
- Practitioner's role and ethical concerns, insolvent taxpayer, **6:19**

BANKS AND FINANCIAL INSTITUTIONS

- Foreign banks or trust companies, **1:9, 1:47**
- Fraud, bank deposits, **5:24**
- Investigation tools of IRS, **7:29**
- Specialized audit procedures, **4:36**

BARGAINING CONFERENCE

- Audit system, **2:75**

BILL OF RIGHTS 2

- Taxpayer rights, **8:2**

BIPARTISAN BUDGET ACT OF 2015 (BBA)

- Specialized audit procedures, **4:51**

BLAME THE ACCOUNTANT SYNDROME

- Fraud, **5:38**

BLANK FORM 1040

- Selection of tax returns for audit, **1:47**

BOND OR UNDERTAKING

Choice of forum, **10:3**

BROKERS

Specialized audit procedures, **4:32**

BURDEN OF PROOF

Fraud, **5:5, 5:22**

Independent contractor employee examination program, **11:16**

Refund litigation, **10:34, 10:35**

Representation during audit, **3:7, 3:8**

Tax court litigation, **10:23, 10:24**

Taxpayer rights, **8:16**

BUSINESS V NON-BUSINESS RETURNS

Selection of tax returns for audit, **1:10**

C

CALIBRATION AUDITS

Selection of tax returns for audit, **1:35**

CAPITAL ACCOUNTS

Selection of tax returns for audit, **1:25**

CAPITAL ASSETS ISSUES

Selection of tax returns for audit, **1:19**

CASH T ACCOUNT

Audit system, **App. 2H**

Representation during audit, **3:90**

CASUALTY LOSSES

Audit system. See index heading **AUDIT SYSTEM**

Selection of tax returns for audit, **1:9**

CENTRALIZED DATA ENVIRONMENT

(CDE)

Selection of tax returns for audit, **1:52**

CENTRALIZED STORAGE

Selection of tax returns for audit, **1:26**

CERTIFICATES AND CERTIFICATION

Investigation tools of IRS, **7:19**

Practitioner's role and ethical concerns, **6:22**

Representation during audit, **App. 3O**

CHARITABLE CONTRIBUTIONS

Audit system, **2:42, 2:47**

Selection of tax returns for audit, **1:9**

CHART OF IRS ORGANIZATION

Audit system, **App. 2A**

CHECKLIST

Selection of tax returns for audit, **1:15**

CHIEF COUNSEL

Informal advice from Chief Counsel, requesting documents from IRS, **3:36**

Litigation. See index heading **LITIGATION**

CHOICE OF FORUM

Generally, **10:1 to 10:10**

Appeals, **9:12**

Bond, deposit of, **10:3**

Convenience of time and place, **10:6**

Costs, **10:10**

Deposit of cash bond, **10:3**

Discovery, **10:7**

Exposure, risk of, **10:5**

Factors to consider, generally, **10:2 to 10:10**

Jury trial, **10:8**

Legal precedent, **10:4**

Partnership return audits, **4:16**

Payment, **10:3**

Place of trial

convenience of, generally, **10:6**

request for place of trial, form of, **App. 10A**

Unites States Tax Court, **App. 10B**

Precedent, **10:4**

Refund litigation, **10:30**

Request for place of trial, form of, **App. 10A**

Risk of exposure, **10:5**

Settlement possibility, **10:9**

Time, convenience of, **10:6**

Unites States Tax Court place of trial, **App. 10B**

CIRCULAR 230

Representation during audit, **3:3**

CIVIL DAMAGES

Taxpayer rights, **8:85 to 8:88**

CLAIMS COURT

Refund litigation, **App. 10H**

CLASSIFICATION

Selection of tax returns for audit

generally, **1:14 to 1:26**

for detailed treatment see index heading **SELECTION OF TAX RETURNS FOR AUDIT**

Settlement program

generally, **11:36 to 11:40**

for detailed treatment see index heading **INDEPENDENT CONTRACTOR EMPLOYEE EXAMINATION PROGRAM**

CLOSELY HELD BUSINESSES

Audit system, **2:60, 2:61**

CLOSING AGREEMENTS

Appeals

generally, **9:33 to 9:41**

for detailed treatment see index heading **APPEALS**

Audit system, **2:38**

Representation during audit, **3:66, App. 3I**

COERCION

Taxpayer rights, **8:20**

INDEX TO TEXT

COLLECTION

- Audit system, **2:4**
- Tax court litigation, **App. 10AB**
- Taxpayer rights. See index heading TAXPAYER RIGHTS

COMMISSIONER OF INTERNAL REVENUE

- Audit system, **2:2**

COMMODITIES BROKERS

- Specialized audit procedures, **4:32**

COMMON LAW MATTERS

- Independent contractor employee examination program, **11:5 to 11:12**

COMPETENCE

- Representation during audit, **3:54**

COMPLAINT

- Refund litigation, **App. 10G, App. 10H**

COMPLIANCE CENTER AUDITS

- Audit system
 - generally, **2:23 to 2:38**
 - for detailed treatment see index heading AUDIT SYSTEM

COMPLIANCE INITIATIVE PROJECTS (CIP)

- Audit system, **2:99, 2:101**

COMPLIANCE LETTERS

- Selection of tax returns for audit, **1:60**

COMPLIANCE MEASUREMENT

- Taxpayer Compliance Measurement Program (TCMP) audits
 - selection of tax returns for audit, **1:29**

COMPROMISE AND SETTLEMENT

- Appeals. See index heading APPEALS
- Choice of forum, **10:9**
- Offers. See index heading OFFERS OF COMPROMISE
- Partnership return audits, **4:15**
- Refund litigation, **10:36**
- Representation during audit.. See index heading REPRESENTATION DURING AUDIT
- Taxpayer rights
 - generally, **8:136 to 8:145**
 - for detailed treatment see index heading TAXPAYER RIGHTS

COMPUTERS

- Audit system, **2:58**
- Investigation tools of IRS, **7:54**
- Specialized audit procedures, **4:34**

CONDITIONAL REQUESTS

- Representation during audit, **3:79**

CONFERENCES

- Appeals. See index heading APPEALS

CONFIDENTIAL MATTERS

- See index heading PRIVILEGED AND CONFIDENTIAL MATTERS

CONGRESSIONAL HEARINGS

- Representation during audit, **3:87**

CONSENT OR APPROVAL

- Appeals, **9:19**
- Litigation, consent to extend time to assess tax, Form 872, **App. 10E**
- Practitioner's role and ethical concerns, **6:35**
- Representation during audit. See index heading REPRESENTATION DURING AUDIT

CONSPIRACY STATUTE

- Fraud, **5:32**

CONSTITUTIONAL BASIS

- Selection of tax returns for audit, **1:47**

CONSTRUCTION BUSINESS

- Specialized audit procedures, **4:34**

CONSTRUCTION OR INTERPRETATION

- Independent contractor employee examination program, **11:10 to 11:12, 11:22**

CONSULTATION RIGHT

- Taxpayer rights, **8:8**

CONTACTING IRS

- Representation during audit
 - generally, **3:25 to 3:43**
 - for detailed treatment see See index heading REPRESENTATION DURING AUDIT

CONTINGENT FEES

- Representation during audit, **3:16, 3:17**

CONTINUING PROFESSIONAL EDUCATION (CPE) GUIDES

- Market segment specialization program, **4:44**

CONTINUING RELATIONSHIP

- Independent contractor employee examination program, **11:9**

CONTRACTS AND AGREEMENTS

- Independent contractor employee examination program, **11:11, App. 11F**

CONTRIBUTION

- Charitable contributions. See index heading CHARITABLE CONTRIBUTIONS
- Taxpayer rights, **8:96**

CONTROL

- Independent contractor employee examination program, **11:6**

CONVENIENCE OF TIME AND PLACE

- Choice of forum, **10:6**

CONVERSION

Partnership return audits, **4:20**

COOPERATION OF INDUSTRY

Independent contractor employee examination program, **11:26**

COORDINATED INDUSTRY CASE

Generally, **4:37 to 4:42**

Appeals, **9:8**

Industry specialization program, **4:39**

Issues, **4:40**

“Last chance” to avoid penalties, **4:42**

Selection for CIC audits, **4:38**

Technical advisors, **4:41**

COPY OF TAX RETURN

Representation during audit, **App. 3B**

CORPORATIONS

Independent contractor employee examination program, **11:41**

Seal of corporation, practitioner’s role and ethical concerns, **6:20**

Selection of tax returns. See index heading SELECTION OF TAX RETURNS FOR AUDIT

CORRESPONDENCE

Audit system, **2:27, 2:28**

Selection of tax returns for audit, **1:35**

COSTS AND EXPENSES

Choice of forum, **10:10**

Fees. See index heading FEES

Fraud, expenditures method of proof, **5:24**

Independent contractor employee examination program, expense accounts, **11:9**

Taxpayer rights, **8:42, 8:46, 8:48**

COUNTERCLAIMS

Refund litigation, **10:35**

COVID-19

Virtual proceedings, **10:39**

CPAS

Practitioners before IRS. See index heading PRACTITIONER’S ROLE AND ETHICAL CONCERNS

CREDIT OF OVERPAYMENTS

Taxpayer rights, **8:21**

CRIMINAL LAW AND INVESTIGATIONS

Appeals, **9:8**

Audit system, **2:7, 2:10, 2:83**

Fraud. See index heading FRAUD

Investigation tools of IRS, **7:37**

Litigation, **App. 10AA**

Practitioner’s role and ethical concerns, **6:33**

CURRENCY TRANSACTION REPORTS

Selection of tax returns for audit, **1:41**

D

DAMAGES

Taxpayer rights, **8:85 to 8:88**

DATA SYSTEM PROBLEMS

Selection of tax returns for audit, **1:40**

DECEASED TAXPAYER

Practitioner’s role and ethical concerns, **6:19**

DECEIT

See index heading FRAUD

DECISION MAKING AUTHORITY

Tax court litigation, **10:27 to 10:29**

DECLARATION OF REPRESENTATION

Representation during audit, **3:18, 3:19**

DECLARATION OF REPRESENTATIVE

Practitioner’s role and ethical concerns, **App. 6F**

DECLARATORY JUDGMENT

Taxpayer rights, **8:45**

DEFAULT

Taxpayer rights, **8:143**

DEFENSES

Fraud, **5:12 to 5:16**

Investigation tools of IRS, **7:41**

DEFICIENCY

Notice of deficiency—90-day letter, **App. 3G, App. 9C, App. 10D**

Notice of Deficiency—90-day letter, **10:18**

Representation during audit, **3:38**

Tax court litigation, **10:17, 10:18**

Taxpayer rights, **8:31 to 8:33**

DEFINITIONS

Audit system, **2:35**

Fraud, **5:3, 5:4, 5:21**

Investigation tools of IRS, **7:7**

Practitioner’s role and ethical concerns, **6:24**

Tax advisor, practitioner as, **6:46**

DELAY

Litigation, **10:38**

DELINQUENCY CHECK PROGRAMS

Exceptions, CIP Procedures, **2:100**

Selection of tax returns for audit, **1:50 to 1:53**

DELIVERY OF NOTICE

Taxpayer rights, **8:134**

DEPOSITS

Choice of forum, **10:3**

Taxpayer rights, **8:131**

DESTRUCTION

Representation during audit, **3:21, 3:22**

DIRECTION

Independent contractor employee examination program, **11:6**

DISABILITY

Taxpayer rights, **8:127**

DISBARMENT OF PRACTITIONER

Disciplinary proceedings for practitioners, **6:63**

DISCIPLINARY PROCEEDINGS FOR PRACTITIONERS

Generally, **6:57 to 6:66**

Disbarment of practitioner, **6:63**

Examples of disreputable conduct, **6:64**

Investigation procedure, **6:58**

Notification of practitioner, **6:59**

Removal from case inventory, **6:61**

Report of violation, **6:57**

Reprimand of practitioner, **6:62**

Responses of practitioner, **6:60**

Suspension of practitioner, **6:63, 6:65, 6:66**

Voluntary suspension of practitioner, **6:66**

DISCLOSURE

Practitioner's role. See index heading PRACTITIONER'S ROLE AND ETHICAL CONCERNS

Taxpayer rights, **8:6, 8:25, 8:95**

DISCOVERY

Appeals, **9:12**

Choice of forum, **10:7**

Investigation tools of IRS

generally, **7:38 to 7:45**

for detailed treatment see index heading

INVESTIGATION TOOLS OF IRS, **7:38 to 7:45**

DISCRETION OF AUDITOR

Audit system, **2:44**

DISCRIMINANT FUNCTION SYSTEM (DIF)

Selection of tax returns for audit, **1:8 to 1:11**

DISPOSALS

Tax court litigation, **App. 10V, App. 10X**

DISSOLVED PARTNERSHIP OR CORPORATION

Practitioner's role and ethical concerns, **6:19**

DIVIDED SERVICE CENTERS

Audit system, **2:16**

DIVORCED SPOUSES

Taxpayer rights, **8:110**

DOCKETS AND DOCKETING

Appeals, **9:21**

Audit system, **2:77**

Litigation, **App. 10K, App. 10L**

DOCUMENT SUMMARIES

Representation during audit, **3:45**

DOCUMENTARY PRIVILEGE

Investigation tools of IRS

generally, **7:46 to 7:54**

for detailed treatment see index heading

INVESTIGATION TOOLS OF IRS, **7:46 to 7:54**

DOLLARS

Tax court litigation, **App. 10M**

DUE PROCESS

Partnership return audits, **4:16**

Tax court litigation, **App. 10AB**

Taxpayer rights, **8:69**

E

ECONOMIC HARDSHIP

Taxpayer rights, **8:116**

ECONOMIC REALITY

Representation during audit. See index heading

REPRESENTATION DURING AUDIT

ECONOMISTS SPECIALISTS

Specialized audit procedures, **4:34**

EDUCATION

Audit system, **2:49**

Representation during audit, **3:58**

ELECTION OR OPTION

Partnership return audits, **4:8**

Taxpayer rights, **8:109**

EMPLOYEE BUSINESS EXPENSE

Audit system, **2:42**

Selection of tax returns for audit, **1:21**

EMPLOYMENT TAX EXAMINATION CHANGES

Independent contractor employee examination program, **App. 11J**

EMPLOYMENT TAX SPECIALISTS

Specialized audit procedures, **4:34**

ENFORCEMENT OF SUMMONSES

Investigation tools of IRS

generally, **7:30 to 7:37**

for detailed treatment see index heading

INVESTIGATION TOOLS OF IRS

ENGAGEMENT LETTER

Representation during audit, **3:24, App. 3A**

ENGINEERS AND ENGINEERING

Specialized audit procedures, **4:34**

Taxpayer rights, **8:45**

ENROLLED ACTUARIES

Practitioner's role and ethical concerns, **6:6**

ENROLLED AGENTS

Practitioner's role and ethical concerns, **6:5**

EQUAL ACCESS TO JUSTICE ACT

Taxpayer rights, **8:47**

EQUITABLE RELIEF

Taxpayer rights, **8:111, 8:113, 8:114, 8:116**

EQUIVALENT HEARINGS

Taxpayer rights, **8:74**

ETHICAL CONCERNS

Generally, **6:1 to 6:66**

For detailed treatment see index heading PRACTITIONER'S ROLE AND ETHICAL CONCERNS

EVALUATIONS AND EVALUATING

Representation during audit, **3:48**

Tax advisor, practitioner as, **6:51**

EVIDENCE

Appeals, **9:12**

Fraud, **5:9, 5:10, 5:24**

Representation during audit, **3:22**

EXAMINATION

Audit system, **2:5, 2:34, App. 2E**

Representation during audit, **App. 3F**

Selection for audit. See index heading SELECTION OF TAX RETURNS FOR AUDIT

Taxpayer rights, **App. 8C**

EXCEPTIONS

Investigation tools. See index heading INVESTIGATION TOOLS OF IRS

Practitioner's role and ethical concerns, **6:12**

Representation during audit, **3:76**

Taxpayer rights, **8:75**

EXCISE TAX

Independent contractor employee examination program, **App. 11G**

Specialized audit procedures, **4:34**

EXCLUSIVE FULL TIME WORK

Independent contractor employee examination program, **11:9**

EXECUTIVE BRANCH INFLUENCE

Taxpayer rights, **8:15**

EXEMPT ORGANIZATIONS AND PLANS

Appeals, **9:6**

Representation during audit, **App. 3B**

EXEMPTIONS

Selection of tax returns for audit, **1:18**

Taxpayer rights, **8:64, 8:65**

EXHAUSTION OF REMEDIES

Taxpayer rights, **8:43, 8:90, 8:91**

EXPENSES

See index heading COSTS AND EXPENSES

EXPERTS

Representation during audit, **3:57**

Taxpayer rights, **8:45**

EXPOSURE, RISK OF

Choice of forum, **10:5**

EXTENSION OF TIME

Representation during audit, **3:71**

F

FAIR MARKET VALUE

Selection of tax returns for audit, **1:47**

FALSE ALLOCATION OF INCOME

Fraud, **5:9**

FAMILY ASSET TRUSTS

Selection of tax returns for audit, **1:47**

FEDERAL SAFE HARBOR FOR CERTAIN WORKERS

Independent contractor employee examination program, **App. 11B**

FEDSTATE INITIATIVE PROCEDURES

Selection of tax returns for audit, **1:53**

FEES

Representation during audit, **3:16, 3:17**

Tax court litigation, **10:21**

Taxpayer rights

generally, **8:41 to 8:48**

for detailed treatment see index heading TAXPAYER RIGHTS

FICA PURPOSES

Independent contractor employee examination program, **11:7**

FICTITIOUS DEDUCTIONS

Fraud, **5:9**

FIELD AUDITS

Audit system

generally, **2:52 to 2:59**

for detailed treatment see index heading AUDIT SYSTEM

FIELD EXAMINATION ISSUES

Selection of tax returns for audit, **1:17**

FIELD SERVICE ADVICE

Representation during audit, **3:35**

FIFTH AMENDMENT

Investigation tools of IRS, **7:52**

FILING REQUIREMENTS

Tax court litigation, **10:21, 10:24**

**FINAL PARTNERSHIP ADMINISTRATIVE
ADJUSTMENT (FPAA)**

Partnership return audits, **4:2, 4:16**

FINALITY OF DECISION

Appeals, **9:34**

Small tax court - “s” court, **10:15**

Tax court litigation, **10:29**

FINANCIAL INSTITUTIONS

See index heading **BANKS AND FINANCIAL INSTITU-
TIONS**

FINANCIAL STATUS

Audit system, **2:54**

Representation during audit, **3:8, 3:86, 3:88**

Taxpayer rights, **8:19**

FIRING POWER

Independent contractor employee examination
program, **11:9**

FORECLOSURES

Specialized audit procedures, **4:36**

FOREIGN BANKS OR TRUST COMPANIES

Selection of tax returns for audit, **1:9, 1:47**

FOREIGN COUNTRIES

Investigation. See index heading **INVESTIGATION
TOOLS OF IRS**

FORMAL REQUESTS

Investigation tools. See index heading **INVESTIGA-
TION TOOLS OF IRS**

FORMER WIFE

Taxpayer rights, **8:120**

FORUM

Choice. See index heading **CHOICE OF FORUM**

FRAUD

Generally, **5:1 to 5:38**

Accountant blame syndrome, **5:38**

Accounting irregularities as evidence of fraud,
5:9

Advice of counsel or advisor, defenses, **5:14**

Aiding and abetting statute, **5:31**

Ancillary concerns, **5:31, 5:32**

Appeals, **9:8**

Attorney, retention by, **5:37**

Bank deposit method of proof, **5:24**

Blame the accountant syndrome, **5:38**

Burden of proof, **5:5, 5:22**

Common defenses, generally, **5:12 to 5:16, 5:25**

FRAUD—Cont’d

Conspiracy statute, **5:32**

Correlation with other civil penalties, **5:6**

Criminal fraud

generally, **5:19 to 5:21**

aids and abets statute, **5:31**

ancillary concerns, **5:31, 5:32**

burden of proof, **5:22**

civil fraud distinguished, **5:8**

common defenses, **5:25**

conspiracy statute, **5:32**

defenses, **5:25**

devices used by investigations lab, **5:29**

function of investigations lab, **5:26**

investigations lab, generally, **5:26 to 5:30**

methods of proof, **5:24**

most common cases handled by investigations
lab, **5:28**

practitioners and criminal investigations lab,
5:30

protective measures, **5:36**

statute of limitations, **5:23**

structure of investigations lab, **5:27**

Defenses, generally, **5:12 to 5:16**

Defining and recognizing, generally, **5:1 to 5:38**

Definitions, **5:3, 5:4, 5:21**

Evidence, **5:9, 5:10, 5:24**

Expenditures method of proof, **5:24**

False allocation of income as evidence of fraud,
5:9

Fictitious deductions as evidence of fraud, **5:9**

Function of criminal investigations lab, **5:26**

Good faith of taxpayer, defenses, **5:15**

Infrared applications, use of, **5:29**

Innocent spouse rule, **5:18**

Internal Revenue Service Manual indicators of
fraud, **5:10**

Laser applications, use of, **5:29**

Light recording enhancements, **5:29**

Methods of proof, **5:24**

Most common cases handled by criminal
investigations lab, **5:28**

Net worth method of proof, **5:24**

Penalty for civil fraud, **5:1 to 5:4**

Personal attributes of taxpayer, defenses, **5:16**

Practitioners and criminal investigations lab, **5:30**

Preaudit preparation, protective measures, **5:35**

Prior conviction or acquittal, effect of, **4:11**

Protective measures by practitioners, generally,
5:33 to 5:38

Referrals

generally, **5:19**

report for potential fraud, Form 2797, **App. 5B**

Refund litigation, **10:35**

Retention by attorney, **5:37**

FRAUD—Cont’d

- Shift of responsibility, defenses, **5:13**
- Sound recording enhancements, **5:29**
- Spectrographs, use of, **5:29**
- Spousal liability, **5:17, 5:18**
- Statute of limitations, **5:7, 5:23**
- Structure of criminal investigations lab, **5:27**
- Tax court litigation, **10:24**
- Tax return preparation, protective measures, **5:34**
- Taxpayer rights, **8:12**
- Types of devices used by criminal investigations lab, **5:29**
- Underpayment, definition of, **5:3**
- Understatement of income as evidence of fraud, **5:9**
- Unethical clients, **5:33**
- Waiver of restrictions on assessment and collection, Form 870, **App. 5A**
- Willful attempt, definition of, **5:21**

FRIVOLOUS LITIGATION

- Taxpayer rights, **8:88**

FUTA LIABILITY

- Independent contractor employee examination program, **11:31**

G

GEOGRAPHIC JURISDICTION

- Appeals, **9:9**

GEOGRAPHICALLY BASED ORGANIZATION

- Audit system, **2:88**

GOLD/SILVER STANDARD

- Selection of tax returns for audit, **1:47**

GOLSON RULE

- Appeals, **9:12**

GOOD FAITH

- Fraud, **5:15**
- Tax advisor, practitioner as, **6:42**

GOVERNMENT EMPLOYEES

- Independent contractor employee examination program, **11:41**

GRADUATED OFFERS

- Independent contractor employee examination program, **11:39**

GROUNDLESS PROCEEDINGS

- Litigation, **10:38**

GROUP MANAGER, ROLE OF

- Independent contractor employee examination program, **11:38**

GROUP MANAGERS CONFERENCE

- Representation during audit, **3:68**

GUARDIANS

- Practitioner’s role and ethical concerns, **6:19**

GUIDELINES

- Audit system, **2:67**
- Specialized audit procedures, **4:28 to 4:36**

H

HARDSHIP

- Audit system, **2:95**
- Taxpayer rights, **8:37**

HEARINGS

- Taxpayer rights, **8:71, 8:74**

HIGH INCOME NON-FILERS

- Selection of tax returns for audit, **1:64**

HOUSEHOLD EMPLOYEES

- Independent contractor employee examination program, **11:41**

I

IDENTIFICATION

- Tax identification numbers—Notice 2011-6, **App. 6H**

IDENTITY PRIVILEGE

- Investigation tools of IRS, **7:50**

IDRS, REQUESTING DOCUMENTS FROM IRS

- Representation during audit, **3:31**

IMPLEMENTATION TIMING

- Audit system, **2:21**

INCOME TAX WITHHOLDING

- Independent contractor employee examination program, **App. 11D**

INCREASED AUDIT RESOURCES

- Selection of tax returns for audit, **1:55**

INDEPENDENT CONTRACTOR CLASSIFICATION

- Employee examination program. . See index heading INDEPENDENT CONTRACTOR EMPLOYEE EXAMINATION PROGRAM
- Specialized audit procedures, **4:49**

INDEPENDENT CONTRACTOR EMPLOYEE EXAMINATION PROGRAM

- Generally, **11:1 to 11:60**
- Administrative or judicial proceedings, classification settlement program, **11:42**
- Area responsibilities, **11:37**

**INDEPENDENT CONTRACTOR EMPLOYEE
EXAMINATION PROGRAM—Cont'd**

Assistant hiring and supervising as factor determining relationship, **11:9**
Attachment to Form 843, **App. 11E**
Availability to general public as factor determining relationship, **11:9**
Burden of proof, **11:16**
Classification settlement program
generally, **11:36 to 11:41**
administrative or judicial proceedings, **11:42**
area responsibilities, **11:37**
corporate officers, **11:41**
CSP settlement offers, **11:48**
eligibility for Section 530 relief, **11:43**
eligible CSP employment tax cases, **11:40**
examiner, role of, **11:39**
excluded cases, **11:42**
Form 940/941 non-filers, **11:41**
government employees, **11:41**
group manager, role of, **11:38**
household employees, **11:41**
included cases, **11:41**
information returns, **11:42**
mandatory CSP comment, **11:45**
non eligibility for Section 530 relief, **11:44**
offers of settlement, **11:48**
prior closing agreement, **11:42**
procedures for CSP, **11:47**
Section 530 relief, **11:43, 11:44**
settlement offers, **11:48**
statutory employees, **11:41**
TE/GE programs, effect on, **11:46**
three party agreements, **11:42**
voluntary CSP, **11:49, 11:60, App. 11M, App. 11N**
wage issues, **11:42**
Common law matters, generally, **11:5 to 11:12**
Compliance with instructions as factor determining relationship, **11:9**
Consistency provisions of section 530 of Revenue Act of 1978, **11:17**
Construction and interpretation, **11:10 to 11:12, 11:22**
Continuing relationship as factor determining relationship, **11:9**
Contracts and agreements, **11:11, App. 11F**
Control, common law test, **11:6**
Cooperation of industry, **11:26**
Corporate officers, classification settlement program, **11:41**
CSP settlement offers, **11:48**
Determination of employee work status, Form SS-8, **App. 11A**
Direction, common law test, **11:6**
Eligibility for Section 530 relief, **11:43**

**INDEPENDENT CONTRACTOR EMPLOYEE
EXAMINATION PROGRAM—Cont'd**

Employer's premises, working on as factor determining relationship, **11:9**
Employment tax examination changes report, Form 4668, **App. 11J**
Examiner, role of, **11:39**
Excise or employment tax, Form 2504-AD, **App. 11G**
Exclusive full time work as factor determining relationship, **11:9**
Expense account as factor determining relationship, **11:9**
Facilities furnished as factor determining relationship, **11:9**
Factors determining relationship, **11:9**
Federal Safe Harbor for Certain Workers, **App. 11B**
FICA purposes, employees for, **11:7**
Firing power as factor determining relationship, **11:9**
Form 940/941 non-filers, classification settlement program, **11:41**
FUTA liability, **11:31**
Geographical definition of industry practice, **11:25**
Government employees, classification settlement program, **11:41**
Group manager, role of, **11:38**
Household employees, classification settlement program, **11:41**
Income tax withholding, request for relief from payment of , Form 4670, **App. 11D**
Industry practice, reasonable basis for, **11:23 to 11:27**
Information returns, **11:42**
Integration with business as factor determining relationship, **11:9**
Interest free adjustments - IRC § 6205, **11:32**
Introduction, **11:1 to 11:4**
IRC § 3508, **11:29**
IRC § 3509, **11:30**
Judicial interpretation of section 530 of Revenue Act of 1978, **11:22**
Lack of knowledge, trust fund recovery penalty, **11:58**
Larger cases, effect of Tax Court decision in, **11:53**
Limits of Tax Court jurisdiction, **11:54**
Mandatory CSP comment, **11:45**
Mitigation of statute of limitations, **11:34**
Non eligibility for Section 530 relief, **11:44**
Number of employees as factor determining relationship, **11:9**
Offers of settlement, classification settlement program, **11:48**

INDEPENDENT CONTRACTOR EMPLOYEE EXAMINATION PROGRAM—Cont'd

Officers personal liability, trust fund recovery penalty, **11:56**
 Party in interest in tax court, **11:51**
 Payment
 hourly, weekly, or monthly payment as factor determining relationship, **11:9**
 statement of payment received, Form 4669, **App. 11C**
 Personal fault, trust fund recovery penalty, **11:57**
 Personal rendition of service as factor determining relationship, **11:9**
 Potential liability, **11:4**
 Premises of employer, working on as factor determining relationship, **11:9**
 Prior closing agreement, **11:42**
 Procedures for CSP, **11:47**
 Reasonable basis for industry practice, **11:20, 11:23 to 11:27**
 Reclassification, effect of, **11:3**
 Redetermined employees, refund claims by, **11:35**
 Refund claims by redetermined employees, **11:35**
 Relief Requirements under section 530, **App. 11L**
 Reports recruited as factor determining relationship, **11:9**
 Risk of loss as factor determining relationship, **11:9**
 Safe harbor of section 530 of Revenue Act of 1978, **11:14, App. 11B**
 Section 530 of Revenue Act of 1978
 generally, **11:13 to 11:22**
 additional requirements, **11:15**
 application for section 530 relief, **11:27**
 burden of proof, **11:16**
 classification settlement program, **11:43, 11:44**
 consistency, IRS view of, **11:18**
 consistency provisions, **11:17**
 effect of section 530 relief, **11:21**
 Federal Safe Harbor for Certain Workers, **App. 11B**
 judicial interpretation, **11:22**
 reasonable basis, **11:20**
 Relief Requirements under section 530, **App. 11L**
 safe harbor of 530, **11:14, App. 11B**
 subsection D of section 1706 of Tax Reform Act of 1986, **11:28**
 treatment as employee, **11:19**
 Sequence of work done as factor determining relationship, **11:9**
 Set hours of work as factor determining relationship, **11:9**

INDEPENDENT CONTRACTOR EMPLOYEE EXAMINATION PROGRAM—Cont'd

Settlement. Classification settlement program, above
 Small Business Jobs Protection Act, impact of, **11:24**
 Special abatement rules, **11:33 to 11:35**
 State tests, **11:12**
 Statute of limitations, mitigation of, **11:34**
 Statutory employees, classification settlement program, **11:41**
 Subsection D of section 1706 of Tax Reform Act of 1986, **11:28**
 Summary of employment tax audits, **11:59, 11:60, App. 11H**
 Tax court jurisdiction
 generally, **11:50 to 11:54**
 all case procedures, **11:52**
 larger cases, effect of Tax Court decision in, **11:53**
 limits of Tax Court jurisdiction, **11:54**
 party in interest, **11:51**
 TE/GE programs, effect of classification settlement program, **11:46**
 Termination damages as factor determining relationship, **11:9**
 Three party agreements, classification settlement program, **11:42**
 Tools supplied as factor determining relationship, **11:9**
 Training as factor determining relationship, **11:9**
 Trust fund recovery penalty
 generally, **11:55 to 11:58**
 lack of knowledge, **11:58**
 personal fault, **11:57**
 personal liability of officers, **11:56**
 questionnaire, Form 4181, **App. 11K**
 Twenty common law factors, **11:8, 11:9**
 Unemployment tax examination changes, Form 4667, **App. 11I**
 Voluntary Classification Settlement Program, **11:49, 11:60, App. 11M, App. 11N**
 Wage issues, classification settlement program, **11:42**

INDUSTRY PRACTICE

Independent contractor employee examination program, **11:23 to 11:27**

INDUSTRY SPECIALIZATION PROGRAM

Audit system
 generally, **2:65 to 2:71**
 for detailed treatment see index heading AUDIT SYSTEM
 Coordinated industry case, **4:39**

INDEX TO TEXT

INFORMAL REQUESTS

Investigation tools. See index heading INVESTIGATION TOOLS OF IRS

INFORMANTS

Selection of tax returns for audit, **1:42**

INFORMATION REPORTS OR RETURNS

Independent contractor employee examination program, **11:42**

Taxpayer rights, **8:12, 8:13**

INFORMATION SYSTEMS

Audit system, **2:10**

INFRARED APPLICATIONS

Fraud, **5:29**

INITIAL INTERVIEW

Audit system, **2:41**

Representation during audit, **3:10**

INITIATING OR INITIATION

Office audits, **2:40**

Representation during audit, **3:61**

INNOCENT SPOUSE

Fraud, **5:18**

Partnership return audits, **4:21**

Taxpayer rights

generally, **8:106 to 8:126**

for detailed treatment see index heading
TAXPAYER RIGHTS

INSOLVENCY

See index heading BANKRUPTCY AND INSOLVENCY

INSTALLMENT AGREEMENTS

Taxpayer rights, **8:58 to 8:60, 8:130**

INSURANCE COMPANIES

Specialized audit procedures, **4:30**

INTEREST

Appeals, **9:12**

Audit system, **2:42, 2:50**

Taxpayer rights. See index heading TAXPAYER
RIGHTS

INTEREST FREE ADJUSTMENTS

Independent contractor employee examination program, **11:32**

INTERNAL REVENUE MANUAL

Fraud, **5:10**

Specialized audit procedures, **4:29**

INTERNATIONAL EXAMINERS SPECIALISTS

Specialized audit procedures, **4:34**

INTERNATIONAL SUMMONSES

Investigation tools of IRS

generally, **7:55 to 7:64**

for detailed treatment see index heading
INVESTIGATION TOOLS OF IRS

INTERVENTION

Taxpayer rights, **8:121, 8:126**

INTERVIEWS

Taxpayer rights, **8:7, 8:10**

INVENTORIES

Selection of tax returns for audit, **1:25**

Tax court. See index heading TAX COURT LITIGATION

INVESTIGATION

Disciplinary proceedings for practitioners, **6:58**

IRS tools. See index heading INVESTIGATION TOOLS
OF IRS

INVESTIGATION TOOLS OF IRS

Generally, **7:1 to 7:68**

Abuses, discovery rules, **7:44**

Accountants, **7:51**

Administrative summons

generally, **7:15 to 7:19**

expenses, Form 6863 for payment of, **App. 7C**

Appearances, **7:20, 7:21**

Attestation of administrative summons, **7:18**

Attorney-client privilege, **7:47**

Attorney's duty, **7:45**

Categories of information collected by IRS, **7:2**

Certificate of service of administrative summons,
7:19

Computer software, documentary privilege, **7:54**

Confidential matters. Documentary privilege,
below

Criminal tax investigations, **7:37**

Debriefing third-party contacts, **7:13**

Defenses, discovery rules, **7:41**

Definition of third-party contacts, **7:7**

Discovery rules

generally, **7:38 to 7:45**

abuses, **7:44**

attorney's duty, **7:45**

defenses, **7:41**

documentary privilege as defense, **7:41**

formal discovery requests in Tax Court, **7:40**

informal discovery requests in Tax Court, **7:39**

privilege as defense, **7:41**

protective orders, **7:42**

supplementation of discovery responses, **7:43**

Tax Court discovery rules, **App. 7E**

Documentary privilege

generally, **7:46 to 7:54**

accountants, **7:51**

attorney-client privilege, **7:47**

INVESTIGATION TOOLS OF IRS—Cont'd

- Documentary privilege—Cont'd
 - computer software, **7:54**
 - confidential documents, generally, **7:53**
 - discovery rules, **7:41**
 - fifth amendment, **7:52**
 - identity privilege, **7:50**
 - self-incrimination, **7:52**
 - waiver of attorney-client privilege, **7:48**
 - work product privilege, **7:49**
- Enforcement of summonses
 - generally, **7:30 to 7:37**
 - criminal tax investigations, **7:37**
 - legitimacy, **7:32**
 - not already held by IRS, **7:34**
 - Powell test, **7:31**
 - procedural satisfaction, **7:35**
 - relevancy, **7:33**
 - second examinations, **7:36**
 - unnecessary examinations, **7:36**
- Exceptions
 - informal IRS information requests, **7:8, 7:9**
 - international summonses, **7:59**
 - third-party summons notice requirement, **7:26, 7:27**
- Fifth Amendment, **7:52**
- Financial institutions in 10th Circuit, **7:29**
- Foreign countries. International summonses, below
- Formal requests
 - discovery requests in Tax Court, **7:40**
 - international summonses, **7:57 to 7:59**
 - IRS information requests, generally, **7:14 to 7:21**
 - statutes of limitation, **7:68**
- Gathering of information process, **7:1, 7:2**
- History of international summonses, **7:56**
- Identity privilege, **7:50**
- Informal requests
 - discovery requests in Tax Court
 - discovery rules, **7:39**
 - IRS information requests, generally, **7:3 to 7:13**
- Information document request
 - generally, **7:3**
 - Form 4564, **App. 7A**
- International summonses
 - generally, **7:55 to 7:64**
 - exceptions, **7:59**
 - foreign financial accounts, US taxpayers with, **7:64**
 - foreign taxpayers in Tax Court, **7:62**
 - formal document requests (FDRs), **7:57 to 7:59**
 - history of, **7:56**

INVESTIGATION TOOLS OF IRS—Cont'd

- International summonses—Cont'd
 - quashing formal document requests (FDRs), **7:58**
 - Sections 6038A and 6038C, summonses under, **7:61**
 - tax treaty summons, **7:60**
 - US taxpayers living abroad, **7:63**
- John Doe summonses, **7:28**
- Legitimacy, enforcement of summonses, **7:32**
- Notice requirements
 - generally, **7:10 to 7:12**
 - certificate, Form 2039, **App. 7B**
 - third-party summons, **7:23**
- Oral requests, **7:4**
- Place of appearances, **7:20**
- Post-contact notice, **7:12**
- Powell test, **7:31**
- Preambles to Section 6038A and 6038C rules, **App. 7F, App. 7G**
- Pre-contact notice, **7:11**
- Privilege. Documentary privilege, above
- Procedural satisfaction, enforcement of summonses, **7:35**
- Protective orders, **7:42**
- Purposes of administrative summons, **7:16**
- Quash proceedings, **7:24, 7:58**
- Recordkeepers
 - certificate, Form 2039, **App. 7B**
 - third-party summons, **7:25**
- Relevancy, enforcement of summonses, **7:33**
- Report and workpapers of revenue agent, form of letter of request for, **App. 7D**
- Rights at appearances, **7:21**
- Second examinations, **7:36**
- Section 6038A and 6038C
 - international summonses, **7:61**
 - preambles to, **App. 7F, App. 7G**
 - statutes of limitation, **7:67**
- Self-incrimination privilege, **7:52**
- Service of summons
 - generally, **7:17**
 - Form 2039, **App. 7B**
- Statutes of limitation
 - designated summonses, **7:65**
 - formal document requests, **7:68**
 - Section 6038A and 6038C summonses, **7:67**
 - third-party summonses, **7:66**
- Supplementation of discovery responses, **7:43**
- Tax Court discovery rules, **App. 7E**
- Tax treaty summons, **7:60**
- Third-party contacts, **7:6 to 7:13**
- Third-party summons
 - generally, **7:22 to 7:29**
 - exceptions to notice requirement, **7:26, 7:27**

INVESTIGATION TOOLS OF IRS—Cont'd

- Third-party summons—Cont'd
 - financial institutions in 10th Circuit, **7:29**
 - John Doe summonses, **7:28**
 - notice, **7:23**
 - quash proceedings, **7:24**
 - recordkeepers, **7:25**
 - statutes of limitation, **7:66**
- Time of appearances, **7:20**
- Unnecessary examinations, **7:36**
- US taxpayers living abroad, international summonses, **7:63**
- Voluntary interviews, **7:5**
- Waiver of attorney-client privilege, **7:48**
- Work product privilege, **7:49**

INVESTMENT COMPANIES

- Specialized audit procedures, **4:36**

INVESTMENTS

- Selection of tax returns for audit, **1:25**

IRM REQUIREMENTS

- S corporations, **4:26**

IRS EXAMINATION PROGRAM LETTER

- Specialized audit procedures, **4:45**

ITEMIZED DEDUCTION ISSUES

- Selection of tax returns for audit, **1:18**

J

JEOPARDY

- Taxpayer rights, **8:92**

JOHN DOE SUMMONSES

- Investigation tools of IRS, **7:28**

JOINT COMMITTEE CASES

- Appeals, **9:8**

JOINT COMPROMISE OFFERS

- Taxpayer rights, **8:143**

JURISDICTION

- Appeals office, **9:3 to 9:7**
- Refund litigation, **10:32**
- Tax court litigation, **10:16**
- Taxpayer rights, **8:118**

JURY TRIAL

- Appeals, **9:12**
- Choice of forum, **10:8**

K

K-1 MATCHING

- Audit system, **2:103**

KNOWLEDGE

- See index heading NOTICE OR KNOWLEDGE

L

LARGE AND MID-SIZED BUSINESSES (L&MSB)

- Audit system, **2:10**

LARGE BUSINESS AND INTERNATIONAL (LB&I)

- Audit system, **2:13**

LARGE CASE AUDITS

- Audit system, **2:62 to 2:64**

LARGE PARTNERSHIPS

- Partnership return audits, **4:8**

LARGER CASES

- Independent contractor employee examination program, **11:53**

LASER APPLICATIONS

- Fraud, **5:29**

LAW ENFORCEMENT AGENCIES

- Selection of tax returns for audit, **1:49**

LEGAL PRECEDENT

- Choice of forum, **10:4**

LETTER OF REQUEST

- Representation during audit, **App. 3C**

LEVY

- Taxpayer rights. See index heading TAXPAYER RIGHTS

LIENS

- Taxpayer rights. See index heading TAXPAYER RIGHTS

LIGHT RECORDING ENHANCEMENTS

- Fraud, **5:29**

LIMITATIONS AND RESTRICTIONS

- Audit system, **2:55**
- Independent contractor employee examination program, **11:54**
- Taxpayer rights. See index heading TAXPAYER RIGHTS

LIMITED PRACTICE

- Practitioner's role and ethical concerns, **6:7, App. 6D**

LITIGATION

- Generally, **10:1 to 10:39**
- Answer forms, **App. 10I, App. 10J**
- Chief counsel, generally, **App. 10Z**
- Chief counsel workload, **App. 10J2, App. 10J3**
- Choice of forum. See index heading CHOICE OF FORUM
- Consent to extend time to assess tax, Form 872, **App. 10E**

LITIGATION—Cont’d

Criminal investigation at a glance, **App. 10AA**
 Delay, penalty for, **10:38**
 Docketed inventories, **App. 10K, App. 10L**
 Groundless proceedings, penalty for, **10:38**
 Most litigated cases, **App. 10Y1**
 Notice of deficiency - 90 day letter, **App. 10D**
 Penalty for instituting groundless proceedings, **10:38**
 Refunds. See index heading **REFUND LITIGATION**
 Small court. See index heading **SMALL TAX COURT - “S” COURT**
 Tax court. See index heading **TAX COURT LITIGATION**
 Virtual proceedings, **10:39**

LIVING APART SPOUSES

Taxpayer rights, **8:110**

LMSB ACTIVITIES

Appeals, **9:2**

LOANS

Selection of tax returns for audit, **1:25**

LOCAL OFFICES

Taxpayer rights, **8:24**

LOCATION

See index heading **PLACE OR LOCATION**

LOTTERY OF AUDITS

Selection of tax returns for audit, **1:1**

LTA ACTIONS

Audit system, **2:93**

M

MAIL AND MAILING

Tax court litigation, **10:19**
 Taxpayer rights, **8:102**

MARKET SEGMENT SPECIALIZATION PROGRAM

Generally, **4:43, 4:44**
 Audit system, **2:66, 2:71**
 Continuing professional education (CPE) guides, **4:44**
 MSSP guides, **4:43**
 Representation during audit, **3:94**

MATHEMATICAL ERRORS

Audit system, **2:24**

MEDIATION

Representation during audit. See index heading **REPRESENTATION DURING AUDIT**

MEDICAL EXPENSE

Audit system. See index heading **AUDIT SYSTEM**

MINIMUM AND MAXIMUM FEES

Representation during audit, **3:16**

MISREPRESENTATION

See index heading **FRAUD**

MISSING SCHEDULES

Selection of tax returns for audit, **1:9**

MISTAKES

Partnership return audits, **4:7**
 Tax advisor, practitioner as, **6:44**

MITIGATION

Statute of limitations, **11:34**
 Taxpayer rights, mitigation of penalty, **8:130**

MODIFICATION OR CHANGE

Taxpayer rights, **8:60**

MOVING EXPENSE

Audit system, **2:42**

MSSP GUIDES

Market segment specialization program, **4:43**

MULTIPLE PARTIES

Practitioner’s role and ethical concerns, representation of multiple parties, **6:38**

MUTUAL FUNDS

Specialized audit procedures, **4:36**

N

NATIONAL HEADQUARTERS

Audit system, **2:10**

NATIONAL OFFICE

Appeals. See index heading **APPEALS**

NATIONAL RESEARCH PROGRAM (NRP)

Historic background, **1:27**
 Selection of tax returns for audit, **1:28**

NATIONAL TAXPAYER ADVOCATE

Taxpayer rights, **8:34**

NEGOTIATION OF REFUND CHECKS

Practitioner’s role and ethical concerns, **6:15**

NET WORTH METHOD OF PROOF

Fraud, **5:24**

NEW AUDIT PRIORITIES OF IRS

Selection of tax returns for audit generally, **1:54 to 1:69**
 for detailed treatment see index heading **SELECTION OF TAX RETURNS FOR AUDIT**

NEW NAME

Representation during audit, **3:86**

NINETY DAY LETTER

Tax court litigation, **10:18**

NOMINEE LIENS

Taxpayer rights, **8:82**

NON RESPONSIVE DOCUMENTS

Representation during audit, **3:83**

NONDOCKETED CASES

Appeals. See index heading **APPEALS**

NONELECTING SPOUSE

Taxpayer rights, **8:120, 8:121**

NONFILERS

Audit system, **2:99 to 2:102**

Selection of tax returns for audit, **1:45**

Taxpayer rights, **8:55**

NONSHELTER CASES

Tax advisor, practitioner as, **6:40**

NOTICE OR KNOWLEDGE

Audit system. See index heading **AUDIT SYSTEM**

Disciplinary proceedings for practitioners, **6:59**

Investigation tools. See index heading **INVESTIGATION TOOLS OF IRS**

Litigation, **App. 10D**

Partnership return audits, **4:12, 4:13**

Practitioner's role and ethical concerns, **6:16, App. 6K**

Representation during audit. See index heading **REPRESENTATION DURING AUDIT**

Tax court litigation, **10:18**

Taxpayer rights. See index heading **TAXPAYER RIGHTS**

Thirty day notice. See index heading **THIRTY DAY NOTICE**

NUMBER OF EMPLOYEES

Independent contractor employee examination program, **11:9**

O

OFFERS OF SETTLEMENT

Appeals, **9:25**

Independent contractor employee examination program, **11:48**

Representation during audit. See index heading **REPRESENTATION DURING AUDIT**

OFFICE AUDITS

Audit system

generally, **2:39 to 2:44**

for detailed treatment see index heading **AUDIT SYSTEM**

OIL AND GAS

Specialized audit procedures, **4:35**

OMBUDSMAN

Taxpayer rights, **8:34**

OMITTED SCHEDULES

Audit system, **2:25**

OMNIBUS TAXPAYER BILL OF RIGHTS

Taxpayer rights, **8:1 to 8:4**

OPINION LETTER

Tax advisor, practitioner as, **6:48 to 6:50**

ORAL OR WRITTEN COMMUNICATIONS

Representation during audit, **3:42**

ORAL REQUESTS

Investigation tools of IRS, **7:4**

OVERPAYMENTS

Taxpayer rights, **8:21, 8:51, 8:55, 8:129**

P

PAID-IN SURPLUS

Selection of tax returns for audit, **1:25**

PANDEMIC

Virtual proceedings, **10:39**

PARTIALLY AGREED CASES

Representation during audit, **3:65**

PARTNERSHIP RETURN AUDITS

Generally, **4:2 to 4:23**

Administrative proceedings

adjustment request (AAR), **4:2**

participating in, **4:11**

settlement powers, **4:15**

Appeals, **4:14**

Assessment of tax against partners outside of partnership audit rules, **4:23**

Audit process for TEFRA, **4:9**

Beginning of administrative proceeding, notice of (NBAP), **4:2, 4:13**

Choice of forum, **4:16**

Conversion of partnership items to nonpartnership items, **4:20**

Distributing information to partners, **4:10**

Due process, **4:16**

Electing large partnerships, **4:8**

Final partnership administrative adjustment (FPAA), **4:2, 4:16**

Innocent spouse, **4:21**

Items of partnership, **4:19**

Large partnerships, electing, **4:8**

Mistakes, **4:7**

Notices, **4:12, 4:13**

Protests, **4:14**

Selection of tax returns for audit, **1:7**

Settlement powers, **4:15**

PARTNERSHIP RETURN AUDITS—Cont'd

- Small partnership exception, **4:4**
- Spouses in small partnerships, **4:6**
- Start of audit process (NBAP), **4:2, 4:13**
- Statement not to be bound by tax matters partner pursuant to section 6224(c)(3)(B), form of sample letter, **App. 4A**
- Statute of limitations, **4:22**
- Substitute for returns, **4:18**
- Tax matters partner (TMP), **4:2, 4:9, 4:16**
- TEFRA rules, generally, **4:2 et seq**
- Tiered partnerships, **4:5**

PARTNERSHIPS

- Representation during audit, **App. 3M**
- Return audits. See index heading **PARTNERSHIP RETURN AUDITS**

PARTNERSHIPS LEVERAGING ARTIFICIAL INTELLIGENCE

- Intelligence (AI)
- selection of tax returns for audit, **1:59**

PAYMENT

- Choice of forum, **10:3**
- Independent contractors. See index heading **INDEPENDENT CONTRACTOR EMPLOYEE EXAMINATION PROGRAM**
- hourly, weekly, or monthly payment as factor determining relationship, **11:9**
- Taxpayer rights, **8:54, 8:57**

PENALTIES

- Appeals, **9:5**
- Fraud, **5:1 to 5:4**
- Litigation, **10:38**
- Practitioner's role and ethical concerns, **6:29**
- Tax advisor, practitioner as, **6:43, 6:52**
- Taxpayer rights. See index heading **TAXPAYER RIGHTS**

PENALTY ABATEMENT REQUEST

- Representation during audit, **App. 3P**

PERSONAL LIVING EXPENSE (OLE) FORM

- Representation during audit, **3:91**

PETITIONS

- Tax court litigation, **App. 10F**

PHYSICAL PREPARATION

- Practitioner's role and ethical concerns, **6:26**

PLACE OR LOCATION

- Audit, location of, **2:56, 3:51**
- Choice of forum. See index heading **CHOICE OF FORUM**
- Interview, location of, **3:12**
- Investigation tools of IRS, **7:20**
- Representation during audit, **3:12, 3:51**

PLACE OR LOCATION—Cont'd

- Taxpayer rights, **8:11**

PLANS AND PLANNING

- Audit system, **2:59, 2:64**
- Representation during audit, **3:56**

PLEADINGS

- Small tax court - "s" court, **10:14**

POLITICAL CONTRIBUTIONS

- Specialized audit procedures, **4:36**

POLLUTION CONTROL FACILITIES

- Specialized audit procedures, **4:36**

POWELL TEST

- Investigation tools of IRS, **7:31**

POWER OF ATTORNEY

- Practitioner's role. See index heading **PRACTITIONER'S ROLE AND ETHICAL CONCERNS**
- Representation during audit, **3:18, 3:19, 3:25**

PRACTITIONER PRIORITY SERVICE

- Audit system, **2:98**

PRACTITIONER'S ROLE AND ETHICAL CONCERNS

- Generally, **6:1 to 6:66**
- Administrative requirements for preparers, **6:29**
- Advisor. Tax advisor, practitioner as, below
- Advocate, practitioner as, **6:36 to 6:38**
- Aiding and abetting, **6:32**
- Application for enrollment to practice before IRS, Form 23, **App. 6C**
- Attestation of power of attorney, **6:20**
- Attorneys as practitioners before IRS, generally, **6:4**
- Authorizations
- generally, **6:10**
- Form 8821, **App. 6F**
- Certification of copies of power of attorney, **6:22**
- Civil penalties, **6:29**
- Confidential information, access to, generally, **6:9 to 6:17**
- Consent for release of information, **6:35**
- Corporate seal on power of attorney, **6:20**
- CPAs as practitioners before IRS, generally, **6:4**
- Credit or refund claims by preparers, **App. 6G**
- Criminal penalties, **6:33**
- Deceased taxpayer, execution of powers of attorney, **6:19**
- Declaration of representative, Form 8821, **App. 6F**
- Definitions, **6:24**
- Disciplinary proceedings. See index heading **DISCIPLINARY PROCEEDINGS FOR PRACTITIONERS**
- Disclosure
- statement, Form 8275, **App. 6I**

PRACTITIONER'S ROLE AND ETHICAL CONCERNS—Cont'd

- Disclosure—Cont'd
 - statutory regulation of income tax return preparers, **6:34**
- Disqualification, **App. 6B**
- Dissolved partnership or corporation, execution of powers of attorney, **6:19**
- Enrolled actuaries as practitioners before IRS, **6:6**
- Enrolled agents as practitioners before IRS, **6:5**
- "Escape route" for preparers, **6:31**
- Exceptions to requirements for power of attorney, **6:12**
- Execution of powers of attorney, generally, **6:18 to 6:22**
- Formal requirements of powers and authorizations, **6:17**
- Fraud, **5:30, 5:33**
- Guardians, execution of powers of attorney, **6:19**
- Insolvent taxpayer, execution of powers of attorney, **6:19**
- Introduction, **6:1**
- IRS News Release No. IR-2003-3, **App. 6L**
- Limited practice by non-enrolled individuals, **6:7**
- Limited practice by nonenrolled individuals, **App. 6D**
- Multiple parties, representation of, **6:38**
- Negotiation of refund checks, power as to, **6:15**
- Notice requirements, **6:16, App. 6K**
- Penalties, **6:29**
- Physical preparation, **6:26**
- Power of attorney
 - execution of, generally, **6:18 to 6:22**
 - Form 2848, **App. 6E**
 - requirements for, **6:11, 6:12**
- Preparers. Statutory regulation of income tax return preparers, below
- Receipt of refund checks, power as to, **6:14**
- Refund claims, **6:14, 6:15, App. 6G**
- Registration disclosure statement, Form 8275-R, **App. 6J**
- Release of information, consent for, **6:35**
- Representation, generally, **6:9 to 6:17**
- Signing power of attorney, **6:18**
- Special cases regarding power of attorney, **6:19**
- Statutory regulation of income tax return preparers
 - generally, **6:23 to 6:35**
 - administrative requirements for preparers, **6:29**
 - advisor, preparation by, **6:27**
 - aiding and abetting, **6:32**
 - civil penalties, **6:29**
 - consent for release of information, **6:35**
 - criminal penalties, **6:33**
 - definitions, **6:24**

PRACTITIONER'S ROLE AND ETHICAL CONCERNS—Cont'd

- Statutory regulation of income tax return preparers—Cont'd
 - disclosure by preparer, **6:34**
 - "escape route" for preparers, **6:31**
 - penalties, **6:29**
 - physical preparation, **6:26**
 - release of information, consent for, **6:35**
 - substantial portion, preparation of, **6:25**
 - susceptible documents, **6:28**
 - understatement of taxpayer's liability, **6:30**
- Substantial portion of return, preparation of, **6:25**
- Substitute authority, **6:13**
- Tax advisor, practitioner as. See index heading TAX ADVISOR, PRACTITIONER AS
- Tax identification numbers—Notice 2011-6, **App. 6H**
- 31 CFR Part 10 Final Regulations, **App. 6A**
- Treasury Department Circular No. 230, **App. 6A**
- Trustees, execution of powers of attorney, **6:19**
- Understatement of taxpayer's liability, **6:30**
- What constitutes practice before IRS, **6:2**
- Who may practice before IRS, **6:3 to 6:8**
- Withdrawal from representation, **6:54 to 6:56**
- Witnessing power of attorney, **6:21**
- Written declaration, content of, **6:8**

PREAUDIT PREPARATION

- Fraud, **5:35**

PRE-AUDIT STRATEGY

- Representation during audit, **3:43**

PRECEDENT

- Choice of forum, **10:4**

PREMATURE ASSESSMENTS

- Taxpayer rights, **8:50**

PREMISES OF EMPLOYER

- Independent contractor employee examination program, **11:9**

PREPARING FOR AUDIT INTERVIEW

- Representation during audit
 - generally, **3:44 to 3:49**
 - for detailed treatment see index heading REPRESENTATION DURING AUDIT

PRESENCE OR ABSENCE

- Representation during audit, **3:52**

PRIOR CLOSING AGREEMENT

- Independent contractor employee examination program, **11:42**

PRIOR CONVICTION OR ACQUITTAL

- Fraud, **4:11**

PRIVACY RIGHTS

Taxpayer rights, **8:104**

PRIVILEGED AND CONFIDENTIAL MATTERS

Investigation. See index heading INVESTIGATION TOOLS OF IRS

Practitioner's role generally, **6:9 to 6:17**
for detailed treatment see index heading PRACTITIONER'S ROLE AND ETHICAL CONCERNS

Representation during audit, **3:8, 3:82, App. 3Q**
Taxpayer rights, **8:29**

PRO FORMA AUDIT AIDS

Audit system, **2:42**

PROBLEM SOLVING DAYS

Representation during audit, **3:100**

PROFIT AND LOSS ISSUES

Selection of tax returns for audit, **1:24**

PROPOSED ADJUSTMENT

Representation during audit, **3:32**

PROTECTIVE MEASURES

Fraud, **5:33 to 5:38**

PROTECTIVE ORDERS

Investigation tools of IRS, **7:42**

PROTESTS

Appeal. See index heading APPEALS
Partnership return audits, **4:14**
Selection of tax returns for audit, **1:47**

PUBLIC INFORMATION REQUIREMENTS

Taxpayer rights, **8:98**

PUBLIC INSPECTION

Representation during audit, **App. 3B**

PUBLIC UTILITIES

Specialized audit procedures, **4:29**

PUBLICATION 971

Taxpayer rights, **8:123**

Q

QUALITY OF SERVICE EXAMINERS

Audit system, **2:32**

QUASH PROCEEDINGS

Investigation tools of IRS, **7:24, 7:58**
Taxpayer rights, **8:100**

R

RAILROADS

Specialized audit procedures, **4:33, 4:36**

REAL ESTATE BUSINESS

Specialized audit procedures, **4:34**

RECEIPTS

Practitioner's role and ethical concerns, **6:14**
Refund litigation, **App. 10Y**
Tax court litigation, **App. 10N to 10P**

RECIPROCITY

Selection of tax returns for audit, **1:44**

RECLASSIFICATION

Independent contractor employee examination program, **11:3**

RECONSIDERATION

Audit system, **2:33, 2:35**

RECORDKEEPERS

Investigation tools. See index heading INVESTIGATION TOOLS OF IRS

RED FLAGS

Selection of tax returns for audit, **1:9**

REDETERMINATION OF INTEREST

Taxpayer rights, **8:52**

REDETERMINED EMPLOYEES

Independent contractor employee examination program, **11:35**

REFERRAL TO ANOTHER PROFESSIONAL

Representation during audit, **3:59**

REFERRALS

Fraud. See index heading FRAUD
Selection of tax returns for audit, **1:43**

REFUND LITIGATION

Generally, **10:30 to 10:37**
Answer forms, **App. 10I, App. 10J**
Appeals, **10:37**
Burden of proof, **10:34, 10:35**
Choice of forum, **10:30**
Claims court complaint form, **App. 10H**
Complaint forms, **App. 10G, App. 10H**
Counterclaims, **10:35**
Forum selection, **10:30**
Fraud cases, **10:35**
Jurisdiction, **10:32**
Prerequisites, **10:31**
Procedure, **10:33**
Receipts, closures, and inventory, **App. 10Y**
Settlement, **10:36**

REFUNDS

Independent contractor employee examination program, **11:35**
Litigation. See index heading REFUND LITIGATION
Practitioner's role and ethical concerns, **6:14, 6:15, App. 6G**

REFUNDS—Cont'd

- Representation during audit, **3:29**
- Taxpayer rights. See index heading **TAXPAYER RIGHTS**

REGISTRATION

- Disclosure statement, **App. 6J**
- Tax shelter, **6:53**

RELEASE OR DISCHARGE

- Practitioner's role and ethical concerns, **6:35**
- Taxpayer rights, **8:65, 8:89**

RELIANCE

- Taxpayer rights, **8:30**

REMOVAL FROM CASE INVENTORY

- Disciplinary proceedings for practitioners, **6:61**

RENTAL INCOME EXPENSE

- Audit system. See index heading **AUDIT SYSTEM**

REORGANIZATION OF IRS

- Audit system, **2:8**

REPORTS

- Disciplinary proceedings for practitioners, **6:57**
- Independent contractor employee examination program, **11:9**
- Investigation tools of IRS, **App. 7D**

REPRESENTATION DURING AUDIT

- Generally, **3:1 to 3:101**
- Administrative summons, requesting documents from IRS, **3:31**
- Admission to practice before IRS, **3:2**
- Advance pricing agreements, **3:97**
- Agent work papers, requesting documents from IRS, **3:33**
- Agreed and partially agreed cases, **3:65**
- Agreement to assessment and collection, Form 870, **App. 3M**
- Alternative dispute resolution. Mediation and alternative dispute resolution programs, below
- Amended individual tax return, Form 1040X and instructions, **App. 3J**
- American Jobs Creation Act of 2004, **3:2**
- Appeals or litigation, preserving audit records for, **3:81 to 3:83**
- Appropriate IRS personnel, contacting, **3:41**
- Assessment date, discovering, **3:77**
- Audit
 - generally, **3:50 to 3:59**
 - competence, establishment of, **3:54**
 - education on specific issues, **3:58**
 - experts, retention of, **3:57**
 - identification of audit issues, **3:55**
 - place of audit, **3:51**
 - plans, **3:56**

REPRESENTATION DURING AUDIT—Cont'd

- Audit—Cont'd
 - presence of taxpayer, **3:52**
 - preserving audit records for appeal or litigation, **3:81 to 3:83**
 - process. Audit process, below
 - referral to another professional, **3:59**
 - representative's role, **3:53**
 - settlement of audit issues, below
 - transferring audit, **3:78 to 3:80**
 - trust and competence, establishment of, **3:54**
- Audit conference, form of letter of request for, **App. 3K**
- Audit guidelines, requesting documents from IRS, **3:37**
- Audit letters and reports, requesting documents from IRS, **3:34**
- Audit process
 - generally, **3:9 to 3:24**
 - additional documents, **3:20**
 - choice of posture, **3:15**
 - contact between client and IRS, **3:23**
 - contingent fees for services, **3:16, 3:17**
 - declaration of representation, **3:18, 3:19**
 - destruction of document systems or evidence, **3:21, 3:22**
 - discussion with client, generally, **3:13 to 3:20**
 - "economic reality." effect of, **3:12**
 - engagement letter, **3:24**
 - evidence, destruction of, **3:22**
 - fees for services, **3:16, 3:17**
 - initial interview, **3:10**
 - location of interview, **3:12**
 - merits of client's position, **3:15**
 - minimum and maximum fees for services, **3:16**
 - power of attorney, **3:18, 3:19**
 - retention of document systems, **3:21**
 - scope of representation, **3:14**
 - what client should provide prior to interview, **3:11**
- Building client's case with IRS file, **3:26**
- Burden of proof, **3:7, 3:8**
- Calculating beginning of statute of limitations, **3:74**
- Cash T account, **3:90**
- Certificate of assessments and payments, form of, **App. 3O**
- Choice of posture during audit process, **3:15**
- Circular 230, generally, **3:3**
- Closing agreements, **3:66, App. 3I**
- Competence, establishment of, **3:54**
- Compromise. Settlement of audit issues, below
- Conditional requests for transferring audit, **3:79**
- Congressional hearings, **3:87**
- Consent forms. Forms, below

REPRESENTATION DURING AUDIT—Cont’d

Contacting IRS
 generally, **3:25 to 3:43**
 administrative summons, requesting documents from IRS, **3:31**
 agent work papers, requesting documents from IRS, **3:33**
 appropriate IRS personnel, contacting, **3:41**
 audit guidelines, requesting documents from IRS, **3:37**
 audit letters and reports, requesting documents from IRS, **3:34**
 building client’s case with IRS file, **3:26**
 client and IRS, contact between, **3:23**
 deficiency, notice of, **3:38**
 field service advice, requesting documents from IRS, **3:35**
 finding out what they want, **3:43**
 IDRs, requesting documents from IRS, **3:31**
 informal advice from Chief Counsel, requesting documents from IRS, **3:36**
 initial notice of audit, requesting documents from IRS, **3:30**
 notice
 audit, **3:30**
 deficiency, **3:38**
 proposed adjustment, **3:32**
 oral or written communications, **3:42**
 power of attorney, need for, **3:25**
 pre-audit strategy, **3:43**
 proposed adjustment, notice of, **3:32**
 refund claims, requesting documents from IRS, **3:29**
 requesting documents from IRS, generally, **3:28 to 3:40**
 Revenue Agents Reports (RAR), requesting documents from IRS, **3:34**
 service center, **3:27**
 Tax account information, requesting documents from IRS, **3:40**
 Tax Court documents, requesting documents from IRS, **3:39**
 tax returns, requesting documents from IRS, **3:29**
 Contingent fees for services, **3:16, 3:17**
 Copy of tax return, form of request for, **App. 3B**
 Curtailing economic reality, **3:88**
 Declaration of representation, **3:18, 3:19**
 Deficiency, notice of, **3:38**
 Destruction of document systems or evidence, **3:21, 3:22**
 Discovering assessment date, **3:77**
 Discussion with client, generally, **3:13 to 3:20**
 Document summaries, **3:45**
 “Economic reality” training, rise and fall of generally, **3:84 to 3:94**

REPRESENTATION DURING AUDIT—Cont’d

“Economic reality” training, rise and fall of—Cont’d
 audit process, **3:12**
 cash T account, **3:90**
 Congressional hearings, **3:87**
 curtailing economic reality, **3:88**
 financial status audit, **3:86**
 financial status audits, curtailing of, **3:88**
 IRS interview questions, **3:93**
 market segment specialization, **3:94**
 new name: financial status audit, **3:86**
 Personal Living Expense (OLE) form, **3:91**
 skeptical IRS, **3:92**
 strong public outrage, **3:85**
 taxpayer profile, **3:89**
 training programs of 1995, **3:84**
 Education on specific issues, **3:58**
 Engagement letter, **3:24, App. 3A**
 Evaluation of case, **3:48**
 Evidence, destruction of, **3:22**
 Examination changes, sample form 4549-A, **App. 3F**
 Exceptions, statute of limitations, **3:76**
 Exempt organizations, form of request for copy of, **App. 3B**
 Experts, retention of, **3:57**
 Extensions vs waivers of statute of limitations, **3:71**
 Fees for services, **3:16, 3:17**
 Field service advice, requesting documents from IRS, **3:35**
 Financial status audits, **3:8, 3:86, 3:88**
 Finding out what they want, **3:43**
 Forms
 agreement to assessment and collection, Form 870, **App. 3M**
 amended individual tax return, Form 1040X and instructions, **App. 3J**
 audit conference, form of letter of request for, **App. 3K**
 certificate of assessments and payments, form of, **App. 3O**
 changes, Form 886-A- explanation of items, **App. 3G**
 closing agreement on final determination, Form 905, **App. 3I**
 consent forms
 extending Misc. excise taxes, Form 872-C, **App. 3L**
 extending time to assess tax, Form 872-A, **App. 3L**
 notice of termination, Form 872-R, **App. 3L**
 partnership, special consent, Form 872-Q, **App. 3L**

REPRESENTATION DURING AUDIT—Cont'd

Forms—Cont'd

consent forms—Cont'd

period of limitation, consent fixing, Form 872-D, **App. 3L**

S corporation, Form 872-S, **App. 3L**

tax return preparer, Form 872-O, **App. 3L**
copy of tax return, form of request for, **App. 3B**

engagement letter form, **App. 3A**

examination changes, sample form 4549-A, **App. 3F**

Exempt organizations, form of request for copy of, **App. 3B**

IRS request for documents and Form 4564, **App. 3D**

letter of request for documents to IRS, form of, **App. 3C**

notice

deficiency letter, form of, **App. 3G**

proposed adjustment, sample form 5701, **App. 3E**

termination of special consent to extend time to assess tax, **App. 3N**

offer to waive restrictions, Form 870-AD, **App. 3M**

partnership agreement to assessment and collection, form, **App. 3M**

penalty abatement request to different IRS Appeals Division, form of letter of request to transfer, **App. 3P**

privilege log, form, **App. 3Q**

public inspection, form of request for, **App. 3B**

Revenue Procedure 98-25, form, **App. 3R**

S corporation agreement to assessment and collection, form, **App. 3M**

settlement agreement, form of, **App. 3M**

transcript of tax return, form of request for, **App. 3B**

United States Tax Court, form of letter of request for documents to, **App. 3H**

waiver

notice of deficiency letter, form, **App. 3G**

restriction on assessment and collection, Form 870, **App. 3M**

Group managers conference, **3:68**

Identification of audit issues, **3:55**

IDRs, requesting documents from IRS, **3:31**

Income tax changes, Form 886-A- explanation of items, **App. 3G**

Informal advice from Chief Counsel, requesting documents from IRS, **3:36**

Initial interview, **3:10**

Initial notice of audit, requesting documents from IRS, **3:30**

Initiating settlement discussions, **3:61**

IRS interview questions, **3:93**

REPRESENTATION DURING AUDIT—Cont'd

IRS request for documents and Form 4564, **App. 3D**

IRS Restructuring & Reform Act of 1998, **3:6**

Length of period of statute of limitations, **3:75**

Letter of request for documents to IRS, form of, **App. 3C**

Location of interview, **3:12**

Market segment specialization, **3:94**

Mediation and alternative dispute resolution programs

generally, **3:95 to 3:101**

advance pricing agreements, **3:97**

other examination and appeals methods, **3:99**

other pre filing dispute resolution methods, **3:98**

problem solving days, **3:100**

procedures, **3:95**

taxpayer advocate, **3:101**

voluntary binding arbitration, **3:96**

Merits of client's position, **3:15**

Minimum and maximum fees for services, **3:16**

New name: financial status audit, **3:86**

Non responsive documents, **3:83**

Notice

contacting IRS, above

forms, above

Offers

settlement of audit issues, **3:63, 3:67**

waiver of restrictions, Form 870-AD, **App. 3M**

Oral or written communications, **3:42**

Partially agreed cases, **3:65**

Partnership agreement to assessment and collection, form, **App. 3M**

Penalty abatement request to different IRS Appeals Division, form of letter, **App. 3P**

Personal Living Expense (OLE) form, **3:91**

Place of audit, **3:51**

Plans, audit, **3:56**

Power of attorney, **3:18, 3:19, 3:25**

Pre-audit strategy, **3:43**

Preparing for audit interview

generally, **3:44 to 3:49**

document summaries, **3:45**

evaluation of case, **3:48**

realistic evaluation of case, **3:48**

research applicable law, **3:47**

settlement possibilities, discussion of, **3:49**

statute of limitation, examination of, **3:46**

Presence of taxpayer at audit, **3:52**

Privilege log, form, **App. 3Q**

Privileged and confidential matters, generally, **3:8, 3:82**

Problem solving days, **3:100**

Proposed adjustment, notice of, **3:32**

Public inspection, form of request for, **App. 3B**

REPRESENTATION DURING AUDIT—Cont'd

- Purely statistical evidence from third parties, use of, **3:8**
- Realistic evaluation of case, **3:48**
- Referral to another professional, **3:59**
- Refund claims, requesting documents from IRS, **3:29**
- Representative's role at audit, **3:53**
- Representing clients before IRS
 - generally, **3:1 to 3:8**
 - admission to practice before IRS, **3:2**
 - burden of proof, **3:7, 3:8**
 - duties related to practice before IRS, **3:3**
 - financial status audits prohibition, **3:8**
 - IRS Restructuring & Reform Act of 1998, **3:6**
 - privileged and confidential matters, generally, **3:8**
 - purely statistical evidence from third parties, use of, **3:8**
 - restrictions related to practice before IRS, **3:3**
 - standards for advising, **3:4**
 - tax return preparation advice, **3:4**
 - tax shelter opinions, **3:5**
- Requesting documents from IRS, generally, **3:28 to 3:40**
- Research applicable law, **3:47**
- Restrictions related to practice before IRS, **3:3**
- Retaining relevant documents for appeals or litigation, **3:81**
- Retention of document systems, **3:21**
- Revenue Agent's Report (RAR), **3:34, 3:69**
- Revenue Procedure 98-25, form, **App. 3R**
- S corporation agreement to assessment and collection, form, **App. 3M**
- Secretary of Treasury, regulation of audit practice by, generally, **3:2**
- Service center, **3:27**
- Settlement of audit issues
 - generally, **3:60 to 3:69**
 - agreed and partially agreed cases, **3:65**
 - agreement, form of, **App. 3M**
 - closing agreements, **3:66**
 - compromise, offers in, **3:67**
 - group managers conference, **3:68**
 - initiating settlement discussions, **3:61**
 - methods, **3:62**
 - offers, **3:63, 3:67**
 - partially agreed cases, **3:65**
 - Revenue Agent's Report (RAR), **3:69**
 - standard settlements, **3:64**
- Settlement possibilities, discussion of, **3:49**
- Skeptical IRS, **3:92**
- Standard settlements, **3:64**
- Standards for advising clients before IRS, **3:4**
- Statute of limitations
 - assessment date, discovering, **3:77**

REPRESENTATION DURING AUDIT—Cont'd

- Statute of limitations—Cont'd
 - calculating beginning of statute of limitations, **3:74**
 - discovering assessment date, **3:77**
 - exceptions, **3:76**
 - extending and suspending, generally, **3:70 to 3:77**
 - length of period, **3:75**
 - preparing for audit interview, **3:46**
 - waivers vs extensions, **3:71**
 - when not to extend, **3:73**
 - when to extend, **3:72**
- Tax account information, requesting documents from IRS, **3:40**
- Tax Court documents, requesting documents from IRS, **3:39**
- Tax returns
 - preparation advice, **3:4**
 - requesting documents from IRS, **3:29**
- Tax shelter opinions, **3:5**
- Taxpayer advocate, **3:101**
- Taxpayer profile, **3:89**
- Training programs of 1995, **3:84**
- Transcript of tax return, form of request for, **App. 3B**
- Transferring audit, **3:78 to 3:80**
- Trust and competence, establishment of, **3:54**
- United States Tax Court, form of letter of request for documents to, **App. 3H**
- Voluntary binding arbitration, **3:96**
- Waiver
 - forms, above
 - statute of limitations, **3:71**

REPRIMAND OF PRACTITIONER

- Disciplinary proceedings for practitioners, **6:62**

RESIDENTIAL SEIZURES

- Taxpayer rights, **8:63**

RESPONSES

- Disciplinary proceedings for practitioners, response of practitioner, **6:60**
- Tax court litigation, response of taxpayer, **10:21**

RESTRICTIONS

- Representation during audit, **3:3**

RETAIL BUSINESSES

- Specialized audit procedures, **4:31**

RETAINED EARNINGS

- Selection of tax returns for audit, **1:25**

RETAINING RELEVANT DOCUMENTS

- Representation during audit, **3:81**

RETURN OF LEVIED PROPERTY

- Generally, **8:67**

RETURN PREPARERS

See index heading TAX RETURN PREPARERS

REVENUE AGENT'S REPORT (RAR)

Representation during audit, **3:34, 3:69**

REVOCATION

See index heading SUSPENSION OR REVOCATION

RISK OF LOSS

Independent contractor employee examination program, **11:9**

S

S CORPORATIONS

Audits, **4:27**

IRM requirements, **4:26**

Representation during audit, **App. 3M**

Specialized audit procedures, generally, **4:24 to 4:27**

Tax years on or before December 31, 1996, **4:24**

SAFE HARBOR

Independent contractor employee examination program, **11:14, App. 11B**

SB/SE ACTIVITIES

Appeals, **9:2**

Audit system, **2:19**

SCHEDULE C ISSUES

Selection of tax returns for audit, **1:22**

SECRETARY OF TREASURY

Representation during audit, **3:2**

SECTION 530 OF REVENUE ACT OF 1978

Independent contractor employee examination program

generally, **11:13 to 11:22**

for detailed treatment see index heading INDEPENDENT CONTRACTOR EMPLOYEE EXAMINATION PROGRAM

SECURITIES BROKERS

Specialized audit procedures, **4:32**

SELECTION OF TAX RETURNS FOR AUDIT

Generally, **1:1 to 1:69**

Abusive schemes, **1:62**

Abusive schemes and groups, **1:63**

Accounting method change, balance sheet issues, **1:25**

Alleged churches, tax protestor schemes, **1:47**

Audit activity codes, **App. 1B**

Audit penetration

generally, **1:2 to 1:7**

corporations, **1:6**

individuals by income, **1:4**

partnerships, **1:7**

SELECTION OF TAX RETURNS FOR AUDIT

—Cont'd

Audit penetration—Cont'd

revenue from audits, **1:3**

self-employed Schedule C taxpayers, **1:5**

Audit plans, **1:12**

Balance sheet issues, **1:9, 1:25**

Blank form 1040, tax protestor schemes, **1:47**

Broad initiative, new fairness safeguards, **1:56**

Business v non-business returns, **1:10**

Calibration audits, **1:35**

Capital accounts, balance sheet issues, **1:25**

Capital assets issues, **1:19**

Casualty losses as red flag, **1:9**

Centralized Data Environment (CDE), **1:52**

Centralized storage, **1:26**

Charitable contributions, omission of form as red flag, **1:9**

Checklist, **1:15**

Classification

generally, **1:14 to 1:26**

accounting method change, balance sheet issues, **1:25**

balance sheet issues, **1:25**

capital accounts, balance sheet issues, **1:25**

capital assets issues, **1:19**

centralized storage, **1:26**

checklist, **1:15**

corporate returns, **1:23**

employee business expense issues, **1:21**

exemptions, **1:18**

field examination issues, **1:17**

individual returns, **1:16**

inventories, balance sheet issues, **1:25**

investments, balance sheet issues, **1:25**

itemized deduction issues, **1:18**

loans, balance sheet issues, **1:25**

paid-in surplus, balance sheet issues, **1:25**

profit and loss issues, **1:24**

retained earnings, balance sheet issues, **1:25**

Schedule C issues, **1:22**

unreported income issues, **1:20**

Compliance letters, new audit priorities of IRS, **1:60**

Components of compliance measurement, **1:37**

Computer Discriminant Function System (DIF), generally, **1:8 to 1:11**

Constitutional basis, tax protestor schemes, **1:47**

Corporations

audit penetration, **1:6**

balance sheet, failure to file as red flag, **1:9**

returns, classification, **1:23**

Correspondence, **1:35**

Currency transaction reports, **1:41**

Data system problems, **1:40**

SELECTION OF TAX RETURNS FOR AUDIT —Cont'd

- Delinquency check programs, **1:50 to 1:53**
- Discriminant Function System (DIF), generally, **1:8 to 1:11**
- Document matches, **1:39**
- Employee business expense issues, **1:21**
- Enforcement and service results, **App 1F**
- Enforcement statistics, **App. 1C**
- Examination
 - coverage and results, **App. 1A**
 - reengineering, new audit priorities of IRS, **1:66 to 1:69**
- Exemptions, **1:18**
- Fair market value, tax protestor schemes, **1:47**
- Family asset trusts, tax protestor schemes, **1:47**
- FedState initiative procedures, **1:53**
- Fewer face-to-face audits, **1:32**
- Field examination issues, **1:17**
- Foreign bank or trust companies, **1:9, 1:47**
- Gold/silver standard, tax protestor schemes, **1:47**
- High income non-filers, **1:64**
- Historic background
 - National Research Program (NRP), **1:27**
- Increased audit resources, **1:55**
- Individual returns, classification, **1:16**
- Informants, **1:42**
- Inventories, balance sheet issues, **1:25**
- Investments, balance sheet issues, **1:25**
- Itemized deduction issues, **1:18**
- Law enforcement agencies, **1:49**
- Less intrusive audits, **1:35**
- Loans, balance sheet issues, **1:25**
- Lottery of audits, **1:1**
- Missing schedules as red flags, **1:9**
- National Research Program (NRP), **1:28**
- Need for compliance measurement, **1:29**
- New audit priorities of IRS
 - generally, **1:54 to 1:69**
 - abusive scheme groups, **1:63**
 - abusive schemes, **1:62**
 - compliance letters, **1:60**
 - exam reengineering, **1:66 to 1:69**
 - goals of exam reengineering project, **1:68**
 - high income non-filers, **1:64**
 - increased audit resources, **1:55**
 - partnerships leveraging Artificial Intelligence (AI), **1:59**
 - Prioritization of high-income cases, **1:58**
 - Priority areas for targeted compliance work, **1:61**
 - unreported income, **1:65**
 - why is IRS undertaking exam reengineering project, **1:69**

SELECTION OF TAX RETURNS FOR AUDIT —Cont'd

- New fairness safeguards
 - broad initiative, **1:56**
- Nonfilers, **1:45**
- Nonpayment protest, tax protestor schemes, **1:47**
- Other audit selection methods, generally, **1:38 to 1:49**
- Paid-in surplus, balance sheet issues, **1:25**
- Partnerships, audit penetration, **1:7**
- Partnerships leveraging Artificial Intelligence (AI), **1:59**
- Prioritization of high-income cases, **1:58**
- Profit and loss issues, **1:24**
- Ratios of Discriminant Function System (DIF), **1:11**
- Reciprocity with other taxing bodies, **1:44**
- Red flags for Discriminant Function System (DIF), **1:9**
- Reducing time and burden, Taxpayer Compliance Measurement Program (TCMP) audits, **1:31**
- Referrals by other IRS personnel, **1:43**
- Report of cash payments over \$10,000, Form 8300, **App. 1D**
- Retained earnings, balance sheet issues, **1:25**
- Return preparer program, **1:46**
- Returns filed, **App. 1A**
- Revenue from audits, **1:3**
- Reward for original information, form of application for, Form 211, **App. 1E**
- Road map for selecting future audits, **1:33**
- Schedule C issues, **1:22**
- Self-employment tax, **1:5**
- Size of refund as red flag, **1:9**
- Special programs, **1:48**
- Tax protestors, **1:47**
- Taxpayer Compliance Measurement Program (TCMP) audits
 - generally, **1:27 to 1:37**
 - calibration audits, **1:35**
 - components of compliance measurement, **1:37**
 - correspondence with taxpayers, **1:35**
 - differences from TCMP, **1:34**
 - fewer face-to-face audits, **1:32**
 - four main categories to be audited, **1:35**
 - Historic background, **1:27**
 - less intrusive audits, **1:35**
 - National Research Program (NRP), **1:28**
 - Need for compliance measurement, **1:29**
 - reducing time and burden, **1:31**
 - road map for selecting future audits, **1:33**
 - three key areas, **1:30**
 - working with practitioners, **1:36**
- Taxpayer rights, **8:26**
- Three key areas, Taxpayer Compliance Measurement Program (TCMP) audits, **1:30**

SELECTION OF TAX RETURNS FOR AUDIT

—Cont'd

- Total Gross Receipts (TGR), generally, **1:8**
- Total Positive Income (TPI), generally, **1:8**
- Unreported income, **1:20, 1:65**
- Vow of poverty, tax protestor schemes, **1:47**
- Why is IRS undertaking exam reengineering project, **1:69**
- Working with practitioners, **1:36**

SELF-EMPLOYMENT TAX

- Selection of tax returns for audit, **1:5**

SELF-INCRIMINATION PRIVILEGE

- Investigation tools of IRS, **7:52**

SEPARATED SPOUSES

- Taxpayer rights, **8:110**

SEQUENCE OF WORK DONE

- Independent contractor employee examination program, **11:9**

SERVICE CAMPUSES

- Audit system, **2:3**

SERVICE CENTER

- Representation during audit, **3:27**

SERVICE OF PROCESS

- Investigation tools. See index heading INVESTIGATION TOOLS OF IRS

SET HOURS OF WORK

- Independent contractor employee examination program, **11:9**

SETTLEMENT

- See index heading COMPROMISE AND SETTLEMENT

SIX YEARS OF RETURNS

- Audit system, **2:102**

SIZE OF REFUND

- Selection of tax returns for audit, **1:9**

SMALL BUSINESS JOBS PROTECTION ACT

- Independent contractor employee examination program, **11:24**

SMALL BUSINESSES

- Audit system, **2:10, 2:12**
- Specialized audit procedures, **4:50**

SMALL PARTNERSHIP EXCEPTION

- Partnership return audits, **4:4**

SMALL TAX COURT - "S" COURT

- Generally, **10:11 to 10:15**
- Finality of decision, **10:15**
- Pleadings, **10:14**
- Prerequisites, **10:12**
- Proceedings, **10:13**

SOUND RECORDING ENHANCEMENTS

- Fraud, **5:29**

SPECIAL ABATEMENT RULES

- Independent contractor employee examination program, **11:33 to 11:35**

SPECIAL PROGRAMS

- Selection of tax returns for audit, **1:48**

SPECIALIZED AUDIT PROCEDURES

- Generally, **4:1 to 4:51**
- APA process for small businesses, **4:50**
- Attorney interview sheet, form of, **App. 4C**
- Bipartisan Budget Act of 2015, **4:51**
- Brokers, guidelines for, **4:32**
- Commercial credit agencies, **4:36**
- Commodities brokers, guidelines for, **4:32**
- Computer audit specialists, **4:34**
- Construction business, guidelines for, **4:34**
- Coordinated industry case. See index heading COORDINATED INDUSTRY CASE
- Economists specialists, **4:34**
- Employment tax specialists, **4:34**
- Engineers specialists, **4:34**
- Excise tax specialists, **4:34**
- Financial industries, **4:36**
- Guidelines for audits of specialized industries, generally, **4:28 to 4:36**
- Independent contractor classification, **4:49**
- Insurance companies, guidelines for, **4:30**
- Internal Revenue Manual guidelines, **4:29**
- International examiners specialists, **4:34**
- Investment companies, **4:36**
- IRS examination program letter, **4:45**
- Market segment. See index heading MARKET SEGMENT SPECIALIZATION PROGRAM
- Mutual funds, **4:36**
- Oil and gas, guidelines for, **4:35**
- Other specialized programs, **4:45 to 4:51**
- Partnerships. See index heading PARTNERSHIP RETURN AUDITS
- Pollution control facilities, **4:36**
- Private collection, **4:46**
- Public utilities, guidelines for, **4:29**
- Railroads, **4:33, 4:36**
- Real estate business, guidelines for, **4:34**
- Retail businesses, guidelines for, **4:31**
- S corporations, **4:24 to 4:27**
- Securities brokers, guidelines for, **4:32**
- Small businesses, **4:50**
- Special procedures, generally, **4:1**
- Taxicab gross receipts formula, form, **App. 4E**
- TEFRA, form of tax rules for, **App. 4B**
- Tip income, **4:47**
- Trucking question list, form, **App. 4C**
- Valuation, **4:48**

SPECTROGRAPHS

Fraud, **5:29**

SPOUSES

Fraud, spousal liability, **5:17, 5:18**

Innocent spouse. See index heading **INNOCENT SPOUSE, ABOVE**

Partnership return audits, **4:6**

STAFFING DISTRIBUTION

Audit system, **2:10**

START OF AUDIT PROCESS (NBAP)

Partnership return audits, **4:2, 4:13**

STATE TESTS

Independent contractor employee examination program, **11:12**

STATISTICAL INFORMATION

Taxpayer rights, **8:18**

STATUTE OF LIMITATIONS

Fraud, **5:7, 5:23**

Independent contractor employee examination program, **11:34**

Investigation tools. See index heading **INVESTIGATION TOOLS OF IRS**

Partnership return audits, **4:22**

Representation during audit. See index heading **REPRESENTATION DURING AUDIT**

Tax court litigation, **10:20**

Taxpayer rights, **8:39, 8:127**

STATUTORY EMPLOYEES

Independent contractor employee examination program, **11:41**

STATUTORY REGULATION OF INCOME TAX RETURN PREPARERS

Practitioner's role and ethical concerns generally, **6:23 to 6:35**

for detailed treatment see index heading **PRACTITIONER'S ROLE AND ETHICAL CONCERNS**

SUBSECTION D

Independent contractor employee examination program, **11:28**

SUBSTITUTE FOR RETURNS

Partnership return audits, **4:18**

SUMMARY OF EMPLOYMENT TAX AUDITS

Independent contractor employee examination program, **11:59, 11:60, App. 11H**

SUMMONS

Taxpayer rights

generally, **8:100 to 8:105**

for detailed treatment see index heading **TAXPAYER RIGHTS**

SUSPENSION OR REVOCATION

Disciplinary proceedings for practitioners, **6:63, 6:65, 6:66**

Taxpayer rights. See index heading **TAXPAYER RIGHTS**

T

TABLES OF CASES

Tax court litigation, **App. 10S**

TARGETED COMPLIANCE WORK

Selection of tax returns for audit, **1:61**

TAX ADVISOR, PRACTITIONER AS

Generally, **6:39 to 6:53**

Abusive tax shelter, **6:47**

Definitions, **6:46**

Ethics standard, **6:42**

Evaluation of validity of tax shelter, **6:51**

Factual basis for opinion letter, **6:50**

Good faith ethics standard, **6:42**

Mistakes, advising clients of, **6:44**

Nonstatutory regulation, **6:41**

Nontax shelter issues, **6:40**

Opinion letter, **6:48 to 6:50**

Penalties, **6:52**

Penalties, advising clients of, **6:43**

Registration of tax shelter, **6:53**

Statutory regulation of income tax return preparers, **6:27**

Tax shelter issues, generally, **6:45 et seq**

TAX COURT

Generally, **10:16 to 10:26**

Accumulated earnings, **10:24**

Age of pending cases, **App. 10Q**

Appeals, **9:7, 10:28, App. 10T**

Audit system, **2:80**

Burden of proof, **10:23, 10:24**

Cases petitioned to Tax Court, **App. 10W**

Cases tried and decided by Tax Court, **App. 10U**

Collection due process in Tax Court, **App. 10AB**

Decision making authority, **10:27 to 10:29**

Deficiency, **10:17, 10:18**

Discovery rules, **App. 7E**

Disposals by Tax Court, **App. 10V, App. 10X**

Dollars in dispute, inventory, **App. 10M**

Due process in Tax Court, **App. 10AB**

Fee, **10:21**

Filing requirements, **10:21, 10:24**

Finality of decision, **10:29**

Fraud issue, **10:24**

Inventory

age of pending cases, **App. 10Q**

dollars in dispute, **App. 10M**

TAX COURT—Cont’d

- Inventory—Cont’d
 - receipts, closures, and inventory, **App. 10N to 10P**
- Jurisdiction
 - generally, **10:16**
 - independent contractor employee examination program
 - generally, **11:50 to 11:54**
 - for detailed treatment see index heading **INDEPENDENT CONTRACTOR EMPLOYEE EXAMINATION PROGRAM**
 - Litigation, generally, **10:16 to 10:26**
 - Mailing requirements, **10:19**
 - Ninety day letter, notice of Deficiency, **10:18**
 - Notice of Deficiency, **10:18**
 - Petition in Tax Court, form of, **App. 10F**
 - Procedure, **10:25**
 - Receipts, closures, and inventory, **App. 10N to 10P**
 - Response of taxpayer, **10:21**
 - Service’s response, **10:22**
 - Sources of cases petitioned to Tax Court, **App. 10R**
 - Statute of limitations, **10:20**
 - Tables of cases petitioned to Tax Court, **App. 10S**
 - Taxpayer rights
 - generally, **8:49 to 8:55**
 - for detailed treatment see index heading **TAXPAYER RIGHTS**
 - Videotaping, **10:26**
 - Wrongful conduct by foundation manager, **10:24**

TAX DUE NOTICE

- Taxpayer rights, **8:31 to 8:33**

TAX EXEMPT AND GOVERNMENT ENTITIES (TE/GE)

- Audit system, **2:6, 2:10, 2:15**

TAX LITIGATION

- See index heading **LITIGATION**

TAX MATTERS PARTNER (TMP)

- Partnership return audits, **4:2, 4:9, 4:16**

TAX PROTESTS

- See index heading **PROTESTS**

TAX RETURN PREPARERS

- Fraud, **5:34**
- Selection of tax returns for audit, **1:46**
- Tax identification numbers—Notice 2011-6, **App. 6H**

TAX SHELTERS

- Abuses. See index heading **ABUSES AND ABUSIVE TAX SHELTERS**
- Tax advisor, practitioner as, **6:45 et seq**

TAX TREATY SUMMONS

- Investigation tools of IRS, **7:60**

TAXICABS

- Specialized audit procedures, **App. 4E**

TAXPAYER ADVOCATE

- Audit system
 - generally, **2:85 to 2:97**
 - for detailed treatment see index heading **AUDIT SYSTEM**
- Representation during audit, **3:101**

TAXPAYER ASSISTANCE ORDER DATA

- Taxpayer rights, **App. 8F**

TAXPAYER COMPLIANCE MEASUREMENT PROGRAM (TCMP) AUDITS

- Selection of tax returns for audit
 - generally, **1:27 to 1:37**
 - for detailed treatment see index heading **SELECTION OF TAX RETURNS FOR AUDIT**

TAXPAYER PROFILE

- Representation during audit, **3:89**

TAXPAYER RIGHTS

- Generally, **8:1 to 8:145**
- Abatement of interest, **8:53**
- Administrative appeal of liens
 - generally, **8:78 to 8:83**
 - collection activities, **8:83**
 - judicially identified situation, **8:81**
 - nominee liens, **8:82**
 - procedure, **8:79**
 - situations appropriate for appeals, **8:80**
- Administrative costs, **8:42, 8:48**
- Administrative procedures, exhaustion of, **8:91**
- Amount of liability, **8:76**
- Appeals
 - compromise offers, **8:142**
 - early referral to, **8:23**
 - IRS Publication 556, **App. 8B**
 - levies, **8:72, 8:77**
 - liens. Administrative appeal of liens, above
 - prior rights to, **8:70**
 - rights, generally, **8:72, App. 8B**
 - Your Appeal Rights and How to Prepare a Protest if You Don’t Agree, IRS publication No. 5, **App. 8D**
- Assistance orders
 - generally, **8:34 to 8:40**
 - application for, Form 911, **App. 8E**
 - consideration of request for TAO, **8:40**
 - expansion of authority to issue orders, **8:36**
 - hardship, **8:37**
 - National Taxpayer Advocate, generally, **8:34**
 - nonexclusive, **8:38**

TAXPAYER RIGHTS—Cont'd

- Assistance orders—Cont'd
 - ombudsman, generally, **8:34**
 - procedure for requesting Taxpayer Assistance Order (TAO), **8:35**
 - significant hardship, **8:37**
 - statute of imitations, **8:39**
 - Taxpayer Assistance Order Data, **App. 8F**
- Attorneys' fees, **8:45**
- Audit, rights during, generally, **8:5 to 8:29**
- Bill of rights 2, **8:2**
- Burden of proof, **8:16**
- Civil damages for unauthorized collection actions, **8:85 to 8:88**
- Coercing tip reporting alternative commitment agreements, **8:20**
- Collection
 - generally, **8:56 to 8:77**
 - appeal of liens, **8:83**
 - understanding of collection process, IRS Pub 594, **App. 8G**
- Compromise offers
 - generally, **8:136 to 8:145**
 - appeal rights, **8:142**
 - collection related provisions, **8:68**
 - default by one spouse, **8:143**
 - doubt as to liability offers, **8:144**
 - joint offer, **8:143**
 - levy, **8:137**
 - levy, prohibition of, **8:137**
 - minimum offer standards, **8:140**
 - more liberal policies, **8:139**
 - prior policy, **8:141**
 - prohibition of levy, **8:137**
 - promoting effective tax administration, **8:145**
 - rejections, **8:138**
- Confidentiality privilege, **8:29**
- Consultation right, **8:8**
- Contribution, right to, **8:96**
- Costs, **8:42, 8:46, 8:48**
- Credit of overpayments, **8:21**
- Criteria for examination selection, disclosure of, **8:25**
- Damages for unauthorized collection actions, **8:85 to 8:88**
- Deadlines for filing tax court petition, **8:32**
- Declaratory judgment, **8:45**
- Default by one spouse, **8:143**
- Deficiency notice, content of, **8:31 to 8:33**
- Delivery of notice of penalty, **8:134**
- Deposits, designation of, **8:131**
- Designated summons, **8:105**
- Designation of tax deposits, **8:131**
- Disability, suspension of statute of limitations on filing refund claims during periods of, **8:127**
- Disclosure, **8:6, 8:25, 8:95**

TAXPAYER RIGHTS—Cont'd

- Divorced spouses, **8:110**
- Doubt as to liability offers, **8:144**
- Due process, **8:69**
- Early referral to Appeals, **8:23**
- Economic hardship as ground for equitable relief, **8:116**
- Election to allocate, **8:109**
- Elimination of interest differential, **8:128**
- Enforcement results, **8:84**
- Engineering reports, **8:45**
- Enhanced privacy rights, **8:104**
- Equal Access to Justice Act, **8:47**
- Equitable relief for innocent spouses, **8:111, 8:113, 8:114, 8:116**
- Equivalent hearings, **8:74**
- Examination process, IRS Publication 3498, **App. 8C**
- Exceptions, **8:75**
- Executive branch influence over taxpayer audits, prohibition of, **8:15**
- Exemptions from levy, **8:64, 8:65**
- Exhaustion of remedies, **8:43, 8:90, 8:91**
- Expansion of authority to issue assistance orders, **8:36**
- Expansion of streamlined installment agreements, **8:59**
- Expert witnesses, **8:45**
- Fees, recovery of
 - generally, **8:41 to 8:48**
 - administrative costs, **8:42, 8:48**
 - attorneys' fees, **8:45**
 - costs, **8:42, 8:46, 8:48**
 - declaratory judgment, **8:45**
 - engineering reports, **8:45**
 - Equal Access to Justice Act, **8:47**
 - exhaustion of administrative remedies, **8:43**
 - expert witnesses, **8:45**
 - limitations on recovery, **8:47**
 - prevailing party, **8:44**
 - reasonable litigation costs, **8:46**
- Financial status audit techniques, limitation on, **8:19**
- Former wife, challenging grant of innocent spouse relief to, **8:120**
- Fraudulent information return penalties, **8:12**
- Frivolous litigation, **8:88**
- Guaranteed availability of installment agreements, **8:58**
- Hardship, assistance orders, **8:37**
- Hearing, **8:71, 8:74**
- Impartial hearing, **8:71**
- Increase in overpayment rate payable to taxpayers other than corporations, **8:129**
- Information returns, **8:12, 8:13**

TAXPAYER RIGHTS—Cont'd

Innocent spouses, relief for
generally, **8:106 to 8:126**
circumstances under which equitable relief will
be granted, **8:114**
distinction between “should have known” and
“knew,” **8:119**
divorced spouses, **8:110**
economic hardship as ground for equitable
relief, **8:116**
election to allocate, **8:109**
eligibility for equitable relief, **8:113**
equitable relief, **8:111, 8:113, 8:114, 8:116**
factors to determine whether to grant equitable
relief, **8:116**
Form 8857, **8:123, App. 8H**
former wife, challenging grant of innocent
spouse relief to, **8:120**
innocent spouse, generally, **8:107**
intervention, **8:121, 8:126**
IRS Pub 971 and Form 8857, **App. 8H**
“items giving rise to deficiency,” **8:122**
jurisdiction of Tax Court, **8:118**
knowledge. Notice or knowledge, below in this
group
limitations, **8:115**
living apart spouses, **8:110**
nonelecting spouse, rights of, **8:120, 8:121**
notice or knowledge
generally, **8:108**
intervention and notice, **8:126**
putative guilty spouse, notice to, **8:124**
Publication 971, **8:123**
refunds, **8:117**
Revenue Procedure 2013-34, **8:112**
separated spouses, **8:110**
“stand alone” petition, jurisdiction to deny
relief in, **8:118**
Tax Court, **8:125**
Installment agreements, **8:58 to 8:60, 8:130**
Interest and penalty changes
generally, **8:128 to 8:135**
delivery of notice of penalty, **8:134**
deposits, designation of, **8:131**
designation of tax deposits, **8:131**
elimination of interest differential, **8:128**
increase in overpayment rate payable to
taxpayers other than corporations, **8:129**
installment agreement, mitigation of penalty,
8:130
mitigation of penalty, **8:130**
notice requirements, **8:135**
overpayment rate, increase in, **8:129**
procedural requirements, **8:28, 8:133**
suspension of interest and penalties, **8:27,**
8:132

TAXPAYER RIGHTS—Cont'd

Interest and penalty changes—Cont'd
tax court provisions, **8:52, 8:53**
Intervention, innocent spouses, **8:121, 8:126**
Interviews, **8:7, 8:10**
IRS Pub 971 and Form 8857, **App. 8H**
IRS Publication 556, **App. 8B**
IRS Restructuring & Reform Act of 1998, **8:4**
IRS right to summons, **8:101**
Jeopardy, **8:92**
Joint compromise offers, **8:143**
Judicial review. Appeals, above
Judicially identified situation, **8:81**
Jurisdiction of Tax Court, **8:118**
Levy
appeal rights, **8:72**
compromise offers, **8:137**
exemptions from, **8:64, 8:65**
judicial review of levies, **8:77**
notice of intent to levy, **8:73**
release of levy, **8:65**
return of levied property, **8:67**
trust fund recovery penalty modifications, **8:99**
Liens
appeal of liens, above
release of lien, failure as to, **8:89**
Limitations and restrictions
damages for unauthorized collection actions,
8:87
fees, recovery of, **8:47**
financial status audit techniques, **8:19**
innocent spouses, relief for, **8:115**
Living apart spouses, relief for, **8:110**
Local offices, **8:24**
Mail, summons by, **8:102**
Minimum offer standards, **8:140**
Mitigation of penalty, **8:130**
Modifications of installment agreements, **8:60**
National Taxpayer Advocate, generally, **8:34**
New taxpayer protection, **8:3**
Nominee liens, **8:82**
Nonelecting spouse, rights of, **8:120, 8:121**
Nonexclusive assistance orders, **8:38**
Nonfiler returns of overpayment, **8:55**
Notice or knowledge
content of tax due, deficiency and other
notices, **8:31 to 8:33**
innocent spouses, relief for, above
intent to levy, **8:73**
interest and penalty changes, **8:135**
payment after notice and demand, **8:54**
summons modifications, **8:103**
thirty day notice provision, **8:61**
unlawful inspection, **8:14**
Ombudsman, generally, **8:34**

TAXPAYER RIGHTS—Cont'd

- Omnibus taxpayer bill of rights, generally, **8:1 to 8:4**
- Overpayments, **8:21, 8:51, 8:55, 8:129**
- Payment after notice and demand, **8:54**
- Payment agreements, **8:57**
- Penalties. Interest and penalty changes, above
- Place of audit, **8:11**
- Premature assessments, **8:50**
- Prior procedure, **8:22**
- Prior rights to appeal, **8:70**
- Privacy rights, **8:104**
- Prohibition of levy, **8:137**
- Public information requirements, **8:98**
- Publication 971, **8:123**
- Quash motions, **8:100**
- Reasonable investigation of information returns, **8:13**
- Recording interview, **8:10**
- Redetermination of interest, **8:52**
- Refunds
 - innocent spouses, relief for, **8:117**
 - IRS Publication 556, **App. 8B**
 - overpayments, **8:21**
 - trust fund recovery penalty modifications, **8:99**
- Rejections of compromise offers, **8:138**
- Release or discharge, **8:65, 8:89**
- Reliance on written advice of IRS, **8:30**
- Representation right, **8:9**
- Residential seizures, **8:63**
- Restrictions. Limitations and restrictions, above
- Return of levied property, **8:67**
- Revenue Procedure 2013-34, **8:112**
- Revocation. Suspension or revocation, below
- Selection for audit, **8:26**
- Separated spouses, **8:110**
- Significant hardship, assistance orders, **8:37**
- Spouses. Innocent spouses, relief for, above
- “Stand alone” petition, jurisdiction to review denial of innocent spouse relief in, **8:118**
- Statistical information, **8:18**
- Statute of limitations, **8:39, 8:127**
- Statutory notice of deficiency, **8:33**
- Streamlined installment agreements, expansion of, **8:59**
- Summons modifications
 - generally, **8:100 to 8:105**
 - designated summons, **8:105**
 - enhanced privacy rights, **8:104**
 - IRS right to summons, **8:101**
 - mail, summons by, **8:102**
 - notice of IRS contact of third parties, **8:103**
 - privacy rights, **8:104**
 - quash motions, **8:100**
 - third-party summons, quash motions for, **8:100**

TAXPAYER RIGHTS—Cont'd

- Suspension or revocation
 - interest and penalties, **8:27, 8:132**
 - statute of limitations, **8:127**
- Tax court provisions
 - generally, **8:49 to 8:55**
 - abatement of interest, **8:53**
 - innocent spouses, relief for, **8:125**
 - interest, **8:52, 8:53**
 - nonfiler returns of overpayment, **8:55**
 - overpayment determinations, **8:51, 8:55**
 - payment after notice and demand, **8:54**
 - premature assessments, **8:50**
 - redetermination of interest, **8:52**
- Tax due notice, content of, **8:31 to 8:33**
- Taxpayer Assistance Order Data, **App. 8F**
- Temporary regulations., expiration of, **8:93**
- Third-party summons, quash motions for, **8:100**
- Thirty day notice provision, **8:61**
- Threat of audit, **8:20**
- Time or date
 - audit, time of, **8:11**
- Tip reporting alternative commitment agreements, coercion of, **8:20**
- Trust fund recovery penalty modifications
 - generally, **8:94 to 8:99**
 - contribution, right to, **8:96**
 - disclosure of information, **8:95**
 - levy prohibited during pendency of refund proceedings, **8:99**
 - public information requirements, **8:98**
 - refund proceedings, levy prohibited during pendency of, **8:99**
 - voluntary board members of tax exempt organizations, **8:97**
- Twenty-one day holding period, **8:62**
- Unauthorized collection actions, damages for, **8:85 to 8:88**
- Voluntary board members of tax exempt organizations, **8:97**
- Your Appeal Rights and How to Prepare a Protest if You Don't Agree, IRS publication No. 5, **App. 8D**
- Your Rights as a Taxpayer, IRS publication No. 1, **App. 8A**

TECHNICAL ADVISORS

- Coordinated industry case, **4:41**

TEFRA

- Audit system, **2:38**
- Partnerships. See index heading PARTNERSHIP
- RETURN AUDITS
- Specialized audit procedures, **App. 4B**

TE/GE ACTIVITIES

- Appeals, **9:2**

INDEX TO TEXT

TE/GE ACTIVITIES—Cont'd

Independent contractor employee examination program, **11:46**

TEMPORARY REGULATIONS

Taxpayer rights, **8:93**

TERMINATION

Independent contractor employee examination program, **11:9**

THEFT LOSSES

Audit system. See index heading **AUDIT SYSTEM**

THIRD-PARTY CONTACTS

Investigation tools of IRS, **7:6 to 7:13**

THIRD-PARTY SUMMONS

Investigation tools of IRS
generally, **7:22 to 7:29**
for detailed treatment see index heading
INVESTIGATIVE TOOLS OF IRS
Taxpayer rights, **8:100**

31 CFR PART 10 FINAL REGULATIONS

Practitioner's role and ethical concerns, **App. 6A**

THIRTY DAY NOTICE

Appeals, **9:10**
Taxpayer rights, **8:61**

THREAT OF AUDIT

Taxpayer rights, **8:20**

THREE PARTY AGREEMENTS

Independent contractor employee examination program, **11:42**

TIERED PARTNERSHIPS

Partnership return audits, **4:5**

TIME OR DATE

Choice of forum, **10:6**
Investigation tools of IRS, **7:20**
Taxpayer rights. See index heading **TAXPAYER RIGHTS**

TIP INCOME

Specialized audit procedures, **4:47**
Taxpayer rights, **8:20**

TOOLS SUPPLIED

Independent contractor employee examination program, **11:9**

TOTAL GROSS RECEIPTS (TGR)

Selection of tax returns for audit, **1:8**

TOTAL POSITIVE INCOME (TPI)

Selection of tax returns for audit, **1:8**

TRAINING

Independent contractor employee examination program, **11:9**

TRAINING PROGRAMS OF 1995

Representation during audit, **3:84**

TRANSCRIPT OF TAX RETURN

Representation during audit, **App. 3B**

TRANSFERRING AUDIT

Representation during audit, **3:78 to 3:80**

TREASURY DEPARTMENT CIRCULAR NO. 230

Practitioner's role and ethical concerns, **App. 6A**

TRUCKING

Specialized audit procedures, **App. 4C**

TRUST AND COMPETENCE

Representation during audit, **3:54**

TRUSTS AND TRUSTEES

Practitioner's role and ethical concerns, **6:19**
Taxpayer rights. See index heading **TAXPAYER RIGHTS**
Trust fund recovery penalty
generally, **11:55 to 11:58**
for detailed treatment see index heading **INDEPENDENT CONTRACTOR EMPLOYEE EXAMINATION PROGRAM**

U

UNAUTHORIZED COLLECTION ACTIONS

Taxpayer rights, **8:85 to 8:88**

UNDELIVERABLE CORRESPONDENCE

Audit system, **2:30**

UNDERPAYMENT

Fraud, **5:3**

UNDERSTATEMENT OF INCOME

Fraud, **5:9**
Practitioner's role and ethical concerns, **6:30**

UNEMPLOYMENT TAX

Independent contractor employee examination program, **App. 11I**

UNETHICAL CLIENTS

Practitioner. See index heading **PRACTITIONER'S ROLE AND ETHICAL CONSIDERATIONS**

UNITED STATES TAX COURT

See index heading **TAX COURT**
Representation during audit, **App. 3H**

UNREPORTED INCOME

Audit system, **2:53**
Selection of tax returns for audit, **1:20, 1:65**

V

VALUATION

Specialized audit procedures, **4:48**

VERIFICATION

Appeals, **9:20**

VIDEOTAPING

Tax court litigation, **10:26**

VOLUNTARY BINDING ARBITRATION

Representation during audit, **3:96**

**VOLUNTARY SUSPENSION OF
PRACTITIONER**

Disciplinary proceedings for practitioners, **6:66**

VOW OF POVERTY

Selection of tax returns for audit, **1:47**

W

WAGE AND INVESTMENT (W&I)

Audit system, **2:10, 2:11**

WAGE ISSUES

Independent contractor employee examination
program, **11:42**

WAIVER

Appeals, **9:7**

Fraud, **App. 5A**

Investigation tools of IRS, **7:48**

Representation during audit. See index heading
REPRESENTATION DURING AUDIT

WHIPSAW CASES

Appeals, **9:8**

WILLFUL ATTEMPT

Fraud, **5:21**

WITHDRAWAL FROM REPRESENTATION

Practitioner's role and ethical concerns, **6:54 to
6:56**

WORK PRODUCT PRIVILEGE

Investigation tools of IRS, **7:49**

WRITTEN DECLARATION

Practitioner's role and ethical concerns, **6:8**

WRITTEN PROTEST REQUIREMENT

Appeals

generally, **9:10 to 9:15**

for detailed treatment see index heading

APPEALS