

**AMENDMENT IN THE NATURE OF A SUBSTITUTE  
TO H.R. 998  
OFFERED BY MR. SMITH OF MISSOURI**

Strike all after the enacting clause and insert the following:

1 **SECTION 1. SHORT TITLE.**

2       This Act may be cited as the “Internal Revenue Serv-  
3 ice Math and Taxpayer Help Act”.

4 **SEC. 2. IMPROVEMENT OF NOTICES OF MATH OR CLERICAL**

5                               **ERROR.**

6       (a) IN GENERAL.—Section 6213(b)(1) of the Internal  
7 Revenue Code of 1986 is amended—

8               (1) by striking “ERRORS.—If the taxpayer” and  
9 inserting “ERRORS.—

10                               “(A) IN GENERAL.—If the taxpayer”,

11               (2) by striking “Each notice” in the second sen-  
12 tence and inserting “Subject to subparagraph (B),  
13 each notice”, and

14               (3) by adding at the end the following new sub-  
15 paragraph:

16                               “(B) SPECIFICITY OF MATH OR CLERICAL  
17 ERROR NOTICE.—

1                   “(i) IN GENERAL.—The notice pro-  
2                   vided under subparagraph (A) shall—

3                               “(I) be sent to the taxpayer’s last  
4                   known address,

5                               “(II) describe the mathematical  
6                   or clerical error in comprehensive,  
7                   plain language, including—

8                                       “(aa) the type of error,

9                                       “(bb) the section of this title  
10                   to which the error relates,

11                                      “(cc) a description of the  
12                   nature of the error, and

13                                      “(dd) the specific line of the  
14                   return on which the error was  
15                   made,

16                                      “(III) an itemized computation of  
17                   any direct or incidental adjustments  
18                   to be made to the return in correction  
19                   of the error, including any adjustment  
20                   to the amount of—

21                                      “(aa) adjusted gross income,

22                                      “(bb) taxable income,

23                                      “(cc) itemized or standard  
24                   deductions,

25                                      “(dd) nonrefundable credits,

1           “(ee) credits under section  
2           24, 25A, 32, 35, or 36B, credits  
3           claimed with respect to undistrib-  
4           uted long-term capital gains on  
5           Form 2439, credits for Federal  
6           taxes paid on fuels claimed on  
7           Form 4136, and any other re-  
8           fundable credits,  
9           “(ff) income tax,  
10           “(gg) other taxes,  
11           “(hh) total tax,  
12           “(ii) Federal income tax  
13           withheld or excess tax withheld  
14           under section 3101 or 3201(a),  
15           “(jj) estimated tax pay-  
16           ments, including amount applied  
17           from prior year’s return,  
18           “(kk) refund or amount  
19           owed,  
20           “(ll) net operating loss  
21           carryforwards, or  
22           “(mm) credit carryforwards,  
23           “(IV) include the telephone num-  
24           ber for the automated phone tran-  
25           script service, and

1                   “(V) display the date by which  
2                   the taxpayer may request to abate any  
3                   assessment specified in such notice  
4                   pursuant to paragraph (2)(A), in bold,  
5                   font size 14, and immediately next to  
6                   the taxpayer’s address on page 1 of  
7                   the notice.

8                   “(ii) NO LISTS OF POTENTIAL ER-  
9                   RORS.—A notice which provides multiple  
10                  potential or alternative errors which may  
11                  be applicable to the return shall not be suf-  
12                  ficiently specific for purposes of clause  
13                  (i)(II); however, if multiple specific errors  
14                  apply to the return all such errors should  
15                  be listed.”.

16                  (b) NOTICE OF ABATEMENT.—Paragraph (2) of sec-  
17                  tion 6213(b) is amended by adding at the end the fol-  
18                  lowing new subparagraph:

19                         “(C) NOTICE.—Upon determination of an  
20                         abatement pursuant to subparagraph (A), the  
21                         Secretary shall send notice to the taxpayer of  
22                         such abatement which—

23                                 “(i) is sent to the taxpayer’s last  
24                                 known address,

1 “(ii) describes the abatement in com-  
2 prehensive, plain language, and

3 “(iii) provides an itemized computa-  
4 tion of any adjustments to be made to the  
5 items described in the notice of mathe-  
6 matical or clerical error, including any  
7 changes to any item described in para-  
8 graph (1)(B)(i)(III).”.

9 (c) EFFECTIVE DATE.—The amendments made by  
10 this section shall apply to notices sent after the date which  
11 is 12 months after the date of the enactment of this Act.

12 (d) PROCEDURES.—Not later than 180 days after the  
13 date of the enactment of this Act, the Secretary of the  
14 Treasury (or such Secretary’s delegate) shall provide for  
15 procedures by which a taxpayer may request an abatement  
16 referred to in section 6213(b)(1)(B)(i)(V) of the Internal  
17 Revenue Code of 1986 in writing, electronically, by tele-  
18 phone, or in person.

19 (e) PILOT PROGRAM.—Not later than 18 months  
20 after the date of the enactment of this Act, the Secretary  
21 of the Treasury (or such Secretary’s delegate), in con-  
22 sultation with the National Taxpayer Advocate, shall—

23 (1) implement a pilot program to send a trial  
24 number of notices, in an amount which is a statis-  
25 tically significant portion of all such notices, of

1 mathematical or clerical error pursuant to section  
2 6213(b) of the Internal Revenue Code of 1986 by  
3 certified or registered mail with e-signature con-  
4 firmation of receipt, and

5 (2) report to Congress, aggregated by the type  
6 of error under section 6213(g) of such Code to  
7 which the notices relate, on—

8 (A) the number of mathematical or clerical  
9 errors noticed under the program and the dollar  
10 amounts involved,

11 (B) the number of abatements of tax and  
12 the dollar amounts of such abatements, and

13 (C) the effect of such pilot program on  
14 taxpayer response and adjustments or abate-  
15 ments to tax,

16 with conclusions drawn about the effectiveness of  
17 certified or registered mail, with and without return  
18 receipt, and any other recommendations for improv-  
19 ing taxpayer response rates.

