

Amendment of Delegation Order 239

The Commissioner in Delegation Order 239 delegated to the Taxpayer Ombudsman the authority to issue TAOs in addition to the situations specified in section 7811 of the Internal Revenue Code. The Commissioner wishes to amend Delegation Order 239 to clarify that such authority gives the Taxpayer Ombudsman the ability to intervene on behalf of taxpayers to take positive action with respect to taxpayers' cases. Thus, for example, the Ombudsman may issue a TAO to speed a refund to a taxpayer to relieve severe financial hardship on the part of the taxpayer. Likewise, the Ombudsman may issue a TAO to stay an enforcement action to ensure review whether such action is appropriate.

The Commissioner also amends Delegation Order 239 to direct the Ombudsman to prepare an annual report of the most serious problems taxpayers face when conducting business with the Service and to suggest administrative and legislative solutions to these problems, if applicable. The purpose of the annual report is to provide an independent mechanism to identify and resolve the problems taxpayers may encounter with the Service.

The Commissioner also hereby delegates to the Ombudsman the authority to establish a system to track the Service's response to administrative changes suggested in the Ombudsman's report. The tracking system should identify which IRS official ideally should respond to the suggestion and how that official responded. Additionally, the Ombudsman's annual report should include a section detailing this information concerning the Service's response to any administrative changes suggested in the prior year's report.

Dated: January 5, 1996.

Margaret M. Richardson,
Commissioner.

Delegation Order No. 239 (Rev. 1)

Delegation of authority

AGENCY: Internal Revenue Service (IRS), Treasury

ACTION: Delegation of authority.

SUMMARY: The Commissioner, Internal Revenue Service, amends Delegation Order 239 to clarify that the Taxpayer Ombudsman is delegated the authority to issue Taxpayer Assistance Orders ("TAO") to intervene on behalf of taxpayers and take positive action with respect to taxpayer cases.

The Commissioner further amends Delegation Order 239 to direct the Ombudsman to prepare an annual report of the most serious problems taxpayers face when conducting business with the IRS and to suggest administrative and legislative solutions to these problems, if applicable.

Finally, Delegation Order 239 is further amended to give the Ombudsman the authority to establish a system to track the response of IRS officials to the administrative problems identified in the Ombudsman's annual report.

EFFECTIVE DATE: January 5, 1996.

FOR FURTHER INFORMATION CONTACT: Doug Peterson, C:PRP, Room 1027, 1111 Constitution Avenue, NW., Wash-

(Filed by the Office of the Federal Register on January 9, 1996, 8:45 a.m., and published in the issue of the Federal Register for January 10 1996, 61 F.R. 763)