

Comment from Benjamin Horne, Advocacy Director, Legal Aid Society of Columbus, in response to Request for Information for *Identifying and Reducing Burdens in Administrative Processes*

April 17, 2023

Hello,

Below is input from the Legal Aid Society of Columbus Tax Team.

1. What has been your experience interacting with an agency regarding a benefit or service that you are applying for or renewing, for example unemployment insurance or student loan assistance? Was any portion of the process especially easy or particularly difficult? Do you have specific suggestions for reducing burdens?

- We have helped taxpayers apply for benefits in the form of refundable credits, but especially the expanded child tax credit and economic impact payments. The process that is especially easy for regular tax filers is that the refundable credits are included on their tax return and they do not need to file a separate application. The parts are particularly difficult include:
 - The complex and sometimes contradictory requirements for the various credits;
 - The substantiation requirements and process are unnecessarily onerous;
 - The forms, on their face lack clarity about all of the requirements. The forms could ask more questions on the face of them so that taxpayers can clearly see the answers and know if something is not right. For example, the Form EIC could have a checkbox to affirm that the child being claimed is biologically or legally related the taxpayer.
- There is not enough help with free tax filing. The services, although partially government funded, rely on the efforts and matching funds of community members and local community groups.
- The IRS' processes when examining returns is inconsistent and the selection process to audit tax returns burden Black taxpayers more than others.
- The administration of the expanded CTC and EIP payments as it related to claims by parents was complicated and led to unfair and intractable decisions. The IRS sent out incorrect letters and the methods of verifying receipt of payments for joint taxpayers were unclear and led to inaccurate results.
- The IRS has not adopted acceptable methods to allow taxpayers relief from criminal acts by professional and other tax preparers and ID thieves. The IRS clings to electronic processes as a way to reduce administrative burdens to the IRS without safeguarding taxpayers' rights and interests. The IRS benefits from the electronic return filing process because it reduces the staff hours required to process the returns. Therefore, it should bear the burden when taxpayers are harmed when bad actors exploit the weaknesses of that system. The IRS should have processes and funds in place to make taxpayers whole when they are harmed.

2. What has been your experience trying to use a government benefit or service that you are receiving? For example, how easy or difficult is it to use your food stamps, Medicaid health

insurance, or Medicare health insurance? Do you have specific suggestions for reducing burdens in programs with which you have interacted?

On taxpayers' behalf, we attempt to use the government service being able to speak to the IRS to resolve tax issues. However, the IRS does not answer their phones. This leaves taxpayers and their representatives unable to solve simple problems, stop tax collection, or get answers that could prevent later problems. The IRS phone lines get busy and do not allow calls through our require long hold times. Taxpayers and their representatives are met, over and over again, with the message, "due to extremely high call volume in the topic you requested, we are unable to handle your call at this time. Please try again later or on our next business day." This problem persisted throughout 2020, 2021, and 2022.

3. Have you experienced any unintended consequences from agencies' burden-reduction efforts? For example, have an agency's attempts to reduce one burden created others, either for members of the public or for agency officials?

The IRS' move towards more online services has the unintended consequence of reducing access to services for seniors and other taxpayers who lack the required technology.

4. Are you aware of specific, temporary burden reductions instituted during the COVID-19 pandemic that you believe should be made permanent? This can include (and please specify, if possible) burden-reduction efforts that agencies can implement under current statutes as well as those that would require statutory changes.

The efforts made by the IRS during the pandemic to accept electronic services and to make simplified electronic filing forms available for low income taxpayers should continue.

5. Are there existing legal impediments that have slowed or stopped efforts to identify or reduce burdens? If so, please describe examples, especially those that you believe would have the greatest burden-reduction impact.

6. What has been your experience regarding collaborations between agencies and other public- and private-sector organizations when trying to reduce burdens. Please describe whether these collaborations were successful and describe any factors (e.g., statutory, organizational, other) that either enhanced or impeded the collaboration.

The collaboration between the IRS and Code for America led to the creation of getyourrefund.org and simplified forms through [GetCTC .oprg](https://getctc.org) for individuals with no filing requirements.

7. What role can private-sector groups play in helping to reduce burdens, and how can government agencies encourage such actions? For example, how might regulations on access and sharing of personal financial data be structured to encourage private-sector groups to provide tools to reduce burdens that members of the public experience when they apply for, engage with, or participate in federal programs?