

Date of Approval: **June 17, 2020**

PIA ID Number: **5043**

SYSTEM DESCRIPTION

Enter the full name and acronym for the system, project, application and/or database.

State Income Tax Levy Program, SITLP

Is this a new system?

No

Is there a PCLIA for this system?

Yes

What is the full name, acronym and milestone of the most recent PCLIA?

State Income Tax Levy Program (SITLP)

What is the approval date of the most recent PCLIA?

5/31/2017

Changes that occurred to require this update:

Expiring PCLIA

Were there other system changes not listed above?

No

What governance board or Executive Steering Committee (ESC) does this system report to? Full name and acronym.

Internal Management Level Governance Board.

Current ELC (Enterprise Life Cycle) Milestones:

System Development/Milestone 4B

Operations & Maintenance (i.e. system is currently operational)

Is this a Federal Information Security Management Act (FISMA) reportable system?

No

GENERAL BUSINESS PURPOSE

What is the general business purpose of this system? Provide a clear, concise description of the system, application or database, the reason for the system, and the benefits to the IRS to use the information, and how the information will be used.

The information technology aspects of the State Income Tax Levy Program (SITLP) is operated, managed and administered by the Collection Activity Reports Statutory Reports (CARSR) section of the Internal Management Division of the IRS. The primary objective of the Statutory Reports Section (CARSR) is to support the collection of revenue and to create Statutory Reports (STAT RPTS), which are mandated by law. The reports are used to help track collection activity, levies, statutes of limitation, and to create the IRS Data Book (formerly known as Pub 55 - the Commissioner's Annual Report). The majority of the work produced by CARSR is either in support of revenue collection, or statutory regulation. The general business purpose of the SITLP/system is to collect overdue federal taxes by levying state income tax refunds of individuals that owe a federal tax. States with an income tax requirement can sign a Memorandum of Understanding with the IRS to conduct the matching process. Qualifying federal tax debts are sent electronically via the Electronic File Transfer Utility (EFTU) to each participating state agency along with a Notice of Levy (Form 668-A). The state agencies conduct a matching process, the individual tax debt is matched against the individual state income tax refund and all or a portion of the refund is sent to the IRS to satisfy the federal tax debt. Due process is provided pursuant to 26 USC. Benefit to the IRS: The program/system assist in paying off or paying down on the federal tax liabilities of taxpayers and bringing the taxpayer into compliance.

PII DETAILS

Does the system use, collect, receive, display, store, maintain, or disseminate IR Code 6103 taxpayer information; or any other type of Sensitive but Unclassified (SBU) information or PII such as information about IRS employees or outside stakeholders?

Yes

Does the system use, collect, receive, display, store, maintain, or disseminate Social Security Numbers (SSN's) or tax identification numbers (i.e. last 4 digits, etc.)?

Yes

What types of tax identification numbers (TIN) apply to this system?

Social Security Number (SSN)

List the approved Treasury uses of the SSN:

Interfaces with external entities that require the SSN

Explain why the authorized use(s) above support the new or continued use of SSNs (or tax identification numbers)

In order for the correct tax records to be matched, the state official has to be able to make the match using the SSN first, then other identifying characters.

Describe the planned mitigation strategy and forecasted implementation date to mitigate or eliminate the use of SSN's (or tax identification numbers).

The Office of Management and Budget memorandum M-07-16 requires that federal agencies develop a mitigation or elimination strategy for systems that use SSNs. An exception to that requirement is when the SSN is uniquely needed to identify a user's record. The SITLP is administered by the CARSR system. The CARSR system requires the use of SSNs because no other identifier can be used to uniquely identify a taxpayer. SSNs are permissible from Internal Revenue Code (IRC) 6109, which requires individual taxpayers to include their SSNs on their income tax returns.

Employer Identification Number

Does this system use, collect, receive, display, store, maintain or disseminate other (non-SSN) PII (i.e. names, addresses, etc.)?

Yes

Specify the PII Elements:

Name

Mailing address

Tax Account Information

Does this system use, collect, receive, display, store, maintain, or disseminate SBU information that is not PII?

Yes

Specify the types of SBU from the SBU Types List

Protected Information Information which if modified, destroyed or disclosed in an unauthorized manner could cause: loss of life, loss of property or funds by unlawful means, violation of personal privacy or civil rights, gaining of an unfair procurement advantage by contractors bidding on government contracts, or disclosure of proprietary information entrusted to the Government

Are there other types of SBU/PII used in the system?

Yes

Describe the other types of SBU/PII that are applicable to this system.

The various SBU/PII fields in a SITLP taxpayer's levy record include the taxpayer's name and address, IDRS name control, tax year and the amount of money that the levy is issued for. The levy record also contains expiration date, the levy data is considered as up-to-date until after the expiration date.

Cite the authority for collecting SBU/PII (including SSN if relevant)

PII for federal tax administration is generally Internal Revenue Code Sections 6001, 6011, & 6012e(a)

SSN for tax returns and return information is Internal Revenue Code Section 6109

Has the authority been verified with the system owner?

Yes

BUSINESS NEEDS AND ACCURACY

Explain the detailed business needs and uses for the SBU/ PII, and how the SBU / PII is limited only to that which is relevant and necessary to meet the mission requirements of the system. If SSNs (or tax identification numbers) are used, explicitly explain why use of SSNs meets this criteria. Be specific.

Corporate File On-Line, Individual Master File (IMF), and Taxpayer Information File are primarily used because they contain the most recent taxpayer transaction codes. The taxpayers name, SSN, and address are needed elements so the state agencies can perform their matching process, in order to send the IRS, the levy funds. The balance due information is needed in order to have the state levy the proper amount. Secure Data Transport is used to send and receive the data in order to levy the refund and post the levy payment. Posting the levy payment will generate a Case Processing 92, advising of the levy, from the IMF to the taxpayer. CARSR runs extract data for the IRS Government Liaison Data Exchange Program (GLDEP). They disseminate requested and approved portions of the extract data to other

federal and state (or city) agencies. The GLDEP was created with the specific intent of sharing federal return and return information with state agencies to assist with state tax administrations. The goals and benefits of the GLDEP is to help the states as follows: to leverage resources, to increase revenue and compliance, and to provide opportunities for enhanced taxpayer outreach and education.

How is the SBU/PII verified for accuracy, timeliness and completion?

All CARSR System Reports and data files, including the data files of the SITLP; are generated by the IRS Enterprise Operations (EOPS) on a pre-determined schedule, then securely stored, maintained, and verified for accuracy with begin and end balancing. These reports and data files are then distributed by EOPS to the various CARSR customers; who in turn verify their applicable reports and related data files for accuracy, timeliness, and completeness.

PRIVACY ACT AND SYSTEM OF RECORDS

The Privacy Act requires Federal agencies that maintain a system of records to publish systems of records notices (SORNs) in the Federal Register for records from which information is retrieved by any personal identifier for an individual who is a US citizen or an alien lawfully admitted for permanent residence. The Privacy Act also provides for criminal penalties for intentional noncompliance.

Does your application or this PCLIA system pertain to a group of any record from which information is retrieved by any personal identifier for an individual who is a US citizen, or an alien lawfully admitted for permanent residence? An identifier may be a symbol, voiceprint, SEID, or other personal identifier that is used to retrieve information.

Yes

Identify the Privacy Act SORN(s) that cover these records.

IRS 24.030 Customer Account Data Engine Individual Master File

IRS 24.046 Customer Account Data Engine Business Master File

IRS 26.019 Taxpayer Delinquent Account Files

IRS 34.037 Audit Trail and Security Records

RESPONSIBLE PARTIES

Identify the individuals for the following system roles:

Official Use Only

INCOMING PII INTERFACES

Does the system receive SBU/PII from other systems or agencies?

Yes

Does the system receive SBU/PII from IRS files and databases?

Yes

Enter the files and databases:

System Name: Individual Master File (IMF)

Current PCLIA: Yes

Approval Date: 3/4/2020

SA&A: Yes

ATO/IATO Date: 9/22/2019

System Name: Business Master File (BMF)

Current PCLIA: Yes

Approval Date: 8/27/2018

SA&A: Yes

ATO/IATO Date: 11/12/2019

Does the system receive SBU/PII from other federal agency or agencies?

No

Does the system receive SBU/PII from State or local agency (-ies)?

No

Does the system receive SBU/PII from other sources?

No

Does the system receive SBU/PII from Taxpayer forms?

No

Does the system receive SBU/PII from Employee forms (e.g. the I-9)?

No

DISSEMINATION OF PII

Does this system disseminate SBU/PII?

Yes

Does this system disseminate SBU/PII to other IRS Systems?

No

Does this system disseminate SBU/PII to other Federal agencies?

No

Does this system disseminate SBU/PII to State and local agencies?

Yes

Identify the full names of the state and local agency(s) that receive SBU/PII from this system, and if there is an Inter-Agency Agreement (ISA) /Memorandum of Understanding (MOU).

Organization Name: Alabama Dept of Revenue
Transmission Method: EFTU
ISA/MOU Yes

Organization Name: Arizona Dept of Revenue
Transmission Method: EFTU
ISA/MOU Yes

Organization Name: Arkansas Finance & Administration
Transmission Method: EFTU
ISA/MOU Yes

Organization Name: Delaware Division of Revenue
Transmission Method: EFTU
ISA/MOU No

Organization Name: District of Columbia Office of Tax and Revenue
Transmission Method: EFTU
ISA/MOU Yes

Organization Name: Georgia Depart of Revenue
Transmission Method: EFTU
ISA/MOU Yes

Organization Name: Hawaii Dept of Taxation
Transmission Method: EFTU
ISA/MOU Yes

Organization Name: Massachusetts Dept of Revenue
Transmission Method: EFTU
ISA/MOU Yes

Organization Name: Mississippi Dept of Revenue
Transmission Method: EFTU
ISA/MOU Yes

Organization Name: Missouri Dept of Revenue
Transmission Method: EFTU
ISA/MOU Yes

Organization Name: Nebraska Dept of Revenue
Transmission Method: EFTU
ISA/MOU Yes

Organization Name: New Jersey Division of Taxation and Revenue Services
Transmission Method: EFTU
ISA/MOU Yes

Organization Name: New Mexico Taxation and Revenue Department
Transmission Method: EFTU
ISA/MOU Yes

Organization Name: New York Dept of Taxation and Finance
Transmission Method: EFTU
ISA/MOU Yes

Organization Name: North Carolina Dept of Revenue
Transmission Method: EFTU
ISA/MOU Yes

Organization Name: Ohio Dept of Taxation
Transmission Method: EFTU
ISA/MOU Yes

Organization Name: Oklahoma Tax Commission
Transmission Method: EFTU
ISA/MOU Yes

Organization Name: Oregon Dept of Revenue
Transmission Method: EFTU
ISA/MOU Yes

Organization Name: California Franchise Tax Board
Transmission Method: EFTU
ISA/MOU Yes

Organization Name: Colorado Dept of Revenue
Transmission Method: EFTU
ISA/MOU Yes

Organization Name: Connecticut Depart of Revenue Services
Transmission Method: EFTU
ISA/MOU Yes

Organization Name: Idaho State Tax Commission
Transmission Method: EFTU
ISA/MOU Yes

Organization Name: Illinois Dept of Revenue
Transmission Method: EFTU
ISA/MOU Yes

Organization Name: Indiana Depart of Revenue
Transmission Method: EFTU
ISA/MOU Yes

Organization Name: Iowa Depart of Revenue
Transmission Method: EFTU
ISA/MOU Yes

Organization Name: Kansas Department of Revenue
Transmission Method: EFTU
ISA/MOU Yes

Organization Name: Michigan Dept of Treasury
Transmission Method: EFTU
ISA/MOU Yes

Organization Name: Minnesota Dept of Revenue
Transmission Method: EFTU
ISA/MOU Yes

Organization Name: Pennsylvania Dept of Revenue
Transmission Method: EFTU
ISA/MOU Yes

Organization Name: Rhode Island Dept of Revenue
Transmission Method: EFTU
ISA/MOU Yes

Organization Name: Kentucky Depart of Revenue
Transmission Method: EFTU
ISA/MOU Yes

Organization Name: Louisiana Depart of Revenue
Transmission Method: EFTU
ISA/MOU Yes

Organization Name: Maine Bureau of Revenue Services
Transmission Method: EFTU
ISA/MOU No

Organization Name: Maryland Office of the Comptroller
Transmission Method: EFTU
ISA/MOU Yes

Organization Name: South Carolina Dept of Revenue
Transmission Method: EFTU
ISA/MOU Yes

Organization Name: Utah Dept of Finance
Transmission Method: EFTU
ISA/MOU Yes

Organization Name: Vermont Dept of Taxes
Transmission Method: EFTU
ISA/MOU Yes

Organization Name: Virginia Dept of Taxation
Transmission Method: EFTU
ISA/MOU Yes

Organization Name: West Virginia State Tax Department
Transmission Method: EFTU
ISA/MOU Yes

Organization Name: Wisconsin Dept of Revenue
Transmission Method: EFTU
ISA/MOU Yes

Identify the authority

IRS 6103. In order for the participating state agencies to conduct their levy matching process, the taxpayers SSN, name, address and federal tax liability information is needed by the program/system. The Governmental Liaison Data Exchange Program is also an authority.

Identify the Routine Use in the applicable SORN (or Privacy Act exception)

The CARSR system disseminates requested and approved portions of extracted data to other Federal and State (or City) agencies.

For what purpose?

Participating state taxing agencies are required to match on the SSN, name control and name before deducting the money from the taxpayer's state income tax refund. The federal liability information is need by the state so the payments can be applied to the correct taxpayer's account. The CARSR system disseminates requested and approved portions of extracted data to other federal and state (or city) agencies. This process enables the IRS to collect millions of dollars in delinquent taxpayer revenue.

Does this system disseminate SBU/PII to IRS or Treasury contractors?

No

Does this system disseminate SBU/PII to other Sources?

No

PRIVACY SENSITIVE TECHNOLOGY

Does this system use social media channels?

No

Does this system use privacy-sensitive technologies such as mobile, global position system (GPS), biometrics, RFID, etc.?

No

Does the system use cloud computing?

No

Does this system/application interact with the public?

No

INDIVIDUAL NOTICE AND CONSENT

Was/is notice provided to the individual prior to collection of information?

No

Why not? If information is not collected directly from an individual, please discuss the factors considered in deciding to collect information from third party sources.

CARSR extracts data files from IMF and BMF. The CARSR area does not manipulate data or interact with individuals data directly. "Notice, consent, and due process" are provided via BMF, IMF, and its related tax forms and instructions.

Do individuals have the opportunity to decline from providing information and/or from consenting to particular uses of the information?

No

Why not?

CARSR extracts data files from IMF and BMF. The CARSR area does not manipulate data or interact with individuals data directly. "Notice, consent, and due process" are provided via BMF, IMF, and its related tax forms and instructions.

How does the system or business process ensure 'due process' regarding information access, correction and redress?

CARSR extracts data files from IMF and BMF. The CARSR area does not manipulate data or interact with individuals data directly. "Notice, consent, and due process" are provided via BMF, IMF, and its related tax forms and instructions.

INFORMATION PROTECTION

Identify the owner and operator of the system (could be IRS owned and Operated; IRS owned, contractor operated; contractor owned and operated)

IRS Owned and Operated

The following people have access to the system with the specified rights:

IRS Employees

Users: Read Only

Managers: Read Only

Developers: Read Only

How is access to SBU/PII determined and by whom?

The users must submit a special request to access the CARSR data, via Online 5081. The request must be approved by the user's manager before being forwarded to the CARSR business unit (BU). The CARSR BU is responsible for reviewing the request and ensuring the user is added to the appropriate access control list in order for the user to receive proper access to the CARSR data.

RECORDS RETENTION SCHEDULE

Are these records covered under a General Records Schedule (GRS, IRS Document 12829), or has the National Archives and Records Administration (NARA) approved a Records Control Schedule (RCS, IRS Document 12990) for the retention and destruction of official agency records stored in this system?

Yes

How long are the records required to be held under the corresponding GRS or RCS, and how are they disposed of? In your response, please provide the GRS or RCS chapter number, the specific item number, and records series title.

RCS 19 Item 65-State Income Tax Levy Program (SITLP) System. Delete/Destroy 10 years after cutoff or when no longer needed for operational purposes, whichever is later. RCS 8 Item 44(a)-IRC Â§6103 Accountings (Form 5466-B or equivalent). Form 5466-B, Multiple Records of Disclosure (or equivalent)-Record Copy - Paper (prepared by Disclosure Offices)-Destroy 5 years after processing year, or 30 days after end of month in which record is converted to an electronic image. RCS 8 Item 52-Requests for Return and Return

Information Files. Files consist of requests for copies or inspection of confidential tax returns or return information; either hard copy or tape extracts, and related records of actions taken. Basic Agreements Files, including documents and information on the coordination of Federal/State Exchange programs and related background materials. a. Record Copy - Paper Destroy paper 3 years after receipt of new or amended agreement, or 30 days after end of month in which the record is converted to an electronic image. SITLP data is approved for destruction 10 years after end of processing year or when no longer needed for operational purposes, whichever is later (Job No. N1-58-09-65, approved 11-9-09). These disposition instructions are published in IRS Document 12990 under Records Control Schedule (RCS) 19 for the Enterprise Computing Center - Martinsburg. CARSR is not the official records keeping repository of the extracted information in the system. All information in the system is properly scheduled in its original forms under the General Records Schedule and the RCS of the IRS. Extracted Federal Tax Information is provided to state and local agencies under the authority of IRC 6103d for purposes of state tax administration. All records housed in the system will be erased or purged from the system at the conclusion of their retention period(s) as required under Internal Revenue Manual 1.15.6. For different data types, there are different retention periods. Retention schedules are documented in the Functional Specification Packages.

SA&A OR ASCA

Has the system been through SA&A (Security Assessment and Authorization) or ASCA (Annual Security Control Assessment)?

No

Is the system secured in accordance with all applicable federal, treasury, and IRS security policy, procedures, and requirements?

Yes

Describe the system's audit trail.

This system only looks at two elements on the monthly report, they are: 1. the userId and 2. the name of the file that was accessed improperly.

PRIVACY TESTING

Does the system require a System Test Plan?

Yes

Is the test plan completed?

Yes

Where are the test results stored (or documentation that validation has occurred confirming that requirements have been met)?

For SITLP, the CARSR area performs the testing. The program testing and validation is performed in a secured environment using quality data to ensure the integrity and privacy accountability of any test inputs and outputs. Limited amounts of data are used to further minimize risk of access to personally identifiable information.

Were all the Privacy Requirements successfully tested?

Yes

Are there any residual system privacy, civil liberties, and/or security risks identified that need to be resolved?

No

Describe what testing and validation activities have been conducted or are in progress to verify and validate that the applicable Privacy Requirements (listed in header) have been met?

Testing is conducted by the CARSR area, test results and documentation is found in the IRS Document Management System.

SBU DATA USE

Does this system use, or plan to use SBU Data in Testing?

Yes

Was permission granted per the requirements of Form 14664, SBU Data Use Questionnaire or Form 14665, SBU Data Use Request?

Yes

Provide the date the permission was granted.

4/4/2019

Was testing performed in conformance with IRM 10.8.8 Information Technology (IT) Security, Sensitive But Unclassified (SBU) Data Policy?

Yes

NUMBER AND CATEGORY OF PII RECORDS

Identify the number of individual records in the system for each category:

IRS Employees: Not Applicable

Contractors: Not Applicable

Members of the Public: More than 1,000,000

Other: No

CIVIL LIBERTIES

Does the system maintain any information describing how any individual exercises their rights guaranteed by the First Amendment?

No

Is the system information used to conduct 'data-mining' as defined in the Implementing Recommendations of the 9/11 Commission Act of 2007, Public Law 110-53, Section 804?

No

Will this system have the capability to identify, locate, and monitor individuals or groups of people?

No

Does computer matching occur?

No

ACCOUNTING OF DISCLOSURES

Does the system include or require disclosure of tax or employee information to anyone other than IRS employees in the performance of their duties, or to the person to whom the information pertains or to a 3rd party pursuant to a Power of Attorney, tax or Privacy Act consent?

Yes

Does the system have a process in place to account for such disclosures in compliance with IRC §6103(p) (3) (A) or Subsection (c) of the Privacy Act? Contact Disclosure to determine if an accounting is required.

Yes