



**AMERICAN CITIZENS ABROAD**  
**EDUCATE, ADVOCATE AND INFORM**

May 5, 2017

The Honorable John Koskinen  
Commissioner  
Internal Revenue Service  
1111 Constitution Avenue, NW  
Washington, D.C. 20224-0001

Dear Commissioner Koskinen,

On behalf of the American Citizens Abroad, Inc. (ACA), a §501(c)(4) tax-exempt, non-profit, nonpartisan, volunteer organization, we are inquiring into the IRS's ability, or lack thereof, to subject any taxpayer with a foreign address to private-sector debt collection.

ACA is a non-profit organization whose mission is to educate, advocate and inform both the U.S. government and U.S. citizens living and working overseas on issues of concern to the overseas U.S. citizen community. ACA works to find practical solutions to resolve issues affecting our members.

We believe that U.S. citizens living overseas should not be subject to the recent private-sector debt collection program, as the logistics of dealing with a collection agency based in the U.S. would create an undue burden for Americans living overseas.

The Fixing America's Surface Transportation (FAST) Act of 2015 (P.L. 114-94) authorized a program enabling four designated private-sector collection agencies (PCAs) to collect, on the government's behalf, unpaid tax debts. This month, the IRS will begin notifying certain taxpayers by letter that their overdue federal tax accounts are being assigned to one of the four PCAs.

Certain taxpayer accounts under this law are clearly exempted from being transferred to PCAs, however. Specifically, these include taxpayer accounts: (1) subject to a pending or active offer-in-compromise or installment agreement; (2) classified as an innocent spouse case; or (3) involving a taxpayer identified by the IRS as being deceased, under the age of 18, in a designated combat zone, or a victim of identity theft. Additionally, the IRS may not engage PCAs to handle any taxpayer accounts that are currently under examination, litigation, criminal investigation, or levy; or are currently subject to a proper exercise of a right of appeal. ACA believes that Americans living and working overseas should be included in the exemption of tax account transfers to PCAs.

The FAST Act is silent, though, as to whether a taxpayer with a foreign address will be included in this program. It is imperative that we provide our membership base with an accurate understanding as to whether a taxpayer with a foreign address is subject to private-sector debt collection.

Thank you for your attention to this important matter. If you have any questions about this, please do not hesitate to contact us at (410) 497-5947.

Sincerely,

Glen Frost  
Assistant Legal Counsel for ACA