Internal Revenue Service
Taxpayer Advocacy Panel

Membership Balance Plan

(1) Name. The Taxpayer Advocacy Panel (TAP).

(2) Authority. The establishment and operation of this advisory committee is based on President Clinton's remarks on Internal Revenue Service Reform, 33 Weekly Comp. of Pres. Doc. 1543 (Oct. 10, 1997), and the authority to administer the laws of the Internal Revenue as conferred upon the Secretary of the Treasury, pursuant to section 7801 of the Internal Revenue Code and delegated to the Commissioner of the Internal Revenue.

(3) Mission/Function. The TAP serves as an advisory body to the Secretary of the Treasury, the Commissioner of Internal Revenue, the National Taxpayer Advocate, and the IRS Operating Division Commissioners to improve IRS service and customer satisfaction. TAP members participate in meetings and focus groups, solicit citizen comments, and make recommendations on specific issues, and channel comments and suggestions to the IRS. Members identify, prioritize, and elevate taxpayer issues to the IRS as appropriate. The TAP focuses primarily on issues that fall within the jurisdiction of the Wage & Investment and Small Business/Self-Employed operating divisions.

(4) Points of View. The TAP federal advisory committee provides citizen volunteers from across the country the opportunity to participate in the federal tax administration system. The TAP serves a dual role to help identify "grass roots" tax issues of importance to taxpayers and to provide a taxpayer perspective to the IRS on critical tax administrative programs. The TAP provides listening opportunities for independent taxpayer comments and suggestions regarding IRS service and customer satisfaction, and has direct access to the appropriate operating divisions.

A structured application process ensures that panel members represent a cross-section of the taxpaying public from all 50 states, the District of Columbia and Puerto Rico. Each member is appointed to represent the interests of the taxpayers in their geographic location as well as the interests of the general taxpayer population as a whole.

When making the employment status determination of the TAP members, the IRS looks at the express language of the TAP charter; the fact that TAP members (a) do not receive compensation other than travel expenses for their services on the committee (b) act as spokesperson for a recognizable nonfederal governmental group or stakeholder and (c) are not supervised by a Federal government employee. After analyzing these factors, the IRS's Chief, Ethics and General Government Law Branch (GLS) determined that each of the current members of the TAP shall be appointed as representatives. Any new members will be reviewed using the same process, which is specified by a Department of Treasury Directive.

(5) Other Balance Factors. Other balance factors identified as important for the TAP membership include geographic and demographic diversity, to reflect the make-up of the U. S. taxpayer population they represent. In addition, the IRS considers whether a candidate is a tax practitioner during the selection process to ensure the committee is not made up of a majority of tax professionals.

(6) Candidate Identification Process.

(a) Cross-section. The TAP conducts an open recruitment period for new members each year. The IRS solicits applications for the TAP by placing a notice in the Federal Register, issuing a news release, conducting outreach in locations members are needed and contacting national and local groups to promote an awareness of the TAP recruiting campaign. In response to this solicitation, the TAP receives several hundred applications annually (430 in 2011). The IRS TAP staff ranks the candidates and interviews the top rated candidates for positions on the panel. The IRS TAP staff then recommends the most qualified candidates for membership considering the need for geographic and demographic diversity on the panel.

(b) Agency staff involved. After the IRS TAP staff and TAP Director complete the ranking and interview process of TAP applicants, the TAP Director submits the recommended selections to the National Taxpayer Advocate, Commissioner of Internal Revenue and Department of the Treasury Assistant Secretary for Management and Chief Financial Officer for review and approval.

(c) Vacancies. An open recruiting and application period is held early each spring to identify candidates for the following year. Approximately one third of the members complete their terms and are replaced each year. A pool of alternate members is available to fill vacancies that may arise by members leaving the panel before completing their full term. Vacancies are filled using a structured process to closely maintain the balance characteristics of the departing member.

(d) Term limits. Each member is appointed for a three-year term.

(7) Subcommittee Balance. The TAP does establish subcommittees to perform work consistent with the charter. Such subcommittees must report directly to the TAP parent committee and do not make recommendations directly to Federal Officials. Therefore, TAP subcommittees are not covered by the Federal Advisory Committee Act (FACA) and are not subject to FACA's requirement that committees be "fairly balanced." 41 C.F.R. § 102-3.35.

(8) Date Prepared. This Membership Balance Plan was initially prepared on October 17, 2011.