

Passports in Jeopardy



The Internal Revenue Service began implementation in January of new procedures affecting individuals with “seriously delinquent tax debts”, which by definition means someone who owes the IRS more than \$51,000 in back taxes, penalties and interest for which the IRS has filed a Notice of Federal Tax Lien and the period to challenge it has expired or the IRS has issued a levy. These new procedures are part of Fixing America’s Surface Transportation (FAST) Act that was signed into law in December 2015. The FAST Act requires the IRS to notify the State Department of these delinquent taxpayers and also requires the State Department to deny these delinquent taxpayers their passport applications or renewal of their passport. The State Department may also revoke their passport.

Per the Internal Revenue Service, if you have a seriously delinquent tax debt, there are several ways to avoid having the IRS notify the State Department, which include the following:

- Pay the tax debt in full;
- Pay the tax debt timely under an approved installment agreement;
- Pay the tax debt timely under an accepted offer in compromise;
- Pay the tax debt timely under the terms of a settlement agreement with the Department of Justice;
- Request or have a pending collection due process appeal with a levy; or
- Have collection suspended because you have made an innocent spouse election or requested innocent spouse relief.

A passport will not be at risk under this program for any taxpayer who is in bankruptcy, identified by the IRS as a victim of tax-related identity theft, whose account the IRS has determined is currently not collectible due to hardship, is located within a federally declared disaster area, has a request pending with the IRS for an installment agreement, has a pending offer in compromise with the IRS, or who has an IRS accepted adjustment that will satisfy the debt in full. If you serve in a combat zone, the IRS postpones notifying the State Department and your passport is not subject to denial during this time. For more information, visit [irs.gov](https://www.irs.gov).