**CODES TO KNOW** [www.law.cornell.edu/uscode/text/26/6212](http://www.law.cornell.edu/uscode/text/26/6212)

**26 U.S. Code § 6212 - Notice of Deficiency**

 **(a)In general**

If the [Secretary](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=26-USC-1264422296-1293213338&term_occur=2807&term_src=title:26:subtitle:F:chapter:63:subchapter:B:section:6212) determines that there is a [deficiency](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=26-USC-1329781175-1588654839&term_occur=171&term_src=title:26:subtitle:F:chapter:63:subchapter:B:section:6212) in respect of any tax imposed by subtitles A or B or chapter 41, 42, 43, or 44 he is authorized to send notice of such [deficiency](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=26-USC-1329781175-1588654839&term_occur=172&term_src=title:26:subtitle:F:chapter:63:subchapter:B:section:6212) to the taxpayer by certified mail or registered mail. Such notice shall include a notice to the taxpayer of the taxpayer’s right to contact a local office of the taxpayer advocate and the location and phone number of the appropriate office.

**(c)Further deficiency letters restricted**

**(1)General rule**

If the [Secretary](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=26-USC-1264422296-1293213338&term_occur=2810&term_src=title:26:subtitle:F:chapter:63:subchapter:B:section:6212) has mailed to the taxpayer a notice of [deficiency](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=26-USC-1329781175-1588654839&term_occur=176&term_src=title:26:subtitle:F:chapter:63:subchapter:B:section:6212) as provided in subsection (a), and the taxpayer files a petition with the Tax Court within the time prescribed in section 6213(a), the Secretary shall have no right to determine any additional [deficiency](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=26-USC-1329781175-1588654839&term_occur=177&term_src=title:26:subtitle:F:chapter:63:subchapter:B:section:6212) of income tax for the same [taxable year](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=26-USC-1529535480-1197466203&term_occur=4833&term_src=title:26:subtitle:F:chapter:63:subchapter:B:section:6212), of gift tax for the same [calendar year](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=26-USC-1905120223-1197466201&term_occur=890&term_src=title:26:subtitle:F:chapter:63:subchapter:B:section:6212), of estate tax in respect of the taxable estate of the same decedent, of chapter 41 tax for the same taxable year, of chapter 43 tax for the same taxable year, of chapter 44 tax for the same taxable year, of section 4940 tax for the same taxable year, or of chapter 42 tax, (other than under section 4940) with respect to any act (or failure to act) to which such petition relates, except in the case of fraud, and except as provided in section 6214(a) (relating to assertion of greater deficiencies before the Tax Court), in section 6213(b)(1) (relating to mathematical or clerical errors), in section 6851 or 6852 (relating to termination assessments), or in section 6861(c) (relating to the making of jeopardy assessments).

**26 U.S. Code § 6213 - Restrictions applicable to Deficiencies; petition to Tax Court**

**(a)Time for filing petition and restriction on assessment**

Within 90 days, or 150 days if the notice is addressed to a [person](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=26-USC-991716523-454322957&term_occur=1424&term_src=title:26:subtitle:F:chapter:63:subchapter:B:section:6213) outside the [United States](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=26-USC-2032517217-454322949&term_occur=1163&term_src=title:26:subtitle:F:chapter:63:subchapter:B:section:6213), after the notice of deficiency authorized in section 6212 is mailed (not counting Saturday, Sunday, or a legal holiday in the District of Columbia as the last day), the taxpayer may file a petition with the Tax Court for a redetermination of the deficiency. Except as otherwise provided in section 6851, 6852, or 6861 no assessment of a deficiency in respect of any tax imposed by subtitle A, or B, chapter 41, 42, 43, or 44 and no levy or proceeding in court for its collection shall be made, begun, or prosecuted **until such notice has been mailed to the taxpayer**, nor until the expiration of such 90-day or 150-day period, as the case may be, nor, if a petition has been filed with the Tax Court, until the decision of the Tax Court has become final. Notwithstanding the provisions of section 7421(a), the making of such assessment or the beginning of such proceeding or levy during the time such prohibition is in force may be enjoined by a proceeding in the proper court, including the Tax Court, and a refund may be ordered by such court of any amount collected within the period during which the Secretary is prohibited from collecting by levy or through a proceeding in court under the provisions of this subsection. The Tax Court shall have no jurisdiction to enjoin any action or proceeding or order any refund under this subsection unless a timely petition for a redetermination of the deficiency has been filed and then only in respect of the deficiency that is the subject of such petition. Any petition filed with the Tax Court on or before the last date specified for filing such petition by the Secretary in the notice of deficiency shall be treated as timely filed.

**What is LACK OF JURISDICTION?***(Blacks Law Legal Dictionary 2nd Ed.)*

a term that means the lack of power to act or the lack of authority in a legal matter.

**26 U.S. Code § 6321.Lien for taxes**

If any [person](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=26-USC-991716523-454322957&term_occur=4050&term_src=title:26:subtitle:F:chapter:64:subchapter:C:part:II:section:6321) liable to pay any[tax](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=26-USC-114603-1592527669&term_occur=9101&term_src=title:26:subtitle:F:chapter:64:subchapter:C:part:II:section:6321)neglects or refuses to pay the same after demand, the amount (including any [interest](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=26-USC-570402602-2058595354&term_occur=3833&term_src=title:26:subtitle:F:chapter:64:subchapter:C:part:II:section:6321), additional amount, addition to[tax,](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=26-USC-114603-1592527669&term_occur=9102&term_src=title:26:subtitle:F:chapter:64:subchapter:C:part:II:section:6321) or assessable penalty, together with any costs that may accrue in addition thereto) shall be a lien in favor of the [United States](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=26-USC-2032517217-1569131829&term_occur=2849&term_src=title:26:subtitle:F:chapter:64:subchapter:C:part:II:section:6321) upon all[property](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=26-USC-993141291-2033417876&term_occur=7208&term_src=title:26:subtitle:F:chapter:64:subchapter:C:part:II:section:6321)and rights to[property,](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=26-USC-993141291-2033417876&term_occur=7209&term_src=title:26:subtitle:F:chapter:64:subchapter:C:part:II:section:6321) whether real or personal, belonging to such [person.](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=26-USC-991716523-454322957&term_occur=4051&term_src=title:26:subtitle:F:chapter:64:subchapter:C:part:II:section:6321)

**26 U.S. Code § 6331.Levy and distraint**(missing on Levy instruction page, starts with (b))

**(a)Authority of Secretary**

If any [person](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=26-USC-991716523-454322957&term_occur=4113&term_src=title:26:subtitle:F:chapter:64:subchapter:D:part:II:section:6331) liable to pay any[tax](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=26-USC-114603-1592527669&term_occur=10379&term_src=title:26:subtitle:F:chapter:64:subchapter:D:part:II:section:6331)neglects or refuses to pay the same within 10 days after notice and demand, it shall be lawful for the [Secretary](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=26-USC-1264422296-1293213338&term_occur=6269&term_src=title:26:subtitle:F:chapter:64:subchapter:D:part:II:section:6331) to collect such[tax](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=26-USC-114603-1592527669&term_occur=10380&term_src=title:26:subtitle:F:chapter:64:subchapter:D:part:II:section:6331)(and such further sum as shall be sufficient to cover the expenses of the[levy)](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=26-USC-3318268-1199109699&term_occur=67&term_src=title:26:subtitle:F:chapter:64:subchapter:D:part:II:section:6331) by[levy](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=26-USC-3318268-1199109699&term_occur=68&term_src=title:26:subtitle:F:chapter:64:subchapter:D:part:II:section:6331)upon all[property](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=26-USC-993141291-2033417876&term_occur=6276&term_src=title:26:subtitle:F:chapter:64:subchapter:D:part:II:section:6331)and rights to[property](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=26-USC-993141291-2033417876&term_occur=6277&term_src=title:26:subtitle:F:chapter:64:subchapter:D:part:II:section:6331)(except such[property](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=26-USC-993141291-2033417876&term_occur=6278&term_src=title:26:subtitle:F:chapter:64:subchapter:D:part:II:section:6331)as is exempt under section 6334) belonging to such[person](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=26-USC-991716523-454322957&term_occur=4114&term_src=title:26:subtitle:F:chapter:64:subchapter:D:part:II:section:6331)or on which there is a lien provided in this chapter for the[payment](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=26-USC-786681338-372838452&term_occur=3357&term_src=title:26:subtitle:F:chapter:64:subchapter:D:part:II:section:6331)of such[tax.](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=26-USC-114603-1592527669&term_occur=10381&term_src=title:26:subtitle:F:chapter:64:subchapter:D:part:II:section:6331)[Levy](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=26-USC-3318268-1199109699&term_occur=69&term_src=title:26:subtitle:F:chapter:64:subchapter:D:part:II:section:6331) may be made upon the accrued salary or[wages](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=26-USC-112890955-1559423094&term_occur=189&term_src=title:26:subtitle:F:chapter:64:subchapter:D:part:II:section:6331)of any officer,[employee,](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=26-USC-1193469614-173545571&term_occur=2524&term_src=title:26:subtitle:F:chapter:64:subchapter:D:part:II:section:6331) or elected official, of the [United States](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=26-USC-2032517217-1195642274&term_occur=2938&term_src=title:26:subtitle:F:chapter:64:subchapter:D:part:II:section:6331), the District of Columbia, or any agency or instrumentality of the [United States](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=26-USC-2032517217-1195642274&term_occur=2939&term_src=title:26:subtitle:F:chapter:64:subchapter:D:part:II:section:6331) or the District of Columbia, by serving a notice of[levy](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=26-USC-3318268-1199109699&term_occur=70&term_src=title:26:subtitle:F:chapter:64:subchapter:D:part:II:section:6331)on the employer (as defined in section 3401(d)) of such officer,[employee,](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=26-USC-1193469614-173545571&term_occur=2525&term_src=title:26:subtitle:F:chapter:64:subchapter:D:part:II:section:6331) or elected official. If the[Secretary](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=26-USC-1264422296-1293213338&term_occur=6270&term_src=title:26:subtitle:F:chapter:64:subchapter:D:part:II:section:6331)makes a finding that the collection of such[tax](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=26-USC-114603-1592527669&term_occur=10382&term_src=title:26:subtitle:F:chapter:64:subchapter:D:part:II:section:6331)is in jeopardy, notice and demand for immediate[payment](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=26-USC-786681338-372838452&term_occur=3358&term_src=title:26:subtitle:F:chapter:64:subchapter:D:part:II:section:6331)of such[tax](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=26-USC-114603-1592527669&term_occur=10383&term_src=title:26:subtitle:F:chapter:64:subchapter:D:part:II:section:6331)may be made by the[Secretary](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=26-USC-1264422296-1293213338&term_occur=6271&term_src=title:26:subtitle:F:chapter:64:subchapter:D:part:II:section:6331)and, upon failure or refusal to pay such[tax,](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=26-USC-114603-1592527669&term_occur=10384&term_src=title:26:subtitle:F:chapter:64:subchapter:D:part:II:section:6331) collection thereof by[levy](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=26-USC-3318268-1199109699&term_occur=71&term_src=title:26:subtitle:F:chapter:64:subchapter:D:part:II:section:6331)shall be lawful without regard to the 10-day period provided in this section.

**Property**(IRSDefinition)

(5)In applying this subsection, the term “property” includes services and the right to use property, but such term **does not include money.** (c)For purposes of subsection (b)—

**5 U.S. Code § 2105.Employee**

**(a)**For the purpose of this title, “[employee](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=5-USC-1193469614-1916831372&term_occur=424&term_src=title:5:part:III:subpart:A:chapter:21:section:2105)”, except as otherwise provided by this section or when specifically modified, means an officer and an individual who is—

**(1)**appointed in the civil service by one of the following acting in an official capacity—

**(A)**the President;

**(B)**a [Member](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=5-USC-1077769574-938696970&term_occur=193&term_src=title:5:part:III:subpart:A:chapter:21:section:2105) or [Members](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=5-USC-1077769574-938696970&term_occur=194&term_src=title:5:part:III:subpart:A:chapter:21:section:2105) of Congress, or the Congress;

**(C)**a [member](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=5-USC-1077769574-938696970&term_occur=195&term_src=title:5:part:III:subpart:A:chapter:21:section:2105) of a uniformed service;

**(D)**an individual who is an [employee](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=5-USC-1193469614-1916831372&term_occur=425&term_src=title:5:part:III:subpart:A:chapter:21:section:2105) under this section;

**(E)**the head of a Government controlled corporation; or

**31 U.S. Code § 321 - General authority of the Secretary**

**(a)The Secretary of the Treasury shall—**

**(1)**

prepare plans for improving and managing receipts of the United [States](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=31-USC-80204913-206022345&term_occur=110&term_src=title:31:subtitle:I:chapter:3:subchapter:II:section:321) Government and managing the public debt;

**(d)**

**(1)**

The Secretary of the Treasury may accept, hold, administer, and use gifts and bequests of property, both real and personal, for the purpose of aiding or facilitating the work of the Department of the Treasury. Gifts and bequests of money and the proceeds from sales of other property received as gifts or bequests shall be deposited in the Treasury in a separate fund and shall be disbursed on order of the Secretary of the Treasury. Property accepted under this paragraph, and the proceeds thereof, shall be used as nearly as possible in accordance with the terms of the gift or bequest.

**(2)**

For purposes of the Federal income, estate, and gift taxes, property accepted under paragraph (1) shall be considered as a gift or bequest to or for the use of the United [States](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=31-USC-80204913-206022345&term_occur=115&term_src=title:31:subtitle:I:chapter:3:subchapter:II:section:321).

**IRS Glossary of Terms**

**voluntary compliance**

A system of compliance that relies on individual citizens to report their income freely and voluntarily, calculate their tax liability correctly, and file a tax return on time.

https://apps.irs.gov/app/understandingTaxes/student/glossary.jsp#V[](https://apps.irs.gov/app/understandingTaxes/student/glossary.jsp#top)

**26 U.S. Code § 6013.Joint returns of income tax by husband and wife**

**(4) Termination of election**An [election](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=26-USC-17132519-1122010290&term_occur=2368&term_src=title:26:subtitle:F:chapter:61:subchapter:A:part:II:subpart:B:section:6013) under this subsection shall terminate at the earliest of the following times:

**(A)**Revocation by taxpayers

If either [taxpayer](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=26-USC-261978486-1199109727&term_occur=5121&term_src=title:26:subtitle:F:chapter:61:subchapter:A:part:II:subpart:B:section:6013) revokes the[election,](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=26-USC-17132519-1122010290&term_occur=2369&term_src=title:26:subtitle:F:chapter:61:subchapter:A:part:II:subpart:B:section:6013) as of the first [taxable year](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=26-USC-1529535480-1197466203&term_occur=14531&term_src=title:26:subtitle:F:chapter:61:subchapter:A:part:II:subpart:B:section:6013) for which the last day prescribed by law for filing the [return](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=26-USC-934396624-669875003&term_occur=68&term_src=title:26:subtitle:F:chapter:61:subchapter:A:part:II:subpart:B:section:6013) of[tax](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=26-USC-114603-1592527669&term_occur=9461&term_src=title:26:subtitle:F:chapter:61:subchapter:A:part:II:subpart:B:section:6013)under chapter 1 has not yet occurred.

**What is REVOCATION?***(Blacks Law Legal Dictionary 2nd Ed.)*

The recall of some power, authority, or thing granted, or a destroying or making void of some deed that had existence until the act of revocation made it void. It may be either general, of all acts and things done before; or special, to revoke a [particular](https://thelawdictionary.org/particular/) thing.

**What is ELECTION?***(Blacks Law Legal Dictionary 2nd Ed.)*

The act of choosing or selecting one or more from a greater number of persons, things, courses, or rights. The choice of an alternative.

**26 U.S. Code § 7608.Authority of internal revenue enforcement officers**

**(a)Enforcement of subtitle E and other laws pertaining to liquor, tobacco, and firearms**Any investigator, [agent](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=26-USC-92750597-1620030529&term_occur=254&term_src=title:26:subtitle:F:chapter:78:subchapter:A:section:7608), or other [internal revenue officer](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=26-USC-1035273679-325149124&term_occur=41&term_src=title:26:subtitle:F:chapter:78:subchapter:A:section:7608) by whatever term designated, whom the[Secretary](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=26-USC-1264422296-1293213338&term_occur=7321&term_src=title:26:subtitle:F:chapter:78:subchapter:A:section:7608)charges with the duty of enforcing any of the criminal, seizure, or forfeiture provisions of subtitle E or of any other law of the [United States](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=26-USC-2032517217-1621097190&term_occur=8&term_src=title:26:subtitle:F:chapter:78:subchapter:A:section:7608)pertaining to the commodities subject to[tax](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=26-USC-114603-1592527669&term_occur=12246&term_src=title:26:subtitle:F:chapter:78:subchapter:A:section:7608)under such subtitle for the enforcement of which the[Secretary](https://www.law.cornell.edu/definitions/uscode.php?width=840&height=800&iframe=true&def_id=26-USC-1264422296-1293213338&term_occur=7322&term_src=title:26:subtitle:F:chapter:78:subchapter:A:section:7608)is responsible, may—

**26 U.S. Code § 7602. Examination of books and witnesses**

**(a)Authority to summon, etc.**For the purpose of ascertaining the correctness of any [return](https://www.law.cornell.edu/uscode/text/26/7602), making a [return](https://www.law.cornell.edu/uscode/text/26/7602) where none has been made, determining the [liability](https://www.law.cornell.edu/uscode/text/26/7602) of any[person](https://www.law.cornell.edu/uscode/text/26/7602)for any internal revenue[tax](https://www.law.cornell.edu/uscode/text/26/7602)or the [liability](https://www.law.cornell.edu/uscode/text/26/7602) at law or in equity of any transferee or [fiduciary](https://www.law.cornell.edu/uscode/text/26/7602) of any[person](https://www.law.cornell.edu/uscode/text/26/7602)in respect of any internal revenue[tax,](https://www.law.cornell.edu/uscode/text/26/7602) or collecting any such[liability,](https://www.law.cornell.edu/uscode/text/26/7602) the[Secretary](https://www.law.cornell.edu/uscode/text/26/7602)is authorized—

**(1)**

To examine any books, papers, records, or other data which may be relevant or material to such inquiry;

**(2)**

To summon the [person](https://www.law.cornell.edu/uscode/text/26/7602) liable for[tax](https://www.law.cornell.edu/uscode/text/26/7602)or required to perform the act, or any officer or [employee](https://www.law.cornell.edu/uscode/text/26/7602) of such[person,](https://www.law.cornell.edu/uscode/text/26/7602) or any[person](https://www.law.cornell.edu/uscode/text/26/7602)having possession, custody, or care of books of account containing entries relating to the business of the[person](https://www.law.cornell.edu/uscode/text/26/7602)liable for[tax](https://www.law.cornell.edu/uscode/text/26/7602)or required to perform the act, or any other[person](https://www.law.cornell.edu/uscode/text/26/7602)the [Secretary](https://www.law.cornell.edu/uscode/text/26/7602) may deem proper, to appear before the [Secretary](https://www.law.cornell.edu/uscode/text/26/7602) at a time and place named in the summons and to produce such books, papers, records, or other data, and to give such testimony, under oath, as may be relevant or material to such inquiry; and

**(3)**

To take such testimony of the [person](https://www.law.cornell.edu/uscode/text/26/7602) concerned, under oath, as may be relevant or material to such inquiry.

**(b)Purpose may include inquiry into offense**

The purposes for which the [Secretary](https://www.law.cornell.edu/uscode/text/26/7602) may take any action described in paragraph (1), (2), or (3) of subsection (a) include the purpose of inquiring into any offense connected with the administration or enforcement of the internal revenue laws.

**(c)Notice of contact of third parties**

**(1)General notice**

An officer or [employee](https://www.law.cornell.edu/uscode/text/26/7602) of the Internal Revenue Service may not contact any[person](https://www.law.cornell.edu/uscode/text/26/7602)other than the[taxpayer](https://www.law.cornell.edu/uscode/text/26/7602)with respect to the[determination](https://www.law.cornell.edu/uscode/text/26/7602)or collection of the[tax liability](https://www.law.cornell.edu/uscode/text/26/7602)of such[taxpayer](https://www.law.cornell.edu/uscode/text/26/7602)without providing reasonable notice in advance to the[taxpayer](https://www.law.cornell.edu/uscode/text/26/7602)that contacts with[persons](https://www.law.cornell.edu/uscode/text/26/7602)other than the[taxpayer](https://www.law.cornell.edu/uscode/text/26/7602)may be made.

**(2)Notice of specific contacts**

The [Secretary](https://www.law.cornell.edu/uscode/text/26/7602) shall periodically provide to a[taxpayer](https://www.law.cornell.edu/uscode/text/26/7602)a record of[persons](https://www.law.cornell.edu/uscode/text/26/7602)contacted during such period by the [Secretary](https://www.law.cornell.edu/uscode/text/26/7602) with respect to the [determination](https://www.law.cornell.edu/uscode/text/26/7602) or collection of the[tax liability](https://www.law.cornell.edu/uscode/text/26/7602)of such[taxpayer.](https://www.law.cornell.edu/uscode/text/26/7602) Such record shall also be provided upon request of the[taxpayer.](https://www.law.cornell.edu/uscode/text/26/7602)

**return**(IRS Definition)

(A)The terms “return” and “return information” have the respective meanings given to such terms by section 6103(b). **(b)Definitions** For purposes of this section—

**(1)Return** The term “[return](https://www.law.cornell.edu/uscode/text/26/6103)” means any[tax](https://www.law.cornell.edu/uscode/text/26/6103)or information [return](https://www.law.cornell.edu/uscode/text/26/6103), declaration of estimated[tax,](https://www.law.cornell.edu/uscode/text/26/6103) or [claim for refund](https://www.law.cornell.edu/uscode/text/26/6103)required by, or provided for or permitted under, the provisions of this title which is filed with the[Secretary](https://www.law.cornell.edu/uscode/text/26/6103)by, on behalf of, or with respect to any[person,](https://www.law.cornell.edu/uscode/text/26/6103) and any amendment or supplement thereto, including supporting schedules, attachments, or lists which are supplemental to, or part of, the [return](https://www.law.cornell.edu/uscode/text/26/6103) so filed.

**liability**(IRS Definition)

(3)For purposes of this subsection, the term “liability” shall include any fixed or contingent obligation to make payment, without regard to whether the obligation is otherwise taken into account for purposes of this title.

**person**(IRS Definition)

(B)The term “public utility” means a person engaged in the sale of electricity or natural gas to residential, commercial, or industrial customers for use by such customers. For purposes of the preceding sentence, the term “person” includes the Federal Government, a State or local government or any political subdivision thereof, or any instrumentality of any of the foregoing. (d)This section shall not apply to any payment to or from a qualified cogeneration facility or qualifying small power production facility pursuant to section 210 of the Public Utility Regulatory Policy Act of 1978.

**employee**(IRS Definition)

(B)The term “employee” includes an employee described in section **414(e)(3)(B).** (k)The Secretary shall prescribe such regulations as may be necessary or appropriate to carry out the purposes of this section.

**26 U.S. Code § 414.Definitions and special rules**

**(e)Church plan**

**(3)Definitions and other provisions**For purposes of this subsection—

**(B)**Employee definedThe term [employee](https://www.law.cornell.edu/uscode/text/26/414) of a[church](https://www.law.cornell.edu/uscode/text/26/414)or a convention or association of[churches](https://www.law.cornell.edu/uscode/text/26/414)shall include—

**determination**(IRS Definition)

(5)For purposes of this subsection, the term “determination” has the meaning given to such term by section **860(e).** Such term also includes a determination by the investment company filed with the Secretary that the provisions of this part do not apply to the investment company for a taxable year. (f)

**26 U.S. Code § 860E - Treatment of income in excess of daily accruals on residual interests**

**(e)Tax on transfers of residual interests to certain organizations, etc.**

**(1)In general**

A [tax](https://www.law.cornell.edu/uscode/text/26/860E) is hereby imposed on any transfer of a [residual interest](https://www.law.cornell.edu/uscode/text/26/860E) in a[REMIC](https://www.law.cornell.edu/uscode/text/26/860E)to a [disqualified organization](https://www.law.cornell.edu/uscode/text/26/860E).

**residual interest**(IRS Definition)

(2)The term “residual interest” means an interest in a REMIC which is issued on the startup day, which is not a regular interest, and which is designated as a residual interest.

**tax liability**(IRS Definition)

(C)The term “tax liability” means the amount of the tax imposed by this chapter for the taxable year reduced by credits allowable against such tax (other than credits allowable under sections 31, 32, and 34).