

115TH CONGRESS
2D SESSION

H. R. 5376

To amend the Internal Revenue Code of 1986 to ensure that contractors to whom return information is disclosed comply with confidentiality safeguards.

IN THE HOUSE OF REPRESENTATIVES

MARCH 21, 2018

Mr. RENACCI introduced the following bill; which was referred to the
Committee on Ways and Means

A BILL

To amend the Internal Revenue Code of 1986 to ensure that contractors to whom return information is disclosed comply with confidentiality safeguards.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Protecting Taxpayer
5 Confidentiality Through Safeguards Act”.

1 **SEC. 2. COMPLIANCE BY CONTRACTORS WITH CONFIDEN-**
2 **TIALITY SAFEGUARDS.**

3 (a) IN GENERAL.—Section 6103(p) of the Internal
4 Revenue Code of 1986 is amended by adding at the end
5 the following new paragraph:

6 “(9) DISCLOSURE TO CONTRACTORS AND
7 OTHER AGENTS.—Notwithstanding any other provi-
8 sion of this section, no return or return information
9 shall be disclosed to any contractor or other agent
10 of a Federal, State, or local agency unless such
11 agency, to the satisfaction of the Secretary—

12 “(A) has requirements in effect which re-
13 quire each such contractor or other agent which
14 would have access to returns or return informa-
15 tion to provide safeguards (within the meaning
16 of paragraph (4)) to protect the confidentiality
17 of such returns or return information,

18 “(B) agrees to conduct an on-site review
19 every 3 years (or a mid-point review in the case
20 of contracts or agreements of less than 3 years
21 in duration) of each contractor or other agent
22 to determine compliance with such require-
23 ments,

24 “(C) submits the findings of the most re-
25 cent review conducted under subparagraph (B)

1 to the Secretary as part of the report required
2 by paragraph (4)(E), and

3 “(D) certifies to the Secretary for the most
4 recent annual period that such contractor or
5 other agent is in compliance with all such re-
6 quirements.

7 The certification required by subparagraph (D) shall
8 include the name and address of each contractor and
9 other agent, a description of the contract or agree-
10 ment with such contractor or other agent, and the
11 duration of such contract or agreement. The require-
12 ments of this paragraph shall not apply to disclo-
13 sures pursuant to subsection (n) for purposes of
14 Federal tax administration.”.

15 (b) CONFORMING AMENDMENT.—Section
16 6103(p)(8)(B) of such Code is amended by inserting “or
17 paragraph (9)” after “subparagraph (A)”.

18 (c) EFFECTIVE DATE.—

19 (1) IN GENERAL.—The amendments made by
20 this section shall apply to disclosures made after the
21 date of the enactment of this Act.

22 (2) CERTIFICATIONS.—The first certification
23 under section 6103(p)(9)(D) of the Internal Revenue
24 Code of 1986, as added by subsection (a), shall be
25 made with respect to the portion of calendar year

1 2018 following the date of the enactment of this
2 Act.

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