

MEMO# 32247

February 26, 2020

ICI Submits Letter to IRS on Form 8802, Application for United States Residency Certification

[32247]

February 26, 2020 TO: ICI Members

ICI Global Members

ICI Global Tax Committee

Management Company Tax Subcommittee

Tax Committee SUBJECTS: International/Global

Tax RE: ICI Submits Letter to IRS on Form 8802, Application for United States Residency Certification

The IRS, pursuant to The Taxpayer First Act of 2019 (TFAO), has requested public feedback on how the IRS can become a more taxpayer friendly agency. TFAO aims to expand and strengthen taxpayer rights and to reform the IRS by requiring it to develop a comprehensive customer service strategy, modernize its technology, and enhance its cyber security.

The ICI's submission recommends changes to improve the process for issuing Certificates of Residency to taxpayers. The letter describes why improvements are critical to the ability of US investors to obtain treaty benefits to which they are entitled. Importantly, US Treasury ultimately bears the cost for foreign taxes that cannot be recovered as investors may claim foreign tax credits that reduce their US tax liability on a dollar-for-dollar basis.

Specifically, ICI recommends that the IRS:

1. Accelerate the availability of Form 6166, Certification of US Tax Residency.
2. Permit electronic filing of Form 8802, Application for US Residency Certification.
3. Improve communications between filers and the IRS regarding processing delays and rejections.
4. Permit filers to pay for multiple taxpayers with single electronic payment.

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[Attachment](#)

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