

Reporting Data Breaches at VITA/TCE Sites for SPEC Partners

Background:

Stakeholder Partnerships, Education and Communication (SPEC) collaborated with the IRS's Return Integrity and Compliance Services (RICS) to create procedures for reporting potential data breaches at VITA/TCE sites. To protect the taxpayers we serve, this guidance must be followed for any potential data breach impacting one or more taxpayers.

What is a Data Breach?

A VITA/TCE data breach occurs when a taxpayer's personally identifiable information (PII), whether physical or electronic, is shared, used or disclosed without taxpayer permission.

Types of data breaches:

- a) Unintentional (a mistake) – volunteer mistakenly provided a copy of another taxpayer's tax return or tax documents in error.
- b) Intentional (on purpose) – data loss incidents such as accessing a volunteer preparer network without permission and/or theft of PII.

What is the Partner's Responsibility?

When a potential data breach (unintentional or intentional) occurs, partners must contact their local SPEC territory office immediately upon confirmation of the incident to discuss the details of the incident and determine if it meets the criteria of a potential data breach. If determined to be a potential data breach, partners must provide the following information:

- Date the incident occurred
- Brief description of the data breach
- Full name and telephone number for the point of contact who reported the data breach
- Partner name and address
- Site name and address

How Will SPEC Assist Partners?

- The local SPEC territory office must work with headquarters to determine if the potential data breach must be forwarded immediately to the IRS Returns Integrity and Compliance Services (RICS) data loss mailbox. If forwarded to RICS data loss mailbox, a member of the RICS team will contact you to discuss the potential data breach and obtain the partner client list. The information requested is based on the specifics of the data breach but could include SSNs, EFINs, PTINs, etc. Do not submit any taxpayer information to SPEC.
- Partners should also report data breaches to the following:
 - Local police – File a police report on the data breach.
 - States – Contact states in which you prepare state returns:
 - Email the Federation of Tax Administrators at StateAlert@taxadmin.org to get information on how to report victim information to the states.
 - Contact state Attorneys General for each state in which you prepare returns. Most states require that the attorney general be notified of data breaches.

Additional Resources:

**Publication 4557, Safeguarding Taxpayer Data
Data Theft Information for Tax Professionals**