

Request for Records Disposition Authority

Records Schedule Number DAA-0058-2021-0005
Schedule Status Approved

Agency or Establishment Internal Revenue Service
Record Group / Scheduling Group Records of the Internal Revenue Service
Records Schedule applies to Major Subdivision
Major Subdivision Small Business / Self-Employed (SB/SE)
Schedule Subject Estate and Gift Tax Returns
Internal agency concurrences will be provided No

Background Information IRS Privacy, Governmental Liaison and Disclosure (PGLD)/Identity and Records Protection (IRP)/Records and Information Management (RIM) in partnership with agency stakeholders, requests NARA approval to reduce the retention of official Forms 706, associated schedules, and other documentation from 75 years to 40 years. This request for records disposition authority cancels/replaces NARA Job No. N1-058-94-004 (approved 06/14/1996) for U.S. Estate Tax Returns.

The IRS Records Office has consensus for the reduction in retention from Wage and Investment (W&I), Appeals, Small Business/Self Employed (SB/SE) Counsel, and the Office of Chief Counsel (in consultation with the Department of the Treasury). SB/SE's review of Form 706 retention concluded that additional reduction in Form 706 retention has no adverse effect on agency nor taxpayer needs for the records. Chief Counsel indicated there are no legal issues precluding an earlier disposal and gave deference to the assessment by SB/SE that its actual use of forms beyond 40 years is rare and a change in the Form 706's retention schedule would not negatively affect its operations. (SB/SE Estate and Gift Policy Memorandum attached)

This Schedule will be applied retroactively, and regardless of format (i.e. NARA approval as 'media neutral' is automatic). This is important because even though this business activity is currently a paper process, IRS intends to manage future like records in electronic format. The planned digitization of paper tax returns and digital storage will result in significant records maintenance savings (and comply with electronic recordkeeping mandates).

Item Count

Number of Total Disposition Items	Number of Permanent Disposition Items	Number of Temporary Disposition Items	Number of Withdrawn Disposition Items
3	0	3	0

GAO Approval

Outline of Records Schedule Items for DAA-0058-2021-0005

Sequence Number	
1	Estate Tax Returns
1.1	Originals, reviewed and renumbered by Examination. Disposition Authority Number: DAA-0058-2021-0005-0001
1.2	Generation-Skipping Transfer Tax Return and related documents. Disposition Authority Number: DAA-0058-2021-0005-0002
1.3	File folders set-up to house returns and related documents prior to examination and renumbered DLN. Disposition Authority Number: DAA-0058-2021-0005-0003

Records Schedule Items

Sequence Number					
1	<p>Estate Tax Returns These records include all Forms 706 (United States Estate (and Generation-Skipping Transfer) Tax Return), 712 (Life Insurance Statement), 8971 (Information Regarding Beneficiaries Acquiring Property from a Decedent) and related schedules, correspondence, and documents such as wills, appraisals, trust agreements, powers of attorney, briefs, etc., and any related gift tax return (Forms 709) filed by decedent. Forms 706 are governed under Chapter 11 of the Internal Revenue Code (IRC). Generally, the Form 706 is used to report the date-of-death fair-market value of property a decedent owns and transfers at death. Transfers of property made during life, and reported on U.S. Gift Tax Returns (Forms 709) under Chapter 12 of the IRC, are also included in the calculation of the federal estate tax. Generation-Skipping Transfer (GST) Tax is governed under Chapter 13 of the IRC. Generally, the GST tax is imposed on certain transfers of property to a generation removed from the donor or the decedent making the transfer of property. GST tax can be calculated on Forms 706 and Forms 709 when transfers are made directly. When transfers are made indirectly through the use of trust agreements, GST Tax Returns for Distributions (Forms 706-GS(D) and GST Tax Returns for Terminations (Forms 706-GS(T) are filed to calculate GST tax instead.</p>				
1.1	<p>Originals, reviewed and renumbered by Examination.</p> <p>Disposition Authority Number DAA-0058-2021-0005-0001</p> <p>Final Disposition Temporary</p> <p>Item Status Active</p> <p>Is this item media neutral? Yes</p> <p>Do any of the records covered by this item currently exist in electronic format(s) other than e-mail and word processing? No</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 50%;">Manual Citation</th> <th style="width: 50%;">Manual Title</th> </tr> </thead> <tbody> <tr> <td>Document 12990, RCS 29, Item 61(1)</td> <td>Tax Administration - Wage and Investment</td> </tr> </tbody> </table> <p>GRS or Superseded Authority Citation N1-058-94-004 / 4/1</p> <p>Disposition Instruction</p>	Manual Citation	Manual Title	Document 12990, RCS 29, Item 61(1)	Tax Administration - Wage and Investment
Manual Citation	Manual Title				
Document 12990, RCS 29, Item 61(1)	Tax Administration - Wage and Investment				

1.2

Transfer to Inactive Storage Retire to Records Center 6 months after Examination closure, except for those estate tax returns which contain generation skipping transfers.

Retention Period Destroy 40 year(s) after end of processing year.

Additional Information

GAO Approval Not Required

Generation-Skipping Transfer Tax Return and related documents.

Disposition Authority Number DAA-0058-2021-0005-0002

Final Disposition Temporary

Item Status Active

Is this item media neutral? Yes

Do any of the records covered by this item currently exist in electronic format(s) other than e-mail and word processing? No

Manual Citation	Manual Title
Document 12990, RCS 29, Item 61(2)	Tax Administration - Wage and Investment

1.3

GRS or Superseded Authority Citation N1-058-94-004 / 4/2

Disposition Instruction

Transfer to Inactive Storage Retire to Records Center 1 year after the end of the processing year.

Retention Period Destroy 40 year(s) after end of processing year.

Additional Information

GAO Approval Not Required

File folders set-up to house returns and related documents prior to examination and renumbered DLN.

Disposition Authority Number DAA-0058-2021-0005-0003

Final Disposition Temporary

Item Status Active

Is this item media neutral? Yes

Do any of the records covered by this item currently exist in

electronic format(s) other than e-mail and word processing?

Manual Citation	Manual Title
Document 12990, RCS 29, Item 61(3)	Tax Administratio - Wage and Investmen

GRS or Superseded Authority Citation N1-058-94-004 / 4/3

Disposition Instruction

Retention Period Destroy when related Estate Tax Returns are retired to Records Center in accordance with (0001 - Estate Tax Returns - Originals, reviewed and renumbered by Examination, in this Schedule).

Additional Information

GAO Approval Not Required

Agency Certification

I hereby certify that I am authorized to act for this agency in matters pertaining to the disposition of its records and that the records proposed for disposal in this schedule are not now needed for the business of the agency or will not be needed after the retention periods specified.

Signatory Information

Date	Action	By	Title	Organization
05/05/2021	Certify	Tracee Taylor	IRS Records Officer	Privacy, Governmental Liaison and Disclosure - Records and Information Management
06/02/2021	Return for Revision	Esther Hidalgo	Archives Specialist	National Archives and Records Administration - ACR1 AC Appraisal Team 1
11/04/2021	Submit for Concurrence	Esther Hidalgo	Archives Specialist	National Archives and Records Administration - ACR1 AC Appraisal Team 1
11/09/2021	Concur	Margaret Hawkins	Director of Records Management Services	National Records Management Program - ACNR Records Management Services
11/09/2021	Concur	Laurence Brewer	Chief Records Officer	National Records and Archives Administration - National Records and Archives Administration
11/09/2021	Approve	David Ferriero	Archivist of the United States	Office of the Archivist - Office of the Archivist