

# United States Senate

WASHINGTON, DC 20510-0106

February 8, 2021

The Honorable Dr. Janet Yellen  
Secretary  
U.S. Department of the Treasury  
1500 Pennsylvania Avenue, NW  
Washington, D.C. 20220

The Honorable Charles P. Rettig  
Commissioner  
Internal Revenue Service  
1111 Constitution Avenue, NW  
Washington, D.C. 20224

Dear Secretary Yellen and Commissioner Rettig,

I write today to express my concern with the alarming number of my constituents who have not received their long-awaited tax refund or second economic impact payment (EIP). As you are well aware, millions of Americans are facing economic hardship and are desperately in need of these funds to help make ends meet.

I am deeply appreciative of the Internal Revenue Service's (IRS) work during the pandemic. The agency has delivered hundreds of millions of EIPs to Americans, all while managing the risks associated with COVID-19 and the need to protect our public servants at the IRS. I applaud your responsiveness to Congress and the agency's focus on delivering vital assistance to Americans in dire need of support. However, while the IRS has made an effort to provide timely and updated information on their website, my constituents continue to be frustrated with their inability to navigate some of the issues that are delaying their tax refunds and their second round of EIPs.

I understand that as of November 7, 2020, there were approximately 6.8 million individual paper returns in various processing stages at the four Submission Processing Centers. Commissioner Rettig stated in his November 19, 2020, letter to my office that there were "an estimated 3.3 million pieces of unopened mail at these four locations, including 1.6 million tax returns."

Since the November 19, 2020 letter from Commissioner Rettig, I have continued to hear from constituents that still have not had their 2019 tax returns processed or received their refunds. In addition, my constituents report that they have not received their second EIP despite many of these constituents receiving their first payment via direct deposit, and the agency's Get My Payment Tool indicating their payment was authorized and mailed on January 6, 2021. Because taxpayers who do not receive their EIP must claim their payment by filing a tax return, many taxpayers face the possibility of even lengthier waits to receive their payment, including many who do not normally have a tax filing obligation.

In addition, constituents continue to indicate that they are not receiving refunds due to lags in processing Health Insurance Marketplace Statements (Form 1095-A) and Premium Tax Credits

(Form 8962), which are required if they receive their healthcare from the Affordable Care Act marketplace.

I appreciate the enormity of the challenges that the agency faces in trying to conduct its work while keeping its employees safe from COVID-19. However, the agency has a responsibility to process individual tax returns and issue all refunds that taxpayers are entitled to as quickly as possible and to be as communicative as possible.

To help me respond adequately to my constituents, please answer the following questions:

1. What is the current IRS backlog of paper tax returns and correspondence at the Kansas City, MO location where Virginians' tax returns are processed? When does the IRS project it will be finished processing the backlog? Can the IRS commit to providing more frequent updates on the backlog?
2. As the nation continues to work through the effects of the COVID-19 pandemic, what steps is the agency taking to prepare for the upcoming tax filing season and to process all returns, whether filed electronically or by U.S. Mail, as quickly as possible?
3. For taxpayers who have filed their Forms 1095-A and 8962, when can they expect to have that form processed by the IRS?
4. For the second EIP, how many payments have been successfully delivered? How many payments have been returned to the IRS? Why are some constituents who received the first EIP now having issues accessing the second?

I know the IRS is working diligently to serve the American people, and I welcome our continued collaboration to help Americans across the country. Thank you for your attention to this important issue.

Sincerely,

A handwritten signature in blue ink that reads "Mark R. Warner". The signature is written in a cursive style with a horizontal line underneath the name.

Mark R. Warner  
United States Senator