



February 24, 2016

CC:PA:LPD:PR (REG-134122-15)  
Room 5203, Internal Revenue Service  
P.O. Box 7604  
Ben Franklin Station  
Washington, DC 20044

**RE: Comments on Special Enrollment Examination User Fee [REG-134122-15]**

On behalf of our more than 23,000 NATP members and the thousands of others who work in the tax preparation industry, we are submitting this commentary to address the proposed increase to the user fee the IRS charges candidates for the Special Enrollment Exam (SEE).

As you are aware, the proposal is to increase the user fee from \$11 per part of the exam to \$99 – an 800% increase. This is in addition to the fee charged by the administrator of the exam. It is our position that an increase of this magnitude will clearly place a financial burden on those individuals who aspire to become enrolled agents. In an era when the public is demanding competency from the tax industry, and tax professionals in particular, it seems counterproductive to create such a barrier to obtaining the enrolled agent designation. This proposal also appears to be contrary to one of the strategic goals of the RPO which is to “improve the compliance and accuracy of tax returns prepared by tax preparers.” and could also be seen to work against that the Taxpayer Bill of Rights, by creating an economic deterrence to a person becoming an enrolled agent; a preparer who has passed knowledge, compliance and suitability checks by the Service.

Just this year, our own association took strategic action to provide Part One of our EA Exam Review Course at no cost to our members. Not unlike the IRS, we see value in preparers increasing their knowledge and demonstrating this through the earning of the EA designation. This path should be economically viable for them. An increase in the proposed fees to this degree creates an obstacle to preparers achieving this important career step.

We understand that the IRS has the authority to prescribe regulations that establish charges for services they provide based on the costs to the government, the value of the service to the recipient, the public policy or interest served, and other relevant facts. General information on the types of costs incurred as part of the SEE exam was received as a result of requests by NATP to both the Treasury and the Return Preparer Office, but the specific costs feeding into the model used to determine the per part expense are not readily available making it difficult to fully understand how the fee was determined.

In the best interest of our members and all tax professionals, we respectfully request a delay in the decision regarding the fee increase until more information is known surrounding the costs going into the model which supports the methodology. Additionally, we believe it would be appropriate for a discussion to be held with key stakeholders to explain and discuss available options going forward.

We are asking you to carefully consider the impact this increase will have on those tax professionals who wish to further their careers by demonstrating competency and a commitment to the industry and to the taxpayers they serve. In the event that the increase cannot be delayed or eliminated, we propose that as a secondary option a phased approach over a number of years be employed when applying the increased fees.

Thank you for this opportunity to submit our comments on this very important topic. Part of our mission at NATP is to help our members succeed. We know that earning an enrolled agent designation can assist in doing just that. We urge you to use caution when making a final determination on the proposed fees, so the unintended result of fewer preparers testing and obtaining their EA designation does not occur.

If you would like to discuss this further, please contact us at [govtrelations@natptax.com](mailto:govtrelations@natptax.com). Thank you again for your time and consideration.

Sincerely,



Gerard Cannito, CPA  
NATP President  
president@natptax.com



Scott Artman, CPA  
NATP Executive Director  
sartman@natptax.com



Larry Gray, CPA  
NATP Government Liaison  
govtrelations@natptax.com