

***A GUIDE TO BACKUP WITHHOLDING  
(for Missing and Incorrect Name/TINs)***

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## **PART 1. INTRODUCTION**

This publication has information about the backup withholding (BWH) requirements that may apply to the information returns you filed. If you are a new filer of information returns or you need an answer to a specific question, you may find it helpful to begin by reading Part 2. Frequently Asked Questions; more detailed information about BWH begins with Part 4.

We have included copies of the First and Second “B” Notices for convenience.

### **What’s New?**

The order of the information in this publication  
The Q & A’s have been clarified/updated and a new Q & A about  
ITINs was added

## **PART 2. FREQUENTLY ASKED QUESTIONS**

- 1. Q. What is backup withholding?**

**A.** Persons (payers) making certain payments to payees must withhold and pay to the IRS 31% of those payments under certain conditions. Payments that may be subject to backup withholding include interest, dividends, rents, royalties, nonemployee compensation, and certain other payments including broker and barter exchange transactions and certain payments made by fishing boat operators. Real estate transactions are not subject to backup withholding.
- 2. Q. What is a TIN?**

**A.** A TIN is a social security number (SSN) issued by the Social Security Administration (SSA) or an employer identification number (EIN) issued by the IRS.

A TIN can only have nine (9) numbers. It cannot have more or less than nine numbers nor can it have a combination of numbers and an alpha character within the nine-number sequence.
- 3. Q. What is an ITIN?**

**A.** An ITIN is an individual taxpayer identification number (ITIN) issued by the IRS. ITINs are used by aliens, both resident and nonresident, who are not eligible for SSNs. An ITIN has nine numbers in the same format

as an SSN.

Form W-7, IRS Application for Individual Taxpayer Identification Number, is used to apply for an ITIN. You may get a copy by calling 1-800-TAX FORM (1-800-829-3676).

**4. Q. What payments are subject to backup withholding?**

- A.**
- a)** Rents and commissions, fees or other forms of compensation for services, and other fixed or determinable gains, profits, or income payments reportable on Form 1099-MISC, Miscellaneous Income.
  - b)** Interest reportable on Form 1099-INT, Interest Income.
  - c)** Dividends reportable on Form 1099-DIV, Dividends and Distributions.
  - d)** Patronage dividends reportable on Form 1099-PATR, Taxable Distributions Received From Cooperatives.
  - e)** Original issue discount reportable on Form 1099-OID, Original Issue Discount, if the payment is in cash.
  - f)** Gross proceeds reportable on Form 1099-B, Proceeds From Broker and Barter Exchange Transactions.
  - g)** Royalties reportable on Form 1099-MISC, Miscellaneous Income.

**5. Q. Can a payee claim he or she is exempt from backup withholding?**

- A.** Yes. Payees who may be exempt are listed in the Instructions for the Requester of Form W-9.

**6. Q. Is a payee an exempt corporation if it uses the term “Company” or “Co.” in its name?**

- A.** A payer cannot treat a payee as an exempt corporation merely because the business name contains the words “Company” or “Co.”

**7. Q. When is a TIN considered missing or incorrect?**

**A. Missing TIN** - We consider a TIN to be missing if it is not provided. We also consider a TIN to be missing if it has more or less than nine numbers or it has an alpha character as one of the nine numbers.

**Example: Missing SSN: 123-45-678**

**Example: Missing SSN: 123-45-67899**

**Example: Missing EIN: 12- 45678P**

**Incorrect TIN** - We consider a TIN to be incorrect if the name/TIN combination doesn't match or can't be found on IRS or SSA files.

**Examples of Correct TINs:**

**Correct SSN: 123-45-6789**

**Correct EIN: 12-3456789**

**8. Q. What files does the IRS use in the matching process?**

**A.** The DM-1 File -- A file containing all SSNs ever issued by the SSA and The EIN-Name Control File -- A file containing all the IRS-assigned EINs.

**9. Q. What should I do if a payee refuses or neglects to provide a TIN?**

**A.** Begin backup withholding immediately on any reportable payments. Do the required annual solicitation (request) for the TIN. (Question 14 has information about the solicitation requirements for missing and incorrect TINs.)

**10. Q. How do I know if a TIN on my account is incorrect?**

**A.** We will send you a CP2100 or a CP2100A Notice and a listing of incorrect name/TINs.

**11. Q. What is a CP2100 or CP2100A Notice?**

**A.** It is a notice which tells a payer that he or she may be responsible for backup withholding. It is accompanied by a listing of missing, incorrect, and/or not currently issued payee TINs.

Magnetic media filers of information returns receive a CP2100 Notice and

paper filers receive a CP2100A or CP2100 Notice.

**12. Q. What should I do if I receive a CP2100A Notice?**

**A.** Compare the listing(s) with your records.

**For missing TINs:** Determine if you are already backup withholding on the account. If you aren't, begin backup withholding immediately. You must also complete a first or second annual solicitation.

**For incorrect TINs:** Compare the accounts on the listing with your business records. If they **agree**, send the appropriate "B" Notice to the payee. If an account **does not agree**, this could be the result of a recent update, an error in the information you submitted, or an IRS processing error. If this is what happened, **the only thing you should do is correct or update your records.**

***REMINDER: YOU DO NOT HAVE TO CALL OR WRITE TO THE IRS TO SAY THAT YOU MADE THE CORRECTION OR UPDATE.***

**13. Q. Do I have to wait 30 business days following receipt of a CP2100 or 2100A Notice before I begin backup withholding?**

**A.** No. You may begin backup withholding as soon as the day after you receive a CP2100 or 2100A Notice.

**NOTE: There are no special provisions to provide a refund merely because a payee submits the proper certification after you have started backup withholding.**

**14. Q. What are the first and second annual solicitation requirements?**

**A.** A solicitation is a request for a payee's correct TIN. You must make the request to satisfy the backup withholding requirements and to avoid a penalty for filing another information return with a missing or an incorrect TIN.

**For missing TINs,** you must make the **initial** solicitation when the payee opens the account or when the transaction occurs. If the payee does not provide a TIN when you initially ask for it, you must make a **first annual** solicitation by December 31 of the year in which the account is opened (for accounts opened before December) or January 31 of the following year (for accounts opened the preceding December).

If the payee doesn't provide a TIN after the first annual solicitation, you must make the **second annual** solicitation by December 31 of the year following the calendar year in which the account was opened.

**For incorrect TINs**, you must make the **initial** solicitation when the payee opens the account or when the transaction occurs. You must make the **first annual** solicitation within 15 business days after you receive a CP2100A or CP2100 Notice.

Generally, you must make the **second annual** solicitation within the same time frame as required for the first annual solicitation if IRS notifies you of an incorrect TIN within two calendar years following the calendar year in which you received the first notification.

15. **Q. Does a CP2100A or CP2100 Notice indicate whether it is the first or second notification of an incorrect TIN for a specific account?**
- A. No. The backup withholding regulations provide that payers are responsible for tracking the status of the notices they receive.
16. **Q. What is the relationship between the requirement to make an annual solicitation for a payee's TIN and the requirement to send a "B" Notice?**
- A. Sending a "B" Notice in response to a CP2100A or CP2100 Notice also satisfies the annual solicitation requirement to avoid a penalty for filing another information return with an incorrect TIN.
17. **Q. What is a "B" Notice?**
- A. A "B" Notice is a backup withholding notice. There are two "B" Notices -- the First "B" Notice and the Second "B" Notice. You must send the First "B" Notice and a Form W-9 to a payee to solicit a correct name/TIN combination. The text of the Second "B" Notice is different than that of the First "B" Notice. It tells the payee to contact IRS or SSA to obtain the correct name/TIN combination. The mailing of the second notice **should not** include a Form W-9. Generally, you do not have to send a "B" Notice more than two times within three calendar years to the same account.

**18. Q. When do I send a "B" Notice to a payee?**

**A.** You have 15 business days from the date of the CP2100A or CP2100 Notice, or the date you received it (whichever is later), to send a "B" Notice to a payee.

***Reminder: You only have to send a "B" Notice to a payee whose name/TIN combination and account number on your records agrees with the combination that IRS identified as incorrect.***

**19. Q. How do I know which "B" Notice to send?**

**A.** **If this is the first time** we notified you about a name/TIN combination for an account, you must provide the payee with (1) the First "B" Notice and (2) a copy of Form W-9 (or acceptable substitute). You may also provide an optional reply envelope. Your outside envelope must be clearly marked "**IMPORTANT TAX INFORMATION ENCLOSED**" or "**IMPORTANT TAX RETURN DOCUMENT ENCLOSED.**"

**If this is the second time** within three calendar years that we notified you about an account with an incorrect name/TIN combination, you must provide the payee with the Second "B" Notice. **Do not include a Form W-9.** You may also provide an optional reply envelope. Your outside envelope must be clearly marked "**IMPORTANT TAX INFORMATION ENCLOSED**" or "**IMPORTANT TAX RETURN DOCUMENT ENCLOSED.**"

**20. Q. Do I have to mail a Second "B" Notice if I receive the second notification in the same calendar year as the first notice which I properly sent?**

**A.** No. You may disregard the second notification.

**21. Q. What should I do if a "B" Notice is returned as "undeliverable?"**

**A.** You must begin backup withholding. However, try to get the correct address for the payee and remail the notice. If you can't find the correct address, keep the undelivered notice with your records.



22. Q. **Why are accounts I corrected still on the listing of missing or incorrect TINs?**
- A. Due to processing cut-off points, a listing may **or** may not reflect your latest corrections. If you know that an account was corrected, **do not** send a "B" Notice to the payee.
23. Q. **What should I do if a TIN was actually on file but it was left off the Form 1099 or reported incorrectly?**
- A. Make the change to your records and use the correct information on future filings. **Do not send a "B" Notice to the payee.**
24. Q. **What should I do if this is the first notification and the Form W-9 is returned with the same incorrect information?**
- A. Keep the W-9 on file to show that the payee certified the name/TIN combination. **Do not backup withhold.**
25. Q. **If I don't do business anymore with a payee, or if it was only a one-time transaction, what should I do with the "B" Notice?**
- A. Send it and try to get the correct TIN. If you don't receive the TIN, notate your records so that if you do business again with the payee, you can track the notices for the "two in three year rule." We require that you track these accounts for three years after the date of the first CP2100A or CP2100 Notice.
26. Q. **Can a sole proprietor have an SSN or does he or she need an EIN?**
- A. A sole proprietor may have an SSN or an EIN. However, he or she **must always** furnish his or her individual name, regardless of whether he or she uses an SSN or an EIN. A sole proprietor may provide a business name, but **he or she should list his or her individual name first** on the accounts with you.
27. Q. **Should I backup withhold on a payee who is a nonresident alien?**
- A. Yes. A nonresident alien is subject to backup withholding unless you have a signed Form W-8, Certificate of Foreign Status, on file for him or her.  
**NOTE: Form W-8 is being revised. At the time this publication went**

**to print, the new Form W-8 was not available.**

- 28. Q. Can a Form W-9 for one account be used to correct all accounts?**
- A.** Yes, if the payer required a payee to file only one Form W-9 for all accounts or instruments of the payee.
- 29. Q. Can a payee be subject to backup withholding for more than one reason?**
- A.** Yes. However backup withhold for only one reason at a time.
- 30. Q. How do I get an EIN?**
- A.** Complete Form SS-4, Application for Employer Identification Number. Follow "How To Apply" in the instructions for Form SS-4 to obtain an EIN by mail, telephone, or facsimile (FAX).
- 31. Q. What form do I use to report backup withholding?**
- A.** Report backup withholding on Form 945, Annual Return of Withheld Federal Income Tax. For more information, including the deposit requirements for Form 945, see the separate instructions for Form 945, or Circular E, Employer's Tax Guide.

### **PART 3. WHERE TO CALL FOR HELP**

If you have any questions about backup withholding, information reporting, Forms 1099, or the CP2100A and CP2100 Notices and listing(s), you may call:

**The Information Reporting Program Centralized Call Site**

**Telephone: (304) 263-8700 (not toll free)**

**Hours: 8:30 am to 4:30 pm Monday through Friday EST**

The IRS also operates an electronic bulletin board (IRP-BBS) at the Martinsburg Computing Center which is available 24 hours a day. The IRP-BBS offers changes and updates that affect information reporting. By using your personal computer and modem, you can contact the IRP-BBS by dialing **(304) 264-7070**.

## PART 4. ACTIONS FOR MISSING TINs AND INCORRECT NAME/TIN COMBINATIONS

### CP2100A Notice

The CP2100A Notice include a listing(s) of the information returns you filed with missing, incorrect, and/or not currently issued TINs. You should compare the listing(s) to your records to determine what action to take.

### Missing TINs

A missing TIN is one which is not provided or is obviously incorrect. **A TIN must have nine numbers.** We consider it to be missing if it does not have nine numbers, or if it includes an alpha character (a symbol other than an Arabic numeral). For accounts with missing TINs, make sure backup withholding has begun and continue backup withholding until you receive the TIN. If you haven't begun backup withholding, generally you must:

- 1) Begin backup withholding on any reportable payment you make and continue to do so until you receive a certified TIN.
- 2) Get a certified TIN from the payee by asking for a signed Form W-9. Keep the Form W-9 for your records. **Do not send a first or second "B" Notice.**
- 3) Report amounts withheld on Form 945, Annual Return of Withheld Federal Income Tax, and make the required deposit.

**NOTE: Generally, you must get a TIN from a payee even for a "one-time" transaction. If you don't, the law allows us to charge you a penalty. Publication 1586, Reasonable Cause Regulations and Requirements for Missing and Incorrect Name/TINs, has information about removing or reducing penalties due to reasonable cause.**

### Incorrect Name/TIN Combinations (including not currently issued TINs)

A name/TIN combination is incorrect if it doesn't match or can't be found on IRS or SSA files. You must follow different procedures when the information on the listing(s) **agrees** or **disagrees** with your business records. Compare the listings with your records and take the following actions:

For account information that **does not agree**, check to see if you put the correct information on the return, if the information changed after you filed it, or if IRS misprinted the information when processing the return. **In these situations, do not write or call us. However:**

- 1) If you didn't put the correct information on the return, correct your records and include that information on any future information returns you file. Do not send a "B" Notice to the payee. **Do not send the correction to the IRS.**
- 2) If the information changed after you filed the return, be sure to include that information on any future information returns you file. Do not send a "B" Notice to the payee. **Do not send the correction to the IRS.**
- 3) If IRS misprinted your information, make a note of this in your records and do not take any further action. **Do not send the correction to the IRS.**

For account information that **agrees** with your records, you must determine if this is the "first" or "second" time within three calendar years that we notified you about a name/TIN combination. Your first notification of an incorrect name/TIN combination is when the payee TIN appears for the first time on the listing we send you. The second notification of an incorrect name/TIN combination is when the same payee TIN appears for the second time within three calendar years on the listing.

**NOTE: An applied for TIN certification will not prevent or stop backup withholding when the payee has given you an incorrect name/TIN combination.**

### **First B Notice**

1. Send the First "B" Notice, a Form W-9, and an optional reply envelope to the payee within 15 business days from the date of the CP2100A Notice or the date you received it (whichever is later). Date the "B" Notice no later than 30 business days after the date of the CP2100A Notice or the date you received it (whichever is later). Your outer envelope must be clearly marked **"IMPORTANT TAX INFORMATION ENCLOSED"** or **"IMPORTANT TAX RETURN DOCUMENT ENCLOSED."**
2. Make sure that necessary information such as the date and account number are on the "B" Notice **before** mailing it to the payee.
3. Update your records with the corrected information you receive from the payee and include it on any future information returns you file. **Do not send the signed Form W-9 to the IRS.**

4. Begin backup withholding on payments made to payees who do not respond to the First "B" Notice within 30 business days after the date of the CP2100A Notice or the date you received it (whichever is later). However, you may begin backup withholding the day after the date you receive the CP2100A Notice.

**NOTE: You are not required to file a correction unless you are also making a change to the dollar amount reported.**

**NOTE: It is your responsibility to send the appropriate "B" Notice to the payee, when required, to obtain the correct name/TIN. This information should not be asked for by telephone, because you need a TIN that the payee certifies as correct in order to stop backup withholding or prevent it from starting.**

### **Second "B" Notice**

1. Send the Second "B" Notice and an optional reply envelope to the payee within 15 business days after the date of the CP2100A Notice or the date you received it (whichever is later). Date the "B" Notice no later than 30 business days after the date of the CP2100A Notice or the date you received it (whichever is later). **Do not send a Form W-9.** Your outer envelope must be clearly marked "**IMPORTANT TAX INFORMATION ENCLOSED**" or "**IMPORTANT TAX RETURN DOCUMENT ENCLOSED.**"
2. The payee **must** contact the SSA to get his or her social security number validated (on SSA Form 7028, Notice to Third Party of Social Security Number Assignment) or the IRS to get his or her employer identification number validated (on IRS Letter 147C).
3. Allow 30 business days after the date of the Second B Notice to receive Form 7028 from the SSA or IRS Letter 147C from the payee. Begin backup withholding on payments you make to him or her if you don't receive SSA Form 7028 or IRS Letter 147C. You must continue to backup withhold until you receive either SSA Form 7028 or IRS Letter 147C.

**NOTE: You are not required to file a correction unless you are also making a change to the dollar amount reported.**

**NOTE: It is your responsibility to send the appropriate “B” Notice to the payee, when required, to obtain the correct name/TIN. This information shouldn’t be asked for by telephone because you need a TIN that the payee certifies as correct (using IRS Letter 147C or SSA Form 7028 as appropriate) in order to stop current backup withholding or prevent backup withholding from starting.**

### **Third and Subsequent Notices**

Generally, you may ignore a third or subsequent notice of missing or incorrect TINs if you completed the actions for the First and Second “B” Notices and the incorrect payee name/TIN combination and account number remain the same. However, if the CP2100A Notice and listing(s) relate to the same payee, but with a different name/TIN combination than the "first" and "second" notice, you must treat the notice as a "first" notice.

## **PART 5. THE IRS MATCHING PROCESS**

This section provides an overview of the IRS matching process and the development of name controls.

The information returns you file must include a correct name/TIN combination to allow us to match the information reported against the income included on the payee's income tax return. We check whether a name/TIN combination is correct by matching it against a file containing all social security numbers (SSNs) issued by SSA and against a file containing all employer identification numbers (EINs) issued by IRS. Then we compare the name control on the paper payee document (if provided) to the name control on file. If a name control is not provided, we develop it from the name(s) provided on the first two name lines (up to 40 characters for each name line including spaces) of the information return. If we can match a developed name control to the name control in our records, we consider it to be correct. If no match is found using this process, we consider the name/TIN combination to be incorrect.

The chart on the back of Form W-9 has information for payees about “What Name and Number to Give the Requester” of Form W-9.

### **Name Controls**

A name control consists of up to four characters.

To help ensure that the name/TIN combination for an account matches the name/TIN combination on IRS and SSA files, use the following information when you open an account for a payee.

## Individuals

We develop a name control for an individual from the last name on the information return. For example:

Ralph **Teak**                      Dorothy **Willow**                      Joe **McCedar**

If an individual has a hyphenated last name, we develop the name control from the first of the two last names. For example:

Joan **Cedar**-Hawthorn                      Victoria **Windsor**-Maple

For joint names, regardless of whether the payees use the same or different last names, we develop the name control from the primary payee's last name. For example:

Joseph **Ash** & Linda Birch                      Edward & Joan **Maple**

***Reminder: If a payee has changed his or her last name, for instance, due to marriage, he or she SHOULD inform the Social Security Administration (SSA) of the name change.***

**Hint: On name line one of the Form 1099, a payer should enter the payee's first name and new last name (if the change has been made with SSA), or the payee's first name, former last name, and new last name (if the change has not been made with SSA).**

## Sole Proprietors

We generally develop the name control for a sole proprietor from the last name on the information return. For example:

Mark & Jane **Hemlock**                      Karen **Birch**  
The Sunshine Cafe                      Ace Computer Co.

**Hint: Sole proprietors should enter their business, trade, or doing business as name on the second name line of the information return.**

## Estates

We develop the name control for a decedent's estate from the decedent's name on the first name line on the information return. The decedent's name may be followed by the word "Estate. (The TIN should be the one that was assigned to the estate.) For example:

Frank **White** Estate  
Alan Greene, Exec.

Estate of Frank **White**  
John Black, Exec.

### Trusts and Fiduciaries

We generally develop the name control for a trust or fiduciary account from the name of the person in whose name the trust or fiduciary account was established. For example:

Jonathan **Peri**winkle  
Irrevocable Trust  
FBO Patrick Redwood  
Chestnut Bank, Trustee

**Memory** Church  
Endowment Trust  
John Waxbean, Trustee

### Partnerships

We generally develop the name control for a partnership from the trade or business name of the partnership; if there isn't any, we develop the name control from the last name of the first partner listed on the original Form SS-4 (which was used to apply for the EIN). For example:

(The) **Oak T**ree  
A.S. Greene, K.L. Black, & O.H. Brown, Ptrs.

Bob **Orange** & Carol Black, et al Ptrs.  
d.b.a. The Merry Go Round

E.F. **Brown**, M.S. White & T.J. Green, Ptrs.  
The Brown & White Company

### Other Organizations



We develop the name control for other organizations from the entity's name on the original Form SS-4 (which was used to apply for the EIN). For example:

St Bernard's Methodist Church  
Building Fund for St. Bernard's Church

ABC Company  
Main Street Store

**NOTE: Extraneous words, titles, and special characters (i.e., Mr., Mrs., Dr., and apostrophe etc.), may be dropped during the development of name controls. For example, we dropped the period in St. Bernard's Methodist Church.**

## **PART 6. "B" NOTICES**

First "B" Notice

Second "B" Notice

*First B Notice*

*IMPORTANT TAX NOTICE*

*ACTION IS REQUIRED*

**Backup Withholding Warning!**

***We need a Form W-9 from you before the date shown below.***

Date \_\_\_\_\_ . Otherwise, backup withholding will begin.

Account Number \_\_\_\_\_

Current Name on Account \_\_\_\_\_

Current TIN on Account \_\_\_\_\_

*The Internal Revenue Service (IRS) has notified us that the taxpayer identification number (TIN) on your account with us does not match their records. The IRS considers a TIN as incorrect if either the name or number shown on an account does not match a name and number combination in their files or the files of the Social Security Administration (SSA). If you do not take appropriate action to help us correct this problem before the date shown above, the law requires us to withhold 31 percent of the interest, dividends, and certain other payments that we make to your account. This is called backup withholding.*

*In addition to backup withholding, you may be subject to a \$50 penalty by the IRS for failing to give us your correct name/TIN combination.*

*This notice tells you how to help us make your account records accurate and how to avoid backup withholding and the penalty.*

***Why Your TIN May Be Considered As Incorrect:***

*An individual's TIN is his or her social security number (SSN). Often a TIN does not match IRS records because a name has changed through marriage, divorce, adoption, etc., and the change has not been reported to SSA, so it has not been recorded in SSA's files.*

*Sometimes an account or transaction may not contain the correct SSN of the actual owner. For example, an account in a child's name may reflect a parent's SSN. (An account should be in the name and SSN of the actual owner.)*

***What You Need To Do:***

***Individuals***

*If you have never been assigned a social security number (or if you lost your social security card and do not know your SSN), call your local SSA office and find out how to obtain an original (or a replacement) social security card. Then apply for it.*

*If you already have a social security number: Compare the name and SSN on your account with us (shown at the beginning of this notice) with the name and SSN shown on your social security card. Then use the chart on the next page to decide what action to take.*

**IF-**

1. The last name and SSN on your account agree with the last name and SSN on your social security card
2. The SSN on your account is different from the SSN on your social security card, but the last name is the same
3. The last name on your account is different from the last name on your social security card, but the SSN is the same on both
4. Both the last name and SSN on your account are different from the last name on your social security card

**THEN-**

1. Contact your local SSA office to ascertain whether the information on SSA's records is different from that on your social security card, and to resolve any problem. Also, put your name and SSN on the enclosed Form W-9 following the instructions on the form. Sign the Form W-9 and send it to us.
2. Put your name and SSN, as shown on your social security card, on the enclosed Form W-9, following the instructions on the form, sign it, and send it to us. You do not need to contact SSA.
3. Take one of the following steps (but not both):
  - (a) If the last name on your account is correct, contact SSA to correct the name on your social security card. Put your SSN and name shown on your account on the enclosed Form W-9 following the instructions on the form, sign it, and send it to us. However, if you are not able to contact SSA at this time, you can provide us with both last names. Put your SSN and the name shown on your social security card plus the last name shown on your account (in that order) on the enclosed Form W-9 following the instructions on the form, sign it, and return it to us. For example, if your social security card lists your maiden name, give us your SSN and your name in the following order: First/maiden/married name. Please note, however, that you should contact SSA as soon as possible so they can correct their records.
  - (b) If the last name on your social security card is correct, put that name and your SSN on the enclosed Form W-9 following the instructions on the form. Sign it, and return it to us. You do not need to contact SSA.
4. (a) If the last name and SSN on your social security card are correct, put that name and SSN on the enclosed Form W-9 following the instructions on the form. Sign it, and send it to us. You do not need to contact SSA.
  - (b) If the last name on your account and the SSN on your social security card are correct, follow the procedure in section 3(a) above. Be sure to put the name shown on your account and the name on your social security card on the Form W-9.

Once you have resolved what your correct name and TIN combination is, you must provide this information to us (and all your other payors) for all of your accounts to avoid a problem in the future. If you are required to visit an SSA office, take this notice, your social security card, and any other related documents with you. Before you go, you should call SSA so that they can explain what other documents you need to bring.

**Instructions for Nonindividuals and Certain Sole Proprietors**

For most nonindividuals (such as trusts, estates, partnerships, and similar entities), the TIN is the employer identification number (EIN). The EIN on your account may be incorrect because it does not contain the number of the actual owner of the account. For example, an account of an investment club or bowling league should reflect the organization's own EIN and name, rather than the SSN of a member. Please put the name and EIN on the enclosed Form W-9, sign it, and send it to us.

A sole proprietor must furnish his or her individual name and either his or her SSN or the EIN for his or her sole proprietorship. In addition to his or her individual name, the sole proprietor may also furnish the business name for the sole proprietorship, provided his or her individual name is listed before the business name. A sole proprietor must not furnish only the business name. Please put the individual name and SSN or EIN on the enclosed Form W-9, sign it, and send it to us.

**Important Reminder!**

**YOU MUST SEND US A SIGNED IRS FORM W-9 BEFORE THE DATE OF THIS NOTICE** even if the name and number (SSN or EIN) on your account with us match the name and number (SSN or EIN) on your social security card or the document issuing you an EIN. If we do not receive your Form W-9, and any other documents that we need to change the name or TIN (or both) on your account before the date of this notice, we are required by law to withhold 31 percent from any reportable payment that we pay to your account until we receive the necessary documents. A Form W-9 is enclosed for your convenience, as well as any additional documents allowing us to change the name/TIN combination on your account.

**Second B Notice**

**IMPORTANT TAX NOTICE**  
**Second Backup Withholding Warning!**

**ACTION IS REQUIRED**

**YOU MUST HAVE THE IRS OR SSA VALIDATE YOUR  
TAXPAYER IDENTIFICATION NUMBER  
AND RETURN IT TO US BEFORE THE DATE SHOWN BELOW**

Date \_\_\_\_\_, *Otherwise, backup withholding will begin.*  
Account Number \_\_\_\_\_ Current Name on Account \_\_\_\_\_  
Current TIN on Account \_\_\_\_\_

We have received notice from the Internal Revenue Service (IRS) twice within 3 years stating that the combination of the name and taxpayer identification number (name/TIN combination) on your account with us is incorrect. (Your account number, current name on the account, and current taxpayer identification number (TIN) on the account are shown above.) A name/TIN combination is incorrect if it does not match a name/TIN combination shown on the records of the Social Security Administration (SSA) or the IRS.

You should follow the instructions below to correct this problem and send the corrected information to us before the date shown above. If we do not have the correct information before that date, the law requires us to withhold 31 percent of the interest, dividends, and certain other payments that we make to your account.

Section 3406 of the Internal Revenue Code requires that we withhold 31 percent in tax, called backup withholding, when you do not give us your correct name/TIN combination. Because of the notices we received from the IRS, we are now required to disregard any future name/TIN combinations you furnish us for your account (whether or not you certify your TIN under penalties of perjury) unless SSA (or, in the case of an incorrect employer identification number, the IRS) validates your name/TIN combination. Also, the IRS may charge you a \$50 penalty for failing to provide us with your correct name/TIN combination.

**What You Need To Do**

Follow the instructions below to correct your account record to avoid backup withholding on your account (or to stop it once it has begun) and to avoid the penalty.

**Individuals/Instructions for Incorrect Social Security Numbers**

If the incorrect TIN you furnished us is a social security number, you must:

1. Contact your local SSA office by telephone and ask what you need to do to correct the problem for backup withholding tax purposes;
2. Give a copy of this notice to the SSA; and
3. Request and authorize the SSA to send Form SSA-7028, Notice to Third Party of Social Security Number Assignment, directly to us with a copy of this notice attached.

**Nonindividuals or Certain Sole Proprietors/Instructions for Incorrect Employer Identification Numbers**

If the incorrect TIN you furnished is an employer identification number, you must:

1. Write the Internal Revenue Service Center (Attn. Entity Section) where you file your income tax return, and ask the IRS to send you a Letter 147C;
2. Enclose a copy of this notice in your letter to the Internal Revenue Service Center; and
3. When the IRS sends you the Letter 147C, send it to us with a copy of this notice attached.

