



IRS Criminal Investigation Voluntary Disclosure Practice

If you have **willfully failed to comply with tax or tax-related obligations**, submitting a voluntary disclosure may be a means to resolve your non-compliance and limit exposure to criminal prosecution.

You have a legal duty to fully comply with U.S. tax laws. **Voluntary compliance** is the cornerstone of our tax system. While most taxpayers voluntarily comply with their obligations, some fail to do so. We have a wide variety of civil and criminal sanctions that we may impose on non-compliant taxpayers. Failure to voluntarily comply may result in imprisonment, fines, and penalties.

What is the Voluntary Disclosure Practice (VDP)?

A voluntary disclosure occurs when you provide a truthful, timely, and complete disclosure of your willful noncompliance through designated procedures. It also requires you to:

- Timely submit all required documentation including a Form 2848 for each taxpayer and entity entering the program,
- Cooperate with the IRS in determining your correct tax liability, and
- Pay in full or secure a full-pay installment agreement for the tax, interest and any applicable penalties you owe.

A voluntary disclosure is timely if we receive it before we have:

1. Commenced a civil examination or criminal investigation.
2. Received information from a third party (e.g., informant, other governmental agency, John Doe summons, etc.) alerting us to your noncompliance.

Related

- [Form 14457, Voluntary Disclosure Practice Preclearance and Application](#) [PDF](#)
- [Internal Revenue Manual \(IRM\) 9.5.11.9, Voluntary Disclosure Practice](#)
- [Form 2848, Power of Attorney and Declaration of Representative](#) [PDF](#)

3. Acquired information directly related to your specific noncompliance from a criminal enforcement action (e.g., search warrant, grand jury subpoena, etc.).

The VDP is a longstanding practice of IRS Criminal Investigation (CI). CI accepts timely, accurate, and complete voluntary disclosures under consideration when determining whether to recommend criminal prosecution. A voluntary disclosure will not automatically guarantee immunity from prosecution; however, a voluntary disclosure may result in prosecution not being recommended.

Who may disclose

The VDP is a compliance option if you have willfully failed to comply with tax or tax related obligations or committed tax or tax-related crimes and therefore have criminal exposure due to your willful violation of the law. Taxpayers who participate in the VDP intend to seek protection from potential criminal prosecution.

If your failure to comply with tax or tax related obligations or violation of the law was not willful, in other words, you feel you made an error or mistake, you should consider other options including correcting past mistakes by filing amended or past due returns. See [Voluntary disclosure not for you?](#) for useful links on other options.

Note: This practice does not apply to taxpayers with illegal sources of income. Income from activities determined to be legal under state law but illegal under federal laws is considered illegal source income for purposes of VDP.

How to disclose

There is a two-part electronic application process to request participation in the VDP. Part I is a preclearance to determine your eligibility for the program and Part II is a determination of your preliminary acceptance.

To apply, you must first:

- Have ready all required documentation as outlined in the Form 14457 instructions. If the Voluntary Disclosure is being presented through a power of attorney, a [Form 2848, Power of Attorney and Declaration of](#)

[Representative](#) [PDF](#) must be submitted for **each** individual taxpayer and entity entering the program.

- Fill out Part I of [Form 14457, Voluntary Disclosure Practice Preclearance Request and Application](#) [PDF](#) to request preclearance.
- Fax your application to 844-253-5613.

Once CI receives your Part I, we will determine if you are pre-cleared to enter the practice. Preclearance determines your eligibility for the practice but does not guarantee preliminary acceptance into the practice.

- Once you have received a preclearance letter, you must electronically submit Part II of the Voluntary Disclosure Application within 45 days. CI will review your submission on Part II of Form 14457 to determine pre-acceptance in the VDP.
- If approved to participate, CI will provide you with a Preliminary Acceptance Letter, and your Form 14457 will be forwarded to a civil section of the IRS.

Once your case is assigned to a civil examiner, you will be contacted. You must cooperate with the examiner in providing requested documents and information. You will be required to provide a statement acknowledging your willful failure to comply with tax or tax related obligations.

If you are unable to submit Part II of the voluntary disclosure application within 45 days of the preclearance letter, you may voluntarily withdraw from the program or make a written request to vdp@ci.irs.gov ✉ for an extension. Extension requests will be approved on a case-by-case basis and **no more than one 45-day extension will be permitted.**

For more detailed instructions on how to submit your VDP application, see the instructions attached to the [Form 14457, Voluntary Disclosure Practice Preclearance Request and Application](#) [PDF](#), for the most current voluntary disclosure procedures.

Voluntary disclosure not for you?

- [Amended return procedures](#)
- [Delinquent return procedures](#)

- [Other options available for U.S. taxpayers with undisclosed foreign financial assets](#)

Contact and feedback

Taxpayers or their representatives with procedural questions concerning VDP should call the VDP hotline at [904-661-3350](tel:904-661-3350) or Streamlined Filing Compliance Procedures at [267-466-0020](tel:267-466-0020).

For questions regarding the status of pre-clearance requests or preliminary acceptance, taxpayers/representatives may contact IRS-CI via email at vdp@ci.irs.gov .

Once you receive preliminary acceptance, when you have questions or need a status update, email lbieefaustindisclosure@irs.gov . A civil examiner will respond timely.

Public Comment on Voluntary Disclosure Practice Proposal

Review the [news release](#), issued on Dec. 22, 2025, announcing a 90-day comment period on the Voluntary Disclosure Practice proposal. While the proposed updates to the Voluntary Disclosure Practice (VDP) are in the public comment period, they do not create any rights or expectations for taxpayers who applied to the VDP before the proposal is finalized and placed into effect. Eligibility under any revised VDP will be determined based on procedures in effect at the time the changes are finalized.

Voluntary Disclosure Practice Frequently Asked Questions and Answers

1. What is the Voluntary Disclosure Practice?

The IRS Criminal Investigation division administers the Voluntary Disclosure Practice (VDP) for taxpayers who willfully failed to comply with tax laws. It allows them to come forward, disclose their noncompliance, and resolve their tax and reporting obligations before facing potential criminal prosecution.

2. Who may disclose?

Any taxpayer (individual or entity) who willfully failed to report income, pay taxes, or submit required information returns or reports, or who willfully reported overstated deductions, may

request participation in the VDP. VDP is designed for those taxpayers whose conduct was intentional or deliberate, not accidental or due to misunderstanding. Taxpayers who made a non-willful error in filing their taxes should consider options that include [amended returns](#) or [delinquent returns](#), among [others](#).

3. How would disclosure work under the proposed VDP?

Under the proposed VDP framework, taxpayers who receive conditional approval from the IRS Criminal Investigation division must, within three months, file all required amended or delinquent returns and reports, pay taxes, penalties, and interest in full, and sign required agreements. The disclosure period generally includes the most recent six years of amended or delinquent returns and reports.

4. For taxpayers who already applied to the VDP, can they rescind their application and wait to file under the proposed VDP?

If an application to the current VDP has not yet been preliminarily accepted, taxpayers can notify vdpc@ci.irs.gov  of their intention to switch to the proposed VDP. If the application to the current VDP has been preliminarily accepted, but the taxpayer hasn't been contacted by the examining agent, they should contact [lbiefautindisclosure@irs.gov](mailto:lbieefautindisclosure@irs.gov) . However, if the VDP examination has already begun and the taxpayer responded to the document request from their examiner, they must stay in the version of VDP they were accepted into.

5. If a taxpayer hasn't provided returns to an examiner under the current VDP, can they qualify for the proposed VDP?

If a taxpayer's returns have not been submitted or reviewed, they may be eligible to participate in the proposed VDP once finalized. Taxpayers should contact [lbiefautindisclosure@irs.gov](mailto:lbieefautindisclosure@irs.gov)  to express their interest in switching to the proposed VDP.

6. What are the proposed penalties?

Generally, the penalty framework is standardized for clarity and consistency:

- For delinquent returns, failure-to-file penalties apply; failure-to-pay penalties do not.
- For amended returns, a 20 percent accuracy-related penalty applies to each year.

- For delinquent or amended Reports of Foreign Bank and Financial Accounts (FBARs), penalties apply per year and are subject to annual inflation adjustments.
- For delinquent or amended international information returns, penalties up to \$10,000 per return, per year, apply.

7. Where can taxpayers and tax practitioners provide feedback about the proposed VDP changes?

Taxpayers and tax practitioners may email questions or comments regarding the proposed VDP updates to vdp@ci.irs.gov ✉ with the subject line “PROPOSED VDP PUBLIC COMMENT.” Comments must be received by March 22, 2026, to ensure consideration.

8. What is the difference between the VDP process and the current streamlined filing compliance procedures?

Taxpayers who wish to participate in the VDP must meet the element of willfulness—the intentional, purposeful, deliberate act to hide income or assets, or to claim overstated expenses and, therefore, evade filing requirements or payment of tax. Taxpayers who made a non-willful error in filing their taxes should consider options that include [amended returns](#) or [delinquent returns](#), among [others](#).

9. What is the benefit for taxpayers who choose the VDP?

Taxpayers who make a timely, truthful voluntary disclosure through the VDP and meet all requirements may avoid criminal prosecution. While penalties apply, the program provides predictable resolution terms and helps taxpayers come into full compliance without facing the risk of a criminal referral.

10. What should taxpayers without access to past tax documentation to file amended or delinquent returns or reports do?

Taxpayers should make reasonable efforts to obtain missing records from employers, financial institutions, or other sources. If records are unavailable, they must provide reasonable estimates and document how the estimates were calculated. Supporting statements or affidavits may be required.

11. Is there a longer disclosure requirement for taxpayers who have not filed taxes for more than the six years required in the disclosure?

Under the proposed framework, taxpayers must file returns and reports for the disclosure period only, the most recent six years.

12. Do taxpayers who did not know they had a tax obligation and didn't file qualify for the VDP?

If a taxpayer's voluntary disclosure narrative states they were merely negligent or careless and does not fully describe willful non-compliance, the clearance request will be denied. The VDP is for taxpayers whose noncompliance was willful and deliberate. Those with non-willful conduct should pursue options that include filing amended returns or delinquent returns, among others.

13. Are taxpayers eligible to participate in the proposed VDP if they cannot fully pay all tax, penalties, and interest?

No. Full payment within three months of clearance is required.

14. How can taxpayers determine what penalties they will owe?

Generally, for delinquent returns, failure-to-file penalties apply but not failure-to-pay penalties. For amended returns, accuracy-related penalties apply at 20 percent. For delinquent or amended Reports of Foreign Bank and Financial Accounts (FBARs), penalties apply per year and are subject to annual inflation adjustments. For delinquent or amended international information returns, penalties up to \$10,000 per return, per year, apply. Taxpayers should work with a licensed tax professional to calculate the correct penalties or use IRS self-help resources before submitting a clearance request.

15. Do taxpayers need to submit Form 2848, Power of Attorney and Declaration of Representative?

If a voluntary disclosure is being presented through a power of attorney, a separate Form 2848, Power of Attorney and Declaration of Representative, is required for each taxpayer and entity entering the VDP. The IRS Criminal Investigation division will not accept a combined list of taxpayers on one form.

16. If a taxpayer received a conditional approval letter from the IRS Criminal Investigation division and filed amended returns, but then realized they made a mistake on the submitted returns, what should they do?

The taxpayer should promptly notify the contact or office listed on the conditional approval letter and provide corrected information and supporting documentation. Depending on the nature of the

error, a second amended return may be required.

17. If a taxpayer received a conditional approval letter from the IRS Criminal Investigation division, but then decided to follow streamlined filing compliance procedures, are they able to withdraw their application?

Taxpayers may withdraw from the VDP before final acceptance. However, once a disclosure is finalized or an examination has begun, taxpayers are no longer eligible to withdraw from VDP. The streamlined procedures do not absolve taxpayers of criminal liability if IRS Criminal Investigation determines their conduct was willful. If the violations were due to willful conduct, taxpayers should continue with VDP.

18. If a taxpayer received a conditional approval letter from the IRS Criminal Investigation division, but does not agree with the penalties to be assessed, what can they do?

No penalty deviations will be permitted. Taxpayers are encouraged to consult a licensed professional or legal advisor or use IRS resources to understand applicable penalties before requesting the VDP clearance. If conditional approval is rescinded due to noncompliance, all applicable penalties may be asserted during a full examination.

19. How and when will a taxpayer know if the IRS has accepted their returns?

Taxpayers will receive written confirmation once IRS processing is complete. Timing may vary depending on case complexity and payment verification. Taxpayers should retain all correspondence and confirmation notices for their records.

Frequently asked questions

Who needs a Form 2848? (added March 20, 2024)

If a voluntary disclosure is being presented through a power of attorney, a separate Form 2848 is required for every taxpayer and entity entering the VDP. We do not accept a list of taxpayers and entities on one Form 2848.

How do I know if I was willful in not complying with the tax laws? (added March 20, 2024)

Willfulness is not simply making a mistake. It is the intentional, purposeful, deliberate act to hide income or assets and therefore evade filing requirements or payment of tax. When filing a voluntary disclosure practice application, you must state that you were willful in your actions. This program is not for you if you simply made a math error or other mistake on your tax filings. Talk with a licensed professional and see [Voluntary disclosure not for you?](#) and look for other options to come into compliance.

What if I don't have all required documents? (added March 20, 2024)

If you don't have all required documents for the VDP, please do not apply for Part I. Not having all required documents will delay your application and may result in your removal from the program. Contact a licensed tax professional for guidance.

I asked for an extension but still don't have all the documents required. What do I do? (added March 20, 2024)

Only one extension is granted. You should voluntarily withdraw from the program if you cannot meet the extended due date for your application.

If I'm filing an application for an estate, do I qualify for the VDP? (added March 20, 2024)

It depends. You may submit an application and CI will determine the estate's eligibility for the program. If the estate is not eligible, please see [Voluntary Disclosure not for you?](#) for other options to comply with the tax laws.

If I forgot about an offshore account on one of my returns, can I enter into the VDP? (added March 20, 2024)

If you mistakenly forgot to include an offshore account on your tax return, filing an amended return may be your best option. Talk with a licensed professional for guidance. See [Voluntary disclosure not for you?](#)