

May 28, 2026

Via Electronic Submission

The Honorable Frank J. Bisignano
Chief Executive Officer Internal Revenue Service
1111 Constitution Avenue, NW
Washington, DC 20224

Re: Further Improving the Employer Identification Number Application Process

Dear Chief Executive Officer Bisignano:

As the Internal Revenue Service (IRS) reviews its regulations to ensure they reflect “the best reading of the underlying statutory authority,”¹ the American Bankers Association (ABA)² urges the agency to revisit and refine the Employer Identification Number (EIN) application process.

Hoping to make its EIN application process more secure and transparent, the IRS announced in 2019 that it would no longer recognize any private sector entity as a “responsible party” for purposes of Form SS-4 (EIN application).³ Effectively prohibiting a private sector entity from using its corporate name and existing corporate EIN to obtain a new EIN for another private sector entity makes good sense in many contexts. One can imagine bad actors attempting to conceal a litany of financial crimes among a roster of corporate names and corporate EINs carefully nestled one inside the other like so many nesting dolls.

However, as it applies to banks, savings associations, and non-depository trust companies (collectively, “banks”), the 2019 change plainly made the EIN application process less secure and less transparent and should be amended accordingly.

Due in large part to the fact that they are closely supervised by state and federal agencies, banks are regularly asked to assume a fiduciary role as trustee of a trust or executor of an estate. And, often, before it may open a bank account or file a tax return for a trust or estate client, a bank must obtain a new EIN for the client. The issue also arises upon the death of a decedent who owned a single-member LLC, which was disregarded for tax purposes during the decedent’s life. Upon death, the LLC often passes to multiple trusts, and a first EIN must be obtained for the entity.

¹ Executive Order 14219 *Ensuring Lawful Governance and Implementing the President’s “Department of Government Efficiency” Deregulatory Initiative*

² The ABA represents the nation’s \$26.1 trillion banking industry, including small, regional, and large banks that employ over 2 million people, safeguard \$20.5 trillion in deposits, and extend \$13.7 trillion in loans.

³ IR-2019-58, available at <https://www.irs.gov/newsroom/irs-revises-ein-application-process-seeks-to-enhancesecurity>.

Prior to 2019, a bank would provide its own corporate name and corporate EIN in the “responsible party” fields on EIN applications it filed on behalf of clients. Because the IRS collected a bank’s information, the IRS had all the information necessary to accurately identify and easily contact who exercises ultimate effective control over a trust or estate for which a new EIN was being applied. Unfortunately, due to the 2019 change, that is no longer true.

Since the IRS no longer recognizes a bank as a “responsible party” for purposes of its EIN application, a bank’s obtaining a new EIN for a trust and estate client now requires that one of the bank’s employees provide his or her own name and Social Security number (SSN) or individual taxpayer identification number (ITIN) (collectively, personally identifiable information or PII) in the “responsible party” fields of an EIN application a bank files for a client.

In this context, even setting aside that the 2019 change needlessly introduced a new risk into the EIN application process— that bank employees’ own PII may be compromised – the 2019 change clearly deprives the IRS of the information it needs to efficiently supervise the EIN application process.

At any given time, a bank serving even a modest number of trust and estate clients likely employs several or more individuals who, among their other duties, are tasked with completing EIN applications on clients’ behalf. Too, like employers in every industry, banks experience employee turnover. So, now, rather than collecting a bank’s name and EIN on every EIN application it files on behalf of a client, the IRS collects the name and PII of, at best, one of a handful of the bank’s employees – none of whom individually control the entity for which a new EIN is being applied and any of whom may no longer be employed by the bank by the time the IRS initially reviews the application or has cause to review it post-approval.

* * *

Therefore, to restore security, accuracy, and administrative efficiency to the EIN application process, ABA strongly encourages IRS to again permit banks to submit their corporate names and corporate EINs in the relevant “responsible party” fields on EIN applications they file on behalf of clients. Please contact ABA’s Steven Hubbard at shubbard@aba.com with any questions.

Sincerely,

/s/

Steven J. Hubbard
Vice President, Policy