Internal Revenue Service

Department of the Treasury

Washington, DC 20224

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SIN
501.00-00
4941.04-00
4942.03-05
4945.04-00

No Third Party Contact

Contact Person:

Telephone Number:

In Reference to:

Date:

JAN 29 1999

Employer Identification Number:
Key District:

Legend:

A =

B =

Foundation =

Company =

x =

y =

Dear Taxpayer:

This ruling revokes and supersedes our ruling that was issued to you (Company), PLR 9544023, on August 3, 1995. The ruling was issued in response to Company's ruling request regarding the establishment of a program to provide employer-related natural disaster relief and emergency hardship grants and loans to employees of Foundation and Company and its subsidiaries.

We had not ruled on the Foundation's emergency hardship program in our August 3, 1995 letter.

The ruling request, together with subsequent information, indicated that Foundation is exempt under section 501(a) of the Internal Revenue Code as an organization described in section 501(c)(3) and is classified as a private foundation under section 509(a). The Company is a for-profit business corporation and is a substantial contributor to the Foundation and thus a disqualified person with respect to the Foundation under section 4946(a)(1)(A) of the Code.

The Foundation is governed by a Board of Directors comprised of two individuals: A, Chairman, President and Chief Executive Officer of the Company; and B, Vice-Chairman, Chief Financial and Administrative Officer of the Company.

The Foundation established and administers an employee assistance program to provide relief to its current, part-time or former employees, and the current, part-time or former employees of the Company and its subsidiaries who have suffered catastrophic losses due to natural disaster or financial hardship.

There are two components to the assistance program: 1) the natural disaster assistance program, and 2) the emergency financial assistance program (financial hardship program). Natural disasters would include fires, floods, earthquakes, or other natural disasters. Emergency financial need would include any situation which results in an individual being unable to meet financial obligations for reasons beyond his or her control, such as medical emergency, etc. Current or former Foundation or Company employees who have suffered catastrophic losses from these events are eligible to receive grants or low or no-interest loans from the Foundation. The maximum allowable amount of each grant or loan under both programs is $25,000.

The recipients may only use the grants or low or no-interest loans to replace certain items. These items are: 1) personal residence but not business property; 2) furniture, ordinary appliances and typical home furnishings, but not extraordinary possessions such as antique collections or electronic equipment not considered as typical home furnishings; 3) food; 4) clothing, but not including luxury possessions; 5) personal possessions such as books, recreational equipment and children's toys, but excluding jewelry, boats and recreational vehicles; 6) automobiles to the extent not covered by insurance and then only to the extent of fair market value; 7) and other intangible emergency financial needs such as living expenses, medical and social services, and travel costs.

The Foundation will only provide natural disaster assistance and emergency hardship assistance if an applicant meets certain criteria. The criteria are as follows: 1) grants and loans are provided only to the extent that an individual is able to demonstrate an unexpected need which cannot be met from his or her available resources; 2) the grants and loans are provided only if that individual's losses are not covered by insurance, federal or state relief funds, funds available through recognized agencies, and available personal financial resources. Applicants may have to submit evidence to substantiate their losses and to prove that they lack insurance coverage or other financial

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resources to cover their catastrophic losses. An applicant has to provide any other information the Foundation needs to evaluate his or her application.

The Foundation plans to include in the Company's and its subsidiaries' employee handbooks a brief notice describing the assistance programs and the name, address and telephone number of the contact person involved in the operation of those programs. The Foundation also plans to advertise the programs in the Company's and its subsidiaries' internal publications. The Foundation plans to publish its own publications that advertise these two programs. In the case of natural disasters, applicants may be solicited by notice in the local media. In all publications, the assistance programs will be clearly identified as being organized and operated by the Foundation and not by the Company and its subsidiaries.

The Foundation's officers or directors appoint a coordinator and a local selection committee within a geographic area to oversee the selection of grant and loan recipients. Each local selection committee consists of members who are current or former officers, directors or employees of the Foundation, the Company and its subsidiaries. Members of each local selection committee are advised that, when administering the assistance programs, they are acting as the Foundation's agents and not as employees of the Company or its subsidiaries. Each local selection committee forwards the selected applications to the Foundation's officers and board members who then make the final decision whether to approve such grants or loans.

Grants are made by a committee of six (6) persons, all of whom are employees of Company. They are the Senior Vice-President/Public Affairs and Government Relations, the General Counsel and Secretary, President/Outdoor Division, Vice-President/Treasury services, President/x Group, and President/y Division. All six individuals were selected by the Board of Directors of Foundation. This committee will approve payout of grants to individuals recommended by the selection committee.

Each program coordinator collects applications which must contain the applicant's name, address, telephone number, social security number, a brief description of the loss suffered, the type and amount of assistance needed, and substantiation that he or she is a current or former employee of the Foundation and/or the Company and its subsidiaries. The name and all personal identifiable material in each application are then redacted so that the local selection committee making the recommendation and the Foundation's officers and directors making the final decision will not know who the individual applicant is. Hence, selections

are made upon a blind basis, without knowledge of the identities of the individuals within the application pool.

We ruled in our August 3, 1995 letter that:

1) any indirect benefit received by the Company and its subsidiaries, as disqualified persons, from the operation of the natural disaster assistance program by the Foundation is incidental, and the grants and loans made by the Foundation pursuant to this assistance program will not result in acts of self-dealing within the meaning of section 4941 of the Code; and

2) since the natural disaster assistance program will result in qualifying distributions made for a section 170(c)(2)(B) purpose, any payment made in furtherance thereof is not a taxable expenditure under section 4945(g) of the Code.

Concerning the emergency financial assistance program, we stated in our August 3, 1995 letter that we were not prepared at the time to rule that grants or loans made by the Foundation pursuant to this program would not result in either acts of self-dealing within the meaning of section 4941 of the Code or in taxable expenditures within the meaning of section 4945 of the Code. We stated at the time that we would address the emergency financial assistance program by separate ruling after further consideration.

1. Charitable Purposes and Sections 501(c)(3) and 170(c)(2)(B) of the Code.

Section 501(c)(3) of the Code provides, in part, for the exemption from federal income tax of organizations that are organized and operated exclusively for, among others, charitable purposes, no part of the net earnings of which inures to the benefit of any private shareholder or individual.

Section 170(c)(2)(B) of the Code provides that for purposes of section 170, the term "charitable contribution" means a contribution or gift to or for the use of a corporation, trust, or community chest, fund, or foundation organized and operated exclusively for, among others, charitable purposes. Subparagraph (C) adds "no part of the net earnings of which inures to the benefit of any private shareholder or individual."

Section 1.501(a)-1(c) of the Income Tax Regulations defines private shareholder or individual within section 501 as persons having a personal and private interest in the activities of the organization.

Section 1.501(c)(3)-1(a)(2) of the regulations defines the term "exempt purpose or purposes" as any purpose or purposes specified in section 501(c)(3), as defined and elaborated in paragraph (d) of this section.

Section 1.501(c)(3)-1(d)(1)(ii) of the regulations provides that an organization is not organized or operated exclusively for one or more exempt purposes unless it serves a public rather than a private interest. Thus, it is necessary for an organization to establish that it is not organized or operated for the benefit of private interests such as designated individuals, the creator or his family, shareholders of the organization, or persons controlled, directly or indirectly, by such private interests.

Section 1.501(c)(3)-1(d)(2) of the regulations provides, in relevant part, that the term "charitable" is used in section 501(c)(3) of the Code (and, thus, in section 170(c)(2)(B)) in its generally accepted legal sense. Such term includes, among other things, relief of the poor and distressed or of the underprivileged.

Section 1.170A-4A(b)(2)(ii)(D) of the regulations defines needy as being a person who lacks the necessities of life, involving physical, mental, or emotional well-being, as a result of poverty or temporary distress.

Section 1.501(c)(3)-1(c)(1) of the regulations provides that an organization will be regarded as operated exclusively for one or more exempt purposes only if it engages primarily in activities which accomplish one or more of such exempt purposes specified in section 501(c)(3). An organization will not be so regarded if more than an insubstantial part of its activities is not in furtherance of an exempt purpose.

In Better Business Bureau of Washington, D.C., Inc. v. United States, 326 U.S. 279 (1945), the Court held that the presence of a single non-exempt purpose, if substantial in nature, will preclude exemption regardless of the number or importance of statutorily exempt purposes.

Revenue Ruling 75-199, 1975-1 C.B. 160, provides that an organization that restricts its membership to individuals of good moral character and health belonging to a particular ethnic group residing in a stated geographical area and provides sick benefits to members and death benefits to their beneficiaries is not exempt under section 501(c)(4) of the Code (and by extension is not exempt under section 501(c)(3).) The organization's income is derived principally from membership dues and is used for the payment of benefits and operating expenses. The revenue ruling further states that the membership organization described is

essentially a mutual, self-interest type of organization. Its income is used to provide direct economic benefits to members and any benefit to the larger community is minor and incidental.

Revenue Ruling 81-58, 1981-1 C.B. 331, amplifies Revenue Ruling 75-199, supra. Revenue Ruling 81-58 describes an association composed of officers of a police department in a particular community. The association was created for educational purposes and to provide a lump sum payment to each member upon retirement or a lump sum payment to beneficiaries upon the member's death. The membership benefits program constitutes the association's primary activity. The organization's primary sources of income are from contributions by the general public and through fund raising events. Members are also required to pay a nominal, one-time membership fee upon joining the organization. Its income is used to provide direct economic benefits to members. Although the class of employees benefitted by the organization consists of police officers engaged in the performance of essential and hazardous public services and there is an incidental benefit provided by the organization to the larger community, the fact remains that the primary benefits from the organization are limited to its members. Therefore, the organization is not operated exclusively for the promotion of social welfare within the meaning of section 501(c)(4) (nor by extension for exempt purposes within the meaning of section 501(c)(3).)

A disaster relief or emergency hardship organization may be formed for the benefit of distressed individuals but may also overly serve the private interests of its founders, principals, or even contributors, thereby failing to achieve an exempt purpose despite otherwise good intentions. For example, in Wendy Parker Rehabilitation Foundation, Inc. v. Commissioner, T.C. Memo 1986-348, the organization was created by the Parker family to aid an open-ended class of "victims of coma." However, the organization stated that it anticipated spending 30 percent of its income for the benefit of Wendy Parker, significant contributions were made to the organization by the Parker family, and the Parker family controlled the organization. Wendy's selection as a substantial recipient of funds substantially benefitted the Parker family by assisting with the economic burden of caring for her. The benefit did not flow primarily to the general public as required under section 1.501(c)(3)-1(d)(1)(ii) of the regulations. Therefore, the Foundation was not exempt from federal income tax under section 501(c)(3) of the Code.

Company and its subsidiaries are Foundation's sponsors and financial supporters. Foundation is controlled by Company and its subsidiaries. Foundation has established and administers a

disaster relief assistance fund to provide relief through grants and loans to all of Foundation's and Company's and its subsidiaries' eligible employees, retirees and those employees' and retirees' dependents who experience severe financial hardship for reasons beyond their control which are not covered by insurance or other resources.

By providing an employee assistance program to provide relief to Company's and its subsidiaries' and Foundation's employees who have suffered losses due to natural disasters as described above, the program is accomplishing two purposes. The program provides relief to persons who are distressed or otherwise proper objects of charity. However, it also affords Company and its subsidiaries with a significant benefit. Company and its subsidiaries benefit because the program provides employees with funds not otherwise available except by reason of their employment by Company and its subsidiaries. Employees realize a real and significant benefit because they have recourse to funds in times of financial hardship when other avenues have been exhausted. Potential employees will consider the advantages of such a program while employees will find it an enhancement to financial security and an incentive to continue employment. In this respect, the provision of financial assistance to employees in times of financial hardship, whether from natural disasters or financial emergencies, is a program similar to other employee benefit programs such as sick, life, death and accident benefits. Even though an employee would have no legal right to funds from a disaster or emergency hardship relief fund, employees would be eligible for disaster and hardship benefits provided they are employed by a particular employer upon the occurrence of a disaster or financial emergency and they are in need of such assistance. Essentially, the employee assistance funds operate to provide protection from events that cannot be readily guarded against. In this respect, it is a significant benefit of the job. Moreover, employees of a particular employer that has an employer established, controlled and funded disaster relief benefit program would have an important advantage over other similarly situated victims of the disaster in having access to assured assistance. Thus, the presence of the equivalent of a benefits package, even if not availed of, would constitute a significant benefit derived from an employment relationship. A fund dedicated to employees' welfare is a significant employment benefit in the same way that a life, severance, or legal assistance benefit provides protection and security whether or not used.

While these programs do benefit persons who may be needy or distressed, they also serve the private interests of Company and its subsidiaries who utilize such benefit programs to recruit and retain a more stable and productive workforce. In this respect,

Foundation's employee assistance program accomplishes activities that are not exclusively in furtherance of one or more exempt purposes because they further the private purposes of Company and its subsidiaries more than insubstantially. Through their control and funding, Company and its subsidiaries are able to direct Foundation's assistance programs to serve their private purposes by limiting disaster and hardship assistance solely to their employees. Any public benefit is significantly outweighed by the private benefit realized by rewarding persons based on their employment with Company and its subsidiaries in terms of recruitment, retention, ensuring a stable workforce, and engendering goodwill and loyalty.

While there is some public benefit in ensuring that individuals are provided for in times of disaster or financial crisis, there is no assurance that selection of beneficiaries solely among employees of a particular employer serves the best interests of the public. The public interest may very well be better served by providing resources to persons who may be in much more dire conditions than persons who happen to be employed by a particular employer. Also, by imposing an employment related eligibility criteria, the general welfare of the public is placed at a disadvantage compared with the significant benefit afforded employees of the particular employer. Therefore, such a program does not further an exempt purpose within the meaning of the regulations under section 501(c)(3) of the Code. Better Business Bureau, supra, and section 170(c)(2)(B).

The benefit conferred on Company and its subsidiaries by the natural disaster relief and emergency hardship program also gives rise to inurement contrary to the requirements under sections 501(c)(3) and 170(c)(2)(B) of the Code which provide for qualification for exemption and charitable contributions only if, in addition to other factors, "no part of the net earnings of [the organization] inures to the benefit of any private shareholder or individual."

Accordingly, we rule that the establishment and administration of the natural disaster relief program, as described, does not further charitable purposes within the meaning of section 501(c)(3) and section 170(c)(2)(B) of the Code.

2. Self-dealing - Section 4941(d)(1) of the Code.

Section 4941(a) of the Code imposes a tax on each act of self-dealing between a disqualified person (as defined in section 4946(a)) and a private foundation.

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Section 4941(d)(1)(E) of the Code provides that the term "self-dealing" means any direct or indirect transfer to, or use by or for the benefit of a disqualified person of the income or assets of a private foundation.

Section 4946(a) of the Code defines the term "disqualified person" to include a substantial contributor to the foundation, a foundation manager, and a corporation of which persons described in subparagraphs (A), (B), (C), or (D) own more than 35 percent of the total combined voting power.

Section 53.4941(d)-2(f)(2) of the Foundation and Similar Excise Taxes Regulations provides that the fact that a disqualified person receives an incidental or tenuous benefit from the use by a foundation of its income or assets will not, by itself, make such use an act of self-dealing. Thus, the public recognition a person may receive arising from the charitable activities of a private foundation to which such person is a substantial contributor, does not in itself result in an act of self-dealing since generally the benefit is incidental and tenuous. For example, a grant by a private foundation to a section 509(a)(1), (2), or (3) organization will not be an act of self-dealing merely because such organization is located in the same area as a corporation which is a substantial contributor to the foundation, or merely because one of the section 509(a)(1), (2), or (3) organization's officers, directors, or trustees is also a manager of or a substantial contributor to the foundation. Similarly, a scholarship or a fellowship grant to a person other than a disqualified person, which is paid or incurred by a private foundation in accordance with a program which is consistent with --

(i) the requirements of the foundation's exempt status under section 501(c)(3),

(ii) the requirements for the allowance of deductions under section 170 for contributions made to the foundation, and

(iii) the requirements of section 4945(g)

will not be an act of self-dealing under section 4941(d)(1) merely because a disqualified person indirectly receives an incidental benefit from such grant. A scholarship or a fellowship grant made by a private foundation in accordance with a program to award scholarships or fellowship grants to the children of employees of a substantial contributor shall not constitute an act of self-dealing if the requirements of the preceding sentence are satisfied.

Section 53.4941(d)-2(f)(4) of the regulations provides examples in which benefits conferred upon disqualified persons by the use of private foundation assets are incidental or tenuous. These examples describe situations in which the general reputation or prestige of a disqualified person is enhanced by a public acknowledgement of some specific donation by him, in which the disqualified person receives some other relatively minor benefit of an indirect nature, or in which such a person merely participates to a wholly incidental degree in the fruits of some charitable program that is of broad public interest in the general community.

Example (1) describes a private foundation which makes a grant to city officials for the purposes of alleviating the slum conditions which exist in a particular neighborhood of the city. Corporation, a substantial contributor to the foundation, is located in the same area in which the grant is to be used. Although the general improvement of the area may constitute an incidental and tenuous benefit to the corporation, such a benefit by itself will not constitute an act of self-dealing.

Revenue Ruling 73-407, 1973-2 C.B. 383, held that the benefit to a disqualified person was incidental and tenuous where a private foundation conditioned a grant to a public charity on the change of the public charity's name to that of the disqualified person.

Based on the benefit provided to Company and its subsidiaries, Foundation's natural disaster relief program significantly furthers the interests of Company and its subsidiaries. The program is associated with employment and accomplishes recruitment and retention incentives and produces a more stable and productive work force. The program affords Company and its subsidiaries more than mere public recognition. Such a program cannot be dismissed as merely providing a minor or tenuous benefit. It offers a real and substantial benefit to Company and its subsidiaries who are disqualified persons with respect to Foundation by reason of being a substantial contributor, a foundation manager and/or a 35 percent corporation controlled by a substantial contributor or foundation manager. Therefore, since the benefits to disqualified persons are not incidental or tenuous pursuant to section 53.4941(d)-2(f)(2) of the regulations, grants distributed under the program result in acts of self-dealing within the meaning of section 4941(d)(1)(E) of the Code.

Accordingly, we rule that since Foundation's program is not operated consistent with sections 501(c)(3) and 170(c)(2)(B) of the Code and benefits to Company and its subsidiaries, as disqualified persons, are substantial rather than incidental or

tenuous, grants distributed by Foundation pursuant to the program will result in acts of self-dealing within the meaning of section 4941(d)(1).

3 & 4. Qualifying Distributions and Taxable Expenditures - Sections 4942 and 4945 of the Code.

Section 4942(a) of the Code imposes a tax on the undistributed income of a private foundation.

Section 4942(g)(1)(A)(i) of the Code provides, in relevant part, that the term "qualifying distribution" means any amount (including that portion of reasonable and necessary administrative expenses) paid to accomplish one or more purposes described in section 170(c)(2)(B), other than any contribution to an organization controlled (directly or indirectly) by the foundation or one or more disqualified persons (as defined in section 4946) with respect to the foundation.

Section 4945 of the Code imposes a tax on each taxable expenditure of a private foundation as defined in section 4945(d) of the Code.

Section 4945(d)(3) of the Code provides that a taxable expenditure includes any amount paid or incurred by a private foundation as a grant to an individual for travel, study, or other similar purposes by such individual, unless it satisfies the requirements of subsection (g).

Section 4945(d)(5) of the Code provides that the term "taxable expenditure" means any amount paid or incurred by a private foundation for any purpose other than one specified in section 170(c)(2)(B).

Section 4945(g) of the Code provides, in relevant part, that section 4945(d)(3) shall not apply to an individual grant awarded on an objective and nondiscriminatory basis pursuant to a procedure approved in advance by the Secretary of the Treasury, if it is demonstrated to the satisfaction of the Secretary that-

(1) the grant constitutes a scholarship or fellowship grant which would be subject to the provisions of section 117(a) (as in effect on the day before the date of the enactment of the Tax Reform Act of 1986) and is to be used for study at an educational organization described in section 170(b)(1)(A)(ii),

(3) the purpose of the grant is to achieve a specific objective, produce a report or other similar product, or

improve or enhance a literary, artistic, musical, scientific, teaching, or other similar capacity, skill, or talent of the grantee.

Section 53.4945-4(a)(2) of the regulations provides a definition of "grants." It states that for purposes of section 4945, the term "grants" shall include, but is not limited to, such expenditures as scholarships, fellowships, internships, prizes, and awards. Grants shall also include loans for purposes described in section 170(c)(2)(B) and program related investments. Similarly, grants include such expenditures as payments to exempt organizations to be used in furtherance of their exempt purposes.

Section 170(c)(2)(B) of the Code describes, in relevant part, an organization that is organized and operated exclusively for charitable or educational purposes or for the prevention of cruelty to children.

Section 53.4945-6(b)(1)(v) of the regulations provides, in relevant part, that any payment which constitutes a qualifying distribution under section 4942(g) will not be treated as a taxable expenditure under section 4945(d)(5) of the Code.

For the purpose of resolving the issues under sections 4942 and 4945, the determination of whether the employer related natural disaster relief program comes within one of the purposes described under section 170(c)(2)(B) of the Code is fundamental. Any amount paid by a private foundation to accomplish any purpose other than one specified in section 170(c)(2)(B) is not a qualifying distribution under section 4942(g)(1)(A) and is a taxable expenditure under IRC 4945(d)(5).

The employer related natural disaster relief program does not further an exempt purpose within the meaning of section 1.501(c)(3)-1(d)(1)(i) of the regulations and section 170(c)(2)(B) of the Code. Therefore, grants and loans made by Foundation are not qualifying distributions within the meaning of section 4942(g)(1)(A)(i) of the Code. Consequently, since the grants and/or loans do not accomplish a purpose described in section 170(c)(2)(B) of the Code and do not result in qualifying distributions pursuant to section 4942(g), such payments made by Foundation are taxable expenditures pursuant to section 4945(d)(5) of the Code.

Accordingly, we rule that grants and loans paid by Foundation under the natural disaster relief program do not accomplish an exempt purpose under section 170(c)(2)(B) of the Code, are not qualifying distributions within the meaning of

section 4942(g)(1)(A)(i) and are taxable expenditures under section 4945(d).

5. Employer Related Scholarship Programs and Employer Related Disaster Relief and Emergency Hardship Programs.

With respect to scholarship programs provided by private foundations to children of employees of substantial contributors, section 53.4941(d)-2(f)(2) of the regulations states that such grants will be considered incidental or tenuous only if the program is consistent with the foundation's exempt status, the deductibility of contributions under section 170, and the requirements under section 4945(g). There is no similar specific provision for disaster relief and hardship programs.

Section 4945 of the Code addresses taxes on taxable expenditures of private foundation. Section 4945(d)(3) provides that "taxable expenditure" means any amount paid or incurred by a private foundation as a grant to an individual for travel, study, or other similar purposes by such individual, unless such grant satisfies the requirements of subsection (g). Subsection (g)(1) provides that subsection (d)(3) shall not apply to an individual grant awarded on an objective and nondiscriminatory basis pursuant to a procedure approved in advance by the Secretary, if it demonstrated to the satisfaction of the Secretary that the grant constitutes a scholarship or fellowship grant which would be subject to the provisions of section 117(a) (as in effect on the day before the date of the enactment of the Tax Reform Act of 1986) and is to be used for study at an educational organization described in section 170(b)(1)(A)(ii).

Revenue Procedure 76-47, 1976-2 C.B. 670, and Revenue Procedure 80-39, 1980-2 C.B. 772, provide guidelines under which employer-related private foundations that make scholarship grants or educational loans will be considered to further a purpose consistent with section 4945 of the Code. The key criterion is that scholarships and educational loans are awarded to no more than 10 percent of the number of employees of a particular employer who were eligible, were applicants for such grants, and were considered by the selection committee in selecting the recipients of grants in that year. This criterion assures that the scholarships or loans do not overly serve the private interests of the employer because there is no significant probability that employment will make scholarships or loans available to a qualified employee.

However, Foundation's disaster relief program is available to all employees who satisfy the eligibility criteria and is limited only by the amount of funding that Company and its

subsidiaries may provide. Thus, the principles set forth in the area of scholarships and educational loans are not directly applicable to Foundation's situation since there is a high probability that employment will make natural disaster relief assistance available and there is no specific exception for such a program under chapter 42 as there is for scholarships.

This ruling does not address the applicability of any section of the Code or regulations to the facts submitted other than with respect to the sections described above.

The Assistant Commissioner (Employee Plans and Exempt Organizations) has granted you relief under section 7805(b) of the Code from retroactive application of this ruling for disaster relief payments made up to six months from the date of this ruling and for any such payments made after six months from the date of this ruling under a legal obligation incurred prior to the end of the six month period.

We are providing your key District Director with a copy of this ruling. You should keep a copy for your permanent records.

If you have any questions about this letter, please contact the person whose name and telephone number are shown in the heading. For other matters, including questions concerning reporting requirements, please contact your key District Director.

This ruling is directed only to the taxpayer that requested it. Section 6110(j)(3) of the Code provides that it may not be used or cited as precedent.

Sincerely,

Marvin Friedlander

Marvin Friedlander
Chief, Exempt Organizations
Technical Branch 1