

Internal Revenue Service

Department of the Treasury

Washington, DC 20224

The Historical Society of the
United States Courts in
the Eighth Circuit
U.S. Court and Custom House
1114 Market St., Room 610
St. Louis, MO 63101

Person to Contact: **Robert Kolbe**
Telephone Number: **(202) 566-4002**

Refer Reply to:
OP:E:EO:R:1
Date:

JUN 8 1987

Employer Identification Number: 43-1436909
Key District: Chicago
Service Center: Kansas City, MO 64999
Accounting Period Ending: June 30
Foundation Status Classification: 509(a)(1) and 170(b)(1)(A)(vi)

Dear Applicant:

Based on information supplied, and assuming your operations will be as stated in your application for recognition of exemption, we have determined that you and your subordinate organizations are exempt from federal income tax under section 501(c)(3) of the Internal Revenue Code.

We have further determined that you and your subordinate organizations are not private foundations within the meaning of Code section 509(a), because you and your subordinate organizations are organizations described in the sections of the Code shown above.

If your sources of support, or your purposes, character, or methods of operation change, please let your key district know so that office can consider the effect of the change on your exempt status and foundation status. Also, you should inform your key District Director of all changes in your name or address.

Unless specifically excepted, beginning January 1, 1984, you and your subordinate organizations must pay taxes under the Federal Insurance Contributions Act (social security taxes) for each employee who is paid \$100 or more in a calendar year. You and your subordinate organizations are not required to pay tax under the Federal Unemployment Tax Act (FUTA).

Since you and your subordinate organizations are not private foundations, you and your subordinate organizations are not subject to the excise taxes under Chapter 42 of the Code. However, you and your subordinate organizations are not automatically exempt from other federal excise taxes. If you or your subordinate organizations have questions about excise, employment, or other federal taxes, contact your key District Director.

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Donors may deduct contributions to you and your subordinate organizations as provided in Code section 170. Bequests, legacies, devises, transfers, or gifts to you or for your use are deductible for federal estate and gift tax purposes if they meet the applicable provisions of sections 2055, 2106, and 2522.

You and your subordinate organizations are required to file Form 990, Return of Organization Exempt from Income Tax, only if your gross receipts each year are normally more than \$25,000. If your gross receipts are not normally more than \$25,000 we ask that you establish that you are not required to file Form 990 by completing Part I of that Form for your first tax year. Thereafter, you will not be required to file a return until your gross receipts normally exceed the \$25,000 minimum. For guidance in determining if your gross receipts are "normally" not more than the \$25,000 limit, see the instructions for the Form 990. If a return is required, it must be filed by the 15th day of the fifth month after the end of your annual accounting period. If you prefer, you may file a group return for those subordinates that authorize you in writing to include them in that return. This would be in addition to your separate return. There is a penalty of \$10 a day, up to a maximum of \$5,000, when a return is filed late unless you establish, as required by section 6652(d)(1), that the failure to file timely was due to reasonable cause.

You and your subordinate organizations are not required to file federal income tax returns unless you are subject to the tax on unrelated business income under Code section 511. If you are subject to this tax, you must file an income tax return on Form 990-T, Exempt Organization Business Income Tax Return. In this letter, we are not determining whether any of your present or proposed activities are unrelated trade or business as defined in section 513.

Each year, at least 90 days before the end of your annual accounting period, please send the items listed below to the service center shown above.

1. A statement describing any changes during the year in the purposes, character, or method of operation of your subordinates.
2. A list showing the names, mailing addresses (including postal ZIP codes), actual address if different, and employer identification numbers of subordinates that during that year:
 - a. changed names or addresses;
 - b. were deleted from your roster; or
 - c. were added to your roster.

If you are not a church or church-controlled organization, you will receive a "List of Parents and Subsidiary Accounts," from your service center approximately six months prior to the end of your accounting period. For your convenience, you may use that information to update your list of subordinate units. An annotated directory of subordinates will not be accepted for this purpose.

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3. For subordinates to be added, attach:
 - a. a statement that the information on which your present group exemption letter is based applies to the new subordinates;
 - b. a statement that each has given you written authorization to add its name to the roster;
 - c. a list of those to which the Service previously issued exemption rulings or determination letters;
 - d. a statement that none of the subordinates are private foundations as defined in section 509(a) of the Code;
 - e. the street address of subordinates where the mailing address is a P. O. Box; and
 - f. for each subordinate that is a school claiming exemption under section 501(c)(3), the information required by Rev. Proc. 75-50, 1975-2 C.B. 587. Also include any other information necessary to establish that the school is complying with the requirements of Rev. Rul. 71-447, 1971-2 C.B. 230. This is the same information required by Schedule A, Form 1023, Application for Recognition of Exemption under section 501(c)(3) of the Internal Revenue Code.

4. If applicable, a statement that your group exemption roster did not change during the year.

The service center that processes your returns will send you a Group Exemption Number. You must include this number on each Form 990, Return of Organization Exempt from Income Tax, and Form 990-T, Exempt Organization Business Income Tax Return. Please advise your subordinates of this and provide them with the Group Exemption Number.

Sincerely yours,



Milton Cerny
Chief, Exempt Organizations
Rulings Branch