

IRS News Release

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Treasury and IRS to Hold Consultation Call with Tribal Leaders

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WASHINGTON — The Treasury Department and the Internal Revenue Service will jointly conduct another consultation and listening session regarding the application of the General Welfare Exclusion to Benefits Provided under Indian Tribal Government Programs.

Pursuant to Treasury's Tribal Consultation Policy and Executive Order 13175, Treasury and the IRS have been actively engaged in consultation with Tribes and Tribal leaders. Treasury and IRS began consultation on this specific topic in November 2011, and have held several public, in-person sessions. Treasury and IRS requested written comments and received over 65 comments in response to [Notice 2011-94](#).

During recent consultations, Treasury and IRS heard tribal concerns regarding consistent treatment of tribal programs in the IRS compliance programs. To address those concerns, the Office of Indian Tribal Governments of the IRS is looking at what administrative steps it can take to develop a national coordination process in order to ensure that general welfare programs are reviewed in a consistent fashion.

The IRS also plans to publish written guidance that will address issues raised by the tribes in their comments. The intent is that this published guidance, along with improved internal coordination procedures, will improve the clarity and consistency of the application of the general welfare doctrine to tribal government programs.

To provide Tribes and Tribal leaders additional opportunities for input, and to provide Treasury and the Service the opportunity to further discuss the issues, Treasury and the Service will host a stakeholder conference call with Tribes and Tribal leaders on May 30, 2012 at 3:00pm (Eastern Daylight Time). The conversation is expected to last approximately two hours. The conference call number is 1-888-810-9155 and the access code is 750610.

Participation is open to all Tribes and Tribal leaders regardless of whether formal comments were submitted. While the official deadline for formal comments has passed, Tribes and Tribal leaders are still encouraged to submit comments which can still be considered. Comments should be submitted to Internal Revenue Service, CC:PA:LPD:PR (Notice 2011-94), Room 5203, P.O. Box 7604, Ben Franklin Station, Washington, DC 20044, or electronically to Notice.Comments@irs.counsel.treas.gov. Please include "Notice 2011-94" in the subject line of any electronic communications.