



**Department of the Treasury
Internal Revenue Service
Tax Exempt and Government Entities**

Release Number: 202404009
Release Date: 1/26/2024
UIL Code: 501.03-00

Date: 10/20/2023

Taxpayer ID number (last 4 digits):

Form:

Tax periods ended:

Person to contact:

Name:

ID number:

Telephone:

Fax:

Last day to file petition with United States
Tax Court: 1/18/2024

CERTIFIED MAIL - Return Receipt Requested

Dear :

This is a final determination regarding your foundation classification. This modifies our letter dated , in which we determined that you were an organization described in Internal Revenue Code (IRC) Section 501(c)(3) as a Type III Functionally Integrated Supporting organization (FISO). This letter modifies your foundation status to that of a public charity described in IRC Sections 501(c)(3) and 170(b)(1)(A)(vi), effective

Your tax exempt status under IRC Section 501(c)(3) of the Code is not affected. Grantors and contributors may rely on this determination, unless the Internal Revenue Service publishes a notice to the contrary. Because this letter could help resolve any questions about your private foundation status, please keep it with your permanent records.

We previously provided you a report of examination explaining the proposed modification of your tax-exempt status. At that time, we informed you of your right to contact the Taxpayer Advocate, as well as your appeal rights. On , you signed Form 6018, Consent to Proposed Action – Section 7428, in which you agreed to the modification of your foundation classification to 170(b)(1)(A)(vi) and described in 501(c)(3). This is a final determination letter with regards to your federal tax-exempt status under Section 501(a).

You are required to file Form 990, *Return of Organization Exempt from Income Tax*. Form 990 must be filed by the 15th day of the fifth month after the end of your annual accounting periods. A penalty of \$20 a day is charged when a return is filed late, unless there is a reasonable cause for the delay; however, the maximum penalty charged cannot exceed \$10,000 or 5 percent of your gross receipts for the year whichever is less. In addition, organizations with gross receipts exceeding \$1,000,000 for any year will be charged a penalty of \$100 a day when a return is filed late; however, the maximum penalty charged cannot exceed \$50,000. These penalties may also be charged if a return is not complete, so be sure your return is complete before you file it.

If you are subject to the tax on unrelated business income under IRC Section 511, you must also file an income tax return on Form 990-T, *Exempt Organization Business Income Tax Return*.

If you decide to contest this determination, you may file an action for declaratory judgment under the provisions of IRC Section 7428 in one of the following three venues: 1) United States Tax Court, 2) the United States Court of Federal Claims, or 3) the United States District Court for the District of Columbia. A petition or complaint in one of these three courts must be filed within 90 days from the date this determination was mailed to you. Please contact the clerk of the appropriate court for rules and the appropriate forms for filing petitions for declaratory judgment by referring to the enclosed Publication 892. You may write to the courts at the following addresses:

United States Tax Court
400 Second Street, NW
Washington, DC 20217
ustaxcourt.gov

US Court of Federal Claims
717 Madison Place, NW
Washington, DC 20005
uscfc.uscourts.gov

US District Court for the District of Columbia
333 Constitution Avenue, NW
Washington, DC 20001
dcd.uscourts.gov

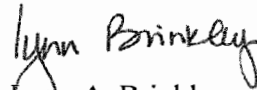
You may also be eligible for help from the Taxpayer Advocate Service (TAS). TAS is an independent organization within the IRS that can help protect your taxpayer rights. TAS can offer you help if your tax problem is causing a hardship, or you've tried but haven't been able to resolve your problem with the IRS. If you qualify for TAS assistance, which is always free, TAS will do everything possible to help you. Visit www.taxpayeradvocate.irs.gov or call 877-777-4778.

Taxpayer Advocate assistance can't be used as substitute for established IRS procedures, formal appeals processes, etc. The Taxpayer Advocate is not able to reverse legal or technically correct tax determination, nor extend the time fixed by law that you have to file a petition in Court. The Taxpayer Advocate can, however, see that a tax matter that may not have been resolved through normal channels gets prompt and proper handling.

You can get any of the forms or publications mentioned in this letter by calling 800-TAX- FORM (800-829-3676) or visiting our website at www.irs.gov/forms-pubs.

If you have any questions about this letter, please contact the person whose name and telephone number are shown in the heading of this letter.

Sincerely,



Lynn A. Brinkley

Director, Exempt Organizations Examinations

Enclosures:
Publication 892



**Department of the Treasury
Internal Revenue Service
Tax Exempt and Government Entities**

Date:
February 24, 2023
Taxpayer ID number (last 4 digits):

Form:
990-EZ Return
Tax periods ended:

Person to contact:
Name:
ID number:
Telephone:
Fax:
Hours:
Address:

Manager's contact information:
Name:
ID number:
Telephone:
Response due date:
March 27, 2023

CERTIFIED MAIL – Return Receipt Requested

Dear _____ :

Why you're receiving this letter

We enclosed a copy of our audit report, Form 886-A, Explanation of Items, explaining that we propose to modify your organization's foundation status under Internal Revenue Code (IRC) Section 509(a).

Your exempt status under IRC Section 501(c)(3) is still in effect.

If you agree

If you haven't already, please sign the enclosed Form 6018, Consent to Proposed Action, and return it to the contact person shown at the top of this letter. We'll issue a final letter modifying your foundation status.

If you disagree

1. Request a meeting or telephone conference with the manager shown at the top of this letter.
2. Send any information you want us to consider.
3. File a protest with the IRS Appeals Office. If you request a meeting with the manager or send additional information as stated in 1 and 2, above, you'll still be able to file a protest with IRS Appeals Office after the meeting or after we consider the information.

The IRS Appeals Office is independent of the Exempt Organizations division and resolves most disputes informally. If you file a protest, the auditing agent may ask you to sign a consent to extend the period of limitations for assessing tax. This is to allow the

IRS Appeals Office enough time to consider your case. For your protest to be valid, it must contain certain specific information, including a statement of the facts, applicable law, and arguments in support of your position. For specific information needed for a valid protest, refer to Publication 892, How to Appeal an IRS Determination on Tax-Exempt Status.

Fast Track Mediation (FTM) referred to in Publication 3498, The Examination Process, generally doesn't apply now that we've issued this letter.

4. Request technical advice from the Office of Associate Chief Counsel (Tax Exempt Government Entities) if you feel the issue hasn't been addressed in published precedent or has been treated inconsistently by the IRS.

If you're considering requesting technical advice, contact the person shown at the top of this letter. If you disagree with the technical advice decision, you will be able to appeal to the IRS Appeals Office, as explained above. A decision made in a technical advice memorandum, however, generally is final and binding on Appeals.

If we don't hear from you

If you don't respond to this proposal within 30 calendar days from the date of this letter, we'll issue a final letter modifying your foundation status.

Contacting the Taxpayer Advocate Office is a taxpayer right

The Taxpayer Advocate Service (TAS) is an independent organization within the IRS that can help protect your taxpayer rights. TAS can offer you help if your tax problem is causing a hardship, or you've tried but haven't been able to resolve your problem with the IRS. If you qualify for TAS assistance, which is always free, TAS will do everything possible to help you. Visit www.taxpayeradvocate.irs.gov or call 877-777-4778.

Additional information

You can get any of the forms and publications mentioned in this letter by visiting our website at www.irs.gov/forms-pubs or by calling 800-TAX-FORM (800-829-3676).

If you have questions, you can contact the person shown at the top of this letter.

Sincerely,

Oscar E. Salcido

For: Lynn A. Brinkley
Director, Exempt Organizations
Examinations

Enclosures:

Form 886-A

Form 6018

Form 4621-A

Pub 892

Pub 3498

Form 886-A (May 2017)	Department of the Treasury – Internal Revenue Service Explanations of Items	Schedule number or exhibit
Name of taxpayer	Tax Identification Number (last 4 digits)	Year/Period ended

Issue 1:

Whether _____ failed the relationship test
and fails to qualify as a Type III supporting organization.

Issue 2:

Whether _____ meets the public support test of IRC
170(b)(1)(A)(vi) and can be to be excluded from private foundation classification.

FACTS:

_____ (hereinafter, EO) is exempt from
taxation under IRC§ 501(c)(3), with a foundation classification 509(a)(3) **Operated in connection
with Type III functionally integrated supporting organization.** The relevant facts apply the EO
received its exemption on _____. On the 1023 application the EO stated it will be supporting
a foreign organization that is not public charities under section 509(a)(1) or (2) or section
501(c)(4), 501(c)(5), or 501(c)(6). The EO is supporting
_____ by providing grants for teaching materials for teachers, room and board and
administrative support for the students and their families.
_____ is operated and located in _____ and is **not organized in the United
States.** The EO solicits donations from local _____ Churches and their congregations
located in the United States.

1023 Application:

- 9b** Do you or will you make grants, loans, or other distributions to foreign organizations? If "Yes," name each foreign organization (if not already provided), the country and region within each country in which each foreign organization operates, any relationship you have with each foreign organization, and whether the foreign organization accepts contributions earmarked for a specific country or organization (if so, specify which countries or organizations). If "No," continue to Line 10. ☒ Yes ☐ No

Form 1023 (Rev. 01-2020)

Schedule D. Section 509(a)(3) Supporting Organizations

1 List the names, addresses, and EINs of the organizations you support.

- 2** Are all your supported organizations public charities under section 509(a)(1) or (2)? If "Yes," continue to Line 3. ☐ Yes ☒ No
- 2a** Are your supported organizations tax exempt under section 501(c)(4), 501(c)(5), or 501(c)(6) and do your supported organizations meet the public support test under section 509(a)(2)? If "No," explain how each organization you support is a public charity under section 509(a)(1) or 509(a)(2). ☐ Yes ☒ No

Form 886-A (May 2017)	Department of the Treasury – Internal Revenue Service Explanations of Items	Schedule number or exhibit
Name of taxpayer	Tax Identification Number (last 4 digits)	Year/Period ended

Schedule A from Form 990 for year ending December 31,

Schedule A (Form 990 or 990-EZ) 2020

Page 4

Supporting Organizations
 (Complete only if you checked a box on line 12 of Part I. If you checked box 12a, of Part I, complete Sections A and B. If you checked box 12b, of Part I, complete Sections A and C. If you checked box 12c, of Part I, complete Sections A, D, and E. If you checked box 12d, of Part I, complete Sections A and D, and complete Part V.)

Section A. All Supporting Organizations

		Yes	No
1 Are all of the organization's supported organizations listed by name in the organization's governing documents? If "No," describe in Part VI how the supported organizations are designated. If designated by class or purpose, describe the designation. If historic and continuing relationship, explain.	1		No
2 Did the organization have any supported organization that does not have an IRS determination of status under section 509(a)(1) or (2)? If "Yes," explain in Part VI how the organization determined that the supported organization was described in section 509(a)(1) or (2).	2	Yes	
3a Did the organization have a supported organization described in section 501(c)(4), (5), or (6)? If "Yes," answer lines 3b and 3c below.	3a		No
b Did the organization confirm that each supported organization qualified under section 501(c)(4), (5), or (6) and satisfied the public support tests under section 509(a)(2)? If "Yes," describe in Part VI when and how the organization made the determination.	3b		No
c Did the organization ensure that all support to such organizations was used exclusively for section 170(c)(2)(B) purposes? If "Yes," explain in Part VI what controls the organization put in place to ensure such use.	3c	Yes	
4a Was any supported organization not organized in the United States ("foreign supported organization")? If "Yes" and if you checked box 12a or 12b in Part I, answer lines 4b and 4c below.	4a	Yes	
b Did the organization have ultimate control and discretion in deciding whether to make grants to the foreign supported organization? If "Yes," describe in Part VI how the organization had such control and discretion despite being controlled or supervised by or in connection with its supported organizations.	4b		No
c Did the organization support any foreign supported organization that does not have an IRS determination under sections 501(c)(3) and 509(a)(1) or (2)? If "Yes," explain in Part VI what controls the organization used to ensure that all support to the foreign supported organization was used exclusively for section 170(c)(2)(B) purposes.	4c	Yes	

Schedule B filed on form 990 for year ending December 31, 2020

Schedule B (Form 990, 990-EZ, or 990-PF) (2020)

Page 2

Name of organization	Employer identification number
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Contributors (see instructions). Use duplicate copies of Part I if additional space is needed.

(a) No.	(b) Name, address, and ZIP + 4	(c) Total contributions	(d) Type of contribution
1			<input checked="checked" type="checkbox"/> Person <input type="checkbox"/> Payroll <input type="checkbox"/> Noncash (Complete Part II for noncash contributions.)

List of contributors provide in IDR

for year ending December 31,

Contributors

Form 886-A (May 2017)	Department of the Treasury – Internal Revenue Service Explanations of Items	Schedule number or exhibit
Name of taxpayer	Tax Identification Number (last 4 digits)	Year/Period ended

990 Schedule B filed for year ending December 31,

Schedule B (Form 990) (2021)		Page 2
Name of organization		Employer identification number

Contributors (see instructions). Use duplicate copies of Part I if additional space is needed.			
(a) No.	(b) Name, address, and ZIP + 4	(c) Total contributions	(d) Type of contribution
1			<input checked="" type="checkbox"/> Person <input type="checkbox"/> Payroll <input type="checkbox"/> Noncash <small>(Complete Part II for noncash contributions.)</small>
2			<input checked="" type="checkbox"/> Person <input type="checkbox"/> Payroll <input type="checkbox"/> Noncash <small>(Complete Part II for noncash contributions.)</small>
3			<input checked="" type="checkbox"/> Person <input type="checkbox"/> Payroll <input type="checkbox"/> Noncash <small>(Complete Part II for noncash contributions.)</small>
4			<input checked="" type="checkbox"/> Person <input type="checkbox"/> Payroll <input type="checkbox"/> Noncash <small>(Complete Part II for noncash contributions.)</small>
5			<input checked="" type="checkbox"/> Person <input type="checkbox"/> Payroll <input type="checkbox"/> Noncash <small>(Complete Part II for noncash contributions.)</small>
6			<input checked="" type="checkbox"/> Person <input type="checkbox"/> Payroll <input type="checkbox"/> Noncash <small>(Complete Part II for noncash contributions.)</small>

Initial Interview question and response from
 Secretary/Treasurer:

with

Question:

Is the supported organization a foreign org that was not established in the U.S.?

Answer:

Yes

Form 886-A (May 2017)	Department of the Treasury – Internal Revenue Service Explanations of Items	Schedule number or exhibit
Name of taxpayer	Tax Identification Number <i>(last 4 digits)</i>	Year/Period ended

LAW:

Treas. Reg. 1.509(a)-4(i) Operated in connection with The third relationship type was revised by the Pension Protection Act (PPA) of 2006, which made significant changes in Type III requirements to ensure that supporting organizations are responsive to supported organizations. (Pension Protection Act of 2006, P.L. 109-280).

There are two types of Type III supporting organizations:

1. Functionally integrated supporting organizations (FISO)

Functionally integrated Type III supporting organizations are described in Treas. Reg. 1.509(a)-4(i)(4), and are characterized by the performance of activities that directly further the exempt purpose of the supported organization(s).

2. Non-functionally integrated supporting organizations (Non-FISO)

Non-functionally integrated Type III supporting organizations are described in Treas. Reg. 1.509(a)-4(i)(5), and are characterized by making payments, such as grants, to the supported organization(s). Non-FISOs are also subject to more restrictions and requirements than FISOs.

IRC 509(a) notes that all organizations, foreign and domestic, described in IRC 501(c)(3) are private foundations except for those described in IRC 509(a)(1), (2),(3), or (4). "Public charity" is the generic term given to the excepted organizations in the above listed Code sections.

Therefore, all IRC 501(c)(3) organizations are either private foundations or public charities. All IRC 501(c)(3) organizations are presumed to be private foundations unless they are described in IRC 509(a)(1), (2),(3), or (4).

Treas. Reg. 1.509(a)-4(f)(2)(iii) states that the supporting organization must be operated in connection with, one or more publicly supported organizations.

Section 1.509(a)-4(d)(1) of the regulations provides that in order to meet the requirements of section 509(a)(3)(A), **an organization must be organized and operated exclusively to support or benefit one or more "specified" publicly supported organizations.**

Treas. Reg. 1.509(a)-4(i)(10) states that a supporting organization **is not operated in connection with** one or more supported organizations if it **supports any supported organization organized outside of the United States.** Type III supporting organizations, including both FISOs and non-FISOs, are prohibited from supporting any organization which isn't organized in the U.S.

Form 886-A (May 2017)	Department of the Treasury – Internal Revenue Service Explanations of Items	Schedule number or exhibit
Name of taxpayer	Tax Identification Number (last 4 digits)	Year/Period ended

Foundation Status Under Sections 509(a)(1), 509(a)(2), 509(a)(3) or 509(a)(4)

IRC 509(a)(1) excludes from private foundation classification those organizations described in IRC **170(b)(1)(A)(i)-(vi)**:

- IRC 170(b)(1)(A)(i) - Churches
- IRC 170(b)(1)(A)(ii) - Schools
- IRC 170(b)(1)(A)(iii) - Hospitals
- IRC 170(b)(1)(A)(iv) - Endowment funds for a state university's library
- IRC 170(b)(1)(A)(v) - Governmental entities
- IRC 170(b)(1)(A)(vi) - Publicly supported charities, such as, United Way

Note: IRC 509 (a)(1) organizations engage in inherently public activities.

IRC 509 (a)(2) excludes from private foundation classification those publicly supported organizations that receive more than one-third of their support from gifts, grants, contributions, membership fees, and certain gross receipts but not more than one-third from gross investment income and net unrelated business taxable income (UBI). **Note:** IRC 509 (a)(2) organizations are supported primarily by exempt function income. Exempt function income comes from an activity that is not an unrelated trade or business.

IRC 509(a)(3) excludes from private foundation classification those organizations that, in general, support organizations described in IRC 509(a)(1) or (2), although they themselves are not publicly supported.

Section 1.509(a)-4(d)(1) of the regulations provides that in order to meet the requirements of section 509(a)(3)(A), **an organization must be organized and operated exclusively to support or benefit one or more "specified" publicly supported organizations.**

Treas. Reg. 1.509(a)-4(i)(10) states that a supporting organization **is not operated in connection with one or more supported organizations if it supports any supported organization organized outside of the United States. Type III supporting organizations, including both FISOs and non-FISOs, are prohibited from supporting any organization which isn't organized in the U.S.**

Rev. Rul. 78-95 (IRS RRU), 1978-1 C.B. 71, 1978 WL 42293- An organization, exempt from Federal income tax under section 501(c)(3) of the Code and described in section 170(c)(2), is primarily supported by contributions from individual churches.

The two percent limitation prescribed by section 1.170A-9(e)(6)(i) of the regulations does not apply to the support received by an exempt organization described in section 170(c)(2) of the Code from individual churches described in section 170(b)(1)(A)(i) that are publicly supported and entitled to section 170(b)(1)(A)(vi) status.

Form 886-A (May 2017)	Department of the Treasury – Internal Revenue Service Explanations of Items	Schedule number or exhibit
Name of taxpayer	Tax Identification Number (last 4 digits)	Year/Period ended

GOVERNMENTS POSITION:

Issue 1:

Whether

failed the relationship test

and fails to qualify as a Type III supporting organization.

The EO applied for exemption and stated on the 1023 application, that the supported organization will be is operated and located in

. The EO is exempt from taxation under IRC§ 501(c)(3), with a foundation classification 509(a)(3) **Operated in connection with Type III functionally integrated supporting organization**. Per Treas. Reg. 1.509(a)-4(i) Operated in connection with the third relationship type was revised by the Pension Protection Act (PPA) of 2006, which made significant changes in Type III requirements to ensure that supporting organizations are responsive to supported organizations. (Pension Protection Act of 2006, P.L. 109-280). There are two types of Type III supporting organizations:

1. Functionally integrated supporting organizations (FISO)
2. Non-functionally integrated supporting organizations (Non-FISO)

Treas. Reg. 1.509(a)-4(i)(10) states that a supporting organization is not operated in connection with one or more supported organizations if it supports any supported organization organized outside of the United States. Type III supporting organizations, including both FISOs and non-FISOs, are prohibited from supporting any organization which isn't organized in the U.S. The schedule A filed with form 990 for year ending , the EO answered **Yes** to the question 4a was any supported organization not organized in the United States. During the initial interview conducted with the Secretary/Treasurer of the EO, he answered yes to the question is the supported organization a foreign org that was not organized in the U.S. Per the law the EO failed the relationship test and is not operated in connection with the supported org and the EO is not qualified as supporting organization foundation classification under IRC 509(a)(3).

ISSUE 2:

Whether

meets the public support test of IRC

170(b)(1)(A)(vi) and can be to be excluded from private foundation classification.

Since the EO is still exempt under IRC 501(c)(3) but is not qualified under 509(a)(3) foundation status, IRC 509(a) states that all organizations, foreign and domestic, described in IRC 501(c)(3) are private foundations except for those described in IRC 509(a)(1), (2),(3), or (4). The EO can't qualify under IRC 509(a)(4) because it is not organized and operated for the purpose of testing products for public safety. To be excluded as a private foundation the EO must pass the public

Form 886-A (May 2017)	Department of the Treasury – Internal Revenue Service Explanations of Items	Schedule number or exhibit
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support test under IRC 509(a)(1) or 509(a)(2). The public support test is satisfied by meeting either a 33 1/3 percent test or a facts and circumstances 10 percent test.

The foundation status of a organization is based on the type of organization and how it receive its support. IRC 509(a)(1) excludes from private foundation classification those organizations described in IRC 170(b)(1)(A)(i)-(vi):

- IRC 170(b)(1)(A)(i) - Churches
- IRC 170(b)(1)(A)(ii) - Schools
- IRC 170(b)(1)(A)(iii) - Hospitals
- IRC 170(b)(1)(A)(iv) - Endowment funds for a state university's library
- IRC 170(b)(1)(A)(v) - Governmental entities
- IRC 170(b)(1)(A)(vi) - Publicly supported charities

The EO is not a Church, School, Hospital, endowment fund for state university library or a Governmental entity, then it could be consider a Public supported Charity under IRC 170(b)(1)(A)(vi). Organizations described in sections 509(a)(1) and 170(b)(1)(A)(vi) of the Code are publicly supported organizations that receive substantial financial support from contributions made by other publicly supported organizations, governmental units, the general public or a combination of such sources. The EO solicits donations from church's and also thru the members of the church congregations. Per the books and records the EO provided a list of contributors for year ending , confirms that the EO received it's support from Church's (publicly supported organizations) and Individuals (general public) only. The schedule B filed with the 990 return reflects the same type of support from churches and Individuals. **Rev. Rul. 78-95 (IRS RRU), 1978-1 C.B. 71, 1978 WL 42293-** An organization, exempt from Federal income tax under section 501(c)(3) of the Code and described in section 170(c)(2), is primarily supported by contributions from Individual churches. The two percent limitation prescribed by section 1.170A-9(e)(6)(i) of the regulations does not apply to the support received by an exempt organization described in section 170(c)(2) of the Code from individual churches described in section 170(b)(1)(A)(i) that are publicly supported and **entitled to section 170(b)(1)(A)(vi) status.** Treas. Reg. 1.170A-9(e)(4)(i) notes normally, the organization meets the support computation test for the aggregate of the four taxable years before the year under audit and the current and next taxable year. The EO being operated since doesn't provide a full 5 years to run the test for the rolling time frame the test calls for, the test will be based on the two years. Over the Two years the EO received support from publicly supported organizations and Individuals and had a % Public support percentage for the , tax year.

Form 886-A (May 2017)	Department of the Treasury – Internal Revenue Service Explanations of Items	Schedule number or exhibit
Name of taxpayer	Tax Identification Number (last 4 digits)	Year/Period ended

Public Support for 170(b)(1)(A)(vi)
This is a reproduction of Schedule A, Part II, 2019 Form 990.

Public Support	(a)	(b)	(c)	(d)	(e)	(f)
Calendar Year						Total
1 Gifts, grants, contributions, and membership fees received. (Do not include "unusual grants.")	0	0	0	0	0	
2 Tax revenues levied for the organization's benefit and either paid to or expended on its behalf	0	0	0	0	0	0
3 The value of services or facilities furnished by a governmental unit to the organization without charge	0	0	0	0	0	0
4 Total (Sum of lines 1 thru 3)	0	0	0	0	0	0
5 The portion of total contributions by each person (other than a gov. unit or publicly supported org.) included on line 1 that exceeds 2% of the amount shown on line 11, column (f).						
6 Public Support (line 5 from line 4)					0	
Total Support						
Calendar Year						Total
7 Amounts from Line 4	0	0	0	0	0	
8 Gross income from interest, dividends, payments received on securities loans, rents, royalties and income from similar sources	0	0	0	0	0	0
9 Net income from unrelated business activities, whether or not the business is regularly carried on	0	0	0	0	0	0
10 Other income. Do not include gains or losses from the sale of capital assets	0	0	0	0	0	0
11 Total support. (Sum of lines 7 thru 10)					0	
12 Gross receipts from related activities					0	0
Computation of Public Support Percentage					0	0
13 Public support percentage for tax year (Public Support ÷ Total Support)					0	0

Public Support for 170(b)(1)(A)(vi)
This is a reproduction of Schedule A, from the 2019 Form 990.

Public Support	(a)	(b)	(c)	(d)	(e)	(f)
Calendar Year						Total
1 Gifts, grants, contributions, and membership fees received. (Do not include "unusual grants.")	0	0	0	0	0	
2 Tax revenues levied for the organization's benefit and either paid to or expended on its behalf	0	0	0	0	0	0
3 The value of services or facilities furnished by a governmental unit to the organization without charge	0	0	0	0	0	0
4 Total (Sum of lines 1 thru 3)	0	0	0	0	0	0
5 The portion of total contributions by each person (other than a gov. unit or publicly supported org.) included on line 1 that exceeds 2% of the amount shown on line 11, column (f).						
6 Public Support (line 5 from line 4)						
Total Support						
Calendar Year						Total
7 Amounts from Line 4	0	0	0	0	0	
8 Gross income from interest, dividends, payments received on securities loans, rents, royalties and income from similar sources	0	0	0	0	0	0
9 Net income from unrelated business activities, whether or not the business is regularly carried on	0	0	0	0	0	0
10 Other income. Do not include gains or losses from the sale of capital assets	0	0	0	0	0	0
11 Total support. (Sum of lines 7 thru 10)						
12 Gross receipts from related activities					0	0
Computation of Public Support Percentage					0	0
13 Public support percentage for tax year (Public Support ÷ Total Support)					0	0

TAXPAYERS POSITION:

The EO disclosed that the supported organization is located and based in a foreign country on the Form 1023 application, and stated they we unaware that this was a problem.

COUNCLUSION:

Issue 1:

Whether
and fails to qualify as a Type III supporting organization.

failed the relationship test

supported a foreign organization that was not organized in the United States. The law clearly states that a supporting organization is not operated in connection with one or more supported organizations if it supports any supported organization organized outside of the United States. Type III supporting organizations, including both FISOs and non-FISOs, are prohibited from supporting any organization which isn't organized in the U.S. per Treas. Reg. 1.509(a)-4(i)(10). The EO failed the relationship test and

Form 886-A (May 2017)	Department of the Treasury – Internal Revenue Service Explanations of Items	Schedule number or exhibit
Name of taxpayer	Tax Identification Number (last 4 digits)	Year/Period ended

doesn't qualify as 509 (a)(3) Type III supporting organization for Foundation Classification. The EO will need to be classified as a Private Foundation if it cant pass the public support test.

ISSUE 2:

Whether _____ meets the public support test of IRC 170(b)(1)(A)(vi) and can be to be excluded from private foundation classification.

_____ sources of support are from publicly supported organizations (_____ Church's) and the general public. Organizations described in sections 509(a)(1) and 170(b)(1)(A)(vi) of the Code are publicly supported organizations that receive substantial financial support from contributions made by other publicly supported organizations, governmental units, the general public or a combination of such sources. **Rev. Rul. 78-95 (IRS RRU), 1978-1 C.B. 71, 1978 WL 42293-** An organization, exempt from Federal income tax under section 501(c)(3) of the Code and described in section 170(c)(2), is primarily supported by contributions from Individual churches are **entitled to section 170(b)(1)(A)(vi) status**. The EO support from _____ through _____ exceeds 33 1/3 percent test or a facts and circumstances 10 percent test. The EO passed the public support test under sections 509(a)(1) and 170(b)(1)(A)(vi) and the Foundation status needs to be changed to 170(b)(1)(A)(vi).

NOTE: If the _____ agrees with reclassifying the foundation statues from 509(a)(3) Operated in connection with Type III functionally integrated supporting organization to 509(a)(1) and 170(b)(1)(A)(vi) sign F6018.