



TAX EXEMPT AND
GOVERNMENT ENTITIES
DIVISION

DEPARTMENT OF THE TREASURY
INTERNAL REVENUE SERVICE
WASHINGTON, D.C. 20224

AUG 16 2013

Date:

University of Massachusetts
Office of the Treasury
333 South Street, Ste. 450
Shrewsbury, MD 01545-4171

Employer Identification Number:

04-3167352

Group Exemption Number:

5929

Effective Date of Exemption

June 26, 2012

Contact Name and Number:

Donna Moore 202-283-9478

Dear Sir or Madam:

We have considered your application for a group exemption letter recognizing your subordinates as exempt from federal income tax under section 501(c)(3) of the Internal Revenue Code.

You are a state instrumentality.

Subordinates' Tax-Exempt Status

We have determined that your subordinates whose names appear on the list you submitted are exempt from federal income tax under section 501(c)(3) of the Code effective on the date listed above. Subsequent to this ruling, if a subordinate seeks an IRS letter recognizing its own individual tax exemption, it must submit a Form 1023.

Organizations exempt under section 501(c)(3) of the Code are further classified as either public charities or private foundations. We have determined that your subordinates are public charities described in sections 509(a)(1) and 170(b)(1)(A)(vi) of the Code.

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

Annual Filing Requirements

A central organization can file a group return on Form 990 for two or more subordinate organizations that authorize the central organization in writing to include them in the group return, and that are:

- Affiliated with the central organization at the time its tax year ends,
- Subject to the central organization's general supervision or control,
- Exempt from tax under the central organization's group exemption letter that is still in effect, and
- Using the same tax year as the central organization.

A central organization cannot use a Form 990-EZ for the group return.

A subordinate organization may choose to file a separate annual information return instead of being included in the group return. In that case:

- The type of return a subordinate organization must file is based upon its annual gross receipts. If a subordinate's gross receipts average \$50,000 or less for a given tax year and its two prior tax years, the subordinate must file an annual electronic notice, Form 990-N, unless it chooses to file Form 990 or 990-EZ for that tax year.
- If a subordinate's annual gross receipts average more than \$50,000, it is required to file either Form 990, Return of Organization Exempt From Income Tax, or Form 990-EZ, Short Form Return of Organization Exempt From Income Tax.

If a subordinate organization neither files a Form 990-series return nor is included in a group return for three consecutive tax years, its federal income tax exemption will be automatically revoked, effective as of the filing due date for the third tax year.

If the central organization is required to file a Form 990-series return for itself, it must file a separate return and cannot be included in the group return.

Form 990 (including a group return), 990-EZ, and Form 990-N must be filed by the 15th day of the 5th month after an organization's accounting period ends.

The law imposes a penalty of \$20 a day when a return is filed late, unless there is reasonable cause for the delay. However, the maximum penalty imposed cannot exceed \$10,000 or 5 percent of gross receipts for the year, whichever is less. For organizations with gross receipts exceeding \$1,000,000 in any year, the penalty is \$100 per day per return, unless there is reasonable cause for the delay. The maximum penalty for an organization with gross receipts exceeding \$1,000,000 shall not exceed \$50,000. This penalty may also be charged if a return is not complete, so your subordinates should make sure their returns are complete before filing them.

Your subordinates are required to make their annual information return, Form 990 or Form 990-EZ, available for public inspection for three years after the later of the due date of the return or the date the return is filed. You and your subordinates are also

required to make available for public inspection your group exemption application, any supporting documents and this exemption letter. Copies of these documents are also required to be provided to any individual upon written or in person request without charge other than reasonable fees for copying and postage. You may fulfill this requirement by placing these documents on the Internet. Penalties may be imposed for failure to comply with these requirements. Additional information is available in Publication 557, Tax-Exempt Status for Your Organization, or you may call our toll free number shown above.

Federal Income Tax Returns

Your subordinates are not required to file federal income tax returns unless subject to the tax on unrelated business income under section 511 of the Code. Each organization subject to this tax must file Form 990-T, Exempt Organization Business Income Tax Return. In this letter we are not determining whether any of your subordinates' present or proposed activities are unrelated trade or business as defined in section 513 of the Code.

As of January 1, 1984, each of your subordinates is liable for social security (FICA) taxes for each employee to whom the subordinate paid \$100 or more during a calendar year. This does not apply, however, to any subordinate that makes or has made a timely election under section 3121(w) of the Code to be exempt from such tax. Your subordinates are not liable for tax imposed under the Federal Unemployment Tax Act (FUTA).

Annual Group Exemption Update Process

Each year, at least 90 days before the end of your annual accounting period, please send the items listed below to the Internal Revenue Service Center at the address shown below.

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 addresses if different, and employer identification numbers of subordinates that, since your previous report:
 - a. Changed names or address;
 - b. Were deleted from your roster; or
 - c. Were added to your roster.
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 is a private foundation as defined in section 509(a) of the Code if the group exemption letter covers organizations described in section 501(c)(3);
 - e. The street address of each subordinate whose mailing address is a P.O. Box; and
 - f. The information required by Revenue Procedure 75-50, 1975-2 C.B. 587, for each subordinate that is a school claiming exemption under section 501(c)(3). Also include any other information necessary to establish that the school is complying with the requirements of Revenue Ruling 71-447, 1971-2 C.B. 230. This is the same information required by Schedule B, 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 since your previous report.

Please mail the information requested in this letter to the following address:

Internal Revenue Service
Ogden UT 84201

Group Exemption Number

Your Group Exemption Number is 5929. You are required to include this number on any Form 990 group return that you may file. Your subordinates are required to include this number on each Form 990, Return of Organization Exempt From Income Tax, and Form 990-T, Exempt Organization Business Income Tax Return, that they file. Please advise your subordinates of this requirement and provide them with the Group Exemption Number.

Other Information

Please see enclosed Publication 4221-PC, Compliance Guide for 501(c)(3) Public Charities, for some helpful information about the responsibilities of you and your

subordinates as exempt organizations. This publication and other useful information is available on the IRS Charities and Non-Profits website at www.irs.gov/eo.

Because this letter could help resolve any questions about the exempt status and foundation status of your subordinates, you should keep it for your records.

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

Sincerely yours,



Karen Schiller
Acting Director,
Exempt Organizations
Rulings and Agreements

Enclosure: Publication 4221-PC, Compliance Guide for 501(c)(3) Public Charities