

Department of the Treasury

District Director

Internal Revenue Service

Date:

SEP 24 1974

In reply refer to:

411-12:HWA:



▷ Dialectic and Philanthropic Societies
Foundation, Inc.
P. O. Box 829
33 W. Davie Street
Raleigh, North Carolina 27602

Advance ruling period ends: December 31, 1979

Gentlemen:

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

We have further determined you can reasonably be expected to be an organization of the type described in sections 170(b)(1)(A)(vi) and 509(a)(1). Accordingly, for your first three tax years, you will be treated as an organization which is not a private foundation.

At the end of your first three tax years, however, you must establish with the Internal Revenue Service that for such three years you were in fact an organization of the type described in section 170(b)(1)(A)(vi). If you establish this fact with the Service, you will be classified as a section 509(a)(1) organization for all purposes beginning with the first day of your fourth tax year and you must normally meet the requirements of section 170(b)(1)(A)(vi) thereafter. If, however, you do not meet the requirements of section 170(b)(1)(A)(vi) for your first three tax years, you will be classified as a private foundation as of the first day of your fourth tax year. Furthermore, you will be treated as a private foundation as of the first day of your first tax year for purposes of sections 507(d) and 4940.

Grantors and donors may rely on the determination that you are not a private foundation for your first three tax years, unless notice that you will no longer be treated as a section 509(a)(1) organization is published in the Internal Revenue Bulletin. However, a grantor or donor may not rely on such determination if he was in part responsible for, or was aware of, the act or failure to act that resulted in your loss of section 509(a)(1) status, or acquired knowledge that the Internal Revenue Service had given notice that you would be removed from classification as a section 509(a)(1) organization.

You are not liable for social security (FICA) taxes unless you file a waiver of exemption certificate as provided in the Federal Insurance Contributions Act. You are not liable for the taxes imposed under the Federal Unemployment Tax Act (FUTA).

Organizations that are not private foundations are not subject to the excise taxes under Chapter 42 of the Code. However, you are not automatically exempt from other Federal excise taxes.

Donors may deduct contributions to you as provided in section 170 of the Code. Bequests, legacies, devises, transfers, or gifts to you or for your use are deductible under sections 2055, 2106, and 2522 of the Code.

If your sources of support, or your purposes, character, or method of operation is changed, you must let us know so we can consider the effect of the change on your status. Also, you must inform us of all changes in your name or address.

If your gross receipts each year are normally more than \$5,000, you are required to file Form 990, Return of Organization Exempt From Income Tax, by the 15th day of the fifth month after the end of your annual accounting period. The law imposes a penalty of \$10 a day, up to a maximum of \$5,000, for failure to file a return on time.

You are not required to file Federal income tax returns unless you are subject to the tax on unrelated business income under section 511 of the Code. If you are subject to this tax, you must file an income tax return on Form 990-T. 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 of the Code.

You need an employer identification number even if you have no employees. If an employer identification number was not entered on your application, a number will be assigned to you and you will be advised of it. Please use that number on all returns you file and in all correspondence with the Internal Revenue Service.

Please keep this determination letter in your permanent records.

Sincerely yours,

Thomas P. Schuck

Exempt Organization Specialist
Tel. (404) 526-4516

The determination that you will be treated as an organization which is not a private foundation for your first three tax years is extended to your first six tax years in accordance with your request and executed Form 872-C, Consent Fixing Period of Limitation Upon Assessment of Tax Under Section 4940 of the Internal Revenue Code.

HWA

FORM 872-C (NOVEMBER 1972)	DEPARTMENT OF THE TREASURY—INTERNAL REVENUE SERVICE CONSENT FIXING PERIOD OF LIMITATION UPON ASSESSMENT OF TAX UNDER SECTION 4940 OF THE INTERNAL REVENUE CODE (See instruction 2 of Part IV—Form 1023 instructions.)	TO BE USED WITH FORM 1023 ONLY. SUBMIT IN DUPLICATE.
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Pursuant to section 6501(c)(4) of the Internal Revenue Code and as part of a request submitted with Form 1023, that the within designated organization be treated as a publicly supported organization within the meaning of section 170(b)(1)(A)(iv) or (vi) or section 509(a)(2) during an extended advance ruling period,

Dialectic and Philanthropic Societies Foundation, Inc. <small>(Name of organization)</small>	District Director
and the	John W. Henderson
P. O. Box 829, 33 W. Davie St., Raleigh, NC <small>(Number, street, city or town, State and ZIP code)</small>	27602

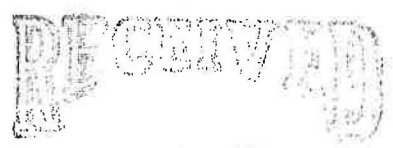
consent and agree as follows:

The period of limitation upon assessment of the tax imposed under section 4940 of the Code for **any taxable year** within the advance ruling period as extended shall not expire prior to one year from the date of expiration of the time prescribed by law for the assessment of a deficiency for the last taxable year within the advance ruling period, as extended, to wit (check one)—

- First taxable year at least 8 months:** The period of limitations for the first 5 taxable years shall extend 8 years, 4 months, 15 days beyond the end of the first taxable year.
- First taxable year less than 8 months:** The period of limitations for the first 6 taxable years shall extend 9 years, 4 months, 15 days beyond the end of the first taxable year,

except that if a notice of deficiency in tax for any such years is sent to the organization before expiration of such period, the time for making an assessment shall be further extended for the period in which the making of an assessment is prohibited and for 60 days thereafter.

Ending date of first taxable year: December 31, 1974



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 E. O. GROUP
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NAME OF ORGANIZATION	DATE
Dialectic and Philanthropic Societies Foundation, Inc.	July 9, 1974
OFFICER OR TRUSTEE HAVING AUTHORITY TO SIGN	
SIGNATURE ► <i>George T. Blackburn Jr.</i>	
DISTRICT DIRECTOR	DATE
John W. Henderson	August 28, 1974
BY ► <i>S. A. Greer</i>	
S. A. Greer, Group Manager	