

FORM 990 SIGN-ON LETTER



September 3, 2007

Form 990 Redesign
ATTN: SE:T:EO
Internal Revenue Service
1111 Constitution Avenue, NW
Washington, DC 20224

The American Society of Association Executives (ASAE) recognizes the importance of the Internal Revenue Service's (IRS) efforts to redesign the Form 990 tax return filed annually by tax-exempt organizations, and looks forward to offering detailed formal comments on the draft form prior to the Sept. 14 deadline.

The IRS's guiding principles behind the redesign – to enhance transparency, promote tax compliance, and minimize the burden on filing organizations – are appreciated by ASAE and its members' organizations. Given the explosive growth of the tax-exempt sector since the last major redesign of the form in 1979, as well as significant changes in the complexity of tax-exempt activities, it is appropriate for the IRS to undertake this rewrite.

ASAE has been working hard to inform its membership of the existence of a new form and the agency's request for comments, but because of the size of the sector, many remain unaware of the significant changes proposed and their potential impact on tax-exempt organizations.

It is ASAE's opinion that the draft Form 990 poses significant questions and concerns for associations and other nonprofit organizations that are required to file. Due to the diversity of organizations in the tax-exempt community – diversity in size, type of organization, activities, and sources of revenue – the proposed changes to the form will impact tax-exempt organizations differently.

ASAE, for its part, has serious concerns about several new areas of focus on the new form, including calculations of executive compensation and fundraising activity as a percentage of total revenues; compensation of key employees; and requests for detailed information on governance, activities conducted outside the United States, and political

activities. We also believe the prominence of compensation and fundraising ratios on the first page of the summary page smacks of sensationalism. ASAE will share these detailed comments with the IRS by the Sept. 14 deadline.

However, as stated, ASAE's own surveys of member organizations and consultation with tax practitioners have made it clear that there is not sufficient awareness of the rewrite in the exempt sector to support the IRS's admittedly aggressive schedule for implementation. The IRS is making substantial changes to the tax compliance document filed by more than 1.3 million tax-exempt organizations and is operating on too accelerated a schedule to allow for due consideration by the majority of filers.

For this reason, ASAE is requesting for an extension of the comment period to allow for prudent consideration of the new draft form and its implications for the different types of filing organizations. If the comment period cannot be extended due to technology or other reasons, ASAE requests a delay in implementation until the 2009 tax year (returns filed in 2010).

ASAE is aware and appreciative of the IRS's stated willingness to modify parts of the new form based on comments received by Sept. 14. However, this comment period (90 days from the release of the draft form in June) will not allow for proper comprehension and input from the majority of organizations filing Form 990.

Because of the lack of awareness among the majority of filing organizations, and the number of unanswered questions for those few that have studied the draft form, rushing the rewrite for any reason would be a mistake.

ASAE offers its full assistance to the IRS in properly educating and soliciting comments from the tax-exempt sector that will result in a new Form 990 that accomplishes the three stated goals of the IRS without unintended consequences and increased burden on the filing community.

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