

Internal Revenue Service
Washington, DC 20224

Date:

In reply refer to:

DEC 19 1968

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► The Nature Conservancy
1522 K Street, N. W.
Washington, D. C. 20005

Attention: E. R. Kingman
Vice President

Gentlemen:

This is in reply to your letter dated October 9, 1968, requesting a ruling that you qualify as a "publicly supported" organization under section 170(b)(1)(A)(vi) of the Internal Revenue Code so that contributions to you are subject to the special limitation provisions of section 170(b)(1)(A) of the Code.

Under section 170(b)(1)(A) of the Code an individual is allowed an additional deduction not exceeding 10 percent of his adjusted gross income for contributions made to certain organizations, including an organization described in section 170(b)(1)(A)(vi) of the Code.

Section 170(b)(1)(A)(vi) of the Code describes an organization referred to in section 170(c)(2) which normally receives a substantial part of its support (exclusive of income received in the exercise or performance by such organization of its charitable, educational, or other purpose or function constituting the basis for its exemption under section 501(a)) from a governmental unit referred to in section 170(c)(1) or from direct or indirect contributions from the general public.

The information submitted with your request discloses the following:

You are exempt from Federal income tax as an organization described in section 501(c)(3) of the Code, which is substantially similar to section 170(c)(2), and contributions to you are deductible under section 170 of the Code.

You were incorporated in October 1951 as a nonprofit corporation under the laws of the District of Columbia. Your purposes, as set forth in your Certificate of Incorporation, are (a) to preserve or

aid in the preservation of all types of wild nature, including natural areas, features, objects, flora and fauna, and biotic communities; (b) to establish nature reserves or other protected areas to be used for scientific, educational, and esthetic purposes; (c) to promote the conservation and proper use of natural resources; (d) to engage in or promote the study of plant and animal communities and of other phases of ecology, natural history, and conservation; and (e) to promote education in the fields of nature preservation and conservation.

It is stated that your primary objective is to acquire and to protect outstanding natural areas. By early 1968, you had been instrumental in having nearly 95,000 acres set aside as sanctuaries and preserves throughout the United States, and you anticipate that you will reach the 100,000 acre mark before the end of the calendar year. You acquire land either by gift or by purchase and a great deal of this procurement is for Federal, state and local governments. Your activities include the chartering of local subordinate chapters to perform local functions in carrying out your purposes.

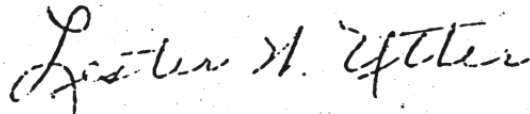
Your by-laws provide for several classes of membership and specify the contribution required for membership in each membership class. Membership in your organization is open to any individual or organization approving of your objectives.

You are governed by a Board of Governors which presently consists of a Chairman of the Board, a Vice Chairman, Secretary, Treasurer and twenty-one members at large. It is stated that the members at large are chosen, insofar as possible, because of their skills, varied interests, and their deep and devoted interest in the conservation of this country's natural resources and an abiding love of the land itself. Additionally, an attempt is made to have the Board represent as many areas of the country as possible.

Your support for the four fiscal years June 30, 1965 through June 30, 1968, was derived substantially from contributions received directly and indirectly from the general public, as well as from membership dues and investment income. An article in the Sunday, November 10, 1968, issue of the Washington Post states that the Ford Foundation is giving you \$6 million to buy 97 tracts of land and hold them for later government use. Your method of making financial reports available to the public has been through your publication, The Nature Conservancy News. In addition to printing a summary in the News, you have always carried a notice stating that the complete financial statement was available upon request to your national headquarters office.

The facts and circumstances presented indicate that you are a publicly supported organization described in section 170(b)(1)(A)(vi) of the Code. Accordingly, the special limitation provided in section 170(b)(1)(A) of the Code is applicable to contributions made to you by individual donors.

Very truly yours,

A handwritten signature in cursive script, reading "Lester M. Uffler".

Chief, Individual Income Tax Branch