



CERTIFICATION
PROGRAM

DEPARTMENT OF THE TREASURY
INTERNAL REVENUE SERVICE
PHILADELPHIA, PA 19255

9001279

10/7/09

Date: 09/09/2004

Taxpayer: REGENTS OF THE UNIV OF MINNESOTA

TIN: 41-6007513

Tax Year: 2004

I certify that the above-named entity is a State, or political subdivision of a State, or an agency, instrumentality, or public educational organization of a State or political subdivision, which is exempt from U.S. tax under the Internal Revenue Code, and is a resident of the United States of America for purposes of U.S. taxation.

Certified for France

Daniel J. Nally

Daniel J. Nally
Field Director, Philadelphia Accounts Management Center

UNIVERSITY OF MINNESOTA

*Tax Department
Office of Associate Vice President
for Budget and Finance,
Chief Financial Officer and Treasurer*

*1300 South Second Street, Room 288
Minneapolis, MN 55454
612-624-1053
Fax: 612-625-9841*

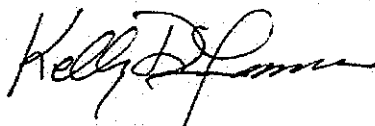
To Whom It May Concern:

The Internal Revenue Service has ruled, at the request of the University, that the University of Minnesota is an "integral part" of the State of Minnesota for federal tax purposes. As such, the University is exempt from federal income tax, except the tax on unrelated business income. Furthermore, the University's governmental status means that the University is an eligible recipient of charitable contributions for federal income, estate and gift tax purposes. Because the University is a governmental unit, the IRS no longer treats it as an organization described in Section 501(c)(3). The IRS has described the tax benefits applicable to contributions received by the University of Minnesota as follows:

Because we have determined that the University of Minnesota is an integral part of the State of Minnesota for federal tax purposes, contributions to or for the use of the University are contributions to or for the use of a state. Accordingly, contributions to or for the use of the University are contributions to or for the use of an entity described in section 170(c)(1) of the Internal Revenue Code of 1986, as amended, and are for exclusively public purposes and are therefore generally deductible under section 170(a)(1) to the extent otherwise provide in section 170. Specifically, charitable contributions to the University are deductible under section 170(a)(1) as contributions to a "governmental unit" described in section 170(b)(1)(A)(v). Furthermore, bequests and gifts made to the University are deductible for federal estate and gift tax purposes under section 2055(a)(1) and section 2522(a)(1), respectively.

As a governmental unit, the University is not a private foundation for purposes of either the income tax deduction limitations on charitable contributions by taxpayers or the taxable expenditure rules for grants made by private foundations. See Code § 170(b)(1)(A)(v); Treas. Reg. § 53.4945-5(a)(4)(ii).

If further clarification is required on the tax-exempt status of the University of Minnesota, please contact me at the phone number and address identified in the letterhead above or use my email address of kdf@umn.edu.



Kelly D. Farmer, CPA
University Tax Director



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INTERNAL REVENUE SERVICE
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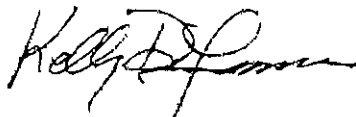
To Whom It May Concern:

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Kelly D. Farmer, CPA
University Tax Director



REGENTS OF THE U OF M
% PAYROLL DEPT
1300 S. 2ND ST STE 545
MINNEAPOLIS. MN 55454-1092

Person to Contact: EO:TPA

Telephone Number: 1-800-829-1040
312-435-1040

Refer Reply to: 93-1973

Date: June 16, 1993

RE: EXEMPT STATUS
EIN: 41-6007513

This is in response to the letter, dated May 16, 1993, regarding your status as an organization exempt from Federal income tax.

Our records indicate that a ruling letter was issued in June 1941 granting your organization an exemption from Federal income tax under the provisions of Section 501(c)(3) of the Internal Revenue Code of 1954. Our records also indicate that your organization is not a private foundation but one that is described in Section 509(a)(1) & 170(b)(1)(A)(ii) of the Internal Revenue Code.

Contributions made to you are deductible by donors in computing their taxable income in the manner and to the extent provided in Section 170 of the Internal Revenue Code.

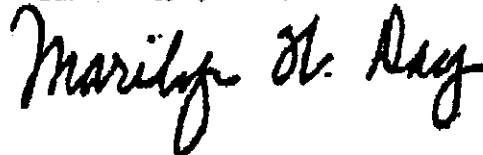
If your gross receipts each year are normally \$25,000 or more, you are required to file Form 990, Return of Organizations Exempt from Income tax by the fifteenth day of the fifth month after the end of your annual accounting period.

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 F-990-T.

If any question arises with respect to your status for Federal income tax purposes, you may use this letter as evidence of your exemption.

This is an advisory letter.

Sincerely yours,



Marilyn W. Day
District Director

Entered in PCG

Department of the Treasury

Internal Revenue Service
Washington, DC 20224

Date:

In reply refer to:

12-24-70



REGENTS OF THE UNIVERSITY OF
MINNESOTA
% UNIVERSITY OF MINNESOTA
FOURTH FLOOR MORRILL HALL
MINNEAPOLIS, MN.

55451

Gentlemen:

Based on the information you recently submitted, we have classified you as an organization that is not a private foundation as defined in section 503(a) of the Internal Revenue Code.

Your classification is based on the assumption that your operations will be as stated in your notification. Any changes in your purposes, character, or method of operation must be reported to your District Director so he may consider the effect on your status.

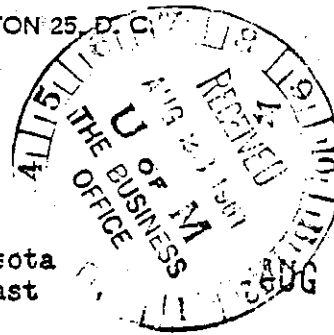
Sincerely yours,

Chief, Rulings Section
Exempt Organizations Branch



U. S. TREASURY DEPARTMENT
INTERNAL REVENUE SERVICE

WASHINGTON 25, D. C.



IN REPLY REFER

T:R:EO:3-JN

Regents of the University of Minnesota
University and 14th Avenue, Southeast
Minneapolis 14, Minnesota

Gentlemen:

Consideration has been given to your application for exemption from Federal income tax under section 501(c)(3) of the Internal Revenue Code, as an educational organization.

Our records show that on June 25, 1941, it was held that, as an instrumentality of the State of Minnesota, you are not subject to Federal income tax and are not required to file income tax returns.

You indicate that the reason you are applying for exemption under section 501(c)(3) of the Code is that your employees desire to avail themselves of the tax treatment provided under section 403(b) of the Code.

You were constituted a body corporate with the name of the "Regents of the University of Minnesota" with the right as such, of suing and being sued, of contracting and being contracted with, and of making and using a common seal, by the Territorial Laws 1851, Chapter 3. A Board of Regents, elected by the State Legislature, is vested with the government of the University of Minnesota. You were perpetuated in 1857 by the Constitution of the State of Minnesota, Article 8, Section 4.

After careful consideration of all the evidence presented, including the provisions of the law under which you operate, it is concluded that you are an instrumentality of the State of Minnesota, and that you are also exempt under section 501(c)(3) of the Code. Since you are exempt under section 501(c)(3), your employees are entitled to the benefits of section 403(b) of the Code. This ruling modifies our ruling of June 25, 1941 to you.

Contributions made to you are deductible by donors as provided in section 170 of the Code. Bequests, legacies, devises, transfers or gifts to or for your use are deductible for Federal estate and gift tax purposes under the provisions of sections 2055, 2106 and 2522 of the Code.



TREASURY DEPARTMENT

WASHINGTON

OFFICE OF
COMMISSIONER OF INTERNAL REVENUE

ADDRESS REPLY TO
COMMISSIONER OF INTERNAL REVENUE
AND REFER TO

IT:P:T:1
ABL

Regents of the University of Minnesota,
326 Administration Building,
Minneapolis, Minnesota.

Sirs:

Reference is made to the evidence submitted by you for use in determining your status for Federal income and employment tax purposes.

It appears from the evidence submitted that the University of Minnesota is a State institution and that you were constituted a body corporate on February 25, 1851 (Territorial Laws 1851, Chapter 3), your members being elected by the legislature of Minnesota. Therefore, it is apparent that you are an instrumentality of the State of Minnesota and as such you are exempt from Federal income tax and are not required to file returns of income.

Contributions made to you are deductible by individual donors in arriving at their taxable net income in the manner and to the extent provided by section 23(o)(1) of the Internal Revenue Code and the corresponding provisions of prior revenue acts.

The status of your organization for Federal employment tax purposes will be made the subject of a separate communication.

The collector of internal revenue for your district is being advised of this action.

By direction of the Commissioner.

Respectfully,


J. H. Sherman
Deputy Commissioner.

7-2-41 Noted & Paid
JUN 25 1941
✓

Regents of the University of Minnesota

Your District Director of Internal Revenue, St. Paul, Minnesota
is being advised of this action.

Very truly yours,



~~E. S.~~ Acting Director, Tax Rulings Division

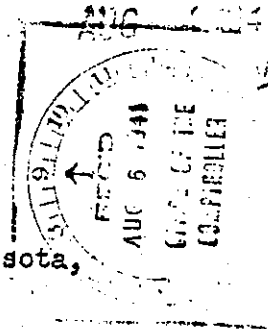


TREASURY DEPARTMENT

WASHINGTON

OFFICE OF
COMMISSIONER OF INTERNAL REVENUEADDRESS REPLY TO
COMMISSIONER OF INTERNAL REVENUE
AND REFER TO

A&C:RR:2-C



T. R. O. H. 8/6/41 L.P.L.
8/13/41
note an
return for attn
W.T.M.
L.K.

Regents of the University of Minnesota,
326 Administration Building,
Minneapolis, Minnesota.

Sirs:

Reference is made to office letter dated June 25, 1941, in which you were advised that you are an instrumentality of the State of Minnesota and as such exempt from Federal income tax, and that the status of your organization for Federal employment tax purposes would be made the subject of a separate communication.

The information on file relative to the matter discloses that the University of Minnesota is governed by twelve regents elected by the legislature of the State. The regents and their successors were constituted a body corporate on February 25, 1851 (Territorial Laws 1851, Chapter 3), for the purpose of providing the inhabitants of the State of Minnesota the means of acquiring a thorough knowledge of the various branches of literature, science, and the arts. The income of the organization is derived from State and Federal appropriations, student fees, endowments, and gifts. In the event of the dissolution of the organization its property would revert to the State of Minnesota.

Sections 811(b)(7), Title VIII and 907(c)(6), Title IX of the Social Security Act and Sections 1426(b)(7) and 1607(c)(6) of Subchapters A and C, respectively, of Chapter 9 of the Internal Revenue Code (Federal Insurance Contributions Act and Federal Unemployment Tax Act, respectively), in force prior to January 1, 1940, except from "employment" service performed in the employ of a State, a political subdivision thereof, or an instrumentality of one or more States or political subdivisions.

Sections 1426(b)(7) and 1607(c)(7) of Subchapters A and C, respectively, of Chapter 9 of the Internal Revenue Code, as amended, effective January 1, 1940, by the Social Security Act Amendments of 1939, except from "employment" service performed in the employ of a State, or any political subdivision thereof, or any instrumentality of any one or more of the foregoing which is wholly owned by one or more States or political subdivisions; and any service performed in the

A.C:RR:2-C

Regents of the University of Minnesota.

employ of any instrumentality of one or more States or political subdivisions to the extent that the instrumentality is, with respect to such service, immune under the Constitution of the United States from the employers' tax imposed by those subchapters.

It is held, upon the basis of the information submitted, that services performed prior to January 1, 1940, in the employ of your organization are excepted from "employment" by reason of Sections 811(b)(7) and 907(c)(6) of the Social Security Act and Sections 1426(b)(7) and 1607(c)(6) of the Internal Revenue Code in force prior to January 1, 1940. Such services performed subsequent to December 31, 1939, are excepted from "employment" by reason of Sections 1426(b)(7) and 1607(c)(7) of the Code, as amended. Accordingly, the employment taxes are not applicable with respect to the remuneration for such services.

Respectfully,

W. J. Schoeneman
Deputy Commissioner.

cc Collector,
St. Paul, Minnesota.

CMT:HFS