



# TREASURY DEPARTMENT

WASHINGTON

OFFICE OF  
COMMISSIONER OF INTERNAL REVENUE

ADDRESS REPLY TO  
COMMISSIONER OF INTERNAL REVENUE  
AND REFER TO

IT:RR:CQ

July 21, 1937

Appalachian Mountain Club,  
511 Barristers Hall,  
Boston, Massachusetts.

Sirs:

Reference is made to your request for a reconsideration of the question of your status for Federal income tax purposes and your status under the taxing provisions of the Social Security Act.

The records of the Bureau disclose that on August 20, 1934, you were granted exemption from payment of income tax under the provisions of section 101(9) of the Revenue Act of 1934 and similar provisions of prior revenue acts. You now claim exemption as an educational organization.

The evidence discloses that you were incorporated in 1878 under the Massachusetts Statutes of 1874, Chapter 375, which provides for the incorporation of associations for educational, charitable, benevolent, or religious purposes, for the prosecution of any antiquarian, historical, literary, scientific, medical, artistic, monumental or musical purposes. Your purposes are to explore the mountains of New England and adjacent regions and to cultivate an interest in geographical study. You were granted special privileges in 1894 by "An Act to Enlarge the Powers of the Appalachian Mountain Club" as follows:

"Section 1. In addition to the powers heretofore given to the Appalachian Mountain Club it is hereby authorized to obtain by purchase, gift or otherwise, forest and mountain lands, and places of scenic and historic interest, and to hold, develop and administer the same.

"Section 2. The real estate so acquired and held by the Appalachian Mountain Club, and used by it for the purposes set forth in the preceding section, and from which it shall receive no income or profit appropriated otherwise than for maintenance shall be exempt from taxation."

Appalachian Mountain Club.

A review of the evidence discloses that your Department of Topography has prepared and published maps covering substantially the whole of Northern New Hampshire; that you own the Sella Collection of mountain photographs which are exhibited by you; that your Natural History Committee conducts frequent excursions for geological, botanical and ornithological study; that you have opened and maintain over 300 miles of trails in the White Mountains equipped with sixteen shelters which are open to the public without charge; that you publish a scientific journal, Appalachia, which has a circulation throughout the world among those interested in geography and mountaineering; that you compile and publish the standard Guide Book to the White Mountains and other guide books; that you maintain a library of mountaineering and scientific literature, photographs and lantern slides open to the public; that you provide frequent lectures open to the public without charge, on mountaineering, exploration, geological, geographical and other scientific subjects; that you hold forest reservations in New England for the benefit of the public; that your income is derived from dues, publications and miscellaneous sources; and that your income is used to defray general maintenance and operating expenses.

Based on the facts presented it is held that you are exempt from payment of the taxes imposed by the Social Security Act, approved August 14, 1935, inasmuch as you come within the exceptions provided in section 811(b)(8) of Title VIII and section 907(c)(7) of Title IX.

Consideration has also been given to your status for income tax purposes and it is held that you are entitled to exemption under the provisions of section 101(6) of the Revenue Act of 1936 and the corresponding provisions of prior revenue acts. You are not, therefore, required to file returns for 1936 and prior years. Returns will not be required for subsequent years so long as there is no change in your organization, your purposes, or your method of operation.

Any changes in your form of organization or method of operation, as shown by the evidence submitted, must be immediately reported by you to the collector of internal revenue for your district in order that the effect of such changes upon your present exempt status may be determined.

The exemption granted in this letter does not apply to taxes levied under other titles or provisions of the respective revenue



Appalachian Mountain Club.

acts, except insofar as exemption is granted expressly under those provisions to organizations enumerated in section 101 of the Revenue Act of 1936 and the corresponding sections of prior revenue acts.

Contributions made to your organization by individual donors are deductible by such individuals in arriving at their taxable net income in the manner and to the extent provided by section 23(c) of the Revenue Act of 1936. The deductibility of contributions by corporations is governed by section 23(q) of the Revenue Act of 1936.

A copy of this letter is being transmitted to the collector of internal revenue for your district.

Bureau letter dated August 20, 1934, is hereby revoked.

By direction of the Commissioner.

Respectfully,

*Chas. J. Russell*  
Deputy Commissioner.

(over)