



OFFICE OF THE CHIEF COUNSEL

DEPARTMENT OF THE TREASURY
INTERNAL REVENUE SERVICE
WASHINGTON, D.C. 20224

May 3, 2019

Carrie R. Hunt
Executive Vice President of Government Affairs
and General Counsel
National Association of Federally-Insured Credit Unions
3138 10th Street North
Arlington, VA 22201

Reference: Your Request for a Revenue Ruling on Confidentiality of
Form 4720 Under Section 6103

Dear Ms. Hunt:

This is in response to your letter of February 11, 2019 on behalf of the National Association of Federally-Insured Credit Unions (NAFCU). I apologize for the delay in getting back to you.

Your letter requested confirmation via a revenue ruling or other appropriate IRS pronouncement that the Form 4720, *Return of Certain Excise Taxes Under Chapters 41 and 42 of the Internal Revenue Code*, filed in connection with the payment of certain excise taxes, is confidential under section 6103 of the Internal Revenue Code and not subject to disclosure by the Internal Revenue Service. You mention that many of NAFCU's member credit unions may be impacted by the excise tax imposed by section 4960 of the Code, which is reported on Form 4720, and that the NAFCU wants to ensure that credit unions understand what may happen with their excise tax returns.

We have carefully considered your request for a revenue ruling and have concluded that a revenue ruling or other guidance on this issue is unnecessary. There is already a publicly available statement by the IRS on the subject in the Internal Revenue Manual (IRM), which is the official source of instructions to IRS personnel relating to the organization, administration, and operation of the Service. Section 3.20.12.2.1 of the IRM, entitled *Public Inspection of Annual Returns and Applications for Tax Exempt Status*, addresses the confidentiality of the Form 4720. It states that the Form 4720 is not made publicly available unless filed by a private foundation.

As mentioned, this IRM provision is publicly available and reflects the IRS's official position on the public availability of the Form 4720. If the Service were to receive a request for production of the form, the form would be withheld from disclosure unless filed by a private foundation, consistent with the IRM provision cited above.

Accordingly, we do not believe there is a need for formal published guidance on the issue at the regulatory or sub-regulatory level.

Please let me know if you have any further questions on this matter or if I can be of any further assistance.

Sincerely,

A handwritten signature in blue ink, appearing to read "Richard G. Goldman", with a long horizontal flourish extending to the right.

Richard G. Goldman
Deputy Associate Chief Counsel
Procedure & Administration