

Friday

8:45AM – 5:00PM

Exempt Organizations E

Chair: Michael A. Clark, Sidley Austin LLP, Chicago, IL

- 8:45am** **News from the IRS and Department of Treasury.** Representatives from the Tax Exempt & Government Entities Division of the IRS and from the Department of Treasury will speak on recent developments and pending guidance. *Moderator:* Janne Gallagher, Council on Foundations, Arlington, VA. *Panelists:* Lois G. Lerner, Director, Exempt Organizations, IRS, Washington, DC; Don Spellmann, Senior Counsel, Office of Division Counsel/Associate Chief Counsel (Tax Exempt and Government Entities), Washington, DC; Emily Lam, Attorney Advisor, Office of Tax Policy, Department of Treasury, Washington, DC.
- 9:45am** **News from the Hill.** Speakers from Congressional tax-writing committees will address issues raised by recent and pending legislation involving exempt organizations and their donors. *Moderator:* Carolyn P. Ward, Morgan Lewis & Bockius LLP, Washington, DC. *Panelists:* John Williams, Deputy Chief Investigative Counsel, House Committee on Oversight and Government Reform, US Congress, Washington, DC; Gordon Clay, Legislation Counsel, Joint Committee on Taxation, US Congress, Washington, DC; Karen McAfee, Tax Counsel, House Ways and Means Committee, US Congress, Washington, DC; Theresa Pattara, Tax Counsel, Committee on Finance, US Senate, Washington, DC.
- 10:45am** **Form 990 Update.** A panel discussion of the IRS Form 990, the draft instructions thereto (if released) and implementation issues. *Moderator:* Victoria Bjorklund, Simpson Thacher & Bartlett LLP, New York, NY. *Panelists:* Ronald J. Schultz, Senior Technical Advisor to the Commissioner, Tax-Exempt/Government Entities, IRS, Washington, DC; Ward Thomas, Tax Law Specialist, IRS Exempt Organizations, Washington, DC; Jack Siegel, Charity Governance Consulting, Chicago, IL; Eve Borenstein, Borenstein and McVeigh Law Office LLC, Minneapolis, MN; Melissa S. McMorrow, Nutter, McClennen & Fish, LLP, Boston, MA; Greg Colvin, Adler & Colvin, San Francisco, CA.
- 12:30pm** **Luncheon. X (Ticketed Event)**
Topic: Venture Philanthropy – Beyond the Incremental.
Speaker: Carol Thompson Cole, Venture Philanthropy Partners, Washington, DC
- 2:00pm** **A Technical Look at Endowment Spending: Policies, Filing, Accounting, and Possible Legislation.** Public charities, in contrast to private foundations, have no tax-mandated obligation to make minimum annual expenditures. Spending policies, however, are affected by donor-imposed requirements, state legislation (UMIFA and UPMIFA) and the influence of the charity's constituencies. Recently, Congressional attention has focused on the endowment spending – both rates and purposes – of educational institutions. Lessons can be learned from the Canadian imposition of a "disbursement quota." This panel will address the reporting requirements of redesigned Form 990 (Schedule D), proposed FAS 117-a and what drafters of a public-charity payout requirement would have to take into account. *Moderator:* Professor Evelyn Brody, Chicago-Kent College of Law, Chicago, IL. *Panelists:* Terry Hartle, American Council on Education, Washington, DC; Professor Adam Parachin, University of Western Ontario, London, ON; Lorraine Sciarra, Princeton University, Princeton, NJ; Dean Zerbe, alliantgroup LP, Washington, DC.
- 3:00pm** **Charity Self-Regulation: Standard Setting Bodies and Other Options.** This panel will discuss proposed standards of conduct for the nonprofit sector, including the recommendations of the Panel on the Nonprofit Sector, the role such standards play in determining conduct by charitable organizations and the alternatives to such

standards. *Moderator:* Richard C. Allen, Casner & Edwards LLP, Boston, MA.
Panelists: Professor Frances W. Hill, University of Miami School of Law, Coral Gables, FL; Marc Owens, Caplin & Drysdale Chartered, Washington, DC; Bennett Weiner, BBB Wise Giving Alliance, Arlington, VA; Patricia Read, Independent Sector, Washington, DC.

4:00pm **Handling an EO Case Before the IRS Appeals Office.** This panel will discuss the current organization and operation of the IRS Appeals Office with respect to protests of adjustments from EO examinations and proposed adverse determinations.
Moderator: Richard Riley, Foley & Lardner LLP, Washington, DC. *Panelists:* Sarah Hall Ingram, Chief, Office of Chief Appeals, IRS, Washington, DC; Nancy Kuhn, Caplin & Drysdale Chartered, Washington, DC; Ann K. Battle, Morgan Lewis & Bockius LLP, Washington, DC.

5:00 pm **Cash Bar. X**