

1. Pursuant to your organization's previous correspondence, your organization was formed to provide a "wiki website" (set of interlinked web pages which can be created and edited by its users) for any nonprofit activity. This includes web hosting, technical support, and the "wiki" software free of charge. Currently any person can go to your organization's website, create a user account, create a "wiki," and begin adding content. Each "wiki" registered must comply with your organization's "Community Guidelines," which includes that "wiki" must be non-profit in nature, however, pages within a "wiki" may be written about for a for-profit business, but the purpose should not be to promote a for-profit and that the "wiki" have an intended community. "Wikis" of any nature may be maintained on your organization's website so long as they are in compliance with applicable Federal and State laws and will not interfere with "wiki" practice on the basis of political affiliation. Your organization's open-source "wiki" software is known as "Sycamore" and it is available for free under the GNU Public License on [projectssycamore.org](http://projectssycamore.org). The software can be used by any enterprise, for-profit or non-profit. Section 501(c)(3) of the Internal Revenue Code provides for exemption from Federal income tax of organizations organized and operated **exclusively** for "charitable," "educational," and/or "religious" purposes. Section 1.501(c)(3)-1(d)(3)(i)(a) of the Internal Revenue Regulations defines the term "educational" as including the instruction or training of the individual for the purpose of improving or developing his capabilities. Your organization does not meet the criteria for exemption as a "charitable or religious organization" under section 501(c)(3) of the Internal Revenue Code. However, to be an "educational organization" under section 501(c)(3) of the Internal Revenue Code, each "wiki" must provide instruction of the public on subjects useful to the individual and is beneficial to the community and/or provides for instruction or training of the individual for the purpose of improving or developing his or her capabilities. To meet the above, there should be no promotion of business or anything included in the "wiki" that is written about a for-profit business that would help promote the business. If you agree with the above, your organization would have to change its policies in the Bylaws and Guidelines.

**Please submit correspondence to:**

**Internal Revenue Service  
TE/GE Division  
24000 Avila Road, Room 4308  
Mail Stop 3000  
Laguna Niguel, CA 92677  
Attn: Mark Tomback**

**FAX Telephone Number:**

**(949) 389-5017**