

Educational; counseling women on unwanted pregnancies. An organization that provides free counseling to women on methods of resolving unwanted pregnancies, including lawful abortion, delivering and placing the child for adoption, and delivering and keeping the child, qualifies for exemption as an educational organization under section 501(c)(3) of the Code.

Advice has been requested whether an organization that otherwise qualifies for exemption from Federal income tax as a charitable organization described in section 501(c)(3) of the Internal Revenue Code of 1954 is operated exclusively for exempt purposes where its only activities are those described below.

The organization was formed solely to provide free counseling to women with unwanted pregnancies by informing them of the alternative means of resolving an unwanted pregnancy. The discussion topics include lawful abortion, delivering and placing the child for adoption, and delivering and keeping the child. The counselors discuss fully the ramifications of the alternatives involved, taking into consideration psychological, physical, social, legal, and financial factors. After a woman has decided on a course of action, the counselor advises her of the various agencies and facilities available to assist her. The organization does not provide financial assistance to the women it counsels.

The organization's income is from contributions. Its disbursements are for miscellaneous administrative expenses.

Section 501(c)(3) of the Code provides for the exemption from Federal income tax of organizations organized and operated exclusively for educational purposes.

Section 1.501(c)(3)-1(d)(3) of the Income Tax Regulations defines the term 'educational' as including the instruction of the public on subjects useful to the individual and beneficial to the community.

Personal counseling has been recognized as a valid method of instruction for educational organizations. See Rev. Rul. 70-640, 1970-2 C.B. 117; Rev. Rul. 68-71, 1968-1 C.B. 249; and Rev. Rul. 66-255, 1966-2 C.B. 210. Therefore, by providing the counseling described above, the organization is instructing the public on a subject useful to the individual and beneficial to the community.

Accordingly, the organization's activities are educational and since it otherwise qualifies for exemption, the organization is exempt from Federal income tax under section 501(c)(3) of the Code.

Even though an organization considers itself within the scope of this Revenue Ruling, it must file an application on Form 1023, Application for Recognition of Exemption, in order to be

recognized by the Service as exempt under section 501(c)(3) of the Code. The application should be filed with the District Director of Internal Revenue for the district in which is located the principal place of business or principal office of the organization. See section 1.501(a)-1 of the regulations.