



OFFICE OF THE CHIEF COUNSEL

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

April 7, 2011

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CONEX-112513-11

UIL: 170.00-00

Dear _____ :

You requested the advice of the Internal Revenue Service on the deductibility of amounts paid, in excess of the regular rate of postage, for postage stamps to be issued pursuant to the Multinational Species Conservation Funds Semipostal Stamp Act of 2010 (the Act), Pub. L. No. 111-241, 124 Stat. 2605 (2010).

The Act requires the Postal Service to issue special first-class postage stamps (Save Vanishing Species stamps) to be sold for an amount in excess of the regular rate of first-class postage. Part of the excess is to be transferred to the United States Fish and Wildlife Service for the operation of the Multinational Species Conservation Funds.

When a taxpayer, with the intention of making a gift, purchases an item of value from a qualified charity, the excess of the payment over the value received is a charitable contribution. Therefore, a taxpayer who purchases a Save Vanishing Species stamp is entitled to treat as a charitable contribution the difference between the price of the Save the Vanishing Species stamp and the price of regular first-class postage.

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If we may be of further assistance, please call

Sincerely yours,

JOHN P. MORIARTY
Chief, Branch 1
Office of the Associate Chief Counsel
(Income Tax and Accounting)