



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

OFFICE OF THE CHIEF COUNSEL

**MAR 17 2016**

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Land Trust Alliance  
1660 L Street, NW  
Suite 1100  
Washington, DC 20036

Attention: Russell Shay, Director of Public Policy

Dear Mr. Shay:

This letter responds to your request for information dated February 23, 2016.

In your request, you ask (1) whether an Alaska Native Corporation may claim a deduction equal to one hundred percent of its taxable income in connection with its qualified conservation contribution, and (2) how many years it may carry forward any amount in excess of its taxable income.

A "qualified conservation contribution" is a contribution of a qualified real property interest to a qualified organization exclusively for conservation purposes. Section 170(h)(1) of the Internal Revenue Code. A deduction for a qualified conservation contribution made by a "Native Corporation" in a taxable year beginning after December 31, 2015, and which is a contribution of property that was land conveyed under the Alaska Native Claims Settlement Act, 43 U.S.C. §§ 1601-1629h (2015), is allowed to the extent that the aggregate amount of such contributions does not exceed the excess of the taxpayer's taxable income over the amount of charitable contributions allowable under § 170(b)(2)(A). Section 170(b)(2)(C)(i).

If the aggregate amount of qualified conservation contributions made by a Native Corporation exceeds the amount allowed by §170(b)(2)(C)(i), the excess is treated as a charitable contribution under § 170(b)(2)(C)(i) for each of the 15 succeeding taxable years in order of time.

For purposes of § 170(b)(2)(C), the term "Native Corporation" has the meaning given such term by section 3(m) of the Alaska Native Claims Settlement Act, 43 U.S.C. § 1602(m).

This letter has called your attention to certain general principles of the law. It is intended for informational purposes only and does not constitute a ruling. See section 2.04 of Rev. Proc. 2016-1, 2016-1 I.R.B. 1, 5 (Jan. 4, 2016). If you have any additional questions, please contact me or Jason Kristall at (202) 317-7003.

Sincerely,

A handwritten signature in cursive script that reads "Karin Goldsmith Gross".

Karin Goldsmith Gross  
Senior Technician Reviewer  
Office of Associate Chief Counsel  
(Income Tax & Accounting)