

501(c)(3)

Tax Guide for Churches & Religious Organizations

Glossary

Church. Certain characteristics are generally attributed to churches. These attributes of a church have been developed by the IRS and by court decisions. They include:

- distinct legal existence;
- recognized creed and form of worship;
- definite and distinct ecclesiastical government;
- formal code of doctrine and discipline;
- distinct religious history;
- membership not associated with any other church or denomination;
- organization of ordained ministers;
- ordained ministers selected after completing prescribed courses of study;
- literature of its own;
- established places of worship;
- regular congregations;
- regular religious services;

B. UPDATE ON CHURCHES AND OTHER RELIGIOUS ORGANIZATIONS

1. Introduction

The 1978, 1979, and 1980 EOATRI textbooks contain discussions on issues involving the tax exempt status of churches and other religious organizations. The purpose of this article is to discuss the court cases that were decided in 1980. Generally, these cases involved the following issues:

- Definition of church
- Standing to sue for declaratory judgment under IRC 7428; Exhaustion of Administrative Remedies
- Nonexempt activities
- Burden of Proof
- Summons Enforcement
- Inurement and Private Benefit

2. Definition of Church

It is important to bear in mind that not all tax exempt religious organizations qualify as "churches" within the meaning of IRC 170(b)(1)(A)(i). Classification as a church, however, entails several significant advantages. For example, churches are not subject to the IRC 508 notice requirements, do not have to file information returns under IRC 6033, and have the benefit of the IRC 7605(c) pre-examination rules. To obtain these advantages, religious organizations often seek classification as IRC 170(b)(1)(A)(i) churches. Moreover, mail-order ministries often seek church classification since they believe that it is the best way to avoid taxes.

In *American Guidance Foundation, Inc. v. U.S.*, 80-1 USTC 9452 (D.C. 1980), an IRC 501(c)(3) religious organization, the American Guidance Foundation (AGF), sought classification as a church. (AGF had previously been classified as a private foundation.) Throughout its existence, AGF's membership had consisted of a married couple and their immediate family. The founder

ministered to this "congregation" through worship services conducted in his apartment. AGF also had recorded religious messages on tape.

The court observed that Congress has offered virtually no guidance as to precisely what is meant by the term "church," and that, faced with the difficult task of determining whether or not religious organizations are in fact churches, the IRS has developed fourteen criteria which it applies on an ad hoc basis to individual organizations. (It should be noted that the IRS has never officially committed itself to the fourteen criteria.) The criteria are as follows:

- (1) a distinct legal existence
- (2) a recognized creed and form of worship
- (3) a definite and distinct ecclesiastical government
- (4) a formal code of doctrine and discipline
- (5) a distinct religious history
- (6) a membership not associated with any other church or denomination
- (7) an organization of ordained ministers
- (8) ordained ministers selected after completing prescribed studies
- (9) a literature of its own
- (10) established places of worship
- (11) regular congregations
- (12) regular religious services
- (13) Sunday schools for religious instruction of the young
- (14) schools for the preparation of its ministers

The court analyzed these criteria as follows:

<https://www.irs.gov/pub/irs-tege/eotopicb81.pdf>

Scientology: An Analysis and Comparison of its Religious Systems and Doctrines

How to Stay Well | Prevention Resource Center >

LRON HUBBARD.ORG | SCIENTOLOGY NEWS.ORG | FREEDOM MAG.ORG | SCIENTOLOGY.ORG | EN LANGUAGE ?

SCIENTOLOGY

Freedom of Religion | Victories | Recognitions | Expert Studies | Beliefs | Society | Blog | Videos

RELIGIOUS EXPERTISES

SCIENTOLOGY: AN ANALYSIS AND COMPARISON *of its* RELIGIOUS SYSTEMS AND DOCTRINES

ABOUT I. II. III. IV. V. VI. VII. VIII. IX. X. XI. XII.

X. SCIENTOLOGY AND OTHER FAITHS

Scientology: An Analysis and Comparison of its Religious Systems and Doctrines

X.I. SOME SIMILARITIES OF SCIENTOLOGY AND OTHER FAITHS

<https://www.scientologyreligion.org/religious-expertises/scientology-analysis-and-comparison/scientology-and-other-faiths.html>

X. SCIENTOLOGY AND OTHER FAITHS

Scientology: An Analysis and Comparison of its Religious Systems and Doctrines

Bryan R. Wilson, Ph.D.
Emeritus Fellow
University of Oxford
England
February 1995

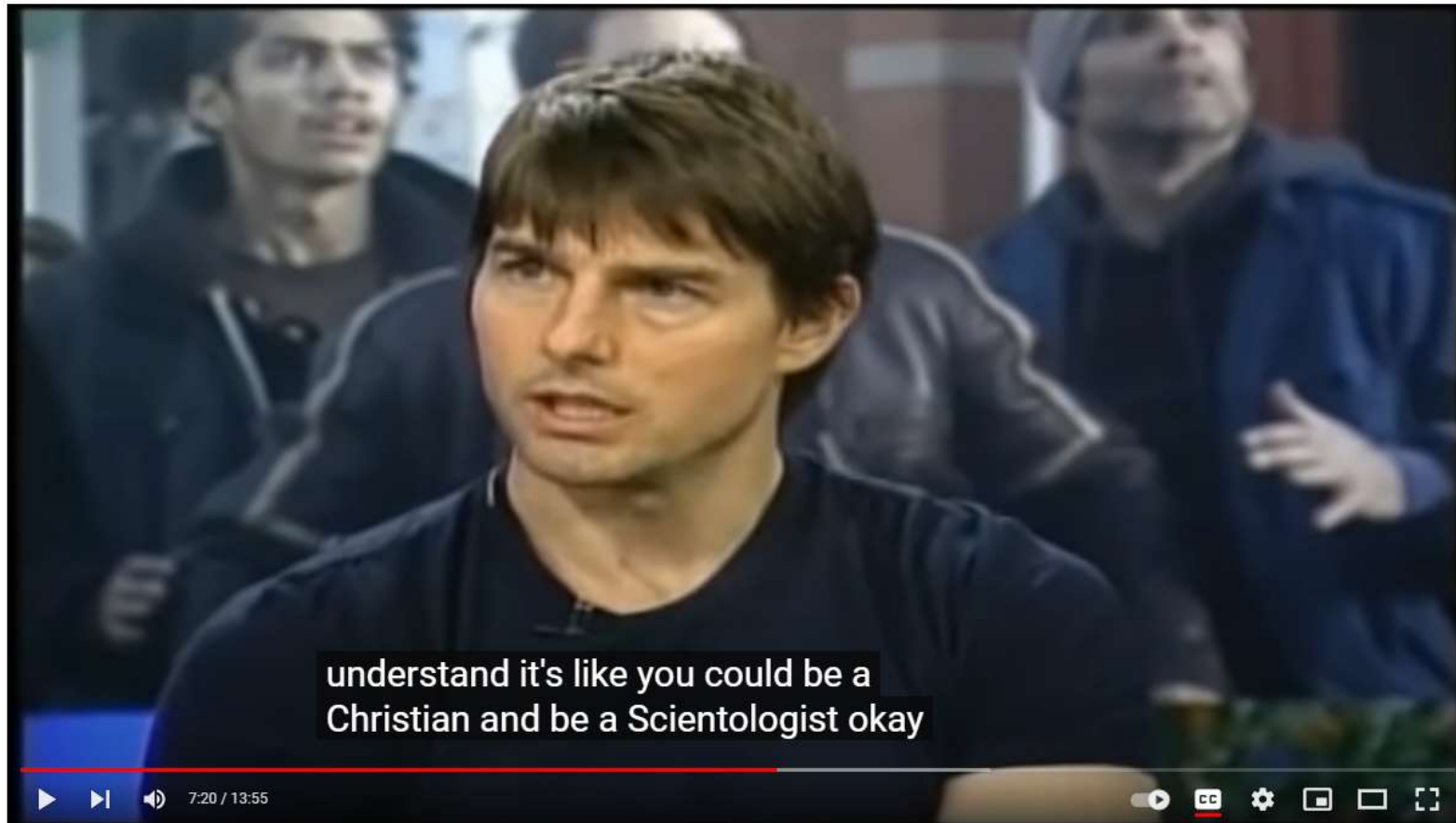
X.I. SOME SIMILARITIES OF SCIENTOLOGY AND OTHER FAITHS

Scientology differs radically from traditional Christian churches and dissenting sects in matters of ideology, practice, and organization. Yet, taking the broad view which, in a multi-cultural and multi-religious society must prevail, it is evident that in all essentials, Scientology occupies a position very close to that of other movements that are indisputably religions. Ideologically, it has significant resemblances to the Sankhya school of Hinduism. In its congregational activities, which are, however, far less central to it than is the case with Nonconformist movements, there are, none the less, points of emphasis not dissimilar to those of some Nonconformist bodies. Its soteriological goals are emphatically metaphysical, and resemble in some respects those of Christian Science.

X.II. DUAL MEMBERSHIP

A distinctive feature of Scientology is that members are not required to abandon other religious beliefs and affiliations on taking up Scientology. It might be inferred from this feature that Scientology contented itself with being a merely additional or supplementary set of beliefs and practices, but such an inference would be unwarranted. I have spoken with senior Church officials as well as individual Scientologists on this aspect of Scientology and their response was that while exclusivity is not required, it comes about as a matter of practice. According to them, as one becomes more involved with Scientology, one inevitably discards





Tom Cruise's Heated Interview With Matt Lauer | Archives | TODAY

 TODAY 
3.96M subscribers

Subscribe

 46K   Share  Download  Save 

12M views 9 years ago

On June 23, 2005, Tom Cruise joined Matt Lauer to discuss his new film "War Of The Worlds," his new relationship with Katie Holmes, and Scientology.

» Subscribe to TODAY: <http://on.today.com/SubscribeToTODAY>

<https://www.youtube.com/watch?v=tFgF1JPnR5E>

BUSINESS JET TRAVELER

FLEXJET IS THE EXCLUSIVE
FRACTIONAL PROVIDER OF THE
ICONIC GULFSTREAM G650

DISCOVER THE GULFSTREAM G650



FLEXJET



Grant Cardone on the runway in front of his private jet

PEOPLE

GRANT CARDONE Q&A

At age 23, he was unemployed and on drugs. Now he's a billionaire who owns a Gulfstream G650.

You were brought up a Catholic, but now you're a follower of Scientology. How did that happen?

I was raised a Catholic and still go to Catholic churches. When a person studies Scientology, it doesn't mean they can't practice their religion. Scientology is...not about dogma and faith, but about what you can do to improve your life, your communication, your relationships—how to pick better people in your life and how to weed out the bad people, which is a life skill by itself. Also, how to trust yourself to make good decisions and not be talked out of them.



<https://bjtonline.com/business-jet-news/grant-cardone-qa>

Image by Getty Images

By Allison Gaudet Yarrow

July 27, 2011

Though Scientology is a religion according to the United States government, to others it is a corporation, even a cult. Once best known for its famous followers — Tom Cruise and John Travolta among them — today Scientology is more noted for lawsuits and allegations by former members of censorship and extreme punishments.

Janet Reitman, a Reform Jew, was assigned by Rolling Stone magazine to investigate Scientology after returning from covering the Iraq War. Out of her research came “Inside Scientology: The Story of America’s Most Secretive Religion” (Houghton Mifflin Harcourt), which tells the story of the Church of Scientology and of its founder, L. Ron Hubbard, whose book “Dianetics” originally positioned itself as self-help and went on to become the seminal text of a new kind of religion.

Scientology has 25,000 members. It is rooted in educational courses and confession called auditing. Reitman spoke with the Forward’s Allison Gaudet Yarrow about Scientology’s parallels with Judaism; the group’s volatile leader, David Miscavige, and her predictions for Scientology’s future.

To listen to the full interview on the Yid Lit podcast, click below.

Allison Gaudet Yarrow: What does Scientology think of Judaism and other religions in general? Janet Reitman: They actually have a lot of Jewish members. **They claim that you can be a member of any other religion and still do Scientology. In reality you can’t, because your beliefs are going to clash.** Scientology has appealed to Jews because it seems to be about self-exploration... In reality it’s very doctrinaire, and it does not allow for debate. It’s anti-Jewish in that way.