



November 29, 2010

As nonprofit organizations from across the country, we are strongly opposed to the new 1099 reporting requirement contained in the Patient Protection and Affordable Care Act (P.L. 111-148).

The new requirement, which was included in the health care bill without a public hearing or submission of public comments, would pose a major paperwork burden on all associations, many of whom are also small- or medium-sized employers. By requiring an employer to issue a 1099 for every \$600 payment, or for any series of payments that cumulates to \$600 or more during the tax year, to a for-profit company, associations will drastically increase the amount of time their staff spends on paperwork and compliance.

In addition to complying with the paperwork component, staff would also have to keep track of multiple payments and obtain the personal tax identification information for each vendor. Many nonprofits lack the staff or resources to adequately comply with this requirement. Larger associations would struggle to comply fully with paperwork that in many cases could multiply by the hundreds, and those with multiple locations could have to track information on simple things like office supplies purchased at each office.

The provision was included as a way to raise revenue for the health care legislation, but there is no guarantee that it will do so. A July 2010 report issued by The Office of the Taxpayer Advocate reiterates that “the new reporting burden, particularly as it falls on small businesses, may turn out to be disproportionate as compared with any resulting improvement in tax compliance.” While the provision *may* increase correct tax filings, it will *certainly* increase business costs for nonprofits and hinder their ability to carry out their tax-exempt purpose.

We join ASAE in opposing the expanded 1099 reporting and support the repeal of the language contained in the Patient Protection and Affordable Care Act.

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