

Professional Resume of Eve Rose Borenstein*

LEGAL PRACTICE

Harmon, Curran, Spielberg and Eisenberg, LLP, Washington, DC
Of Counsel, May 2019 - present

BAM Law Office LLC (formerly, Borenstein and McVeigh Law Office LLC), Minneapolis
Member/Chief Manager, 2004 – April 2019

Tax Exempt Law Office of Eve Rose Borenstein, Minneapolis
Member/Chief Manager, 1989 – 2003

In all three firms, Eve's practice has been dedicated to serving tax-exempt and/or nonprofit corporations nation-wide on their federal tax and other 'regulatory compliance' mandates through representation before the IRS and other agencies, tax planning assistance, and legal check-ins.

Ernst & Whinney, Minneapolis

Tax Senior & Associate Tax Staff, 1985 – 1988

PROFESSIONAL COMMITTEE SERVICE

American Bar Association Committee on Exempt Organizations, Section of Taxation

- Contributor: ABA Comments on Proposed Regulations Under Section 512(a)(6) (June 2020); and ABA Comments on Internal Revenue Code Section 512(a)(6) Special Rule for Organizations with More than One Unrelated Trade or Business (December 2018)
- Co-chair, Form 990 Revision Taskforce, 2005 - 2009
- Co-chair, Revising IRS Form 1023 Subcommittee, inception (2002) - conclusion (2004)
- Contributor, Response (July 2004) to June 22, 2004 United States Senate Committee on Tax Hearings and Staff's "White Paper" on Charitable Organizations
- Liaison to American Institute of Certified Public Accountants' Exempt Organization Technical Resource Panel, 2002 - present
- Member, Political & Lobbying Activities & Organizations Subcommittee, 1993 - present

American Institute of Certified Public Accountants' Exempt Organization Tax Technical Resource Panel

- Guest Participant, 2000 - present
- Appointed Member, 990 Redesign Comments Panel, June - September, 2007
- Appointed Member, Task Force on the Exempt Organization Determination Letter Process, June 2002

TEGE Exempt Organizations Council

- Inaugurating participant in establishing Council, February 2018
- "TIC-TAQ Forums" (formerly, Quarterly Calls) Coordinator of hosted IRS Officials including Chief Counsel), February 2018 - present

Panel on the Nonprofit Sector (convened by Independent Sector)

- Member, Legal Framework WorkGroup, inception (December 2004) thru sunset 2007

American Bar Association Committee on Pro Bono, Section of Taxation

- Chair, Assistance to Charitable Organizations Subcommittee, 2005-2006, 2008-2009
- Contributing Member, 2002 – 2011

EDUCATION

J.D., University of Minnesota Law School, *cum laude*, May 1985

B.A., University of Rhode Island, *Highest Distinction*, December 1981 (capping undergraduate career at Brown University, 1973-74 and thereafter at the University of Rhode Island, 1979-81)

HONORS, PUBLICATIONS and TESTIMONY

2018 Outstanding Nonprofit Lawyer Award from the Nonprofit Organizations Committee of the American Bar Association, Section of Business Law recognizing distinguished service to nonprofit organizations.

Eve Borenstein, "Exempt Organizations' UBIT Provisions Under Tax Reform," *Footnote Magazine*, Minnesota Society of CPAs, October 2018.

Eve Borenstein, "Form 990, Exempt Organizations Annual Information Return" (Chapter 9), *Minnesota Nonprofit Deskbook*, (1st Edition, 2011 - 2017; 2nd Edition, 2018, 3rd Edition *forthcoming* fall 2020).

Eve Borenstein, "The Reinstatement of 'Automatically Revoked' Organizations," *Taxation of Exempts* (WG&L) Volume 25, Number 6 (May/June 2014).

Invited Testimony Before the Subcommittee on Oversight - House Ways and Means Committee of the U.S. Congress, July 25, 2012. Eve's oral testimony can be accessed at: <https://bit.ly/2mmH9kq>; Eve's written submission is available upon request.

Eve R. Borenstein, "Potholes to Avoid in Road-Tripping With 501(c)(3) Organizations," *The Practical Tax Lawyer*, Volume 21, Number 2 (Winter 2007). [A fall 2008 update was added to reflect 2008 statutory changes to the public support test; with that update, the entire piece is still current.]

AUTHORSHIP of PROFESSIONAL EDUCATION COURSES

(undertaken via Eve Rose Borenstein, LLC, a teaching/education consultancy)

NEW in 2020: Form 990 10-Webinar "Foundational Series on Form 990" and 4 "Master Classes" on Form 990 Specialty Arenas (including the Public Support Tests) (all webinars but two are 2 CPE, all may be taken singly; registration and information is available through both State CPA Societies or through NASBA-sponsor CPACrossings OR via Eve Rose Borenstein, LLC website at: www.taxexemptlaw.org/events)

Form 990 Master Class (8 CPE course, available in 2 CPE modules from the author and through select State CPA Societies and other CPE providers since May 2017 (updated annually))

* Form 990: Mastering Its Unique Characteristics (2016 and on, updated annually: 8 CPE course or CPE modules available from AICPA through April 2020; thereafter, 2019 text available from the author or AICPA; updated 2020 materials and instruction available from Eve Rose Borenstein, LLC)

* Form 990: Exploring the Form's Complex Schedules (2016 and on, updated annually: 8 CPE course or CPE modules available from AICPA through April 2020; thereafter, available from the author, and through State CPA Societies, since May 2016 (updated annually))

- * Each of these courses replaced predecessors under different titles offered from May 2013 – April 2016 through AICPA and State CPA Societies (in the case of the former) and from select State CPA Societies and from the author 2010 – 2016 (in the case of the latter).

Planning for Unrelated Business Income Tax and Avoiding Audits (4 or 8 CPE versions, available in 1.5 or 2 CPE modules from the author and through select State CPA Societies from 2015 and forward)

AND multiple other 8 CPE Course offerings prior to 2013, including:

- Authored/instructed for 15 State CPA Societies Redesigned Form 990 (2009-2012), and Planning Primer for Form 990 and Qualifying and Maintaining §501(c) Exempt Organizations (both from 1998-2008)
- Authored/instructed for 20 State CPA Societies CPE sessions on tax-exemption mandates (1991- 1997)

PRESENTATIONS/WORKSHOPS 2009 through June 2020

- “How Do We Silo Under Section 512(a)(6)” (with Tracy Paglia), AICPA National Not-for-Profit Conference, June 2020.
- “Ask the Tax Experts” (with Dick Locastro and Dave Moja), same as preceding.
- Moderated (with Cathy Livingston), TEGE Exempt Organization Councils’ TIQ-TAQ Forum session with Janine Cook, Deputy Associate and now-Acting Associate Chief Counsel (EEE), June 2020.
- “Schedule A Deep Dive,” ncaCPA’s Not-for-Profit Accounting Conference, May 2020.
- “Compensation Reporting on Form 990, same as preceding.
- “Current IRS & Congressional Efforts In Regulating Tax-Exempt Organizations” Keynote Address, ICLE’s 17th Annual Nonprofit Law Seminar, March 2020.
- “IRS Exempt Organizations Update,” Minnesota State Bar Association Continuing Legal Education, Nonprofit Law Conference, March 2020.
- “EO Hot Topics Roundtable” (with Phil Hackney and Maya T. Miller), TEGE Exempt Organization Councils’ Annual Meeting and Two-Day Program, February 2020.
- “What to Expect from a Diminished IRS: Enforcement of Compliance by Tax Exempt Organizations,” NYSSCPA/FAE Exempt Organizations Conference, December 2019.
- “Exempt Organizations Tax Update,” Minnesota Society of CPAs Not-for-Profit Conference, October 2019.
- “Top Nine 990 Mistakes” (with Kathy Pitts), TEGE Exempt Organization Councils’ All-Day National Update Program, June 2019.
- “TCJA’s Exempt Organizations Provisions – What We Know 18 Months After Enactment,” Webcast sponsored by Minnesota Society of CPAs in association with the ND, SD, and WI Societies, June 2019.
- “Tax Issues ‘Below the Radar’” (with Ruth Madrigal and Alex Reid), AICPA National Not-for-Profit Conference, June 2019.
- “Trends in ‘Form of Entity’ Choices for Philanthropic Ventures” (with Nancy McGlamery), same as preceding.
- “Political & Lobbying Activities – Navigating the Landscape for c3s/c4s,” ncaCPA’s Not-for-Profit Accounting Conference, May 2019.
- “Noncash Donations,” same as preceding.
- “Challenging 990 Issues” (with Travis Patton and Stephen Clarke), Georgetown Law Continuing Legal Education, Representing & Managing Tax-Exempt Organizations, April 2019.
- “IRS Exempt Organizations Update,” Minnesota State Bar Association Continuing Legal Education Webcast, March 2019.
- “Accounting for Lawyers (NOT!): A Dialogue on the Practical Ramifications of NEW ASU 2018-08 on Exempt Organizations” (with Deby MacLeod), ABA Tax Section Exempt Organizations Committee Meeting, January 2019.
- “Tax Reform and the Unrelated Business Income Tax,” Minnesota Society of CPAs Annual Tax Conference, November 2018.
- Moderated (with Lori Boyce), TEGE Exempt Organization Councils’ TIQ-TAQ Forum session (live in DC) with IRS Exempt Organizations Division Director Margaret Von Liene and Tim Berger, Senior Technical Advisor, November 2019.

- “Form 990 – Exploring the Complexities of Executive Compensation Post-TCJA” (with Jane Searing), AICPA Annual Governmental & Not-For-Profit Training Program, October 2018.
- “Risk Management and Governance Best Practices” (with Candi Avery), same as preceding.
- “What Tax Reform ‘Means’ for Form 990 and Form 990-T Filers,” Minnesota Society of CPAs Not-for-Profit Conference, October 2018.
- “Current IRS Climate for Preparers of Forms 990/990-EZ, 990-PF and 990-T,” Oregon Society of CPAs, September 2018.
- “The Huge Impact of the Tax Cuts and Jobs Act on Exempt Organizations,” Webcast sponsored by Minnesota Society of CPAs in association with the ND, SD, and WI Societies, June 2018.
- “Tax Reform and the Exempt Organization” (with John Huskins and Mig Murphy Sistrom), *ncaCPA’s* Not-for-Profit Accounting Conference, May 2018.
- “Challenging Issues with 990 Schedules” (with Travis Patton and Stephen Clarke), Georgetown Law Continuing Legal Education, Representing & Managing Tax-Exempt Organizations, April 2018.
- “The New Federal ‘Tax Cuts and Jobs Act’ – Impact on Nonprofit Entities,” Minnesota State Bar Association Continuing Legal Education Webcast, April 2018.
- “IRS Exempt Organizations Update,” Minnesota State Bar Association Continuing Legal Education, Nonprofit Law Conference, March 2018.
- “What to Expect from the IRS’ Exempt Organizations (EO) Division in a Time of Changing Resources,” Exempt Organizations Conference, NYSSCPA/FAE, New York, NY, December 2017.
- Moderator of IRS Exempt Organizations Division Director’s Presentation, “Address of the IRS’ Exempt Organizations Director,” AICPA Annual Governmental & Not-For-Profit Training Program, October 2017.
- “Locating the IRS’ Exempt Organization Division in the Changing Tax Climate,” same as preceding.
- “Federal Tax Update: What to Expect from the IRS in a Time of Changing Tax Policy,” Annual Not-for-Profit Accounting Conference, Wisconsin Institute of CPAs, September 2017.
- “Form 990: A Peek Between the Sheets” (with Jane Searing), AICPA National Not-for-Profit Conference, June 2017.
- “Locating the IRS’ Exempt Organizations Division in Today’s Changing Tax Climate,” Minnesota State Bar Association Continuing Legal Education, Nonprofit Law Conference, March 2017.
- “Form 990: Ask the Experts (Webcast)” (with Jane Searing), AICPA, December 2016.
- Moderator of IRS Exempt Organizations Acting Division Director’s Presentation, “Update from the IRS;” and co-presenter with Lou Mezzina, “Good Governance for the Board/Audit Committee,” AICPA Annual Governmental & Not-For-Profit Training Program, October 2016.
- “What to Do in Light of IRS Regime Changes,” Minnesota Society of CPAs Not-for-Profit Conference, October 2016.
- “Form 990 – Can’t Live With/Without It” and “The Five Most Common 990 Schedules,” Connecticut Society of CPAs’ Not-for-Profit Organizations Conference, June 2016.
- “Form 990 Deep Dive & Pitfalls to Avoid” (with Jane Searing), AICPA National Not-for-Profit Conference, June 2016.
- AICPA Not-for-Profit and Tax Sections’ Webcast on *Emerging Not-for-Profit Issues* (with Jeff Schragg), June 2016.
- “Impact of the Governance Part of Form 990” (with Ron Schultz), ABA Tax Section Exempt Organizations Committee Meeting, May 2016.
- “Exempt Organizations Federal Tax/Reporting Developments Affecting Private Foundations” and “Public Policy Advocacy and Private Foundations,” AICPA Private Foundations Summit, May 2016.
- “Top 10 Mistakes on IRS Form 990” (with Stephen Clarke and Laura Parello), Georgetown Law Continuing Legal Education, Representing & Managing Tax-Exempt Organizations, April 2016.
- “Tax Exempt Organizations Update: Key Changes in 2015-2016,” Kentucky Society of CPAs Not-for-Profit Conference, April 2016.
- “Exempt Organizations Federal Tax/Reporting Developments,” Minnesota State Bar Association Continuing Legal Education, Nonprofit Law Conference, April 2016.
- “Advanced Fundraising: Unlocking Alternative Sources for Public Charities” (with Jane Searing), Exempt Organizations Conference, NYSSCPA/FAE, New York, NY, December 2015.
- “Form 990 Year in Review (Webcast)” (with Jane Searing), AICPA, December 2015.

- “Everything Fun (& Key NEEDS-to-Know) on Both Form 990 and UBIT,” Society of Louisiana CPAs 2015 Tax Conference, December 2015; and “Everything You Want to Know About the IRS and Nonprofit Tax,” Society of Louisiana CPAs 2015 Nonprofit Conference, July 2015.
- “Everything You Want to Know About the IRS and Nonprofit Tax,” Minnesota Society of CPAs Not-for-Profit Conference, October 2015.
- “Form 990 Deep Dive & Pitfalls to Avoid” (with Jane Searing), AICPA National Not-for-Profit Conference, June 2015.
- “Foreign Transactions: Beyond the Basics,” North Carolina Association of CPAs Not-for-Profit Conference, May 2015.
- Keynote – Kentucky Society of CPAs Not-for-Profit Conference, April 2015.
- “Exempt Organizations Federal Tax/Reporting Developments,” Minnesota State Bar Association Continuing Legal Education, Nonprofit Law Conference, March 2015.
- “Advanced Form 990 Issues (with a Focus on UBIT),” Society of Louisiana CPAs 2014 Not-for-Profit Workshop, July 2014.
- “Beyond the Form 990 ‘Basics’,” preconference day session, AICPA National Not-for-Profit Conference, June 2014.
- Panel Member, “Ask the Tax Experts,” same as preceding, June 2014.
- “Federal Tax/IRS Update,” Minnesota State Bar Association Continuing Legal Education, Nonprofit Law Conference, March 2014.
- “Small Charities – Problems and Solutions,” Panel Moderator, ABA Tax Section Exempt Organizations Committee Meeting, January 2014.
- “Exempt Organizations: A Year in Review,” Exempt Organizations Conference, NYSSCPA/FAE, December 2013.
- “Beyond the Form 990 ‘Basics’,” preconference day session, AICPA National Not-for-Profit Conference, June 2013.
- “Jeopardizing Exemption? Problems with Private Benefit,” and “Ask the Experts Panel,” Minnesota State Bar Association Continuing Legal Education, Nonprofit Law Conference, March 2013.
- “Non-exempt Nonprofits: Not An Oxymoron” Panel, ABA Tax Section Exempt Organizations Committee Meeting, January 2013.
- “Form 990: Ask the Experts” (with Jane Searing and Candice Meth), AICPA Webcast, December 2012.
- “Federal EO Tax Law Year in Review,” Exempt Organizations Conference, NYSSCPA/FAE, December 2012.
- “From the EZ to the Not-so-Easy: Not-for-Profit Compliance Changes and Challenges,” Minnesota Society of CPAs Annual Tax Conference, November 2012.
- “IRS Hot Topics” and “Taxing the Tax Exempt,” Minnesota Society of CPAs 32nd Annual Not-for-Profit Conference, October 2012.
- “Advanced Tax Law Update,” AICPA National Not-for-Profit Conference, June 2012.
- “Current (Federal Exempt Organizations) Tax Developments,” Chicago-Kent Conference on Not-For-Profit Organizations, June 2012.
- “Form 990: Ask the Experts” (with Julie Floch and Jane Searing), AICPA Webcast, December 2011.
- “990 Developments” (with Stephen Clarke and Jane Searing), Western Conference on Tax Exempt Organizations, Co-sponsored by Loyola Law School & IRS, November 2011.
- “Exempt Organizations: A Year in Review,” 2011 NYSSCPAs Exempt Organization Conference, November 2011.
- “Lobbying and Public Policy Advocacy: Mapping the Regulatory Terrain,” and “Form 990 Update: A Common Sense Approach,” Minnesota Society of CPAs 31st Annual Not-for-Profit Conference, October 2011.
- “Automatic Revocation of Tax-Exempt Status” (with IRS presenters Matthew Giuliano and Sharon Light), National Council of Nonprofits Webinar, August 2011. [Copy available from the author]
- “Federal Tax Update,” Chicago-Kent Conference on Not-For-Profit Organizations, June 2011.

- “Private Foundation Do’s and Don’ts,” “Public Support Test Basics,” “Form 990 Hotspots,” North Carolina Association of CPAs, Annual Not-for-Profit Accounting Conference, May 2011.
- “990’s Matter: How to Prepare for Your Organization’s First Filing,” and “990’s Matter: Improving Your Filing (for Large Organizations),” Nonprofit Assistance Fund, April 2011.
- “Federal Tax Update,” Minnesota State Bar Association Continuing Legal Education Nonprofit Law Conference, March 2011.
- “Exempt Organizations: What’s the Skinny?” and “Related and Affiliated Organizations - Tax Planning and Compliance,” Massachusetts Society of CPAs Annual Nonprofit Conference, January 2011.
- “Form 990 Update” (with Jane Searing), AICPA Webcast, December 2010.
- “Exempt Organizations: A Year in Review,” 2010 NYSSCPA Exempt Organization Conference, December 2010.
- “Form 990 Case Studies,” same as preceding.
- “IRS and Federal Tax Update” and “Form 990: What the Watchdogs Are Looking For,” Washington Society of CPAs Not-for-Profit Conference, Seattle, November 2010.
- “Making Peace with the New 990,” *Philanthropy Journal* Webinar, November 2010.
- “990 Redux (Filing Season II),” Annual Not-for-Profit Conference Arizona Society of CPAs and Annual Tax Conference North Dakota Society of CPA, both September 2010.
- “Federal Tax Update: A Year (or More) in Review,” AICPA National Not-for-Profit Conference, June 2010.
- “Affiliated Organizations: Form 990 Unique Mandates” portion of panel presentation: “Affiliated Organizations: Avoiding Traps for the Unwary,” ABA Tax Section Exempt Organizations Committee Meeting, Washington, DC, May 2010.
- “Federal Tax Update: A Year (or More) in Review,” and “Form 990 Legal Snapshot,” Minnesota State Bar Association Continuing Legal Education Understanding and Advising Nonprofit Organizations, March 2010.
- “Federal Oversight of Exempt Organizations,” 2009 New York State Society of CPAs Exempt Organization Conference, New York, NY, December 2009.
- “Annual Tax Update,” AICPA Not-for-Profit Financial Executives Forum, Anaheim, CA, November 2009.
- “Helping Charities with *Pro Bono* (Without Doing Harm),” ABA *Pro Bono Week* National CLE, October 2009.
- “990 Lessons Learned to Date,” Annual Not-for-Profit Conferences: Arizona Society of CPAs (September 2009), Minnesota Society of CPAs (October 2009), Missouri Society of CPAs (October 2009).
- “Unrelated Business Income Tax Planning,” Missouri Society of CPAs, October 2009.
- “What Every Tax Lawyer Should Know About Revised Form 990 (with IRS),” ABA Tax Section Webcast, May 2009.
- “The Due Date is Near! Common but Unexpected Problems in the New 990 (with IRS),” ABA Tax Section Exempt Organizations Committee Meeting (Panel Presentation), Washington, DC, May 2009.
- “Anticipating 2008 Form 990 Preparation,” AICPA Practitioners Symposium, Las Vegas, NV, May 2009.
- “Form 990: Core Form” and “Form 990: Schedules,” Panel Presentations (with IRS), Georgetown University Law Center’s Representing & Managing Tax-Exempt Organizations 2009, April 2009.
- “Preparation Issues – the New Form 990 (with IRS),” TEGE Councils’ Annual Meeting, February 2009.
- “990’s for Real People,” Alliance for Justice, Washington, DC, February 2009.