



National Association
of Bond Lawyers

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August 23, 2021

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Sent Via Electronic Mail

Lily L. Batchelder
Assistant Secretary
Office of Tax Policy
U.S. Department of the Treasury
1500 Pennsylvania Avenue, NW
Washington, DC 20220

William M. Paul
Acting Chief Counsel
Internal Revenue Service
1111 Constitution Avenue, NW
Washington, DC 20224

Krishna Vallabhaneni
Tax Legislative Counsel
United States Department of the
Treasury
1500 Pennsylvania Avenue, NW,
Room 3044
Washington, DC 20220

Dear Ms. Batchelder, Mr. Vallabhaneni, and Mr. Paul:

The widespread outbreak of the novel coronavirus disease (the “COVID-19 Pandemic”) is the subject of an ongoing emergency declaration made by the President of the United States pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act on March 13, 2020. The COVID-19 Pandemic has also been, and continues to be, the subject of numerous emergency declarations by state and local governments. The COVID-19 Pandemic prompted state and local governments to severely limit or, in some cases, prohibit in-person gatherings by members of the general public.

In response to the COVID-19 Pandemic, Revenue Procedure 2020-21 (“Rev. Proc. 2020-21”), effective May 4, 2020, provided temporary guidance regarding the public approval requirement under §147(f) of the Internal Revenue Code for tax-exempt private activity bonds. Rev. Proc. 2020-21 provided that for the period ending on December 31, 2020, hearings held by teleconference that are accessible to the residents of the approving governmental unit by calling a toll-free telephone number would be treated as held in a location that, based on the facts and circumstances is convenient for residents of the approving governmental unit for the purpose of §1.147-1(d)(2) of the Treasury Regulations. Revenue Procedure 2020-49 (“Rev. Proc. 2020-49”) extended that temporary guidance through September 30, 2021 due to the continued existence of the COVID-19 Pandemic.

The same factors that led to the temporary relief provided in Rev. Proc. 2020-21 and extended in Rev. Proc. 2020-49 continue to exist in many jurisdictions. COVID-19 variants have caused portions of the country to return to stricter gathering limits. Even in areas where explicit restrictions have been relaxed, members of the public generally have been encouraged to continue to practice

social distancing, and, while personal choices vary, certain members of the public continue to limit engagement with others. Still others are required to quarantine in their homes after potential exposure to those with confirmed cases of COVID-19. Accordingly, we respectfully request that the time period for the temporary relief as extended in Rev. Proc. 2020-49 be extended to at least September 30, 2022.

If NABL can provide further assistance, please do not hesitate to contact Brian Egan, Director of Governmental Affairs in our Washington, D.C. office at (202) 503-3290 or began@nabl.org.

Sincerely,

A handwritten signature in black ink, appearing to read "Teri M. Guarnaccia". The signature is fluid and cursive, with a large, sweeping initial "T" that loops back over the rest of the name.

Teri M. Guarnaccia
President, National Association of Bond Lawyers

cc: **Charles Rettig**, Commissioner, Internal Revenue Service

Sunita Lough, Commissioner, Tax Exempt & Government Entities
Division, Internal Revenue Service

Helen M. Hubbard, Associate Chief Counsel, Financial Institutions &
Products, Internal Revenue Service

Melissa Moye, Director, Office of State and Local Finance, U.S.
Department of the Treasury

Jian H. Grant, Branch Chief, Internal Revenue Service

Brett York, Acting Deputy Tax Legislative Counsel, U.S. Department of
the Treasury