

June 5, 2009

Internal Revenue Service
TEGE
Adjustments Unit
Room 4024
550 Main Street
Cincinnati, OH 45201

RE: Request for Reclassification 509(a)(3) to 509(a)(1)
PENSION PROTECTION ACT

Boston VA Research Institute, Inc.
EIN 04-3081524

Dear Sir or Madam:

Pursuant to IRS Announcement 2006-93, Boston VA Research Institute, Inc. (BVARI) hereby requests reclassification from 509(a)(3) Supporting Organization status to 509(a)(1) status as a Medical Research Organization.

A copy of Form 2848 Power of Attorney executed by BVARI and designating me as an authorized representative in this matter is enclosed (Enclosure 1).

BVARI is recognized by the Service as exempt under Section 501(c)(3). BVARI's EIN is 04-3081524. Historically, BVARI has been classified as a 509(a)(3) Supporting Organization, based on its supporting relationship to VA Boston Healthcare System (VA Boston Healthcare), a medical center of the United States Department of Veterans Affairs. VA Boston Healthcare consists of three hospitals and several ancillary facilities.

As documented in the attached statement by BVARI (Enclosure 2) and as explained in this letter, BVARI qualifies for Medical Research Organization status because BVARI is primarily engaged in the direct, active conduct of medical research in conjunction with VA Boston Healthcare. BVARI requests that it be reclassified as a Medical Research Organization under Internal Revenue Code Section 170(b)(1)(A)(iii) and Section 509(a)(1).

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BVARI is primarily engaged in the conduct of medical research

BVARI more than satisfies the Medical Research Organization criterion under Regulation §§ 1.170A-9(d)(2)(v)(A) and (B) that BVARI “devote a substantial part of its assets to” the active conduct of medical research by devoting “more than one half of its assets” or “3.5 percent or more of the fair market value of its endowment” to the conduct of medical research.

BVARI is involved in conducting over 80 research projects in the course of a year. Of BVARI’s 80 non-administrative employees, all are researchers actively engaged in the conduct of biomedical and clinical projects performed within VA Boston Healthcare. If a researcher leaves BVARI, the research project remains with BVARI.

Over 75% of BVARI’s total annual budget is allocated to the direct conduct of research. For example, from 2006 through 2008, the average annual percentage of revenue spent by BVARI on the active conduct of medical research was 75.95%.

BVARI does not have an endowment. Its net assets of approximately \$5 million are comprised of funds received for research projects plus some operating surplus set aside as a matter of prudent management and planning.

BVARI conducts medical research in conjunction with VA Boston Healthcare

BVARI conducts medical research “in conjunction with” VA Boston Healthcare as required by Reg. § 1.170A-9(d)(2)(vii) for Medical Research Organization status.

As indicated in the attached BVARI statement, BVARI is a nonprofit corporation established pursuant to 38 U.S.C. §7361 et seq. (Enclosure 3) to facilitate medical research in conjunction with VA Boston Healthcare. A copy of BVARI’s articles of organization is enclosed. (Enclosure 4). Under this federal enabling statute and BVARI’s bylaws, the Director of VA Boston Healthcare, the Chief of Staff of VA Boston Healthcare, and the Assistant Chief of Staff for Research and Development of VA Boston Healthcare are members of the BVARI Board of Directors. A copy of BVARI’s bylaws is enclosed. (Enclosure 5).

BVARI has an office at the Jamaica Plain campus of VA Boston Healthcare and an office at the West Roxbury campus. All of BVARI’s research has the goal of improving the health and healthcare of the veteran population. Human subject research conducted by BVARI is carried on in VA Boston Healthcare’s three VA hospital complexes with active participation by members of VA hospital staff. All of BVARI’s research projects must be approved by VA Boston Healthcare.

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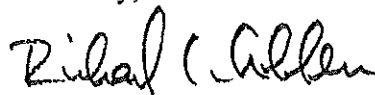
CONCLUSION

Accordingly, BVARI qualifies as a Medical Research Organization under Reg. § 1.170A-9(d)(2) and Internal Revenue Code §§ 170(b)(1)(A)(iii) and 509(a)(1).

In view of the foregoing, Boston VA Research Institute, Inc. requests that it be classified as a public charity under Section 509(a)(1).

If you have any questions, or if further information would be helpful, please let me know.

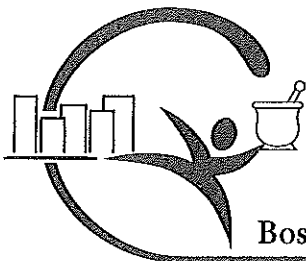
Sincerely,



Richard C. Allen

cc: Boston VA Research Institute, Inc.

8354.0/459630.1



Boston VA Research Institute, Inc.

150 South Huntington Avenue (151B) Boston, Massachusetts 02130

STATEMENT IN SUPPORT OF
REQUEST FOR RECLASSIFICATION
AS MEDICAL RESEARCH ORGANIZATION

BVARI is a Massachusetts nonprofit corporation established pursuant to 38 U.S.C. §7361 et seq. to facilitate medical research in conjunction with VA Boston Healthcare, the Veterans Affairs hospital system for the Boston area.

BVARI is involved in conducting over 80 research projects in the course of a year. Of BVARI's 80 non-administrative employees, all are researchers. If a researcher leaves BVARI, the research project remains with BVARI.

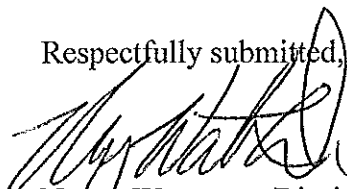
Over 75% of BVARI's total annual budget is allocated to the direct conduct of research. For example, from 2006 through 2008, the average annual percentage of revenue spent by BVARI on the active conduct of medical research was 75.95%.

BVARI does not have an endowment. Its net assets of approximately \$5 million are comprised of funds received to be expended for research projects plus some operating surplus set aside as a matter of prudent management and planning.

BVARI has an office at the Jamaica Plain campus of VA Boston Healthcare and an office at the West Roxbury campus. Under BVARI's federal enabling statute and BVARI's bylaws, the Director of VA Boston Healthcare, the Chief of Staff of VA Boston Healthcare, and the Assistant Chief of Staff for Research and Development of VA Boston Healthcare are members of the BVARI Board of Directors.

All of BVARI's research has the goal of improving the health and healthcare of the veteran population. Human subject research conducted by BVARI is carried on in VA Boston Healthcare's three VA hospital complexes with active participation by members of VA hospital staff. All of BVARI's research projects must be approved by VA Boston Healthcare.

Respectfully submitted,



Nancy Watterson-Diorio
Chief Executive Officer

Dated: May 26, 2009
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