

DRAFT LETTER TEMPLATE FOR NASACT MEMBERS
(Please feel free to modify and personalize as appropriate for your state)

Date

The Honorable XXXX
Unites States House of Representatives
Washington, DC 20515

Dear Representative XXXX:

I am writing to express my strong support for H.R. 5450, “Modernize Our Bookkeeping In the Law for Employee’s Cell Phone Act of 2008,” and to request your co-sponsorship of this very important piece of legislation.

Currently the IRS requires an employer to keep detailed records to identify and track personal use of employer provided cell phones and Blackberries, as it is the IRS’s policy that personal use of an employer provided cell phone represents taxable income to the employee. Such detailed documentation, however, is not required for use of the phone at an employee’s desk or the use of in-office e-mail or computers. H.R. 5450 will update the IRS’s policy on cell phone usage by removing cell phones from the definition of listed property and allow the employer to utilize a de minimus personal use policy much like policies in place for employer provided desk phones.

We strongly believe this legislation is needed to bring the old policy on cell phone usage in line with today’s work environment. Cell phone plans today provide free minutes, and in many cases unlimited calling, making the administrative burden created by the current statute clearly unnecessary. After all, an employer provided cell phone or Blackberry is just an extension of a desk phone and computer.

I strongly urge you to cosponsor H.R. 5450.

Sincerely,

XX State Comptroller