

For use of organizations applying for exemption under section 501(a) and described in section 501(c)(3) of the Internal Revenue Code, which are organized and operated (or will operate) exclusively for one or more of the following purposes (check purpose(s)):

- Religious                       Charitable                       Scientific                       Testing for Public Safety  
 Educational                       For the prevention of cruelty to children or animals                       Literary

Every organization that claims to be exempt must furnish the information and data specified in duplicate. If any organization fails to submit the information and data required, this application will not be considered on its merits and the organization will be notified accordingly.

This application shall be open to public inspection in accordance with section 6104(a)(1) of the Internal Revenue Code. See separate instructions for Form 1023 to properly answer the questions below.

1a. Full name of organization: **ROGER BALDWIN FOUNDATION OF ACLU, INC.**                      b. Employer identification number: **Application pending**

2. Complete address (number, street, city or town, State and Postal ZIP code): **156 Fifth Avenue, New York, New York 10010**

3a. Is the organization incorporated?  Yes     No                      b. If "Yes," in which State and under which law (General corporation, not for profit, membership, educational, eleemosynary, etc.)? Cite statutory provisions: **Membership Corporations Law, New York**

4a. If not incorporated, what is form of organization? **Not applicable**                      b. Date incorporated or organized: **Sept. 26, 1966**                      c. Month and day on which the annual accounting period ends: **December 30th**

5a. Has organization filed Federal income tax return(s)?  Yes     No                      b. If "Yes," form number of return filed and Internal Revenue District where filed: **Not applicable**                      c. Year(s) filed: **Not applicable**

6. After July 1, 1950, did the creator of your organization (if a trust), or a contributor to your organization, or a brother or sister (whole or half blood), spouse, ancestor, or lineal descendant of such creator or contributor, or a corporation controlled directly or indirectly by such creator or contributor, enter into any of the transactions (or activities) enumerated below? NOTE: If you have any knowledge or contemplation that you will be a party to any of the transactions (or activities) enumerated in 6a through 6f, check "planned" in the applicable block(s) and see instructions.

	Yes	No	Planned		Yes	No	Planned
a. Borrow any part of your income or corpus?		X		d. Purchase any securities or other property from you?		X	
b. Receive any compensation from you?		X		e. Sell any securities or other property to you?		X	
c. Have any part of your services made available to him?		X		f. Receive any of your income or corpus in any other transaction?		X	

	Yes	No
7. Have you issued or do you plan to issue membership, stock, or other certificates evidencing voting power in the organization?		X
8a. Are you the outgrowth or continuation of any form of predecessor(s)?	X	
b. Do you have capital stock issued and outstanding?		X
c. Have you made or do you plan to make any distribution of your property to shareholders or members?		X
d. Did you receive or do you expect to receive 10 percent or more of your assets from any organization, group of affiliated organizations (affiliated through stockholding, common ownership, or otherwise), any individual, or members of a family group (brother or sister whether whole or half blood, spouse, ancestor, or lineal descendant)?	X	
e. Does any part or will any part of your receipts represent payment for services of any character rendered or to be rendered by you?		X
f. Are you now, have you ever been, or do you plan to be engaged in carrying on propaganda, or otherwise advocating or opposing pending or proposed legislation?		X
g. Do you participate or plan to participate in or intervene in (including the publishing or distributing of statements) any political campaign on behalf of or in opposition to any candidate for public office?		X
h. Have you made or do you plan to make any payments to members or shareholders for services rendered or to be rendered?		X
i. Does any part or do you plan to have any part of your net income inure to the benefit of any private shareholder or individual?		X
j. Are you now or are you planning to be affiliated in any manner with any organization(s)?	X	
k. Do you hold or plan to hold 10 percent or more of any class of stock or 10 percent or more of the total combined voting power of stock in any corporation?		X

9. Has any State or any court (including a Court of Probate, Surrogate's Court, etc., or any other court) ever annulled, set aside, or reversed any decision and operated for charitable, etc., purposes?  Yes  No. If "Yes," attach copies in duplicate of pertinent administrative or judicial decisions.

10. You must attach copies in duplicate of the following:

a. If incorporated, a copy of your articles of incorporation, or if not incorporated, a copy of your constitution, articles of association, declaration of trust, or other document whereby you were created setting forth your aims and purposes, a copy of all amendments thereto and any changes presently proposed. **Copy attached**

b. A copy of your bylaws or other similar code of regulations, all amendments thereto, and any changes presently proposed. **Copy attached**

c. A complete statement of assets and liabilities as of the end of each annual accounting period (or as of the date of the filing of the application, if you were in existence for less than a year). **Not applicable**

d. A statement of receipts and expenditures for each annual accounting period of operation (or for the period for which you were in existence, if less than a year). **Not applicable**

e. **See Paragraph 2 of Certificate of Incorporation**  
A statement which clearly indicates what State statutes or court decisions govern the distribution of assets upon dissolution. (This statement may be omitted if your charter, certificate, or other instrument of organization makes provision for such distribution.)

f. **See statement attached.**  
A brief statement of the specific purposes for which you were formed. (Do not quote from or make reference to your articles of incorporation, constitution, articles of association, declaration of trust, or other document whereby you were created for this question.)

g. **See statement attached.**  
A statement explaining in detail each fund-raising activity and each business enterprise you have engaged in or plan to engage in, accompanied by copies of all agreements, if any, with other parties for the conduct of each fund-raising activity or business enterprise.

h. **See statement attached.**  
A statement which describes in detail the nature of each of your activities which you have checked on page 1, activities which you sponsor, and proposed activities.

i. **See statement attached.**  
A statement which explains fully any specific activities that you have engaged in or sponsored and which have been discontinued. Give dates of commencement and termination and the reasons for discontinuance.

j. **See statement attached.**  
A statement which describes the purposes, other than in payment for services rendered or supplies furnished, for which your funds expended or will be expended.

k. **See statement attached.**  
A schedule indicating the name and position of each officer, director, trustee, etc., of the organization and the relationship, if any, by blood, marriage, adoption, or employment, of each such person to the creator of the organization (if a trust), to any person who made a substantial contribution to the organization, or to a corporation controlled (by ownership of 50 percent or more of voting stock or 50 percent or more of value of all stock), directly or indirectly, by such creator or contributor. The schedule shall also indicate the time devoted to position and compensation (including salary and expense account allowance), if any, of each officer, director, trustee, etc., of the organization.

l. **Not applicable.**  
A copy of each lease, if any, in which you are the lessee or lessor of property (real, personal, gas, oil, or mineral) or in which you have an interest under such lease, together with copies of all agreements with other parties for development of the property.

### SIGNATURE AND VERIFICATION

Under penalties of perjury, I declare that I have examined this application, including accompanying statements, and to the best of my knowledge and belief it is true, correct, and complete.

Feb. 14, 1957  
Date

*Edward D. McGill*  
Signature of officer

President  
Title

ROGER BALDWIN FOUNDATION OF ACLU, INC.

156 Fifth Avenue, New York, N. Y.

Statement to Accompany Exemption Application  
on Form 1023 filed February 24, 1957

Line 8-a and 8-j. The Roger Baldwin Foundation of the ACLU, Inc. ("Baldwin Foundation") is affiliated with and may be deemed an outgrowth of the American Civil Liberties Union, Inc. ("ACLU"), a membership corporation duly organized and existing under the laws of the State of New York.

The facts concerning affiliation are as follows: The Baldwin Foundation was incorporated under the auspices of the ACLU. Under Article II of the By-Laws of the Baldwin Foundation, only members of the board of directors of the ACLU are eligible for Membership in the Foundation, and, under Article IV, only Members of the Foundation may serve on the Foundation's Board of Directors.

Also, the Baldwin Foundation may be deemed an outgrowth of the ACLU in the sense that the Foundation was formed for the purposes of carrying on certain types of activities previously carried on by the ACLU which may properly be carried on by an organization exempt from federal taxation under Section 501(c)(3) of the Internal Revenue Code.

Foundation will receive funds for the purposes of carrying on its activities by means of the receipt of contributions. These contributions will come either directly from the general public, or from other exempt organizations including exempt organizations affiliated with the ACLU or from the ACLU itself. The ACLU may solicit funds on behalf of the Baldwin Foundation and all funds so received will be turned over to the Foundation. In addition, funds received by the ACLU, the use of which is restricted to charitable, educational and scientific purposes which are within the purposes of the Baldwin Foundation, will be turned over to it. Until sufficient funds from the general public have been solicited by or on behalf of the Baldwin Foundation, it is contemplated that most of the funds for the Foundation's operations will be provided by the Roger N. Baldwin Civil Liberties Foundation, Inc. and the Civil Liberties Defense and Education Fund, both of which are exempt organizations.

Line 10-f. The Baldwin Foundation was formed to educate members of the public as to the protection of their civil liberties and civil rights which is accorded by the Federal and State Constitutions and laws; to conduct studies as to the extent of protection of civil rights and liberties in the United States and the several states; and to assume the expenses of legal representation of persons who are involved in civil or criminal litigation entailing questions of civil

rights or liberties, and who would be unable to obtain representation without assistance.

Line 10-g. See statement relating to Line 8-d.

Line 10-h. The proposed activities of the Baldwin Foundation will be:

(a) Educational - It is contemplated that the Baldwin Foundation will conduct seminars and lectures open to the general public in order to cultivate a knowledge and understanding of the civil rights and liberties protected by the Federal and State Constitutions and laws.

(b) Charitable - It is contemplated that the Baldwin Foundation will bear the legal expenses of persons who are involved in defending their civil rights and liberties in civil or criminal litigation and who are unable to obtain legal counsel without assistance.

(c) Scientific - It is contemplated that the Baldwin Foundation will conduct research work in the field of civil rights and liberties and make public reports embodying the result of such research.

*[Signature]*  
Deputy Commissioner of Education

(d) Literary - It is contemplated that the Baldwin Foundation will sponsor the writing of pamphlets, essays, treatises, reports and other literary works in the field of civil rights and liberties.

Line 10-i. Since the time of its inception through the date of this application, Baldwin Foundation has not engaged in any activities.

Line 10-j. It is contemplated that the funds of the Baldwin Foundation will be applied in connection with the purposes set forth in the statement relating to Line 10-h above.

Line 10-k. The name and position of each officer and director of the Baldwin Foundation and the relationship of each to the ACLU are as follows:

<u>Name</u>	<u>Position</u>	<u>Relationship to ACLU</u>
Ernest Angell	President and Director	Chairman and Director
John de J. Pemberton, Jr.	Executive Vice-President and Director	Executive Director
Dorothy Kenyon	Vice President and Director	Director
George Soll	Secretary and Director	Secretary and Director
Sophia Yarnall Jacobs	Treasurer and Director	Treasurer and Director

<u>Name</u>	<u>Position</u>	<u>Relationship to ACLU</u>
Walter Millis	Director	Director

At this time it is impossible to estimate the amount of time which each of the above persons will devote to the affairs of the Baldwin Foundation. Each will devote whatever time is necessary to the proper conduct of the Baldwin Foundation's affairs.

None of the above persons will receive any compensation in the form of salary, expense account or otherwise by reason of service with and to the Baldwin Foundation. Mr. Pemberton is compensated by ACLU for his services to ACLU.

Line 10-1. Since the time of its inception and through the date of this application, the Baldwin Foundation has not entered into any agreements concerning the leasing of property nor received any interest in any leaseholds nor entered into any agreements concerning the development of any property.