

Address any reply to:

JUN 17 1974

Department of the Treasury  
E. O. Determination Section  
P. O. Box 1337  
Scranton, Penna. 18501 JUN 17 1974

District Director

Internal Revenue Service

Date:

JUN 14 1974

In reply refer to:

AU:2112:JIMcTighe

Tel. 717-344-7111  
Ext. 271

Rutgers University Foundation  
191 College Avenue  
New Brunswick, New Jersey 08903

Entered in 806

Gentlemen:

In view of our findings that you are an organization described in Sections 170(b)(1)(A)(IV) and 509(a)(1) of the Internal Revenue Code, it follows that:

1. You are eligible to receive qualifying distributions within the meaning and for the purposes of section 4942(g)(1) of the Code, provided they are for section 170(c)(2)(B) purposes.
2. Since you are not a private foundation, section 170(b)(1)(E)(ii) is not applicable to you in that it refers to donations to private foundations. Rather you are eligible to receive contributions which allow the 50% deduction to contributors to section 509(a)(3) organizations.
3. Any donor making contributions or distributions to you need not exercise any expenditure responsibility with any respect to such contributions within the meaning of section 4945 of the Code.
4. You are eligible to receive deductible contributions within the meaning and for purposes of sections 2055(a) and 2522(a) of the Code.
5. Any individual donor or donor organization in making contributions or distributions to the Rutgers University Foundation may rely on the determination letter of April 29, 1974, issued by the Internal Revenue Service to the Rutgers University Foundation.
6. As a section 509(a)(1) organization you are an organization qualified to be recipient of termination assets of a private foundation as provided under section 507(b)(1)(A) of the Code.

Sincerely yours,

*Prescott Berry*

Prescott Berry  
Acting District Director

c.c. Ward J. Herbert, Esq.  
McCarter & English, Counsellors at Law

Department of the Treasury

E. O. Determination Section

P. O. Box 1337

Scranton, Penna. 18501

District Director

Internal Revenue Service

Date:

APR 29 1974

In reply refer to:

AU:2112:JKM

Entered in PCG

# 23-7318-742

▷ Rutgers University Foundation  
191 College Avenue  
New Brunswick, New Jersey 08903

Based on information supplied, and assuming your operations will be as stated in your application for recognition of exemption, we have determined you are exempt from Federal income tax under section 501(c)(3) of the Internal Revenue Code.

We have further determined you are not a private foundation within the meaning of section 509(a) of the Code, because you are an organization described in section 170(b)(1)(A)(iv).

You are not liable for social security (FICA) taxes unless you file a waiver of exemption certificate as provided in the Federal Insurance Contributions Act. You are not liable for the taxes imposed under the Federal Unemployment Tax Act (FUTA).

Since you are not a private foundation, you are not subject to the excise taxes under Chapter 42 of the Code. However, you are not automatically exempt from other Federal excise taxes. If you have any questions about excise, employment, or other Federal taxes, please let us know.

Donors may deduct contributions to you as provided in section 170 of the Code. Bequests, legacies, devises, transfers, or gifts to you or for your use are deductible for Federal estate and gift tax purposes if they meet the applicable provisions of sections 2055, 2106, and 2522 of the Code.

If your purposes, character, or method of operation is changed, please let us know so we can consider the effect of the change on your exempt status. Also, you should inform us of all changes in your name or address.

(Over)

Form L-178 (Rev. 8-73)

If your gross receipts each year are normally more than \$5,000, you are required to file Form 990, Return of Organization Exempt From Income Tax, by the 15th day of the fifth month after the end of your annual accounting period. The law imposes a penalty of \$10 a day, up to a maximum of \$5,000, for failure to file a return on time.

You are not required to file Federal income tax returns unless you are subject to the tax on unrelated business income under section 511 of the Code. If you are subject to this tax, you must file an income tax return on Form 990-T. In this letter we are not determining whether any of your present or proposed activities are unrelated trade or business as defined in section 513 of the Code.

You need an employer identification number even if you have no employees. If an employer identification number was not entered on your application, a number will be assigned to you and you will be advised of it. Please use that number on all returns you file and in all correspondence with the Internal Revenue Service.

Please keep this determination letter in your permanent records.

Sincerely yours,

*Alfred L. Winston*  
Alfred L. Winston

District Director

cc: Ward J. Berbert, Esquire