

IN THE SENATE OF THE UNITED STATES.

MARCH 2, 1910.

Mr. GALLINGER introduced the following bill; which was read twice and referred to the Committee on the District of Columbia.

A BILL

To incorporate the Rockefeller Foundation.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That John D. Rockefeller, John D. Rockefeller, junior, Fred
4 T. Gates, Starr J. Murphy, and Charles O. Heydt, together
5 with such persons as they may associate with themselves, and
6 their successors, be, and they hereby are, constituted a body
7 corporate of the District of Columbia.

8 SEC. 2. That the name of such body corporate shall be
9 the Rockefeller Foundation, and by that name it shall have
10 perpetual succession, *save as hereinafter provided.*

11 SEC. 3. That the object of the said corporation shall be
12 to promote the well-being and to advance the civilization of
13 the peoples of the United States and its Territories and pos-
14 sessions and of foreign lands in the acquisition and dissemina-
15 tion of knowledge; in the prevention and relief of suffering;

1 and in the promotion of any and all of the elements of human
2 progress,

3 SEC. 4. That for the promotion of such objects the
4 said corporation shall have power: To establish, maintain,
5 and endow, or to aid others, whether individuals, associa-
6 tions, or corporations, to establish, maintain, and endow
7 institutions and other agencies for carrying on said objects,
8 and any of them; to purchase, hold, sell, and convey real
9 estate necessary or convenient for the said corporate objects,
10 and to erect, improve, enlarge, and equip buildings and
11 other structures necessary or convenient for said objects, or
12 any of them, and to acquire, make, and furnish all necessary
13 or convenient apparatus and other accessories; to employ
14 and aid others to employ teachers, lecturers, assistants and
15 agents; to donate to any individual, association, or corpo-
16 ration engaged in similar work money or property, real or
17 personal, which shall at any time be held by the said cor-
18 poration hereby constituted, subject to the terms of any gift,
19 grant, bequest, or devise by which the said corporation shall
20 have received the same; to collect statistics and information,
21 and to publish and distribute books, documents, and reports
22 containing the same, and in general to do and perform all
23 things necessary or convenient for the promotion of the
24 object of the corporation.

1 SEC. 5. That the said corporation shall further have
2 power to have and use a common seal and to alter and change
3 the same at its pleasure; to sue and be sued in any court of
4 the United States or other court of competent jurisdiction;
5 to take or receive, whether by gift, grant, devise, bequest, or
6 purchase, any real or personal estate, or to hold, grant, convey,
7 hire, or lease the same for the purposes of its incorporation;
8 to accept and administer any trust of money or of real
9 or personal estate for any purpose within the object of the
10 corporation as aforesaid; to prescribe, by by-laws or other-

Provided, however, that the total amount of property held at any one time, including that which is held absolutely as well as that which is held in trust, shall not exceed the value of One hundred million dollars, exclusive of increases in the value of property subsequent to its receipt by said corporation.

18 of its members; for the election of its trustees, officers, and
19 agents; for the casting of votes by its members or trustees by
20 proxy; for the purchase, management, sale, or transfer of its
21 property; for the investment and control of its funds; and
22 otherwise generally for the management of the property and
23 the transaction of the business of the corporation. The enumeration
24 of special powers in this act shall be deemed to be

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6 purchase, any real or personal estate, or to hold, grant, con-
7 vey, hire, or lease the same for the purposes of its incorpora-
8 tion; to accept and administer any trust of money or of real
9 or personal estate for any purpose within the object of the
10 corporation as aforesaid; to prescribe, by by-laws or other-

Provided, however, that the Congress of the United States may at any time impose such limitations upon the objects of the said corporation as it may deem the public interest demands, and any and all gifts, devises, bequests or property at any time received or held by said corporation shall be received and held subject to the terms of this proviso, and to the terms and limitations which may be imposed by any act of Congress hereafter passed with reference thereto.

19 agents; for the casting of votes by its members or trustees by
20 proxy; for the purchase, management, sale, or transfer of its
21 property; for the investment and control of its funds; and
22 otherwise generally for the management of the property and
23 the transaction of the business of the corporation. The enu-
24 meration of special powers in this act shall be deemed to be

1 by way of amplification and not by way of limitation of the
2 general powers hereby granted.

3 SEC. 6. That the members of the corporation shall not
4 be less than five in number and not more than twenty-five,
5 as may be prescribed by the by-laws of the corporation:
6 *Provided*, That if and when the number of members shall be
7 less than five the members remaining shall have power to
8 add and shall add to their number until the number shall not
9 be less than five: *And provided*, That no act of the corpo-
10 ration shall be void because at the time such act shall be
11 done the number of the members of the corporation shall be
12 less than five; that all the members of the corporation shall
13 be its trustees; that no member of the said corporation shall,
14 by reason of such membership or his trusteeship, be person-
15 ally liable for any of its debts or obligations; that each mem-
16 ber of the corporation shall hold his membership for a term
17 of three years and until his successor shall be chosen: *Pro-*
18 *vided, however*, That the members shall be at all times di-
19 vided into three classes, equal numerically as nearly as may
20 be, and that the original members shall at their first meeting,
21 or as soon thereafter as shall be convenient, be divided into
22 three classes, the members of the first class to hold their
23 membership and office until the expiration of one year, the
24 members of the second class until the expiration of two
25 years, and the members of the third class until the expira-

1 tion of three years from the thirtieth day of June next after
 2 the enactment of this law, and that in every case the mem-
 3 ber shall hold office after the expiration of his term until his
 4 successor shall be chosen: *And provided further*, That in
 5 case any member shall, by death, resignation, incapacity to
 6 act, or otherwise, cease to be a member during his term, his
 7 successor may be chosen to serve for the remainder of such

8 term and until his successor shall be chosen.

9 Sec. 9. The successors to the incorporators named herein and the
 additional members of the corporation and their successors shall be elected
 by the members of the corporation for the time being, but before such elec-
 tion shall become effective written notice thereof shall be mailed by said
 corporation to each of the following named persons at his official post of-
 fice address, viz.: The President of the United States; the Chief Justice
 of the Supreme Court; the President of the Senate; the Speaker of the
 House of Representatives; and the presidents of the following institutions,
 viz.: Harvard University, Cambridge, Massachusetts; Yale University, New
 Haven, Connecticut; Columbia University, New York City, New York; Johns
 Hopkins University, Baltimore, Maryland; The University of Chicago, Chi-
 cago, Illinois. If such election shall be disapproved by a majority of
 the persons above named it shall be void; but it shall become effective if
 and when it shall be approved by such majority, or at the expiration of
 sixty days from the mailing of such notices if it shall not have been dis-
 approved by such majority.

24 any pecuniary profit from the operations thereof, except rea-
 25 sonable compensation for services in effecting one or more of

1 such purposes: *And provided further*, That the corporation
 2 shall annually file with the Secretary of the Interior of the
 3 United States a report in writing, stating in detail the prop-
 4 erty, real and personal, held by the corporation, and the ex-
 5 penditure or other use or disposition of the same or of the
 6 income thereof during the preceding year.

7 ¹¹ SEC. 9. That this charter shall be subject to alteration,
 8 amendment, or repeal at the pleasure of the Congress of the
 9 United States.

Sec. 12. That this Act shall take
 effect immediately on its pas-
 sage.

Sec. 6 . The income of the property of the said corporation shall not be accumulated or added to the principal, but shall be currently applied to the purposes for which the corporation is created, subject only to such reasonable delay as may be necessary in the wise administration of the fund.

Sec. 7 . At any time after the expiration of fifty years from the receipt by the said corporation of any property, whether by deed, grant, devise or bequest, the said corporation may in its discretion distribute the principal as well as the income thereof; and after the expiration of one hundred years from the date of its receipt by said corporation the said corporation shall distribute the principal, if so directed to do by the Congress of the United States; and all gifts, grants, devises or bequests to the corporation shall be taken and held subject to the provisions of this section.