

**Certificate of Incorporation**  
**of**  
**J.F.K. Health and Welfare Fund, Incorporated**  
**under Section 402 of the Not-for-Profit Corporation Law**  
**(Conformed Copy)**

IT IS HEREBY CERTIFIED THAT:

- (1) The name of the corporation is J.F.K. Health and Welfare Fund, Incorporated.
- (2) The corporation is a corporation as defined in subparagraph (a)(5) of section 102 (Definitions) of the Not-for-Profit Corporation Law.
- (3) The purpose or purposes for which the corporation is formed are as follows: To promote the health, welfare, safety, physical comfort, and morale of the U.S. Customs and Border Protection agency employees employed at the J.F.K. International Airport in Queens County, New York City, New York, and to provide financial support to deserving beneficiaries and qualified charitable causes (such as the Roger L. Von Amelunxen Foundation, which benefits all U.S. Customs and Border Protection agency employees). The corporation shall accomplish its objectives through infrastructure, recreational, educational, and charitable means by spending its net earnings to provide workplace amenities such as furniture and appliances that improve the comfort and quality of employee working conditions, by sponsoring employee recreational events and social activities, by supporting safety measures in the employee workplaces, by educating employees regarding healthful practices, and by contributing a substantial portion of its revenues.

The corporation, in furtherance of its corporate purposes above set forth, shall have all the powers enumerated in section 202 of the Not-for-Profit Corporation Law, subject to any limitations provided in the Not-for-Profit Corporation Law or any other statute of the State of New York. Nothing herein shall authorize this corporation, directly or indirectly, to engage in, or include among its purposes, any of the activities mentioned in the Not-for-Profit Corporation Law, section 404(b)-(u).

- (4) The corporation shall be a Type B corporation pursuant to section 201 of the Not-for-Profit Corporation Law. (In the case of Type A, B and C corporations set forth the names and addresses of at least 3 initial directors. Type C corporation must set forth the lawful public or quasi-public objective which each business purpose will achieve.)

The names and addresses of the initial Directors of the corporation are:

Raymond A. Ciccolilli  
40-19 158<sup>th</sup> Street  
Flushing, New York 11358-1618

Robert F. Batchelor  
1841 East 19<sup>th</sup> Street

Brooklyn, New York 11229

Michael Felleman  
161 Pritchard Avenue  
Thornwood, New York 10594

James Ziccardi  
67-71 75<sup>th</sup> Street  
Middle Village, New York 11379

Robert McFarlane  
638 East 226<sup>th</sup> Street  
Bronx, New York 10466

Harry L. Harting, Jr.  
81B Old Oak Lane  
Levittown, New York 11756

(5) The office of the corporation is to be located in the County of Queens, State of New York.

(6) The Secretary of State is designated as agent of the corporation upon whom process against it may be served. The post office address to which the Secretary of State shall mail a copy of any process against the corporation served upon him is:

J.F.K. Health and Welfare Fund, Incorporated  
P.O. Box 300063  
Jamaica, New York 11430

(7) State and Federal Exemption

State and Federal exemption language for Type B and C corporations seeking tax exemption.

Notwithstanding any other provisions of these articles, the corporation is organized exclusively for one or more of the purposes as specified in Section 501(c)(3) of the Internal Revenue Code of 1954, and shall not carry on any activities not permitted to be carried on by a corporation exempt from Federal income tax under IRC Section 501(c)(3) or corresponding provisions of any subsequent Federal tax laws.

No part of the net earnings of the corporation shall inure to the benefit of any member, trustee, director, officer of the corporation, or any private individual (except that reasonable compensation may be paid for services tendered to or for the corporation), and no member, trustee, officer of the corporation or any private individual shall be entitled to share in the distribution of any of the corporate assets on dissolution of the corporation.

No substantial part of the activities of the corporation shall be carrying on propaganda, or otherwise attempting to influence legislation [except as otherwise provided by IRC Section

501(h)] or participating in, or intervening in (including the publication or distribution of statements), any political campaign on behalf of any candidates for public office.

In the event of dissolution, all of the remaining assets and property of the corporation shall, after necessary expenses thereof, be distributed to another organization exempt under IRC Section 501(c)(3), or corresponding provisions of any subsequent Federal tax laws, or to the Federal government, or state or local government for a public purpose, subject to the approval of a Justice of the Supreme Court of the State of New York. The Roger L. Von Amelunxen Foundation, Incorporated, shall receive all remaining assets and property in the event of dissolution.

In any taxable year in which the corporation is a private foundation as described in IRC Section 509(a), the corporation shall distribute its income for said period at such time and manner as not to subject it to tax under IRC Section 4942, and the corporation shall not (a) engage in any act of self-dealing as defined in IRC Section 4941(d), retain any excess holdings as defined in IRC Section 4943(c), (b) make any investments in such manner as to subject the corporation to tax under IRC Section 4944, or (c) make any taxable expenditures as defined in IRC Section 4945(d) or corresponding provisions of any subsequent Federal tax laws.

(8) The following additional provisions are hereby established for the management, conduct, and regulation of the business affairs of the corporation, for its voluntary dissolution, and for limiting, defining and regulating the powers of the corporation and its Directors:

A. The corporation is a charitable corporation organized as a local association of U.S. Customs and Border Protection agency employees who are employed at J.F.K. International Airport in Queens County, New York City, New York, and shall have in furtherance of its corporate purposes all of the powers as specified in New York State Not-for-Profit Corporation Law as now in force or as hereafter amended, provided that no such power shall be exercised in a manner inconsistent with said New York State Not-for-Profit Corporation Law or inconsistent with the exemption from federal income tax to which the corporation shall be entitled under Section 501(c)(3) of the Internal Revenue Code. It is intended that the corporation shall be entitled to exemption from federal income tax under Section 501(c)(3) of the Internal Revenue Code.

B. Persons of any race, color, religion, gender, ethnicity, national origin, age, disability, marital status, partisan political affiliation, or sexual orientation shall be entitled to all of the rights, privileges, and benefits of the programs and activities generally made available to participants and beneficiaries. The Directors and Officers of the corporation shall not discriminate on the basis of race, color, religion, gender, ethnicity, national origin, age, disability, marital status, partisan political affiliation, or sexual orientation in administering the corporation's programs and activities.

(9) The following language relates to the corporation's tax exempt status: The corporation is organized exclusively for charitable purposes, including, for such purposes, the making of distributions to organizations that qualify as exempt organizations under section 501(c)(3) of the Internal Revenue Code, or the corresponding section of any future federal tax code.

Consequently, this language does not expand or alter the corporation's purposes or powers set forth in paragraph number three.