

**Application for Recognition of Exemption
 Under Section 501(c)(3) of the Internal Revenue Code**

OMB No. 1545-0056

Note: If exempt status is approved, this application will be open for public inspection.

Read the instructions for each Part carefully.

A User Fee must be attached to this application.

If the required information and appropriate documents are not submitted along with Form 8718 (with payment of the appropriate user fee), the application may be returned to you.

Complete the Procedural Checklist on page 8 of the instructions.

Part I

Identification of Applicant

1a Full name of organization (as shown in organizing document) The American Board of Radiology Foundation (the "Foundation")		2 Employer identification number (EIN) (If none, see page 3 of the Specific Instructions .) 20-1354373
1b c/o Name (if applicable)		3 Name and telephone number of person to be contacted if additional information is needed Claire Topp 612-343-8278
1c Address (number and street) 5441 East Williams Blvd., Suite 200	Room/Suite	4 Month the annual accounting period ends March
1d City, town, or post office, state, and ZIP + 4. If you have a foreign address, see Specific Instructions for Part I, page 3. Tucson, Arizona 85711		
1e Web site address		5 Date incorporated or formed July 19, 2004
		6 Check here if applying under section: a <input type="checkbox"/> 501(e) b <input type="checkbox"/> 501(f) c <input type="checkbox"/> (501(k)) d <input type="checkbox"/> 501(n)
7 Did the organization previously apply for recognition of exemption under this Code section or under any other section of the Code? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If "Yes," attach an explanation.		
8 Is the organization required to file Form 990 (or Form 990-EZ)? <input type="checkbox"/> N/A <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If "No," attach an explanation (see page 3 of the Specific Instructions).		
9 Has the organization filed Federal income tax returns or exempt organization information returns? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If "Yes," state the form numbers, years filed, and Internal Revenue office where filed.		
10 Check the box for the type of organization. ATTACH A CONFORMED COPY OF THE CORRESPONDING ORGANIZING DOCUMENTS TO THE APPLICATION BEFORE MAILING. (See Specific Instructions for Part I, Line 10, on page 3.) See also Pub. 557 for examples of organizational documents.)		

- a Corporation — Attach a copy of the Articles of Incorporation (including amendments and restatements) showing approval by the appropriate state official; also include a copy of the bylaws.
See Attachments A & B
- b Trust — Attach a copy of the Trust indenture or Agreement, including all appropriate signatures and dates.
- c Association — Attach a copy of the Articles of Association, Constitution, or other creating document, with a declaration (see instructions) or other evidence the organization was formed by adoption of the document by more than one person; also include a copy of the bylaws.

If the organization is a corporation or an unincorporated association that has not yet adopted bylaws, check here

I declare under the penalties of perjury that I am authorized to sign this application on behalf of the above organization and that I have examined this application, including the accompanying schedules and attachments, and to the best of my knowledge it is true, correct, and complete.

Please Sign Here

Robert R. Hattery
 (Signature)

Robert R. Hattery, MD, Exec. Director
 (Type or print name and title or authority of signer)

7/19/04
 (Date)

For Paperwork Reduction Act Notice, see page 7 of the instructions.

Part I Activities and Operational Information

- 1 Provide a detailed narrative description of all the activities of the organization — past, present, and planned. **Do not merely refer to or repeat the language in the organizational document.** List each activity separately in the order of importance based on the relative time and other resources devoted to the activity. Indicate the percentage of time for each activity. Each description should include, as a minimum, the following: (a) a detailed description of the activity including its purpose and how each activity furthers your exempt purpose; (b) when the activity was or will be initiated; and (c) where and by whom the activity will be conducted.

See Attachment C

- 2 What are or will be the organization's sources of financial support? List in order of size.

The American Board of Radiology, individual members of the American Board of Radiology, and corporations.

- 3 Describe the organization's fundraising program, both actual and planned, and explain to what extent it has been put into effect. Include details of fundraising activities such as selective mailings, formation of fundraising committees, use of volunteers or professional fundraisers, etc. Attach representative copies of solicitations for financial support.

The Foundation does not have a fundraising program at this point.

Part II Activities and Operational Information (Continued)

4 Give the following information about the organization's governing body:

a Names, addresses, and titles of officers, directors, trustees, etc.
 See Attachment D

b Annual compensation
 See Attachment D

c Do any of the above persons serve as members of the governing body by reason of being public officials or being appointed by public officials? Yes No
 If "Yes," name those persons and explain the basis of their selection or appointment.

d Are any members of the organization's governing body "disqualified persons" with respect to the organization (other than by reason of being a member of the governing body) or do any of the members have either a business or family relationship with "disqualified persons"? (See Specific Instructions for Part II, Line 4d, on page 3.) Yes No
 If "Yes," explain.

5 Does the organization control or is it controlled by any other organization? Yes No
 Is the organization the outgrowth of (or successor to) another organization, or does it have a special relationship with another organization by reason of interlocking directorates or other factors? Yes No
 If either of these questions is answered "Yes," explain.

See Section 3.02 of the Bylaws. The Foundation was created by the supported organization, The American Board of Radiology and the officers and trustees of The American Board of Radiology serve on the Foundation's Board of Trustees ex-officio.

6 Does or will the organization directly or indirectly engage in any of the following transactions with any political organization or other exempt organization (other than a 501(c)(3) organization): (a) grants; (b) purchases or sales of assets; (c) rental of facilities or equipment; (d) loans or loan guarantees; (e) reimbursement arrangements; (f) performance of services, membership, or fundraising solicitations; or (g) sharing of facilities, equipment, mailing lists or other assets, or paid employees? Yes No
 If "Yes," explain fully and identify the other organizations involved.

The American Board of Radiology, an organization described in Section 501(c)(6) of the Code and "supported" by the Foundation, will provide an initial grant to the Foundation.

7 Is the organization financially accountable to any other organization? Yes No
 If "Yes," explain and identify the other organization. Include details concerning accountability or attach copies of reports if any have been submitted.

Part II Activities and Operational Information (Continued)

8 What assets does the organization have that are used in the performance of its exempt function? (Do not include property producing investment income.) If any assets are not fully operational, explain their status, what additional steps remain to be completed, and when such final steps will be taken. If none, indicate "N/A."

N/A

9 Will the organization be the beneficiary of tax-exempt bond financing within the next 2 years? Yes No

10a Will any of the organization's facilities or operations be managed by another organization or individual under a contractual agreement? Yes No

b Is the organization a party to any leases? Yes No

If either of these questions is answered "Yes," attach a copy of the contracts and explain the relationship between the applicant and the other parties.

The Foundation may contract with The American Board of Radiology for certain facilities, equipment, employees and services; provided, any amounts paid by the Foundation to The American Board of Radiology will be fair market for the facilities or services provided.

11 Is the organization a membership organization? Yes No

If "Yes," complete the following:

a Describe the organization's membership requirements and attach a schedule of membership fees and dues.

b Describe the organization's present and proposed efforts to attract members and attach a copy of any descriptive literature or promotional material used for this purpose.

c What benefits do (or will) the members receive in exchange for their payment of dues?

*Although the Bylaws provide that The American Board of Radiology is the sole member, the sole member will not pay dues and thus the Foundation will not operate as a traditional membership organization.

12a If the organization provides benefits, services, or products, are the recipients required, or will they be required, to pay for them? N/A Yes No

If "Yes," explain how the charges are determined and attach a copy of the current fee schedule.

The Foundation may charge fees for attending educational conferences it sponsors. The fees have not been determined, but will be structured to cover the Foundation's costs of the conference and will be objectively applied

b Does or will the organization limit its benefits, services, or products to specific individuals or classes of individuals? N/A Yes No

If "Yes," explain how the recipients or beneficiaries are or will be selected.

13 Does or will the organization attempt to influence legislation? Yes No

If "Yes," explain. Also, give an estimate of the percentage of the organization's time and funds that it devotes or plans to devote to this activity.

14 Does or will the organization intervene in any way in political campaigns, including the publication or distribution of statements? Yes No

If "Yes," explain fully.

Part III Technical Requirements

1 Are you filing Form 1023 within 15 months from the end of the month in which your organization was created or formed? Yes No

If you answer "Yes," do not answer questions on lines 2 through 6 below.

2 If one of the exceptions to the 15-month filing requirement shown below applies, check the appropriate box and proceed to question 7.

Exceptions — You are not required to file an exemption application within 15 months if the organization:

- a Is a church, interchurch organization of local units of a church, a convention or association of churches, or an integrated auxiliary of a church. See **Specific Instructions**, Line 2a, on page 4;
- b Is not a private foundation and normally has gross receipts of not more than \$5,000 in each tax year; or
- c Is a subordinate organization covered by a group exemption letter, but only if the parent or supervisory organization timely submitted a notice covering the subordinate.

3 If the organization does not meet any of the exceptions on line 2 above, are you filing Form 1023 within 27 months from the end of the month in which the organization was created or formed? Yes No

If "Yes," your organization qualifies under Regulation section 301.9100-2, for an automatic 12-month extension of the 15-month filing requirement. Do not answer questions 4 through 6.

If "No," answer question 4.

4 If you answer "No" to question 3, does the organization wish to request an extension of time to apply under the "reasonable action and good faith" and the "no prejudice to the interest of the government" requirements of Regulations section 301.9100-3? Yes No

If "Yes," give the reasons for not filing this application within the 27-month period described in question 3. See **Specific Instructions**, Part III, Line 4, before completing this item. Do not answer questions 5 and 6.

If "No," answer questions 5 and 6.

5 If you answer "No" to question 4, your organization's qualification as a section 501(c)(3) organization can be recognized only from the date this application is filed. Therefore, do you want us to consider the application as a request for recognition of exemption as a section 501(c)(3) organization from the date the application is received and not retroactively to the date the organization was created or formed? Yes No

6 If you answer "Yes" to question 5 above and wish to request recognition of section 501(c)(4) status for the period beginning with the date the organization was formed and ending with the date the Form 1023 application was received (the effective date of the organization's section 501(c)(3) status), check here and attach a completed page 1 of Form 1024 to this application.

Part III Technical Requirements (Continued)

7 Is the organization a private foundation?

- Yes (Answer question 8.)
 No (Answer question 9 and proceed as instructed.)

8 If you answer "Yes" to question 7, does the organization claim to be a private operating foundation?

- Yes (Complete Schedule E.)
 No

After answering question 8 on this line, go to line 14 on page 7.

9 If you answer "No" to question 7, indicate the public charity classification the organization is requesting by checking the box below that most appropriately applies:

THE ORGANIZATION IS NOT A PRIVATE FOUNDATION BECAUSE IT QUALIFIES:

- | | | |
|---|--|--|
| a | <input type="checkbox"/> As a church or a convention or association of churches (CHURCHES MUST COMPLETE SCHEDULE A.) | Sections 509(a)(1) and 170(b)(1)(A)(i) |
| b | <input type="checkbox"/> As a school (MUST COMPLETE SCHEDULE B.) | Sections 509(a)(1) and 170(b)(1)(A)(ii) |
| c | <input type="checkbox"/> As a hospital or cooperative hospital service organization, or a medical research organization operated in conjunction with a hospital (These organizations, except for hospital service organizations, MUST COMPLETE SCHEDULE C.) | Sections 509(a)(1) and 170(b)(1)(A)(iii) |
| d | <input type="checkbox"/> As a governmental unit described in section 170(c)(1). | Sections 509(a)(1) and 170(b)(1)(A)(v) |
| e | <input checked="" type="checkbox"/> As being operated solely for the benefit of, or in connection with, one or more of the organizations described in a through d, g, h, or i (MUST COMPLETE SCHEDULE D.) | Section 509(a)(3) |
| f | <input type="checkbox"/> As being organized and operated exclusively for testing for public safety. | Section 509(a)(4) |
| g | <input type="checkbox"/> As being operated for the benefit of a college or university that is owned or operated by a governmental unit. | Sections 509(a)(1) and 170(b)(1)(A)(vi) |
| h | <input type="checkbox"/> As receiving a substantial part of its support in the form of contributions from publicly supported organizations, from a governmental unit, or from the general public. | Sections 509(a)(1) and 170(b)(1)(A)(vi) |
| i | <input type="checkbox"/> As normally receiving not more than one-third of its support from gross investment income and more than one-third of its support from contributions, membership fees, and gross receipts from activities related to its exempt functions (subject to certain exceptions). | Section 509(a)(2) |
| j | <input type="checkbox"/> The organization is a publicly supported organization but is not sure whether it meets the public support test of h or i. The organization would like the IRS to decide the proper classification. | Sections 509(a)(1) and 170(b)(1)(A)(vi) or Section 509(a)(2) |

If you checked one of the boxes a through f in question 9, go to question 14. If you checked box g in question 9, go to questions 11 and 12. If you checked box h, i, or j, in question 9, go to question 10.

Part III **Technical Requirements (Continued)**

- 10** If you checked box **h**, **i**, or **j** in question 9, has the organization completed a tax year of at least 8 months?
 Yes — Indicate whether you are requesting:
 A definitive ruling. (Answer questions 11 through 14.)
 An advance ruling. (Answer questions 11 and 14 and attach two Forms 872-C completed and signed.)
 No — You must request an advance ruling by completing and signing two Forms 872-C and attaching them to the Form 1023.

- 11** If the organization received any unusual grants during any of the tax years shown in Part IV-A, **Statement of Revenue and Expenses**, attach a list for each year showing the name of the contributor; the date and the amount of the grant; and a brief description of the nature of the grant.

N/A

- 12** If you are requesting a definitive ruling under section 170(b)(1)(A)(iv) or (vi), check here and:
a Enter 2% of line 8, column (e), Total, of Part IV-A.
b Attach a list showing the name and amount contributed by each person (other than a governmental unit or "publicly supported" organization) whose total gifts, grants, contributions, etc., were more than the amount entered on line **12a** above.

- 13** If you are requesting a definitive ruling under section 509(a)(2), check here and:
a For each of the years included on lines 1, 2, and 9 of Part IV-A, attach a list showing the name of and amount received from each "disqualified person." (For a definition of "disqualified person," see **Specific Instructions**, Part II, Line 4d, on page 3.)
b For each of the years included on line 9 of Part IV-A, attach a list showing the name of and amount received from each payer (other than a "disqualified person") whose payments to the organization were more than \$5,000. For this purpose, "payer" includes, but is not limited to, any organization described in sections 170(b)(1)(A)(i) through (vi) and any governmental agency or bureau.

14 Indicate if your organization is one of the following. If so, complete the required schedule. (Submit only those schedules that apply to your organization. Do not submit blank schedules.)	Yes	No	If "Yes," complete Schedule:
Is the organization a church?		X	A
Is the organization, or any part of it, a school?		X	B
Is the organization, or any part of it, a hospital or medical research organization?		X	C
Is the organization a section 509(a)(3) supporting organization?	X		D
Is the organization a private operating foundation?		X	E
Is the organization, or any part of it, a home for the aged or handicapped?		X	F
Is the organization, or any part of it, a child care organization?		X	G
Does the organization provide or administer any scholarship benefits, student aid, etc.?		X	H
Has the organization taken over, or will it take over, the facilities of a "for profit" institution?		X	I

Part IV Financial Data See Attachment E

Complete the financial statements for the current year and for each of the 3 years immediately before it. If in existence less than 4 years, complete the statements for each year in existence. If in existence less than 1 year, also provide proposed budgets for the 2 years following the current year.

A. Statement of Revenue and Expenses

	Current tax year	3 prior tax years or proposed budget for 2 years			(e) TOTAL
	(a) From _____ to _____	(b) _____	(c) _____	(d) _____	
Revenue					
1 Gifts, grants, and contributions received (not including unusual grants — see page 6 of the instructions)					
2 Membership fees received					
3 Gross investment income (see instructions for definition)					
4 Net income from organization's unrelated business activities not included on line 3					
5 Tax revenues levied for and either paid to or spent on behalf of the organization					
6 Value of services or facilities furnished by a governmental unit to the organization without charge (not including the value of services or facilities generally furnished the public without charge)					
7 Other income (not including gain or loss from sale of capital assets) (attach schedule)					
8 Total (add lines 1 through 7)					
9 Gross receipts from admissions, sales of merchandise or services, or furnishing of facilities in any activity that is not an unrelated business within the meaning of section 513. Include related cost of sales on line 22.					
10 Total (add lines 8 and 9)					
11 Gain or loss from sale of capital assets (attach schedule)					
12 Unusual grants					
13 Total revenue (add lines 10 through 12)					
Expenses					
14 Fundraising expenses					
15 Contributions, gifts, grants, and similar amounts paid (attach schedule)					
16 Disbursements to or for benefit of members (attach schedule)					
17 Compensation of officers, directors, and trustees (attach schedule)					
18 Other salaries and wages					
19 Interest					
20 Occupancy (rent, utilities, etc.)					
21 Depreciation and depletion					
22 Other (attach schedule)					
23 Total expenses (add lines 14 through 22)					
24 Excess of revenue over expenses (line 13 minus line 23)					



Financial Data (Continued)

B. Balance Sheet (at the end of the period shown)		Current tax year Date <u>5/31/04</u>
Assets		
1	Cash	0
2	Accounts receivable, net	0
3	Inventories	0
4	Bonds and notes receivable (attach schedule)	0
5	Corporate stocks (attach schedule)	0
6	Mortgage loans (attach schedule)	0
7	Other investments (attach schedule)	0
8	Depreciable and depletable assets (attach schedule)	0
9	Land	0
10	Other assets (attach schedule)	0
11	Total assets (add lines 1 through 10)	0.00
Liabilities		
12	Accounts payable	0
13	Contributions, gifts, grants, etc., payable	0
14	Mortgages and notes payable (attach schedule)	0
15	Other liabilities (attach schedule)	0
16	Total liabilities (add lines 12 through 15)	0.00
Fund Balances or Net Assets		
17	Total fund balances or net assets	0
18	Total liabilities and fund balances or net assets (add line 16 and line 17)	0.00

If there has been any substantial change in any aspect of the organization's financial activities since the end of the period shown above, check the box and attach a detailed explanation.

Schedule D. Section 509(a)(3) Supporting Organizations

1a Organizations supported by the applicant organization:	b Has the supported organization received a ruling or determination letter that it is not a private foundation by reason of section 509(a)(1) or (2)?
Name and address of supported organization	
The American Board of Radiology	
5441 East Williams Blvd., Suite 200 Tucson, AZ 85711	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
	<input type="checkbox"/> Yes <input type="checkbox"/> No
	<input type="checkbox"/> Yes <input type="checkbox"/> No
	<input type="checkbox"/> Yes <input type="checkbox"/> No
	<input type="checkbox"/> Yes <input type="checkbox"/> No
	<input type="checkbox"/> Yes <input type="checkbox"/> No
	<input type="checkbox"/> Yes <input type="checkbox"/> No

c If "No" for any of the organizations listed in 1a, explain.
 The American Board of Radiology is exempt from federal income tax as an organization described in Section 501(c)(6) of the Code and thus has not received a ruling that it is not a private foundation.

2 Does the supported organization have tax-exempt status under section 501(c)(4), 501(c)(5), or 501(c)(6)?... Yes No
 If "Yes," attach: (a) a copy of its ruling or determination letter, and (b) an analysis of its revenue for the current year and the preceding 3 years. (Provide the financial data using the formats in Part IV-A (lines 1 - 13) and Part III (lines 11, 12, and 13).) See Attachment F

3 Does your organization's governing document indicate that the majority of its governing board is elected or appointed by the supported organizations?..... Yes No
 If "Yes," skip to line 9.
 If "No," you must answer the questions on lines 4 through 9.

4 Does your organization's governing document indicate the common supervision or control that it and the supported organizations share? Yes No
 If "Yes," give the article and paragraph numbers. If "No," explain.

5 To what extent do the supported organizations have a significant voice in your organization's investment policies, in the making and timing of grants, and in otherwise directing the use of your organization's income or assets?

6 Does the mentioning of the supported organizations in your organization's governing instrument make it a trust that the supported organizations can enforce under state law and compel to make an accounting?..... Yes No
 If "Yes," explain.

7a What percentage of your organization's income does it pay to each supported organization?

b What is the total annual income of each supported organization?

c How much does your organization contribute annually to each supported organization?

For more information, see back of Schedule D.

Schedule D. Section 509(a)(3) Supporting Organizations (Continued)

8 To what extent does your organization conduct activities that would otherwise be carried on by the supported organizations? Explain why these activities would otherwise be carried on by the supported organizations.

9 Is the applicant organization controlled directly or indirectly by one or more "disqualified persons" (other than one who is a disqualified person solely because he or she is a manager) or by an organization that is not described in section 509(a)(1) or (2)? Yes No
If "Yes," explain.

Instructions

For an explanation of the types of organizations defined in section 509(a)(3) as being excluded from the definition of a private foundation, see Pub. 557, Chapter 3.

Line 1

List each organization that is supported by your organization and indicate in item **1b** if the supported organization has received a letter recognizing exempt status as a section 501(c)(3) public charity as defined in section 509(a)(1) or 509(a)(2). If you answer "No" in **1b** to any of the listed organizations, please explain in **1c**.

Line 3

Your organization's governing document may be articles of incorporation, articles of association, constitution, trust indenture, or trust agreement.

Line 9

For a definition of a "disqualified person," see **Specific Instructions**, Part II, Line 4d, on page 3 of the application's instructions.

Attachment A

**American Board of Radiology Foundation
5441 East Williams Boulevard, Suite 200
Tucson, Arizona 85711**

Attachment to Form 1023

Articles of Incorporation

GOVERNMENT OF THE DISTRICT OF COLUMBIA

DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS



C E R T I F I C A T E

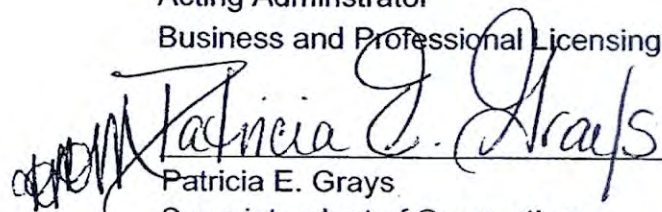
THIS IS TO CERTIFY that all applicable provisions of the District of Columbia NonProfit Corporation Act have been complied with and accordingly, this **CERTIFICATE OF INCORPORATION** is hereby issued to:

AMERICAN BOARD OF RADIOLOGY FOUNDATION (THE)

IN WITNESS WHEREOF I have hereunto set my hand and caused the seal of this office to be affixed as of the **19th** day of **July, 2004**.

David Clark
DIRECTOR

Winnie R. Huston
Acting Administrator
Business and Professional Licensing Administration



Patricia E. Grays
Superintendent of Corporations
Corporations Division

Anthony A. Williams
Mayor

**ARTICLES OF INCORPORATION
OF
THE AMERICAN BOARD OF RADIOLOGY FOUNDATION**

We, the undersigned natural persons of the age of eighteen years or more, acting as incorporators of a corporation under the District of Columbia Nonprofit Corporation Act, D.C. Code, 2001 edition, Title 29, Chapter 3, adopt the following Articles of Incorporation:

FIRST: The name of the corporation is "The American Board of Radiology Foundation".

SECOND: The period of its duration is perpetual.

THIRD: The corporation shall be operated exclusively for the benefit of, to perform the functions of, or to carry out the charitable, scientific and educational purposes of The American Board of Radiology, all within the meaning of, and as contemplated and permitted by, Sections 170(c), 501(c)(3), 509(a)(3), and 2055(a) of the Internal Revenue Code of 1986, as amended (the "Code").

For such purposes, and not otherwise, this corporation shall have and may exercise all powers that are afforded to this corporation by the District of Columbia Nonprofit Corporation Act and by any future laws amendatory thereof and supplementary thereto; provided, however, that this corporation shall not carry on any activity not permitted to be carried on by a corporation that is exempt from federal income tax under Section 501(a) of the Code as an organization described in Section 501(c)(3) of the Code or by a corporation that is described in, and contributions to which are deductible for federal income and estate tax purposes under, Sections 170(c) and 2055(a) of the Code.

FOURTH: The corporation shall not, incidentally or otherwise, afford or pay any pecuniary gain, dividends, or other pecuniary remuneration to The American Board of Radiology or to members of The American Board of Radiology as such, and no part of the net income or net earnings of the corporation shall, directly or indirectly, be distributable to or inure to the benefit of The American Board of Radiology or any member of The American Board of Radiology or any other individual. No substantial part of the activities of this corporation shall be the carrying on of propaganda, or otherwise attempting to influence legislation, except pursuant to an election under, and as permitted by, Section 501(h) of the Code, and this corporation shall not 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.

FIFTH: The sole member of the corporation shall be The American Board of Radiology.

SIXTH: The manner of election or appointment of directors who shall be known as "Trustees" shall be provided in the bylaws.

SEVENTH: Upon dissolution of the corporation, and notwithstanding anything

FILED
7-19-04

apparently or expressly to the contrary contained herein, all assets and properties of the corporation remaining after the payment of all liabilities of the corporation shall be distributed for one or more of the corporation's exempt purposes described in the third paragraph, all in such amounts or proportions as shall be determined by the affirmative vote of at least a majority of the total number of Trustees of this corporation.

EIGHTH: The address, including street and number of the initial registered office of the corporation is 1015 15th Street, N.W., Suite 1000, Washington, D.C. 20005 and the name of the initial registered agent at such address is C T Corporation System.

NINTH: The number of trustees constituting the initial board of trustees is twenty five (24) and the names and addresses, including street and number and zip code of the persons who are to serve as trustees until the first annual meeting or until their successors are elected and shall qualify are (minimum of three required):

NAME

ADDRESS

Philip O. Alderson, M.D.

Dept. of Radiology
Columbia-Presbyterian Med. Ctr.
622 W. 168th Street
New York, NY 10032

Kie Kian Ang, M.D.

Dept. of Radiotherapy
M.D. Anderson Cancer Ctr.
1515 Holcombe Blvd., Box 97
Houston, TX 77030-4095

Gary J. Becker, M.D.

National Cancer Institute
Executive Plaza N., #3007
6130 Executive Blvd.
Rockville, MD 20892

George S. Bisset, M.D.

Dept. of Radiology
Duke Univ. Med. Ctr.
PO Box 3808
Durham, NC 27710

N. Reed Dunnick, M.D.

Dept. of Radiology
Univ. of Michigan Health System
1500 E. Medical Center Dr.
Ann Arbor, MI 48109-0030

Beth Erickson, M.D.

Froedtert Memorial Lutheran Hosp.
Dept. of Rad. Oncology – 3rd Fl. East Clin.
9200 W. Wisconsin Avenue
Milwaukee, WI 53226

NAME

ADDRESS

Glenn Forbes, M.D.

Mayo Clinic
Dept. of Radiology
200 First Street SW
Rochester, MN 55905

Jay R. Harris, M.D.

Dept. of Radiation Oncology
Dana Farber Cancer Institute
44 Binney St., Rm. 1622
Boston, MA 02215

William R. Hendee, Ph.D.

ORTI
Medical College of Wisconsin
8701 Watertown Plank Rd.
Milwaukee, WI 53226

Richard T. Hoppe, M.D.

Stanford University
Dept. of Radiation Oncology #CC-G224
875 Blake Wilbur Dr.
Palo Alto, CA 94305-5847

Valerie P. Jackson, M.D.

Interim Chair of Radiology
Indiana Univ. Hosp., Rm. 0633
550 N. University Blvd.
Indianapolis, IN 46202

Larry E. Kun, M.D.

Division of Radiation Oncology, MS220
St. Jude Children's Research Hosp.
332 N. Lauderdale St.
Memphis, TN 38105

Steven A. Leibel, M.D.

Medical Director
Stanford Cancer Center
875 Blake Wilbur Dr., MC 5827
Stanford, CA 94305-5827

Robert R. Lukin, M.D.

Dept. of Radiology, M1742
Univ. of Cincinnati Hospital
234 Goodman St.
Cincinnati, OH 45267-0742

John E Madewell, M.D.

Diagnostic Imaging
MD Anderson Cancer Ctr., Box 57
1515 Holcombe Blvd.
Houston, TX 77030

NAME

ADDRESS

Christopher Merritt, M.D.

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Philadelphia, PA 19103

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Dept. of Radiology
Emory University Hospital
1364 Clifton Road, NE
Atlanta, GA 30322

NINTH: The name and address, including street and number and zip code, of each incorporator are (minimum of three required):

NAME

ADDRESS

Philip O. Alderson, M.D.

Dept. of Radiology
Columbia-Presbyterian Med. Ctr.
622 W. 168th Street
New York, NY 10032

Richard T. Hoppe, M.D.

Stanford University
Dept. of Radiation Oncology #CC-G224
875 Blake Wilbur Dr.
Palo Alto, CA 94305-5847

Steven A. Leibel, M.D.

Medical Director
Stanford Cancer Center
875 Blake Wilbur Dr., MC 5827
Stanford, CA 94305-5827

Philip O. Alderson

Philip O. Alderson, M.D., Incorporator

I, Rosa M. Hicks, a Notary Public, hereby certify that
on the 12 day of July, 2004, Philip O. Alderson personally appeared
before me and signed the foregoing document as incorporator, and has averred that the
statements therein contained are true.

(NOTARY SEAL)

Rosa M. Hicks

Notary Public

ROSA M. HICKS
NOTARY PUBLIC, State of New York
NO. 01H15060769
Qualified in New York County
Commissioned Expires May 20, 2006

STATE OF California
COUNTY OF Santa Clara

Steven A. Leibel, M.D.
Steven A. Leibel, M.D., Incorporator

I, Julie E. Rex, a Notary Public, hereby certify that
on the _____ day of _____, _____, Steven A. Leibel, M.D. personally
appeared before me and signed the foregoing document as incorporator, and has averred
that the statements therein contained are true.
(NOTARY SEAL)

Notary Public

SUBSCRIBED AND SWORN TO BEFORE ME
THIS 8th DAY OF July, 2004
BY Julie E. Rex

NOTARY PUBLIC



STATE OF California
COUNTY OF Santa Clara

Richard T. Hoppe M.D.
Richard T. Hoppe, M.D., Incorporator

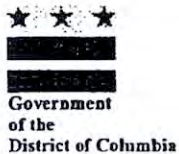
I, _____, a Notary Public, hereby certify that
on the _____ day of _____, _____, Richard T. Hoppe, M.D personally
appeared before me and signed the foregoing document as incorporator, and has averred
that the statements therein contained are true.
(NOTARY SEAL)

Notary Public

SUBSCRIBED AND SWORN TO BEFORE ME
THIS 8th DAY OF July 2004
BY Julie E. Rex

NOTARY PUBLIC





DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS
BUSINESS REGULATION ADMINISTRATION
CORPORATIONS DIVISION
941 NORTH CAPITAL STREET, N.E.
WASHINGTON, D.C. 20002

WRITTEN CONSENT TO ACT AS REGISTERED AGENT

TO:
The Superintendent of Corporations
Department of Consumer and Regulatory Affairs
Business Regulation Administration, Corporations Division
941 North Capital Street, N.E.
Washington, D.C. 20002

(A) BY A DISTRICT OF COLUMBIA RESIDENT

PURSUANT TO D.C. CODE TITLE 29, and TITLE 41

I, _____
A Bona fide Resident of the District of Columbia Herein Consent to Act as a Registered Agent For:

Name of Business

SIGNATURE OF REGISTERED AGENT _____

DATE: _____

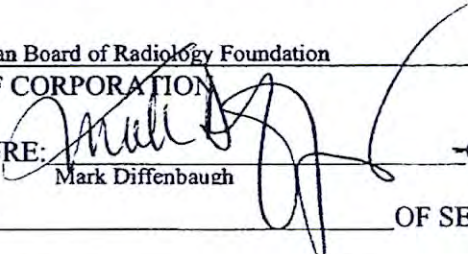
(B) BY A LEGALLY AUTHORIZED CORPORATION

THE CORPORATION HEREIN NAMED IS:

C T Corporation System

An Authorized Corporate Registered Agent in the District of Columbia, per Signatures of it's
President/Vice-President and Secretary/Assistant Secretary, Herein Consents to Act as Registered Agent
For:

The American Board of Radiology Foundation
NAME OF CORPORATION

SIGNATURE:  OF PRESIDENT OR VICE-PRESIDENT
Mark Diffenbaugh

ATTEST: _____ OF SECRETARY OR ASSISTANT SECRETARY

DATE: 7-15-2004

Attachment B

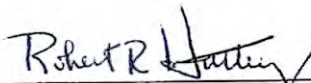
**The American Board of Radiology Foundation
5441 East Williams Boulevard, Suite 200
Tucson, Arizona 85711**

Attachment to Form 1023

Bylaws

The undersigned, Robert R. Hattery, MD, being the Executive Director of The American Board of Radiology Foundation, hereby certifies that the attached copy of a document entitled "Bylaws of The American Board of Radiology Foundation" is a true and correct copy of the Bylaws of The American Board of Radiology Foundation, that such Bylaws are in full force and effect, and that the same has not been amended, revoked, or rescinded.

Dated July 19, 2004


Robert R. Hattery, MD
Executive Director

**BYLAWS
OF
THE AMERICAN BOARD OF RADIOLOGY FOUNDATION**

**ARTICLE I.
OFFICES, CORPORATE SEAL**

Section 1.01. Registered Office. The registered office of this corporation located in the District of Columbia shall be that as set forth in the Articles of Incorporation, or in the most recent amendment of the Articles of Incorporation.

Section 1.02. Other Offices. This corporation may have such other offices, within or without the District of Columbia, as the Board of Trustees may from time to time determine.

Section 1.03. Corporate Seal. This corporation shall have no corporate seal.

**ARTICLE II.
SOLE MEMBER**

The American Board of Radiology shall be the sole member of this corporation and shall act through its President.

**ARTICLE III.
BOARD OF TRUSTEES**

Section 3.01. General Powers. The property, business and affairs of this corporation shall be managed by or under the direction of a board of directors that shall be known as a Board of Trustees. Trustees need not be residents of the District of Columbia.

Section 3.02. Number, Qualifications, Term of Office and Election. The persons who currently serve as trustees of The American Board of Radiology shall serve as voting ex-officio trustees of this corporation. Each trustee shall hold office for a term that is concurrent with his or her term as a trustee of The American Board of Radiology.

Section 3.03. Resignation and Removal of Trustees. A trustee who ceases to be a trustee of The American Board of Radiology due to the trustee's resignation, removal or expiration of term shall automatically cease to be a trustee of this corporation.

Section 3.04. Vacancies. Any vacancy in the Board of Trustees caused by death, resignation, removal, expiration of term, or any other cause, shall be filled by the person filling the vacancy in The American Board of Radiology Board of Trustees.

Section 3.05. Place of Meetings; Electronic Communications. The Board of Trustees may hold its meetings at such place or places, within or without the District of Columbia, as it may from time to time determine. If the Board of Trustees fails to select a place for a meeting, it shall be held at 5441 East Williams Boulevard, Suite 200, Tucson, Arizona

85711. One or more trustees may participate in a meeting by any means of communication through which all trustees participating in the meeting may simultaneously hear each other during the meeting.

Section 3.06. Annual Meeting. The annual meeting of the Board of Trustees shall be held each year, at such time and place as the Board may determine, for the purpose of electing officers and for the transaction of such other business as shall come before the meeting.

Section 3.07. Regular Meetings. Regular meetings of the Board of Trustees shall be held from time to time, at such times and places as the Board may determine.

Section 3.08. Special Meetings; Notice. Special meetings of the Board of Trustees shall be held whenever called by the President or by any one of the trustees. Notice of a special meeting shall be mailed to each trustee, addressed to the trustee at his or her residence or usual place of business, at least ten (10) days before the day on which the meeting is to be held, or delivered personally or by telephone or facsimile transmission, not later than two (2) days before the day on which the meeting is to be held. The notice shall state the time and place of the meeting, but need not state the purposes thereof. Notice of any meeting of the Board need not be given to any trustee who participates in such meeting; and any meeting of the Board shall be a legal meeting without any notice thereof having been given, if all of the trustees shall participate therein or waive such notice in writing before, at, or after such meeting.

Section 3.09. Quorum. Except as otherwise provided by statute or by these Bylaws, a majority of the trustees currently holding office shall be required to constitute a quorum for the transaction of business at any meeting, and the act of a majority of the trustees present at any duly held meeting at which a quorum is present shall be the act of the Board of Trustees. In the absence of a quorum, a majority of the trustees present may adjourn a meeting from time to time until a quorum is present. Notice of any adjourned meeting need not be given, other than by announcement at the meeting at which adjournment is taken. If a quorum is present when a duly called or held meeting is convened, the trustees present may continue to transact business until adjournment, even though the withdrawal of trustees originally present leaves less than the number otherwise required for a quorum; provided, however, that the affirmative vote of a majority of the required quorum is required to take any action other than adjournment.

Section 3.10. Proxy Voting. Proxy voting shall not be permitted.

Section 3.11. Action Without Meeting. An action required or permitted to be taken at a meeting of the Board of Trustees may be taken by a written action signed, in one or more counterparts, by all the trustees.

Section 3.12. Conflicts of Interest. Except as permitted by law, with respect to any contract or other transaction between this corporation and any trustee (or an organization in which a trustee is a trustee, officer or legal representative or has a material financial interest): (a) the material facts as to such contract or transaction and as to the trustee's interest must be fully disclosed or known to the Board of Trustees prior to approval of such contract or transaction; (b) such approval shall require the affirmative vote of a majority of the trustees, not counting any

vote that the interested trustee otherwise might have; and (c) the interested trustee shall not be counted in determining the presence of a quorum.

ARTICLE IV. OFFICERS

Section 4.01. Number and Qualifications. The officers of this corporation shall be a President, a President-Elect, a Secretary-Treasurer, and the Executive Director and such other officers as may be elected by the Board of Trustees. Any number of offices may be held by the same person.

Section 4.02. Election and Term of Office. The individuals who are officers for The American Board of Radiology shall hold the same offices for this corporation. Except in the case of officers appointed in accordance with the provisions of Section 4.11, each officer shall hold office until the next annual election of officers and until a successor is elected and qualified, or until the earlier death, resignation, or removal of the officer.

Section 4.03. Resignations and Removal. An officer who ceases to be an officer of The American Board of Radiology due to the officer's death, resignation, removal or expiration of term shall automatically cease to be an officer of this corporation. The resignation is effective without acceptance when the notice is given to the corporation, unless a later effective date is named in the notice.

Section 4.04. Vacancies. A vacancy in an office because of death, resignation, removal, expiration of term, or any other cause shall be filled by the person filling the vacancy in the office at The American Board of Radiology.

Section 4.05. President. The individual who serves as the President of The American Board of Radiology shall serve as the President of the corporation. The individual who serves as the President shall also serve as the Chair of the Board of Trustees. The President shall: (a) have general active management of the business of the corporation; (b) when present, preside at meetings of the Board of Trustees; (c) see that orders and resolutions of the Board of Trustees are carried into effect; (d) sign and deliver in the name of the corporation deeds, mortgages, bonds, contracts, or other instruments pertaining to the business of the corporation, except in cases in which the authority to sign and deliver is required by law to be exercised by another person or is expressly delegated by the Articles of Incorporation or Bylaws or by the Board of Trustees to another officer or agent of the corporation; and (e) perform such other duties as may from time to time be prescribed by the Board of Trustees.

Section 4.06. President-Elect. The individual who serves as the President-Elect of The American Board of Radiology shall serve as the President-Elect of the corporation. In the absence of the President, or in the event of his/her inability or refusal to act, the President-Elect shall perform the duties of the President, and when so acting, shall have all the powers of and be subject to all of the restrictions upon the President. The President-Elect shall perform such other duties as shall from time to time be assigned by the Board of Trustees.

Section 4.07. Secretary-Treasurer. The individual who serves as the Secretary-Treasurer of The American Board of Radiology shall serve as the Secretary-Treasurer of this corporation. The Secretary-Treasurer shall: (a) keep accurate financial records for the corporation; (b) deposit money, drafts, and checks in the name of and to the credit of the corporation in the banks and depositories designated by the Board of Trustees; (c) endorse for deposit notes, checks, and drafts received by the corporation as ordered by the Board of Trustees, making proper vouchers for the deposit; (d) disburse corporate funds and issue checks and drafts in the name of the corporation, as ordered by the Board of Trustees; (e) upon request, provide the President and the Board of Trustees an account of transactions by the Secretary-Treasurer and of the financial condition of the corporation; (f) maintain records of and, when necessary, certify proceedings of the Board of Trustees; (g) when directed to do so, give proper notice of meetings of the Board of Trustees; and (h) perform such other duties as may from time to time be prescribed by the Board of Trustees or by the President.

Section 4.08. Executive Director. The Executive Director shall administer and coordinate all activities and functions of the corporation under the guidance of the other officers of the Foundation. The Executive Director shall be subject to the control of the Board of Trustees and the President.

Section 4.09. Other Officers. This corporation may have such other officers and agents as the Board of Trustees considers necessary for the operation and management of the corporation, each of whom has the powers, rights, duties, responsibilities, and terms in office as may be determined by resolution of the Board of Trustees.

Section 4.10. Delegation. Unless prohibited by a resolution adopted by the Board of Trustees, an officer may, without the approval of the Board of Trustees, delegate some or all the duties and powers of an office to other persons.

ARTICLE V. COMMITTEES

Section 5.01. Committees of Trustees. The Board of Trustees, by resolution adopted by a majority of the Trustees in office, may designate and appoint one or more committees, each of which shall consist of two or more Trustees, which committees, to the extent provided in said resolution, shall have and exercise the authority of the Board of Trustees in the management of the corporation, except that no such committee shall have the authority of the Board of Trustees in reference to amending, altering or repealing the by-laws; electing, appointing or removing any member of any such committee or any trustees or office of the corporation; amending the articles of incorporation, restating articles of incorporation; adopting a plan of merger or adopting a plan of consolidation with another corporation; authorizing the sale, lease, exchange or mortgage of all or substantially all of the property and assets of the corporation; authorizing the voluntary dissolution of the corporation or revoking proceedings therefore; adopting a plan for the distribution of the assets of the corporation; or amending, altering or repealing any resolution of the Board of Trustees which by its terms provides that it shall not be amended, altered or repealed by such committee. The designation and appointment of any such committee and the delegation thereto of authority shall not operate to relieve the Board of Trustees, or any individual Trustees, of any responsibility imposed upon it or him by

law.

Section 5.02. Other Committees. Other committees not having and exercising the authority of the Board of Trustees in the management of the corporation may be appointed in such manner as may be designated by a resolution adopted by a majority of the Trustees present at a meeting at which a quorum is present. Except as otherwise provided in such resolution, members of each such committee shall be members of the corporation, and the President of the corporation shall appoint the members thereof. Any member thereof may be removed by the person or persons authorized to appoint such member whenever in their judgment the best interests of the corporation shall be served by such removal.

Section 5.03. Procedures. Sections 3.05 through 3.12 (excluding Section 3.06) apply to committees and members of committees to the same extent as those sections apply to the Board of Trustees. Each committee shall prepare minutes of its meetings and shall furnish such minutes to the Board of Trustees and to members of the committee.

**ARTICLE VI.
BOOKS OF RECORD**

The corporation shall keep at its registered office correct and complete copies of:

- (a) its Articles of Incorporation and Bylaws;
- (b) accounting records; and
- (c) minutes of meetings of the Board of Trustees and of committees having any of the authority of the Board of Trustees.

**ARTICLE VII.
INDEMNIFICATION**

The corporation shall have the power to indemnify persons for such expenses and liabilities, in such manner, under such circumstances, and to such extent as permitted by applicable law.

**ARTICLE VIII.
AMENDMENTS**

Amendments to the Articles of Incorporation and these Bylaws must be approved by a majority of the total number of trustees and by the sole member.

These Bylaws have been approved and adopted by the Board of Trustees of this corporation on

July 19, 2004.

Michael P. Howe
Secretary-Treasurer

Attachment C

The American Board of Radiology Foundation
5441 East Williams Boulevard, Suite 200
Tucson, Arizona 85711

Attachment to Form 1023
Part 2
Line 1

The Foundation plans to carry out the scientific, educational and charitable purposes of the mission of The American Board of Radiology.

I. Scientific Purposes

The Foundation is operated for scientific purposes within the meaning of Treasury Regulation § 1.501(c)(3)-1(d)(5) which defines the term “scientific” to include the carrying on of “scientific research” in the public interest. Although the Code does not define “scientific research”, the Service has defined the term as “of, relating to, or exhibiting the methods or principles of science.” “Science” is defined as “knowledge attained through study or practice . . . one of the natural sciences . . . knowledge covering general truths or the operation of general laws especially as obtained and tested through scientific method.” See GCM 34444 (March 4, 1971).

In this case, the Foundation’s research will conform to customary scientific methodologies, including testing hypotheses, systematic data collection through observation, experimentation, reasoning and statistical analysis. The Foundation will conduct scientific research for the benefit of the public regarding the education, examination and certification in the field of radiology, radiation oncology and radiologic physics and the processes of cognition, learning, acquisition of skills, testing of such processes and new testing technologies. The research will be fundamental, not applied, and will focus on the following:

- Improving and advancing the quality of care and treatment provided and made available to the patients;
- Conducting, promoting and publicizing academic research on educational testing and testing methodology of medical clinical proficiency;
- Validating educational experiences and training; and
- Improving patterns of practice.

Treasury Regulation § 1.501(c)(3)-1(d)(5) provides that scientific research will be regarded as carried on in the public interest if the results of such research (including any patents, copyrights, processes, or formulae resulting from such research) are made available to the public on a nondiscriminatory basis. The Foundation will make the results of any research available to the public through publication without charge in scientific journals, via websites, and public

meetings. In addition, the Foundation will discuss the results at symposiums and other forums. Examples of proposed research projects are described below.

a) An Investigation of An Alternative Performance Standard Process: Angoff Administration Via Teleconferencing

The Angoff method is one of the most widely used standard setting procedures in the areas of licensing and certification. Many medical specialty boards and other licensing organizations rely on the Angoff method for setting accurate and reliable cutoff scores for various types of examinations. In this procedure, content experts are presented with each item in the assessment and asked to estimate the likelihood that a respondent who was just minimally competent or just barely certifiable would answer the item correctly. The individual item response likelihoods are summed to yield an overall expected score for the just minimally competent candidate for each rater. These values are combined across raters to determine an expected score for the just barely certifiable candidate. This expected score is then used as the cut-score or passing score for evaluating candidates' performance.

Typically, the Angoff method requires content experts to assemble in a group and meet with an Angoff facilitator. Hence, the administration of a traditional Angoff often requires the participants to travel. In addition, Angoff facilitators are often required to send or transport Angoff materials to the meeting destination, increasing the security risk of the examination material. These additional burdens of the Angoff method can often have a negative impact on the process. Travel difficulties can adversely affect the number of raters that participate in the procedure, ultimately limiting the diversity of the content expert group, decreasing reliability and validity. Moreover, the risk of shipping or transporting confidential examination material to meeting sites is never desirable.

The intent of this study is to compare a traditional Angoff administration to an Angoff administered over the Internet using teleconferencing software. It is hypothesized that a passing score(s) generated with a teleconferencing Angoff method will be statistically similar to a passing score generated with a traditional Angoff method.

An Internet Angoff would result in a greater number of raters participating in the process which would help to ensure that the reliability of the procedure is maintained. Furthermore, the convenience of an Internet Angoff can help to ensure that participant diversity is maintained which can increase the validity of the process. Finally, the security of the process can be increased using an Internet Angoff. Since all examination materials can be securely shared over the Internet, Angoff facilitators will have no need to transport or send confidential examination material to potentially unsecured destinations.

b) Improving Computer Exam Interface

The Foundation will study ways to craft an examination interface on the computer that imitates the hospital picture archive communication system (PACS) workstation so that physicians can be evaluated to determine whether they have the common skills necessary to fulfill daily duties related to the common radiologic studies performed using different modalities. For a successful research program, the Foundation will need to develop the following.

- Interface design—a study of the common interface components to different hospital display systems so a generic, familiar interface can be presented to the candidate.
- Software development of the interface.
- Survey of radiologic reports—assembling common elements found between different radiology reports and combining them with the computer interface.
- Creation of Examination material.
- Scoring system—method to assess psychometrically valid outcome.
- Storage system—develop a database to catalog the examination material.

The Foundation plans to solicit projects to accomplish the goals listed above. Four computer application systems can be developed as projects from the list as 1) interface system, 2) report system, 3) scoring system and 4) storage system.

c) Developing Self-Assessment Modules

The Foundation will offer physicians opportunities during sabbaticals or shorter time periods to conduct research that improves patient care in the following areas:

1. Development of self-assessment modules for physicians to show quality improvement in knowledge, skills and patient management.
2. Development of web-based teaching modules for physicians that focus on quality improvement in patient safety and risk assessment.
3. Development of computer testing supported by new content in genomics, molecular medicine and psychometrically validated outcomes for improving the provision of health care.

The Foundation will use a “request for proposals” process to solicit physicians interested in such research. The Foundation will review the proposals and determine which proposals it will fund based on their merit.

In addition, the Foundation will support the development of appropriate content and carefully constructed questions for use in the self-assessment models described above. To do so, the Foundation will collaborate with physicians and other scientific foundations in writing seminars to create such content and questions that identify gaps in physician knowledge and skills to improve patient care.

d) Simulators

The Foundation will fund research designed to adapt currently available simulation technology for use in training and educating physicians in medical procedures and the

demonstration/assessment of physicians' skills. Simulators are a potentially important tool in the future of medical education. Simulators will allow physicians to learn "gateway" skills for conducting invasive diagnostic procedures, such as angiographic procedures, among others, on "virtual" patients. Simulators will also assist physicians already proficient in certain invasive skills to maintain their proficiency through simulator sessions. Moreover, simulators can be used to test competence of physicians whose practice involves conducting certain invasive procedures. Consequently, the Foundation plans to solicit projects for funding to evaluate simulators and techniques for educating medical students, residents, fellows and radiologists on how to perform established and new interventional techniques.

II. Educational Purposes

The Foundation is also operated for educational purposes. In Revenue Ruling 76-455, 1976-2 C.B. 150, the Service ruled that an organization performing types of research similar to the research that will be conducted by the Foundation was operated for both educational and scientific purposes "[b]y improving and enlarging the body of knowledge concerning current usage of health facilities and methods of treatment, the organization seeks to create a more efficient use of the nation's health facilities, and to aid in the planning of better care for the future." The Service concluded, "the organization in question . . . is exclusively concerned with the research and study of existing health care facilities, the dissemination of the results of such studies and the discovery or determination of methods and practices that will provide better medical services to the general public." This statement applies with equal force to the activities of the Foundation.

Specifically, the Foundation will foster education by conducting symposiums and public forums in which to discuss the results of its research and will support for educational workshops and programs aimed at developing interests and furthering knowledge in research by physicians in the field of radiology, radiation oncology and radiologic physics. These activities will promote the exchange of information and facilitate strategic thinking among individuals concerned with the disciplines of radiology, radiation oncology and radiologic physics. In addition, the Foundation, in partnership with other scientific foundations, may support research projects conducted by radiologists who are participating in the Holman Pathway through which radiologists conduct research in radiology as part of their residency program. See example of Holman Pathway Research Project.

III. Charitable Purposes (Promoting Health)

Section 1.501(c)(3)-1(d)(2) of the Treasury regulations provides that the term "charitable" is used in section 501(c)(3) of the Internal Revenue Code (the "Code") in its generally accepted legal sense. In the general law of charity, the promotion of health is considered to be a charitable purpose. See Restatement (Second) Trusts, Sec. 368 and 372; Bogert, Trusts and Trustees, Sec. 374 (rev. 2d ed. 1977), IV Scott on Trusts, 3rd. Ed. (1967), Sec. 368 and 372; Rev. Rul. 69-545, 1969-2 C.B.; Eastern Kentucky Welfare Rights Organization v. Simon, 506 F. 2d. 1278 (D.C. Cir. 1974). As noted by the Service in GCM 38686 (April 13, 1981), "courts have taken an expansive view of the promotion of health rationale as a basis for charitable exemption under Section 501(c)(3)."

Thus, although the Service recognized this principle in the context of the provision of hospital services in Revenue Ruling 69-545, the Service has also recognized in subsequent rulings that the charitable purpose of the promotion of health is not limited to the provision of hospital services. See Rev. Rul. 73-313, 1973-2 C.B. 174 (ruling that the provision of a medical building and facilities at a reasonable rent to attract a doctor to a rural community promotes health); Rev. Rul. 72-209, 1972-1 CB 148 (ruling that an organization promotes health by providing low cost home health care to people in the community); Rev. Rul. 72-124, 1972-1 CB 145 (ruling that the operation of home for the aged promotes health); and Rev. Rul. 75-197, 1975-1 CB 156 (ruling that the operation of an information retrieval system to facilitate the legal donation of body organs promotes health).

In particular, the Service has noted that the activities carried on by a Professional Standards Review Organization ("PSRO") which analyze patterns of care, practice and utilization of health services by physicians and institutional providers of health care constitute the promotion of health. See GCM 38439 (August 29, 1980) (holding that a PSRO organized and operated pursuant to the requirements of 42 U.S.C. 1320c et seq. is engaged in activities that further a charitable purpose because one of its purposes is the promotion of health); see also Professional Standards Review Organization of Queens County, Inc. v. Commissioner, 74 T.C. 240 (1980), acq., 1980-52 I.R.B. 6; cf. Virginia Professional Standards Review Foundation v. Blumenthal, 466 F.Supp. 1164 (D.D.C. 1979).

Each of the Foundation's activities that are described below promote health in the same way as the activities of the PSRO. Consequently, the Foundation's activities promote health as a charitable purpose.

Attachment D

**The American Board of Radiology Foundation
5441 East Williams Boulevard, Suite 200
Tucson, Arizona 85711**

**Attachment to Form 1023
Part 2
Line 4**

OFFICERS

STEVEN A. LEIBEL, MD
President

PHILIP O. ALDERSON, MD
President-Elect

RICHARD T. HOPPE, MD
Secretary-Treasurer

BOARD OF TRUSTEES

NAME

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National Cancer Institute
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Rockville, MD 20892

NAME

George S. Bisset, M.D.

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Froedtert Memorial Lutheran Hosp.
Dept. of Rad. Oncology – 3rd Fl. East Clin.
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Milwaukee, WI 53226

Glenn Forbes, M.D.

Mayo Clinic
Dept. of Radiology
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Dana Farber Cancer Institute
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Valerie P. Jackson, M.D.

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The Foundation will not compensate its trustees or officers for service on the Board of Trustees.

Attachment E

**American Board of Radiology Foundation
5441 East Williams Boulevard, Suite 200
Tucson, Arizona 85711**

<p>Attachment to Form 1023 Part 4 Line 1</p>

	Fiscal Years Ending March 30		
	2004-2005	2005-2006	2006-2007
<u>Revenue</u>			
Initial and Subsequent Contributions	100,000	5,000	5,000
Carry forward balance	0	65,100	48,452
Investment Income (assuming 2%)	2,000	1,402	1,069
<u>Totals</u>	102,000	71,502	54,521
<u>Expenses</u>			
Educational Activities	10,000	0	10,000
Postage	50	100	150
Office Supplies	50	100	150
Accounting/Bookkeeping	250	250	250
Attorney Fees	5,000	1,000	1,000
Stationery	50	100	150
Administrative Support	1,500	1,500	1,500
Research (see Att. C)	20,000	20,000	20,000
<u>Totals</u>	65,100	48,452	21,321

Attachment F

**American Board of Radiology Foundation
5441 East Williams Boulevard, Suite 200
Tucson, Arizona 85711**

**Attachment to Form 1023
Schedule D**

**Public Support Calculation under Section 509(a)(2)
for The American Board of Radiology**

Past Year

Revenue	4/1/2003 – 3/31/2004
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Program Service Revenue	
Processing, Examination and Verification Fees	\$4,211,205

Miscellaneous	\$228,859
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Investment Income	\$1,423,264
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Total	\$5,863,328
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Total support for three years:	\$5,863,328
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Total investment income for three years:	\$1,423,264
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Investment Income as percent of total income:	24.3%
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Public support as percent of total income:	75.3%
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(continued on next page)

Four Years Prior

Revenue	4/1/2000 - 3/31/2001	4/1/2001 - 3/31/2002	4/1/2002 - 3/31/2003	4/1/2003 3/31/2004
Program Service Revenue				
Processing, Examination, and Verification Fees	\$3,136,410	\$3,173,199	\$3,416,334	\$4,211,205
Miscellaneous	\$4,550	\$8,000	\$70,759	\$228,859
Investment Income	\$472,310	\$468,988	\$886,684	\$99,360
Total	\$3,613,270	\$3,650,187	\$4,373,777	\$4,539,424

Total support for four years:	\$16,176,658
Total investment income for four years:	\$1,927,342
Investment Income as percent of total income:	11.9%
Public support as percent of total income:	86.1%