

Return of Private Foundation

or Section 4947(a)(1) Trust Treated as Private Foundation

OMB No 1545-0052

2016

Department of the Treasury
Internal Revenue Service

Do not enter social security numbers on this form as it may be made public.

Information about Form 990-PF and its separate instructions is at www.irs.gov/form990pf.

Open to Public Inspection

For calendar year 2016 or tax year beginning JUN 1, 2016, and ending MAY 31, 2017

Name of foundation

JAMES H. CUMMINGS
FOUNDATION, INC.

A Employer identification number

16-0864200

Number and street (or P.O. box number if mail is not delivered to street address)

120 WEST TUPPER STREET

Room/suite

B Telephone number

(716) 874-0040

City or town, state or province, country, and ZIP or foreign postal code

BUFFALO, NY 14201-2170

C If exemption application is pending, check here ☐

G Check all that apply:

☐ Initial return☐ Initial return of a former public charity☐ Final return☐ Amended return☐ Address change☐ Name changeD 1. Foreign organizations, check here ☐2. Foreign organizations meeting the 85% test, check here and attach computation ☐

H Check type of organization:

☒ Section 501(c)(3) exempt private foundation☐ Section 4947(a)(1) nonexempt charitable trust☐ Other taxable private foundationE If private foundation status was terminated under section 507(b)(1)(A), check here ☐

I Fair market value of all assets at end of year

(from Part II, col. (c), line 16)

\$ 38,072,406.

J Accounting method:

☒ Cash☐ Accrual☐ Other (specify) _____

(Part I, column (d) must be on cash basis.)

F If the foundation is in a 60-month termination under section 507(b)(1)(B), check here ☐

Part I Analysis of Revenue and Expenses

(The total of amounts in columns (b), (c), and (d) may not necessarily equal the amounts in column (a).)

(a) Revenue and expenses per books

(b) Net investment income

(c) Adjusted net income

(d) Disbursements for charitable purposes (cash basis only)

Revenue	1	Contributions, gifts, grants, etc., received			N/A	
	2	Check ☒ if the foundation is not required to attach Sch. B				
	3	Interest on savings and temporary cash investments	20.	20.		STATEMENT 1
	4	Dividends and interest from securities	745,779.	745,779.		STATEMENT 2
	5a	Gross rents				
	b	Net rental income or (loss)				
	6a	Net gain or (loss) from sale of assets not on line 10	655,395.			
	b	Gross sales price for all assets on line 6a	6,751,463.			
	7	Capital gain net income (from Part IV, line 2)		655,395.		
	8	Net short-term capital gain				
	9	Income modifications				
	10a	Gross sales less returns and allowances				
b	Less: Cost of goods sold					
c	Gross profit or (loss)					
11	Other income					
12	Total. Add lines 1 through 11	1,401,194.	1,401,194.			
Operating and Administrative Expenses	13	Compensation of officers, directors, trustees, etc	130,500.	65,250.		65,250.
	14	Other employee salaries and wages	5,924.	2,962.		2,962.
	15	Pension plans, employee benefits				
	16a	Legal fees				
	b	Accounting fees	STMT 3	13,400.	6,700.	6,700.
	c	Other professional fees	STMT 4	132,632.	132,632.	0.
	17	Interest				
	18	Taxes	STMT 5	16,654.	2,446.	2,446.
	19	Depreciation and depletion				
	20	Occupancy		10,527.	5,263.	5,264.
	21	Travel, conferences, and meetings		7,785.	3,893.	3,892.
	22	Printing and publications				
	23	Other expenses	STMT 6	12,382.	5,816.	6,566.
	24	Total operating and administrative expenses. Add lines 13 through 23		329,804.	224,962.	93,080.
	25	Contributions, gifts, grants paid		1,733,078.		1,733,078.
26	Total expenses and disbursements. Add lines 24 and 25		2,062,882.	224,962.	1,826,158.	
27	Subtract line 26 from line 12:					
a	Excess of revenue over expenses and disbursements		-661,688.			
b	Net investment income (if negative, enter -0-)			1,176,232.		
c	Adjusted net income (if negative, enter -0-)			N/A		

Part II Balance Sheets		Attached schedules and amounts in the description column should be for end-of-year amounts only		
		Beginning of year	End of year	
		(a) Book Value	(b) Book Value	(c) Fair Market Value
Assets	1 Cash - non-interest-bearing	151,392.	86,271.	86,271.
	2 Savings and temporary cash investments	87,779.	226,895.	226,895.
	3 Accounts receivable ▶			
	Less: allowance for doubtful accounts ▶			
	4 Pledges receivable ▶			
	Less: allowance for doubtful accounts ▶			
	5 Grants receivable			
	6 Receivables due from officers, directors, trustees, and other disqualified persons			
	7 Other notes and loans receivable ▶			
	Less: allowance for doubtful accounts ▶			
	8 Inventories for sale or use			
	9 Prepaid expenses and deferred charges	9,798.	19,036.	19,036.
	10a Investments - U.S. and state government obligations			
	b Investments - corporate stock STMT 8	34,501,201.	37,740,204.	37,740,204.
	c Investments - corporate bonds			
	Liabilities	11 Investments - land, buildings, and equipment basis ▶		
Less accumulated depreciation ▶				
12 Investments - mortgage loans				
13 Investments - other				
14 Land, buildings, and equipment: basis ▶				
Less accumulated depreciation ▶				
15 Other assets (describe ▶)				
16 Total assets (to be completed by all filers - see the instructions. Also, see page 1, item I)		34,750,170.	38,072,406.	38,072,406.
17 Accounts payable and accrued expenses				
18 Grants payable				
19 Deferred revenue				
20 Loans from officers, directors, trustees, and other disqualified persons				
21 Mortgages and other notes payable				
22 Other liabilities (describe ▶)				
23 Total liabilities (add lines 17 through 22)	0.	0.		
Net Assets or Fund Balances	Foundations that follow SFAS 117, check here ▶ ☐			
	24 Unrestricted and complete lines 24 through 26 and lines 30 and 31.			
	25 Temporarily restricted			
	26 Permanently restricted			
	Foundations that do not follow SFAS 117, check here ▶ ☒			
	27 Capital stock, trust principal, or current funds	34,750,170.	38,072,406.	
	28 Paid-in or capital surplus, or land, bldg., and equipment fund	0.	0.	
	29 Retained earnings, accumulated income, endowment, or other funds	0.	0.	
30 Total net assets or fund balances	34,750,170.	38,072,406.		
31 Total liabilities and net assets/fund balances	34,750,170.	38,072,406.		

Part III Analysis of Changes in Net Assets or Fund Balances

1 Total net assets or fund balances at beginning of year - Part II, column (a), line 30 (must agree with end-of-year figure reported on prior year's return)	1	34,750,170.
2 Enter amount from Part I, line 27a	2	-661,688.
3 Other increases not included in line 2 (itemize) ▶ SEE STATEMENT 7	3	3,983,924.
4 Add lines 1, 2, and 3	4	38,072,406.
5 Decreases not included in line 2 (itemize) ▶	5	0.
6 Total net assets or fund balances at end of year (line 4 minus line 5) - Part II, column (b), line 30	6	38,072,406.

Part IV

Capital Gains and Losses for Tax on Investment Income

(a) List and describe the kind(s) of property sold (e.g., real estate, 2-story brick warehouse; or common stock, 200 shs. MLC Co.)

(b) How acquired
P - Purchase
D - Donation

(c) Date acquired
(mo., day, yr.)

(d) Date sold
(mo., day, yr.)

1a

b SEE ATTACHED STATEMENTS

c

d

e

(e) Gross sales price

(f) Depreciation allowed
(or allowable)

(g) Cost or other basis
plus expense of sale

(h) Gain or (loss)
(e) plus (f) minus (g)

a

b

c

d

e 6,751,463.

6,096,068.

655,395.

Complete only for assets showing gain in column (h) and owned by the foundation on 12/31/69

(i) F.M.V. as of 12/31/69

(j) Adjusted basis
as of 12/31/69

(k) Excess of col. (i)
over col. (j), if any

(l) Gains (Col. (h) gain minus
col. (k), but not less than -0-) or
Losses (from col. (h))

a

b

c

d

e

655,395.

655,395.

2 Capital gain net income or (net capital loss)

If gain, also enter in Part I, line 7

If (loss), enter -0- in Part I, line 7

2

655,395.

3 Net short-term capital gain or (loss) as defined in sections 1222(5) and (6):

If gain, also enter in Part I, line 8, column (c).

If (loss), enter -0- in Part I, line 8

3

N/A

Part V

Qualification Under Section 4940(e) for Reduced Tax on Net Investment Income

(For optional use by domestic private foundations subject to the section 4940(a) tax on net investment income.)

If section 4940(d)(2) applies, leave this part blank.

Was the foundation liable for the section 4942 tax on the distributable amount of any year in the base period? ☐ Yes ☒ No

If "Yes," the foundation does not qualify under section 4940(e). Do not complete this part.

1 Enter the appropriate amount in each column for each year; see the instructions before making any entries.

(a) Base period years
Calendar year (or tax year beginning in)

(b) Adjusted qualifying distributions

(c) Net value of noncharitable-use assets

(d) Distribution ratio
(col. (b) divided by col. (c))

2015

1,427,845.

34,256,422.

.041681

2014

1,066,206.

36,336,366.

.029343

2013

2,047,373.

35,236,784.

.058103

2012

1,909,748.

31,480,138.

.060665

2011

1,765,365.

30,754,425.

.057402

2 Total of line 1, column (d)

2

.247194

3 Average distribution ratio for the 5-year base period - divide the total on line 2 by 5, or by the number of years the foundation has been in existence if less than 5 years

3

.049439

4 Enter the net value of noncharitable-use assets for 2016 from Part X, line 5

4

35,750,872.

5 Multiply line 4 by line 3

5

1,767,487.

6 Enter 1% of net investment income (1% of Part I, line 27b)

6

11,762.

7 Add lines 5 and 6

7

1,779,249.

8 Enter qualifying distributions from Part XII, line 4

8

1,826,158.

If line 8 is equal to or greater than line 7, check the box in Part VI, line 1b, and complete that part using a 1% tax rate. See the Part VI instructions.

623521 11-23-16

3

Form 990-PF (2016)

13280629 759025 03153

2016.04000 JAMES H. CUMMINGS FOUNDATIO 03153__1

Part VI Excise Tax Based on Investment Income (Section 4940(a), 4940(b), 4940(e), or 4948 - see instructions)

1a Exempt operating foundations described in section 4940(d)(2), check here ☐ and enter "N/A" on line 1. Date of ruling or determination letter: _____ (attach copy of letter if necessary-see instructions)			
b Domestic foundations that meet the section 4940(e) requirements in Part V, check here ☒ and enter 1% of Part I, line 27b		1	11,762.
c All other domestic foundations enter 2% of line 27b. Exempt foreign organizations enter 4% of Part I, line 12, col. (b).			
2 Tax under section 511 (domestic section 4947(a)(1) trusts and taxable foundations only. Others enter -0-)		2	0.
3 Add lines 1 and 2		3	11,762.
4 Subtitle A (income) tax (domestic section 4947(a)(1) trusts and taxable foundations only. Others enter -0-)		4	0.
5 Tax based on investment income. Subtract line 4 from line 3. If zero or less, enter -0-		5	11,762.
6 Credits/Payments:			
a 2016 estimated tax payments and 2015 overpayment credited to 2016	6a	30,048.	
b Exempt foreign organizations - tax withheld at source	6b		
c Tax paid with application for extension of time to file (Form 8868)	6c		
d Backup withholding erroneously withheld	6d		
7 Total credits and payments. Add lines 6a through 6d	7	30,048.	
8 Enter any penalty for underpayment of estimated tax. Check here ☐ if Form 2220 is attached	8		
9 Tax due. If the total of lines 5 and 8 is more than line 7, enter amount owed	9		
10 Overpayment. If line 7 is more than the total of lines 5 and 8, enter the amount overpaid	10	18,286.	
11 Enter the amount of line 10 to be: Credited to 2017 estimated tax ☒ 18,286. Refunded ☐	11	0.	

Part VII-A Statements Regarding Activities

	Yes	No
1a During the tax year, did the foundation attempt to influence any national, state, or local legislation or did it participate or intervene in any political campaign?		X
1b Did it spend more than \$100 during the year (either directly or indirectly) for political purposes (see instructions for the definition)? If the answer is "Yes" to 1a or 1b, attach a detailed description of the activities and copies of any materials published or distributed by the foundation in connection with the activities.		X
1c Did the foundation file Form 1120-POL for this year?		X
d Enter the amount (if any) of tax on political expenditures (section 4955) imposed during the year: (1) On the foundation. ☒ \$ 0. (2) On foundation managers. ☒ \$ 0.		
e Enter the reimbursement (if any) paid by the foundation during the year for political expenditure tax imposed on foundation managers. ☒ \$ 0.		
2 Has the foundation engaged in any activities that have not previously been reported to the IRS? If "Yes," attach a detailed description of the activities.		X
3 Has the foundation made any changes, not previously reported to the IRS, in its governing instrument, articles of incorporation, or bylaws, or other similar instruments? If "Yes," attach a conformed copy of the changes		X
4a Did the foundation have unrelated business gross income of \$1,000 or more during the year?		X
b If "Yes," has it filed a tax return on Form 990-T for this year?		
5 Was there a liquidation, termination, dissolution, or substantial contraction during the year? If "Yes," attach the statement required by General Instruction T		X
6 Are the requirements of section 508(e) (relating to sections 4941 through 4945) satisfied either: • By language in the governing instrument, or • By state legislation that effectively amends the governing instrument so that no mandatory directions that conflict with the state law remain in the governing instrument?	X	
7 Did the foundation have at least \$5,000 in assets at any time during the year? If "Yes," complete Part II, col. (c), and Part XV	X	
8a Enter the states to which the foundation reports or with which it is registered (see instructions) ☒ NY		
b If the answer is "Yes" to line 7, has the foundation furnished a copy of Form 990-PF to the Attorney General (or designate) of each state as required by General Instruction G? If "No," attach explanation	X	
9 Is the foundation claiming status as a private operating foundation within the meaning of section 4942(j)(3) or 4942(j)(5) for calendar year 2016 or the taxable year beginning in 2016 (see instructions for Part XIV)? If "Yes," complete Part XIV		X
10 Did any persons become substantial contributors during the tax year? If "Yes," attach a schedule listing their names and addresses		X

Part VII-A Statements Regarding Activities (continued)

	Yes	No
11 At any time during the year, did the foundation, directly or indirectly, own a controlled entity within the meaning of section 512(b)(13)? If "Yes," attach schedule (see instructions)	11	X
12 Did the foundation make a distribution to a donor advised fund over which the foundation or a disqualified person had advisory privileges? If "Yes," attach statement (see instructions)	12	X
13 Did the foundation comply with the public inspection requirements for its annual returns and exemption application? Website address ► WWW.JAMESHCUMMINGS.COM	13	X
14 The books are in care of ► MARY JO HUNT Telephone no. ► (716) 874-0040 Located at ► 120 WEST TUPPER STREET, BUFFALO, NY ZIP+4 ► 14201		
15 Section 4947(a)(1) nonexempt charitable trusts filing Form 990-PF in lieu of Form 1041 - Check here and enter the amount of tax-exempt interest received or accrued during the year ► 15 N/A		
16 At any time during calendar year 2016, did the foundation have an interest in or a signature or other authority over a bank, securities, or other financial account in a foreign country? See the instructions for exceptions and filing requirements for FinCEN Form 114. If "Yes," enter the name of the foreign country ►	16	X

Part VII-B Statements Regarding Activities for Which Form 4720 May Be Required

File Form 4720 if any item is checked in the "Yes" column, unless an exception applies.

	Yes	No
1a During the year did the foundation (either directly or indirectly): (1) Engage in the sale or exchange, or leasing of property with a disqualified person? ☐ Yes ☒ No (2) Borrow money from, lend money to, or otherwise extend credit to (or accept it from) a disqualified person? ☐ Yes ☒ No (3) Furnish goods, services, or facilities to (or accept them from) a disqualified person? ☐ Yes ☒ No (4) Pay compensation to, or pay or reimburse the expenses of, a disqualified person? ☒ Yes ☐ No (5) Transfer any income or assets to a disqualified person (or make any of either available for the benefit or use of a disqualified person)? ☐ Yes ☒ No (6) Agree to pay money or property to a government official? (Exception. Check "No" if the foundation agreed to make a grant to or to employ the official for a period after termination of government service, if terminating within 90 days.) ☐ Yes ☒ No		
b If any answer is "Yes" to 1a(1)-(6), did any of the acts fail to qualify under the exceptions described in Regulations section 53.4941(d)-3 or in a current notice regarding disaster assistance (see instructions)? Organizations relying on a current notice regarding disaster assistance check here ► ☐	1b	X
c Did the foundation engage in a prior year in any of the acts described in 1a, other than excepted acts, that were not corrected before the first day of the tax year beginning in 2016?	1c	X
2 Taxes on failure to distribute income (section 4942) (does not apply for years the foundation was a private operating foundation defined in section 4942(j)(3) or 4942(j)(5)): a At the end of tax year 2016, did the foundation have any undistributed income (lines 6d and 6e, Part XIII) for tax year(s) beginning before 2016? ☐ Yes ☒ No If "Yes," list the years ► _____, _____, _____ b Are there any years listed in 2a for which the foundation is not applying the provisions of section 4942(a)(2) (relating to incorrect valuation of assets) to the year's undistributed income? (If applying section 4942(a)(2) to all years listed, answer "No" and attach statement - see instructions.) N/A c If the provisions of section 4942(a)(2) are being applied to any of the years listed in 2a, list the years here. ► _____, _____, _____	2b	
3a Did the foundation hold more than a 2% direct or indirect interest in any business enterprise at any time during the year? ☐ Yes ☒ No b If "Yes," did it have excess business holdings in 2016 as a result of (1) any purchase by the foundation or disqualified persons after May 26, 1969; (2) the lapse of the 5-year period (or longer period approved by the Commissioner under section 4943(c)(7)) to dispose of holdings acquired by gift or bequest; or (3) the lapse of the 10-, 15-, or 20-year first phase holding period? (Use Schedule C, Form 4720, to determine if the foundation had excess business holdings in 2016.) N/A	3b	
4a Did the foundation invest during the year any amount in a manner that would jeopardize its charitable purposes?	4a	X
b Did the foundation make any investment in a prior year (but after December 31, 1969) that could jeopardize its charitable purpose that had not been removed from jeopardy before the first day of the tax year beginning in 2016?	4b	X

Form 990-PF (2016)

Part VII-B Statements Regarding Activities for Which Form 4720 May Be Required (continued)

5a During the year did the foundation pay or incur any amount to:

(1) Carry on propaganda, or otherwise attempt to influence legislation (section 4945(e))? ☐ Yes ☒ No

(2) Influence the outcome of any specific public election (see section 4955); or to carry on, directly or indirectly, any voter registration drive? ☐ Yes ☒ No

(3) Provide a grant to an individual for travel, study, or other similar purposes? ☐ Yes ☒ No

(4) Provide a grant to an organization other than a charitable, etc., organization described in section 4945(d)(4)(A)? (see instructions) ☐ Yes ☒ No

(5) Provide for any purpose other than religious, charitable, scientific, literary, or educational purposes, or for the prevention of cruelty to children or animals? ☐ Yes ☒ No

b If any answer is "Yes" to 5a(1)-(5), did any of the transactions fail to qualify under the exceptions described in Regulations section 53.4945 or in a current notice regarding disaster assistance (see instructions)? **N/A** ☐ **5b**

Organizations relying on a current notice regarding disaster assistance check here ☐

c If the answer is "Yes" to question 5a(4), does the foundation claim exemption from the tax because it maintained expenditure responsibility for the grant? **N/A** ☐ Yes ☐ No

If "Yes," attach the statement required by Regulations section 53.4945-5(d)

6a Did the foundation, during the year, receive any funds, directly or indirectly, to pay premiums on a personal benefit contract? ☐ Yes ☒ No

b Did the foundation, during the year, pay premiums, directly or indirectly, on a personal benefit contract? **6b** ☐ ☒ **X**

If "Yes" to 6b, file Form 8870.

7a At any time during the tax year, was the foundation a party to a prohibited tax shelter transaction? ☐ Yes ☒ No

b If "Yes," did the foundation receive any proceeds or have any net income attributable to the transaction? **N/A** **7b**

Part VIII Information About Officers, Directors, Trustees, Foundation Managers, Highly Paid Employees, and Contractors

1 List all officers, directors, trustees, foundation managers and their compensation.

(a) Name and address	(b) Title, and average hours per week devoted to position	(c) Compensation (If not paid, enter -0-)	(d) Contributions to employee benefit plans and deferred compensation	(e) Expense account, other allowances
SEE STATEMENT 9		130,500.	0.	2,704.

2 Compensation of five highest-paid employees (other than those included on line 1). If none, enter "NONE."

(a) Name and address of each employee paid more than \$50,000	(b) Title, and average hours per week devoted to position	(c) Compensation	(d) Contributions to employee benefit plans and deferred compensation	(e) Expense account, other allowances
NONE				

Total number of other employees paid over \$50,000 **0**

Part VIII Information About Officers, Directors, Trustees, Foundation Managers, Highly Paid Employees, and Contractors *(continued)*

3 Five highest-paid independent contractors for professional services. If none, enter "NONE."

[illegible]

Total number of others receiving over \$50,000 for professional services

0

Part IX-A	Summary of Direct Charitable Activities
------------------	--

List the foundation's four largest direct charitable activities during the tax year. Include relevant statistical information such as the number of organizations and other beneficiaries served, conferences convened, research papers produced, etc.

Expenses

1	N/A	
2		
3		
4		

Part IX-B	Summary of Program-Related Investments
------------------	---

Describe the two largest program-related investments made by the foundation during the tax year on lines 1 and 2.

Amount

1	N/A	
2		
	All other program-related investments. See instructions.	
3		

Total. Add lines 1 through 3

0.

Form **990-PF** (2016)

Part X **Minimum Investment Return** (All domestic foundations must complete this part. Foreign foundations, see instructions.)

1	Fair market value of assets not used (or held for use) directly in carrying out charitable, etc., purposes:		
a	Average monthly fair market value of securities	1a	36,078,074.
b	Average of monthly cash balances	1b	217,228.
c	Fair market value of all other assets	1c	
d	Total (add lines 1a, b, and c)	1d	36,295,302.
e	Reduction claimed for blockage or other factors reported on lines 1a and 1c (attach detailed explanation)	1e	0.
2	Acquisition indebtedness applicable to line 1 assets	2	0.
3	Subtract line 2 from line 1d	3	36,295,302.
4	Cash deemed held for charitable activities. Enter 1 1/2% of line 3 (for greater amount, see instructions)	4	544,430.
5	Net value of noncharitable-use assets. Subtract line 4 from line 3. Enter here and on Part V, line 4	5	35,750,872.
6	Minimum investment return. Enter 5% of line 5	6	1,787,544.

Part XI **Distributable Amount** (see instructions) (Section 4942(j)(3) and (j)(5) private operating foundations and certain foreign organizations check here ☐ and do not complete this part.)

1	Minimum investment return from Part X, line 6	1	1,787,544.
2a	Tax on investment income for 2016 from Part VI, line 5	2a	11,762.
b	Income tax for 2016. (This does not include the tax from Part VI.)	2b	
c	Add lines 2a and 2b	2c	11,762.
3	Distributable amount before adjustments. Subtract line 2c from line 1	3	1,775,782.
4	Recoveries of amounts treated as qualifying distributions	4	0.
5	Add lines 3 and 4	5	1,775,782.
6	Deduction from distributable amount (see instructions)	6	0.
7	Distributable amount as adjusted. Subtract line 6 from line 5. Enter here and on Part XIII, line 1	7	1,775,782.

Part XII **Qualifying Distributions** (see instructions)

1	Amounts paid (including administrative expenses) to accomplish charitable, etc., purposes:		
a	Expenses, contributions, gifts, etc. - total from Part I, column (d), line 26	1a	1,826,158.
b	Program-related investments - total from Part IX-B	1b	0.
2	Amounts paid to acquire assets used (or held for use) directly in carrying out charitable, etc., purposes	2	
3	Amounts set aside for specific charitable projects that satisfy the:		
a	Suitability test (prior IRS approval required)	3a	
b	Cash distribution test (attach the required schedule)	3b	
4	Qualifying distributions. Add lines 1a through 3b. Enter here and on Part V, line 8, and Part XIII, line 4	4	1,826,158.
5	Foundations that qualify under section 4940(e) for the reduced rate of tax on net investment income. Enter 1% of Part I, line 27b	5	11,762.
6	Adjusted qualifying distributions. Subtract line 5 from line 4	6	1,814,396.

Note: The amount on line 6 will be used in Part V, column (b), in subsequent years when calculating whether the foundation qualifies for the section 4940(e) reduction of tax in those years.

Part XIII

Undistributed Income (see instructions)

	(a) Corpus	(b) Years prior to 2015	(c) 2015	(d) 2016
1 Distributable amount for 2016 from Part XI, line 7				1,775,782.
2 Undistributed income, if any, as of the end of 2016				
a Enter amount for 2015 only			101,342.	
b Total for prior years:		0.		
3 Excess distributions carryover, if any, to 2016:				
a From 2011				
b From 2012				
c From 2013				
d From 2014				
e From 2015				
f Total of lines 3a through e	0.			
4 Qualifying distributions for 2016 from Part XII, line 4: ► \$ 1,826,158.				
a Applied to 2015, but not more than line 2a			101,342.	
b Applied to undistributed income of prior years (Election required - see instructions)		0.		
c Treated as distributions out of corpus (Election required - see instructions)	0.			
d Applied to 2016 distributable amount				1,724,816.
e Remaining amount distributed out of corpus	0.			
5 Excess distributions carryover applied to 2016 (If an amount appears in column (d), the same amount must be shown in column (a))	0.			0.
6 Enter the net total of each column as indicated below:				
a Corpus. Add lines 3f, 4c, and 4e. Subtract line 5	0.			
b Prior years' undistributed income. Subtract line 4b from line 2b		0.		
c Enter the amount of prior years' undistributed income for which a notice of deficiency has been issued, or on which the section 4942(a) tax has been previously assessed		0.		
d Subtract line 6c from line 6b. Taxable amount - see instructions		0.		
e Undistributed income for 2015. Subtract line 4a from line 2a. Taxable amount - see instr.			0.	
f Undistributed income for 2016. Subtract lines 4d and 5 from line 1. This amount must be distributed in 2017				50,966.
7 Amounts treated as distributions out of corpus to satisfy requirements imposed by section 170(b)(1)(F) or 4942(g)(3) (Election may be required - see instructions)	0.			
8 Excess distributions carryover from 2011 not applied on line 5 or line 7	0.			
9 Excess distributions carryover to 2017. Subtract lines 7 and 8 from line 6a	0.			
10 Analysis of line 9:				
a Excess from 2012				
b Excess from 2013				
c Excess from 2014				
d Excess from 2015				
e Excess from 2016				

Part XIV Private Operating Foundations (see instructions and Part VII-A, question 9) **N/A**

- 1 a** If the foundation has received a ruling or determination letter that it is a private operating foundation, and the ruling is effective for 2016, enter the date of the ruling ▶
- b** Check box to indicate whether the foundation is a private operating foundation described in section ☐ 4942(j)(3) or ☐ 4942(j)(5)

	Tax year				Prior 3 years	(e) Total
	(a) 2016	(b) 2015	(c) 2014	(d) 2013		
2 a Enter the lesser of the adjusted net income from Part I or the minimum investment return from Part X for each year listed						
b 85% of line 2a						
c Qualifying distributions from Part XII, line 4 for each year listed						
d Amounts included in line 2c not used directly for active conduct of exempt activities						
e Qualifying distributions made directly for active conduct of exempt activities. Subtract line 2d from line 2c						
3 Complete 3a, b, or c for the alternative test relied upon:						
a "Assets" alternative test - enter:						
(1) Value of all assets						
(2) Value of assets qualifying under section 4942(j)(3)(B)(i)						
b "Endowment" alternative test - enter 2/3 of minimum investment return shown in Part X, line 6 for each year listed						
c "Support" alternative test - enter:						
(1) Total support other than gross investment income (interest, dividends, rents, payments on securities loans (section 512(a)(5)), or royalties)						
(2) Support from general public and 5 or more exempt organizations as provided in section 4942(j)(3)(B)(iii)						
(3) Largest amount of support from an exempt organization						
(4) Gross investment income						

Part XV Supplementary Information (Complete this part only if the foundation had \$5,000 or more in assets at any time during the year-see instructions.)

- 1 Information Regarding Foundation Managers:**
- a** List any managers of the foundation who have contributed more than 2% of the total contributions received by the foundation before the close of any tax year (but only if they have contributed more than \$5,000). (See section 507(d)(2).)

NONE

- b** List any managers of the foundation who own 10% or more of the stock of a corporation (or an equally large portion of the ownership of a partnership or other entity) of which the foundation has a 10% or greater interest.

NONE

- 2 Information Regarding Contribution, Grant, Gift, Loan, Scholarship, etc., Programs:**
- Check here ☐ if the foundation only makes contributions to preselected charitable organizations and does not accept unsolicited requests for funds. If the foundation makes gifts, grants, etc. (see instructions) to individuals or organizations under other conditions, complete items 2a, b, c, and d.

- a** The name, address, and telephone number or e-mail address of the person to whom applications should be addressed: **SEE STATEMENT 11**

SEE STATEMENT 10

- b** The form in which applications should be submitted and information and materials they should include:

- c** Any submission deadlines:

- d** Any restrictions or limitations on awards, such as by geographical areas, charitable fields, kinds of institutions, or other factors:

Part XV **Supplementary Information** (continued)

3 Grants and Contributions Paid During the Year or Approved for Future Payment				
Recipient	If recipient is an individual, show any relationship to any foundation manager or substantial contributor	Foundation status of recipient	Purpose of grant or contribution	Amount
Name and address (home or business)				
a Paid during the year				
BLUE RIDGE COMMUNITY HEALTH CENTER P. O. BOX 5151 HENDERSONVILLE, NC 28793		PUBLIC	MOBILE DENTISTRY PROGRAM	55,856.
BOYS AND GIRLS CLUB OF HENDERSON COUNTY 1304 ASHE STREET HENDERSONVILLE, NC 28793		PUBLIC	EXPANSION FOR TEENS CAPITAL CAMPAIGN	100,000.
BROTHERS OF MERCY NURSING HOME 10570 BERGTOLD ROAD CLARENCE, NY 14031		PUBLIC	HOSPICE WING RENOVATION	55,000.
BUFFALO FINE ARTS ACADEMY 1285 ELMWOOD AVENUE BUFFALO, NY 14222		PUBLIC	AK360 CAPITAL CAMPAIGN	100,000.
BUFFALO HEARING & SPEECH CENTER 50 E. NORTH STREET BUFFALO, NY 14203		PUBLIC	CLASSROOM IMPROVEMENT PROJECT	50,000.
Total	SEE CONTINUATION SHEET(S)			1,733,078.
b Approved for future payment				
ADOPTION STAR 131 JOHN MUIR DR. AMHERST, NY 14228		PUBLIC	MOVE CHILDREN FROM FOSTER CARE TO FAMILY ADOPTION	10,000.
ASPIRE 2356 NORTH FOREST GETZVILLE, NY 14068		PUBLIC	TECHNOLOGY RESOURCES FOR STUDENTS WITH DISABILITIES	35,100.
BLUE RIDGE COMMUNITY HEALTH CENTER P. O. BOX 5151 HENDERSONVILLE, NC 28793		PUBLIC	MOBILE DENTISTRY PROGRAM	34,144.
Total	SEE CONTINUATION SHEET(S)			2,138,243.

Part XVII Information Regarding Transfers To and Transactions and Relationships With Noncharitable Exempt Organizations

		Yes	No
1	Did the organization directly or indirectly engage in any of the following with any other organization described in section 501(c) of the Code (other than section 501(c)(3) organizations) or in section 527, relating to political organizations?		
a	Transfers from the reporting foundation to a noncharitable exempt organization of:		
	(1) Cash	1a(1)	X
	(2) Other assets	1a(2)	X
b	Other transactions:		
	(1) Sales of assets to a noncharitable exempt organization	1b(1)	X
	(2) Purchases of assets from a noncharitable exempt organization	1b(2)	X
	(3) Rental of facilities, equipment, or other assets	1b(3)	X
	(4) Reimbursement arrangements	1b(4)	X
	(5) Loans or loan guarantees	1b(5)	X
	(6) Performance of services or membership or fundraising solicitations	1b(6)	X
c	Sharing of facilities, equipment, mailing lists, other assets, or paid employees	1c	X
d	If the answer to any of the above is "Yes," complete the following schedule. Column (b) should always show the fair market value of the goods, other assets, or services given by the reporting foundation. If the foundation received less than fair market value in any transaction or sharing arrangement, show in column (d) the value of the goods, other assets, or services received.		

[illegible]

2a Is the foundation directly or indirectly affiliated with, or related to, one or more tax-exempt organizations described in section 501(c) of the Code (other than section 501(c)(3)) or in section 527? ☐ Yes ☒ No

b If "Yes," complete the following schedule.

(a) Name of organization	(b) Type of organization	(c) Description of relationship
N/A		

Sign Here Under penalties of perjury, I declare that I have examined this return, including accompanying schedules and statements, and to the best of my knowledge and belief, it is true, correct, and complete. Declaration of preparer (other than taxpayer) is based on all information of which preparer has any knowledge.


 Date 7/25/17 Title PRESIDENT

Signature of officer or trustee

May the IRS discuss this return with the preparer shown below (see instr.)? ☒ Yes ☐ No

Paid Preparer Use Only	Print/Type preparer's name	Preparer's signature	Date	Check ☐ if self-employed	PTIN
	DANIEL C. MARTIN		1/11/17		P01213262
	Firm's name ▶ HADLEY & ASSOCIATES			Firm's EIN ▶ 27-1520087	
	Firm's address ▶ 241 MAIN STREET, SUITE 100 BUFFALO, NY 14203			Phone no. 716-852-2200	

**JAMES H. CUMMINGS
FOUNDATION, INC.**

16-0864200

Part XV Supplementary Information

3 Grants and Contributions Paid During the Year (Continuation)

Recipient Name and address (home or business)	If recipient is an individual, show any relationship to any foundation manager or substantial contributor	Foundation status of recipient	Purpose of grant or contribution	Amount
BUFFALO MUSEUM OF SCIENCE 1020 HUMBOLDT PARKWAY BUFFALO, NY 14211		PUBLIC	SCIENCE STUDIO EXPANSION	35,000.
CATHOLIC CHARITIES OF BUFFALO 741 DELAWARE AVENUE BUFFALO, NY 14209		PUBLIC	RENOVATIONS	75,000.
D'YOUVILLE COLLEGE 320 PORTER AVENUE BUFFALO, NY 14201		PUBLIC	ANATOMAGE TABLE	80,425.
DEAF ACCESS SERVICES 2495 MAIN STREET BUFFALO, NY 14214		PUBLIC	ASSISTIVE AND ADAPTIVE EQUIPMENT	10,000.
ELIZABETH PIERCE OLMSTED, M.D. CENTER FOR THE VISUALLY IMPAIRED 1170 MAIN STREET BUFFALO, NY 14209		PUBLIC	TECHNOLOGY UPGRADES	19,740.
EVERGREEN HEALTH SERVICES 206 SOUTH ELMWOOD AVENUE BUFFALO, NY 14201		PUBLIC	CONSTRUCTION COSTS	100,000.
FRIENDS OF THE NIGHT PEOPLE 394 HUDSON STREET BUFFALO, NY 14201		PUBLIC	FLOORING IMPROVEMENTS	5,750.
GIRL SCOUTS OF WNY 3332 WALDEN AVENUE DEPEW, NY 14043		PUBLIC	ENVIRONMENTAL SCIENCE CENTER	25,000.
GOODWILL INDUSTRIES 1119 WILLIAM STREET BUFFALO, NY 14206		PUBLIC	ROOF PROJECT	50,000.
KEVIN GUEST HOUSE 782 ELLICOTT STREET BUFFALO, NY 14203		PUBLIC	EXPANSION	25,000.
Total from continuation sheets				1,372,222.

**JAMES H. CUMMINGS
FOUNDATION, INC.**

16-0864200

Part XV Supplementary Information

3 Grants and Contributions Paid During the Year (Continuation)

Recipient Name and address (home or business)	If recipient is an individual, show any relationship to any foundation manager or substantial contributor	Foundation status of recipient	Purpose of grant or contribution	Amount
LAKE SHORE BEHAVIORAL HEALTH 255 DELAWARE AVENUE BUFFALO, NY 14202		PUBLIC	CHILDREN'S PLAYGROUND	10,000.
LOCUST STREET CENTER 138 LOCUST BUFFALO, NY 14204		PUBLIC	ANIMATION ART STUDIO	8,370.
MANNA FOODBANK 627 SWANNANNA RIVER ROAD ASHVILLE, NC 28805		PUBLIC	BUILDING RENOVATION AND EXPANSION PROGRAM	70,000.
MEALS ON WHEELS WNY 100 JAMES E. CASEY DRIVE BUFFALO, NY 14206		PUBLIC	50 OVENS	26,828.
MOUNT SINAI HOSPITAL FOUNDATION OF TORONTO 522 UNIVERSITY AVENUE, STE 1001 TORONTO, ONTARIO, CANADA M5G 1W7		PUBLIC	RESEARCH	125,000.
RICHARDSON OLMSTED CORPORATION 726 EXCHANGE STREET, SUITE 1006 BUFFALO, NY 14210		PUBLIC	COMPLEX REDEVELOPMENT	100,000.
ROSWELL PARK ALLIANCE FOUNDATION ELM & CARLTON STREET-RSC 234 BUFFALO, NY 14263		PUBLIC	RENOVATIONS FOR THE PEDIATRIC HEMATOLOGY-ONCOLOGY PROGRAM	100,000.
SAY YES TO BUFFALO 712 MAIN STREET BUFFALO, NY 14202		PUBLIC	SCHOLARSHIP FUND	50,000.
SICK KIDS FOUNDATION 525 UNIVERSITY AVENUE, 14TH FLOOR TORONTO, ONTARIO, CANADA M5G 2L3		PUBLIC	INCREASING AVAILABLE ORGAN DONATIONS	46,667.
SPCA 300 HARLEM ROAD WEST SENECA, NY 14224		PUBLIC	NEW CONSTRUCTION	100,000.
Total from continuation sheets				

**JAMES H. CUMMINGS
FOUNDATION, INC.**

16-0864200

Part XV Supplementary Information

3 Grants and Contributions Paid During the Year (Continuation)

Recipient Name and address (home or business)	If recipient is an individual, show any relationship to any foundation manager or substantial contributor	Foundation status of recipient	Purpose of grant or contribution	Amount
ST. GERARD HOUSE 620 OAKLAND ST. HENDERSONVILLE, NC 28791		PUBLIC	K-2 GROTTO EXPANSION	20,000.
SUNSYSTEM DEVELOPMENT CORPORATION 100 HOSPITAL DRIVE HENDERSONVILLE, NC 28792		PUBLIC	PORTABLE X-RAY UNIT	50,000.
TEACH FOR AMERICA 345 W FERRY STREET BUFFALO, NY 14213		PUBLIC	RECRUITMENT AND DEVELOPMENT OF TEACHING CORPS	50,000.
THE ARTHRITIS SOCIETY 393 UNIVERSITY AVENUE, SUITE 1700 TORONTO, ONTARIO, CANADA M5G 1E6		PUBLIC	RESEARCH OF PRE-PROGRAMMED MONOCYTE INFLAMMATION	12,360.
UB FOUNDATION SERVICES P. O. BOX 900 BUFFALO, NY 14226		PUBLIC	WIRELESS EEG TELEMETRY	69,602.
UNITED WAY OF BUFFALO AND ERIE COUNTY 742 DELAWARE AVENUE BUFFALO, NY 14209		PUBLIC	ANNUAL CAMPAIGN	50,000.
UNITED WAY OF HENDERSONVILLE P. O. BOX 487 HENDERSONVILLE, NC 28793		PUBLIC	SUPPORT FOR BASIC NEEDS	25,000.
VALLEY COMMUNITY ASSOCIATION, INC. 93 LEDDY STREET BUFFALO, NY 14210		PUBLIC	14 PASSENGER BUS	25,000.
VOCATIONAL SOLUTIONS OF HENDERSON COUNTY 2110 SPARTANBURG EAST FLAT ROCK, NC 28726		PUBLIC	EQUIPMENT FOR CLEAN ROOM FOR PRODUCTION MEDICAL EQUIPMENT	7,480.
Total from continuation sheets				

**JAMES H. CUMMINGS
FOUNDATION, INC.**

16-0864200

Part XV Supplementary Information

3 Grants and Contributions Approved for Future Payment (Continuation)				
Recipient Name and address (home or business)	If recipient is an individual, show any relationship to any foundation manager or substantial contributor	Foundation status of recipient	Purpose of grant or contribution	Amount
BOYS & GIRLS CLUBS OF BUFFALO 282 BABCOCK STREET BUFFALO, NY 14210		PUBLIC	HEALTH HABITS AND MEAL PREPARATION (OVEN)	37,500.
BRISTOL HOME 1500 MAIN STREET BUFFALO, NY 14209		PUBLIC	NEW DRIVEWAY AND PARKING LOT EXPANSION	16,000.
BUFFALO ARTS STUDIO 2495 MAIN STREET, TRI MAIN BLDG. BUFFALO, NY 14214		PUBLIC	JUMP START EASELS	7,000.
BUFFALO FINE ARTS ACADEMY 1285 ELMWOOD AVENUE BUFFALO, NY 14222		PUBLIC	AK360 CAPITAL CAMPAIGN	300,000.
BUFFALO PRENATAL-PERINATAL 625 DELAWARE AVENUE BUFFALO, NY 14202		PUBLIC	SAFETY/SECURITY PROJECT	7,700.
BUFFALO PREP, INC. 18.ACHESON ANNEX UNIV AT BUFFALO BUFFALO, NY 14214		PUBLIC	PREP FOR TOMORROW CAPITAL CAMPAIGN	100,000.
CENTRE FOR ADDICTION & MENTAL HEALTH 100 STOKES STREET, 5TH FLOOR, BELL GATEWAY BUILDING TORONTO, ONTARIO, CANADA M6J 1H4		PUBLIC	ILLUMINA NEXTSEQ 550	50,000.
CHILD AND FAMILY SERVICES 330 DELAWARE AVENUE BUFFALO, NY 14209		PUBLIC	HAVEN HOUSE REPAIRS AND MAINTENANCE	20,000.
COMMUNITY SERVICES FOR THE DEVELOPMENTALLY DISABLED 180 OAK STREET BUFFALO, NY 14203		PUBLIC	JEFFERSON RESPITE ENVIRONMENT PROJECT	20,000.
COMPUTERS FOR CHILDREN 701 SENECA ST., SUITE 601 BUFFALO, NY 14210		PUBLIC	STEAM SPACEMAKERS	10,000.
Total from continuation sheets				2,058,999.

**JAMES H. CUMMINGS
FOUNDATION, INC.**

16-0864200

Part XV Supplementary Information

3 Grants and Contributions Approved for Future Payment (Continuation)

Recipient Name and address (home or business)	If recipient is an individual, show any relationship to any foundation manager or substantial contributor	Foundation status of recipient	Purpose of grant or contribution	Amount
CRADLE BEACH 8038 LAKE SHORE ROAD ANGOLA, NY 14006		PUBLIC	SCIENCE CENTER FOR EXPERIENTIAL LEARNING	200,000.
ECMC FOUNDATION 462 GRIDER STREET BUFFALO, NY 14215		PUBLIC	TRAUMA CENTER AND EMERGENCY DEPARTMENT MODERNIZATION	200,000.
HAUPTMAN-WOODWARD MEDICAL RESEARCH INSTITUTE 700 ELLICOTT STREET BUFFALO, NY 14203		PUBLIC	CREATION OF AN EDUCATIONAL VIDEO CONFERENCING CENTER	24,500.
HERITAGE CENTERS 101 OAK STREET BUFFALO, NY 14203		PUBLIC	EDUCATION ELEVATOR	50,000.
HOLLAND BLOORVIEW 150 KILGOUR ROAD TORONTO, ONTARIO, CANADA M4G 1R8		PUBLIC	3D PRINTER	30,000.
LOCUST STREET CENTER 138 LOCUST BUFFALO, NY 14204		PUBLIC	ANIMATION ART STUDIO	1,630.
MASSACHUSETTS AVENUE PROJECT 271 GRANT STREET BUFFALO, NY 14213		PUBLIC	FARMHOUSE AND COMMUNITY FOOD TRAINING AND RESOURCE CENTER	100,000.
MEALS ON WHEELS WNY 100 JAMES E. CASEY DRIVE BUFFALO, NY 14206		PUBLIC	50 OVENS	8,172.
MEDAILLE COLLEGE 18 AGASSIZ CIRCLE BUFFALO, NY 14214		PUBLIC	SCIENCE LAB RENOVATION	50,000.
MERCY FLIGHT 100 AMHERST VILLA ROAD BUFFALO, NY 14225		PUBLIC	SIGMA SPECTRUM INFUSION IV PUMPS	21,000.
Total from continuation sheets				

**JAMES H. CUMMINGS
FOUNDATION, INC.**

16-0864200

Part XV Supplementary Information

3 Grants and Contributions Approved for Future Payment (Continuation)

Recipient Name and address (home or business)	If recipient is an individual, show any relationship to any foundation manager or substantial contributor	Foundation status of recipient	Purpose of grant or contribution	Amount
NIAGARA FALLS MEMORIAL MEDICAL CENTER FOUNDATION 621 10TH STREET, P.O. BOX 708 NIAGARA FALLS, NY 14302		PUBLIC	CARDIAC/STROKE CENTER	100,000.
NIAGARA LUTHERAN HEALTH FOUNDATION 5959 BROADWAY LANCASTER, NY 14086		PUBLIC	GREENFIELDS HOME STYLE DINING EXPERIENCE	25,000.
PARDEE HOSPITAL FOUNDATION 561 FLEMING STREET HENDERSONVILLE, NC 28739		PUBLIC	COMPREHENSIVE CANCER CENTER	75,000.
SICK KIDS FOUNDATION 525 UNIVERSITY AVENUE, 14TH FLOOR TORONTO, ONTARIO, CANADA M5G 2L3		PUBLIC	INCREASING AVAILABLE ORGAN DONATIONS	64,645.
SISTERS OF CHARITY HOSPITAL 2157 MAIN STREET BUFFALO, NY 14214		PUBLIC	NEONATAL INTENSIVE CARE UNIT RENOVATION	100,000.
SUBURBAN ADULT SERVICES 960 WEST MAPLE RD. ELMA, NY 14059		PUBLIC	VOCATIONAL SERVICES VEHICLE	15,000.
SUMMIT CENTER 150 STAHL RD. GETZVILLE, NY 14068		PUBLIC	BUILDING HOPE CAPITAL CAMPAIGN	75,000.
THE ARTHRITIS SOCIETY 393 UNIVERSITY AVENUE, SUITE 1700 TORONTO, ONTARIO, CANADA M5G 1E6		PUBLIC	RESEARCH OF PRE-PROGRAMMED MONOCYTE IN MODULATING INFLAMMATION	2,640.
THE SALVATION ARMY 960 MAIN STREET BUFFALO, NY 14202		PUBLIC	KITCHEN RENOVATIONS	20,000.
TORONTO GENERAL & WESTERN 190 ELIZABETH ST. TORONTO, ONTARIO, CANADA M5G 2C4		PUBLIC	MISSION DISORDERS EQUIPMENT	100,000.
Total from continuation sheets				

JAMES H. CUMMINGS
FOUNDATION, INC.

16-0864200

Part XV Supplementary Information

3 Grants and Contributions Approved for Future Payment (Continuation)

Recipient Name and address (home or business)	If recipient is an individual, show any relationship to any foundation manager or substantial contributor	Foundation status of recipient	Purpose of grant or contribution	Amount
TROCAIRE COLLEGE 360 CHOATE AVENUE BUFFALO, NY 14220		PUBLIC	HEALTHCARE EDUCATION EQUIPMENT	70,000.
UNIVERSITY OF TORONTO NURSING 155 COLLEGE ST., SUITE 218 TORONTO, ONTARIO, CANADA M5T 1P8		PUBLIC	SIMULATION LAB	75,000.
VOCATIONAL SOLUTIONS OF HENDERSON COUNTY 2110 SPARTANBURG HWY EAST FLAT ROCK, NC 28726		PUBLIC	EQUIPMENT FOR CLEAN ROOM FOR PRODUCTION MEDICAL EQUIPMENT	8,212.
WOMEN'S COLLEGE HOSPITAL 76 GRENVILLE ST TORONTO, ONTARIO, CANADA M5S 1B2		PUBLIC	LIQUID BIOPSY SYSTEM	75,000.
Total from continuation sheets				

Part IV Capital Gains and Losses for Tax on Investment Income

(a) List and describe the kind(s) of property sold, e.g., real estate, 2-story brick warehouse; or common stock, 200 shs. MLC Co.		(b) How acquired P - Purchase D - Donation	(c) Date acquired (mo., day, yr.)	(d) Date sold (mo., day, yr.)
1a	102,649.062 SHS. BRIDGEWAY FD INC ULTRA SMALL CO	P	VARIOUS	VARIOUS
b	6,316.617 SHS. DFA EMERGING MKTS VALUE PTF	P	10/18/13	VARIOUS
c	8,278.698 SHS. DFA US LARGE CAP VALUE PORT	P	VARIOUS	12/14/16
d	4,700 SHS. ISHARES CORE MSCI EAFE ETF	P	06/09/15	VARIOUS
e	800 SHS. ISHARES CORE S&P MID-CAP ETF	P	11/13/13	06/16/16
f	3,100 SHS. ISHARES CORE S&P SMALL-CAP ETF	P	11/13/13	02/13/17
g	12,715.254 SHS. PIMCO FDS COMMODITIES PLUS STRATI	P	VARIOUS	06/16/16
h	26,360.462 SHS. RIDGEWORTH FDS SEIX FLOATING RATE	P	VARIOUS	VARIOUS
i	9,067.996 SHS. VANGUARD TOTAL BOND MKT INDEX ADMI	P	03/20/15	06/16/16
j	38,135.424 SHS. VANGUARD SHORT TERM INVT GRADE AD	P	VARIOUS	04/18/17
k	14,910.967 SHS. VANGUARD INSTITUTIONAL INDEX	P	VARIOUS	VARIOUS
l	LITIGATION SETTLEMENTS	P		VARIOUS
m	CAPITAL GAINS DIVIDENDS			
n				
o				

(e) Gross sales price	(f) Depreciation allowed (or allowable)	(g) Cost or other basis plus expense of sale	(h) Gain or (loss) (e) plus (f) minus (g)
a 1,540,000.		1,778,474.	-238,474.
b 175,000.		186,024.	-11,024.
c 300,000.		257,279.	42,721.
d 280,605.		280,920.	-315.
e 117,126.		103,481.	13,645.
f 216,800.		161,758.	55,042.
g 75,000.		139,121.	-64,121.
h 230,000.		238,584.	-8,584.
i 100,000.		99,392.	608.
j 408,029.		409,104.	-1,075.
k 3,112,225.		2,441,931.	670,294.
l 1,757.			1,757.
m 194,921.			194,921.
n			
o			

Complete only for assets showing gain in column (h) and owned by the foundation on 12/31/69

(i) F.M.V. as of 12/31/69	(j) Adjusted basis as of 12/31/69	(k) Excess of col. (i) over col. (j), if any	(l) Losses (from col. (h)) Gains (excess of col. (h) gain over col. (k), but not less than "-0-")
a			-238,474.
b			-11,024.
c			42,721.
d			-315.
e			13,645.
f			55,042.
g			-64,121.
h			-8,584.
i			608.
j			-1,075.
k			670,294.
l			1,757.
m			194,921.
n			
o			

2 Capital gain net income or (net capital loss) { If gain, also enter in Part I, line 7 If (loss), enter "-0-" in Part I, line 7 }	2	655,395.
3 Net short-term capital gain or (loss) as defined in sections 1222(5) and (6): If gain, also enter in Part I, line 8, column (c). If (loss), enter "-0-" in Part I, line 8 }	3	N/A

FORM 990-PF INTEREST ON SAVINGS AND TEMPORARY CASH INVESTMENTS STATEMENT 1

SOURCE	(A) REVENUE PER BOOKS	(B) NET INVESTMENT INCOME	(C) ADJUSTED NET INCOME
TD AMERITRADE	20.	20.	
TOTAL TO PART I, LINE 3	20.	20.	

FORM 990-PF DIVIDENDS AND INTEREST FROM SECURITIES STATEMENT 2

SOURCE	GROSS AMOUNT	CAPITAL GAINS DIVIDENDS	(A) REVENUE PER BOOKS	(B) NET INVEST- MENT INCOME	(C) ADJUSTED NET INCOME
TD AMERITRADE	940,700.	194,921.	745,779.	745,779.	
TO PART I, LINE 4	940,700.	194,921.	745,779.	745,779.	

FORM 990-PF ACCOUNTING FEES STATEMENT 3

DESCRIPTION	(A) EXPENSES PER BOOKS	(B) NET INVEST- MENT INCOME	(C) ADJUSTED NET INCOME	(D) CHARITABLE PURPOSES
HADLEY & ASSOCIATES	13,400.	6,700.		6,700.
TO FORM 990-PF, PG 1, LN 16B	13,400.	6,700.		6,700.

FORM 990-PF OTHER PROFESSIONAL FEES STATEMENT 4

DESCRIPTION	(A) EXPENSES PER BOOKS	(B) NET INVEST- MENT INCOME	(C) ADJUSTED NET INCOME	(D) CHARITABLE PURPOSES
ALESCO ADVISORS LLC	132,632.	132,632.		0.
TO FORM 990-PF, PG 1, LN 16C	132,632.	132,632.		0.

FORM 990-PF	TAXES	STATEMENT	5
-------------	-------	-----------	---

DESCRIPTION	(A) EXPENSES PER BOOKS	(B) NET INVEST- MENT INCOME	(C) ADJUSTED NET INCOME	(D) CHARITABLE PURPOSES
PAYROLL	4,892.	2,446.		2,446.
2016 EXCISE TAX ON NET INVESTMENT INCOME	11,762.	0.		0.
TO FORM 990-PF, PG 1, LN 18	16,654.	2,446.		2,446.

FORM 990-PF	OTHER EXPENSES	STATEMENT	6
-------------	----------------	-----------	---

DESCRIPTION	(A) EXPENSES PER BOOKS	(B) NET INVEST- MENT INCOME	(C) ADJUSTED NET INCOME	(D) CHARITABLE PURPOSES
INSURANCE	5,831.	2,916.		2,915.
TELEPHONE	2,688.	1,344.		1,344.
MISCELLANEOUS	3,863.	1,556.		2,307.
TO FORM 990-PF, PG 1, LN 23	12,382.	5,816.		6,566.

FORM 990-PF	OTHER INCREASES IN NET ASSETS OR FUND BALANCES	STATEMENT	7
-------------	--	-----------	---

DESCRIPTION	AMOUNT
UNREALIZED APPRECIATION ON INVESTMENTS	3,983,924.
TOTAL TO FORM 990-PF, PART III, LINE 3	3,983,924.

FORM 990-PF	CORPORATE STOCK	STATEMENT	8
-------------	-----------------	-----------	---

DESCRIPTION	BOOK VALUE	FAIR MARKET VALUE
61,681.212 SHS. BRIDGEWAY FD INC ULTRA SMALL CO MKT FD	886,976.	886,976.
50,278.941 SHS. DFA EMERGING MKTS VALUE PTF	1,410,324.	1,410,324.
57,357.085 SHS. DFA INTERNATIONAL SMALL PTF	1,141,406.	1,141,406.
42,443.745 SHS. DFA US LARGE CAP VALUE I	1,543,679.	1,543,679.
60,041.717 SHS. DFA INTERNATIONAL VALUE I	1,096,362.	1,096,362.

19,100 SHS. ISHARES CORE S&P MID-CAP ETF	3,281,953.	3,281,953.
34,300 SHS. ISHARES CORE S&P SMALL-CAP ETF	2,343,719.	2,343,719.
12,100 SHS. ISHARES FLOATING RATE BOND ETF	615,648.	615,648.
195,921.761 SHS. PIMCO COMMODITIES PLUS START I	1,175,531.	1,175,531.
47,205.521 SHS. RIDGEWORTH SEIX FLOATING RATE HIGH INCM I	413,048.	413,048.
9,700 SHS. SPDR DJ WILSHIRE INTL REAL ESTATE	379,561.	379,561.
5,800 SHS. SPDR DOW JONES REIT EFT	530,758.	530,758.
285,623.534 SHS. VANGUARD TOTAL BOND MKT INDEX ADMIRAL	3,081,878.	3,081,878.
28,512.482 SHS. VANGUARD INFLATION-PROTECT SEC ADMIRAL	739,043.	739,043.
56,682.842 SHS. VANGUARD INSTITUTIONAL INDEX FUND I	12,492,332.	12,492,332.
7,200 SHS. VANGUARD SHORT TERM INFLATION PROTECTED	356,040.	356,040.
70,400 SHS. ISHARES CORE MSCI EAFE ETF	4,338,048.	4,338,048.
26,100 SHS. ISHARES MSCI EMERGING MARKETS	1,300,824.	1,300,824.
4,200 SHS. ISHARES S&P MID-CAP 400 VALUE ETF	613,074.	613,074.
TOTAL TO FORM 990-PF, PART II, LINE 10B	37,740,204.	37,740,204.

FORM 990-PF	PART VIII - LIST OF OFFICERS, DIRECTORS TRUSTEES AND FOUNDATION MANAGERS	STATEMENT	9
-------------	---	-----------	---

NAME AND ADDRESS	TITLE AND AVRG HRS/WK	COMPEN- SATION	EMPLOYEE BEN PLAN CONTRIB	EXPENSE ACCOUNT
ROBERT J.A. IRWIN 120 WEST TUPPER STREET BUFFALO, NY 14201	DIRECTOR 1.00	3,500.	0.	0.
THEODORE I. PUTNAM, M.D. 120 WEST TUPPER STREET BUFFALO, NY 14201	DIRECTOR 1.00	12,500.	0.	0.
CHARLES F. KREINER, JR. 120 WEST TUPPER STREET BUFFALO, NY 14201	PRES.-DIR. 1.00	12,500.	0.	0.
RICHARD C. BRYAN, JR. 120 WEST TUPPER STREET BUFFALO, NY 14201	DIRECTOR 1.00	9,500.	0.	0.
WILLIAM L. JOYCE 120 WEST TUPPER STREET BUFFALO, NY 14201	TREAS.-DIR. 1.00	12,500.	0.	0.

JAMES H. CUMMINGS FOUNDATION, INC.

16-0864200

CHRISTOPHER T. GREENE 120 WEST TUPPER STREET BUFFALO, NY 14201	V. PRES. - DIR. 1.00	12,500.	0.	0.
AMY L. CLIFTON 120 WEST TUPPER STREET BUFFALO, NY 14201	DIRECTOR 1.00	12,500.	0.	0.
MARY JO HUNT 120 WEST TUPPER STREET BUFFALO, NY 14201	SECT'Y - E. DIR. 30.00	55,000.	0.	2,704.
TOTALS INCLUDED ON 990-PF, PAGE 6, PART VIII		130,500.	0.	2,704.

FORM 990-PF

GRANT APPLICATION SUBMISSION INFORMATION
PART XV, LINES 2A THROUGH 2D

STATEMENT 10

NAME AND ADDRESS OF PERSON TO WHOM APPLICATIONS SHOULD BE SUBMITTED

MARY JO HUNT, EXECUTIVE DIRECTOR, JAMES H. CUMMINGS FOUNDATION, INC.
120 WEST TUPPER STREET
BUFFALO, NY 14201

TELEPHONE NUMBER

716-874-0040

FORM AND CONTENT OF APPLICATIONS

NAME, ADDRESS OF TAX-EXEMPT ORGANIZATION WHICH WOULD BE THE RECIPIENT IF A GRANT WERE MADE; LIST OF CURRENT DIRECTORS (ONE COPY ONLY); ORGANIZATION'S TAX-EXEMPT CERTIFICATION FROM THE U.S. INTERNAL REVENUE SERVICE OR THE DEPARTMENT OF NATIONAL REVENUE, OTTAWA (ONE COPY ONLY); STATE AMOUNT REQUESTED AND THE SPECIFIC PURPOSE OF THE GRANT; WHAT THE GRANT IS EXPECTED TO ACCOMPLISH AND THE NEED OF THE PROJECT; A BUDGET OF THE COSTS AND HOW THE MONEY, IF GRANTED, WOULD BE SPENT; ORGANIZATION'S MOST RECENTLY AUDITED FINANCIAL STATEMENTS (ONE COPY ONLY); EVIDENCE THAT THE ORGANIZATION IS QUALIFIED TO COMPLETE THE PROJECT SUCCESSFULLY; STATE WHETHER AID HAS BEEN SOUGHT DURING THE PRECEDING TWO YEARS FROM OTHER FOUNDATIONS AND AMOUNT RECEIVED, IF ANY; LIST THE NAMES OF FOUNDATIONS THE ORGANIZATION PLANS TO APPROACH ON CURRENT PROJECT; A COVER LETTER SIGNED BY AN OFFICER OF THE ORGANIZATION TO THE EXECUTIVE DIRECTOR WITH A CONCISE SUMMARY PRESENTATION

ANY SUBMISSION DEADLINES

EIGHT PROPOSALS SHOULD BE SUBMITTED BY THE MIDDLE OF THE MONTH PRECEDING A QUARTERLY MEETING WHICH ARE HELD IN THE MONTHS OF FEB., MAY, SEPT. AND DEC.

RESTRICTIONS AND LIMITATIONS ON AWARDS

LIMITS SUPPORT TO THE CITIES OF BUFFALO, NEW YORK, TORONTO, ONTARIO, CANADA AND HENDERSONVILLE, NORTH CAROLINA. GRANTS ARE TO BE USED AND APPLIED EXCLUSIVELY FOR CHARITABLE PURPOSES IN ADVANCING MEDICAL SCIENCE, RESEARCH AND EDUCATION IN THE U.S. AND CANADA, AND FOR CHARITABLE WORK AMONG UNDER-PRIVILEGED BOYS & GIRLS AND AGED & INFIRMED ADULTS. FUNDS ARE DISTRIBUTED ONLY TO NOT-FOR-PROFIT TAX-EXEMPT ORGANIZATIONS WITH THE GREAT MAJORITY OF GRANTS AWARDED BEING OF A CAPITAL NATURE, PARTICULARLY EQUIPMENT NEEDS OF VARIOUS KINDS. THEY CONSIDER HIGHER PRIORITY TO PROJECTS WHICH ARE NOT NORMALLY FINANCED BY PUBLIC TAX FUNDS. APPLICATIONS FOR ENDOWMENTS, CONTINGENCY, RESERVE PURPOSES, OPERATING EXPENSES OR DEFICIT FINANCING, ARE NOT CONSIDERED. REQUESTS FOR GRANTS TO INDIVIDUALS ARE NOT CONSIDERED NOR DOES THE FOUNDATION FUND SCHOLARSHIPS OR

FORM 990-PF

GRANT APPLICATION SUBMISSION INFORMATION
PART XV, LINES 2A - 2D (CONTINUATION)

STATEMENT 11

FORM AND CONTENT OF APPLICATIONS

OF THE ESSENTIAL FACTS STATING THE APPROXIMATE TIME THE GRANT FUNDS WOULD
BE NEEDED.

RESTRICTIONS AND LIMITATIONS ON AWARDS

FELLOWSHIPS.