



November 19, 2014

The Honorable Harry Reid
The Honorable Mitch McConnell
The Honorable Ron Wyden
The Honorable Orrin Hatch

The Honorable John Boehner
The Honorable Nancy Pelosi
The Honorable Dave Camp
The Honorable Sander Levin

RE: Charitable and Philanthropic Tax Incentives

Dear Speaker Boehner, Leaders Reid, McConnell, and Pelosi, Chairmen Wyden and Camp, and Ranking Members Hatch and Levin:

The undersigned organizations represent tens of thousands of charitable nonprofits and foundations operating in every state in the country and touching the lives of millions of Americans every day. We write to request your help in promoting these good works by including the provisions of the America Gives More Act, H.R.4719, in any tax bill that Congress will consider before the end of this year. We feel strongly – as do millions of nonprofit volunteers, board members, staff members, donors, and individuals served – that the important tax provisions in that legislation would provide essential tools that charitable nonprofits and foundations need to fulfill their missions and have greater impacts in the communities they serve.

On July 17, the House passed the America Gives More Act by a wide, bi-partisan margin. We believe the broad support came because the legislation enhances the commitment and hard work of charitable nonprofits and foundations in every community in America. The legislation would renew and make permanent expired charitable giving incentives that promote donations of nutritious food to food banks, conservation of land, and contributions from individual retirement accounts directly to charitable nonprofits. The permanent extension of these three incentives is critical to avoid the troubling on-again/off-again nature of the incentives that makes reliable planning impossible for those who want to donate, limits their applicability to smaller organizations, and has historically led to the lapse of these incentives which has resulted in materially decreased donations to charities across the country.

Another important component of the America Gives More Act would enhance the incentive to enable farmers and ranchers, as well as small and large businesses, to donate nutritious food to food banks. A fifth provision supported by many in the nonprofit community would extend the deadline for individual taxpayers to deduct charitable contributions made after the close of the tax year but before the due date of the return (typically April 15) for the tax year covered by the return. Finally, the bill incorporates long-sought language that would simplify the excise tax that private foundations pay. A flat tax rate would greatly simplify compliance for private foundations, improve efficiencies, and ultimately make more funds available for the work of charitable nonprofits in communities.

We applaud your commitment to comprehensive tax reform in the coming year and recognize that some provisions in an end-of-year tax bill may only be extended on a temporary basis. We believe strongly that the charitable and philanthropic provisions in the America Gives More Act deserve

enactment on a permanent basis. Each of the provisions enjoys broad, bi-partisan support and is unlikely to change much, if at all, as comprehensive tax reform makes its way through Congress. Yet delay in enacting any of these components serves no public or policy goal, but limits the ability of nonprofits to achieve their missions, whether through feeding people who are hungry, conserving land for future generations, or addressing myriad other needs in communities across America.

We ask that you take action now, in the remaining weeks of the 113rd Congress, to enact these charitable provisions as part of any end-of-year tax legislation.

Sincerely,



Vikki Spruill
President and CEO
Council on Foundations



Diana Aviv
President and CEO
Independent Sector



Bob Aiken
President and CEO
Feeding America



Rand Wentworth
President and CEO
Land Trust Alliance



Michael Litz
President and CEO
Forum of Regional Associations of
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Tim Delaney
President and CEO
National Council of Nonprofits