February 28, 2014

Open letter to all Senators:

As Congress moves forward with comprehensive tax reform and considers the reinstatement of provisions in the annual tax extenders package, we ask that Congress renew and make permanent the IRA charitable rollover and other charitable giving extenders that expired as of January 1, 2014.

Millions of individuals and families are served by the essential work of America’s public charities, which is made possible in part by the charitable giving incentives contained in the extenders package, particularly the IRA charitable rollover. Originally created by the Pension Protection Act of 2006 as a way to encourage older Americans to make gifts to charities, the IRA charitable rollover provision in the tax code allows individuals age 70½ to donate up to $100,000 to a qualifying public charity directly from his or her IRA without incurring tax on the withdrawal.

The tax benefits of the IRA charitable rollover are available to taxpayers regardless of whether they itemize their returns. In particular, this helps older Americans who may have paid off their home mortgage and no longer file itemized tax returns. The mandatory distribution from their IRA would otherwise trigger a tax burden, even if they donate the money to charity. The IRA charitable rollover provision removes these negative tax consequences and encourages Americans to give back to their communities during their lifetime.

During the first two years the IRA charitable rollover was available, it prompted more than $140 million in charitable donations, with the median gift just under $4,500. Beneficiaries included social service providers, religious organizations, cultural institutions and schools – organizations that benefit communities and improve lives every day.

Unfortunately, the IRA charitable rollover, along with the entire package of tax extenders, was allowed to expire on January 1 for the fourth time in recent years. On each of the three previous occasions, the entire package of extenders was reinstated retroactively at the end of the following year. While this may be an adequate solution for most of the provisions in the extenders package, the charitable provisions like the IRA charitable rollover are different.

The tremendous uncertainty caused for donors by lapses and subsequent reinstatement has made it extremely difficult for donors and financial advisors to plan IRA distributions and related charitable giving strategies, impeding the transfer of gifts that support much-needed services. Many of these planning discussions begin early in the tax year, and without a clear, statutory grant of authority, many donations that might otherwise have been made simply are not. Retroactive enactment is a further hollow benefit for the charitable community because mandatory IRA withdrawals taken during the year cannot be retroactively “rolled over” to a charity.
For all these reasons, we urge you to support the immediate reinstatement of the tax extenders package. We also respectfully request that you contact Senator Schumer’s office to cosponsor S. 1772, the Public Good IRA Rollover Act of 2013, a bipartisan bill introduced by Sens. Schumer and Collins. This legislation not only creates certainty by making the IRA charitable rollover permanent; it also makes important improvements by eliminating the cap on distributions and provides donors greater flexibility in their charitable giving, by allowing gifts to donor-advised funds.

There may be an opportunity during consideration of the extenders package this year to fix this language and treat all charities the same, and we urge senators of both parties to do so. This would provide greater certainty for taxpayers and the charities they support.

Thank you for your consideration,

Independent Sector

A Little Help
A Precious Child
A. von Schlegell & Co.
ACT Theatre
Adirondack Foundation
Adrian Community Preschool
Alabama Dance Council
Alabama Forest Resources Center
Alabama Historic Ironworks Foundation
Albion College
The Alhambra Orchestra
Alley Theatre
Aloha United Way
Alternatives, Inc.
Amberwood Sanctuary, Inc.
American Alliance of Museums
American Brain Tumor Association
American Cancer Society Cancer Action Network
American Chemical Society
American Conservatory Theater
American Friends Service Committee
American Heart Association
American Library Association
American Red Cross
The American Writers Museum
Americans for the Arts
Americans for the Arts Action Fund
AngelCare/Americans Care & Share
The Arc
Argus Museum
Aniba Asset Management

Arizona Community Foundation
Arkansas Community Foundation
Arkansas Nonprofit Alliance
Asheville Art Museum
Aspen Community Foundation
Association for Healthcare Philanthropy
Association of Art Museum Directors
Association of Fundraising Professionals
ATL Arts Management Services
Atlanta Community Food Bank
Aurora Regional Fire Museum
Austin Music Foundation
Bach Festival Society
Ballet Austin
Baltimore Symphony Orchestra
Bay Area Community Foundation
Bethel Lutheran Home Foundation
Bethesda Lutheran Communities
Bishop Hill Heritage Association
BoardSource
Boheme Opera NJ
Bootsraps, Inc.
Brazos Presbyterian Homes, Inc.
Breaking Chains
BrightFocus Foundation
Burr Pilger Mayer
Cactus Conservation Institute
Cadillac Area Land Conservancy
California Council of Land Trusts
California Museum of Ancient Art
California Shakespeare Theater
Camp Fire
Campbell & Company
Campbell County Rockpile Museum
Campus Clubs, Inc.
Cancer Support Community
Canine Partners of the Rockies, Inc.
Carbon County Museum
Carolina Mountain Land Conservancy
Carroll County Wabash and Erie Canal, Inc.
CASA Program for the Ogeechee Judicial Circuit, Inc.
Catholic Community Services of Southern Arizona, Inc.
Center for Academic Excellence
Center for Nonprofit Excellence
Center for ReSource Conservation
Central Coast Land Conservancy
Chamber Music Northwest
Chehalis River Basin Land Trust
The Chester Foundation, Inc.
Chhandam Chitresh Das Dance Company
Chicago Community Loan Fund
Children's Advocacy Centers of California
Children's Museum of History, Science, and Technology
Chimpanzee Sanctuary Northwest
Choral Consortium of San Diego
The Cincinnati Eye Institute Foundation
Clay Center for the Arts & Sciences of West Virginia
Clifford and Clifford Civil Charities Corporation
The Coalition of Behavioral Health Agencies
Coastside Land Trust
Cogswell Hall, Inc.
College Possible
Colorado Nonprofit Association
Columbus (GA) Symphony Orchestra
Communities Foundation of Texas
Community Action Committee of the Lehigh Valley
Community Arts Center (KY)
The Community Foundation for Greater Atlanta
The Community Foundation for the National Capital Region
Community Foundation of Bloomington and Monroe County
Community Foundation of Madison and Jefferson County, Inc.
Community Foundation of St. Joseph County
Community Foundation of the Eastern Shore
Community Foundation of the Great River Bend
The Community Foundation of the Holland/Zeeland Area
Community Foundation of the Lowcountry
The Community Foundation of the Rappahannock River Region
Community Foundation of the Upper Peninsula
Connecticut Council for Philanthropy
The Conservation Fund
Cornerstone Stewardship Ministry
Coro Leadership Center
Corporate Volunteer Council of Atlanta
Council of Michigan Foundations
Council on Foundations
County United Way, Inc.
The Creators' Rep
Cultural Alliance of Fairfield County
Cystic Fibrosis Foundation
Dad's Garage Theatre Company
Dakota Center, Inc.
The Dallas Opera
Dance Theatre of Harlem
Dance/USA
Darien Land Trust
Dave Thomas Foundation for Adoption
Daybreak
Days of Dialogue Los Angeles
The Dayton Foundation
Dental Lifeline Network
The Denver Foundation
Desert Communities United Way
Directions for Youth & Families
Douglas County Historical Society
Easter Seals
Eastside Community Historical Society
Ecker Center
Ecology Center
Ecology Project International
Edison Greenways Group, Inc.
Emmanuel Baptist Church and Christian School (OH)
Emmaus House
Environmental and Energy Study Institute
The Erie Community Foundation
Evangelical Lutheran Church in America (ELCA)
The Evangelical Lutheran Good Samaritan Society
Fairfield County Community Foundation
Family and Children's Association
Fargo-Moorhead Opera
Feed The Children
First Choice Inspection Group, Inc. dba Free Help Education Organization
Flint Institute of Arts
Foodbank of Santa Barbara County
Fort Wayne Philharmonic
Foundation for Fresno County Public Library
The Foundation for Living Beauty
Foundation of the National Student Nurses' Association
Fox River Trolley Association
Franzen & Franzen LLP
Frewheelin' Community Bikes
Fremont Area Community Foundation
Friends for Youth
Friends of Forman Christian College
Friends of Karen, Inc.
Friends of the Children New York
Friends of the Cumbres & Toltec Scenic Railroad, Inc.
Friends of the Keystone Arches, Inc.
Gates Mills Land Conservancy
The Geller Center
Georgia Campaign for Adolescent Power & Potential (GCAPP)
Georgia Center for Nonprofits
Georgia Charitable Care Network, Inc.
Geos Institute
Gift Planning Services, LLC
Girl Scouts of the USA
Girls Inc.
The Giving Net
Glaucoma Research Foundation
Goodwill Industries of Northern New England
Goodwill-San Francisco-San Mateo-Marin
Grand Haven Area Community Foundation
Grantmakers Forum of New York
Grassroots International
Greater Cleveland Volunteers
Greater Gallatin United Way
Greater Houston Community Foundation
Greater Pittsburgh Community Food Bank
Griffin Museum of Photography
Gulf Coast Community Foundation
Gulfshore Playhouse
Hartford Stage Company
Harvesters--The Community Food Network (KS)
Harvesters--The Community Food Network (MO)
Hawaii Community Foundation
Heifer Foundation
The Henry Ford
Heritage Fund - The Community Foundation of Bartholomew County
Historic Gordonsville, Inc.
Historic Riverside Cemetery Conservancy
Horizon Theatre Company
Hudson Highlands Land Trust
Huntington County Community Foundation
Hyde Hall, Inc.
Illinois Collaboration on Youth
Independent Living Services, Inc.
Indian Hill Music
Indiana Philanthropy Alliance
Inland Empire Railway Historical Society
Inside Out Community Arts
Inspired to Give, Inc.
Institute for Life & Care
The Institute for Nonviolence in Los Angeles
Institute of Humanistic Ethics & Altruistic Leadership
Integrated Fund Development Counsel
International Foundation for Autoimmune Arthritis
International Medical Education Foundation, Inc.
Iolani Palace
Irving S. Gilmore International Keyboard Festival
jdPartnerships
Jefferson County Farmland Protection Board
Jewish Community Foundation of Greater Hartford
Jewish Family Service of Los Angeles
The Jewish Federations of North America
John Wood Ministries, Inc.
Kansas 4-H Foundation, Inc.
Kareteam Sanctuary
The Kestrel Land Trust
Kettle Moraine Land Trust
Kidney Cancer Association
Knoxville Opera
KSDS, Inc. Assistance Dogs
Nike B. Whitcomb Associates, Inc.
Nomi Network
The Nonprofit Roundtable of Greater Washington
North Carolina Symphony
North Museum of Natural History & Science
Northwest Watershed Institute
The Oasis Network For Churches
Oberlin Heritage Center
The Oblong Land Conservancy
Off The Wall Productions
Ohaha Family Foundation
Ohio Domestic Violence Network
Ohio Environmental Council
The Omaha Community Foundation
OPERA America
Opera Memphis
Opera Philadelphia
Oral Health America
Oregon Food Bank
Owen County Art Guild
OWL - The Voice of Midlife and Older Women
Oyster Bay Railroad Museum
The P.M. Brady Company, Inc.
Pacific Northwest Ballet
Pacific Telecommunications Council
Palolo Chinese Home
Parent Advocacy Coalition for Educational Rights (PACER) Center
Parent to Parent of Georgia
Parent Trust for Washington Children
Parke County Community Foundation
PATH
Peconic Land Trust
Peninsula Open Space Trust
Pension Rights Center
Performing Arts Alliance
PETA Foundation
Philadelphia Freedom Valley YMCA
Philanthropy Ohio
The Pilot School
Pioneer Center for Human Services
The Pittsburgh Foundation
Playwrights Project
The Portland Foundation (IN)
Prairie Public Broadcasting
The Presbytery of Tropical Florida
Prevent Blindness Ohio
Primary Care Development Corporation (PCDC)
Primeplus Norfolk Senior Center
Red Men Museum and Library
Refuge of Hope
Rena Shagan Associates, Inc.
Renaissance Charitable Foundation, Inc.
Renaissance LLC
Restoration Village
Ridges to Rivers Open Space Network
Rochester Area Community Foundation
Rogue Valley Veterans and Community Outreach
SafeHouse Denver
The Salvation Army
The Salvation Army in Kansas & Western Missouri Division
Samaritan House
The San Antonio Fire Museum Society
San Diego REPertory Theatre
San Diego Synergy Arts Network dba San Diego Visual Arts Network
San Diego Youth Symphony and Conservatory
San Francisco International Music Festival
Saratoga Historical and Cultural Association
Scott County Community Foundation
Seattle Opera
Senior Solutions (Council on Aging)
Shelby Area Rural Conservation, Inc.
Shiloh Museum of Ozark History
Side by Side, Inc.
The Sierra Club Foundation
Sobriety House, Inc.
Social Sector Solutions
Soles4Souls
South Baltimore Learning Center
South Central Iowa Community Foundation
South Dakota Community Foundation
Southeast Missouri Food Bank
Spinal Cord Injury Network International
Springfield Symphony Orchestra
SS Music
St Vladimir’s Theological Seminary
St. Margaret’s Community Outreach
St. Simons Land Trust
The Stanley Foundation
Steuben County Community Foundation
Stockton Symphony
Susquehanna Art Museum
Tapteal Greenway
Tarrant Area Community of Churches (TACC)
Teach One to Lead One
Teen HYPE (Helping Youth by Providing Education)
Theatre and Arts Foundation of San Diego County
dba La Jolla Playhouse
Theatre Communications Group
Three Rivers Community Foundation
Toal & Associates Coaching and Consulting
The Trust for Public Land
Turkish Philanthropy Funds
UJA-Federation of New York
Underground
United Cerebral Palsy
United Cerebral Palsy of Arkansas
United Cerebral Palsy of West Alabama, Inc.
United Charitable Programs
United Way Fox Cities
United Way of Brazoria County
United Way of Buffalo and Erie County
United Way of Central Louisiana
United Way of Central New Mexico
United Way of Florida
United Way of Fresno County
United Way of Greater Houston
United Way of Massachusetts Bay and Merrimack Valley
United Way of Miami-Dade
United Way of North Central Massachusetts
United Way of North East Florida
United Way of Portage County
United Way of South Texas
United Way of Stanislaus County
United Way of the Capital Region
United Way Worldwide
United Ways of Tennessee
Urban Gateways
Urban Guild Policy Institute
Utah Symphony | Utah Opera
Valley of the Sun United Way
Ventura Hillsides Conservancy
Vermont Symphony Orchestra
VersAbility Resources
Vesterheim Norwegian-American Museum
VisionIntoArt Presents
VisionServe Alliance
Volunteers of America
W.K. Kellogg Foundation
Warrick County Community Foundation
Wartburg Community Symphony Association
The Wellness Council for Coastal South Carolina
West Michigan Symphony
West Virginia Nonprofit Association
Western Pennsylvania Conservancy
Western Reserve Land Conservancy
Wheat Ridge Ministries
Williamsburg Community Foundation
Wisconsin Council of the Blind and Visually Impaired
World Vision International
WTTW WFMT Chicago Public Media
Yeshiva Ohr Boruch
YMCA of Greater Seattle
YMCA of the USA
Youth Enrichment Strategies
Ypsilanti Symphony Orchestra
Zionist Organization of America