



## 2019 Legislative Agenda: United States

As the professional association serving educational advancement, CASE advocates for a positive climate for the advancement profession in general and philanthropy in particular by working proactively with local and national governments. CASE will work with U.S. federal and state policymakers on the following issues in 2019.

### PRIORITY

#### **CHARITABLE GIVING**

Charitable donations help colleges, universities, and independent schools achieve their teaching, research and public service missions. As federal and state governments continue to cut funding for education, raising private support from individuals has become even more crucial for educational institutions. U.S. tax policy should encourage all Americans, regardless of income, to make charitable gifts.

- **Support enactment of a universal charitable deduction**

CASE will continue to urge lawmakers to enact a universal, or above-the-line, charitable deduction. With the passage of the Tax Cuts and Jobs Act, the Joint Committee on Taxation projects that only 11 percent of U.S. taxpayers will itemize their tax returns. Studies from Independent Sector/Indiana University Lilly Family School of Philanthropy, the Tax Policy Center and the American Enterprise Institute all predict a roughly 4-5 percent decline in overall charitable giving, mainly due to the new tax law's doubling of the standard deduction.

A universal charitable deduction would provide a charitable giving incentive to everyone by allowing taxpayers to subtract charitable gifts from their income regardless of their status as itemizers or non-itemizers. According to the Independent Sector study, this would result in a \$4.8 billion increase in charitable giving.

- **Oppose efforts to limit the value of the charitable deduction**

CASE will oppose efforts to further limit the value of the charitable deduction through caps, floor or other means. Additional limitations would reduce the incentive to give to education and would fundamentally change a tax structure that has contributed to a cherished tradition of charitable giving unmatched in the world.

- **Support expansion of the IRA charitable rollover**

CASE supports legislation that would expand this important charitable giving incentive allowing individuals age 65 or over to direct up to \$400,000 annually from their individual retirement accounts to colleges and universities through split-interest entities

#### **ENDOWMENTS**

Endowments provide critical long-term support for colleges, universities and independent schools. Donors make endowed gifts to support scholarships, research, faculty, academic programs, facilities and other purposes aligned with the mission of educational institutions.

- **Support repeal of the endowment excise tax**

The Tax Cuts and Jobs Acts subjects certain private colleges and universities to a 1.4 percent excise tax on their net investment income. This tax penalizes donor generosity by taxing the endowed charitable gifts of donors, redirecting critical funds away from supporting the important work of educational institutions. CASE will strongly urge lawmakers to repeal this misguided tax and will also oppose any new federal or state taxes on endowments.

- **Oppose mandatory payout requirements**

In managing their endowments, institutions must balance the competing demands of funding current operations and preserving purchasing power to fund future operations. To achieve this goal, educational institutions must have the flexibility to determine an appropriate endowment payout rate to ensure that their endowments will continue to provide long-term support for their institutions. CASE will oppose federal or state efforts to limit this institutional flexibility.

## **GLOBAL MOVEMENT**

- **Support Policies that Allow Individuals to Seek Educational Opportunity in the United States, including the continuation of the Deferred Action for Childhood Arrivals (DACA) Program**

Education has a vital role to play in ending the political and cultural animosity that pervades our world today. As a global association committed to advancing education worldwide, CASE supports policies that allow and encourage individuals to seek life-changing educational opportunities in the United States regardless of their or their parents' country of origin.

CASE strongly supports the continuation of the Deferred Action for Early Childhood Arrivals (DACA) program, a program that allows undocumented immigrants who were brought to the United States as children to legally reside in the U.S. Roughly 45 percent of current DACA recipients are enrolled in school or college. CASE will work with our education sector partners to urge Congress to pass legislation as soon as possible that will include all the protections currently provided under DACA and allow these individuals to continue contributing to our society and economy by working, serving in the military or attending college.

## **REAUTHORIZATION OF HIGHER EDUCATION ACT**

The Higher Education Act, which expired in 2013, covers federal student aid and various programs aimed at supporting student access and affordability. As Congress continues its work towards reauthorizing the HEA, CASE will monitor potential HEA proposals affecting educational advancement and will work to shape and actively support the higher education association community's response to HEA reauthorization legislation.

- **Preserve the Public Service Loan Forgiveness Program**

After graduation, many alums seek careers serving others in the government or nonprofit sectors. The Public Service Loan Forgiveness Program (PSLF) seeks to assist these individuals by forgiving the remaining student loan balance of alums who make 120 qualifying monthly payments under a qualifying repayment plan while working full-time for the government or a nonprofit organization. CASE will urge lawmakers to preserve this important program.

- **Support Policies that Enhance Campus Safety**

Colleges and universities strive to ensure a safe environment for students, faculty and staff. As Congress considers legislation on campus sexual assault and the U.S. Department of Education considers changes to Title IX regulations, CASE will work with our higher education association partners to make sure that any legislative or regulatory changes achieve this goal.

## **STATE CHARITABLE SOLICITATION**

- **Encourage States to Exempt Educational Institutions, Institutionally Related Foundations and Alumni Associations from their Charitable Solicitation Registration and Reporting Requirements**

Most states require charitable organizations that fundraise in their states to register and file annual reports with the state charity office, typically located in the office of attorneys general. The purpose of these requirements is to protect the public from fraudulent charities and fundraising scams. Recognizing that educational institutions and their affiliated organizations (institutionally related foundations, alumni associations, etc.) are highly visible organizations accountable to multiple stakeholders (governing boards, faculty, students, parents, alumni and community leaders) and state and federal agencies, many states have exempted educational institutions and their affiliated organizations from charitable solicitation registration and reporting requirements. CASE will work to encourage additional states to exempt educational institutions and their affiliated organizations from these burdensome requirements.

## **ISSUES WE MONITOR**

- **Data and Information Security**

Secure data and information systems are essential for educational institutions. CASE will monitor federal and state legislation related to cybersecurity and data privacy to ensure that goals are achieved while minimizing negative impacts on advancement offices.

- **Federal and State Scrutiny of Alumni Association Affinity Programs**

Many college and university alumni associations offer affinity programs on items such as credit cards, insurance, and travel. Affinity programs benefit graduates, associations and institutions by generating resources that otherwise would not be available to serve alumni and sometimes students. CASE will work to increase understanding among federal and state lawmakers about the benefits affinity programs and will work to ensure that legislative and regulatory actions do not unnecessarily and unduly restrict affinity programs.