



COUNCIL *on* FOUNDATIONS

# ***Washington Update***

October 29, 2016





# Hadar Susskind

Vice President of Public Policy  
*Council on Foundations*

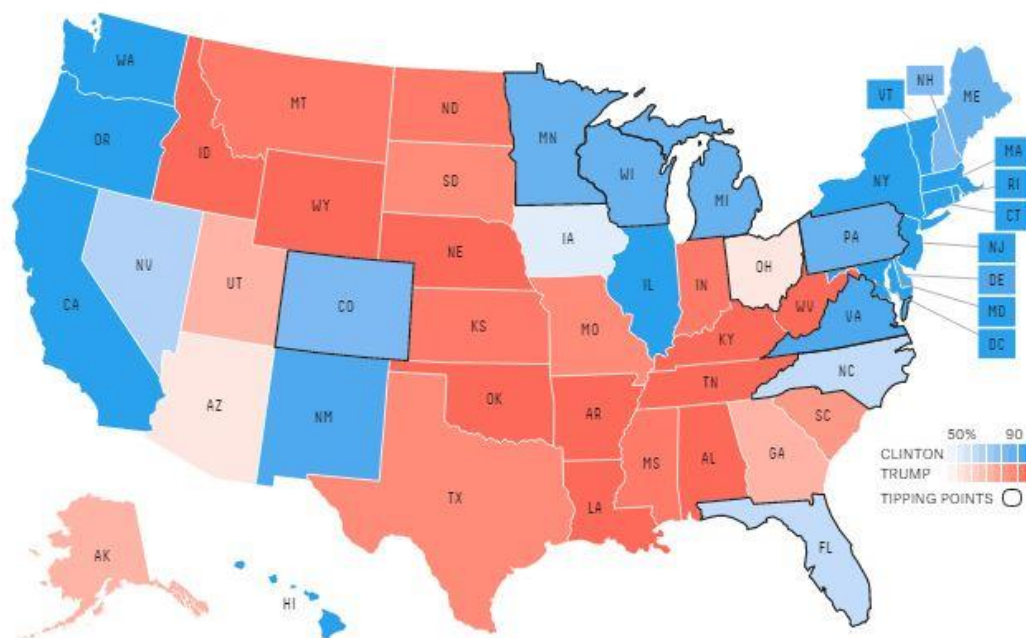


# **Election Update**





## Chance of winning



## Electoral votes

Hillary Clinton	325 .8
Donald Trump	211 .1
Evan McMullin	1 .1
Gary Johnson	0 .0

## Popular vote

Hillary Clinton	49 .6%
Donald Trump	43 .9%
Gary Johnson	4 .9%
Other	1 .6%

## Percentage breakdown:

### Arizona

- Chance of winning: 49.8% Clinton vs 50.2% Trump
- Polling: Trump +0.9

### Arkansas

- Chance of winning: .9% Clinton vs 99.1% Trump
- Polling: Trump +24

### Colorado

- Chance of winning: 84.8% Clinton vs 15.2% Trump
- Polling: Clinton +3

### Nevada

- Chance of winning: 65.9% Clinton vs 34.1% Trump
- Polling: Trump +3

### New Mexico

- Chance of winning: 92.3% Clinton vs 7.5% Trump
- Polling: Clinton +5

### Oklahoma

- Chance of winning: .2% Clinton vs 99.8% Trump
- Polling: Trump +29

### Texas

- Chance of winning: 13% Clinton vs 87% Trump
- Polling: Trump +3



# Senate Breakdown

Chance of winning control

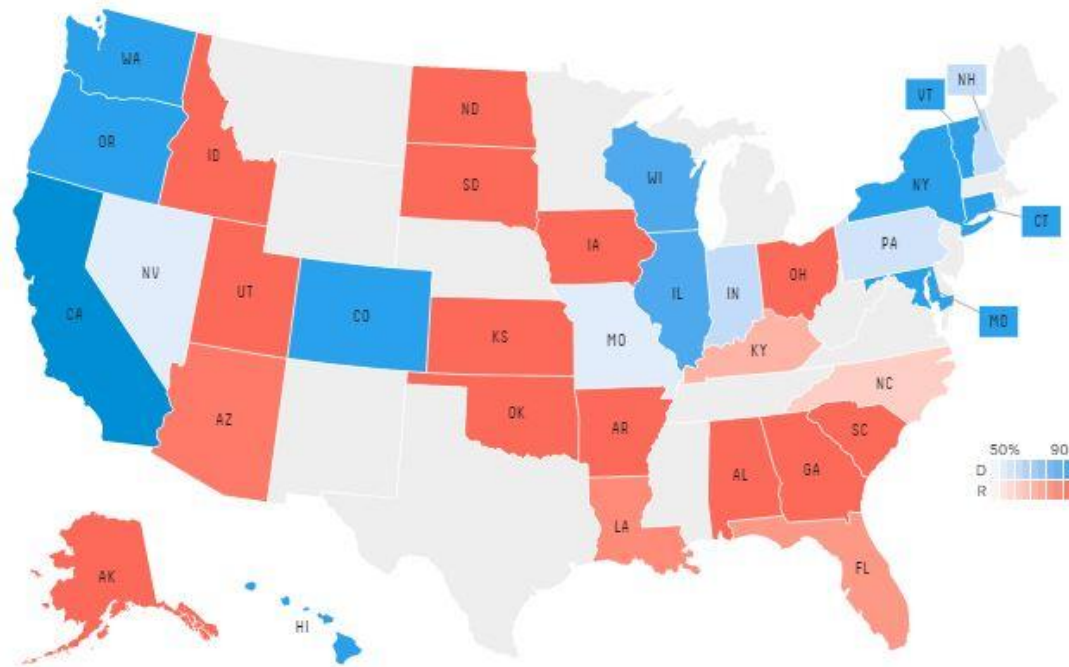


Democrats

**67.3%**

Republicans

**32.7%**



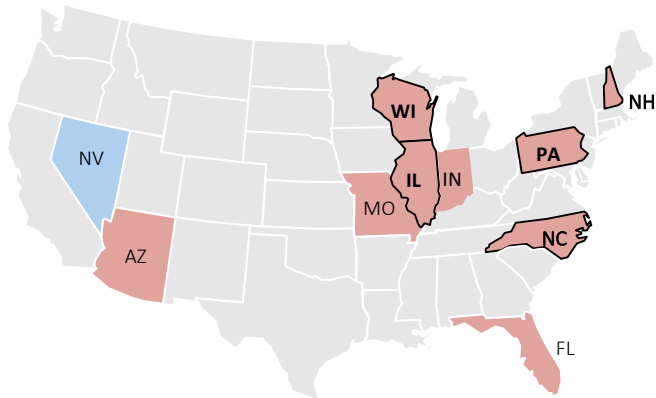
The vice president breaks ties in the Senate. ■ is the probability of a 50-50 split in the Senate with a Democratic vice president. ■ is the probability of a 50-50 split with a Republican vice president.



# Republicans currently hold the seats most likely to flip in 2016

## Hotline's 2016 Senate rankings

■ Seat held by Republican ■ Seat held by Democrat  
Top five states most likely to flip



6. Missouri: Roy Blunt (R)
7. Indiana: Open (R)
8. Nevada: Open (D)
9. Florida: Marco Rubio (R)
10. Arizona: John McCain (R)

**1. Illinois:** Sen. Mark Kirk (R) is trailing in the polls in a blue state and is lacking in support from outside spending groups. Kirk has publicly disavowed Trump despite his campaign's estimate that it needs Trump to reach the mid 40s to win. The *Chicago Tribune*, which has previously endorsed Kirk, announced its backing of his opponent, Rep. Duckworth.

*Incumbent:* **Mark Kirk (R)**

*Challenger:* **Tammy Duckworth (D)**

**2. Wisconsin:** Former Senator Russ Feingold (D) is running an aggressive campaign against Ron Johnson (R). Despite public polls showing the race tightening, outside pro-Republican groups have canceled their airtime reservations as resources are drying up in the election's final weeks.

*Incumbent:* **Ron Johnson (R)**

*Challenger:* **Former Sen. Russ Feingold (D)**

**3. Pennsylvania:** Toomey has declined to say if he will vote for Trump, a move that reflects his desire to retain Trump backers without losing split-ticket voters in Philadelphia and Pittsburgh. The race is close, but Clinton's growing advantage may be too much for Toomey to overcome.

*Incumbent:* **Pat Toomey (R)**

*Challenger:* **Katie McGinty (D)**

**4. New Hampshire:** Ayotte recently unendorsed Trump, which has hurt her advantage; however, Clinton's lead in New Hampshire is small, which may help Ayotte down ballot.

*Incumbent:* **Kelly Ayotte (R)**

*Challenger:* **Gov. Maggie Hassan (D)**

**5. North Carolina:** Burr has so far run ahead of Trump and GOP Gov. Pat McCrory, but if Clinton's lead continues to expand as she spends more in the state, his advantage could shrink.

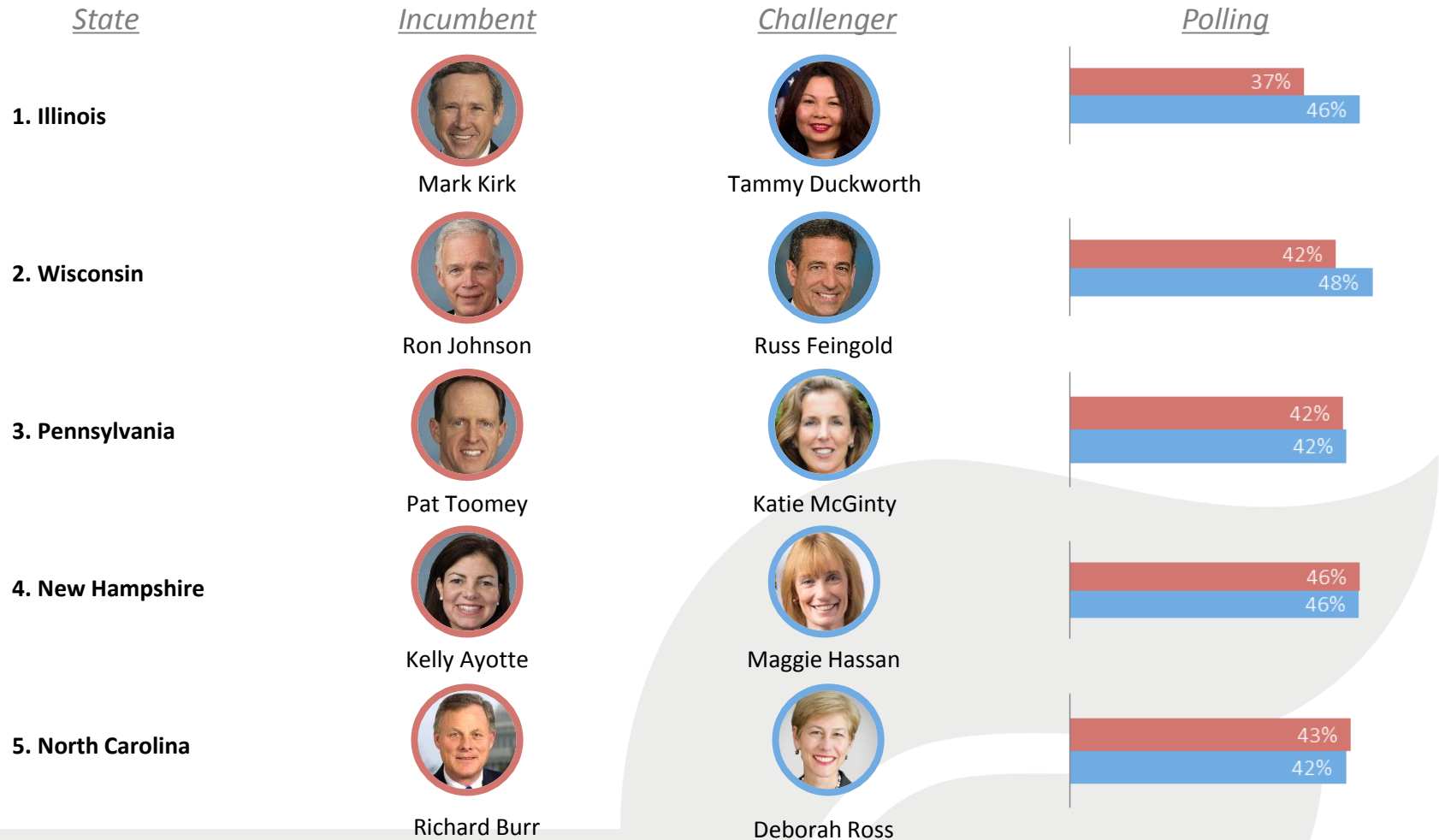
*Incumbent:* **Richard Burr (R)**

*Challengers:* **Fmr. State Rep. Deborah Ross (D)**



# Which Senate seats are most likely to flip?

Hotline's 2016 Senate rankings

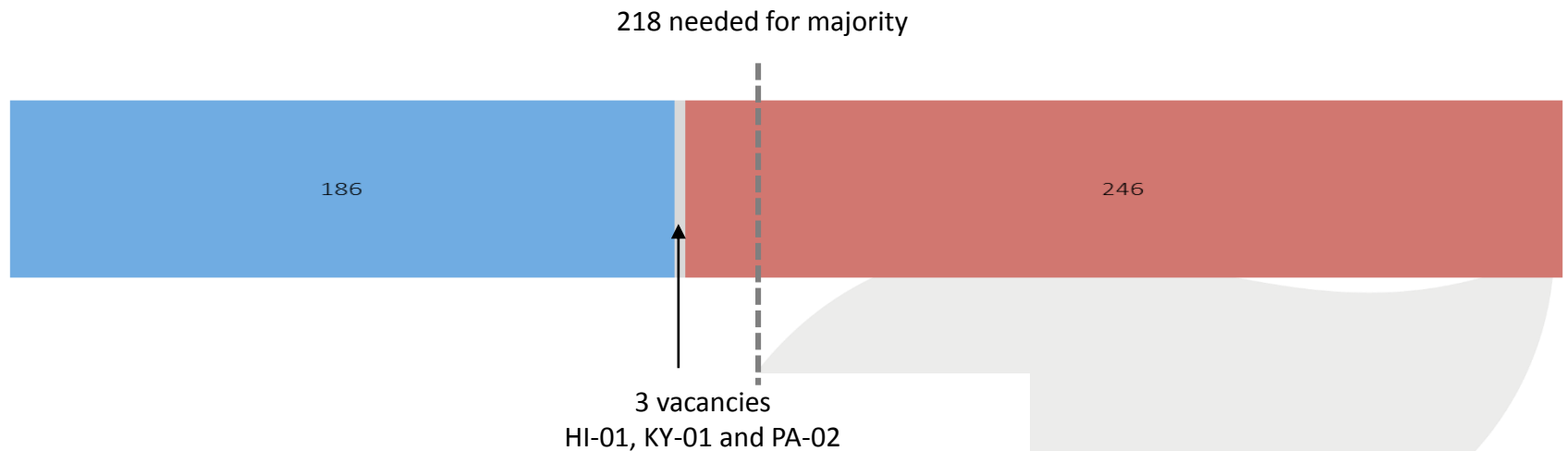




# Breakdown of current House representatives

Number of House seats in the 114<sup>th</sup> Congress, by party

■ Democrat ■ Republican



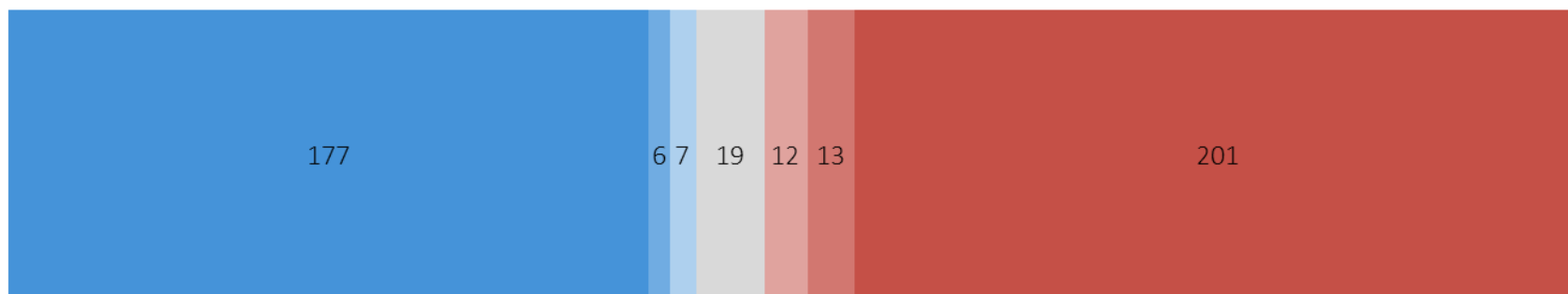




# 19 House seats are considered toss up races this election

2016 House race ratings, by party

■ Solid Democrat ■ Likely Democrat ■ Lean Democrat ■ Toss Up ■ Lean Republican ■ Likely Republican ■ Solid Republican





**Why this matters for you?**  
**You have influence.**





# Philanthropy Southwest Senators



John McCain  
(R-AZ)



John Boozman  
(R-AR)



Michael Bennet  
(D-CO)



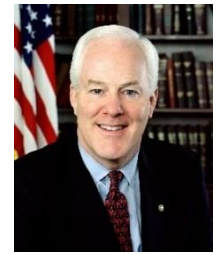
Harry Reid  
(D-NV)



Tom Udall  
(D-NM)



James Inhofe  
(R-OK)



John Cornyn  
(R-TX)



Jeff Flake  
(R-AZ)



Tom Cotton  
(R-AR)



Cory Gardner  
(R-CO)



Dean Heller  
(R-NV)



Martin Heinrich  
(D-NM)



James Lankford  
(R-OK)



Ted Cruz  
(R-TX)



# Philanthropy Southwest Representatives

- **Arizona**

- Ann Kirkpatrick (D-1)
- Martha McSally (R-2)
- Raul Grijalva (D-3)
- Paul Gosar (R-4)
- Matt Salmon (R-5)
- David Schweikert (R-6)
- Ruben Gallego (D-7)
- Trent Franks (R-8)
- Kyrsten Sinema (D-9)

- **Arkansas**

- Eric “Rick” Crawford (R-1)
- French Hill (R-2)
- Steve Womack (R-3)
- Bruce Westerman (R-4)

- **Colorado**

- Diana DeGette (D-1)
- Jared Polis (D-2)
- Scott Tipton (R-3)

- Ken Buck (R-4)
- Doug Lamborn (R-5)
- Mike Coffman (R-6)
- Ed Perlmutter (D-8)

- **Nevada**

- Dina Titus (D-1)
- Mark Amodei (R-2)
- Joseph Heck (R-3)
- Crescent Hardy (R-4)

- **New Mexico**

- Michelle Lujan Grisham (D-1)
- Stevan “Steve” Pearce (R-2)
- Ben Lujan (D-3)

- **Oklahoma**

- Jim Bridenstine (R-1)
- Markwayne Mullin (R-2)
- Frank Lucas (R-3)
- Tom Cole (R-4)

- Steve Russell (R-5)

- **Texas**

- Louie Gohmert Jr. (R-1)
- Ted Poe (R-2)
- Sam Johnson (R-3)
- John Ratcliffe (R-4)
- Jeb Hensarling (R-5)
- Joe Barton (R-6)
- John Culberson (R-7)
- Kevin Brady (R-8)
- Al Green (D-9)
- Michael McCaul (R-10)
- Michael Conaway (R-11)
- Kay Granger (R-12)
- Mac Thornberry (R-13)
- Randy Weber (R-14)
- Ruben Hinojosa (D-15)
- Beto O’Rourke (D-16)
- Bill Flores (R-17)
- Sheila Jackson Lee (D-18)

- Randy Neugebauer (R-19)
- Joaquin Castro (D-20)
- Lamar Smith (R-21)
- Pete Olson (R-22)
- Will Hurd (R-23)
- Kenny Marchant (R-24)
- Roger Williams (R-25)
- Michael Burgess (R-26)
- Blake Farenthold (R-27)
- Henry Cuellar (D-28)
- Gene Green (D-29)
- Eddie Johnson (D-30)
- John Carter (R-31)
- Pete Sessions (R-32)
- Marc Veasey (D-33)
- Filemon Vela (D-34)
- Lloyd Doggett (D-35)
- Brian Babin (R-36)



# Senate Finance Committee

- **Republicans**

- Chairman Orrin G. Hatch (UT)
- Chuck Grassley (IA)
- Mike Crapo (ID)
- Pat Roberts (KS)
- Michael Enzi (WY)
- John Cornyn (TX)
- John Thune (SD)
- Richard Burr (NC)
- Johnny Isakson (GA)
- Rob Portman (OH)
- Patrick Toomey (PA)
- Dan Coats (IN)
- Dean Heller (NV)
- Tim Scott (SC)

- **Democrats**

- Ranking Member Ron Wyden (OR)
- Charles Schumer (NY)
- Debbie Stabenow (MI)
- Maria Cantwell (WA)
- Bill Nelson (FL)
- Robert Menendez (NJ)
- Thomas Carper (DE)
- Benjamin Cardin (MD)
- Sherrod Brown (OH)
- Michael Bennet (CO)
- Robert Casey, Jr. (PA)
- Mark Warner (VA)



# House Ways & Means Committee

- **Republicans**

- Chairman Kevin Brady (TX-8)
- Sam Johnson (TX-3)
- Devin Nunes (CA-22)
- Pat Tiberi (OH-12)
- Dave Reichert (WA-8)
- Charles Boustany (LA-3)
- Peter Roskam (IL-6)
- Tom Price (GA-6)
- Vern Buchanan (FL-16)
- Adrian Smith (NE-3)
- Lynn Jenkins (KS 2)
- Erik Paulsen (MN-3)
- Kenny Marchant (TX-24)
- Diane Black (TN-6)
- Tom Reed (NY-23)
- Todd Young (IN-9)
- Mike Kelly(PA-3)
- Jim Renacci (OH-16)
- Pat Meehan (PA-7)
- Kristi Noem (SD-AL)
- George Holding (NC-13)
- Jason Smith (MO-8)
- Bob Dold (IL-10)
- Tom Rice (SC-7)

- **Democrats**

- Ranking Member Sander Levin (MI-9)
- Charles Rangel (NY-13)
- Jim McDermott (WA-7)
- John Lewis (GA-5)
- Richard Neal (MA-1)
- Xavier Becerra (CA-34)
- Lloyd Doggett (TX-35)
- Mike Thompson (CA-5)
- John Larson (CT-1)
- Earl Blumenauer (OR-3)
- Ron Kind (WI-3)
- Bill Pascrell (NJ-9)
- Joseph Crowley (NY-14)
- Danny Davis (IL-7)
- Linda Sanchez (CA-38)

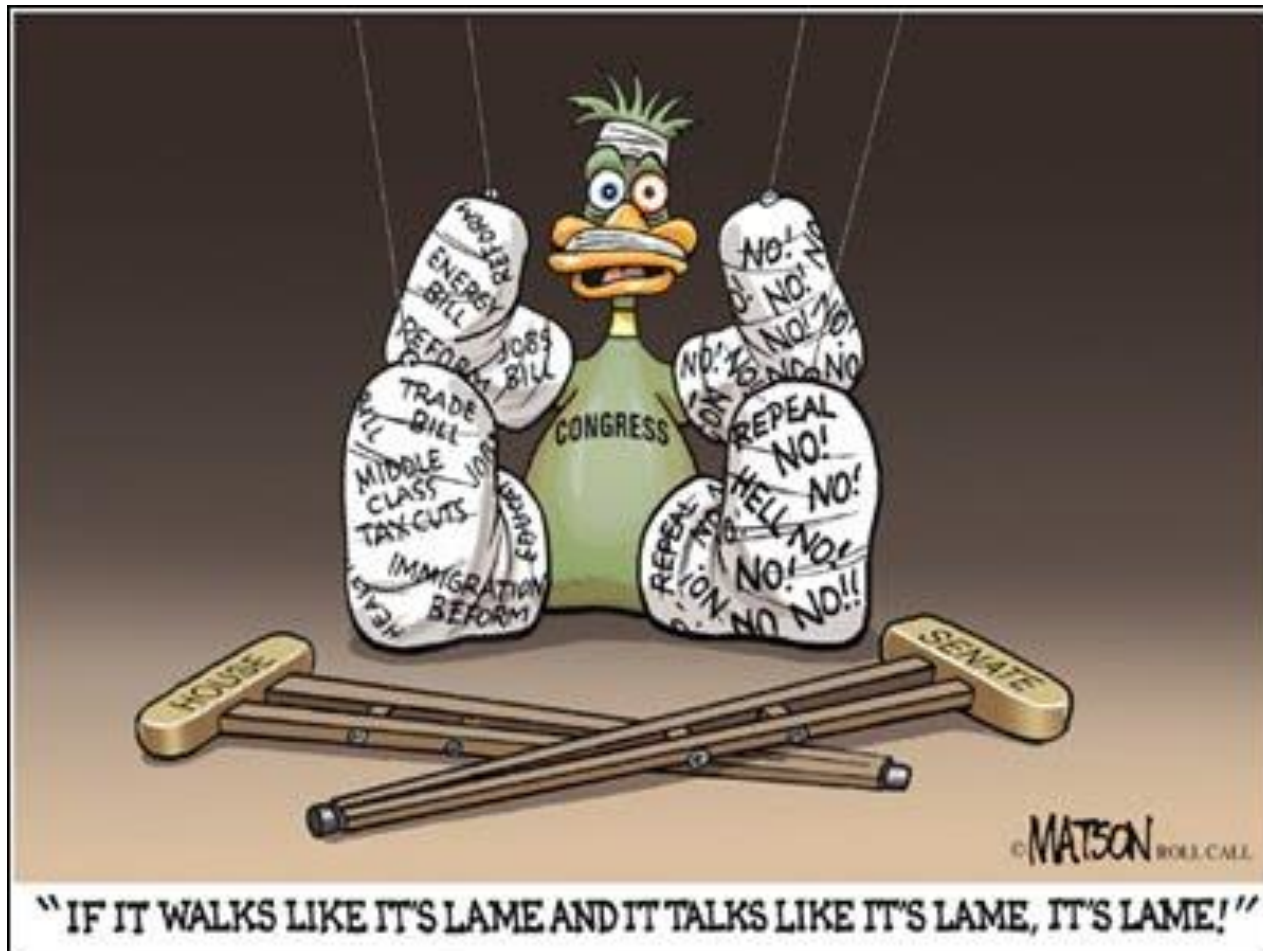


**What is next?**





One of the first things the election will impact is what happens in lame duck...







## Priorities

- Expand the IRA Charitable Rollover to include Donor Advised Funds.

*The IRA Charitable Rollover was made permanent in 2015 but remains limited in that donors are specifically not permitted to make charitable rollovers to DAFs.*

- Simplify the Private Foundation Excise Tax.

*The current private foundation excise tax is complicated to administer and, because of its overly complicated, two-tier structure, it often creates a disincentive when foundations consider increasing giving for unanticipated grants.*



How a bill becomes law...





# Looking Ahead | Policy Priorities





# Likely Leaders in 2017

## House



Speaker of the House  
Rep. Paul Ryan (R-WI)



Minority Leader  
Rep. Nancy Pelosi (D-CA)

## Senate



Majority Leader  
Sen. Chuck Schumer (D-NY)



Minority Leader  
Sen. Mitch McConnell (R-KY)

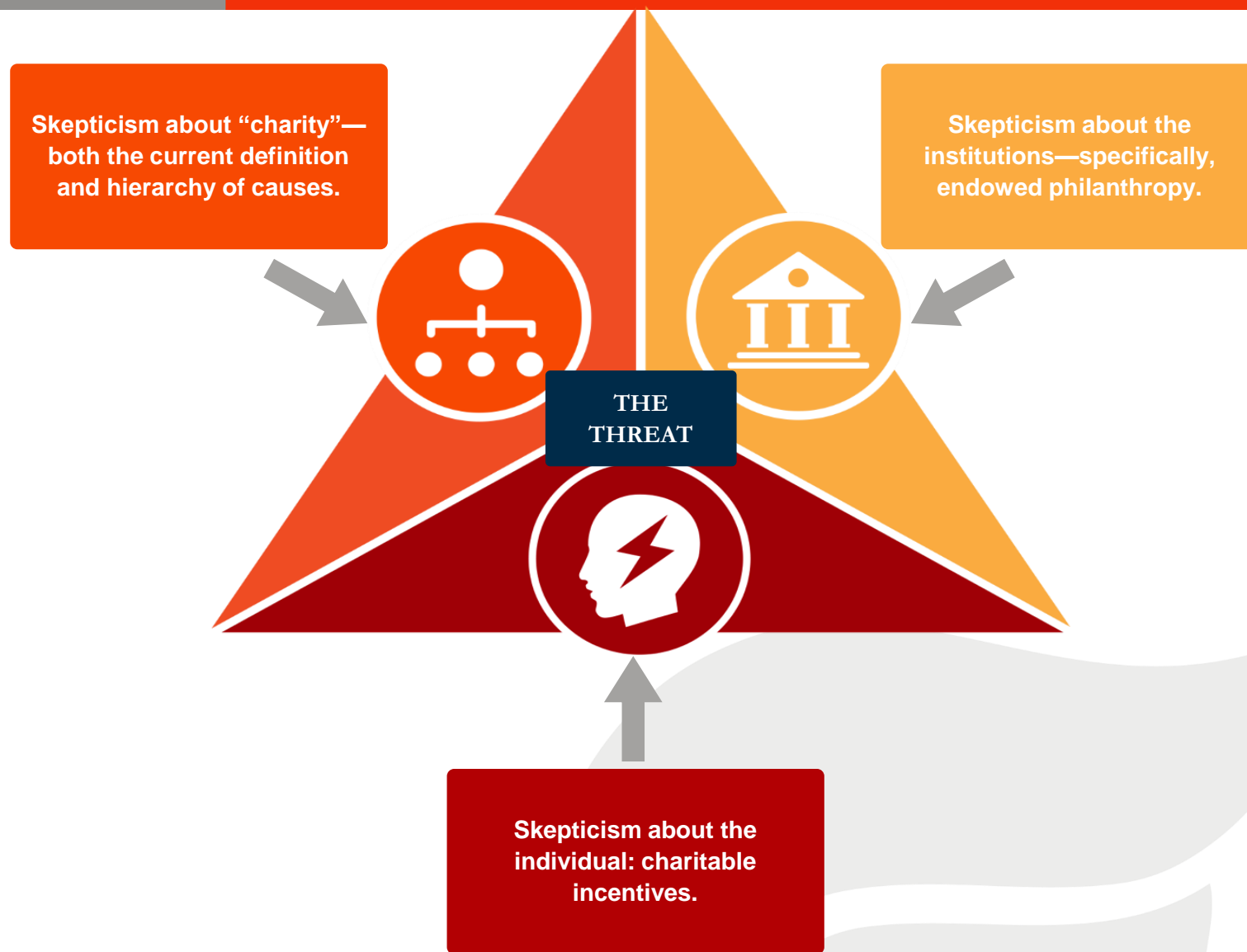


## **Skepticism among policymakers?**

- **Skepticism of endowed institutions**
  - Oversight subcommittee hearing and Tom Reed (R-NY) proposal.
- **Skepticism of the individual**
  - Do tax incentives motivate people to give?
- **Skepticism about “charity”**
  - Are all causes created equal?



# Public Policy





COUNCIL on FOUNDATIONS

## PHILANTHROPY PLATFORM 2016

### ENHANCE THE ABILITY OF FOUNDATIONS TO LEVERAGE ENDOWMENTS STRATEGICALLY

Philanthropic endowments allow foundations to operate with a long-term focus in addressing difficult social issues.

*Policymakers should acknowledge the importance of philanthropic endowments and recognize that these endowments are critical to sustain our communities.*

### FORTIFY TAX POLICY TO ALLOW PHILANTHROPY TO FLOURISH

Thoughtfully crafted tax policy is critical to keep pace with a vibrant and dynamic philanthropic sector, and ensure the ability of philanthropic organizations to fulfill their missions in support of the common good.

*As Congress considers tax reform, lawmakers should ensure the most positive environment for foundations, philanthropic giving vehicles, and individual giving incentives.*

### ASSURE PHILANTHROPY IS A KEY STAKEHOLDER IN FEDERAL POLICYMAKING

Our nation benefits from the collaboration between government and the philanthropic sector.

*We urge policymakers to create a climate in which continuing engagement with philanthropic organizations is integrated into federal operating practices.*

### SUPPORT THE EVOLUTION OF AMERICAN PHILANTHROPY

Throughout our nation's rich history, the philanthropic sector has demonstrated its resilience in responding to both community needs and national crises.

*Policymakers should celebrate philanthropy's history, support the giving trends of today, and enable philanthropy to flourish in the future.*

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## Enhance the Ability of Foundations to Leverage Endowments Strategically

*Policymakers should preserve foundations' ability to advance their charitable missions. Lawmakers should acknowledge the importance of philanthropic endowments and recognize that these endowments are critical to sustain communities. They help underwrite long-term support of charitable institutions, use public and other private resources, and provide a base for the development of new and effective philanthropic tools that will support the charitable sector in the future.*





## Assure Philanthropy is a Key Stakeholder in Federal Policymaking

*Building on the Council's successful Public Philanthropic Partnership initiative, we urge policymakers at the legislative and executive branch levels to create a climate in which continuing engagement with philanthropic organizations is integrated into federal operating practices. Our national leaders should consider philanthropy, alongside business, state and local governments, and nonprofits as essential partners in policymaking.*





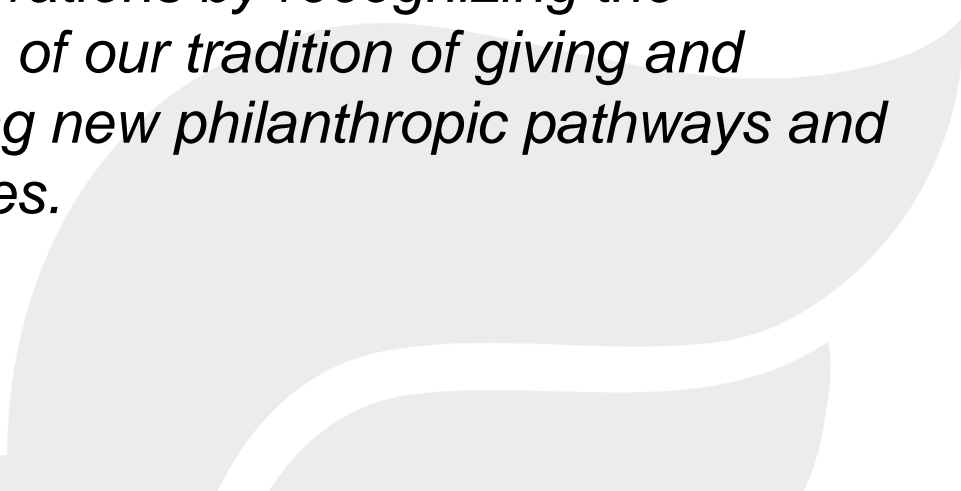
## Fortify Tax Policy to Allow Philanthropy to Flourish

*As Congress considers tax reform, lawmakers should ensure the most positive environment for foundations, philanthropic giving vehicles (e.g., donor advised funds), and individual giving incentives (e.g., the charitable tax deduction). It is important that the provisions of any tax proposals both protect an individual's freedom in charitable giving and enhance the ability of philanthropic organizations to fulfill their missions in support of the common good.*



# Support the Evolution of American Philanthropy

*Policymakers should celebrate philanthropy's history, support the giving trends of today, and enable philanthropy to flourish in the future. Our American spirit of giving will be preserved for future generations by recognizing the importance of our tradition of giving and encouraging new philanthropic pathways and opportunities.*

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**How can you be engaged?**



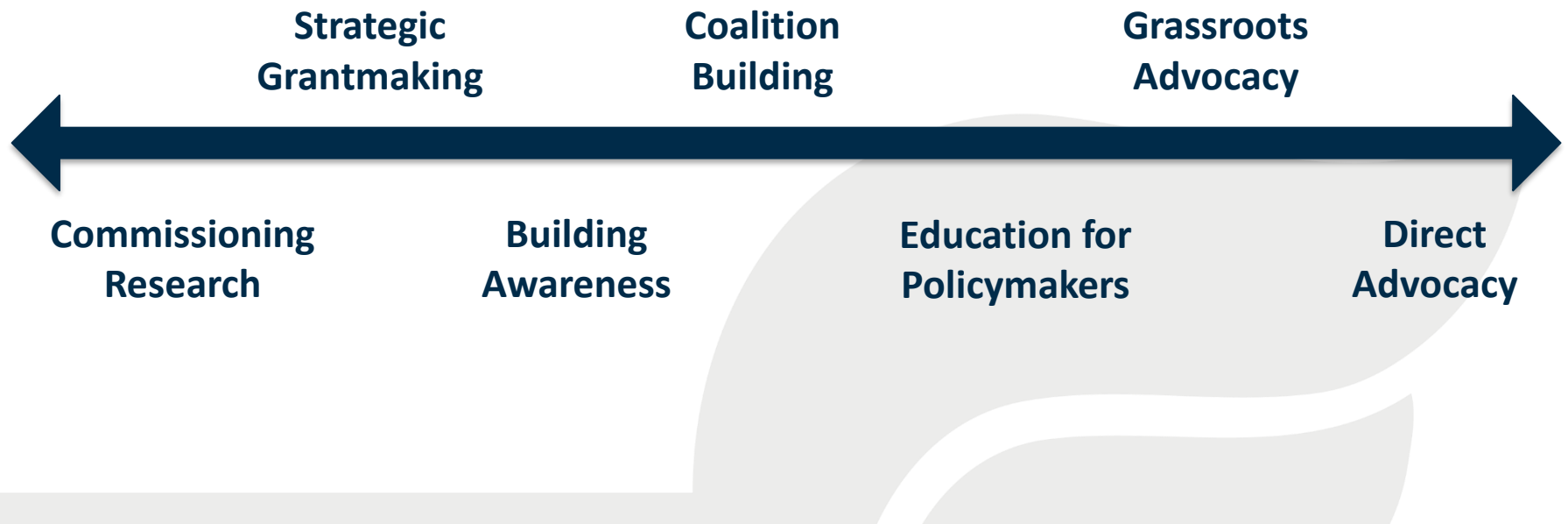


**Members of Philanthropy Southwest meeting with Congressman Bill Flores (TX-17).**



# In Which Ways...

## Does it Make Sense for Your Organization to Engage?





## **What this looks like...**

- **Do you have relationships with your lawmakers?**
- **Do you advocate for the business of philanthropy (e.g. tax policy)?**
- **Do you advocate for mission specific issues?**
  - **State Level?**
  - **Federal Level?**



**Questions?**







# Join us for Washington Update LIVE! Post-Election Analysis

**November 10, 2-3pm ET**

**Speakers will include:**

- **Vikki Spruill, President & CEO, Council on Foundations**
- **Connie Schultz, Pulitzer Prize Winning Columnist**
- **Ken Kies, Managing Director, Federal Policy Group**

**Register → <http://www.cof.org/events>**



# Resources

To sign up for our ***Washington Snapshot*** newsletter,  
e-mail [govt@cof.org](mailto:govt@cof.org)



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*Washington Snapshot*



**Additional questions? Contact Me:**

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