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To: Notice Comments
Subject: Notice 2017-73

Comments with respect to Notice 2017-73

Donor Advised Funds have been tremendously instrumental in increasing charitable giving from families without the expense and complication that arise with a private foundation. They do not have family members as employees and except for the administrative expenses of a community foundation or other quality entity which provide the platform, all the funds go to charity. They should be encouraged

Here are comments on three key points.

First, the distinction in Section 3 between what an individual may do by paying for a charitable event and only deducting the permitted portion and same situation with a donor advised fund seems like a tenuous and unnecessary restriction provide there is clear evidence of payment by the DA for its portion of the event. Your logic would then apply to all sorts of corporate sponsorships if they are funded through the company charitable foundation (and perhaps however they are funded) and will significantly adversely impact charities. The abuse is when the donor does not pay or deducts 100% when the donor received economic benefit such as a round of golf.

Second, if despite my objections, the IRS does impose this restriction, there should be a clean clear statement that if the Donor Adviser purchases a normal ticket to the event, the DA may also recommend that its donor advised fund make a contribution to support or sponsor the event, in whole or in part, as a separate donation provide it does not receive tangible benefits. There is no good policy or revenue reason why a clean sponsorship should be prevented because a donor also wants to attend an event and is willing to buy a normal ticket

Third, it has been a fairly common practice for some sponsors of events to give the attendance tickets or tee times to unrelated staff or co-workers or to put them into a random drawing(with donor advisers and related parties inedible). Even if the sponsorship is through a donor advised fund, this practice should be permitted and the guidelines need to make this clear since the threat of an excise tax is a significant deterrent.

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