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YEAR-END GIVING
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FROM THE DESK OF GABE CONGER

Dear Friends,

Driving back after the Bradley Impact Conference in Lake Geneva, I was struck by the conviction and commitment our panelists and keynote speakers bring to their work each and every day. They are disruptors, seeking opportunities to change America's status quo with entrepreneurial solutions that challenge domination, indifference, and often, despair. As conservatives, we are at a crossroads in this fight for our country's future. Will we have the same commitment as our speakers to stand for the conservative principles and values in which we believe?

If the engagement and deep commitment of Impact Conference attendees are an indicator, then we have strong reason to hope. Many of you in our donor community already actively seek and support leaders like those at the Conference who are innovating to change American media, culture, and education. If you joined us, it is our hope that you came away with many more ideas and strategies for being a disruptor through your giving. If you couldn't make it, I'd be happy to share the insights we gained with you!

Something else became clear at the Conference: A donor-advised fund (DAF) with personal advisory services and a strong donor community like we have at the Bradley Impact Fund can be a critical element for making disruptive philanthropy happen. The simplicity of DAF giving and its tax advantages are certainly a win, but there's even greater value in the insights gained about how to plan your giving to make the impact you as a philanthropist hope to achieve.

As you consider your year-end giving, let's make these insights a conversation we have in person or over the phone. Committed, informed donors like you are vital to our country's future. The Bradley Impact Fund stands ready to help you become the disruptor you'd like to be.

Sincerely,



Gabe Conger
President, The Bradley Impact Fund



GIVING TO YOUR ALMA MATER

and Protecting Donor Intent



Our guest author this issue is Jason Kohout, a lawyer with Foley & Lardner LLP's Tax and Estates & Trusts Practices. Mr. Kohout is co-chair of the firm's Family Office group, and also advises tax-exempt organizations in all aspects of formation and operations. He was a panelist at this year's Bradley Impact Conference and serves as Secretary of the Bradley Impact Fund Board of Directors.

Donors often make large gifts to their alma maters—this is natural; for many successful donors, success began at college and may be traced to an important professor or academic experience. For others, college or professional school was just a great part of their life. Universities have a special place in American life and will continue to receive a large portion of Americans' charitable gifts.

"If done carefully, a donor can be supportive of his or her alma mater and also be a crucial part of redirecting American universities back to something that supports American ideals."

— Jason Kohout
Foley & Lardner LLP

However, donors hailing from the world of business and who generally interface with university leadership and the development office may not fully understand the internal dynamic in academia today. Once the funds are received, the people in charge of spending are largely divorced from the donor; they may even hold views contrary to the donor's core values.

Donors making large gifts to universities should understand this issue. If done carefully, a donor can be supportive of his or her alma mater but also be a crucial part of ensuring that American universities support and educate students about American ideals.

Donors can do this by making specific designated gifts. They may want to focus their gift on the finance or accounting program that helped the donor's own initial business efforts. Or, donors can go further. They want to give in a way that requires the recipient university to allow students access to a free market and freedom viewpoint. Perhaps the donor is aware of The Bradley Foundation's support of the Institute for Human Ecology at The Catholic University of America, which seeks to teach entrepreneurship as a vocation, ultimately in the service of fellow men and civil society. Someone might want to support (or create) a similarly innovative program at his or her alma mater.

Fashioning the donor's vision for a large gift that can help the donor's alma mater in a way that fits with the donor's philosophical values is only part of the challenge. The other component is making sure that the university follows through with using your gift as it has promised to do. There are many stories of universities spending donor funds in ways far outside of donors' intentions for the gifts.



When donor intent is a priority, donors should focus on structuring their gift in a way that can allow for enforcement of that gift. Here are some strategies to keep in mind:

Gift Agreement

The gift should be made according to a written gift agreement. Universities usually provide a form agreement. Donors may not be aware that these gift agreements can be negotiated, and they are often heavily negotiated.

The gift agreement should not only state the specific purpose of the gift (to fund a program or fellowship), but donors conscious of the issues in academia may want to include a broad “Use Restriction” to make sure that funds given are not used for speakers, professors, and programs in direct conflict with the donor’s values.

Any specific gift should address the concept of *fungibility* to ensure that funds are spent as specified, and to protect against the university shifting funds away from the project or program the donor is supporting.

Enforcement Mechanism

The key part of the gift agreement is the enforcement mechanism—creating consequences of the university’s failure to follow through. The laws of some states give the donor the right to enforce a gift agreement even with no statement to this effect in the gift agreement. However, some states do not give the donor’s heirs legal standing to enforce the terms of a gift unless there is an explicit term in an agreement. In addition, if a donor passes, the donor’s heirs may not be philosophically compatible, and may want to avoid a costly and contentious dispute with a major educational institution.

A more strategic approach is to include a provision in the agreement whereby if the recipient institution fails or defaults on the terms of the gift agreement by not fulfilling the purpose or by violating the restriction clause, the recipient organization agrees that it must give the funds to another organization (and that this secondary recipient organization may sue the first to turn over the funds if the terms are violated).

Consider a Third Party to Hold the Endowment

If the donor is making a gift that will not be spent immediately (but instead, the funds will be used to make an investment return that can be spent annually, such as a professorship or scholarship), the donor may consider establishing the endowment at a third party like the Bradley Impact Fund, with the instructions that the third party charity is only to make distributions to the university if the university continues to abide by the donor’s wishes. The Impact Fund can make sure that the terms of the agreement are being followed before releasing future distributions. By giving the Impact Fund the ability to stop payment until issues are resolved, the Fund is positioned to enforce the terms of the gift restriction without having to necessarily resort to litigation.

My mentor used to say that “giving away money is hard work.” For donors making gifts in the academic context, the work is harder than ever before. Donors who want to ensure that their donor intent is followed must do the hard work specifying that intent and making sure that it is enforced. The Bradley Impact Fund can absolutely help.

Giving to Your Alma Mater with the Impact Fund

If your alma mater remains close to your heart, the Bradley Impact Fund can help you ensure gifts to your college or university are organized, powerful and intentional. Our professional staff is experienced with the dynamics of university giving. **To start the conversation, please give us a call today at 414-291-2500.**



9th Annual Bradley Impact Conference: On Becoming a Disruptor

“ Let’s stop talking about what we are against, and emphasize what we are for. Let’s stop studying failure and start studying how people achieve against the odds. I want to talk about solutions.”

— Impact Conference speaker
Robert L. Woodson, Sr.
Lifelong activist and founder of
the Woodson Center

What will it take to leave our country’s current, deficient status quo behind? That was the topic more than 200 members of the Impact Fund donor community tackled from every angle with conservative thought leaders and nonprofit disruptors at this year’s Bradley Impact Conference (the largest to date). Our donors asked the tough questions, and our panelists and keynotes didn’t hold back as they discussed the essential roles of media, culture, and conservative philanthropy in disrupting progressive control in America. The Impact Conference has become a vital annual gathering for learning and networking for our donor community.



— Disruptors. —

Principles in Action

2019 Bradley Impact Conference

“The war we have to fight is the war of ideas. We need to stand up and say what we believe every day—it's the only way we will save America.”

— Impact Conference speaker **Candace Owens**, Host of PragerU's *The Candace Owens Show*



“We're in a dangerous moment in our country. We saw how the narrative about Justice Thomas was rewritten as soon as he was confirmed, so we knew it was important to write the [Kavanaugh] story definitively so there is a record.”

— Impact Conference speaker

Mollie Hemingway

Senior Editor, *The Federalist*, and co-author, *Justice on Trial: The Kavanaugh Confirmation and the Future of the Supreme Court*



“I served in a different era. The relationships I made in Congress with Democrats and Republicans were very important for me as the Secretary of Defense. It was bi-partisan—we sat down and worked things out... Nobody today has relationships like this to operate in this way.”

— Impact Conference speaker

the Honorable Richard B. Cheney

46th Vice President of the United States of America

Panelist organizations at the 2019 Bradley Impact Conference

Acts Housing
The Ashbrook Center
at Ashland University
Badger Institute
Encounter Books —
Land of Hope

Franklin News Foundation
The Frontier Center
The Fund for American Studies
Jack Miller Center
Maclver Institute
National Taxpayers Union

Operation DREAM
Safe Families for Children
Teneo Network
Wisconsin Institute for
Law & Liberty



GRANT RECIPIENT SPOTLIGHT

Center for Research on the Wisconsin Economy

Soon after Noah Williams joined the University of Wisconsin-Madison faculty as the Juli Plant Grainger Professor of Economics, he identified a need for more state-level economic research. “In discussions with state and local business and community leaders, I saw there wasn’t any research or very little that I could draw from to try to answer their questions - essentially, what would be the impact of changes in state policy or regulation on the economy and on the citizens of Wisconsin?”

At the same time, he saw a general shift in undergraduate economics course instruction away from the fundamental ideas which underlie the free market system. With an initial grant from The Bradley Foundation, Noah founded the Center for Research on the Wisconsin Economy (CROWE), a nonprofit focused on research, engagement, and outreach from a market-based perspective.

“Part of our role is to provide a missing voice here on campus, with more of a market-based and a free-market perspective, and to disseminate research along those lines broadly.”

— Noah Williams

Founder, Center for Research on the Wisconsin Economy (CROWE)

Research: CROWE enables more informed discussion about Wisconsin’s economic policy by producing timely studies and regular reports on major economic trends in the state. Upcoming work will focus on tax reform and trade policy.

Engagement: CROWE engages students in research and a wide variety of required and elective courses, many of which weren’t being taught in UW-Madison’s economics department previously.

Outreach: CROWE gives speeches and talks with business and community groups throughout the state and hosts its own events on campus for the broader community.

Though CROWE is a university-based research center, it is fully donor-supported. “Part of our role is to provide a sort of missing voice here on campus, with more of a market-based and free-market perspective, and to disseminate that research broadly,” says Noah. “The idea is to give a broader perspective and an historical perspective for students so they would have a better understanding of both what’s distinct about the American economy and how that’s led to many of the improvements that they take for granted.”



CROWE

Center for Research on the Wisconsin Economy

Donor Story

JACK & GOLDIE WOLFE MILLER

Bradley Impact Fund Members since 2017



“You worked hard to make the money, and you've got to work hard to make sure you're investing properly in philanthropy. I think the Bradley Impact Fund can be a major help in this area.”

— Jack Miller
Disruptor, Entrepreneur,
Philanthropist, and Bradley
Impact Fund Member

The Jack Miller Center for Teaching America's Founding Principles and History (JMC) started in 2004 and became a 501(c)3 in 2007. It is a non-partisan, nonprofit foundation on a mission to support the scholarship, teaching, and study of the central ideas and themes of American history and the broader traditions of Western civilization. JMC partners with faculty, administrators, and donors to change the way college and high school students learn about the history and principles at the heart of American political life. Today they have almost 1,000 professors on over 300 campuses nationwide and have taught over 1 million students.

Speaking as a panelist at the Bradley Impact Conference, Jack noted that donors often ask if JMC can shepherd their gifts to their alma mater. He shared JMC's business-like strategies for protecting donor intent with university giving, which include spacing disbursements over several years, requiring annual reports on how grants are spent, and setting aside funds for the reporting work. “My philanthropy has been shaped by the passion Goldie and I share for getting America's founding principles into our schools,” he says. “I'm optimistic that we can stop just complaining and get out of the bleachers and onto the playing field. Education is the key.”

Jack Miller has always approached philanthropy like a business investment. It's a strategy that's proven effective in advancing the American values and principles he and his wife Goldie have helped support through the Bradley Impact Fund. Beginning in the 1950s, the Chicago entrepreneur and his brothers grew Quill Corporation into the nation's largest independent direct marketer of office products. After it was acquired by Staples in 1998, Jack and his brother, Harvey, went on to found a successful real estate company.

The Millers believe deeply in their responsibility to give back, and for Jack, the lack of civic education on college campuses was a particular shortcoming he wanted to address.

UPCOMING EVENTS

2019:

November 7, 2019

Bradley Impact Fund &
National Review Institute
Andrew McCarthy Dinner
Chicago, Illinois

November 15, 2019

Policy Circle Summit
Chicago, Illinois

November 21, 2019

YAF - Reagan Ranch Center
Bradley Lecture, Featuring
Judge Janice Rogers Brown
Santa Barbara, California

2020:

March 3, 2020

Foundation for Government
Accountability Event
Naples, Florida

May 19, 2020

The Bradley Prizes
Washington, D.C.

Please contact Terri Famer at
events@bradleyimpactfund.org
for event details.



INSIGHTS FROM THE IMPACT FUND



Investment Options Q&A with Marie Ruzek CFRE, Vice President Philanthropic Services Wells Fargo Private Bank

WELLS
FARGO

THE PRIVATE BANK

How donors can maximize year-end tax advantages by giving to a DAF now and then engaging in strategic philanthropy for greater impact.

► **Q: What are the key tax advantages to donors who use a donor-advised fund for year-end giving, and how can they make the most of these advantages?**

Choosing to donate low basis stock with long-term capital gains will put donors in a position to potentially forgo any capital gains tax that may have been due if sold, and on top of that the donation is eligible for a charitable income tax deduction.

The biggest missed opportunity I see is for donors with privately-held stock or real estate. Similar to choosing low-basis publicly traded stock, other long-term capital gain property, like real estate or business interests, may be the best asset to choose for charitable contributions. Donors should consult their tax advisors to assess their personal situations.

With the Tax Cuts & Jobs Act of 2017, bunching 3-5 years of annual charitable contributions has been a popular strategy with taxpayers who want to be able to itemize their charitable contributions.

► **Q: What are some innovative ways to think about giving using a donor-advised fund (DAF)?**

Many families of wealth choose to use a donor-advised fund as an alternative to a private family foundation, by using a family meeting structure to engage their children in discussion around their family's values, what is important to them, and how they plan to make an impact with their charitable giving. We're also seeing families who already have private foundations layering in a donor-advised fund to create a "junior board" to educate the next generations on finances, wealth, and the importance of giving back. A donor-advised fund can also provide anonymity whereas a private foundation cannot.

► **Q: How can having a donor-advised fund help donors be more purposeful in their giving, and make philanthropy a larger aspect of their lives?**

We see many generous families of wealth using a donor-advised fund to focus their giving and use it as a way to be more intentional with the impact of their charitable donations. Donors want to see that they are making a difference. In many cases, donor-advised funds can provide the lens through which their donations can be better evaluated and offer insights into whether their donations are having the desired impact.

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