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MISSION STATEMENT

The Fraternity and Sorority Political Action Committee (FSPAC) is a bipartisan organization that provides financial support to candidates who defend and enhance the fraternity and sorority experience.

SECTION I: HISTORY

FOUNDING

2000-2004

While the Fraternity and Sorority PAC was not founded officially until March of 2005, it has its genesis in events that took place beginning around 2000. The North American Interfraternity Conference (NIC) had begun an annual series of visits to Washington to allow fraternity leaders to meet with their alumni working in Congress.¹ An annual Hill reception the night of these visits was well-attended (as many as 400 fraternity leaders, Senators, Representatives and Hill staffers), and each year the NIC was presenting several Senators and Representatives with its Award of Distinction at the reception (recipients also included NPC and NPHC alumnae/alumni). Slowly, an actual legislative agenda emerged as the NIC went from simply going to the Hill to update members on the status of their organizations to supporting initiatives that would improve the Greek experience for future generations of students.

As the early years of these NIC efforts were unfolding, fraternity leaders were noticing two things. First, a large number of their alumni in Congress were retiring at a fairly advanced rate and, due to demographic issues (the average age of Senators and Representatives elected at that time would have been in college at a point when Greek membership was on the decline), they were not being replaced with younger Greek members. Second, Greeks were asking Congress for help to improve and sustain the fraternal experience, but we were not doing anything to make sure the people being elected understood the value of the fraternal experience in shaping future leaders for our country.

So, beginning in late 2003, there were quiet conversations going on about whether Greeks should be doing more to help their own members get to Washington and serve stay in Congress.

It should be pointed out that the National Panhellenic Conference (NPC) was a participant in this process as well. The NIC had been inviting the NPC to participate in the Hill visits for a couple of years, largely as secondary players, and there was a desire amongst some NPC women to do more and be partners with the NIC on the Washington agenda. However, there were others inside the NPC who did not want to partner with the men on legislative and policy issues and opposed the idea of engagement altogether. Taking the position that Greek women needed a voice in Washington was, for a period of time, a minority viewpoint in the NPC. Not surprisingly, the women most associated with that push for a voice and a true partnership with the NIC included Julie Burkhard of Alpha Chi Omega, Sarah Lindsay of Delta Delta Delta, and Cindy Stellhorn of Kappa Alpha Theta, each of whom would go on to play leading roles in the formation and success of FSPAC.

The 2004 Presidential Election

In 2004, President George W. Bush launched his reelection campaign. President Bush, like his father, is a member of Delta Kappa Epsilon, at Yale. First Lady Laura Bush is a Kappa Alpha Theta at Southern Methodist University. Lynne Cheney, the wife of Vice President Dick

¹ The NIC had prior multi-year efforts in the 80s and 90s in Washington to lobby on discrete efforts. And of course, NIC and NPC groups were active in the 1970s to ensure Title IX included language preserving the ability for schools to allow fraternities and sororities to exist on campus.

Cheney, is also a Kappa Alpha Theta, from Colorado College. The upper ranks of the Bush Administration were filled with Greek alumni.

In April 2004, as part of the regularly scheduled Congressional visit day for the NIC, two events were held: Greeks for Bush-Cheney 04 and Greeks for Kerry-Edwards. While neither person on the Democratic ticket that year was Greek, the determination was made that there were many Greeks who supported that ticket and it was smart politics to make sure Greeks had a relationship with that ticket if they ultimately won the election.

The Greeks for Kerry-Edwards event was held at a restaurant and raised about \$40,000 for the campaign. **Marc Katz**, former national president of Alpha Epsilon Pi and a soon-to-be Chairman of the NIC, was a major player in organizing the Democratic event.

The Greeks for Bush-Cheney event raised about \$125,000 from Greek alumni for a reception held at the Washington offices of Patton Boggs LLP, then the legislative counsel to the NIC. The event featured a number of prominent Greek Bush Administration officials, including Campaign Manager Ken Mehlman (Phi Kappa Tau), Campaign Chairman Mercer Reynolds (Phi Delta Theta), and former Congressman Ed Pease (R-IN/Pi Kappa Alpha), who had recently completed an unprecedented second-term as President of the NIC. Numerous people who would go on to serve as FSPAC board members and top-level donors were heavily involved in the 2004 event.

The Presidential events were a spark in the Greek community and convinced influential people that Greeks should work together in the political arena to support our brothers and sisters running for office. Kevin O'Neill spent the fall of 2004 talking to several Greek leaders about the concept of forming a PAC.

Founding in 2005

In late 2004 and early 2005, Kevin O'Neill (Lambda Chi Alpha) began contacting Greek leaders and soliciting them to be on the first board of directors for the Fraternity and Sorority PAC. Kevin had been the NIC's pro bono legislative counsel since 2001 at Patton Boggs, and was the lead player in the Greeks for Bush-Cheney 04 event the prior year.

Founding Board Members

By March 2005, the Fraternity and Sorority PAC was born. It was incorporated on March 2, 2005 with four men and four women listed as the board on the articles of incorporation. That initial board was:

- Julie Cain Burkhard (Alpha Chi Omega), Director
- Ken File (Delta Tau Delta), Director
- Sarah Lindsay (Delta Delta Delta), Secretary
- Joseph "Jay" McCann, Jr. (Phi Kappa Tau), Director
- Kevin O'Neill (Lambda Chi Alpha), President
- Cindy Stellhorn (Kappa Alpha Theta), Director
- Larry Wiese (Kappa Alpha Order), Director
- Susan Zabriskie (Alpha Phi), Treasurer

The initial board featured three people who were national presidents of their organizations

(Burkhard, Lindsay, and McCann), three executive directors of national organizations (File, Wiese, and Zabriskie), the insurance agent for virtually all of the sororities (Stellhorn) and the Greek world's lead lobbyist (O'Neill). As of the writing of this history (February 2020), five of the original directors remain active as board members (Burkhard, Lindsay, O'Neill, Stellhorn, Wiese) with the FSPAC 15 years later. Jay McCann served on the board for two years and passed away in 2012. Susan Zabriskie served on the board until leaving the Alpha Phi staff. Ken File served on the board from 2005 until April of 2016.

Of the original founders, Larry Wiese, as an active CEO of a fraternity, has long played a pivotal role in the growth of the FSPAC, providing it credibility and support in the fraternity world, especially at moments when the NIC itself was not supportive of the new organization at various points. Larry has been a voice and key contributors in almost every major decision of the FSPAC. Similarly, Cindy Stellhorn's professional position as the insurance agent to the sorority world has allowed her to be a strong supporter of the FSPAC, someone who often helped recruit new sororities to the board, and someone whose voice was often heard on the PAC's most important issues over the years. Finally, as national presidents and, in Julie's case an NPC Chairman, Julie Burkard and Sarah Lindsay offered credibility inside the Greek world during the PAC's earliest days. They have also been heavily involved in the strategic vision and key decisions of the PAC during its entire existence. So while the FSPAC has eight founders, the reality is Larry Wiese, Julie Burkhard, Sarah Lindsay, and Cindy Stellhorn have each played outsized roles in the FSPAC's success since the founding.

First Solicitation

The first email solicitation for the FSPAC went out by email on March 23, 2005 to Greek leaders nationwide and many of the themes identified in that initial outreach remain part of our mission today. A copy of that solicitation email is attached to this section.

Debut event in 2005

The FSPAC held its debut event on April 18, 2005, the night before fraternity and sorority alumni visited Congress. In just its first 30 days, the FSPAC raised more than \$105,000 and had a cycle goal of \$500,000 (a total that the FSPAC would actually take several cycles to hit).

It was just about one year since the successful Greeks for Bush-Cheney 04 and Greeks for Kerry-Edwards events launched the conversation about starting a PAC. The event was held at the law offices of Patton Boggs (the firm where Kevin O'Neill worked, and which represented the Greek world at that time) and included several Congressional guests as Honorary Chairman of the event. These Congressional guests included:

- Congresswoman Marsha Blackburn (R-TN/Chi Omega)
- Senator John Breaux (D-LA/Lambda Chi Alpha)
- Senator Mike Enzi (R-WY/Sigma Chi)
- Senator Trent Lott (R-MS/Sigma Nu)
- Congresswoman Stephanie Tubbs Jones (D-OH/Delta Sigma Theta)
- Congressman Jack Kingston (R-GA/Lambda Chi Alpha)

- Congressman Pete Sessions (R-TX/Pi Kappa Alpha)
- Former Congressman Bob Livingston (R-GA/Delta Kappa Epsilon)
- Former Congressman Ed Pease (R-IN/Pi Kappa Alpha)

We also have an email at the time that noted a young Congressman named Paul Ryan (R-WI/Delta Tau Delta) could not attend because his wife had just had a baby and he wanted an extra night at home before coming in for votes.

There was a fundraising host committee for the first event and the names of that host committee on the event invite included a number of people who have been amongst our most important players since 2005. Hosts had to raise at least \$2,500 for the event. In addition to all eight people on the initial board, the Host Committee for this first event included:

- **Jennifer and Patrick Alderdice** - Patrick, Delta Chi and professional fundraiser for Greek organizations, would join the board immediately after this event, would serve as President in 2011-12, and is the all-time leading fundraiser for the FSPAC. Patrick is the person with the best claim to be a founder of the FSPAC even though his name was not on the corporate formation documents in March of 2005. His wife Jennifer is a long-time Chi Omega volunteer at the University of Kansas.
- **Doug Carlson** - Past Grand Consul of Sigma Chi, he would be on the board within a year, serving for several years.
- **Donna and Bob Chereck** - Donna would eventually serve as Alpha Chi Omega National President for two terms and Advocacy Chairman of the NPC for several years thereafter. She is a current FSPAC board member. Bob is a Delta Tau Delta. The Cherecks are amongst the top 10 lifetime contributors to the FSPAC.
- **Sally and Jim Estes** - Jim was former Knight Commander of Kappa Alpha Order who would also serve as President of the NIC. He was on the initial Finance Committee for FSPAC, joined the board in 2006 when KA became the first organization with two board seats, and has been on the board ever since. Thanks to the efforts of Jim Estes and Larry Wiese, Kappa Alpha Order is the leading lifetime donor organization for FSPAC.
- **Melanie Shain** - Former national president of Chi Omega would come on the board in 2006 and serve until retiring in 2016.
- **Jon Williamson** - A Lambda Chi Alpha member was then the Executive Vice President of the NIC.

Fast Founding Facts

- Patrick Alderdice, Jim Estes, and Melanie Shain were all copied on the first-ever internal FSPAC board email, as members of the non-board Finance Committee who were actively raising money for the debut event, and were invited to attend the first in-person board meeting.²

² The question of whether or not Mr. Alderdice is a true founder of the FSPAC remains hotly contested in some quarters of the organization.

- By June 30, 2005, the FSPAC had raised \$145,000 in its first 120 days. Five of the top eight fundraisers in the first 120 days remain to this day amongst the leading fundraisers in the 15-year history of the FSPAC.
 - A July 2005 fundraising dinner was held in Dallas, with special guest Congressman Pete Sessions (R-TX/Pi Kappa Alpha).
 - Ken File, CEO of Delta Tau Delta's Foundation was particularly important in drafting and executing many of the original solicitations for the FSPAC and for expanding the universe of leaders at the table.
 - By June 30, 2005, the number of people involved with the FSPAC had exploded to include a Finance Committee of representatives from more than 25 fraternities and sororities. Amongst the early members of that Finance Committee effort were many people who have gone on to serve long careers on the FSPAC board, including: Betty Quick of Gamma Phi Beta, Donna Stallard of Phi Mu, Marc Katz of Alpha Epsilon Pi, and Vicki Nixon of Delta Gamma. Both Marc and Vicki would eventually serve the FSPAC as Presidents of the organization.
 - The FSPAC's first political contributions were checks to: Congressman Paul Ryan (R-WI/Delta Tau Delta), Congressman Roy Blunt (R-MO/Kappa Alpha Order), Congressman Pete Sessions (R-TX/Pi Kappa Alpha), and Congressman Ben Cardin (running for Senate) (D-MD/Pi Lambda Phi). Two months later, Congresswoman (now Senator) Marsha Blackburn (R-TN/Chi Omega) was the first female candidate to receive an FSPAC contribution.
-
- The first in-person board meeting of the FSPAC was April 20, 2005, the day after Greek leaders made their annual Hill visits.
 - In fall of 2005, during a visit by Greek leaders to Washington, the FSPAC held its first-event sponsored event where it was a major donor to a candidate. It was a small dinner at Patton Boggs for Congressman Paul Ryan. FSPAC board members Kevin O'Neill and Larry Wiese attended.

NPC INVOLVEMENT IN THE FSPAC

The creation of the FSPAC was controversial in NPC circles and several prominent leaders, including past NPC Chairmen, opposed the idea, some of whom had been opposed to the very idea of the NPC being involved in the Washington policy debate at all.

For the first couple of FSPAC election cycles, the fundraising and board seats were predominately held by men. But a core group of women worked very hard to get their national organizations to understand the value of the FSPAC and political engagement.

Julie Burkhard of Alpha Chi Omega and Sarah Lindsay of Delta Delta Delta, as recent National Presidents of their own organizations, gave the FSPAC immediate credibility and they were relentless in pushing others to join them at the table. Julie would use her visibility as NPC Chairman to also push for more sorority engagement in the Greek government relations program and in electing the people who decide the environment in which sororities will operate.

Cindy Stelhorn consistently used her personal contributions to give seats to sorority leaders so they could be exposed to the FSPAC and then decide to stay on via fundraising inside their own organizations. Cindy has been responsible for recruiting more women to the FSPAC board than anyone else.

Vicki Nixon's emergence as a leading fundraiser for the FSPAC, after her organization had initially opposed the organization, was a key point in the expansion of the board, and her fundraising blueprint was copied by many others over the year.

NPC Chairman Betty Quick of Gamma Phi Beta, had been involved with the FSPAC Finance Committee since its earliest days and, after her term as NPC Chairman was done, Betty turned her time and attention being a leader in the FSPAC, including many years of distinguished service in executing the annual April Congressional dinners.

For the past several years, the NPC women have raised significantly more money than the NIC alumni at the table, and for a few years, women held as much as 70% of the board seats in a given year. During that time, past FSPAC President Larry Wiese focused on recruiting more NIC groups to the table, eventually bringing many large groups to the organization, and nearly balancing our fundraising tallies.

FSPAC RUNS FOR ELECTION

Over the years, several FSPAC board members and national presidents of fraternities and sororities have run for public office.

In 2007, after the death of Congresswoman Jo Ann Davis (R-VA), Kevin O'Neill ran in a special election for the Republican nomination in Virginia's First Congressional district. While numerous FSPAC board members and donors supported the campaign, Kevin lost the nomination to current member of Congress Rob Wittman (R-VA/Delta Tau Delta). FSPAC did not contribute to Kevin's election because of a policy at the time of not playing in contested primaries.

Bruce O'Donohue (Alpha Tau Omega) was briefly on the FSPAC board in the 2008-2009 timeframe and would go on to run unsuccessfully for Congress in 2010, losing the nomination to Daniel Webster (R-FL), who would go on to win a seat for several terms. FSPAC contributed the legal maximum to Bruce's campaign.

In 2016, FSPAC board member Katy Brown (Alpha Chi Omega) resigned her seat on the board in order to run for an open seat in the Colorado statehouse. In September 2016, Brown's opponent made her service on the FSPAC board an election issue. In spring of 2016, FSPAC voted for the first time in its history to give a contribution to a state-level candidate, giving the legal maximum of \$400 to Brown's race, and numerous FSPAC board members contributed personally to the campaign.

Two former student board members won public office in 2016. Jessee Brown (Kappa Alpha Order) was elected to the City Council in Wichita Falls. Tara Campbell (Delta Delta Delta) has

served on the City Council in Yorba Linda (CA) and in 2019 was the nation's youngest female mayor.

Several national presidents of fraternities and sororities have run for Congress since FSPAC's formation. In 2008, Marcia Fudge (D-OH/Delta Sigma Theta) won the battle to succeed her sorority sister Stephanie Tubbs Jones in Congress after Tubbs Jones died. Fudge had been President of Delta Sigma Theta and FSPAC supported her election in 2008 and every election since then.

Rick Berg, National President of Farmhouse, ran for and won North Dakota's lone House seat in 2010 as a Republican and FSPAC contributed to his campaign. In 2012, Congressman Berg tried to jump to the Senate but lost an open-seat race to Heidi Heitkamp (D-ND). FSPAC contributed the \$10,000 legal maximum to Berg's campaign.

In 2014, Alpha Epsilon Pi National President Elan Carr ran for Congress in Los Angeles to succeed long-time member Henry Waxman (D-CA). In a "top two" system where the top two finishers in an open primary move on to the general election, Carr advanced to face Assemblyman Ted Lieu (D-CA/Sigma Alpha Mu). FSPAC contributed to Carr's campaign but he lost the general election to Lieu. Mr. Carr is currently the State Department's Special Envoy for Monitoring and Combating anti-Semitism.



Kevin O'Neill, Lambda Chi Alpha



Larry Wiese, Kappa Alpha Order



Julie Burkhard, Alpha Chi Omega



Patrick Alderdice, Delta Chi



Cindy Stellhorn, Kappa Alpha Theta

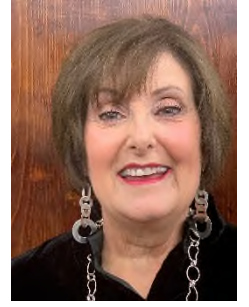
HISTORY OF FSPAC PRESIDENTS

To date, 11 people (six women and five men) have served as FSPAC President since the group's founding in 2005. Kevin O'Neill (pictured at left) served as the PAC's President for four years during our start-up phase before transitioning to our volunteer Executive Director role. Ken File was scheduled to serve as FSPAC President in 2013-14 but withdrew due to family considerations after the sudden death of his wife. Cindy Stellhorn served a second term in Ken's place. From 2005-16, the FSPAC President served a term of May 1-April 30, but the bylaws were changed in 2016 to move to a calendar year service term. During the transition period brought about by these bylaws changes, the President at that time (Cheri DeJong) served 20 months as President.

- 2005-09 Kevin O'Neill, Lambda Chi Alpha
- 2009-10 Larry Wiese, Kappa Alpha Order
- 2010-11 Julie Burkhard, Alpha Chi Omega
- 2011-12 Patrick Alderdice, Delta Chi
- 2012-14 Cindy Stellhorn, Kappa Alpha Theta
- 2014-15 Sarah Lindsay, Delta Delta Delta
- 2015-16 Vicki Nixon, Delta Gamma
- 2016-17 Cheri De Jong, Sigma Kappa
- 2018 Marc Katz, Alpha Epsilon Pi
- 2019 Howard Pickett, Sigma Nu
- 2020 Phyllis Grissom, Delta Delta Delta



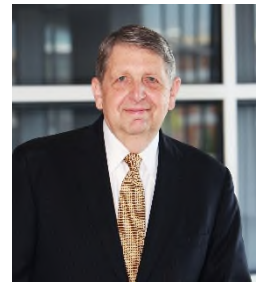
Sarah Lindsay, Delta Delta Delta



Vicki Nixon, Delta Gamma



Cheri DeJong, Sigma Kappa



Marc Katz, Alpha Epsilon Pi



Howard Pickett, Sigma Nu



Phyllis Grissom, Delta Delta Delta

HILL VISITS

First FSPAC Congressional Dinner

The FSPAC had its first Congressional Dinner in April of 2006, capping the day of the annual Congressional visit day for fraternity and sorority members. Like so many things about the early days of FSPAC, the first dinner was a relatively last-minute idea that worked well enough to become the FSPAC's premier annual fundraising event.

From 2000-2005, when Greeks came to town for their annual Congressional visit day, there would be a NIC-sponsored reception on the Hill for Greek members of Congress and their staff, and then the various NIC/NPC groups would go off in various small groups for dinner.

In spring 2006, as the first-year anniversary of the FSPAC approached, there was talk of trying to hold a dinner for donors the night of the Congressional visits. Because of the late start, and the concern about filling a big room, the FSPAC booked a private room at Johnny's Half Shell, a now-defunct restaurant close to the Hill with a room capable of handling just over 100 people seated VERY close together. The dinner sold out, though ultimately this was one event where some promised money never came in, setting up the current policy where you must pay in advance.

The cramped room, rushed planning and informal setting meant there was no formal program of events after a Happy Hour kicked off the night. The nation's most prominent lobbyist, Tom Boggs (Kevin O'Neill's boss at Patton Boggs, and the son of former House Majority Whip Hale Boggs (D-LA / Beta Theta Pi)), asked to speak at the reception and kicked things off with a funny address about how much his Dad had enjoyed his fraternal experience and how Tom had missed out on that at Georgetown. Boggs was followed by Senator John Breaux (D-LA / Lambda Chi Alpha) who wanted to speak before running off to dinner with Boggs. Breaux continued in Boggs' vein, telling a couple of amusing stories about his fraternal experience and poking fun at other Greek Members of Congress and organizations in the room. With that, the tone of the dinner was set, and throughout the evening Members of Congress got up and shared in a meaningful way what the Greek experience had done for them and their families.

Congressman Ike Skelton (D-MO / Sigma Chi) led a table of Sigma Chis in serenading the women with the Sweetheart of Sigma Chi while men at the other tables fumed or rolled their eyes. Senator Ted Stevens (R-AK / Delta Kappa Epsilon) talked about how he joined one fraternity as a freshman at Oregon State before dropping out to enlist for World War II. After the war, when Senator Stevens returned to college at UCLA, he joined DKE instead of the local chapter of his fraternity simply because he was standing in line to register for classes and DKE was looking for people to live in their house at a time he was living too far from campus. Several of the Members of Congress who attended this event would kick off a tradition of attending almost every year, including now-Senator Shelley Moore Capito (R-WV / Kappa Kappa Gamma), Congressman (now lobbyist) Jack Kingston (R-GA / Lambda Chi Alpha), Senator Ben Cardin (D-MD / Pi Lambda Phi) and Congressman Pete Sessions (R-TX / Pi Kappa Alpha).

After that dinner, the FSPAC board members were convinced they had stumbled into a special event, one where a bipartisan set of Members of Congress felt free to come and share the Greek experience with students and leaders from around the country.

The 2007 FSPAC Dinner was larger and moved to B. Smith's a restaurant in Union Station. Congressional Fraternal Caucus Co-Chairman Stephanie Tubbs Jones (D-OH/Delta Sigma Theta) showed up with the dinner in progress, fresh from a rally for Hillary Clinton's campaign in the Presidential primary and gave a passionate talk to the audience. She and her Congressional Fraternal Caucus Co-Chairman Pete Sessions both spoke about how important the Greek movement was in breaking down partisan divisions in Congress and famously ended their back-to-back addresses with a kiss of friendship in front of the entire dinner. Congressman Paul Ryan (R-WWI/Delta Tau Delta), then the lead sponsor of CHIA, attended the dinner as well, and the number of Members of Congress and total attendance for the dinner jumped from 100 in 2006 to more than 200 in 2007.

By 2008, the annual dinner moved to the Liaison Hotel, where it has remained through 2019. The dinner attendance has been between 250 and 340 each year. As many as 30 Senators and Representatives have attended the event, which has been featured in *Politico* and touted as a great bipartisan night of fun for all. But it all started with a magical night in a cramped room at Johnny's Half Shell.

THE GREEK LOBBYING HISTORY

In 2001, Admiral James Carey (Zeta Psi) was the Government Relations Chairman of the NIC, and former Congressman Ed Pease (R-IN/Pi Kappa Alpha) was then in his second, non-consecutive term as President of the NIC. Admiral Carey had recently started the Congressional visit program for the NIC, but he was not an every-day lobbyist and was looking for someone to grow the program. Congressman Pease knew Kevin and Patty O'Neill from Kevin's time working for Lambda Chi Alpha before law school and he had actually been involved in helping Patty O'Neill get a job with the NPC in 1993. The Congressman knew Kevin had just started a lobbying career as a new lawyer at Patton Boggs LLP, which was one of the most prominent lobbying firms in Washington. Patton Boggs allowed lobbyists to find a pro bono cause they believed in to represent, and Patty O'Neill had been encouraging Kevin to find something related to the Greek experience to take on as his cause.

Admiral Carey took Kevin O'Neill to lunch in Georgetown and asked him to get involved and to help the Congressional visit program find a cause that would improve the Greek experience. In discussion about various ideas and needs, the problem with funding housing improvements without tax-deductible contributions from alumni was identified as a potential need.

Patton Boggs agreed to represent the NIC on pro bono issues in late 2001 and began working on the Greek visit program. Between 2001 and 2015, more than 25 different professionals at Patton Boggs would contribute several million dollars in pro bono lobbying time to the cause of fraternity and sorority students. In fact, the NIC would become one of the firm's largest legislative pro bono clients. Kevin O'Neill moved to Arnold & Porter in December 2015, and the NIC/NPC work with moved with Kevin and his team.

Other Volunteer Lobbyists

Over the years, any number of Greek lobbyists have dedicated pro bono time to the Greek experience at various points, especially in helping to execute the annual Congressional visits. Many of those lobbyists also have ties to the FSPAC, including current/former board members Kelly Bingle (Chi Omega), Alison Griffin (Delta Delta Delta), Julie Pawelczyk (Gamma Phi Beta), David

Almacy (Phi Delta Theta), who has also helped with public relations and social media issues, and Bruce Casner (Sigma Chi).

Student Lobbyists

Student lobbyists were first added to the annual Congressional visit program in 2005, as an experiment. They have been involved every year since then and have also participated in an occasional Fall round of Hill visits. The student element has grown from 30 students to more than 100 students in recent years. Several student visitors went on to intern for Kevin O’Neill at Patton Boggs and Arnold & Porter, and to be hired as lobbyists there. One of those student-lobbyists continue to work on Greek issues today: Amy Davenport (Zeta Tau Alpha). An even larger number of student lobbyists have launched highly successful careers in Washington, holding positions such as campaign managers for Congressional campaigns, Chiefs of Staff for Representatives, Press Secretaries, committee staff members, legislative directors, and legislative assistants.

Compensated Lobbying Work

In December 2014, shortly after the University of Virginia case made national headlines, the NIC and NPC engaged Squire Patton Boggs (renamed after a June 2014 merger of Squire Sanders and Patton Boggs) to work on campus safety issues while the firm continued to provide pro bono services on other legislative needs. The reason for the paid engagement was because this represented the first time the NIC/NPC were working on a highly controversial public policy matter, and pro bono work would not be appropriate in that instance. Alpha Tau Omega, Kappa Alpha Order, Phi Kappa Psi and Sigma Nu fraternities helped to pay for this engagement with Squire Patton Boggs. Over time the paid engagement has grown to focus on several issues, notably freedom of association, due process rights for student organizations, and protecting alumni volunteers from serving as campus security authorities.

Anti-Hazing Coalition

In 2018, the NIC and NPC began working with the families of several young men killed by hazing in recent years. The Anti-Hazing Coalition was formed and focuses on lobbying at the federal and state level to strengthen criminal penalties for hazing, require disclosure of student code of conduct violations that threaten student safety, and improve anti-hazing education programs. Arnold & Porter represents the Anti-Hazing Coalition on a pro bono basis.

The Move to Arnold & Porter

In December 2015, Kevin O’Neill moved with 11 lobbyists from Squire Patton Boggs to Arnold & Porter. Amongst the people moving to Arnold & Porter were: Eugenia Pierson (Chi Omega), Amy Davenport (Zeta Tau Alpha), Samantha Martin (Alpha Delta Pi), and Greg Louer (Tau Epsilon Phi), the people most engaged with NIC/NPC representation over the past several years. Arnold & Porter allowed the NIC/NPC/FGRC’s pro bono matters to move with this team, and the FGRC executed contracts in 2016 for paid work on campus safety issues. As of 2020, several other Greek alumni at Arnold & Porter work for the FGRC on your legislative agenda, including: Taylor Cazeault (Chi Omega), Keri Richmond (Delta Gamma), CJ Mahler (Pi Kappa Alpha), Erin Waldman (Chi Omega).

FSPAC Fundraising by Year

2005 - \$210,195

2006 - \$100,116

2007 - \$137,951

2008 - \$192,256

2009 - \$188,759

2010 - \$203,755

2011 - \$251,364

2012 - \$253,532

2013 - \$245,905

2014 - \$252,854

2015 - \$348,392

2016 - \$254,709

2017 - \$433,662

2018 - \$454,720

2019 - \$553,713

Lifetime Funds - \$4,081,907

FSAF Fundraising by Year

2015 - \$20,000

2016 - \$71,000

2017 - \$163,600

2018 - \$1,014,818

2019 - \$1,266,870

Lifetime Funds - \$2,536,287

LEGISLATIVE AGENDA & TIMELINE

FROM 2000 TO PRESENT:

2000-2002	<p>NIC sponsors a reception to recognize members of Congress who are affiliated with NIC member groups. Leaders of sororities were also invited to attend. NIC conducted some meetings with members of Congress but had no formal “ask.” A determination is made that the fraternity and sorority’s ability to develop a solid governmental platform hinged on being able to have specific legislation to lobby.</p>
2001	<p>NIC begins to work with a DC lobbyist, pro bono, from the firm Patton Boggs. Work on a piece of legislation begins based on NIC leadership at the time identifying housing as a critical policy need.</p>
2002	<p>Leaders of fraternities and sororities are asked to attend a legislative update followed by visits to members of Congress on a volunteer basis.</p> <p>Visits are set up by lobbyists and focused on passage of the Fire Safety Act.</p> <p>Legislative agenda items include fire safety legislation and the reauthorization of the Higher Education Act.</p> <p>The Fraternal Caucus is started and constitutes members of fraternities and sororities who work on the Hill or in DC who are interested in public policy issues related to the fraternity/sorority experience.</p> <p>Patton Boggs continues pro bono work for NIC. NPC is supportive of the efforts but remains as a secondary player.</p>
2003	<p>The Collegiate Housing and Infrastructure Act (CHIA) is introduced.</p> <p>National Presidents and Executive Directors of fraternities and sororities are asked to come to Washington, DC on specific dates in April with the purpose of visiting members of Congress to lobby for CHIA.</p> <p>September 2003 - CHIA passes the House of Representatives as part of larger bill called the Charitable Giving Act of 2003, but dies in the Senate due to political issues.</p>
2004	<p>Leaders of fraternities and sororities are asked to raise money from their membership for presidential candidates. Receptions are held for Republican nominee George W Bush and Democratic nominee John Kerry. Leaders of fraternities and sororities attend both receptions. More than \$150,000 is raised in total for the two Presidential candidates and there is media attention for the Bush event.</p> <p>The annual Hill visits continue. The first student attends with her sorority’s delegation and takes part in lobbying. Teams of National Presidents, Executive Directors and other alumni (ae) are assigned to lobby together.</p>
2005	<p>The Fraternity and Sorority Political Action Committee (FSPAC) is formed with four women’s and four men’s groups being founding members.</p> <p>The Hill visits continue.</p>

2006	<p>First annual FSPAC dinner is hosted. One hundred people attend; 15 members of Congress attend and speak to their fraternity and sorority experience and the importance of the Greek legislative agenda.</p> <p>Students are asked to apply to attend the Hill visits. 250 students apply and 50 attend. This has become the premier civics leadership opportunity for active fraternity and sorority members.</p>
2007	<p>Hill visits continue with more leaders and students attending.</p> <p>Members of Congress continue to share the importance of coming to DC to present views and opinions on matters affecting the fraternity/sorority community.</p>
2009	<p>Legislative agenda items expand to include work focused on anti-hazing legislation, freedom of association issues, Title IX and charitable giving.</p>
2010	<p>FSPAC hits the \$1 million mark in lifetime fundraising and continues to be the largest education-focused political action committee and remains bi-partisan in their contributions to members of Congress.</p>
2011	<p>NPC alumnae make up the majority of the FSPAC board for the first time.</p> <p>The Fraternal Government Relations Coalition (FGRC) is formed with NPC, NIC and the FSPAC constituting the membership. Leaders of the three organizations meet regularly to discuss all legislative agenda items and activities. NPC has a seat and voice in all major government relations decisions for the first time.</p>
2012	<p>FSPAC holds Greeks for Romney-Ryan and Greeks for Obama-Biden fundraising events. Representative Paul Ryan (R-WI/Delta Tau Delta) was the first sponsor for the CHIA legislation</p>
2013	<p>FSPAC opens the Independent Expenditure Account (IEA) after the Supreme Court ruling (named for Admiral Carey for former NIC Government Relations Chairman, though this case was not about the NIC or FSPAC.) that allows PACs to accept corporate funds. Money cannot be spent on direct candidate support but can be used for indirect support. The formation of the IEA now allows house corporations to contribute to the cause for the first time.</p>
2014	<p>FSPAC hits the \$2 million mark in lifetime fundraising.</p>
2015	<p>The Fraternity and Sorority Action Fund (FSAF) is established for the purpose of raising monies that can be used for research, education, legislative and administrative programs.</p> <p>The Safe Campus and Fair Campus legislation is developed in collaboration with the Sexual Assault Task Force (representatives of NPC and NIC and NIC member groups).</p> <p>NPC and NIC pay lobbyists to work on this controversial legislation. Prior to this paid engagement, NIC's pro bono lobbying firm had donated several million dollars in free legal/lobbying work over 14 years.</p> <p>A record 105 students participate in Hill visits; more than 700 students apply .</p> <p>NPC alumna control 65% of the seats on the FSPAC board.</p> <p>NPC contracts directly with the lobbyist for pro-bono work, no longer being a part of the NIC contract.</p>

	<p>Representative Paul Ryan (R-WI/Delta Tau Delta), the first sponsor of the CHIA legislation, becomes the Speaker of the House of Representatives.</p>
2016	<p>Fifth straight year an NPC alumnae member has been President of FSPAC, and a majority of the FSPAC Board is comprised of NPC alumnae members.</p> <p>First full year of operations for the FSAF.</p> <p>Comprehensive update of FSPAC Bylaws and a new Strategic Plan are approved.</p>
2017	<p>FSPAC passes \$3 million in lifetime fundraising.</p>
2018	<p>FSAF holds summer summit to discuss Harvard situation, decides to pursue lawsuit to overturn the blacklisting policy. FSAF launches “Defending the Experience” \$4 million capital campaign. FSAF raises \$1 million for the year, more than five times its previous high. Fraternities and sororities file federal and state freedom of association lawsuits against Harvard. Stand Up to Harvard digital campaign results in more than 100,000 interactions. Students at Yale sue fraternities on public accommodation grounds; FSAF pays in part to defend that lawsuit. The REACH anti-hazing legislation is introduced for the first time in the House.</p> <p>CHIA passes the House of Representatives as part of a major, last-minute tax package in December, days before the end of the Congressional session. The Senate takes no action on the broader tax bill, which dies with the new Congress.</p> <p>FSPAC makes its first-ever contribution to a SuperPAC, giving \$50,000 to a Republican campaign committee with funds earmarked exclusively to help two Greek champions: Pete Sessions (R-TX/Pi Kappa Alpha) and Kevin Yoder (R-KS/Lambda Chi Alpha). Both candidates lose their 2018 re-election bids.</p>
2019	<p>The Collegiate Freedom of Association Act (CFAA) is introduced in the House.</p> <p>The END ALL Hazing Act is introduced in both chambers of Congress.</p> <p>The REACH anti-hazing act is re-introduced in the House and introduced in the Senate for the first time.</p> <p>The House Education and Labor Committee passes The College Affordability Act, a major higher education reauthorization bill out of committee. The bill includes versions of the CFAA, END ALL Hazing, and REACH.</p> <p>The FSPAC passes \$4 million in lifetime fundraising.</p> <p>The FSAF’s “Defending the Experience” campaign passes \$3 million in pledges.</p> <p>The FSAF takes in \$1.2 million and passes \$2 million in lifetime funds raised.</p> <p>Federal judge rejects Harvard’s Motion to Dismiss the freedom of association lawsuit, and discovery in the lawsuit begins.</p> <p>State court hears oral arguments in Harvard’s Motion to Dismiss the state freedom of association lawsuits.</p>

SECTION II: OPERATIONS

BOARD MEETINGS

Board meetings will be held twice per year. One in the spring to coincide with the Annual Hill Visit Lobby Day and the other in the fall.

Spring Meeting

- Generally held the day after the Hill visits and is half day in length.
- Location is in Washington, DC
- Key Agenda Items: financial reports, candidate contribution discussions, board and officer elections and transition, review of Hill visits

Fall Meeting

- Held at a mutually agreed upon date of the board
- Location is determined by the board
- Traditionally two days in length starting the afternoon of one day and ending around the noon hour on the following day to allow for travel on both days.
- Key Agenda Items: financial reports, candidate contribution review and policy discussions, goal setting, bylaw changes, other administrative review

All board members of the FSPAC are encouraged to attend both board meetings in person

There are monthly conference calls of the board throughout the year – notification will be provided, and all board members are encouraged to attend all calls. The Executive Committee meets regularly by phone as well.

The purpose and agenda for all calls or meetings will be provided to the board in advance of the meeting.

The FSAF board generally times its in-person board meetings to coincide with FSPAC board meetings. The FSAF board also has regular board calls.

COMMUNICATIONS

The FSPAC has placed a high value on the importance of consistent and timely communication with our donors and the Greek community. This has been achieved by a variety of means, some of which are profiled below:

The FSPAC Website serves as the main conduit of communication for our board, the Greek community as a whole to keep apprised on legislative and regulatory issues, our donors, and for other individuals who are interested in FSPAC and its objectives. The website's basic contents are:

- An "About Us" description of FSPAC, why we exist, what we do, and reasons to give
- A listing of donors to the current biennial cycle that is updated monthly

- Legislative and policy information and updates.
- Announcements about upcoming fundraising events and links to register
- Links to past promotional videos, publications, and photos
- A link for contributors to donate
- How to to contact FSPAC

The FSPAC Newsletter is distributed twice a year and goes to all the FSPAC donors and the member groups of the NIC and NPC:

- Donors with contributions in excess of \$200 are listed
- Individual donors are profiled
- Legislative updates are provided

Webinars have been utilized to present specific messaging for the benefit of the Greek community and our donors and have oftentimes included a member of Congress as one of the presenters. Topics have ranged from tax legislation to question and answer session with a member of Congress.

An FSPAC Monthly Email Alert called The ONE is an email blast started in 2019, and is sent to all donors updating them on our activities and seeking additional support.

Other communications pieces are developed or updated on a regular basis including flyers, slide presentations, video segments, and social media messaging, and various additional materials promoting FSPAC activities.

Digital Campaign - In 2019, the FSPAC contracted with an outside vendor to launch a digital campaign aimed at tens of thousands of non-donors whose emails the FSPAC and FSAF had acquired via past grassroots campaigns, like “Stand Up to Harvard.”

The RAP Index is a grass roots advocacy software that has been used to help our leadership uncover key relationships that exist with policy makers.

GOVERNING DOCUMENTS

Articles of Incorporation: (See Appendix)

Bylaws: (See Appendix)

Statement of Confidentiality (See Appendix)

Conflict of Interest

JOB DESCRIPTIONS

Board Member

- Engage in onboarding and orientation as a new board member
- Review and understand the Board of Directors Manual, Bylaws, and other policies of the FSPAC
- Serve as a lobbyist at the annual Hill Visits
- Attend and actively participate at board meetings
 - Two face to face meetings
 - Multiple conference calls
- To continue as board member, raise minimum dollars required to maintain board seat at
- \$6,000 per seat (Breakdown - minimum of \$3,000 to FSPAC and remainder can be to FSAF or to FSPAC's IEA)
- Serve as an advocate and information source for the FSPAC to your member organization
- Participate in local/regional fundraising events sponsored by FSPAC

Executive Committee Officers

President

- Provide leadership for the FSPAC organization and operations in coordination with the Executive Director
- Serve as a representative to the Fraternal Government Relations Coalition (FGRC) from FSPAC and preside at their meetings
 - Carry out the policies of the FSPAC and the directives of the Board of Directors
- Preside at all Board of Directors and Executive Committee meetings (in-person and conference calls)
- Serve on the FSAF Board

President-Elect

- Assume the duties of the President in the event of his/her absence
- Serve as an additional representative to the FGRC
- Serve as Chair of the Governance Committee
- Provide oversight for the content, interpretation, and updating of the following FSPAC documents:
 - New Board Member Orientation Manual
 - FSPAC Bylaws and Officer Job Descriptions
- Oversee direction and engagement of the Student Directors
- Perform other duties assigned by the President

Vice-President Political Affairs

- Work in partnership with the Executive Director to monitor legislation and policies impacting higher education in general and fraternities and sororities in particular

- Serve as Chair of the Candidate Contributions Committee
- Recommend candidate contributions to the Board of Directors for vote/approval
- Work in partnership with Vice-President Communications on case support messaging
- Perform other duties assigned by the President

Vice-President Fundraising

- Work to devise and implement fundraising objectives, strategies, and tactics for the FSPAC
- Serve as Chair of the Fundraising Committee
- Assist in creating tools and sharing best practices for Board of Directors members to utilize in their fundraising efforts
- Perform other duties assigned by the President

Vice-President Communications

- Disseminate information on FSPAC's activities and accomplishments as well as current and impending legislation and policies impacting fraternities and sororities to the Board of Directors and donors
- Serve as Chair of the Communications Committee
- Coordinate the newsletter publication to assure timely semi-annual production
- Oversee website and social media platforms and all internal and external communications to assure that messaging is accurate and current
- Work in partnership with the Vice-President Political Affairs on case support messaging
- Perform other duties assigned by the President

Treasurer

- Provide a complete report of FSPAC's financial condition semi-annually to the Board of Directors
- Prepare a monthly financial status summary to the Executive Committee
- Collaborate with outside service providers to produce timely reports of fundraising progress
- Direct the annual budget setting and approval process in concert with the Executive Director.
- Produce special financial analyses and documents as assigned by the President
- Review and approve expense reimbursements
- Monitor approved candidate contributions as it relates to the budget
- Collaborate with Vice-President Fundraising on fundraising data and performance

Secretary

- Record minutes of all meetings (in-person and conference calls)
- Organize logistics and coordinate all conference calls
- Maintain the roster of Board of Directors members
- Oversee the Reception and Dinner Committee Co-Chairs and assist in staging the Annual Reception/Dinner

- Collaborate with the FGRC members to promote the Congressional Hill visits
- Coordinate with the NIC and NPC for registration of the Congressional Hill visits
- Work with NIC, NPC, and lobbying firm to maximize engagement of student leadership
- Perform other duties assigned by the President

Elected At Large Members - Executive Committee

The FSPAC will hold an election at the fall meeting to elect four at large members to serve on the Executive Committee. Members shall consist of 2 females and 2 males. Members shall conduct duties assigned by the President and shall serve on a standing committee.

Top Fundraising At Large Members - Executive Committee

Four members shall serve on the Executive Committee from the top four fundraising groups. Only donations to the FSPAC/IEA will count towards this goal. Members shall conduct duties assigned by the President and shall serve on a standing committee.

Note: No more than two members from any organization can serve on the Executive Committee during a term and one of those must be an officer.

Reception and Dinner Committee Co-Chairs

- Work with the FGRC members to promote the Congressional Hill visits
- Coordinate with the NIC and NPC for registration of the Congressional Hill visits
- With direction from the Board of Directors, execute the plans and lead the planning and staging of the Annual Reception/Dinner
- Work with NIC, NPC, and lobbying firm to maximize engagement of student leadership

Executive Director

- Serve at the discretion of the Executive Committee and report directly to the FSPAC President
- Oversee the day-to-day operations of the FSPAC
- Manage FSPAC paid staff and be ultimately responsible for all staffing related matters
- Work with the FSPAC President and Executive Committee to set the agenda for all meetings
- With the Vice-President Communication and Vice-President Political Affairs provide periodic updates to the FSPAC Board of Directors on current political issues, candidates and general FSPAC operational items
- Work with the Vice-President Political Affairs and Vice-President Fundraising to provide information and recommendations for candidate contribution discussions at the Board level
- Direct the annual budget setting and approval process in concert with the Treasurer
- Execute contracts on behalf of the FSPAC

LEGISLATIVE AGENDA

History and Priorities

The Greek legislative agenda in Washington, DC has evolved over the last 20 years. When Greeks first started to come to Washington to visit Congress, they did not have a legislative agenda and simply were visiting offices to update members on the status of their organizations and individual chapters. Over time, the NIC/NPC/FGRC would develop a robust and diverse policy agenda that adapted to the evolving needs of their members.

Collegiate Housing and Infrastructure Act

In 2001, Admiral James Carey and the NIC had identified the problem of tax treatment of housing donations as something that was an impediment to the quality of Greek life. In 2002, during Greek Hill visits, the topic was brought up informally in several Hill meetings attended by Patton Boggs lobbyists and there was a desire amongst Greek leaders in Congress to help address this problem.

In the spring of 2003, the NIC and Patton Boggs worked with Ken Kies, a leading tax lobbyist in Washington and a leader in Delta Tau Delta. Mr. Kies worked closely with several Congressional offices to turn these discussions into principles and subsequently into legislative language. Eventually, in March of 2003, Congressman Paul Ryan (R-WI/Delta Tau Delta) and Congressman (now Senator) Ben Cardin (D-MD/Pi Lambda Phi) introduced the Collegiate Housing and Infrastructure Act (CHIA). CHIA would allow all not-for-profit student housing, including fraternal housing, to use tax-deductible charitable contributions to make grants to build, maintain or improve student housing.

CHIA was a potential game-changer for the state of fraternity/sorority housing, allowing us to build new facilities to meet growing demand, but also allowing us to raise money to bring older properties up to the condition needed to compete for the best students on campus every year.

In 2003, President George W. Bush was attempting to move a signature piece of legislation called the Charitable Giving Act of 2003 through Congress. Congressman Ryan and Congressman Cardin were determined to get CHIA attached to the Charitable Giving Act when that bill moved, because CHIA was the kind of small tax bill that Congress rarely moves on its own. Through the spring and summer of 2003, Greek leaders met with staff on the House Ways and Means Committee to work through the details of how CHIA worked and to tweak the language. Sarah Lindsay, then the National President of Delta Delta Delta and a member of the Capital Fraternal Caucus, was often the NPC representative in those meetings. At the end of the summer, the Ways and Means Committee wanted one change to the bill, adding a prohibition against using this new source of tax-advantaged funding to build swimming pools or exercise rooms at fraternity/sorority houses.

In September of 2003, the House Ways and Means Committee marked up President Bush's Charitable Giving Act, preparing it for a floor vote in the House after a series of amendments in Committee. During the Committee markup, Congressman Ryan and Congressman Cardin, along with the help of Congresswoman Stephanie Tubbs Jones, succeeded in getting CHIA added to the bill. Congressman Roy Blunt (R-MO/Kappa Alpha Order), then the Majority Whip, was also instrumental in making sure CHIA got on the broader bill. The bill went to the House floor

later in September, coincidentally on the same day that a small group of NIC/NPC leaders were making their first-ever “back to school” themed visits to Capitol Hill offices. The Charitable Giving Act passed the House that day with more than 400 votes.

A version of the Charitable Giving Act had passed the Senate earlier in the year, before CHIA was introduced so CHIA was not part of the Senate bill. Thus, the next stage in the legislative process was for the House and Senate to appoint respective members to sit in a conference and resolve the differences between the bills. The lobbying team for the NIC/NPC went to work on likely Senate conferees so they would understand that CHIA was in the House bill and why the Senate should agree to place it in the final bill negotiated by the chambers. Those conversations went well, and Senate leaders assured us CHIA would be in a final conference report of the bill.

Unfortunately, politics were overtaking the legislative process on the Charitable Giving Act. Senate Minority Leader Tom Daschle (D-SD) kept using procedural obstructions to prevent the Senate from appointing conferees to begin conference negotiations because he did not want President Bush to have this legislation to campaign on in the 2004 race for the White House. Daschle’s roadblocks worked perfectly, and CHIA had hitched a ride on a bill that could not get around these roadblocks. The Charitable Giving Act, despite having passed both chambers with big majorities and relatively similar language, was not going to become law.

Every year since the Charitable Giving Act died at the end of 2004, we have watched CHIA be reintroduced in Congress, draw a huge number of bipartisan sponsors, and then wait for the appearance of a relevant broader tax bill to which it could attach itself and become law. The reduction in major tax legislation in recent years made it difficult to find a vehicle, and we were very disappointed when our allies were unable to get CHIA attached to the 2017 tax bill that passed Congress. In December 2018, CHIA passed the House as part of another broad-based tax bill. However, there were only a handful of days left in the Congress, and the broader bill was viewed as a partisan messaging bill, so the Senate took no action and the bill died when Congress adjourned for the year.

Congressional sponsors in Congress continue to view passage of CHIA as a question of “when” not “if.” Since 2003, CHIA has drawn as many as 240 sponsors in the House and 40 in the Senate. It has been one of the most popular small tax measures in Congress.

Hazing

Three times in the last 15 years, there have been efforts by members of Congress to address the problem of hazing by modifying federal law. The NIC position on this issue is that any act of physical violence against a student should be fully prosecuted by local law enforcement. Furthermore, the proposed federal legislation can unnecessarily interfere with state efforts to prevent hazing.

A bill introduced in the early 2000s after a prominent student death in Southern California would have allowed federal financial aid to be withdrawn to any student found guilty of hazing via a campus judicial proceeding. There were any number of due process and fairness questions about this legislation and it never gained any traction.

A few years ago, Congresswoman Frederica Wilson (D-FL/Alpha Kappa Alpha) moved to Washington, DC after a career as a local educator and state legislator. During her time in the

Florida statehouse, she worked to pass stronger state hazing laws in the wake of a student death at Miami.

Shortly after Congresswoman Wilson came to Washington, there was a highly publicized hazing death at Florida A&M involving its famed marching band. Congresswoman Wilson publicly announced several times she would introduce new federal anti-hazing legislation that would take federal financial aid away from involved students. NIC/NPC/FGRC leaders met several times with Congresswoman Wilson and her staff to offer our insights and suggestions. Like before, the federal overlay of what has traditionally been an issue handled at the state level caused a number of substantive problems that needed to be addressed in the legislation. Questions of due process, vagueness, institutional control and fundamental fairness proved very difficult to answer and Congresswoman Wilson never introduced her proposed legislation. Several media outlets reported that the FSPAC bottled up this legislation, but that is not the case. The FSPAC does not lobby and the NIC/NPC would be happy to support legislation that more clearly punishes those who commit acts of hazing.

In 2018, the NIC and NPC formed the Anti-Hazing Coalition (AHC) with a number of parents whose sons were killed in senseless hazing in college. The AHC is focused on state and federal legislation that will make hazing a felony punishable by at least five years in prison (state legislation), and a federal requirement that schools update a webpage twice a year that shows which student organizations have been penalized under the student code of conduct for any action that threatens the safety of students. This bill is the END ALL Hazing Act that was introduced in Congress in 2019. In addition, the AHC supports the previously introduced REACH Act, which would amend the Clery Act to require every school's annual crime statistics disclosure to also include information on how many hazing incidents have been reported on campus.

Fire Safety

For many years, the NIC/NPC/FGRC supported the College Fire Safety Act, a bill that would have provided grants to colleges and universities for putting in fire alarms and life safety equipment in student housing. The most recent versions of the bill would have carved out a small portion of the grant money for fraternities and sororities, ensuring those groups would not compete directly with colleges and universities. The legislation was drafted in the wake of the graduation-eve 1996 fire at the Phi Gamma Delta house at the University of North Carolina. The fire safety industry has supported this bill in the past, but it faded away as it became more apparent there was little appetite to spend federal funds on life safety improvements to student housing.

Single-Sex Status and Freedom of Association

When Admiral Carey and Kevin O'Neill had their initial lunch meeting in 2001, Admiral Carey's top concern, and the top concern of NIC President Ed Pease, was building a legislative program that would allow Greeks to defend themselves if their single-sex status under Title IX was ever challenged in court. The NPC and NIC continue to view this as a top advocacy priority, especially as evolving societal views pose novel new threats to single-sex organizations. Through the years, the NIC/NPC/FGRC has kept its eyes open for legislative threats to our rights to freedom of association, either via Title IX or some other venue. The network of relationships the FGRC has built up over the years in trying to pass CHIA is now being used to help pass legislation protecting our single-sex status. Had Greeks not spent years building this network for an advocacy cause that

was NOT an existential threat, we would not today have the ability to defend ourselves against the existential threat to our single-sex status.

The FGRC is supporting the Collegiate Freedom of Association Act (CFAA), a bill which would prevent schools from taking adverse action against a student who chooses to join a single-sex organization. The CFAA was introduced in spring of 2019 by Rep. Ruben Gallego (D-AZ/Sigma Chi) and Rep. Elise Stefanik (R-NY), and has approximately 30 sponsors in the House as of February 2020. A Senate version of the CFAA is expected to be introduced in 2020. The goal is to attach the CFAA to the higher education reauthorization when it moves through Congress.

Campus Safety and Sexual Assault

Congressional interest in the complex topic of campus sexual assault took off when President Obama and Vice President Biden created their “It’s on Us” campaign and directed the Department of Education to reinterpret the procedures by which campuses handle sexual assault cases.

When the Department of Education first put out its 2011 “Dear Colleague” letter, the NIC/NPC/FGRC met with the General Counsel’s office at the Department, including the two women (both sorority alumni) who drafted the revised guidance. The Greek leaders in attendance included FSPAC President Cindy Stellhorn, who was also there in her capacity as an insurance expert familiar with many campus sexual assault issues. From that meeting, it was clear that the Department of Education would dramatically reshape the way campus sexual assault proceedings were handled and that this issue would impact Greek life in various ways.

In December 2014, shortly after the University of Virginia case made national headlines, the NIC and NPC retained Kevin O’Neill and his team to work on campus safety issues (the firm continued to provide pro bono services on other legislative needs). The reason for the paid engagement for campus safety was that this represented the first time the NIC/NPC were working on a highly controversial public policy matter, and pro bono work would not be appropriate in that instance.

Throughout the course of 2015, FGRC leaders met with various Congressional offices to talk about campus sexual assault issues and to press for various principles of due process for students and organizations to be included in any legislative solutions. In the summer of 2015, the Safe Campus Act and the Fair Campus Acts were both introduced and had the support of the NIC and NPC. Both acts included: (1) expanded due process protections for student organizations; (2) clearer due process protections for students involved in any element of a campus sexual assault case; (3) reaffirmation of the single-sex status of our organizations; (4) protections for alumni volunteers at student organizations to allow them to remain confidantes of students without requiring them to be registered as campus security authorities; and (5) a process for removing from campus students under criminal investigation for a crime of violence against another student. The Safe Campus Act went a step further, advocating for law enforcement to have primary jurisdiction in campus sexual assault cases where student safety was in jeopardy.

There was a strong backlash from victims’ rights organizations against the Safe and Fair Campus Act, with social media campaigns launched against Greek organizations with the goal of getting them to reverse their support for the two bills. The NIC and NPC did withdraw their support of the Safe Campus Act in the fall of 2015.

In the fall of 2015, NIC and NPC leaders met with Senator Kirsten Gillibrand (D-NY/Kappa

Kappa Gamma) and Senator Claire McCaskill (D-MO / Kappa Alpha Theta) to discuss their bill, the Campus Accountability and Security Act (CASA), as well as the Safe and Fair Campus Acts. This meeting was held before the NIC and NPC withdrew support for the Safe Campus Act and was a contributing factor to the decision to withdraw support.

In 2019, President Trump's Secretary of Education, Betsy DeVos, announced the withdrawal of the 2011 Dear Colleague letter and started a formal rule-make process for new rules to govern campus sexual assault disciplinary proceedings. As of February 2020, the rulemaking is awaiting final approval by the Trump Administration before its public release. It is expected the final rule will include several of the elements of the Safe and Fair Campus Acts, meaning FGRC efforts on this issue made a meaningful impact on the debate. It is likely that partisan wrangling over this particular issue is a major reason that a higher education reauthorization bill has not yet been completed in the current Congress.

Charitable Giving

Over the years, the NIC/NPC/FGRC has been involved in numerous efforts of various coalitions to preserve the full value of charitable donations to our foundations.

ORGANIZATIONS

Fraternity & Sorority Political Action Fund (FSPAC)

With the formation of the FSPAC, a fund was created to be able to make contributions directly to political candidates to influence legislation and support of those issues affecting the larger Greek community. This fund is sometimes referred to as the general fund or the hard dollar fund, but the universal term is the FSPAC. This fund can take only individual donations and cannot accept any corporation or business donations.

The FSPAC Board quickly determined that we needed another mechanism to raise dollars from the fraternity and sorority house corporations who were supporting our efforts with CHIA. The timing couldn't have been more perfect.

For those individuals contributing to the FSPAC we would prefer that each donor max out to their contributions to the FSPAC to allow for the necessary dollars to contribute to members of Congress and candidates supporting the Greek community's stated goals on legislation and regulation.

Independent Expenditure Account (IEA)

In 2011, in the wake of the FEC Carey decision (named after the NIC's own Admiral Carey, and argued by FSPAC Finance Committee member Dan Backer, both of Zeta Psi, but not involving any Greek issues), PACs were allowed to open Independent Expenditure Accounts (IEA) that could accept corporate contributions and personal contributions to use for non-coordinated support of candidates or causes.

The Carey decision allowed for PACs to become hybrid PACs, with: (1) a hard-dollar account that could accept only personal contributions (max \$5,000 a year per person) and was limited to contributing direct funds to support or oppose the election of specific candidates, and (2) an IEA that could accept corporate contributions and personal contributions to use for non-coordinated

support of particular candidates or causes but could NOT give directly to candidate campaigns. FSPAC was apparently one of the nation's first PACs to register as a hybrid PAC after the Carey decision. These types of PAC's are commonly referred to as "Super PAC's."

The law allows the FSPAC to accept unlimited personal and corporate contributions but restricts use of those funds to certain purposes other than direct candidate contributions. See the Appendix for templates of communication pieces on the IEA account.

Fraternity & Sorority Action Fund (FSAF)

The two funds noted above were clearly allowing FSPAC to seek out both individual and corporate donors, but we were running into some barriers on how the money could be steered towards other needs such as legal defense funds, polling, public relations, and research. We determined that we need another fund to help us attract large donors for specific needs of the FSPAC's strategy. Thus, a new fund was established in 2015 and operates as the Fraternity & Sorority Action Fund. The FSPAC board is collectively the FSAF's sole owner.

Please refer to the Chart of the Three Organizations in the Appendix for the specific details on each fund with respect to who can contribute and the limits, if any, disclosure of donors etc.

How to Make Contributions to the FSPAC and FSAF

FSPAC Contributions

- Online contributions can be made with a credit card or a donor can mail a check.
- Checks should be written to "FSPAC."
- Mail check to:
 - P.O.Box 40383, Washington DC 20016
- Hard copy of the form can also be accessed from www.fspac.org/donate and forwarded to the accounting servicer noted on the form with either a check or with the credit card.
- Any contributions by a couple who are writing a check will need to have the check be from a joint account. The couple will also need to jointly sign the FSPAC donor form and will need to instruct how the monies are to be split between their two fraternal organizations. In the absence of which the amount will be split and no subsequent changes can be made to that record keeping.

IEA Contributions

- Checks only. Checks must be made out to FSPAC-IEA.
- Mail check to:
 - P.O.Box 40383, Washington DC 20016
- Checks to the IEA can be for minimum amounts with the following caveats:
 - We don't want any individuals giving to the IEA unless/until they have given \$5,000 (i.e. the max out amount) to the hard-dollar account already in this calendar year.
 - Any person or corporation wishing to give more than \$25,000 should be asked to give first to the FSAF.

FSAF Contributions

- Through discussions with the donor, the payment process will be separately discussed to meet the needs of the donor and the FSAF.
- Checks only. Make checks out to the Fraternity and Sorority Action Fund
- Checks can be mailed to:
 - Fraternity and Sorority Action Fund, PO Box 40472, Washington DC 20016
- There are no limits to what a person or business can give to FSAF.
- A donor has the option to keep their gift confidential, though there are some state law limitations to this now.
- FSPAC board members should not be soliciting anyone for an FSAF contribution of less than \$5,000 in a single year.
- Generally speaking, because the FSPAC “owns” the FSAF, we would prefer that a donor be asked to max out to the FSPAC hard-dollar account (\$5,000 a year) before they give to the FSAF.

Further Details on the Different Funds

FSPAC

- Canadian residents cannot make contribution to fund

IEA

- A donor cannot contribute to his/her organization earmarking the donation to then go directly to the IEA by the organization
- A member organization can donate to the IEA
- Canadian residents can donate to the IEA.
- Member group foundations as a 501(c) (3) can't make donations to the IEA

FSAF

- Individuals, couples, organizations, foundations and businesses can contribute.
- We strongly prefer that individuals have maxed out (\$5,000 a cycle) contributions to the FSPAC before being asked to give to the FSAF
- FSAF contributions are given to fund legal defense, advocacy, public relations, grassroots and educational programs that are needed for a strong government relations agenda
- There is no cap on FSAF contributions.

THE FRATERNAL GOVERNMENT RELATIONS COALITION

Over time, the same women driving the FSPAC were also driving for the NPC to be a full partner at the table in setting the agenda for Greeks in Washington and setting up a model where everyone could work together. The fact the NIC, NPC, and FSPAC had different timelines for leadership changes were contributing to this need as well, because every few months it felt like at least one of the organizations had a new leader who wanted to go in a new direction.

During the FSPAC Presidencies of Larry Wiese, Julie Burkhard, and Patrick Alderdice along with the NIC Presidency of Howard Pickett of Sigma Nu, conversations started and ultimately led to the creation of the Fraternal Government Relations Coalition (FGRC). The FGRC is comprised of the NIC, NPC, and FSPAC. The FGRC meets regularly by phone to discuss needs in Washington and share information on how they are pursuing shared policy interests. The FGRC runs the annual Greek Congressional visit program but the NIC and the NPC are the only entities that determine the policy agenda for those visits. Despite numerous news articles and blog posts to the contrary in years past, the FSPAC does not lobby (though clearly its individual leaders do as members of fraternities and sororities participating in the Hill visit) and it does not set the policy agenda for Greeks.

OTHER GREEK ADVOCACY ENTITIES IN WASHINGTON

Shortly after Kevin O'Neill and Patton Boggs began representing Greeks in Washington, they formed the Congressional Fraternal Caucus, which is comprised solely of Senators and Representatives who are members of fraternities and sororities. Congress has hundreds of caucuses, comprised of members committed to working together on items of specific interest.

The first co-chairmen of the Congressional Fraternal Caucus were Congressman Pete Sessions (R-TX/Pi Kappa Alpha) and Congresswoman Stephanie Tubbs Jones (D-OH/Delta Sigma Theta). As of 2020, the co-chairmen are: Congressman Steve Stivers (R-OH/Delta Upsilon) and Congresswoman Marcia Fudge (D-OH/Delta Sigma Theta).

POLICIES

Regarding Candidate Contributions

Passed April 2013: The FSPAC will actively promote and consider campaign contributions for women who are a primary candidate for a federal office under the following conditions:

- Her own organization is currently engaged in the FSPAC
- Her organization has raised a minimum of \$2500 in the last year
- Research organizations that objectively evaluate candidates that the FSPAC rely on (NRCC, NRSC, DCCC, DSSC) confirm that she is a viable contender for the primary win
- Two FSPAC Board Members have personally spoken with the candidate and make a recommendation
- She is not running against an incumbent Greek the FSPAC has previously supported this cycle

Passed April 2013:

WHEREAS, Fraternity and Sorority Political Action Committee (“FSPAC”) is the largest political action committee focused solely on higher education issues;

WHEREAS, FSPAC makes contributions to the campaigns of bipartisan candidates in national, state and local races; and

WHEREAS, the Board of Directors has determined that it is in the best interests of FSPAC to delegate discretion to the Executive Director and the Treasurer, acting together, the power and authority to make certain campaign contributions between meetings of the Board of Directors following consultation with the Board of Directors;

THEREFORE, LET IT BE RESOLVED THAT the Executive Director and the Treasurer of FSPAC, acting together, shall have the power and authority to make campaign contributions between meetings of the Board of Directors without approval of the Board; provided, however, that (i) each such contribution shall be consistent with the then-current funding guidelines of FSPAC, (ii) such contributions in aggregate shall not exceed 25% of the total contributions made by FSPAC in the applicable two-year funding cycle, and (iii) before making any such contribution, the Executive Director first shall seek the input and guidance of the Board of Directors electronically or by any other convenient means of communication; and

BE IT RESOLVED FURTHER, that the Board of Directors shall review and ratify the campaign contributions made by the Executive Director and the Treasurer between meetings of the Board of Directors at its next meeting.

Standard for requesting a refund of a contribution to a candidate:

1. Statement/action offends a majority of the board regardless of political persuasion/gender/fraternal affiliation
2. Statement/action offends the public and is condemned by the candidate's political allies as opposed to defended
3. Statement/action impacts a subject area that affects the mission of FSPAC as the voice of college students and Greeks everywhere
4. Statement/action runs counter to the values of our organizations
5. Our donors may reasonably question why we provided support to the candidate and use that support to withhold FSPAC donations in the future

Regarding FSPAC Board Membership

Each FSPAC Board Member has been called upon to support the organization with their time, talents and treasures. A minimum financial expectation for a Board Member is considered “best practice” when you are turning to others for financial support. I move that the FSPAC Board minimum annual contribution be \$250.

STUDENT LEADERSHIP: CONGRESSIONAL HILL VISITS

Prior to 2005, the Congressional Hill Visits were comprised of teams exclusively of alumnae/alumni members. The decision was made to invite student leaders to participate in these important meetings to maximize our messaging with the members of Congress and their staff. The participation by the student leaders has now become the cornerstone for our visits with their effective ability to present a solid argument of those issues that are challenging to them personally and to the overall fraternal community.

All NIC and NPC member groups are encouraged to consider sponsoring a number of their collegiate members to participate in the Congressional Hill Visits. The student selection process is facilitated by our lobbyist team of Arnold & Porter. The process begins in the fall timeframe with the final selection of the students being announced in early January. The students will then have pre-work to complete before they come to DC. In the case of the students they traditionally come in two days ahead for training and then are joined by the alumnae/alumni team members on the second day for additional team-oriented training.

The member organizations will see who from their organization has applied and can provide feedback on the acceptability of the student for the Hill Visits. There are always many exceptional candidates to consider however to maximize the Hill Visits, the ideal collegiate candidates’ credentials include:

- Student Body Presidents especially from large public institutions as these students are

often able to secure meetings with a wide range of Congressional offices

- Panhellenic or IFC Presidents, Chapter Presidents or other campus leaders
- Students who have served as Congressional interns; and/or
- Students with personal relationships with a member of Congress
- Other related credentials to consider
 - Students who have lived in chapter housing or are from chapters that are trying to establish fraternal housing
 - Juniors or Seniors who have been members for at least two years.
 - Students who possess a basic knowledge, experience or interest in politics and government
 - Diversity in geographic representation
 - Preference for students from public institutions

The FGRC through Arnold & Porter is balancing a wide range of factors in the student selection process so that the April Hill Visits have students who have entrée to the widest possible set of Congressional offices and the most important offices for us to influence. It is, therefore, possible that the needs of the FGRC will lead us to select strong students from your organization that meet key needs while bypassing student members from other campuses/states that your organization might consider to be better qualified. The FSPAC Board Members can help the FGRC in stressing this communication to your organization to eliminate any misunderstandings.

The Board Members are also encouraged to reach out to the students selected from your organization to ensure that they have an advance point of contact and resource for the upcoming Hill Visits. The students will have pre-work that will need to be completed to ensure a great leadership experience. Each student participating in these Hill Visits should also be extended an invitation to the FSPAC Reception and Dinner by his/her member organization to cap off a wonderful time in DC.

SECTION III: FUNDRAISING

ROLE OF BOARD MEMBERS

- Identify potential donors
- Cultivate potential donors
- Solicit contributions from potential donors
- Report cycle pledges
- Follow up on yearly and cycle pledges
- Acknowledge contributions
- Thank donors
- Invite donors to annual FSPAC dinner
- Cultivate student lobbyist for contributions
- Solicit contributions for student lobbyist to attend the annual FSPAC dinner
- Contribute a minimum of \$250 per year

DONOR BASE

Individual

- From member organizations
- Unaffiliated to member organizations
- Can contribute up to \$5,000 a cycle

Couples

- From member organizations
- Unaffiliated to member organizations
- Can contribute up to \$10,000 a cycle
- Both signatures are required on the pledge form
- Credit is given to each person's member organization
- Credit can be split between two different board members

DONOR RECOGNITION

- Requirement for the recognition of national boards - \$100 per board member
- Recognition given in the FSPAC newsletter and at the annual FSPAC reception and dinner

GIVING LEVELS

- \$20,000 -Honorary FSPAC Chairman
- \$10,000-Honorary Board of Directors
- \$5,000 - Founders Society
- \$2,500 - \$4,999- Charter Member
- \$1,000-\$2,499-Legacy Member
- \$500-\$999-Honorary Officer
- \$250-\$499-Donors
- \$1-\$249 –Friends (only listed on website)

GOALS

Determined by the Board of Directors at the beginning of each two- year cycle

As of January 2020, the FSPAC has raised \$4.1 million in its lifetime. Below is a chart, showing the fundraising totals for each year since our founding. The IEA money is included in these totals, beginning in 2011, but the FSAF, as a separate organization is not in the totals below.

2005 - \$210,195
2006 - \$100,116
2007 - \$137,951
2008 - \$192,256
2009 - \$188,760
2010 - \$203,755
2011 - \$251,365
2012 - \$253,533
2013 - \$245,905
2014 - \$252,854
2015 - \$348,392

2016 - \$254,709

2017 - \$433,662

2018 - \$454,721

2019 - \$553,714

Lifetime Funds - \$4,081,907

The FSPAC uses an outside vendor to handle Federal Elections Commission compliance and general accounting needs. While the same firm has handled this work since the beginning, for most of the time, **Thomas Maxwell**, a member of Kappa Alpha Order has been the individual directly involved in this effort. Thomas' work includes handling our financial documents, working with the bank, collecting all contributions, and completing all required quarterly and annual compliance reports for the IRS, the FEC, the District of Columbia, and various state entities nationwide.

SECTION IV: APPENDIX

Fundraising

Forms

Acknowledgement Letters

Solicitation Letter

Donor Solicitation Letter Template

2020 Pledge Form

Guide to Fundraising and Activities

Memorandum on Permissible Activities

FPSAC Attendance at Fundraisers: Senate Classic

Governing Documents

Articles of Incorporation

Bylaws

State of Confidentiality

Board Eligibility

FSPAC Placemat

2018 Post-Election Memorandum

Organizations

Chart of FSPAC/IEA/FSAF

Organizational Recognition Chart

COPY OF FIRST-EVER FSPAC SOLICITATION

From: Kmone1@aol.com [mailto:Kmone1@aol.com]

Sent: Wednesday, March 23, 2005 10:50 PM

To: obrien@zetapsi.org

Subject: Introducing the Fraternity & Sorority Political Action Committee

Dear Friend:

You and I both believe that fraternity membership can play a key role in developing college students into outstanding leaders for America's future and is an outstanding vehicle for committed alumni/alumnae members to help others achieve their dreams. We both benefited from our own memberships in these organizations and we both continue to work to see that future students have similar opportunities to use fraternity life to become better citizens, students and leaders on our campuses and in our communities.

That's why I am excited to share with you the news that I am working with a number of outstanding individuals nationwide to start the Fraternity & Sorority Political Action Committee (PAC). These people have all been leaders inside their own fraternal organizations and share a common passion for doing all they can to ensure fraternities continue to be a vibrant presence on college campuses. Many of these leaders have been actively engaged in interfraternal efforts to engage Washington policymakers on a range of policy issues that influence fraternity life, such as: (1) tax laws impacting charitable contributions, (2) improving student safety and housing, (3) fighting hazing and substance abuse on campus, and (4) protecting a student's First Amendment right to join a fraternal organization on campus.

All of those efforts have led many of us to the conclusion that we need to work together to support federal candidates who recognize the value of fraternity life and will support a policy agenda that improves the experience we offer to our student members. Thus, the creation of Fraternity and Sorority PAC. The PAC's primary goal is to support the approximately 160 men and women who are fraternity and sorority alumni/alumnae in the United States House and Senate who help preserve and improve the fraternal experience. In addition, the PAC will be supporting other members of the House and Senate who support policy objectives that preserve and improve the fraternal experience.

The PAC is bipartisan in receiving contributions and supporting political campaigns. We will fund the campaigns of both Republicans and Democrats so long as they meet our criteria for supporting the advancement of fraternity life.

Our goal is to raise \$500,000 for the PAC and to use that funding to support the 2006 election campaigns of federal candidates who support fraternal life.

Attached is an invitation for you to join us at the PAC's kick-off reception the evening of Monday, April 18 in Washington D.C. Also attached is a brochure explaining more about the PAC, our goals and objectives, and how you can be involved. As you will see, a number of current and former Senators and Congressmen will join us to celebrate the PAC's formation and we hope to use this event to raise at least the first \$100,000 towards our goal of \$500,000.

Even if you can't join us for this event, I hope you will consider making a contribution to the PAC by the April 18 event to help us meet our fundraising goals.

Please feel free to share this information with others who you think might be interested in supporting Fraternity & Sorority PAC. If you have any questions, please don't hesitate to contact me directly at 757-207-6002.

Sincerely,

Kevin O'Neill

President, Fraternity & Sorority PAC

Date _____

Mr./Ms. _____

Address _____

Address _____

Dear (Donor),

Thank you so much for your ongoing support of the Fraternity and Sorority Political Action Committee (FSPAC)!

Today, I'm not asking you to give anything. I just want to update you on our progress and ask you to make a *pledge of support for 2020* that matches or exceeds your support in 2019.

FSPAC had a tremendous 2019. **We raised over \$550,000**—a record amount, and **we moved our three top legislative priorities forward in the House of Representatives**. Donations from you and other engaged and concerned individuals played an indispensable part in these achievements.

Here's a quick recap. The *College Affordability Act (CAA)*, a comprehensive update of the Nation's higher education law, was introduced and passed by the House of Representatives' Education and Labor Committee in October. Folded into the CAA are the three bills that are critical for the future viability of the fraternal experience. They are:

- The *Collegiate Freedom of Association Act* would prevent schools from disciplining students solely because they belong to a single-sex organization. It is a direct response to the actions taken at Harvard University and other schools that are blacklisting and discriminating against students who join single-sex groups.
- The *END ALL Hazing Act* would require disclosure of information that would identify student organizations that haze on campus. This would allow students to make informed decisions about which groups are living up to their stated ideals and values.
- The *REACH anti-hazing Act* would require publicizing the number of hazing incidents on campus as part of the school's annual safety report.

This was *the most expansive package of legislation in our history*, and fraternity and sorority leaders worked tirelessly to promote these bills. But they couldn't have successfully brought them to this point without you! Your donations to FSPAC helped open doors, provided access to members of Congress and their staff, and gave us a voice during drafting and markup of the CAA. **The dollars you donated got results—and really good ones too!**

Yes, we scored very important WINS! However, we still have to get the CAA through the full House and then the scene will shift to the Senate. And with the November 2020 elections drawing closer, our current and future champions in Congress will want to know that they have our support, and we want to know we have theirs.

This is exactly the time when we must keep our foot on the gas pedal. We have made pronounced progress, but we've got to sustain it. To do that, **we need you more than ever before!**

At this time, we are projecting what we can give to candidates in 2020, which we base almost entirely on what our donors pledge to give us. I'm asking you to make a 2020 pledge **NOW** - and then we will remind you and ask you to pay it in March. You can make a pledge for 2020 using the enclosed Pledge Form or you can let me know directly via email how much you agree to pledge, and we'll get that recorded. But if you want to make your donation for 2020 right away, you can give via our secure website www.fspac.org/donate.

I want to extend my most sincere appreciation for all you've done thus far to defend and enhance the fraternal experience. ***You are truly making a difference!*** Keep it up!

In the bond (whatever is used by each organization),

Name

Contributions to the Fraternity and Sorority PAC are not tax deductible for federal income tax purposes. Federal law requires us to use our best efforts to collect and report the name, mailing address, occupation, and employer for each individual whose contributions exceed \$200 in a calendar year. Funds received in response to this solicitation will be subject to federal contribution limits and source prohibitions. Contributions are limited by law to \$5,000 per year from any individual or PAC, and contributions from federal contractors and foreign nationals are prohibited.

Paid for by the Fraternity and Sorority Political Action Committee and not authorized by any candidate or candidate's committee. <http://fspac.org/>

Contributions to the Fraternity and Sorority PAC are not tax deductible for federal income tax purposes. Funds received in response to this solicitation will be subject to federal contribution limits and source prohibitions. Contributions are limited by law to \$5,000 per year from any individual or PAC, and contributions from federal contractors and foreign nationals are prohibited.



**THE FRATERNITY AND
SORORITY POLITICAL
ACTION COMMITTEE**

P.O. Box 40383
Washington, D.C. 20016-0383

Paid for by the Fraternity & Sorority
Political Action Committee and not authorized by
a candidate or candidate's committee.

fspac.org
(703) 832-0063

FRATERNITY & SORORITY PAC CONTRIBUTION FORM

The Fraternity and Sorority Political Action Committee is the largest PAC dedicated to supporting higher education.

The FSPAC's goal is to raise funds during each federal election cycle to support House and Senate candidates who back policy objectives that defend and enhance the fraternal experience. Donations from alumni and friends like *you* ensure this goal is achieved.

Generations of future fraternity and sorority members will benefit from your action today. Thank you for your loyal support of the FSPAC.

I/we wish to contribute \$ _____ to the current election cycle now.

AND/OR, I/we wish to make a pledge to the current election cycle according to the following schedule:

\$ _____ **Paid on or before April 1, 2020**

\$ _____ **Paid on or before September 30, 2020**

Please print contributor(s) name(s):

Contributor(s) signature(s):

(Provide both signatures if a joint contribution.)

CONTRIBUTIONS MADE ONLINE: www.fspac.org

CONTRIBUTIONS BY CHECK:

Your personal check should be made payable and mailed to:

The Fraternity & Sorority PAC

P.O. Box 40383, Washington, D.C. 20016-0383

The enclosed contribution to Fraternity & Sorority PAC is drawn on account named as: _____ Check # _____

FEDERAL ELECTION INFORMATION

Federal law requires us to use our best efforts to collect and report the name, mailing address, occupation and the name of employer for individuals whose contributions are \$200 or more in a calendar year.

REQUIRED INFORMATION FOR THE FEDERAL ELECTION COMMISSION:

**The following address is my preferred address
for all gift acknowledgments and correspondence.**

Name: _____

Address: _____

City: _____

State: _____ Zip: _____

Occupation: _____

Employer: _____

INFORMATION REQUESTED BY THE FRATERNITY & SORORITY PAC:

Telephone: _____

E-mail: _____

College/university attended: _____

Your fraternity/sorority, affiliation, if any: _____

Spouse name: _____

College/university attended by your spouse: _____

Your spouse's fraternity/sorority, affiliation, if any: _____

Who asked you to contribute to the FSPAC:



MEMORANDUM

TO: Fraternity & Sorority PAC Executive Board

FROM: Benjamin L. Ginsberg
Megan Sowards Newton

DATE: February 13, 2017

RE: Permissible Activities in Support of FSPAC

This memo provides guidance regarding the ways in which fraternities and sororities can provide their members with information and solicit contributions to the Fraternity & Sorority PAC (FSPAC) under applicable campaign finance laws. The memo addresses actions that may be taken by: (1) individual members of fraternities and sororities; (2) fraternal organizations; and (3) the educational foundations that are affiliated with fraternities and sororities. As a reminder, the information provided here is legal advice given to FSPAC and its agents and is provided to individual fraternal organizations and foundations for informational purposes only. Individual fraternal organizations and foundations should consult their counsel for specific legal advice before providing FSPAC with any form of assistance.

Allowable Activities in Support of FSPAC

1. Individual fraternity and sorority members MAY:
 - Contribute to FSPAC using personal funds of up to \$5,000 per individual per calendar year. A contributor must be a U.S. citizen 18 years of age or older, or a legal permanent resident, *i.e.*, green card holder, and not a federal government contractor *as an individual*.
 - Contribute an unlimited amount of funds to FSPAC's Independent Expenditure Account (IEA). This account cannot contribute directly to

candidates. However, it can make unlimited expenditures that advocate the election or defeat of a candidate, provided those expenditures are not coordinated with the candidate.

- Solicit others to contribute to FSPAC – even if those solicited are not members of a fraternal organization – so long as you use your personal resources for the communication or solicitation.

2. Fraternal Organizations (national or local Internal Revenue Code § 501(c)(7) organizations) MAY:

If your organization’s counsel confirms that your constitution, bylaws, and practices meet the Federal Election Commission (“FEC”) criteria for a “membership organization,” and that your student and alumnae members qualify as “members”, your organization MAY:

- Contribute a relatively small amount to FSPAC's IEA. (See question two below.)
- Communicate with the organization’s “restricted class” - members, executive and administrative personnel and the families of both groups - about FSPAC. These communications may include a direct solicitation for contributions to FSPAC but the communications expressed must be the views of the membership organization and must not reproduce or republish candidate committee or FSPAC materials.
 - Note that communications may take many forms, including e-mails, phone calls, letters sent by mail, information in your organization’s magazine (if distributed exclusively to the organization’s restricted class), and information posted on Members-only portions of your website. Communications in these types of publications are permissible if: (1) the organization pays the costs associated with this communication; OR (2) the organization charges FSPAC fair market value for the information needed to communicate with the organization’s members. For example, the organization could charge FSPAC fair market value to rent the organization’s membership list.
- Use its own resources to *solicit* contributions for FSPAC. Note that the organization MAY NOT use those resources to *facilitate* the making of contributions by individuals.
 - For example, the organization may ask its members to give to FSPAC and provide them with the information needed to make the contribution. However, the organization cannot use its own resources to pay for

envelopes and stamps to collect those contributions and mail them to FSPAC, collect contributions and forward them to FSPAC via FedEx, or pay for an officer or employee, to deliver contributions to FSPAC.

- Individual employees of the incorporated membership organization or other corporations may use corporate facilities in a limited manner if they are serving FSPAC in a voluntary role and if the usage is consistent with the corporation's internal policies.
- For organizations that have publications or websites that are distributed, or open, to the general public, the organization must charge FSPAC its usual rate to advertise and solicit contributions on the public pages. No discounts or complimentary publication is permitted.
- Allow a member of the organization to speak at a gathering consisting exclusively of the organization's restricted class – be it a convention session, educational program, business meeting, etc. – to provide information about FSPAC and solicit contributions. Members who are also agents of FSPAC (Board of Directors and members of the Finance Committee) may accept contributions from other members and forward them to FSPAC.
- Allow some form of recognition for FSPAC donors placed on nametags at organizational meetings that attended only by the restricted class.

3. Educational foundations MAY:

- Allow officers of an educational foundation affiliated with a fraternal organization to solicit funds or communicate about FSPAC in the officer's *individual* capacity.
- Allow FSPAC to pay the foundation the normal and usual charge to advertise on the foundation website or other publications. The foundation website or publication must have a history of accepting paid advertising.

4. Educational foundations MAY NOT:

- Use of the foundation's publications, functions or resources to communicate about FSPAC or solicit contributions.
- Permit formal or public discussions at foundation events that implicitly encourage support for FSPAC.

General Discussion

Question. How may fraternities and sororities lawfully solicit contributions for FSPAC?

Answer. If qualifying as membership organizations under FEC regulations, fraternities and sororities may use their corporate resources to communicate *exclusively* with their eligible employees, individual members and the families of both groups, to solicit contributions for FSPAC. The corporate resources of fraternities and sororities may not, however, be used to “facilitate” the making of contributions to FSPAC.

Explanation. Federal campaign finance law prohibits corporations - profit or non-profit - from using their general treasury funds to contribute to a federal candidate or PAC.¹ Corporations may, however, use their resources to underwrite the administrative and solicitation costs of a federal PAC formally connected to a corporation.² Under this provision, **only** the corporation’s stockholders, executives and administrative staff, which generally include salaried employees with policymaking, supervisory and professional responsibilities (*i.e.*, its “restricted class”), may be solicited to make contributions to the PAC.³ Twice a year, however, corporations may also solicit, subject to certain restrictions, *any* of their employees for contributions to its connected PAC.⁴

PACs *unconnected* to a corporation may solicit any person (except foreign nationals without permanent residence status or green cards, and federal government contractors) but their administrative and solicitation costs must be paid only with contributions raised for the PAC. Since FSPAC is a nonconnected PAC, the resources of incorporated fraternal organizations may not be used to underwrite FSPAC’s administrative and solicitation costs.

¹ 2 U.S.C. § 441b.

² *Id.*

³ § 441b(b)(4)(A); 11 C.F.R. § 114.1(c).

⁴ § 441b(b)(4)(B).

Membership Organizations. Incorporated “membership organizations” may, however, use their resources to communicate *exclusively* with their respective restricted class, which include eligible employees and their families (as mentioned above), and their individual members and their families.⁵ These communications may be “on any subject,” including those communications that expressly advocate the election or defeat of candidates⁶, and solicit contributions to a nonconnected PAC such as FSPAC.⁷ These “internal” communications also “may involve election-related coordination with candidates and political committees.”⁸ These communications, however, must be an expression of the views of the membership organization. They cannot reproduce or republish candidate committee or FSPAC materials.⁹ Moreover, an incorporated membership organization may not use its resources to “facilitate the making of contributions.”¹⁰ “Facilitation” includes such things as:

- Fundraising activities (except by commercial vendors and communications exclusively with the restricted class) that involve—
 - 1) Providing meeting rooms that are not customarily made available to clubs, civic or community organizations or other groups;
 - 2) Failure to reimburse a corporation within a commercially reasonable time for the use of corporate facilities;
 - 3) Officials or employees of the corporation directing subordinates (who, therefore, are not acting as volunteers) to plan, organize or carry out fundraising as a part of their work responsibilities using corporate resources, unless the corporation receives *advance* payment for the fair market value of their services;

⁵ 11 C.F.R. § 114.7(h).

⁶ § 114.3(a)(1).

⁷ § 114.3(c).

⁸ § 114.3(a)(1).

⁹ § 114.3(c)(1)(ii).

¹⁰ § 114.2(f).

- 4) Using a corporation's list of customers, clients, vendors or others who are not in its restricted class to solicit contributions, unless the corporation receives *advance* payment for the fair market value of the list;
- 5) Providing catering or other food services operated or obtained by the corporation unless the corporation receives *advance* payment for the fair market value of the services;
- 6) Providing materials for the purpose of transmitting or delivering contributions. (Note: Soliciting contributions from the organization's restricted class is an allowable use of organization resources so long as the organization is not providing resources to *transmit or deliver* the contributions received by the solicitation), such as stamps, envelopes addressed to a candidate or PAC, or other assistance such as paying an officer or employee, or reimbursing expenses, to deliver contributions; or
- 7) Using coercion, such as the threat of a detrimental job action, the threat of any other financial reprisal, or the threat of force, to urge any individual to contribute or engage in fundraising activities on behalf of a candidate or PAC.

Individual employees of an incorporated membership organization or other corporations may, however, *volunteer* for a candidate committee or a PAC and may use corporate facilities in a limited manner, provided the organization's internal corporate policies permit these activities.¹¹ More on this exception is discussed below.

Each incorporated fraternity and sorority may qualify as a membership organization under FEC regulations.

A "membership organization" shares *all* of the following characteristics:

- Is composed of "members," some or all of whom are vested with the power and authority to operate or administer the organization, pursuant to the organization's articles, bylaws, constitution or other formal organizational documents;
- Expressly states the qualifications and requirements for membership in its articles, bylaws, constitution or other formal organizational documents;
- Makes its articles, bylaws, constitution or other formal organizational documents available to its members;

¹¹ § 114.9(a).

- Expressly solicits persons to become members;
- Expressly acknowledges the acceptance of membership, such as by sending a membership card or including the member's name on a membership newsletter list; and
- Is not organized primarily for the purpose of influencing the nomination for election, or election, of any individual for federal office.

The term "members" includes all persons who are currently satisfying the requirements for membership in a membership organization, accept the membership organization's invitation to become a member, and participate in *one* of the following ways:

- Have some significant financial attachment to the membership organization, such as a significant investment or ownership stake;
- Pay membership dues at least annually, of a specific amount predetermined by the organization; *or*
- Have a significant organizational attachment to the membership organization that includes an affirmation of membership on at least an annual basis¹² *and* direct participatory rights in the governance of the organization. For example, such rights could include the right to vote directly or indirectly for at least one individual on the membership organization's highest governing board; the right to vote on policy questions where the highest governing body of the membership organization is obligated to abide by the results; the right to approve the

¹² The FEC's Explanation & Justification for this part of the definition of "member" provides some flexibility in meeting the "annual affirmation" requirement:

As with the annual dues requirement, the Commission intends to give organizations some flexibility in interpreting the phrase "annual affirmation." For example, such activities as attending and signing in at a membership meeting or responding to a membership questionnaire would satisfy this requirement. The organization would not have to send out a mailing form for this purpose unless a member did not pay dues and had no other significant contact with the organization over the period in question.

[64 Fed. Reg. 41270 (1999).]

Annual e-mail correspondence with members acknowledging them as such should also be sufficient to satisfy this requirement.

organization's annual budget; or the right to participate directly in similar aspects of the organization's governance.¹³

To the extent that each fraternity's and sorority's organizational documents (such as its bylaws) and its practices are clear that it is a membership organization under FEC regulations, and that its members satisfy the requirements for membership as described above, each such fraternity and sorority may use its resources to communicate *exclusively* with its eligible personnel and individual members to solicit contributions for FSPAC.

Use of non-Greek corporate resources. Most members of fraternities and sororities that are employed work, of course, for non-Greek incorporated entities that do not qualify as membership organizations under FEC regulations. As mentioned above, corporate resources may not be used to "facilitate the making" of individual federal contributions. Though a corporation may not be a qualified "membership organization" under FEC regulations, a corporation may, also, communicate exclusively with its restricted class of stockholders, executives and administrative staff to solicit contributions for a federal candidate or PAC such as FSPAC so long as it does not "facilitate" the making of contributions.

Corporate employees may also serve in an individual *voluntary* capacity for a federal candidate or PAC and may, thereby, solicit, collect and forward contributions on behalf of a recipient campaign or a PAC by making *incidental* use of corporate resources, if internal corporate policies permit such use. Incidental use includes these parameters:

- Corporate facilities, including computers and the internet, may be used by employees during working hours and include an amount of activity during any particular work period that does not prevent the employee from completing the normal amount of work which that employee usually carries out during such work period. As a rule of thumb, employees that use corporate facilities for an hour or less per week are engaged in incidental use of corporate facilities;

¹³ § 100.134(f).

- When facilities are used by stockholders other than employees during the working period, such use cannot interfere with the corporation in carrying out its normal activities;
- A stockholder or employee, whose use of a corporation's facilities for individual volunteer activities increases the overhead or operating expenses of the corporation, must reimburse the corporation within a commercially reasonable time for the normal and usual rental charge for the use of such facilities. The candidate committee or PAC benefiting from such activities may also reimburse the corporation for increases in overhead; and
- A corporation may not condition the availability of its facilities on their being used for political activity, or on support for or opposition to any particular candidate or party.¹⁴

¹⁴ § 114.9(a).

Additional Questions

Questions related to Internal Revenue Code § 501(c)(6) organizations
(e.g., the North American Interfraternity Conference
and the National Panhellenic Conference)

Q.1 Can the North American Interfraternity Conference and the National Panhellenic Conference publish information about FSPAC on the members-only section of their websites?

A. It is our understanding that the actual members of the NIC and NPC are incorporated fraternities and sororities, not the individual members of those organizations. Consequently, the restricted class of the NIC and NPC is composed *only* of the executives and administrative personnel of each entity and their member fraternal organizations. These individuals may review information about FSPAC on the members-only section of the website. If other “members” have access to these sections of the NIC and NPC websites, information about FSPAC that would amount to a solicitation may not be placed there. The NIC and NPC websites that are available to the general public could, however, provide a link to a non-contribution page of FSPAC’s website.

Q.2 What can an Internal Revenue Code § 501(c)(6) organization do that a § 501(c)(7) fraternal organization cannot do to publicize FSPAC and solicit funds?

A. Both a § 501(c)(6) and a (c)(7) organization may use corporate resources to communicate exclusively with its restricted class to publicize, and solicit funds for, FSPAC. While the law is not entirely clear, it appears that a § 501(c)(7) organization may use its resources for political activity only if the activity is incidental to its exempt purposes and only if the amount expended is a very small portion of its revenue. A § 501(c)(6) organization may use a greater portion of its resources for political activities relative to its exempt purpose activity. The amounts and types of political activities discussed in these questions and answers would not likely endanger either type of

organization's tax-exempt status. Again, these organizations should consult counsel for specific legal guidance as these questions involve a fact-specific analysis.

Q.3 What should a § 501(c)(6) organization avoid doing to publicize FSPAC and solicit funds?

A. A section 501(c)(6) organization must avoid using its corporate resources to encourage support for FSPAC by communicating beyond its restricted class of eligible managerial employees, the restricted class of its corporate members and its individual members. It must also not use its resources or personnel to facilitate the actual making of individual contributions to FSPAC such as collecting and delivering checks, providing envelopes and postage for mailing. Employees of a § 501(c)(6) organization can, however, serve in a volunteer fundraising capacity for FSPAC and act in their individual capacity to facilitate the making of contributions to FSPAC.

In such a case, if the employee/volunteer uses any resources of the (c)(6) to facilitate the making of contributions to FSPAC, he or FSPAC must reimburse the (c)(6) to the extent its overhead is increased, and his or her normal work responsibilities must not suffer by on-the-job volunteer work for the PAC. If a non-volunteer subordinate is directed to participate in soliciting funds for the PAC, the (c)(6) must receive *advance* payment from the PAC or the individual volunteer for the value of non-volunteer's services, which would also constitute an in-kind contribution to the PAC. We recommend that volunteers serving in an individual capacity use a personal email address to conduct this volunteer activity.

Q.4 If the National Panhellenic Conference website has pages for the Alumnae (APH) and College (CPH) Panhellenic members, are those pages considered for members only? NPC collects dues from the APHs and CPHs, but Greek advisors who are not members of NPC groups or of an APH or CPH could gain access.

A. If the pages for the APHs and CPHs are not restricted to the NPC's restricted class, those pages should not be used by APHs or CPHs to communicate with their members to encourage support for FSPAC.

Q.5 Did I understand correctly: a § 501(c)(6) organization can have information about the PAC on its website, but it cannot have a solicitation letter on it?

A. A § 501(c)(6) organization can have general information about FSPAC on the publicly-accessible portion of its website such as:

- Announcing the existence of FSPAC and explaining the legal requirements that apply to its activities;
- Providing information about how much FSPAC has raised, the number of contributors, and the number of candidates supported;
- Identifying federal candidates that FSPAC supports, as long as the communication does not suggest that support for FSPAC would help elect or defeat those candidates.

Any communication that encourages support for FSPAC or amounts to a solicitation for FSPAC must be contained on the restricted members-only page of the website.

Questions related to Internal Revenue Code § 501(c)(7)
organizations (e.g., fraternities and sororities)

Q.6 How can a fraternity or sorority use its website to promote FSPAC?

A. As mentioned above, an incorporated membership organization may communicate without restriction to its restricted class of eligible employees and individual members in connection with federal elections. If a fraternity or sorority were to have password-protected pages on its website available only to its restricted class of eligible employees, members and the families of both, the fraternity or sorority could solicit funds for FSPAC and otherwise communicate exclusively with its restricted regarding FSPAC.¹⁵

¹⁵ See FEC Advisory Op. 1997-16.

Q.7 May corporations, including a fraternity or sorority, allow its employees or members to use their computers for individual volunteer activity to support FSPAC?

A. Yes, a corporation may permit its employees, shareholders and individual members to use its computers and Internet facilities for individual volunteer activity, without making a prohibited contribution. This exemption is contingent on the employee completing the normal amount of work for which he or she is paid, or is expected to perform, that the activity would not increase the overhead or operating costs of the organization, that the activity is not coerced, and that the activity complies with the corporation's internal policies. The organization may not condition the availability of the Internet or computers on their being used for political activity or for support for or opposition to any particular candidate or political party.¹⁶

Q.8 How can a fraternal organization promote FSPAC at its conventions?

A. Again, an incorporated membership organization may communicate without restriction to its restricted class of eligible employees, members and the families of both. If attendance at fraternal organization conventions is limited to members and their families, the organization may solicit contributions and support for FSPAC from the convention attendees. Again, the views expressed supporting FSPAC would have to be those of the organization and it could not reproduce or republish FSPAC's materials for distribution to its restricted class. A FSPAC representative, however, could appear, distribute FSPAC materials and solicit contributions for FSPAC. But the organization could not "facilitate" the making of contributions to FSPAC as described above.

In FEC advisory opinions, the Commission has permitted an "incidental" number and percentage of individuals who are not in a corporation's restricted class to be in attendance at conventions where solicitations are made by the organization. The Commission's guidance regarding what it considers "incidental" is imprecise. For

¹⁶ 11 C.F.R. § 114.9(a)(2) and (b)(2).

example, the Commission has opined that three percent of the circulation of a publication containing a solicitation (1,000 persons outside the restricted class) was incidental, but 10 percent of the circulation (8,000 persons outside the restricted class) was *not*. In the latter case, the newsletter could not publish a solicitation.¹⁷

If attendance at conventions is *not* limited to the fraternal organization's restricted class, the organization could not publicly solicit contributions FSPAC. FSPAC's representatives may pay the normal and usual charge to the organization to rent a table, booth or kiosk and may solicit contributions for FSPAC as it could in any other similar forum. If a FSPAC representative's involvement at a convention were limited to speaking for a short period of time during a convention program, FSPAC would have to pay the normal and usual charge to the organization for that time within a commercially reasonable time.

Q.9 How can a fraternity or sorority magazine or other member communications promote FSPAC?

A. As mentioned above, an incorporated membership organization may communicate without restriction to its restricted class of eligible employees, individual members and the families of both, in connection with federal elections. If a fraternity or sorority magazine (or other publications like an e-mail newsletter) is distributed *only* to its eligible employees and individual members, the fraternity or sorority may communicate in any manner to promote FSPAC, including soliciting contributions for FSPAC. The magazine or publication could not, however, "facilitate" the making of contributions to FSPAC by, for example, providing a postage-paid reply envelope to mail in contributions.

¹⁷ See AOs 1999-6, 1994-21, 1980-139, 1979-50, 1979-15 and 1978-97.

If a fraternity or sorority magazine or publication is *not* distributed *exclusively* to its eligible employees and members, FSPAC must pay the normal and usual charge to the fraternal organization for advertising space in the magazine. If an individual chose to cover these costs on behalf of FSPAC, payment should be reported to FSPAC as an in-kind contribution from the individual to FSPAC. Note that in-kind contributions count against the individual's \$5,000 per calendar year contribution limit.

Q.10 How can a fraternal organization's mailing lists be used to circulate information about FSPAC?

A. A fraternal organization's mailing list of eligible employees and members may be used to circulate information about FSPAC and/or solicit contributions for FSPAC when the organization communicates with these eligible employees and members only. The list may not, however, be used by FSPAC or any other entity to support FSPAC unless the normal and usual charge is paid *in advance* to the organization for the list.

Q.11 Can I have a thank-you reception in my suite at my fraternal organization's convention for members of the organization who have donated to FSPAC?

A. Yes, but since a "thank-you" or commendation for past support would be considered a further solicitation, attendance at the reception must be limited to the fraternal organization's restricted class.

Q.12 May a thank-you to FSPAC donors be in the members-only section of a sorority website?

A. Yes, but since communications that express thanks or commend past support would be considered a further solicitation, therefore, such communications must be on the members-only section of the website.

Q.13 Can a sticker, ribbon or other recognition be put on the nametags of those attending a fraternal organization convention to denote members who have contributed to FSPAC?

A. Yes, but a sticker indicating that these members have contributed to FSPAC or otherwise raises awareness of FSPAC could be considered by the FEC to be a solicitation of contributions for FSPAC. The wording should be approved in advance. If the wording is a "solicitation", such communications must be made only in the context of a convention open exclusively to the organization's restricted class.

Q.14 If Convention attendees ask about the sticker and decide to make a donation, can I collect it and submit it to FSPAC?

A. Yes, but only if you are an agent of FSPAC (a member of FSPAC's Board of Directors or the Finance Committee). If you are not an agent of FSPAC, you may only provide someone with the address (U.S. mail or website address in order for the donor to contribute. You may not provide an envelope or postage for the contribution or collect the contribution and return it to FSPAC on the donor's behalf.

Q.15 Can a fraternity or sorority headquarters distribute material about FSPAC to the members that have already contributed to FSPAC? Can the headquarters distribute material to possible FSPAC donors who are members of the organization?

A. An incorporated fraternal organization may use its resources to communicate exclusively to its restricted class to support FSPAC, regardless of whether the individuals solicited have already contributed to FSPAC. For organizations that have Canadian members or other foreign nationals without green cards, those members are precluded by law from contributing to FSPAC and should not be solicited.

Q.16 I understood that a § 501(c)(6) organization was more limited than what a 501(c)(7) organization could do. Was that correct?

A. Under federal campaign finance law, both types of organizations can use their resources under limited circumstances to encourage support for FSPAC by

communicating exclusively with their restricted class but without facilitating the actual making of contributions to FSPAC. See question 2.

Q.17 Is there any problem with awarding a recognition ribbon for FSPAC donors at a fraternal organization's convention?

A. Awarding a recognition ribbon to FSPAC donors would be viewed as encouraging support for FSPAC and thus a further solicitation of contributions for FSPAC. If attendance at the convention, however, were limited to members of the fraternal organization's restricted class, this would be permissible. The cost of the ribbons themselves must either be paid for by FSPAC or by an individual, in which case the cost would be an in-kind contribution to FSPAC counting against that person's \$5,000 per calendar year limit.

Questions Relating to Internal Revenue Code § 501(c)(3) Public Charities

Q.18 May a FSPAC Director who is also an officer of an Internal Revenue Code § 501(c)(3) charity solicit funds for FSPAC at meetings of the charity if only members are attending?

A. No. Section 501(c)(3) charitable organizations, such as certain fraternity or sorority scholarship funds organized separately as (c)(3)s, are absolutely prohibited from participating in any election campaign activity. While an officer or employee of a public charity may solicit funds on behalf of FSPAC *in his or her individual capacity*, this excludes communications in official (c)(3) organization publications or at official functions of the (c)(3). Where national conventions of fraternal organizations include a mix of events paid for by the fraternal organization and FSPAC, any solicitation should occur at an event funded by the fraternal organization rather than the public charity.

Q.19 May an e-mail from the officer of a § 501(c)(3) organization who is also a FSPAC Officer be sent utilizing the organization's electronic database to raise funds for FSPAC?

A. No. Section 501(c)(3) organization resources may not be used to raise funds for FSPAC.

Q.20 May FSPAC be discussed at a § 501(c)(3) organization's meeting and money solicited if the person doing the speaking is an officer of the charity?

A. No. See question 18 above.

Q.21 May FSPAC advertise on the § 501(c)(3) organization's website? If yes, under what conditions?

A. Yes, if FSPAC pays the charity the normal and usual charge for the space on the website and the space is made available to other political organizations that wish to advertise. If the section 501(c)(3) organization does not regularly charge for space on its website, it would be very risky for the organization to permit FSPAC or another political organization to buy space. Any advertising endorsing or opposing candidates

on a section 501(c)(3) organization's website could result in the loss of the organization's tax-exempt status.

Q.22 May FSPAC be discussed at § 501(c)(3) organization events if the officer of the charity presenting is also a FSPAC Director and spouses are present? How about soliciting?

A. We recommend that section 501(c)(3) organizations avoid sanctioned discussions of anything that could be considered campaign related. Any communication at these Foundation events that encourages support for FSPAC or constitutes a solicitation must be avoided.

Please let us know if you have further questions.¹⁸

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(202) 879-3773

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(202) 879-3986

¹⁸ To ensure compliance with requirements imposed by the IRS, we inform you that any tax advice contained in this communication (including attachments) is not intended or written to be used, and cannot be used, for the purpose of (i) avoiding penalties under the Internal Revenue Code or (ii) promoting, marketing or recommending to another party any transaction or matter addressed herein.

FSPAC Attendance at Fundraisers

In 2019 the FSPAC began making strategic contributions to the party committees to enable board members and donors to attend fundraisers and elevate our priorities with members of Congress.

What follows is a report of the 2019 Senate Classic attended by Leslie Williams and Cindy Stellhorn.

The contributions the FSPAC gave for this event went as follows: \$3,000 to the Burr LPAC for Friday golf event and \$8,500 times 2 seats (Leslie Williams and Cindy Stellhorn), split between 2020 Republicans up for reelection that were on our giving plan.

Senate Classic

The event has been held for thirty-eight years running. Republican Senators who are "in cycle"(running for re-election) are motivated to attend as their campaign will collect fundraising dollars from the event. Invitations may also be given to new Senatorial Republican candidates who are running in key states. Senate Republican leadership heavily supports this event as well.

The effectiveness of the donor's participation is to 1) have people attend the event and 2) have as many repeaters as possible. Much of what we heard over the course of the weekend was the value of this event in establishing relationships with the Senators, the lobbyists and the donor representatives. This central theme of relationship building was woven through out the weekend, heightened by the "family friendly" emphasis.

Our fundraising dollars are significant for the event at \$8,500 each attendee, which is spread between Senate Republican candidates on our giving plan and go directly to a Super PAC run by Senators Richard Burr and John Hoven, with the exclusive purpose of awarding dollars to the attendees' election campaigns. Any Representative from our lobby firm, our own PAC or the FSAF, are covering the expenses of transportation to the event and lodging while at the event.

The access to the Senators is exceptional and there is no other event that provides this opportunity. Through the course of the weekend, there are 9-10 events where you can have a very direct and intimate conversation with the Senators.

Several observations from participating in the event:

- Obvious that relationships had been built and camaraderie was apparent

- Senators and other lobbyists generally knew of the Arnold and Porter firm and spoke favorably of them
- Kevin's style and approach with the members was very effective and very much in line with the events central theme of relationship building. It was also apparent that his work was respected by the attendees, Senators and lobbyist's alike
- Unlike the Congressional Hill Visits where the conversation is very direct and intentional, this event requires a far more subtle finesse on the donors part
- This event postured our team to be able to secure the private email addresses of a member gaining much better access than going through the staff
- To have the FSPAC's name read off in front of the entire group and in the company of Fortune 500 companies was very impressive and flattering
- All interactions and feedback regarding our single sex issues were very positive

Leslie and Cindy appreciated the opportunity to represent the FSPAC at this event and strongly urge that the FSPAC continues to participate and find its way to develop relationships which comes only with individuals repeating in attendance.

**BYLAWS OF
FRATERNITY AND SORORITY
POLITICAL ACTION COMMITTEE (FSPAC)**

October 4, 2017

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**BYLAWS
OF
FRATERNITY AND SORORITY POLITICAL ACTION COMMITTEE**

(formed under the District of Columbia
Nonprofit Corporation Act)

ARTICLE I

Offices

Section 1.01 Location. The principal office of the Corporation shall be located within or without the District of Columbia, at such place as the Board of Directors shall from time to time designate. The Corporation may maintain additional offices at such other places as the Board of Directors may designate. The Corporation shall continuously maintain within the District of Columbia a registered office at such place as may be designated by the Board of Directors.

ARTICLE II

Purposes

Section 2.01 The Corporation is formed and shall be operated to promote good government at the national, state and local levels.

Section 2.02 The Corporation shall be a nonprofit political organization organized and operated (i) for the purpose of influencing the selection, nomination or election of individuals to local, state and federal office or to office in a political organization, or the election of Presidential or Vice-Presidential electors, and participating in the election process in other ways that are consistent with section 527(e)(2) of the Internal Revenue Code of 1986 and the Regulations thereunder, and (ii) as a political committee under the Federal Election Campaign Act of 1971, and as amended by the Bipartisan Campaign Reform Act of 2002, and the Regulations thereunder, as the same now exist or as they may hereafter be amended from time to time. The Corporation shall be incorporated for liability purposes only.

Section 2.03 The Corporation shall not be directly or indirectly established, supported, maintained or controlled by any other organization or political committee. It shall not be connected or affiliated with any organization, or any specific candidate for election or re-election. It shall not be bound by the decision of any other organization, nor shall its Board of Directors include a sufficient number of representatives of any other organization so as to cause or prevent action by the Corporation. No fraternity or sorority may have more than four members serving on the Board of Directors, excluding student directors. The Corporation shall have no members nor any dues structure, and it shall serve no common business interests of its contributors, except as the Board of Directors may deem necessary to carry out the goals and missions set forth in Section 2.01.

ARTICLE III

Members

Section 3.01 Classes of Members. The Corporation shall have no members.

ARTICLE IV

Board of Directors

Section 4.01 Power of the Board. The affairs of the Corporation shall be managed by the Board of Directors. Directors need not be residents of the District of Columbia.

Section 4.02 Number of Directors. The number of directors of the Corporation shall be equal to the number of directors that shall have been elected and qualified in accordance with the Bylaws. The number of directors may be increased or decreased from time to time by the Board of Directors in accordance with selection criteria it identifies and adopts on at least an annual basis. To the extent that the law requires an amendment to the bylaws to change the number of directors, any such action by the directors shall be deemed an amendment to the Bylaws. No decrease in the number of directors shall have the effect of shortening the term of any incumbent director. The number of directors shall never be less than three.

Section 4.03 Election and Term of Directors. At the fall meeting of the Board of Directors each year, the directors then in office shall elect directors for the following calendar year. Each director is to hold office for a term of one year for the term January 1st to December 31st, and until his/her successor has been elected and qualified (unless he/she sooner ceases to be a director by reason of death, resignation or removal).

Section 4.04 Vacancies. Except as otherwise provided in these Bylaws, any vacancy occurring in the Board of Directors and any directorship to be filled by reason of an increase in the number of directors, shall be filled in the same manner as such vacancy would be filled if it occurred by reason of the expiration of a director's term. Balloting may occur by mail (including email) or at a special meeting of a majority of directors.

Section 4.05 Removal of Directors. A director may be removed with or without cause at any time by action of the Board, provided that such action is taken at a meeting of the Board called expressly for that purpose.

Section 4.06 Resignations. Except as otherwise required by law, any director of the Corporation may resign at any time by giving written notice to the Board or to the President, Executive Director or to the Secretary of the Corporation. Such resignation shall take effect at the time specified therein, and unless otherwise specified therein, no acceptance of such resignation shall be necessary to make it effective.

Section 4.07 Quorum of Directors and Action by the Board. Unless a greater proportion is required by law, a majority of the number of directors shall constitute a quorum for the transaction of business. Except as otherwise provided by law or by the Articles of Incorporation or these Bylaws, the act of a majority of the directors' present at a meeting at which a quorum is present shall be the act of the Board.

Section 4.08 Meetings of the Board. Meetings of the Board of Directors, regular or special, may be held at such place within or without the District of Columbia, and upon such notice as may be prescribed by resolution of the Board of Directors.

A director's attendance at any meeting shall constitute waiver of notice of such meeting, excepting such attendance at a meeting by the director for the purpose of objecting to the transaction of business because the meeting is not lawfully called or convened.

Neither the business to be transacted, nor the purpose of any regular or special meeting of the Board of Directors need be specified in the notice or waiver of such meeting.

Section 4.09 Informal Action by Directors; Meetings by Conference Telephone. Unless otherwise restricted by the Articles of Incorporation or these Bylaws, any action required or permitted to be

taken by the Board may be taken without a meeting if a majority of directors' consent in writing to the adoption of a resolution authorizing the action. Such consent may be given via e-mail. The resolution and the written consents thereto by the directors shall be filed with the minutes of proceedings of the Board.

Unless otherwise restricted by the Articles of Incorporation or these Bylaws, any or all directors may participate in a meeting of the Board or a committee of the Board by means of conference telephone or by any means of communications by which all persons participating in the meeting are able to hear one another, and such participation shall constitute presence in person at the meeting.

Section 4.10 Compensation of Directors. The Corporation shall not pay any compensation to directors for services rendered to the Corporation, except that directors may be reimbursed for expenses incurred in the performance of their duties to the Corporation, in reasonable amounts, as approved by a majority of the entire Board with advance notice.

Section 4.11 Student Directors. On an annual basis, the Board of Directors will elect student directors to serve on the Board of Directors for a term of one (1) year. The student directors must have participated with the Fraternal Government Relations Coalition in its Washington lobbying day ("Lobbying Day") and be supported by such student's organization. The Board of Directors will, in its discretion, choose the number of students each year to serve in this role, such election to take place as soon as practical each year after the Lobbying Day. The term of the student directors shall be from June 1st to May 31st of each year.

ARTICLE V

Committees, Advisory Board

Section 5.01 Committees; Authority. The Board of Directors, by resolution adopted by a majority of the directors in office, may designate and appoint one or more committees consisting of directors. The designation and appointment of any such committee and the delegation thereto of authority shall not operate to relieve the Board of Directors, or any individual director of any responsibility imposed upon it or him or her by law.

Section 5.02 Executive Committee. The Board of Directors shall have an Executive Committee comprised of the President, President-Elect, Vice President – Political Affairs, Vice President – Fundraising, Vice President - Communications, Secretary, Treasurer and four (4) at-large directors (consisting of representatives from two (2) men's organizations and two (2) women's organizations) and a member from each of the top four (4) fraternities and/or sororities that raised the most money for the Corporation in the prior fundraising year (the "Additional Directors"). All of the directors, other than the Additional Directors, shall be elected each year at the fall Board of Directors Meeting of the Corporation. The Additional Directors shall be appointed by the President each January, after the calculation of the prior year's fundraising amounts are calculated, and each of the fraternities/sororities designate the individual director to represent such organization as an Additional Director. Notwithstanding anything contained herein to the contrary, only two members of a fraternity or sorority may serve on the Executive Committee during the same term, but only one of such individuals may hold an officer position. In addition, the Executive Director shall be an ex officio member of the Executive Committee, but shall not have a vote. The Executive Committee shall be expected to meet as needed via phone or in person to recommend business actions of the Corporation between scheduled meetings of the full Board. Any recommended actions must be approved at the next meeting of the full Board.

Section 5.03 Nominating Committee. The President, with the approval of the Executive Committee, on an annual basis, shall appoint members to a Nominating Committee consisting of three (3) past Presidents of the Corporation, and two (2) members at large of the current directors of the Corporation. The Nominating Committee shall be responsible for nominating the officers of the Corporation. No member of the Nominating Committee shall be eligible to be considered for an officer position while serving on the Nominating Committee.

Section 5.04 Advisory Board. The Board of Directors, by resolution adopted by a majority of the directors in office, may designate one or more advisory boards, which may include individuals who are not directors and may include one or more directors as liaisons with the Board of Directors. The advisory board shall serve in an advisory function only.

Section 5.05 Past Presidents Council (PPC). The men and women who have previously served as President of the Corporation shall constitute a Past Presidents Council (PPC). The current President and Executive Committee may consult with the members of the PPC from time to time to address ad hoc strategic issues that will eventually need to be resolved by the full Board of Directors.

ARTICLE VI

Officers, Agents and Employees

Section 6.01 Officers. The Board of Directors shall elect or appoint a President, a President - Elect, a Vice President – Political Affairs, a Vice President – Fundraising, a Vice President - Communications, a Secretary, and a Treasurer. The Board of Directors may, if it so determines, elect or appoint one or more other officers and assistant officers as may be deemed necessary. The Board of Directors shall appoint an Executive Director. If the Board of Directors so determines, the officers of the Corporation may be designated by such other titles as may be provided in the Articles of Incorporation or these Bylaws.

Section 6.02 Term of Office and Removal. Each officer shall hold office for the term not exceeding one (1) year for which he or she is elected or appointed and until his or her successor has been elected or appointed. Members may hold the same office for multiple terms if elected each time to that position but no member may serve more than two consecutive terms as President. Unless otherwise provided by resolution of the Board of Directors, all officers shall be elected or appointed at the fall meeting of the Board to take office no later than January 1st, for a period of twelve (12) months. The Board of Directors may set eligibility requirements for officer positions by passing a resolution to that effect each year at any meeting of the Board of Directors before the election process begins. Any officer may be removed by the Board of Directors whenever in its judgment the best interest of the Corporation will be served thereby; provided, however, that removal of an officer shall be without prejudice to his or her contract rights, if any, and the election or appointment of an officer shall not of itself create contract rights. Except as otherwise required by law, any officer of the Corporation may resign at any time by giving written notice to the President, Executive Director or to the Secretary of the Corporation. Such resignation shall take effect at the time specified therein, and unless otherwise specified therein, no acceptance of such resignation shall be necessary to make it effective.

Section 6.03 Powers and Duties of Officers. Subject to the control of the Board of Directors, all officers as between themselves and the Corporation shall have such authority and perform such duties in the management of the property and affairs of the Corporation as may be provided in these Bylaws, by resolution of the Board, policies of the Corporation, including without limitation those set forth in the Directors Manual, and, to the extent not so provided, as generally pertain to their respective offices.

A. President. Subject to the supervision of the Board of Directors, the President shall be responsible for day-to-day operations in conjunction with the Executive Director. The President shall perform all duties customary to the office of President and shall supervise all of the affairs of the Corporation in accordance with policies and directives approved by the Board of Directors. The President, at his or her sole discretion, may delegate such other duties as he or she may deem necessary and appropriate. The President shall also serve as a representative on the Fraternal Government Relations Coalition (FGRC), the Fraternity & Sorority Action Fund (FSAF) or any other coalition that advances the Greek movement.

B. President - Elect. The President - Elect shall assume the duties of the President in the event of the President's absence, serves as an additional representative to any coalition to which the FSPAC belongs, provides oversight of the FSPAC's documents (including and without limitation,

the Board of Director's Manual, Bylaws, and Officer Job Descriptions), supervises the Student Directors and performs any other duties assigned by the President or Board of Directors. The President - Elect shall also serve as a representative on the FGRC and as Chair of the Corporation's Governance Committee.

C. Vice President – Political Affairs. The Vice President – Political Affairs shall work in partnership with the Executive Director to monitor legislation and policies impacting higher education in general and fraternities and sororities in particular. The Vice President – Political Affairs shall serve as the Chair of the Political Affairs Committee, recommend contributions to political candidates for approval of the Board of Directors and shall perform any other duties assigned by the President.

D. Vice President – Fundraising. The Vice President – Fundraising shall work in partnership with the Director of Development to devise and implement fundraising objectives, strategies and tactics for the Corporation. The Vice President – Fundraising shall serve as the Chair of the Fundraising Committee and shall perform any other duties assigned by the President.

E. Vice President – Communications. The Vice President – Communications shall disseminate information on the Corporation's activities and accomplishments and advise the Directors on current and impending legislation and policies impacting fraternities and sororities. In addition, the Vice President – Communications will coordinate the publication of the newsletter and administration of the website. The Vice President – Communications shall serve as the Chair of the Communications Committee and perform any other duties assigned by the President.

F. Secretary. The Secretary shall be responsible for the keeping of an accurate record of the proceedings of all meetings of the Board of Directors, shall give or cause to be given all notices in accordance with these Bylaws or as required by law and, in general, shall perform all duties customary to the office of Secretary. The Secretary shall have custody of the corporate seal of the Corporation, if any; and he or she shall have authority to affix the same to any instrument requiring it; and, when so affixed, it may be attested by his or her signature. The Board of Directors may give general authority to any officer to affix the seal of the Corporation, if any, and to attest the affixing by his or her signature.

G. Treasurer. The Treasurer shall have the custody of, and be responsible for, all funds of the Corporation. He or she shall keep or cause to be kept complete and accurate accounts of receipts and disbursements of the Corporation, and shall deposit all monies and other valuable property of the Corporation in the name and to the credit of the Corporation in such banks or depositories as the Board of Directors may designate. In concert with the Executive Director, the Treasurer shall direct the annual budgeting process. The Treasurer shall oversee the preparation of regular financial statements, and whenever required by the Board of Directors, the Treasurer shall produce special financial analyses and documents. He or she shall at all reasonable times exhibit the books and accounts to any officer or director of the Corporation, and shall perform all duties incident to the office of the Treasurer and other such duties as shall from time to time be assigned by the Board. The Treasurer shall, if required by the Board of Directors, give such bond or security for the faithful performance of his or her duties as the Board may require, for which he or she shall be reimbursed. No contribution shall be accepted and no expenditure shall be made by or on behalf of the Corporation at any time there is a vacancy in the office of Treasurer. The Treasurer shall monitor and ensure that all contributions received and expenditures made by the Corporation comply with the amount limitations and source prohibitions of the Federal Election Campaign Act of 1971 as amended by the Bipartisan Campaign Reform Act of 2002, and the Regulations thereunder.

H. Executive Director. The Executive Director shall be responsible for day-to-day operations of the Corporation, including (1) interaction and supervision of all employees, consultants, and vendors to the Corporation; (2) management of all legally required registrations and reports for operation of the Corporation; (3) execution of contracts related to the Corporation; (4) disbursement of political contributions and expenses approved by the Board; and (5) such other duties as required

to maintain operation of the Corporation. The Executive Director serves on the Board of Directors in an ex-officio manner, but does not have a vote on any matter.

Section 6.04 Agents and Employees. The Board of Directors may appoint agents and employees, including without limitation an Executive Director, who shall have such authority and perform such duties as may be prescribed by the Board. The Board may remove any agent or employee at any time with or without cause. Removal without cause shall be without prejudice to such person's contract rights, if any, and the appointment of such person shall not itself create contract rights.

Section 6.05 Compensation of Officers, Agents and Employees. The Corporation may pay compensation in reasonable amounts to employees and/or agents for services rendered; such amounts to be fixed by a majority of the entire Board of Directors, or, if the Board delegates power to any officer or officers, then by such officer or officers. Any employee or consultant working for compensation by the Corporation is ineligible to be a Director of the Corporation. The Board may require officers, agents or employees to give security for the faithful performance of their duties.

ARTICLE VII

Miscellaneous

Section 7.01 Fiscal Year. The fiscal year of the Corporation shall be the calendar year.

Section 7.02 Corporate Seal. The Board of Directors, by a majority vote, may adopt a corporate seal. In the event the Board of Directors elects to create a corporate seal, the corporate seal shall be circular in form, shall have the name of the Corporation inscribed thereon and shall contain the words "Corporate Seal" and "District of Columbia" and the year the Corporation was formed in the center, or shall be in such form as may be approved from time to time by the Board of Directors.

Section 7.03 Checks, Notes and Contracts. The Board of Directors shall determine who shall be authorized from time to time on the Corporation's behalf to sign checks, drafts, or other orders for payment of money; to sign acceptances, notes or other evidences of indebtedness; to enter into contracts; or to execute and deliver other documents and instruments.

Section 7.04 Books and Records to Be Kept. The Corporation shall keep at its principal registered office in the District of Columbia: (1) correct and complete books and records of account, (2) minutes of the proceedings of the Board of Directors and any committee having any of the authority of the Board, and (3) copies of FEC Form 1, Statement of Organization.

Section 7.05 Amendment of Articles and Bylaws. The Articles of Incorporation may be amended by a majority vote of the directors in office. Bylaws of the Corporation may be adopted, amended or repealed by a majority vote of the Board of Directors. Any proposed amendment shall be submitted to the President, President-Elect, and Executive Director no later than 14 days prior to the meeting of the Board of Directors at which such amendment is to be considered. The President shall present any amendments to all directors no later than 7 days prior to the meeting for appropriate review time.

Section 7.06 Indemnification and Insurance Unless otherwise prohibited by law, the Corporation shall indemnify any director or officer, any former director or officer, any person who may have served at its request as a director or officer of another corporation, whether for profit or not-for-profit, and may, by resolution of the Board of Directors, indemnify any employee against any and all expenses and liabilities actually and necessarily incurred by him or her, imposed on him or her in connection with any claim, action, suit, or proceeding (whether actual or threatened, civil, criminal, administrative, or investigative, including appeals) to which he or she may be or is made a party by reason of being or having been such director, officer, or employee; subject to the limitation, however, that there shall be no indemnification in relation to matters as to which he or she shall be adjudged in such claim, action, suit or proceeding to be guilty of a criminal offense or liable to the Corporation for damages arising out of his or her own gross negligence or misconduct in the performance of a duty to the Corporation.

Amounts paid in indemnification of expenses and liabilities may include, but shall not be limited to, legal counsel fees and other fees; costs and disbursements; and judgments, fines, and penalties against, and amounts paid in settlement by, such director, officer, or employee. The Corporation may advance expenses to, or where appropriate may itself, at its expense, undertake the defense of, any director, officer, or employee; provided, however, that such director, office, or employee shall undertake to repay or to reimburse such expense if it should be ultimately determined that he or she is not entitled to indemnification under this Article.

The provisions of this Article shall be applicable to claims, actions, suits, or proceedings made or commenced after the adoption hereof, whether arising from acts or omissions of such individual occurring before or after adoption hereof.

The indemnification provided by this Article shall not be deemed exclusive of any other rights to which such director, officer, or employee may be entitled under any statute, Bylaw, agreement, vote of the Board of Directors, or otherwise and shall not restrict the power of the Corporation to make any indemnification permitted by law.

The Board of Directors may authorize the purchase of insurance on behalf of any director, officer, employee, or other agent against any liability asserted against or incurred by him or her which arises out of such person's status as a director, officer, employee, or agent or out of acts taken in such capacity, whether or not the Corporation would have the power to indemnify the person against that liability under law.

If any part of this Article shall be found in any action, suit, or proceeding to be invalid or ineffective, the validity and the effectiveness of the remaining parts shall not be affected.

Section 7.07 Loans to Directors and Officers. No loans shall be made by the Corporation to its directors or officers.

Section 7.08 Parliamentary Authority. Robert's Rules of Order, Newly Revised shall be the parliamentary authority of this Corporation unless otherwise stated in these Bylaws.

Section 7.09 Dissolution. The FSPAC may be dissolved only with the authorization by its Board of Directors given at a special meeting called for that purpose and with subsequent approval by a two-thirds (2/3) vote of the Board. Upon dissolution, or other termination of the FSPAC, all remaining assets of the FSPAC, after payment in full of all its debt obligations, and necessary final expenses or after the making of adequate provision, therefore, shall be distributed to such organizations (with purposes similar to those of the FSPAC) as shall be chosen by the then existing Board of Directors of the FSPAC.

Adopted: March 15, 2005
Amended: April 2008
Amended: April 2013
Amended: October 26, 2016
Amended Last: October 4, 2017

CONFIDENTIALITY POLICY

It is the policy of the Fraternity and Sorority PAC (FSPAC) that board members and employees (including outside consultants) of the FSPAC may not disclose, divulge, or make accessible confidential information belonging to, or obtained through their affiliation with the FSPAC to any person, including relatives, friends, and business and professional associates, other than to persons who have a legitimate need for such information and to whom the FSPAC has authorized disclosure. Board members, consultants and employees shall use confidential information solely for the purpose of performing services for the FSPAC. This policy is not intended to prevent disclosure where disclosure is required by law.

Board members, employees, volunteers and contractors must exercise good judgment and care at all times to avoid unauthorized or improper disclosures of confidential information.

At the end of a board member's term in office or upon the termination of an employee's, volunteer's or contractor's relationship with the FSPAC, he or she shall return, at the request of the FSPAC, all documents, papers, and other materials, regardless of medium, which may contain or be derived from confidential information, in his or her possession.

Board of Directors Confidentiality Agreement

Directors on the Fraternity and Sorority PAC (FSPAC) Board may handle or have access to confidential information. Such confidential information or documentation may include personal information of FSPAC donors, prospective donors, outside consultants, planned political contributions, political activities or organizational information or other information from members of the public that is required to be kept confidential.

Directors will hold all confidential information in trust and confidence, and will not use, disclose, communicate or convey, or allow to be used, disclosed, communicated or conveyed, directly or indirectly, any such information, except as may be necessary in the performance of their duties.

Unauthorized disclosure could be highly damaging to FSPAC and/or individuals associated with the FSPAC organization. If there is any question as to whether information is considered confidential, Directors must consult with the FSPAC President or Executive Director before any use or disclosure of same.

Directors will not allow any unauthorized person or persons to inspect or have access to any document that is of a confidential nature, regardless of media format, and will immediately report any unauthorized access to the FSPAC President or Executive Director.

Directors will not remove any records containing confidential information from FSPAC unless explicitly authorized to do so, and will return such records to FSPAC upon termination of any assignment or as requested by the Chair of the Board.

Directors who do not comply with the Confidentiality Agreement may be subject to disciplinary action, up to and including termination of their position on the Board and/or legal action.

Amendment

This policy may be amended by the Board.

Signed,

Board Member Name

Board Member Signature

Approval Date:

QUICK REFERENCE GUIDE TO FSPAC BOARD ELIGIBILITY 2019-2020

- To secure the FIRST BOARD SEAT an organization/solicitor must raise \$6,000 or an individual must contribute \$6,000 in a calendar year.
- If a solicitor is raising funds, \$3,000 must hard-dollar contributions to the FSPAC from individuals only. The other \$3,000 can go to the IEA (from ANY Corporation, including a House Corporation, or an individual who has already given the annual \$5,000 max to the hard dollar account) OR to the Fraternity and Sorority Action Fund (Corporate checks of \$5,000 or more, individual donors only after they have contributed the \$5,000 max to the FSPAC hard-dollar account for the year).
- ADDITIONAL BOARD SEATS can be secured at \$5,000 each, using the same formula. Only funds contributed this calendar year count towards your seats.
- A contribution to the FSAF in any amount can count towards an organization's second, third or fourth FSPAC seat and/or the amount in excess of the \$5,000 will count toward the requirement for FSPAC officer service.
- The individual who will be serving in each seat must make a personal individual contribution of at least \$250.

FSPAC OFFICER/EXECUTIVE COMMITTEE ELIGIBILITY (All Amounts Below are Annual)

- Candidates for President, President-Elect, and Vice President must raise \$10,000.
- Candidates for Secretary, Treasurer must raise \$7,500.
- At-Large elected Executive Committee members must have raised \$5,000.
- At-Large appointed Executive Committee members will be appointed from the top fundraising groups.
- At least 50% of funds raised for officer eligibility must be hard-dollar contributions from individuals to the FSPAC.

MAJOR DONORS (Individuals)

- Individual donors to the FSAF who give more than \$25,000 are entitled to appoint a board member to the FSPAC and FSAF for the remainder of the election cycle so long as the appointed board member is a current FSPAC donor at the \$250 and above level.
-
- Reminder: Major Donors (individuals) must make a \$5,000 contribution to the FSPAC hard dollar account before they can make a contribution to the FSAF.
- Once an individual makes the maximum contribution to the FSPAC, their individual contributions to the FSAF in any amount can count towards a second, third or fourth FSPAC seat and/or the amount in excess of the \$5,000 will count toward the requirement for FSPAC officer service.

The Fraternity and Sorority Political Action Committee - 2020

The FACTS

800,000 undergraduate members at more than 9,500 chapters on over 700 campuses. Approximately 9.1 million living alumni.

Greeks as STUDENTS

Fraternity and sorority members are:

- more likely to stay in college past freshman year
- more likely to graduate in 4 years
- more likely to go to graduate school
- more likely to be student leaders
- more likely to be active community volunteers

Greeks as ALUMNI

Fraternity and sorority members are:

- more likely to be thriving in all aspects of well-being
- more likely to be emotionally attached to their alma maters
- more likely to be engaged in the workplace
- more likely to be entrepreneurs

Greeks as LEADERS



44% of US Presidents



31% of all Supreme Court Justices



28% of 116th Congress



15% of Fortune 100 CEOs

Greeks as PHILANTHROPISTS

Fraternities and sororities are the largest, most active values-based organizations on college campuses.



Greek organizations and their members raise over \$30 million annually for philanthropic causes.



The Greek system is the largest network of volunteers in the US, with members donating over 6 million hours of volunteer service each year.

Values Worth Preserving

Fraternities and sororities were founded upon values that continue to serve as a beacon of friendship, service, and a shared experience that provide members with:

- A community of support
- Personal growth opportunities
- Leadership development
- Civic engagement



About the FSPAC

Since 2005, the FSPAC has forged collaborative relationships with Members of Congress and candidates.

The FSPAC is now the largest political action committee focused on higher education issues.

Truly bipartisan, the FSPAC contributes to individuals who support the fraternity and sorority experience regardless of their political affiliation.

Raising FUNDS

The FSPAC has raised more than \$4 million from thousands of supporters since its inception.



The 2017-2018 election cycle broke all prior FSPAC records with more than \$880,000 raised.

Candidate SUPPORT

In the 2018 elections:

- FSPAC made contributions to 169 candidates
- 87% of those candidates were elected and now serve in the 116th Congress



Legislative PRIORITIES

Freedom of Association - The Collegiate Freedom of Association Act (H.R. 3128):

- Preserves students' right to join an organization of their choice
- Protects the single-sex experience
- Provides equal treatment for all student organizations

Anti-Hazing - The REACH Act (H.R. 662/S. 706) and END ALL Hazing Act (H.R. 3267)

- Promote transparency and accountability in reporting hazing incidents

Housing Infrastructure

- Re-introduce a measure to allow tax-deductible contributions for fraternity/sorority housing identical to legislation passed by the House of Representatives in 2018.

Donate online at www.fspac.org/donate

Paid for by the Fraternity and Sorority Political Action Committee, and not authorized by any candidate or candidate's committee.

To: FSPAC Board Members and Donors

**From: Ben Satcher, FSPAC Vice President of Political Engagement
Kevin O’Neill, FSPAC Executive Director**

Date: November 12, 2018

RE: Recap of FSPAC 2018 Election Results

This memo is intended for sharing with donors and supporters of the Fraternity and Sorority Political Action Committee (FSPAC). It summarizes the success of the FSPAC’s political contributions for the 2018 election cycle that concluded with Tuesday’s elections.

Overall, the FSPAC enjoyed **our best fundraising and candidate investment cycle ever**, raising and spending record sums for our organization as we complete our 7th election cycle.

The FSPAC has **raised \$881,000 this cycle** so far and hopes to break our \$900,000 goal before the end of the year.

The FSPAC provided **funding for a record 169 candidates** for the United States Senate and House of Representatives in the 2018 election cycle. **149 of those candidates stood for election in 2018, and 131 of them won their elections.**¹ **Members of 29 different fraternities and 11 different sororities received FSPAC funding** this cycle, as did a large number of non-Greek Senators and Representatives who support the fraternal experience.

The FSPAC is bipartisan. **60% of our funds went to Republican candidates and 40% went to Democratic candidates.** The Greek composition of Congress is about 63% Republican in 2018, but will be closer to 50-50 in the next Congress.

Overall, **87% of FSPAC-supported federal candidates won election.** This includes:

- 122 of 139 House candidates supported by FSPAC won their races. We won 88% of our House races, and 83% of all money spent on House candidates went to winners.
- 62 of 63 House Democrats won their races. 98% of all races and 99% of all money spent went to winners.
- 60 of 76 House Republicans won their races. 79% of races and 73% of all money spent went to winners.

¹ Few Greek Senators were up for reelection in 2018, so the FSPAC contributed to 18 Senators not up for reelection. Those contributions are not reflected in this report, but will be reflected in future reports when those Senators are up in 2020 and 2022. In addition, there were two candidates the FSPAC contributed to this cycle who chose to retire instead of running for reelection. The FSPAC contributions to these candidates were not included in the winning percentages listed in this memo.

- The FSPAC funded 30 Senators and Senate candidates in the 2018 election cycle, though only 12 stood for election in 2018. 75% of Senate candidates supported by FSPAC won their races, and 71% of all money went to winners.²
 - 6 of 8 Senate Democrats won their races (75%). 81% of all money spent went to winners.
 - 3 of 4 Senate Republicans won their races (75%). 56% of all money spent went to winners.

The FSPAC's mission includes trying to help more NPC alumnae get elected to the House or Senate for the first time. Overall, the FSPAC contributed to 39 female Senators, Representatives, and candidates. In the 2018 election cycle, the FSPAC gave the legal maximum of \$10,000 to the **successful Senate campaign of Rep. Marsha Blackburn (R-TN/Chi Omega)**. In addition, the FSPAC gave the legal post-primary maximum of \$5,000 to **Abby Finkenauer (D-IA/Kappa Kappa Gamma), who is the second-youngest woman ever elected to Congress**. The FSPAC gave to a Delta Gamma alumna, and a Chi Omega alumna, who both lost. On the NPHC side, the FSPAC helped fund the **successful campaign of Lauren Underwood (D-IL/Alpha Kappa Alpha)**. Since the election, the FSPAC has already found two new female Greeks that were elected - one NPC alumna, one NPHC alumna - and will be contributing to them both this month.

The FSPAC spent \$50,000 from its Independent Expenditure Account (FSPAC-IEA) to support third-party spending on behalf of two of our top Congressional champions who were in 50-50 races. The two members were Rep. Pete Sessions (R-TX/Pi Kappa Alpha) and Rep. Kevin Yoder (R-KS/Lambda Chi Alpha). The FSPAC board defined a legislative champion as an incumbent with a demonstrated track record of regular engagement with fraternity and sorority leaders, and active advocacy inside of Congress to help advance the fraternity and sorority world's top policy priorities. Both incumbents lost. The FSPAC IEA cannot give directly to candidates, but can be used for third-party efforts to boost or oppose a candidate or political issue.

We started the last Congress with approximately 155 Greeks in Congress. 26 Greek alumni are exiting this Congress, and at least 11 Greek alumni are entering Congress. So, we are projecting the 116th Congress in January, 2019, will begin with approximately 140 Greeks in Congress.

Attached to this memo listing various categories of FSPAC-supported candidates who won and lost federal office this cycle.³

² We currently consider the Florida race a loss for Senator Bill Nelson (D-FL/Beta Theta Pi), pending a mandatory recount.

³ There are Greeks in Congress who did not receive FSPAC support in this cycle. They are not listed in this memo.

FSPAC Spending Details for 2017-18

The FSPAC supported the following first-time candidates who won their races:

1. Lauren Underwood (D-IL/Alpha Kappa Alpha)
2. Sean Casten (D-IL/Chi Psi)
3. Abby Finkenauer (D-IA/Kappa Kappa Gamma)
4. Kelly Armstrong –House (R-ND/Sigma Chi)
5. Dusty Johnson (R-South Dakota/Phi Delta Theta)

New Greeks Elected without FSPAC Support

The FSPAC was unaware these candidates were Greek prior to their election, but has already approved a contribution to each of them to help them retire election debt.

1. Mike Braun – Senate (IN/Phi Delta Theta)
2. Michael Waltz – House (R-FL/Kappa Alpha Order)
3. Dean Phillips – House (D-MN/Sigma Chi)
4. Kendra Horn – House (D-OK/Kappa Kappa Gamma)
5. Tim Burchett - House (R-TN/Sigma Chi)
6. Lucy McBath - House (D-GA/Delta Sigma Theta)

Retirements/Resignations/Deaths

The following Greek Senators and Representatives are not returning to the 116th Congress due to death, retirement, or resignation (including those who retired inside the session):

1. Thad Cochran (R-MS/Pi Kappa Alpha)
2. John Conyers Jr. (D-Michigan/Kappa Alpha Psi)
3. Bob Corker (R-TN/Sigma Chi)
4. Charles Dent (R-PA/ Phi Kappa Psi)
5. Thomas Garrett (R-VA/Phi Gamma Delta)
6. Sam Johnson (R-TX/Delta Chi)
7. Pat Meehan (R-PA/Beta Theta Pi)
8. Tom Rooney (R-FL/Lambda Chi Alpha)
9. Bill Shuster (R-PA/Sigma Chi)

Left Congress for Other Office and Won

1. Michelle Lujan Grisham (D-NM/Delta Delta Delta) - Governor
2. Jared Polis (D-CO/Phi Gamma Delta) - Governor
3. Ron DeSantis (R-FL/Delta Kappa Epsilon) - Governor⁴

⁴ Pending a mandatory recount in Florida because the winning margin is less than 0.5%.

Left Congress for Other Office and Lost

1. Steve Pearce (R-NM/Farmhouse) lost NM Governor race
2. Luke Messer (R-IN/Phi Delta Theta) lost IN Senate primary
3. Todd Rokita (R-IN/Sigma Nu) lost IN Senate primary
4. Jim Renacci (R-OH/ Sigma Nu) lost OH Senate race

Election Losses

15 FSPAC-supported incumbents lost in the 2018 election cycle.

House Democrats

1. Joe Crowley (D-NY/Not Greek)

Senate Democrats

1. Claire McCaskill (D-MO/Kappa Alpha Theta)
2. Bill Nelson (D-FL /Beta Theta Pi)⁵

Senate Republicans

1. Dean Heller (R-NV/Sigma Nu)

House Republicans

1. Mike Bishop (R-MI/Sigma Alpha Epsilon)
2. Barbara Comstock (R-VA/Not Greek)
3. Carlos Curbelo (R-FL/Sigma Phi Epsilon)
4. Jeff Denham (R-CA/Alpha Epsilon Pi)
5. Jason Lewis (R-MN/Not Greek)
6. Erik Paulsen (R-MN/Not Greek)
7. Robert Pittenger (R-NC/Kappa Alpha Order)
8. Steve Russell (R-OK/Not Greek)
9. Pete Sessions (R-TX/Pi Kappa Alpha)
10. Kevin Yoder (R-KS/Lambda Chi Alpha)
11. David Young (R-IA/Pi Kappa Alpha)

The FSPAC supported the following non-incumbents candidates who lost their races:

1. Lena Epstein (R-MI/Delta Gamma)
2. Ashley Nickloes (R-TN/Chi Omega)
3. John Briscoe (R-CA/Theta Chi)

⁵ Pending a mandatory recount in Florida because the winning margin is less than 0.5%.

House Winners

The following Representatives and candidates won re-election this week:

House Democrats (62)

1. Alma Adams (D-NC /Alpha Kappa Alpha)
2. Karen Bass (D-CA/Delta Sigma Theta)
3. Joyce Beatty (D-OH Delta Sigma Theta)
4. Ami Bera (D-CA/Beta Theta Pi)
5. Don Beyer (D-VA/Not Greek)
6. Sanford D. Bishop Jr. (D-GA/Kappa Alpha Psi)
7. Suzanne Bonamici (D-OR/Not Greek)
8. Andre Carson (D-IN/Not Greek)
9. Sean Casteen (D-IL/Chi Psi)
10. Kathy Castor (D-FL/Delta Delta Delta)
11. Yvette Clarke (D-NY /Delta Sigma Theta)
12. William "Lacy" Clay Jr. (D-MO/Kappa Alpha Psi)
13. Emanuel Cleaver (D-MO/Alpha Phi Alpha)
14. James Clyburn (D-SC /Omega Psi Phi)
15. Steve Cohen (D-TN/Not Greek)
16. Joe Courtney (D-CT/Not Greek)
17. Charlie Crist (D-FL/Pi Kappa Alpha)
18. Danny K. Davis (D-IL/Alpha Phi Alpha)
19. Susan Davis (D-CA/Delta Phi Epsilon)
20. Val Demings (D-FL/Delta Sigma Theta)
21. Mark DeSaulnier (D-CA/Not Greek)

22. Ted Deutch (D-FL/Alpha Epsilon Pi)
23. Eliot Engel (D-NY /Pi Lambda Phi)
24. Adriano Espaillat (D-NY /Not Greek)
25. Abby Finkenauer (D-IA/Kappa Kappa Gamma)
26. Marcia L. Fudge (D-OH /Delta Sigma Theta)
27. Ruben Gallego (D-AZ/Sigma Chi)
28. John Garamendi (D-CA/Sigma Chi)
29. Josh Gottheimer (D-NJ /Alpha Epsilon Pi)
30. Steny H. Hoyer (D-MD/Sigma Chi)
31. Sheila Jackson Lee (D-TX/Alpha Kappa Alpha)
32. Eddie Bernice Johnson (D-TX/Alpha Kappa Alpha)
33. Henry C. "Hank" Jr. Johnson (D-GA/Omega Psi Phi)
34. Joe Kennedy (D-MA/Kappa Alpha Order)
35. Raja Krishnamoorthi (D-IL/Not Greek)
36. Brenda Lawrence (D-MI/Delta Sigma Theta)
37. John Lewis (D-GA/Phi Beta Sigma)
38. Ted Lieu (D-CA/Sigma Alpha Mu)
39. Dave Loebsack (D-IA/Not Greek)
40. Don McEachin (D-VA/Kappa Alpha Psi)
41. Jim McGovern (D-MA/Not Greek)
42. Jerry McNerney (D-CA/Not Greek)
43. Gregory W. Meeks (D-NY /Alpha Phi Alpha)
44. Stephanie Murphy (D-FL/Chi Omega)
45. Richard Neal (D-MA/Tau Kappa Epsilon)
46. David Price (D-NC /Not Greek)

47. Cedric Richmond (D-LA/Omega Psi Phi)
48. Lisa Blunt Rochester (D-DE/Not Greek)
49. Tim Ryan (D-OH/Delta Tau Delta)
50. Jan Schakowsky (D-IL/Delta Phi Epsilon)
51. Brad Schneider (D-IL/Sigma Nu)
52. Kurt Schrader (D-OR/Phi Gamma Delta)
53. Debbie Wasserman Schutz (D-FL/Not Greek)
54. Bobby Scott (D-VA/Alpha Phi Alpha)
55. Terri A. Sewell (D-AL/Alpha Kappa Alpha)
56. Eric Swalwell (D-CA/Alpha Sigma Phi)
57. Mike Thompson (D-CA/Not Greek)
58. Dina Titus (D-NV/Not Greek)
59. Lauren Underwood (D-IL/Alpha Kappa Alpha)
60. Marc Veasey (D-TX/Not Greek)
61. Frederica Wilson (D-FL/Alpha Kappa Alpha)
62. John Yarmuth (D-KY/Not Greek)

House Republicans (60)

1. Robert Aderholt (R-AL/Kappa Alpha Order)
2. Rick Allen (R-GA/Alpha Tau Omega)
3. Kelly Armstrong (R-ND /Sigma Chi)
4. Jodey Arrington (R-TX/Phi Delta Theta)
5. Jim Banks (R-IN/Delta Chi)
6. Andy Barr (R-KY/Sigma Alpha Epsilon)
7. Kevin Brady (R-TX/Lambda Chi Alpha)
8. Mo Brooks (R-AL/Theta Chi)
9. Susan W. Brooks (R-IN/Alpha Omicron Pi)
10. Bradley Byrne (R-AL/Phi Delta Theta)
11. Buddy Carter (R-GA/Not Greek)
12. John Carter (R-TX/Pi Kappa Alpha)
13. Tom Cole (R-OK/Not Greek)
14. Rodney Davis (R-IL/Alpha Tau Omega)
15. Drew Ferguson (R-GA/Sigma Alpha Epsilon)
16. Virginia Foxx (R-NC /Not Greek)
17. Kay Granger (R-TX/Not Greek)
18. Garret Graves (R-LA/Sigma Chi)
19. Sam Graves (R-MO/Alpha Gamma Sigma)
20. Glenn Grothman (R-WI/Not Greek)
21. Brett Guthrie (R-KY/Phi Gamma Delta)
22. Richard Hudson (R-NC /Kappa Alpha Order)
23. Dusty Johnson (R-SD /Phi Delta Theta)
24. Mike Johnson (R-LA/Kappa Sigma)

25. Mike Kelly (R-PA/Not Greek)
26. Adam Kinzinger (R-IL/Sigma Alpha Epsilon)
27. David Kustoff (R-TN/Alpha Tau Omega)
28. Bob Latta (R-OH/Not Greek)
29. Billy Long (R-MO/Delta Upsilon)
30. Kenny Marchant (R-TX/Not Greek)
31. Roger Marshall (R-KS/Beta Theta Pi)
32. Markwayne Mullin (R-OK/Not Greek)
33. Dan Newhouse (R-WA/Alpha Gamma Rho)
34. Devin Nunes (R-CA/Alpha Gamma Rho)
35. Steven Palazzo (R-MS/Sigma Chi)
36. Tom Reed (R-NY /Delta Sigma Phi)
37. Tom Rice (R-SC/Alpha Tau Omega)
38. Phil Roe (R-TN/Not Greek)
39. Hal Rogers (R-KY/Not Greek)
40. David Schweikert (R-AZ/Not Greek)
41. Austin Scott (R-GA/Sigma Alpha Epsilon)
42. Jim Sensenbrenner (R-WI/Not Greek)
43. Mike Simpson (R-ID/Not Greek)
44. Adrian Smith (R-NE/Not Greek)
45. Jason Smith (R-MO/Not Greek)
46. Elise Stefanik (R-NY/Not Greek)
47. Steve Stivers (R-OH/ Delta Upsilon)
48. G.T. Thompson (R-PA/Not Greek)
49. Mac Thornberry (R-TX/Not Greek)

50. Michael Turner (R-OH/Delta Sigma Phi)
51. Tim Walberg (R-MI/Not Greek)
52. Jackie Walorski (R-IN/Not Greek)
53. Mimi Walters (R-CA/Kappa Kappa Gamma)⁶
54. Brad Wenstrup (R-OH/Sigma Alpha Epsilon)
55. Roger Williams (R-TX/Sigma Chi)
56. Joe Wilson (R-SC/Sigma Nu)
57. Robert J. Wittman (R-VA/Delta Tau Delta)
58. Steve Womack (R-AR/Kappa Alpha Order)
59. Ted Yoho (R-FL/Not Greek)
60. Don Young (R-AK/Not Greek)

⁶ Ahead by a small margin on November 12 as absentee ballots continue to come in. It's possible she will lose when all votes are counted by the end of November.

Senate Victories

The following FSPAC-backed Senators won re-election this week:

Senate Democrats (6)

1. Tammy Baldwin (D-WI/Not Greek)
2. Benjamin Cardin (D-MD/Pi Lambda Phi)
3. Thomas Carper (D-DE/Delta Tau Delta)
4. Bob Casey (D-PA/Not Greek)
5. Tim Kaine (D-VA/Not Greek)
6. Debbie Stabenow (D-MI/Not Greek)

Senate Republicans (3)

1. Marsha Blackburn (R-TN/Chi Omega)
2. Deb Fischer (R-NE/Gamma Phi Beta)
3. Roger Wicker (R-MS/Sigma Nu)

Out of Cycle Giving

The FSPAC gave to the following Senators in the 2016 election cycle who were NOT up for reelection this cycle. These contributions are NOT included in the winning percentages in this memo.

Senate Democrats (7)

1. Michael Bennet (D-CO/Beta Theta Pi)
2. Mark Warner (D-VA/Not Greek)
3. Ron Wyden (D-OR/Not Greek)
4. Kamala Harris (D-CA/Alpha Kappa Alpha)
5. Doug Jones (D-AL/Beta Theta Pi)
6. Patty Murray (D-WA/Not Greek)
7. Chuck Schumer (D-NY /Not Greek)

Senate Republicans (11)

1. Lamar Alexander (R-TN/Sigma Chi)
2. Shelley Moore Capito (R-WV/Kappa Kappa Gamma)
3. Bill Cassidy (R-LA/Not Greek)
4. John Cornyn (R-TX/Local)
5. Johnny Isakson (R-GA/Sigma Alpha Epsilon)
6. John Kennedy (R-LA/Sigma Nu)
7. James Lankford (R-OK/Not Greek)
8. Jerry Moran (R-KS/Alpha Tau Omega)
9. Lisa Murkowski (R-AK/Pi Beta Phi)
10. Tim Scott (R-SC/Not Greek)
11. Todd Young (R-IN/Not Greek)

A GUIDE TO FUNDRAISING AND ACTIVITIES

FRATERNITY & SORORITY PAC FSPAC INDEPENDENT EXPENDITURE ACCOUNT FRATERNITY & SORORITY ACTION FUND

ACTIVITY	FSPAC	FSPAC IEA	FSAF
Fundraising			
Ability	Can use own funds for fundraising activity. If other permissible individuals or entities pay directly for fundraising activity, it would be a reportable in-kind contribution.	Can use own funds for fundraising activity. If other permissible individuals or entities pay for fundraising activity, it would be a reportable in-kind contribution.	Can use own funds for fundraising activity. Others may fundraise on its behalf, but may need to comply with state charitable solicitation laws.
Registration	Required with the Federal Election Commission.	Required with the Federal Election Commission.	Many states treat organizations like FSAF as charities, and approximately 40 states require charitable organizations to register or obtain a license before fundraising in the state. Web-based fundraising can also trigger a registration obligation in a state if it specifically targets persons physically located in the state for solicitation or the organization receives donations from within the state on an ongoing and substantial basis through its website.
Who can donate	Individuals may give up to \$5,000 per year; married couples giving jointly may give up to \$10,000 per year. Other PACs, candidate committees, and party committees may give up to \$5,000 per year. Cannot accept donations from corporations or 501(c)(3) organizations, federal government contractors (i.e., the individual or entity that has entered into the contract), foreign nationals, or foreign entities. Cannot accept donations from Canadian residents. Donations can be made directly on the FSPAC website or by check or credit card.	Individuals/couples, for-profit and nonprofit corporations and other business entities may donate with no maximum donation limit. Cannot accept donations from 501(c)(3) organizations, federal government contractors (i.e., the individual or entity that has entered into the contract), foreign nationals, or foreign entities. Cannot accept donations from Canadian residents. Donations can only be made by check.	Individuals/couples, for profit and nonprofit corporations, other domestic or foreign business entities may donate with no maximum donation limit. Donations by a 501(c)(3) may be treated as a lobbying expenditure, but not prohibited, provided they are in accordance with individual 501(c)(3)'s permissible activity. Donations by a 501(c)(3) may not be for political purposes. Individuals must have given the maximum FSPAC donation (\$5,000 per year) before giving to the FSAF or must be donating \$25,000 or more to the FSAF. Donations can only be made by check.
Gift tax on Donors	No, exempt by law.	No, exempt by law.	No, exempt by IRS practice.
Disclosure of Donors	Yes, in FEC filings, which are open to the public.	Yes, in FEC filings, which are open to the public.	FSAF donations can be made without public disclosure if a donor so desires, and the donation was not for a specific political purpose. Donor information is disclosed to the IRS
Administrative Activity			
Ability	Can use own funds for administrative expenses.	Can use own funds for administrative expenses.	Can use own funds for administrative expenses.
Funded by others	Administrative expenses can be funded by individuals or other permissible entities but would be considered a reportable in-kind donation and subject to limits.	Administrative expenses can be funded by individuals or other permissible entities but would be considered a reportable in-kind donation and subject to limits.	Other organizations may be able to fund administrative expenses. May be viewed as a constructive donation and a nondeductible lobbying or political expenditure.
Activity Intended to Influence Elections			
Permitted	May support or oppose candidates for political office through direct contributions to campaign accounts of candidates or other political action committees.	May be used for independent expenditures such as marketing and public relations for the FSPAC, FGRC student lobbyist training, research on issues related to the inter-fraternal community, and generic voter drives. May also be used for candidate-supporting advertising through another political action committee or organization.	May be used to fund activities such as advocacy, public relations, grassroots activities, education programs, and legal counsel as long as it supports the FSPAC's overall mission to preserve and enhance the fraternity and sorority experience.
Primary activity	Fundraising and direct support of election of candidates for office.	Must be directly connected to primary activity of FSPAC.	Does not have to be directly connected to primary activity of FSPAC.

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FRATERNITY & SORORITY PAC FSPAC INDEPENDENT EXPENDITURE ACCOUNT FRATERNITY & SORORITY ACTION FUND

ACTIVITY	FSPAC	FSPAC IEA	FSAF
Education of Public on Policy Issues			
Permitted	Yes, but would need to be used in connection with support for a particular candidate.	Yes, but would need to be used in connection with support for a particular candidate.	Yes.
Direct Lobbying			
Permitted	No. Encouraging a member of Congress to support, oppose, or modify legislation is not considered election-influencing activity (i.e. the primary activity of the FSPAC). The same is true of related activity such as drafting legislation and talking papers.	No. Encouraging a Member of Congress to support, oppose, or modify legislation is not considered election-influencing activity (i.e. the primary activity of FSPAC). The same is true of related activity such as drafting legislation and talking papers.	Yes. May encourage a Member of Congress to support, oppose, or modify legislation. May meet with Members and staff to discuss proposed legislation, participate in drafting legislation, prepare talking papers, and develop legislative strategy.
Grassroots Lobbying			
Permitted	No. Encouraging individuals or entities to contact a Member of Congress to support, oppose, or modify legislation is generally not considered election-influencing activity (i.e. the primary activity of FSPAC). However, exceptions to this are possible if the legislative matter is in play 30 days before a primary election or 60 days before a general election in which the Member is a candidate.	No. Encouraging individuals or entities to contact a Member of Congress to support, oppose, or modify legislation is generally not considered election-influencing activity (i.e. the primary activity of FSPAC). However, exceptions to this are possible if the legislative matter is in play 30 days before a primary election or 60 days before a general election in which the Member is a candidate.	Yes. Encouraging individuals or entities to contact a Member of Congress on active legislation is generally acceptable.
Responding to press inquiries, participating in interviews, and general public relations			
Permitted	Yes.	Yes.	Yes.

2020 FSPAC ORGANIZATIONAL RECOGNITION LEVELS

Level	<i>Minimum Individual board member giving</i>	<i>Total Giving</i>	<i>IEA/FSAF Giving</i>	<i>Organizations receive...</i>	
Platinum	100% of all organizational boards give	\$100	\$20,000	\$10,000	Preferred dinner seating plus all below
Gold	100% of at least one board gives	\$100	\$12,000	\$5,000	Featured on FSPAC website plus all below
Silver	100% of at least one board gives	\$100	\$7,500	\$2,500	Recognized at the Dinner plus all below
Bronze	100% of at least one board gives	\$100	\$6,000	\$0	Listed in the FSPAC newsletter/online