

Consolidated Financial Statements and Supplementary Information

For the Year Ended December 31, 2020 (With Summarized Financial Information for the Year Ended December 31, 2019)

and Report Thereon

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INDEPENDENT AUDITORS' REPORT

To the Board of Directors of the Federation for American Immigration Reform and Affiliates

Report on the Financial Statements

We have audited the accompanying consolidated financial statements of the Federation for American Immigration Reform (FAIR) and Affiliates (collectively referred to as FAIR and Affiliates), which comprise the consolidated statement of financial position as of December 31, 2020, and the related consolidated statements of activities, functional expenses and cash flows for the year then ended, and the related notes to the consolidated financial statements.

Management's Responsibility for the Financial Statements

Management is responsible for the preparation and fair presentation of these consolidated financial statements in accordance with accounting principles generally accepted in the United States of America; this includes the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of consolidated financial statements that are free from material misstatement, whether due to fraud or error.

Auditors' Responsibility

Our responsibility is to express an opinion on these consolidated financial statements based on our audit. We conducted our audit in accordance with auditing standards generally accepted in the United States of America. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the consolidated financial statements are free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the consolidated financial statements. The procedures selected depend on the auditors' judgment, including the assessment of the risks of material misstatement of the consolidated financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the entity's preparation and fair presentation of the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. Accordingly, we express no such opinion. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the consolidated financial statements.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinion.



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Opinion

In our opinion, the 2020 consolidated financial statements referred to above present fairly, in all material respects, the financial position of the Federation for American Immigration Reform and Affiliates as of December 31, 2020, and the changes in its net assets and its cash flows for the year then ended in accordance with accounting principles generally accepted in the United States of America.

Other Matters

Report on Summarized Comparative Information

We have previously audited FAIR and Affiliates' 2019 financial statements, and in our report dated May 22, 2020, we expressed an unmodified audit opinion on those audited financial statements. In our opinion, the summarized comparative information presented herein as of and for the year ended December 31, 2019, is consistent, in all material respects, with the audited financial statements from which it has been derived.

Report on Supplementary Information

Our audit was conducted for the purpose of forming an opinion on the consolidated financial statements as a whole. The supplementary consolidating information is presented for the purpose of additional analysis and is not a required part of the consolidated financial statements. Such information is the responsibility of management and was derived from and relates directly to the underlying accounting and other records used to prepare the consolidated financial statements. The information has been subjected to the auditing procedures applied in the audit of the consolidated financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the consolidated financial statements or to the consolidated financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America. In our opinion, the information is fairly stated in all material respects in relation to the consolidated financial statements as a whole.

Marcun LLP

Washington, DC June 8, 2021

CONSOLIDATED STATEMENT OF FINANCIAL POSITION December 31, 2020 (With Summarized Financial Information as of December 31, 2019)

	2020	2019
ASSETS		
Current assets		
Cash and cash equivalents	\$ 9,764,714	\$ 6,294,173
Grants and contributions receivable	213,444	1,000,000
Prepaid expenses	76,210	62,871
Total Current Assets	10,054,368	7,357,044
Investments	25,766,829	31,283,397
Property and equipment, net	861,664	890,241
Artwork collections	15,000	15,000
Other assets	65,266	60,033
Security deposits	38,611	38,611
TOTAL ASSETS	\$ 36,801,738	\$ 39,644,326
LIABILITIES AND NET ASSETS		
Liabilities		
Current liabilities		
Accounts payable and accrued expenses	\$ 438,900	\$ 639,748
Deferred rent and lease incentive liabilities, current portion	124,635	85,605
	,	
Total Current Liabilities	563,535	725,353
Deferred rent and lease incentive liabilities, net of current portion	1,404,207	1,472,215
TOTAL LIABILITIES	1,967,742	2,197,568
Net Assets		
Without donor restrictions		
Undesignated	12,767,405	15,674,140
Board-designated	, ,	, ,
Reserve	6,179,149	6,268,330
Quasi-endowment fund	10,631,862	9,709,217
	· · ·	, , <u>,</u>
Total Without Donor Restrictions	29,578,416	31,651,687
With donor restrictions	5,255,580	5,795,071
TOTAL NET ASSETS	34,833,996	37,446,758
TOTAL LIABILITIES AND NET ASSETS	\$ 36,801,738	\$ 39,644,326

The accompanying notes are an integral part of these consolidated financial statements.

CONSOLIDATED STATEMENT OF ACTIVITIES For the Year Ended December 31, 2020 (With Summarized Financial Information for the Year Ended December 31, 2019)

OPERATING REVENUE AND SUPPORT Grants	Without Donor <u>Restrictions</u> \$ 5,534,176	With Donor Restrictions \$ 230,000	2020 Total \$ 5,764,176	2019 Total \$ 6,325,024
Investment income	1,425,273	φ 200,000 186,845	1,612,118	452,650
		100,045		452,050
Government grants	936,262	-	936,262	-
Contributions and bequests	893,328	-	893,328	874,215
Online marketing	110,361	-	110,361	95,160
Royalty income	4,112	-	4,112	12,326
Other income	131,148	-	131,148	72,880
Net assets released from restrictions:	1 000 000	(1,000,000)		
Satisfaction of time restrictions	1,000,000	(1,000,000)	-	-
Satisfaction of program restrictions	112,888	(112,888)		
TOTAL OPERATING				
REVENUE AND SUPPORT	10,147,548	(696,043)	9,451,505	7,832,255
	<u>.</u>	<u> </u>		
EXPENSES				
Program Services:				
Public education	5,868,494	-	5,868,494	4,450,495
Immigration Reform Law Institute (IRLI)	2,124,589	-	2,124,589	2,013,994
Media	1,073,457	-	1,073,457	1,151,184
State and Local / Field	951,094	-	951,094	1,327,252
Research and publications	588,756	-	588,756	537,609
Government relations	466,466	-	466,466	494,791
Membership education and service	387,516	-	387,516	495,941
Lobbying	174,767	-	174,767	249,995
Public interest legal	46,289	-	46,289	21,212
FAIR Congressional Task Force (FCTF)	4,897	-	4,897	3,725
Total Program Services	11,686,325		11,686,325	10,746,198
Supporting Services:				
Management and general	1,232,335	-	1,232,335	1,375,110
Fundraising	542,946		542,946	455,701
Total Supporting Services	1,775,281		1,775,281	1,830,811
TOTAL EXPENSES	13,461,606		13,461,606	12,577,009
Change in net assets before unrealized gain on investments	(3,314,058)	(696,043)	(4,010,101)	(4,744,754)
NONOPERATING GAIN Unrealized gain on investments	1,240,787	156,552	1,397,339	3,331,237
CHANGE IN NET ASSETS	(2,073,271)	(539,491)	(2,612,762)	(1,413,517)
NET ASSETS, BEGINNING OF YEAR	31,651,687	5,795,071	37,446,758	38,860,275
NET ASSETS, END OF YEAR	\$ 29,578,416	\$ 5,255,580	\$ 34,833,996	\$ 37,446,758

CONSOLIDATED STATEMENT OF FUNCTIONAL EXPENSES

For the Year Ended December 31, 2020

(With Summarized Financial Information for the Year Ended December 31, 2019) _____

	Program Services							Supporting Services	S							
	Public Education	IRLI	Media	State and Local / Field	Research and Publications	Government Relations	Membership Education and Service	Lobbying	Public Interest Legal	FCTF	Total Program Services	Management and General	Fundraising	Total Supporting Services	2020 Total	2019 Total
Media advertising	\$ 4,254,283	\$ 1,785	\$ 400,676	\$-	\$-	\$-	\$-	\$-	\$-	\$-	\$ 4,656,744	\$-	\$-	\$-	\$ 4,656,744	\$ 2,839,551
Salaries	611,472	1,192,992	401,649	549,391	317,323	260,986	87,411	37,092	32,054	-	3,490,370	705,867	282,321	988,188	4,478,558	4,440,418
Employee benefits and payroll taxes	170,117	242,628	112,000	151,616	88,336	72,065	24,389	10,936	8,908	-	880,995	191,685	78,997	270,682	1,151,677	1,166,622
Rent	87,569	141,753	38,445	62,850	42,107	27,766	7,628	3,052	1,526	-	412,696	77,491	28,377	105,868	518,564	500,091
Printing and handling	268,124	8,802	3,820	6,485	4,164	2,718	75,751	58,887	121	-	428,872	6,619	39,801	46,420	475,292	537,291
Legal fees	6,851	357,584	2,910	4,731	3,333	2,231	601	198	99	-	378,538	5,214	2,211	7,425	385,963	253,161
Postage and delivery	170,223	2,028	810	1,354	945	629	84,055	46,716	22	-	306,782	1,470	25,368	26,838	333,620	355,823
Taxes and insurance	45,744	73,140	19,587	32,166	22,227	14,766	3,942	1,345	673	493	214,083	37,964	14,742	52,706	266,789	280,049
Telephone and utilities	37,879	47,547	16,503	27,270	18,220	12,051	3,301	1,146	573	2,653	167,143	32,418	12,048	44,466	211,609	241,947
Publications and subscriptions	39,858	21,268	15,857	26,228	19,994	13,520	3,304	662	331	-	141,022	30,367	12,838	43,205	184,227	238,317
Computer services	36,700	9,255	15,564	25,439	17,996	11,938	3,095	1,127	563	-	121,677	28,066	12,059	40,125	161,802	160,592
Depreciation and amortization	31,465	3,522	14,135	22,903	15,009	9,819	2,758	1,312	656	-	101,579	24,311	10,353	34,664	136,243	156,786
Employee education and training	2,941	50	16,448	2,028	23,338	20,955	271	85	43	-	66,159	2,227	934	3,161	69,320	45,457
Consulting fees and part-time help	9,377	9,422	6,145	8,400	4,923	4,004	1,339	5,136	492	-	49,238	15,234	4,367	19,601	68,839	142,376
Database management	-	-	-	-	-	-	66,691	-	-	-	66,691	-	-	-	66,691	73,258
Direct mail list rental	41,903	-	-	-	-	-	-	6,616	-	-	48,519	-	6,616	6,616	55,135	52,829
Accounting fees	7,886	-	2,859	4,747	4,094	2,830	632	15	7	1,751	24,821	19,587	2,534	22,121	46,942	50,594
Bank charges	6,076	-	2,710	4,347	2,921	1,911	526	268	134	-	18,893	25,516	2,044	27,560	46,453	46,950
Travel and entertainment	5,158	8,220	476	16,430	472	2,349	302	-	-	-	33,407	11,481	287	11,768	45,175	373,237
Meetings	29,327	-	478	809	667	460	104	-	-	-	31,845	985	408	1,393	33,238	515,637
Membership dues	-	4,343	-	-	-	3,685	-	-	-	-	8,028	8,445	4,845	13,290	21,318	20,981
Caging	-	-	-	-	-	-	20,937	-	-	-	20,937	-	-	-	20,937	29,452
Office expenses	4,056	-	1,728	2,849	1,967	1,313	354	107	53	-	12,427	4,183	1,288	5,471	17,898	26,116
Equipment rental and maintenance	1,485	-	657	1,051	720	470	125	67	34	-	4,609	3,205	508	3,713	8,322	9,433
Grants to other organizations	-	250	-	-	-	-	-	-	-	-	250	-	-	-	250	541
Honoraria							-									19,500
TOTAL EXPENSES	\$ 5,868,494	\$ 2,124,589	\$ 1,073,457	\$ 951,094	\$ 588,756	\$ 466,466	\$ 387,516	\$ 174,767	\$ 46,289	\$ 4,897	\$ 11,686,325	\$ 1,232,335	\$ 542,946	\$ 1,775,281	\$ 13,461,606	\$ 12,577,009

CONSOLIDATED STATEMENT OF CASH FLOWS

For the Year Ended December 31, 2020

(With Summarized Financial Information for the Year Ended December 31, 2019)

	2020	2019
CASH FLOWS FROM OPERATING ACTIVITIES	• /	• • • • • • • • • • • •
Change in net assets	\$ (2,612,762)	\$ (1,413,517)
Adjustments to reconcile change in net assets to		
net cash provided by (used in) operating activities:		
Realized gains on sales of investments	(1,076,245)	(112,752)
Unrealized (gain) loss on investments	(1,397,339)	(3,331,237)
Depreciation and amortization	136,243	156,786
Change in present value related to multiyear grants receivable	-	(23,437)
Changes in assets and liabilities:		
Grants and contributions receivable	786,556	11,000,000
Prepaid expenses	(13,339)	(22,630)
Other assets	(5,233)	(516)
Accounts payable and accrued expenses	(200,848)	(38,645)
Deferred rent and lease incentive liabilities	(90,006)	(93,769)
NET CASH PROVIDED BY (USED IN) OPERATING ACTIVITIES	(4,472,973)	6,120,283
CASH FLOWS FROM INVESTING ACTIVITIES		
Proceeds from sales of investments	46,559,364	33,558,021
Purchases of investments	(38,569,212)	(40,647,068)
Purchases of property and equipment	(46,638)	(17,413)
NET CASH PROVIDED BY (USED IN) INVESTING ACTIVITIES	7,943,514	(7,106,460)
NET INCREASE (DECREASE) IN CASH AND CASH EQUIVALENTS	3,470,541	(986,177)
CASH AND CASH EQUIVALENTS, BEGINNING OF YEAR	6,294,173	7,280,350
CASH AND CASH EQUIVALENTS, END OF YEAR	\$ 9,764,714	\$ 6,294,173
SUPPLEMENTAL INFORMATION NONCASH INVESTING ACTIVITIES		
Increase in property and equipment – leasehold improvements	\$ 61,028	\$-
Increase in deferred lease incentives	(28,078)	÷ -
Decrease in other assets	(32,950)	-
	<u> </u>	
	<u> </u>	<u> </u>

The accompanying notes are an integral part of these consolidated financial statements.

NOTES TO CONSOLIDATED FINANCIAL STATEMENTS For the Year Ended December 31, 2020

1. Organization and Summary of Significant Accounting Policies

Organization

The Federation for American Immigration Reform (FAIR) is a District of Columbia nonprofit public interest organization working to end illegal immigration and set reasonable levels of legal immigration. FAIR funds its activities primarily through grants and contributions.

The FAIR Congressional Task Force, Inc. (FCTF) is a nonprofit organization incorporated under the laws of the District of Columbia in 1982. FCTF was organized exclusively to serve public, social and economic welfare by developing and promoting immigration policies that are consistent with the economic, social and demographic interests of the United States of America; to restrict illegal immigration into the United States of America; and to limit legal admissions into the United States of America to reasonable levels. FCTF funds its activities primarily through grants and contributions.

The Immigration Reform Law Institute (IRLI) is a District of Columbia nonprofit public charity organized to run FAIR's legal program. IRLI funds its activities primarily through grants and contributions.

Principles of Consolidation

The accompanying consolidated financial statements include the account balances and transactions of FAIR, FCTF and IRLI (collectively referred to as FAIR and Affiliates). FAIR's, FCTF's and IRLI's financial statements have been consolidated due to the presence of common control and economic interest, as required under accounting principles generally accepted in the United States of America (GAAP). All significant intercompany balances and transactions have been eliminated in consolidation.

Cash and Cash Equivalents

FAIR and Affiliates considers all checking accounts, demand deposits and money market accounts to be cash and cash equivalents.

Investments

Investments are recorded in the accompanying consolidated financial statements at fair value and consist of mutual and exchange-traded funds, fixed-income securities, and common stocks. Fair value is the price that would be received to sell an asset or paid to transfer a liability in an orderly transaction between market participants at the measurement date.

Purchases and sales of securities are recorded on a trade-date basis. Interest income is recorded on the accrual basis. Dividends are recorded on the ex-dividend date. Unrealized gains or losses are determined by a comparison of the fair value at the beginning and end of the reporting period.

NOTES TO CONSOLIDATED FINANCIAL STATEMENTS For the Year Ended December 31, 2020

1. Organization and Summary of Significant Accounting Policies (continued)

Fair Value Measurement

Accounting standards define fair value and establish a framework for measuring fair value for those assets and liabilities that are measured at fair value on a recurring basis. In accordance with the fair value measurement standards, FAIR and Affiliates has categorized its applicable financial instruments into a three-level fair value hierarchy. The fair value hierarchy gives the highest priority to quoted prices in active markets for identical assets or liabilities (Level 1) and the lowest priority to unobservable inputs (Level 3). If the inputs used to measure the financial instruments fall within different levels of the fair value hierarchy, the categorization is based upon the lowest-level input that is significant to the fair value measurement of the instrument. The applicable financial assets and liabilities are categorized below based on the inputs to the valuation techniques as follows:

Level 1 – Inputs based on quoted prices (unadjusted) in active markets for identical assets or liabilities accessible at the measurement date.

Level 2 – Inputs other than quoted prices included in Level 1 that are observable for the asset or liability, either directly or indirectly, such as quoted prices for similar assets or liabilities in active markets.

Level 3 – Unobservable inputs for the asset or liability, including the reporting entity's own assumptions in determining the fair value measurement.

As of and for the year ended December 31, 2020, only FAIR and Affiliates' investments, as described in Note 4 of these consolidated financial statements, were measured at fair value on a recurring basis.

Property and Equipment and Related Depreciation and Amortization

Property and equipment consist of office furniture and equipment, leasehold improvements and website costs and are recorded at cost. Office furniture and equipment are depreciated over their estimated useful lives of five years using the straight-line method. Website costs are amortized over their estimated useful lives of five years using the straight-line method. Leasehold improvements are amortized over the lesser of the remaining office lease term or the estimated useful lives of the improvements. Expenditures for major repairs and improvements are capitalized; expenditures for minor repairs and maintenance costs are expensed when incurred. Property and equipment with an acquisition value of \$2,000 or more and an economic life in excess of one year are capitalized. Upon the retirement or disposal of the assets, the cost and accumulated depreciation or amortization are eliminated from the respective accounts, and the resulting gain or loss is included in operating revenue and support or expenses in the accompanying consolidated statement of activities.

NOTES TO CONSOLIDATED FINANCIAL STATEMENTS For the Year Ended December 31, 2020

1. Organization and Summary of Significant Accounting Policies (continued)

Net Assets

FAIR and Affiliates' net assets are reported as follows:

• Net assets without donor restrictions represent the portion of expendable funds that are available for support of FAIR and Affiliates' operations as follows:

Undesignated net assets – represent resources that are to be used for the general operations of FAIR and Affiliates.

Board-designated reserves – represent net assets without donor restriction that have been designated by the Board of Directors as operating reserves and can only be expended by action of the Board of Directors.

Board-designated quasi-endowment – represents an endowment fund established by the Board of Directors for all bequests without donor restriction contributed to FAIR and Affiliates. Investment income earned by this fund is reinvested within the fund.

• Net assets with donor restrictions represent the funds that are specifically restricted by donors for use in various programs or for use in future periods. They also represent endowment funds requiring that the gift be held in perpetuity, such that only the investment earnings can be expended by FAIR and Affiliates.

Revenue Recognition

FAIR and Affiliates recognizes revenue from grants, contributions and bequests in the year in which the promise to give becomes unconditional. Conditional promises to give – that is, those with a measurable performance or other barrier and a right of return, are not recognized until the conditions on which they depend have been met. Grants and contributions are recorded with donor restrictions if those grants and contributions are received with donor or grantor stipulations that limit the use of the donated assets. When a donor restriction expires, that is, when a stipulated time restriction ends or purpose restriction is met (i.e., funds are spent or released based on spending policy), net assets with donor restrictions are reclassified to net assets without donor restrictions and reported in the accompanying consolidated statement of activities as net assets released from restrictions.

FAIR and Affiliates received two loans under the Small Business Administration's (SBA) Paycheck Protection Program (PPP). FAIR and Affiliates has elected to record the PPP loan proceeds as conditional contributions pursuant to FASB ASC 958-605, *Not-for-Profit Entities: Revenue Recognition,* as FAIR and Affiliates has satisfied the eligibility requirements for forgiveness under the PPP, including incurring the necessary qualifying expenditures. As the conditions were satisfied during the year ended December 31, 2020, the loan proceeds were recognized as government grants in the accompanying consolidated statement of activities.

Definition of Operations

Income from investments, including realized gains and losses on investment transactions, is considered to be revenue generated from operations. Unrealized gains or losses recognized from the change in the fair value of investments are not considered to be from operations until such time as those gains or losses are realized through investment sale transactions.

NOTES TO CONSOLIDATED FINANCIAL STATEMENTS For the Year Ended December 31, 2020

1. Organization and Summary of Significant Accounting Policies (continued)

Functional Allocation of Expenses

The costs of providing programs and activities have been summarized on a functional basis in the accompanying consolidated statement of functional expenses. Expenses directly attributed to specific functional areas are reported as expenses of those functional areas, while shared costs that benefit multiple functional areas have been allocated among the various areas in proportion to allocated salaries (program area allocation) or the amount of time spent on a particular program to total time spent by employees on all activities (office overhead allocation). Shared costs include salaries and employee benefits, as well as overhead expenses, including rent, utilities and telephone, depreciation and amortization, accounting and computer services, insurance, meetings, office expenses, printing, bank charges, and taxes.

Estimates

The preparation of financial statements in conformity with GAAP requires management to make estimates and assumptions that affect certain reported amounts and disclosures. Accordingly, actual results could differ from those estimates.

2. Grants and Contributions Receivable

As of December 31, 2020, grants receivable consisted of bequests and contributions from individuals expected to be collected in one year. All amounts were deemed to be fully collectible.

3. Investments

Investments, at fair value, consisted of the following at December 31, 2020:

Common stocks Mutual and exchange-traded funds	\$ 13,342,810 11,803,882
Fixed-income securities	<u>620,137</u>
Total Investments	<u>\$25,766,829</u>

For the year ended December 31, 2020, investment income consisted of the following:

	Without Donor	With Donor	
	Restrictions	Restrictions	Total
Investment income, net Unrealized gain	\$ 1,425,273 <u>1,240,787</u>	\$ 186,845 <u>156,552</u>	\$ 1,612,118 <u>1,397,339</u>
Total	<u>\$ 2,666,060</u>	<u>\$ 343,397</u>	<u>\$ 3,009,457</u>

NOTES TO CONSOLIDATED FINANCIAL STATEMENTS For the Year Ended December 31, 2020

4. Fair Value Measurement

The following table summarizes FAIR and Affiliates' assets measured at fair value on a recurring basis as of December 31, 2020:

A	Total _Fair Value_	Quoted Prices In Active Markets for Identical Assets/ Liabilities (Level 1)	Significant Other Observable Inputs (Level 2)	Significant Unobservable Inputs (Level 3)
Assets: Investments:				
Common stocks:				
Information technology	\$ 3,232,946	\$ 3,232,946	\$-	\$-
Telecommunications	2,418,072	2,418,072	-	-
Healthcare sector	2,408,158	2,408,158	-	-
Consumer discretionary	1,315,721	1,315,721	-	-
Utilities	1,080,862	1,080,862	-	-
Real estate	789,773	789,773	-	-
Financial	746,107	746,107	-	-
Materials	687,465	687,465	-	-
Consumer staples	627,722	627,722	-	-
Industrial sector	35,984	35,984		
Total Common Stocks	13,342,810	13,342,810		
Mutual and exchange- traded funds:				
Fixed-income	7,434,713	7,434,713	-	-
Alternatives	546,964	546,964	-	-
Equities:	4 070 000	4 070 000		
Large blend	1,876,830	1,876,830	-	-
Emerging markets	1,086,309	1,086,309	-	-
Large growth Medium growth	439,236 161,837	439,236 161,837	-	-
Large value	140,357	140,357		
Small blend	117,636	117,636	-	_
Total Mutual				
and Exchange-				
Traded Funds	11,803,882	11,803,882		
Fixed-income securities:				
Corporate bonds	620,137		620,137	
Total	<u>\$25,766,829</u>	<u>\$25,146,692</u>	<u>\$ 620,137</u>	<u>\$ -</u>

NOTES TO CONSOLIDATED FINANCIAL STATEMENTS For the Year Ended December 31, 2020

4. Fair Value Measurement (continued)

FAIR and Affiliates used the following methods and significant assumptions to estimate fair value for assets and liabilities recorded at fair value:

Common stocks – Valued at the closing price reported in the active market in which the individual stocks are traded.

Fixed-income securities – Valued based on current yields, the securities' terms and conditions, and market activity. Information used includes market sources, credit information, observed market movement and sector news.

Mutual and exchange-traded funds – Valued at net asset value at the closing price reported in the active market in which the mutual and exchange-traded funds are traded.

5. Property and Equipment and Accumulated Depreciation and Amortization

FAIR and Affiliates held the following property and equipment as of December 31, 2020:

Leasehold improvements Office furniture and equipment Website costs	\$ 2,162,278 303,068 <u>128,230</u>
Total Property and Equipment	2,593,576
Less: Accumulated Depreciation and Amortization	<u>(1,731,912</u>)
Property and Equipment, Net	<u>\$ 861,664</u>

For the year ended December 31, 2020, depreciation and amortization expense totaled \$136,243.

6. Commitments and Risks

Office Lease

FAIR leases office space under a noncancelable operating lease for its Washington, D.C., office. On March 22, 2017, FAIR amended its existing office space lease, extending the lease term by 11 years with a new expiration date of December 2028. The lease agreement contains a fixed escalation clause for increases in the annual minimum rent at a rate of 2.5% per year along with certain incentives consisting of rent abatements and improvement allowances. FAIR will also be required to pay for its proportionate share of operating expenses and real estate taxes.

On November 1, 2019, FAIR and Affiliates amended its existing office space lease by increasing its current space office space within the same building by 2,551 square feet with an expiration date of December 2028 so as to be co-terminus with the lease term for the existing

NOTES TO CONSOLIDATED FINANCIAL STATEMENTS For the Year Ended December 31, 2020

6. Commitments and Risks (continued)

Office Lease (continued)

office spaces. The lease agreement contains a fixed escalation clause for increases in the annual minimum rent at a rate of 2.5% per year along with a 3 month rent abatement. FAIR will be required to pay for its proportionate share of operating expenses and real estate taxes.

Under GAAP, all lease incentives and fixed rent increases are recognized on a straight-line basis over the term of the lease. The difference between this expense and the required lease payments is reflected as deferred rent and lease incentive liabilities in the accompanying consolidated statement of financial position.

The total future minimum rental payments required under the lease agreements are as follows:

For the Year Ending December 31,		
2021	\$	735,555
2022		744,445
2023		772,705
2024		792,118
2025		811,921
Thereafter	_	2,559,458
Total	<u>\$</u>	<u>6,416,202</u>

Rent expense totaled \$518,564 for the year ended December 31, 2020, and is included in the accompanying consolidated statement of functional expenses.

Concentration of Risk

Concentration of Credit Risk

FAIR and Affiliates maintains its cash and cash equivalents with certain commercial financial institutions, which aggregate balances may exceed, at times, the Federal Deposit Insurance Corporation (FDIC) insured limit of \$250,000 per depositor per institution. As of December 31, 2020, FAIR and Affiliates had approximately \$9,660,000 composed of demand deposits, which exceeded the maximum limit insured by the FDIC by approximately \$8,337,000. FAIR and Affiliates monitors the creditworthiness of these institutions and has not experienced any historical credit losses on its cash and cash equivalents.

FAIR and Affiliates also invests in various investment securities that are exposed to various risks, including market, interest rate and credit risks. Due to the level of risk associated with certain investment securities, it is at least reasonably possible that changes in the values of the investment securities will occur in the near term and such changes could materially affect the amounts reported in the consolidated financial statements.

NOTES TO CONSOLIDATED FINANCIAL STATEMENTS For the Year Ended December 31, 2020

6. Commitments and Risks (continued)

Concentration of Risk (continued)

Concentration of Revenue

During the year ended December 31, 2020, FAIR and Affiliates received \$5,455,000 in grants and contributions from five donors. Grants and contributions from the five donors represented approximately 58% of the total operating revenue and support recognized by FAIR and Affiliates for the year ended December 31, 2020. If a significant reduction in funding from these donors were to occur, it might adversely impact FAIR and Affiliates' financial position and ability to carry out its program activities.

Other Risks and Uncertainties

The COVID-19 outbreak in the United States has caused business disruption through mandated and voluntary closings of businesses across the country for non-essential services. While the disruption is currently expected to be temporary, there is considerable uncertainty about the duration of closings. FAIR and Affiliates successfully maintained the continuity of its operations by utilizing staff working remotely; however, at this point, the extent to which COVID-19 will continue to impact FAIR and Affiliate's financial conditions or results of operations is uncertain and being evaluated by management and the Board.

7. Board-Designated Reserve

The Boards of Directors of FAIR and IRLI have adopted resolutions to designate certain net assets as reserve funds. These funds can to be drawn upon to fund FAIR's and IRLI's operations in time of need, as approved by their Boards of Directors. In accordance with these resolutions, FAIR and IRLI transfer funds from general operations to the board-designated reserve fund in an amount equal to 5% of all contributions without donor restrictions that are greater than \$50,000 and \$20,000, respectively. All investment income accumulates in the funds. FAIR's and IRLI's board-designated reserve net asset balances totaled \$4,977,767 and \$1,201,382, respectively, as of December 31, 2020.

FAIR's Board of Directors has authorized a \$100,000 revolving line of credit against the boarddesignated reserve funds that is intended to allow FAIR's management to bridge shortfalls in operating revenue without the Board of Directors' approval. Any borrowings from the reserve fund in excess of \$100,000 require approval from FAIR's Board of Directors. There were no borrowings or repayments during the year ended December 31, 2020, and there was no outstanding balance as of December 31, 2020.

NOTES TO CONSOLIDATED FINANCIAL STATEMENTS For the Year Ended December 31, 2020

8. Net Assets

Without Donor Restrictions

Net assets without donor restrictions that remained as of December 31, 2020, were made up of the following balances:

Undesignated	<u>\$ 12,767,405</u>
Board-designated	
Reserve fund	6,179,149
Swensrud Memorial Endowment fund	10,631,862
Total Board-Designated	16,811,011
Total Net Assets Without Donor Restrictions	<u>\$ 29,578,416</u>

With Donor Restrictions

Net assets with donor restrictions that remained as of December 31, 2020, were available for the following purposes or period:

Subject to expenditure for specified purpose: Public education	\$ 1,129,483
Swensrud Memorial Internship program	162,619
Total Purpose-Restricted	1,292,102
Subject to occurrence of passage of time:	
Time-restricted for board appropriation	1,432,154
Subject to be held in perpetuity:	
Swensrud Endowment Fund	2,531,324
Total Net Assets With Donor Restrictions	<u>\$ 5,255,580</u>

9. Endowment Funds

FAIR's Board of Directors has interpreted the District of Columbia's Uniform Prudent Management of Institutional Funds Act (UPMIFA) as requiring the preservation of the fair value of the original gift as of the gift date of the donor-restricted endowment funds, absent explicit donor stipulations to the contrary. As a result of this interpretation, FAIR classifies as perpetual endowment funds (a) the original value of gifts donated to the perpetual endowment, (b) the original value of subsequent gifts to the perpetual endowment, and (c) accumulations to the perpetual endowment made in accordance with the direction of the applicable donor gift instrument at the time the accumulation is added to the fund. The remaining portion of the donor-restricted endowment fund that is not classified in perpetual endowment funds is

NOTES TO CONSOLIDATED FINANCIAL STATEMENTS For the Year Ended December 31, 2020

9. Endowment Funds (continued)

classified as net assets with donor-imposed purpose restrictions until those amounts are appropriated for expenditure by FAIR in a manner consistent with the standard of prudence prescribed by UPMIFA. In accordance with UPMIFA, FAIR considers the following factors in making a determination to appropriate or accumulate donor-restricted endowment funds:

- The duration and preservation of the funds.
- The purposes of FAIR and the donor-restricted endowment funds.
- General economic conditions.
- The possible effect of inflation and deflation.
- The expected total return from income and the appreciation of investments.
- Other resources of FAIR.
- The investment policies of FAIR.

Return Objectives and Risk Parameters

FAIR has adopted investment and spending policies for endowment assets that attempt to provide a predictable stream of funding to programs supported by its endowment while seeking to maintain the purchasing power of the endowment assets. Endowment assets include those assets of donor-restricted funds that FAIR must hold in perpetuity or for donor-specified periods, as well as board-designated funds. Under these policies, as approved by the Board of Directors, the endowment assets are invested in funds to achieve growth in principal value and income over time sufficient to preserve or increase the purchasing power of the funds, thus protecting the funds against inflation. Actual returns in any given year may vary.

Strategies Employed for Achieving Objectives

To satisfy FAIR's long-term rate-of-return objectives, FAIR relies on a total return strategy in which investment returns are achieved through both capital appreciation (realized and unrealized) and current yield (interest and dividends). FAIR's current asset allocation for board-designated and endowment funds targets a composition of 30% fixed income (with a range of 20-50%), 10% money market funds (with a range of 0-15%) and 60% stocks (with a range of 20-65%).

Spending Policy and How the Investment Objectives Relate to Spending Policy

Excluding the Swensrud Memorial Internship Fund, FAIR's endowment spending policy takes the average combined value of the endowment fund during the previous 10 quarters, and calculates 5% annually of the rolling amount for release into current operations. Expenditures from the Swensrud Memorial Internship Fund are released from restrictions as the scholarships are awarded, in accordance with donor stipulations. If an endowment fund has a deficiency, the Board of Directors has the discretion to forgo any appropriation from that fund until the fund deficiency is replenished. In establishing this policy, FAIR considered the long-term expected return on its endowment. This is consistent with FAIR's objective to maintain the purchasing power of the endowment assets for a specified term, as well as to provide additional real growth through investment returns.

NOTES TO CONSOLIDATED FINANCIAL STATEMENTS For the Year Ended December 31, 2020

9. Endowment Funds (continued)

Funds with Deficiencies

From time to time, the fair value of assets associated with an individual donor-restricted endowment fund may fall below the level that the donor or UPMIFA requires FAIR to retain as a fund of perpetual duration. It's FAIR's interpretation and policy under UPMIFA that it has the ability and will continue to spend from underwater funds. There were no such deficiencies as of December 31, 2020.

Composition and Activity of Endowment Funds by Net Asset Category

The endowment's net asset composition by type of fund is as follows as of December 31, 2020:

	Without Donor <u>Restrictions</u>	With Donor Restrictions	Total
Board-designated funds Donor-restricted funds:	\$10,631,862	\$-	\$10,631,862
Historical gift value	-	2,531,324	2,531,324
Appreciation		1,594,773	1,594,773
Total Funds	<u>\$10,631,862</u>	<u>\$ 4,126,097</u>	<u>\$14,757,959</u>

Changes in endowment net assets are as follows for the year ended December 31, 2020:

Without Donor <u>Restriction</u>	With Donor Restriction	Total			
\$ 9,709,217	\$ 3,782,700	\$13,491,917			
1,317,143 217,747 <u>(612,245</u>)	343,397 - -	1,660,540 217,747 <u>(612,245</u>)			
<u>\$10,631,862</u>	<u>\$ 4,126,097</u>	<u>\$14,757,959</u>			
		\$ 2,427,571 <u>103,753</u>			
The portion of perpetual endowment funds that is required to be retained permanently, either by explicit donor stipulation or by UPMIFA					
	<u>Restriction</u> \$ 9,709,217 1,317,143 217,747 (612,245) <u>\$ 10,631,862</u> I endowment function of the second seco	Restriction Restriction \$ 9,709,217 \$ 3,782,700 1,317,143 343,397 217,747 - (612,245) - \$ 10,631,862 \$ 4,126,097 I endowment funds that is d permanently, either by			

NOTES TO CONSOLIDATED FINANCIAL STATEMENTS For the Year Ended December 31, 2020

9. Endowment Funds (continued)

Net Assets With Donor Restrictions (continued)

Endowment Funds With Donor-Imposed Purpose Restrictions:

The portion of endowment funds subject to a purpose restriction	
under UPMIFA:	

With purpose restrictions Funds awaiting board appropriation	\$	162,619 <u>1,432,154</u>
Total Endowment Funds With	¢	4 504 770
Donor-Imposed Purpose Restrictions	5	<u>1,594,773</u>

10. Savings Plans

FAIR sponsors a contributory tax-deferred savings plan for eligible employees whereby FAIR matches contributions for employees who meet certain length of service requirements. Under the terms of the plan, FAIR matches participants' contributions on a one-for-one basis up to a maximum of 2.5% of the gross salaries for employees who have one to three years of eligible service. After an employee reaches three years of eligible service, FAIR's contribution increases to a maximum of 5%, and after five years of service, a maximum of 7.5%, eligible employees must contribute a minimum of 2.5% of their gross salaries in order to participate in the employer match. FAIR and Affiliates' plan contributions totaled \$172,129 for the year ended December 31, 2020, and are included in employee benefits and payroll taxes in the accompanying consolidated statement of functional expenses.

FAIR has also established a deferred compensation plan for certain key employees. The deferred compensation plan is intended to be a nonqualified deferred compensation plan that is governed by Section 457(b) of the Internal Revenue Code (the IRC). FAIR's deferred compensation plan contributions totaled \$1,732 for the year ended December 31, 2020, and are included in employee benefits and payroll taxes in the accompanying consolidated statement of functional expenses. As of December 31, 2020, the deferred compensation plan assets and liabilities totaled \$47,766 and are included in other assets and accounts payable and accrued expenses, respectively, in the accompanying consolidated statement of financial position.

11. Allocation of Joint Costs

During the year ended December 31, 2020, FAIR and Affiliates incurred joint costs of \$614,261 for informational materials and activities, which included fundraising appeals. Of these costs, \$68,459 was allocated to fundraising expenses and \$545,802 was allocated to program service expenses in the accompanying consolidated statement of functional expenses.

NOTES TO CONSOLIDATED FINANCIAL STATEMENTS For the Year Ended December 31, 2020

12. Availability and Liquidity

FAIR and Affiliates' financial assets available within one year of the consolidated statements of financial position for general expenditure are as follows:

Financial assets available at year-end:	
Cash and cash equivalents, without donor or board restrictions	\$ 6,986,748
Grants and contributions receivable, due within one year,	
and without donor restrictions	213,444
Investments, without donor or board restrictions	6,478,204
Financial Assets Available to Meet General	

Expenditures Over the Next 12 Months <u>\$13,678,396</u>

FAIR and Affiliates' liquid assets have fluctuations during the year due to timing of contributions and as part of FAIR and Affiliates' liquidity management, it has a policy to structure its financials assets to be available as its general expenditures, liabilities and other obligations come due. As part of its liquidity plan, excess operating cash is invested in short-term, low-risk investments. In addition, FAIR's Board of Directors has authorized a \$100,000 revolving line of credit against the board-designated reserve funds that is intended to allow FAIR's management to bridge shortfalls in operating revenue which is described in Note 7 above, and it also has an endowment spending policy that allows for 5% annual release in the current year operations to fund general expenditures which is described in Note 9.

For purposes of analyzing resources available to meet general expenditures over a 12-month period, FAIR and Affiliates considers all expenditures related to its ongoing activities of media advertising, public education, research and publications, lobbying, and public interest legal as well as the conduct of services undertaken to support those activities to be general expenditures. Investments related to executive deferred compensation are not included in the analysis as the principal and interest on these investments are solely for the executive, and therefore, not available to meet current operating needs.

13. Income Taxes

FAIR, FCTF and IRLI are exempt from the payment of income taxes under Sections 501(c)(3), 501(c)(4) and 501(c)(3) of the IRC, respectively. As such, these organizations are taxed only on their net unrelated business income. In addition, FAIR has filed an election under IRC Section 501(h), which permits FAIR to engage in a limited amount of legislative lobbying. No provision for income taxes has been made in the accompanying consolidated financial statements for the year ended December 31, 2020, as there was no significant net unrelated business income or excess lobbying expenditures.

FAIR and Affiliates adopted the authoritative guidance relating to accounting for uncertainty in income taxes included in FASB Accounting Standards Codification Topic 740, *Income Taxes*. FAIR and Affiliates performed an evaluation of uncertainty in income taxes for the year ended December 31, 2020, and determined that there were no matters that would require recognition in the consolidated financial statements or that may have any effect on its tax-exempt status.

NOTES TO CONSOLIDATED FINANCIAL STATEMENTS For the Year Ended December 31, 2020

13. Income Taxes (continued)

U.S. federal jurisdiction and/or the various states and local jurisdictions in which FAIR and Affiliates files tax returns are open for examination pending or in progress. FAIR and Affiliates are not currently under audit by the U.S. Internal Revenue Service. It is FAIR and Affiliates' policy to recognize interest and penalties related to uncertainty in income taxes, if any, in income tax or interest expense. As of December 31, 2020, FAIR and Affiliates had no accruals for interest and/or penalties.

14. Prior Year Summarized Financial Information

The accompanying consolidated financial statements include certain prior year summarized comparative information in total, but not by net asset class. Such information does not include sufficient detail to constitute a presentation in conformity with GAAP. Accordingly, such information should be read in conjunction with FAIR and Affiliates' consolidated financial statements for the year ended December 31, 2019, from which the summarized information was derived.

15. Subsequent Events

In preparing these consolidated financial statements, FAIR and Affiliates has evaluated events and transactions, for potential recognition or disclosure, through June 8, 2021, the date the consolidated financial statements were available to be issued and there were no other subsequent events required to be reported.

SUPPLEMENTARY INFORMATION

CONSOLIDATING SCHEDULE OF FINANCIAL POSITION December 31, 2020

	FAIR	FCTF IRLI		FCTF IRLI Eliminations		minations		Total
ASSETS								
Current assets								
Cash and cash equivalents	\$ 5,714,550	\$ 229	,122 \$	3,821,042	\$	-	\$	9,764,714
Grants and contributions								
receivable, current portion	213,444		-	-		-		213,444
Affiliate receivable	68,118		-	-		(68,118)		-
Prepaid expenses	71,449			4,761		-		76,210
Total Current Assets	6,067,561	229	,122	3,825,803		(68,118)	1	10,054,368
Investments	24,661,340		-	1,105,489		-	2	25,766,829
Property and equipment, net	826,792		-	34,872		-		861,664
Artwork collections	15,000		-	-		-		15,000
Other assets	61,766		-	3,500		-		65,266
Security deposits	38,611			-		-		38,611
TOTAL ASSETS	\$ 31,671,070	\$ 229	,122 \$	4,969,664	\$	(68,118)	\$ 3	36,801,738
LIABILITIES AND NET ASSETS Liabilities Current liabilities								
Accounts payable and	¢ 252.001	¢	¢	95 970	¢		¢	428.000
accrued expenses	\$ 353,021	\$	- \$,880	65,879 65,238	\$	-	\$	438,900
Affiliate payable Deferred rent and lease	-	2	,000	05,230		(68,118)		-
incentive liabilities, current portion	124,635		_	_		_		124,635
incentive liabilities, current portion	124,000							124,000
Total Current Liabilities	477,656	2	,880	151,117		(68,118)		563,535
Deferred rent and lease incentive								
liabilities, net of current portion	1,404,207			-		-		1,404,207
TOTAL LIABILITIES	1,881,863	2	,880	151,117		(68,118)		1,967,742
Net Assets	- /							
Without donor restrictions	24,533,627	226	,242	4,818,547		-	2	29,578,416
With donor restrictions	5,255,580			-		-		5,255,580
TOTAL NET ASSETS	29,789,207	226	,242	4,818,547		-	3	34,833,996
TOTAL LIABILITIES								
AND NET ASSETS	\$ 31,671,070	\$ 229	,122 \$	4,969,664	\$	(68,118)	\$ 3	36,801,738

CONSOLIDATING SCHEDULE OF ACTIVITIES For the Year Ended December 31, 2020

	FAIR	FCTF	IRLI	Eliminations	Total
OPERATING REVENUE AND SUPPORT	• • • • • • • • • •	•	• • • • • • • • • •	• ((00,000)	• • • • • • • • • •
Grants	\$ 3,870,755	\$ 100,100	\$ 1,893,321	\$ (100,000)	\$ 5,764,176
Investment income, net	1,577,901	131	34,086	-	1,612,118
Government grants	693,680	-	242,582		936,262
Contributions and bequests	893,328	-	-	-	893,328
Online marketing	110,361	-	-	-	110,361
Royalty income	4,112	-	-	-	4,112
Other income	73,744	-	131,148	(73,744)	131,148
TOTAL OPERATING					
REVENUE AND SUPPORT	7,223,881	100,231	2,301,137	(173,744)	9,451,505
EXPENSES					
Program Services:					
Public education	5,868,494	-	-	-	5,868,494
Immigration Reform Law Institute (IRLI)		-	2,124,589	-	2,124,589
Media	1,073,457	-	_, · _ · , · _ ·	-	1,073,457
State and Local / Field	951,094	-	-	-	951,094
Research and publications	588,756	-	-	-	588,756
Government relations	466,466	-	-	-	466,466
Membership education and service	387,516	-	-	-	387,516
Lobbying	274,767	-	-	(100,000)	174,767
Public interest legal	46,289	-	-	-	46,289
FAIR Congressional Task Force (FCTF)		4,897			4,897
Total Program Services	9,656,839	4,897	2,124,589	(100,000)	11,686,325
Supporting Services:					
Management and general	1,071,706	631	233,742	(73,744)	1,232,335
Fundraising	542,946	-	233,742	(73,744)	542,946
Fundraising	542,940				
Total Supporting Services	1,614,652	631	233,742	(73,744)	1,775,281
TOTAL EXPENSES	11,271,491	5,528	2,358,331	(173,744)	13,461,606
Change in net assets before unrealized gain on investments	(4,047,610)	94,703	(57,194)	-	(4,010,101)
NONOPERATING INCOME Unrealized gain on investments	1,329,209		68,130		1,397,339
CHANGE IN NET ASSETS	(2,718,401)	94,703	10,936	-	(2,612,762)
NET ASSETS, BEGINNING OF YEAR	32,507,608	131,539	4,807,611		37,446,758
NET ASSETS, END OF YEAR	\$ 29,789,207	\$ 226,242	\$ 4,818,547	\$	\$ 34,833,996