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**NATIONAL COMMISSION ON MILITARY, NATIONAL, AND PUBLIC SERVICE**

**Minutes of October 2017 Commission Meeting**

The National Commission on Military, National, and Public Service (the Commission) held a meeting on October 19-20, 2017. The meeting occurred at the Commission's offices at 2900 Crystal Drive, Arlington, VA 22202. The meeting concerned organizational and other pre-decisional and deliberative matters and was closed to the public pursuant to Public Law 114-328, section 554(b)(3). The Commissioners agreed to make a separate version of these minutes available to the public.

**Attendance**

Commissioners present:

- Mr. Edward T. Allard III
- The Honorable Mark Gearan
- Ms. Avril Haines
- The Honorable Dr. Joseph Heck
- Ms. Jeanette James (by telephone)
- Mr. Alan Khazei
- Mr. Thomas Kilgannon
- Ms. Shawn Skelly
- The Honorable Debra Wada

Commissioners absent:

- Mr. Steve Barney
- The Honorable Janine Davidson

Others present:

- Kent Abernathy, Executive Director
- Paul Lekas, General Counsel
- Gregory Brinsfield, Director of Operations (not present for portions of October 19)
- LTC Marc Austin, OUSD(P&R), Office of Manpower & Reserve Affairs (not present for portions of October 19)

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**October 19, 2017 Session**

At the start of the session, Chairman Heck moved to make the meeting closed to the public because it would address organizational matters. All Commissioners present agreed.

**Approval of Minutes**

The Chairman called the meeting to order and led a discussion about the proposed minutes for the Commission's September 2017 meeting. Following this discussion, the Commission voted unanimously to approve the September 2017 minutes as amended.

**Interviews for the Director of Research and Analysis**

On October 19, the Commission interviewed the following candidates for the position of Director of Research and Analysis (DRA): Nancy Crisman, Alex Pascal, and Keri Lowry.

Prior to the meeting, candidates were chosen following a multi-phase process that included the development of position descriptions and knowledge, skill, and abilities attributes for each position; the review and ranking of candidates by Commission staff; and the review and ranking of short-listed candidates by the Commissioners.

**Interviews for the Director of Governmental and Public Engagement**

On October 19, the Commission interviewed the following candidates for the position of Director of Governmental and Public Engagement (DGPE): Rosemary Williams and Richard Ades. A third candidate withdrew her name from consideration earlier in the day.

Prior to the meeting, candidates were chosen following a multi-phase process that included the development of position descriptions and knowledge, skill, and abilities attributes for each position; the review and ranking of candidates by Commission staff; and the review and ranking of short-listed candidates by the Commissioners.

**Deliberation Regarding Candidates**

The Commission deliberated candidates for both positions. The Commission resolved to offer the DRA position to Mr. Pascal, and to assess Ms. Lowry's interest in the DGPE position. The Commission directed Mr. Abernathy to contact Ms. Lowry to assess her interest.

The Commission discussed the need for earned media experience if Ms. Lowry were to accept the DGPE position, and directed Mr. Abernathy to contact Mr. Ades about potential interest in providing services to the Commission on a contract basis.

Thereafter, the Commission discussed the need for diversity in hiring, noting the importance in building a staff that would embody the Commission's mission to engage in outreach across demographic lines.

**Commissioner and Staff Organization**

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The Commission determined that individuals hired into the DRA and DGPE positions should, with the Executive Director, determine the appropriate organizational structure for their respective teams. The Commission requested that these individuals present the Commission with proposals for organization and staffing.

The Commission determined that while there may be interest in creating subcommittees, doing so at this stage would be premature.

**Debrief on Interagency Meeting**

Mr. Brinsfield briefed the Commission on a meeting with representatives from executive branch agencies charged with providing the Commission and Congress with recommendations pursuant to Section 553(d) of the Commission's enabling statute. The meeting occurred at the Pentagon earlier on October 19, 2017. LTC Austin and Acting ASD(M&RA) Stephanie Barna of OUSD(P&R) attended for DoD. Mr. Brinsfield attended on behalf of the Commission.

During Mr. Brinsfield's briefing, Commissioners learned that OMB had circulated a two-page questionnaire to interagency participants in place of the longer questionnaire proposed by OUSD(P&R). The final questionnaire focused on the selective service process and did not explore issues of military, national, and public service more generally. Commissioners expressed surprise at this decision by OMB, particularly in light of the broad congressional mandate and the principles issued by the President. Commissioners also expressed concern that agencies may think the Commission has already made decisions because the questionnaire is so limited.

In order to obtain information and views from various agencies, Commissioners suggested inviting agency heads to brief the Commission on matters contained in their responses to the questionnaire along with matters beyond the scope of the questionnaire but within the congressional mandate. Chairman Heck requested the staff arrange agency briefings for the Commission's meetings in January and February.

Mr. Brinsfield noted that representatives from four agencies—CNCS, the PeaceCorps, the Joint Staff, and the Air Force—expressed enthusiasm for detailing individuals to the Commission staff.

**Business Rules and Meetings**

Mr. Lekas briefed the Commission on proposed revisions to the draft business rules. Mr. Brinsfield briefed Commissioners on the process for requesting travel arrangements and recording service time.

With respect to regular business meetings, Commissioners endorsed a proposal to invite to each Commissioner meeting individuals involved in military, national, and public service to speak about their experiences.

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**October 20, 2017 Session**

**Operational Update**

Mr. Brinsfield briefed the Commission on a proposed five-phase roadmap for the Commission's work. Detail on each phase may be found in the slides accompanying Mr. Brinsfield's briefing, included as Addendum A.

*Phase One, Establishment.* As briefed to the Commission, Phase One would run from approximately October 1, 2017 through December 2017. Phase One includes start-up activities, such as telephone and email communications capacity, travel accounts, human resources and timekeeping, office space and furnishings, and various other items detailed on the slide. Mr. Brinsfield assessed the current state of affairs as minimum-mission capable, meaning staff is able to function at an essential, basic level.

*Phase Four, Finalization & Submission.* As briefed to the Commission, and on current assumptions, Phase Four would run from approximately June 1, 2019 through December 31, 2019. Mr. Brinsfield stressed the importance of completing the final report early, potentially by June 1, 2019, to allow time for select audience review, printing, and incorporation of final revisions.

*Phase Three, Draft Development.* As briefed to the Commission, Phase Three would run from approximately January 1, 2019 through July 2019. Deadlines within this phase would include generation of a master outline and table of contents for the final report. Commissioners agreed that the outreach plan will require further development and should be a focus of the individual selected to serve as DGPE. Commissioners also proposed that the Commission target spring 2019 as a particularly important period for developing and socializing ideas with the general public.

*Phase Two, Outreach & Survey.* As briefed to the Commission, Phase Two would run from approximately January 1, 2018 through December 2018. Phase Two includes the preparation of formal rollout, potentially in February 2018; the preparation of an interim report; development of a research plan for the final report; and significant efforts in terms of governmental and public engagement outreach. Commissioners thought it would be wise to begin preparation of the interim and final reports on parallel tracks.

Ms. Haines noted that the rollout plan suggests four key periods for Commissioner travel: in Phase Two, an initial listening tour; in Phase Three, after the interim report is published; in Phase Three and Phase Four, to coordinate research prior to publication of the final report; and in Phase Five, following the final report. She asked the staff to start the process of estimating when travel would occur to help assess budgetary needs and facilitate Commissioner scheduling.

**Legal Update**

Mr. Lekas provided an overview of legal and ethical issues. Mr. Lekas noted that the Deputy General Counsel, who has expertise in ethics issues, would be onboarded in the near term. He

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noted that additional hires would include a legislative drafter and one or more individuals to assist on the substantive work of the Commission. The latter hires would be coordinated with the DRA.

Mr. Lekas noted that he had made contact with NARA regarding records management and OGE regarding establishing an ethics program. He also noted that FOIA regulations have been drafted and would be coordinated with OMB and DOJ.

Mr. Lekas provided an update on two pending lawsuits brought against the Selective Service System, one brought by male plaintiffs, the other by female plaintiffs, and both challenging the System on equal protection grounds. Both suits are in the motion to dismiss phase.

Mr. Lekas briefly addressed the Commission's authorities with respect to hiring individuals through IPA agreements, detailing individuals, and accepting gifts. Mr. Lekas agreed to provide formal guidance about the legal and ethical restrictions pertaining to gift acceptance and solicitation and partnership solicitation.

Mr. Lekas informed Commissioners that he would incorporate formal ethics training into future meetings and would be in touch with Commissioners regarding financial disclosure forms. He also noted that he had made Special Government Employee determinations for each Commissioner and that he and the legal team would be developing a policy regarding social media usage.

Mr. Lekas next briefed the issue of the Commission's establishment date, noting further support for the position that the Commission was formally established on September 19, 2017, the date most of the Commissioners were sworn in. Commissioners supported the September 19, 2017 date and requested Mr. Lekas to prepare a legal opinion documenting the legal support for this position and talking points for discussions with Congress. Commissioners then discussed congressional strategy. Chairman Heck indicated he would schedule meetings with Congress.

**Business Rules**

Commissioners voted unanimously to adopt the business rules as amended based on deliberations on October 19. The final rules are included as Addendum B.

**Website and Social Media**

Chairman Heck informed the Commission that because the original proposal for the Commission's social media accounts, "inspired2serve," was not available on all platforms, he had reserved a variation, "inspire2serve," on Twitter, Facebook, and Instragram. He proposed that the Commission website be "inspire2serve.us" rather than "inspired2serve.us." All Commissioners agreed with the new URL and social media handle.

**Interim Report**

Mr. Abernathy led a discussion regarding the preparation and timing of an interim report. Commissioners deliberated different approaches to the report. Commissioners considered the

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approach taken by the Military Compensation & Retirement Modernization Commission (MCRMC), which focused on representing data and existing information on the topics within its mandate and did not include preliminary recommendations. Commissioners made the following observations regarding the approach the Commission should take in developing an interim report:

- The report should be designed and implemented in a way that helps to further the Commission’s objective of generating a public dialogue on the issue of service.
- The Commission should take care with the content of the report to avoid impeding the process of developing recommendations for the final report.
- The report should at a minimum include (a) a review of existing research and data regarding the issues within the Commission’s mandate, (b) an overview of the Commission’s approach and work to date.
- The report may include a clarification and exposition of barriers of service.
- The report may include a discussion of issues in which the Commissioners have common agreement.
- The Commission should consider a different name than “interim report” to reflect more accurately the report’s purpose.

Commissioners also considered the audience for the report, and agreed on the need to balance the interests of the Hill and the public.

In addition, Commissioners discussed the timeline for preparation of the report. Some suggested that January 2019 would serve as a better target than October 2018.

**Near-Term Communications and Engagement**

Mr. Lekas provided an overview of media coverage of the Commission’s first press release, issued on October 10, 2017.

Chairman Heck requested that members inform the Commission’s public affairs staff, and Mr. Lekas until such time as public affairs staff is hired, of any media request for an interview.

Mr. Abernathy then led a discussion about public engagement. He invited Commissioners to consider organizations that may prove fruitful for outreach assistance, issue amplification, research assistance, and resourcing (such as facilities). Mr. Abernathy noted that the staff had already made contacts with various individuals at CNCS. Observations included the following:

- Ms. Skelly mentioned the Senior Executives Association, which she understood to be very interested in developing a partnership, particularly in connection with their “Communities of Change” initiative. She said she would be meeting with them in a couple of weeks and would report back to the Commission.
- Mr. Kilgannon mentioned the Nixon Library. He had been in touch with them and they expressed interest in the Commission’s target dates.

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- Chairman Heck mentioned USIP, which could be a potential meeting location in the DC area.
- Vice Chair Gearan mentioned the Partnership for Public Service.
- Ms. Haines and others expressed interest in having the DGPE develop a plan for partnership and outreach needs in different parts of the country.

Chairman Heck requested that Commissioners consider and identify entities and individuals for engagement along with possible venues or locations where the Commission could hold events around the country.

Mr. Brinsfield then briefed the Commission on his discussions with the non-partisan organization [usafacts.gov](http://usafacts.gov), which was created by Steve Ballmer. The organization compiles and analyzes U.S. government data. They have expressed interest in exploring ways to support and partner with the Commission and potentially could host Commission events in California.

**Further Deliberation Regarding Candidates**

Mr. Abernathy briefed the Commission on his discussions with candidates who interviewed for the DRA and DGPE positions on the previous day. He reported that Ms. Lowry expressed interest in the DGPE position. He also reported that Mr. Ades clarified the challenges associated with him taking on a position with the Commission, but expressed interest in working with the Commission on a contract basis.

Commissioners agreed to offer the DGPE position to Ms. Lowry and the DRA position to Mr. Pascal. They directed Mr. Abernathy to contact both candidates. In the event Mr. Pascal were to decline the DRA offer, the Commission decided to consider further options for the DRA position.

**Executive Session**

At the close of the October meeting, Commissioners convened an executive session outside the presence of staff. Thereafter, Dr. Heck briefed staff on several due-outs from the executive session.

Prepared by Paul Lekas, General Counsel

Adopted by the Commission on November 16, 2017