



NATIONAL COMMISSION ON MILITARY, NATIONAL, AND PUBLIC SERVICE

Minutes of December 2018 Commission Meeting

The National Commission on Military, National, and Public Service (the Commission) held a meeting on December 12-14, 2018, at the Commission's offices in Arlington, VA. 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 Allard
- Mr. Steve Barney
- The Honorable Mark Gearan (by telephone as indicated)
- The Honorable Avril Haines (only Dec 13th and 14th)
- The Honorable Dr. Joseph Heck
- Ms. Jeanette James
- Mr. Alan Khazei
- Mr. Thomas Kilgannon
- Ms. Shawn Skelly
- The Honorable Debra Wada

Commissioner absent:

- The Honorable Dr. Janine Davidson

Staff present:

- Kent Abernathy, Executive Director
- Paul Lekas, General Counsel
- Jill Rough, Director of Research and Analysis
- Keri Lowry, Director of Government Affairs and Public Engagement
- Peter Morgan, Director of Operations
- Other Commission staff

December 12, 2018

Business Meeting

The Commission convened at approximately 0830 ET for a business meeting. All Commissioners were present except for Dr. Davidson and Ms. Haines. Vice Chair Gearan participated by telephone. Vice Chair Wada joined the meeting during the Chairman's remarks.

The Chairman moved to close this and other meetings to occur on December 12-14 because pre-decisional and organizational matters would be deliberated. A motion was made and seconded, and all Commissioners present agreed.

Approval of Minutes

Chairman Heck then moved to approve minutes from the November 2018 Commission meeting. The Commission voted unanimously to approve the November 2018 minutes with minor technical edits.

Chairman's Remarks

Chairman Heck thanked staff for its work on the interim report, describing the substantial revisions staff had undertaken since the Commission's November meeting to incorporate Commissioner feedback. He also noted that staff had received helpful input from Judge James Baker and the Commission's public relations consultants. Chairman Heck stated that the text of the report is essentially locked, and that Commissioners would receive a soft copy when the report goes to the printer, which will happen by early January.

Overview of December Meeting Agenda

Mr. Abernathy reviewed the agenda for the December meeting. Chairman Heck reminded Commissioners that the objective of the work groups is to develop recommendations to present to the full Commission. He stressed the importance of work groups presenting recommendations in the month prior to the public hearing relating to those recommendations.

Research Update: Public Comments and Public Opinion Data

Dr. Rough, assisted by members of the research team, briefed the Commission on the status of public comments, the research team's ongoing work to analyze those comments, and ongoing efforts to generate additional public opinion data on issues within the Commission's mandate. A slide deck and two handouts accompanied this presentation. The briefing lasted from approximately 0845-0945 ET, with Vice Chair Gearan participating by phone.

Dr. Rough explained that the Commission had received 2,424 public comments through September 2018. Of these, 89% came electronically through the Commission's web portal, 7% were provided directly to the Commission via the Federal Register process and targeted communications, and 4% were provided via in-person comment cards. Ms. James asked how the overall volume of comments compared with what other commissions had received. Peter Morgan referenced his experience with other commissions, noting that this Commission has thus far received approximately ten times the amount received by each of those commissions in total.

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Dr. Rough explained that staff would continue to gather public comments through the end of 2019 and undertake analysis of those comments through at least the middle of 2019.

Dr. Rough noted that the receipt of public comments indicates several periods of high-volume corresponding with discernible events, including the Commission's visits to Harrisburg in February and Denver in April, following a *military.com* article in May, and in September following a social media call and the nominal close of the Federal Register notice. Many comments received during the last of these spikes came from the conscientious objector community. Dr. Rough did not have an explanation for why other Commission events did not generate notable comment spikes.

Mr. Barney sought input on staff's vision for obtaining public input during 2019. He suggested exploring a more structured strategy that could include holding public "votes" on different issues the Commission is considering. Dr. Rough said that from a data integrity perspective, public comments are largely self-selecting, generated by individuals already interested in the Commission's issues. Like Twitter or Facebook, public comments do not constitute a valid research tool although they may have other value to the Commission. Mr. Lekas explained that taking votes from the public in this manner would require a Paperwork Reduction Act process. Cristina Flores, Public Affairs Officer, spoke to efforts by the engagement team to generate more attention and "clicks." She explained that staff planned to launch a weekly or monthly electronic newsletter. On social media, staff endeavors to generate more interest through innovative methods of connecting with the public and using the Commission's original research questions in different ways. Ms. Flores explained that these research questions, as written, present challenges for social media messaging.

The discussion then turned to the nature of the public commenter community. Dr. Rough explained that the research team had observed a qualitative difference between individuals who track the Federal Register and those who submit comments via the Commission website, with many of the former representing the conscientious objector and draft resister communities. She anticipates more policy-oriented input in 2019 from those who track the Federal Register once the Commission issues a new Federal Register notice. Dr. Rough said it was not possible to assess the geographic distribution of comments because public commenters do not always provide that level of information. Since August 2018, however, according to Mr. Morgan, the Commission's website collects metadata that can identify the geographic location of internet protocol addresses (noting that those addresses may not accord with commenters' physical locations).

Ms. Flores noted that the Commission does not consider comments posted on social media within the universe of public comments, and language on the social media platforms encourages individuals to submit comments directly on the Commission website.

Ms. Skelly recommended exploring ways to make better sense of the public commenter community by identifying connections between public comments and the Commission's social media posts, website updates, op-ed publications, and so on.

Dr. Rough then introduced John Lira, Team Lead for National Service, to discuss the research team's analysis of public comment content. This discussion focused on how staff had analyzed a

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subset of comments coded for the issue “All Americans Registering for the Selective Service System.”

Omer Kaufman, Policy Analyst, addressed comments that indicated support for both the Selective Service System (SSS) and requiring women to register. These comments show two main trends: first, fairness and equity as a main rationale; second, a statement of support without a reason (this is reflected in about one-third of the comment group). Smaller subsets of this group identified alternative rationales, including the opening of all military occupational specialties (MOS) to women, registration as an obligation of citizenship, and the strategic need of having a broader segment of the U.S. population included in the registration system.

Tim Joslyn, Policy Analyst, addressed comments that opposed the SSS but supported requiring women to register. Many commenters in this group stated that they support eliminating the SSS but believe women should register if the SSS remains in place. Most cited fairness and equity or the opening of all MOS to women as the reason for requiring women to register.

Tara Razjouyan, Policy Analyst, addressed comments that indicated support for the SSS but not for women registering. This group contained fewer comments than the others. In general, individuals based their positions on equity, complementarian views, and opposition to women in combat. Ms. Razjouyan noted that arguments about pregnancy, unit cohesion, and the cost of adding women to the registration process did not come up in this comment group.

Colin Neafsey, Policy Analyst, addressed comments that opposed the SSS and opposed extending registration to women. Many in this group are conscientious objectors; others oppose women in combat, express complementarian viewpoints, or cite the financial cost.

Mr Lira closed this portion of the discussion by noting that each comment group reflected general confusion about the distinction between SSS registration and the draft.

Ms. James referenced the comments supporting both the SSS and requiring women to register. She asked whether these comments were made in the broader context of support for mandatory service. She said it would make a difference in her consideration of these comments. Mr. Kaufman and Mr. Lira agreed to investigate.

Mr. Barney, echoing a comment raised earlier by Ms. Flores, observed that the questions on the website—to which many of the public comments respond—present challenges because of how those questions are posed. He wondered if the Commission could reframe these key objectives into “debate questions.” This approach could, Mr. Barney posited, encourage less reflexive and more substantive responses and provoke people to provide substantive feedback. He wondered if this approach would prove helpful in terms of data collection, encouraging clicks, or both.

Dr. Rough expressed caution about relying on information collected through public comments as an indication of public opinion. As she explained, public comments represent a biased sample, are not representative of public opinion more generally, and are not weighted. She noted that seeking public comment in the manner outlined by Mr. Barney could nevertheless serve an engagement role and help to generate interest and provoke debate.

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Mr. Barney said his primary interest would be to drive more people to the Commission's website. Mr. Kilgannon concurred with this objective. He recommended moving away from the original research questions in favor of more focused, specific, and narrow questions for the public to consider. Mr. Kilgannon suggested two examples on the topic of critical skills: "Would you be willing to register information about your critical skills?" and "Do you know what your critical skills are?" Mr. Allard concurred with Mr. Kilgannon. He noted that the Commission's question about modifying the SSS presumes knowledge about what the SSS is and, as the Commission has learned, many people cannot answer that question. Mr. Barney also concurred with Mr. Kilgannon's recommended approach. Chairman Heck suggested that these more discrete questions are likely to flow from the public hearings and from the material generated in connection with those hearings.

Ms. Skelly asked whether the Commission could integrate information generated from public comments with public opinion polling data. Dr. Rough cautioned against this approach. She noted that, while from a research perspective public comments serve as a helpful check on what the Commission learned in its discussions and from research, combining self-selected public comments with statistically significant public opinion polling data would be problematic. In terms of relying on public comments as a check, Dr. Rough explained that the research team had not seen anything thus far in the public comments that surprise staff or are not found in the literature.

Annie Rorem, Deputy Director of Research, then briefed the Commission on efforts to generate public opinion data through polling. She explained that staff had developed relationships with two organizations that will include questions relevant to the Commission in their polling efforts.

The first is the Joint Advertising Market Research & Studies (JAMRS) program of the Department of Defense. Ms. Rorem explained that JAMRS is a definitive voice on public opinion in the areas of military manpower and propensity among youth. JAMRS conducts a monthly youth market poll that participants take in hard copy. JAMRS also conducts a tracking poll that follows up with individuals who completed the hard copy poll. JAMRS has offered to include one question in the monthly poll and three in the tracking poll that would touch on Commission-related issues and also be useful to JAMRS. JAMRS will return results quickly.

The second is the Harvard Institute of Politics (IOP). IOP has run a youth survey in the fall and spring since 2000 and has offered to include up to five questions on Commission-related issues. The IOP poll goes to 2,000 to 2,400 young people ages 18 to 29. A polling population of this size, Ms. Rorem explained, is more than sufficient to generate statistically significant results. Ms. Rorem then provided further detail on the methodology employed by IOP. Results from the IOP poll should become available about a month after the poll occurs.

Mr. Barney noted that established polls can provide value in identifying historical trends, potentially more than in providing a snapshot in time. He suggested that staff mine data generated by JAMRS, IOP, and others to identify trends relevant to the Commission's issues. Ms. Rorem explained that the research team is gathering and analyzing historical data, leveraging existing products, and considering possible gaps in those products.

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Commissioners discussed the possibility of introducing additional questions through a polling mechanism. Ms. Rorem noted that the research team continued to explore this possibility and would also look at posing identical questions—for example, a question about a new service registration system—to different demographic audiences through different polling tools

Chairman Heck informed Commissioners that any decision to proceed with a particular polling partner will be made by Dr. Rough and her team, who will be guided by gaps and opportunities.

Ms. James expressed continued concern about the lack of understanding among the public about selective service, registration, the draft, and what the draft means. She feels the Commission needs to ask, “Are you going to be okay with the government telling your daughter she has to carry a gun and kill the enemy?” Ms. James thinks a question posed in this way could elicit a different type of response than the Commission has received thus far, which has focused on the equity of extending registration to women. She recommends asking a question along these lines of both young teenagers and their influencers. Vice Chair Wada noted that a question like this should be framed as “may have to carry” rather than “has to carry” to avoid contributing to the misunderstanding the Commission has observed with respect to registration and the draft.

Dr. Rough and Ms. Rorem said they would recirculate the research primer on polling data regarding the question of women registering for selective service and provide detail on how the polls formulated relevant questions.

Commissioners considered the viability of the Commission doing its own poll, which could include questions specific to recommendations the Commission is considering. Mr. Khazei suggested finding a bipartisan group to help craft the questions. Mr. Allard felt a poll would add credibility to the Commission’s analysis. Dr. Rough cautioned about relying too heavily on public opinion data, particularly data meant to represent public opinion at a single point in time rather than historically. Commissioners continued their discussion about polling in executive session.

Work Group Deliberations

From approximately 1000-1215 ET, Commissioners met in Work Groups to deliberate issues concerning the matters within the scope of their respective Work Groups. Accounts of these sessions are set forth in internal memoranda for the record (MFRs).

Media Training

From 1300-1400 ET, Marsha Catron and Erin McPike, the Commission’s soon-to-be onboarded public relations consultants, provided Commissioners with media training. Ms. Catron and Ms. McPike performed a mock interview with Chairman Heck, offered feedback on his performance, and discussed the Commissioners’ concerns about dealing with members of the media. Their general advice was to know your key messages well and to see the journalist as a medium to get your message to your audience. They emphasized the benefits of sharing personal stories and learning a few pivot lines to help redirect the conversation. Finally, they offered to work with each Commissioner one on one and to ensure that their strengths will be used well in the overall communications strategy.

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Meeting with Barbara Stewart

From approximately 1415-1515 ET, the Commission held a discussion with Barbara Stewart, the Chief Executive Officer of the Corporation for National and Community Service (CNCS). An account of this discussion is set forth in a separate MFR.

National Service Discussion

Dr. Rough led a discussion with the Commission around desired outcomes and large-scale policy options relating to national service but also touching on military and public service. The objective of this discussion was for the Commission to begin to articulate its vision for a “moonshot.” All Commissioners except for Ms. Haines participated in this discussion.

Dr. Rough began with a slide deck that listed several desired outcomes, based on Commission deliberations to date: an increased exposure to service experience; an improved civic education; an universal expectation of service; an universal ask to serve; improved awareness of service opportunities through service registration mechanism; integration of military, national, and public service; more service opportunities; and more opportunities for encore service. The slide deck also listed several large-scale policy options that Commissioners have begun to consider, including: civic education initiatives across grade levels; service-learning across grade levels; semester of service; service requirements in middle and high school; cadet/citizenship programs; mandatory national service; registration database for service; SSS/draft mechanism modifications; military service initiatives such as ROTC;; public service initiatives such as a public service academy and changes to hiring authorities; national service initiatives such as increased stipends and development of a voucher system; alternatives to scale & fund national service; and pilot programs.

Mr. Allard began the discussion by focusing on recognition. In his experience with the 1984 Olympics in Los Angeles, he found it was possible to encourage a national-level CEO to pick up garbage on the freeway if in exchange that individual received a prime seat at an event. He recommended developing a presidential service recognition program, possibly a contest, to elevate service and incentivize behavior. Mr. Barney echoed that public recognition is critical to highlight good work that is being done and is also an inexpensive option. He also noted that recognition may not be enough, sharing an anecdote from his reflection on President Bush in the prior week, noting that he was well aware of the Points of Light initiative but could not name any of the individual points of light recognized by President Bush.

Vice Chair Wada framed the question differently by asking what inspires or drives an institution to value service? She recommended that the Commission develop policy options with that goal in mind. Yet, she noted, the reward system and incentives differ for educational institutions, private foundations, corporations, and so on. She asked how the Commission could identify the applicable reward systems and incentives for each type of institution and weave those together into a coherent program.

Mr. Khazei stated that his primary policy objective is for the Commission to take steps to create a universal expectation of a year of service. To that end, he recommends the Commission assess

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its approach to various institutions to create that expectation. Mr. Khazei sees a need for presidential leadership but also a huge role for the private sector. He supports tying together the message across universities, high schools, Hollywood, and other institutions. As precedent for the form of cultural change he envisions, Mr. Khazei cited public high school: one hundred years ago, high school was not universal but over the course of thirty years that changed.

Chairman Heck refocused the conversation on how the Commission should define the moonshot. He asked what measure of success the Commission should use. Is it to for 51% of Americans to have served by X year? Ms. James suggested focusing on an increase or trend rather than a raw number. Vice Chair Wada highlighted the marketing challenge. As she described it, the Commission needs a catchy phrase tied to an achievable goal that can help to inspire the nation and capture its attention.

Ms. Skelly noted that while President Kennedy's moonshot was not considered probable, but it was considered possible at the time. She likened that to the cancer moonshot: it may not be achievable, but it is worth trying and putting resources into the effort. She recommended that the Commission identify a demonstrable goal against which progress may be tracked, even if it is not tied to a specific number of individuals. The goal, as she explained, must also be tangible to leaders and inspire them to act.

Mr. Allard asked whether the Commission could identify a motivator for this sort of cultural change, something to fill the role that Sputnik did for President Kennedy's moonshot. Mr. Khazei suggested that the motivator could be that our country is growing apart, we need a common experience to bring this diverse country together, and we want to change the experience of growing up in America.

Ms. James recommended that the goal include everybody, including senior citizens, rather than targeting only young people.

Mr. Khazei agreed on the importance of reaching senior citizens but believes that population is already enculturated and the Commission's opportunity should be to change how young people grow up with an expectation of service and the experience that comes from that service. Referencing studies indicating that doing service before turning 25 or 26 changes an individual's life trajectory and encourages service, and studies indicating that service builds social capital and creates more diverse networks, he encourages the Commission to endorse service as a rite of passage. He recommends the Commission adopt a specific goal or metric—for example, one million people serving in ten years. Mr. Khazei also recommends the Commission emphasize why this type of overall goal is important: in his view, the reason is that service solves pressing social problems in an age of dwindling resources.

Mr. Kilgannon supported the idea of using anniversaries and date markers. For example, 2031—eleven years from the Commission's final report—will mark the 70th anniversary of President Kennedy's inaugural address, which included the line, “ask not what your country can do for

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you, as what you can do for your country.” Alternatively, the Commission could look to tie its goals to the anniversary of the United States. Mr. Khazei suggested that the goal could be that one out of every four Americans engage in a year of service before they turn 26 years old by a certain year, increasing to one out of every two Americans by the United States’ 250th anniversary. He believes the Commission needs to identify a goal that involves service by a critical mass of Americans.

Dr. Rough noted that if the Commission wants to achieve a goal related to increasing the number of individuals who serve across the nation, that goal will necessarily draw largely from activity in the national service space, because Congress sets the military end-strength and government determine the number of public service positions needed. Further, any overall goals with respect to scale should not include—or should account for—the 2.1 million people who already serve in the military.

Chairman Heck explained that the moonshot will also need to be fiscally feasible. He asked what it would cost to fund 900,000 more members in national service to bring the total national service participants to one million. Mr. Khazei acknowledged this concern and proposed one way to address it would be to encourage a transformation of the second semester of senior year into a service semester.

Ms. James wondered how the Commission can demonstrate success in achieving the moonshot, whatever it may be. Ms. Skelly recommended that the Commission also keep in mind qualitative measures of success, such as enhancing and supporting existing service efforts. Dr. Rough advised that depending on the nature of the goals Commissioners identify, the Commission may need to reconsider its earlier scoping decisions, for example, around promoting episodic volunteering.

Ms. Skelly also suggested that the Commission consider developing a moonshot in stages. Chairman Heck asked who would take responsibility for defining or designing the next stages; Ms. Skelly suggested that CNCS could perform that role. Mr. Khazei suggested that if the Commission could help to create a culture of service for young people, movement across the stages would grow like yeast.

Mr. Kilgannon recommended comparing the Commission’s proposal to that of successful service organizations, such as the Church of Jesus Christ of Latter-day Saints or the Knights of Columbus. He feels it critical that the Commission demonstrate how and why its efforts are different than those already pursued by other organizations. Ms. Skelly recommended that the Commission make clear that it does not intend to replace existing efforts and that the Commission include the numbers of individuals working with those organizations in its overall “moonshot” calculation.

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Dr. Rough then shared a graphic, illustrating the overall interplay of proposals under consideration by the various work groups. The center of the graphic resembled layers of a wedding cake. The foundation included civic education initiatives beginning in elementary school, along with proposals to include service learning in high school, to devote a semester of high school to service, and to devote a period immediately after high school to service. Other options under consideration by the work groups appeared in further layers. She explained that the graphic was intended to facilitate discussion and not to serve as a robust intellectual tool.

Commissioners recommended several discrete proposals to consider and to incorporate into the graphic. Mr. Khazei recommended including a layer representing a semester of service during college. He spoke about a co-op program at Northeastern University, in which students spend a semester in their communities instead of a semester abroad. Mr. Kilgannon suggested that high school education include a “Service 101” program in ninth grade to help students begin thinking about how to serve before they reach their senior year. Mr. Barney suggested a proposal to encourage all students to have experienced their first service project before the beginning of tenth grade.

Ms. James asked how senior citizens factor into the overall system. As she explained, folks who are retiring now have a general shared experience from their youth in which neighbors helped neighbors; today, those seniors have an important role to help and mentor others. In addition, she noted, service has important benefits for seniors, including for health, finances, and community. She suggested a program in which corporations would fund the last six months of an employee’s career to work as a service provider.

Meeting with Mike McCord

From approximately 1630-1715 ET, the Commission held a discussion with Mike McCord, a member of the National Defense Strategy Commission. An account of this discussion is set forth in a separate MFR.

December 13, 2018

Work Group Deliberation

At approximately 0800 ET, Commissioners Haines, James, Khazei, Kilgannon, and Skelly held a one-hour meeting of the Ends, Ways, and Means Work Group. From approximately 0900-1000 ET, Commissioners met in Work Groups to deliberate issues concerning the matters within the scope of their respective Work Groups. Accounts of these sessions are set forth in internal MFRs.

Meeting with U.S. Public Health Service Corps

The Commission reconvened at 1000 ET on December 13, 2018, to meet with representatives from the U.S. Public Health Service Corps: Deputy Surgeon General, Rear Admiral Sylvia Trent-Adams and the Director for the Division of Commissioned Corps Personnel and

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Readiness, Rear Admiral Joan Hunter. An account of this discussion is set forth in a separate MFR.

Update on Government Affairs and Public Engagement

From approximately 1215-1300 ET, the Commission received a briefing from the Commission's Government Affairs and Public Engagement (GPE) staff. All Commissioners except for Vice Chair Gearan and Dr. Davidson were present; Ms. Haines joined the session at approximately 1235.

Ms. Lowry introduced members of the GPE team to brief the Commission on different lines of effort.

Morgan Levey, External Relations Officer, addressed planning for the interim report launch event. She began by reprising the guiding principles and success metrics for the event, as conveyed to the Commission during its November meeting. She explained that the event would occur in the morning of January 23, 2019 at the Newseum Broadcast Studio and will be live streamed and open to the press. GPE has sent out a first tranche of save-the-dates with the event theme, "From Ethos to Action: Cultivating American Civic Engagement." The current vision of the event begins with opening remarks by the Chairman, followed by remarks from members of Congress and/or representatives of the family of late Senator John McCain and a panel discussion of three or four public figures moderated by a political media figure or a fireside chat facilitated by media figure.

Several Commissioners expressed reservations about omitting the term "service" from the event theme and recommended alternative language that would include that term.

Mr. Khazei recommended that the event include a recognition of the legacy of George H.W. Bush to service, noting that his actions as President essentially launched the modern service movement.

Mr. Kilgannon cautioned against trying to do too much with and incorporating too many voices in the launch event. He recommended that the event focus on the Commission's message itself as a better way to start a national conversation focused on the topics that matter to the Commission.

Ms. Levey then spoke about events in the week leading up to the interim report release. She noted that the Commission would look to arrange briefings with Congress and federal government agencies in the weeks of January 14 and 21. On January 21, the MLK Jr. Day of Service, four Commissioners (Ms. Haines, Ms. Skelly, Mr. Barney, and Vice Chair Wada) had indicated they would volunteer.

Erin Schneider, Public Affairs Officer, then addressed the media component of the launch event. GPE has held discussions with Axios about potentially working with the Commission on the launch event and supplying a moderator for the panel discussion. Ms. Schneider noted that Axios, with 11.8 million monthly unique visitors to its website, would help the Commission to reach a large audience. Ms. Schneider and the public affairs team are also developing a press kit, including graphics and proposed social media content, to make it easier for Commissioners to

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disseminate information about the interim report. She also said that the Commission will issue a media advisory during the week of January 14 and hold an on-the-record, embargoed press call on January 22. The event itself will be open to the press and staff will do social media pushes.

Ms. Schneider shared with the Commission that Ms. Skelly had received an invitation from the Center for Strategic and International Studies (CSIS) to share information about her experience through CSIS' Twitter account. Ms. Schneider noted that Ms. Skelly intends to use that platform to share the interim report with CSIS' Twitter followers.

Responding to Mr. Khazei's comment regarding former President Bush, Ms. Schneider said that staff would develop an op-ed for a national publication that mentions the legacies of both President Bush and Senator McCain and their connection to the Commission's work. Mr. Allard noted the importance of ensuring bipartisan balance to reflect the Commission's bipartisan nature.

Ms. Lowry addressed efforts to secure speakers and headliners for the interim report event. She informed Commissioners that GPE had reached out to chairs and ranking members of the SASC and HASC, had extended invitations to the family of Senator McCain, and had extended invitations to about fifteen other high-profile individuals whom she named. She requested additional input from Commissioners.

Ms. Lowry noted that GPE had disseminated a save-the-date to potential audience members and will circulate a formal invitation with an RSVP link in the near term.

Mary Reding, Associate Director for External Relations, addressed planning for the public hearings being scheduled for February through June 2019.

She explained that the hearings would follow congressional format with some modifications. In terms of layout, Commissioners will face the audience with Chairman Heck seated in the middle, flanked by each vice chair. Commissioners will be seated based on work group, with members of the Selective Service Work Group sitting in alphabetical order alongside Vice Chair Wada and members of the Propensity to Serve Work Group sitting in alphabetical order alongside Vice Chair Gearan. Mr. Lekas will sit behind Chairman Heck. Panelists will sit at a table facing the Commission with their backs to the audience gallery. The audience will be seated on two sides of an aisle in which a standing microphone will be placed.

Ms. Reding then reviewed the proposed agenda for each hearing, which had been reviewed and approved by Chairman Heck. Under the proposed agenda, the Chairman will provide opening remarks for approximately ten minutes, followed by approximately twenty minutes of opening statements by panelists (five minutes each for a four-person panel), followed by 90-120 minutes of questions and answers with each Commissioner having five minutes at a time to pose questions. She explained that staff would develop an order for Commissioner questioning. A thirty-minute public comment period will follow the question-and-answer segment. Members of the public will be afforded two-minutes each for comments and will be chosen based on the order in which they sign up at the hearing.

Ms. Reding requested input on the public comment format. Commissioners expressed varying views on public comments.

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Mr. Barney recommended an approach to the public comment portion of the hearings that would ensure a level of order as well as an opportunity for multiple people to speak. He suggested choosing names by random from those who submit a card with their name.

Some Commissioners, including Mr. Khazei, Mr. Allard, and Ms. Haines, felt the Commission should provide more opportunity for public comment. Mr. Allard noted criticism of the Commission for not providing more opportunities for the public to provide input. Ms. Haines and Mr. Khazei noted the Commission's statutory mandate "to provide maximum opportunity for public comment and participation." Mr. Khazei suggested that the Commission extend the period as needed to allow for more people to express their views. Ms. Haines suggested shortening the panelist question-and-answer period from 120 to 90 minutes, reserving the additional 30 minutes for public comments.

Chairman Heck responded by explaining that the public hearings are intended to present the Commission's potential recommendations and receive input from subject matter experts on those recommendations. He explained that the purpose is not to elicit public comment but that he had advised staff to incorporate a public comment period as a courtesy. He noted the alternative ways that members of the public could provide feedback to the Commission, including through the website and with comment cards. He further noted that other Commission business and, in some cases, the need to arrange the room for a second panel may make it impractical to extend the public comment period, so that any additional time for public comments would have to come from the time allocated for Commissioner questioning of the expert panelists.

Mr. Allard suggested adjusting the public comment period in the event Commissioners determine that they do not need the full time allocated for their questioning. He also recommended that Chairman Heck, in his opening remarks, speak to how hearings are normally run and that the public comment period is atypical of hearings. The Chairman agreed with Mr. Allard's proposal and recommendation.

Ms. James cautioned the Commission about increasing the length of each hearing. In her experience, a three-hour hearing will be exhausting, and it will likely prove difficult to stay within the allocated time for other portions of the hearing, even with the experience Chairman Heck has in running hearings and keeping speakers within designated time limits.

Vice Chair Wada reiterated the objective of the public hearings, which is to bring in experts to address certain issues. At the same time, it remains important for the Commission to provide the public with an opportunity to make comments directly to the Commission, and the Commission will not benefit were media to focus on the Commission not allowing members of the public to be heard.

Chairman Heck recommended continuing the discussion further in executive session and thereafter providing guidance to staff.

Ms. Reding then reviewed the proposed panels and panelists for February and March, noting that invitations had gone out to the panelists. She informed the Commission that staff intends to publish a notice in the Federal Register in January which would provide notification about all 2019 hearings. In addition, staff plans to organize a mock hearing for Commissioners to occur

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during the January meeting. In response to a question, Ms. Reding noted that staff has developed criteria to identify proposed panelists and that diversity—demographic, political, and viewpoint—is an important aspect of that.

Roundtable on Disaster Assistance

From approximately 1300-1500 ET, the Commission held a discussion with a panel of experts on federal disaster responses. Attending were Patrick Hernandez, the FEMA Deputy Assistant Administrator; Jim Stahlman, the DOD Director of Domestic CBRN Response and Preparedness Policy; and Rear Admiral Stephen Redd, the CDC Director of the Office of Public Health Preparedness and Response. An account of this discussion is set forth in a separate MFR.

Call with Meg Garlinghouse

From approximately 1515-1545 ET, the Commission held a discussion with Meg Garlinghouse from LinkedIn by videoconference. An account of this discussion is set forth in a separate MFR.

Work Group Deliberations

From approximately 1545-1715 ET, Commissioners met in Work Groups to deliberate issues concerning the matters within the scope of their respective Work Groups. Accounts of these sessions are set forth in internal MFRs.

December 14, 2018

Panel with Public Service Advocates

The Commission reconvened at 0900 ET on December 14, 2018, for a panel discussion on public service issues with the following participants: Jason Briefel, Executive Director of the Senior Executives Association; Dustin Brown, Senior Fellow, Volcker Alliance; Troy Cribb, Director of Policy, Partnership for Public Service; John Palguta, Partnership for Public Service; Chris Mihm, Managing Director for Strategic Issues, Government Accountability Office; and Sally Jaggard, National Academy of Public Administration. An account of this conversation is set forth in a separate MFR.

Veterans' Preference Discussion

Annie Rorem, Deputy Director of Research, introduced a discussion on veterans' preference in the context of federal government employment. This discussion was intended to collect the Commissioners' initial thoughts on the topic and determine additional research needs. The discussion lasted from approximately 1045 to 1145 ET. Vice Chair Gearan was absent from the discussion; Ms. Haines arrived partway through the discussion.

Brian Collins, Team Lead for Public Service, briefed the Commission about how veterans' preference works in the competitive examining system. Prior to the briefing, staff circulated a research primer on veterans' preference and during the discussion, Mr. Collins circulated two handouts with further information – one containing data from OPM on newly-hired veterans in

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the federal civil service in 2016 and 2017, the other illustrating how veterans' preference is applied under the current system.

Mr. Collins began by explaining how veterans' preference operates to move veterans to the top of a list of candidates in each hiring category (minimally qualified, well qualified, and highest qualified). He further explained that a veteran with a disability rating of 10% or higher is automatically moved to the top of the "highest qualified" category. Mr. Khazei felt that this type of illustration would resonate well with the public, particularly the preference of a minimally-qualified veteran moving to the top of the list of potential candidates.

Mr. Collins explained the veterans' preference system contributes to the large percentage of veterans hired in the federal government. In fiscal year 2017, for example, veterans constituted 42 percent of all new hires in the federal government overall. Mr. Collins noted that over time, various agencies have sought hiring authority to avoid veterans' preferences and Congress has considered different legislative proposals—including one that would permit a one-time use of the preference by each veteran.

Ms. James highlighted the strong opposition within the VSO/MSO community to making any change to veterans' preference. During her time in Congress, veterans' employment issues received significant attention from members particularly as media coverage focused on veterans' unemployment and homelessness. Mr. Barney echoed these reflections. He said the Senate generally felt pressure from the VSO/MSO community. He noted, however, that while the one-time use proposal mentioned by Mr. Collins died in committee, there was support for this proposal. Mr. Barney also noted that Congress did institute a waiting period for separating service members to enter government and rely on the veterans' preference. He recommended speaking with Samantha Clark, a SASC staffer and expert on veterans' preference, for further information.

Chairman Heck said that he supports the one-time use proposal and noted, more generally, that unemployment of veterans is lower than overall unemployment in the United States. He also expressed concerns with minimally-qualified veterans receiving priority over well-qualified non-veterans. Ms. Skelly concurred and stated more generally that she does not believe veterans' preference is the appropriate way to address veteran employment issues. Mr. Khazei felt that preference should be applied as a tie-breaker between two equally-qualified candidates.

Vice Chair Wada provided historical context for the current structure of the veterans' preference system. She explained that until the mid-1990s, a retired veteran working for the federal government would have their federal pay offset by their military retirement pay. That situation led to various changes but also results that can seem unfair. For example, now a retired veteran may receive both federal salary and military retirement but there is no similar adjustment for civilians receiving retirement pay from the federal government.

Several Commissioners raised factual points for follow up:

- How often and frequently is veterans' preference used multiple times?
- Relatedly, how many preference-eligible hires are current government employees (for example, hired to a new agency, promoted within their current agency, or hired back into

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government for a subsequent period after moving from a federal agency to the private sector)?

- What is the impact of federal agency hiring of veterans on veteran unemployment and what impact does veterans' preference have on the unemployment rate?
- How many new, preference-eligible hires are military retirees – both overall and in the higher grades of the competitive service (GS-12 through GS-15)?
- How does the number of veterans hired each year by federal agencies compare with veteran hiring by non-federal employers?
- What hiring preferences do state government offer to veterans?
- How many veterans are in the job market?

Ms. Skelly shared that in her experience, many veterans receive additional assistance in the federal hiring process because they have a disability rating but show limited signs of actual disability. She expressed an interest in helping those veterans with real service-connected disabilities. Ms. James agreed with Ms. Skelly's concern about the disability rating system, noting that a veteran with a service-connected disability receives no additional benefit in the hiring system for having a rating in excess of 30 percent. Mr. Barney noted that the preference does not distinguish between combat-related and non-combat related disabilities.

Ms. James stated that veterans are most needed in the Department of Veterans Affairs, where their understanding of the military and the veteran experience is extremely helpful.

Mr. Collins then briefed the Commission on proposals made by non-governmental organizations to address deficiencies in the current veterans' preference system. He mentioned the one-time use proposal referenced earlier in the discussion, as well as treating preference as a tie breaker, and setting agency-wide goals for veteran hiring instead of applying veterans' preference in each individual hiring action.

Mr. Kilgannon asked whether there are other preferences in federal hiring. Mr. Collins explained that the competitive hiring process has a preference for people laid off during a reduction in force action, noting that this has been used rarely, as well as other preferences that allow people to avoid the competitive hiring process, such as those for alums of certain national service programs or for military spouses.

Mr. Kilgannon asked whether dual-compensation issues are the same as concurrent-receipt issues. Mr. Collins explained that they are not the same, and concurrent-receipt issues are addressed with differences in disability.

Mr. Kilgannon addressed employment of veterans in the private sector, expressing concern about the private sector's lack of understanding of the skills that veterans have developed during their military service.

Mr. Kilgannon then returned to veterans' preference in the federal government context. Regarding the proposals outlined by Mr. Collins, Mr. Kilgannon questioned whether the one-time use proposal would suffice, highlighting the situation of veterans with PTSD or TBI with symptoms that take time to materialize. Ms. Haines asked whether Mr. Kilgannon would

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support a proposal of limiting veterans' preference to non-retiree veterans or a proposal that would apply the preference as a tie breaker. Mr. Kilgannon said he probably would be comfortable with the latter, depending on execution.

Commissioners then discussed how and when to address veterans' preference in the upcoming public hearings and thereafter. Mr. Allard counseled the Commission to exercise caution in addressing veterans' preference during a time when the United States is at war. Mr. Barney, Ms. Skelly, and Mr. Khazei supported addressing veterans' preference, viewing it as an important aspect of barriers to hiring and the health of the federal work force. Chairman Heck recommended, and other Commissioners agreed, that the Commission should not hold a hearing devoted solely to veterans' preference. The Commission recognized that this topic may form part of a larger discussion on hiring preferences as barriers to federal public service. Commissioners noted the importance of keeping the MSO and VSO community and different views within that community in mind as the Commission considers veterans' preference.

Briefings by Work Group Chairs

From approximately 1145-1230 ET, the Commission received briefings from chairs of each of the Commission's three work groups: Vice Chair Wada, Chair of the Selective Service System Work Group (SSS WG); Mr. Barney, Member of the Propensity to Serve Work Group (P2S); and Ms. Haines, Chair of the Ends, Ways, and Means Work Group (EWM).

SSS Work Group Briefing

Vice Chair Wada provided an overview of the SSS WG's approach, progress, and next steps. She described the three topics that the SSS WG discussed during the week's work group sessions: possible statutory changes to deferments and exemptions; solemnity, or how people need to make a conscious decision about registration and be more educated about their legal obligation; and large-scale courses of action.

With respect to the discussion on deferrals and exemptions, Vice Chair Wada explained that the WG wants to minimize the number of deferrals and exemptions for individuals. The goal is to make the draft process fairer and reduce the number of categories of people who can avoid being drafted. WG Commissioners recognize that they must protect conscientious objectors and sole survivors. They are still discussing what changes the WG will recommend to achieve these objectives.

With respect to the discussion on solemnity, Vice Chair Wada described the possible tradeoffs that could come with changes to the registration system. Currently, the SSS's passive registration model, which relies heavily on state DMVs, has about a 90% compliance rate. How do we make sure that people are making a conscious decision to register without undermining that high compliance rate?

Finally, Vice Chair Wada explained several potential courses of action being considered by the SSS WG. One option is status quo without change. Another option would be to add a process to call for volunteers before conscription, either directly through the registration system or something indirect. The WG seems to have some agreement that some sort of volunteer process would be helpful. Another option would be to address age and gender to expand the pool of

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registrants. Another option is to include a means for identifying critical skills – either on the front end where people register that information in the database, or at the back end only upon activation of a draft. The WG’s plan is to present a few large-scale courses of action to the rest of the Commission.

P2S Work Group Briefing

Mr. Barney described the status of P2S’s discussions. He explained that the work group continues to discuss policy options that reduce barriers or create incentives for people to participate in national service opportunities. P2S will bring policy options to the full Commission and lay out the issues we will explore at hearings this spring. Mr. Barney praised the staff for a great job presenting tranches of issues to the P2S Commissioners.

Mr. Barney then summarized the topics discussed in this week’s work group sessions. In the area of national service, P2S explored policy options to reach underserved communities, including opportunity youth and tribal populations, as well as ways to engage the private sector. In the area of public service, P2S discussed methods to hire individuals with critical skills and also considered the competitiveness of benefits programs. Finally, in the area of military service, P2S discussed ways to ameliorate the civilian-military divide.

Mr. Barney described one of the challenges for the WG is straying from the Commission’s mandate or getting too far into the weeds of policy proposals. They are debating when to drill down or shine a light on something that can be addressed. They are still looking for what is fair game to talk about.

EWM Work Group Briefing

Ms. Haines provided an overview of EWM’s approach, progress, and next steps.

Ms. Haines explained that the work group is considering the proposals involving civic education across primary and secondary school – elementary, middle, and high. She explained that EWM is exploring federal-level recommendations that will include opportunities for funding—such as grants to states or non-governmental organizations, likely involving matching or challenge grant programs—as well as discrete proposals related to exposure and awareness. She said EWM would recommend best practices for civic education, without telling states what to do, and would develop something like a model code containing legislative language from various states with more robust civic education programs. Ms. Haines also noted that with respect to voting, EWM believes civics in high school should include educating youth on voting but Commissioners have decided not to make recommendations about preregistering individuals to vote as part of its civic education proposals.

Chairman Heck agreed with the EWM approach to the states, but asked EWM to dive more into the weeds for federal proposals. If the Commission wants Congress to enact legislation, then the Commission must tell them what to enact. Chairman Heck gave the example of proposed changes to veterans’ preferences; the Commission will need to advise Congress how it should be changed.

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Chairman's Remarks

Chairman Heck reminded the Commission to keep in mind the limited time remaining to develop recommendations. He explained that the final recommendations would need to be finalized in July, which means the work groups should ready their recommendations for the full Commission to consider before the relevant spring hearings. This will also allow the assembled experts to address specific recommendations being considered by the Commission.

Ms. James praised the quality of the work group and full Commission discussions she has participated in and felt that the effectiveness of these discussions will enable the Commission to meet its deadlines.

Mr. Barney remarked that the P2S work group already has discrete proposals that he thinks will please the group. He also agreed that the guidance on the necessary specificity for federal programs is helpful.

Chairman Heck suggested that the Commission look at Military Compensation & Retirement Modernization Commission ("MCRMC") report as a good example of how to present recommendations, particularly those for federal action. The MCRMC began by setting out the relevant data and rationale for its proposals and included legislative proposals at the end. He emphasized the importance of developing factual rationale to support the Commission's recommendations, anticipating the reaction of various constituencies that may not support what the Commission ultimately proposes.

Executive Session

From approximately 1230-1330 ET, Commissioners held an executive session outside the presence of staff.

Parameters Discussion

From approximately 1345-1500 ET, Dr. Rough led a discussion with the Commission focused on parameters for evaluating large-scale proposals. The discussion centered around four parameters that the SSS WG had developed: transparency, compliance, solemnity, and fair and equitable.

Jud Crane, Senior Policy Analyst and Team Lead for Selective Service, described how the SSS WG had defined these parameters. These definitions, reflected on a slide deck that accompanied the presentation, are repeated here to add clarity to the account of the discussion that ensued:

- Transparency: "Participants can reasonably understand the process by which participants are selected for their potential obligation or opportunity. Relies on understanding of the process, driven by simplicity and discoverability."
- Compliance: "The percentage of participants in the system aligns with the objectives of the process."
- Solemnity: "The system supports participants' understanding of outcomes in a serious and dignified way."

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- Fair and Equitable: “Eligible participants should have equal access to the system; of those participating, all are similarly situated prior to a consistent and appropriately applied selection.”

Vice Chair Wada, as Chair of the SSS WG, provided background. She explained that the Vietnam War experience led to a general belief that draft decisions were not fair and equitable because the deferral and exemption system was not sufficiently transparent. In considering a way ahead, the idea is that increasing transparency can affect the perception of the system’s fairness and equity. Mr. Allard concurred, and to further illustrate, cited the example of a teenager who is automatically registered when he applies for a driver’s license; for that teenager, there is limited transparency with respect to selective service registration. Mr. Allard added that increasing the transparency of a system could have the effect of reducing compliance levels.

Dr. Rough provided additional background. She said that while these terms had been developed by the SSS WG, the intention is that they may apply more broadly to large-scale courses of action under consideration by the Commission and staff desired to facilitate discussion relating to the current understanding of these terms within SSS WG.

As noted below, Ms. Haines and Mr. Barney expressed general concern about the framing and application of the four parameters along with the utility of relying on pre-defined parameters to assess different policy proposals.

Transparency

Vice Chair Wada explained that “transparency” as used by the SSS WG focuses on the people using the system and noted that a lack of transparency on the back end could undermine the overall credibility of the system. As she explained, the SSS should be transparent for registrants, but it should also be transparent for an individual who must go to a local board. Dr. Rough offered the IRS tax code as a counterpoint: most people do not understand it, even if it is discoverable because you can pull it up on the internet.

Mr. Kilgannon offered the example that if one person received a fellowship over another, the one who did not receive the fellowship should understand why. Mr. Barney added that it will be important for that person also to understand the process by which another was selected.

Ms. Haines felt that, as described, it was not clear whether the term was intended to address the process by which selection is made or how the SSS registration system works, noting the distinction between transparency as experienced by participants versus by the public in general. After hearing the views of SSS WG members, she recommended the terms “understanding” and “awareness” as more in line with the underlying concept, adding that the concept also had an element of “usability” to it. Ms. Haines felt that proposed definition would not translate well to non-SSS scenarios.

Compliance

Mr. Barney felt that the definition of “compliance” did not comport with his understanding of that term, which generally denotes adherence to a legal requirement. He also expressed caution

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about applying the definition both in and beyond the SSS context. He explained that under current law, if an individual of 18 to 25 years old registers, then he is considered to be in compliance, but the SSS itself remains in compliance even if the registration rate falls below 100 percent. In other words, the obligation is on the individual, not on the system. Mr. Allard explained the perspective of the SSS and how the term is used by the SSS to refer more generally to achieving a high registration rate, which is why the SSS targets a rate in excess of 90 percent.

Ms. Haines suggested reframing the compliance concept as widespread and appropriate use of the system.

Solemnity

Mr. Kilgannon described the connection between “solemnity” and “transparency.” He explained how adding a feature to SSS registration—such as a video about selective service that registrants must watch before completing the registration process—would help people understand the importance of the action as well as clarify the process. Mr. Allard noted that increasing the solemn nature of SSS registration may have an impact on compliance. Mr. Barney felt that solemnity implies ceremony and a subjective recognition of the gravity of the thing being done.

Ms. Haines expressed concern about applying the concept of solemnity to the registration models under consideration by the EWM work group. Mr. Kilgannon felt that the concept could apply to those models, and felt that the solemnity of a registration process would be directly related to whether registration is mandatory or voluntary.

Fair and Equitable

The group then turned to the term “fair and equitable.” Mr. Crane noted it has become a term of art for the SSS and reminded Commissioners of the draft mechanism. Ms. Skelly explained that the SSS uses this term of art to evaluate every step of the process. Ms. Wada said that the SSS intends the term to mean that in cases where individuals are similarly situated, they should have similar outcomes. Ms. Haines further clarified that not only do the individuals need to be similarly situated, but the process and circumstances they are facing have to be the same. Mr. Crane noted that the term is not commonly understood among the public.

Application of Terms

Ms. Rorem used two models to illustrate how the parameters would interact. Under the current SSS, she explained that transparency is moderate (less than high due to secondary registration but more than low because it is possible to understand more about the SSS), compliance is high, solemnity is low (because there are few or limited opportunities to reflect on the obligation), and the system is moderately fair and equitable. Under a model in which secondary registration processes are eliminated, transparency would increase, compliance would be lower, solemnity would remain low, and the system would remain moderately fair and equitable.

Ms. Skelly concurred with Ms. Rorem’s assessment but noted that it assumes that the SSS will operate correctly. Vice Chair Wada noted that fair and equitable qualities may decline if compliance goes down because that would mean a system with fewer registrants. Ms. Skelly

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noted that it could nevertheless be fair and equitable to the registered population even if not when viewed from the perspective of the overall population.

Ms. Haines and Ms. Skelly challenged the position that the system could not simultaneously maximize transparency and compliance. Mr. Crane said for him it is a question of structuring the process. Ms. Skelly pointed out maximizing does not have to be 100 percent. Dr. Rough added that some members of the public have suggested that the Commission reevaluate what goes into compliance evaluation. Mr. Kilgannon said the Commission has talked about how those that do not register are not worried about it because it is not really enforced. Mr. Khazei said it is only enforced if you apply for federal aid or a federal job. Ms. Skelly said you can rectify it if you are within the age of registration.

Suggestions Going Forward

Mr. Barney recommended that the Commission avoid adopting terminology to apply across the range of issues and proposals the Commission may consider, particularly when that terminology is used as a short hand for something that could be conveyed by a longer, more holistic description. Ms. Haines concurred, recommending care when applying principles to different courses of action, noting that different course of action may require different expression of those principles.

Mr. Barney recommended that the Commission's final report explain what it means by different terms such as "fair and equitable." He further recommended considering the principles outlined at the beginning of the federal ethics regulations as a potential model to follow. Mr. Barney suggested if there are key concepts, maybe they are described in an opening section of the report. For instance, "as we discussed things as a Commission, these are key concepts we thought were inherent for good systems..." he said this would make it less necessary to fit things into certain terms. Dr. Rough clarified that the current discussion of terminology is relevant for how things are referred to internally and agreed to work on developing guidelines.

Work Group Deliberations

At approximately 1430 ET, Commissioners Haines, James, Khazei, Kilgannon, and Skelly held a meeting of the Ends, Ways, and Means Work Group. An account of this session is set forth in internal MFR.

Prepared by Paul Lekas, General Counsel

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