

AMERICA 250 PROGRESS REPORT



Report to the National Park Service
June 2020

Prepared by the U.S. Semiquincentennial
Commission, the America 250 Foundation and
American Battlefield Trust



AMERICAN
BATTLEFIELD
TRUST ★ ★ ★

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I. EXECUTIVE SUMMARY

The U.S. Semiquincentennial Act of 2016 (Public Law [P.L.] 114-196) was enacted by the 114th Congress on July 22, 2016. The purpose of that Act was to “establish a Commission to provide for the observance and commemoration of the 250th anniversary of the founding of the United States.” The Act directed the Secretary of the Department of the Interior to enter into an arrangement with a nonprofit organization to act as the Administrative Secretariat for the Commission, through a competitive process. The Administrative Secretariat obligations under the Act were clearly spelled out:

1. Serve as secretariat of the Commission, including by serving as the “point of contact” of the Federal Government for all State, local, international and private sector initiatives regarding the Semiquincentennial;
2. House the administrative offices of the Commission;
3. Assume responsibility for funds of the Commission;
4. Provide to the Commission financial and administrative services, including services related to budgeting, financial reporting, personnel and procurement.

In fall 2017, the Department of the Interior directed the National Park Service (NPS) to conduct a competitive process to select an administrative secretariat, ultimately selecting the American Battlefield Trust (“Trust”) as the Administrative Secretariat on May 4, 2018. Since that time, the Trust has entered into two separate Memoranda of Understanding (MOUs) with NPS (dated October 10, 2018, and April 10, 2019), outlining its good faith commitment to getting the Commission operational while continuing to work on a final Secretariat agreement.

Following the selection of the Secretariat in May 2018, the ongoing planning and operational efforts of the Commission identified the fact that nearly all federal commissions historically created an independent nonprofit affiliate with a nearly identical mission to perform the majority of Commission support and services. Therefore, on August 1, 2018, the Trust met with Secretary of the Interior Ryan Zinke to secure agreement to pursue creation of the America 250 Foundation to provide operational and fundraising support for the Commission. Approval for proceeding with the Foundation was confirmed in writing as part of the April 10, 2019, MOU referenced above. On June 4, 2019, the America 250 Foundation was established and incorporated as a supporting 501(c)(3) nonprofit organization in Delaware.

The purpose of this report is to provide the Department of the Interior and NPS with a progress report on activities of the U.S. Semiquincentennial Commission, the Trust, and the America 250 Foundation, and our joint recommendation to expand the Foundation's role to achieve the goals of the Commission going forward.

II. AMERICAN BATTLEFIELD TRUST ACCOMPLISHMENTS SINCE SELECTION AS ADMINISTRATIVE SECRETARIAT

Since its selection by NPS on May 4, 2018, to serve as Administrative Secretariat for the Commission, the Trust has done yeoman's work in support of the Commission, and in good faith provided the following services:

- Provided financial and staff support to get the Commission operational
- Provided initial legal support for the Commission, prior to the law firm of Pepper Hamilton agreeing to serve as pro-bono counsel to the Commission in November 2018
- Convened more than 50 Commission meetings, including quarterly meetings, task force meetings, and Commission governance committee meetings between November 2018 and March 2020
- Retained Dr. Tony Rucci, *Emeritus* Professor from The Ohio State University, to facilitate the development of a Strategic Plan for the Commission, which was completed and submitted as part of the Report to the President on December 31, 2019
- Provided strategic advice for Commission governance and structure, establishing leadership roles and governance committees
- Created the America 250 Foundation and provided initial recommendations for staffing and structure
- Helped initiate early relationships with key stakeholders and federal agencies
- Worked with consulting firm 21 Marketing to secure corporate support for the Commission
- Secured the pro-bono support of Landor to create brand identity for the Commission and Foundation
- Provided more than 4,200 work hours in support of the Commission and the Foundation
- Provided initial Commission administrative offices in Washington, D.C., until a larger facility was secured through the General Services Administration (GSA) at 1800 G Street, NW, in Washington, D.C.
- Worked with Congress to secure federal appropriations in both FY 2019 and FY 2020

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- Worked with GSA to ensure sound stewardship of federal funds and orderly transfer of funds from the NPS budget to the Commission's U.S. Treasury account

III. FORMATION OF THE AMERICA 250 FOUNDATION

The concept for the America 250 Foundation was developed in summer 2018 as a result of due diligence research conducted by the Trust into the best practices of federal commemorative commissions. Through early conversations with NPS (as part of negotiations to conclude an Administrative Secretariat agreement) and GSA, both the Commission leadership and the Trust determined that the Administrative Secretariat is rarely used to support federal commissions, and that there is no precedent for a secretariat model involving a commemoration as large as that represented by the U.S. Semiquincentennial.

As a result of this due diligence research, and after a series of meetings with the NPS contracting office and GSA, on August 1, 2018, the Trust met with Secretary of the Interior Ryan Zinke to secure agreement to pursue creation of the America 250 Foundation. The Foundation would provide operational and fundraising support for the Commission. Approval for proceeding with the Foundation was confirmed in an MOU signed by NPS and the Trust on April 10, 2019, and the America 250 Foundation was established and incorporated on June 4, 2019.

In summary, the rationale for creation of the nonprofit America 250 Foundation was as follows:

- Consistent with nearly all federal commemorative commissions, the U.S. Semiquincentennial Commission needs a nonprofit partner so it can benefit from the efficiency and nimbleness of the private sector.
- Private donors are more comfortable donating to a nonprofit organization than a governmental entity.
- While NPS determined that no conflict exists between the mission of the Commission and the mission of the Trust, due diligence research found that federal commissions operate best with an affiliate with an identical or near identical mission.
- The Commission benefits from a nonprofit partner with a brand identity more closely aligned to that of the Commission. Conflicting brand identities can create confusion in the

marketplace (for example, it requires substantial discussion to explain to a donor or corporate sponsor why checks to support the Commission need to be written out to a restricted account maintained by the Trust).

- The most effective nonprofit partners of federal commissions have governance structures that ensure the commission controls the affiliate.
- The Secretariat model results in two leadership teams (i.e., the Commission and the Trust) having significant decision-making authority on matters related to the Commission, which can slow decision making and delay execution of key priorities.
- Recognizing this, the Trust leadership emphasized at its October 12, 2018, board meeting that the Commission should control Foundation governance, establishing clear lines of authority to ensure Commission/Foundation alignment.
- Creation of a nonprofit affiliate facilitates financial transparency and oversight, with annual IRS filings containing information related solely to the nonprofit affiliate's activity (rather than being aggregated with the Trust's information).

IV. AMERICA 250 FOUNDATION ACCOMPLISHMENTS SINCE INCEPTION

In the nine-plus months since the establishment of the America 250 Foundation in June 2019, the Commission, Foundation and Trust have demonstrated the validity of creating a supporting 501(c)(3) entity. Working in close collaboration with both the U.S. Semiquincentennial Commission and the Trust, the America 250 Foundation has achieved the following noteworthy results:

- The Charter and strategic priorities for the Foundation have been endorsed and ratified by the Commission to ensure the Foundation is a fully supporting entity of the Commission.
- The Foundation Board of Directors, which includes six Commissioners, the Commission's Executive Director, and a representative of the Trust, has adopted Foundation bylaws and has conducted start-up activities.
- The Foundation Board has appointed Dr. Tony Rucci, *Emeritus* Professor from The Ohio State University, as Foundation President and CEO.
- The Foundation staff and leadership team have purposefully moved forward to advance key strategic priorities in direct support of the Commission goals as outlined in the Report to the President:

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- In the area of administrative, financial, and operational systems, a management structure and staffing plan has been developed; a project management tracking system has been developed; an accounting and financial management system is being installed; required IRS filings have been completed; and a detailed FY 2020 budget has been developed and approved by the Board.
 - In the area of public and media relations, a full branding and identity system has been developed and approved by the Commission; a near term, intermediate term and longer term media relations plan has been developed and has begun execution; and a fully interactive America250.org website has been activated along with an America 250 presence on major social media sites.
 - In the area of development and fundraising, over 60 target corporations have been contacted to secure large-commitment America 250 sponsorships; nearly \$2 million has already been raised from private donors, who will become standing members of the “Founders’ Council”; and fundraising events in major cities are being planned and scheduled.
 - In the area of government relations, the Report to the President was delivered in person to Vice President Mike Pence at the White House in January; a Congressional Caucus has been formed, spearheaded by the Commission’s congressional appointees; collaboration with congressional staff and aides has been active and ongoing; FY 2020 and FY 2021 appropriation requests have been submitted with Commissioner sponsors; all fifty state governors have been contacted (along with territory governors) to encourage and support state efforts to establish state-level America 250 planning commissions; and Foundation staff continue to work closely with the Commission *ex officio* federal agency offices to ensure communications and coordination in America 250 planning.
 - In the area of program planning, all Commission *ex officio* federal agencies have completed their initial program proposals, which were included in the Report to the President; the Program Planning Committee of the Commission has outlined a blueprint for National Signature Programs in four key areas, and program proposals and recommendations are being generated; eight task forces have been identified by the Commission to greatly expand inclusive efforts in program

design areas that will focus on veterans, youth, history and education programs, arts and entertainment, etc.; and customized program “playbooks” are in early design stages to provide guidelines to key stakeholders, states, local communities, corporate sponsors, NGOs, and private partners.

V. FUTURE RECOMMENDED ROLE OF THE AMERICA 250 FOUNDATION

Based on the accelerated progress documented above since creating the America 250 Foundation, it is the Commission’s strong endorsement to significantly increase and expand the Foundation’s coordination and execution role in the following eight areas going forward:

V.1. Administrative, Financial, and Operational Services

The Foundation will provide support to Commission staff and Commissioners, assisting in daily office needs and managing general administrative activities. The Foundation will also provide financial services and support to the Commission, to include annual budgeting services; management of the Commission’s Treasury account at the direction of the Commission’s Finance Committee and Executive Committee; routine accounting reports; ongoing invoice payment services; annual audit and tax preparation services; professional and secure IT services; and security services. The Foundation may also provide additional administrative, payroll, human resources, and financial-related services as agreed upon. Management of these functions under a single entity under the overall governance of the Commission will result in significant operational efficiencies in the near and long term.

V.2. Public Relations, Marketing, and External Communications

The Foundation will provide comprehensive marketing, branding, and public relations strategy and services to the Commission. The Foundation will provide mass media placements, monitoring, and analysis, with a focus on the news media, as well as internet-based social and other digital media. The Foundation will conceptualize, design, and create informational materials to support communication plans. The Foundation, working with stakeholders and the Planning and Program Development team, will develop content to fuel the website and social media through 2026. The Foundation will create and maintain a highly interactive website and social media presence, and routinely provide thematic analysis and interpretation of social media postings. The Foundation will help secure America 250 celebrity ambassadors and influencers to promote its brand awareness efforts. The Foundation will also closely

monitor the overall branding strategy and execution, and ensure compliance with its branding and intellectual property policies. The Foundation will also provide additional communications, marketing, and public relations services as agreed upon.

V.3. Development and Fundraising Services

The Foundation will provide and maintain a private-sector development strategy and monitor fundraising efforts. The development efforts will focus on corporate fundraising through industry sponsorships, as well as individual donor fundraising efforts to include major donor cultivation, fundraising meetings and events, thoughtful merchandising that enhances the America 250 brand, and internet-based fundraising efforts. The Foundation will collaborate with the Commission on setting annual fundraising goals and monitor progress to those goals against expenditure levels and adjust spending levels accordingly to ensure sound financial stewardship. The Foundation may also provide additional fundraising services as agreed upon.

V.4. Program Planning and Execution Services

The Foundation will provide comprehensive program planning services, to include national signature programs and initiatives, as well as coordinate programs to be conducted by federal agencies, including international programs with the State Department and other countries. Program design recommendations will be solicited through highly inclusive and ongoing outreach through Foundation-sponsored national task forces, national listening sessions, digital channels, and ongoing relations with other national organizations and entities. In addition, the Foundation will produce and provide customized “playbook guidelines” to all relevant partner groups: national corporate sponsors, participating federal agencies, state commissions and territories, private national organization hosts and sponsors, and local communities. The Foundation will work with federal, state, and local agencies to ensure security practices and standards to accompany all events. The Foundation may also provide additional program planning and execution services as agreed upon.

V.5. Government Relations

The Foundation will provide government and legislative affairs services, to include assisting in the development and implementation of strategies to pursue federal appropriations for the Commission; serving as liaison to federal and state elected representatives; monitoring and assisting the Commission in the advancement of legislation having a direct benefit to the

Commission and America 250 (such as a commemorative coin initiative); coordinating with the Congressional America 250 Caucus; and developing and implementing a proactive plan to increase awareness of the Commission and America 250 Foundation among federal, state, and local lawmakers and national legislative councils and organizations. The Foundation will also oversee and monitor the use of trademark sublicenses to be granted to states. The Foundation will support the Commission and its Government Relations Committee's efforts. The Foundation may also provide additional government relations services as agreed upon.

V.6. Governance and Compliance Services

The Foundation will work closely with both the Commission and the America 250 Foundation Board, legal advisors, and GSA to adhere to governance requirements and comply with the Commission's -enabling legislation (P.L. 114-196). This will include scheduling, preparation, and conduct of all Commission, Board, and governance committee meetings, with appropriate minutes and record keeping. In addition, compliance with ethical standards and conflict of interest policies will be strictly adhered to. The Foundation may also provide additional governance and compliance services as agreed upon.

V.7. Policies and Procedures

The Foundation will adopt, implement, and maintain reasonably designed policies and procedures with respect to (a) recruiting and advancing qualified personnel including minorities, women, persons with disabilities, and covered veterans; and (b) contracting for goods and services in order to identify and mitigate conflicts of interest and ensure appropriate quality and value, including procedures for requesting, receiving evaluating, and accepting proposals.

V.8. Point of Contact

P.L. 114-196 calls for the Commission, through its Secretariat, to serve as the "point of contact" of the federal government for all state, local, international, and private sector initiatives regarding the Semiquincentennial, with the purpose of coordinating and facilitating all fitting and proper activities honoring the 250th anniversary of the founding of the United States. The Foundation, at the direction of the Commission, is already serving in this very important function, coordinating with federal agencies, state and tribal governments, and

stakeholders through meetings, focus groups, early task force work, and the Commission's 2019 strategic plan. We expect these activities to accelerate in the second half of 2020.

VI. CONTINUING ROLE OF THE AMERICAN BATTLEFIELD TRUST

Now that the America 250 Foundation has been officially created and is operational, and the duties once undertaken by the Trust are as intended transitioning to the Foundation, we wish to discuss the best method going forward to achieve success and ensure proper management practices for the Commission and the Foundation. With this objective in mind, and in recognition of the invaluable early support it provided to both organizations, we propose the following future role for the Trust in areas where its expertise can most benefit the Commission and Foundation:

- The Trust will turn over its remaining America 250 functions to the Foundation, including any remaining Secretariat functions referenced in P.L. 114-196, during a transition period that will ensure operations continue to proceed smoothly.
- The Trust will serve thereafter in an advisory-only capacity, providing counsel and expertise where appropriate through its connections with the America 250 Foundation and a seat on the Foundation Board.
- The Trust will remain available, upon request, to assist the Commission and Foundation as it has over the past two years.
- The Trust will organize and help lead the Commission's Parks, Preservation, and Open Space Task Force.
- The Trust will organize and have a seat on the Commission's History and Education Task Force.
- The Trust will continue to work with the internal NPS 250 executive work team, to promote battlefield protection and help encourage preservation and visitation to National Parks and historic sites for the 250th.
- The Trust will have a seat on the Founder's Council (the Foundation's large donor recognition society) in recognition of its early contributions of staff and financial resources to the Commission and the Foundation.