

Political Law

Compliance and Investigations Update

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If you have any questions regarding the matters discussed in this memorandum, please contact the following attorneys or call your regular Skadden contact.

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Potential Compliance Issues Raised by Donations to Various Entities for America's 250th Celebrations

As the United States approaches the July 4, 2026, semiquincentennial, companies are fielding a growing number of requests to sponsor or donate to celebrations and other 250th anniversary events. These requests come in many forms. However, depending on the option you choose, it may raise different legal requirements and trigger different disclosure requirements.

Requests may come from the congressionally established national planning effort (via America 250.org, Inc.), the presidentially established charity (Freedom 250), U.S. embassies or other entities. There are several key legal and reputational considerations to bear in mind when considering whether to donate. Of the organizations described below, Freedom 250 has already earned the attention of watchdog organizations and Democrats in Congress.

America 250.org, Inc. is a 501(c)(3) charity independently established in 2016, which partners with the U.S. Semiquincentennial Commission, an organization established by Congress. America 250 functions similarly to a public-private partnership.

The second, more recently established organization, Freedom 250, identifies itself as a subsidiary of the National Park Foundation. Launched in December with a video message from President Trump, this LLC operates under the 501(c)(3) umbrella of its parent Foundation, effectively borrowing the Foundation's tax-exempt status.

Third, U.S. embassies and consulates are requesting donations for America's 250th anniversary in the framework of celebrating July Fourth, a holiday for which they frequently solicit private support. The State Department permits posts to accept donations for these events, subject to specific legal controls. These requests would likely originate with U.S. ambassadors or embassy staff.

These organizations do not have to disclose their donors given that the embassies are government agencies and the other two organizations are 501(c)(3) charities. Still, it is unclear to what extent any of these three entities will choose to publicly recognize sponsors and donors as an informal honor.

However, companies registered under the Lobbying Disclosure Act (LDA) should consider whether their donations are subject to semiannual LD-203 filing obligations. The LD-203 Form requires disclosure of certain categories of contributions and payments, including but not limited to, payments made to an entity established, financed, maintained or controlled by a covered legislative branch official or covered executive branch official, or an entity designated by such official.

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Although there is no guidance as to when an organization is “controlled” by an official, there is guidance stating that a lobbyist should be deemed to control a PAC merely by being on its governing board. Moreover, the same guidance clarifies that an official is not deemed to be designating a donation to an organization merely by soliciting it, but rather, the official needs to be more involved by, for example, also being on the entity's board.

Applying the standard above, a donation to the embassy would not trigger LD-203 disclosures because it is a governmental agency. America 250 also appears to be non-reportable given that [its website](#) does not list any covered official as a board member. However, the [website for Freedom 250](#) does not list its directors, so it is not clear whether it is reportable. The directors may also

be listed in its articles of incorporation if it is incorporated in a state where that is required, or on its tax return, Form 990, but returns are not due until after the end of its first fiscal year.

Donors to non-profits aligned with or otherwise connected to public officials should always ensure before making a donation that there is no quid pro quo or other linkage with influencing a government decision. As other smaller and state-based organizations also solicit donations, companies are well-advised to exercise caution and to do a complete vetting of the tax status and legal restrictions of any entity to which they are giving. Last month, former National Security Advisor Susan Rice predicted a coming “accountability agenda,” and warned companies to “be ready for subpoenas” if Democrats take control over the House or Senate.

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