

GOOD NEIGHBOR COMMISSION

Staff Report

to the

Sunset Advisory Commission

April 20, 1978

## TABLE OF CONTENTS

	<u>Page</u>
Introduction . . . . .	1
Background . . . . .	2
Review of Operations . . . . .	10
Criterion 1 - Efficiency . . . . .	10
Criterion 2 - Effectiveness . . . . .	26
Criterion 3 - Less Restrictive or Alternative . . . . .	43
Criterion 4 - Overlap and Duplication . . . . .	50
Criterion 5 - Statutory Changes . . . . .	56
Criterion 6 - Complaints . . . . .	61
Criterion 7 - Public Participation . . . . .	63
Criterion 8 - Equal Employment/Privacy . . . . .	65
Criterion 9 - Conflict of Interest . . . . .	69
Criterion 10 - Open Records/Open Meetings . . . . .	71
Criterion 11 - Federal Impact . . . . .	75
Conclusions . . . . .	76

## INTRODUCTION

This report is submitted pursuant to Section 1.06, Subsection (3) of the Texas Sunset Act and contains a review of the operations of the Good Neighbor Commission. Termination of the Good Neighbor Commission has been scheduled for September 1, 1979 unless it is continued by law.

The material contained in the report is divided into three major sections: background, review of operations and conclusions. The Background section contains a brief history of legislative intent and a discussion of the original need for the Good Neighbor Commission. The Review of Operations section contains a review of the operation of the agency, and uses the self-evaluation report submitted by the agency as the basis of review unless noted. The information contained in the self-evaluation report was verified, and additional data were obtained through interviews and review of agency files and other data sources. The Conclusions section summarizes the import of material developed in the individual criteria, from the standpoint of whether or not Sunset criteria are being met, and develops approaches relative to these findings.

This report is designed to provide an objective view of agency operations, based on the evaluation techniques utilized to date. Together with pertinent information obtained from public hearings, a factual base for the final recommendations to the Legislature will be provided.

BACKGROUND

## HISTORICAL DEVELOPMENT

In 1945, the Forty-ninth Legislature established the Good Neighbor Commission of Texas (GNC) as a statutory state agency with a life of two years. At the completion of those two years, the Fiftieth Legislature acted to renew the GNC as a continuing state agency in Article 4101-2, V.A.C.S. The Commission was given the broad statutory mandate "to devise and put into effect methods by which inter-American understanding and goodwill may be promoted and inter-American relations advanced...".

Establishment of the agency stemmed largely from conditions arising as a result of World War II. Wartime production efforts of the United States were partially dependent on the flow of materials from Mexico and other Latin American countries. Additionally, Texas farmers relied heavily on a large supply of Mexican laborers to harvest cotton and other crops on farms left short-handed because of the war's manpower demands.

Even though the United States and Texas depended on Mexican materials and manpower, discrimination against Mexican workers was prevalent during the war's early years. In 1943, this discrimination precipitated action that seriously jeopardized the continued flow of laborers to Texas. In that year, the Mexican government placed a ban on the movement of agricultural workers into Texas because of wide-spread discrimination against Mexican nationals.

Concerned about the repercussions that could arise from this ban, Texas Governor Coke Stevenson acted on the advice of United States and Mexican officials that some official gesture toward ending discriminatory practices was necessary. In 1943, Governor Stevenson issued a statement proclaiming the "good neighbor policy" to be the public policy of Texas. In keeping with this policy, Texas

citizens were directed to give "full and equal accommodations, advantages, and privileges of all public places of business or amusement to Mexicans and other Latin-Americans residing or visiting in the state". In order to implement this policy, the Governor set up a non-statutory commission funded primarily through federal dollars. This agency received statutory designation as the Good Neighbor Commission in 1945, thereby beginning the GNC's history as a statutory agency funded primarily through state appropriations.

The operations carried out by the GNC have undergone several changes in its 32-year history. The remainder of this background section outlines this evolutionary process in terms of Commission administration, responsibilities, and funding.

#### Administration

The functions of the Good Neighbor Commission have historically been administered by a nine-member commission and its staff. With respect to the nine-member policy body, commissioners were appointed to a two-year term upon the GNC's statutory designation in 1945. This provision of the law was changed in 1947 when the Commission was reestablished as an ongoing agency. As specified in the 1947 statute, commissioners were to be appointed by the Governor with the advice and consent of the Senate for overlapping six-year terms. This appointment mechanism continues in effect today.

Throughout its statutory history, commissioners of the GNC have been entitled to "actual traveling and other necessary expenses" incurred in attending meetings of the Commission and in discharging agency responsibilities.

With regard to the staff of the nine-member commission, the personnel history of the GNC reflects a fairly typical pattern of gradual growth, at least until the present biennium in which the size of staff has once again begun to decline.

The original Act, providing statutory authorization for the Commission in 1945, allowed for the employment of an executive secretary and other such clerical employees as necessary. This statutory authorization for staffing was renewed by the 1947 Act that continued the existence of the Good Neighbor Commission.

Following a brief period of increased personnel during the early 1950's, the agency exhibited a relatively stable pattern of staffing consisting of an executive director, a bilingual secretary, and a state supervisor. By 1962, the state supervisor position was replaced by a designation of education director, and an additional clerical staff member was added in 1964.

In 1965, the agency's legislation was amended to expand the Commission's responsibilities into the area of migrant affairs. In making this expansion, the Commission was authorized to employ a coordinator of migrant labor and an additional administrative secretary.

Following this amendment, the Commission's primary office staffing remained relatively stable, with minor changes in titles and clerical support, until the present biennium. Changes in the agency's program structure approved by the Sixty-fifth Legislature in 1977 have brought alterations in staffing patterns resulting in the substitution of various administrative positions and the deletion of one secretarial staff member.

In 1976, the GNC opened two field offices in Laredo and Brownsville. These offices, financed through funds acquired from federal sources, employ a total of four full-time personnel which, although not funded by direct legislative appropriation, may be considered elements of the agency's overall staffing pattern.

#### Responsibilities

Over time, the Good Neighbor Commission has undertaken activities in three general areas identified in its self-evaluation report to the Sunset Advisory



Commission as: 1) Executive and International Affairs, 2) Education and Public Service (or Pan American Student Forum), and 3) Migrant Affairs. A discussion of each of these areas follows.

Executive and International Affairs. The Good Neighbor Commission has operated in the general area of executive and international affairs from its statutory creation in 1945 to the present date. Within this area, it was noted previously that the Commission was originally charged with initiating methods to promote inter-American understanding and goodwill. In 1947, the GNC was given the added statutory responsibility of conducting "such research, investigations, and inquiries as may be necessary to inform the Commission as to matters concerning inter-American relations."

While these statutory mandates remain unchanged today, the activities emphasized by the Commission in addressing these responsibilities have changed. During the early years of its existence, the GNC was primarily concerned with the alleviation of discrimination against Mexicans in Texas. As discrimination decreased in time, the Commission's focus began to shift into other areas. Currently, most GNC operations in executive and international affairs can be loosely divided into two general categories: 1) liaison work between Texas and foreign governments and 2) liaison work with agencies of Texas' state and local governments and with citizens of Texas.

Education and Public Service. The Good Neighbor Commission has operated in the general area of education and public service through its involvement with the Pan American Student Forum of Texas (PASF). The Commission's involvement in this area extends from its original mandate to promote inter-American understanding.

The Pan American Student Forum began in 1927 as a national and

international organization oriented toward the broad objective of improving relations among all peoples of the hemisphere through bilingual educational linkage. The Pan American Student Forum of Texas was established in 1943 under the sponsorship of the Texas State Department of Education. In 1949, the headquarters and sponsorship of the Forum were moved from the Department of Education to the office of the Good Neighbor Commission when the director of the program was transferred to this agency. There has never been any direct legislative mandate for the Good Neighbor Commission to function as the sponsor of PASF.

The Pan American Student Forum of Texas is a state-wide organization comprised of over 200 chapters and over 10,000 members, who are primarily high school students with an interest in Latin-American and Spanish-language studies. Exhibit B-1 traces the growth of PASF from 1951 to the present.

PASF is funded directly through nominal dues paid by members and indirectly through legislative appropriation to the Good Neighbor Commission. GNC provides central coordination and administrative capabilities for PASF.

Migrant Affairs. The Good Neighbor Commission's responsibilities in the area of migrant affairs have their historical roots in the operations of another state organization, the Texas Council on Migrant Labor. The Council was statutorily created in 1957 for the purpose of coordinating governmental efforts in migrant affairs. The operations of the Council came to an end in 1965 when the Fifty-ninth Legislature transferred the responsibilities of the agency to the GNC.

In making this transfer, the Good Neighbor Commission was given the broad mandate "to coordinate the work of federal, state, and local governmental units toward the improvement of travel and living conditions of migrant laborers in Texas". This statutory language is still in effect today.

EXHIBIT B-1

PASF Membership and Chapters

<u>Year</u>	<u>Membership</u>	<u>No. of Chapters</u>
1951	2,841	46
1952	3,462	62
1954	3,449	64
1956	3,100	54
1958	4,015	70
1961	6,237	122
1962	7,618	127
1964	7,685	117
1967	5,296	75
1968	8,926	141
1970	9,000	151
1971	9,137	149
1972	9,674	153
1973	9,563	165
1974	9,776	175
1975	10,148	184
1976	9,275	190
1977	10,033	194
1978	10,900	207

Commission operations under the above-mentioned statutory authorization cover two distinct periods: 1) from 1965 through August 1977 and 2) from September 1977 to the present date. In the first phase, the GNC was actively engaged in the migrant affairs area and these activities continued until the beginning of the second period of the Commission's migrant operations in September 1977. At that time, the migrant functions of the GNC were, for practical purposes, halted by the agency. This change in operation was brought about by the addition of restrictive rider language in the Appropriations Act for the 1978-79 biennium. In this rider, the Sixty-fifth Legislature prohibited the GNC from spending its line-item appropriations on activities relating to migrants; additionally, the agency was prohibited from seeking federal migrant funds made available under Title III, Section 303, of the Comprehensive Employment and Training Act.

#### Funding

The bulk of the operations of the Good Neighbor Commission are funded from the General Revenue Fund. In addition to these appropriations, there are also certain revenues derived from private donations as well as federal manpower grant funds.

Since its establishment as a permanent state agency, the enabling legislation has always contained the authorization to receive donated funds. Originally, this type of revenue was deposited in a special account in the State Treasury and was used to defray salaries and expenses. Amendments to the statute in 1971 changed this procedure to allow these donated funds to be deposited in a private bank and restricted their use so they could not be expended for the purpose of supplementing salaries. These funds are currently deposited in the Union National Bank, Laredo, and are used primarily to defray relatively insignificant incidental expenses.

The two field offices opened by the agency in 1976 in Laredo and Brownsville are staffed by funds supplied through federal sources under the Comprehensive Employment and Training Act, Titles II and VI. Staff hired through these federal dollars are under the direct control and supervision of the GNC.

## REVIEW OF OPERATIONS

## Criterion 1

The efficiency with which the agency or advisory committee operates.

The review under this criterion centered on financial data and other records of the agency. This information was analyzed to determine if funds available to the agency had been utilized in a reasonable manner to achieve the purposes for which the agency was created and to determine if areas existed in which greater efficiency of operations could be achieved.

Information developed under this criterion is presented below in two major divisions. The first division deals with the administrative efficiency of the agency, while the second part covers the general topic of funding efficiency.

### Administration

The review of the administrative area centered on two distinct levels of activity: 1) administrative operations of the nine-member Commission itself; and 2) administrative efforts of the GNC staff. Each of these areas is examined separately in the following paragraphs.

Commission Administration. The nine-member Commission of the agency is composed of individuals appointed by the Governor whose current terms expire between 1979 and 1983. Exhibit I-1 indicates the membership of the Commission, the dates of each member's term of office, and the record of meeting attendance for each Commissioner.

The executive director explained that, on taking office, new Commission members are provided with basic orientation materials concerning the Commission's work and procedures. Information supplied includes a description of the history, programs, objectives, and by-laws of the agency; additionally, procedural details concerning reimbursement for travel are outlined.

EXHIBIT I-1

Board Members Attendance  
Fiscal Years 1975-1977  
Good Neighbor Commission

Current Members	Term of Office	Attendance at Meetings		
		1975 (4)	1976 (3)	1977 (7)
M. M. Vicars, Chairman	September 28, 1973 to June 19, 1979	4	2	4
A. J. Castillo	March 4, 1976 to June 18, 1979	0	1	5
H. A. Guerra, Jr.	September 28, 1973 to June 19, 1979	1	2	4
D. H. Guy	September 30, 1975 to June 18, 1981	3	2	3
A. N. Kline	August 28, 1975 to June 19, 1981	0	3	6
S. A. Lillard, III	September 3, 1975 to June 18, 1981	0	3	6
J. Alvarado, Jr.*	January 30, 1978 to June 18, 1983			
W. L. Rivers*	January 30, 1978 to June 18, 1983			
A. Ramirez*	January 30, 1978 to June 18, 1983			
<hr/>				
Past Members				
E. W. Gammage	November 13, 1969 to June 19, 1975	4		
J. W. Thomas	November 13, 1969 to June 19, 1975	4		
X. P. Garcia**	September 28, 1973 to June 19, 1979	1		
R. Nye	October 30, 1972 to June 19, 1977	1	1	1 of 4

\*Newly appointed members

\*\*Resigned 12/9/75



With respect to the operations of the Commission members, an examination of agency minutes and interviews with GNC staff indicate that the nine commissioners are generally concerned with the broad areas of policy-making, staff guidance, and overview of employee work. Apart from these broad concerns, the commissioners or the Chairman carry out the administrative functions of selecting the executive director and signing vouchers for travel reimbursement. In general, responsibility for the day-to-day administration of Commission operations is left to the executive director.

Staff Administration. The GNC staff performs administrative functions relative to general office operations and its three program areas of Executive and International Affairs, Pan American Student Forum, and Migrant Affairs. Administrative processes associated with these operations are discussed below.

1. General Office Operations. Basic administrative functions within this grouping include records maintenance, report preparation, and accounting.

With regard to records maintenance, the agency maintains general correspondence files, topical files on agency projects and areas of activity, and personnel and financial records. It was noted that some duplication of filing categories exists in the agency's records; however, agency staff indicate that materials covering the same general topical area are being consolidated into a common file as time permits. Additionally, financial and other information requested from the files was produced without unreasonable delay throughout the course of the review. In general, the filing system appears to function adequately for an agency of this size and nature.

Regarding report preparation, major reporting responsibilities of the GNC include budget and performance report submissions to the Legislative Budget Board

and the Governor's Budget and Planning Office; furthermore, the agency's enabling statute requires that the Commission make a "complete and detailed" written annual report of its activities to the Governor and the Legislature. In reference to this annual report, agency personnel indicate that the last submission of the document occurred in 1975. No clear determination could be made as to the annual submission of reports prior to that year.

In the area of accounting, GNC bookkeeping functions can be divided between 1) operating funds appropriated to the agency by the Legislature and 2) funds collected from members of the Pan American Student Forum. The agency's appropriated funds are subject to periodic audit by the State Auditor's Office. Interviews with that office and review of the audit report for fiscal years 1975-76 revealed no major problems in the agency's accounting procedures for appropriated dollars. It was also verified that no management letters had been written to the GNC during this audit period. In general, bookkeeping work for these funds is fairly typical of that found in other agencies of equivalent size.

Unlike agency appropriations, PASF funds managed by the GNC are not subject to any audit or review requirement. In the past, these records have not been examined on a regular basis. The last review of such records covered the period from June 1973 through May 1977 and was conducted by a private auditor.

In this review, no formal opinion of the kind used by a certified public accountant could be expressed; however, several problems in bookkeeping procedures were noted. Major items of concern included 1) inadequate record maintenance procedures for verification of the receipt and deposit of members' funds and 2) lack of internal controls over cash receipts and disbursements.

Since the submission of that report in September 1977, the agency has taken steps to eliminate the problems identified. Nevertheless, the agency has failed to

implement certain elements of the recommendations, namely, segregation of responsibilities for receipt and deposit of remittances, and monthly reconciliation of the book balance and bank balance.

2. Program Operations. General office administrative tasks are performed in support of operations in the agency's three basic program areas: 1) Executive and International Affairs, 2) Pan American Student Forum, and 3) Migrant Affairs. The specific objectives and tasks associated with these three program areas represent the basic focus of the overall evaluation and will be addressed in greater detail throughout the remainder of this report. However, each of these separate program areas entail particular operational processes which were reviewed from the standpoint of administrative efficiency.

In the area of Executive and International Affairs, the agency performs liaison work 1) between Texas and foreign governments, and 2) with state and local agencies as well as private citizens. The evaluation indicated that these work areas are generally broad in nature and are carried out by the agency on a demand basis. Most of these liaison activities are not characterized by a set series of processes nor a time schedule for performance. While no efficiency problems were readily apparent, the loose structure of most work elements within this area makes evaluation difficult. The work element of English-Spanish translations, however, is carried on by one staff member who spends approximately 25 percent of his time on this task. No unreasonable backlog of translations was noted. Additionally, no complaints concerning the timeliness or quality of agency translation work were seen in current complaint files.

The Good Neighbor Commission functions as the sponsoring agency for the Pan American Student Forum (PASF), a statewide organization of high school

students interested in Latin-American and Spanish-language studies. The Commission provides administrative support to PASF by: 1) publishing an organizational newspaper three times per year; 2) arranging the annual PASF convention; and 3) administering scholarship and public service projects operated by PASF on a statewide basis.

The evaluation indicated that, since 1972, the agency has complied with the schedule for publication of the Pan Am Times three times annually, as established in the organization's constitution. During this same period, the agency has arranged and administered the annual convention in a manner which has fulfilled requirements established by PASF. Analysis of the administration of PASF scholarship and public service projects indicated that the agency's performance has been generally efficient, with the exception that certain deficiencies exist in the area of accounting procedures, as previously indicated under the evaluation of General Office Operations. Additionally, it was noted that there exists no established procedure for periodic evaluation or continuing feedback on the impact of these public service projects by the agency.

The Good Neighbor Commission was actively involved in the area of Migrant Affairs from 1965, when the statutory mandate was extended to this field, until 1977, when riders attached to the agency's 1978-1979 appropriation pattern restricted GNC funding in this area. During the period of active involvement, the GNC carried on migrant-related activities along two general lines: 1) consultation and limited technical assistance, and 2) general research and report preparation.

Evaluation of the efficiency of GNC processes in the area of migrant affairs is constrained by the lack of on-going activities, as well as by the advisory nature of the agency's original involvement in this area. Most processes utilized by the

agency were not characterized by a schedule for performance nor any specific evaluative framework. However, an inspection of agency records indicated that correspondence, advisory functions and related tasks in the area of migrant affairs have been generally performed in a timely manner.

### Funding

The Good Neighbor Commission uses or administers a variety of funds in carrying out its operations. Below, description of and comments on these funds are presented in two major parts. The first section examines the funding sources made available to the agency for its day-to-day operations, while the second division looks at the funds administered by the GNC on behalf of the Pan American Student Forum.

Primary Funding Sources of the Agency. In the last ten years, the GNC has received operating funds from four different sources: 1) the state's General Revenue Fund, 2) federal revenue sharing allocations; 3) the Good Neighbor Commission of Texas Fund (GNC Fund), and 4) federal manpower allocations made available under the federal Comprehensive Employment and Training Act. For each of these sources, historical expenditures for the operation of the Commission are set out in Exhibit I-2.

Looking at columns 1 and 2 of the exhibit, it is seen that the General Revenue Fund has served as the agency's primary funding source over time, with the exception of fiscal years 1974 and 1975. In these two years, the major portion of agency expenditures was made from federal revenue sharing money flowed to the state.

In the fiscal years from 1968 through 1977, operating expenditures made from general revenue and revenue sharing dollars increased by roughly 320 percent. From 1968 through 1971, increases can be largely attributed to higher operating

EXHIBIT I-2

Good Neighbor Commission  
Historical and Projected Expenditures

Fiscal Year	Expenditure Source				Total
	(1) General Revenue	(2) Federal Revenue Sharing	(3) GNC Fund	(4) Federal Manpower Funds	
1968	\$ 41,772	\$	\$ 47	\$	\$41,819
1969	53,167				53,167
1970	81,721				81,721
1971	81,028		682		81,710
1972	91,037		1,458		92,495
1973	98,351		2,134		100,485
1974	7,412	91,523	581		99,516
1975		99,602	446		100,048
1976	114,119		620	30,268	145,007
1977	136,650		220	28,507	165,377
<u>Projections</u>					
1978	158,359				
1979	160,370	N.A.	N.A.	N.A.	N.A.
1980	187,972				
1981	189,626				
1982	223,123				

costs; on the other hand, most growth in expenditures from 1972 through 1977 can be traced to 1) the addition of one person to the previous staff of six and 2) inflation in salary costs. Projections indicate that General Revenue expenditures should continue to grow as a result of inflation and salary factors. The overall trends shown in this expenditure pattern appear relatively typical for an agency of this size.

Column 3 of Exhibit I-2 details expenditures from the GNC Fund. This statutory fund consists primarily of donations from individual GNC commissioners who, under law, may specify how the donations are to be spent. As can be seen from the exhibit, expenditures from the GNC Fund have been comparatively minor. Through interviews with agency personnel, it was determined that the Fund is used to cover various small expenses that cannot be paid through the agency's line item appropriations. These incidental expenditures have historically been incurred for such items as flowers, trophies, and photographs, as well as refreshments and other entertainment expenses associated with the reception of foreign and other officials.

Finally, column 4 of the exhibit shows that federal CETA funds became available to the agency for the first time in fiscal year 1976. These funds were provided by Cameron and Webb County CETA manpower programs, and were sought by the GNC for the purpose of opening field offices in Brownsville and Laredo, respectively. The GNC continues to operate the two field offices through the use of personnel funded from CETA manpower allocations.

An examination of expenditure information for fiscal years 1976 and 1977 indicates that manpower funding has not been continuous. With respect to the Brownsville location, this field office opened on January 1, 1976. From that date

through August 1977, funding for personnel was interrupted for a one-month period in June 1976. Additionally, the Laredo office began operations on February 1, 1976. From this opening date to the end of fiscal year 1977, no manpower funding was available for the five-month period from September 1976 through January 1977.

These gaps in field office funding suggest an operational inefficiency. Successful performance of field office work would appear to require continuity in operation to insure the continuation or completion of work tasks.

The preceding information provides a picture of how the GNC's overall funding structure has operated historically. For a more complete understanding of the agency's funding status, however, it is necessary to examine the various areas in which funds have been used. Below, Exhibit I-3 outlines GNC expenditures by type for fiscal year 1977.

As would be expected, salaries constitute the largest expenditure element, with over 80 percent of agency disbursements being made in this area. In comparison, the travel and operating expense categories each make up only eight percent of GNC expenditures.

Given the Commission's promotional character, agency travel expenses are of particular interest. The \$13,888 in travel expenditures for fiscal 1977 is roughly comparable to the amounts of \$10,808 and \$13,444 expended in fiscal years 1975 and 1976, respectively.

In each of these last three fiscal years, one of the agency's four regular annual meetings has been scheduled at locations in Mexico. For these three years, travel associated with these meetings accounts for \$4,508, or approximately 12 percent, of the total expended amount for travel and per diem.

While travel in Mexico accounts for a significant portion of agency travel funds, it was noted that a quorum of five commissioners was not present for the



EXHIBIT I-3

Good Neighbor Commission  
Expenditures for Fiscal Year 1977

Expenditure Category	General Revenue	GNC Fund	Manpower Funds	Total	Percentage
<u>Personnel Costs</u>					
Salaries, Wages, and Benefits	<u>\$111,708</u>		<u>\$ 26,707*</u>	<u>\$138,415</u>	<u>84</u>
<u>Travel and Per Diem</u>					
Commissioners	8,837			8,837	5
Staff	<u>5,051</u>			<u>5,051</u>	<u>3</u>
	<u>\$ 13,888</u>			<u>\$ 13,888</u>	<u>8</u>
<u>Other Operating Expense</u>					
Telephone & Telegraph	3,543	\$ 28		\$ 3,571	2
Printing	2,259	19		2,278	1
Postage and Box Rent	1,339			1,339	2
Office Supplies	738			738	
Rental	447			447	
Subscriptions	230			230	
Renovations	200			200	3
Miscellaneous	<u>2,298</u>	<u>173</u>	<u>1,800*</u>	<u>4,271</u>	
	<u>\$ 11,054</u>	<u>\$220</u>	<u>\$ 1,800*</u>	<u>\$ 13,074</u>	<u>8</u>
Total	<u>\$136,650</u>	<u>\$220</u>	<u>\$ 28,507*</u>	<u>\$165,377</u>	<u>100%</u>

\*Estimated

1977 meeting scheduled in Tampico, Mexico. This meeting was later rescheduled in Austin, thereby requiring additional travel expenditures. In that same year, the agency requested, and was granted, an emergency appropriation from the Governor. Of the \$754 spent from this appropriation, some \$650 was used to pay for travel.

PASF Funding. The Good Neighbor Commission assumes responsibility for central administration of funding for the Pan American Student Forum. As sponsor of the statewide PASF program, GNC processes enrollments, collects revenues, and expends funds in accordance with organizational objectives.

Exhibit I-4 presents a summary of the historical funding pattern of PASF for the fiscal years 1975-1977. As indicated, PASF revenues are derived from three primary sources: 1) membership dues, 2) convention registration fees, and 3) voluntary donations.

EXHIBIT I-4

Pan American Student Forum  
Historical Funding Patterns

Fiscal Year	Principal Revenue Sources			Expenditures
	Membership Dues	Convention Registration	Donations	
1975	\$ 7,539	\$ 2,978	\$ 3,632	\$ 12,755
1976	7,344	3,308	5,477	11,165
1977	7,554	3,594	2,341	15,783

Statewide PASF membership dues are currently set at \$ .75/year per individual member. These funds represent the primary source of revenue for the organization. Upon receipt of funds, GNC staff mail receipt vouchers and deposit moneys into the Pan American Student Fund Account maintained outside the State

Treasury in an Austin bank. Membership dues are nominally divided into thirds on the agency's entry ledger, and allocated to 1) general operating expenses, 2) Pan Am Times, and 3) Myrtle L. Tanner Scholarship Fund.

Convention registration fees are currently set at \$1.25 for each individual attending the annual convention in San Antonio. In addition to these registration fees, the annual convention is partially financed out of membership dues allocated toward general operating expenses.

The portion of PASF revenues attributed to donations comes from voluntary contributions which are usually extended on behalf of particular PASF chapters represented by individual schools. These funds are generally earmarked by contributors for particular state projects. Thus, GNC staff merely administer the transfer of these contributions to the appropriate recipient.

Exhibit I-5 presents a summary of PASF expenditures for fiscal year 1977, broken out by category of expense. The table indicates that the largest expenditure categories of the Forum are the annual convention, Pan Am Times, and scholarships.

EXHIBIT I-5

Pan American Student Forum  
Expenditures for Fiscal Year 1977

Expenditure Category	Expenditure Amount	Percentage
Executive Board Travel	\$ 1,798	11
Miscellaneous Operation Expenses	856	5
Pan Am Times	3,108	20
Annual Convention	3,879	25
Myrtle Tanner Scholarship	<u>4,000</u>	25
	<u>\$ 13,641</u>	
State Projects		
"Pesos for Braces"	1,867	
La Buena Madre Orphanage	250	
Operation Ninos	<u>25</u>	
	<u>\$ 2,142</u>	14
Total	<u><u>\$ 15,783</u></u>	100%

## Summary

The efficiency of GNC operations can be examined in two areas: administration and funding. In the area of administration, it was noted that the agency's nine-member commission generally restricts its activity to policy-making and overview considerations, properly leaving day-to-day administrative tasks to the executive director.

The administrative responsibilities overseen by the executive director cover areas which include: 1) the general office operations of records maintenance, report preparation, and accounting; and 2) the agency's three functional programs of Executive and International Affairs, Pan American Student Forum, and Migrant Affairs. With regard to general office operations, the agency's filing system and basic accounting procedures for audited funds function adequately. It was noted, however, that the agency has not fully complied with its statutory requirement for submission of a detailed annual report to the Governor and the Legislature.

Concerning the three program areas of the Commission, efficiency evaluation is constrained by the unique and unstructured nature of many of the agency's functions. Apart from this consideration, most processes associated with agency operations appeared to function satisfactorily. In compliance with legislative directives through appropriation riders, the agency has undertaken no work in the migrant area since the end of fiscal year 1977. Additionally, funds managed by the GNC on behalf of the Pan American Student Forum are not subject to state audit and have not been reviewed on a set schedule. In this regard, an independent 1977 examination of PASF fund-handling indicated inadequate records maintenance procedures and a lack of internal controls over receipts and deposits. To date, there has been only partial implementation of the recommendations of this examination.

In the area of funding, the GNC has received funding from four different sources during the past ten years: 1) State General Revenue Fund, 2) federal revenue sharing allocations, 3) Good Neighbor Commission Fund, and 4) federal manpower allocations available under CETA. Historically, the General Revenue Fund has served as the Commission's primary funding source, with other funds playing only a minor role in agency operations. Of particular note is the agency's use of CETA manpower funds. Since 1976, these funds have been made available to the Commission for opening and operating field offices in Laredo and Brownsville. The funding of these offices has not been continuous, suggesting operational inefficiencies in this area.

Analysis of PASF funding patterns indicates that primary revenues are derived from membership dues, convention registration fees, and donations. Major categories of expenditures for PASF are the annual convention, publication of the Pan Am Times newspaper, scholarships and various humanitarian projects. While the PASF funding structure is shown in Exhibits I-4 and I-5, definitive figures on PASF funding were not readily available during the period of the investigation. These difficulties may be attributed to inadequate accounting procedures and multiple personnel involved in records maintenance during the history of the organization.

## Criterion 2

An identification of the objectives intended for the agency or advisory committee and the problem or need which the agency or advisory committee was intended to address, the extent to which the objectives have been achieved and any activities of the agency in addition to those granted by statute and the authority for these activities.

The review under this criterion centered on an identification of the agency's statutory objectives as they related to the perceived need and the extent to which agency methods used can reasonably be expected to achieve those objectives. Statutes were reviewed to determine if objectives described in the self-evaluation report presented an accurate reflection of statutory duties. Agency viewpoints were sought to provide additional clarification; and appropriate files were reviewed to collect and verify selected data presented under this criterion.

The statutory objectives of the Good Neighbor Commission are twofold: to promote inter-American understanding and goodwill, and to provide coordination in the area of migrant affairs. In order to accomplish these broad objectives, the agency undertakes a variety of tasks which are organized under three basic program areas: 1) Executive and International Affairs, 2) Pan American Student Forum, and 3) Migrant Affairs.

### Executive and International Affairs

The original mandate of the Good Neighbor Commission is in the Executive and International Affairs area. As stated in the GNC's enabling legislation:

It shall be the duty of the Commission to devise and put into effect methods by which inter-American understanding and goodwill may be promoted and inter-American relations advanced without resort to punitive measures or the application of civil or criminal sanctions.

In pursuit of this objective, the agency has conducted a loosely structured

assortment of liaison activities which aim toward establishing interrelationships between Texas and foreign governments as well as between various organizations and individuals involved with international affairs. For descriptive purposes, the particular tasks associated with these liaison activities may be categorized within two broad areas: 1) representational activities, and 2) technical assistance activities.

Representational Activities. The representational functions of the GNC are divided among official state representation activities, promotional activities, and indirect representation through the activities of the International Good Neighbor Council.

1. Official State Representation. The Good Neighbor Commission occasionally serves in the official capacity of receiving foreign officials or representing the state at formal functions. Based upon information obtained during the evaluation, these instances of official representation appear to be relatively infrequent and usually occur at the direct request of the Governor. In the past, the GNC has also taken responsibility for arranging certain state functions in regard to the foreign consular corps stationed in Texas. In addition, the agency periodically arranges meetings or facilitates travel in regard to visitors to or from Texas which may fall within the broad diplomatic purview suggested by the agency's mandate. As indicated by the GNC, the agency functions on a demand-response basis within this broad area of protocol activities, providing liaison support to particular officials or agencies upon request.

2. Promotional Activities. The GNC has become frequently involved in representational activities of a more informal nature which are directed toward the broad objective of improving inter-American relations. These activities often take the form of nominal sponsorship or attendance at ceremonial functions of various



civic or local governmental groups. Occasionally, the GNC has assisted in the planning and coordination of events or publications directed toward the promotion of tourism and commerce along the Texas-Mexico border.

The Commission is also involved in state representation and promotional activity through the passage of motions and resolutions which could be interpreted as indicating state policy. An inspection of Commission meeting minutes for the fiscal years 1975, 1976, and 1977, indicates that 106 motions or resolutions were passed. Analysis of these resolutions indicates that 74 percent dealt with administrative or procedural issues, and 26 percent involved substantive issues associated with the Commission's basic mandate.

GNC promotional activities also include the publication of the GNC Newsletter. This pamphlet, which basically outlines the agency's recent activities and other issues of immediate relevance, has been published twice, once in 1977 and once in 1978. The second issue was distributed to approximately 1,100 government officials, private organizations and citizens of the state.

3. International Good Neighbor Council. The Good Neighbor Commission works actively with, and conducts much of its informal liaison functions through, the International Good Neighbor Council (IGNC). The IGNC is a non-profit, non-governmental organization composed of approximately 1500 prominent citizen members from both Texas and Mexico. Created in 1954 at the initiative of the Good Neighbor Commission, the central administrative offices of the IGNC are located in Monterrey, Mexico. The stated purposes of the IGNC are to establish and promote good neighborliness between Mexico and the U. S., and to cooperate in the solution of problems between the two countries.

The activities of the IGNC appear to be oriented toward both social and cultural interests on the one hand, and international commerce on the other. Much

of the social emphasis and civic involvement occurs at the monthly meetings held by each of the 24 local chapters of the organization, while the broader issues of international affairs are primarily addressed at the semi-annual conventions held either in Texas or Mexico. Focusing upon such areas as health, education, agriculture, tourism, and international affairs, separate committees of the IGNC confer during the conventions in order to develop resolutions which are then voted upon by the General Assembly.

The interrelationship between the IGNC and the GNC is founded upon a continuity of key individuals in each organization and an established pattern of mutual support and assistance. The IGNC is administered by an International Executive Committee which is partially composed or advised by past or present GNC executive-level employees. According to the Constitution of the IGNC, the acting executive director of the GNC is designated as a member of the IGNC International Executive Committee.

As an operating policy, the GNC coordinates its meetings to coincide with both semi-annual IGNC Assemblies. Resolutions which are passed by the IGNC Assembly are communicated through the GNC executive director to appropriate state agencies. Similarly, the executive director presents IGNC resolutions to the Commission members for consideration or approval.

Technical Assistance Activities. The Good Neighbor Commission also undertakes certain technical assistance activities in relation to its broad mandate in the Executive and International Affairs program area. These technical assistance activities can be divided generally into consultation activities and translation services.

I. Consultation. GNC staff occasionally provide technical assistance through data collection and analysis, as well as limited institutional coordination

regarding issues in the international area. The agency was involved, through an interagency contract with the Texas Water Development Board, in the development of economic and population trends in 14 south Texas counties. The agency has also periodically participated in or sponsored various workshops and conferences relating to issues along the Texas-Mexico border. In this regard, the agency may also provide data upon request to various organizations or individuals involved in the international area. Frequently, the GNC serves as a referral agency, directing such inquiries on to the appropriate source.

Recently, the GNC has taken initiatives in the direction of establishing a structured forum for the consideration of relations between Texas and Mexico. In March 1978, the agency sponsored a workshop attended by representatives from 14 state agencies to deal with issues related to U. S. - Mexico problems and opportunities. The aim of the conference was to establish the basis for an on-going task force through which state agencies can exchange information and develop recommendations on inter-American matters affecting Texas.

2. Translation Services. The GNC routinely provides translation services to various state agencies, as well as the Governor's Office and members of the Legislature. For example, on behalf of the Texas Department of Public Safety, the GNC has translated the official driver's handbook and a visitors' brochure. Additionally, agency staff occasionally provide translation services to individuals and organizations conducting relations with Latin American countries. Agency staff estimate that 10-15 percent of these services are conducted on an informal basis over the telephone.

Effectiveness: Executive and International Affairs. In the area of Executive and International Affairs, the preceding material has indicated that the Good Neighbor Commission is charged with the broad statutory objective of devising and

implementing methods to promote inter-American understanding and goodwill. The GNC's effectiveness in addressing this objective can be examined in terms of: 1) the efforts made by the agency to achieve its promotional mandate; and 2) the overall impact of these efforts relative to the statute's promotional goals.

With regard to agency efforts, it appears that the GNC has made a sincere and continuing effort to promote inter-American understanding and goodwill. This effort is evidenced by the involvement of the agency in the wide variety of tasks outlined previously. Though measures in the Commission's self-evaluation report are often imprecise and apparently duplicative in certain cases, the indicators generally suggest that these tasks have been associated with a reasonable workload. This impression regarding the staff's work activity relative to its promotional tasks is compatible with observations gained through interviews with agency personnel and review of materials provided by the Commission.

While the GNC has made efforts to achieve its legislative mandate, it is also necessary to comment in some fashion on the impact of Commission activities on inter-American relations. Given the inherent difficulty in quantifying the impact of general liaison activities, however, direct determination of the Commission's effectiveness is not practical. Alternatively, it is more feasible to ascertain whether resources are allocated in such a manner that maximum impact within funding limitations can be achieved.

In looking at the Executive and International Affairs area from this perspective, a possible problem in effective resource allocation can be identified. As has been noted, the Good Neighbor Commission's liaison mandate is broad. In an effort to satisfactorily address this wide charge, the agency has become involved in and responds to an equally broad assortment of activities and requests. Given the Commission's limited resources, such a response creates a situation in which liaison

priorities cannot be sharply focused and addressed. In this situation, a high potential exists for the ineffective allocation of resources to comparatively peripheral issues.

It should be noted that the Good Neighbor Commission has recognized the problems associated with its broad mandate in the agency's self-evaluation report to the Sunset Advisory Commission. In this report, the GNC states that "the legislative mandate under which the Good Neighbor Commission operates needs to be more specific regarding the agency's responsibilities". Such a refinement in the agency's inter-American mandate would help to insure the optimum allocation of agency funds for addressing promotional objectives.

#### Pan American Student Forum

The Good Neighbor Commission functions as the sponsoring agency for the Pan American Student Forum, a statewide organization composed primarily of high school students interested in Latin-American and Spanish-language studies. There is no specific statutory authorization for the agency's sponsorship of this organization. This duty was transferred to the agency from the Texas Education Agency in 1949.

The Constitution of the Pan American Student Forum states that the purposes of the organization are both educational and cultural. As stated in the GNC's self-evaluation report, the objective of the agency's PASF operation is:

To develop an extensive reservoir of Spanish speaking young people for possible service in business and government with a wide and appreciative knowledge of the social, economic, and cultural structures of Latin America, and to promote relations between the citizens of Texas and Latin America and between young people of different cultures and backgrounds in Texas.

In regard to its responsibilities relating to the Pan American Student Forum, GNC undertakes tasks in four general areas: 1) central administration, 2)

Pan Am Times, 3) Annual Convention, and 4) State Projects.

Central Administration. The agency is responsible for the central administration of PASF which consists of enrollment processing, accounting, records maintenance, and general correspondence.

Pan Am Times. The agency publishes a newspaper distributed three times per year to all members. The Pan Am Times presents articles which are originally submitted by the various high school chapters and edited by GNC staff. The agency then contracts with a local printer for the actual layout, printing, wrapping and mailing of the Pan Am Times to over 10,000 members throughout the state. Associated costs are funded from membership dues collected.

Annual Convention. The Good Neighbor Commission assumes responsibility for the planning and administration of the annual PASF Convention held in San Antonio. GNC staff are responsible for arranging and scheduling entertainment, facilities usage, catering, and publications.

State Projects. The agency is responsible for administering several public service projects sponsored on a statewide basis by the Pan American Student Forum. These projects can be divided into those which involve scholarships and those which involve humanitarian activities.

1. Scholarships. The Good Neighbor Commission has been involved in various scholarship programs associated with the Pan American Student Forum. Primary among these from the standpoint of funding and continuity over time is the Myrtle L. Tanner Scholarship effort. Through this program, cash awards in the form of college tuition supplements are provided to selected members, alumnae, and sponsors actively engaged in Forum activities. Recipients are chosen by the executive board of the club and announced at its annual convention in March.

This scholarship is the principal state project of PASF and it is funded from a

one-third share of all membership dues collected. The agency is responsible for securing scholarship funds, verifying acceptance of a recipient by an appropriate college or university, and then forwarding the scholarship award on to this institution in the name of the recipient. Currently, awards are set at \$250 each. At the convention in March 1978, 11 recipients were selected and announced.

2. Humanitarian Projects. The GNC staff is also instrumental in the administration of humanitarian projects on behalf of the Pan American Student Forum. These projects are funded entirely out of voluntary donations contributed by PASF chapters and forwarded on to the appropriate recipient by GNC staff.

Pesos for Braces is the primary recipient of PASF voluntary funds. This organization, based in Guadalajara, Mexico, provides special orthopedic equipment for crippled children in Mexico. Also supported by PASF contributions is La Buena Madre Orphanage, an orphanage for young girls located in Pachuca, Hgo., Mexico. Additionally, in 1977, PASF funds were donated to Operation Ninos, an element of the Pan American Development Foundation based in Washington, D.C. This final program is devoted to extending educational assistance to Latin American countries.

Effectiveness: Pan American Student Forum. The preceding material has outlined the efforts made by the Good Neighbor Commission to address the objective of the Pan American Student Forum. Paraphrasing from the GNC's evaluation report, the overall objective of PASF is: 1) to promote relations among young people of different cultural backgrounds; and 2) to develop an extensive pool of Spanish-speaking young people for possible service in business and government.

With respect to the first part of the objective, the effectiveness of agency efforts relative to PASF's promotional goals cannot be readily quantified. It would appear, however, that the non-specific objective of "promoting inter-cultural

relations" would be addressed intrinsically through any ongoing cultural projects and activities undertaken in the local chapters and the annual statewide convention of the Forum. A review of agency workload measures and interviews with GNC staff indicate the existence of such activity.

With regard to the second part of the PASF objective, two concerns should be raised concerning the extent to which this stated goal has been achieved. First, the agency has been unable to demonstrate that the operations of the Forum have assisted in the preparation of individuals currently active in the fields of international business or governmental relations. A questionnaire recently distributed by the agency for the purpose of identifying past club members who have achieved prominence as civic or business leaders had produced a response of only five names at the time of this evaluation.

Second, a question can be raised concerning the extensiveness of PASF's membership rolls. While the Forum's membership has increased from approximately 9,000 to 10,000 individuals in the ten-year period from 1968 through 1977, some 114,000 of the state's secondary students were enrolled in Spanish classes during the 1976-77 school year. As seen in Exhibit II-1, this nine percent ratio of members to total Spanish enrollment compares unfavorably to equivalent ratios for other secondary educational clubs in which the state is formally involved through the Texas Education Agency.

It should be noted that differences among these ratios could be influenced by many factors, including the degree of state support given as well as variances in the nature of separate program areas. Nonetheless, such ratios do serve to indicate the varying outreach results of these several educationally-related secondary clubs.



EXHIBIT II-1

Comparison of Membership Ratios  
Among Selected Secondary Educational Subject Areas

Subject Area	Secondary Enrollment	Subject Area's Total Club Membership	Membership Percentage
Spanish (PASF)	113,885	10,033	9
Agriculture	62,004	60,133	97
Homemaking	259,076	76,693	30
Office Occupations	21,308	16,664	78
Health	4,566	3,471	76
Distributive Education	24,902	18,747	75
Industrial Arts	54,354	6,030	11
Industrial Education	69,782	44,352	64

Migrant Affairs

The Good Neighbor Commission was given responsibilities in the area of migrant affairs in 1965 by the Fifty-ninth Legislature which required the GNC:

To coordinate the work of federal, state and local governmental units toward the improvement of travel and living conditions of migrant laborers in Texas.

The Good Neighbor Commission participated in the program area of migrant affairs from 1965 until 1977, when rider language in the agency's 1978-1979 appropriation pattern denied funds for this purpose.

During the period of its active involvement in migrant affairs from 1965 until 1977, the Good Neighbor Commission carried out a variety of activities in pursuit of its mandated objectives in this area. Most of these activities were advisory in nature, and it should be noted that the agency has never operated as a direct

provider of services to migrants. For descriptive purposes, the activities which were undertaken by the GNC can be categorized under three general areas: 1) Interagency Consultation, 2) Research Activities, and 3) Technical Assistance.

Interagency Consultation. The Good Neighbor Commission participated in a variety of conferences and symposiums oriented toward migrant affairs.

1. Inter-Agency Task Force on Migrant Affairs. This consultative task force was organized in 1970 by the Good Neighbor Commission on the request of Governor Preston Smith. Chaired by the GNC and composed of 12 agencies working in areas impacting migrant affairs, the Task Force was requested to catalog migrant needs, inventory on-going state and federal migrant programs and develop a state plan for focusing resources upon the Texas migrant problem. Since its initiation in 1970, minutes provided by the GNC indicate that the Task Force has met 12 times on an intermittent basis. The most recent meeting of the Task Force occurred in 1977 through sponsorship of the State Conference on Migrant Affairs. Since that time, the Task Force has been inoperative due to restrictions upon GNC activities in the area of migrant affairs and the failure of any other agency to assume sponsorship.

2. Conference Participation. The GNC participates in an advisory capacity in a variety of migrant-related conferences, symposiums and workshops. Chief among these is the Inter-Regional Committee on Migrant and Seasonal Farmworkers, organized under the U.S. Department of Labor with participation by representative agencies from 11 states. In addition, GNC representatives have periodically attended related conferences sponsored throughout the state by other agencies and local organizations.

Research Activities. The Good Neighbor Commission has undertaken research activities in the area of migrant affairs primarily in regard to its

publication of the Texas Migrant Labor Report. This report, compiled annually from 1965 until 1977, provided information concerning major agencies and programs serving migrant farmworkers, as well as current migrant-related developments in such areas as education, housing, health and manpower services. Within recent years, much of this research undertaken in connection with the Report appears to be of a secondary nature, consisting of the compilation of information from other sources. The most notable primary research conducted by the agency consists of interviews with local program administrators, as well as periodic visits to migrant labor camps and the Migrant Rest Stop Center in Hope, Arkansas, to assess migrant living conditions.

Technical Assistance. The Commission has provided certain technical assistance to other state and local agencies regarding migrant and migrant-related programs. The GNC has advised and assisted various local governmental units in the development of funding requests for migrant programs. To this end, the agency has provided data and technical expertise in the planning of proposed service delivery systems in certain situations. Additionally, the GNC has frequently performed in the capacity of a referral agency for questions relative to migrant affairs.

Effectiveness: Migrant Affairs. Since 1965, the Good Neighbor Commission has been charged with the statutory objective of coordinating the work of governmental units toward the improvement of travel and living conditions of migrant laborers in Texas. As indicated previously, since the beginning of the 1978-79 biennium, the agency has had no funds available to undertake efforts toward meeting this objective. Therefore, this objective is not currently being met.

While no activity is presently underway in the GNC's migrant area, it is possible to comment on the efforts of the Commission relative to its coordinating

objective in years preceding fiscal year 1978. In this period, evaluation of the agency's performance can be considered in terms of: 1) the extent of activities undertaken in furtherance of the objective; and 2) the actual impact of these activities on the migrant problems in this state.

Regarding the extent of GNC efforts in prior periods, the preceding materials indicate that there has been a conscientious involvement of the agency in matters affecting migrant affairs. Due to the Commission's resource constraints, however, this involvement has been restricted primarily to an advisory role comprised primarily of research, consultation and limited technical assistance. Within this role, there is evidence of a certain amount of clearly structured and meaningful activity. The GNC has been effective in assembling information relative to the migrant. Additionally, the agency has worked to develop the Inter-Agency Task Force on Migrant Labor, a forum through which migrant problems can be considered by cooperating agencies.

With regard to these activities, it could be concluded that the Commission has addressed several specific statutory directives within its overall coordinating mandate. Through such efforts, it can be said that the agency has analyzed rules and regulations affecting migrant labor, surveyed conditions and studied problems, facilitated interdepartmental agreements, and advised and consulted with local governmental units concerning matters affecting migrant labor.

While these mandates have been addressed, the agency has not been active in responding to certain other directives. The GNC has not focused its efforts toward developing a program monitoring mechanism through the initiation of direct public hearings with migrants. Nor has the agency taken initiative in the development of funding requests for direct migrant services such as rest stop centers in this state.

With regard to the impact of GNC operations upon the migrant problems in this state, the evaluation is limited by the nature of the agency's involvement and the consequent lack of clear measurement indices. Since the Good Neighbor Commission has operated in an advisory capacity rather than as a direct provider of services to migrants, there exists no immediate evaluative link with the target population. Moreover, given the magnitude of the overall migrant problem in this state, the number of participating agencies and programs, and the constrained resources of the GNC, it is difficult to adequately assess the overall results of agency activity.

Though such evaluative problems exist, a general comment can be made concerning the Commission's coordinative impact in the past. It appears that the agency's coordinating efforts have facilitated the exchange of information between state agencies providing services to migrants. However, the GNC has lacked the resources and authority necessary to effectively coordinate the actual planning and services of such agencies toward a common goal. Thus, overall coordination and direction of migrant efforts by the Good Neighbor Commission has not been attained in the past.

#### Summary

The primary statutory objectives of the Good Neighbor Commission are twofold: 1) to promote inter-American understanding and goodwill; and 2) to coordinate services toward improving the travel and living conditions of migrant laborers. To address these overall objectives, the GNC conducts activities in the three program areas of Executive and International Affairs, Pan American Student Forum, and Migrant Affairs.

In regard to the Executive and International Affairs program area, the GNC carries out a loosely structured assortment of liaison activities which can be

generally classified according to representational and technical assistance efforts. The representational activities include official state representation, promotional tasks and informal liaison functions. In its representational efforts, the agency works closely with the International Good Neighbor Council, an organization of Mexican and Texan citizens originally established on the initiative of the GNC. Technical assistance activities include data collection, translation services, and limited institutional coordination activities.

In examining these activities, it was seen that the GNC has made a continuing effort to promote inter-American understanding and goodwill. However, a problem in the effective allocation of resources within this area may exist due to the breadth of the Commission's promotional mandate. Given this breadth and the limitations on agency resources, a situation is created in which liaison priorities cannot be sharply focused and addressed. As a result, a potential exists for the allocation of resources to comparatively minor areas.

The GNC functions as the sponsoring agency for the Pan American Student Forum and its related activities. The review suggested that the activities of the Pan American Student Forum would intrinsically promote inter-cultural relations. Yet, there was little indication of progress toward one of the program's stated aims of preparing individuals for service in the fields of international business or governmental relations. Additionally, although the GNC has undertaken activities to increase PASF enrollment, the evaluation indicated that the ratio of members to total statewide Spanish enrollment compares unfavorably to equivalent ratios for other selected secondary educational clubs for which the state provides formal support and assistance through the Texas Education Agency.

In the area of Migrant Affairs, the Good Neighbor Commission is not currently active in addressing its coordinating objective due to rider language

added to the GNC's appropriation pattern for the 1978-79 biennium. However, prior to this biennium, the Commission has been involved in migrant-related coordinating activity since the extension of its mandate into this field in 1965, and it appeared that the Good Neighbor Commission's coordinative efforts have been effective to the extent of facilitating the exchange of information among agencies providing services to migrants. However, the agency has been ineffective in coordinating migrant services in the sense of directing activities toward a common goal.

### Criterion 3

An assessment of less restrictive or other alternative methods of performing any regulation that the agency performs which could adequately protect the public.

The Good Neighbor Commission is not a regulatory agency and has submitted no information on this criterion in its self-evaluation report. As a result, approaches generally followed in developing information for this criterion could not be undertaken. Instead, the review under this criterion centered on alternative methods of performing the GNC's statutory functions as seen in the operations of other states.

In developing the following information, 15 states were surveyed. These states were: Alabama, Arizona, California, Florida, New Mexico, Idaho, Maine, Michigan, Minnesota, Montana, New York, North Dakota, Washington, Wisconsin, and Vermont. All but two of these states, Alabama and Florida, are states which border Mexico or Canada and which, therefore, might be expected to possess state agencies similar to the Good Neighbor Commission.

As has been indicated in previous sections of this report, the GNC has two basic statutory functions of: 1) promoting inter-American goodwill through various liaison activities and 2) coordinating the activities of various governmental units to improve the travel and living conditions of migrants. The review below is organized into these major functions.

#### Liaison

The survey undertaken indicated that four of the selected states have assigned liaison duties to specific state agencies. These states are Arizona, New Mexico, California, and Michigan. Of these four states, the liaison activities of Arizona are conducted by an agency most similar to the GNC.



In Arizona, the Arizona-Mexico Commission was created in 1959. Similar to the GNC, the goal of the Commission is the "promotion of goodwill, understanding, and the mutual development of the states of Arizona, Sonora, and Sinaloa by taking better advantage of the human, technical, cultural, and economic resources of the area and by improving coordination and relations among the peoples of the states". To accomplish this goal, the Commission is organized as a non-profit corporation that is incorporated under the state of Arizona and administered through the Governor's Office. The Commission's membership consists of 152 merchants, banks, and financial institutions which support the Commission through donations. For fiscal year 1977, funding for the agency amounted to \$12,000 in donations and \$31,000 in grants, totalling some \$43,000. This funding supported a staff of one full-time secretary.

To achieve its promotional goals, the Arizona-Mexico Commission provides assistance and advice to public and private institutions when requested, and when deemed appropriate by the Governor's Office; additionally, the Commission formulates programs with the approval of the Governor. The Commission has been active in promoting tourism and coordinating activities in the areas of industry, commerce, the arts and public health.

In New Mexico, the task of maintaining liaison with Mexico is performed by the International Trade Development Division of the New Mexico State Office of Economic Development. Although the formal objective of the International Trade Development Division is to increase employment opportunities for New Mexico internationally, the director of the division also performs liaison work for the Governor's Office. The International Trade Development Division maintains contact with government agencies in Mexico for the Governor's office and attempts to facilitate working relationships with the agencies' counterparts in New Mexico.

The primary activity of the Division is the creation of a Joint Economic Development Project for New Mexico and the Mexican State of Chihuahua. The Division is staffed by a director and three full-time employees as well as a part-time employee of the United States State Department. No funds are appropriated to the International Trade Development Division specifically for the performance of liaison activities.

In California, responsibility for maintaining liaison between that state and Mexico has been vested in the Commission of the Californias, located in the Lieutenant Governor's Office. Created by statute in 1965, this Commission was created to improve the relationship between Mexico and California and to coordinate the joint activities of the two governments. The Commission of the Californias has established committees to study issues of concern to both Mexico and California in the areas of agriculture, drug abuse, tourism, economics, education, social and cultural affairs, and health and welfare.

Committee members include elected officials from the California legislature, political appointees, and volunteers. These members and the executive director serve as liaison between the governments of California and Mexico.

The Commission of the Californias is staffed with one person, the executive director. Funding in 1977 was provided from the state's general revenue and amounted to \$90,000.

In Michigan, a member of the Governor's staff maintains liaison with Canada. Liaison activities are informal and are generally related to environmental concerns and problems arising in extradition. No state funds are expended in support of this liaison function. The salary of the employee assigned the liaison function is paid by the United States State Department.

The foregoing describes single state efforts in the broad area of liaison. Apart from such efforts, the 1976 creation of the Southwest Border Regional Commission represents a recent federal-state initiative that provides an additional option for state liaison work. This commission is funded under the federal Public Works and Economic Development Act (Public Law 94-188) and is primarily concerned with the economic development of the southern border areas of Texas, New Mexico, Arizona, and California. As envisioned in the law, offices in each state bear major responsibility for development projects undertaken.

At this time, only Texas and California have Commission funding. While the international role of the Texas office of the Southwest Border Regional Commission is indicated in Criterion 4, it is appropriate to note here that the California office has been involved in liaison work. In an effort to establish closer working relationships with the Mexican government, the Commission has adopted a broad definition of economic development and has encouraged the California staff to provide liaison services when requested by the Governor. The operation in that state is staffed by five employees and funded with \$140,000 in federal grant allocations.

The information presented above is summarized in Exhibit III-1.

#### Coordination of Migrant Affairs

The GNC is charged by statute with coordinating the activities of various governmental units undertaken on behalf of migrants. To attempt to determine how this function is achieved elsewhere, the offices of the Governor and the Attorney General were contacted in the various states surveyed and asked to identify any state agency responsible for coordinating services to migrants. Given their high migrant populations, states of particular interest were California, Florida, and Michigan.

EXHIBIT III-1  
State Liaison Activities

	Arizona-Mexico Commission	New Mexico International Trade Development Division	Michigan Office of the Governor	California	
				Commission of the Californias	Southwest Border Regional Commission-California
Organizational Location	Office of the Governor	Office of Economic Development	Office of the Governor	Office of the Lieutenant Governor	Office of the Lieutenant Governor
Number of Staff Included in Liaison Activities	1	1	1	1	5
Current State Funding for Liaison Activities	0	0	0	\$ 90,000	0

Of the 15 states surveyed, Florida and Michigan reported the existence of a coordinating function within a state agency. In Florida, the Department of Community Affairs operates the Migrant Labor Program. The Program is responsible for coordinating all activities in the state which serve migrant and seasonal farm workers. The Program also serves as an information center for the state and acts as the advocate in Florida government for farm workers. Similar to the GNC effort, no direct services are provided to the migrants through this operation. Resources available to the Program include a staff of 10 employees and funding of approximately \$100,000 in state general revenue and \$55,000 in federal CETA allocations.

In Michigan, the Department of Social Services received the Governor's designation as the state's single coordination agency for migrant services in March 1976. The agency is responsible for overseeing the development of a comprehensive services program and assuring that Michigan's migrant population has access to services commensurate with its needs. Michigan's coordinating function is carried out by a core staff of six employees and current funding of roughly \$150,000 from a variety of sources.

#### Summary

Of the 15 states surveyed, only the four states of Arizona, New Mexico, California, and Michigan assign the task of maintaining liaison with bordering countries to a specific office or agency. As seen in Exhibit III-1, this task is performed through the Office of the Governor or Lieutenant Governor in Arizona, California, and Michigan, with New Mexico using the state's economic development agency. With the exception of California, the liaison function is staffed with only one person; in the case of Michigan, this employee is paid by the United States

State Department. Only one state, California, appropriates state funds for its liaison operation.

In the area of coordination for migrant affairs, Florida and Michigan reported the existence of state agencies involved in coordination activities. The Migrant Labor Program within Florida's Department of Community Affairs provides no direct services to migrant and seasonal farm workers, but coordinates all state activities which serve this group. In Michigan, the Department of Social Services was designated as the state's single coordinating agency for migrant services in 1976.

#### Criterion 4

The extent to which the jurisdiction of the agency and the programs administered by the agency overlap or duplicate those of other agencies and the extent to which the programs administered by the agency can be consolidated with the programs of other state agencies.

The review of this criterion was directed at evaluating the agency's definition of its target population. The existence of other similar populations was explored and the extent of any overlap and duplication of services offered was analyzed. When applicable, the review also dealt with any efforts to establish coordinative relationships between agencies serving similar target groups and to minimize any duplication of services. This information was collected through discussions with agency personnel, review of statutes and rules, and the identification of other agencies with the potential ability to offer these same services.

In reviewing the Good Neighbor Commission under Criterion 4, it was noted that recent legislatures have considered various proposals relating to the issue of overlap between the functions of the GNC and other state agencies. These proposals have ranged from abolishment of the GNC to consolidation of its functions with other agencies. Building on previous legislative consideration in this area, the following material presents a view of the operations of the GNC from the standpoint of: 1) functional overlap with other agencies of the state and 2) potential for consolidating GNC activities with those of other agencies.

#### Overlapping Functions

As indicated previously in this report, the GNC's operations may be divided into three basic functional areas: 1) Executive and International Affairs, 2) Pan

American Student Forum, and 3) Migrant Affairs. With regard to the first of these, Executive and International Affairs, the agency's liaison operations can be grouped into representational activities and technical assistance efforts.

Looking first at the representational aspect of the GNC's liaison function, it was seen in Criterion 2 that the agency has served as a representative and promoter of the state in its dealings with Mexico and other Latin American countries. While the type and level of GNC operations in this area may vary from other state liaison activities, the review indicated that the offices of both the Governor and his appointee, the Secretary of State, perform liaison functions with Latin America.

In the Office of the Governor, the current head of state deals with high-level Mexican officials in that country's national and state governments on a direct basis. Additionally, two units within the chief executive's office, the Governor's Office of Migrant Affairs (GOMA) and the Southwest Border Regional Commission (SBRC), report occasional liaison duties with Mexico on the request of the Governor. Such requests could be directed to GOMA and the SBRC by virtue of the involvement of these two offices in areas impacting or concerning Mexico. As indicated by its title, GOMA's functions relate to the migrant; on the other hand, the SBRC is responsible for promoting the economic development of the southern border region of the state.

Appointed by the Governor with the advice and consent of the Senate, the Secretary of State also acts as a representative of the Governor. In this capacity, the Secretary of State can serve in a liaison role with foreign governments, including Mexico and other Latin American countries.

Apart from the representational operations of the GNC, the agency's second liaison focus in the area of Executive and International Affairs is in the provision of



various kinds of technical assistance. As seen in Criterion 2, such assistance takes the form of consultation and English-Spanish translation services made available to agencies of the state. Unlike the GNC's representational role, no technical assistance function of a roughly similar nature and operation could be readily identified in other state agencies.

The Good Neighbor Commission's second major area of responsibility is the Pan American Student Forum. Described in previous criteria, PASF is a club which has as its principal membership those dues-paying high school students enrolled in Spanish classes around the state. The GNC assists this group through the provision of basic administrative services such as bookkeeping, preparation of the club newspaper, and organizing the Forum's annual convention.

In examining other state agencies to determine their involvement in high school club activities, it was noted that the Texas Education Agency (TEA) carries out club-related functions similar to those of the GNC. TEA provides only informal assistance and guidance to the secondary school system's German and Latin clubs, the two language-related organizations operating on a statewide basis; however, in the secondary vocational area, TEA's involvement in club activities closely parallels the efforts of the GNC. A statewide vocational club for students operates in conjunction with each of the major vocational program areas administered by the agency. The agency's relationship with these clubs is formal in nature, with TEA representatives sitting on the executive boards of the organizations. Additionally, agency personnel are assigned to work with these vocational youth clubs on a continuing basis. Along with other TEA responsibilities, these agency employees generally perform basic administrative tasks associated with the operation of the clubs.

Finally, in the area of Migrant Affairs, the GNC is statutorily charged with

coordinating the work of governmental units toward the improvement of migrant travel and living conditions. A review of the executive order setting up the Governor's Office of Migrant Affairs indicates that the office also has basic coordinating and liaison responsibilities with respect to migrant-related work of federal, state, and local agencies. Recognition of this coordinating overlap has been noted previously in materials prepared by the Good Neighbor Commission for legislative committees, and in the Legislative Budget Board's Performance Report to the Sixty-fifth Legislature.

#### Consolidation Potential

From the review of the programs of other agencies, it appears that a reasonable potential exists for consolidating the three major GNC operations with those of other state organizations. In the area of Executive and International Affairs, the representational and technical assistance activities of the Commission could be transferred to the Office of the Governor or his appointee, the Secretary of State. The representational role of the GNC is both compatible with and functionally similar to the overall liaison responsibility of the state's chief executive and his official representative. Additionally, the technical assistance aspects of GNC operations (for example, English-Spanish translations) appear to be naturally connected with the general inter-American liaison function. Given this connection, such efforts could logically be consolidated along with other GNC liaison functions in the Office of the Governor or Secretary of State.

From the review of the Pan American Student Forum, it would appear that the GNC's administrative role with regard to this secondary-level educational club could be consolidated with the operations of the Texas Education Agency. Currently, TEA is not formally associated with club activities related to the Spanish language; however, as noted previously, the agency is integrally involved

and supportive of several secondary-level youth clubs of an educational and statewide character. Given TEA's overall responsibility in the area of education and that agency's involvement in other educationally-related youth clubs, the transfer of PASF duties to the Texas Education Agency would not appear inappropriate.

In the Good Neighbor Commission's final area of concern, Migrant Affairs, the issue of overlap and consolidation was addressed by the Sixty-fifth Legislature. Through riders in the general appropriation bill, the legislature directed that the GNC use neither its 1978-79 line item appropriations nor CETA Title III, Section 303, funds to carry out migrant-related activities. By taking such action, the legislature effectively eliminated the Commission's efforts in migrant affairs. Thus, all coordinating activities in this area of concern are currently centered within the Governor's Office of Migrant Affairs.

#### Summary

In looking at the three program areas of the Good Neighbor Commission from the standpoint of overlap and duplication, it was noted that the Office of the Governor and the Secretary of State can perform liaison duties that are functionally similar to those carried out by the Commission. Additionally, the Commission's work relative to the Pan American Student Forum is roughly paralleled by the formal involvement of the Texas Education Agency in other secondary-level youth clubs. Finally, the Good Neighbor Commission and the Governor's Office of Migrant Affairs are both delegated coordinating responsibilities in the area of migrant affairs.

With regard to consolidation of GNC's operations with those of other agencies, it appeared that Commission activities undertaken in the area of Executive and International Affairs could be appropriately transferred to the

Office of the Governor or his appointee, the Secretary of State. In addition, administrative operations with regard to the Pan American Student Forum would appear to fit logically within the overall education responsibilities of the Texas Education Agency. In the area of migrant affairs, the Sixty-fifth Legislature has dealt with the issue of GNC overlap with the Governor's Office of Migrant Affairs by restricting funds available to the Good Neighbor Commission for migrant operations.

### Criterion 5

Whether the agency has recommended to the legislature statutory changes calculated to be of benefit to the public rather than to an occupation, business, or institution the agency regulates.

In its self-evaluation report, the Good Neighbor Commission presented no information relating to this criterion. The agency performs no regulatory function and has recommended no changes in its operations to the legislature during the last two legislative sessions. As a result, the intent of this criterion cannot be directly addressed. Instead, the review under this criterion centered on a history of statutory changes that affected the operations of the agency.

The GNC received statutory designation in 1945. Basic responsibilities assigned to the agency in that year and subsequent changes in these responsibilities are outlined in Exhibit V-1. For purposes of clarity, this information is divided into three primary areas of the agency's statute: administration, inter-American affairs, and migrant affairs.

#### Administration

The enabling legislation of the Good Neighbor Commission was originally passed by the Forty-ninth Legislature in 1945, and established the agency on a temporary basis for a period of two years. This Act specified a Commission composed of nine members appointed by the Governor and approved by the Senate for two-year terms. The Commission was empowered to hold meetings in Texas, to elect officers, to appoint committees and consultants, and to employ a secretary and other necessary employees. The Commission was further required to submit a detailed report of activities each year to the Governor and Legislature. This Act established within the State Treasury a special fund entitled "The Good Neighbor

EXHIBIT V-1

Good Neighbor Commission Statutory History  
1945 - 1977

Year	Administration	Inter-American Affairs	Migrant Affairs
1945	<p><u>Composition</u></p> <ul style="list-style-type: none"> <li>- 9 Commissioners/2 year term</li> <li>- Appointed by Governor/approved Senate</li> <li>- 5 member quorum</li> </ul> <p><u>Responsibilities</u></p> <ul style="list-style-type: none"> <li>- Hold meetings within Texas</li> <li>- Elect officers</li> <li>- Appoint committees/consultants</li> <li>- Employ a secretary/clerical employees</li> <li>- Yearly detailed report to Governor/Legislature</li> </ul> <p><u>Funding</u></p> <ul style="list-style-type: none"> <li>- Legislative Appropriation</li> <li>- Donations to "Good Neighbor Commission of Texas Fund" deposited in State Treasury</li> <li>- Expenditures from "GNC Fund" only for salaries and necessary expenses</li> </ul>	<p><u>Mandate</u></p> <ul style="list-style-type: none"> <li>- To devise and put into effect methods for promoting inter-American goodwill and understanding.</li> </ul>	
1947	<ul style="list-style-type: none"> <li>- Reestablished and continued GNC as a permanent State Commission</li> </ul> <p><u>Composition</u></p> <ul style="list-style-type: none"> <li>- 3 members/2 year term</li> <li>- 3 members/4 year term</li> <li>- 3 members/6 year term</li> </ul>	<ul style="list-style-type: none"> <li>- To conduct research, investigations, and inquiries necessary to inform Commission of matters relating to inter-American relations</li> </ul>	
1965	<ul style="list-style-type: none"> <li>- Employ executive director, coordinator of migrant labor, and other such employees as necessary</li> </ul>		<p><u>Mandate</u></p> <ul style="list-style-type: none"> <li>- To coordinate the work of federal, state and local governmental units toward the improvement of travel and living conditions of migrant laborers in Texas</li> </ul> <p><u>Duties</u></p> <ul style="list-style-type: none"> <li>- Review specific rules and regulations</li> <li>- Analyze state and federal regulations</li> <li>- Survey conditions and study problems</li> <li>- Hold public hearings</li> <li>- Consult with local government units</li> <li>- Facilitate interdepartmental agreements and arrangements</li> </ul>
1971	<ul style="list-style-type: none"> <li>- Removed restriction upon Commission meetings held in Texas only</li> </ul> <p><u>Funding</u></p> <ul style="list-style-type: none"> <li>- Donations to "GNC Fund" allowed to be deposited in bank outside State Treasury.</li> <li>- "GNC Fund" moneys to be used at discretion of Commission or donor, except not to supplement salaries</li> </ul>		<ul style="list-style-type: none"> <li>- Report to Governor and Legislature annually on developments in migrant affairs</li> <li>- Develop specific programs, in coordination with other state agencies, to improve travel and living conditions of migrants</li> </ul>
1977	<ul style="list-style-type: none"> <li>- GNC subject to Sunset Legislation</li> </ul>		

Commission of Texas Fund" to be used for the receipt of any donations to the Commission. Expenditures from this Fund were specified for use only to defray salaries and other necessary expenses of the Commission. Normal funding for the agency was provided out of appropriated moneys from the State Treasury, with the stipulation that no compensation was to be provided to Commission members or consultants except for actual travel and necessary expenses.

In 1947, the Fiftieth Legislature passed legislation which continued the Good Neighbor Commission on an ongoing basis and established it as a permanent state agency. Original administrative regulations were unchanged, except to specify the length of terms of members appointed by the Governor.

In 1965, the Fifty-ninth Legislature empowered the Commission to employ an executive director, a coordinator of migrant labor, and such other employees as necessary. This action occurred in conjunction with GNC's assumption of the responsibilities of the Texas Council on Migrant Labor. With this change, the Commission assumed administrative control of all the Council's property, records, supplies and contracts.

In 1971, the Sixty-second Legislature removed restrictions which specified that Commission meetings must be held within Texas. Additionally, the "Good Neighbor Commission of Texas Fund " was transferred out of the State Treasury and placed in a private bank, to be used at the discretion of the Commission provided that such donated funds not be used to supplement salaries.

#### Inter-American Affairs

The original legislation passed in 1945 established the Good Neighbor Commission's fundamental responsibility in the area of International Affairs: "to devise and put into effect methods by which inter-American understanding and goodwill may be promoted and inter-American relations advanced, without resort

to punitive measures on the application of civil or criminal sanctions". This basic mandate has remained unchanged to the present date.

In 1947, the Commission was given the added duty of conducting necessary research to inform its members as to matters concerning inter-American relations.

### Migrant Affairs

Statutory authorization for the Commission's operations in the area of migrant affairs was not granted until 1965, when the Fifty-ninth Legislature transferred all powers and duties of the Texas Council on Migrant Labor to the GNC. This legislation broadened the agency's responsibility "to coordinate the work of federal, state and local governmental units toward the improvement of travel and living conditions of migrant laborers in Texas." In order to carry out this broad mandate, the Commission was granted the authority to analyze and promote improved rules and regulations affecting migrant laborers, survey conditions, hold public hearings, consult with governmental units, and endorse inter-departmental agreements and arrangements.

In 1971, the Sixty-second Legislature extended to the Commission the added duty of developing specific programs, in coordination with specific state agencies, to achieve the betterment of migrant travel and living conditions, with such programs to be enacted and enforced by the agencies concerned. In addition, the agency was provided the specific requirement of reporting to the Governor and the Legislature annually, or more frequently as needed, on developments arising in migrant affairs.

### Summary

Since its establishment in 1945, certain administrative restrictions upon the operation of the Good Neighbor Commission have lessened, while the agency's legislative mandate has progressively broadened. The most significant administra-



tive changes occurred in 1971 with the removal of the restriction allowing only Texas based meetings and the addition of permissive language providing that money donated to the Good Neighbor Commission of Texas Fund could be held outside the State Treasury and utilized at the discretion of the Commission. In the area of Inter-American Affairs, very little has changed from the agency's broad original legislative mandate to promote inter-American understanding and goodwill. The Good Neighbor Commission's involvement in Migrant Affairs began in 1965 with its absorption of all powers and duties of the Texas Council on Migrant Labor, and was extended in 1971 with the authority to develop specific migrant-related programs in coordination with other agencies.

### Criterion 6

The promptness and effectiveness with which the agency disposes of complaints concerning persons affected by the agency.

The review under this criterion centered on: 1) an identification of the type and frequency of complaints received by the agency, 2) the adequacy of administrative procedures used to process these complaints, and 3) the appropriateness and patterns of actions taken to address the complaints. Information for the review was obtained through interviewing agency staff, examining complaint files, and analyzing data presented in the agency's self-evaluation report.

The self-evaluation report of the Good Neighbor Commission indicated that the Sunset criterion concerning complaints did not apply to the agency. In interviews with agency staff, it was explained that the processing of complaints concerning discriminatory practices was at one time a major function of the GNC; however, this function could no longer be considered an integral operation of the agency due to the general lack of complaints of any nature received by the Commission within recent years.

A check of the agency's complaint and general correspondence files generally supported the staff's comments. Files covering the period from September 1974 through February 1978 contained only four complaints. In examining these complaints, it was observed that none concerned the actual operations of the GNC. Instead, most of these complaints dealt with incidents requiring referral to other agencies for consideration.

### Summary

The Good Neighbor Commission is not integrally involved in the handling of complaints. Files reviewed indicated that only four complaints had been received

by the agency in the last three fiscal years. These complaints did not concern the operations of the GNC and appeared to have been handled satisfactorily.

### Criterion 7

The extent to which the agency has encouraged participation by the public in making its rules and decisions as opposed to participation solely by those it regulates, and the extent to which the public participation has resulted in rules compatible with the objectives of the agency.

The review under this criterion began with a determination of the statutory requirements regarding public participation both in the agency's enabling law and general statutes. The agency's procedures were reviewed to determine compliance with these statutes. The agency files and self-evaluation report were reviewed to determine the nature and extent of public participation and any results which might be attributed to public participation.

In its self-evaluation report, the Good Neighbor Commission indicated that rule-oriented Criterion 7 does not apply to the operations of the agency. In interviews with GNC staff, it was reported that the development of agency rules has not been considered necessary to date; as a result, no rules have been promulgated by the Commission under the Administrative Procedure and Texas Register Act (Article 6252-13a, V.A.C.S.). This information was verified by the office of the Secretary of State.

While the agency reports an absence of formal rules, it was noted that the GNC has developed a set of bylaws. These bylaws concern only the internal management and organization of the agency and, therefore, appear to fall outside the definition of "rule" as set out in state statute.

Given the above, it is seen that the topic of public participation in rule-making is not generally applicable to the GNC at this time. Apart from this specific topic, however, an effort was made to develop more general information regarding the agency's encouragement of public involvement in its proceedings.

Except for the provisions of the Open Meetings Act, the GNC does not operate under any statutory requirement regarding public notification of Commission meetings. The Commission has, however, developed notification procedures that go beyond the requirements of the Act. Basic methods used by the agency to inform the public of upcoming Commission meetings include the following:

1. As required by the Open Meetings Act, public announcement of a GNC meeting is made through the Texas Register. (Agency compliance with the general requirements of the Act will be further examined under Criterion 10.)
2. The GNC makes use of the media in publicizing its meetings. Press releases are drafted by the staff and distributed to the capitol press corps in Austin. Additionally, when meetings are convened outside Austin, media representatives in the hosting cities are contacted.
3. When timing permits, meetings are announced in the GNC Newsletter. The Newsletter is currently distributed to some 1,100 government officials, private organizations, and citizens of the state.
4. Letters of invitation to Commission meetings are mailed to selected officials and organizations representing the general area in which a meeting is to be held. This invitation list would typically include: state legislators of the region; city officials; United States and Mexican governmental officials of the area; local Chambers of Commerce and other organizations dealing with trade and tourism; and the president of any local chapter of the International Good Neighbor Council.

### Summary

The Good Neighbor Commission has not promulgated agency rules pursuant to the Administrative Procedure and Texas Register Act. Therefore, no judgment can be made regarding public participation in the area of rule-making. However, in examining the more general topic concerning the agency's encouragement of public involvement in its meetings, it is seen that the GNC goes beyond the notification requirements set up in the Open Meetings Act. To further public attendance at its meetings, the Commission makes use of the media, its own publications, and letters of invitation to regional officials and private organizations.

### Criterion 8

The extent to which the agency has complied with applicable requirements of an agency of the United States or of this state regarding equality of employment opportunity and the rights and privacy of individuals.

The review under this criterion centered on an identification of agency Equal Employment Opportunity reporting requirements and policies regarding the rights and privacy of individuals. Federal and state statutes were reviewed; agency policies and procedures were documented; and appropriate agency files were inspected to determine the adequacy of records maintained to verify the data presented under this criterion. The Governor's Office of Personnel and Equal Employment Opportunity was consulted. The general procedures regarding personnel actions and protection of the rights and privacy of individuals were examined through interviews and review of files.

#### Affirmative Action

The Good Neighbor Commission of Texas has filed an Affirmative Action Plan with the Governor's Equal Employment Opportunity Office, covering the period March 1974 to March 1975. The plan has not been formally updated since that time; however, the agency has supplied EEOC with appropriate monitoring reports in compliance with federal requirements.

The agency's affirmative action plan covers the elements of plan development, communication and administration, recruitment, grievance procedures, job structures and upward mobility. The objective of the plan is to ensure a balanced staff composition through the application of affirmative action steps toward equal employment priorities. Specific actions outlined in the plan include the utilization of selective media advertising directed toward women and minorities, as well as

the limitation of selection techniques which might discriminate against such groups.

The affirmative action plan makes note of the application of a specific employment requirement--bilingual proficiency in Spanish--which is considered necessary for the performance of essential job-related functions throughout the agency's staffing structure.

#### Staff Composition

Agency staff currently consists of the exempt position of the executive director supported by five classified positions: deputy assistant administrator; program planner; administrative technician; administrative secretary; and clerk typist. In addition, the staff is supplemented by a clerical trainee, as well as four field office staff. These supplementary positions are all funded out of federal manpower sources.

Exhibit VIII-1 presents a breakdown of agency personnel by category. Analysis of current patterns indicates that staff composition is relatively balanced in terms of gender and ethnic representation. However, professional and upper level administrative positions are dominated by males, while lower level administrative and clerical positions are exclusively occupied by females. Although there is a concentration of personnel with Spanish surnames, this characteristic is reflective of the general orientation of the agency's programs and particularly of the requirement for bilingual proficiency. The Governor's Equal Employment Opportunity Office reports that there have been no charges of discrimination filed against the agency.

The agency has had a uniquely high rate of turnover in personnel. The State Auditor's Classification Office reports that there have been 13 terminations in classified positions recorded by the Good Neighbor Commission since 1965.

EXHIBIT VIII-1

Staff Composition  
Appropriated Positions

Position	Number	Sex	Ethnicity
Executive Director	1	M	Spanish Surname
Deputy Assistant Administrator	1	M	White
Program Planner	1	M	Spanish Surname
Administrative Technician IV	1	F	White
Administrative Secretary	1	F	Spanish Surname
Clerk Typist	1	F	Spanish Surname

Supplementary Staff

Clerical Trainee	1	F	Black
Field Office Administrator	2	M (2)	Spanish Surname (2)
Field Office Clerical	2	F (2)	Spanish Surname (2)



Similarly, GNC reports that there have been 21 instances of personnel replacement of all types since 1970, which represents an average turnover rate of approximately 35 percent. A significant portion of this turnover has occurred at the Administrative levels, where the positions of executive director, deputy director, or deputy assistant administrator have been subject to personnel replacement nine times since 1970, representing an average turnover rate of approximately 50 percent during this period.

#### Summary

The procedures and records of the agency in the area of affirmative action are generally adequate for a public agency of its size and scope. There have been no charges of discrimination filed against the agency. Although male and female employees tend to gravitate toward professional and clerical positions, respectively, staffing patterns are generally balanced in terms of gender and ethnic representation. The agency displays a history of high personnel turnover, particularly at the administrative levels.

### Criterion 9

The extent to which the agency issues and enforces rules relating to potential conflict of interests of its employees.

The review under this criterion centered on an identification of documented agency practices and procedures regarding the filing of individual financial statements and affidavits with the Office of the Secretary of State. The provisions of the statute (Article 6252-9b, V.A.C.S.) were reviewed and agency interpretations of the nature and intent of the provisions of the Act were sought. Records maintained by the agency and the Secretary of State under the authority of the legislation concerned with conflict of interest were reviewed to determine the extent of agency compliance with the letter and intent of the Act and to verify the accuracy of the data presented under this criterion. In addition, inquiries were directed to selected areas where conflicts of interest might exist that could not be discerned through review of official documents.

Under Article 6252-9b, V.A.C.S., separate conflict-of-interest filing provisions apply to the executive director and the commissioners of the GNC. With respect to the executive director, this official is required to file a financial statement with the office of the Secretary of State. Such a statement for the current executive director is on file in that office and appears to conform with the requirements of the law.

With regard to GNC commissioners, these officials are subject to reporting provisions requiring that every appointed officer having a "substantial interest" in a state-regulated business activity must file an affidavit of disclosure with the Secretary of State. As of March 1978, four of the nine GNC commissioners had filed such an affidavit with that office. Of these members, one commissioner

indicated having a substantial interest in a state-regulated business; the other three members filing an affidavit claimed no such connection, and filed the document voluntarily even though not required to do so. Upon review, these documents appeared to conform to provisions of the law.

While no problems were found in these affidavits, the scope of the review was limited to the documents on file and no attempt was made to analyze the occupational and business interests of the nine commission members. In the absence of such an analysis, no statement can be made as to whether additional information should have been disclosed by these members.

#### Summary

Under Article 6252-9b, V.A.C.S., the executive director of the GNC is required to file a financial statement with the Secretary of State; additionally, a commissioner of that agency must file a disclosure affidavit if he has a substantial interest in a state-regulated business. In the review of the financial statement and affidavit documents on file, no problem of conformity with the conflict-of-interest provisions was apparent.

### Criterion 10

The extent to which the agency complies with the Open Records Act and the Open Meetings Act.

Examination of elements under this criterion was separated into components dealing with responsibilities for making agency documents available to the public under open records requirements and responsibilities for public notification of proposed agency actions. Under the area of open records, statutes were reviewed in relation to written or unwritten policies used by the agency. Where written policies did not exist, interviews were conducted to determine actual compliance. Materials contained in the self-evaluation report were verified and open records decisions reviewed. Open meetings compliance was verified through review of agency written and unwritten policies to determine if they accurately reflected statutory requirements. Interviews with agency personnel were conducted in instances where written policies were lacking or information contained in minutes of meetings was incomplete or unclear. Records in the Office of the Secretary of State were reviewed on a selected basis to determine compliance with posting and informational requirements.

#### Open Records

While the Good Neighbor Commission has not adopted formal written policies concerning access to records, the informal procedures of the agency allow open access by the public. Under these procedures, individuals requesting access to information are referred to the executive director who evaluates the request and provides the necessary information on file.

The GNC reports that it holds no information which is considered confidential. The agency has never requested an Attorney General opinion concerning the confidentiality of information, and there have been no complaints registered

against the agency for refusing to provide requested information. Results of the review generally indicate that the agency operates in compliance with the Open Records Act.

#### Open Meetings

The Good Neighbor Commission is required by statute to hold at least one meeting per year in Austin, Texas and other meetings at such times and places as the Commission may designate. The constitution and by-laws of the agency further specify that there shall be four regular meetings held each year in the months of February, May, August and November. Additional meetings may be called by the chairman of the Commission or the executive director of the agency.

Prior to 1971, the agency's statute required that all Commission meetings be held within Texas. In 1971, the Sixty-second Legislature amended the statute to allow meetings outside the state. Since that time, the GNC has followed an informal policy of scheduling one of its regular meetings to coordinate with the semi-annual meeting of the International Good Neighbor Council which is held in Mexico.

The Good Neighbor Commission scheduled 15 meetings during fiscal years 1975, 1976 and 1977, consisting of 12 regular quarterly meetings and three special meetings. The three special called meetings have primarily involved either emergency budgetary issues or the evaluation of executive personnel.

The agency reports that all Commission meetings are open meetings and that closed executive sessions of the Commission are held only for the purpose of formal deliberations which are indicated in the minutes. An inspection of the minutes of Commission meetings showed that executive sessions had been called eight times since March 1975. The topics of discussion during these executive sessions appear to have been limited to personnel matters.

In accordance with the Open Meetings Act, the Good Neighbor Commission is required to provide seven days advance public notification of regular Commission meetings through the Texas Register Division of the Secretary of State. Inspection of the records of the Texas Register indicated that the agency has complied with these requirements. In regard to emergency meetings, the Open Meetings Act specifies that notification must be filed with the Office of the Secretary of State at least two hours prior to such meetings. The GNC has held only one emergency meeting, on June 21, 1977, during the past three fiscal years. In compliance with statutory requirements, notification for this meeting was filed well in advance of the two-hour limitation.

Apart from the notification requirements of the Open Meetings Act, the Commission undertakes further initiatives regarding public notification. These initiatives include regular use of 1) the media, 2) GNC publications, and 3) letters of invitation to selected officials and organizations in the region where a meeting is scheduled.

In fiscal years 1975 through 1977, the GNC scheduled a total of 15 regular or special called meetings in the following locations: seven in Austin, five in southern or border region cities in the state, and three in the Mexican cities of Tampico, Veracruz, and Monterrey. A quorum was not present at the Tampico location in May 1976, and a special called meeting was later required in order to fulfill Commission responsibilities.

#### Summary

The Good Neighbor Commission appears to maintain a system of record-keeping which is in compliance with the Open Records Act. The agency also complies with its specific statutory requirement regarding meeting location, as well as the more general requirements for public notification under the Open

Meetings Act. In addition, the agency undertakes additional selective notification procedures for public meetings.

### Criterion 11

The impact in terms of federal intervention or the loss of federal funds if the agency is abolished.

Since 1976, the Good Neighbor Commission has been granted federal CETA funds from the manpower offices of Cameron and Webb Counties. These funds have been used by the GNC for the operation of its field offices in Brownsville and Laredo. Abolishment of the agency would have no effect upon the amount of manpower funds flowing into these counties from the federal government. Additionally, the state's receipt of other federal funds is not contingent on the existence of the GNC.



## CONCLUSIONS

The Good Neighbor Commission originated in 1943 as a non-statutory unit organized by Governor Coke Stevenson in response to pressures arising from widespread discrimination against Mexican agricultural workers in Texas. In 1945, the Forty-ninth Legislature established the Good Neighbor Commission of Texas as a statutory agency with the responsibility "to devise and put into effect methods by which inter-American understanding and goodwill may be promoted and inter-American relations advanced."

This broad legislative mandate remains unchanged to this date and serves as the cornerstone of the GNC's current operations; however, the nature of the activities emphasized within this mandate have altered over time. During the early years of its existence, the GNC was primarily concerned with the alleviation of discrimination against Mexicans in Texas. As the issue of discrimination began to diminish, the Commission's focus began to shift into the broader areas of cultural affairs and international relations.

In 1965, the Fifty-ninth Legislature expanded the agency's statutory mandate to include the responsibility "to coordinate the work of federal, state and local governmental units toward the improvement of travel and living conditions of migrant laborers in Texas." GNC activities in regard to migrant affairs continued until 1977 when rider language added to the agency's appropriation bill curtailed funds for this purpose.

The GNC receives policy direction from a nine-member commission which is supported by a staff of six full-time personnel. In 1976, the agency opened two field offices in Laredo and Brownsville which employ an additional four persons funded through federal manpower sources. In response to its dual mandate, the Commission and its administrative staff have developed operations which are

defined within three broad program areas: 1) Executive and International Affairs, 2) Pan American Student Forum, and 3) Migrant Affairs.

The Executive and International Affairs program area represents the agency's primary thrust toward its original mandate to promote inter-American goodwill. Within this area, GNC carries out a loosely structured assortment of liaison activities which includes acting as state representative for certain official functions, participating on an informal basis in various promotional events, as well as providing limited technical assistance such as translation services for other agencies. In addition, the GNC works closely with the International Good Neighbor Council, an organization of Mexican and Texan citizens originally established on the initiative of the GNC. The agency's actual impact in the area of international relations is difficult to assess, given the breadth of the legislative mandate and the consequent lack of explicit direction provided the agency in setting its objectives. The evaluation has suggested that the limited resources of the GNC may not be effectively allocated toward defined priorities which are in line with the agency's capabilities.

The Good Neighbor Commission functions as the sponsoring agency for the Pan American Student Forum, a statewide organization composed primarily of high school students interested in Latin-American and Spanish language studies. The GNC is responsible for central administration of PASF records and funds, as well as handling of scholarships, publishing a club newspaper, and organizing the annual PASF convention. The review of operations indicated that there are inadequate records maintenance procedures and a lack of internal controls over the receipt and deposit of PASF revenues. While the general activities of the Pan American Student Forum can be assumed to intrinsically promote inter-cultural understand-

ing, the effectiveness of GNC sponsorship may be questionable in terms of assisting in the goals of the Forum.

The Good Neighbor Commission was involved in the area of Migrant Affairs from 1965 until 1977. During this period of active involvement, the agency carried out interagency consultation, general research and limited technical assistance activities. The agency has acted primarily in an advisory capacity and has never been a direct provider of services to migrants. The review of operations has indicated that the GNC's coordinative efforts have been effective to the extent of facilitating the exchange of information among agencies involved in migrant-related programs. However, little evidence exists to indicate that the agency has directed efforts by these agencies to a common goal.

If the Legislature determines that the functions of the Good Neighbor Commission should continue, the following organizational and operational changes could be considered to increase the efficiency and effectiveness with which these functions are performed:

THE LEGISLATURE COULD CONSIDER CONSOLIDATING THE FUNCTIONS OF THE GOOD NEIGHBOR COMMISSION WITH THOSE OF OTHER STATE AGENCIES HAVING SIMILAR RESPONSIBILITIES OR AREAS OF CONCERN. THE NINE-MEMBER COMMISSION ITSELF COULD BE MAINTAINED AS AN ADVISORY BODY IN THE AREA OF INTER-AMERICAN AFFAIRS.

With respect to Executive and International Affairs, this function could be transferred to the Office of the Governor and the nine-member Commission maintained as an advisory body to the Governor in this area. Additionally, the Pan American Student Forum effort could be consolidated with the operations of the Texas Education Agency. Finally, the Migrant Affairs program area could be formally consolidated within the Governor's Office.

In regard to the Executive and International Affairs function, the Good Neighbor Commission is involved in Mexican and other inter-American liaison activities. However, as the

state's chief executive officer, the Governor and his offices are also integrally involved with and ultimately responsible for shaping and directing the nature of executive branch contact with foreign governments, including Mexico. As indicated in Criterion 4, while the liaison activities of the Governor's Office and the GNC may be of a different type or level, the efforts of the two offices are compatible.

Given the policy nature of the Governor's liaison responsibilities and the compatibility of the inter-American efforts undertaken in the two agencies, it would appear reasonable to consolidate all GNC liaison activity within the Office of the Governor. Such a transfer should facilitate the development of coordinated efforts and uniform policies in the state's interaction with Mexico and Latin America.

To support the Governor in his liaison role, the Commission itself could be continued as an advisory body to the chief executive. As an advisory body, the Commission could provide the Governor with additional expertise and information concerning Mexico. Moreover, through continuation of the nine-member board, a single state focal point for the promotion of Mexico-Texas relations would be available on an ongoing basis.

As noted in previous sections of this report, state sponsorship of the Pan American Student Forum was shifted from the Texas Education Agency to the GNC in 1949 when the director of the program was transferred to the GNC. Nevertheless, in coordination with its overall responsibilities in the area of education, TEA continues to be formally and significantly involved in the activities of several other statewide educational clubs for secondary students.

Given TEA's youth club support and educational responsibilities, it would seem appropriate to transfer GNC's functions relative to PASF back to the originating agency. Through the transfer of this academically-based Spanish club to TEA, that agency would be provided with an additional means of addressing its overall educational responsibilities and objectives in the Spanish subject area.

In the GNC's final functional area of Migrant Affairs, it was indicated in Criterion 4 that the Commission and the Governor's Office of Migrant Affairs have been mandated similar coordinating responsibilities. Recognizing these dual coordinating responsibilities, the Sixty-fifth Legislature addressed the issue of overlap and consolidation by restricting funds available to the GNC for migrant affairs through

riders in the Appropriations Act for the 1978-79 biennium. In effect, this action left the Governor's Office as the only state agency coordinating migrant affairs.

Considering this current situation, it would appear appropriate to remove from the Commission's enabling legislation the mandate to coordinate migrant affairs. Such an amendment would have the double effect of: 1) insuring that the agency's statutory mandate for future years is consistent with legislative intent as expressed through the Appropriations Act; and 2) enhancing the cost-effective coordination of migrant affairs through placement of all such responsibility under the purview of a single state agency.

In consolidating coordinative responsibilities for migrant affairs within the Office of the Governor, specific consideration could be given to continuing the efforts of the GNC-sponsored Inter-Agency Task Force on Migrant Labor through the chief executive's office. The Governor's interagency planning council structure appears particularly appropriate for this purpose. As chief planner for the state, the Governor is statutorily authorized to appoint such councils as the need arises in the various functional areas of government. These councils, composed of a representative of the Governor and administrative heads of appropriate agencies, serve as an interagency forum for planning and discussion on common problems.

Should the present structure of the Good Neighbor Commission be maintained, additional measures could be taken to improve the efficiency and effectiveness of the agency. These measures are divided between those requiring legislative action and those which may be achieved through modification of administrative procedures.

THE LEGISLATURE COULD CONSIDER AMENDING THE GOOD NEIGHBOR COMMISSION'S ENABLING LEGISLATION TO FOCUS THE AGENCY'S BROAD INTER-AMERICAN MANDATE AND LIMITED RESOURCES ON AREAS OF SPECIFIC LEGISLATIVE CONCERN OR INTEREST.

Since its inception, the Good Neighbor Commission has operated under the broad mandate of devising and implementing methods to promote inter-American understanding and goodwill. Two potential problems are connected with such a mandate. First, given the undefined bounds of the Commission's statutory objective, there is no assurance that areas selected for attention by the agency correspond to areas of primary interest to the legislature. Second, in an

effort to satisfactorily address its undefined inter-American mandate, the agency has become involved in an equally wide assortment of activities. Considering its limited resources, such a response creates an unfocused situation in which scarce resources may be allocated to peripheral issues.

In view of the above, it would appear appropriate for the legislature to consider focusing the statute of the Commission into areas of specific inter-American concern or interest. By focusing the mandate of the GNC, the potential for addressing priority liaison concerns through cost-effective agency efforts could be increased.

FUNDS HANDLED ON BEHALF OF THE PAN AMERICAN STUDENT FORUM SHOULD BE SUBJECT TO A THOROUGH FINANCIAL REVIEW BY AN INDEPENDENT PARTY AT REGULARLY SCHEDULED INTERVALS.

The operating and scholarship funds of the Pan American Student Forum are maintained by the GNC outside the State Treasury and thus are not subject to formal audit. On five occasions during the past 28 years, the agency has initiated independent reviews which have indicated significant problems in records maintenance and accounting procedures. The current evaluation has indicated that recommendations developed from these past reviews have been only partially implemented by the agency. The establishment of a formal procedure for regular review of PASF funds on at least a biennial basis would encourage full implementation of recommendations as well as insure continuing accountability in the GNC's handling of PASF funds.