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December 16, 2020

Sunset Advisory Commission
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Members of the Sunset Advisory Commission,

Thank you for providing this agency with a draft of the staff recommendations for the Sunset review of the Texas Holocaust and Genocide Commission (THGC), an agency administratively assigned to the Texas Historical Commission (THC).

THC's mission is "To protect and preserve the state's historic and prehistoric resources for the use, education, enjoyment, and economic benefit of present and future generations." We strive to accomplish this mission by saving the real places that tell the real stories of Texas history. We are, as our mission indicates, a collection of place-based programs focused on people and events whose stories can best be told at the places where they happened, here in the great state of Texas.

The mission of the THGC is "To bring awareness of the Holocaust and other genocides to Texas students, educators, and the general public by ensuring availability of resources, and in doing so imbue in individuals a sense of responsibility to uphold human value and inspire citizens in the prevention of future atrocities."

Although it is outside of our typical areas of expertise (architecture, archeology, downtown redevelopment, Texas history, etc.), it appears that under this mission the THGC provides services comparable in scope and quality to those provided by similar agencies in other states. They provide teacher training, lesson plans, a speaker's bureau, sponsor a state commemorative event, make grants, and manage traveling exhibits.

In 2009 when the THGC was established, THC was asked to provide office space and basic administrative support (HR, IT and purchasing/contracting services) for the THGC's one part-time employee who would technically be an employee of the THC. In the absence of a direct connection between the missions of these two agencies, we established an administrative relationship that has expanded as the THGC has grown from one part-time employee with a budget of \$85,000 to six full-time positions and a budget of more than \$700,000. The relationship between the two agencies was facilitated in large part when the THGC hired a THC employee, Charles Sadnick, as its first full-time Executive Director. When Mr. Sadnick returned to the THC as Director of the History Programs Division, he continued to provide guidance to those who succeeded him in his previous position at the THGC, and he continues in that role today.

It has been an honor to be associated with the dedicated men and women who have served, and who continue to serve, on the Holocaust and Genocide Commission. Although we believe that the THGC would

be better served by a more direct assignment with an agency that more clearly shares their mission, this should not be interpreted as a lack of support for that mission. It is a noble goal and one that we hope all Texans can endorse. But any effort on the part of the THGC to accomplish their mission, requires support that is more than just administrative. To truly be successful, they require a partnership with a state agency whose mission is parallel with theirs. This suggestion has been included in every Legislative Appropriations Request submitted by the THC since 2009.

The most likely candidate for this realignment would appear to be the Texas Education Agency (TEA). The Governor appoints the Commissioner of Education who oversees the agency's operations. Their mission is to "improve outcomes for all public-school students in the state by providing leadership, guidance, and support to school systems." THGC already works with TEA on many of their education-based programs. In fact, the Commissioner of Education is an ex officio member of THGC (as is the Commissioner of Higher Education). They also have a close connection to the State Board of Education (SBOE). SBOE consists of 15 members elected by the public from districts representing the entire state of Texas, with a chair appointed by the Governor. We believe that the THGC's enabling law should be revised to clarify that THGC is advisory to the TEA.

This would be consistent with the way some other states have organized comparable agencies. In North Carolina, for example, the North Carolina Commission on the Holocaust is described as "an agency of the North Carolina Department of Public Instruction." In Florida, the members of the Commissioner's Task Force on Holocaust Education are advisory to and appointed by the head of the state's Department of Education.

Assigning the THGC to TEA would also insure statewide representation. Once properly assigned to TEA, THGC would have significantly more administrative support among TEA's approximately 1,000 FTE than THC can provide, and they would be surrounded by partners who can help them to achieve their mission. They would truly be "advisory" to TEA.

We see, from the letters submitted to Sunset by both TEA and by the Texas Higher Education Coordinating Board (THECB) that the latter may currently have a closer relationship with THGC than does TEA. THECB's mission is "to provide leadership and coordination for Texas higher education and to promote access, affordability, quality, success, and cost efficiency through 60x30TX, resulting in a globally competitive workforce that positions Texas as an international leader." They have a 9 member board, appointed by the Governor, with a chair and vice chair also appointed by the Governor. A restructuring of THGC making them advisory to THECB could also be successful.

If reassignment to TEA or THECB is not an option, THGC can of course continue to be administratively attached to THC. Sunset staff recommended that an oversight agency have authority "to supervise the advisory commission, approve its actions, monitor its performance, or hold it accountable", and it would be necessary to empower THC to establish goals, outcomes, strategies and performance measures for THGC (Sunset Staff Report, page 2). THGC's commission would become advisory to THC.

THC currently operates three advisory boards: The State Board of Review, the Texas Preservation Trust Fund Advisory Board, and the Antiquities Advisory Board. The State Board of Review consists of eleven members appointed by the Commission from a variety of preservation-related fields. It meets three times each year to review and provide advice to the agency's Executive Director on nominations of properties to

the National Register of Historic Places. Pursuant to federal law, the Executive Director's decisions are then submitted to the National Park Service for further consideration. The Texas Preservation Trust Fund Advisory Board also consists of eleven members appointed by the Commission from a variety of related fields. They meet once annually to review and make recommendations regarding applications for funding from the Texas Preservation Trust Fund. These recommendations are submitted to the Texas Historical Commission, and the Commission makes all final decisions.


The Antiquities Advisory Board (AAB) consists of ten members, three of whom are THC Commissioners with professional experience in History, Architecture, and Archeology. The other members are selected by the Commission from those professions, with special consideration being given to professionals affiliated with other partner agencies and organizations. The AAB meets quarterly, typically in concert with the Commission's quarterly meetings. They make recommendations to the Commission with respect to activities and permitting under the State Antiquities Code. Again, the Commission makes all final decisions.

The THGC could be re-instituted as an advisory committee to the THC. By MOU the THC and THGC could define when THGC decisions are final, and when they will only be advisory. For example, the THGC might independently determine what educational programming should be pursued or what traveling exhibits should be developed since those decisions fall within their area of experience and are not related to the THC's mission. THGC might also develop criteria for grant programs or determine when they need administrative rules. But the rules would only become effective on adoption by THC, and grant awards would be contingent on THC approval. Commission staff would be treated as if they were a Division of the THC, and the Executive Director of the THGC would become a direct report to the THC's Executive Director.

If this structure is preferred, it would be necessary to revise the THC's budget to add a new Goal related to the THGC's mission, with related Objectives and Strategies which would then have their own performance measures. Expansion of THC's responsibilities over the THGC would also require an increase in the administrative overhead currently allowed by budget rider.

If this change is preferable to moving THGC to another agency, then the size of the THGC might be revisited. With fifteen public members, three ex officio members, and two legislative advisors, that commission is already larger than the THC with its fifteen public members.

I'm sure that there are many additional issues that would need to be addressed in developing an MOU between the two agencies. Please let us know if we can be of any further assistance as this process continues.


John L. Nau, III
Chairman


Mark Wolfe
Executive Director