



Texas Holocaust and Genocide Commission

awareness - education - inspiration

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Texas Education Agency

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December 3, 2020

The Honorable John Cyrier, Chair
Texas Sunset Advisory Commission
PO Box 2910
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The Honorable Dawn Buckingham, M.D., Vice-Chair
Texas Sunset Advisory Commission
PO Box 12068
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Jennifer Jones, Executive Director
Sunset Advisory Commission
1501 North Congress
6th Floor, Robert E. Johnson Building
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Re: Agency Response to Sunset Staff Report

Dear Chairman Cyrier, Vice-Chair Buckingham, and Ms. Jones:

We are grateful for the opportunity to respond to the Sunset Advisory Commission Staff Report. The Texas Holocaust and Genocide Commission (THGC) respects the Sunset process and appreciates the time and attention that the Sunset Staff has devoted to reviewing our Commission. We acknowledge issues regarding the statute and internal oversight and took proactive steps to remedy potential deficiencies in advance of the formal Sunset review. The THGC is committed to making any necessary changes in order to continue providing Holocaust and genocide education to Texans.

As the Sunset Commission's staff report notes, the founding legislation that created the THGC was ambiguous concerning the THGC's specific advisory roles and functions. The THGC has always operated within the spirit of the legislation by pursuing educational programs and outreach initiatives that reflect the intent of the Legislature in accomplishing our mission of providing awareness on the ultimate consequences of prejudice, hatred, and persecution. The THGC has established itself as the authority and coordinator of information for Texans regarding the dark history of the Holocaust and other genocides.

The THGC vigorously disagrees with the Sunset staff's recommendation to "Abolish the Texas Holocaust and Genocide Commission" and is seeking legislative guidance on clarifying the extent and scope of the Commission's express and implied advisory and executive functions. We ask the Sunset Advisory Commission to recommend amending our founding legislation in order for this vital work to continue.

At a time when racial hatred, antisemitism, and ethnic conflict are on the rise throughout the nation and the world, the THGC remains a powerful advocate and symbol of Texas' commitment to ensuring a better state, nation, and world.

With deep appreciation,

Lynne Aronoff
Chair of the THGC

Joy Nathan
Executive Director of the THGC



Executive Summary

The THGC seeks legislative guidance on clarifying the extent and scope of the Commission's express and implied advisory and executive functions.

As the Sunset Commission's staff report notes, the founding legislation that created the THGC was ambiguous concerning the THGC's specific advisory roles and functions. As a result, the THGC has operated within the spirit of the legislation by pursuing educational programs and outreach initiatives that reflect the intent of the Legislature in accomplishing our mission of providing awareness on the ultimate consequences of prejudice, hatred, and persecution. The THGC would benefit by clarification from the Legislature concerning its express and implied advisory and executive duties. Amplification of the THGC's express roles and functions is especially necessary in light of subsequent legislation that broadened the Commission's authority with grant approval functions in 2011 and gave the Commission the lead role in 2019 supporting the state's public schools as part of Holocaust Remembrance Week under SB 1828.

As intended in the process, the Sunset staff's findings offer an overview of the THGC's operations over a ten-year period and correctly identify areas for improvement within the organization. In contrast, the report fails to recognize the Commission's efforts initiated by the Chair upon her appointment two years ago to develop and implement a strategic planning process intended to align every aspect of the THGC's operations to address these issues. The recently completed strategic plan for 2021-2024 aligns the Commission's mission and vision and addresses areas of governance, metrics for measuring success, and proper oversight, points noted in the Sunset report. In other words, the THGC, under its new leadership, recognized the need for these changes and improvements and took action *prior* to the start of the Sunset process to ensure that its mission-driven goals and statutory objectives are achieved. Additionally, this plan specifically focuses on outreach efforts to underrepresented areas of the state.

The THGC recognizes the importance associated with the allocation of any public or private funding and is committed to implementing an agreement with the Friends of the THGC to clarify the relationship between these two entities. The THGC and Friends of the THGC began the process of formalizing this relationship with guidance from counsel from the Attorney General's Office in January 2020 to ensure compliance with state requirements.

The THGC, including its commissioners and staff, is aware of the great trust and responsibility provided by the Legislature and the citizens of Texas under the Commission's charter and has acted with good faith and in the spirit of the founding legislation to meet its statutory responsibilities. It has sponsored and developed initiatives with State, national, and international impact, including *The Texas Liberator Project* and the *Narratives of Modern Genocide*. In addition, the commissioners and staff have dedicated their time, talent, and devotion to ensure that Texans have access to Holocaust and genocide educational materials and resources. At a time when racial hatred, antisemitism, and ethnic conflict are on the rise throughout the nation and the world, the THGC remains a powerful advocate and symbol of Texas' commitment to ensuring a better state, nation, and world.



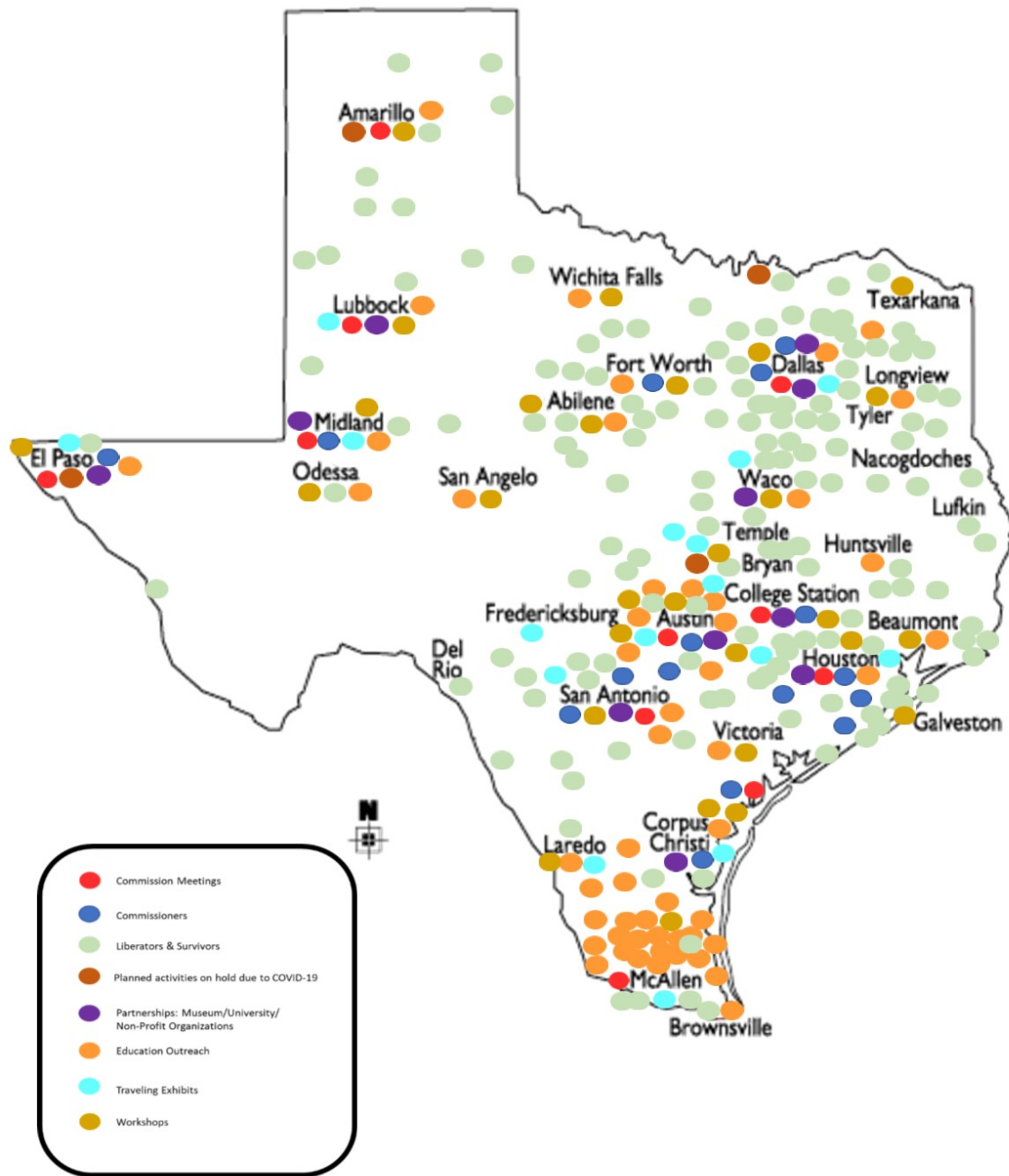
Accomplishments of the Texas Holocaust and Genocide Commission

- The THGC funded and collaborated on a documentary film, *Caring Corrupted*, on the voluntary participation of Nazi medical staff in the murder of patients placed under their care. This documentary educates nursing students on the development and importance of medical ethics and is available on YouTube, and as of December 2020, has been viewed 4,500,769 times.
- The THGC researched and compiled an Honor Roll of more than 500 Texas Liberators, the largest contingency of military from any state, who were present at the liberation of Nazi concentration camps during World War II.
- A book featuring narratives of 21 Texas liberators was created and sent to every public and private high school library within the State of Texas.
- The traveling exhibition, *The Texas Liberator: Witness to the Holocaust* has been viewed by over 26,000 visitors across the State of Texas.
- The THGC created a documentary focusing on survivors of the genocides in Cambodia and Rwanda/Burundi called *Narratives of Modern Genocide*. The film has received critical acclaim and garnered awards in three international film festivals: Beyond Earth Film Festival, Awareness Festival, and Home Is Distant Shores Film Festival.
- The THGC has awarded \$354,798 in non-profit grants to non-profit organizations across the State. One of these grants funded 5,000 books for primary and secondary schools and culminated in a community-wide discussion with over 1,000 people in attendance in Austin.
- With recommendations and assistance from the THGC, in 2015, The College Board added Holocaust specific questions to the National Advanced Placement Exam for History.
- With recommendations and assistance from the THGC, in 2010, the Texas Education Agency adopted new Texas Essential Knowledge and Skills (TEKS) standards related to Holocaust, genocide, and mass murder.
- The THGC consulted, advised, and visited with all 20 Education Service Centers (ESCs) in the State and provided free online continuing education modules for all Texas teachers.
- The THGC website provides an easy entry-point for educators, students, and Texas citizens by delivering accessible and vetted materials to learn about the Holocaust and other genocides
- The Dr. Anna Steinberger Outstanding Teacher Award was created in 2016 and has recognized teachers from Laredo, El Paso, Beaumont, and Robinson for their dedication to Holocaust education.
- Over 1,500 students from grades 6-12 have applied for the THGC Student Contests in poetry and visual arts, with 201 receiving awards and state-wide recognition.
- The THGC recognized the need for Hispanic Outreach and hired a Spanish speaking Outreach Coordinator in 2018 to focus on the Hispanic population that makes up 1/3rd of Texas.



THGC Impact

Impact of the Texas Holocaust & Genocide Commission 2010– Present





Response to Staff Report

Sunset Staff Recommendation

The Texas Holocaust and Genocide Commission Has Never Functioned as Intended, Cannot Show Measurable Benefit to the State, and Should Be Abolished

THGC Response

The Sunset staff has diligently gathered facts over the THGC's first ten years of existence; however, the Commission believes that the findings have been mischaracterized and ultimately have led to the incorrect recommendation to abolish the Texas Holocaust and Genocide Commission. The THGC acknowledges some of our operational deficiencies and lack of adherence to certain oversight measures and took proactive measures to implement a strategic planning process to align the THGC's internal practices to address these issues.

The recently completed strategic plan for 2021-2024 aligns the Commission's mission and vision and addresses areas of governance, metrics for measuring success, and proper oversight, points noted in the Sunset report. The THGC recognized the need for these changes and improvements and took action *prior* to the start of the Sunset process to ensure that its mission-driven goals and statutory objectives are achieved. Additionally, this plan specifically focuses on outreach efforts to underrepresented areas of the State.

The THGC recognizes that there have been serious gaps in professional leadership in the past and have rectified that particular issue with the hiring of our Executive Director in December of 2019. As this is the first time that the THGC has been under Sunset Review, we expect to take the findings of the staff as recommendations to align our management with best practices of other organizations within the State of Texas. Abolishment of the Commission is an extreme measure in comparison to the relatively minor changes that need to be addressed in amending the founding legislation in order to align the Commission's charter with the spirit and intent of the Legislature. THGC works on behalf of Texans under the statute and we are willing to make any changes to fix any perceived shortcomings*.

Sunset Staff Observation

The commission has exceeded its limited statutory authority as an advisory body while neglecting its advisory duties.

THGC Response

The THGC is composed of appointees by the Governor, Lt. Governor, and Speaker of the House, who volunteer without remuneration. These civic minded commissioners, without detailed guidance or clear language in the founding statute, built a robust, sustainable, and noteworthy organization from the ground up. The THGC had limited supervision from the State and relied on its parent organization, the Texas Historical Commission (THC), for administrative support, including personnel authorizations and biennial budget requests. As this is the THGC's first Sunset Review process, we seek clarification and direction to modify the limited statute to follow the unique mission of the THGC.

*See Accomplishments of the Texas Holocaust and Genocide Commission



From the beginning, the THGC has been in an awkward statutory position. We do not “belong” to any established State organization and relied on support from the THC. This organizational structure may have unintentionally created additional work for the THC staff. Based on the report’s findings, perhaps the Legislature should reevaluate the most appropriate home for the THGC.

Upon advice of the Texas Attorney General’s office and approval of the THC staff, the Commission routinely takes actions in accordance with the spirit and intent of the statute that may at times exceed strictly advisory functions. The intent of the founding legislation was to educate Texans about the Holocaust and other genocides. We have accomplished this goal to the best of the organization’s abilities. The THGC was even given additional responsibilities by the Legislature, presumptively because it was acting appropriately under the statute and to the betterment of the Texans it serves and based on its demonstrated accomplishments in promoting Holocaust and genocide awareness and education throughout the State.

The Commission takes exception to the statement by the Sunset staff, “while neglecting its advisory duties.” The THGC has advised on numerous projects that have a significant impact on Texans:

- The THGC advised Governor Greg Abbott on choosing an appropriate date for Holocaust Remembrance Week, which coincides with International Holocaust Remembrance Day held every year on January 27.
- With recommendations and assistance from the THGC, in 2010, the Texas Education Agency adopted new Texas Essential Knowledge and Skills (TEKS) standards related to Holocaust, genocide, and mass murder.
- With recommendations and assistance from the THGC, in 2015, The College Board added Holocaust specific questions to the National Advanced Placement Exam for History.
- The THGC staff routinely advises teachers and students on best practices for teaching and learning about the Holocaust and other genocides.
- The THGC has identified and catalogued Holocaust memorials and provides links to museums in the State of Texas.
- The THGC has developed an extensive list of volunteer speakers who travel throughout the State to make presentations about the Holocaust and other genocides.
- The THGC has worked to identify and memorialize Texas military service men and women who liberated Nazi concentration camps in WWII.



Sunset Staff Observation

THGC has spent \$3.2 million in general revenue but cannot show any measurable benefits to the state.

THGC Response

The THGC was appropriated \$3.2 million dollars over a *ten-year* period by the Texas Legislature under the scrutiny and oversight of the THC. Requests for these budgetary funds were coordinated with the THC. The THGC went through the formal legislative budget process to request funds for the Commission. No anomalies or problems regarding spending these dollars were flagged and, as the Commission matured over the years, more money was allocated by the Legislature to support the THGC's good work and initiatives throughout the State. As part of our strategic planning process, the THGC is developing metrics by which the effectiveness of our projects can be measured.

The State of Texas has been widely praised for creating one of the first Holocaust and genocide commissions in the country. The State of Texas serves as a leader amongst other states for the types of projects that the THGC has initiated and managed. The THGC has received national and international accolades for the following programs and projects that were created and funded:

Texas Liberator Project

The multi-pronged project includes an educational app; a website that features interactive maps, an Honor Roll of veteran liberators, bibliographies, filmographies, and teacher resources; a traveling exhibit; and a book featuring the narratives of 21 Texas liberators that has been provided free of charge to every public and private high school libraries in the State of Texas.

Since its creation in 2017, the traveling exhibition, *The Texas Liberator: Witness to the Holocaust*, has been viewed by over 26,000 visitors. The exhibition has been on display in 14 locations, including military bases, schools, museums, universities, libraries, and in the Texas State Capitol.

Narratives of Modern Genocide

Texas Tech University, in cooperation with the Texas Holocaust and Genocide Commission, created a documentary focusing on survivors of the genocides in Cambodia and Rwanda/Burundi. This documentary, which is 50 minutes long, has garnered awards in three film festivals: Beyond Earth Film Festival, Awareness Festival, and Home Is Distant Shores Film Festival. It is also in consideration for several other film festivals including-- Open World Toronto Film Festival and Human Rights Film Festival Barcelona/ Paris / NYC. Texas Tech University also created a website and traveling exhibit to showcase this project.

Texas Tech University is airing Narratives of Modern Genocide on PBS in Lubbock and the surrounding areas with plans to broadcast on PBS nationwide. The DVD will be available for Pre-order December 15th from Passion River Films and will be available on Kanopy, and Amazon Prime beginning January 12, 2021.



Sunset Staff Observation

Neglected Statutory Duties

THGC Response

The THGC feels that this statement is misleading and not factual. The founding statute delineates six general powers and duties of the THGC and specifies relevant public and private agencies and organizations with which the THGC may interact and collaborate. The THGC has addressed and complied with these powers, duties and responsibilities since its formation, continues to do so and reports such activities on its official public website. In addition, the Commission made a proactive decision, in line with modern practices of education, to seek out and amplify stories of people who were directly involved with the Holocaust and other recent genocides. This type of information gathering and dissemination is one of the most important functions of the THGC and is a “best practice” for education in the modern history arena. The THGC has not only not neglected its statutory duties, but has creatively and responsibly added more functions to further its reach and effectiveness.

Sunset Staff Observation

Poorly run matching grant program with no measurable results

THGC Response

The THGC tracks and oversees projects grant projects developed with funds appropriated by the State. Through our new, strategic planning process, the THGC has identified areas to better evaluate and measure grant projects in the future.

Sunset Staff Observation

Ineffective Educational Resources

THGC Response

The THGC takes exception to this statement. The THGC acts as a key conduit and coordinator with international, national, state, and local organizations and entities that work in the field of Holocaust and genocide education. With teachers in mind, the THGC created the ODLE (Online Digital Library for Educators), that is free of charge and provides resources, including excerpts of books, poems, and movie clips, to provide digestible, age appropriate and meaningful information. The THGC hosts workshops for educators based on this material.

The recently updated THGC website provides a starting point for citizens to learn about the Holocaust and other genocides. The website presents guidelines for teaching and matches curated materials. The calendar highlights activities and opportunities throughout the State and continues to carry out the THGC’s statutory duty to connect appropriate educational resources with Texans.



Additionally, the THGC acts as the hub for coordinating events and information with the four Texas Holocaust Museums, the United States Holocaust Memorial Museum (USHMM), the Association for Holocaust Organizations (AHO), and other nationally recognized educational entities and museums.

Through the strategic planning process, the THGC has identified areas to improve on measuring and quantifying this information, including installing trackers on the website and ODLE to understand more about user behavior to more effectively reach our audience. One area of need for the State was creating Spanish language educational materials, which is currently being addressed through the hiring of a Hispanic Outreach professional.

The Commission has also designed traveling exhibits, notably the acclaimed Texas Liberator Project, which has been viewed by more than 26,000 Texans, and continues to share the stories of some of Texas' GI's who liberated concentration camps at the end of World War II.

Sunset Staff Observation

Noncompliance with Affiliated Nonprofit Rules

THGC Response

The THGC recognizes the importance associated with the allocation of any public or private funding and is committed to implementing an agreement with the Friends of the THGC to clarify the relationship between these two entities. The THGC and Friends of the THGC began the process of formalizing this relationship with guidance from counsel from the Attorney General's Office in January 2020 to ensure compliance with state requirements.

Sunset Staff Observation

The commission's efforts largely duplicate those of other public and nonprofit entities in Texas and nationally

THGC Response

There is no other organization in the State of Texas, public or private, that provides educational materials and resources with the same reach for its specific targeted audiences as the THGC. National organizations, including the USHMM in Washington, DC, cannot connect with Texas citizens, including students, teachers, and the population at large, in the same way that the THGC has been able to do for the last ten years. Each of the individual Holocaust museums in Texas do not have the resources and reach to educate all Texans. Universities, historical organizations, and other history-focused educational platforms do not cover the subjects of the Holocaust and other genocides with the same attention as the THGC. The founding legislation was designed for the purpose of educating all Texans for the reason that no statewide mechanism existed to do this prior to the creation of the THGC. The THGC is unique in the breadth of Texas-focused resources and the depth of focus on educating all Texans, and creating awareness, about the Holocaust and other genocides.