Duffey, Joseph: Humanities Chairman Nomination Hearing (September 9, 1977): Correspondence 01

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On May 19, the day Arts and Humanities passed on the calendar, Sen. Magnuson briefly spoke to you on the floor about a possible problem he had with the State Humanities people in Washington State vis a vis our Senate-adopted new plan for State Humanities programs. He spoke at greater length to Sen. Javits, who indicated a willingness to look into the matter. (I have not been approached in any way by the Magnuson staff... Apparently Sen. Magnuson didn't feel like asking you personally to change your mind on this issue.)

Upshot is the attached letter which Greg Fusco gave me yesterday. Greg has been in touch with the Magnuson staff, but only to the extent of suggesting that a letter be written setting forth the views of the Humanities group in Washington (Washington Commission for the Humanities).

I've underlined passages which seem important.

The Wash. Commission makes the following points:

1. They prefer the House version of the bill, which in essence allows for the existing structure to continue, provided two members of the Commission, or other State Humanities Committee in the other states, be appointed by the Governor.

2. They find that the various options included in the Senate bill, including the extra Javits option, would hamper their operations. (To recap: the Senate bill permits funding of one of these -- an existing State combined Arts and Humanities program (as in Texas and 10 other States; a new entity devoted just to the Humanities; an existing Committee provided it phase in a procedure so that within three years a majority of its members are appointed by the State governor; or (Javits) an existing committee provided it establish a grievance procedure to take care of complaints, in accord with a State-approved plan.

3. The Wash. group is right in saying that the Senate version entails State determination and choice among these options. The State makes the designation of the option it wishes. Under the House bill, the Chairman (Berman) can approve continuation of the State committee, though it must have two members appointed by the Governor.

4. The Wash. committee makes a special point of saying that the existing program is focused on "public issues" "issues of public policy", and that independence is essential to the program -- i.e., independence from State or other governmental intrusion. This is an interesting point -- let's suppose that a State committee wanted a discussion of democratic principles, and opinions were voiced that were antagonistic to a given govt. official... I can see some desirability for independence from State supervision.

5. But there is a more important point: Who says that this is what the State wants in its Humanities program most of all? At present all States conduct programs based on public policy issues... These programs vary widely and allow for many kinds of projects -- but each State adopts a yearly "theme" -- and as we have said this in itself is limiting and precludes Humanities groups outside the given theme.
I am told by the Williams staff that they are getting similar expressions of preference between Senate and House versions of the bill from the New Jersey Committee... (I can understand why Berman would pick New Jersey for a major push to reverse our Senate position -- but Washington seems to have combined a strong Humanities Committee protagonist with a direct pipeline to Sen. Magnuson... The only other office where there seems to be some unrest is Sen. Domini's... In all other respects the Javits compromise as in the bill we passed seems to have quieted further concerns -- nothing more from Stafford or Taft, who were behind the Javits move to modify our earlier position.)

I continue to believe -- and this Washington complaint underscores it -- that we did not weaken very much our original view... Basically, the Senate bill makes the State responsible for deciding what is best for its own needs.

I think this is a good, strong position for you -- for the Conference. You mentioned the other day that you wouldn't want to alter that position -- and I don't think you should indicate any willingness to go further.

We'll have to assess the import of the Magnuson involvement. I don't think I should volunteer meeting with the Magnuson staff people -- but I will so meet if they ask for that... Meanwhile, I'll continue to deal with Greg Fusco... He believes there is some particular, possibly personal friend reason, why Maggie is seemingly so concerned... I realize this can be a problem down the road a bit.

The Williams situation I think I can handle at the moment... The Governor of NJ -- I think partly because of a long explanation I gave not long ago to one of his staffers who called me -- tends now to side against the State Humanities group in NJ, and for the Senate bill, so Williams is getting two differing views.

One final point: You'll note in the attached letter that there is much made of how great the Washington program is and how it has won the approval of the Governor and others in State govt. circles. If that is the case -- why the deep concern that that the State would disrupt the existing program and cause a two-year uncertainty and "ambiguity and reorganization" if the Senate bill prevailed in Conference?

In sum, this letter contains one good valid point -- but then seems to defeat its purpose...

Unless you otherwise advise, I will meet with anyone who asks for meetings on this subject -- and will say that you have gone as far as you want to go on the issue involved... And with Greg, I'll use, in particular this point...

OK for the moment.