

1975

Berman, Ronald: Memoranda (1975-1984): Correspondence 12

Livingston Biddle

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LB
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TO: SENATOR, PAUL

FROM: LB AND CP

Nov. 18, '75

① Would prefer this letter not directly mention appointment of Berman. However, if you consider it necessary to do so, you be it.

Cary and I had a meeting this afternoon with the GAO representatives re the Berman matter... John Tipton, who will be heading the investigation; and Jack Wild, his superior. Sam Bowlin, who had met with us previously was out today with the flu... Meeting was set up this afternoon and we proceeded, in the interests of time as it was preliminary to decisions (PG at Rules meeting, JF making a speech uptown).

② Also, why not a little something about morale of personnel etc.

③ Don't quite understand point you are making in 1st ¶ of p. 2 of this memo.

by us

The attached draft letter is amended from a suggested one they brought with them and which we discussed. This letter may be further amended -- but I think it covers the points they can cover in two months time and is general enough to allow for flexibility as the investigation develops. They expect to be in touch with us on a daily basis if desired, so that we can be fully informed of progress. They will have a team of four -- which they say is well above normal.

In two months they cannot make an overall assessment of the Endowment's work under Berman, but at the end of this time, we should know if continuance of the investigation is warranted, or if its findings indicate sufficient cause for concern.

The attached letter should be approved ASAP, hopefully by Nov. 19... We agreed to call in any changes, so that we would all begin on the same wave length. They don't need the letter physically in hand to notify Berman that they will be starting an investigation -- but I have told them not to so notify until the Senator reacts, and that he might want to let the Endowment know first that GAO will be proceeding with an audit.

Note: The only provision in the letter that GAO needs is the caveat in the final paragraph re an overall assessment. They suggested using these words, but I would much prefer a qualifier ~~without~~ "a complete overall assessment..." as in the draft letter. This qualifier was agreed to in our conversation .

Basic decision remaining:

Should we notify the Endowment that GAO will be starting an investigation? *yes, but not pulling*

This is not standard procedure, according to GAO -- in most cases they simply notify the group to be investigated that they will proceed because of a request of Sen. ___ or Cong. ___. However, sometimes the Member of Congress announces this himself.

In view of your extreme fairness in all dealings with NEH, I would recommend that I could call Joe Hagan and tell him that this was going to take place. Without Comment.

Thus
agree