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RUSH November 13, 1984 Betty plu ca Betty plu ca Revell r. Newell Newell November 13, 1984 Betty plu ca Revell Clearance, M. His. MEMORANDUM VZ IO - Mr. Newell TO Dull 11/1/11 1 632-034 THROUGH : IO - Jean C. Bergaust : IO/CU - Lacy A. Wright, Jr. FROM

SUBJECT : Reduction in Size of the U.S. National Commission for UNESCO

Issue

To acquiesce or not in the decision of the Executive Committee of the National Commission for UNESCO to reduce the Commission's size from 89 members to 66.

Principal Factors

The Executive Committee of the National Commission took an action in February 1984 to reduce the Commission's size. No one, however, informed the Commissioners; instead, Jim Holderman asked us to do so. We must now decide whether to accept this action as valid (see Holderman letter, attached). If we do, the Commission will have shrunk to 66 members as of the beginning of 1984. If we do not, the Commission remains at its present level of 89. Jonathan Davidson informs us that Holderman would have no objection to whatever decision we make as long as we make <u>some</u> decision and do not leave a cloud of uncertainty hanging over the December meeting which could permit its validity to be called into question.

Holderman has told us (through Jonathan Davidson) that, based on his discussions with you prior to the December 1983 meeting, he believed he had your consent to move forward with a proposal to streamline the Commission. The verbatim records of the Commission's December 1983 meeting (relevant page attached) seem to confirm this.

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By our count (see attached sheet), five Reagan Administration appointees would be affected (Borcherdt, Blatch, Istomin, Meese, and Weinstein). From the NGO sector, on the other hand, 16 would be affected.

Our lawyers believe that the Executive Committee's action is invalid. Article 4, Section I, of the Commission's by-laws stipulate that "The regular term of a commissioner shall begin on receipt of his or her letter of appointment and shall continue for a term of not more than three years or until a successor has been appointed." Since no successors have been appointed, those Commissioners whose first term ended in December 1983 remain Commissioners; members who have served two terms, on the other hand, do have to leave the Commission.

Public Law 565 also stipulates that "no member shall serve more than two consecutive terms." At the end of the last annual meeting, eight commissioners had completed two terms (i.e., Boulding, Clapper, Everett, Fobes, Frank, Hargrove, Harris, and Quinones). Our lawyers agree that this means that those eight are no longer Commissioners, and that the size of the Commission has now been reduced from 97 to 89 members. The Executive Committee's decision, if left unchallenged, would reduce the Commission's membership still further to 66.

Arguments in Favor of Accepting the Executive Committee's Action

1

- -- Letting the reduction stand would result in a savings of \$5,000-7,000 from the amount that would otherwise be spent on the December meeting - funds which could then be used for other IO activities.
- -- A decision to reject as invalid the Executive Committee's reduction action might be perceived by some members of the Commission (a quasi-public body) as interference in their internal affairs and might generate controversy (although, as noted above, Holderman himself appears ready to accept this decision).

Arguments in Favor of Contesting the Action

-- Our acquiescence in the Executive Committee's decision could be seen by the White House Personnel Office as not taking advantage of the opportunity to make Administration appointments to the Commission. The Commission's membership, as you know, is supposed to reflect political reality, which is why appointments are made in the current way.

4

- -- Rejecting the Executive Committee's action would enable four or five active Commissioners with pro-Administration views to participate in the upcoming annual meeting. It will be recalled that at last year's annual meeting only <u>eight</u> Commissioners were on hand to support the Administration's position on U.S. withdrawal from UNESCO. We do not know yet what controversial matters the Commission will take up at this year's meeting (December 13) since we do not yet have the agenda.
- -- If we do not contest the Executive Committee's action, the Department will be in the position of having to inform the Commissioners of an action which our lawyers tell us is invalid. This is so because Holderman refuses himself to undertake this task, claiming that this is the responsibility of the Executive Secretary.

Options

That we acquiesce in the Executive Committee's action
(i.e., that we write Holderman concurring in the Executive
Committee's decision and that we inform the Commissioners
affected).

Disagree

2. That we do not accept the Executive Committee's action, but rather that we write Holderman explaining our legal objections to the way the decision was taken and our inability to see any alternative but for him to invite all Commissioners except those eight whose second terms expired at the end of 1983. (IO/CU recommends this option.)

Agree_____ Disagree_____

Attachments:

As stated

IO/CU:RNobbe:hh

WANG 0991A

IO/CU:LAWrightJr. Clear:

IO:GClark

L/UNA:TBorek

M:MUssery

IO/EX:RHennes

JOINT RESOLUTION Providing for Membership and Participation by the United States in the United Nations Educational, Scientific, and Cultural Organization, and Authorizing an Appropriation Therefor¹

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President is hereby authorized to accept membership for the United States in the United Nations Educational, Scientific, and Cultural Organization (hereinafter referred to as the "Organization"), the constitution of which was approved in London on November 16, 1945, by the United Nations Conference for the establishment of an Educational, Scientific, and Cultural Organization, and deposited in the Archives of the Government of the United Kingdom.

Sec. 2. The President by and with the consent of the Senate shall designate from time to time to attend a specified session or specified sessions of the General Conference of the Organization not to exceed five representatives of the United States and such number of alternates not to exceed five as he may determine consistent with the rules of procedure of the General Conference: Provided, however, That each such representative and each such alternate must be an American citizen. One of the representatives shall be designated as the senior representative. Such representatives and alternates shall each be entitled to receive compensation at such rates provided for Foreign Service officers in the schedule contained in section 867 of this title, as the President may determine, for such periods as the President may specify, except that no Member of the Senate or House of Representatives or officer of the United States who is designated under this section as a representative of the United States or as an alternate to attend any specified session or specified sessions of the General Conference shall be entitled to receive such compensation. Whenever a representative of the United States is elected by the General Conference to serve on the Executive Board, or is elected President of the General Conference and thus becomes an cr officio adviser to the Executive Board, under provision of article V of the constitution of the Organization, the President may extend

¹ Public Law 565, 79th Cong., 2d Sess. (22 U.S.C. 287m-287t); as amended by (Public Law 854, 84th Cong., 2d Sess.; Public Law 477, 85th Cong., 2d Sess.; Public Law 139, 87th Cong., 1st Sess.; Public Law 426, 88th Cong., 2d Sess. the above provisions for compensation to such representative during-periods of service in connection with the Executive Board.

Sec. 3. In fulfillment of article VII of the constitution of the Organization, the Secrétary of State shall cause to be organized a National Commission on Educational, Scientific, and Cultural Corporation² of pot to exceed one hundred members. Such Commission shall be appointed by the Secretary of State and shall consist of (a) not more than sixty representatives of principal national, voluntary organizations interested in educational, scientific, and cultural matters; and (b) not more than forty outstanding persons selected by the Secretary of State, including not more than ten persons holding office under or employed by the Government of the United States, not more than fifteen representatives of the educational, scientific, and cultural interests of State and local governments, and not more than fifteen persons chosen at large. The Secretary of State is authorized to name in the first instance fifty of the principal national voluntary organizations, each of which shall be invited to designate one representative for appointment to the National Commission." Thereafter, the National Commission shall periodically review and, if deemed advisable, revise the list of such organizations designating representatives in order to achieve a desirable rotation among organizations represented. To constitute the initial Commission, onethird of the members shall be appointed to serve for a term of one year, one-third for a term of two years, and one-third or the remainder thereof for a term of three years; from thence on following, all members shall be appointed for a term of three years each, but no member shall serve more than two consecutive terms. The National Commission shall meet at least once annually? The National Commission shall designate from among its members an executive committee, and may designate such other committees as may prove necessary, to consult with the Department of State and to perform such other functions as the National Commission shall delegate to them." No member of the National Commission shall be allowed any salary or other compensation for services: Provided, however, That he may be paid transportation and other expenses as authorized by section 5703 of Title 5.

Sec. 4. Each such member of the National Commission must be an American citizen.

Sec. 5. The National Commission shall call general conferences for the discussion of matters relating to the activities of the Organization, to which conferences organized bodies actively interested in such matters shall be invited to send representatives:

" So in original. Probably should be "Cooperation".

Provided, however, That the travel and maintenance of such representation shall be without expense to the Government. Such general conferences shall be held annually or biennially, as the National Commission may determine, and in such places as it may designate. They shall be attended so far as possible by the members of the National Commission and by the delegates of the United States to the General Conference of the Organization. The National Commission is further authorized to call special conferences of experts for the consideration of specific matters relating to the Organization by persons of specialized competences. The Department of State may pay their transportation and other expenses as authorized by section 5703 of Title 5, for the period of actual attendance and of necessary travel. The National Commission is further authorized to receive and accept services and gifts or bequests of money or materials to carry out any of the educational, scientific, or cultural purposes of the National Commission as set forth in sections 287m to 287t of this title and in the constitution of the Organization7Any money so received shall be held by the Secretary of State and shall be subject to disbursement through the disbursement facilities of the Treasury Department as the terms of the gift or bequest may require and shall remain available for expenditure by grant or otherwise until expended: Provided, That no such gift or bequest may be accepted or disbursed if the terms thereof are inconsistent with the purposes of the National Commission as set forth in sections 287m to 287t of this title and in the constitution of the Organization. In no event shall the National Commission accept gifts or bequests in excess of \$200,000 in the aggregate in any one year? Gifts or bequests provided for herein shall, for the purposes of Federal income, estate, and gift taxes, be deemed to be a gift to or for the United States. The National Commission and Secretary of State shall submit to Congress annual reports of receipts and expenditures of funds and bequests received and disbursed pursuant to the provisions of this section.

Sec. 6. There is hereby authorized to be appropriated annually to the Department of State, out of any money in the Treasury not otherwise appropriated such sums as may be necessary for the payment by the United States of its share of the expenses of the Organization as apportioned by the General Conference of the Organization in accordance with article IX of the constitution of the Organization, and such additional sums as may be necessary to pay the expenses of participation by the United States in the activities of the Organization, including: (a) salaries of the representatives provided for in section 287n of this title, of their appropriate staffs, and of members of the secretariat of the National Commission provided for in section 2870 of this title, including

personal services in the District of Columbia and clsewhere, without regard to the civil-service laws and chapter 51 and subchapter III of chapter 53 of Title 5; (b) travel expenses without regard to the Standardized Government Travel Regulations, as amended, the Subsistence Expense Act of 1926, as amended, and section 5731 of Title 5, and, under such rules and regulations as the Secretary of State may prescribe, travel expenses of families and transportation of effects of United States representatives and other personnel in going to and returning from their post of duty; (c) allowances for living quarters, including heat, fuel, and light, as authorized by section 5912 of Title 5; (d) cost of living allowances under such rules and regulations as the Secretary of State may prescribe, including allowances to persons temporarily stationed abroad; (e) communication services; (f) stenographic reporting, translating, and other services, by contract, if deemed necessary, without regard to section 5 of Title 41; (g) local transportation; (h) equipment; (i) transportation of things; (j) rent of offices; (k) printing and binding without regard to section 501 of Title 44 and section 5 of Title 41; (1) official entertainment; (m) stationery; (n) purchase of newspapers, periodicals, books, and documents; and (o) such other expenses as may be authorized by the Secretary of State.

Sec. 7. Unless Congress by law authorizes such action, neither the President nor any person or agency shall on behalf of the United States approve any amendment under article XIII of the constitution of the Organization involving any new obligation for the United States.

Sec. 8. In adopting sections 287m to 287t of this title, it is the understanding of the Congress that the constitution of the Organization does not require, nor do such sections authorize, the disclosure of any information or knowledge in any case in which such disclosure is prohibited by any law of the United States.

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Approved July 30, 1946.

SUMMARY MINUTES OF MEETING OF THE EXECUTIVE COMMITTEE

OF THE U.S. NATIONAL COMMISSION FOR UNESCO

TUESDAY FEBRUARY 21, 1984

The Executive Committee met at 1750 K Street, N.W., Washington, D.C., from 9:30 - 12:30, and decided the following matters.

Membership of the Commission

The Chair of the Membership Committee (Ruth Robbins) reported that decisions were required on the status of certain members, following the expiry of their terms at the end of 1983.

Following discussion, the Committee decided that Commissioners whose first or second terms had expired at the end of 1983 should not be reappointed, in the interests of preparing for the proposed smaller Commission. Exceptions were to be made in the case of those members of the Commission who were elected to Committee assignments at the 47th meeting. Similarly, NGO's whose representatives' terms had expired would not be asked to nominate successors.

The Executive Committee instructed that the affected organizations and their representatives on the Commission be informed.

Future of the Commission

Mr. Krumm presented amendments to the report on the Future of the Commission in the light of comments made at the 47th meeting.

Following discussion, the Committee agreed to all the proposed amendments, and requested the Byrnes Center to prepare a final version of the report so that the resolution adopted at the 47th meeting could be implemented. (The resolution authorized the Executive Committee to complete the Report and have it published and distributed, and instructed the Chairman to transmit the Report to the Secretary of State).

U.S./UNESCO

Ambassador Hennelly reported that the Conference Board would like to compile information about the implications of withdrawal from UNESCO for American business. Commissioners requested the Byrnes Center to help coordinate the necessary data gathering.

A UNA paper on UNESCO had been prepared and Mr.de Palma said the UNA was also considering the possibility of helping to distribute additional briefing papers on various UNESCO sectors and issues. Several of the proposed briefing papers had already been prepared and others were in preparation, by Commissioners and other experts.

The Byrnes Center was asked to help coordinate these efforts.

Commissioners agreed with a further suggestion by Mr. de Palma that the Commission should be alerted to the need to identify the reforms which the U.S. would like to see in UNESCO and which could realistically be undertaken.

Other National Commissions should be asked to lend support to the U.S. effort to reform UNESCO.

Following discussion, the Committee requested the Officers to meet to pursue these various points. A meeting of the Officers was accordingly set for March 7.

Advisory Panel

Mr. Lacey Wright, newly appointed Director of the Office of UNESCO Affairs in the State Department, informed the Committee that the Secretary of State intended to appoint Dr. Holderman Chairman of the proposed Advisory panel (in confidence until the public announcement, expected early in March). The panel would examine UNESCO in the course of 1984 and advise the Secretary of State by December whether sufficient concrete changes were underway in UNESCO to warrant a review of the Administration's decision to leave. The panel would also examine the feasibility of alternative forms of international cooperation in the fields of education, science, culture and communications.

In reply to a question from the Chair, members of the Committee said that they saw no objection to Dr. Holderman holding the posts of Chairman of the Commission and Chairman of the Advisory panel concurrently. However, the Committee requested that the Commission be represented on the panel by an additional member, since the Chairman of the panel, who would need to be impartial, could not directly represent the Commission. Mr. Wright took note of this request. In addition Mr. Wright stated that the State Department also saw no objection to Dr. Holderman holding both posts. On the contrary, it was seen to be entirely fitting for him to be Chairman of the Advisory panel in view of his Chairmanship of the National Commission.

State Department Support for the Commission

Mr. Wright said that the State Department would like to continue to support the Commission's activities. As a first step, he had revived the practice of forwarding to Commissioners the materials sent by UNESCO. He invited Commissioners to get in touch if there was further assistance they would like from the State Department.

Administration Review of UNESCO

Mr. Wright reported that the Administration's review was in its final stages and the report would probably be released within a week. Copies would go to all Commissioners. He took note of a request from the Committee to release the individual agency reports on the basis of which the State Department's review had been compiled.

National Commission Program and Budget

The Committee discussed the program and budget proposals for fiscal 1984 and agreed to request financial support from the State Department for the following:

- Operations of the National Commission, including the completion of the study of the Commission's future, dissemination of information and publications, and temporary housing of the Commission's library and records at the BIC.
- Summer meeting of the National Commission at the University of South Carolina.
- 3) A Conference on Evolving Concepts of Human Rights.
- 4) A Conference on the Mass Media and Development.
- Support for a proposed National Academy of Sciences study on the consequences of U.S. withdrawal for U.S. scientific activity.

Bylaws

of the

U.S. National Commission for UNESCO

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(United Nations Educational, Scientific, and Cultural Organization)

December 1981

U.S. NATIONAL COMMISSION FOR UNESCO

Bylaws

Article I Name and Establishment

Section 1. The name of this organization shall be the United States National Commission for the United Nations Educational, Scientific and Cultural Organization.

Section 2. The United States National Commission for the United Nations Educational, Scientific and Cultural Organization (hereinafter called the National Commission) is hereby organized by the Secretary of State in compliance with the provisions of Public Law 565 of the 79th Congress (60 Stat. 712; 22 U.S.C., sec. 287 m-t) and in fulfillment of Article VII of the Constitution of the United Nations Educational, Scientific and Cultural Organization (hereinafter called UNESCO) to advise the Department of State on United States participation in UNESCO.

Article II Purpose

The	purpose of the National Commission shall be:					
a.	to advise the Government of the United					
	States in matters relating to UNESCO and					
	in all matters referred to the Commission					
	by the Secretary of State;					
ь.	to recommend the appointment of United					
-	States delegates to the General Conferences					
	of UNESCO;					
c.	to consult with the Delegations of the United					

- States to the General Conference of UNESCO with regard to the activities of UNESCO;
- d. to serve as an agency of liaison with organizations, institutions and individuals in the United States concerning matters relating to the activities of UNESCO or which are cooperating in such matters;
- e. to promote an understanding of the general objectives of UNESCO among the people of the United States.

Article III Membership of the National Commission

Section 1. The National Commission shall be composed of not more than one hundred persons, hereinafter referred to as Commissioners, who are citizens of the United States, and who shall be appointed by the Secretary-of State in accordance with the provisions of Section 3 of Public Law 565 above mentioned, as follows:

- a. One Commissioner who shall be a representative of each of not more than sixty principal national voluntary organizations interested in educational scientific and cultural matters, said organizations to be designated by vote of the National Commission as provided in Sections 2-7 of this Article;
- b. not more than ten Commissioners holding office under or employed by the Government of the United States;
- c. not more than fifteen Commissioners representative of the educational, scientific and cultural interests of State and local governments;

d. .not more than fifteen Commissioners at large. Section 2. The national voluntary organizations shall be nominated to be represented on the National Commission by a Committee on Membership which shall annually review the list of voluntary organizations represented in the National Commission and shall recommend to the National Commission such changes in the roster not to exceed ten per year which may be desirable or necessary in order to comply with Sections 5 and 6 of this Article of these Bylaws.

Section 3. The Committee on Membership shall advise the Secretariat of the organizations designated for representation.

Section 4. The Secretariat of the National Commission shall advise each prospective organization of its nomination at least three months before the annual meeting at which the organization shall be proposed for election to membership.

Section 5. In its review and revision of the list of voluntary organizations the Committee on Membership shall consider the attendance of the Commissioners who serve as representatives f the organizations at the

meetings of the National Commission and may consider absence of such Commissioners from two successive meetings of the Commission as cause for removal of their respective organizations from the roster.

Section 6. A voluntary organization may be represented for a maximum of twelve years on the National Commission. Having been represented for the maximum time, an organization may not be redesignated for at least two years from the annual meeting at which its 12-year time period expired. No more than ten voluntary organizations may be rotated off the National Commission in any one year.

Section 7. The list of organizations proposed by the Committee on Membership shall be presented to the National Commission at the first business session of its annual meeting. Designation of organizations will be by a majority vote of the National Commission at a subsequent business session of that annual meeting.

Section 8. The Commission shall require voluntary organizations to submit annual reports on their activities in the fields of the interests of UNESCO and the U.S. National Commission for UNESCO.

Section 9. The Committee on Membership shall be composed of five Commissioners, three of whom shall be representatives of the national voluntary organizations. No two Committee members shall be from like disciplines. This Committee shall be elected at the annual meeting of the National Commission in the same manner as provided for the election of officers and members of the Executive Committee. No member of the Committee on Membership shall serve more than three consecutive terms of one year each, and at least one member shall retire each year. Vacancies occurring on this Committee may be filled by majority vote of the Executive Committee until the next annual meeting of the National Commission.

Article IV Individual Membership

Section 1. The regular term of a Commissioner shall begin on receipt of his/her letter of appointment and shall continue for a term of not more than three years or until a successor has been appointed. The date at which the term ends shall be specified in the notification of appointment. No Commissioner shall serve more than two consecutive terms.

Section 2. Vacancies of Commissioners shall be filled for the unexpired term in the same manner as the original appointment was made.

Section 3. The membership of a Commissioner appointed as an officer or employee of the Government of the United States or as a representative of the interests of State and local governments, shall continue for his/her term or until a successor has been appointed and shall terminate when the member ceases to hold that official position.

Section 4. Membership of Commissioners appointed as representatives of national voluntary organizations

shall be terminated when the Commissioner ceases to be accredited by or to be affiliated with the organization.

Section 5. Commissioners who vacate their membership in accordance with provisions of Section 3 and 4 of this Article, shall not be disqualified for appointment as Commissioners under other categories of membership designated in Article III, provided that no Commissioner shall serve more than two consecutive terms.

Article V Officers

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Section 1. The officers of the National Commission shall be a Chair and three Vice-Chairs who shall be Commissioners. These officers shall perform the duties prescribed by these Bylaws and all other duties incident to their respective offices.

Section 2. The Chair, or in his/her absence, a Vice-Chair rotated alphabetically, shall preside at the meetings of the National Commission and of the Executive Committee.

Section 3. The Chair shall be elected by majority vote at the annual meeting of the National Commission following nomination, as provided in Article IX and shall serve from the end of the meeting at which he/she is elected until the end of the annual meeting two years later, or until the election of his/her successor. The Chair may be re-elected for an additional two-year term. A Commissioner may be elected Chair for a term of one year if the Commissioner has only one year of eligibility of service with the Commission. Section 4. To provide continuity in Commission leadership or to accommodate a special circumstance, the Chair may be re-elected for an additional oneyear term, notwithstanding the membership limitation of the two consecutive terms as provided in Article IV, Section 1. In such a case, the membership of the Chair shall terminate at the same time his/her term as Chair terminates.

Section 5. The Vice-Chairs shall be elected at the annual meeting of the National Commission after nomination as provided in Article IX, and shall serve from the end of the meeting at which they are elected until the end of the next succeeding annual meeting, or until the election of their successors. No Commissioner shall serve more than four years as Vice-Chair.

Section 6. A vacancy in any elective office shall be filled for the unexpired term by majority vote of the Executive Committee.

Article VI Meetings of the Commission

Section 1. The National Commission shall hold an annual meeting for the purpose of elections, receiving reports, and for any other business that may arise.

Section 2. The date and location of the annual meeting shall be fixed at the discretion of the Executive Committee with the consideration that it be held after but within the same quarter as the ordinary session of the General Conference of UNESCO in such years as a General Conference is held.

Section 3. Special meetings of the National Commission may be called by the Executive Committee, the Department of State or upon the written request of thirty-five Commissioners.

Section 4. Appropriate notice of meetings of the Commission shall be sent to the Commissioners by the Secretariat.

Section 5. Thirty-five Commissioners shall constitute a quorum.

Section 6. Meetings of the National Commission may be held from time to time in different regions of the United States as determined by the Executive Committee. Section 7. There shall be no representation of Commissioners by proxy or alternate.

Section 8. Subject to the limitations of Public Law 565, particularly Section 8, a verbatim transcript of proceedings shall be taken at all meetings of the National Commission and shall be available to the Commissioners, Summary minutes shall be prepared from such verbatim transcripts and made available as soon as possible to the Commissioners. Following each meeting of the National Commission a report of the meeting, including the work of the plenary sessions and of the committees, shall be distributed to the Commissioners and made available to the public.

Section 9. Meetings of the National Commission shall be open to the public except that Executive Sessions may be held in accordance with the provisions of Federal regulations.

Article VII Executive Committee

Section 1. The Executive Committee shall be composed of the officers of the Commission and fifteen other Commissioners and three Commissioners as alternates elected by the National Commission at its annual meeting, after nomination as provided in Article IX. The Executive Committee shall broadly represent the various interests and disciplines of the National Commission membership.

Section 2. Alternates may attend the meetings of the Executive Committee and may exercise the right of vote of any absent member or members.

Section 3. The fifteen elected members of the Executive Committee and the alternates shall serve from the end of the meeting at which they are elected until the end of the next succeeding annual meeting or until the election of their successors. No elected member shall serve more than three consecutive years (not including service as an alternate), and at least five of the fifteen elected members shall be replaced each year.

Section 4. The Executive Committee shall have general supervision of the affairs of the Commission between its business meetings, make recommendations to the Commission, and shall perform such other duties as are specified in these bylaws. The Executive Committee shall be subject to the directions of the Commission, and none of its acts shall conflict with any action taken by the Commission.

Section 5. The Executive Committee shall:

- a. Call the meetings of the National Commission and prepare the agenda.
- b. Report actions to the National Commission.
- c. Appoint and instruct all committees unless other provision shall be made by the National Commission.
- d. Appoint subcommittees and consult with resource people as deemed necessary.
- e. Call and organize general conferences of the National Commission and special conferences of experts, as provided in Section 5 of Public Law 565.

- . f. Advise the Department of State with respect to the personnel and work of the Secretariat of the National Commission.
- g. Supervise the preparation of reports on the work of the National Commission, its committees and its conferences.
- h. Advise with respect to participation by the Government of the United States and by institutions, organizations and individuals in the program of UNESCO.

Section 6. The Executive Committee shall convey the recommendations of the National Commission to the Secretary of State and, subject to the general or specific instructions from the Commission shall, in its behalf, consult with and advise the Secretary of State concerning all matters within the jurisdiction of the Commission.

Section 7. The Executive Committee shall meet at least twice a year at the call of the Chair. Special meetings may be called by the Chair or upon written request of ten members of the Executive Committee.

Section 8. Ten members of the Executive Committee shall constitute a quorum.

Section 9. Vacancies occurring on this Committee may be filled by majority vote of the Executive Committee for the unexpired term until the next annual meeting of the Commission.

Section 10. If action must be taken concerning an emergent question or if extraordinary circumstances arise and it is not feasible to convene the Executive Committee, the Chair may cause the Executive Committee to be polled by mail or other appropriate means. The result of that polling shall be determined by a majority of those voting provided that at least twelve members of the Executive Committee respond.

Article VIII Committees

Section 1. Such standing and special committees as may be deemed necessary to carry on the work of the National Commission shall be appointed by the Executive Committee.

Section 2. The National Commission may appoint any additional committees it deems necessary.

Section 3. The Chair and members of committees shall be appointed by the Executive Committee. At least one member of each such committee shall be chosen from among the members of the Executive Committee. There shall be such rotation in the membership of the committees as the Executive Committee may determine. Persons who are not Commissioners may be appointed to committee positions, without vote.

Section 4.' The charge of each committee and its general procedure shall be determined by the Executive Committee.

Section 5. Committees shall report to the Executive mmittee on their proceedings and activities and through the Executive Committee to the National Commission. Section 6. Committees may be dissolved by the National Commission on recommendation of the Executive Committee.

Section 7. The Chair of the National Commission shall be ex-officio a member of all committees.

Article IX Nominations

Section 1. There shall be a Committee on Nominations of seven Commissioners who shall be appointed annually by the Executive Committee at least three months before the annual meeting at which the nominations are to be presented. The Chair of the previous Committee on Nominations shall be a member of the current Committee on Nominations but may not serve in the capacity of Chair.

Section 2. The Committee on Nominations shall inform the Commissioners of vacancies for which nominees shall be recommended.

Section 3. The Committee on Nominations shall submit to the annual meeting a slate of at least one nominee for each office, for the Executive Committee positions, and for the Committee on Membership positions to be filled. The consent of each nominee shall be obtained in advance.

Section 4. The proposed slate must be submitted in writing and sent to the Commissioners at least one month before the annual meeting.

Section 5. Nominations by petition of ten or more Commissioners may be sent to the Committee on Nominations not later than 12:00 noon of the day before the day on which the election is to be held and shall be added to the ballot which the Committee on Nominations shall prepare and distribute for the election of officers, members of the Executive Committee, and members of the Committee on Membership.

Article X General and Special Conferences

Section 1. In accordance with the provisions of Section 5 of Public Law 565, general conferences of the National Commission for the discussion of matters relating to the activities of UNESCO shall be called annually or biennially by the National Commission, to be held at such times and places as the Executive Committee shall determine. Organizations in the United States actively concerned with the activities of UNESCO shall be invited to send representatives without expense to the Government of the United States. Members of the National Commission and delegates of the United States to the General Conference of UNESCO shall attend these conferences whenever possible. The Executive Committee shall provide for the organization of such conferences, prepare the agenda and supervise the preparation of the reports of the proceedings.

Section 2. Special conferences of experts and consultants to consider specific matters relating to UNESCO may be called by the Executive Committee as authorized under section 5 of Public Law 565.
Section 3. The conferences referred to in this Article may be held in conjunction with the annual meetings of the Commission.

Article XI Secretariat

Section 1. The Secretariat of the National Commission shall be provided by the Department of State on the request of the Executive Committee. Subject to the approval of the Executive Committee, the chief officer of the Secretariat shall serve as Executive Secretary of the National Commission and of the Executive Committee.

Section 2. The Secretariat, within budgetary limits, shall provide administrative and secretarial services; services of research, reporting and editing for the National Commission; and such services for all committees; and for the general and special conferences.

Section 3. The Secretary of State or the designated representative(s) of the Secretary may attend all meetings of the National Commission and of all its committees.

Section 4. All activities of the National Commission involving the expenditure of public funds shall be subject to approval by the Secretary of State or the Secretary's designee. 14 1 :

and

Article XII Parliamentary Authority

Robert's Rules of Order Newly Revised shall be the parliamentary authority for the National Commission in all cases to which they are applicable and in which they are not inconsistent with these bylaws and any special rules of order the National Commission may adopt.

Article XIII Amendments

Section 1. These bylaws may be amended by a two-thirds vote at any annual meeting of the National Commission provided the amendment has been proposed by the Executive Committee, or by a committee authorized by the organization, or by petition of fifteen Commission

Section 2. Specific language of proposed amendment: must be available for distribution in writing by the Secretariat to the Commissioners at least thirty days before the annual meeting.

UNESCO: EDUCATION FOR WHAT?

By Wendy H. Borcherdt

At the end of the 1983 UNESCO General Conference negotiators spent four days haggling over the <u>preamble</u> of a resolution on human rights.

In order to come up with something that would pass, all mention of specific freedoms had to be deleted from the resolution. What emerged in its place was a resolution affirming that the dignity of the person could not be separated from "the freedom of peoples." This is a UNESCO concept which seeks to place the rights and prerogatives of the state over that of the individual, human person.

The second "human rights" resolution that came out of this negotiation was aimed at education programs. It mentioned disarmament five times and called upon the Director General to strengthen UNESCO's education programs fostering peace and disarmament.

With these, and many more resolutions like them, the 22nd UNESCO General Conference went on record stating two of its chief priorities for the next several years: <u>disarmament</u> and "peoples rights."

The fact that these priorities have little to do with UNESCO's principal mandates -- the eradication of illiteracy, preserving of historical monuments and pursuit of scientific exchange -- shows how far the organization has strayed from its original purpose and why the United States is frustrated enough to leave an organization it helped establish.

I have been a member of the U.S. delegation to the last two major UNESCO conferences-- held in 1982 and again in 1983. Both times I sat on the Education Commission, and my experiences brought me to the same conclusion as the United States Government which announced, on December 28, 1983, that it intended to call it quits and leave UNESCO.

The Education program within UNESCO provides a good example of what's wrong with UNESCO as a whole, and why this decision was made. Furthermore, it raises a basic question about what UNESCO is trying to achieve: the eradication of illiteracy and improvement of education, or the promotion of controversial political goals?

STUDIES VERSUS ACTION

One of the original goals of UNESCO was to fight illiteracy. In fact, 40% of UNESCO's budget is devoted to education programs. Yet, less than half of the education budget is devoted to literacy-- despite the fact that there are 800 million illiterates in the developing world today, and UNESCO's goal for the year 2010 is 90% worldwide literacy.

To begin with, it is hard to understand how UNESCO can effectively fight illiteracy -- or any other problem -- when 4 out of 5 of its employees are based in Paris, and only 20% of its funds are spent in the field.

This problem is further exacerbated by UNESCO's penchant for wasting millions of dollars on passive, duplicative studies rather than action-oriented programs that produce real, concrete results.

The UNESCO program and budget for 1984-1985,* which we voted on in Paris this fall, is replete with examples such as:

-- A \$105,800 grant to study the educational uses of leisure time.

-- A \$145,900 grant to <u>study</u> the obstacles to educating women in preparation for a symposium on the subject. (We suggested the money be spent on a <u>program</u> for women, rather than another study.)

-- A \$246,300 grant for a study on "democratization of education," a concept whose meaning eludes most of UNESCO's western members.

-- A \$183,000 grant for promoting, among other things, an international convention on the recognition of studies.

-- A \$158,000 grant to improve the educational content of messages transmitted by the mass media. This sounds innocent enough, until a closer look reveals that the messages aimed at concern "civic rights and responsibilities," regarding peace and disarmament.

It is no wonder that not only the United States but many other countries rose during UNESCO debates to complain about the useless paperwork and studies generated by UNESCO.

Duplication and waste are far from the only problems debilitating UNESCO's education sector. The priorities for education, as with many other programs, have become highly politicized. Instead of eradicating illiteracy, UNESCO's education program is increasingly devoted to promoting a new social order which stresses the rights of the state over the individual, and disarmament as the solution to problems of development.

EDUCATION FOR DISARMAMENT

UNESCO's new priorities for education are partly the result of Soviet efforts to make disarmament the focus of UN programs.

Indeed, it is hard to overstate the influence and interest of the Soviet and Eastern Bloc states in UNESCO education programs. The Assistant Director General of UNESCO for Education is a Soviet national, and one of the 3 members of the UNESCO Secretariat recently expelled from France for espionage worked in the personnel section at UNESCO. Their efforts to deflect resources away from literacy projects to propaganda have been very successful, judging from the documents put before us at the last two conferences.

The product of this effort is a whopping \$2.5 million devoted to peace and disarmament education (Major Program XIII.3) in the UNESCO 1984-85 budget.

There is a \$272,600 study to help educators develop "a frame of mind conducive to the strengthening of security and disarmament." The official title of this program is: "Implementation of the 1974 Recommendation and Follow-Up to the Intergovernmental Conference on Education for International Understanding, Cooperation and Peace and Education Relating to Human Rights and Fundamental Freedoms, with a View to Developing a Frame of Mind Conducive to the Strengthening of Disarmament."

Two out of three projects in a program for vocational, technical, and extension education pertain to disarmament. \$122,400 is budgeted for, among other things, the distribution of a teaching handbook on peace, disarmament and UNESCO's version of human rights, and to prepare a guide "to methods of education in favor of disarmament."

Another UNESCO project will spend \$104,300 to foster cooperation between educational institutions and other organizations to "promote education for peace and disarmament among <u>rural</u> populations." This calls for pilot projects to help "alert organizations and community groups to the issues of peace."

There is also an educational extension program to bring social scientists together for training in educating students about the "dangers of nuclear war, of the arms race, and of - 4 -

certain harmful uses of science and technology." They are not aiming at just any students, but "particularly ... those destined for positions of responsibility."

And finally, as part of the \$153,500 budgeted to improve the Associated Schools system and its curricula, UNESCO will publish a study on the role of pre-school education in the promotion of peace.

These priorities have become so entrenched and pervasive in UNESCO education programs that they seem impossible to root out, despite the fact they ignore their most important population -- the 800 million people who can't read or write. When I objected this fall in the education commission to the "peace" content on the education programs, I was overruled by the Chair on the grounds that this concept was "an essential part of the educational environment."

THE INDIVIDUAL VERSUS THE STATE

In addition to fostering disarmament, UNESCO education programs push a whole new generation of human rights which seek to place the rights of the state over that of the individual. These are called "peoples rights." It is particularly sad to see this development because the United States pioneered human rights teaching in UNESCO, in the hope of acquainting people throughout the world with the concept of rights which protect the integrity of the individual person.

One of the plenary resolutions adopted by consensus at the last general conference is typical of how UNESCO interprets the concept of human rights. Not only did this resolution link human rights to the "equal rights of peoples," but further stated that the individual can be free only if "economic, social and cultural rights" are obtained also. While this sounds harmless enough -- everyone agrees that social and economic justice are important goals -- it sets the stage for the suspension of civil and political rights in the name of economic progress. Indeed, we are confronted with situations in the world today where people are forced into slave labor, thereby completely abrogating their rights as individuals, in the name of the economic good of the state. UNESCO is busy building the intellectual justification for this practice, and designing programs to teach it as well.

For these reasons, the United States voted against the \$2.5 million program for human rights education. On this issue, only the U.S. voted "no," with nine abstentions by our allies.

The politicization of UNESCO is not limited to controversial issues of human rights and peace, but to one-sided interpretations of other issues as well. One of the most highly publicized is UNESCO's support for "national liberation movements," such as SWAPO and the PLO. In fact, \$454,000 of its 1984-85 <u>education</u> budget is devoted to a program for training candidates proposed by the PLO and the Organization of African Unity for positions of responsibility once "independence is obtained or when the majority is in power."

In addition, UNESCO education funds spent on refugees show a great imbalance in favor of the Palestinians, at the expense of other refugees -- the largest single group of which is Afghan refugees in Pakistan.

UNESCO earmarked \$265,700 of its 1984-85 education budget for UNRWA -- the UN organization that deals with Palestinian refugees, but only \$76,400 for the UNHCR -- the UN organization that ministers to all other refugees, who number somewhere around 10 million.

Furthermore, UNESCO will spend \$120,000 of its education funds for a political activity -- "to keep permanent watch over" Israel's compliance with UNESCO conventions regarding the occupied territories, when no other country is singled out for this kind of scrutiny.

ADMINISTRATIVE CHAOS

It isn't enough that UNESCO wastes scarce resources on political programs of dubious value, but that legitimate activities are compromised by bad management, especially the lack of evaluation and oversight, and poor planning.

One of the best indications of this is the fact that after several years of planning, conferences, and debate the UNESCO Secretariat produced an education plan for 1984-85 which is 88% identical in content to the last one they produced.

Instead of being directed towards one or two major goals, UNESCO boasts 18 major education goals -- down from 22 two years ago, but still too many. The plethora of conflicting goals for education is no where more evident than in the number of cross references built into each education program.

For example, Program IV.3, "Policies and Methods for the Training of Educational Personnel" must be coordinated with <u>31</u> other programs within UNESCO.

Program IV.1, UNESCO's "Contribution to the Formulation and Application of Education Policies and Strengthening of National Capacities with Regard to Educational Planning, Management, Administration and Economics" has to be coordinated with <u>27</u> other programs. Tracing these cross references throughout the program is the best way to answer the question, "What is UNESCO educating people for?" Pages and pages of technical sounding programs devoid of political content are extensively cross-referenced to programs for peace, disarmament, peoples rights, and the struggle of "national liberation movements." In this way, UNESCO ties political objectives into education programs which on the surface seem benign.

Besides linking education to politics, these cross references make for a work plan which is too diffuse to be effective.

In addition to an impossible schedule of goals, UNESCO seems to make poor use, if any, of evaluations of its programs. During the last General Conference I found many evaluations of past education programs were ignored.

For example, although UNESCO's program to improve the educational content of mass media messages was deemed unsuccessful by its own evaluations, it recommended the program be refunded.

Yet funding for a very successful, quarterly bulletin called "Adult Education Information Notes" was reduced.

Similarly, program funds for adult education and the disabled were reduced, while those focusing on education for peace and disarmament were increased.

Pointing this out to the Secretariat was an exercise in futility. When I objected to projects being refunded after being given poor evaluations, the Chairman of the Education Commission told me that "only parts" of the programs were given poor evaluations; therefore, the Director General was going to fund them again. (These usually were programs relating to peace and disarmament education.)

When it comes to management, UNESCO programs offer a host of anomalies perplexing to anyone who tries to analyze its budget and practices.

Here are a few:

-- One of the most respected UNESCO programs is its educational program for the disabled. Yet UNESCO has let the post of Chief of the Disabled Education Sector remain vacant for two years, and still has not filled it. In addition, we have not been able to get any documentation on how the money budgeted for this position was spent over the past two years.

-- Little, if anything, has been done to implement the International Plan of Action for education adopted by the World Assembly on Aging in 1982, which UNESCO adopted as a priority. -- UNESCO education conferences are held outside of headquarters, at the additional cost of millions of dollars, despite the fact that we have just spent about \$13 million upgrading the Paris facilities. One example of this is the 4th International Conference on Adult Education which UNESCO plans NOT to hold at its Paris headquarters, thereby costing \$500,000 more than necessary.

THE U.S. DECISION

The dizzying array of problems within UNESCO has been plaguing the United States, which pays 25% of UNESCO's budget, for many years. The United States is one of the founders of UNESCO, and helped to write its constitution after World War II. It viewed UNESCO as an important agency for funneling multi-lateral aid to developing nations. Its goals were worldwide literacy, cultural and scientific exchange. Nevertheless, the increasingly anti-western content of many UNESCO programs, the rumors of corruption, and its erratic and often unaccountable management practices have forced a reevaluation.

During the last General Conference, the American delegates were asked to give close attention to the programs in each of the sectors to which they were assigned, in order to add their opinion to the review taking place within the State Department over future U.S. participation.

After attending two UNESCO conferences, after consulting with many who work in the UNESCO Secretariat and after carefully reviewing its programs, I recommended that UNESCO had become too compromised and the U.S. should withdraw. (U.S. withdrawal from UNESCO, which was recommended by the State Department and approved by President Reagan, will occur at the end of 1984.)

The American delegation to the most recent UNESCO General Conference tried hard to put its imprint on UNESCO's education sector, as well as other programs. And we had some, limited successes.

In the education program:

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We succeeded in incorporating a literacy component into UNESCO programs on nutrition, adult education and early childhood education.

We were able to forestall the development of a new international instrument on vocational and technical education -- another proliferation of unnecessary documents.

We gave strong support to UNESCO programs aimed at educating the disabled, linking education with employment, and providing access for women to education. And we made firm, clear statements on our chief priority for education -- more concrete programs and less paperwork and studies.

Despite the strong leadership of our American Ambassador, Jean Gerard, and an exceptionally strong delegation, we were able to make only modest gains, because we were outvoted on an overwhelming basis.

The UNESCO medium-term plan, therefore, remains permeated with concepts and programs completely at odds with our western, democratic values, and in many cases, with directly stated U.S. foreign policy goals.

In addition to asking ourselves whether the programs of UNESCO were still legitimate and in keeping with our own interests, the delegates to the General Conference had to ask themselves by what means, if any, we could accomplish reform. Given the fact that the program of UNESCO is voted on by the 161 Member States and that the United States is limited to only one vote -- the same as Cape Verde -- by what mechanism are we supposed to accomplish reform? We are simply outvoted on a permanent basis, unless the member states agree to change the UNESCO constitution -- an event we see as unlikely to occur.

Still, there are some UNESCO watchers who believe we should maintain our membership in organizations such as UNESCO, even under these conditions, because their plenary sessions are a forum for the exchange of views -- contentious though they may be. While I agree that it is a worthwhile goal, in and of itself, to maintain a forum for the exchange of international viewpoints, I would like to point out we already have one -the UN General Assembly.

Others contend we should remain in UNESCO so we can modify or derail objectionable actions it will take in the future.

They point to the modest gains we made during the past General Conference by having a forthright and vigorous American delegation. The problem is, the damage we can contain with this strategy is limited.

We can make programs <u>less</u> objectionable. But because we are permanently outvoted by an overwhelming majority (the United States is often alone in casting "no" votes), we cannot make programs <u>unobjectionable</u>, nor rid the programs of projects we do not like. Despite everything accomplished at the 22nd General Conference, the work plan before us remains virtually unchanged by anything that happened there.

In this context, our continued participation in UNESCO serves primarily to legitimate a program infused with values antithetical to our own. For those who believe that the education sector of UNESCO is relatively free from disarmament and anti-human rights propaganda, they not only should look at the UNESCO document itself, but the fate of U.S. resolutions proposed in the last General Conference.

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During that conference we proposed an omnibus human rights resolution on education, a variation of one written for a human rights conference by former U.S. delegate Chester Finn -- a noted educator and scholar. This resolution proclaimed, among other things, that "education, concerned as it is with inquiry, critical examination and objectivity and with developing skills and attitude of mind on which these depend, require the broadest possible dissemination of both official and non-official information and opinion."

The resolution called upon UNESCO's Director General to "encourage" the following:

-- "Objective studies in the field of education...that best encourage free inquiry, critical examination and objectivity and to prepare for the responsibilities of freedom;"

-- "Reports on the actual development within the intellectual community of programs for individual human rights and fundamental freedoms;"

-- "Exchange by member states of studies, reports and materials concerning the teaching of, and interrelationships among, individual human rights, fundamental freedoms, international peace and security."

This resolution got nowhere in the General Conference. Not one operative word of it survived in any form. The Director General's terse comment regarding this resolution and the activities it encouraged was this: "The Director General considers that the activities envisioned have already been provided for...especially under Major Program XIII, subprogram 3 entitled, "Education for peace and respect for human rights and the rights of peoples."

It is interesting to note that Major Program XIII. 3, cited by the Director General in his comments, contained 11 projects -- all but <u>one</u> of which was devoted to education for peace and disarmament. This subprogram, which the Director General thought especially implemented the U.S. goals and therefore made our resolution unecessary, was voted AGAINST by the United States because of its emphasis on propaganda for disarmament.

This is an example of the seriousness with which UNESCO addresses genuine, deeply felt Western concerns.

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Given the fact that the content of so many of UNESCO's programs is objectionable, that we have little realistic expectations of reforming them, and that we do not need to maintain our membership in this organization for the purpose of securing international dialogue, the decision was made to give notice of our intention to withdraw.

I believe it was a courageous decision, well warranted by the political content, mismanagement and ineffectiveness of UNESCO's programs.

U.S. withdrawal from UNESCO does not mean an end to U.S. educational assistance to developing countries. In some ways, I believe it represents exactly the opposite-- the resolve to take this kind of aid seriously. Much can be accomplished through international education organizations we belong to without the benefit of UNESCO membership, such as the International Council of Scientific Unions, the International Association of Universities, and the International Reading Association. There is strong American representation on the governing boards of each of these organizations.

We can also increase U.S. participation in the education programs of regional governmental bodies, such as the Organization of American States, the Organization of Eastern Caribbean States, and many others.

And we can redirect funding for UNESCO education programs bilaterally through the Agency for International Development, the U.S. Information Agency, and the Peace Corps.

There are many who will still say that no matter what the problems with UNESCO's education program, it is simply too expensive, or too difficult, or too cumbersome to re-invent a mechanism to deliver this kind of service internationally.

That kind of approach is shortsighted, I believe, because it has as its primary motive cost and convenience factors.

In the long run, it is not mismanagement, waste or inefficiency that has damned UNESCO, but something far more pernicious. It is the fact that UNESCO today is busy creating the intellectual, moral and social justification for a system of government totally at odds with traditional western democratic values.

It is for this reason, more than any other, that the taxpayers should no longer be required to fund this organization.

Wendy Borcherdt was a delegate to the 22nd UNESCO General Conference, and the 1982 Extraordinary UNESCO Conference. She served as Chairman of the U.S. delegation to the Education Commission during both deliberations. She was formerly Acting Deputy Under Secretary of Education, and is currently a member of the U.S. National Commission for UNESCO.



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