

funds under title I. Those regulations and guidelines include the stipulation that a State will not approve anything which is discriminatory in nature. Am I correct about that?

Mr. HARRIS. That is in section 6 of the Civil Rights Act.

Mr. HOWE. The actual projects developed by local communities flow from the local community to the State and are approved by the State. Federal funds frequently begin to flow before we receive in our Office a copy of what is intended by the local district.

Also, because of the size of this program—there are approximately 22,000 separate projects under title I of the Elementary and Secondary Education Act—we are not equipped to review all these projects in detail. Instead, we have to depend on State review and approval of the projects.

When we receive a complaint related to a project, and it might relate to the kind of problem you raise, I think it is our obligation to look into this. We would deal first with the State and then perhaps with a local community, if necessary, when there was a complaint about a project's containing within it some discriminatory element, in violation of title VI of the Civil Rights Act.

This is difficult for us, because typically the project is launched and going by the time we receive the complaint and, therefore, we are involved in a moving situation in a local community.

Mr. HAWKINS. Let's assume a complaint is lodged with you that certain textbooks used in a particular area of the country are discriminatory in nature. They debase a group of people or even using the illustration you used yourself, the one you cited as undesirably used in Virginia. Assuming a complaint is lodged with respect to that type of material being used, would you say this situation violates the commitment not to use discriminatory material as included in your guidelines?

Mr. HOWE. On the face of it, it would seem to me to do so. On the other hand, we, at that point, enter into this very excellent relationship of the Office of Education to the local district, the stipulation in the Elementary and Secondary Act which fences us out of curriculum decisions, quite properly, as we all agree. We are right in the situation the chairman and I were discussing as to what our legal posture is, and, second, what our obligations are.

This is an area not clear to us still and one we must certainly clarify. I agree with the implication of your point.

Mr. HAWKINS. What steps are you taking to clarify it? It seems title VI of the Civil Rights Act has been on the statute books almost a year, about a year, I assume it is concerned with this problem. Are you at present taking any steps to correct this problem? The thing that concerns me is your statement on page 2:

As a Federal official I would hope Federal funds are being spent as wisely as possible by the local officials charged with that responsibility.

It would seem to me, as a Federal official you have a responsibility to more than hope that they are being spent properly, but to actually investigate and to see how they are being spent.

Chairman POWELL (presiding). Will the gentleman yield?

Mr. HAWKINS. Yes.

Chairman POWELL. Dr. Matthew has a question.