

Mr. HOWE. I think we have a definite need for a larger staff in that particular shop of the Office of Education. I think we ourselves when making our budget requests this past year did not foresee the extent of the load which that office would have to do a good job with this whole compliance activity. I think we need to raise our sights considerably.

Mr. HAWKINS. Are you saying no funds were withheld under the Elementary and Secondary Education Act because of discriminatory practices?

Mr. HOWE. Yes, there have been. But in specific comment on the topic of the hearing here, I am sure there have been no funds withheld because of discriminatory practices related to textbook materials.

Mr. HAWKINS. Discriminatory materials, textbooks, et cetera?

Mr. HOWE. That is right.

Mr. HAWKINS. Have there been any complaints filed?

Mr. HOWE. I am not aware of any but I would like to check the facts on that for you.

(The following was submitted by Mr. Howe:)

COMPLAINTS ABOUT TEXTBOOKS IN SCHOOLS

Complaints have been received by the Equal Educational Opportunities Program concerning textbooks in use in the public schools of Hancock, New York, and Williamsport, Pennsylvania. The complaints were brought to the attention of State and local school authorities, and were dealt with at the local level. No Federal funds have been withheld from any school district because of the representation, or lack of representation, of minority groups in textbooks, library books, or other instructional materials.

Mr. HAWKINS. Are you also saying you would be limited in processing those complaints even if they were filed because of budgetary limitations?

Mr. HOWE. If they came in large volume, we would have a difficult time, with existing staff, in taking on another big job. I think it is fair to say in this whole area of refereeing the problem of school desegregation, we have tended to put our first energy on problems related to pupils themselves and teachers and we have not perhaps faced up to the implications of the kind of problem you are raising in this committee.

Mr. HAWKINS. Then you are also saying as yet your regulations and guidelines are not clear as to whether or not certain discriminatory practices as they relate to textbooks, library books, instructional materials, and so forth, would violate general law and consequently give you the opportunity to process complaints?

Mr. HOWE. That is correct, sir. I think we need both the clarification of our own legal staff and perhaps the benefit of some court cases in this area to have a clear picture of what we can or cannot do.

Mr. HAWKINS. How do you intend to get the clarification of your staff? Are you at the present time doing anything to develop that clarification? Are you awaiting an additional mandate from Congress? What is the reason you are not moving ahead in this particular field?

Mr. HOWE. We have held some conversations on this. In fact, this point has been raised on several occasions. I think it goes back to Mr. Keppel, my predecessor. I will be talking further with our lawyers about this matter and I hope we can define more clearly the posture we ought to have.