

Mrs. GREEN. Will you refresh my memory as to the provisions in the Civil Rights Act which makes this kind of an arrangement possible, and not a violation of civil rights?

Secretary UDALL. I don't think that the Civil Rights Act as such really touches Indian school situations because it is not a matter of segregation by isolation, rather than the segregation of people being physically located where it would be possible to have some kind of school integration. The policy has been in a very studied and systematic way, of contracting with the public schools, and of getting Indian children in public schools. Everyone has agreed that this is the best end result, and this has been a very major change in Indian education over the last 6 or 8 years.

Mrs. GREEN. This has implications both in the education program and in the Office of Economic Opportunity. Are you saying that, for instance, in the provision in the Civil Rights Act that requires the Department to cut off the funds, if there is segregation, that there is no special provision that would allow the Indian schools to continue, on the segregated basis, except in cases of isolation?

Secretary UDALL. Well, I don't, because the Indian schools were never segregated in the sense that we have thought of segregation, where the school was set up as a separate school, with certain people being excluded, or certain children being excluded, and that they were set up in almost all instances because there were no other schools nearby.

Mrs. GREEN. Well, now, let's take a—

Secretary UDALL. And that in order to have a school, you had to set it up as a Federal school. The interesting thing about Indian education today, the remaining schools that are run by the Bureau of Indian Affairs, is that this is the only truly Federal school system, unless you look at the military schools abroad, that is run by the Federal Government, and it is only that today, not because we would like to have it. We would prefer to have all of the Indian children in public schools, but these are in almost all instances remote areas, areas that are not, you know, even within busing distance of public schools.

Mrs. GREEN. Well, I am really trying to find out why there isn't as much concern here as there is in other areas. We hear so much discussion that you must have people together, or they are not going to be able to learn. Now you state that it is a matter of isolation. In Oregon, at Chemawa, on the northern edge of Salem, a large city, there are schools close by; and yet you have an entirely segregated school. Now what is there in the Civil Rights Act that allows this to continue, and the funds to continue to pour into it and nothing to be said about it? There isn't the problem of busing. There isn't any other problem. We simply as a matter of policy are segregating and saying, "This is an Indian school," and is this good in terms of education? I feel quite the contrary. I feel the procedure in Oregon, where the schools are not run by the Bureau of Indian Affairs, but where they are run by the State department, and they have the same kind of programs that all other youngsters have, was far preferable, as far as bringing these people into the mainstream of society.

Secretary UDALL. I would agree with you that is far preferable, and that has been our policy. I am not familiar with this particular