

of the loan and we came right back to what I think would be your field of interest and that is the loan is for the period during which the student and teacher would need to use the materials, whether textbook or audiovisual materials, in the presentation of the subject matter.

Can you see anything wrong in this from the standpoint of educational soundness?

Dr. MATTHEIS. No, I can't but I think, Mr. Congressman, in actual implementation of it, I think it is not going to be adhered to that closely.

Mr. CAREY. May I suggest this is your responsibility. You administer the State plan. I hope that you are familiar with the tightening amendments which I sponsored among others in the 1966 amendments.

In those amendments we clearly set forth some guidelines for the State administrators of the State plan to loan textbooks so you could be more precise and a great deal more meticulous in administering your State plan so that the very thing that you apprehend here would not occur.

Now in that we asked for a subdivision of administrative functions and moneys to accompany those functions so that at the school district level and at other intermediate levels up to the State department of education you could police and you could in every way protect the spirit and the letter of the act.

I know in my own State for instance that some of the monies that are used at the lower levels are used for the purpose of cataloging and actually physically storing the books at the end of the term period and restoring them to the central book loan depository and things of this kind but this is necessary to protect the act and you have to do this.

We gave you the direction—I don't want to use the term direction—we gave you the guideline and the money and the power in the act in 1966 to protect against the very same thing which you seem to apprehend as a danger in the act in your statement on page 4.

Now what more do you need?

Dr. MATTHEIS. I think, Mr. Congressman, we are well aware of the amendments and are doing what we think is our best to try to implement them. There are many problems associated with this and I think the Congressman from Minnesota is aware of the fact the number of school districts which we have which compound it significantly.

I can only say we fully intend to comply with and to have our school districts comply with it. I am only concerned about the fact that we are going to be unable to do it in fact in the letter of the law.

We are doing our best and I think the school districts have a real feeling that they intend to carry it out and we do, too, but there are these detailed problems that I have some concern about.

Mr. CAREY. I think it was Judge Frankfurter who once said where questions of social policy is concerned, preoccupation with fringe areas of constitutionality are not in the spirit of free people.

Now for goodness sake is it so complicated we can't work the situations out to get the books then into the hands of the children who need them and still protect the spirit of the constitution?

It is not that tough a job, is it? Wit and ingenuity of administrators is far greater than that of legislators and I think it can be worked out.