

The bill says the Secretary may deal in reasonable factors. We feel we should not approach it that way. It should outlaw only certain types of discrimination and not delve into other areas without congressional action.

The Secretary could impose educational attainment as a nonreasonable age discrimination. We feel that should not be under the authority of the Secretary of Labor.

We feel a short statute of limitations should be applied because we are dealing in employment application records. They are not kept very long. We found that in the Civil Rights Act a provision for 6 months' keeping of records was applied.

Several approaches have been suggested with respect to enforcement. We suggest the committee investigate the possibility of the Fair Labor Standards Act. This was done before where we had a type of discrimination not really akin to racial discrimination, but a very real one none the same.

At that time we had matters of terms and conditions of employment which we have here. It was decided the wage and hour division could handle it. This agency is in existence, it is well staffed and well known. There are a great many field offices both for employers and discriminated-against employees.

Remedies in the department and courts are already provided for. Review procedures begin in the Federal district courts, again a matter of greater access.

Such an agency is likely to be more judicious than an agency created simply to enforce the law. In these times it has an additional valuable consideration. I think it would be cheaper to use an existing agency rather than set up a new one. Those are the extent of my comments, I would be glad to answer any questions you may have.

Mr. DENT. Thank you very kindly for summarizing and giving us the main gist of your testimony. The committee will have more time later to read it completely as it is contained in the record.

You make one reference to the discretionary power being given to the Secretary to decide what is the proper age or limit he may set in certain areas and other restrictive covenants. I notice you use discrimination on account of education as one of your examples. It might interest you that the whole Federal Government uses education discrimination in all of its employment because in your Federal Government setup and in most of the States and public employment of any kind, in order to take a civil service examination you have to have a preexamination qualification test.

For instance, in the State of Pennsylvania I can remember distinctly at one time we were discussing the matter of civil service, you had at that time only one agency under the umbrella of civil service, it was the Pennsylvania Liquor Control Board and all of their employees were under civil service.

The Speaker of the House at that time was a venerable old gentleman by the name of Hiram Andrews who had spent the greater part of his mature life in the Halls of the House. He was a very successful newspaper publisher.

He left the rostrum to come down to the floor to debate the issue and he made an astounding statement.