

Mr. HUTTON. Of course, we want action by ceasing all discrimination for age, period.

Mr. SCHERLE. I think this is documented, isn't it, to the extent there are many, many people who will testify to discrimination? In fact, the statement by Dr. Sheppard has many instances of discrimination so we know about that. What could this other material provide?

Mr. HUTTON. That the Secretary is asking for?

Mr. SCHERLE. Yes.

Mr. HUTTON. There are a thousand and one things, I think, in the training for older people. Dr. Sheppard mentioned an English psychiatrist who is doing some training methods of older people in Massachusetts. I have hold of a study here produced by the Organization of Economic Training and Development. I got this from the Council on Aging in Canada. It is not published in this country.

The research on older workers done there, it seems to me, is considerably in advance of what has been done in this country so far. These are the kind of things I hope the Secretary of Labor will be helping us to develop, how to persuade older people to retrain. There are a lot of emotional problems.

Mr. SCHERLE. I really don't think this is absolutely necessary because I think most of the people I am familiar with—and I come from a State with the highest percentage of elderly and I love every one. There is nothing I wouldn't do for them. Not only because I am fond of them but some day I will be reaching this stage.

Mr. HUTTON. We all do.

Mr. SCHERLE. I don't want to have to lean on someone else. I like the pride they should have now. But I do think you are going to become involved in a great deal of litigation with regard to trying to enforce this measure.

Section 4, it shall be unlawful for an employer, based on an individual's age, to limit, segregate, or classify his employees by such individual's age. It shall be unlawful for an employment agency to fail to refer employment based on an individual's age.

I can't help but believe this is going to be a tremendously hard piece of legislation to enforce. Who is to say, with the many reasons available, that age, even though you don't mention it and naturally you would not, that this could be the basic reason for not hiring?

Mr. HUTTON. I can't answer you here. I can only tell you these same arguments were said before medicare. It was said that it would be absolutely impossible to administer.

Mr. SCHERLE. I don't think we have seen the end ramifications or consequences of medicare yet.

Mr. HUTTON. I should hope we would improve it as years go on.

Mr. SCHERLE. It needs improvement. There are a lot of problems.

Mr. HUTTON. It is working.

Mr. SCHERLE. It is not the same. There you can put your hands on something significant, age is age. But here you are in a given area where it's one man's word is against someone else's. I can find a multitude of reasons for not hiring a person and the last I would ever condone is age, but it could be my primary reason for not doing so and you wouldn't know. How could you prove it?

Mr. HUTTON. Perhaps under the approximate section, if the Secretary of Labor undertakes the studies, we might be able to do it.