

Since that time the Senate subcommittee has referred S. 830, with revisions, to the full committee for their consideration. I would like to comment briefly on several of the subcommittee revisions and urge their approval by your committee.

First, if this committee finds that the administration of the provisions of these bills would be better accomplished by Department of Labor than by an independent agency such as the Equal Employment Opportunity Commission, we urge that the Wage and Hour Division of the Department of Labor be given the administrative and enforcement responsibilities.

This Division is already in existence and has the personnel and know-how to perform the functions required by these bills. This present-day system of regional directors, attorneys, and investigators has vast experience in making periodic investigations similar to those which would be required under the age discrimination law. There is no need for the costly duplication of functions which would result if a new and separate division within the Labor Department were established to carry out this law.

Second, we recommend that the criminal penalties in cases of willful violation be eliminated and a double damage liability be substituted instead. The possibility of double damages should suffice in deterring willful violators of this law without resorting to the problems of proof which would arise under a criminal provision.

Third, we would support a new section in the bill which would allow a State agency 60 days to resolve a complaint before the Federal agency would take jurisdiction. This provision is more in keeping with title VII of the Civil Rights Act of 1964.

In any event, Mr. Chairman, you are assured of the support of the private employment agency industry in your efforts in behalf of the older workers of our Nation.

In our testimony before the Senate subcommittee on this legislation, we made reference to a quotation by the poet Browning on growing old, and I think it is appropriate to repeat it here as my conclusion.

The best is yet to be
The last of life, for which the first was made.

Thank you.

Mr. DENT. Thank you very kindly.

I am sorry we don't have time to continue our discussion of the matter. I might say when my father was up past his biblical three score years and 10, and I was a little younger, I said something to him about the so-called calamity of old age. I sometimes think we should try to ease the problem of calamity for those who have to live.

I might say I am pleased with your presentation of the problem and your thinking does agree with that of the chairman.

We will recess until tomorrow morning at 10 a.m. in this same room.

(Whereupon, at 12:35 p.m., the subcommittee recessed, to reconvene at 10 a.m., Wednesday, August 16, 1967.)