

**AMENDMENT TO RULES COMMITTEE PRINT 116-8**  
**OFFERED BY MR. SCOTT OF VIRGINIA**

In subsection (f) of section 709 of the Civil Rights Act of 1964 (42 U.S.C. 2000e-8), as proposed to be added by section 8—

(1) in paragraph (1)—

(A) strike “issue regulations to”; and

(B) strike “national origin” and insert “ethnic identity”; and

(2) add at the end the following:

1           “(3)(A) For each 12-month reporting period for  
2           an employer, the compensation data collected under  
3           paragraph (1) shall include, for each range of tax-  
4           able compensation described in subparagraph (B),  
5           disaggregated by the categories described in sub-  
6           paragraph (E)—

7           “(i) the number of employees of the em-  
8           ployer who earn taxable compensation in an  
9           amount that falls within such taxable com-  
10          pensation range; and

11          “(ii) the total number of hours worked by  
12          such employees.

1           “(B) Subject to adjustment under subpara-  
2           graph (C), the taxable compensation ranges de-  
3           scribed in this subparagraph are as follows:

4                   “(i) Not more than \$19,239.

5                   “(ii) Not less than \$19,240 and not more  
6           than \$24,439.

7                   “(iii) Not less than \$24,440 and not more  
8           than \$30,679.

9                   “(iv) Not less than \$30,680 and not more  
10          than \$38,999.

11                   “(v) Not less than \$39,000 and not more  
12          than \$49,919.

13                   “(vi) Not less than \$49,920 and not more  
14          than \$62,919.

15                   “(vii) Not less than \$62,920 and not more  
16          than \$80,079.

17                   “(viii) Not less than \$80,080 and not more  
18          than \$101,919.

19                   “(ix) Not less than \$101,920 and not more  
20          than \$128,959.

21                   “(x) Not less than \$128,960 and not more  
22          than \$163,799.

23                   “(xi) Not less than \$163,800 and not more  
24          than \$207,999.

25                   “(xii) Not less than \$208,000.

1           “(C) The Commission may adjust the taxable  
2           compensation ranges under subparagraph (B)—

3                   “(i) if the Commission determines that  
4                   such adjustment is necessary to enhance en-  
5                   forcement of Federal laws prohibiting pay dis-  
6                   crimination; or

7                   “(ii) for inflation, in consultation with the  
8                   Bureau of Labor Statistics.

9           “(D) In collecting data described in subpara-  
10           graph (A)(ii), the Commission shall provide that,  
11           with respect to an employee who the employer is not  
12           required to compensate for overtime employment  
13           under section 7 of the Fair Labor Standards Act of  
14           1938 (29 U.S.C. 207), an employer may report—

15                   “(i) in the case of a full-time employee,  
16                   that such employee works 40 hours per week,  
17                   and in the case of a part-time employee, that  
18                   such employee works 20 hours per week; or

19                   “(ii) the actual number of hours worked by  
20                   such employee.

21           “(E) The categories described in this subpara-  
22           graph shall be determined by the Commission and  
23           shall include—

24                   “(i) race;

25                   “(ii) ethnic identity;

1 “(iii) sex; and

2 “(iv) job categories, including the job cat-  
3 egories described in the instructions for the  
4 Equal Employment Opportunity Employer In-  
5 formation Report EEO-1, as in effect on the  
6 date of the enactment of this subsection.

7 “(F) The Commission shall use the compensa-  
8 tion data collected under paragraph (1)—

9 “(i) to enhance—

10 “(I) the investigation of charges filed  
11 under section 706 or section 6(d) of the  
12 Fair Labor Standards Act of 1938 (29  
13 U.S.C. 206(d)); and

14 “(II) the allocation of resources to in-  
15 vestigate such charges; and

16 “(ii) for any other purpose that the Com-  
17 mission determines appropriate.

18 “(G) The Commission shall annually make pub-  
19 licly available aggregate compensation data collected  
20 under paragraph (1) for the categories described in  
21 subparagraph (E), disaggregated by industry, occu-  
22 pation, and core based statistical area (as defined by  
23 the Office of Management and Budget).”.

