

**ACTION:** Notice.

**SUMMARY:** In accordance with section 3506(c)(2)(A) of the Paperwork Reduction Act of 1995, the Commission announces that it intends to submit to the Office of Management and Budget (OMB) a request for an extension without change of the existing recordkeeping requirements under 29 CFR part 1602 *et seq.* Recordkeeping and Reporting Requirements under Title VII and the ADA. The Commission is seeking public comments on the proposed extension.

**DATES:** Written comments on this notice must be submitted on or before August 11, 2003.

**ADDRESSES:** Comments should be submitted to Frances M. Hart, Executive Officer, Executive Secretariat, Equal Employment Opportunity Commission, 10th Floor, 1801 L Street, NW, Washington, DC 20507. As a convenience to commentators, the Executive Secretariat will accept comments transmitted by facsimile ("FAX") machine. The telephone number of the FAX receiver is (202) 663-4114. (This is not a toll free number.) Only comments of six or fewer pages will be accepted via FAX transmittal. This limitation is necessary to assure access to the equipment. Receipt of FAX transmittals will not be acknowledged, except that the sender may request confirmation of receipt by calling the Executive Secretariat staff at (202) 663-4070 (voice) or (202) 663-4074 (TDD). (These are not toll-free telephone numbers.) Copies of comments submitted by the public will be available for review at the Commission's library, Room 6502, 1801 L Street, NW, Washington, DC 20507 between the hours of 9:30 a.m. and 5 p.m.

**FOR FURTHER INFORMATION CONTACT:** Richard V. Roscio, Assistant Legal Counsel, Legal Services Programs, Thomas J. Schlageter, Assistant Legal Counsel or Mona Papillon, General Attorney, at (202) 663-4669 or TDD (202) 663-4074. This notice is also available in the following formats: large print, braille, audio tape and electronic file on computer disk. Requests for this notice in an alternative format should be made to the Publication Center at 1-800-669-3362.

**SUPPLEMENTARY INFORMATION:** The Equal Employment Opportunity Commission (EEOC) enforces Title VII of the Civil Rights Act of 1964 and Title I of the Americans with Disabilities Act, which prohibit discrimination on the basis of race, color, religion, sex, national origin or disability. Sections 709(c) of Title VII

and section 107(a) of the ADA authorize the EEOC to issue recordkeeping and reporting regulations that are deemed reasonable, necessary or appropriate. EEOC has promulgated recordkeeping regulations under those authorities that are contained in 29 CFR part 1602 *et seq.* Those regulations do not require the creation of any particular records but generally require employers to preserve any personnel and employment records they make or keep for a period of one year. The EEOC seeks extension of these regulations without change.

### Overview of This Information Collection

*Collection Title:* Recordkeeping under Title VII and the ADA.

*OMB-Number:* 3046-0040.

*Description of Affected Public:* Employers with 15 or more employees are subject to Title VII and the ADA.

*Number of Responses:* 627,000.

*Reporting Hours:* One.

*Number of Forms:* None.

*Federal Cost:* None.

*Abstract:* Section 709(c) of Title VII, 42 U.S.C. 2000e-8(c) and section 107(a) of the ADA, 42 U.S.C. 12117(a) require the Commission to establish regulations pursuant to which employers subject to those Acts shall make and preserve certain records to assist the EEOC in assuring compliance with the Acts' nondiscrimination in employment requirements. This is a recordkeeping requirement. Any of the records maintained which are subsequently disclosed to the EEOC during an investigation are protected from public disclosure by the confidentiality provisions of section 706(b) and 709(e) of Title VII which are also incorporated by reference into the ADA at section 107(a).

*Burden Statement:* The estimated number of respondents is approximately 627,000 employers. The recordkeeping requirement does not require reports or the creation of new documents; it merely requires retention of documents that the employer has made or kept. Thus, the burden imposed by these regulations is minimal. The burden is estimated to be less than one hour per employer.

Pursuant to section 3506(c)(2)(A) of the Paperwork Reduction Act of 1995, and OMB regulation 5 CFR 1320.8(d)(1), the Commission solicits public comment to enable it to:

(1) Evaluate whether the proposed collection of information is necessary for the proper performance of the Commission's functions, including whether the information will have practical utility;

(2) Evaluate the accuracy of the Commission's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;

(3) Enhance the quality, utility, and clarity of the information to be collected; and

(4) Minimize the burden of the collection of information on those who are to respond, including the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

Dated: June 4, 2003.

For the Commission.

**Cari M. Dominguez,**  
*Chair.*

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## EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

### Agency Information Collection Activities: Revision of the Employer Information Report (EEO-1) Comment Request

**AGENCY:** Equal Employment Opportunity Commission.

**ACTION:** Proposed revision of the Employer Information Report (EEO-1).

**SUMMARY:** In the late 1990's, the Office of Management and Budget (OMB) issued revisions of three standard Federal classifications related to the U.S. Equal Employment Opportunity Commission's Employer Information Report (EEO-1)—the North American Industry Classification System (1997), the Standards for the Classification of Federal Data on Race and Ethnicity (1997), and the Standard Occupational Classification (1999).

In response to the changes in the OMB classification standards, and under § 709(c) of Title VII of the Civil Rights Act of 1964, as amended (42 U.S.C. 200e-8(c)), the U.S. Equal Employment Opportunity Commission (EEOC or Commission) is proposing modifications to the system currently used to classify the race and ethnicity and job categories used by respondents to file annual EEO-1 reports. This notice solicits public comment on the EEOC proposals. The proposed EEO-1 form can be found at <http://www.eeoc.gov/eeo1>.

**DATES:** Written comments on this notice must be submitted on or before August 11, 2003. A public hearing concerning these proposed changes will be held on