

Calendar No. 11

103D CONGRESS
1ST SESSION

S. 37

A BILL

To amend the Civil Rights Act of 1964 to make preferential treatment an unlawful employment practice, and for other purposes.

MARCH 3, 1993

Read the second time and placed on the calendar

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IN THE SENATE OF THE UNITED STATES

JANUARY 21 (legislative day, JANUARY 5), 1993

Mr. HELMS introduced the following bill; which was read the first time

MARCH 3, 1993

Read the second time and placed on the calendar

A BILL

To amend the Civil Rights Act of 1964 to make preferential treatment an unlawful employment practice, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Civil Rights Restora-
5 tion Act of 1993”.

1 **SEC. 2. PREFERENTIAL TREATMENT.**

2 (a) UNLAWFUL EMPLOYMENT PRACTICE.—Section
3 703(j) of the Civil Rights Act of 1964 (42 U.S.C. 2000e–
4 2(j)) is amended to read as follows:

5 “(j)(1) It shall be an unlawful employment practice
6 for any entity that is an employer, employment agency,
7 labor organization, or joint labor-management committee
8 subject to this title to grant preferential treatment to any
9 individual or group with respect to selection for, discharge
10 from, compensation for, or the terms, conditions, or privi-
11 leges of, employment or union membership, on the basis
12 of the race, color, religion, sex, or national origin of such
13 individual or group, for any purpose, except as provided
14 in subsection (e) or paragraph (2).

15 “(2) It shall not be an unlawful employment practice
16 for an entity described in paragraph (1) to undertake af-
17 firmative action designed to recruit individuals of an
18 underrepresented race, color, religion, sex, or national ori-
19 gin, to expand the applicant pool of the individuals seeking
20 employment or union membership with the entity.”.

21 (b) CONSTRUCTION.—Nothing in the amendment
22 made by subsection (a) shall be construed to affect the
23 authority of courts to remedy intentional discrimination
24 under section 706(g) of the Civil Rights Act of 1964 (42
25 U.S.C. 2000e–5(g)).