

112<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 5901

To amend the Fair Labor Standards Act of 1938 to provide for an increase in the Federal minimum wage and to index future increases to such wage to increases in the consumer price index.

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## IN THE HOUSE OF REPRESENTATIVES

JUNE 6, 2012

Mr. JACKSON of Illinois (for himself, Ms. ROYBAL-ALLARD, Mr. TOWNS, Mr. LEWIS of Georgia, Ms. NORTON, Mr. CONYERS, Mr. HONDA, Ms. BASS of California, Ms. LEE of California, Mr. HASTINGS of Florida, Mr. RUSH, Ms. SCHAKOWSKY, Ms. WATERS, Ms. MOORE, Ms. FUDGE, Ms. JACKSON LEE of Texas, Mr. CLEAVER, and Ms. EDWARDS) introduced the following bill; which was referred to the Committee on Education and the Workforce

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## A BILL

To amend the Fair Labor Standards Act of 1938 to provide for an increase in the Federal minimum wage and to index future increases to such wage to increases in the consumer price index.

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 “Catching Up To 1968  
5 Act of 2012”.

1 **SEC. 2. INCREASES IN THE FEDERAL MINIMUM WAGE.**

2 (a) **MINIMUM WAGE.**—Section 6(a)(1) of the Fair  
3 Labor Standards Act of 1938 (29 U.S.C. 206(a)(1)) is  
4 amended by striking subparagraphs (A) through (C) and  
5 inserting the following:

6 “(A) \$10.00 an hour, beginning 60 days  
7 after the date of enactment of the Catching Up  
8 To 1968 Act of 2012; and

9 “(B) beginning 1 year after the wage pro-  
10 vided for in subparagraph (A) takes effect and  
11 each year thereafter, the wage then in effect  
12 plus an increase determined by the Secretary to  
13 be in proportion to the increase in the Con-  
14 sumer Price Index for all urban consumers for  
15 the preceding year.”.

16 (b) **MINIMUM WAGE FOR TIPPED EMPLOYEES.**—Sec-  
17 tion 3(m)(1) of the Fair Labor Standards Act of 1938  
18 (29 U.S.C. 203(m)(1)) is amended by adding before the  
19 semicolon the following: “, except that, for purposes of this  
20 paragraph, beginning 60 days after the date of enactment  
21 of the Catching Up To 1968 Act of 2012, the cash wage  
22 paid such employee shall be 70 percent of the wage in ef-  
23 fect under section 6(a)(1) but in no case less than \$5.50  
24 an hour, adjusted annually as necessary thereafter”.

1           (c) PUBLICATION OF WAGES.—Section 6 of the Fair  
2 Labor Standards Act of 1938 (29 U.S.C. 206) is further  
3 amended by adding after subsection (b) the following:

4           “(c) Not later than 60 days prior to the effective date  
5 of any increase in the minimum wage pursuant to sub-  
6 section (a)(1)(B) or increase in the minimum wage for  
7 tipped employees in accordance with section 3(m)(1), the  
8 Secretary shall publish in the Federal Register and on the  
9 Internet website of the Department of Labor a notice an-  
10 nouncing the adjusted required wage or wages.”.

11           (d) EFFECTIVE DATE.—The amendments made by  
12 subsections (a) and (b) shall take effect 60 days after the  
13 date of enactment of this Act.

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