

hours per day per child due to the nature of the work of the parent involved.

(9) **INCLUSIVE CARE.**—The term “inclusive”, with respect to care (including child care), means care provided by an eligible child care provider—

(A) for whom the percentage of children served by the provider who are children with disabilities or infants or toddlers with disabilities reflects the prevalence of children with disabilities and infants and toddlers with disabilities (whichever the provider serves) among children within the State involved; and

(B) that provides care and full participation for children with disabilities and infants and toddlers with disabilities (whichever the provider serves) alongside children who are—

(i) not children with disabilities; and  
(ii) not infants and toddlers with disabilities.

(10) **INFANT OR TODDLER.**—The term “infant or toddler” means an individual who is less than 3 years of age.

(11) **INFANT OR TODDLER WITH A DISABILITY.**—The term “infant or toddler with a disability” has the meaning given the term in section 632 of the Individuals with Disabilities Education Act (20 U.S.C. 1432).

(12) **LEAD AGENCY.**—The term “lead agency” means the agency designated under subsection (e).

(13) **PROVIDER TYPE.**—The term “provider type” means a type that is—

(A) a center-based child care provider;  
(B) a family child care provider; or  
(C) another non-center-based child care provider.

(14) **RECOGNIZED POSTSECONDARY CREDENTIAL.**—The term “recognized postsecondary credential” has the meaning given the term in section 3 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3102).

(15) **STAFFED FAMILY CHILD CARE NETWORK.**—The term “staffed family child care network” means a nonprofit organization or nonprofit cooperative—

(A) that may be a component of a child care resource and referral organization;

(B) that has at least one paid staff member; and

(C) that offers evidence-based professional development, quality improvement support, business support, and technical assistance, including on achieving licensure as a child care provider, to family child care providers.

(16) **STATE.**—The term “State” means any of the 50 States and the District of Columbia.

(17) **TERRITORY.**—The term “territory” means the Commonwealth of Puerto Rico, the Virgin Islands of the United States, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands.

[For full text please see H.R. 2743, Raise the Wage Act.]

The SPEAKER pro tempore. Pursuant to clause 2(b) of rule XIX, the previous question is ordered on the motion to recommit.

The question is on the motion to recommit.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

Ms. LEE of Pennsylvania. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question are postponed.

## TIPPED EMPLOYEE PROTECTION ACT

Mr. WALBERG. Mr. Speaker, pursuant to House Resolution 988, I call up the bill (H.R. 2312) to amend the Fair Labor Standards Act of 1938 to revise the definition of the term “tipped employee”, and for other purposes, and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Pursuant to House Resolution 988, the amendment in the nature of a substitute recommended by the Committee on Education and Workforce, printed in the bill, is adopted, and the bill, as amended, is considered read.

The text of the bill, as amended, is as follows:

H.R. 2312

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

### SECTION 1. SHORT TITLE.

*This Act may be cited as the “Tipped Employee Protection Act”.*

### SEC. 2. TIPPED EMPLOYEES.

*Section 3(t) of the Fair Labor Standards Act of 1938 (29 U.S.C. 203(t)) is amended—*

(1) *by striking “(t)” and inserting “(t)(1)”;*  
(2) *by striking “engaged in an occupation in which he customarily and regularly receives more than \$30 a month in tips.” and inserting “, without regard to the duties of the employee, who receives tips and other cash wages for a work period described in paragraph (2) at a rate that, when combined with the cash wage required under subsection (m)(2)(A)(i), is not less than the wage in effect under section 6(a)(1).”;* and

(3) *by adding at the end the following:*  
“(2) A work period described in this paragraph is a work period that is determined by the employer of the employee, such as a work period of 1 day, 1 week, every 2 weeks, every 28 days, or every pay period.”.

The SPEAKER pro tempore. The bill, as amended, shall be debatable for 1 hour, equally divided and controlled by the chair and ranking minority member of the Committee on Education and Workforce or their respective designees.

The gentleman from Michigan (Mr. WALBERG) and the gentleman from Virginia (Mr. SCOTT) each will control 30 minutes.

The Chair recognizes the gentleman from Michigan (Mr. WALBERG).

### GENERAL LEAVE

Mr. WALBERG. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and insert extraneous material on H.R. 2312.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. WALBERG. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 2312, the Tipped Employee Protection Act.

Mr. Speaker, America’s labor law hasn’t kept up with the times. The Fair Labor Standards Act, which governs much of our modern workforce policy

and regulations, was written in 1938 and has never been updated to meaningfully protect tipped workers.

As a result, tipped workers are not clearly defined or protected under the law. This leaves their jobs vulnerable to the whims of administrative regulations, court rulings, and too often unclear guidance written by unelected bureaucrats that inconsistently interpret the rights of tipped workers. That creates chaos for millions of workers.

The Biden-Harris administration was perhaps the most striking example of government overreach and the harm it can do to working families’ bottom lines. Its disastrous 80/20 rule required that no more than 20 percent of the work performed by tipped employees could be categorized as untipped work, and those untipped tasks could only be performed for 30 minutes at a time.

Basically, this required minute-by-minute manager supervision to ensure workers were complying with the rule. Anyone in the service industry would tell you in a high-paced environment like a restaurant or bar that is next to impossible, but because tipped workers had no clear definition or proper protections under the FLSA, the Biden-Harris administration was free to try and impose overly complex timekeeping requirements that were impossible to enforce.

For several years, this created an enormous headache for small businesses like restaurants that heavily relied on tipped workers. Even worse, such convoluted timekeeping requirements directly impact how much pay Americans take home.

Like many of my colleagues, I want to see Americans rewarded for their hard work and ensure they are paid what they earn. That is why I am proud to rise in support of H.R. 2312, the Tipped Employee Protection Act, which creates stability for tipped workers and preserves opportunities for them to earn a good wage.

The bill creates a clear, common-sense definition of a tipped worker and prevents future attempts by misguided activist judges and bureaucrats seeking to implement policies that hurt workers’ bottom lines.

□ 1500

The Tipped Employee Protection Act also ensures workers earn at least the minimum wage, and the bill respects States’ authority to set higher wage levels. This creates even more opportunities for tipped workers to earn more, often far above the minimum wage.

As we have discussed at length in the Education and Workforce Committee, Federal policy far too often treats a State like California the same as Michigan or Arkansas. One-size-fits-all rarely works.

The bill also preserves the current tip credit system, which workers across the country overwhelmingly support—90 percent. This is just one of the ways Republicans are helping tipped workers earn more.

As part of the working families tax cuts, Republicans enacted landmark policies like no tax on tips and no tax on overtime, which put more money back into the working family's pockets.

Republicans are working hard to deliver solutions that help Americans thrive. H.R. 2312 puts more money back in workers' pockets and eases the burden on employers by removing needless Federal regulations.

I am proud to support the Tipped Employee Protection Act. Congress should make it clear that we are working to help put more money back in tipped workers' pockets.

Mr. Speaker, I urge my colleagues to support this bill and the millions of workers who will benefit from it, and I reserve the balance of my time.

Mr. SCOTT of Virginia. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in opposition to H.R. 2312, the Tipped Employee Protection Act. It is actually the tipped employer protection act.

Today, we are discussing one of several bills that House Republicans claim will benefit workers but ultimately falls short of what workers need.

H.R. 2312 would redefine the Fair Labor Standards Act, the FLSA, to make workers more vulnerable to wage theft and give employers an excuse not to pay workers what they are otherwise owed.

Under present law, the FLSA allows employers to take a tip credit only if employees are in jobs where they regularly and customarily earn at least \$30 a month in tips. If workers split their time between jobs that regularly earn tips and jobs that don't, such as one shift as a restaurant server and another as a restaurant line cook, the employer can apply the tip credit today only to the tip-earning shifts.

This bill would tear down that distinction.

Ultimately, the bill seeks to expand the pool of workers that employers can pay a subminimum wage rather than the full wage. This is problematic because tipped workers are paid less per hour and have less access to benefits such as sick leave, healthcare, short-term disability, and life insurance.

In fact, the Federal tipped minimum wage is only \$2.13 an hour. Instead of giving workers a leg up, this bill offers bad actors an opportunity to cut corners and shortchange their workers.

Mr. Speaker, for that reason, I oppose the bill and urge my colleagues to do the same.

Mr. Speaker, I reserve the balance of my time.

Mr. WALBERG. Mr. Speaker, I yield 6 minutes to the gentleman from Arkansas (Mr. WOMACK), the sponsor of this good bill.

Mr. WOMACK. Mr. Speaker, I thank Chairman WALBERG for this opportunity.

Mr. Speaker, I rise in support of my legislation, the Tipped Employee Pro-

tection Act, which clarifies the definition of a tipped employee, providing long-term certainty for the service industry and, ultimately, protecting tipped employees' right to earn a living, a good living.

Mr. Speaker, our local service industry businesses, like the family-owned restaurant down the street, both reflect and shape the culture in each of our communities.

These establishments aren't just places to enjoy a good meal. They are where we foster and grow relationships. From catching up with friends to shaking hands on new business to marking some of life's biggest accomplishments—birthdays, anniversaries, graduations, and promotions. Where do we do this? We do this down at the local restaurant.

Many eateries like the ones I just described make their home in my own area of northwest Arkansas. Some of my favorites include Neal's Cafe in Springdale. By the way, I should give credit to its owner, Micah Neal, for helping provide the inspiration for the legislation that we are talking about here today. Another place is Herman's, an iconic rib house in Fayetteville.

Mr. Speaker, I could go on and on, naming some of my area's most popular restaurants. What do they have in common? To begin with they have great food, but it is the hardworking people behind the counter or taking your table order who truly make these businesses landmarks in our communities. We all have them.

The bill I stand here in support of today, Mr. Speaker, is about protecting these workers. Restaurants, most of which are small businesses, operate on very thin margins. The tip credit system is the foundation on which these small businesses operate.

The tip credit, or the tipped wage, has been part of the Fair Labor Standards Act for decades. It allows employers to pay tipped workers a base wage with tips—handsome tips, in many cases—making up the rest of those workers' earnings.

This system empowers tipped employees to maximize their earning potential. In fact, research shows that servers at full-service restaurants earn over twice—let me say it again, earn over twice—the Federal minimum wage. According to the National Restaurant Association, tipped servers nationally make a median income of \$27 an hour, with the highest paid workers in the \$41 an hour range.

The tip credit also offers flexibility for operators to invest in their businesses and staff. Without it, restaurant operators would be forced to make some very tough decisions, such as raising prices on their customers or reducing workers' hours, maybe even cutting jobs altogether.

Unfortunately, regulatory overreach has put the tipped credit system at risk, creating uncertainty for restaurant operators. Different administrations have issued conflicting rules

and guidance, producing a regulatory roller coaster for restaurant owners and their staff. This instability makes it difficult for owners and operators to make long-term business plans. Antiworker efforts that chip away at the tipped wage altogether interfere with employees' hard-earned paychecks and livelihoods.

My bill, Mr. Speaker, the Tipped Employee Protection Act, provides a commonsense solution. It puts an end to hurtful regulatory confusion and litigation. It preserves the tipped wage and protections in the Fair Labor Standards Act. It provides clarity and simplicity in categorizing workers as tipped employees. It seeks to maintain a consistent regulatory environment.

To put it simply, my legislation will protect the hard-earned paychecks of tipped employees across the country and right at home in my Third District of Arkansas, the people who work day in and day out to put food on the tables of your favorite restaurant, as well as on their own kitchen tables at home.

This bill, Mr. Speaker, is how we deliver bigger paychecks to our constituents back home.

One other thing, Mr. Speaker. If you ever find yourself in Springdale, Arkansas, at Neal's Cafe, order some apple salad. You will thank me later.

Mr. Speaker, I support this bill, and I urge its passage.

Mr. SCOTT of Virginia. Mr. Speaker, I yield 3 minutes to the gentleman from California (Mr. TAKANO), a distinguished member of the Committee on Education and Workforce and the ranking member of the Committee on Veterans' Affairs.

Mr. TAKANO. Mr. Speaker, I thank the ranking member for yielding.

Mr. Speaker, once again, my Republican colleagues are selling Americans on a bill with a flashy title and hoping that they don't read the fine print.

The so-called Tipped Employee Protection Act implies that something in this bill might actually benefit workers who work for tips. In reality, this bill manipulates labor law to decrease employees' earning power and allow employers to skirt minimum wage requirements.

Mr. Speaker, I was a high school English teacher, and I taught my students about irony. This bill is more aptly titled the Republican invent new ways to pay workers less bill.

Here is a closer look at the bill. For jobs like waiting tables, which regularly generate a large proportion of pay from tips, employers may pay their employees a small portion of the minimum wage, a mere \$2.13 an hour, as long as what they normally make in tips makes up the rest.

□ 1510

Mr. Speaker, this bill, however, opens the opportunity for employers to manipulate FLSA definitions and classify other workers who receive tips only sometimes to also be paid a subminimum wage.

Under this bill, hotel housekeepers, valets, manicurists, and other workers could see their tips used to offset what their employers owe them, rather than serving as an occasional boost in take-home pay for a job well done.

In short, it expands the subminimum wage and offers more opportunities to pay workers less. As I said, we should really call this bill the Republican invent new ways to pay workers less bill.

No responsible policymaker should be arguing that Americans should be making less. People in this country are feeling serious financial strain as the cost of living soars and wages remain stagnant.

Everything is more expensive, and here we are, debating a proposal that would allow employers to pay people less than what they earned so employers can save a few dollars on the hour. Shame on this majority.

Once again, this Republican proposal to stimulate the economy relies on Americans in the lowest income brackets getting squeezed the most.

Mr. Speaker, we need to eliminate the subminimum wage entirely and make sure that Americans make enough money to live with dignity and not invent new ways to pay Americans less. I encourage my colleagues to vote "no" on this bill.

Mr. WALBERG. Mr. Speaker, I yield 3 minutes to the gentleman from Washington (Mr. BAUMGARTNER), a great member of the Education and Workforce Committee.

Mr. BAUMGARTNER. Mr. Speaker, my voters and my constituents sent me here to help solve problems, to help small business, to help employees, and to help grow the economy. As such, I am proud to support the Tipped Employee Protection Act. This important bill will help codify changes we are making in Congress to help tip the scales in favor of our service workers and waitresses.

Current Fair Labor Standards Act rules define tipped work as someone who customarily and regularly receives more than \$30 a month in tips. It also considers a standard known as the 80/20 rule, which stipulates that tipped workers can spend no more than 20 percent of their time, or 30 minutes at a stretch, doing tasks that don't directly earn tips. If that sounds arbitrary, that is because it is.

Restaurants and similar businesses already run on thin margins. Keeping track of that kind of detail adds unnecessary red tape and stress. We all know how tough it is out there right now for small businesses.

That is why Representative STEVE WOMACK and I introduced the Tipped Employee Protection Act. This bill replaces the outdated definition of tipped employees with a simpler and more realistic definition. The bill defines a tipped worker as anyone who receives tips and other cash wages that together add up to the Federal minimum wage, without worrying about how much time they spend on this or that.

This change gives businesses more flexibility and protects them from unfair and crippling penalties for small recordkeeping mistakes they might make.

This bill resolves a longstanding issue that has been the subject of expensive litigation and ensures that the Federal Government does not set a standard that it cannot reasonably expect to enforce. It also helps the Department of Labor focus on real wage violations instead of technical paperwork issues.

Let's help small business. Let's help employers. Let's do the right thing. Let's not work for the people that just want to have endless lawsuits, endless litigation, and red tape.

Mr. Speaker, I urge everyone to vote "yes" on H.R. 2312 because businesses don't need Federal bureaucrats micromanaging their timekeeping.

Mr. SCOTT of Virginia. Mr. Speaker, I yield 4 minutes to the gentlewoman from Nevada (Ms. TITUS).

Ms. TITUS. Mr. Speaker, I rise today to voice opposition to this bill, the Tipped Employee Protection Act.

Don't be fooled by the name of it. There is nothing proworker in this bill. It is like calling increased air pollution the blue sky initiative. This is just another attempt from my Republican colleagues to create loopholes that allow employers to get away with wage theft.

Anyone who has visited my district in downtown Las Vegas and the strip will know that our world-class hospitality workers are the magic behind the glitz and glamour. With the power of organized labor, casino workers, servers, line cooks, housekeepers, and others put Las Vegas on the map as a world-renowned hospitality center.

The tourism, gaming, and entertainment industries account for more than 315,000 jobs in our State. We have proven in Nevada that if you pay workers what they deserve, everybody wins.

I am especially proud that our State bans subminimum wages for tipped employees. That means, whether an employee has a good or a bad tipping month, an employee can still earn an honest living.

More needs to be done to support our workers. This is especially true as the Trump slump threatens our tourism economy and the Trump administration cuts vital safety nets like SNAP.

That is why I introduced the LIFT Act last year. It would raise the minimum wage and all subminimum wages to \$17 an hour over the next 3 years with annual increases after that. In contrast, the bill before us today would change the definition of tipped employee in a manner that would allow employers to undercut wages.

Anybody in the service industry knows that tips vary from shift to shift. Under the current law, the definition of tipped employee accounts for those realities by stipulating that an employee must customarily and regularly—customarily and regularly—receive more than \$30 a month in tips.

Yet, the bill we are considering today would allow employers to measure a worker's tips over just a single day of work. Employers could manipulate schedules and purposely choose to count days where workers get more tips in order to pay them less.

In 15 States, that means even more workers will be making just \$2.13 an hour. That can't even buy a carton of eggs in Trump's economy, much less pay the rent. A more accurate name for this would be the employer profits protection act.

Mr. Speaker, I agree with my colleagues on this side of the aisle and urge everyone to stand up for workers and vote "no" on this bill.

Mr. WALBERG. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, let's talk facts again. The Fair Labor Standards Act sets the Federal minimum wage, as well as a separate minimum wage, for tipped workers. This recognizes the reality that tipped workers have a higher earning ceiling when tips are combined with base wages, representing an employee's total compensation.

There is no limit to the amount one can earn as a tipped worker, so long as the employer is not forced to cut jobs or close businesses. That is the reality.

If small restaurants were all required to pay the full Federal minimum wage to all tipped workers, as my Democrat colleagues suggest, on top of a complete elimination of the overall tip credit system, which has also been supported by my Democrat colleagues, there wouldn't be very many small restaurants remaining at the end of it all.

Mr. Speaker, the Federal Government should not micromanage businesses by setting requirements that cannot be enforced such as the Biden-Harris administration's 80/20 rule. This required employers to monitor tasks of tipped workers minute by minute. It sure gives incentive to have less employees.

I can think of many better ways to utilize a Wage and Hour inspector's valuable time than harassing restaurants about their bartenders helping out cooks, hosts, and other non-tipped employees, all who often work in a fast-paced environment.

Mr. Speaker, I reserve the balance of my time.

Mr. SCOTT of Virginia. Mr. Speaker, I yield 2 minutes to the gentleman from Nevada (Mr. HORSFORD).

Mr. HORSFORD. Mr. Speaker, I thank the ranking member for yielding time.

Mr. Speaker, this debate comes down to one simple question: What is fair for tipped workers?

All across America, and especially in my home State of Nevada, tipped workers show up every day, serving food and cleaning rooms. They keep our restaurants, hotels, and casinos running. They work hard. They deserve to be paid fairly for every hour that they work.

Under current law, there is a commonsense protection in place. A worker

can only be paid a tipped wage if their job actually depends on tips. That is why the law says workers must regularly earn tips before an employer can pay a subminimum wage.

□ 1520

That rule exists to prevent abuse. H.R. 2312, the so-called Tipped Employee Protection Act, tears down that protection. Under this bill, an employer could say that you earned a tip once this week, so every hour you work now counts as tipped work.

A worker could wait tables one night, earn a few tips, and then spend the rest of the week cooking, cleaning, or washing dishes and still be paid as little as \$2.13 an hour for that work. That is not tip work. That is a pay cut.

That is why we need to pass my TIPS Act, which would raise the wages for tipped workers—which has not been raised since 1991, the year I graduated from high school—not cut them.

This GOP bill lets employers average tips however they want over whatever time period they choose and use that as an excuse to lower wages for hours when workers are not earning tips at all.

Mr. Speaker, let's be honest: Tips aren't guaranteed. They depend on the customer, the shift, the economy, and pure luck. That is why tips are gifts, not a guarantee and not wages. No worker should have to gamble with their paycheck just to make rent or to put food on the table.

Mr. Speaker, I urge my colleagues to stand with working people, stand with tipped workers, and vote "no" on H.R. 2312.

Mr. WALBERG. Mr. Speaker, I reserve the balance of my time.

Mr. SCOTT of Virginia. Mr. Speaker, I yield 3 minutes to the gentlewoman from Georgia (Mrs. MCBATH), a member of the Committee on Education and Workforce.

Mrs. MCBATH. Mr. Speaker, I thank the ranking member for yielding me time.

Mr. Speaker, I rise today to fight for some of the most overworked and underpaid people in our country to ensure that the money that they work so hard for goes to them and their families, not to someone who didn't work for it.

The true purpose of this bill is not to protect tipped employees. The true purpose is to make it easier to pay people less for their work and to pay them less than \$7.25 an hour.

This bill allows employers to classify anyone who may receive a seasonal or random tip as a tipped employee, meaning they can now be paid below minimum wage by their employer. Those tips should be in addition to a worker's wage.

Employers should not be able to pay their workers less because that worker happened to receive a Christmas bonus or an occasional tip from a customer, but that is exactly what this bill would do.

This bill flies directly in the face of President Trump's campaign promise

to help tipped workers. What good is no tax on tips if you have to give those tips directly to your boss so that they can take it out of your base pay?

When someone pays taxes, they at least get something in return. Like many Americans, I do not think that the average person sees the benefit that they really should for what they pay in taxes. That is because the Republican majority chooses to spend the American people's money on tax breaks for billionaires instead of spending it on our kids, and instead of spending it on childcare, housing, healthcare, on things that really make people's lives far more affordable.

What is the worker getting in return in this situation? It is just the opportunity to work. I think the American people agree that their employers should be paying them to work and not the other way around.

No worker in this country should be paid this low. I don't care who they are. Many States have raised their minimum wages. Unfortunately, my State of Georgia has not. Without the Federal floor of \$7.25, workers in Georgia could legally be paid just over \$5 an hour because our State minimum wage is just \$5.15. Who can live on that?

Instead of trying to find ways to pay people as little as possible, this body, Congress, should be raising the wages and helping Americans keep more of their hard-earned dollars in their pocket, the money that they worked so hard for.

The SPEAKER pro tempore (Mr. BABIN). The time of the gentlewoman has expired.

Mr. SCOTT of Virginia. Mr. Speaker, I yield an additional 1 minute to the gentlewoman from Georgia.

Mrs. MCBATH. Mr. Speaker, before I came to this body, I was a flight attendant for a national air carrier. The money that I am making today is far more than I ever made as a contract employee for an airline.

Mr. Speaker, I will tell you that during the hard, 16-hour days that I had, much like what I have here, we weren't allowed to receive any tips. We weren't allowed to receive any of those kinds of benefits. Basically, if we did, if someone really, really pushed a tip on us, we would spread it among our crew. It was the right thing to do because in the airline industry, there is a cap on what you can make. There is a cap on your salary.

Mr. Speaker, having been a contract employee and having done all of that before I came here, I am so grateful every time I come across an individual in the customer service industry who has really done a good job. Paying them tips is the least that we can do to make sure that they are honored for their service.

Mr. WALBERG. Mr. Speaker, I am prepared to close, and I reserve the balance of my time.

Mr. SCOTT of Virginia. Mr. Speaker, I yield 3 minutes to the gentlewoman from Illinois (Ms. BUDZINSKI).

Ms. BUDZINSKI. Mr. Speaker, I thank the ranking member for yielding me time.

Mr. Speaker, I rise today in strong opposition to this legislation. This bill, deceptively named the Tipped Employee Protection Act, would change Federal wage law to allow employers to treat almost any worker as a tipped employee, even if they receive small or occasional tips. This means lower wages for everyday Americans who are struggling daily with higher costs.

Mr. Speaker, think of a restaurant worker who both waits tables and covers with some back-of-the-house shifts. This legislation would allow her employer to average her tipped wage from waiting tables with the standard minimum wage she earned during her back-of-the-house hours.

By doing this, the employer could justify paying her a subminimum wage for all hours worked. If this bill were to become law, the employer could classify her as a tipped employee and could legally pay her as little as \$2.13 an hour.

In a time of rising costs and an uncertain economy and working families all across my district struggling to make ends meet, this bill to reduce take-home pay for workers is tone-deaf, at best. At worst, it is a handout to corporations at a time when workers can least afford it.

For this reason, at the appropriate time, I will offer a motion to recommit this bill back to the committee. If the House rules permitted, I would have offered the motion with an important amendment to this bill.

My amendment would attach the Wage Theft Prevention and Wage Recovery Act to this bill, which would establish new and increased penalties for violations of overtime and minimum wage requirements, a real common-sense solution for working people.

Mr. Speaker, I ask unanimous consent to insert the text of my amendment into the RECORD immediately prior to the vote on the motion to recommit.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Illinois?

There was no objection.

Ms. BUDZINSKI. Mr. Speaker, I hope my colleagues will join me in voting for the motion to recommit.

Mr. WALBERG. Mr. Speaker, I reserve the balance of my time.

□ 1530

Mr. SCOTT of Virginia. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, we received a letter from the Union SEIU, which says in part that this bill, the so-called Tipped Employee Protection Act, would amend Federal minimum wage and overtime law by broadening the definition of tipped employee and increasing the employer's power to move workers in and out of tipped employee status, including allowing employers to decide on a daily or weekly basis whether a worker counts as a tipped worker.

This is a harmful and ill-conceived bill in every possible way. Most tipped workers already struggle to make ends meet. We should be doing away with the subminimum wage for tipped workers, not incentivizing and expanding tipped work.

Mr. Speaker, I include in the RECORD a January 13, 2026, letter from SEIU.

JANUARY 13, 2026.

DEAR REPRESENTATIVE: On behalf of SEIU's 2 million members and worker leaders, I write to urge you to vote NO on a slate of "labor" bills expected to come to the floor for a vote this week. The bills Republicans are bringing to the floor do not represent serious attempts by Speaker JOHNSON or the GOP to help working people or working families. This is the party that just this last week stripped five states of \$10 billion in childcare funding and funding to needy families. This is the party that shut the government down because they were unwilling to save 22 million people from having their health care costs dramatically rise or are lost. These pieces of legislation do not represent any serious effort at curbing costs or making life better for everyday people.

The bills are as follows: H.R. 2988—Protecting Prudent Investment of Retirement Savings, H.R. 2270—Empowering Child and Elder Care Solutions Act, H.R. 4366 Save Local Business Act, H.R. 2312—Tipped Employee Protection Act, H.R. 2262—Flexibility for Workers Education Act. Far from making conditions better for working people, these bills weaken existing protections and further stack the deck in favor of employers and against workers.

H.R. 2988, the Protecting Prudent Investment of Retirement Savings Act, amends the Employee Retirement Income Security Act of 1974 (ERISA) to codify Trump Administration rules that undermine workers' retirement security by, among other things, chilling fiduciaries' consideration of a set of important financial risks and I opportunities. This bill misguidedly attacks Environmental, Social, and Governance ("ESG") considerations in fiduciary decision-making as "woke" rather than legitimate and important factors to be considered in decision-making.

H.R. 2270, the Empowering Employer Child and Elder Care Solutions Act, would allow employers to pay their workers less overtime than they are owed by excluding child and dependent care services and payments from the rate used to compute overtime compensation. Rather than incentivize employers to subsidize care, this bill could encourage excessive work without fairly compensating the workers or doing anything to make childcare or elder care more affordable or accessible.

H.R. 4366, the Save Local Business Act, would limit workers' protections under labor and employment laws by adopting a single, weak, joint employer test for both the Fair Labor Standards Act of 1938 (FLSA) and the National Labor Relations Act (NLRA). Joint employer tests are used to determine who is responsible for wrongdoing when there are multiple entities with the power to determine employment conditions. An improperly narrow FLSA or NLRA standard would make it harder for workers to hold the right entities responsible for abuse. Further, a narrow NLRA joint employer standard effectively extinguishes the collective bargaining rights of millions of workers by permitting companies that control their jobs to escape the bargaining table. SEIU represents tens of thousands of workers, including janitors, security guards, and healthcare workers, who would have their rights weakened if this bill passes.

H.R. 2312, the Tipped Employee Protection Act, would amend federal minimum wage and overtime law by broadening the definition of tipped employee and increasing employers' power to move workers in and out of tipped employee status, including allowing employers to decide on a daily or weekly basis whether a worker counts as a tipped worker already struggle to make ends meet. We should be doing away with the subminimum wage for tipped workers, not incentivizing and expanding tipped work.

H.R. 2262, the Flexibility for Workers Education Act, would carve out time spent participating in education or training related to employment from the calculation of a worker's paid time. This bill would undercut the longstanding principle that FLSA requires minimum wage and overtime protections for all time that employees spend working for the benefit of the employer, and would enable employers to steal time from employees by scheduling unpaid—but essential to the job—training.

As stated above, these bills would hurt working people by chipping away at existing legal protections meant to protect workers from harm. They are unnecessary and burdensome new legal requirements that do nothing to improve working conditions. We strongly urge you to vote NO on all the above bills.

If you have any questions, please contact Sarah Heydemann.

Thank you,

JOHN GRAY,

Director, Legislation, Service Employees International Union.

Mr. SCOTT of Virginia. Mr. Speaker, I also include in the RECORD a January 13, 2026, letter from the Economic Policy Institute to Speaker JOHNSON.

JANUARY 13, 2026.

Re Opposition to H.R. 2988, Protecting Prudent Investment of Retirement Savings Act; H.R. 2270, Empowering Child and Elder Care Solutions Act; H.R. 4366, Save Local Business Act; H.R. 2312, Tipped Employee Protection Act; and H.R. 2262, Flexibility for Workers Education Act.

Hon. MIKE JOHNSON,

Hon. HAKEEM JEFFRIES,

House of Representatives, Washington, DC.

DEAR MEMBERS OF CONGRESS: The undersigned organizations dedicated to worker rights and building a just and inclusive economy write in opposition to H.R. 2988, Protecting Prudent Investment of Retirement Savings Act; H.R. 2270, Empowering Child and Elder Care Solutions Act; H.R. 4366, Save Local Business Act; H.R. 2312, Tipped Employee Protection Act; and H.R. 2262, Flexibility for Workers Education Act. If enacted, these bills would harm workers by weakening longstanding labor and employment laws, leading to lower pay, reduced employer accountability, and more precarity.

H.R. 2988, Protecting Prudent Investment of Retirement Savings Act

The Protecting Prudent Investment of Retirement Savings Act would amend the Employee Retirement Income Security Act (ERISA) to block retirement plan fiduciaries from considering climate change and other environmental, social, and governance factors when they select retirement investments. The bill would constrain plan fiduciaries' ability to account long-term financial risks in their investment decisions, which would undermine workers' retirement security.

H.R. 2270, Empowering Employer Child and Elder Care Solutions Act

The Empowering Employer Child and Elder Care Solutions Act would exclude child, dependent, and elder care payments from the

rate used to compute overtime compensation for eligible workers. This would result in workers receiving less overtime than they are owed under current law, which would in turn incentivize employers to impose longer workweeks on already over-worked employees. Further, workers who face longer workweeks as a consequence of H.R. 2270 would likely experience higher childcare costs as childcare providers who operate during non-traditional hours (including evenings and weekends) tend to cost more. H.R. 2270 would contradict the basic premise, going back to 1938, that employers should be deterred from requiring employees to work excessive and burdensome hours.

H.R. 2262, The Flexibility for Workers Education Act

The Flexibility for Workers Education Act would amend the Fair Labor Standards Act to excuse employers of their responsibility to pay workers for trainings or other professional development opportunities that are outside of regular work hours. Despite the bill's generous-sounding title, this bill would not give workers any more flexibility. Instead, it allows employers to hold trainings and professional development opportunities after work hours and not pay workers who attend—as long as the employer does not say it's required. However, employers can still lead workers to believe these trainings and professional development opportunities are required, which would result in workers not being paid for their time.

H.R. 2312, Tipped Employee Protection Act

This bill amends the FLSA's definition of "tipped employee", by allowing employers to classify workers as tipped employees—and thus allow employers to take a tip credit—if workers receive (1) any amount of tips (2) over a period of time selected by the employer, (3) regardless of the employees' duties. Eliminating the requirement that workers must be "engaged in an occupation in which he customarily and regularly receives more than \$30 a month in tips." And allowing employers to choose any time period would give employers nearly unfettered discretion to re-classify almost any worker receiving any amount of tips for any amount of time as tipped employees and pay them a subminimum wage of \$2.13 an hour, including for time spent doing non-tipped duties. This goes well beyond reversing the 80/20 rule challenged by the restaurant industry and would only further exacerbate the precarity of workers in an industry that already includes many of the nation's lowest-paid occupations and suffers from already high rates of wage theft. If Congress truly wants to protect tipped workers, it should pass the Raise the Wage Act, which would raise the federal minimum wage floor and gradually phase out the subminimum wage for tipped workers.

H.R. 4366, Save Local Business Act

The "Save Local Business Act" would ensure that trillion-dollar corporations like Amazon can use subcontracting and outsourcing arrangements to escape accountability to their workers. Businesses have long relied on subcontracting arrangements—such as hiring workers through temporary staffing agencies—to avoid their responsibility to comply with the FLSA and NLRA, even though they maintain power to control working conditions and that the workers are integral to their business. These contracting work-arounds were present when the FLSA and NLRA were passed in the 1930's, and versions of this outsourcing are used today by companies. Indeed, businesses across the economy—including in labor-intensive and low-paid sectors like construction, home and health care, janitorial and

building services, hotels and hospitality, and warehousing and logistics—use similar contracting arrangements to insulate themselves from accountability. Limiting employer accountability and enabling corporations to avoid responsibility for violations of workers' rights under the FLSA and the NLRA will hasten race-to-the-bottom on labor standards, with businesses that treat their workers fairly finding it harder to compete.

Should H.R. 2988, Protecting Prudent Investment of Retirement Savings Act; H.R. 2270, Empowering Child and Elder Care Solutions Act; H.R. 4366, Save Local Business Act; H.R. 2312, Tipped Employee Protection Act; and H.R. 2262, Flexibility for Workers Education Act be brought to the floor, we strongly urge all Members of Congress to vote No.

With any questions, please reach out to Charlotte Dodge, National Employment Law Project; Sam Sanders, Economic Policy Institute or Michelle Feit, National Partnership for Women & Families.

Sincerely,

ECONOMIC POLICY  
INSTITUTE.  
NATIONAL EMPLOYMENT  
LAW PROJECT.  
NATIONAL PARTNERSHIP  
FOR WOMEN & FAMILIES.

Mr. SCOTT of Virginia. Mr. Speaker, this is an open invitation for employers, particularly those involving restaurants and hotels, to lower their employees' wages by combining traditionally tipped occupations with nontipped occupations. For example, they will be able to put a line cook on the floor for a few hours a day and then apply the tip credit to all of the hours that the employee works.

Tipped workers already are paid less per hour and have less access to benefits such as paid sick leave, healthcare, short-term disability and life insurance, and under this bill employers would be given a pass to not pay workers what they otherwise would have been owed.

Mr. Speaker, I ask my colleagues to reject the bill, and I yield back the balance of my time.

Mr. WALBERG. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, we can all agree that our Nation's workers deserve to be compensated fairly. H.R. 2312, the Tipped Employee Protection Act, meaningfully updates the Fair Labor Standards Act to ensure tipped workers can take home what they earn, and small businesses are not micromanaged by Federal regulators.

Too often, the political whims of Washington have hurt tipped workers. Their earnings have been hurt instead of boosting them. H.R. 2312 puts an end to this and shields workers from the misguided actions of unelected bureaucrats.

I am proud of the work my Republican colleagues and I have done this Congress to implement policies like no tax on tips that let working Americans and tipped workers keep more of what they make.

I urge my colleagues to support the Tipped Employee Protection Act and help put more money back into American families' pockets.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. All time for debate has expired.

Pursuant to House Resolution 988, the previous question is ordered on the bill, as amended.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

#### MOTION TO RECOMMIT

Ms. BUDZINSKI. Mr. Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Ms. Budzinski of Illinois moves to recommit the bill H.R. 2312 to the Committee on Education and Workforce.

The material previously referred to by Ms. BUDZINSKI is as follows:

Ms. Budzinski moves to recommit the bill H.R. 2312 to the Committee on Education and Workforce with instructions to report the same back to the House forthwith, with the following amendment:

Add at the end the following:

#### SEC. 3. FINDINGS.

Congress finds the following:

(1) Wage theft occurs when an employer does not pay an employee for work that the employee has performed, depriving the worker of wages and earnings to which the worker is legally entitled. This theft occurs in many forms, including by employers violating minimum wage requirements, failing to pay overtime compensation, requiring off-the-clock work, failing to provide final payments, misclassifying employees as being exempt from overtime compensation or as independent contractors rather than as employees, and improperly withholding tips.

(2) Wage theft poses a serious and growing problem across industries for working individuals of the United States. Wage theft is widespread and is estimated to cost workers more than \$15,000,000,000 per year. In certain industries, compliance with Federal wage and hour laws is less than 50 percent.

(3) Wage theft is closely associated with employment discrimination, with women, immigrants, and racial and ethnic minorities being disproportionately affected. Women are significantly more likely to experience minimum wage violations than men, foreign-born workers are nearly 2 times as likely to experience minimum wage violations as their counterparts born in the United States, and African Americans are 3 times more likely to experience minimum wage violations than their White counterparts.

(4) Wage theft is closely associated with unsafe working conditions.

(5) Wage theft—

(A) depresses the wages of working families who are already struggling to make ends meet;

(B) strains social services funds;

(C) diminishes consumer spending power and hurts local economies;

(D) reduces vital State and Federal tax revenues;

(E) places law-abiding employers at a competitive disadvantage with noncompliant employers;

(F) burdens commerce and the free flow of goods; and

(G) lowers labor standards throughout labor markets.

(6) Low-wage workers are at the greatest risk of suffering from wage theft. A survey of

4,387 low-wage workers in New York, Los Angeles, and Chicago found that 68 percent of the workers surveyed had experienced some form of wage theft in the workweek immediately before the survey was conducted. These workers experienced a range of wage and hour violations: 26 percent of such workers were not paid minimum wage; 76 percent of such workers who worked more than 40 hours in the workweek immediately before the survey was conducted were not paid at the overtime rate; and, in the year before the survey was conducted, 43 percent of the workers who attempted to address such issues by filing a complaint with their employer or who attempted to form a labor organization experienced retaliation by their employers, including by being fired, suspended, or receiving threats of reductions in their hours or pay.

(7) In 2012, State and Federal authorities as well as private attorneys recovered at least \$933,000,000 in wage theft enforcement actions, which was nearly 3 times the value of all bank robberies, residential robberies, convenience store and gas station robberies, and street robberies in the United States during that year.

(8) A Department of Labor study of wage theft in California and New York found that wage theft deprived workers of 37 percent to 49 percent of their income, pushing at least 15,000 families below the poverty line and driving another 50,000 to 100,000 families deeper into poverty.

(9) A study analyzing wage theft claims in the State of Washington from 2009 to 2013 estimated that the total economic cost of wage theft to the State totaled more than \$64,000,000 resulting from the lower economic activity and spending of low-wage workers due to their lost wages.

(10) A Department of Labor study of wage violations in California and New York found that wage theft deprived families of \$5,600,000 in possible earned income tax credits and resulted in a \$22,000,000 loss in State tax revenue, a \$238,000,000 loss in payroll tax revenue, and a \$113,000,000 loss in Federal income tax revenue.

(11) Barriers to addressing wage theft continue to exist decades after the enactment of the Fair Labor Standards Act of 1938 (29 U.S.C. 201 et seq.). These barriers have resulted, in significant part, because enforcement of such Act has not worked as Congress originally intended and because many of the provisions of such Act do not include sufficient penalties to discourage violations. Improvements to enforcement and amendments to such Act are necessary to ensure that such Act provides effective protection to individuals subject to wage theft.

(12) The lack of a Federal right for employees to receive full compensation at the agreed upon wage rate for all work performed by the employee has resulted in workers being able to recover only the applicable minimum wage, or the overtime rate if applicable, when employers engage in wage theft.

(13) The lack of a Federal requirement to provide employees with paystubs indicating how their pay is calculated or to allow employees to inspect their employers' payroll records significantly impedes efforts to identify and challenge wage theft.

(14) The lack of a Federal requirement to pay employees their final payments in a timely manner upon termination of the employment relationship between the employer and employee has led to unreasonable, and sometimes indefinite, delays in compensation after an employment relationship ends.

(15) While the Fair Labor Standards Act of 1938, and regulations promulgated by the Secretary of Labor, as in effect on the day

before the date of enactment of this Act, require employers to compensate employees at the minimum wage rate and to provide overtime compensation when appropriate, the lack of civil penalties for most violations of these requirements has dampened their effectiveness.

(16) While the Fair Labor Standards Act of 1938 and regulations promulgated by the Secretary of Labor, as in effect on the day before the date of enactment of this Act, provide employees who are subject to wage theft with the right to unpaid minimum wages or unpaid overtime compensation plus an additional equal amount as liquidated damages, this low level of damages has proved insufficient to deter employers from stealing the wages of their employees.

(17) While the Fair Labor Standards Act of 1938 and regulations promulgated by the Secretary of Labor, as in effect on the day before the date of enactment of this Act, require employers to keep records of employees' pay, the lack of remedies beyond injunctive relief for this requirement diminishes the effectiveness of the requirement.

(18) While the Fair Labor Standards Act of 1938 and regulations promulgated by the Secretary of Labor, as in effect on the day before the date of enactment of this Act, provide for limited criminal penalties when employers violate the provisions of such Act, the Secretary of Labor rarely resorts to these penalties, causing them to serve as a hollow threat.

(19) The statute of limitations under section 6 of the Portal-to-Portal Act of 1947 (29 U.S.C. 255), as in effect on the day before the date of enactment of this Act, precludes employees from commencing a claim for wage theft more than 2 years after the cause of action accrued, or more than 3 years after the cause of action accrued if the claim is with respect to a willful violation by the employer. Additionally, the statute of limitations is not automatically suspended while the Secretary of Labor investigates a complaint. These strict confines of the statute of limitations sometimes result in employees being deprived of their ability to institute a private lawsuit against their employer in order to recover their stolen wages.

(20) Section 16(b) of the Fair Labor Standards Act of 1938 (29 U.S.C. 216(b)), as in effect on the day before the date of enactment of this Act, requires employees to affirmatively "opt-in" in order to be a party plaintiff in a collective action brought by another aggrieved employee seeking to recover stolen wages in court. This provision limits the ability of employees to unite and pursue private lawsuits against employers.

(21) Under the penalty structure of the Fair Labor Standards Act of 1938, as in effect on the day before the date of enactment of this Act, many employers who are caught violating such Act continue to violate the Act. A Department of Labor investigation found that one-third of employers who had previously engaged in wage theft continued to do so.

(22) The Government Accountability Office and the Department of Labor have recognized that when employers are assessed civil penalties, they are more likely to comply with the law in the future and other employers in the same region—regardless of industry—are also more likely to comply with the law.

(23) States that have enacted legislation to address wage theft by increasing the damages to which employees are entitled following violations of wage and hour laws have positively impacted the workers in such States. However, many States have not enacted such legislation and, worse still, some States do not have any laws protecting workers from wage theft or even agencies to

enforce workers' rights to compensation for work. This discrepancy in State laws has resulted in a fragmentation of workers' rights across the United States, with some workers having a measure of protection from wage theft and other workers being left extremely vulnerable to wage theft.

(24) Effective enforcement of wage and hour laws is critical to increasing compliance. Given the limited resources available for enforcement, enhanced strategic enforcement of Federal wage and hour laws is crucial.

(25) For enhanced strategic enforcement to be effective, government regulators must work with community stakeholders who have direct knowledge of ongoing violations of Federal wage and hour requirements and who are in a position to prevent such violations.

(26) Partnerships between regulators, workers, nonprofit organizations, and businesses can increase compliance by educating workers about their rights, collecting evidence, reporting violations, identifying non-compliant employers, and modeling good practices.

(27) Partnerships between regulators, workers, nonprofit organizations, and businesses have been successful in combating wage theft. In 2006, the Division of Labor Standards Enforcement of the State of California created a janitorial enforcement team to work closely with a local janitorial watchdog organization. As of 2015, the partnership had resulted in countless administrative, civil, and criminal actions against employers and in the collection of more than \$68,000,000 in back pay for janitorial workers.

(28) The Comptroller General of the United States has recommended that the Department of Labor identify ways to leverage its resources to better combat wage theft by improving services provided through partnerships.

[For full text, please see H.R. 5402 from the 118th Congress.]

The SPEAKER pro tempore. Pursuant to clause 2(b) of rule XIX, the previous question is ordered on the motion to recommit.

The question is on the motion to recommit.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

Ms. BUDZINSKI. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

CONTINUATION OF THE NATIONAL EMERGENCIES WITH RESPECT TO THE SOUTHERN BORDER OF THE UNITED STATES AND CARTELS AND OTHER TRANSNATIONAL ORGANIZATIONS—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 119-126)

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the Committees on Foreign Affairs, Judiciary, Ways and Means, Armed Services, and Transportation and Infrastructure and ordered to be printed:

*To The Congress of the United States:*

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, within 90 days prior to the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent to the *Federal Register* for publication the enclosed notice stating that the national emergencies declared or expanded in Proclamation 10886 of January 20, 2025, Executive Order 14157 of January 20, 2025, Executive Order 14193 of February 1, 2025, Executive Order 14194 of February 1, 2025, and Executive Order 14195 of February 1, 2025, are to continue in effect beyond their applicable anniversary date(s).

The circumstances related to these emergencies continue to pose unusual and extraordinary threats to the national security, foreign policy, or economy of the United States. Therefore, I have determined that it is necessary to continue the national emergencies declared or expanded in Proclamation 10886, Executive Order 14157, Executive Order 14193, Executive Order 14194, and Executive Order 14195.

DONALD J. TRUMP.  
THE WHITE HOUSE, January 12, 2026.

CONTINUATION OF THE NATIONAL EMERGENCY WITH RESPECT TO ENERGY—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 119-127)

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the Committees on Armed Services, Energy and Commerce, Financial Services, Natural Resources, and Transportation and Infrastructure and ordered to be printed:

*To the Congress of the United States:*

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, within 90 days prior to the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent to the *Federal Register* for publication the enclosed notice stating that the national emergency with respect to energy declared in Executive Order 14156 of January 20, 2025, is to continue in effect beyond January 20, 2026.

The United States continues to need a reliable, diversified, and affordable supply of energy to drive our Nation's manufacturing, transportation, agriculture, and defense industries, and to sustain the basics of modern life and