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(Original Signature of Member)

119TH CONGRESS
1ST SESSION

H. R. _____

To amend the Fair Labor Standards Act of 1938 to provide for an increase
to the minimum wage, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Ms. TITUS introduced the following bill; which was referred to the Committee
on _____

A BILL

To amend the Fair Labor Standards Act of 1938 to provide
for an increase to the minimum wage, 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 (a) This Act may be cited as the “Labor Income Fair-
5 ness and Transparency Act” or “LIFT Act”.

6 **SEC. 2. MINIMUM WAGE INCREASE.**

7 (a) IN GENERAL.—Section 6(a)(1) of the Fair Labor
8 Standards Act of 1938 is amended to read as follows:

1 “(1) except as otherwise provided in this section, not
2 less than—

3 “(A) \$10.25 an hour, beginning on the effective
4 date described in section 2(c) the Labor Income
5 Fairness and Transparency Act;

6 “(B) \$13.75 an hour, beginning 12 months
7 after such effective date;

8 “(C) \$17.00 an hour, beginning 24 months
9 after such effective date; and

10 “(D) the amount determined under subsection
11 (h) for the 1-year period beginning 36 months after
12 such effective date, and for each 1-year period there-
13 after;”.

14 (b) MINIMUM WAGE DETERMINATION BASED ON IN-
15 CREASES IN THE MEDIAN HOURLY WAGE OF ALL EM-
16 PLOYEES.—Section 6 of the Fair Labor Standards Act of
17 1938 is amended by adding at the end the following:

18 “(h)(1) Not later than 90 days prior to the date on
19 which the minimum wage under subsection (a)(1)(D) shall
20 take effect for a 1-year period, the Secretary shall deter-
21 mine the minimum wage for such 1-year period. Such min-
22 imum wage for such period shall be calculated by multi-
23 plying—

24 “(A) the minimum wage for the 1-year period
25 preceding the covered 1-year period, by

1 “(B) the ratio obtained by dividing—

2 “(i) the median hourly wage of all employ-
3 ees for the covered 1-year period, by

4 “(ii) the median hourly wage of all employ-
5 ees for the 1-year period preceding the covered
6 1-year period.

7 “(2)(A) In this subsection, the term ‘median hourly
8 wage’ means, when used with respect to a 1-year period,
9 the median hourly wage for the most recent four-quarter
10 period for which data are available that precedes such 1-
11 year period.

12 “(B) In this subsection, the term ‘covered 1-year pe-
13 riod’ means the 1-year period for which the minimum
14 wage is being determined under this subsection.

15 “(3) Not later than 90 days after the last day of each
16 calendar quarter, the Secretary, through the Bureau of
17 Labor Statistics, shall determine the median hourly wage
18 of all employees for such calendar quarter.

19 “(4) The minimum wage for a covered 1-year period
20 shall not be less than the minimum wage for the 1-year
21 period preceding the covered 1-year period.

22 “(5) In setting the minimum wage for any covered
23 1-year period, such minimum wage shall be rounded up
24 to the nearest multiple of \$0.05 if the amount calculated
25 under this subsection is not a multiple of \$0.05.”.

1 (c) EFFECTIVE DATE.—The amendments made by
2 this section shall take effect on the date that is 1 year
3 after the date of enactment of this Act.

4 **SEC. 3. ELIMINATION OF SUBMINIMUM WAGES.**

5 (a) YOUTH WAGES.—Section 6(g) of the Fair Labor
6 Standards Act of 1938 (28 U.S.C. 206(g)) is amended to
7 read as follows:

8 “(g) In lieu of the rate prescribed by subsection
9 (a)(1), any employer may pay any employee of such em-
10 ployer, during the first 90 consecutive calendar days after
11 such employee is initially employed by such employer, a
12 wage which is not less than—

13 “(1) \$8.50 an hour, beginning on the date de-
14 scribed in subsection (a)(1)(A);

15 “(2) \$12.75 an hour, beginning 12 months
16 after such date;

17 “(3) \$17.00 an hour, beginning 24 months
18 after such date; and

19 “(4) the amount in effect under subsection
20 (a)(1), beginning 36 months after such date.”.

21 (b) STUDENT-LEARNER PROGRAM.—Section 14(a) of
22 the Fair Labor Standards Act of 1938 (28 U.S.C. 214(a))
23 is amended—

24 (1) by striking “The Secretary” and inserting

25 “(1) Subject to paragraph (2), the Secretary”;

1 (2) by adding at the end the following:

2 “(2) Beginning on the date described in subsection
3 (a)(1)(A) of section 6, the Secretary may not provide for
4 a wage under paragraph (1) that is lower than—

5 “(A) \$9.29 an hour, beginning on such date;

6 “(B) \$13.14 an hour, beginning 12 months
7 after such date;

8 “(C) \$17.00 an hour, beginning 24 months
9 after such date; and

10 “(D) the amount in effect under section
11 6(a)(1), beginning 36 months after such date.”.

12 (c) FULL-TIME STUDENT PROGRAM.—Section 14(b)
13 of the Fair Labor Standards Act (28 U.S.C. 214(b)) is
14 amended by adding at the end the following:

15 “(5) Beginning on the date described in subsection
16 (a)(1)(A) of section 6, paragraphs (1)(A), (2), and (3)
17 shall be applied by substituting for the dollar amounts in
18 such paragraphs a dollar amount equal to—

19 “(A) \$9.77, beginning on such date;

20 “(B) \$13.38, beginning 12 months after such
21 date;

22 “(C) \$17.00, beginning 24 months after such
23 date; and

1 “(D) the amount in effect under subsection
2 (a)(1) of section 6, beginning 36 months after such
3 date.”.

4 (d) SPECIAL CERTIFICATE WAGES.—

5 (1) INCREMENTAL INCREASE.—Section
6 14(c)(1)(A) of the Fair Labor Standards Act (28
7 U.S.C. 214(c)(1)(A)) is amended to read as follows:

8 “(A) not lower than—

9 “(i) \$9.77 an hour, beginning on the date
10 described in subsection (a)(1)(A) of section 6;

11 “(ii) \$13.38 an hour, beginning 12 months
12 after such date;

13 “(iii) \$17.00 an hour, beginning 24
14 months after such date; and

15 “(iv) the amount in effect under subsection
16 (a)(1) of section 6, beginning 36 months after
17 such date.”.

18 (2) ISSUANCE OF SPECIAL CERTIFICATES.—

19 Section 14(c) of the Fair Labor Standards Act (28
20 U.S.C. 214(c)) is further amended by adding at the
21 end the following:

22 “(6) Beginning on the date described in paragraph
23 (1)(A)(iv), the Secretary may not issue a special certificate
24 under this subsection.”.

1 (e) EFFECTIVE DATE.—The amendments made by
2 this section shall take effect on the date that is 1 year
3 after the date of enactment of this Act.

4 **SEC. 4. TIPPED EMPLOYEES.**

5 (a) Section 3(m)(2) of the Fair Labor Standards Act
6 of 1938 (29 U.S.C. 203(m)(2)) is amended to read as fol-
7 lows:

8 “(2)(A) In determining the wage an employer is re-
9 quired to pay a tipped employee, the amount paid such
10 employee by the employee’s employer shall be an amount
11 equal to—

12 “(i) \$7.09 an hour, beginning on the date described
13 in subsection (a)(1)(A) of section 6;

14 “(ii) \$12.05 an hour, beginning 12 months after such
15 date;

16 “(iii) \$17.00 an hour, beginning 24 months after
17 such date; and

18 “(iv) the amount in effect under section (a)(1) of sec-
19 tion 6, beginning 36 months after such date.

20 Any employee shall have the right to retain any tips re-
21 ceived by such employee, except that this subsection shall
22 not be construed to prohibit the pooling of tips among em-
23 ployees who customarily and regularly receive tips. An em-
24 ployer shall provide to the employee a notice of the tips

1 received by such employee for each day that such employee
2 works.

3 “(B) An employer may not keep tips received by its
4 employees for any purposes, including—

5 “(i) allowing managers or supervisors to keep
6 any portion of employees’ tips, regardless of whether
7 or not the employer takes a tip credit; or

8 “(ii) recovering the cost to the employer of
9 processing tips.”.

10 (b) EFFECTIVE DATE.—The amendments made by
11 this section shall take effect on the date that is 1 year
12 after the date of enactment of this Act.

13 **SEC. 5. CIVIL PENALTIES.**

14 (a) IN GENERAL.—Section 16(e)(2) of the Fair
15 Labor Standards Act (29 U.S.C. 214(e)(2)) is amended
16 by striking “\$1,100” each place it appears and inserting
17 “\$2,200”.

18 (b) EFFECTIVE DATE.—The amendments made by
19 this section shall take effect on the date that is 120 days
20 after the date of enactment of this Act.

21 **SEC. 6. PROHIBITION ON REDUCTION IN FORCE OF WAGE**
22 **AND HOUR DIVISION INVESTIGATORS.**

23 Notwithstanding any other provision of law, any in-
24 vestigator within the Wage and Hour Division of the De-

1 partment of Labor may not be removed under a reduction
2 in force.

3 **SEC. 7. ASSISTANCE TO STATES.**

4 (a) IN GENERAL.—The Secretary of Labor is author-
5 ized to make grants to assist eligible State, local, and
6 Tribal governments to—

7 (1) develop and enforce wage laws and regula-
8 tions;

9 (2) improve compliance with wage laws and reg-
10 ulations, including through the development and exe-
11 cution of training and educational workshops.

12 (b) APPLICATION.—To be eligible to receive a grant
13 under this section, a State or local government shall sub-
14 mit an application at such time, in such manner, and con-
15 taining such information and assurances as the Secretary
16 may require.

17 **SEC. 8. NATIONAL ADVISORY COMMITTEE ON THE HOSPI-**
18 **TALITY INDUSTRY.**

19 (a) ESTABLISHMENT.—The Secretary of Labor shall
20 establish a commission to be known as the National Advi-
21 sory Committee on the Hospitality Industry (in this Act
22 referred to as the “Commission”).

23 (b) DUTIES OF COMMISSION.—The duties of the
24 Commission shall be to advise the Secretary of Labor on

1 all matters related to workers in the hospitality industry,
2 including—

3 (1) the Fair Labor Standards Act of 1938 (29
4 U.S.C. 201 et seq.);

5 (2) tipped workers;

6 (3) worker safety;

7 (4) apprenticeships;

8 (5) regulation of independent contractors;

9 (6) visa programs; and

10 (7) such other matters as the Commission de-
11 termines relevant.

12 (c) MEMBERSHIP.—The Commission shall be com-
13 posed of 15 members, appointed by the Secretary, as fol-
14 lows:

15 (1) 5 representatives of labor organizations, in-
16 cluding a representative of each of the sectors within
17 the hospitality industry that follow:

18 (A) Hotels and lodging.

19 (B) Food and beverage service, including
20 restaurants.

21 (C) Gaming and other forms of entertain-
22 ment.

23 (2) 5 representatives of employers, including a
24 representative of each of the sectors within the hos-
25 pitality industry that follow:

1 (A) Hotels and lodging.

2 (B) Food and beverage service, including
3 restaurants.

4 (C) Gaming and other forms of entertain-
5 ment.

6 (3) 3 members of the public with expertise in
7 issues facing workers in the hospitality industry.

8 (4) 2 representatives of State, local, or Tribal
9 government agencies related to tourism or wage en-
10 forcement.

11 (d) MEETINGS.—The Commission shall meet not less
12 than twice annually.

13 (e) STAFF.—The Secretary shall furnish to the Com-
14 mittee an executive secretary and such secretarial, clerical,
15 and other services as are deemed necessary by the
16 Sectetary to the conduct of the Committee’s duties.

17 **SEC. 9. COVID-ERA EITC IMPROVEMENTS RESTORED AND**
18 **MADE PERMANENT.**

19 (a) DECREASE IN MINIMUM AGE FOR CREDIT;
20 ELIMINATION OF MAXIMUM AGE FOR CREDIT.—Section
21 32(c)(1) of the Internal Revenue Code of 1986 is amend-
22 ed—

23 (1) in paragraph (A)(ii)(II), by striking “age 25
24 but not attained age 65” and inserting “the applica-
25 ble minimum age”, and

1 (2) by adding at the end the following new sub-
2 paragraphs:

3 “(F) APPLICABLE MINIMUM AGE.—For
4 purposes of this paragraph, the term ‘applicable
5 minimum age’ means—

6 “(i) except as otherwise provided in
7 this paragraph, age 19,

8 “(ii) in the case of a specified student
9 (other than a qualified former foster youth
10 or a qualified homeless youth), age 24, and

11 “(iii) in the case of a qualified former
12 foster youth or a qualified homeless youth,
13 age 18.

14 “(G) SPECIFIED STUDENT.—For purposes
15 of this paragraph, the term ‘specified student’
16 means, with respect to any taxable year, an in-
17 dividual who is an eligible student (as defined
18 in section 25A(b)(3)) during at least 5 calendar
19 months during the taxable year.

20 “(H) QUALIFIED FORMER FOSTER
21 YOUTH.—For purposes of this paragraph, the
22 term ‘qualified former foster youth’ means an
23 individual who—

24 “(i) on or after the date that such in-
25 dividual attained age 14, was in foster care

1 provided under the supervision or adminis-
2 tration of an entity administering (or eligi-
3 ble to administer) a plan under part B or
4 part E of title IV of the Social Security
5 Act (without regard to whether Federal as-
6 sistance was provided with respect to such
7 child under such part E), and

8 “(ii) provides (in such manner as the
9 Secretary may provide) consent for entities
10 which administer a plan under part B or
11 part E of title IV of the Social Security
12 Act to disclose to the Secretary informa-
13 tion related to the status of such individual
14 as a qualified former foster youth.

15 “(I) QUALIFIED HOMELESS YOUTH.—For
16 purposes of this paragraph, the term ‘qualified
17 homeless youth’ means, with respect to any tax-
18 able year, an individual who certifies, in a man-
19 ner as provided by the Secretary, that such in-
20 dividual is either an unaccompanied youth who
21 is a homeless child or youth, or is unaccom-
22 panied, at risk of homelessness, and self-sup-
23 porting.”.

24 (b) INCREASE IN CREDIT AND PHASEOUT PERCENT-
25 AGES.—The table contained in section 32(b)(1) of such

1 Code is amended by striking “7.65” and inserting “15.3”
2 each place it appears.

3 (c) INCREASE IN EARNED INCOME AND PHASEOUT
4 AMOUNTS.—

5 (1) IN GENERAL.—The table contained in sec-
6 tion 32(b)(2)(A) of such Code is amended—

7 (A) by striking “\$4,220” and inserting
8 “\$9,820”, and

9 (B) by striking “\$5,280” and inserting
10 “\$11,610”.

11 (2) INFLATION ADJUSTMENT.—Section
12 32(j)(1)(B)(i) of such Code is amended by striking
13 “calendar year 1995” and inserting “calendar year
14 2020”.

15 (d) EFFECTIVE DATE.—The amendments made by
16 this section shall apply to taxable years beginning after
17 December 31, 2025.

18 **SEC. 10. DEFINITIONS.**

19 In this Act:

20 (1) STATE.—The term “State” has the mean-
21 ing given such term in section 3(c) of the Fair
22 Labor Standards Act of 1938 (29 U.S.C. 3(c)).

23 (2) TRIBAL GOVERNMENT.—The term “Tribal
24 government” means the government of an Indian
25 Tribe, as such term is defined in section 4(e) of the

- 1 Indian Self-Determination and Education Assistance
- 2 Act (25 U.S.C. 5304(e)).