

AMENDMENT NO. _____ Calendar No. _____

Purpose: To establish a deficit-neutral reserve fund relating to deterring the elimination of the tip credit under section 3(m) of the Fair Labor Standards Act of 1938 during a federally declared emergency with respect to COVID-19.

IN THE SENATE OF THE UNITED STATES—117th Cong., 1st Sess.

S. Con. Res. _____

Setting forth the congressional budget for the United States Government for fiscal year 2021 and setting forth the appropriate budgetary levels for fiscal years 2022 through 2030.

Referred to the Committee on _____ and
ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT intended to be proposed by Mr. BRAUN

Viz:

1 At the end of title III, add the following:
2 **SEC. 3 ____ . DEFICIT-NEUTRAL RESERVE FUND RELATING**
3 **TO DETERRING THE ELIMINATION OF THE**
4 **TIP CREDIT UNDER THE FAIR LABOR STAND-**
5 **ARDS ACT OF 1938 DURING A FEDERALLY DE-**
6 **CLARED EMERGENCY WITH RESPECT TO**
7 **COVID-19.**

8 (a) IN GENERAL.—The Chairman of the Committee
9 on the Budget of the Senate may revise the allocations

1 of a committee or committees, aggregates, and other ap-
2 propriate levels in this resolution, and make adjustments
3 to the pay-as-you-go ledger, for one or more bills, joint
4 resolutions, amendments, amendments between the
5 Houses, motions, or conference reports relating to deter-
6 ring the elimination of the tip credit under section 3(m)
7 of the Fair Labor Standards Act of 1938 (29 U.S.C.
8 203(m)) during a federally declared emergency with re-
9 spect to COVID–19 by the amounts provided in such legis-
10 lation for those purposes, provided that such legislation
11 would not increase the deficit over either the period of the
12 total of fiscal years 2021 through 2025 or the period of
13 the total of fiscal years 2021 through 2030.

14 (b) DEFINITION OF FEDERALLY DECLARED EMER-
15 GENCY WITH RESPECT TO COVID–19.—In this section,
16 the term “federally declared emergency with respect to
17 COVID–19” means any of the following:

18 (1) The emergency involving Federal primary
19 responsibility determined to exist by the President
20 under section 501(b) of the Robert T. Stafford Dis-
21 aster Relief and Emergency Assistance Act (42
22 U.S.C. 5191(b)) with respect to the Coronavirus
23 Disease 2019 (COVID–19).

24 (2) The national emergency declared by the
25 President under the National Emergencies Act (50

1 U.S.C. 1601 et seq.) with respect to the Coronavirus
2 Disease 2019 (COVID–19).

3 (3) The public health emergency declared by
4 the Secretary of Health and Human Services under
5 section 319 of the Public Health Service Act (42
6 U.S.C. 247d) on January 31, 2020, with respect to
7 COVID–19.