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United States Senate

COMMITTEE ON HEALTH, EDUCATION,
LABOR, AND PENSIONS

WASHINGTON, DC 20510-6300

January 9, 2018

The Honorable R. Alexander Acosta
Secretary of Labor
U.S. Department of Labor
200 Constitution Avenue, N.W.
Washington, D.C. 20210

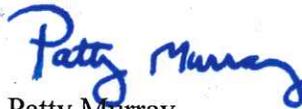
Dear Secretary Acosta:

I am writing regarding your notice of request for comments for the Department of Labor's Notice of Proposed Rulemaking (NPRM) to rescind portions of its tip regulations issued pursuant to the Fair Labor Standards Act (FLSA) (RIN 1235-AA21). The tip regulations make clear that tips are the property of employees, place limitations on employers' use of a tip credit, and ensure that tip pools are valid by being formed solely between employees who customarily and regularly receive tips. These regulations are critical to ensuring that workers across the country who receive some compensation in the form of tips earn a fair wage by being able to keep their tips. It is critically important that we, along with members of the public, have access to complete information and analysis in order to provide the Department with informed comments for the record. Accordingly, we request that you provide our offices the following no later than January 22, 2017:

- 1) All quantitative or qualitative analyses performed by the Department or its contractors related to tips or the tip regulations between January 1, 2017 and today.
- 2) Any communication between the Department employees or the Department and outside entities about whether to perform or publish any quantitative or qualitative analysis related to tips or the tip regulations between January 1, 2017 and today.

If you have any questions about this request please contact Joseph Shantz or Carly Rush with the Health, Education, Labor and Pensions Committee at 202-224-0767.

Sincerely,



Patty Murray
United States Senator
Ranking Member, Senate Health, Education,
Labor, and Pensions Committee

cc: Lamar Alexander, United States Senator,
Chairman, Senate Health, Education, Labor and Pensions Committee