119th CONGRESS
2d Session
HOUSE OF REPRESENTATIVES
REPORT
119–

PROVIDING FOR CONSIDERATION OF THE BILL (H.R. 3495) TO AMEND THE FAIR LABOR STANDARDS ACT OF 1938 TO CLARIFY THE DEFINITION OF EMPLOYEE AS IT RELATES TO DIRECT SELLERS AND REAL ESTATE AGENTS, AND FOR OTHER PURPOSES, AND PROVIDING FOR CONSIDERATION OF THE BILL (H.R. 5267) TO PRESERVE THE FRANCHISE BUSINESS MODEL.

November 17, 2026.—Referred to the House Calendar and ordered to be printed.

MRS. HOUCHIN, from the Committee on Rules, submitted the following

R E P O R T

[To accompany H. Res.__]

The Committee on Rules, having had under consideration House Resolution ____, by a record vote of 9 to 2, report the same to the House with the recommendation that the resolution be adopted.

SUMMARY OF PROVISIONS OF THE RESOLUTION

The resolution provides for consideration of H.R. 3495, the Direct Seller and Real Estate Agent Harmonization Act, under a closed rule. The resolution waives all points of order against consideration of the bill. The resolution provides that the amendment in the nature of a substitute recommended by the Committee on Education and Workforce now printed in the bill shall be considered as adopted and the bill, as amended, shall be considered as read. The resolution waives all points of order against provisions in the bill, as amended. The resolution provides one hour of general debate equally divided and controlled by the chair and ranking minority member of the Committee on Education and Workforce or their respective designees. The resolution provides for one motion to recommit. The resolution further provides for consideration of H.R. 5267, the American Franchise Act, under a closed rule. The resolution waives all points of order against consideration of the bill. The resolution provides that the amendment in the nature of a substitute recommended by the Committee on Education and Workforce now printed in the bill, modified by the

amendment printed in the report, shall be considered as adopted and the bill, as amended, shall be considered as read. The resolution waives all points of order against provisions in the bill, as amended. The resolution provides one hour of general debate equally divided and controlled by the chair and ranking minority member of the Committee on Education and Workforce or their respective designees. The resolution provides for one motion to recommit.

EXPLANATION OF WAIVERS

Although the resolution waives all points of order against consideration of H.R. 3495, the Committee is not aware of any points of order. The waiver is prophylactic in nature.

Although the resolution waives all points of order against provisions in H.R. 3495, as amended, the Committee is not aware of any points of order. The waiver is prophylactic in nature.

Although the resolution waives all points of order against consideration of H.R. 5267, the Committee is not aware of any points of order. The waiver is prophylactic in nature.

Although the resolution waives all points of order against provisions in H.R. 5267, as amended, the Committee is not aware of any points of order. The waiver is prophylactic in nature.

COMMITTEE VOTES

The results of each record vote on an amendment or motion to report, together with the names of those voting for and against, are printed below:

Rules Committee Record Vote No. 418

Motion by Mr. McGovern to make in order amendment #2 to H.R. 5267, offered by Representative Omar, which would strike the bill's joint employment definition and replace it with the joint employment definition included in H.R. 20, the PRO Act. Defeated: 2–8

Majority Members	Vote	Minority Members	Vote
Mrs. Fischbach.....	Nay	Mr. McGovern.....	Yea
Mr. Norman.....	Nay	Ms. Scanlon.....	Yea
Mr. Roy.....	Nay	Mr. Neguse.....	
Mrs. Houchin.....		Ms. Leger Fernández.....	
Mr. Langworthy.....	Nay		
Mr. Austin Scott.....	Nay		
Mr. Griffith.....	Nay		
Mr. Jack.....	Nay		

Ms. Foxx, Chairwoman.....	Nay

Rules Committee Record Vote No. 419

Motion by Mr. Griffith to report the rule. Adopted: 9–2

Majority Members	Vote	Minority Members	Vote
Mrs. Fischbach.....	Yea	Mr. McGovern.....	Nay
Mr. Norman.....	Yea	Ms. Scanlon.....	Nay
Mr. Roy.....	Yea	Mr. Neguse.....	
Mrs. Houchin.....	Yea	Ms. Leger Fernández.....	
Mr. Langworthy.....	Yea		
Mr. Austin Scott.....	Yea		
Mr. Griffith.....	Yea		
Mr. Jack.....	Yea		
Ms. Foxx, Chairwoman.....	Yea		

SUMMARY OF THE AMENDMENT TO H.R. 5267 CONSIDERED AS ADOPTED

1. Walberg (MI): Revises the definition of franchise, franchisee, or franchisor to include a franchise, franchisee, or franchisor as defined in section 101 of the Petroleum Marketing Practices Act.

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TEXT OF AMENDMENT TO H.R. 5267 CONSIDERED AS ADOPTED

Page 9, strike lines 18 through 22 and insert the following:

"(3) FRANCHISE; FRANCHISEE; FRANCHISOR.—The terms 'franchise', 'franchisee', and 'franchisor'—

"(A) have the meanings given such terms in section 436.1 of title 16, Code of Federal Regulations, as in effect on the date of enactment of this section; and

"(B) notwithstanding subparagraph (A), include a franchise, franchisee, and franchisor, respectively, as defined in section 101 of the Petroleum Marketing Practices Act (15 U.S.C. 2801).