



May 19, 2025

Dear Members of Congress:

On behalf of Americans for Prosperity, I write in support of two important bills sponsored by Representative Kevin Kiley, H.R. 1319, the Modern Worker Empowerment Act, and H.R. 1320, the Modern Worker Security Act. These important bills would facilitate better career pathways and access to benefits for tens of millions of American workers and their families.

To help American workers thrive in the 21st century, Americans for Prosperity seeks to remove governmental and societal barriers that undermine worker empowerment and flexibility. Over time, dated labor laws mixed with modern regulatory changes under the Department of Labor (DOL) and National Labor Relations Board (NLRB) have put workers increasingly in a state of asking for permission instead of pursuing opportunity. The same goes for businesses who wish to innovate and accommodate their workers only to run into barriers.

Self-employed workers themselves continually [indicate](#) higher levels of satisfaction than traditional employees, which is why it is no surprise that a recent Bureau of Labor Statistics (BLS) [survey](#) found that that only approximately 8% of independent contractors would prefer a traditional work arrangement over their current pathway. Yet the same survey also indicated that independent contractors are nearly 11% less likely to have health insurance than traditional employees.

H.R. 1319 and H.R. 1320 would establish much needed contract freedom to bolster the self-employment career pathways for those seeking them while addressing governmental barriers that have significantly contributed to the benefits gaps some self-employed workers in health care and beyond.

- H.R. 1319, the [Modern Worker Empowerment Act](#), would harmonize an employment test under the Fair Labor Standards Act (FLSA) and the National Labor Relations Act (NLRA). The updated, straightforward employment test would better protect and strengthen self-employment career pathways and the productive relationships that already play a critical and rising role in America's economy.
- H.R. 1320, the [Modern Worker Security Act](#), would put an end to governmental barriers that prevent businesses from offering benefits – in this case voluntary portable benefits – to independent contractor clients without facing governmental penalties that put businesses in jeopardy and block self-employment for so many Americans that rely on independent work for their careers

We strongly support and ask you to cosponsor and pass H.R. 1319 and H.R. 1320 for the reasons stated above. With over [64 million](#) people and rising performing freelancing work for extra income or as a career, these critical reforms would unlock new economic growth in America and fuel our workforce as it responds to ever changing conditions in the modern economy.

Sincerely,

Brent Gardner
Chief Government Affairs Officer
Americans for Prosperity