

Congress of the United States

Washington, DC 20515

September 4, 2024

The Honorable Antony Blinken
Secretary of State
U.S. Department of State
2201 C Street NW
Washington, D.C. 20520

Dear Secretary Blinken:

We, the undersigned Members of Congress, are writing to express our concerns regarding the proposed regulations by the U.S. Department of State (DOS) concerning the au pair program. The au pair program has long served as a valuable cultural exchange program and childcare option for many thousands of American families, providing enriching experiences for both host families and au pairs. The proposed regulations threaten to undermine this vital program by imposing significant financial burdens, reducing flexibility, and increasing administrative complexities.

The proposed regulations, particularly the changes to the stipend formula, would make the au pair program financially unfeasible for many hardworking American families. By significantly increasing the amount host families are required to pay their au pairs each week based on geographic location and minimum wage requirements, the proposed regulations would price out families who rely on this affordable childcare option. Moreover, the introduction of complex tier systems and additional requirements for monitoring and compliance would only exacerbate the financial strain on host families.

Furthermore, the proposed regulations would limit the flexibility of the au pair program, making it less accessible to essential workers, first responders, and members of the military who rely on flexible childcare arrangements. Significantly increased restrictions on weekly hours, tracking and monitoring of the meal choices of the au pair, and onerous requirements for predetermined schedules would hinder the ability of families to meet their childcare needs effectively. Additionally, the imposition of extensive administrative burdens on host families, including documentation requirements and compliance with varying federal, state, and local laws, would deter participation in the program.

We are also concerned about the potential confusion and inconsistency that would arise from applying state and local labor laws to the au pair program, undermining the federal regulatory framework that has successfully balanced cultural exchange and childcare for years. The proposed regulations risk transforming the au pair program into nothing more than a domestic work program, undermining its unique cultural exchange objectives and imposing undue burdens on host families.

During COVID Congress weighed in with the State Department and the Administration to allow this vital cultural exchange program to continue for families who were serving at the front lines

of our nation's response to the global health epidemic. The program proved that it could survive, and thrive, during this unprecedented pandemic, and under the current rules and regulations. Transforming it into an employer-employee domestic work program undermines the cultural exchange aspects of the program, and puts the program out of reach for those who need it most.

In light of these concerns, we urge the Department of State to reconsider the proposed regulations and ensure that any changes to the au pair program preserve its affordability, flexibility, and cultural exchange objectives. We believe that preemptory federal regulations are necessary to safeguard the integrity of the program and maintain its accessibility to American families.

Thank you for your attention to this matter. We look forward to working with you to address these concerns and preserve the au pair program as an important childcare option for American families.

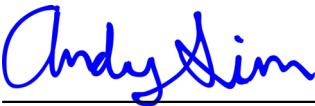
Sincerely,



Bradley Scott Schneider
Member of Congress



Ann Wagner
Member of Congress



Andy Kim
Member of Congress



Maria Elvira Salazar
Member of Congress