

**Congress of the United States**  
**Washington, DC 20515**

March 6, 2020

The Honorable Marie Royce  
Assistant Secretary of State  
U.S. Department of State  
2201 C Street NW  
Washington D.C. 20520

Dear Assistant Secretary Royce,

As members of the House Committee on Foreign Affairs we write to express our concerns regarding a recent decision by the United States Court of Appeals for the First Circuit that would open the door to allowing 50 different sets of laws and regulations governing the State Department's Au Pair cultural exchange program. While we firmly believe every state has the right to govern true domestic work programs, this decision opens the door to states creating a patchwork of laws that threatens to hamper this important federal cultural exchange program's ability to function. As such, we request the State Department take immediate action to ensure the Au Pair program's long-term sustainability.

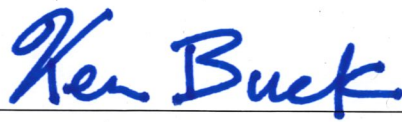
First enacted in 1986, the Au Pair cultural exchange program has served as a successful foreign diplomacy tool. The program is comprehensively regulated by the State Department in accordance with objectives established by the Fulbright-Hays Act and enjoys broad bipartisan support in Congress. Notably, the Au Pair program continues to successfully operate due in large part to the program's mutually beneficial treatment of American families and student participants.

However, the First Circuit's decision allowing the Commonwealth of Massachusetts to impose its own labor laws and regulations on host families jeopardizes the program's future sustainability and success. The Court is effectively treating participating families as domestic employers, rather than as cultural exchange hosts. This significant change will inevitably result in untenable financial and regulatory burdens being placed on program participants.

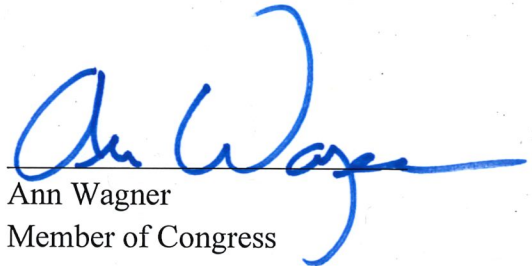
The Trump Administration made its position clear in an amicus brief filed with the court - federal regulation of the Au Pair program must preempt state laws. We agree that a patchwork of state laws will prohibit the program from functioning as intended. Additionally, we are concerned that the precedent set by the First Circuit's decision could extend to other jurisdictions and threaten the existence and viability of the Au Pair program nationwide.

As such, we urge the State Department to issue guidance that protects host families from inconsistent and conflicting state and municipal laws and regulations and ensure the long-term viability of this important federal exchange program. Finally, we request that the State Department seek further judicial review of the First Circuit's ruling. Thank you in advance for considering these concerns and your prompt attention to our requests.

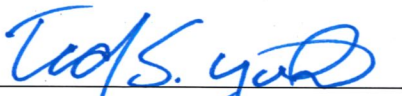
Sincerely,



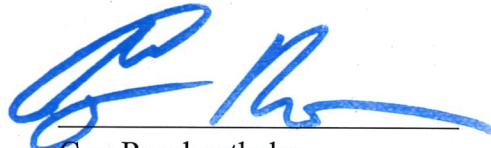
Ken Buck  
Member of Congress



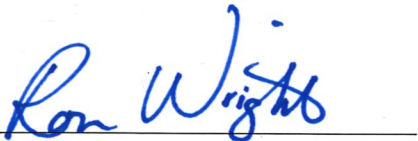
Ann Wagner  
Member of Congress



Ted S. Yoho, D.V.M.  
Member of Congress



Guy Reschenthaler  
Member of Congress



Ron Wright  
Member of Congress



Michael Guest  
Member of Congress