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July 14, 2020

Hon. Mitch McConnell  
Majority Leader  
United States Senate  
Washington, DC 20510

Hon. Chuck Schumer  
Minority Leader  
United States Senate  
Washington, DC 20510

Dear Majority Leader McConnell and Minority Leader Schumer,

As the attorneys general of 22 states<sup>1</sup> representing more than 150 million residents who include parents, childcare workers, and business leaders, we write to urge you to address the crisis in our childcare systems by providing immediate and robust financial support in the next federal stimulus package. These systems have long suffered from a broken model, where parents pay too much and educators make too little. The shutdowns necessitated by the coronavirus pandemic have only exacerbated the problem, which falls disproportionately and inequitably on women and people of color. The crisis in childcare also threatens to hamper our economic recovery, particularly if a broken system gives way to a depleted system. We need a solution that meets the moment and treats childcare as the essential infrastructure it is. We call on you to act swiftly to appropriate at least \$50 billion for childcare in the next federal stimulus bill.

As our states' childcare systems began to shut down several weeks ago, the fault lines were quickly exposed. Many of us heard from parents and guardians desperate to know whether they were still required to pay their childcare bills, even though many of them had lost income and jobs themselves. Many of us also heard from providers who pleaded that, without some financial support, they may be forced to close for good. As officials who crisscross our states and hear the priorities of residents, businesses, and other state and local officials, we also know that childcare programs have to be able to open and operate when we emerge from this crisis in order to stem the economic devastation brought on by the virus. We are also keenly aware of the inequities further exposed by this crisis: nationwide, the childcare workforce is largely female, Black, and Brown, and our country has long underinvested in their work. In Massachusetts, 92 percent of the workforce is female, and 41 percent are people of color.

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<sup>1</sup> Throughout this letter, references to "states" include the District of Columbia.

Our experience is supported by data and research. A recent survey found that only 11 percent of providers could survive a closure of indeterminate length without government intervention, and just 16 percent could survive a closure of more than one month.<sup>2</sup> Recent research shows that, without adequate federal support, nearly 4.5 million childcare slots across the country are at risk of disappearing, including 42 percent of slots in Kentucky and 50 percent in New York.<sup>3</sup> In California, a recent survey of thousands of childcare providers found that over 75 percent have made staffing changes, including furloughs, layoffs, or eliminating benefits, which will affect how many children they can serve.<sup>4</sup> An abundance of research proves the importance of childcare assistance to children, families, and the economy, especially during times of economic recovery.<sup>5</sup> It provides children with education opportunities and continuity of care that are crucial to their healthy growth and development, and it ensures that parents can go to work or school knowing their children are safe. Childcare assistance also boosts the economy, especially during times of economic recovery, allowing workers to return to their workplaces,<sup>6</sup> putting money in the hands of families who will spend it, and ensuring that programs – largely women-owned small businesses – have the funding they need to stay in business.<sup>7</sup>

While we deeply appreciate the financial support from the CARES Act for, among other things, childcare and small businesses, more is required to address the acute needs of our childcare systems. Childcare programs, which operate on the margins at full capacity, will contend with public health requirements and other challenges that will make it difficult to reopen completely or at all. As we look ahead to an uncertain future, we must anticipate that programs will, at best, continue to operate at reduced capacity, and at worst, be unable to open or forced to close once again. Following months of closures, many programs may be forced to close for good. To prevent this foreseeable crisis, the federal government must provide at least \$50 billion in financial support to allow providers to make payroll and pay rent, insurance, and other fixed costs over several months.<sup>8</sup> This financial support should also cover essential duty pay for educators.

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<sup>2</sup> *Child Care in Crisis*, NAT'L ASS'N FOR THE EDUC. OF YOUNG CHILD. (Mar. 17, 2020), [https://www.naeyc.org/sites/default/files/globally-shared/downloads/PDFs/our-work/public-policy-advocacy/effects\\_of\\_coronavirus\\_on\\_child\\_care.final.pdf](https://www.naeyc.org/sites/default/files/globally-shared/downloads/PDFs/our-work/public-policy-advocacy/effects_of_coronavirus_on_child_care.final.pdf).

<sup>3</sup> Steven Jessen-Howard & Simon Workman, *Coronavirus Pandemic Could Lead to Permanent Loss of Nearly 4.5 Million Child Care Slots*, CTR. FOR AM. PROGRESS (Apr. 24, 2020), <https://www.americanprogress.org/issues/early-childhood/news/2020/04/24/483817/coronavirus-pandemic-lead-permanent-loss-nearly-4-5-million-child-care-slots/?elqTrackId=e83432457e364fe68699a4a292722c9f&elq=b77da4f5f18c4ada9067652be9079b25&elqaid=42163&elqat=1&elqCampaignId=12299>.

<sup>4</sup> *California Child Care at the Brink: The Devastating Impact of COVID-19 on California Child Care*, CTR. FOR THE STUDY OF CHILD CARE EMPLOYMENT (May 7, 2020), <https://cscce.berkeley.edu/california-child-care-at-the-brink-covid-19/>.

<sup>5</sup> See, e.g., *Improving and Expanding Child Care Assistance to Stabilize Our Economy*, NAT'L WOMEN'S L. CTR. (Apr. 2020), <https://nwlc-ciw49tixgw51bab.stackpathdns.com/wp-content/uploads/2020/04/Improving-and-Expanding-Child-Care-Assistance-to-Stabilize-Our-Economy-1-2.pdf>.

<sup>6</sup> In Massachusetts, the Greater Boston Chamber of Commerce's reopening agenda prioritizes childcare, acknowledges it as "a key element of the infrastructure needed to reopen," and calls on subsidies and bonuses for providers. *The Massachusetts Way Forward*, GREATER BOS. CHAMBER OF COM., <https://www.bostonchamber.com/public-policy/issues-impact/the-massachusetts-way-forward/>.

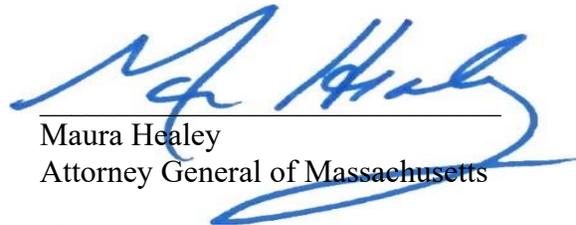
<sup>7</sup> NAT'L WOMEN'S L. CTR., *supra* note 3.

<sup>8</sup> *Child Care is Key to Our Economic Recovery*, NAT'L WOMEN'S L. CTR. (Apr. 2020), <https://nwlc-ciw49tixgw51bab.stackpathdns.com/wp-content/uploads/2020/04/CCKeytoEconomicRecoveryNWLC.pdf>.

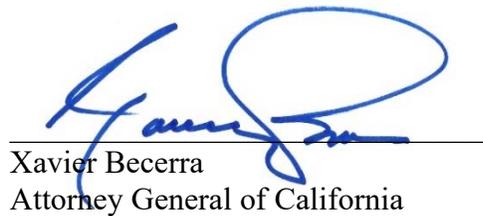
In the long-term we have to fix the broken model and treat childcare as the public good that it is; your immediate action can both address the emergency crisis and set us on a path to reform. Our current model asks parents to pay more for childcare than they will for college<sup>9</sup> and compensates the largely female, Black, and Brown educators who help rear our children an average of \$10.70 per hour.<sup>10</sup> For reference, the average living wage in the United States is more than \$16 per hour.<sup>11</sup> Parents who lack childcare are disproportionately single parents, hourly workers, or in two-working parent families. To build a more equitable society beyond this current crisis, we need structural reform that ensures every family has access to quality, affordable childcare and educators earn the pay that they deserve.

To be serious about an economic recovery is to address our country's childcare funding crisis. Despite its critical place, the childcare system has suffered dramatically during the pandemic. As our states grapple with declining revenues and a greater need for services, we urge you to provide increased financial support for childcare systems across the country. The investment will provide necessary assistance to children, families, workers, and business and will help ensure that our states have the infrastructure we need to weather this financial storm.

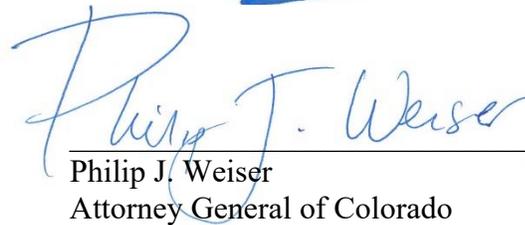
Sincerely,



Maura Healey  
Attorney General of Massachusetts



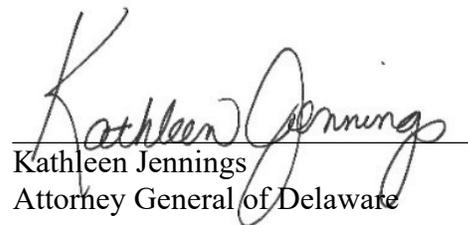
Xavier Becerra  
Attorney General of California



Philip J. Weiser  
Attorney General of Colorado



William Tong  
Attorney General of Connecticut



Kathleen Jennings  
Attorney General of Delaware

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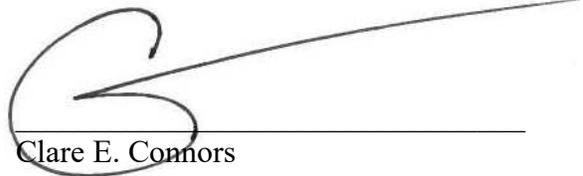
<sup>9</sup> Claire Zillman, *Childcare Costs More Than College Tuition in 28 U.S. States*, FORTUNE (Oct. 22, 2018), <https://fortune.com/2018/10/22/childcare-costs-per-year-us/>.

<sup>10</sup> Rhian Evans Allvin, *Saving Child Care to Save Our Economy: America's Governors Must Take Action*, NAT'L ASS'N FOR THE EDUC. OF YOUNG CHILD. (Apr. 10, 2020), <https://www.naeyc.org/resources/blog/saving-child-care>.

<sup>11</sup> Carey Anne Nadeau & Dr. Amy K. Glasmeier, *Bare Facts About the Living Wage in America*, LIVING WAGE CALCULATOR (Aug. 30, 2018), <https://livingwage.mit.edu/articles/31-bare-facts-about-the-living-wage-in-america-2017-2018>.



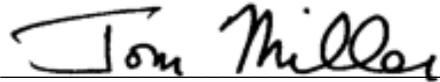
Karl A. Racine  
Attorney General for the District of Columbia



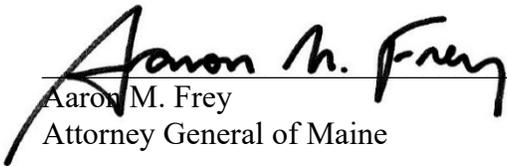
Clare E. Connors  
Attorney General of Hawaii



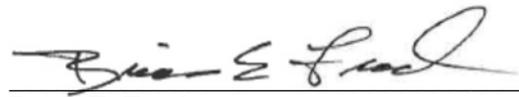
Kwame Raoul  
Attorney General of Illinois



Tom Miller  
Attorney General of Iowa



Aaron M. Frey  
Attorney General of Maine



Brian E. Frosh  
Attorney General of Maryland



Keith Ellison  
Attorney General of Minnesota



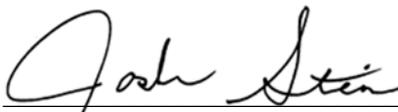
Aaron D. Ford  
Attorney General of Nevada



Hector Balderas  
Attorney General of New Mexico



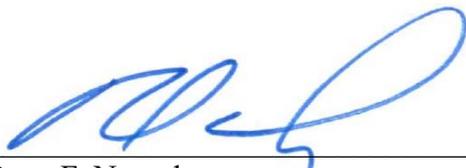
Letitia James  
Attorney General of New York



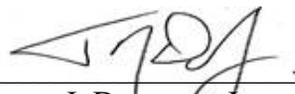
Josh Stein  
Attorney General of North Carolina



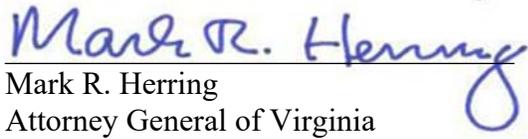
Ellen F. Rosenblum  
Attorney General of Oregon

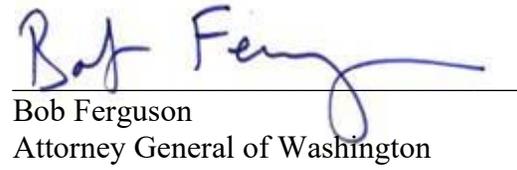


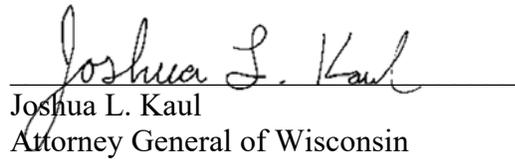
Peter F. Neronha  
Attorney General of Rhode Island



Thomas J. Donovan, Jr.  
Attorney General of Vermont

  
Mark R. Herring  
Attorney General of Virginia

  
Bob Ferguson  
Attorney General of Washington

  
Joshua L. Kaul  
Attorney General of Wisconsin