Action Project

NEW Leadership® Mississippi

Center for Women's Research & Public Policy Mississippi University for Women

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Overview

The Action Project is a core component of the NEW Leadership ® program. Each year, we focus on an issue that has recently captured the attention of state policymakers. Students research the issue from the perspective of an assigned interest group or coalition of interests. The project culminates in group presentations in the form of witness testimony before a mock legislative committee hearing on proposed legislation related to the chosen policy area. The faculty in residence (FIRs), Dr. Chanley Rainey, and special guests will play the roles of legislative committee members.

As you conduct your research and craft your presentation, make every effort to represent the best arguments and evidence your assigned interests have to offer. Though you may personally favor a different policy approach, use this opportunity to deepen your understanding of the logic and values motivating the other side. Ultimately, this will make you a better advocate of the policies you support in real life.

To make the presentations effective and believable, each group should create characters who might testify in front of a real legislative committee. A good strategy is to pair personal, "human impact" testimonies with experts who are able to generalize those experiences. Each speaker should provide evidence from a particular perspective, so think about the kinds of research and arguments each character will offer and how each contributes to the group's overall message. While some of your members may be doing research to craft realistic stories about the effects of a policy on ordinary people's lives, others might be looking at research that analyzes the ethical, political, economic, or social implications a policy may have for Mississippi as a whole.

Regardless of your specific interest group assignment, consider doing general research into the current policies, state and national, related to the policy issue. Use the extensive bibliography provided at the end of this document to get started. It will certainly be helpful to learn about the recent reform efforts (whether successful or not) in Mississippi. It's likely that you'll also benefit from learning how other states or countries have fared after adopting similar policies. Did they achieve the benefits touted by proponents of reform? What were the costs associated with the reform, and how did they affect the government's budget? Have there been any unanticipated consequences of reform? As you look at other communities, keep in mind that neighboring U.S. states are often the best comparisons. They face similar conditions and compete with MS for population and industry.

Also, ask yourself how different groups might attempt to persuade their audiences. What kinds of evidence could they use to support their arguments? To what beliefs and values would they appeal? This will help you "hit the ground running" and anticipate the arguments the committee will hear from other groups. That will be especially useful as you prepare to answer committee questions.

Group Assignments

Blue Group: Social Justice Feminists' Alliance

LEADING FIGURES: Cassandra Welchlin, Mississippi Black Women's Roundtable; MS Senator Angela Turner-Ford

Vision: Improve women's lives and ensure systemic sexism, racism, and economic exploitation are recognized and combatted. Gender discrimination continues to result in higher rates of poverty among women despite the greater share of work they shoulder (especially when unpaid labor is considered). Women living at the intersection of gender and race-based oppression are even worse off, as evidenced by the fact that Mississippi's poverty, maternal mortality, and infant mortality rates are much higher among women of color and their babies than for other groups of women. If we want Mississippi to thrive, we must press for government policies that redress these inequalities and finally invest in those whose labor has been exploited and undervalued for far too long.

Cinaiya Brown	Jouri Thornton	Allie Wall	Hannah Watts	Selena Winston
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FIR: Dana McLean

Peer Mentor: Rachel Shirley

Yellow Group: Coalition of Compassionate Conservatives

LEADING FIGURES: Lynn Fitch, Attorney General; MS Senator Nicole Boyd

Vision: Strengthen traditional family values, improve pregnancy-related outcomes for Mississippi families, and make Mississippi the model pro-life state while nurturing the economy and limiting the size and power of government. Now that abortion is no longer legal, Mississippi has the opportunity to demonstrate the moral superiority of pro-life conservatism by adopting policies that empower women and strengthen families, particularly poor mothers in crisis, throughout pregnancy and early childhood. These goals can be achieved without sacrificing economic growth if policymakers are cautious and smart in their use of government programs and if they seek creative ways to partner with the private and nonprofit sectors to address these needs.

India Butler	Aaliyah Gates	Nadyn Samara	Llayne Skinner	Elyse Smith
IIIdia Duliei	Adilyan Gales	Madyli Saillara	Liayrie Okiririei	Liyse offiliti

FIR: Adrienne Wooten

Peer Mentors: Ni-Lah Jones

Red Group: Mississippians for Liberty & Prosperity

LEADING FIGURES: MS Senator Angela Burks Hill; Mississippi Center for Public Policy

Vision: Resist the temptation to solve every problem with government, trust that individuals are the most fit to determine what is in their own interests, and increase the freedom of individuals and businesses to act. This will unleash the power of the free market and the creativity and innovation of the American people. Though it is often well-intentioned, government action is usually an obstacle to progress. The costs of government programs are higher and the quality of service is lower than what would eventually emerge from free market competition. Perverse incentives also generate unintended consequences, such as businesses making riskier bets or society placing a lower value on marriage and community because we rely on the government to bail people out when they are in financial crisis.

Rebecca Finley	Liliana Hewitt	Laquinceya Moore	Lillian Ratliff	Audrey Ward
Rebecca Finley	Liliana Hewitt	Laquinceya Moore	Lillian Ratliff	Audrey Ward

FIR: Kristie Metcalfe

Peer Mentors: Keara Williams

Note on Roles & Responsibilities

Throughout the week, FIRs, Mentors, and MUW staff will guide and support students in their efforts to research and prepare a presentation for the mock legislative committee hearing described in the following pages. FIRS and mentors will work closely with their assigned student groups as they prepare for the mock legislative committee hearing, and Dr. Rainey will be available for additional support as well. On presentation day, mentors may be called upon to assist with group presentations—particularly if a group is small—while FIRs and MUW staff will play the role of legislators on the mock committee.

Students are responsible for being fully present during all scheduled Action Project prep. sessions and for working with group members, mentors, and FIRs to arrange extra research and rehearsal sessions as needed. Be engaged, attentive, and respectful of the experience and knowledge your peers, mentors, FIRs, and other staff have to offer. Contribute your best efforts to the project. When challenged to represent a view in conflict with your own values and beliefs, trust that a) we owe it to one another to fully consider the best arguments each side has to offer and b) it is strategically useful to know thine enemies.

Policy Focus

The Issue

This year, the mock legislative committee will be studying issues related to paid family leave—time during which workers can receive some or all of their wages without having to fulfill the requirements of their job because they are working to care for sick family members or new children. Paid family leave is extremely common worldwide. At minimum, most countries provide some income support to new mothers who take a few weeks to care for their newborns. Yet, the United States has taken only halting steps towards such a policy. In 1993, the U.S. adopted the Family and Medical Leave Act (FMLA), which provides *unpaid* leave to some workers. In 2017, the U.S. began offering temporary tax credits to businesses that provide paid family and medical leave to their employees.

In Mississippi and most other U.S. states, the only leave that employers are legally required to provide for their workers is the unpaid leave provided by the FMLA. What's more, the FMLA does not apply to small businesses (those with fewer than 50 employees). Where FMLA does apply, it requires that employees be given at least twelve weeks of time off each year to care for a new child (a birth, adoption, or foster care placement); to care for a spouse, child, or parent with a serious health condition; to deal with their own serious health condition if that condition makes the employee unable to perform their job; or to tend to needs arising from a family member's active duty in the military. Workers must be able to continue their health insurance coverage during leave under the same terms and conditions as if they were still working. They must also be permitted to return to their position or an equivalent position (same general schedule, location, duties, status, pay, and benefits).

However, most workers do not actually benefit from the family and medical leave provided under the FMLA—either because they work for a small business not covered by the FMLA, because they have not worked with a covered employer for a full year yet, or because they cannot afford to take unpaid leave. Just under 57% of Mississippi parents were eligible for FMLA leave from 2018-2022. Even if the qualified, only about 35% and 31% could afford to take six and twelve weeks, respectively, of unpaid leave. That is not surprising, given that roughly 40% of Mississippi families with children were headed by single women (31.6%) or single men (7.6%) in 2022, and these households were far more likely to live below the federal poverty line or below the income threshold necessary to afford basic family expenses when compared to households headed by married couples. Among those with children living in the home, 57% of single female-headed homes and 33% of single maleheaded homes lived below the federal poverty line, but only 9% of households headed by married couples did.²

¹ Diversitydatakids.org. 2023. "Working parents' eligibility and affordability for FMLA unpaid leave (percent) by race/ethnicity and nativity." Accessed 05/27/2024. https://data.diversitydatakids.org/dataset/working-parents-eligibility-and-affordability-for-fmla-unpaid-leave-percent-by-re-and-n? external=True.

² United Way. "2024 Update: ALICE In the CrossCurrents." Accessed 05/27/2024. https://www.unitedforalice.org/Demographics/mississippi

Advocates of paid leave argue that women, children, and families are healthier, happier, and more economically secure and productive when workers can afford to take time off for work to care for new children or sick loved ones. They also argue that the economic benefits alone outweigh the costs of such a program. Indeed, an increasing number of private companies in the United States offer their own paid leave programs to recruit and retain workers. Over a dozen state governments have now created mandatory public leave programs (at least for employers with more than fifty employees), and several more conservative states have changed regulations so that insurance companies can offer family and medical leave policies in an effort to encourage more private companies to offer the benefit.

BACKGROUND TO POLICY DEBATE IN MISSISSIPPI

Mississippi policymakers have raised the well-being of women and young children as core concerns in the wake of the U.S. Supreme Court's elimination of a national right to abortion in *Dobbs v. Jackson Women's Health Organization* (2022). Amid predictions that as many as five thousand more children would be born each year to women who would have elected to have an abortion before the *Dobbs* decision, Democrats increased the urgency of their long-standing calls to expand supportive programs and policies while many Republicans in the state vowed to prove that pro-life conservatives care about women and want to help all children thrive.³

The *Dobbs* decision was announced in late June, and Republican leaders responded quickly. In the fall, the Senate Study Group on Women, Children, and Families held four public hearings and dozens of private meetings to create a legislative agenda that would be responsive to the needs of women and families with young children, particularly those who might experience crisis pregnancies for financial and other reasons. In the first hearing, on September 27, witnesses provided a statistical overview of women and children's quality of life in the state, while testimony at the remaining hearings focused on adoption, foster care, and child support; the availability of high-quality, affordable child care; and the importance of early interventions to address child development needs.⁴

Across the hearings, committee members confronted dismal statistics about the poor health outcomes and poverty facing mothers and young children in the state. Year after year, pregnant women and their infants die at a higher rate in Mississippi than in any other

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³ The estimate of an additional five thousand births each year has so far proved too high, though there is clear evidence that the state's birth rate was 4.4% higher in the first half of 2023 than it would have been if the "Pink House," the state's sole abortion clinic which closed following the *Dobbs* decision, were still operating. Assuming that rate remained constant throughout the second half of the year, this translates to an estimated 1,550 additional children born in 2023. This is likely a low estimate though, as more children tend to be born from July through October each year. For discussion of the fertility estimates, see Paffenroth, Sophia. January 8 2024. "Mississippi Doesn't See Births Spike from Abortion Ban, but Unwanted Pregnancies Increase." *Mississippi Today*. https://mississippitoday.org/2024/01/08/mississippibirths-abortion-ban-dobbs/.

⁴ Pender, Geoff. July 21, 2022. "Senate Committee Asks Public to Comment about Needs of Mississippi Women and Children." *Mississippi Today*. https://mississippitoday.org/2022/07/21/mississippi-public-comment-needs-women-children/

U.S. state, our child and female poverty rates are the highest in the nation, and black and Hispanic families tend to work in low-wage jobs and lack access to affordable child care.

Witnesses highlighted the ways in which these problems compound one another and noted that the lack of early childcare options reduces women's labor force participation rate, because mothers cannot pursue full employment if they cannot find or afford someone to care for their children while they are at their jobs. The Study Group's Chair, Senator Nicole Boyd concluded, in part, "Our general workforce participation rate in the state is around 55%, and we know that 75% of our single mothers are out there working. So, this is a group that wants to work, and we need to help." 5

The Study Group was not alone; many of their general proposals were echoed by the House Committee on the Sanctity of Life, Governor Tate Reeves, and Attorney General Lynn Fitch. Attorney General Fitch launched her "Empowerment Project" ahead of the 2023 legislative session to encourage a host of specific reforms meant to support women. In an appearance on MidDays with Gerard Gibert of SuperTalk FM radio, she highlighted the fact that it often costs more to enroll an infant in child care than to enroll in a public university. She explicitly encouraged the use of tax credits to incentivize employers to provide child care benefits and paid family leave to their employees.

Heading into the 2024 legislative session, Senator Boyd celebrated the Senate Study Group's success in shepherding eleven bills through the 2023 legislative session but pointed to more work ahead. She cited ongoing work with community task forces formed to generate recommendations on early childhood intervention, youth courts, and adoption, and again highlighted the fact that the rate of employment among single mothers is consistently twenty points higher than the state's general average, suggesting that legislators needed to find ways to make it easier for employers to support working parents, particularly single mothers.⁶ Similarly, many of the Empowerment Project's legislative priorities had been accomplished in the 2023 session, but neither of Attorney General Lynn Fitch's workplace flexibility proposals had been adopted.⁷ In an interview, the Attorney General said that her office was preparing to "launch phase two of the [Empowerment] project" by working with legislators to advance bills that would provide "paid maternity leave for state employees ... and create a tax credit for private companies to offer paid leave" in order to "show women they are valuable to the workforce."

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⁵ Sanders, Caleb. November 30, 2022. "Sen. Boyd Focused on Adoption and Child Care to Assist Families in Mississippi." SuperTalk Mississippi Media. https://www.supertalk.fm/sen-boyd-focused-on-adoption-and-child-care-to-assist-families-in-mississippi/

⁶ Interview with Gerard Gibert. January 3, 2024. "Sen. Nicole Akins-Boyd on Legislative Session." SuperTalk Mississippi Media. https://youtu.be/L5UU2lp2zDo?si=BN-386DSnLEDos2Q

⁷ The Empowerment Project. Office of the Attorney General. https://attorneygenerallynnfitch.com/theempowermentproject/

⁸ Ulmer, Sarah. February 15, 2024. "Attorney General Lynn Fitch Shares Legislative Agenda Items." *Magnolia Tribune*. https://magnoliatribune.com/2024/02/15/attorney-general-lynn-fitch-shares-legislative-agenda-items/

RECENT LEGISLATIVE PROPOSALS IN MISSISSIPPI

The result was that both Republicans and Democrats sponsored paid family and medical leave bills in the 2024 legislative session. The bill that came closest to passing would have created tax credits for businesses providing such leave. Several others would have expanded the paid medical leave program available to state employees but went nowhere, as did efforts to create a universal paid leave program covering all employees in the private as well as public sectors.

In the House, Republican Jody Steverson sponsored and Democrat John W. Hines, Sr. co-sponsored House Bill 1768, which would have created a tax credit of between 12.5% and 25% to employers who provide at least 50% of pay for at least six weeks of maternity and paternity leave for their full-time employees. This law was modeled on the federal paid leave tax credits that were originally included in the Tax Cuts and Jobs Act of 2017 and which are set to expire in 2025. H.B. 1768 passed the House without a single person voting against it before dying on the calendar in the Senate Finance Committee.⁹

In addition, Republican Dana McLean (one of our Faculty in Residence), worked with the Mississippi Black Women's Roundtable to sponsor H.B. 1312, a proposal to expand the medical leave already available to state employees so that they could take paid leave to begin relocation and/or seek medical, legal, counseling, and other victim services for themselves or a family member in the event of domestic violence, sexual assault, or stalking. Her bill was double-referred to the House State Affairs and Appropriations A Committees, neither of which took a vote on the bill by the deadline for passage.

Relatedly, Representative Angela Cockerham (I) and Senator Nicole Boyd (R) both introduced legislation to provide parental leave to state employees, neither of which made it out of committee. Senator Boyd introduced the Mississippi State Employee Maternity Leave Act, which was also double referred. Though S.B. 2732 was sent to different committees—Public Health and Welfare as well as Appropriations—the outcome was the same, and her bill died on the calendar without any debate. Had it passed, the bill would have required that women who have been working as state employees for at least two years be given the option to take at least six weeks of continuous paid leave at 100% of their current rate of pay within the first six months of giving birth. It would also require that this leave be separate from and in addition to the major medical leave (12-18 days accrued per year) already available to public employees who need to take time off of work to care for a sick or injured family member or to tend to their own illness or injury. ¹⁰

Representative Cockerham's H.B. 1608 went further than Senator Boyd's proposal but met the exact same fate in the State Affairs and Appropriations A Committees as Representative McLean's proposal. If adopted, it would have allowed state employees to

⁹ Income tax; provide a credit for taxpayers who provide paid maternity and paternity leave for employees. H.B. 1768. Passed House; Died in Senate Committee. https://billstatus.ls.state.ms.us/2024/pdf/history/HB/HB1768.xml.

¹⁰ Mississippi State Employee Maternity Leave Act; enact to provide six weeks of paid leave to certain employees. S.B. 2732. Died in Committee. https://billstatus.ls.state.ms.us/2024/pdf/history/SB/SB2732.xml

identify themselves as the primary or secondary caregiver, with the former entitled to six and the latter entitled to three weeks at 100% pay. This provision would have rendered the gender or sex of an employee irrelevant and enabled both parents to take leave (concurrently, consecutively, or at different times—one for six and the other for three weeks) in cases where both worked for the state. In addition, the leave would be available for not only the care of newborns, but also for children newly adopted or fostered by an employee.

In the House and Senate, Democrats sponsored identical bills that would have created a state paid family and medical leave insurance program for all workers. Senator Angela Turner-Ford (D) reintroduced the Mississippi Paid Family Leave Act, which at least one Democratic state senator has done each year since former Senator Deborah Dawkins first proposed the act in 2017. In the House, Representative Grace Butler-Washington sponsored and Representatives Justis Gibbs, Timaka James-Jones, Kenji Holloway, and Fabian Nelson co-sponsored the Mississippi Paid Family and Medical Leave Act. Both bills followed some but not all of the model recommended by A Better Balance and the National Partnership for Women & Families, creating a state family and medical leave insurance program funded by premiums to be set by the State Treasurer. Employees who met certain thresholds meant to ensure they were primarily employed in Mississippi during the previous year and who had not been unemployed for more than twenty-six weeks (about six months) would be eligible to take up to twelve weeks of paid leave at 90% of their average weekly wage with a weekly benefit floor of \$30 and a cap of \$1,000. Leave could have been taken to care for a new child within the first year of birth, adoption, or foster care placement; to care for a family member with a serious health condition; to tend to one's own serious health condition; and to spend time with or tend to the affairs of a family member who is deployed with the U.S. military. Like the bills offered by Cockerham and McLean, H.B. 1361 was double-referred to State Affairs and Appropriations A Committees, which let them die on the calendar. Likewise, S.B. 2089 was double-referred to both the Labor Committee and the Economic and Workforce Development Committee, neither of which took it up for a vote before the deadline passed.

The Scenario

We will pretend that the Senate Study Group on Women, Children, and Families is holding another committee hearing in September of 2024 to prepare for the 2025 legislative session. While FIRs and others will play the role of committee members, keep in mind who the actual legislators would be. Below are the representatives and senators who serve on the special committee:

Senate Study Group on Women, Children, & Families

Nicole Boyd (R), Chair	Kevin Blackwell (R)	Hob Bryan (D)
Dean Kirby (R)	Rod Hickman (D)	Angela Burks Hill (R)
Chad McMahan (R)	Angela Turner-Ford (D)	Brice Wiggins (R)

The committee has asked to hear testimony on what, if anything, the legislature should do to increase access to paid family and medical leave in Mississippi. They have invited various groups as witnesses and have requested that presentations include both 1) information about the extent to which the ability of workers to take paid leave would help solve problems related to maternal and infant health and women's economic security in Mississippi as well as 2) recommendations regarding legislative action that might expand access to paid leave. Lawmakers want to know whether there is a problem that needs solving, whether and to what extent legislation and government action would be helpful solving it, and what return on investment the state should expect if a proposal requires the investment (or foregoing) of state funds. Is there a need for more Mississippi workers to have access to paid family and medical leave? If so, what could government do to increase access? If the government took action, would the expected benefits of expanded access to paid leave be greater than the expected costs of government action, such as higher taxes, reduced revenue for other government programs, or increased regulation of businesses?

Students will play the role of the invited groups. Each action project group represents one of the organizations or coalitions invited to provide testimony to the join committee. Each member of your team is someone chosen by your interest group(s) to speak at the hearing. While you were invited as a committee witness, that does not mean that all members of the committee are aligned with the mission and values of your bloc. You will need to prepare not only to make a strong case, but also to respond to the questions of lawmakers who may be skeptical or even hostile to your position. In addition, the legislative hearing is public, so each group must assume that a wide variety of media representatives are reporting on the presentations. Your testimony should be a public-facing, professional, and influential presentation based on the goals and beliefs represented within your assigned group and your strategic approach to persuading legislators that your proposals should be adopted. By strategically coordinating your members' testimony, you are attempting to tell a coherent story that will influence public opinion as well as the committee members' decisions on child care policy in Mississippi. In the end, you must decide how best to represent the array of principles and goals contained in your coalition.

Group Presentations

Fictional organizations have been created to represent the different segments of public discourse surrounding child care policy in the state of Mississippi: the Social Justice Feminists' Alliance, the Coalition of Compassionate Conservatives, and the Liberty & Prosperity League. Although the group, coalition, or alliance itself is not real, the assorted interests that support each group are. In this way, your research will engage with actual groups, bills, and political actors as much as possible.

Each group will have 30 minutes for its presentation: 20 minutes for the group to present its case, followed by 10 minutes of Q&A with committee members. As part of its 20-minute presentation to the legislative committee, each group is allowed to call on "experts" and other witnesses and may use a variety of appeals in its presentation, including emotional, intellectual, and ethical appeals.

In your presentations, each individual will assume a particular role and needs to introduce themselves and speak from the perspective of a fictional persona. For example, a group might include a low-income single mother who can speak to her experiences trying to work and care for a newborn or a single woman who plans not to have children and who can voice concerns that employers might penalize her out of concern that she will. Additional witnesses could include a business owner or young professional who can address the impacts paid leave policies might have on employers, a pediatrician or other child development specialist who will explain the impacts of paid parental leave on children, or an economist or women's policy analyst who will explain how paid family leave impacts wage gaps and women's labor force participation. Consider the following types of roles as you compose your group's presentation to the legislative committee:

- Concerned and impacted citizens,
- Representatives of the business community,
- Spokespersons for advocacy organizations,
- Policy experts and academics working in relevant disciplines, and
- Officials from other branches of government, including state agencies.

Although your group assignment may entail a policy perspective at odds with your actual political or personal beliefs, you will be expected to use research materials, concepts, and ideas which support the consensus of the group to which you are assigned. As you read the group descriptions below, think about how you would propose persuasive arguments from each group's perspective. Be prepared to give the most robust argument on behalf of your group's position and to anticipate and effectively counter the best arguments of others. If you can do both, you will be fully prepared to discuss this policy area with anyone, not just with the fictional committee during NEW Leadership MS.

Detailed Group Descriptions

Blue Group: Social Justice Feminists' Alliance

LEADING FIGURES: Cassandra Welchlin, Mississippi Black Women's Roundtable; MS Senator Angela Turner-Ford

Vision: Improve women's lives and ensure systemic sexism, racism, and economic exploitation are recognized and combatted. Gender discrimination continues to result in higher rates of poverty among women despite the greater share of work they shoulder (especially when unpaid labor is considered). Women living at the intersection of gender and race-based oppression are even worse off, as evidenced by the fact that Mississippi's poverty, maternal mortality, and infant mortality rates are much higher among women of color and their babies than for white women. If we want Mississippi to thrive, we must press for government policies that redress these inequalities and finally invest in those whose labor has been exploited and undervalued for far too long.

Your coalition is a network connecting various feminist and progressive groups in the state, some that belong to national federations and others that are homegrown and exist only in Mississippi. You are diverse: some organizations are majority black and others majority white; some organizations skew younger, others older. What binds you together is that you all advocate for those living in poverty and working low-wage jobs; many of you have a special focus on women. In the legislature, you are most often aligned with the Legislative Black Caucus and the Democratic Party.

You are motivated by a common commitment to improving the lives of society's most disadvantaged and by a conviction that most social, political, and economic institutions have been designed in ways that rely on and maintain the existence of an impoverished and disenfranchised class. Western European cultural traditions and the legacies of plantation slavery mean that women, queer folks, and people of color face more barriers to class mobility and are overrepresented amongst the poorest and most politically alienated in Mississippi. Political power must be truly democratized and used to reform or replace the institutions that perpetuate sexism, racism, and economic exploitation.

Your groups are focused on reducing poverty and economic inequality through redistributive and social safety net programs, a high-quality system of public education and child care, and laws prohibiting discrimination on the basis of race, sex, and gender. Programs like paid family and medical leave are essential to mitigating the worst effects of the systems we've inherited. According to witness testimony from MSU's Social Science Research Center before the Senate Study Committee, 43% of black children in the state live in poverty, and most of them are being raised by a single mom. These mothers are working in some of the lowest-paying jobs in our state, and many face difficult choices about how to balance the safety and developmental needs of their children with the need to devote time and attention to work. It is difficult for them to hold the jobs they have and take care of their families' basic needs for food, clothing, shelter, and transportation, much less devote the time and energy it takes to follow all of the recommendations pediatricians and

child development specialists know make a difference for children's long-term success. They draw on networks of friends and relatives—mostly women—to create a patchwork of care, they take on part-time and low wage work in exchange for flexible hours, and the result is a system that perpetuates historic inequalities in health, wealth, and education.

Your coalition has repeatedly called attention to the fact that Mississippi's infant and maternal mortality rates are unacceptably high and are frequently the worst in the nation. Poverty, racism, lack of access to healthcare, and the stress these put on poor women's mental health are at the root of these and other dismal health statistics. While safety net programs are in place, they don't come close to meeting the need. In 2021, the Mississippi United Ways Association released a report that reveals the scope of that need and just how important gender is to understanding poverty: it's ALICE (Asset Limited, Income Constrained, Employed) report showed that about a third of Mississippians who earn enough to live above the Federal Poverty Level (FPL) nonetheless struggle to afford housing, child care, food, transportation, health care, and a basic smartphone plan each month. Just under 9% of all households in Mississippi are single-female-headed with children; of these, 83% live below the FPL or are in the ALICE category. These rates of economic hardship reflect the burdens facing women—especially women of color—and the potential impact on women and children that the state could have if it increased the amount of financial support it provides to poor mothers.

And so, for years, your network has been pushing Mississippi to increase the funding available for a host of programs that reduce the burdens of poverty and provide the support families need to invest in themselves and pursue opportunities for advancement. You have called for expansions to the Child Care Payment Program and Medicaid, for greater utilization of Temporary Assistance for Needy Families funds, and for the adoption of an effective equal pay law, protections for pregnant workers, and paid family and medical leave. The feminist women's groups in your coalition strongly support public service programs like these because government programs often reduce the burdens of women's care work and mitigate the effects of gender discrimination in other ways. A paid family and medical leave law would allow more of Mississippi's working poor to take the time they need to address their healthcare needs and to give newborns the best start in life. It would also be a small step toward compensating women for the hours of care work they perform.

The only concern the feminists have is that paid family leave might reinforce the gendered imbalance in care work. Women have made great strides toward increasing their share of paid work in the formal economy, but men have made very little effort to take on more of the unpaid care work required for society to thrive. This is why it is essential to design a policy that includes paternity leave as well as maternity leave. It is equally important that the wage replacement rate be generous enough to convince men (who, unlike women, are unaccustomed to doing things for free or low pay) to take the leave. A paid family leave policy that is only available to mothers or that guarantees too low a percentage of a worker's wages would probably still be wonderful for child development and overall health outcomes, but it would also stall or even reverse gains made in reducing the gender pay gap, women's employment, and women's promotion to management and C-suite positions. To be consistent with your goals for gender equity, a policy must be generous and must

include parental leave regardless of gender. An even better policy would also explicitly guarantee time off for those who are trying to escape or recover from domestic violence, sexual assault, or stalking—or who are helping their loved ones do so.

Another worry shared by many in your coalition is that the state will adopt some half-hearted measure that only encourages or requires low wage replacement rates and that has exceptions for most businesses. Currently, unpaid leave under the FMLA fails to reach over 40% of Mississippians because of carve-outs for employers with fewer than 50 employees. We also know the result of low or no wage replacement because of national data on which workers take unpaid FMLA leave and from research on U.S. states that have adopted family and medical leave policies. When leave is available without pay or with very low pay, only upper and middle-class workers are able to take advantage of the benefit. Workers who live paycheck to paycheck cannot live on half of their wages for three weeks. They do not have savings to fall back on and need every penny that they earn. If it is going to help the people who need it the most, a paid family and medical leave program must provide at least 90% of lower-income earners' wages.

The taxes or premiums required to provide 90% of every workers' salary would be too high, but there are simple solutions available: weekly benefit caps and progressive wage replacement rates. Other states have shown that a policy can be designed so that the percentage of a worker's regular wages that is paid during leave goes up as the worker's average weekly wage or salary goes down. A simplified version of this would be that the top third of income earners receive 50% of their wages while on leave while those in the middle third receive 75% and those in the bottom third receive 100%. In addition—or, at the very least—the policy should include a weekly benefit floor to ensure those with the lowest wages have the bare minimum to live on during leave as well as a weekly benefit ceiling/cap to ensure those with the highest wages don't take more than they need from the program. Other states have demonstrated that a modest tax—as little as the cost of a cup of coffee a week—can fund a targeted and effective public leave program that pays for itself in terms of the gains to health and labor market participation.

Regardless, the main struggle will be getting *any* version of paid family leave out of the legislature. Mississippi policymakers often want to rely on the free market or the overworked and underpaid women who dominate the nonprofit sector to provide services. Rather than expanding programs and adopting new policy solutions, many policymakers prioritize tax cuts and seek to reduce the amount of state and federal dollars spent. You are unsympathetic to the argument that a program like paid family and medical leave—a program that, in its ideal form, is certain to improve early child development, health, and women's economic outcomes—should be passed over so that taxes can be reduced. Look at the recent income tax cut passed by the Mississippi legislature: it reduces the state's already-low income tax even further but leaves the grocery tax—the tax that poor and rich alike pay—as the highest in the nation. You're not interested in starving programs that actually help the poor so that people who already have more than they need can keep more of their income.

The same calculations explain your dissatisfaction with the paid leave tax credits recently passed by the House (and allowed to die in the Senate). These may provide some small benefit to poor families, but they will do more to further reduce the tax burden of large corporations. This will reduce the amount of tax revenue Mississippi has to spend on public education, welfare, infrastructure, and other priorities. With every step forward, you are disappointed by the fact that reforms weren't taken further and confronted by the potential for backsliding.

This is frustrating work, but the coalition is united in its belief that eliminating economic inequalities based on gender and race is a moral imperative and a practical investment in a better future for all. Uplifting the most disadvantaged among us and eliminating discrimination will improve the lives of all Mississippians and make our society not only more just, but more successful. Only when everyone thrives can we benefit from the full and diverse range of talents, ideas, and effort that Mississippi has to offer. Even if you lack the power to pass your preferred policy, you can at least confront lawmakers with the clear evidence that a solution to the state's shameful maternal and infant mortality rate is available for any who truly want to do something about it: a universal paid family and medical leave program.¹¹

You can make a compelling case to conservative policymakers. Social conservatives should be concerned about the health of women and infants, especially since more crisis pregnancies are occurring without access to abortion in the state. Fiscal conservatives should be persuaded by the economic benefits that will result from healthier children who need fewer government services in the short term and better educational and economic outcomes in the long run. Likewise, the program helps address the state's low labor force participation rate by keeping more women with children in the paid economy. More people working means more people paying taxes, producing and purchasing products, and contributing to the state's economic growth.¹²

The data is clear. Put it out there for all to see. There's no reason the U.S. should remain the only one of the OECD countries without a guaranteed paid family and medical leave program. If Congress isn't going to act, the states should, and nowhere is the need for such a policy greater than in Mississippi.

<u>Sheet.pdf</u>. See published research in Jones, Kelly and Britni Wilcher. 2024. "Reducing Maternal Labor Market Detachment: A Role for Paid Family Leave." *Labour Economics* 87(April): 102478. https://doi.org/10.1016/j.labeco.2023.102478.

¹¹ Prenatal-to-3 Policy Impact Center. (2023). Prenatal-to-3 policy clearinghouse evidence review: Paid Family Leave (ER 03D.0923). Peabody College of Education and Human Development, Vanderbilt University. https://pn3policy.org/wp-content/uploads/2023/10/ER.03D.0923_PaidFamilyLeave.pdf. See also Bartel, Ann, Maya Rossin-Slater, Christopher Ruhm, Meredith Slopen, and Jane Waldfogel. 2023. "The Impacts of Paid Family and Medical Leave on Worker Health, Family Well-Being, and Employer Outcomes." Annual Review of Public Health 44(April): 429-443. https://www.annualreviews.org/content/journals/10.1146/annurev-publhealth-071521-025257.

¹² Institute for Women's Policy Research. January 2020. "Paid Family Leave Increases Mothers' Labor Market Attachment." IWPR.org. https://iwpr.org/wp-content/uploads/2020/01/B383-Paid-Leave-Fact-Chest add. See published research in January 2021. "Padvision Metamal Laboratory and Principle of Page 2021." "Padvision Metamal Laboratory and Principle of Page 2021." "Padvision Metamal Laboratory and Page 2021." "Page 2

Yellow Group: Coalition of Compassionate Conservatives

LEADING FIGURES: Lynn Fitch, Attorney General; MS Senator Nicole Boyd

Vision: Strengthen traditional family values, improve pregnancy-related outcomes for Mississippi families, and make Mississippi the model pro-life state while nurturing the economy and limiting the size and power of government. Now that abortion is no longer legal, Mississippi has the opportunity to demonstrate the moral superiority of pro-life conservatism by adopting policies that empower women and strengthen families, particularly poor mothers in crisis, throughout pregnancy and early childhood. These goals can be achieved without sacrificing economic growth if policymakers are cautious and smart in their use of government programs and if they seek creative ways to partner with the private and nonprofit sectors to address these needs.

For nearly fifty years—ever since the US Supreme Court issued its opinion in *Roe v Wade* in 1973—activists in your network have been fighting against the practice of abortion. It has been a long fight, but you have had tremendous success since the 1990s in getting state laws passed that restrict the practice and in barring the use of federal funds to pay for the procedure. Now, the Court has finally corrected the mistake it made fifty years ago. Finally, society is taking a step back toward honoring the intrinsic value of human life, recognizing that we are all made in the image of God, and that his blessing of life is sacred and not ours to refuse.

However, your work is far from over. Even though you've succeeded in eliminating the constitutional right to abortion in federal law and criminalizing the practice in Mississippi, you recognize that the end to *legal* abortion will not be the end to abortion. Desperate women will still seek to end unwanted pregnancies, and an underground network of abortion activists and providers is already forming to assist them with mail-order abortifacients and travel to states where the practice remains legal. In fact, there is clear evidence that they are already succeeding. State experts predicted—based on the average annual number of abortions that had occurred in the state prior to *Dobbs*—that an additional 5,000 children would be born in Mississippi in 2023. Yet scholars have found a much more modest increase and showed that the size of fertility spikes in different areas is related to the distance women must travel to reach the nearest abortion clinic. ¹³ Obviously, you will have to do more than put a law on the books to save unborn children.

You don't want to put doctors and women in jail; instead, you want to keep babies alive by working with pregnant women who find themselves in crisis. To truly defeat abortion, you seek policies that will reduce the demand for illegal abortion. The pro-choice movement has long criticized the pro-life movement as being concerned only with life in the womb. If you are going to convince majorities across the country to outlaw abortion entirely, you must show them that your movement is truly concerned for the lives of both women and children, broadly. Just as importantly, you seek a society where women are empowered to

¹³ Paffenroth, Sophia. January 8 2024. "Mississippi Doesn't See Births Spike from Abortion Ban, but Unwanted Pregnancies Increase." *Mississippi Today*. https://mississippitoday.org/2024/01/08/mississippibirths-abortion-ban-dobbs/.

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choose life, and laws banning abortion are rarely needed. You believe that the vast majority of women will eagerly choose to continue their pregnancies if only they are given the support they need. Abortion harms women, too, and if they have other viable options, they will choose them.

Holy scripture recognized by Jews, Christians, and Muslims alike teaches that we can defeat evil and save people from sin only when we address the temptations that overwhelm them: "Defend the poor and fatherless: do justice to the afflicted and needy. Deliver the poor and needy; rid them out of the hand of the wicked." By understanding the factors that drive women to end to their pregnancies, your network will bring together the public, private, and nonprofit sectors to build safety nets that catch women and keep them from falling into the trap of abortion, which only appears to offer a solution to their problems. Faith-based crisis pregnancy centers are already leading the way in this effort. The centers provide or connect women to counseling, temporary shelter or housing assistance, medical care, food, clothing, and other goods and services. The 2022 passage and 2023 expansion of tax credits under the Pregnancy Resource Act is a significant win for this effort, as it will encourage more charitable giving to these centers.

Yet, the most significant concerns women have when they show up at the pregnancy crisis centers revolve around finding the time and money to care for an infant, and the centers struggle to address these concerns. Many of the women are already working or are in school, and many already have at least one child. They are often in crisis because they are living in poverty or are on the brink of poverty, and taking an extended time off from work for pregnancy-related complications and to care for their newborn is not an option because they cannot miss a paycheck. Unable to take off of work to care for their children themselves, they must look for child care services, but it is extremely difficult to find a spot for newborns, and the cost is often prohibitive. Crisis centers can connect women to church daycares, but these centers often don't provide care every day or for the entire work day. Unfortunately, the decline in church attendance also means there are fewer and fewer churches offering day care at all. Even for those who don't live in one of the state's childcare deserts, it is almost unheard of to find daycare outside of regular work hours (M-F, 9am-5pm), which is what women need if they're working evening or weekend shifts.

This, then, turns out to be a critical issue for a post-abortion world. Mississippi's leaders must set an example in this area. Conservatives must be creative in finding ways to enable more mothers to take time away from their paid jobs so that they can focus on the most important work of all: giving their newborns a strong start in life in a stable and loving home. In an ideal world, every family would have two working parents with enough savings to make this possible without government assistance, but that is simply not the reality we live in. As things stand today, many women—even many married women, but especially single women—cannot afford to be mothers. Something must be done, and the state will have to play some role.

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¹⁴ Psalms 82:3-4 (The Bible: King James Version). What Christians call The Book of Psalms is known as the Zabur in Islam and Sefer Tehilli in Judaism.

Yet, there is a bit of tension surrounding some of the work involved in this new "pro-life plus" campaign. Your coalition is firmly situated in the Republican Party of Mississippi and includes many with strong commitments to fiscal and social conservatism. That means that you must balance your desire to support mothers, children, and families against your belief that society will ultimately be better off when government policy encourages strong, nuclear families and economic self-sufficiency and against your commitment to being responsible stewards of the taxpayer's dollars.

For the social conservatives, feelings toward paid family and medical leave are mostly positive, but there is some hesitancy among those who worry that these actions decrease natural incentives against divorce and sex outside of marriage by guaranteeing that the government will support women in nurturing their young children. Marriage is valuable for a whole host of reasons, but part of its value *is* economic, and government policies that interfere in those dynamics are partly to blame for the high rate of divorce and single-parent households. Nuclear families should be the center of socialization, and policies should be designed to strengthen the incentives toward marriage.

On the other hand, many social conservatives are thrilled with a policy that encourages motherhood instead of promoting professional, largely secular day care centers. For decades, they have been pushing back against the feminist movement's destructive campaign to devalue women's work in the home, which has now deprived countless children of the devotion, warmth, and strong family bonds that come from being raised at home by one's own mother—at least in the first few months of life. Women too, have been cheated out of the enriching and rewarding experience of full motherhood, tricked into thinking they can have it all and, if not, will be happier sacrificing family life for a professional career. Paid family leave—particular maternity leave—relieves the economic pressure that women face to put work first and will make clear that society values their work in the home. Evidence from other countries (and, increasingly, from US states that have adopted paid leave policies) validates what pro-family conservatives have been saying for years: when mothers stay home to care for their newborns, their children are healthier and enjoy more long-term educational and economic success. What's more, those mothers' long-term mental health is also better.¹⁵

As far as the concern about devaluing marriage, the majority in your coalition is convinced that women who feel the love and support of their communities will be more likely to make healthy, ethically-sound choices when compared with those who are left to fend for themselves. Besides, even if a woman remains unmarried, it is better that she have a healthy and happy child than an abortion.

Because your coalition is united by beliefs in traditional social values, fiscal conservatism, and the importance of limited government, the solutions it proposes will be different from those others may support. Mississippians and Americans will prosper more in the long run

https://www.annualreviews.org/content/journals/10.1146/annurev-publhealth-071521-025257

¹⁵ Bartel, Ann, Maya Rossin-Slater, Christopher Ruhm, Meredith Slopen, and Jane Waldfogel. 2023. "The Impacts of Paid Family and Medical Leave on Worker Health, Family Well-Being, and Employer Outcomes." Annual Review of Public Health 44(April): 429-443.

when government intervention in the economy is limited. Efforts to redistribute income from the wealthy to the poor are understandable, and some limited welfare programs are probably essential in today's society. Yet, you must take care not to rely too heavily on taxation and regulation because these harm the economy, making everyone worse off. Even limited public aid programs are like slippery slopes and have a natural tendency to expand over time if conservatives are not vigilant. You must be efficient and cautious in your use of tax dollars and creative in finding ways to encourage businesses, nonprofits, and individuals to take some of the initiative. You'll have to explain to progressives why your policies offer a more prudent way to accomplish the goals you share.

This is why your coalition favors options like tax credits for companies that provide their own paid family and medical leave policies for employees. More and more of the nation's large corporations are doing this already because of the tight labor market. Being able to offer a benefit like paid leave helps employers recruit workers who otherwise might go to work for a competitor. There is also some evidence that paid family and medical leave is particularly helpful in retaining female employees with children, workers who are especially attracted to policies that allow flexibility because of their responsibilities outside of the home. ¹⁶ Mississippi has the lowest labor force participation rate in the country, so anything that helps get more of our citizens on payroll is a positive for employers and taxpayers (more people working means more people to carry the burden of taxation). Many more employers probably want to offer this benefit but find it too costly; offering a tax credit may reduce the cost enough to make it possible. This will also help Mississippi's small and medium-sized businesses compete with larger corporations.

A majority of your coalition also supports the idea of adopting paid family and medical leave benefits for the state's own employees. Public employees are woefully underpaid; ask any agency head. The state struggles to attract qualified workers because of the low salaries offered, and positions often sit vacant. Obviously, one solution would be to increase pay, but providing a meaningful salary increase would expand annual budgets substantially, likely requiring either cuts to government services and programs or higher taxes. Providing more attractive benefits is an alternative solution that seems to have more benefits than costs. Yes, there will be some cost associated with administering the program (someone has to file the paperwork and review and approve requests for leave), and temporary workers will periodically be needed to fill in for workers on leave, but this is a smaller and more manageable cost than across-the-board salary increases would be.

The pros list is also longer: not only will the state improve its ability to recruit employees, but it will also expand the number of jobs in the state that provide leave and all of the public health and economic benefits that come with it. To get a sense of the impact Mississippi could have just by affecting public employees, consider that the active members of the Public Employee Retirement System (PERS) comprised 12.2% of the state's total workforce

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¹⁶ Institute for Women's Policy Research. January 2020. "Paid Family Leave Increases Mothers' Labor Market Attachment." IWPR.org. https://iwpr.org/wp-content/uploads/2020/01/B383-Paid-Leave-Fact-Sheet.pdf. See published research in Jones, Kelly and Britni Wilcher. 2024. "Reducing Maternal Labor Market Detachment: A Role for Paid Family Leave." *Labour Economics* 87(April): 102478. https://doi.org/10.1016/j.labeco.2023.102478.

in 2023.¹⁷ There is also the potential for ripple effects as private employers respond to the increased competition for workers from the state.

Still, you know that some of your erstwhile allies in the Republican Party will argue that even these limited government interventions are inappropriate and too costly. You will need to be prepared for their arguments. Luckily, there is plenty of evidence on your side that shows this isn't just the right thing to do—it's also financially smart. Many studies from Europe, Africa, and now US states also point to evidence that the children whose parents have access to paid family leave grow up to be more financially and socially stable, and less likely to require public assistance—which should ultimately reduce the strain on government funding. The costs associated with your proposals are a small price to pay for all of the benefits they will bring to Mississippi.

¹⁷ Figure includes state, county, and municipal workers as well as school, university, and public library employees, but only those who have not retired and who have active PERS accounts. Some public employees opt out of PERS in favor of employer-matched private retirement investment accounts. See PERS of Mississippi. 2023. "PERS Facts & Figures."

Red Group: Mississippians for Liberty & Prosperity

LEADING FIGURES: MS Senator Angela Burks Hill; Mississippi Center for Public Policy

Vision: Resist the temptation to solve every problem with government, trust that individuals are the most fit to determine what is in their own interests, and increase the freedom of individuals and businesses to act. This will unleash the power of the free market and the creativity and innovation of the American people. Though it is often well-intentioned, government action is usually an obstacle to progress. The costs of public programs are higher and the quality of service is lower than what would eventually emerge from free market competition. Perverse incentives also generate unintended consequences, such as businesses making riskier bets or society placing a lower value on marriage and community because we rely on the government to bail people out when they are in financial crisis.

Your coalition is united by beliefs in fiscal conservatism and the importance of limited government. You represent the bedrock principles of America's founding: the idea that the primary purpose of government is to preserve our liberty and defend our lives and property, and when leaders try to do more than this, it usually comes at a cost to those primary goals. Classic liberalism maintains that the best government is one in which the people's representatives restrain collective power in favor of individual liberty. You know that Mississippians and Americans will be happier and will prosper more in the long run when government intervention in the economy and in peoples' lives is limited. Efforts to redistribute income from the wealthy to the poor are offered to the public as panaceas that will cure all of societies' ills, but they do not really even help the poor and end up hurting everyone else as well. Even many of your supposedly conservative friends in the Republican Party fall victim to these false promises, so it falls to your coalition push back against efforts to expand the role of the state and prevent the bloated bureaucracy, stifled economy, and disempowered American public that would result.

People who have fallen on hard times need temporary assistance and encouragement to get back on their feet as quickly as possible. That is precisely why societies have developed voluntary—frequently religious—charitable organizations to care for the sick and needy. It is also why modern economies have given rise to the concept of insurance, which is a product that enables individuals to act collectively and save up for a member of the insured community's future emergency. These social safety nets are created by people freely choosing to help one another and making strategic economic investments in their future, and each type of aid has evolved its own methods for minimizing free riding and discouraging people from taking advantage of the support system.

This is not a role that should be usurped by government. Centralized bureaucracy cannot perform these tasks any better than it does most other things. In addition, generous, long-term benefit programs remove the incentives that naturally push people to make the strategic choices and long-term investments that would benefit them far more than government assistance in the end. Nameless, faceless government programs that reward individuals regardless of their reputation or merit strip away all of the important incentives

that we need to properly structure our behavior. They do not encourage individuals to invest in improved education and labor skills, nurture their familial and social networks, and do other things that may be difficult or unpleasant in the short-term but ensure long-term economic and emotional stability. Instead, they render individuals dependent on continued public support, depriving them of the dignity of work and financial independence while also depriving the economy of their labor and increasing the burden on taxpaying members of society. Government assistance programs also come to replace—poorly, and only partially—the familial and communal bonds that people would otherwise work to nurture because the economic benefits of such relationships are no longer as obvious.

Admittedly, the state has a poor record on women's and children's health; in addition, it is reasonable to expect that poverty is a central ingredient in the poor outcomes. There is also strong evidence that the care infants and very young children receive is vitally important for their health and social-emotional development. You do not contest these facts, nor are you disputing the need for more flexible workplace policies that make work-life balance possible. However, the solution is not to radically expand government benefit programs. Whether advocates are asking the state to give more money to the poor or to intervene and subsidize particular businesses, you are skeptical. There are better, smarter ways to solve the problem while keeping government in its lane.

Advocates of a public paid family and medical leave program frequently exclaim that the United States is the only industrialized country in the world without one, implying that Americans are being deprived of something their peers in other modernized economies enjoy. This is misleading and ignores the fact that government restraint in the U.S. has led businesses to develop an array of paid leave policies for workers. The policies offered are diverse, reflecting the distinct needs of various industries and types and sizes of companies. As businesses compete for labor, they are constantly pushed to innovate and find more efficient ways to offer more enticing benefits like paid leave. The result is that the policies offered by businesses are highly responsive to both the preferences of workers and the financial realities of businesses.

When proponents of a government mandate wring their hands and cite the statistic that 80% of workers lack access to paid family leave, they are not considering the full picture—and they're using outdated statistics. What the data actually reveals is that businesses *are* responding to the clear demand for paid family leave benefits, but they are doing it in a variety of ways. According to survey data from the US Bureau of Labor Statistics (BLS), about 27% of US workers already had access to paid leave benefit that explicitly allowed for the care of new children or sick family members in 2023. The number of companies offering this benefit has been steadily increasing for years and took off after the pandemic.

In addition, many, many more workers have some other kind of paid leave policy. The BLS data for 2023 reveal that 88% of all civilian workers have access to personal leave, sick leave, paid family leave, or vacation through their employer. Eighty percent have access to paid sick leave, 77% to paid vacation, 48% to paid personal, and (as noted above) 27% to paid family leave. In addition, 41% have access to short-term disability insurance and 36% have access to long-term disability insurance, which pays a portion of the worker's wages

in the event that the worker has a medical condition that prevents them from working. Often, disability insurance can be used to cover a pregnancy, even one without complications. Finally, the BLS data doesn't include general paid time off (PTO) policies, which allow employees to accrue time off that they can take for any reason. American workers combine these policy benefits in various ways to fit their needs and the needs of their families.¹⁸

This is proof that markets are already responding to the demand for paid family and medical leave, and that there are many different preferences out there when it comes to the specific design of leave policies. Right now, businesses and workers are free to explore and experiment, choosing the program design that works best for their particular situation. It makes no sense to replace this thriving ecosystem with another one-size-fits-all government program that forces all businesses and workers into an inflexible policy that is unresponsive to their diverse and changing needs. Instead, policymakers should pursue business-friendly, low-tax policies that encourage growth and a tight labor market, which will continue to drive competition and innovation in the benefits companies offer to recruit and retain workers.

Further, the evidence from government-mandated paid family and medical leave policies confirms that these programs have unintended negative consequences and tend to grow beyond reason as time goes on. Data from other countries and from California suggest that public leave programs have slowed and, in some cases, reversed gains women had been making toward greater paid employment, higher wages, and greater representation among managers and top executives. Researchers have generally found that the strongest positive impacts on children are gained through programs that allow several months of unpaid leave and have typically not found any evidence that suggests longer periods of leave provide additional benefits to children, though they have found evidence that longer periods are bad for women's economic outcomes. Regardless, Europe has seen a steady expansion of paid leave policies among its countries, with several now offering over a year of paid leave despite any evidence that such an expensive program increases positive outcomes.¹⁹

It's not hard to imagine why paid leave policies are bad for women when they are inflexibly forced onto businesses by government. When employers offer a range of paid leave, PTO,

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¹⁸ United States Bureau of Labor Statistics. September 2023. "Employee Benefits in the United States, March 2023." BLS.gov. https://www.bls.gov/ebs/publications/employee-benefits-in-the-united-states-march-2023.htm. See also Gitis, Ben. February 22, 2018. "Paid Family and Medical Leave in the United States: Using Data to Guide Public Policy." American Action Forum.
https://www.americanactionforum.org/research/paid-family-medical-leave-united-states-using-data-guide-public-policy/

Thwarted Women's Wage Gains." The Heritage Foundation. https://www.heritage.org/jobs-and-labor/commentary/study-shows-governments-family-leave-mandates-have-thwarted-womens-wage See also VerBruggen, Robert. January 26, 2024. "Is Parental Leave to Blame for the Gender Wage Gap?" Institute for Family Studies. https://ifstudies.org/blog/is-parental-leave-to-blame-for-the-gender-wage-gap For data from outside the US, see Bartel, Ann, Maya Rossin-Slater, Christopher Ruhm, Meredith Slopen, and Jane Waldfogel. 2023. "The Impacts of Paid Family and Medical Leave on Worker Health, Family Well-Being, and Employer Outcomes." Annual Review of Public Health 44(April): 429-443. https://www.annualreviews.org/content/journals/10.1146/annurev-publhealth-071521-025257.

and temporary disability benefits to workers, they can imagine a range of situations in which workers of all types will make use of the policy. When the government compels them to provide paid family and medical leave and explicitly ties this to pregnancy and care for children, employers are more likely to associate the policy with women and to assume that potential and existing female employees will be most likely to take advantage of the leave policy. This makes some less likely to hire women, more likely to hire them at lower wages as compensation for the increased leave they are expected to take, and less likely to hire or promote them into managerial or higher-level positions that are more difficult to substitute with temporary workers during periods of leave. And, of course, the longer the leave permitted, the worse all of this gets.

Finally, publicly-guaranteed paid leave may be bad for women in other ways. As mentioned, any government program like this is likely to chip away at the financial incentives people have to get and stay married, to look after their long-term health, and to invest in their labor skills. Without a government guarantee of aid, women will be more likely to limit their childbearing to marriage or other committed relationships because they will recognize the economic as well as social and emotional value of having a parental partner to help care for the child and enable one of the pair to take some time off of work. They will also be more likely to pursue education, training, and other opportunities to make themselves a more attractive employee so that they can increase their bargaining power with employers and improve the overall compensation package they receive.

Proposals for government action on paid leave also have the potential to harm the economy. Businesses are already working hard to offer competitive benefits to their employees, and they currently have the flexibility to design plans that are within the means of their company and respond to the specific needs of their employees. Imposing uniform requirements on businesses will make it harder for many businesses—particularly small and medium-sized companies—to remain profitable.

Even the proposals for tax credits that reward private companies for providing paid family and medical leave are problematic. Unless they are greatly increased, they are unlikely to provide enough financial incentive on their own to convince most businesses to adopt a paid family and medical leave benefit. Instead of increasing the number of companies offering the benefit, the most likely outcome will simply be that the government begins subsidizing companies that had already decided it was in their best interest to offer the policy and that were previously covering the full cost themselves. The only change will be that taxpayers are now footing the bill. This will actually further harm small and medium-sized businesses, because now the government is financially supporting larger companies whose ability to provide more generous benefits was already making it hard for smaller companies to hire qualified workers.

Instead of another costly entitlement program or selective tax benefits for a few companies whose leave policies match the exact definition of family and medical leave currently being used by policymakers, legislators should work to limit government programs and to cut taxes generally. Policy that will strengthen the economy will accomplish the goal of expanding access to paid leave. It is already happening.

Beginning Research

The list of sources below should be used as a foundation as you conduct research into the policy proposals the mock legislative committee has asked your groups to discuss. You will not need to know, understand, or represent all of the evidence and arguments suggested below because your group will only represent a small slice of a much larger conversation. Still, skimming the sources that do not align with your group will also be useful in terms of opposition research. This list may not include everything you need to compose a strong presentation, but it is a good start and should give you a sense of the kind of evidence, sources, and perspectives that exist on this topic.

Possible categories of research might include public opinion, news articles on the debate in Mississippi, laws and legal advisories on state policies, guides to relevant federal policies, and white papers, policy briefs, and other policy-related publications from advocacy groups, think tanks, and academic researchers.

Bibliography

Use QR code to access the action project online, with live links and academic article PDFs. If a link does not open, copy and paste the url into your browser.

Note: Materials are organized topically and listed in reverse chronological order (most recent first) within each section.

Legislative History

2024 LEGISLATIVE PROPOSALS

Tax Credits for Paid Family Leave

Income tax; provide a credit for taxpayers who provide paid maternity and paternity leave for employees.

H.B. 1768. Passed House; Died in Senate Committee.

https://billstatus.ls.state.ms.us/2024/pdf/history/HB/HB1768.xml

State-Managed Paid Family Leave

State employees; provide for paid leave for caregivers of child to care for child after birth, adoption or foster placement. H.B. 1608. Died in Committee.

https://billstatus.ls.state.ms.us/2024/pdf/history/HB/HB1608.xml

Mississippi Paid Family and Medical Leave Act; establish. H.B. 1361. Died in Committee. https://billstatus.ls.state.ms.us/2024/pdf/history/HB/HB1361.xml

Mississippi Paid Family Leave Act; enact. S.B. 2089. Died in Committee. https://billstatus.ls.state.ms.us/2024/pdf/history/SB/SB2089.xml

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