



October 6, 2026

U.S. Department of Health and Human Services
Administration for Children and Families, Office of Head Start
330 C Street, SW, Mailstop 4301
Washington, DC 20201

Re: Reducing Federal Burden for Head Start Programs, Docket ID ACF-2026-0595

To whom it may concern:

The U.S. Chamber of Commerce (the Chamber) appreciates the opportunity to comment on the Administration for Children and Families' (ACF) Notice of Proposed Rulemaking (NPRM) titled "Reducing Federal Burden for Head Start Programs."

The Chamber is the world's largest business federation, representing businesses of all sizes, sectors, and regions, from small businesses and local chambers to industry leading organizations and global corporations that shape the American economy. Through our work with our members, the Chamber has long recognized and advocated for the child care needs of American workers. We strongly believe that addressing child care challenges is a critical tool in boosting workforce participation, supporting businesses, and driving economic growth. Considering this, we appreciate the Administration's focus on limiting regulative burdens, reducing duplication, and supporting greater flexibility for Head Start programs to operate as effectively as possible. These actions are vital in fostering a strong child care sector that can support working families, of which Head Start is a foundational component.

The Chamber believes streamlining regulations and ensuring flexibility is critical, and the Administration's focus on limiting undue burden and complicated requirements throughout federal programs is helpful to businesses and families. However, these changes must also be considered against the needs of families and program participants, particularly with regard to quality, safety, and eligibility. Greater flexibility overall is helpful, but it is important that flexibility does not come at the expense of safety or reliable programming for families.

Quality and Safety

We are concerned with several aspects of the NPRM that could impact student safety. Specifically, proposed changes related to staff credentials and supports can impact the ability to run a safe and successful Head Start program. Any changes made should ensure

that programs can find, support, and retain staff to continue to support students and families. Programs should have flexibility to meet the needs of their students without unnecessary and overly burdensome requirements, but they should also ensure program providers have the expertise and professional development necessary to safely serve students.

We support thoughtful updates to requirements that will not jeopardize the safety of students, nor make it difficult to blend Head Start programs with other child care programs to better serve families. However, those changes should be considered in line with how to recruit and retain qualified workers into classrooms without jeopardizing child safety. For example, the NPRM removes certain background check requirements, which could make it easier to retain staff, but at the same time would maintain requirements for background checks and notes the requirement to continue to comply with federal and state law, however it is unclear what specifically will still be required of grantees. The final rule should have a straightforward background check requirement that ensures these provisions are aligned with other federal child care programs.

Additionally, the removal of the requirement to participate in Quality Rating and Improvement Systems (QRIS) should be amended. In the final rule, the Administration should be encouraging providers to participate in states' QRIS. These systems, while not perfect, are an opportunity for families to compare child care options and understand the safety and quality of various programs. The proposed change would not prohibit participation, but eliminating this requirement without a strong replacement to ensure high-quality options could reduce families' ability to make informed choices and should therefore not be included in the final rule.

The NPRM also proposes to eliminate federal requirements related to transportation safety and requires programs to comply with state, Tribal, and local requirements. While we appreciate the attempt to streamline requirements, the proposal acknowledges this change may not ensure all Head Start grantees are operating under clear safety requirements. Before these changes are made due to "duplication" and other requirements, the Administration should ensure every state has strong protections in place to ensure the safety of children in these programs.

Eligibility

The proposed rule also makes several changes that may affect the eligibility of students, such as the proposed elimination of the housing cost adjustment. Housing is a significant cost and should not adversely impact a family's need for support through Head

Start. The current policy helps ensure families that struggle to make ends meet in expensive housing environments can receive support through this program by allowing programs to account for housing expenses exceeding 30 percent of a family's gross income when determining eligibility. While federal data does not identify how many families qualify for Head Start specifically because of the housing cost adjustment, recent national data demonstrates that 31 percent of children live in households with a “high housing cost burden” in the United States, defined as housing expenses exceeding 30 percent of a family’s monthly income. Eliminating the adjustment could therefore make it more difficult for families facing high housing costs to qualify based solely on their unadjusted income, affecting a large portion of the nation’s children.

Further, we support ACF’s retention of the provision permitting programs to enroll up to 35 percent of funded slots with children from families between 100 and 130 percent of the Federal Poverty Level (FPL). This flexibility allows programs to serve families just above the poverty line without displacing those most in need. It is important for ACF to provide clear, standardized compliance guidelines so that providers know how to implement this provision.

The Chamber also recognizes that efforts to address fraud remain a prominent pillar for the Administration. We understand portions of this NPRM are intended to prevent individuals from defrauding the government. However, it is important to ensure that anti-fraud requirements are not so onerous that they inadvertently prevent eligible children from participating. For example, the NPRM currently proposes eliminating the current provision that allows a Head Start program to enroll a child without documentation of the child’s age when the family cannot provide it. This change could harm eligible families who do not have all the necessary paperwork for enrollment, particularly families who are experiencing homelessness, and therefore delay those families trying to find high-quality care for their child while they work or go to school. The final rule should include an allowance to serve these families while helping them acquire proper documentation. Anti-fraud measures are critical and should address intentional misuse of federal programs but should do so without creating barriers for eligible families. The clarifications and changes proposed in the regulation should help strengthen program integrity while ensuring spaces remain available for eligible children.

The proposed changes related to serving students with special needs are also concerning, as it creates uncertainty about what is required of Head Start providers. The proposal notes the Act is clear about following the Individuals with Disabilities Education Act requirements and that the proposal removes duplication of these requirements. Serving students with special needs is critical, and programs must have clear guidance on how to do

so effectively while supporting families and ensuring children receive appropriate care and services. Any changes to these provisions should be limited and facilitate continued support and guidance for programs serving students with special needs. Further, changes should not be made to services for these students before clear guidance on how to maintain the level of service is published.

Program Design

The Chamber recognizes the importance of the Administration's focus on healthy eating and increased physical activity and applauds the Administration's additions in these areas. However, it is critical to ensure that higher food costs and staffing needs do not adversely impact program operations. Expanded nutrition education may require additional food, supplies, and staff time, while increased physical activity requirements may require additional staff supervision and resources to facilitate physical activity safely. As these provisions are implemented, clear guidance and appropriate flexibility will be important to help programs meet these requirements while ensuring they have the resources necessary to maintain high-quality services.

Additionally, requirements such as English-only instruction could harm or limit program participants. More than one-third of children served by Head Start speak languages other than English at home. We appreciate that there will be a waiver process in place for programs, but it is important that the program avoids unnecessary and complicated barriers to individual effective program operation, both for children and providers. For example, programs operating in Puerto Rico should not have to go through time-consuming waiver requirements to be able to operate a program in an official language spoken by nearly all residents. Mandating English-only instruction could create obstacles to effectively serving a population for which Head Start has historically demonstrated positive outcomes. This requirement may also restrict providers, as teacher supply will be further limited by their ability to satisfy this requirement. Additionally, while the Administration has demonstrated strong support for family engagement, this change has the potential to adversely impact families participating in the program. This requirement should be clarified such that instruction in English is important, but support for Limited English Proficient students remains a requirement for programs as well.

Family engagement is also a critical component of the Head Start program and it is encouraging that the Administration supports strengthening these requirements. However, there are limits to what programs can responsibly offer families for education; providers should not be required to provide educational material and instruction on healthy marriage. These are values and ideas best left for families to discuss with their children.

Staff and Administrative Supports

The proposal allows for higher staff-to-student ratios. Simply put, fewer staff means less supervision of students, thus raising quality and safety concerns. Rather than eliminating federal requirements relating to ratios, we recommend the agency implement easy-to-process waivers for when circumstances make compliance impracticable, such as workforce shortages, significant waitlists, or facility-related disruptions. If this provision is maintained, parents should at least be informed of these staff ratios so they are able to make an informed decision when placing their child in a program. While the Administration states the intent is not to require programs to expand their ratios, it is important there be clarity that programs cannot be found noncompliant if they maintain their current ratios. In addition, higher ratios can result in higher workload and make staff retention even more challenging.

Similarly, we have reservations about the removal of the current standard explicitly identifying enrollment of children of staff members as a permissible selection criterion. While we understand ACF's stated intent is not to prohibit this practice but rather to avoid treating it as a compliance requirement, we are concerned that removing the explicit reference will create uncertainty for local programs as they revise selection policies. Head Start programs continue to face significant workforce challenges, and the ability of staff to enroll their own children has historically served as a meaningful, low-cost benefit supporting workforce stability.

Further, program operation changes proposed in the rule could significantly impact the viability of programs or exceed provider responsibilities. Changes to the administrative cost is a top concern. We support the goal of ensuring funds are supporting children, but allowable administrative costs are an important way for providers to afford services for students and families. A dramatic cut to this allowance will likely result in lost staff, slots for children, and impact the quality of the program. We recommend the Administration maintain the current 15 percent administrative cost allowance as defined in the Head Start Act. We also believe these programs need to support working families without adding additional costs and minimum operation requirements help protect these families. We encourage the Department to maintain current program requirements.

Similarly, it is important that the program remains connected to local community needs, including those of employers. It is crucial that Head Start programs keep a documented local-need requirement, as community needs justify program design changes. We appreciate that the statute requires this analysis but request the Administration further

assess the requirements for this analysis to ensure that approved providers are meeting the needs of working families.

The Administration emphasizes the ability to waive several requirements of the proposal. This flexibility is welcome as long as it is accompanied with clear procedures and guidelines on how to apply, what is eligible, and who is awarded the flexibility. Programs should ensure that any waivers received and exercised are clearly displayed for families to be aware of what changes to the program are allowed and followed.

The Chamber appreciates ACF's focus on improving Head Start programs through increased state flexibility and reduced federal burdens. With refinements, the final regulations can significantly improve Head Start operation without compromising safety or eligibility, ultimately expanding opportunities for working families.

A strong and accessible child care system is essential to supporting a strong workforce and thriving economy. The Chamber appreciates ACF's consideration of these comments and looks forward to collaborating to ensure Head Start programs can effectively serve children and families while supporting the needs of working parents and employers.

Sincerely,

A handwritten signature in black ink, reading "Stephanie F. Melhorn". The signature is fluid and cursive, with the first name "Stephanie" and last name "Melhorn" clearly legible.

Stephanie Ferguson Melhorn
Executive Director, Workforce & International Labor
Policy
U.S. Chamber of Commerce