

Congress of the United States

Washington, DC 20515

June 8, 2026

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

Re: Comment to Proposed Rule “Restoring Flexibility to Support Head Start Program Access” (ACF-2026-0364)

Dear Director,

We write as Members of Congress in strong opposition to the proposed rule, "Restoring Flexibility to Support Head Start Program Access," published on May 12, 2026. This proposal would eliminate the wage and benefit standards finalized in 2024 — standards designed to stabilize the Head Start workforce and improve program quality for children and families.¹ We urge the Trump Administration to withdraw this rule immediately.

At its core, this proposal asks the American people to accept that the teachers and staff caring for some of our nation's most vulnerable children should continue earning wages so low that many cannot afford to stay in the profession. That is not flexibility; rather, it is a continuation of the workforce crisis already forcing classrooms to close and cutting off access for the families who depend on Head Start most.

This proposed rule does not exist in a vacuum. It is part of a broader, systematic effort by the Trump Administration to dismantle Head Start. In 2025, a leaked Administration proposal would have eliminated the program entirely.² While that plan was never finalized, the Administration pressed forward on multiple fronts. Five of the program's ten regional offices were shuttered,³ and by April 2025, the Administration had withheld nearly one billion dollars in federal grants to Head Start Centers nationwide.⁴ The consequences were immediate and severe: centers closed, families lost access, and teachers lost jobs. Then in July 2025, the Administration released a notice reclassifying Head Start as a "federal public benefit" — reversing an interpretation in place since 1998 — which blocks DACA recipients and those with Temporary Protected Status from enrolling in some Head Start programs.⁵ This proposed rule is the next step in that same effort to destroy Head Start piece by piece.

¹ Office of Head Start, Notice of Proposed Rulemaking, “Restoring Flexibility to Support Head Start Program Access,” 91 Fed. Reg. (May 12, 2026), <https://www.federalregister.gov/documents/2026/05/12/2026-09383/restoring-flexibility-to-support-head-start-program-access>.

² National Women's Law Center, "Head Start Survives Trump Elimination Threat, But Remains at Risk Thanks to Project 2025," <https://nwlc.org/head-start-survives-trump-elimination-threat-but-remains-at-risk-thanks-to-project-2025/>.

³ National Head Start Association, "NHTSA Expresses Deep Concern Over Administration Shuttering Regional Offices," <https://nhsa.org/resource/nhsa-expresses-deep-concern-over-administration-shuttering-regional-offices/>.

⁴ U.S. Senate Appropriations Committee (Minority), "New: Trump Admin Withholding Nearly \$1 Billion in Funding for Head Start, Crunching Centers Nationwide and Forcing Devastating Closures," <https://www.appropriations.senate.gov/news/minority/new-trump-admin-withholding-nearly-1-billion-in-funding-for-head-startcrunching-centers-nationwide-and-forcing-devastating-closures>.

⁵ First Five Years Fund, "Update: HHS Reclassification of Head Start Excluding Undocumented Children from Enrollment," <https://www.ffyf.org/update-hhs-reclassification-of-head-start-excluding-undocumented-children-from-enrollment/>.

The Administration argues that the 2024 standards exceeded the authority provided under the Head Start Act.⁶ The statute itself directs the Secretary to ensure Head Start compensation is comparable to wages paid for substantially similar work in local communities and prohibits compensation from falling below the federal minimum wage.⁷ The 2024 rule did exactly that. It did not impose a one-size-fits-all national salary mandate. Instead, it created a locally calibrated framework tying compensation to comparable public preschool wages and encouraged programs to build sustainable salary structures based on training, experience, and responsibilities.⁸

The proposed rollback ignores the economic reality facing the early childhood workforce. The federal minimum wage has remained at \$7.25 per hour since 2009⁹ — a wage that, in 2025, falls below the poverty line for a household of any size.¹⁰ Yet, the Administration points to that same floor as sufficient protection for Head Start workers. Congress did not create Head Start for the educators delivering it to rely on poverty wages.

Head Start educators are highly skilled professionals responsible for supporting children during the most critical years of human development. They build language and literacy skills, strengthen social and emotional development, and prepare children for lasting success in school and beyond. It is critical that these educators are compensated at a level that reflects the importance of their work and allows them to stay in the classroom.

Head Start exists to ensure that every family, regardless of circumstance, has access to high-quality early childhood care and education. It serves children with disabilities, children experiencing homelessness, and countless others whose families are navigating the hardest seasons of their lives. Since 1972, Head Start requires that at least ten percent of enrollment include children eligible for services under the Individuals with Disabilities Education Act (IDEA),¹¹ and more than one million young children who experience homelessness are automatically eligible for the program.¹² This program is a lifeline for families working to get back on their feet — and the wages and benefits of Head Start employees must reflect the weight of that work.

According to the Urban Institute, the national average salary for Head Start teachers during the 2021–2022 program year was approximately \$39,998, while Early Head Start teachers averaged roughly \$34,449.¹³ Those averages, however, mask severe disparities across states. In Mississippi, Head Start teachers earned an average

⁶ Office of Head Start, Notice of Proposed Rulemaking, “Restoring Flexibility to Support Head Start Program Access,” 91 Fed. Reg. (May 12, 2026), <https://www.federalregister.gov/documents/2026/05/12/2026-09383/restoring-flexibility-to-support-head-start-program-access>.

⁷ 42 U.S.C. § 9848 (Head Start Act § 653), <https://uscode.house.gov/view.xhtml?path=/prelim@title42/chapter105/subchapter2&edition=prelim>.

⁸ Office of Head Start, Final Rule, “Supporting the Head Start Workforce and Consistent Quality Programming,” 89 Fed. Reg. 67952 (Aug. 21, 2024), <https://www.federalregister.gov/documents/2024/08/21/2024-18279/supporting-the-head-start-workforce-and-consistent-quality-programming>.

⁹ U.S. Dept. of Labor, Wage and Hour Division, “History of Federal Minimum Wage Rates Under the Fair Labor Standards Act, 1938–2009,” <https://www.dol.gov/agencies/whd/minimum-wage/history>.

¹⁰ David Cooper, “The Federal Minimum Wage Is Officially a Poverty Wage in 2025,” Economic Policy Institute (Jan. 2025), <https://www.epi.org/blog/the-federal-minimum-wage-is-officially-a-poverty-wage-in-2025/>.

¹¹ Office of Head Start, “FAQs About the 10% Enrollment Requirement,” <https://headstart.gov/publication/faqs-about-10-enrollment-requirement>.

¹² Office of Head Start, “Children and Families Experiencing Homelessness,” <https://headstart.gov/family-support-well-being/article/children-families-experiencing-homelessness>.

¹³ Cary Lou et al., “Head Start and Early Head Start Workforce Salaries,” Urban Institute (Mar. 2024), https://www.urban.org/sites/default/files/2024-03/Head_Start_and_Early_Head_Start_Workforce_Salaries.pdf.

salary of just \$26,964 annually¹⁴ — well below the national average pay of \$56,060 for preschool teachers in elementary and school-based settings reported by the Bureau of Labor Statistics in 2023.¹⁵

The 2024 rule addressed these disparities by requiring Head Start programs to move toward compensation levels comparable to local public preschool educators. Where no direct preschool comparison existed, programs could use 90 percent of local kindergarten teacher salaries as a benchmark. The rule also recognized longstanding pay inequities between preschool and infant-toddler educators by promoting wage comparability between Head Start and Early Head Start staff. The Office of Head Start projected that these locally calibrated standards would raise most Head Start teacher salaries by roughly \$10,000.¹⁶

Critically, these requirements were phased in over several years. Benefit standards were not scheduled for full implementation until 2028, and wage standards until 2031 — giving Congress time to work toward the necessary funding.¹⁷ Rather than allowing that process to move forward, the Administration is seeking to eliminate the standards before they are ever fully implemented.

Head Start is already experiencing a severe workforce shortage driven primarily by inadequate compensation. Data from the National Head Start Association found that in 2023, fifteen percent of Head Start staff positions were vacant and fourteen percent of classrooms were closed — with more than half of programs identifying compensation as the leading cause. Early childhood educators experience poverty rates far higher than K–8 teachers, despite performing work that is foundational to children's long-term success.¹⁸ Eliminating compensation standards will not preserve enrollment slots. It will deepen the staffing crisis that is already causing children to lose access today.

Decades of evidence demonstrate that Head Start produces measurable improvements in educational, health, and economic outcomes. Children in the program make documented gains in language, literacy, and math. They demonstrate stronger social-emotional development and healthier outcomes by kindergarten. Long-term studies show Head Start participants are more likely to graduate high school, attend college, and earn postsecondary credentials.¹⁹

Those outcomes depend on the workforce that delivers them. Educators cannot continue providing high-quality services while being asked to accept wages and benefits that leave many unable to afford housing, health care, or child care for their own families — and a study from the 2024-2025 program year confirms that low compensation remains the leading cause of staff turnover in Head Start.²⁰ No program sustains quality when experienced teachers are continuously forced out of the field by economic necessity. The Trump Administration

¹⁴ Ibid.

¹⁵ U.S. Bureau of Labor Statistics, Occupational Employment and Wage Statistics, "Preschool Teachers, Except Special Education" (May 2023), <https://www.bls.gov/oes/2023/may/oes252011.htm>.

¹⁶ First Five Years Fund, "Head Start Final Rule Makes Big Changes to Staff Compensation, Program Eligibility, and More" (Aug. 22, 2024), <https://www.ffyf.org/2024/08/22/head-start-final-rule-makes-big-changes-to-staff-compensation-program-eligibility-and-more/>.

¹⁷ Office of Head Start, Final Rule, "Supporting the Head Start Workforce and Consistent Quality Programming," 89 Fed. Reg. 67952 (Aug. 21, 2024), <https://www.federalregister.gov/documents/2024/08/21/2024-18279/supporting-the-head-start-workforce-and-consistent-quality-programming>.

¹⁸ National Head Start Association, "Confronting Head Start's Workforce Crisis," <https://nhsa.org/resource/confronting-head-starts-workforce-crisis/>.

¹⁹ National Head Start Association, "Our Impact," <https://nhsa.org/about-nhsa/our-impact/>.

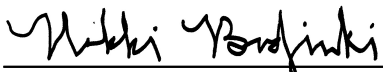
claims this rule change will allow Head Start to serve an additional 106,000 children, but that argument collapses under the most basic scrutiny: you cannot serve more children without more teachers.²¹ Cutting compensation does not serve more families, it accelerates the departure of the very educators that we need to expand access.

We also reject the false choice this proposal implies: that the federal government must choose between supporting compensation and preserving Head Start access. Congress has both the ability and the responsibility to adequately fund Head Start so that programs can retain qualified educators and continue serving children — not one or the other.

Head Start has served families for six decades because the nation recognized that investing in children early produces stronger communities and a stronger economy. Weakening the workforce standards that make the program possible moves us in exactly the wrong direction.

We urge the Trump Administration to withdraw this proposed rule and preserve the 2024 workforce standards. The families who rely on Head Start — and the educators who make it work — deserve far better than a return to chronic underpayment and workforce instability. We recognize that implementing these standards requires adequate federal investment, and we are committed to working toward the appropriations necessary to make that possible. We stand ready to work with the Administration to identify and secure the funding needed to ensure Head Start educators are compensated fairly. This is not an impossible problem — it is a question of will. The children, families, and educators who depend on this program deserve a federal government willing to meet the moment.

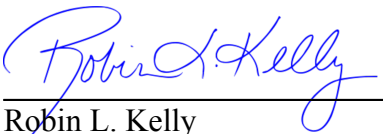
Respectfully submitted,




Nikki Budzinski
Member of Congress



Suzanne Bonamici
Member of Congress



Robin L. Kelly
Member of Congress



Frederica S. Wilson
Member of Congress

²⁰ National Head Start Association, "Ongoing Workforce Challenges" (Jan. 2025), <https://nhsa.org/wp-content/uploads/2025/08/OngoingWorkforceChallengesJan2025.pdf>.

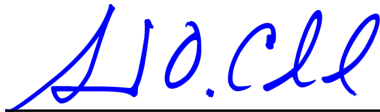
²¹ Office of Head Start, Notice of Proposed Rulemaking, "Restoring Flexibility to Support Head Start Program Access," 91 Fed. Reg. (May 12, 2026), <https://www.federalregister.gov/documents/2026/05/12/2026-09383/restoring-flexibility-to-support-head-start-program-access>.



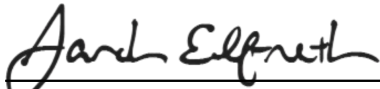
Raja Krishnamoorthi
Member of Congress



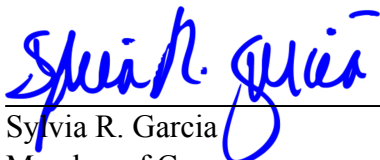
Eleanor Holmes Norton
Member of Congress



Salud Carbajal
Member of Congress



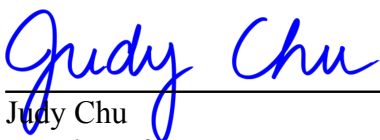
Sarah Elfreth
Member of Congress



Sylvia R. Garcia
Member of Congress



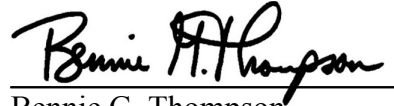
Rashida Tlaib
Member of Congress



Judy Chu
Member of Congress



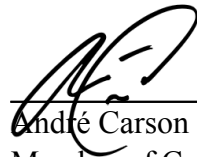
Danny K. Davis
Member of Congress



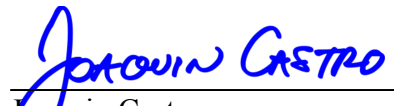
Bennie G. Thompson
Member of Congress



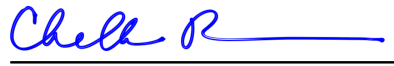
LaMonica McIver
Member of Congress



André Carson
Member of Congress



Joaquin Castro
Member of Congress



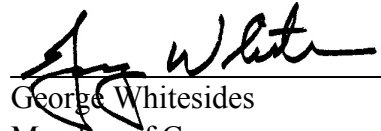
Chellie Pingree
Member of Congress



Shri Thanedar
Member of Congress




Kim Schrier, M.D.
Member of Congress



George Whitesides
Member of Congress



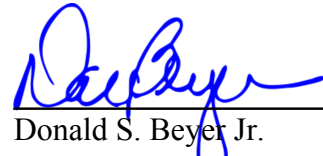
James P. McGovern
Member of Congress



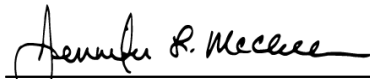
Josh Gottheimer
Member of Congress



Nanette Diaz Barragan
Member of Congress



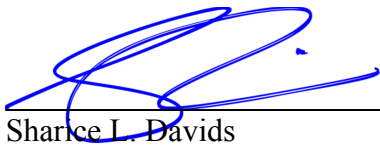
Donald S. Beyer Jr.
Member of Congress



Jennifer L. McClellan
Member of Congress



Adenta S. Grijalva
Member of Congress



Sharice L. Davids
Member of Congress



Jahana Hayes
Member of Congress



Lori Trahan
Member of Congress