



1201 16th St, N.W. | Washington, DC 20036 | Phone: (202) 833-4000

Rebecca S. Pringle
President

Princess R. Moss
Vice President

Noel Candelaria
Secretary-Treasurer

Kim A. Anderson
Executive Director

February 4, 2026

Submitted via Regulations.gov

Robert F. Kennedy, Jr.
Secretary
U.S. Department of Health and Human Services
200 Independence Ave SW
Washington, DC 20201

Re: ACF-2026-0001; Restoring Flexibility in the Child Care and Development Fund (CCDF)

Dear Secretary Kennedy:

On behalf of the more than 3 million members of the National Education Association (NEA), including early childhood educators and education support professionals working in public schools and early learning settings across the country, **we submit these comments in strong opposition to the proposed rule**, Restoring Flexibility in the Child Care and Development Fund (CCDF), published in the Federal Register on January 5, 2026.

The NEA strongly affirms that access to high-quality early childhood education, including child care centers and family child care homes, is essential to children's development, family economic stability, and a strong education workforce. CCDF plays a critical role in making child care affordable and accessible for families with low incomes, including many NEA members who rely on CCDF subsidies so they can report to work every day supporting students and schools.

Education support professionals (ESPs) are bus drivers, paraprofessionals, cafeteria workers, custodians, clerical staff, and other school employees who are foundational to safe and effective learning environments. Many ESPs earn low wages and work nontraditional hours, making affordable, stable child care, particularly care offered by family child care homes, an absolute necessity. Rolling back the 2024 CCDF final rule threatens the stability of child care arrangements these workers depend on to remain employed.

The 2024 rule was grounded in research, data, and extensive stakeholder input and was designed to address persistent challenges in the child care sector: unaffordable costs for families, unstable and delayed payments for providers, and insufficient supply, especially for infants and toddlers, children

with disabilities, and families working nontraditional hours. Weakening these protections will undermine program integrity, destabilize providers, and place additional financial strain on families already struggling to meet basic needs.

NEA members experience the consequences of child care instability firsthand. When child care providers, particularly small centers and family child care homes, are underpaid or forced to close due to inconsistent reimbursement practices, working families lose trusted care arrangements and are often pushed out of the workforce. This has ripple effects on schools, students, and communities.

For these reasons, NEA urges the Administration for Children and Families to withdraw the proposed rule and preserve the 2024 CCDF final rule in its entirety. Specifically, we urge HHS to:

- Maintain the 7 percent cap on family co-payments to ensure affordability and prevent child care costs from becoming a barrier to employment.
- Preserve requirements for prospective and enrollment-based payments to stabilize child care providers and align subsidy practices with private-pay norms.
- Continue requiring the use of grants and contracts to expand the supply of care in underserved communities and for populations with the greatest need.
- Center the lived experiences of working families, early educators, and education support professionals who rely on CCDF to participate in the workforce.

High quality early childhood education is a public good and a workforce issue. Protecting CCDF protections is essential to retaining educators, supporting ESPs, strengthening early learning systems, and ensuring children have safe, nurturing environments in which to learn and grow.

Thank you for the opportunity to comment on this proposed rulemaking. **We urge HHS to withdraw this proposed rule and preserve the 2024 CCDF rule in its entirety.** Please do not hesitate to contact me or Shyrelle Eubanks at ShEubanks@nea.org should you have questions or require additional information.

Sincerely,



Daaiyah Bilal-Threats
Senior Director, Education Policy and Implementation Center
National Education Association