

Congress of the United States
Washington, DC 20515

March 25, 2020

The Honorable Mark T. Esper
Secretary of Defense
1000 Defense Pentagon
Washington, D.C. 20301-100

Dear Secretary Esper:

We write to express our serious concerns regarding your memorandum dated February 21, 2020 regarding policy changes concerning the priorities for Department of Defense (DoD) child care programs. The stated purpose of this policy change memorandum is “to ensure our military members have priority access to child care.” We fully support policies aimed at supporting military readiness through access to child care for our members of the armed forces; however, we are deeply distressed by the potential effects this new policy will have on our active duty military members of the U.S. Coast Guard and especially their children.

As clearly defined in chapter 1 of title 10, United States Code, the U.S. Coast Guard is one of the armed forces. The Coast Guard is at all times a vital branch of the U.S. military that also serves as a first responder, law enforcement agency, maritime regulator, and member of the intelligence community. Since 1790, the Coast Guard has faithfully performed a wide range of missions from search and rescue, icebreaking, and marine environmental protection to port security, drug interdiction, international crisis response, and readiness to support DoD operations.

The new DoD child care policy creates a tiered prioritization for access to child care programs in which DoD active duty members, guard and reserve members (in some instances), and DoD civilian employees are all prioritized above active duty Coast Guard members. Further, the new policy will eject children of Coast Guard members that are currently enrolled in and receiving services from DoD child care programs with only 45 days’ notice to make room for the children of those now deemed higher priority applicants. This threatens to supplant over 1,100 children of Coast Guardsmen currently using DoD child care programs.

DoD child care centers are required, by law, to treat the children of active duty Coast Guard members equally alongside the children of members of the other branches of the military. Public Law 108-293, title II, §225, provides that: “The Secretary of Defense and the Secretary of the department in which the Coast Guard is operating, when operating other than as a service in the Navy, may agree to provide child care services to members of the armed forces, with reimbursement, in Coast Guard and military child development centers supported in whole or in part with appropriated funds. For purposes of military child development centers operated under the authority of subchapter II of chapter 88 of title 10, United States Code, the child of a member of the Coast Guard shall be considered the same as the child of a member of any of the other armed forces.”

We strongly urge you to revise your policy to comply with Public Law 108-293 to ensure that the children of Coast Guard members are given the same prioritization as children of members of the other armed forces. We recognize the direct value that these child care programs provide in sustaining the readiness of our armed forces, and we stand ready to support DoD programs that provide these services equally to all of the branches of the U.S. military.

Sincerely,



DAN SULLIVAN
United States Senator



EDWARD J. MARKEY
United States Senator



DOUG JONES
United States Senator



RICHARD BLUMENTHAL
United States Senator



ELIZABETH WARREN
United States Senator



SHELLEY MOORE CAPITO
United States Senator



LISA MURKOWSKI
United States Senator



KAMALA D. HARRIS
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MARIA CANTWELL
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CHRISTOPHER S. MURPHY
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TAMMY DUCKWORTH
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ROGER F. WICKER
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PATTY MURRAY
United States Senator

MIKE BRAUN
United States Senator

CINDY HYDE-SMITH
United States Senator

DON YOUNG
Member of Congress

MAX ROSE
Member of Congress

AMATA RADEWAGEN
Member of Congress

RANDY WEBER
Member of Congress

CHARLIE CRIST
Member of Congress