

Congress of the United States

Washington, DC 20515

May 9, 2024

The Honorable Ashish S. Vazirani
Acting Under Secretary of Defense
for Personnel and Readiness
U.S. Department of Defense
4000 Defense Pentagon
Washington, DC 20301-4000

Dear Mr. Vazirani:

We write to express our deep concern with a recent report regarding systemic delays in reporting child abuse and harm in the Department of Defense's child development centers (CDCs). Given the importance of child care to military families across the country and the world, we urge your immediate action in addressing these issues.

The Department's child care programs are critical to supporting military families, with direct impacts on mission readiness, morale, and recruitment and retention. As of September 2021, over 49,000 children were enrolled in the Department's on-base CDCs, with tens of thousands more supported in school-age care programs, family child care homes, and eligible civilian child care providers in local communities.¹ Military families entrust their children to the care of the Department's CDCs so that they can serve and defend our country.

On April 10, 2024, Military.com published a shocking article on how the Department's child development centers failed to provide timely notification of child abuse and harm to military families.² According to the story, military CDCs are not required to immediately document incidents of harm or abuse involving children, including sexual behavior between children, and notify parents and legal guardians. Reporting requirements between the Services are complex, involving state and local agencies that may not always be relevant to the cases at hand.

Concerningly, the article suggests systemic failures in holding CDC staff accountable for violations of policy and incidents of child abuse and harm and that management at military CDCs are not empowered to make decisions on consequences for employee misconduct, as those decisions rest instead with installation leadership. The story further alleges that when administrative action is taken against CDC employees, parents and legal guardians are not

¹ Government Accountability Office, "Military Child Care: DOD Efforts to Provide Affordable, Quality Care for Families," February 2023, <https://www.gao.gov/assets/gao-23-105518.pdf>.

² Steve Baynon, Konstantin Toropin, and Rachel Nostrant, "Unsupervised: Military Child Care Centers Slow to Report Abuse with Little Oversight," *Military.com*, April 10, 2024, <https://www.military.com/daily-news/2024/04/10/unsupervised-military-child-care-centers-slow-report-abuse-little-oversight.html>.

notified in a timely manner. Regardless of whether their children are involved in an incident, military families deserve to know if there are safety concerns at their child's CDC.

The article also details instances of installation commanders and military police lacking knowledge of their responsibilities to report and investigate incidents of harm and abuse at CDCs to local law enforcement or child protective services. It is essential that military officials are aware of their responsibilities and authorities to timely notify appropriate law enforcement and coordinating agencies to ensure responsiveness and accountability.

What is troubling is that the article highlights a profound lack of transparency regarding instances of child abuse at CDCs and governing rules and regulations for such instances. Despite the use of mandated video monitoring systems in CDC classrooms, parents and legal guardians face insurmountable challenges obtaining videos involving potential abuse of their children, including time-consuming processing under the Freedom of Information Act (FOIA) and exorbitant associated fees. Even after FOIA requests are approved, families wait months to receive the footage requested.

Moreover, it appears that some Departmental policies regarding CDCs are being withheld from military parents and legal guardians. The story documents how the Department of the Army's policy for reporting problematic sexual behavior in youth at CDCs continues to be marked as Controlled Unclassified Information (CUI). The marking has been used as a means of preventing military families from fully understanding the Department's reporting obligations and procedural requirements in handling reports of child abuse.

Ultimately, the article alarmingly concludes that the Department's rules for its child care programs prevent accountability, hinder transparency, and prioritize protecting institutions over keeping military families informed and their children safe. While we appreciate your swift action in referring these issues to the Department of Defense Office of the Inspector General, we believe the Department cannot afford to delay immediate action that reassures service members and their families regarding the safety and well-being of their children. Therefore, we request your responses to the following questions **no later than May 31, 2024**:

1. What steps will the Department take to ensure immediate notification of suspected child abuse and harm to parents or legal guardians?
2. Will the Department review its policies on child abuse and harm reporting and response at CDCs to ensure timely delivery of incident reports and relevant CDC video footage to affected military parents and legal guardians?
3. How will the Department ensure that military CDC workers and installation officials are fully informed of the notification process to appropriate law enforcement, child protective services, and other relevant agency contacts for suspected child abuse at CDCs?

4. What steps has the Department taken or will take to clarify lines of responsibility for installation commanders and military police to investigate incidents or, as relevant, refer them to local law enforcement officials?
5. What steps has the Department taken to determine whether video monitoring footage of CDC classrooms should be maintained for more than 30 days to ensure accountability for suspected child abuse and harm?
6. What steps has the Department taken or will take to ensure that parents and legal guardians are notified of accountability actions taken against CDC employees for suspected child abuse and harm?
7. How does the Department intend to ensure that classification markings on policies relevant to CDCs do not hinder transparency with military families?

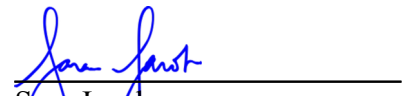
Ensuring the safety and well-being of children on military installations is of paramount importance to the trust between service members, their families, and the Department of Defense, with significant implications for ongoing recruitment and retention issues. We stand ready to work with you to address the problems raised in this report and to uphold the confidence of our service members and their families.

Thank you for your attention to this issue, and we look forward to your prompt response.


Sincerely,




Jim Tokuda
Member of Congress



Sara Jacobs
Member of Congress



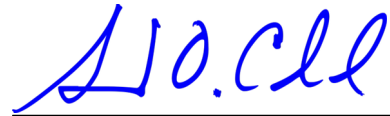
Marilyn Strickland
Member of Congress



Steven Horsford
Member of Congress



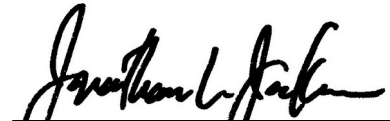
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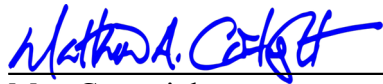
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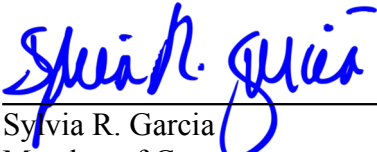
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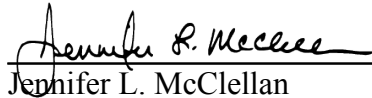
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