

118TH CONGRESS
1ST SESSION

S. 1095

To authorize members of reserve components of the Armed Forces to take parental leave for the adoption or placement for long-term foster care of a child.

IN THE SENATE OF THE UNITED STATES

MARCH 30, 2023

Ms. HASSAN (for herself and Ms. MURKOWSKI) introduced the following bill;
which was read twice and referred to the Committee on Armed Services

A BILL

To authorize members of reserve components of the Armed Forces to take parental leave for the adoption or placement for long-term foster care of a child.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Reserve Component
5 Parental Leave Parity Act of 2023”.

1 **SEC. 2. PARENTAL LEAVE PARITY FOR MEMBERS OF RE-**
2 **SERVE COMPONENTS OF THE ARMED**
3 **FORCES.**

4 (a) COMPENSATION.—Section 206 of title 37, United
5 States Code, is amended—

6 (1) in subsection (a), by amending paragraph
7 (4) to read as follows:

8 “(4) for each of six days for each period during
9 which the member is on parental leave during—

10 “(A) the one-year period beginning after—

11 “(i) the birth or adoption of a child of
12 the member; or

13 “(ii) the placement of a minor child
14 with the member for adoption or long-term
15 foster care; or

16 “(B) such other period as is provided for
17 under subsection (g).”; and

18 (2) by adding at the end the following new sub-
19 section:

20 “(g)(1) The Secretary concerned, under uniform reg-
21 ulations to be prescribed by the Secretary of Defense, may
22 authorize leave described in subsection (a)(4) to be taken
23 after the one-year period described in subparagraph (A)
24 of that subsection in the case of a member described in
25 subsection (a) who, except for this subsection, would lose

1 unused parental leave at the end of that one-year period
2 as a result of—

3 “(A) operational requirements;

4 “(B) professional military education obligations;

5 or

6 “(C) other circumstances that the Secretary de-
7 termines reasonable and appropriate.

8 “(2) The regulations prescribed under paragraph (1)
9 shall require that any leave authorized to be taken after
10 the one-year period described in subsection (a)(4)(A) shall
11 be taken within a reasonable period of time, as determined
12 by the Secretary of Defense, after cessation of the cir-
13 cumstances warranting the extended deadline.”.

14 (b) CONTRIBUTION OF LEAVE TOWARD ENTITLED
15 MENT TO RETIRED PAY.—Section 12732(a)(2)(G) of title
16 10, United States Code, is amended by striking “mater-
17 nity leave.” and inserting the following: “parental leave
18 following—

19 “(i) the birth or adoption of a child of
20 the member; or

21 “(ii) the placement of a minor child
22 with the member for adoption or long-term
23 foster care.”.

24 (c) CREDIT FOR RETIRED PAY PURPOSES.—Section
25 602(b) of the William M. (Mac) Thornberry National De-

1 fense Authorization Act for Fiscal Year 2021 (Public Law
2 116–283; 10 U.S.C. 12732 note) is amended—

3 (1) in paragraph (1), by striking “maternity
4 leave” and all that follows through “birth of a child”
5 and inserting “parental leave described in section
6 12732(a)(2)(G) of title 10, United States Code,
7 taken by a member of the reserve components of the
8 Armed Forces”;

9 (2) in paragraph (2), by striking “maternity
10 leave” and all that follows through “childbirth
11 event” and inserting “parental leave taken by the
12 member”; and

13 (3) in paragraph (3), by striking “maternity
14 leave” each place it appears and inserting “parental
15 leave”.

16 (d) EFFECTIVE DATE.—This section and the amend-
17 ments made by this section shall take effect on the date
18 of the enactment of this Act and apply with respect to
19 periods of parental leave that commence on or after that
20 date.

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