

114TH CONGRESS
2D SESSION

H. R. 4796

To amend title 10, United States Code, to specify a minimum number of days of parental leave available for a member of the Armed Forces in connection with the birth of a child of the member or in connection with the adoption or foster care of a child by the member.

IN THE HOUSE OF REPRESENTATIVES

MARCH 17, 2016

Ms. DUCKWORTH introduced the following bill; which was referred to the Committee on Armed Services

A BILL

To amend title 10, United States Code, to specify a minimum number of days of parental leave available for a member of the Armed Forces in connection with the birth of a child of the member or in connection with the adoption or foster care of a child by the member.

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 “Military Parental
5 Leave Modernization Act”.

1 **SEC. 2. PARENTAL LEAVE FOR MEMBERS OF THE ARMED**
2 **FORCES.**

3 Section 701 of title 10, United States Code, is
4 amended—

5 (1) by striking subsections (i) and (j);

6 (2) by redesignating subsection (k) as sub-
7 section (j); and

8 (3) by inserting after subsection (h) the fol-
9 lowing new subsection (i):

10 “(i) PARENTAL LEAVE.—(1) A member of the armed
11 forces, regardless of gender or marital status, shall be au-
12 thorized to take at least 84 days of parental leave to be
13 used in connection with—

14 “(A) the birth of a child of the member;

15 “(B) a qualifying adoption of a child by the
16 member; or

17 “(C) the placement of a child in foster care
18 with the member.

19 “(2) In the case of a dual military family, both mem-
20 bers of the armed forces shall be authorized to take paren-
21 tal leave under this subsection. The Secretary concerned
22 shall permit the transfer of such leave between the two
23 members to accommodate individual family circumstances.

24 “(3) For the purpose of parental leave under this
25 subsection, an adoption of a child by a member of the
26 armed forces is a qualifying child adoption if the member

1 is eligible for reimbursement of qualified adoption ex-
2 penses for such adoption under section 1052 of this title.

3 “(4) Parental leave under paragraph (1) is in addi-
4 tion to other leave provided under other provisions of this
5 section or under other legal authority. Nothing in this sub-
6 section prevents the Secretary concerned from authorizing
7 convalescent leave for a female member of the armed
8 forces as necessary prior or subsequent to the delivery of
9 her child. Convalescent or other leave taken before child-
10 birth by a pregnant member shall not reduce the number
11 of days of parental leave available to the member under
12 this subsection.

13 “(5) The Secretary of Defense, and the Secretary of
14 Homeland Security in the case of the Coast Guard when
15 it is not operating as a service in the Navy, shall prescribe
16 regulations to implement this subsection, which shall be
17 uniform for the armed forces.”.

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