

116TH CONGRESS
1ST SESSION

S. 1615

To amend titles 10 and 37, United States Code, to provide compensation and credit for retired pay purposes for maternity leave taken by members of the reserve components, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MAY 22, 2019

Mr. UDALL (for himself, Mr. ROUNDS, Mr. PETERS, Mr. MORAN, Mr. HEINRICH, Mrs. CAPITO, Mrs. MURRAY, and Ms. BALDWIN) introduced the following bill; which was read twice and referred to the Committee on Armed Services

A BILL

To amend titles 10 and 37, United States Code, to provide compensation and credit for retired pay purposes for maternity leave taken by members of the reserve components, and for other purposes.

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 “Mothers of Military
5 Service Leave Act” or “MOMS Leave Act”.

1 **SEC. 2. COMPENSATION AND CREDIT FOR RETIRED PAY**
2 **PURPOSES FOR MATERNITY LEAVE TAKEN**
3 **BY MEMBERS OF THE RESERVE COMPO-**
4 **NENTS.**

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

7 (1) in paragraph (2), by striking “or” at the
8 end;

9 (2) in paragraph (3), by striking the period at
10 the end and inserting “; or”; and

11 (3) by adding the end the following new para-
12 graph:

13 “(4) for each of 6 days in connection with the
14 taking by the member of a period of maternity
15 leave.”.

16 (b) CREDIT FOR RETIRED PAY PURPOSES.—

17 (1) IN GENERAL.—The period of maternity
18 leave taken by a member of the reserve components
19 of the Armed Forces in connection with the birth of
20 a child shall count toward the member’s entitlement
21 to retired pay, and in connection with the years of
22 service used in computing retired pay, under chapter
23 1223 of title 10, United States Code, as 12 points.

24 (2) SEPARATE CREDIT FOR EACH PERIOD OF
25 LEAVE.—Separate crediting of points shall accrue to
26 a member pursuant to this subsection for each pe-

1 riod of maternity leave taken by the member in con-
2 nection with a childbirth event.

3 (3) WHEN CREDITED.—Points credited a mem-
4 ber for a period of maternity leave pursuant to this
5 subsection shall be credited in the year in which the
6 period of maternity leave concerned commences.

7 (4) CONTRIBUTION OF LEAVE TOWARD ENTI-
8 TLEMENT TO RETIRED PAY.—Section 12732(a)(2) of
9 title 10, United States Code, is amended by insert-
10 ing after subparagraph (E) the following new sub-
11 paragraph:

12 “(F) Points at the rate of 12 a year for the
13 taking of maternity leave.”.

14 (5) COMPUTATION OF YEARS OF SERVICE FOR
15 RETIRED PAY.—Section 12733 of such title is
16 amended—

17 (A) by redesignating paragraph (5) as
18 paragraph (6); and

19 (B) by inserting after paragraph (4) the
20 following new paragraph (5):

21 “(5) One day for each point credited to the per-
22 son under subparagraph (F) of section 12732(a)(2)
23 of this title.”.

24 (c) EFFECTIVE DATE.—This section and the amend-
25 ments made by this section shall take effect on the date

1 of the enactment of this Act, and shall apply with respect
2 to periods of maternity leave that commence on or after
3 that date.

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