

AMENDMENT TO RULES
COMMITTEE PRINT 119–8
OFFERED BY MRS. BICE OF OKLAHOMA

At the end of subtitle D of title VI, insert the following new section:

1 **SEC. 6____. IMPROVED PARENTAL LEAVE FOR MEMBERS OF**
2 **THE ARMED FORCES.**

3 (a) FINDINGS.—Congress finds the following:

4 (1) In December 2022, Congress expanded the
5 paid parental leave for members of the Armed
6 Forces to 12 weeks during the 12 months after the
7 “birth or adoption of a child of the member and in
8 order to care for such child” or the “placement of
9 a minor child with the member for adoption or long-
10 term foster care” (10 U.S.C. 701(h)(1)(A)).

11 (2) The expansion of parental leave raises con-
12 cerns that members who take such leave may receive
13 lower evaluations compared to those who do not.

14 (3) There is currently no provision to exempt
15 members from evaluations due to parental leave, po-
16 tentially deterring eligible members from taking this
17 leave.

1 (4) Each Secretary of a military department
2 has been given authority to implement the leave poli-
3 cies but have not provided explicit guidance on how
4 to characterize such leave for the purposes of evalua-
5 tions.

6 (5) All Armed Forces have non-rated codes or
7 not observed evaluations to exempt members from
8 evaluations during periods where their performance
9 is not observed, but these do not align across the
10 Armed Forces and do not specifically apply to paren-
11 tal leave.

12 (6) Members who are parents face unique hard-
13 ships, and the 12 weeks of paid family leave for both
14 mothers and fathers, for birth and adoption, is de-
15 signed to balance the care needs of their children
16 with the demands of their unit.

17 (7) Excessive paperwork required to extend the
18 use of the 12 weeks of military family leave beyond
19 one year additionally burdens members and de-
20 creases flexibility.

21 (b) REQUIREMENTS.—Not later than 180 days after
22 the date of the enactment of this section, the Secretary
23 of Defense shall—

24 (1) prescribe regulations—

1 (A) that exempt a member of the Armed
2 Forces who is taking parental leave, under sub-
3 paragraph (A) of paragraph (1) of section
4 701(h) of title 10, United States Code, that ex-
5 ceeds 31 consecutive days, from a performance
6 evaluation; and

7 (B) under subparagraph (B) of such para-
8 graph, to authorize a member to take leave
9 under such section during the two-year period
10 beginning on the birth, adoption, or placement
11 described in such paragraph without having to
12 request a waiver from the Secretary concerned;
13 and

14 (2) submit to the Committees on Armed Forces
15 of the Senate and House of Representatives a report
16 regarding the implementation of this section.

