

118TH CONGRESS  
2D SESSION

# H. R. 10200

To improve parental leave for members of the Armed Forces.

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IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 21, 2024

Mrs. BICE (for herself and Ms. HOULAHAN) introduced the following bill;  
which was referred to the Committee on Armed Services

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## A BILL

To improve parental leave for members of the Armed Forces.

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 “Protecting Military  
5 Parental Leave Evaluations Act”.

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

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

9 (1) In December 2022, Congress expanded the  
10 paid parental leave for members of the Armed  
11 Forces to 12 weeks during the 12 months after the  
12 “birth or adoption of a child of the member and in

1 order to care for such child” or the “placement of  
2 a minor child with the member for adoption or long-  
3 term foster care” (10 U.S.C. 701(h)(1)(A)).

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

7 (3) There is currently no provision to exempt  
8 members from evaluations due to parental leave, po-  
9 tentially deterring eligible members from taking this  
10 leave.

11 (4) Each Secretary of a military department  
12 has been given authority to implement the leave poli-  
13 cies but have not provided explicit guidance on how  
14 to characterize such leave for the purposes of evalua-  
15 tions.

16 (5) All Armed Forces have non-rated codes or  
17 not observed evaluations to exempt members from  
18 evaluations during periods where their performance  
19 is not observed, but these do not align across the  
20 Armed Forces and do not specifically apply to paren-  
21 tal leave.

22 (6) Members who are parents face unique hard-  
23 ships, and the 12 weeks of paid family leave for both  
24 mothers and fathers, for birth and adoption, is de-

1 signed to balance the care needs of their children  
2 with the demands of their unit.

3 (7) Excessive paperwork required to extend the  
4 use of the 12 weeks of military family leave beyond  
5 one year additionally burdens members and de-  
6 creases flexibility.

7 (b) REQUIREMENTS.—Not later than 180 days after  
8 the date of the enactment of this Act, the Secretary of  
9 Defense shall—

10 (1) prescribe regulations—

11 (A) that exempt a member of the Armed  
12 Forces who is taking parental leave, under sub-  
13 paragraph (A) of paragraph (1) of section  
14 701(h) of title 10, United States Code, that ex-  
15 ceeds 31 consecutive days, from a performance  
16 evaluation;

17 (B) under subparagraph (B) of such para-  
18 graph, to authorize a member to take leave  
19 under such section during the two-year period  
20 beginning on the birth, adoption, or placement  
21 described in such paragraph without having to  
22 request a waiver from the Secretary concerned;  
23 and

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

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