

117TH CONGRESS
1ST SESSION

S. 2376

To ensure the parental guardianship rights of cadets and midshipmen consistent with individual and academic responsibilities, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JULY 15, 2021

Mr. CRUZ (for himself and Mrs. GILLIBRAND) introduced the following bill;
which was read twice and referred to the Committee on Armed Services

A BILL

To ensure the parental guardianship rights of cadets and midshipmen consistent with individual and academic responsibilities, 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 “Candidates Afforded
5 Dignity, Equality and Training (CADET) Act of 2021”.

1 **SEC. 2. PROHIBITION ON LIMITING OF CERTAIN PARENTAL**
2 **GUARDIANSHIP RIGHTS OF CADETS AND MID-**
3 **SHIPMEN.**

4 (a) IN GENERAL.—The Secretary of Defense, the
5 Secretary of Homeland Security, and the Secretary of
6 Transportation, in consultation with the Secretaries of the
7 military departments and the Superintendent of each mili-
8 tary service academy, as appropriate, shall prescribe in
9 regulations policies ensuring that the parental guardian-
10 ship rights of cadets and midshipmen are protected con-
11 sistent with individual and academic responsibilities.

12 (b) PROTECTION OF PARENTAL GUARDIANSHIP
13 RIGHTS.—The regulations prescribed under subsection (a)
14 shall provide that—

15 (1) a cadet or midshipman of a military service
16 academy may not be required to give up his or her
17 parental guardianship rights in the event of a preg-
18 nancy occurring after the beginning of the cadet's or
19 midshipman's first day of academic courses;

20 (2) except as provided under subsection (c),
21 military service academy may not dis-enroll a cadet
22 or midshipman who becomes pregnant or fathers a
23 child while enrolled at the academy; and

24 (3) a cadet or midshipman who becomes preg-
25 nant while enrolled at a military service academy

1 shall be allowed to take leave for up to one year and
2 return to the academy to resume classes afterward.

3 (c) RESPONSIBILITIES OF PARENTS ENROLLED AT
4 MILITARY SERVICE ACADEMIES.—The regulations pre-
5 scribed under subsection (a) shall require cadets and mid-
6 shipmen with dependents to establish a family care plan
7 with appropriate academy leadership. The family care plan
8 shall include the following provisions:

9 (1) The care plan must include a full-time pro-
10 vider responsible for the dependent who is not en-
11 rolled at the military service academy, as another
12 parent or guardian of the dependent or a family
13 member of the cadet or midshipman. The full-time
14 care provider must have either full power-of-attorney
15 authority or guardianship rights in order to prevent
16 situations where the cadet or midshipman is pulled
17 away from his or her duties and responsibilities at
18 the military service academy. The cadet or mid-
19 shipman may not rely on base facilities or child-care
20 services, and must be able to function as any other
21 cadet, including residing in academy dormitories.

22 (2) Except as provided under subsection (d),
23 the cadet or midshipman may not receive additional
24 benefits or concessions from the military service

1 academy on account of having a dependent, such as
2 money or time off.

3 (3) A cadet or midshipman with a dependent
4 may not be excused on account of such dependent
5 from standard classes, training, traveling, fitness re-
6 quirements, or any other responsibilities inherent to
7 attending a military service academy.

8 (4) If both parents of a dependent are cadets
9 or midshipmen, they must agree on the family care
10 plan or face expulsion (with no incurred obligations).

11 (d) OPTIONS FOR PREGNANT CADETS AND MID-
12 SHIPMEN.—The regulations prescribed under subsection
13 (a) shall provide that females becoming pregnant while en-
14 rolled at a military service academy shall have, at a min-
15 imum, the following options:

16 (1) At the conclusion of the current semester or
17 when otherwise deemed medically appropriate, tak-
18 ing leave from the military service academy for up
19 to one year followed by a return to full cadet or mid-
20 shipman status.

21 (2) Full release from the military service acad-
22 emy and any related obligations.

23 (3) Enlistment in active-duty service, with all of
24 the attendant benefits.

1 (e) TREATMENT OF MALES FATHERING A CHILD
 2 WHILE ENROLLED AT MILITARY SERVICE ACADEMIES.—

3 The regulations prescribed under subsection (a) shall pro-
 4 vide that males fathering a child while enrolled at a mili-
 5 tary service academy—

6 (1) shall not be required to give up parental
 7 rights; and

8 (2) shall not acquire any benefits or leave con-
 9 siderations as a result of fathering a child, except
 10 that—

11 (A) academy leadership shall establish poli-
 12 cies to allow cadets and midshipmen at least
 13 one week of leave to attend the birth, which
 14 must be used in conjunction with the birth; and

15 (B) in the event the male father becomes
 16 the sole financial provider for a dependent, the
 17 academy shall provide the father the same op-
 18 tions available to a cadet or midshipman who
 19 becomes a mother while enrolled, including re-
 20 maining enrolled in accordance with a family
 21 care plan established pursuant to subsection (c)
 22 or selecting one of the options outlined in para-
 23 graphs (2) through (4) of subsection (d).

24 (f) RULE OF CONSTRUCTION.—Nothing in this sec-
 25 tion shall be construed as requiring or providing for the

1 changing of admission requirements at any of the military
2 service academies.

3 **SEC. 3. MILITARY SERVICE ACADEMY DEFINED.**

4 In this Act, the term “military service academy”
5 means the following:

6 (1) The United States Military Academy, West
7 Point, New York.

8 (2) The United States Naval Academy, Annapolis,
9 Maryland.

10 (3) The United States Air Force Academy, Colorado
11 Springs, Colorado.

12 (4) The United States Coast Guard Academy,
13 New London, Connecticut.

14 (5) The United States Merchant Marine Academy,
15 Kings Point, New York.

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