

116TH CONGRESS  
1ST SESSION

# H. R. 2937

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 HOUSE OF REPRESENTATIVES

MAY 22, 2019

Ms. TORRES SMALL of New Mexico (for herself and Mr. COOK) introduced the following bill; which was 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 the “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 at the end the following new  
12 paragraph:

13 “(4) for each of six days for each period during  
14 which the member is on maternity leave.”.

15 (b) CREDIT FOR RETIRED PAY PURPOSES.—

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

23 (2) SEPARATE CREDIT FOR EACH PERIOD OF  
24 LEAVE.—Separate crediting of points shall accrue to  
25 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 per period  
13      during which the member is on maternity  
14      leave.”.

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

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

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

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

1           (c) EFFECTIVE DATE.—This section and the amend-  
2 ments made by this section shall take effect on the date  
3 of the enactment of this Act, and shall apply with respect  
4 to periods of maternity leave that commence on or after  
5 that date.

○