

**Congress of the United States**  
**Washington, DC 20515**

November 15, 2022

The Honorable Gilbert R. Cisneros Jr.  
Under Secretary of Defense for Personnel and Readiness  
4000 Defense Pentagon  
Washington, DC 20301-4000

Dear Under Secretary Cisneros,

We write to encourage the Department to properly implement Sec. 621 of the National Defense Authorization Act for Fiscal Year 2022, which expanded parental leave to 12 weeks for all servicemembers and removed the designation of primary and secondary caregiver status. We want to ensure that the Department's implementation of this provision will maintain the historical separation of medical convalescent leave from parental leave (previously known as caregiver leave). Our military must support our servicemembers who are building a family - it is a matter of military readiness and national security.

The clear congressional intent of Sec. 621 is for parental leave to be equal for both the birth parent and nonbirth parent (or an adoptive or foster parent) and provided separate and apart from any medical convalescent leave received following childbirth. Convalescent leave is intended to provide time for healing for the birth parent, while parental leave is intended for bonding and adjusting to life with a child. Additionally, the newly designated paragraph (i)(7) of 10 USC § 701, states that medical convalescent leave is *in addition to* any other leave provided in that section. Given that a servicemember cannot be in two different leave statuses at the same time, language allowing for convalescent leave and parental leave to run concurrently would cause birth parents to receive 6 weeks of medical convalescent leave and only 6 weeks of parental leave, while the nonbirth parent would receive 12 weeks of parental leave. This inequity would only impact female servicemembers at a time when recruiting and retention of servicewomen already remains an issue.

The purpose of this provision was to expand leave for new parents, whether the birth parent or otherwise. Once implemented, we believe that birth parents should receive a minimum of 6 weeks of convalescent leave in addition to the 12 weeks of parental leave, for a minimum of 18 weeks of total leave, while non-birth, adoptive, and foster parents should receive the 12 weeks of parental leave. Any attempt to overlap parental leave and convalescent leave would be contrary to congressional intent and would lead to additional congressional action if the Department is unwilling to implement this policy properly.

This provision is critical to the retention and health of servicemembers and military families, and we have great interest in seeing it properly implemented. Families across the country should not have to worry or fear that time with their infants will be cut short simply because of a misinterpretation of the statute. I ask that you give this request your personal attention and ensure the forthcoming policy reflects congressional intent before implementation. We thank you

for considering this request and for everything you do to ensure the readiness of our force and the wellbeing of our servicemembers.

Sincerely,



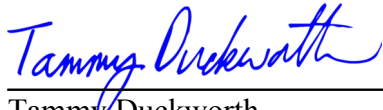
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Chrissy Houlahan  
Member of Congress



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Jackie Speier  
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Tammy Duckworth  
United States Senator



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Kirsten Gillibrand  
United States Senator



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Mazie K. Hirono  
United States Senator



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Sara Jacobs  
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