



PERSONNEL AND
READINESS

UNDER SECRETARY OF DEFENSE
4000 DEFENSE PENTAGON
WASHINGTON, D.C. 20301-4000

June 9, 2022

Incorporating Change 2, November 1, 2024

MEMORANDUM FOR SENIOR PENTAGON LEADERSHIP (SEE DISTRIBUTION)
DEFENSE AGENCY AND DOD FIELD ACTIVITY DIRECTORS

SUBJECT: Directive-type Memorandum 22-004 – “Reserve Component Maternity Leave Program”

References: See Attachment 1.

Purpose. In accordance with the authority in DoD Directive (DoDD) 5124.02 and Section 602 of Public Law 116-283, also known as the “William M. (“Mac”) Thornberry National Defense Authorization Act for Fiscal Year 2021,” this DTM:

- Establishes policy, assigns responsibilities, and provides procedures for Reserve Component maternity leave (RCML), including for associated pay and crediting of retirement points, for covered Reserve Component (RC) Service members in connection with the birth of a child.
- Specifically, this DTM implements the RCML program pursuant to Section 206 of Title 37, United States Code (U.S.C.) and Section 12732 of Title 10, U.S.C. Policies and procedures established or incorporated in this document supplement any existing guidance for leave and liberty; RC utilization categories and training participation requirements; entitlement to compensation in accordance with Section 206 of Title 37, U.S.C. (hereafter referred to as inactive duty pay), special and incentive pays, and bonuses; and the crediting of points for the computation of non-regular retirement (hereafter referred to as retirement points) in all applicable DoD issuances, including DoD Instruction (DoDI) 1327.06, DoDI 1215.06, DoDI 1215.07, DoDI 1215.13, Volume 7A of DoD 7000.14-R, and any other DoD policy issuances related to leave and liberty, participation in an RC in an active status, applicable forms of military compensation, and childbirth. Such issuances will be updated to incorporate the policies outlined in this DTM as applicable. This DTM takes precedence over any issuances as it pertains to RCML.
- This DTM is effective June 9, 2022; and remains in effect until incorporated into DoDI 1327.06. This DTM will expire effective April 1, 2025.

Applicability. This DTM applies to the OSD, the Military Departments (including the Coast Guard at all times, including when it is a Service in the Department of Homeland Security by agreement with that Department), the Office of the Chairman of the Joint Chiefs of Staff and the Joint Staff, the Combatant Commands, the Office of Inspector General of the Department of Defense, the Defense Agencies, the DoD Field Activities, and all other organizational entities within the DoD (referred to collectively in this DTM as the “DoD Components”).

Definitions. See Glossary.

Policy.

- An appropriate period of RCML following childbirth will be provided to covered RC Service members who give birth. These individuals are referred to in this DTM as “covered members,” as defined in the Glossary.
- Covered RC Service members will be given the opportunity to take full advantage of the benefits of the RCML program consistent with their desires, operational requirements, and training workloads.
- The RCML program will be administered in accordance with applicable laws, as well as the policies and procedures contained in this DTM.

Responsibilities. See Attachment 2.

Procedures. See Attachment 3.

Summary of Change 2. This change extends the expiration date for the DTM to April 1, 2025.

Releasability. Cleared for public release. Available on the Directives Division Website at <https://www.esd.whs.mil/DD/>.



Gilbert R. Cisneros, Jr.
Under Secretary of Defense for Personnel and
Readiness

Attachments:
As stated

ATTACHMENT 1

REFERENCES

DoD 7000.14-R, Volume 7A, “DoD Financial Management Regulation (FMR): Military Pay Policy - Active Duty and Reserve Pay,” current edition

DoD Directive 5124.02, “Under Secretary of Defense for Personnel and Readiness (USD(P&R)),” June 23, 2008

DoD Directive 5124.10, “Assistant Secretary of Defense for Manpower and Reserve Affairs,” March 13, 2018

DoD Instruction 1215.06, “Uniform Reserve, Training, and Retirement Categories for the Reserve Components,” March 11, 2014, as amended

DoD Instruction 1215.07, “Service Credit for Non-Regular Retirement,” July 30, 2019, as amended

DoD Instruction 1215.13, “Ready Reserve Member Participation Policy,” May 5, 2015

DoD Instruction 1327.06, “Leave and Liberty Policy and Procedures,” June 16, 2009, as amended

Office of the Chairman of the Joint Chiefs of Staff, “DoD Dictionary of Military and Associated Terms,” current edition

Public Law 116-283, “William M. (“Mac”) Thornberry National Defense Authorization Act for Fiscal Year 2021,” January 1, 2021

Under Secretary of Defense for Personnel and Readiness Memorandum, “Parental Leave for Military Personnel in Connection with the Birth or Adoption of a Child,” March 23, 2018

United States Code, Title 10

United States Code, Title 37

ATTACHMENT 2

RESPONSIBILITIES

1. UNDER SECRETARY OF DEFENSE FOR PERSONNEL AND READINESS (USD(P&R)). In accordance with DoDD 5124.02, the USD(P&R):

- a. Ensures implementing Military Department policies and procedures are uniform across the Military Services, to the extent feasible.
- b. Monitors the effectiveness of Military Department policies and procedures regarding the RCML program

2. ASSISTANT SECRETARY OF DEFENSE FOR MANPOWER AND RESERVE AFFAIRS. Under the authority, direction, and control of the USD(P&R), the Assistant Secretary of Defense for Manpower and Reserve Affairs:

- a. Provides overall guidance and oversight of the administration of the RCML program in accordance with DoDD 5124.10.
- b. Serves as the focal point for policies related to RC personnel and leave and liberty in general and the RCML program in particular.
- c. Develops, publishes, and maintains supporting guidance governing the RCML program as well as publications and memoranda that implement all aspects of this DTM, as required.
- d. Will update and submit for reissuance DoDIs 1327.06, 1215.06, and 1215.07 as needed in response to the policies contained in this DTM.
- e. Ensures DoD Components effectively administer the provisions of the RCML program in accordance with this DTM.
- f. Adjudicates exception to policy requests beyond the authorities provided in this DTM.

3. UNDER SECRETARY OF DEFENSE (COMPTROLLER)/CHIEF FINANCIAL OFFICER, DEPARTMENT OF DEFENSE (USD(C)/CFO). The USD(C)/CFO will update regulations in Volume 7A of DoD 7000.14-R regarding procedures for payment of inactive duty pay and special and incentive pays and bonuses to covered members while on RCML in accordance with Section 206, and Chapters 5 and 19 of Title 37, U.S.C. and this DTM.

4. DIRECTOR, DEFENSE FINANCE AND ACCOUNTING SERVICE. Under the authority, direction, and control of the USD(C)/CFO, the Director, Defense Finance and Accounting Service ensures pay systems are updated as necessary to implement payment of inactive duty pay

to covered members on RCML in accordance with Section 206(a)(4) of Title 37, U.S.C., and this DTM.

5. SECRETARIES OF THE MILITARY DEPARTMENTS AND COMMANDANT OF THE UNITED STATES COAST GUARD. The Secretaries of the Military Departments and the Commandant of the United States Coast Guard:

- a. Implement this DTM in their respective Military Services.
- b. Issue further Service-specific guidance in accordance with this DTM, as needed, including policies and procedures for crediting covered RC members who take RCML with the appropriate number of retirement points.
- c. Educate their force to ensure all Service members understand:
 - (1) Their benefits under the RCML program, including eligibility and the effective date of the program.
 - (2) That the issuance of this DTM does not result in a retroactive application of benefits other than that which may result from any intervening time period between the effective dates of this DTM and any further Service-specific guidance.

ATTACHMENT 3

PROCEDURES

1. COVERED RC MEMBERS.

a. Eligible RC Members. For purposes of eligibility for RCML and its associated benefits, a “covered member” is a member of the Ready Reserve of an RC in an active status who gives birth, and as of the date of a qualifying birth event:

(1) Is a participating member of the Selected Reserve in good standing who is entitled to receive inactive duty pay when attending or participating in periods of inactive duty training (IDT) either as a member of a unit or individually; or,

(2) Is a member of the Individual Ready Reserve who is entitled to receive inactive duty pay when attending or participating in a sufficient number of periods of IDT over the course of a year to count the year as a qualifying year of creditable service toward eligibility for a non-regular retirement; and,

(3) But for giving birth, would otherwise be required to, or would be scheduled to, attend or participate in up to 12 periods of IDT as specified in Paragraph 1.a.(1) or (2) of this attachment within 1 year following the date the member gives birth, or the member’s remaining military service obligation, whichever is less.

b. Ineligible RC Members. RC members in the following categories or statuses are not eligible for RCML or associated program benefits:

(1) Members in the Retired Reserve in a retired status.

(2) Members on the inactive status list of an RC or assigned to the Inactive National Guard.

(3) Members of the Standby Reserve.

(4) Members of the Ready Reserve (including the Individual Ready Reserve) who:

(a) Are not entitled to inactive duty pay when performing IDT; or

(b) May be entitled to such pay, but only as a result of performing IDT on an occasional or sporadic basis, and whose performance of IDT over the course of a year would be insufficient to be counted as a qualifying year of creditable service toward eligibility for a non-regular retirement.

2. RCML PROGRAM PARAMETERS.

a. Conditions for Entitlement to RCML. RCML:

(1) Is limited to a covered Service member birth parent following a qualifying birth event.

(2) Is limited to covered Service members who are not on active duty, as that term is defined in Section 101(18) of Title 37, U.S.C., and are not entitled to basic pay during any RCML period taken by the covered member.

(3) Must be used within 1 year following the date of a qualifying birth event.

(4) May not be taken for any IDT period for which RCML may otherwise be authorized, but for which the IDT period is rescheduled or excused.

(5) Must be taken in increments equivalent to a 4-hour IDT period of which a maximum of two such increments may be taken per day. Each such 4-hour increment will constitute an "RCML period."

(6) May be taken in multiple non-consecutive segments (e.g., in non-consecutive months). However, if taken in segments that are not consecutive, each segment must consist of a minimum of two RCML periods.

(7) May not exceed 12 RCML periods or, if fewer than 12, the number of IDT periods at which a covered member was otherwise required or scheduled to attend or participate (and for which the member was entitled to receive inactive duty pay and retirement points) within the 12 months following the date of a qualifying birth event.

(8) May not be disapproved by a commander if taken during the IDT periods occurring within the first 3 months following the date of a qualifying birth event. However, commanders may disapprove RCML due to operational requirements and training workloads if it is requested outside these 3 months.

(a) In disapproving RCML, commanders will take into consideration the members' health (including any health effects related to their recovery from childbirth), whether the members' health impacts their ability to safely return to military duty, and will propose alternate dates for which the member may take RCML.

(b) In no case will commanders establish limitations on scheduling RCML that would cause covered members to forfeit one or more periods of the leave.

(9) May not be transferred to create any kind of shared benefit.

b. Treatment of Periods of RCML.

(1) A period of RCML taken by a covered member will count toward meeting the minimum requirements for achieving a satisfactory year of participation in the Ready Reserve by the member in accordance with DoDI 1215.13 (i.e., it will not be treated as an unexcused absence).

(2) The associated retirement point credited for each period of RCML taken by a covered Service member will count toward the minimum 50 retirement points necessary to achieve a qualifying year of creditable service for non-regular retirement in accordance with DoDI 1215.07.

3. RCML BENEFITS.

a. Inactive Duty Pay. A covered Service member is entitled to compensation at the rate of 1/30 of the basic pay authorized for a Service member entitled to basic pay in accordance with Section 204 of Title 37, U.S.C., of a corresponding grade and longevity (as computed for purposes of entitlement to basic pay) for each period, not to exceed 12 periods, during which the covered member is on RCML.

b. Special and Incentive Pay(s) and Bonuses. Subject to the laws, regulations, and policies governing a specific special or incentive pay or bonus (including provisions governing payment of such pays or bonuses to Service members during periods while they are on leave), a covered Service member is entitled to payment of any special or incentive pay or bonus during each period of RCML, not to exceed 12 periods, that they would have otherwise been entitled to receive while attending or participating in IDT periods had they not been on RCML.

c. Retirement Points. A covered Service member is entitled to be credited one point for computing creditable years of service for non-regular retirement (i.e., one retirement point for each period of authorized RCML, not to exceed 12 points for a maximum of 12 RCML periods) taken by the member in conjunction with a qualifying birth event.

d. Other Forms of Military Compensation and Benefits. RCML does not confer entitlement to any form of military pay, allowance, or other benefit not expressly provided for by Section 602 of the Public Law 116-283 and this DTM.

4. RCML AS IT RELATES TO SURROGACY.

a. In cases where a Military Service allows its members to act as surrogates, RCML following a qualifying birth event is authorized for covered Service members who act as surrogates.

b. In cases where a covered Service member uses a surrogate, and the member becomes the legal parent or guardian of the child, the event will be treated as an adoption, and the member will not be entitled to RCML.

5. SPECIAL RULE FOR RC MEMBERS WHO GIVE BIRTH WHILE ON ACTIVE DUTY.

a. Transitioning Service Members Who are Eligible for Military Parental Leave Program (MPLP). The following may apply to RC members on active duty who are released from active duty, or regular Component Service members who transition to the Selected Reserve of the Ready Reserve in an active status.

(1) Such Service members must be eligible for parental leave under the MPLP as defined in accordance with the March 23, 2018 Under Secretary of Defense for Personnel and Readiness memorandum, and have parental leave remaining unused at the time of release or separation from active duty. They will receive a proportionate amount of RCML as described in Paragraph 5.a.(2) of this attachment if the following conditions are met:

(a) The member is the birth parent.

(b) The member at the time of separation or release from active duty (or within 3 months following the date of separation or release) is:

1. Affiliated with the Selected Reserve of the Ready Reserve in an active status.

2. Required or scheduled to attend or participate in up to 12 periods of IDT, either as a member of a unit or individually, within the 12 months following the date of the MPLP qualifying birth event.

(c) The member is not ineligible for RCML as described in Paragraph 1.b. of this attachment.

(d) The proportionate RCML period(s) that represent the unused parental leave are used within 1 year of the date the member gave birth while on active duty. Any unused RCML remaining at the end of the 1-year period will be forfeited.

(2) Qualified members will be eligible for one period of RCML for each full week of unused parental leave under the MPLP. For example, a member with 6 weeks of MPLP parental leave remaining unused as of the date of release or separation from active duty would be eligible for a maximum of six periods of RCML.

b. Transitioning RC Active Duty Members Who Are Ineligible for MPLP. Service members on active duty who transition to the Selected Reserve of the Ready Reserve in an active status and who, while on active duty, gave birth, but were not eligible for parental leave under the MPLP may be eligible for RCML for a qualifying birth event (as defined by this DTM) if the conditions in Paragraphs 5.a.(1)(a)-(d) of this attachment are met.

c. Other. All other provisions of this DTM unaffected by this paragraph will apply to Service members covered by this paragraph.

6. FEDERAL CIVILIAN EMPLOYEES. A Federal civilian employee who is a member of a Reserve Component, including dual-status Military Technicians as defined in accordance with the provisions of Section 10216(a)(1) of Title 10, U.S.C., and who also meets the requirements to be considered a covered member in accordance with Paragraph 5 of this attachment may, as appropriate, receive both RCML and any form of Federal civilian parental leave.

7. UNUSED RCML. Any amount of RCML will be forfeited if it remains unused as of the date that is:

- a. One year after the date of a qualifying birth event;
- b. At the time of separation from a Military Service;
- c. At the time of transfer from an eligible RC category or status to an ineligible category or status (including transfer to the Standby Reserve, any other non-pay status, or the Retired Reserve—with or without entitlement to retired pay); or
- d. The commencement of an active duty period that is at least 30 calendar days.

GLOSSARY

PART I. ABBREVIATIONS AND ACRONYMS

ACRONYM	MEANING
DoDD	DoD directive
DoDI	DoD instruction
DTM	directive-type memorandum
IDT	inactive duty training
MPLP	Military Parental Leave Program
RC	Reserve Component
RCML	Reserve Component maternity leave
U.S.C.	United States Code
USD(C)/CFO	Under Secretary of Defense (Comptroller)/Chief Financial Officer of the Department of Defense
USD(P&R)	Under Secretary of Defense for Personnel and Readiness

PART II. DEFINITIONS

Unless otherwise noted, these terms and their definitions are for the purpose of this issuance.

TERM	DEFINITION
birth event	Any live birth (including a live birth in which parental rights are immediately terminated and the baby is given up for adoption, or a live birth followed shortly thereafter by the death of the baby), stillbirth, or late term miscarriage (i.e., a stillbirth or late term miscarriage that occurs at or after 20 gestational weeks) of a child(ren) to an RC covered member who is the birth parent. Multiple births resulting from a single pregnancy (e.g., twins or triplets) will be treated as a single birth event so long as the multiple births occur within the same 72-hour period. Multiple births that do not occur within the same 72-hour period will be treated as separate birth events (in this case, however, any new periods of RCML must run concurrently with any pre-existing period(s) of such leave that have not expired or been used as of the date of the new birth event).
birth parent	The Service member who gives birth.

TERM	DEFINITION
covered member	A member of the Ready Reserve of an RC in an active status who gives birth and meets the requirements in Paragraph 1 of Attachment 3 of this DTM.
IDT	Defined in the DoD Dictionary of Military and Associated Terms.
military technician (dual status)	Defined in Section 10216(a)(1) of Title 10, U.S.C.
RCML	An authorized absence of a covered RC Service member from an IDT period following childbirth at which they would otherwise be required, or scheduled, to attend or participate and for which they would be entitled to inactive duty pay and the crediting of one retirement point toward non-regular retirement for each IDT period. RCML is comprised of up to 12 such periods of authorized absence. While absent, covered members will be entitled to receive the equivalent inactive duty pay, special and incentive pay(s), and bonuses (subject to the specific eligibility and qualification requirements for such a pay or bonus) and crediting of retirement points that they would have otherwise been entitled to receive per IDT period had they not been absent.
surrogacy	An agreement whereby a woman agrees to undergo pregnancy to deliver a child for another party, to whom she will surrender and transfer the child for custody and care.