

117TH CONGRESS
1ST SESSION

H. R. 564

To provide paid family and medical leave to Federal employees, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 28, 2021

Mrs. CAROLYN B. MALONEY of New York (for herself, Mr. HOYER, Mr. SMITH of Washington, Ms. DELAURO, Mr. CONNOLLY, Mr. BEYER, Ms. NORTON, and Ms. SPEIER) introduced the following bill; which was referred to the Committee on Oversight and Reform, and in addition to the Committees on Veterans' Affairs, and House Administration, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To provide paid family and medical leave to Federal employees, 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 “Comprehensive Paid
5 Leave for Federal Employees Act”.

1 **SEC. 2. PAID FAMILY AND MEDICAL LEAVE FOR FEDERAL**
2 **EMPLOYEES COVERED BY TITLE 5.**

3 Chapter 63 of title 5, United States Code, is amend-
4 ed—

5 (1) in section 6381, by amending paragraph
6 (1)(B) to read as follows:

7 “(B) has completed at least 12 months of
8 service—

9 (i) as an employee (as defined in sec-
10 tion 2105) of the Government of the
11 United States, including service with the
12 United States Postal Service, the Postal
13 Regulatory Commission, and a non-
14 appropriated fund instrumentality as de-
15 scribed in section 2105(c); or

16 (ii) on covered active duty as a mem-
17 ber of the National Guard or Reserves that
18 interrupts service described in clause (i);”
19 and

20 (2) in section 6382—

21 (A) in subsection (a)—

22 (i) in paragraph (1)—

23 (I) in the matter preceding sub-
24 paragraph (A), by striking “12 ad-
25 ministrative workweeks of leave” and
26 inserting “12 administrative work

1 weeks of leave plus any additional pe-
2 riod of leave used under subsection
3 (d)(2)(B)(ii)”; and

4 (II) in subparagraph (B), by in-
5 sserting “and in order to care for such
6 son or daughter” before the period;

7 (ii) by amending paragraph (2) to
8 read as follows:

9 “(2)(A) The entitlement to leave under sub-
10 subparagraph (A) or (B) of paragraph (1) shall com-
11 mence at time of birth or placement of a son or
12 daughter and shall expire at the end of the 12-
13 month period beginning on the date of such birth or
14 placement.

15 “(B) Notwithstanding subparagraph (A), the
16 entitlement to leave under subparagraph (B) in con-
17 nection with adoption may commence prior to the
18 placement of the son or daughter to be adopted for
19 activities necessary to allow the adoption to pro-
20 ceed.”; and

21 (iii) in paragraph (4)—

22 (I) by striking “Subject to sub-
23 section (d)(2), during” and inserting
24 “During”; and

1 (II) by inserting “(or 26 adminis-
2 trative workweeks of leave plus any
3 additional period of leave used under
4 subsection (d)(2)(B)(ii))” after “26
5 administrative workweeks of leave”;
6 and

7 (B) in subsection (d)—

8 (i) in paragraph (1)—

9 (I) by striking the first sentence;
10 and

11 (II) by striking “under sub-
12 chapter I”; and

13 (ii) in paragraph (2)—

14 (I) in subparagraph (A), by strik-
15 ing “subparagraph (A) or (B)” and
16 inserting “subparagraph (A) through
17 (E)”;

18 (II) by striking “parental” in
19 each instance;

20 (III) in subparagraph (B)(i), by
21 striking “birth or placement involved”
22 and inserting “event giving rise to
23 such leave”;

24 (IV) by amending subparagraph
25 (E) to read as follows:

1 “(E) Nothing in this paragraph shall be
2 construed to modify the service requirement in
3 section 6381(1)(B).”;

4 (V) in subparagraph (F)(i), by
5 striking “An employee” and inserting
6 “With respect to leave described
7 under subparagraph (A) or (B) of
8 subsection (a)(1), an employee”; and

9 (VI) by adding at the end the fol-
10 lowing:

11 “(H) Notwithstanding paragraph (2)(B)(i),
12 with respect to any employee who received paid
13 leave for an event giving rise to such leave
14 under any other provision of law and who be-
15 comes subject to this section during the period
16 of eligibility for paid leave under this section
17 with respect to such event, any paid leave for
18 such event provided by this section shall be re-
19 duced by the total number of days of paid leave
20 taken by such employee under such other provi-
21 sion of law.”.

22 **SEC. 3. CONGRESSIONAL EMPLOYEES UNDER THE CON-**
23 **GRESSIONAL ACCOUNTABILITY ACT OF 1995.**

24 Section 202 of the Congressional Accountability Act
25 of 1995 (2 U.S.C. 1312), is amended—

1 (1) in subsection (a)—

2 (A) paragraph (1)—

3 (i) in the second sentence—

4 (I) by striking “subsection
5 (a)(1)(A) or (B)” and inserting
6 “under any of subsections (a)(1)(A)
7 through (E)”; and

8 (II) by inserting “and in the case
9 of leave that includes leave for such
10 an event, the period of leave to which
11 a covered employee is entitled under
12 section 102(a)(1) of such Act shall be
13 12 administrative workweeks of leave
14 plus any additional period of leave
15 used under subsection (d)(2)(B) of
16 this section” before the period; and

17 (ii) by striking the third sentence and
18 inserting the following: “For purposes of
19 applying section 102(a)(4) of such Act, in
20 the case of leave that includes leave under
21 any of subparagraphs (A) through (E) of
22 section 102(a)(1) of such Act, a covered
23 employee is entitled, under paragraphs (1)
24 and (3) of section 102(a) of such Act, to
25 a combined total of 26 workweeks of leave

1 plus any additional period of leave used
2 under subsection (d)(2)(B) of this sec-
3 tion.”; and

4 (B) in paragraph (2), by amending sub-
5 paragraph (B) to read as follows:

6 “(B) except for leave described under sec-
7 tion 102(a)(3) of such Act, the term ‘eligible
8 employee’ as used in that Act means a covered
9 employee.”; and

10 (2) in subsection (d)—

11 (A) in the subsection heading, by striking
12 “PARENTAL LEAVE” and inserting “FAMILY
13 AND MEDICAL LEAVE”;

14 (B) by striking “subparagraph (A) or (B)”
15 and inserting “any of subparagraphs (A)
16 through (E)”;

17 (C) by striking “parental” in each in-
18 stance; and

19 (D) in paragraph (2)(A), by striking “birth
20 or placement involved” and inserting “event
21 giving rise to such leave”.

1 **SEC. 4. GAO, LIBRARY OF CONGRESS, POSTAL SERVICE,**
2 **AND POSTAL REGULATORY COMMISSION EM-**
3 **PLOYEES.**

4 The Family and Medical Leave Act of 1993 (29
5 U.S.C. 2612), is amended—

6 (1) in section 101(2)(E)—

7 (A) in the subparagraph heading, by in-
8 serting “USPS, AND POSTAL REGULATORY
9 COMMISSION” after “GAO”;

10 (B) by inserting “the United States Postal
11 Service, or the Postal Regulatory Commission”
12 after “Government Accountability Office”; and

13 (C) by striking “section 102(a)(1)(A) or
14 (B)” and inserting “section 102(a)(1)(A)
15 through (E)”;

16 (2) in section 102(a)(3)—

17 (A) in the paragraph heading, by inserting
18 “USPS, AND POSTAL REGULATORY COMMIS-
19 SION” after “GAO”;

20 (B) by striking “the Government Account-
21 ability Office” in each instance and inserting
22 “the Government Accountability Office, the
23 United States Postal Service, or the Postal
24 Regulatory Commission”;

25 (C) by striking “parental” in each instance
26 and inserting “family and medical”;

1 (D) in subparagraph (A), by striking “sub-
2 paragraph (A) or (B)” and inserting “subpara-
3 graphs (A) through (E)”;

4 (E) in subparagraph (B)(i), by striking
5 “birth or placement involved” and inserting
6 “event giving rise to such leave”;

7 (3) by adding at the end of section 102(a) the
8 following:

9 “(6) SPECIAL RULES ON PERIOD OF LEAVE.—
10 With respect to an employee of the Government Ac-
11 countability Office, the Library of Congress, the
12 United States Postal Service, or the Postal Regu-
13 latory Commission—

14 “(A) in the case of leave that includes
15 leave under subparagraph (A) through (E) of
16 paragraph (1), the employee shall be entitled to
17 12 administrative workweeks of leave plus any
18 additional period of leave used under subsection
19 (d)(3)(B)(ii) of this section or section
20 202(d)(2)(B) of the Congressional Account-
21 ability Act of 1995 (2 U.S.C. 1312(d)(2)(B)),
22 as the case may be; and

23 “(B) for the purposes of paragraph (4),
24 the employee is entitled, under paragraphs (1)
25 and (3), to a combined total of 26 workweeks

1 of leave plus, if applicable, any additional pe-
2 riod of leave used under subsection (d)(3)(B)(ii)
3 of this section or section 202(d)(2)(B) of the
4 Congressional Accountability Act of 1995 (2
5 U.S.C. 1312(d)(2)(B)), as the case may be.”.

6 **SEC. 5. EMPLOYEES OF THE EXECUTIVE OFFICE OF THE**
7 **PRESIDENT.**

8 Section 412 of title 3, United States Code, is amend-
9 ed—

10 (1) in subsection (a)(3), by striking “or (B)”
11 and inserting “through (E)”; and

12 (2) in subsection (c), by striking “or (B)” in
13 each instance and inserting “through (E)”.

14 **SEC. 6. FAA AND TSA EMPLOYEES.**

15 Section 40122(g)(5) of title 49, United States Code,
16 is amended—

17 (1) in the paragraph heading, by striking “PA-
18 RENTAL”; and

19 (2) by striking “parental” in each instance.

20 **SEC. 7. TITLE 38 EMPLOYEES.**

21 Not later than 30 days after the date of enactment
22 of this Act, the Secretary of Veterans Affairs shall modify
23 the family and medical leave program provided by oper-
24 ation of section 7425(c) of title 38, United States Code,

1 to conform with this Act and the amendments made by
2 this Act.

3 **SEC. 8. DISTRICT OF COLUMBIA COURTS AND DISTRICT OF**
4 **COLUMBIA PUBLIC DEFENDER SERVICE.**

5 (a) DISTRICT OF COLUMBIA COURTS.—Subsection
6 (d) of section 11–1726, District of Columbia Official Code,
7 is amended to read as follows:

8 “(d) In carrying out the family and medical leave act
9 of 1993 (29 U.S.C. 2601 et seq.) with respect to non-judi-
10 cial employees of the District of Columbia courts, the
11 Joint Committee on Judicial Administration shall, not-
12 withstanding any provision of such Act, establish a paid
13 family and medical leave program for the leave described
14 in subparagraphs (A) through (E) of section 102(a)(1) of
15 such Act (29 U.S.C. 2612(a)(1)). In developing the terms
16 and conditions for this program, the Joint Committee may
17 be guided by the terms and conditions applicable to the
18 provision of paid family and medical leave for employees
19 of the Federal Government under chapter 63 of title 5,
20 United States Code, and any corresponding regulations.”.

21 (b) DISTRICT OF COLUMBIA PUBLIC DEFENDER
22 SERVICE.—Subsection (d) of section 305 of the District
23 of Columbia Court Reform and Criminal Procedure Act
24 of 1970 (sec. 21605, D.C. Official Code) is amended to
25 read as follows:

1 “(d) In carrying out the Family and Medical Leave
2 Act of 1993 (29 U.S.C. 2601 et seq.) with respect to em-
3 ployees of the Service, the Director shall, notwithstanding
4 any provision of such Act, establish a paid leave program
5 for the leave described in subparagraphs (A) through (E)
6 of section 102(a)(1) of such Act (29 U.S.C. 2612(a)(1)).
7 In developing the terms and conditions for this program,
8 the Director may be guided by the terms and conditions
9 applicable to the provision of paid family and medical leave
10 for employees of the Federal Government under chapter
11 63 of title 5, United States Code, and any corresponding
12 regulations.”.

○