

118TH CONGRESS
1ST SESSION

H. R. 856

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

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 7, 2023

Mr. BEYER (for himself, Mr. FITZPATRICK, and Ms. HOULAHAN) introduced the following bill; which was referred to the Committee on Oversight and Accountability, 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 serting “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 paragraph (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:

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

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

(VI) by adding at the end the following:

“(H) Notwithstanding paragraph (2)(B)(i), with respect to any employee who received paid leave for an event giving rise to such leave under any other provision of law and who becomes subject to this section during the period of eligibility for paid leave under this section with respect to such event, any paid leave for such event provided by this section shall be reduced by the total number of days of paid leave taken by such employee under such other provision of law.”.

SEC. 3. CONGRESSIONAL EMPLOYEES UNDER THE CONGRESSIONAL ACCOUNTABILITY ACT OF 1995.

Section 202 of the Congressional Accountability Act 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 Post-
11 al Service, or the Postal Regulatory Commis-
12 sion” after “Government Accountability Of-
13 fice”; and

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

17 (2) in section 102(d)(3)—

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

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

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

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

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

9 (3) by adding at the end of section 102(a) the
10 following:

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

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

“(B) for the purposes of paragraph (4), the employee is entitled, under paragraphs (1) and (3), to a combined total of 26 workweeks of leave plus, if applicable, any additional period of leave used under subsection (d)(3)(B)(ii) of this section or section 202(d)(2)(B) of the Congressional Accountability Act of 1995 (2 U.S.C. 1312(d)(2)(B)), as the case may be; and

“(C) the entitlement to leave under paragraph (1)(B) in connection with adoption may commence prior to the placement of the son or daughter to be adopted for activities necessary to allow the adoption to proceed.”.

SEC. 5. EMPLOYEES OF THE EXECUTIVE OFFICE OF THE PRESIDENT.

Section 412 of title 3, United States Code, is amended—

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

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

SEC. 6. FAA AND TSA EMPLOYEES.

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

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

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

4 **SEC. 7. TITLE 38 EMPLOYEES.**

5 Not later than 30 days after the date of enactment
6 of this Act, the Secretary of Veterans Affairs shall modify
7 the family and medical leave program provided by oper-
8 ation of section 7425(c) of title 38, United States Code,
9 to conform with this Act and the amendments made by
10 this Act.

11 **SEC. 8. DISTRICT OF COLUMBIA COURTS AND DISTRICT OF**
12 **COLUMBIA PUBLIC DEFENDER SERVICE.**

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

16 “(d) In carrying out the family and medical leave act
17 of 1993 (29 U.S.C. 2601 et seq.) with respect to non-judi-
18 cial employees of the District of Columbia courts, the
19 Joint Committee on Judicial Administration shall, not-
20 withstanding any provision of such Act, establish a paid
21 family and medical leave program for the leave described
22 in subparagraphs (A) through (E) of section 102(a)(1) of
23 such Act (29 U.S.C. 2612(a)(1)). In developing the terms
24 and conditions for this program, the Joint Committee may
25 be guided by the terms and conditions applicable to the

1 provision of paid family and medical leave for employees
2 of the Federal Government under chapter 63 of title 5,
3 United States Code, and any corresponding regulations.”.

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

9 “(d) In carrying out the Family and Medical Leave
10 Act of 1993 (29 U.S.C. 2601 et seq.) with respect to em-
11 ployees of the Service, the Director shall, notwithstanding
12 any provision of such Act, establish a paid leave program
13 for the leave described in subparagraphs (A) through (E)
14 of section 102(a)(1) of such Act (29 U.S.C. 2612(a)(1)).
15 In developing the terms and conditions for this program,
16 the Director may be guided by the terms and conditions
17 applicable to the provision of paid family and medical leave
18 for employees of the Federal Government under chapter
19 63 of title 5, United States Code, and any corresponding
20 regulations.”.

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