

(Pub. L. 96-465, title I, §903, Oct. 17, 1980, 94 Stat. 2127; Pub. L. 103-236, title I, §180(a)(8), Apr. 30, 1994, 108 Stat. 416; Pub. L. 109-234, title I, §1602(d)(2), June 15, 2006, 120 Stat. 442; Pub. L. 110-321, §2(2), Sept. 19, 2008, 122 Stat. 3535; Pub. L. 117-81, div. E, title LIII, §5305, Dec. 27, 2021, 135 Stat. 2362.)

Editorial Notes

AMENDMENTS

2021—Subsec. (b). Pub. L. 117-81 inserted at end “In cases in which a member of the Service has official orders to an unaccompanied post and in which the family members of the member reside apart from the member at authorized locations outside the United States, the member may take the leave ordered under this section where that member’s family members reside, notwithstanding section 10305 of title 5.”

2008—Subsec. (b). Pub. L. 110-321 substituted “or its territories, including American Samoa, the Commonwealth of Puerto Rico, Guam, the Commonwealth of the Northern Mariana Islands, and the United States Virgin Islands” for “, its territories and possessions, or the Commonwealth of Puerto Rico”.

2006—Subsec. (a). Pub. L. 109-234, which directed substitution of “12 months” for “18 months” in section 903(a) of the Foreign Service Act, was executed to subsec. (a) of this section, which is section 903 of the Foreign Service Act of 1980, to reflect the probable intent of Congress.

1994—Subsec. (a). Pub. L. 103-236 inserted “(other than a member employed under section 3951 of this title)” after “member of the Service” in two places.

§ 4083a. Rest and recuperation leave

(a) Definitions

In this section—

(1) the term “agency” means an Executive agency (as that term is defined in section 105 of title 5), but does not include the Government Accountability Office;

(2) the term “combat zone” means a geographic area designated by an Executive order of the President as an area in which the Armed Forces are engaging or have engaged in combat, an area designated by law to be treated as a combat zone, or a location the Department of Defense has certified for combat zone tax benefits due to its direct support of military operations;

(3) the term “employee” means an officer or an individual who is—

(A) appointed in the civil service, the Foreign Service, or any appointment authority other than the uniformed services (as that term is defined in section 101 of title 37), by one of the following acting in an official capacity:

- (i) The President.
- (ii) A Member or Members of Congress, or Congress.
- (iii) An individual who is an employee under this section.
- (iv) The head of a Government-controlled corporation;

(B) engaged in the performance of a Federal function under authority of law or an Executive act; and

(C) subject to the supervision of an individual described in subparagraph (A) while engaged in the performance of the duties of his or her position;

(4) the term “high risk, high threat post” has the meaning given that term in section 4803 of this title; and

(5) the term “leave year” means the period beginning on the first day of the first complete pay period in a calendar year and ending on the day immediately before the first day of the first complete pay period in the following calendar year.

(b) Leave for rest and recuperation

The Secretary or other head of an agency may prescribe regulations to grant up to 20 days of paid leave, per leave year, for the purposes of rest and recuperation to an employee of the agency serving in a combat zone, any other high risk, high threat post, or any other location presenting significant security or operational challenges.

(c) Discretionary authority of the Secretary or other agency head

Use of the authority under subsection (b) is at the sole and exclusive discretion of the head of the agency concerned.

(d) Records

An agency shall record leave provided under this section separately from leave authorized under any other provision of law.

(Pub. L. 96-465, title I, §903a, as added Pub. L. 118-159, div. G, title LXXII, §7215(a), Dec. 23, 2024, 138 Stat. 2536.)

§ 4083b. Overseas operations leave

(a) Definitions

In this section—

(1) the term “agency” means an Executive agency (as that term is defined in section 105 of title 5), but does not include the Government Accountability Office.

(2) the term “employee” means an officer or an individual who is—

(A) appointed in the civil service, the Foreign Service, or any appointment authority other than the uniformed services (as that term is defined in section 101 of title 37), by one of the following acting in an official capacity:

- (i) The President.
- (ii) A Member or Members of Congress, or Congress.
- (iii) An individual who is an employee under this section.
- (iv) The head of a Government-controlled corporation;

(B) engaged in the performance of a Federal function under authority of law or an Executive act; and

(C) subject to the supervision of an individual described in subparagraph (A) while engaged in the performance of the duties of his or her position; and

(3) the term “leave year” means the period beginning with the first day of the first complete pay period in a calendar year and ending with the day immediately before the first day of the first complete pay period in the following calendar year.

(b) Leave for overseas operations

The Secretary or other head of an agency may prescribe regulations to grant up to 10 days of