

Subsec. (a)(2)(E), (F). Pub. L. 103-359, § 501(i)(2), added subpar. (E), redesignated former subpar. (E) as (F), and substituted “paragraph (1)(F)” for “paragraph (1)(E)” in two places in subpar. (F).

Statutory Notes and Related Subsidiaries

CHANGE OF NAME

Reference to the Director of Central Intelligence or the Director of the Central Intelligence Agency in the Director's capacity as the head of the intelligence community deemed to be a reference to the Director of National Intelligence. Reference to the Director of Central Intelligence or the Director of the Central Intelligence Agency in the Director's capacity as the head of the Central Intelligence Agency deemed to be a reference to the Director of the Central Intelligence Agency. See section 1081(a), (b) of Pub. L. 108-458, set out as a note under section 3001 of Title 50, War and National Defense.

EFFECTIVE DATE OF 1996 AMENDMENT

Amendment by Pub. L. 104-201 effective Oct. 1, 1996, see section 1124 of Pub. L. 104-201, set out as a note under section 193 of Title 10, Armed Forces.

§ 6340. Inapplicability of certain provisions

Except to the extent that the Office of Personnel Management may prescribe regulations, nothing in section 7351 shall apply with respect to a solicitation, donation, or acceptance of leave under this subchapter.

(Added Pub. L. 100-566, § 2(a), Oct. 31, 1988, 102 Stat. 2838.)

SUBCHAPTER IV—VOLUNTARY LEAVE BANK PROGRAM

§ 6361. Definitions

For the purpose of this subchapter the term—

(1) “employee” means an employee as defined by section 6301(2), but shall exclude any individual employed by the government of the District of Columbia;

(2) “executive agency” means any executive agency or any administrative unit thereof;

(3) “leave bank” means a leave bank established under section 6363;

(4) “leave contributor” means an employee who contributes leave to an agency leave bank under section 6365;

(5) “leave recipient” means an employee whose application under section 6367 to receive contributions of leave from a leave bank is approved; and

(6) “medical emergency” means a medical condition of an employee or a family member of such employee that is likely to require the prolonged absence of such employee from duty and to result in a substantial loss of income to such employee because of the unavailability of paid leave (disregarding any advanced leave).

(Added Pub. L. 100-566, § 2(a), Oct. 31, 1988, 102 Stat. 2839; amended Pub. L. 103-103, § 3(a), Oct. 8, 1993, 107 Stat. 1022.)

Editorial Notes

AMENDMENTS

1993—Par. (6). Pub. L. 103-103 inserted before period at end “(disregarding any advanced leave)”.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 1993 AMENDMENT

Amendment by Pub. L. 103-103 effective as of the 120th day after Oct. 8, 1993, or such earlier date as the Office of Personnel Management may by regulation prescribe, see section 6 of Pub. L. 103-103, set out as a note under section 6331 of this title.

LEAVE BANK FOR JUDICIAL BRANCH EMPLOYEES OF FEDERAL GOVERNMENT IN RESERVES WHO WERE ACTIVATED DURING PERSIAN GULF WAR

Pub. L. 102-58, § 3, June 18, 1991, 105 Stat. 299, provided that:

“(a) JUDICIAL BRANCH EMPLOYEES.—The Director of the Administrative Office of the United States Courts shall establish a leave bank program under which—

“(1) an employee of the Judicial Branch may (during a period specified by the Director of the Administrative Office) donate any unused annual leave from the employee's annual leave account to a leave bank established by the Director;

“(2) the total amount of annual leave that has been donated under paragraph (1) shall be divided equally among the annual leave accounts of all employees who have been members of the Armed Forces serving on active duty during the Persian Gulf conflict pursuant to an order issued under section 672(a) [now 12301(a)], 672(g) [now 12301(g)], 673 [now 12302], 673b [now 12304], 674 [now 12306], 675 [now 12307], or 688 of title 10, United States Code, and who return to employment with the Judicial Branch; and

“(3) such Persian Gulf conflict participants who have returned to Judicial Branch employment may use such annual leave, after it is credited to their leave accounts, in the same manner as any other annual leave to their credit.

“(b) DEFINITIONS.—For purposes of subsection (a), the term ‘employee’ means an employee as defined in section 6301(2) of title 5, United States Code.

“(c) DEADLINE FOR REGULATIONS.—Within 30 days after the date of the enactment of this Act [June 18, 1991], the Director of the Administration [Administrative] Office shall prescribe regulations necessary for the administration of subsection (a).”

LEAVE BANK FOR FEDERAL CIVILIAN EMPLOYEES IN RESERVES WHO WERE ACTIVATED DURING PERSIAN GULF WAR

Pub. L. 102-25, title III, § 361, Apr. 6, 1991, 105 Stat. 92, as amended by Pub. L. 102-484, div. A, title X, § 1054(c)(1), Oct. 23, 1992, 106 Stat. 2502, provided that:

“(a) CIVIL SERVICE EMPLOYEES.—The Office of Personnel Management shall establish a leave bank program under which—

“(1) an employee in any executive agency may (during a period specified by the Office of Personnel Management) donate any unused annual leave from the employee's annual leave account to a leave bank established by the Office of Personnel Management;

“(2) the total annual leave that has been donated under paragraph (1) shall be divided equally among the annual leave accounts of all employees who have been members of the Armed Forces serving on active duty during the Persian Gulf conflict pursuant to an order issued under section 672(a) [now 12301(a)], 672(g) [now 12301(g)], 673 [now 12302], 673b [now 12304], 674 [now 12306], 675 [now 12307], or 688 of title 10, United States Code, and who return to civilian employment with their agencies; and

“(3) such Persian Gulf conflict [sic] participants who have returned to civilian employment may use such annual leave, after it is credited to their leave accounts, in the same manner as any other annual leave to their credit.

“(b) DEFINITIONS.—For purposes of subsection (a), the term ‘employee’ means an employee as defined in section 6361(1) of title 5, United States Code.

“(c) DEADLINE FOR REGULATIONS.—Within 30 days after the date of the enactment of this Act [Apr. 6,