

118TH CONGRESS
1ST SESSION

S. _____

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

IN THE SENATE OF THE UNITED STATES

Mr. SCHATZ introduced the following bill; which was read twice and referred to the Committee on _____

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”.

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

8 Chapter 63 of title 5, United States Code, is amend-
9 ed—

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

3 “(B) has completed at least 12 months of
4 service—

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

12 “(ii) on covered active duty as a mem-
13 ber of the National Guard or Reserves that
14 interrupts service described in clause (i);”;
15 and

16 (2) in section 6382—

17 (A) in subsection (a)—

18 (i) in paragraph (1)—

19 (I) in the matter preceding sub-
20 paragraph (A), by striking “12 ad-
21 ministrative workweeks of leave” and
22 inserting “12 administrative work
23 weeks of leave plus any additional pe-
24 riod of leave used under subsection
25 (d)(2)(B)(ii)”; and

1 (II) in subparagraph (B), by in-
2 serting “and in order to care for such
3 son or daughter” before the period;

4 (ii) by amending paragraph (2) to
5 read as follows:

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

12 “(B) Notwithstanding subparagraph (A), the
13 entitlement to leave under paragraph (1)(B) in con-
14 nection with adoption may commence prior to the
15 placement of the son or daughter to be adopted for
16 activities necessary to allow the adoption to pro-
17 ceed.”; and

18 (iii) in paragraph (4)—

19 (I) by striking “Subject to sub-
20 section (d)(2), during” and inserting
21 “During”; and

22 (II) by inserting “(or 26 adminis-
23 trative workweeks of leave plus any
24 additional period of leave used under
25 subsection (d)(2)(B)(ii))” after “26

1 administrative workweeks of leave”;

2 and

3 (B) in subsection (d)—

4 (i) in paragraph (1)—

5 (I) by striking the first sentence;

6 and

7 (II) by striking “under sub-
8 chapter I”; and

9 (ii) in paragraph (2)—

10 (I) in subparagraph (A), by strik-
11 ing “subparagraph (A) or (B)” and
12 inserting “subparagraph (A) through
13 (E)”;

14 (II) by striking “parental” in
15 each instance;

16 (III) in subparagraph (B)(i), by
17 striking “birth or placement involved”
18 and inserting “event giving rise to
19 such leave”;

20 (IV) by amending subparagraph
21 (E) to read as follows:

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

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

6 (VI) by adding at the end the fol-
7 lowing:

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

19 **SEC. 3. CONGRESSIONAL EMPLOYEES UNDER THE CON-**
20 **GRESSIONAL ACCOUNTABILITY ACT OF 1995.**

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

23 (1) in subsection (a)—

24 (A) paragraph (1)—

25 (i) in the second sentence—

1 (I) by striking “subsection
2 (a)(1)(A) or (B)” and inserting
3 “under any of subparagraphs (A)
4 through (E) of subsection (a)(1)”;
5 and

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

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

1 under subsection (d)(2)(B) of this sec-
2 tion.”; and

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

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

9 (2) in subsection (d)—

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

13 (B) in paragraph (1), by striking “sub-
14 paragraph (A) or (B)” and inserting “any of
15 subparagraphs (A) through (E)”;

16 (C) by striking “parental” each place the
17 term appears; and

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

21 **SEC. 4. GAO, LIBRARY OF CONGRESS, POSTAL SERVICE,**
22 **AND POSTAL REGULATORY COMMISSION EM-**
23 **PLOYEES.**

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

1 (1) in section 101(2)(E)—

2 (A) in the subparagraph heading, by in-
3 serting “USPS, AND POSTAL REGULATORY
4 COMMISSION” after “GAO”;

5 (B) by inserting “the United States Postal
6 Service, or the Postal Regulatory Commission”
7 after “Government Accountability Office”; and

8 (C) by striking “section 102(a)(1)(A) or
9 (B)” and inserting “any of subparagraphs (A)
10 through (E) of section 102(a)(1)”;

11 (2) in section 102(d)(3)—

12 (A) in the paragraph heading, by inserting
13 “USPS, AND POSTAL REGULATORY COMMIS-
14 SION” after “GAO”;

15 (B) by striking “the Government Account-
16 ability Office” and inserting “the Government
17 Accountability Office, the United States Postal
18 Service, or the Postal Regulatory Commission”
19 each place the term appears;

20 (C) by striking “parental” and inserting
21 “family and medical” each place the term ap-
22 pears;

23 (D) in subparagraph (A), by striking “sub-
24 paragraph (A) or (B)” and inserting “subpara-
25 graphs (A) through (E)”;

1 (E) in subparagraph (B)(i), by striking
2 “birth or placement involved” and inserting
3 “event giving rise to such leave”; and
4 (3) by adding at the end of section 102(a) the
5 following:

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

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

20 “(B) for the purposes of paragraph (4),
21 the employee is entitled, under paragraphs (1)
22 and (3), to a combined total of 26 workweeks
23 of leave plus, if applicable, any additional pe-
24 riod of leave used under subsection (d)(3)(B)(ii)
25 of this section or section 202(d)(2)(B) of the

1 Congressional Accountability Act of 1995 (2
2 U.S.C. 1312(d)(2)(B)), as the case may be; and

3 “(C) the entitlement to leave under para-
4 graph (1)(B) in connection with adoption may
5 commence prior to the placement of the son or
6 daughter to be adopted for activities necessary
7 to allow the adoption to proceed.”.

8 **SEC. 5. EMPLOYEES OF THE EXECUTIVE OFFICE OF THE**
9 **PRESIDENT.**

10 Section 412 of title 3, United States Code, is amend-
11 ed—

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

14 (2) in subsection (c), by striking “or (B)” and
15 inserting “through (E)” each place the term ap-
16 pears.

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

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

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

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

23 **SEC. 7. TITLE 38 EMPLOYEES.**

24 Not later than 30 days after the date of enactment
25 of this Act, the Secretary of Veterans Affairs shall modify

1 the family and medical leave program provided by oper-
2 ation of section 7425(c) of title 38, United States Code,
3 to conform with this Act and the amendments made by
4 this Act.

5 **SEC. 8. DISTRICT OF COLUMBIA COURTS AND DISTRICT OF**
6 **COLUMBIA PUBLIC DEFENDER SERVICE.**

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

10 “(d)(1) In carrying out the Family and Medical
11 Leave Act of 1993 (29 U.S.C. 2601 et seq.) with respect
12 to nonjudicial employees of the District of Columbia
13 courts, the Joint Committee shall, notwithstanding any
14 provision of such Act, establish a paid family and medical
15 leave program for the leave described in subparagraphs
16 (A) through (E) of section 102(a)(1) of such Act (29
17 U.S.C. 2612(a)(1)).

18 “(2) In developing the terms and conditions for the
19 paid family and medical leave program under paragraph
20 (1), the Joint Committee may be guided by the terms and
21 conditions applicable to the provision of paid family and
22 medical leave for employees of the Federal Government
23 under chapter 63 of title 5, United States Code, and any
24 corresponding regulations.”.

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

6 “(d)(1) In carrying out the Family and Medical
7 Leave Act of 1993 (29 U.S.C. 2601 et seq.) with respect
8 to employees of the Service, the Director shall, notwith-
9 standing any provision of such Act, establish a paid family
10 and medical leave program for the leave described in sub-
11 paragraphs (A) through (E) of section 102(a)(1) of such
12 Act (29 U.S.C. 2612(a)(1)).

13 “(2) In developing the terms and conditions for the
14 paid family and medical leave program under paragraph
15 (1), the Director may be guided by the terms and condi-
16 tions applicable to the provision of paid family and medical
17 leave for employees of the Federal Government under
18 chapter 63 of title 5, United States Code, and any cor-
19 responding regulations.”.