

1 “(B) Subparagraph (A) shall not be construed to re-
2 quire that an employee first use all or any portion of the
3 other paid leave described in such subparagraph before
4 being allowed to use leave under subsection (a).

5 “(3) Leave under subsection (a)—

6 “(A) shall be payable from any appropriation or
7 fund available for salaries or expenses for positions
8 within the employing agency;

9 “(B) shall not be considered to be annual or va-
10 cation leave for purposes of section 5551 or 5552 or
11 for any other purpose; and

12 “(C) if not used by the employee before the end
13 of the 12-month period (as referred to in subsection
14 (a)(1)) to which it relates, shall not accumulate for
15 any subsequent use.

16 “(4) The Director of the Office of Personnel Manage-
17 ment—

18 “(A) may promulgate regulations to increase
19 the amount of leave available to an employee under
20 subsection (a) to a total of not more than 16 admin-
21 istrative workweeks, based on the consideration of—

22 “(i) the benefits provided to the Federal
23 Government of increasing such leave, including
24 enhanced recruitment and retention of employ-
25 ees;

1 “(ii) the cost to the Federal Government of
2 increasing the amount of such leave that is
3 available to employees;

4 “(iii) trends in the private sector and in
5 State and local governments with respect to of-
6 fering such leave;

7 “(iv) the Federal Government’s role as a
8 model employer;

9 “(v) the impact of increased leave under
10 subsection (a) on lower-income and economi-
11 cally disadvantaged employees and their chil-
12 dren; and

13 “(vi) such other factors as the Director
14 considers necessary; and

15 “(B) shall prescribe any regulations necessary
16 to carry out this subsection, including the manner in
17 which an employee may designate any day or other
18 period as to which such employee wishes to use leave
19 under subsection (a).”.

20 (b) EFFECTIVE DATE.—The amendment made by
21 this section shall not be effective with respect to any birth
22 or placement occurring before October 1, 2020.

1 **SEC. 1123. PAID FAMILY LEAVE FOR CONGRESSIONAL EM-**
2 **PLOYEES.**

3 (a) AMENDMENTS TO CONGRESSIONAL ACCOUNT-
4 ABILITY ACT.—Section 202 of the Congressional Account-
5 ability Act of 1995 (2 U.S.C. 1312) is amended—

6 (1) in subsection (a)(1), by adding at the end
7 the following: “In applying section 102(a)(1) of such
8 Act to covered employees, subsection (d) shall
9 apply.”;

10 (2) by redesignating subsections (d) and (e) as
11 subsections (e) and (f), respectively; and

12 (3) by inserting after subsection (c) the fol-
13 lowing:

14 “(d) SPECIAL RULE FOR PAID FAMILY LEAVE FOR
15 CONGRESSIONAL EMPLOYEES.—

16 “(1) IN GENERAL.—Any leave taken by a cov-
17 ered employee under section 102(a)(1) of the Family
18 and Medical Leave Act of 1993 (29 U.S.C.
19 2612(a)(1)) shall be paid leave.

20 “(2) AMOUNT OF PAID LEAVE.—The paid leave
21 that is available to a covered employee for purposes
22 of paragraph (1) is—

23 “(A) the number of weeks of paid family
24 leave in connection with the birth or placement
25 involved that correspond to the number of ad-
26 ministrative workweeks of paid family leave

1 available to Federal employees under section
2 6382(d)(3)(A) of title 5, United States Code;
3 and

4 “(B) any additional paid vacation or sick
5 leave provided by the employing office to such
6 employee.

7 “(3) SUBSTITUTION.—An employee may elect
8 to substitute for any leave under such section
9 102(a)(1) any other paid leave which is available to
10 such employee for that purpose. The previous sen-
11 tence shall not be construed to require that an em-
12 ployee first use all or any portion of the other paid
13 leave before being allowed to use the paid family
14 leave described in this subsection.

15 “(4) ADDITIONAL RULES.—Paid family leave
16 under this subsection—

17 “(A) shall be payable from any appropria-
18 tion or fund available for salaries or expenses
19 for positions within the employing office; and

20 “(B) if not used by the covered employee
21 before the end of the 12-month period (as re-
22 ferred to in section 102(a)(1) of the Family and
23 Medical Leave Act of 1993 (29 U.S.C.
24 2612(a)(1))) to which it relates, shall not accu-
25 mulate for any subsequent use.”.

1 (b) EFFECTIVE DATE.—The amendment made by
2 this section shall not be effective with respect to any birth
3 or placement occurring before October 1, 2020.

4 **SEC. 1124. CONFORMING AMENDMENT TO FAMILY AND**
5 **MEDICAL LEAVE ACT FOR GAO EMPLOYEES.**

6 (a) AMENDMENT TO FAMILY AND MEDICAL LEAVE
7 ACT OF 1993.—Section 102(d) of the Family and Medical
8 Leave Act of 1993 (29 U.S.C. 2612(d)) is amended by
9 adding at the end the following:

10 “(3) SPECIAL RULE FOR GAO EMPLOYEES.—

11 “(A) IN GENERAL.—Any leave under sub-
12 section (a)(1) taken by an employee of the Gov-
13 ernment Accountability Office shall be paid
14 leave.

15 “(B) AMOUNT OF PAID LEAVE.—The paid
16 leave that is available to such an employee for
17 purposes of subparagraph (A) is—

18 “(i) the number of weeks of paid fam-
19 ily leave in connection with the birth or
20 placement involved that correspond to the
21 number of administrative workweeks of
22 paid family leave available to Federal em-
23 ployees under section 6382(d)(3)(A) of
24 title 5, United States Code; and

1 “(ii) any additional paid vacation or
2 sick leave provided by such employer.

3 “(C) SUBSTITUTION.—An employee may
4 elect to substitute for any leave under sub-
5 section (a)(1) any other paid leave which is
6 available to such employee for that purpose.
7 The previous sentence shall not be construed to
8 require that an employee first use all or any
9 portion of the other paid leave before being al-
10 lowed to use the paid family leave described in
11 this subsection.

12 “(D) ADDITIONAL RULES.—Paid family
13 leave under subsection (a)(1)—

14 “(i) shall be payable from any appro-
15 priation or fund available for salaries or
16 expenses for positions with the Government
17 Accountability Office; and

18 “(ii) if not used by the employee of
19 such employer before the end of the 12-
20 month period (as referred to in subsection
21 (a)(1)) to which it relates, shall not accu-
22 mulate for any subsequent use.”.

23 (b) EFFECTIVE DATE.—The amendment made by
24 this section shall not be effective with respect to any birth
25 or placement occurring before October 1, 2020.

1 **SEC. 1125. CLARIFICATION FOR MEMBERS OF THE NA-**
2 **TIONAL GUARD AND RESERVES.**

3 (a) EXECUTIVE BRANCH EMPLOYEES.—For pur-
4 poses of determining the eligibility of an employee who is
5 a member of the National Guard or Reserves to take leave
6 under section 6382(a) of title 5, United States Code, or
7 to substitute such leave pursuant to paragraph (2) of such
8 section (as added by section 1122), any service by such
9 employee on active duty (as defined in section 6381(7) of
10 such title) shall be counted as service as an employee for
11 purposes of section 6381(1)(B) of such title.

12 (b) CONGRESSIONAL EMPLOYEES.—For purposes of
13 determining the eligibility of a covered employee (as such
14 term is defined in section 101(3) of the Congressional Ac-
15 countability Act) who is a member of the National Guard
16 or Reserves to take leave under section 102(a)(1) of the
17 Family and Medical Leave Act of 1993 (pursuant to sec-
18 tion 202(a)(1) of the Congressional Accountability Act),
19 or to substitute such leave pursuant to subsection (d) of
20 section 202 of such Act (as added by section 1123), any
21 service by such employee on active duty (as defined in sec-
22 tion 101(14) of the Family and Medical Leave Act of
23 1993) shall be counted as time during which such em-
24 ployee has been employed in an employing office for pur-
25 poses of section 202(a)(2)(B) of the Congressional Ac-
26 countability Act.

1 (c) GAO EMPLOYEES.—For purposes of determining
2 the eligibility of an employee of the Government Account-
3 ability Office who is a member of the National Guard or
4 Reserves to take leave under section 102(a)(1) of the
5 Family and Medical Leave Act of 1993, or to substitute
6 such leave pursuant to paragraph (3) of section 102(d)
7 of such Act (as added by section 1124), any service by
8 such employee on active duty (as defined in section
9 101(14) of such Act) shall be counted as time during
10 which such employee has been employed for purposes of
11 section 101(2)(A) of such Act.

12 **SEC. 1126. CONFORMING AMENDMENT FOR CERTAIN TSA**
13 **EMPLOYEES.**

14 Section 111(d)(2) of the Aviation and Transportation
15 Security Act (49 U.S.C. 44935 note) is amended to read
16 as follows

17 “(2) EXCEPTIONS.—

18 “(A) REEMPLOYMENT.—In carrying out
19 the functions authorized under paragraph (1),
20 the Under Secretary shall be subject to the pro-
21 visions set forth in chapter 43 of title 38,
22 United States Code.

23 “(B) LEAVE.—The provisions of section
24 6382(a)(1) of title 5, United States Code, and

- 1 subsection (c) of such section shall apply to any
- 2 individual appointed under paragraph (1).”.

