

AMENDMENT TO RULES COMMITTEE PRINT 116-

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At the end of title XI, add the following (and update the table of contents accordingly):

1 **Subtitle C—Paid Family Leave**

2 **SEC. 1131. SHORT TITLE.**

3 This subtitle may be cited as the “Comprehensive
4 Paid Leave for Federal Employees Act”.

5 **SEC. 1132. PAID FAMILY AND MEDICAL LEAVE FOR FED-
6 ERAL EMPLOYEES COVERED BY TITLE 5.**

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

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

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

13 “(i) as an employee (as defined in sec-
14 tion 2105), and including service with the
15 United States Postal Service, the Postal
16 Regulatory Commission, or a non-

1 appropriated fund instrumentality (as de-
2 scribed in section 2105(c)); or

3 “(ii) on covered active duty as a mem-
4 ber of the National Guard or Reserves that
5 interrupts service described in clause (i);”;
6 and

7 (2) in section 6382—

8 (A) in subsection (a)—

9 (i) in paragraph (1)—

10 (I) in the matter preceding sub-
11 paragraph (A), by striking “12 ad-
12 ministrative workweeks of leave” and
13 inserting “12 administrative work
14 weeks of leave plus any additional pe-
15 riod of leave used under subsection
16 (d)(2)(B)(ii)”; and

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

20 (ii) by amending paragraph (2) to
21 read as follows:

22 “(2)(A) The entitlement to leave under sub-
23 paragraph (A) or (B) of paragraph (1) shall com-
24 mence at time of birth or placement of a son or
25 daughter and shall expire at the end of the 12-

1 month period beginning on the date of such birth or
2 placement.

3 “(B) Notwithstanding subparagraph (A), the
4 entitlement to leave under subparagraph (B) in con-
5 nection with adoption may commence prior to the
6 placement of the son or daughter to be adopted for
7 activities necessary to allow the adoption to pro-
8 ceed.”; and

9 (iii) in paragraph (4)—

10 (I) by striking “Subject to sub-
11 section (d)(2), during” and inserting
12 “During”; and

13 (II) by inserting “(or 26 adminis-
14 trative workweeks of leave plus any
15 additional period of leave used under
16 subsection (d)(2)(B)(ii))” after “26
17 administrative workweeks of leave”;
18 and

19 (B) in subsection (d)—

20 (i) in paragraph (1)—

21 (I) by striking the first sentence;
22 and

23 (II) by striking “under sub-
24 chapter I”; and

25 (ii) in paragraph (2)—

1 (I) in subparagraph (A), by strik-
2 ing “subparagraph (A) or (B)” and
3 inserting “subparagraph (A) through
4 (E)”;

5 (II) by striking “leave” in each
6 instance and inserting “family and
7 medical leave”;

8 (III) in subparagraph (B)(i), by
9 striking “birth or placement involved”
10 and inserting “event giving rise to
11 such leave”;

12 (IV) by amending subparagraph
13 (E) to read as follows:

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

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

22 (VI) by adding at the end the fol-
23 lowing:

24 “(H) Notwithstanding paragraph (2)(B)(i),
25 with respect to any employee who received paid

1 leave for an event giving rise to such leave
2 under any other provision of law and who be-
3 comes subject to this section during the period
4 of eligibility for paid leave under this section
5 with respect to such event, any paid leave for
6 such event provided by this section shall be re-
7 duced by the total number of days of paid leave
8 taken by such employee under such other provi-
9 sion of law.”.

10 **SEC. 1133. CONGRESSIONAL EMPLOYEES UNDER THE CON-**
11 **GRESSIONAL ACCOUNTABILITY ACT OF 1995.**

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

14 (1) in subsection (a)—

15 (A) paragraph (1)—

16 (i) in the second sentence—

17 (I) by striking “subsection
18 (a)(1)(A) or (B)” and inserting
19 “under any of subsections (a)(1)(A)
20 through (E)”;

21 (II) by inserting “and in the case
22 of leave that includes leave for such
23 an event, the period of leave to which
24 a covered employee is entitled under
25 section 102(a)(1) of such Act shall be

1 12 administrative workweeks of leave
2 plus any additional period of leave
3 used under subsection (d)(2)(B) of
4 this section” before the period; and

5 (ii) by striking the third sentence and
6 inserting the following: “For purposes of
7 applying section 102(a)(4) of such Act, in
8 the case of leave that includes leave under
9 any of subparagraphs (A) through (E) of
10 section 102(a)(1) of such Act, a covered
11 employee is entitled, under paragraphs (1)
12 and (3) of section 102(a) of such Act, to
13 a combined total of 26 workweeks of leave
14 plus any additional period of leave used
15 under subsection (d)(2)(B) of this sec-
16 tion.”; and

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

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

23 (2) in subsection (d)—

1 (A) in the subsection heading, by striking
2 “PARENTAL LEAVE” and inserting “FAMILY
3 AND MEDICAL LEAVE”;

4 (B) by striking “subparagraph (A) or (B)”
5 and inserting “any of subparagraphs (A)
6 through (E)”;

7 (C) by striking “leave” in each instance
8 and inserting “family and medical leave”; and

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

12 **SEC. 1134. GAO, LIBRARY OF CONGRESS, POSTAL SERVICE,**
13 **AND POSTAL REGULATORY COMMISSION EM-**
14 **PLOYEES.**

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

17 (1) in section 101(2)(E)—

18 (A) in the subparagraph heading, by in-
19 serting “USPS, AND POSTAL REGULATORY
20 COMMISSION” after “GAO”;

21 (B) by inserting “the United States Postal
22 Service, or the Postal Regulatory Commission”
23 after “Government Accountability Office”; and

1 (C) by striking “section 102(a)(1)(A) or
2 (B)” and inserting “section 102(a)(1)(A)
3 through (E)”;

4 (2) in section 102(a)(3)—

5 (A) in the paragraph heading, by inserting
6 “USPS, AND POSTAL REGULATORY COMMIS-
7 SION” after “GAO”;

8 (B) by striking “the Government Account-
9 ability Office” in each instance and inserting
10 “the Government Accountability Office, the
11 United States Postal Service, or the Postal
12 Regulatory Commission”;

13 (C) by striking “leave” in each instance
14 and inserting “family and medical leave”;

15 (D) in subparagraph (A), by striking “sub-
16 paragraph (A) or (B)” and inserting “subpara-
17 graph (A) through (E)”;

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

21 (3) by adding at the end of section 102(a) the
22 following:

23 “(6) SPECIAL RULES ON PERIOD OF LEAVE.—
24 With respect to an employee of the Government Ac-
25 countability Office, the Library of Congress, the

1 United States Postal Service, or the Postal Regu-
2 latory Commission—

3 “(A) in the case of leave that includes
4 leave under subparagraph (A) through (E) of
5 paragraph (1), the employee shall be entitled to
6 12 administrative workweeks of leave plus any
7 additional period of leave used under subsection
8 (d)(3)(B)(ii) of this section or section
9 202(d)(2)(B) of the Congressional Account-
10 ability Act of 1995 (2 U.S.C. 1312(d)(2)(B)),
11 as the case may be; and

12 “(B) for the purposes of paragraph (4),
13 the employee is entitled, under paragraphs (1)
14 and (3), to a combined total of 26 workweeks
15 of leave plus, if applicable, any additional pe-
16 riod of leave used under subsection (d)(3)(B)(ii)
17 of this section or section 202(d)(2)(B) of the
18 Congressional Accountability Act of 1995 (2
19 U.S.C. 1312(d)(2)(B)), as the case may be.”.

20 **SEC. 1135. EMPLOYEES OF THE EXECUTIVE OFFICE OF THE**
21 **PRESIDENT.**

22 Section 412 of title 3, United States Code, is amend-
23 ed—

24 (1) in subsection (a)(1), by adding at the end
25 the following: “In applying section 102 of such Act

1 with respect to leave for an event described in sub-
2 section (a)(1)(A) through (E) of such section to cov-
3 ered employees, subsection (c) of this section shall
4 apply and in the case of leave that includes leave for
5 such an event, the period of leave to which a covered
6 employee is entitled under section 102(a)(1) of such
7 Act shall be 12 administrative workweeks of leave
8 plus any additional period of leave used under sub-
9 section (c)(2)(B) of this section. For purposes of ap-
10 plying section 102(a)(4) of such Act, in the case of
11 leave that includes leave under subparagraph (A)
12 through (E) of section 102(a)(1) of such Act, a cov-
13 ered employee is entitled, under paragraphs (1) and
14 (3) of section 102(a) of such Act, to a combined
15 total of 26 workweeks of leave plus any additional
16 period of leave used under subsection (c)(2)(B) of
17 this section.”;

18 (2) by redesignating subsections (c) and (d) as
19 subsections (d) and (e), respectively;

20 (3) by inserting after subsection (b) the fol-
21 lowing:

22 “(c) SPECIAL RULE FOR PAID FAMILY AND MEDICAL
23 LEAVE.—

24 “(1) SUBSTITUTION OF PAID LEAVE.—A cov-
25 ered employee may elect to substitute for any leave

1 without pay under subparagraph (A) through (E) of
2 section 102(a)(1) of the Family and Medical Leave
3 Act of 1993 (29 U.S.C. 2612(a)(1)) any paid leave
4 which is available to such employee for that purpose.

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

8 “(A) the number of weeks of paid family
9 and medical leave in connection with the event
10 giving rise to such leave that corresponds to the
11 number of administrative workweeks of paid
12 leave available to employees under section
13 6382(d)(2)(B)(i) of title 5, United States Code;
14 and

15 “(B) during the 12-month period referred
16 to in section 102(a)(1) of the Family and Med-
17 ical Leave Act of 1993 (29 U.S.C. 2612(a)(1))
18 and in addition to the administrative workweeks
19 described in subparagraph (A), any additional
20 paid vacation, personal, family, medical, or sick
21 leave provided by the employing office to such
22 employee.

23 “(3) LIMITATION.—Nothing in this section or
24 section 102(d)(2)(A) of the Family and Medical
25 Leave Act of 1993 (29 U.S.C. 2612(d)(2)(A)) shall

1 be considered to require or permit an employing of-
2 fice to require that an employee first use all or any
3 portion of the leave described in paragraph (2)(B)
4 before being allowed to use the paid family and med-
5 ical leave described in paragraph (2)(A).

6 “(4) ADDITIONAL RULES.—Paid family and
7 medical leave under paragraph (2)(A)—

8 “(A) shall be payable from any appropria-
9 tion or fund available for salaries or expenses
10 for positions within the employing office;

11 “(B) if not used by the covered employee
12 before the end of the 12-month period (as re-
13 ferred to in section 102(a)(1) of the Family and
14 Medical Leave Act of 1993 (29 U.S.C.
15 2612(a)(1))) to which it relates, shall not accu-
16 mulate for any subsequent use; and

17 “(C) shall apply without regard to the limi-
18 tations in subparagraph (E), (F), or (G) of sec-
19 tion 6382(d)(2) of title 5, United States Code,
20 or section 104(c)(2) of the Family and Medical
21 Leave Act of 1993 (29 U.S.C. 2614(c)(2)).”;
22 and

23 (4) in subsection (e)(1), as so redesignated, by
24 striking “subsection (c)”and inserting “subsection
25 (d)”.

1 **SEC. 1136. FAA AND TSA EMPLOYEES.**

2 (a) APPLICATION OF FEDERAL FML.—Section
3 40122(g)(2) of title 49, United States Code, is amended—

4 (1) in subparagraph (I)(iii), by striking “and”
5 at the end;

6 (2) in subparagraph (J), by striking the period
7 at the end and inserting “, and”; and

8 (3) by adding at the end the following:

9 “(K) subchapter V of chapter 63, relating
10 to family and medical leave.”.

11 (b) CORRECTIONS FOR TSA SCREENERS.—Section
12 111(d)(2)(B) of the Aviation and Transportation Security
13 Act (49 U.S.C. 44935 note), is amended to read as fol-
14 lows:

15 “(B) LEAVE.—Any individual appointed
16 under paragraph (1) who otherwise qualifies as
17 an employee under the requirements in section
18 6381(1) of title 5, United States Code, shall be
19 subject to subchapter V of chapter 63 of such
20 title.”.

21 **SEC. 1137. TITLE 38 EMPLOYEES.**

22 Section 7425 of title 38, United States Code, is
23 amended—

24 (1) in subsection (b), by striking “Notwith-
25 standing” and inserting “Except as provided in sub-
26 section (c), and notwithstanding”; and

1 (2) by adding at the end the following:

2 “(c) Notwithstanding any other provision of this sub-
3 chapter, the Administration shall provide to individuals
4 appointed to any position described in section 7421(b) who
5 are employed for compensation by the Administration,
6 family and medical leave in the same manner, and to the
7 maximum extent practicable, as family and medical leave
8 is provided under subchapter V of chapter 63 of title 5
9 to employees, as defined in section 6381(1) of such title.”.

10 **SEC. 1138. ARTICLE I JUDGES.**

11 (a) **BANKRUPTCY JUDGES.**—Section 153(d) of title
12 28, United States Code, is amended—

13 (1) by striking “A bankruptcy judge” and in-
14 serting “(1) Except as provided in paragraph (2), a
15 bankruptcy judge”; and

16 (2) by adding at the end the following:

17 “(2) The provisions of subchapter V of chapter
18 63 of title 5 shall apply to a bankruptcy judge as
19 if the bankruptcy judge were an employee (within
20 the meaning of subparagraph (A) of section 6381(1)
21 of such title).”.

22 (b) **MAGISTRATE JUDGES.**—Section 631(k) of title
23 28, United States Code, is amended—

24 (1) by striking “A United States magistrate
25 judge” and inserting “(1) Except as provided in

1 paragraph (2), a United States magistrate judge”;

2 and

3 (2) by adding at the end the following:

4 “(2) The provisions of subchapter V of chapter
5 63 of title 5 shall apply to a United States mag-
6 istrate judge as if the United States magistrate
7 judge were an employee (within the meaning of sub-
8 paragraph (A) of section 6381(1) of such title).”.

9 **SEC. 1139. DISTRICT OF COLUMBIA COURTS AND DISTRICT**
10 **OF COLUMBIA PUBLIC DEFENDER SERVICE.**

11 (a) DISTRICT OF COLUMBIA COURTS.—Section 11-
12 1726, District of Columbia Official Code, is amended by
13 adding at the end the following new subsection:

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

1 of the Federal Government under chapter 63 of title 5,
2 United States Code, and any corresponding regulations.”.

3 (b) DISTRICT OF COLUMBIA PUBLIC DEFENDER
4 SERVICE.—Section 305 of the District of Columbia Court
5 Reform and Criminal Procedure Act of 1970 (sec. 21605,
6 D.C. Official Code) is amended by adding at the end the
7 following new subsection:

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

20 **SEC. 1140. APPLICATION.**

21 (a) RULE OF CONSTRUCTION.—Section 1101 and the
22 amendments made such section shall have no force or ef-
23 fect.

24 (b) TITLE 5.—The amendments made by sections
25 1132, 1136, 1137, and 1138 shall not be effective—

1 (1) for leave described under subparagraph (A)
2 or (B) of section 6382(a)(1) of title 5, United States
3 Code, to any birth or placement occurring before Oc-
4 tober 1, 2020; and

5 (2) for leave described under subparagraph (C),
6 (D), or (E) of such section, to any event for which
7 such leave may be taken occurring before the date
8 that is 1 year after the date of enactment of this
9 Act.

10 (c) FML.—The amendments made by sections 1133,
11 1134, and 1135 shall not be effective—

12 (1) for leave described under subparagraph (A)
13 or (B) of section 102(a)(1) of the Family and Med-
14 ical Leave Act of 1993 (29 U.S.C. 2612(a)(1)), to
15 any birth or placement occurring before October 1,
16 2020; and

17 (2) for leave described under subparagraph (C),
18 (D), or (E) of such section, to any event for which
19 such leave may be taken occurring before the date
20 that is 1 year after the date of enactment of this
21 Act.

