

110TH CONGRESS
1ST SESSION

H. R. 3799

To provide that 8 of the 12 weeks of parental leave made available to a Federal employee shall be paid leave, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

OCTOBER 10, 2007

Mrs. MALONEY of New York (for herself, Mr. DAVIS of Illinois, Mr. HOYER, Mr. TOM DAVIS of Virginia, and Mr. GEORGE MILLER of California) introduced the following bill; which was referred to the Committee on Oversight and Government Reform, and in addition to the Committee on House Administration, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To provide that 8 of the 12 weeks of parental leave made available to a Federal employee shall be paid leave, 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 “Federal Employees
5 Paid Parental Leave Act of 2007”.

1 **SEC. 2. PAID PARENTAL LEAVE UNDER TITLE 5.**

2 (a) AMENDMENT TO TITLE 5.—Subsection (d) of sec-
3 tion 6382 of title 5, United States Code, is amended to
4 read as follows:

5 “(d)(1) An employee may elect to substitute for any
6 leave without pay under subparagraph (A) or (B) of sub-
7 section (a)(1) any paid leave which is available to such
8 employee for that purpose.

9 “(2) The paid leave that is available to an employee
10 for purposes of paragraph (1) is—

11 “(A) 8 administrative workweeks of paid leave
12 under this subparagraph in connection with the
13 birth or placement involved; and

14 “(B) any annual or sick leave accrued or accu-
15 mulated by such employee under subchapter I.

16 “(3) Nothing in this subchapter shall be considered
17 to require—

18 “(A) that an employing agency provide paid
19 sick leave in any situation in which such employing
20 agency would not normally be required to provide
21 such leave; or

22 “(B) that an employee first use all or any por-
23 tion of the leave described in subparagraph (B) of
24 paragraph (2) before being allowed to use leave de-
25 scribed in subparagraph (A) of such subparagraph.

26 “(4) Leave under paragraph (2)(A)—

1 “(A) shall be payable from any appropriation or
2 fund available for salaries or expenses for positions
3 within the employing agency;

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

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

11 “(5) The Office shall prescribe any regulations nec-
12 essary to carry out this subsection, including, subject to
13 paragraph (3)(B), the manner in which an employee may
14 designate any day or other period as to which such em-
15 ployee wishes to use leave described in paragraph (2)(A).”.

16 (b) EFFECTIVE DATE.—The amendments made by
17 this section shall not be effective with respect to any birth
18 or placement occurring before the end of the 6-month pe-
19 riod beginning on the date of the enactment of this Act.

20 **SEC. 3. PAID PARENTAL LEAVE FOR CONGRESSIONAL EM-**
21 **PLOYEES.**

22 (a) AMENDMENT TO CONGRESSIONAL ACCOUNT-
23 ABILITY ACT.—Section 202 of the Congressional Account-
24 ability Act of 1995 (2 U.S.C. 1312) is amended—

1 (1) in subsection (a)(1), by adding at the end
2 the following: “In applying section 102(a)(1)(A) and
3 (B) to covered employees, subsection (d) shall
4 apply.”;

5 (2) by redesignating subsections (d) and (e) as
6 subsections (e) and (f), respectively; and

7 (3) by inserting after subsection (c) the fol-
8 lowing:

9 “(d) SPECIAL RULE FOR PAID PARENTAL LEAVE
10 FOR CONGRESSIONAL EMPLOYEES.—

11 “(1) SUBSTITUTION OF PAID LEAVE.—A cov-
12 ered employee taking leave without pay under sub-
13 paragraphs (A) or (B) of section 102(a)(1) of the
14 Family and Medical Leave Act of 1993 (29 U.S.C.
15 2612(a)(1)) may elect to substitute for any such
16 leave any paid leave which is available to such em-
17 ployee for that purpose.

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

21 “(A) 8 workweeks of paid leave under this
22 subparagraph in connection with the birth or
23 placement involved; and

1 “(B) any additional paid vacation or sick
2 leave provided by the employing office to such
3 employee.

4 “(3) LIMITATION.—Nothing in this section
5 shall be considered to require—

6 “(A) that an employing office provide paid
7 sick leave in any situation in which such em-
8 ploying office would not normally be required to
9 provide such leave; or

10 “(B) that a covered employee first use all
11 or any portion of the leave described in sub-
12 paragraph (B) of paragraph (2) before being al-
13 lowed to use leave described in subparagraph
14 (A) of such paragraph.

15 “(4) ADDITIONAL RULES.—Leave under para-
16 graph (2)(A)—

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 amendments made by
2 this section shall not be effective with respect to any birth
3 or placement occurring before the end of the 6-month pe-
4 riod beginning on the date of the enactment of this Act.

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