

118TH CONGRESS  
1ST SESSION

# S. 274

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

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## IN THE SENATE OF THE UNITED STATES

FEBRUARY 7, 2023

Mr. SCHATZ (for himself, Ms. WARREN, Mrs. GILLIBRAND, Mr. LUJÁN, Mr. BROWN, Ms. DUCKWORTH, Mr. CARDIN, Mr. PADILLA, Mr. HEINRICH, Mr. VAN HOLLEN, and Mr. SANDERS) introduced the following bill; which was read twice and referred to the Committee on Homeland Security and Governmental Affairs

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## 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 sserting “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 subparagraph (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.”.

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