

109<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 5148

To ensure that at least one-half of the 12 weeks of parental leave made available to a Federal employee under subchapter V of chapter 63 of title 5, United States Code, shall be paid leave.

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## IN THE HOUSE OF REPRESENTATIVES

APRIL 6, 2006

Mrs. MALONEY (for herself, Mr. TOM DAVIS of Virginia, and Mr. HOYER) introduced the following bill; which was referred to the Committee on Government Reform

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## A BILL

To ensure that at least one-half of the 12 weeks of parental leave made available to a Federal employee under subchapter V of chapter 63 of title 5, United States Code, shall be paid leave.

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 2006”.

6       **SEC. 2. PAID PARENTAL LEAVE.**

7       Subsection (d) of section 6382 of title 5, United  
8       States Code, is amended to read as follows:

1       “(d)(1) An employee may elect to substitute for any  
2 leave without pay under subparagraph (A), (B), (C), or  
3 (D) of subsection (a)(1) any paid leave which is available  
4 to such employee for that purpose.

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

7           “(A) to the extent that subparagraph (A) or  
8 (B) of subsection (a)(1) is the basis for the entitle-  
9 ment to leave under this subchapter—

10           “(i) 6 administrative workweeks of paid  
11 leave under this clause in connection with the  
12 birth or placement involved; and

13           “(ii) any annual or sick leave accrued or  
14 accumulated by such employee under sub-  
15 chapter I; and

16           “(B) to the extent that subparagraph (C) or  
17 (D) of subsection (a)(1) is the basis for the entitle-  
18 ment to leave under this subchapter, any annual or  
19 sick leave accrued or accumulated by such employee  
20 under subchapter I.

21       “(3) Nothing in this subchapter shall be considered  
22 to require—

23           “(A) that an employing agency provide paid  
24 sick leave in any situation in which such employing

1 agency would not normally be required to provide  
2 such leave; or

3 “(B) in a circumstance to which subparagraph  
4 (A) of paragraph (2) applies, that an employee first  
5 use all or any portion of the leave described in  
6 clause (ii) of such subparagraph before being al-  
7 lowed to use leave described in clause (i) of such  
8 subparagraph.

9 “(4) Leave under paragraph (2)(A)(i)—

10 “(A) shall be payable from any appropriation or  
11 fund available for salaries or expenses for positions  
12 within the employing agency;

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

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

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

1 **SEC. 3. EFFECTIVE DATE.**

2       The amendments made by this Act shall not be effec-  
3 tive with respect to any birth or placement occurring be-  
4 fore the end of the 6-month period beginning on the date  
5 of the enactment of this Act.

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