

103^D CONGRESS
1ST SESSION

S. 1130

AMENDMENT

In the House of Representatives, U. S.,

September 21, 1993.

Resolved, That the bill from the Senate (S. 1130) entitled “An Act to provide for continuing authorization of Federal employee leave transfer and leave bank programs, and for other purposes”, do pass with the following

AMENDMENT:

Strike out all after the enacting clause, and insert:

1 ***SECTION 1. SHORT TITLE.***

2 *This Act may be cited as the “Federal Employees*
3 *Leave Sharing Amendments Act of 1993”.*

4 ***SEC. 2. REPEAL OF TERMINATION PROVISION.***

5 *Section 2(d) of the Federal Employees Leave Sharing*
6 *Act of 1988 (5 U.S.C. 6331 note) is repealed, effective as*
7 *of October 30, 1993.*

8 ***SEC. 3. ADVANCED LEAVE NOT TO BE CONSIDERED IN DE-***

9 ***TERMINING WHETHER ANY PAID LEAVE IS***
10 ***AVAILABLE.***

11 *(a) IN GENERAL.—Sections 6331(4) and 6361(6) of*
12 *title 5, United States Code, are each amended by striking*
13 *“leave.” and inserting “leave (disregarding any advanced*
14 *leave).”.*

1 (b) *TECHNICAL CORRECTION.*—Section 6331(4) of title
 2 5, United States Code, is amended by inserting “the term”
 3 after “(4)”.

4 **SEC. 4. ACCRUAL OF LEAVE.**

5 Section 6337(c) of title 5, United States Code, is
 6 amended to read as follows:

7 “(c)(1) Any annual or sick leave accrued by an em-
 8 ployee under this section shall be transferred to the appro-
 9 priate leave account of such employee under subchapter I,
 10 and shall be available for use—

11 “(A) as of the beginning of the first applicable
 12 pay period beginning after the date on which the em-
 13 ployee’s medical emergency terminates as described in
 14 paragraph (1) or (2) of section 6335(a); or

15 “(B) if the employee’s medical emergency has not
 16 yet terminated, once the employee has exhausted all
 17 transferred leave made available to such employee
 18 under this subchapter.

19 “(2) In the event that the employee’s medical emer-
 20 gency terminates as described in section 6335(a)(3)—

21 “(A) any leave accrued but not yet transferred
 22 under this section shall not be credited to such em-
 23 ployee; or

24 “(B) if there remains, as of the date the emer-
 25 gency so terminates, any leave which became avail-

3 “(d) Nothing in this section shall be considered to pre-
4 vent, with respect to a continuing medical emergency, fur-
5 ther transfers of leave for use after leave accrued under this
6 section has been exhausted by the employee.”.

7 **SEC. 5. EMPLOYEE PARTICIPATION IN LEAVE BANK AND**
8 **LEAVE TRANSFER PROGRAMS.**

9 (a) AUTHORITY TO PARTICIPATE IN BOTH PRO-
10 GRAMS.—

(1) *IN GENERAL.*—Section 6373 of title 5,
United States Code, is amended to read as follows:

13 **“§ 6373. Authority to participate in both programs**

14 “(a) The Office of Personnel Management shall pre-
15 scribe regulations under which an employee participating
16 in a leave bank program under this subchapter may, subject
17 to such terms or conditions as the Office may establish, also
18 make or receive donations of leave under subchapter III.

19 “(b) Notwithstanding any provision of section 6337 or
20 6371, if an employee uses leave transferred to such employee
21 under subchapter III and leave made available to such em-
22 ployee under this subchapter in connection with the same
23 medical emergency, the maximum number of days of an-
24 nual leave and sick leave, respectively, which may accrue
25 to such employee in connection with such medical emer-

1 gency shall be the same as if all of that leave had been made
2 available to such employee under this subchapter.”.

3 (2) *TECHNICAL AMENDMENT.*—The table of sec-
4 tions for chapter 63 of title 5, United States Code, is
5 amended by striking the item relating to section 6373
6 and inserting the following:

“6373. Authority to participate in both programs.”.

7 (b) *ELIMINATION OF PROVISION TREATING LEAVE*
8 *BANK PROGRAM AS A DEMONSTRATION PROJECT.*—Section
9 6362 of title 5, United States Code, is amended—
10 (1) by striking subsection (b); and
11 (2) in subsection (a) by striking “(a)”.

12 **SEC. 6. EFFECTIVE DATE.**

13 Except as provided in section 2, this Act and the
14 amendments made by this Act shall take effect as of the
15 120th day after the date of the enactment of this Act or
16 such earlier date as the Office of Personnel Management
17 may by regulation prescribe.