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110TH CONGRESS
2d Session

HOUSE OF REPRESENTATIVES

REPORT
110–718

PROVIDING FOR CONSIDERATION OF THE BILL (H.R. 5781) 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

JUNE 17, 2008.—Referred to the House Calendar and ordered to be printed

Mr. MCGOVERN, from the Committee on Rules,
submitted the following

R E P O R T

[To accompany H. Res. 1277]

The Committee on Rules, having had under consideration House Resolution 1277, by a nonrecord vote, report the same to the House with the recommendation that the resolution be adopted.

SUMMARY OF PROVISIONS OF THE RESOLUTION

The resolution provides for consideration of H.R. 5781, the "Federal Employees Paid Parental Leave Act of 2008," under a structured rule. The resolution provides for one hour of debate equally divided and controlled by the chairman and ranking minority member of the Committee on Oversight and Government Reform.

The resolution waives all points of order against consideration of the bill except those arising under clause 9 or 10 of rule XXI. The resolution provides the amendment in the nature of a substitute recommended by the Committee on Oversight and Government Reform shall be considered as adopted and the bill, as amended, shall be considered as read. The resolution waives all points of order against provisions of the bill. This waiver does not affect the point of order available under clause 9 of rule XXI (regarding earmark disclosure).

The resolution makes in order the amendment printed in this report if offered by Rep. Davis of Illinois or his designee. The resolution waives all points of order against such amendment except those arising under clause 9 or 10 of rule XXI. The amendment made in order shall be considered as read and shall be debatable for 10 minutes equally divided by the proponent and an opponent.

The resolution provides one motion to recommit with or without instructions. Finally, notwithstanding the operation of the previous question, the Chair may postpone further consideration until a time designated by the Speaker.

69–008

EXPLANATION OF WAIVERS

Although the rule waives all points of order against the bill and its consideration (except for those arising under clause 9 or 10 of rule XXI), the Committee is not aware of any specific points of order. The waivers of all points of order against the bill and against its consideration are prophylactic.

COMMITTEE VOTES

The results of each record vote on an amendment or motion to report, together with the names of those voting for and against, are printed below:

Rules Committee record vote No. 539

Date: June 17, 2008.
Measure: H.R. 5781.
Motion by: Mr. Dreier.
Summary of motion: To report an open rule.
Results: Defeated 3–7.
Vote by Members: McGovern—Nay; Hastings (FL)—Nay; Matsui—Nay; Cardoza—Nay; Welch—Nay; Castor—Nay; Arcuri—Nay; Dreier—Yea; Hastings (WA)—Yea; Sessions—Yea.

Rules Committee record vote No. 540

Date: June 17, 2008.
Measure: H.R. 5781.
Motion by: Mr. Hastings (WA).
Summary of motion: To make in order and provide appropriate waivers for an amendment by Rep. Issa, #3, which strikes the new paid parental leave benefit but allows federal employees to use paid sick leave for parental leave upon birth or placement of adoption.
Results: Defeated 3–7.
Vote by Members: McGovern—Nay; Hastings (FL)—Nay; Matsui—Nay; Cardoza—Nay; Welch—Nay; Castor—Nay; Arcuri—Nay; Dreier—Yea; Hastings (WA)—Yea; Sessions—Yea.

Rules Committee record vote No. 541

Date: June 17, 2008.
Measure: H.R. 5781.
Motion By: Mr. Sessions.
Summary of motion: To make in order and provide appropriate waivers for an amendment by Rep. Issa, which requires agencies to provide employees an entitlement of 4 weeks advance leave that would be repaid.
Results: Defeated 3–7.
Vote by Members: McGovern—Nay; Hastings (FL)—Nay; Matsui—Nay; Cardoza—Nay; Welch—Nay; Castor—Nay; Arcuri—Nay; Dreier—Yea; Hastings (WA)—Yea; Sessions—Yea.

SUMMARY OF AMENDMENT MADE IN ORDER

(Summary derived from information provided by sponsor.)
1. Davis, Danny (IL): Would make certain technical and conforming changes to the bill, would strike a requirement for a study by the Government Accountability Office, and would make section

4 not effective with respect to births or placements occurring within 6 months of the enactment of the Act. (10 minutes)

TEXT OF AMENDMENT MADE IN ORDER

1. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE DAVIS OF ILLINOIS, OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 3, line 7, strike "subchapter" and insert "subsection".

Page 3, beginning on line 8, strike "require—" and all that follows through line 17, and insert "require that an employee first use all or any portion of the leave described in subparagraph (B) of paragraph (3) before being allowed to use the paid parental leave described in subparagraph (A) of paragraph (3).".

Page 4, line 11, strike "of the following factors" and insert "of—".

Page 4, line 13, strike "offering paid" and insert "offering increased paid".

Page 5, line 3, strike "(4)(B)" and insert "(4)".

Page 5, line 7, strike "amendments" and insert "amendment".

Page 5, line 17, insert "of such Act" after "section 102(a)(1)(A) and (B)".

Page 6, beginning on line 2, strike "subparagraphs" and insert "subparagraph".

Page 6, line 20, strike "section" and insert "subsection".

Page 6, beginning on line 21, strike "require—" and all that follows through page 7, line 5, and insert "require that an employee first use all or any portion of the leave described in subparagraph (B) of paragraph (2) before being allowed to use the paid parental leave described in subparagraph (A) of paragraph (2).".

Page 7, line 17, strike "amendments" and insert "amendment".

Page 8, line 4, strike "Section" and insert "(a) AMENDMENT TO FAMILY AND MEDICAL LEAVE ACT OF 1993.—Section".

Page 8, line 11, strike "subparagraphs" and insert "subparagraph".

Page 8, line 18, strike "paragraph (1)" and insert "subparagraph (A)".

Page 9, beginning on line 4, strike "require—" and all that follows through line 15, and insert "require that an employee first use all or any portion of the leave described in clause (ii) of subparagraph (B) before being allowed to use the paid parental leave described in clause (i) of such subparagraph.".

Page 9, line 20, strike "employers" and insert "the employer".

Page 9, line 23, strike "employers" and insert "employer".

Page 10, after line 2, insert the following:

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

Strike section 5.

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