

[DISCUSSION DRAFT]

118TH CONGRESS
2D SESSION

H. R. _____

To amend the Social Security Act to provide support and incentives for the development and adoption of an interstate agreement that facilitates coordination and harmonization of State paid family and medical leave programs to benefit employees, States, and employers.

IN THE HOUSE OF REPRESENTATIVES

Ms. HOULAHAN (for herself, Mrs. BICE, Mr. ALLRED, Ms. LETLOW, Ms. STEVENS, and Mrs. MILLER-MEEKS) introduced the following bill; which was referred to the Committee on _____

A BILL

To amend the Social Security Act to provide support and incentives for the development and adoption of an interstate agreement that facilitates coordination and harmonization of State paid family and medical leave programs to benefit employees, States, and employers.

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 “Interstate Paid Leave
5 Action Network Act of 2024” or “I-PLAN Act of 2024”.

1 **SEC. 2. I-PLAN.**

2 The Social Security Act (42 U.S.C. 301 et seq.) is
3 amended by adding at the end the following:

4 **“TITLE XXII—INTERSTATE PAID**
5 **LEAVE ACTION NETWORK**

6 **“SEC. 2201. TABLE OF CONTENTS.**

7 “The table of contents for this title is as follows:

“Sec. 2201. Table of contents.

“Sec. 2202. Definitions.

“Sec. 2203. Interstate Paid Leave Action Network.

“Sec. 2204. National intermediary to support the Interstate Paid Leave Action
Network.

“Sec. 2205. Grants to eligible States.

“Sec. 2206. Authorization of appropriations.

8 **“SEC. 2202. DEFINITIONS.**

9 “In this title:

10 “(1) BLS.—The term ‘BLS’ means the Bureau
11 of Labor Statistics.

12 “(2) CPI-U INCREASE FACTOR.—

13 “(A) IN GENERAL.—The term ‘CPI-U in-
14 crease factor’, with respect to a fiscal year,
15 means the ratio of—

16 “(i) the CPI-U for the most recent
17 full calendar year available at the start of
18 such fiscal year, to

19 “(ii) the CPI-U for calendar year
20 2024.

21 “(B) CPI-U.—The term ‘CPI-U’ means,
22 when used with respect to a calendar year, the

1 average of the Consumer Price Index for All
2 Urban Consumers, as published by the BLS, as
3 of the close of the 12-month period ending on
4 December 31 of such calendar year.

5 “(3) EMPLOYER-PROVIDED PAID FAMILY AND
6 MEDICAL LEAVE PLAN.—The terms ‘employer-pro-
7 vided paid family and medical leave plan’ and ‘em-
8 ployer plan’ mean a plan that—

9 “(A) is provided by an employer to the em-
10 ployees of such employer (whether directly,
11 under a contract with an insurer, or provided
12 through a multiemployer plan); and

13 “(B) meets or exceeds the requirements of
14 the State paid family and medical leave pro-
15 gram of the State in which such employee is
16 employed.

17 “(4) I-PLAN.—The term ‘I-PLAN’ means the
18 Interstate Paid Leave Action Network established in
19 section 2204(a).

20 “(5) I-PLAN AGREEMENT.—The term ‘I-
21 PLAN Agreement’ means the interstate agreement
22 produced pursuant to section 2204(b).

23 “(6) NATIONAL INTERMEDIARY.—The term
24 ‘national intermediary’ means a national non-govern-
25 mental workforce organization that has extensive ex-

1 perience partnering with the Department of Labor
2 to operate interstate technological systems and proc-
3 esses for State workforce agencies and employers.

4 “(7) PAID LEAVE.—The term ‘paid leave’
5 means an increment of compensated leave that is
6 provided, in the case of a State program, by such
7 State or, in the case of an employer plan, by such
8 employer for use during a period in which such indi-
9 vidual is not working due to a qualifying reason.

10 “(8) QUALIFYING REASON.—The term ‘quali-
11 fying reason’ means, in relation to an individual, a
12 reason described in subparagraphs (A) through (D)
13 of section 102(a)(1) of the Family and Medical
14 Leave Act of 1993 (29 U.S.C. 2612(a)(1)) (applied
15 for purposes of this paragraph as if the individual
16 involved were the employee referred to in such sec-
17 tion).

18 “(9) SECRETARY.—The term ‘Secretary’ means
19 the Secretary of Labor.

20 “(10) STATE FOCAL.—The term ‘State focal’
21 means, with respect to a State, an individual—

22 “(A) designated by the State agency in
23 charge of such State’s paid family and medical
24 leave program to—

1 “(i) participate in the I-PLAN de-
2 scribed in section 2204; and

3 “(ii) lead such State’s efforts to adopt
4 and implement the I-PLAN Agreement;
5 and

6 “(B) who—

7 “(i) is employed by such State’s paid
8 family and medical leave program; and

9 “(ii) has knowledge, experience and
10 authority in paid leave matters.

11 “(11) STATE PAID FAMILY AND MEDICAL
12 LEAVE PROGRAM.—The terms ‘State paid family and
13 medical leave program’ and ‘State program’ mean a
14 program under State law that provides, during any
15 12-month period, a total of not less than 6 weeks of
16 paid leave to individuals—

17 “(A) for each qualifying reason; and

18 “(B) in aggregate.

19 **“SEC. 2203. INTERSTATE PAID LEAVE ACTION NETWORK.**

20 “(a) IN GENERAL.—

21 “(1) ESTABLISHMENT.—There is established an
22 Interstate Paid Leave Action Network.

23 “(2) MEMBERSHIP.—The I-PLAN shall be
24 composed of the State focal for each State receiving
25 a conforming grant under section 2205(a).

1 “(3) MEETINGS.—The I-PLAN shall meet not
2 less than 3 times in each calendar year.

3 “(b) DUTIES.—The duty of the I-PLAN shall be to
4 produce an interstate agreement into which States offer-
5 ing a State paid family and medical leave program may
6 enter, and periodically update such agreement as nec-
7 essary to improve clarity and scope. Such agreement shall
8 be publicly available and accomplish each of the following
9 requirements:

10 “(1) POLICY STANDARD.—Create a single policy
11 standard with respect to all participating States to
12 facilitate easier compliance with and understanding
13 of paid leave programs across States, including defi-
14 nitions for the terms that follow:

15 “(A) Benefit day, week, and year.

16 “(B) Base period.

17 “(C) Intermittent and reduced schedule
18 leave.

19 “(D) Place of performance.

20 “(E) Family members.

21 “(F) Employee eligibility.

22 “(G) Employee coverage.

23 “(H) Waiting period.

24 “(2) ADMINISTRATIVE STANDARD.—Create a
25 single administrative standard with respect to all

1 participating States to facilitate easier compliance
2 with and understanding of paid leave programs
3 across States, including—

4 “(A) the process by which employers re-
5 spond to requests from States to verify and pro-
6 vide employee information for eligibility deter-
7 minations, including wages and work history;

8 “(B) the process by which employers pro-
9 vide periodic and permanent notice of the avail-
10 ability of paid leave under a State program or
11 employer plan to employees;

12 “(C) employees’ responsibility to provide
13 notices of leave to their employers;

14 “(D) timing of and process for collecting
15 payroll contributions;

16 “(E) coordinating with other types of paid
17 time off and leaves of absence;

18 “(F) continuing other benefits;

19 “(G) accessing employee leave information;

20 “(H) protecting personal information;

21 “(I) creating and updating written leave
22 materials such as handbooks;

23 “(J) maintaining records and documenta-
24 tion; and

1 “(K) if a State program permits employers
2 to elect to provide employer plans, facilitating
3 such election, including by creating an equiva-
4 lency standard to determine whether the max-
5 imum monetary value of an employer plan for
6 the average weekly wage of workers in the State
7 for total covered establishments in all industries
8 (based on the most recent calendar year for
9 which data is available from the Quarterly Cen-
10 sus of Employment and Wages program of the
11 BLS) is greater than or equal to the maximum
12 monetary value of a State program, taking into
13 account programmatic elements such as—

14 “(i) how benefit duration, wage re-
15 placement, absence of a weekly benefit cap,
16 absence of a waiting week, and other fac-
17 tors interact in a quantitative manner; and

18 “(ii) how an individual taking paid
19 family and medical leave for a qualifying
20 reason affects the ability of such individual
21 to take paid family and medical leave for
22 another qualifying reason.

23 “(3) COORDINATION OF BENEFITS ACROSS
24 STATE PAID LEAVE PROGRAMS.—Create a single
25 process for State programs to process claims for eli-

1 gible individuals who have work history across mul-
2 tiple I-PLAN member states such that they will re-
3 ceive benefits from one primary State program.

4 **“SEC. 2204. NATIONAL INTERMEDIARY TO SUPPORT THE**
5 **INTERSTATE PAID LEAVE ACTION NETWORK.**

6 “(a) **AUTHORITY TO MAKE GRANTS.**—Subject to the
7 availability of appropriations under section 2206(a), the
8 Secretary of Labor, acting through the Employment and
9 Training Administration, shall award a grant to one na-
10 tional intermediary to facilitate the activities of the I-
11 PLAN.

12 “(b) **USE OF FUNDS.**—A national intermediary
13 awarded a grant under subsection (a) shall use funds for
14 the costs related to each of the following:

15 “(1) **MEETINGS.**—Meeting activities, includ-
16 ing—

17 “(A) convening the State focals as de-
18 scribed in section 2203(a)(3), including reason-
19 able travel, transportation and other expenses
20 of State focals and staff of the national inter-
21 mediary (and any necessary accompanying
22 State personnel);

23 “(B) making publicly available information
24 on the agendas and outcomes of such meetings;
25 and

1 “(C) not later than 12 months after the
2 date of enactment, developing, and making pub-
3 licly available a roadmap and implementation
4 plan, which shall include goals for achieving the
5 objectives of the I-PLAN and metrics for suc-
6 cess, and updating such plan on a semiannual
7 basis thereafter.

8 “(2) ANNUAL REPORT.—Producing and making
9 publicly available on an annual basis a report that
10 compares State programs, including information
11 on—

12 “(A) benefit eligibility;

13 “(B) maximum number of weeks an eligi-
14 ble employee is allowed to receive benefits—

15 “(i) for each qualifying reason; and

16 “(ii) in aggregate;

17 “(C) wage replacement rate and how that
18 may vary based on prior earnings;

19 “(D) maximum weekly benefit amount;

20 “(E) how such programs are financed by
21 employees and employers, including the payroll
22 tax rate and amount of wages subject to tax;

23 “(F) whether and how such programs
24 allow employers to provide employer plans, tak-
25 ing into consideration—

1 “(i) benefit payment timeliness; and

2 “(ii) employer and employee adminis-
3 trative complexity

4 “(G) whether and how such programs co-
5 ordinate with other types of paid-time off and
6 leaves of absence; and

7 “(H) other activities essential for the suc-
8 cess, effectiveness, and sustainability of the I-
9 PLAN.

10 “(3) OUTREACH AND COORDINATION.—Engag-
11 ing, consulting, and gathering relevant information
12 from a wide range of external stakeholders, includ-
13 ing—

14 “(A) State legislatures;

15 “(B) Governors;

16 “(C) employees; and

17 “(D) representatives of employers, includ-
18 ing—

19 “(i) employers with employees in mul-
20 tiple States; and

21 “(ii) employers with fewer than 50
22 employees;

23 “(E) self-employed individuals; and

1 “(F) policy experts and other organizations
2 with expertise on paid leave and unemployment
3 compensation programs.

4 “(4) STANDARDIZED AND INTEROPERABLE
5 TECHNOLOGY SYSTEM FOR WAGES.—Creating a
6 standardized technology-based system to facilitate
7 States ability to carry out the I–Plan Agreement, al-
8 lowing States to process interstate claims and
9 strengthen program integrity, that—

10 “(A) adopts or leverages modular tech-
11 nology that—

12 “(i) ensures privacy, security, and
13 prompt data availability;

14 “(ii) enhances and streamlines the
15 claimant experience; and

16 “(iii) is interoperable with other rel-
17 evant State systems;

18 “(B) includes State reporting requirements
19 on key trends that are reasonable and techno-
20 logically feasible (by qualifying reason, if pos-
21 sible), such as—

22 “(i) the number of initial and contin-
23 ued benefit claims;

24 “(ii) average duration of benefits;

25 “(iii) average weekly benefit amount;

1 “(iv) average time between filing a
2 claim and receiving an initial benefit pay-
3 ment; and

4 “(v) the accuracy of benefit payment
5 amounts; and

6 “(C) if practicable, incorporates Federal
7 and military wages to provide States with com-
8 prehensive wage information for claimants who
9 were recently Federal employees (as defined in
10 section 8501 of title 5, United States Code) or
11 ex-servicemembers.

12 “(5) ADDITIONAL USES.—Additional activities,
13 including—

14 “(A) hiring and compensating staff;

15 “(B) formulating guidance, recommenda-
16 tions, and best practices for States;

17 “(C) providing training on program admin-
18 istration;

19 “(D) providing technical assistance to
20 States; and

21 “(E) creating or leveraging technology es-
22 sential for the success and effectiveness of the
23 I-PLAN.

1 “(c) DURATION OF AWARD.—The period during
2 which payments are made to an entity from an award of
3 a grant under subsection (a) shall be 5 years.

4 **“SEC. 2205. GRANTS TO ELIGIBLE STATES.**

5 “(a) CONFORMING GRANTS.—

6 “(1) IN GENERAL.—

7 “(A) AUTHORITY TO MAKE GRANTS.—Sub-
8 ject to the availability of appropriations under
9 section 2206(b), the Secretary of Labor, acting
10 through the Employment and Training Admin-
11 istration, shall, on an annual basis, make a con-
12 forming grant to each eligible State.

13 “(B) AMOUNT OF GRANT.—

14 “(i) IN GENERAL.—A grant to an eli-
15 gible State under this subsection shall be—

16 “(I) not less than \$1,500,000
17 and not more than \$8,000,000; and

18 “(II) subject to subclause (I),
19 awarded on the basis of the relative
20 annual level of employment (as pub-
21 lished by the Current Employment
22 Statistics program of the BLS) of the
23 eligible State, compared to the annual
24 level of employment in all eligible
25 States.

1 “(ii) ADJUSTMENT.—The amounts
2 specified in clause (i) shall be ratably in-
3 creased or decreased to the extent that
4 funds available under section 2206(b) ex-
5 ceed or are less than (respectively) the
6 amount required to provide the amounts
7 specified in clause (i).

8 “(2) ELIGIBLE STATES.—

9 “(A) IN GENERAL.—To be eligible to re-
10 ceive a grant under paragraph (1), a State
11 shall—

12 “(i) have a State focal; and

13 “(ii) participate in the I-PLAN in
14 good faith.

15 “(B) GOOD FAITH REQUIREMENT.—

16 “(i) If the Secretary, in consultation
17 with the national intermediary awarded the
18 grant under section 2204(a), determines
19 that a State is not participating in the I-
20 PLAN in good faith, the Secretary—

21 “(I) shall provide warning and
22 feedback to the State; and

23 “(II) may elect to withhold a por-
24 tion or the total amount of a grant
25 under paragraph (1) to such State.

1 “(ii) If the Secretary elects to with-
2 hold an amount from a State under clause
3 (i)(II), the Secretary may later elect to
4 provide the amount so withheld to such
5 State if the Secretary later determines that
6 such State is participating in good faith.

7 “(b) IMPLEMENTATION GRANTS.—

8 “(1) IN GENERAL.—

9 “(A) AUTHORITY TO MAKE GRANTS.—Sub-
10 ject to the availability of appropriations under
11 section 2206(c), the Secretary of Labor, acting
12 through the Employment and Training Admin-
13 istration, shall, on an annual basis, make an
14 implementation grant to each eligible State.

15 “(B) AMOUNT OF GRANT.—

16 “(i) IN GENERAL.—A grant to an eli-
17 gible State under this subsection shall be—

18 “(I) not less than \$1,500,000
19 and not more than \$8,000,000; and

20 “(II) subject to subclause (I),
21 awarded on the basis of the relative
22 annual level of employment (as pub-
23 lished by Current Employment Statis-
24 tics program of the BLS) of the eligi-
25 ble State, compared to the annual

1 level of employment in all eligible
2 States.

3 “(ii) ADJUSTMENT.—The amounts
4 specified in clause (i) shall be ratably in-
5 creased or decreased to the extent that
6 funds available under section 2206(c) ex-
7 ceed or are less than (respectively) the
8 amount required to provide the amounts
9 specified in clause (i).

10 “(2) ELIGIBILITY.—

11 “(A) IN GENERAL.—Subject to subpara-
12 graph (B), to be eligible to receive a grant
13 under paragraph (1), a State shall—

14 “(i) meet the requirements of sub-
15 section (a)(2)(A); and

16 “(ii) have entered into the I-PLAN
17 Agreement.

18 “(B) LIMITATION.—A State described in
19 subparagraph (A) shall be ineligible to receive a
20 grant for any fiscal year beginning after the
21 date that is 4 years after the date on which
22 such State enters into the I-PLAN Agreement
23 in which such State does not meet the require-
24 ments of such Agreement.

1 “(c) USE OF FUNDS.—A State shall use grants re-
2 ceived under this section—

3 “(1) to help pay administrative costs, including
4 costs related to—

5 “(A) customer service;

6 “(B) staffing and training;

7 “(C) technology;

8 “(D) data sharing;

9 “(E) identity validation; and

10 “(F) program awareness; and

11 “(2) to help small businesses, as defined by the
12 State, afford employer payroll contributions or ac-
13 cess other forms of technical and operational assist-
14 ance related to State paid family and medical leave.

15 “(d) INFLATION ADJUSTMENT.—In the case of any
16 fiscal year after 2026, there shall be substituted for any
17 dollar amount in subsections (a)(1) and (b)(1) an amount
18 equal to the product of—

19 “(1) such dollar amount, multiplied by

20 “(2) the CPI-U increase factor for such fiscal
21 year.

22 **“SEC. 2206. AUTHORIZATION OF APPROPRIATIONS.**

23 “(a) NATIONAL INTERMEDIARY GRANT.—There are
24 authorized to be appropriated not more than \$10,000,000

1 for the purposes of section 2204 for each of fiscal years
2 2026 through 2028.

3 “(b) CONFORMING GRANTS.—There are authorized
4 to be appropriated not more than \$40,000,000 for the
5 purposes of section 2205(a) for each of fiscal years 2026
6 through 2028.

7 “(c) IMPLEMENTATION GRANTS.—There are author-
8 ized to be appropriated not more than \$40,000,000 for
9 the purposes of section 2205(b) for each of fiscal years
10 2026 through 2028.

11 “(d) ADJUSTMENT OF APPROPRIATIONS.—

12 “(1) IN GENERAL.—For any fiscal year after
13 2026, there shall be substituted for any dollar
14 amount in subsections (a), (b), and (c) an amount
15 equal to the product of—

16 “(A) such dollar amount, multiplied by

17 “(B) the CPI-U increase factor for such
18 fiscal year.

19 **“SEC. 2207. TRANSFER.**

20 “The Secretary of the Treasury shall transfer
21 **[\$270,000,000]** from the unobligated balance of the fund
22 established under section **[Note: The Working Group has**
23 identified multiple options to fully offset the cost of this
24 legislation.**]** to the Secretary of Labor to carry out this
25 title.’”.