

119TH CONGRESS
1ST SESSION

H. R. 5749

To amend title 5, United States Code, to require that the Office of Personnel Management submit an annual report to Congress relating to the use of official time by Federal employees.

IN THE HOUSE OF REPRESENTATIVES

OCTOBER 14, 2025

Ms. FOXX (for herself, Mr. COMER, and Mr. PALMER) introduced the following bill; which was referred to the Committee on Oversight and Government Reform

A BILL

To amend title 5, United States Code, to require that the Office of Personnel Management submit an annual report to Congress relating to the use of official time by Federal employees.

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 “Official Time Report-
5 ing Act”.

1 **SEC. 2. REPORTING REQUIREMENT.**

2 (a) IN GENERAL.—Section 7131 of title 5, United
3 States Code, is amended by adding at the end the fol-
4 lowing new subsection:

5 “(e)(1)(A) Not later than March 31 of each calendar
6 year, the Director of the Office of Personnel Management,
7 in consultation with the Director of the Office of Manage-
8 ment and Budget, shall submit to the Committee on Over-
9 sight and Government Reform of the House of Represent-
10 atives and Committee on Homeland Security and Govern-
11 mental Affairs of the Senate, and make publicly available
12 on a website of the Office of Personnel Management, a
13 report covering the activities under this section during the
14 most recently completed fiscal year prior to such calendar
15 year, including each explanation submitted to the Director
16 under subparagraph (C) and summarizing information re-
17 ceived under subparagraph (B).

18 “(B) Not later than December 31 of each cal-
19 endar year, the head of each agency shall submit to
20 the Director of the Office of Personnel Management
21 the information which the Director requires, with re-
22 spect to such agency, for purposes of the report
23 which is next due under subparagraph (A) in accord-
24 ance with the guidance issued by the Director, in-
25 cluding any standardized format for the submission
26 of such information included in such guidance.

1 “(C) If the average aggregate official time rate
2 of an agency for a fiscal year is greater than the av-
3 erage aggregate official time rate for such agency
4 for the previous fiscal year, the head of such agency
5 shall include an explanation for such increase in the
6 information submitted to the Director of the Office
7 of Personnel Management under subparagraph (B)
8 for the purposes of the report required under sub-
9 paragraph (A) covering such fiscal year.

10 “(2) Each report submitted by the Director of the
11 Office of Personnel Management under paragraph (1)(A)
12 shall include, with respect to the fiscal year covered by
13 the report, the following information:

14 “(A) The total amount of official time granted
15 to employees.

16 “(B) The average amount of official time ex-
17 pended per employee in a bargaining unit and the
18 total number of employees in a bargaining unit.

19 “(C) For each agency, the average aggregate
20 official time rate.

21 “(D) The agency or subdivision of an agency in
22 which employees in a bargaining unit are employed.

23 “(E) The total amount withheld from the pay
24 of employees in a bargaining unit using the payroll
25 systems of agencies for the payment of the regular

1 and periodic dues of the exclusive representative of
2 the unit, and the total number of such employees
3 that paid such dues through such payroll systems.

4 “(F) The specific types of activities or purposes
5 for which official time was granted, and the effects
6 on agency operations of such grants of official time
7 for such activities or purposes.

8 “(G) The total number of employees to whom
9 official time was granted and the number of such
10 employees who as an employee, engaged in only ac-
11 tivities or purposes involving the use of official time.

12 “(H) The amount paid by the Federal Govern-
13 ment to employees granted official time with respect
14 to the activities or purposes for which such employ-
15 ees were granted such official time, disaggregated by
16 the costs of the compensation and fringe benefits of
17 such employees and any travel, per diem, or other
18 expense.

19 “(I) For each agency, a description of any room
20 or space designated at the agency (or its subcompo-
21 nent) as a room or space where employees of the
22 agency conducted activities for which official time
23 was granted, including the square footage of any
24 such room or space, and, if the agency allowed a
25 labor organization or individuals on official time the

1 free or discounted use of property of the Govern-
2 ment, the total fair market value of such free or dis-
3 counted use and the amount, if any, paid by the
4 labor organization to the agency for the use of such
5 property.

6 “(3) The Director of the Office of Personnel Manage-
7 ment shall—

8 “(A) provide the information required under
9 paragraph (2) to be included in a report submitted
10 by the Director under paragraph (1)(A) in the ag-
11 gregate for all agencies and disaggregated by agen-
12 cy; and

13 “(B) include in each such report, other than the
14 first such report submitted by the Director under
15 paragraph (1)(A), comparisons of the information
16 for the fiscal year covered by the report with the
17 corresponding information for the previous fiscal
18 year contained in the report submitted by the Direc-
19 tor under paragraph (1)(A) covering such previous
20 fiscal year, including such analysis of such compari-
21 sons as determined appropriate by the Director.

22 “(4) For the purposes of this subsection—

23 “(A) the term ‘agency bargaining unit’ means
24 a group of employees of an agency represented by an
25 exclusive representative in an appropriate unit for

1 collective bargaining under subchapter II of this
2 chapter;

3 “(B) the term ‘average aggregate official time
4 rate’, with respect to an agency, means the average
5 of the official time rates for each agency bargaining
6 unit of such agency for a fiscal year, weighted by the
7 number of employees in each such agency bargaining
8 unit as of the end of such fiscal year;

9 “(C) the term ‘bargaining unit’ means a group
10 of employees represented by an exclusive representa-
11 tive in an appropriate unit for collective bargaining
12 under subchapter II of this chapter;

13 “(D) the term ‘official time’ means the time an
14 employee of an agency who is a labor representative
15 for a labor organization spends performing non-
16 agency business while on duty, either in service of
17 such labor organization or otherwise acting in the
18 capacity as an employee representative, including of-
19 ficial time authorized under this section; and

20 “(E) the term ‘official time rate’ means the
21 total number of duty hours during a fiscal year that
22 employees in an agency bargaining unit used for of-
23 ficial time, divided by the number of employees in
24 such agency bargaining unit as of the end of such
25 fiscal year.”.

1 (b) GUIDANCE.—Not later than 180 days after the
2 date of enactment of this Act, the Director of the Office
3 of Personnel Management shall—

4 (1) issue guidance to agencies (as defined in
5 section 7103(a) of title 5, United States Code) re-
6 garding the submission of information under sub-
7 paragraphs (B) and (C) of section 7131(e)(1) of
8 title 5, United States Code, as added by subsection
9 (a), which may include a standardized format for the
10 submission of such information; and

11 (2) in consultation with the Chief Human Cap-
12 ital Officers designated under chapter 14 of such
13 title, promulgate any additional guidance that may
14 be necessary or appropriate to assist the heads of
15 such agencies in complying with the requirements of
16 this Act and the amendments made by this Act.

17 (c) APPLICABILITY.—The amendment made by sub-
18 section (a) take effect on the first April 1 that is not less
19 than six months after the date of the enactment of this
20 Act.

○