

# Union Calendar No. 111

113<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

# H. R. 568

[Report No. 113-154]

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

FEBRUARY 6, 2013

Mr. ROSS (for himself and Mr. GINGREY of Georgia) introduced the following bill; which was referred to the Committee on Oversight and Government Reform

JULY 16, 2013

Additional sponsors: Mr. ISSA, Mr. JORDAN, and Mr. MEADOWS

JULY 16, 2013

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in italic]

# **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. REPORTING REQUIREMENT.**

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

7       “(e)(1) Not later than March 31 of each calendar  
8 year, the Office of Personnel Management, in consultation  
9 with the Office of Management and Budget, shall submit  
10 to each House of Congress a report on the operation of  
11 this section during the fiscal year last ending before the  
12 start of such calendar year.

13       “(2) Each report under this subsection shall include,  
14 with respect to the fiscal year described in paragraph (1),  
15 at least the following information:

16           “(A) The total amount of official time granted  
17 to employees:

18           “(B) The average amount of official time ex-  
19 pended per bargaining unit employee:

20           “(C) The specific types of activities or purposes  
21 for which official time was granted, and the impact  
22 which the granting of such official time for such ac-  
23 tivities or purposes had on agency operations:

24           “(D) The total number of employees to whom  
25 official time was granted, and, of that total, the

1 number who were not engaged in any activities or  
2 purposes except activities or purposes involving the  
3 use of official time.

4 “(E) The total amount of compensation (includ-  
5 ing fringe benefits) afforded to employees in connec-  
6 tion with activities or purposes for which they were  
7 granted official time.

8 “(F) The dollar value of any office space, fur-  
9 nishings, equipment, or supplies provided by the  
10 Government in connection with activities or purposes  
11 for which employees were granted official time.

12 “(3) All information included in a report under this  
13 subsection—

14 “(A) shall be shown both agency-by-agency and  
15 for all agencies; and

16 “(B) shall be accompanied by the corresponding  
17 information for the fiscal year before the fiscal year  
18 described in paragraph (1), together with appro-  
19 priate comparisons and analyses.

20 “(4) For purposes of this subsection, the term ‘offi-  
21 cial time’ means any period of time, regardless of agency  
22 nomenclature—

23 “(A) which may be granted to an employee  
24 under this chapter (including a collective bargaining

1 agreement entered into under this chapter) to per-  
2 form representational or consultative functions; and  
3 “(B) during which the employee would other-  
4 wise be in a duty status.”.

5 (b) **APPLICABILITY.**—The amendment made by sub-  
6 section (a) shall be effective beginning with the report  
7 which, under the provisions of such amendment, is first  
8 due by a date which occurs at least 6 months after the  
9 date of the enactment of this Act.

10 **SECTION 1. REPORTING REQUIREMENT.**

11 (a) *IN GENERAL.*—Section 7131 of title 5, United  
12 States Code, is amended by adding at the end the following:

13 “(e)(1)(A) Not later than March 31 of each calendar  
14 year, the Office of Personnel Management, in consultation  
15 with the Office of Management and Budget, shall submit  
16 to each House of Congress a report on the operation of this  
17 section during the fiscal year last ending before the start  
18 of such calendar year.

19 “(B) Not later than December 31 of each calendar  
20 year, each agency (as defined by section 7103(a)(3)) shall  
21 furnish to the Office of Personnel Management the informa-  
22 tion which such Office requires, with respect to such agency,  
23 for purposes of the report which is next due under subpara-  
24 graph (A).

1       “(2) *Each report by the Office of Personnel Manage-*  
2 *ment under this subsection shall include, with respect to*  
3 *the fiscal year described in paragraph (1)(A), at least the*  
4 *following information:*

5               “(A) *The total amount of official time granted to*  
6 *employees.*

7               “(B) *The average amount of official time ex-*  
8 *pended per bargaining unit employee.*

9               “(C) *The specific types of activities or purposes*  
10 *for which official time was granted, and the impact*  
11 *which the granting of such official time for such ac-*  
12 *tivities or purposes had on agency operations.*

13               “(D) *The total number of employees to whom of-*  
14 *ficial time was granted, and, of that total, the number*  
15 *who were not engaged in any activities or purposes*  
16 *except activities or purposes involving the use of offi-*  
17 *cial time.*

18               “(E) *The total amount of compensation (includ-*  
19 *ing fringe benefits) afforded to employees in connec-*  
20 *tion with activities or purposes for which they were*  
21 *granted official time.*

22       “(3) *All information included in a report by the Office*  
23 *of Personnel Management under this subsection with respect*  
24 *to a fiscal year—*

1           “(A) shall be shown both agency-by-agency and  
2           for all agencies; and

3           “(B) shall be accompanied by the corresponding  
4           information (submitted by the Office in its report  
5           under this subsection) for the fiscal year before the fis-  
6           cal year to which such report pertains, together with  
7           appropriate comparisons and analyses.

8           “(4) For purposes of this subsection, the term ‘official  
9           time’ means any period of time, regardless of agency no-  
10          menclature—

11           “(A) which may be granted to an employee  
12           under this chapter (including a collective bargaining  
13           agreement entered into under this chapter) to perform  
14           representational or consultative functions; and

15           “(B) during which the employee would otherwise  
16           be in a duty status.”.

17          (b) *APPLICABILITY.*—The amendment made by sub-  
18          section (a) shall be effective beginning with the report  
19          which, under the provisions of such amendment, is first re-  
20          quired to be submitted by the Office of Personnel Manage-  
21          ment to each House of Congress by a date which occurs at  
22          least 6 months after the date of the enactment of this Act.

Union Calendar No. 111

113<sup>TH</sup> CONGRESS  
1<sup>ST</sup> Session

**H. R. 568**

[Report No. 113-154]

---

---

**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.

---

---

JULY 16, 2013

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed