

117TH CONGRESS
2D SESSION

H. R. 7951

To amend title 5, United States Code, to improve Federal agency teleworking programs, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 7, 2022

Mr. CONNOLLY (for himself and Mr. SARBANES) introduced the following bill;
which was referred to the Committee on Oversight and Reform

A BILL

To amend title 5, United States Code, to improve Federal agency teleworking programs, and for other purposes.

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 “Telework Metrics and
5 Cost Savings Act”.

6 **SEC. 2. IMPROVING FEDERAL AGENCY TELEWORKING PRO-**
7 **GRAMS.**

8 (a) DEFINITION OF TELEWORK.—Paragraph (3) of
9 section 6501 of title 5, United States Code, is amended
10 to read as follows:

1 “(3) TELEWORK.—The term ‘telework’ or ‘tele-
2 working’—

3 “(A) refers to a work flexibility arrange-
4 ment under which an employee performs (on a
5 periodic or full-time basis) the duties and re-
6 sponsibilities of such employee’s position, and
7 other authorized activities, from an approved
8 worksite other than the location from which the
9 employee would otherwise work; and

10 “(B) includes remote work, which refers to
11 a particular type of telework arrangement
12 under which an employee is not expected to re-
13 port to an officially established agency location
14 on a regular and recurring basis.”.

15 (b) FEDERAL AGENCY TELEWORKING POLICIES.—

16 Section 6502 of title 5, United States Code, is amended—

17 (1) in subsection (a)—

18 (A) in paragraph (1)—

19 (i) by striking “and” at the end of
20 subparagraph (B);

21 (ii) by striking the period at the end
22 of subparagraph (C) and inserting “; and”;
23 and

24 (iii) by adding at the end the fol-
25 lowing:

1 “(D) provide for executive agency man-
2 agers and supervisors annual work training and
3 instruction in compliance with the requirements
4 in section 6503.”; and

5 (B) in paragraph (2)(A), by striking “any
6 calendar year” and inserting “any of the 5 cal-
7 endar years preceding a calendar year in which
8 a determination is made pursuant to this sub-
9 paragraph with respect to an employee’s eligi-
10 bility to telework”; and

11 (2) in subsection (b)—

12 (A) by striking “and” at the end of para-
13 graph (4);

14 (B) by striking the period at the end of
15 paragraph (5) and inserting a semicolon; and

16 (C) by adding at the end the following:

17 “(6) include annual agency goals for the num-
18 ber and percent of employees participating in
19 telework—

20 “(A) three or more days per pay period;

21 “(B) one or 2 days per pay period;

22 “(C) once per month; and

23 “(D) on an occasional, episodic, or short-
24 term basis; and

1 “(7) methods for collecting data on, setting
2 goals for, and reporting costs savings to the execu-
3 tive agency achieved through teleworking, consistent
4 with the guidance developed under section 2(g) of
5 the Telework Metrics and Cost Savings Act.”.

6 (c) TRAINING AND MONITORING.—Section 6503 of
7 title 5, United States Code, is amended—

8 (1) in subsection (a)(1)(B), by inserting “or su-
9 pervisors” after “managers”; and

10 (2) in subsection (b), by inserting “, except that
11 an agency head may not exempt a manager or su-
12 pervisor described in subsection (a)(1)(B) from any
13 training required under subsection (a)(3)” after
14 “date of enactment of this chapter”.

15 (d) POLICY AND SUPPORT.—Section 6504, of title 5,
16 United States Code, is amended—

17 (1) in subsection (c), by adding at the end the
18 following:

19 “(3) REVIEW.—The Director of the Office of
20 Personnel Management, in coordination with the De-
21 partment of Homeland Security and the National
22 Institute of Standards and Technology, shall—

23 “(A) perform an annual review of the
24 guidelines issued under this subsection; and

1 “(B) make any updates to the guidelines
2 issued under this subsection that are deter-
3 mined to be appropriate as a result of a review
4 conducted under subparagraph (A).”; and

5 (2) in subsection (d), in the subsection heading,
6 by inserting “; PLANS FOR DISEASE OUTBREAKS”
7 after “OPERATIONS PLANS”.

8 (e) REPORTS.—

9 (1) OPM REPORTS.—Section 6506(b) of title 5,
10 United States Code, is amended—

11 (A) in paragraph (1)(A)—

12 (i) by striking “and” at the end of
13 clause (i); and

14 (ii) by inserting after clause (ii) the
15 following:

16 “(iii) the Chief Human Capital Offi-
17 cers Council; and”; and

18 (B) in paragraph (2)—

19 (i) in subparagraph (F)(vi), by strik-
20 ing “and” at the end;

21 (ii) in subparagraph (G), by striking
22 the period at the end and inserting “;
23 and”; and

24 (iii) by adding at the end the fol-
25 lowing:

1 “(H) agency cost savings achieved through
2 teleworking, consistent with the guidance devel-
3 oped under section 2(g) of the Telework Metrics
4 and Cost Savings Act.”.

5 (2) CHCO REPORTS.—Section 6506(d) of title
6 5, United States Code, is amended—

7 (A) by redesignating paragraph (2) as
8 paragraph (3); and

9 (B) by inserting after paragraph (1) the
10 following:

11 “(2) CONTENTS.—Each report submitted by a
12 Chief Human Capital Officer under paragraph (1)
13 shall include—

14 “(A) annual goals for increasing the per-
15 cent of employees of the executive agency who
16 are eligible for and participating in tele-
17 working—

18 “(i) three or more days per pay pe-
19 riod;

20 “(ii) one or 2 days per pay period;

21 “(iii) once per month; and

22 “(iv) on an occasional, episodic, or
23 short-term basis; and

24 “(B) the teleworking status of positions to
25 which an individual has been appointed under

1 section 3330d (relating to appointment of mili-
2 tary spouses) and the total number of such in-
3 dividuals in such positions who requested, but
4 were denied, telework.”.

5 (3) AGENCY REPORT ON TELEWORKING REDUC-
6 TION.—Section 6506 of title 5, United States Code,
7 is amended by adding at the end the following:

8 “(e) NOTIFICATION FOR REDUCTION IN TELE-
9 WORKING PARTICIPATION.—Not later than 30 days before
10 the date that an executive agency implements or modifies
11 a teleworking plan that would reduce the percentage of
12 employees at the agency who telework, the head of the ex-
13 ecutive agency shall provide written notification, including
14 a justification for the reduction in telework participation
15 and a description of how the agency will pay for any in-
16 creased costs resulting from that reduction, to—

17 “(1) the Director of the Office of Personnel
18 Management;

19 “(2) the Committee on Oversight and Reform
20 of the House of Representatives; and

21 “(3) the Committee on Homeland Security and
22 Governmental Affairs of the Senate.”.

23 (4) TECHNICAL CORRECTION.—Section
24 6506(b)(1) of title 5, United States Code, is amend-

1 ed by striking “with Chief” and inserting “with the
2 Chief”.

3 (f) REGULATIONS.—

4 (1) IN GENERAL.—Chapter 65 of title 5, United
5 States Code, is amended by adding after section
6 6506 the following:

7 **“§ 6507. Regulations.**

8 “The Office of Personnel Management may prescribe
9 regulations necessary for the administration of this chap-
10 ter with respect to employees in each executive agency.
11 In this section, the term ‘executive agency’ does not in-
12 clude the Government Accountability Office.”.

13 (2) CLERICAL AMENDMENT.—The table of sec-
14 tions for such chapter is amended by adding after
15 the item relating to section 6506 the following:

“6507. Regulations.”.

16 (3) CONFORMING AMENDMENT.—Section
17 6501(2) of title 5, United States Code, is amended
18 by striking “section 6506” and inserting “sections
19 6506 and 6507”.

20 (g) GUIDANCE.—Not later than 90 days after the
21 date of the enactment of this Act, the Director of the Of-
22 fice of Personnel Management, in collaboration with the
23 Chief Human Capital Officer Council, shall establish uni-
24 form guidance for agencies on how agencies are to collect
25 qualitative and quantitative data on, set goals for, and re-

1 port cost savings achieved through, teleworking related to
2 reduced absences, continuity of operations, reduced real
3 estate and utility costs, and reduced community costs,
4 among other cost savings measures.

5 (h) LIMITATION ON REDUCING TELEWORK ELIGI-
6 BILITY.—An executive agency may not reduce or otherwise
7 limit the level of employees at the executive agency eligible
8 to telework, or reduce or otherwise limit eligibility for, or
9 levels of, teleworking on a uniform, agency-wide basis,
10 below such levels in effect at the executive agency on the
11 date of enactment of this Act. In this subsection, the
12 terms “executive agency” and “telework” have the mean-
13 ings given such terms in section 6501 of title 5, United
14 States Code, as amended by subsection (a) of this section.

15 **SEC. 3. PUBLICATION REQUIREMENTS FOR OPM DIREC-**
16 **TOR.**

17 The Director of the Office of Personnel Management
18 shall—

19 (1) publish guidance and standards to assist
20 agencies in determining telework eligibility as well as
21 guidance to Federal agencies on how agencies are to
22 provide to the Office annually qualitative and quan-
23 titative data on telework use and implementation as
24 well as all cost savings achieved through, teleworking
25 related to reduced absences, continuity of operations,

1 reduced real estate and utility costs, and reduced
2 community costs, among other cost savings meas-
3 ures;

4 (2) publish online, at least annually, the Gov-
5 ernment-wide data on agency telework use and im-
6 plementation, including agency use and implementa-
7 tion of telework as well as data collected on cost sav-
8 ings;

9 (3) not later than 1 year after the date of en-
10 actment of this Act, submit to Congress a report
11 that analyzes persistent barriers to increasing agen-
12 cy telework across the Federal Government; and

13 (4) not later than 1 year after the submission
14 of the report under paragraph (3), the Office shall
15 offer agencies guidance to help address such bar-
16 riers.

17 **SEC. 4. RESPONSIBILITIES OF FEDERAL AGENCIES.**

18 The Federal Chief Human Capital Officer (or the
19 equivalent position) within each executive agency (as that
20 term is defined in section 6506(a) of title 5, United States
21 Code) shall—

22 (1) implement controls to verify that all employ-
23 ees who supervise other employees have completed
24 training on telework availability and implementation

1 described in section 6502(b) and 6503(c) of such
2 title, as amended by section 2 of this Act;

3 (2) in accordance with section 2(g), provide to
4 the Office of Personnel Management, on an annual
5 basis, qualitative and quantitative data on telework
6 use and implementation as well as all cost savings
7 achieved through, teleworking related to reduced ab-
8 sences, continuity of operations, reduced real estate
9 and utility costs, and reduced community costs,
10 among other cost savings measures; and

11 (3) at least once every year, review all agency
12 telework policies and ensure they are in compliance
13 with Office standards and guidance as well as with
14 Federal law.

15 **SEC. 5. TELEWORK DATA INTEGRITY ACT.**

16 (a) **SHORT TITLE.**—This section may be cited as the
17 “Telework Data Integrity Act” or the “TDI Act”.

18 (b) **PLAN ON IMPROVING DATA IN OPM ENTERPRISE**
19 **HUMAN RESOURCES INTEGRATION SYSTEM.**—

20 (1) **DEVELOPMENT.**—Consistent with rec-
21 ommendations contained in the report entitled
22 “COVID–19: Federal Telework Increased During
23 the Pandemic, but More Reliable Data are Needed
24 to Support Oversight”, published by the Government
25 Accountability Office on February 8, 2022, the Di-

1 rector of the Office of Personnel Management shall
2 develop and implement a plan to improve the reli-
3 ability of data (including telework data) in the En-
4 terprise Human Resources Integration system (in
5 this section referred to as the “system”) of the Of-
6 fice of Personnel Management. Such plan shall—

7 (A) provide for consistent monitoring of
8 Federal payroll data system-generated error
9 and edit check reports, and ensure timely action
10 is taken to address identified issues;

11 (B) integrate Federal payroll data into the
12 system;

13 (C) evaluate existing internal control ac-
14 tivities and develop new internal control activi-
15 ties for Federal payroll data, including trans-
16 actional edit checks that leverage information in
17 other system datasets; and

18 (D) establish phases of implementation of
19 the plan, and clear deadlines for the timely
20 completion of such phases.

21 (2) SUBMISSION.—Not later than 180 days
22 after the date of enactment of this Act, the Director
23 shall submit the plan developed under paragraph (1)
24 to—

1 (A) the Committee on Oversight and Re-
2 form of the House of Representatives;

3 (B) the Committee on Homeland Security
4 and Governmental Affairs of the Senate; and

5 (C) the Government Accountability Office.

6 (3) IMPLEMENTATION.—Not later than 90 days
7 after the date the plan is submitted under paragraph
8 (2), the Office of Personnel Management shall begin
9 to implement such plan.

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