

Calendar No. 236

115TH CONGRESS
1ST SESSION**H. R. 1293****[Report No. 115–167]**

IN THE SENATE OF THE UNITED STATES

MAY 25, 2017

Received; read twice and referred to the Committee on Homeland Security and
Governmental Affairs

OCTOBER 5, 2017

Reported by Mr. JOHNSON, without amendment

AN ACT

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:

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

7 “(B) Not later than December 31 of each calendar
8 year, each agency (as defined by section 7103(a)(3)) shall
9 furnish to the Office of Personnel Management the infor-
10 mation which such Office requires, with respect to such
11 agency, for purposes of the report which is next due under
12 subparagraph (A).

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

17 “(A) The total amount of official time granted
18 to employees.

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

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

1 “(D) The total number of employees to whom
2 official time was granted, and, of that total, the
3 number who were not engaged in any activities or
4 purposes except activities or purposes involving the
5 use of official time.

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

10 “(F) The total amount of official time spent by
11 employees representing Federal employees who are
12 not union members in matters authorized by this
13 chapter.

14 “(G) A description of any room or space des-
15 ignated at the agency (or its subcomponent) where
16 official time activities will be conducted, including
17 the square footage of any such room or space.

18 “(3) All information included in a report by the Of-
19 fice of Personnel Management under this subsection with
20 respect to a fiscal year—

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

23 “(B) shall be accompanied by the corresponding
24 information (submitted by the Office in its report
25 under this subsection) for the fiscal year before the

1 fiscal year to which such report pertains, together
2 with appropriate comparisons and analyses.

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

6 “(A) which may be granted to an employee
7 under this chapter (including a collective bargaining
8 agreement entered into under this chapter) to per-
9 form representational or consultative functions; and

10 “(B) during which the employee would other-
11 wise be in a duty status.”.

12 (b) APPLICABILITY.—The amendment made by sub-
13 section (a) shall be effective beginning with the report
14 which, under the provisions of such amendment, is first
15 required to be submitted by the Office of Personnel Man-
16 agement to each House of Congress by a date which oc-
17 curs at least 6 months after the date of the enactment
18 of this Act.

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