

119TH CONGRESS  
1ST SESSION

# S. 82

To amend title 5, United States Code, to address telework for Federal employees, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

JANUARY 13, 2025

Mr. LANKFORD introduced the following bill; which was read twice and referred to the Committee on Homeland Security and Governmental Affairs

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## A BILL

To amend title 5, United States Code, to address telework for Federal employees, 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 Reform Act  
5       of 2025”.

6       **SEC. 2. TELEWORK AND REMOTE WORK.**

7       (a) AMENDMENTS TO DEFINITIONS.—Section 6501  
8       of title 5, United States Code, is amended—

9               (1) by striking paragraph (3);

1           (2) by redesignating paragraphs (1) and (2) as  
2 paragraphs (3) and (4), respectively;

3           (3) by inserting before paragraph (3), as so re-  
4 designated, the following:

5           “(1) AGENCY-DESIGNATED WORKSITE.—The  
6 term ‘agency-designated worksite’ means a location,  
7 established by the head of an executive agency (or  
8 the designee of such an official), from which an em-  
9 ployee of the executive agency would otherwise work  
10 when not teleworking.

11          “(2) APPROVED ALTERNATIVE WORKSITE.—  
12 The term ‘approved alternative worksite’ means a  
13 worksite, approved by the head of an executive agen-  
14 cy (or the designee of such an official), where an  
15 employee of the executive agency, through telework,  
16 performs the duties and responsibilities of the posi-  
17 tion of the employee, and other authorized activities,  
18 on a routine, situational, or full-time basis.”; and

19          (4) by adding at the end the following:

20          “(5) REMOTE WORK.—The term ‘remote work’  
21 or ‘working remotely’ means a category of telework  
22 under which an employee performs the duties and  
23 responsibilities of the position of the employee, and  
24 other authorized activities, on a full-time basis from  
25 an approved alternative worksite other than the

1 agency-designated worksite with respect to the em-  
 2 ployee.

3 “(6) TELEWORK.—The term ‘telework’ or ‘tele-  
 4 working’ means a work flexibility arrangement under  
 5 which an employee performs the duties and respon-  
 6 sibilities of the position of the employee, and other  
 7 authorized activities, on a routine, situational, or  
 8 full-time basis from an approved alternative worksite  
 9 other than the agency-designated worksite with re-  
 10 spect to the employee.”.

11 (b) EXECUTIVE AGENCIES TELEWORK REQUIRE-  
 12 MENT.—

13 (1) IN GENERAL.—Section 6502 of title 5,  
 14 United States Code, is amended—

15 (A) in subsection (b)—

16 (i) in the subsection heading, by strik-  
 17 ing “PARTICIPATION” and inserting “RE-  
 18 QUIREMENTS”;

19 (ii) in paragraph (2)—

20 (I) in subparagraph (A), by strik-  
 21 ing “and” at the end; and

22 (II) by adding at the end the fol-  
 23 lowing:

24 “(C) is for a period of not longer than 1  
 25 year; and

1 “(D) the supervisor of the applicable em-  
2 ployee, in consultation with the Telework Man-  
3 aging Officer of the agency, shall review not  
4 less frequently than annually based on the  
5 needs of the agency, which shall include an  
6 analysis of—

7 “(i) whether agency telework policies  
8 and procedures, the duties of the employee,  
9 or the approved alternative worksite or  
10 agency-designated worksite of the employee  
11 need to be changed;

12 “(ii) the performance of the employee,  
13 as determined under the performance ap-  
14 praisal system of the agency developed  
15 under section 4302 (or under a similar  
16 legal authority for an executive agency or  
17 employee to which section 4302 does not  
18 apply); and

19 “(iii) the needs of the agency, as de-  
20 termined by the head of the agency;”;

21 (iii) in paragraph (5), by striking  
22 “and” at the end;

23 (iv) in paragraph (6), by striking the  
24 period at the end and inserting “; and”;  
25 and

1 (v) by adding at the end the following:

2 “(7) address the extent to which telework may  
3 be restricted for an employee if—

4 “(A) the employee has been officially dis-  
5 ciplined for being absent without permission for  
6 any period of time while teleworking under a  
7 written agreement entered into under para-  
8 graph (2);

9 “(B) the performance of the employee falls  
10 below acceptable levels, as determined under the  
11 performance appraisal system of the agency de-  
12 veloped under section 4302 (or under a similar  
13 legal authority for an executive agency or em-  
14 ployee to which section 4302 does not apply); or

15 “(C) the conduct of the employee violates  
16 other terms or conditions of the policy.”; and

17 (B) by adding at the end the following:

18 “(d) LIMITATIONS ON REMOTE WORK.—The fol-  
19 lowing shall apply with respect to an employee working  
20 remotely:

21 “(1) The employee may be expected to report to  
22 the agency-designated worksite of the employee on a  
23 periodic basis.

24 “(2) Notwithstanding any other provision of  
25 law or regulation, if the employee is working re-

motely from an approved alternative worksite that is located within a radius of not more than 75 miles from the agency-designated worksite of the employee, the employee may not be compensated or reimbursed for any travel to or from that agency-designated worksite unless that travel is—

“(A) required during the workday; and

“(B) approved by the head of the applicable executive agency (or the designee of such an official), in the sole and exclusive discretion of that official.”.

(2) APPLICABILITY.—With respect to subparagraph (C) of section 6502(b)(2) of title 5, United States Code, as added by paragraph (1) of this subsection—

(A) such subparagraph (C) shall not be enforced to the extent that such subparagraph conflicts with any applicable agreement described in section 7103(a)(8) of such title 5, if the agreement was in effect before October 1, 2024; and

(B) to the extent that an agreement described in subparagraph (A) of this paragraph conflicts with the requirements of such subpara-

graph (C), such subparagraph (C) shall become enforceable beginning on the earlier of—

(i) the date on which the agreement expires or becomes subject to renegotiation; or

(ii) the date that is 2 years after the date of enactment of this Act.

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

(1) in paragraph (1)—

(A) in subparagraph (A)—

(i) by inserting “, which shall include training on accurate reporting of remote work and telework usage” after “agency”; and

(ii) by striking subparagraph (B) and inserting the following:

“(B) all managers and supervisors of teleworkers and remote workers, which shall—

“(i) be provided on an annual basis; and

“(ii) include training on accurate reporting of employee remote work and telework eligibility and participation in agency time and attendance systems;”;

1           (2) in paragraph (3)(D), by striking “and” at  
2     the end;

3           (3) in paragraph (4), by striking the period at  
4     the end and inserting “; and”; and

5           (4) by adding at the end the following:

6           “(5) the executive agency has established a sys-  
7     tem to confirm that employees of the executive agen-  
8     cy are performing the duties, responsibilities, and  
9     authorized activities of the positions of those em-  
10    ployees solely at approved worksites under guidelines  
11    of the Office of Personnel Management, developed in  
12    consultation with the Director of the Office of Man-  
13    agement and Budget.”.

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

16           (1) in subsection (b)—

17               (A) in paragraph (1), by striking “per-  
18     formance management,”; and

19               (B) in paragraph (2), by inserting “remote  
20     work and telework performance management”  
21     before “measures”; and

22           (2) in subsection (c)—

23               (A) in paragraph (1), by striking “guide-  
24     lines not later than” and all that follows

1 through the period at the end and inserting the  
2 following: “guidelines—

3 “(A) not later than 180 days after the date  
4 of enactment of this chapter to ensure the ade-  
5 quacy of information and security protections  
6 for information and information systems used  
7 while teleworking; and

8 “(B) not later than 180 days after the  
9 date of enactment of the Telework Reform Act  
10 of 2025 to ensure the adequacy of information  
11 and security protections for information and in-  
12 formation systems used while teleworking.”;  
13 and

14 (B) by adding at the end the following:

15 “(3) REVIEW.—The Director of the Office of  
16 Management and Budget, in coordination with the  
17 Department of Homeland Security and the National  
18 Institute of Standards and Technology, shall—

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

21 “(B) make any updates to the guidelines  
22 issued under this subsection that are deter-  
23 mined to be appropriate as a result of a review  
24 conducted under subparagraph (A).”.

1 (e) DUTIES OF TELEWORK MANAGING OFFICER.—  
 2 Section 6505(b) of title 5, United States Code, is amend-  
 3 ed—

4 (1) in paragraph (2)(C), by striking “and” at  
 5 the end;

6 (2) by redesignating paragraph (3) as para-  
 7 graph (5); and

8 (3) by inserting after paragraph (2)(C), as  
 9 amended by paragraph (1) of this subsection, the  
 10 following:

11 “(3) issue to employees of the applicable execu-  
 12 tive agency a biennial remote work and telework sur-  
 13 vey—

14 “(A) which shall be designed to evaluate,  
 15 at a minimum, the effectiveness of—

16 “(i) performance management with  
 17 respect to executive agency employees who  
 18 participate in the telework program of the  
 19 executive agency, as compared to the effec-  
 20 tiveness of performance management for  
 21 other employees;

22 “(ii) strategies for engaging with execu-  
 23 tive agency employees while those employ-  
 24 ees participate in the telework program of  
 25 the executive agency; and

1 “(iii) remote work and telework train-  
2 ing for executive agency managers and em-  
3 ployees; and

4 “(B) the results of which the Telework  
5 Managing Officer shall submit to the leadership  
6 of the executive agency, including the Chief  
7 Human Capital Officer of the executive agency;

8 “(4) maintain an executive agency remote work  
9 and telework web page that serves as an information  
10 portal for employees of the executive agency who are  
11 seeking information with respect to remote work and  
12 telework policies, contact information for remote  
13 work and telework coordinators, and remote work  
14 and telework training resources; and”.

15 (f) OPM REPORTS.—Section 6506(b)(2) of title 5,  
16 United States Code, is amended—

17 (1) in subparagraph (A), by striking clause (iii)  
18 and inserting the following:

19 “(iii) the number and percent of eligi-  
20 ble employees in the agency who are re-  
21 motely working or teleworking—

22 “(I) full-time, such that those  
23 employees are not required to report  
24 to the agency-designated worksites of

1 those employees on a regular and re-  
 2 curring basis;

3 “(II) 7 or more days per pay pe-  
 4 riod;

5 “(III) 5 or 6 days per pay period;

6 “(IV) 3 or 4 days per pay period;

7 “(V) 1 or 2 days per pay period;

8 and

9 “(VI) on a situational, episodic,  
 10 or short-term basis;”; and

11 (2) in subparagraph (F)—

12 (A) in clause (v), by inserting “and cost  
 13 savings” after “productivity”; and

14 (B) in clause (vi), by inserting “well-being  
 15 and” after “employee”.

16 (g) REGULATIONS.—

17 (1) IN GENERAL.—Chapter 65 of title 5, United  
 18 States Code, is amended by adding at the end the  
 19 following:

20 **“§ 6507. Regulations**

21 “(a) IN GENERAL.—The Director of the Office of  
 22 Personnel Management shall prescribe regulations to  
 23 carry out this chapter.

24 “(b) CONTENTS.—The regulations prescribed under  
 25 subsection (a) shall include appropriate procedures for—

1           “(1) establishing the process through which an  
2       executive agency shall evaluate a position for eligi-  
3       bility and approval for telework (including remote  
4       work) under this chapter, which shall require an ex-  
5       ecutive agency to—

6           “(A) consider the duties of the position;

7           “(B) establish a process through which the  
8       executive agency shall determine the agency-  
9       designated worksite and approved alternative  
10      worksite for the position; and

11          “(C) consider the potential costs and sav-  
12      ings associated with approving a position as eli-  
13      gible for telework or remote work;

14          “(2) processing a change in the eligibility for an  
15      employee working remotely from an approved alter-  
16      native worksite within a radius of more than 75  
17      miles from the agency-designated worksite of the  
18      employee;

19          “(3) establishing which officials within an exec-  
20      utive agency may designate a position within the ex-  
21      ecutive agency as eligible for remote work;

22          “(4) if necessary, defining a limited geo-  
23      graphical boundary within which the approved alter-  
24      native worksite of an employee must be located,  
25      which shall be based on—

1           “(A) the need of the executive agency, as  
2           determined by the head of the executive agency;  
3           or

4           “(B) the requirements of the applicable po-  
5           sition;

6           “(5) for an employee working remotely, proc-  
7           essing and approving a change of the approved alter-  
8           native worksite of the employee when the employee  
9           requests such a change; and

10          “(6) for an employee working remotely, the  
11          ability of whom to continue working remotely is not  
12          offered by the applicable executive agency after the  
13          expiration of a written agreement entered into under  
14          section 6502(b)(2) for a reason that does not include  
15          the conduct or performance of the employee, enter-  
16          ing into a written remote work transition agreement,  
17          which shall—

18                 “(A) be for a period of not longer than 1  
19                 year;

20                 “(B) provide the employee with the ability  
21                 to participate in remote work during the period  
22                 in which the transition agreement is in effect;  
23                 and

24                 “(C) otherwise satisfy the requirements of  
25                 section 6502(b)(2).”.

1           (2) TECHNICAL AND CONFORMING AMEND-  
 2           MENT.—The table of sections for chapter 65 of title  
 3           5, United States Code, is amended by adding at the  
 4           end the following:

“6507. Regulations.”.

5           (h) REPORTS.—

6           (1) DEFINITIONS.—In this subsection, the  
 7           terms “executive agency”, “remote work”, and  
 8           “telework” have the meanings given those terms in  
 9           section 6501 of title 5, United States Code, as  
 10          amended by this section.

11          (2) CHIEF HUMAN CAPITAL OFFICERS.—Not  
 12          later than 180 days after the date of enactment of  
 13          this Act, the Chief Human Capital Officer of each  
 14          executive agency shall submit to the Director of the  
 15          Office of Personnel Management and Congress a re-  
 16          port that contains—

17                (A) an overview of a process to update cur-  
 18                rent (as of the date on which the report is sub-  
 19                mitted) telework and remote work eligibility re-  
 20                quirements of the executive agency;

21                (B) recommendations regarding ways in  
 22                which to update matters relating to telework  
 23                and remote work practices, including practices  
 24                relating to core business hours, flexible sched-

1           ules, performance management, and employee  
2           satisfaction;

3           (C) recommended solutions to barriers that  
4           prevent the executive agency from delivering  
5           consistent and reliable data with respect to  
6           telework and remote work to the Office of Per-  
7           sonnel Management;

8           (D) metrics used by the executive agency  
9           to evaluate the performance of employees of the  
10          executive agency; and

11          (E) methods used by the executive agency  
12          to track and evaluate the productivity of em-  
13          ployees of the executive agency when those em-  
14          ployees are teleworking.

15          (3) EXECUTIVE AGENCIES.—Not later than 1  
16          year after the date of enactment of this Act, the  
17          head of each executive agency, in coordination with  
18          the Director of the Office of Personnel Management,  
19          the Chief Human Capital Officer of the executive  
20          agency, the Chief Financial Officer of the executive  
21          agency, the Chief Information Officer of the execu-  
22          tive agency, the Director of the Office of Manage-  
23          ment and Budget, and the Administrator of General  
24          Services, shall submit to the Committee on Home-  
25          land Security and Governmental Affairs of the Sen-

1       ate and the Committee on Oversight and Govern-  
2       ment Reform of the House of Representatives a re-  
3       port that identifies—

4               (A) the potential value that would result  
5       from increasing remote work and other telework  
6       opportunities for employees of particular com-  
7       ponents within the executive agency;

8               (B) the potential disadvantages that would  
9       result from increasing remote work and other  
10      teleworking opportunities for employees of par-  
11      ticular components within the executive agency,  
12      including the effects of remote work on—

13                   (i) newly appointed employees;

14                   (ii) collaboration between employees;

15                   (iii) the ability of managers to effec-  
16      tively supervise other employees; and

17                   (iv) employee productivity;

18               (C) which job classifications within the ex-  
19      ecutive agency could benefit from being per-  
20      formed exclusively through remote work;

21               (D) which job classifications within the ex-  
22      ecutive agency could suffer from being per-  
23      formed primarily or exclusively through  
24      telework;

1 (E) which job classifications within the ex-  
2 ecutive agency could benefit from being per-  
3 formed exclusively through in-person work;

4 (F) actionable strategies for enhancing co-  
5 ordination between the head of the executive  
6 agency and the Secretary of Defense to recruit  
7 the spouses of members of the Armed Forces  
8 for positions, the responsibilities of which are  
9 performed through remote work;

10 (G) expected cost savings as a result of in-  
11 creased remote work and telework by employees  
12 of the executive agency, taking into consider-  
13 ation the fact that the executive agency may  
14 need to reinvest those future cost savings to  
15 meet increased demands with respect to tech-  
16 nology;

17 (H) expected cost increases as a result of  
18 increased remote work and telework by employ-  
19 ees of the executive agency, taking into consid-  
20 eration costs associated with changes in cyber-  
21 security and information technology infrastruc-  
22 ture and the extra equipment required for  
23 telework;

24 (I) expected productivity outcomes from  
25 the increased use of remote work and telework;

1           (J) cybersecurity and information tech-  
2           nology infrastructure changes necessitated by  
3           the increased use of remote work and telework;  
4           and

5           (K) barriers that prevent the executive  
6           agency from meeting in-person work targets, if  
7           applicable.

8           (4) OFFICE OF MANAGEMENT AND BUDGET.—

9           Not later than 30 days after the date of enactment  
10          of this Act, and on the fifth day of each month  
11          thereafter for 60 months, the Director of the Office  
12          of Management and Budget, in consultation with the  
13          Administrator of General Services and the Director  
14          of the Office of Personnel Management, shall submit  
15          to Congress a report regarding, for the period cov-  
16          ered by the report, in-person attendance by employ-  
17          ees of executive agencies.

18          (5) COMPTROLLER GENERAL OF THE UNITED  
19          STATES.—

20          (A) STUDY.—The Comptroller General of  
21          the United States shall conduct a study com-  
22          paring the processing times for constituent  
23          services provided by executive agencies, as of  
24          the date on which the study is completed, with  
25          those average processing times during 2019,

1           which shall include a comparison of the number  
2           of constituents seeking services and the per-  
3           sonnel available in each executive agency to  
4           service constituent requests.

5           (B) REPORT.—Not later than 90 days  
6           after the date of enactment of this Act, the  
7           Comptroller General of the United States shall  
8           submit to the Committee on Homeland Security  
9           and Governmental Affairs of the Senate and the  
10          Committee on Oversight and Government Re-  
11          form of the House of Representatives a report  
12          containing the results of the study conducted  
13          under subparagraph (A).

14       (i) AMENDMENTS TO REGULATIONS.—

15           (1) DEFINITIONS.—In this subsection, the  
16           terms “approved alternative worksite” and “working  
17           remotely” have the meanings given those terms in  
18           section 6501 of title 5, United States Code, as  
19           amended by this section.

20           (2) REQUIREMENT.—Not later than 1 year  
21           after the date of enactment of this Act, the Director  
22           of the Office of Personnel Management shall amend  
23           section 531.605 of title 5, Code of Federal Regula-  
24           tions, or any successor regulation, to—

(A) clarify that the official worksite of an employee working remotely is the regular worksite established as an approved alternative worksite of the employee under the written agreement entered into by the employee under section 6502(b)(2) of title 5, United States Code, as amended by this section; and

(B) distinguish between remotely working employees and employees whose work location varies on a recurring basis.

**SEC. 3. NONCOMPETITIVE APPOINTMENT TO REMOTE WORK POSITIONS.**

(a) DEFINITIONS.—In this section:

(1) DIRECTOR.—The term “Director” means the Director of the Office of Personnel Management.

(2) EXECUTIVE AGENCY.—The term “Executive agency” has the meaning given the term in section 105 of title 5, United States Code.

(3) LAW ENFORCEMENT OFFICER.—The term “law enforcement officer”—

(A) has the meaning given the term in section 8401 of title 5, United States Code; and

(B) includes—

(i) an employee (as defined in section 8401 of title 5, United States Code)—

1 (I) the duties of the position of  
 2 whom include the investigation or ap-  
 3 prehension of individuals suspected or  
 4 convicted of offenses against the  
 5 criminal laws of the United States;  
 6 and

7 (II) who is authorized to carry a  
 8 firearm;

9 (ii) an employee of the Department of  
 10 Veterans Affairs who is a Department po-  
 11 lice officer under section 902 of title 38,  
 12 United States Code; and

13 (iii) an employee of U.S. Customs and  
 14 Border Protection—

15 (I) who is a seized property spe-  
 16 cialist in the GS–1801 job series; and

17 (II) the duties of the position of  
 18 whom include activities relating to the  
 19 efficient and effective custody, man-  
 20 agement, and disposition of seized and  
 21 forfeited property.

22 (4) QUALIFIED COVERED VETERAN.—The term  
 23 “qualified covered veteran” has the meaning given  
 24 the term in section 4212(a)(3) of title 38, United  
 25 States Code.

1           (5) REMOTE WORK.—The term “remote work”  
2       has the meaning given the term in section 6501 of  
3       title 5, United States Code, as amended by section  
4       2 of this Act.

5           (6) REMOTE WORK POSITION.—The term “re-  
6       mote work position” means a position determined by  
7       the head of an Executive agency to be eligible for re-  
8       mote work under regulations prescribed by the Di-  
9       rector under section 6507 of title 5, United States  
10      Code, as added by section 2 of this Act.

11      (b) NONCOMPETITIVE APPOINTMENT.—An Executive  
12      agency may noncompetitively appoint, for other than tem-  
13      porary employment, to a remote work position an indi-  
14      vidual who is a qualified covered veteran or who is married  
15      to a member of the Armed Forces, if the head of that  
16      Executive agency determines that the individual is quali-  
17      fied for the position.

18      (c) LAW ENFORCEMENT SPOUSE PILOT PROGRAM.—

19           (1) IN GENERAL.—During the period beginning  
20      on the date of enactment of this Act and ending on  
21      the last day of the fiscal year in which the date that  
22      is 7 years after the date of enactment of this Act  
23      falls, an Executive agency may noncompetitively ap-  
24      point, for other than temporary employment, to a re-  
25      mote work position an individual who is married to

1 a law enforcement officer, if the head of that Execu-  
2 tive agency determines that the individual is quali-  
3 fied for the position.

4 (2) REPORTS.—Not later than the last day of  
5 the fiscal year in which the date that is 4 years after  
6 the date of enactment of this Act falls, and annually  
7 thereafter until the authority to carry out the pilot  
8 program under paragraph (1) expires, the Director  
9 shall submit to the Committee on Homeland Secu-  
10 rity and Governmental Affairs of the Senate and the  
11 Committee on Oversight and Government Reform of  
12 the House of Representatives a report that address-  
13 es the results of that pilot program, which shall in-  
14 clude—

15 (A) the number, pay or grade level, loca-  
16 tion, and longevity in Federal service of each  
17 individual appointed under that pilot program;  
18 and

19 (B) any other information that the Direc-  
20 tor determines relevant to consider the effec-  
21 tiveness of that pilot program in recruiting and  
22 retaining law enforcement officers.

23 (d) REGULATIONS.—Not later than 180 days after  
24 the date of enactment of this Act, the Director shall issue

- 1 or amend regulations, to the extent necessary, to carry out
- 2 this section.

