

join us in supporting House Resolution 1247.

Madam Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Massachusetts (Mr. LYNCH) that the House suspend the rules and agree to the resolution, H. Res. 1247.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the resolution was agreed to.

A motion to reconsider was laid on the table.

TELEWORK IMPROVEMENTS ACT OF 2010

Mr. LYNCH. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 1722) to require the head of each executive agency to establish and implement a policy under which employees shall be authorized to telework, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1722

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Telework Improvements Act of 2010”.

SEC. 2. TELEWORK.

(a) IN GENERAL.—Part III of title 5, United States Code, is amended by inserting after chapter 63 the following:

“CHAPTER 65—TELEWORK

“Sec.

“6501. Definitions.

“6502. Governmentwide telework requirement.

“6503. Implementation.

“6504. Telework Managing Officer.

“6505. Evaluating telework in agencies.

“§ 6501. Definitions

“For purposes of this chapter—

“(1) the term ‘agency’ means an Executive agency (as defined by section 105), except as otherwise provided in this chapter;

“(2) the term ‘telework’ or ‘teleworking’ refers to a work flexibility arrangement under which an employee performs the duties and responsibilities of such employee’s position, and other authorized activities, from an approved worksite other than the location from which the employee would otherwise work;

“(3) the term ‘continuity of operations’, as used with respect to an agency, refers to measures designed to ensure that functions essential to the mission of the agency can continue to be performed during a wide range of emergencies, including localized acts of nature, accidents, public health emergencies, and technological or attack-related emergencies; and

“(4) the term ‘Telework Managing Officer’ means, with respect to an agency, the Telework Managing Officer of the agency designated under section 6504.

“§ 6502. Governmentwide telework requirement

“(a) TELEWORK REQUIREMENT.—

“(1) IN GENERAL.—Not later than one year after the date of the enactment of this chapter, the head of each agency shall establish a policy under which employees shall be au-

thorized to telework, subject to paragraph (2) and subsection (b).

“(2) AGENCY POLICIES.—The head of each agency shall ensure—

“(A) that the telework policy established under this section—

“(i) conforms to the regulations promulgated by the Director of the Office of Personnel Management under section 6503, and

“(ii) authorizes employees to telework to the maximum extent possible without diminishing agency operations and performance; and

“(B) that information on whether a position is eligible for telework is included in descriptions of available positions and recruiting materials.

“(b) PROVISIONS RELATING TO CERTAIN CIRCUMSTANCES.—Nothing in subsection (a) shall be considered—

“(1) to require the head of an agency to authorize teleworking in the case of an employee whose duties and responsibilities—

“(A) require daily direct handling of classified information; or

“(B) are such that their performance requires on-site activity which cannot be carried out from a site removed from the employee’s regular place of employment; or

“(2) to prevent the temporary denial of permission for an employee to telework if, in the judgment of the agency head, the employee is needed to respond to an emergency.

“(c) RULE OF CONSTRUCTION.—Nothing in this chapter shall—

“(1) be considered to require any employee to telework; or

“(2) prevent an agency from permitting an employee to telework as part of a continuity of operations plan.

“§ 6503. Implementation

“(a) RESPONSIBILITIES OF AGENCIES.—The head of each agency shall ensure that—

“(1) appropriate training is provided to supervisors and managers, and to all employees who are authorized to telework, as directed by the Telework Managing Officer of such agency;

“(2) the training covers the information security guidelines issued by the Director of the Office of Management and Budget under this section;

“(3) no distinction is made between teleworkers and nonteleworkers for purposes of—

“(A) periodic appraisals of job performance of employees,

“(B) training, rewarding, reassigning, promoting, reducing in grade, retaining, or removing employees,

“(C) work requirements, or

“(D) other acts involving managerial discretion;

“(4) in determining what constitutes diminished performance in the case of an employee who teleworks, the agency shall consult the performance management guidelines of the Office of Personnel Management; and

“(5) in the case of an agency which is named in paragraph (1) or (2) of section 901(b) of title 31, the agency incorporates telework in its continuity of operations plans and uses telework in response to emergencies.

“(b) RESPONSIBILITIES OF OPM.—The Director of the Office of Personnel Management shall—

“(1) not later than 180 days after the date of the enactment of this chapter, in consultation with the Administrator of General Services, promulgate regulations necessary to carry out this chapter, except that such regulations shall not apply with respect to the Government Accountability Office;

“(2) provide advice, assistance, and any necessary training to agencies with respect to—

“(A) questions of eligibility to telework, such as the effect of employee performance on eligibility, and

“(B) making telework part of the agency’s goals, including those of individual supervisors and managers; and

“(3) in consultation with the Administrator of General Services, maintain a central, publicly available telework website that includes—

“(A) any regulations relating to telework and any other information the Director considers appropriate,

“(B) an e-mail address which may be used to submit comments to the Director on agency telework programs or agreements, and

“(C) a copy of all reports issued under section 6505(a).

“(c) SECURITY GUIDELINES.—The Director of the Office of Management and Budget, in coordination with the National Institute of Standards and Technology, shall issue guidelines not later than 180 days after the date of the enactment of this chapter to ensure the adequacy of information and security protections for information and information systems used in, or otherwise affected by, teleworking. Such guidelines shall, at a minimum, include requirements necessary—

“(1) to control access to agency information and information systems;

“(2) to protect agency information (including personally identifiable information) and information systems;

“(3) to limit the introduction of vulnerabilities;

“(4) to protect information systems not under the control of the agency that are used for teleworking; and

“(5) to safeguard wireless and other telecommunications capabilities that are used for teleworking.

“§ 6504. Telework Managing Officer

“(a) DESIGNATION AND COMPENSATION.—Each agency shall designate an officer, to be known as the ‘Telework Managing Officer’. The Telework Managing Officer of an agency shall be designated—

“(1) by the Chief Human Capital Officer of such agency; or

“(2) if the agency does not have a Chief Human Capital Officer, by the head of such agency.

“(b) STATUS WITHIN AGENCY.—The Telework Managing Officer of an agency shall be a senior official of the agency who has direct access to the head of the agency.

“(c) LIMITATIONS.—An individual may not hold the position of Telework Managing Officer as a noncareer appointee (as defined in section 3132(a)(7)), and such position may not be considered or determined to be of a confidential, policy-determining, policy-making, or policy advocating character.

“(d) DUTIES AND RESPONSIBILITIES.—Each Telework Managing Officer of an agency shall—

“(1) provide advice on teleworking to the head of such agency and to the Chief Human Capital Officer of such agency (if any);

“(2) serve as a resource on teleworking for supervisors, managers, and employees of such agency;

“(3) serve as the primary point of contact on telework matters for agency employees and (with respect to such agency) for Congress and other agencies;

“(4) work with senior management of the agency to develop and implement a plan to incorporate telework into the agency’s regular business strategies and its continuity of operations strategies, taking into consideration factors such as—

“(A) cost-effectiveness,

“(B) equipment,

“(C) training, and

“(D) data collection;

“(5) ensure that the agency’s telework policy is communicated effectively to employees;

“(6) ensure that electronic or written notification is provided to each employee of specific telework programs and the agency’s telework policy, including authorization criteria and application procedures;

“(7) develop and administer a tracking system for compliance with Governmentwide telework reporting requirements;

“(8) provide to the Director of the Office of Personnel Management and the Comptroller General such information as such individuals may require to prepare the reports required under section 6505, including the techniques used to verify and validate data on telework, except that this paragraph shall not apply with respect to the Government Accountability Office;

“(9) establish a system for receiving feedback from agency employees on the telework policy of the agency;

“(10) develop and implement a program to identify and remove barriers to telework and to maximize telework opportunities in the agency;

“(11) track and retain information on all denials of permission to telework for employees who are authorized to telework, and report such information on an annual basis to—

“(A) the Chief Human Capital Officer of such agency (or, if the agency does not have a Chief Human Capital Officer, the head of such agency), and

“(B) the Director of the Office of Personnel Management, for purposes of preparing the reports required under section 6505(a), except that this subparagraph shall not apply with respect to the Government Accountability Office;

“(12) ensure that employees are notified of grievance procedures available to them (if any) with respect to any disputes that relate to telework; and

“(13) perform such other duties and responsibilities relating to telework as the head of the agency may require.

“(e) **RULE OF CONSTRUCTION REGARDING STATUS OF TELEWORK MANAGING OFFICER.**—Nothing in this section shall be construed to prohibit an individual who holds another office or position in an agency from serving as the Telework Managing Officer for the agency under this chapter.

“§ 6505. Evaluating telework in agencies

“(a) **ANNUAL REPORT BY OPM.**—

“(1) **IN GENERAL.**—The Director of the Office of Personnel Management shall submit to the Comptroller General and the appropriate committees of Congress a report evaluating the extent to which each agency is in compliance with this chapter with respect to the period covered by the report, and shall include in the report an evaluation of each of the following:

“(A) The degree of participation by employees of the agency in teleworking during the period. In the case of an agency which is an Executive department, the evaluation will include the degree of participation by employees of each component within the department, including—

“(i) the total number of employees in the agency;

“(ii) the number and percentage of such employees who are eligible to telework; and

“(iii) the number and percentage of such employees who do telework, broken down by the number and percentage who telework 3 or more days per week, one or two days per week, and less frequently than one day per week.

“(B) The method the agency uses to gather data on telework and the techniques used to verify and validate such data.

“(C) Whether the total number of employees who telework is at least 10% higher or lower than the number who teleworked during the previous reporting period and the reasons identified for any such change.

“(D) The agency’s goal for increasing the number of employees who telework in the next reporting period.

“(E) The extent to which the agency met the goal described in subparagraph (D) for its previous report, and, if the agency failed to meet the goal, the actions the agency plans to take to meet the goal for the next reporting period.

“(F) The best practices in agency telework programs.

“(G) In the case of an agency which is named in paragraph (1) or (2) of section 901(b) of title 31, the extent to which the agency incorporated telework in its continuity of operations plans and used telework in response to emergencies.

“(2) **MINIMUM REQUIREMENT FOR COMPLIANCE.**—For purposes of the reports required under this subsection, the Director shall determine that an agency is in compliance with the requirements of this chapter if the Director finds that the agency—

“(A) reported the requested data accurately and in a timely manner; and

“(B) either met or exceeded the agency’s established telework goals, or provided explanations as to why the goals were not met as well as the steps the agency is taking to meet the goals.

“(3) **REPORTING PERIOD; TIMING.**—The Director shall submit a report under this subsection with respect to the first 1-year period for which the regulations promulgated by the Director under section 6503(b) are in effect and each of the 4 succeeding 1-year periods, and shall submit the report with respect to a period not later than 6 months after the last day of the period to which the report relates.

“(4) **EXCLUSION OF GOVERNMENT ACCOUNTABILITY OFFICE.**—The Director shall not submit a report under this subsection with respect to the Government Accountability Office.

“(b) **REPORTS BY COMPTROLLER GENERAL.**—

“(1) **EVALUATIONS OF REPORTS BY DIRECTOR OF OPM.**—Not later than 6 months after the Director submits a report under subsection (a), the Comptroller General shall review the report and submit a report to the appropriate committees of Congress. The report shall evaluate the compliance of the Office of Personnel Management and agencies with this chapter and address the overall progress of agencies in carrying out this chapter, and shall include such other information and recommendations as the Comptroller General considers appropriate.

“(2) **REPORTS ON GOVERNMENT ACCOUNTABILITY OFFICE.**—The Comptroller General shall submit a report with respect to the Government Accountability Office in the same manner and in accordance with the same requirements applicable to a report submitted by the Director with respect to any other agency under subsection (a).

“(c) **APPROPRIATE COMMITTEES OF CONGRESS DEFINED.**—In this section, the term ‘appropriate committees of Congress’ means—

“(1) the Committee on Oversight and Government Reform of the House of Representatives; and

“(2) the Committee on Homeland Security and Governmental Affairs of the Senate.”

(b) **TECHNICAL AND CONFORMING AMENDMENTS.**—(1) The analysis for part III of title 5, United States Code, is amended by inserting after the item relating to chapter 63 the following:

“65. Telework 6501”.

(2) Section 622 of the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 2005, as contained in the Consolidated Appropriations Act, 2005 (5 U.S.C. 6120 note) is amended by striking “designate a ‘Telework Coordinator’ to be” and inserting “designate a Telework Managing Officer or designate the Chief Human Capital Officer or other career employee to be”.

SEC. 3. POLICY GUIDANCE.

Not later than the expiration of the 120-day period which begins on the date of the enactment of this Act, the Director of the Office of Management and Budget shall issue policy guidance requiring each Executive agency (as such term is defined in section 105 of title 5, United States Code), when purchasing computer systems, to purchase computer systems that enable and support telework, unless the head of the agency determines that there is a mission-specific reason not to do so.

SEC. 4. TRAVEL EXPENSE TEST PROGRAMS.

Section 5710 of title 5, United States Code, is amended to read as follows:

“§ 5710. Authority for travel expense test programs

“(a)(1) Notwithstanding any other provision of this subchapter, if the Administrator of General Services determines it to be in the interest of Government, the Administrator may approve the request of an agency to operate a test program under which the agency may pay through the proper disbursing official any necessary travel expenses of the employee in lieu of any payment otherwise authorized or required under this subchapter. Under an approved test program, an agency may provide an employee with the option to waive any payment authorized or required under this subchapter. An agency shall include in any request to the Administrator for approval of such a test program an analysis of the expected costs and benefits and a set of criteria for evaluating the effectiveness of the test program.

“(2) Any test program operated under this section shall be designed to enhance cost savings or other efficiencies that accrue to the Government.

“(b) The Administrator shall transmit a description of any test program approved or extended by the Administrator under this section to the appropriate committees of the Congress not later than 30 days before the program or extension takes effect.

“(c)(1) An agency operating a test program approved under this section shall annually submit a report on the results of the program to date to the Administrator.

“(2) Not later than 3 months after the conclusion of a test program approved under this section, the agency operating the program shall submit a final report on the results of the program to the Administrator and the appropriate committees of Congress.

“(d) The Administrator may approve such number of test programs under this section as the Administrator considers appropriate, including test programs which are carried out on a government-wide basis, except that the number of test programs in operation at any time may not exceed 12 and test programs shall be conducted consistent with chapter 71 of this title.

“(e)(1) The Administrator may not approve any test program under this section for an initial period of more than 2 years.

“(2) Upon a showing of enhanced cost savings, the Administrator may extend an approved test program for an additional period not to exceed 2 years.

“(f) In this section, the term ‘appropriate committees of Congress’ means the Committee on Oversight and Government Reform of the House of Representatives and the

Committee on Homeland Security and Governmental Affairs of the Senate.

“(g) The authority to conduct test programs under this section shall expire upon the expiration of the 6-year period which begins on the date of the enactment of the Telework Improvements Act of 2010.”.

SEC. 5. TELEWORK RESEARCH.

(a) RESEARCH BY OPM ON TELEWORK.—The Director of the Office of Personnel Management shall—

(1) conduct studies on the utilization of telework by public and private sector entities that identify best practices and recommendations for the Federal government;

(2) review the outcomes associated with an increase in telework, including the effects of telework on energy consumption, the environment, job creation and availability, urban transportation patterns, and the ability to anticipate the dispersal of work during periods of emergency; and

(3) make any studies or reviews performed under this subsection available to the public.

(b) USE OF CONTRACT TO CARRY OUT RESEARCH.—The Director of the Office of Personnel Management may carry out subsection (a) pursuant to a contract entered into by the Director using competitive procedures.

SEC. 6. PAYGO COMPLIANCE.

The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go-Act of 2010, shall be determined by reference to the latest statement titled “Budgetary Effects of PAYGO Legislation” for this Act, submitted for printing in the Congressional Record by the Chairman of the House Budget Committee, provided that such statement has been submitted prior to the vote on passage.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Massachusetts (Mr. LYNCH) and the gentleman from Utah (Mr. CHAFFETZ) each will control 20 minutes.

The Chair recognizes the gentleman from Massachusetts.

GENERAL LEAVE

Mr. LYNCH. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and add any extraneous materials.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. LYNCH. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, as chairman of the House subcommittee with jurisdiction over the Federal workforce, postal service, and the District of Columbia, I am pleased to present H.R. 1722 for consideration. This legislation seeks to improve and expand access to telework among Federal employees government-wide.

The bipartisan measure before us today was introduced by my friend and colleague, Representative JOHN SARBANES of Maryland, along with myself and Congressmen FRANK WOLF, GERRY CONNOLLY, JIM MORAN, DUTCH RUPPERSBERGER, and DANNY DAVIS on March 25, 2009. The bill was amended and favorably ordered reported by the Oversight and Government Reform Committee on April 14, 2010.

Madam Speaker, despite the evolving nature of the way the Federal Govern-

ment conducts its affairs, telework continues to be underutilized by Federal agencies. H.R. 1722 provides for improvements to increase the number of Federal employees that participate in telework programs. Some of the most notable aspects of this legislation include: requiring agencies to develop telework policies within 1 year that allow authorized employees to telework; directing the Office of Personnel Management to develop regulations on overall telework policies and to annually evaluate agency telework programs; requiring the Office of Management and Budget to issue guidelines on information security protections for telework; and instructing agencies to designate a telework managing officer to ensure effective development and implementation of telework plans.

H.R. 1722 also seeks to elevate the importance of incorporating telework into the continuity of operations planning of agencies. Notably, the Office of Personnel Management and its Director, John Berry, estimated that telework reduced the estimated cost of lost productivity during the snowstorms this past winter by \$30 million.

H.R. 1722 is critical if the Federal Government is going to evolve into a more efficient, prepared, and environmentally responsible entity.

This legislation is being considered with an amendment making technical corrections. Notably, H.R. 4106, a bill similar to H.R. 1722, was passed by this body during the 110th Congress.

I urge my colleagues to again take action to move telework forward by passing H.R. 1722, the Telework Improvements Act of 2010.

Madam Speaker, I reserve the balance of my time.

Mr. CHAFFETZ. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, H.R. 1722 would require each executive agency to establish a policy under which employees may be authorized to telework to the maximum extent possible without diminishing employee performance or agency operations.

Telework has been shown to save money on infrastructure, transportation, and other costs. At the Patent and Trade Office, for instance, millions of dollars have been saved through the reduction of office space due to increased use of telework.

In addition, telework has proven to be an effective way to attract and retain highly qualified, skilled, and motivated employees. As the baby boomer generation begins to retire, these types of tools will be essential to ensuring that the Federal Government can attract the next generation of employees.

This bill would require the Office of Personnel Management to maintain a central, publicly available telework Web site, including regulations regarding telework, and a confidential hotline and email address to report abuse. It will also help ensure telework is included in continuity of operations

planning. We saw earlier this year the amazing amount of snow that fell upon Washington, D.C. If we had more extensive telework plans in place, I think the cost to the government would have been certainly diminished.

We must ensure that privacy and security is maintained. That is paramount. It was one of my deep concerns, as we reviewed this bill within the committee, that privacy and security is maintained at all costs and that there be specific rules and regulations in place that are highly enforceable to make sure that the information is secure and private. This bill appears to take these factors into consideration as it is fully implemented.

Historically, the Federal Government has not been at the forefront of deploying technology to permit alternative work environments, lagging behind the private sector in this important recruitment and retention tool. This bill will help close that gap.

I want to thank Members on both sides of the aisle for their great work on this, including Mr. WOLF of Virginia and Mrs. CAPITO of West Virginia, as they seek to make sure that these types of policies are put into place and that we, as the Federal Government, with the millions of Federal employees, are doing the right thing in expanding this type of work and making sure that we have the proper rules, regulations, and the safety and security that we need for the confidential information that our Federal employees deal with.

Madam Speaker, I ask my colleagues to join me in supporting this bill, and I reserve the balance of my time.

Mr. LYNCH. Madam Speaker, at this time, it gives me great pleasure to yield 5 minutes to Representative JOHN SARBANES, the gentleman from Maryland, who is the lead sponsor on our side in support of this legislation.

Mr. SARBANES. Madam Speaker, I want to thank Chairman LYNCH for yielding his time. I want to thank him for his support of this very important bill. Also, Congressman GERRY CONNOLLY is going to speak, I believe, and he has been very supportive. We have bipartisan support on this bill. I think it is a commonsense approach, and I am delighted that we have it on the floor today.

We have been working for some time to try to strengthen the telecommuting/telework policy across our Federal agencies, and this legislation will make sure that we have a good, strong policy in place. For starters, it's going to instruct the Office of Personnel Management to develop a uniform, governmentwide telework policy for Federal employees. We haven't had this in place before. We've had agencies that have pursued telework, some with great success, but we haven't had a uniform approach and emphasis on telework in all of our Federal agencies, and OPM will make sure that that happens.

I want to say, as an aside, that John Berry, who is the new head of the Office of Personnel Management, is totally on board with this. He's really on the leading edge, and he's as excited as we are that this legislation is on the floor today.

This is really about good government. There is information—in fact, the nonpartisan Partnership for Public Service has released a study that indicates that within the next 5 years, approximately 550,000 Federal employees—which is almost 30 percent of the Federal workforce—is going to retire or leave government and we need the best and the brightest folks to come in and take their place. That's a responsibility that we have. We need to be competing in the workplace and in the market for the most talented people. One way that you do that is to show that you have flexible policies and that telework is part and parcel of the Federal workplace.

Now, the U.S. Patent and Trademark Office, the Defense Information Systems Agency, and some other agencies have really led the way. They have made this state of the art within their workplace, telework, and they're showing what can be done at the highest levels. We believe other agencies can come to the table and demonstrate the same thing.

It is going to improve productivity. In those agencies where this has been implemented well and across the board, you are seeing productivity go up, not just among the people that are teleworking, but across the entire workforce, because it is a cultural shift in terms of how performance is measured.

All of my colleagues have already mentioned the continuity of operations dimension of this, which was illustrated in ways that could hardly have been more compelling by the snowstorms that we experienced in February. Because there was telework within some of the Federal agencies, they were able to save a tremendous amount of money in terms of lost productivity. So we're very excited about this opportunity.

Just some other details of the legislation I would like to mention before I yield back:

The appointment of a telework managing officer within each agency to be the point person, to be the resource to make sure that the policy is in front of the employees at that agency so they understand what kind of opportunities are available to them;

Training and education for both supervisors and employees;

Governmentwide evaluation on a periodic basis. The Government Accountability Office will be part of that to make sure that we are moving towards these telework compliance goals that are being set forth.

So we're excited about this opportunity, we look forward to our Federal agencies embracing this new policy and taking telework to the next level.

Mr. CHAFFETZ. Madam Speaker, I yield 5 minutes to my distinguished

colleague from the State of West Virginia (Mrs. CAPITO).

Mrs. CAPITO. I would like to thank the gentleman from Utah for yielding me time, and I would like to thank the sponsor of the bill.

As a cosponsor of this legislation, I rise today in support of H.R. 1722.

I represent the eastern panhandle of West Virginia that continues to welcome new residents seeking the lower cost of living and family-oriented environment that West Virginia offers. Many of these new West Virginians work in the Washington, D.C., area for the Federal Government.

Telework would further improve the quality of life for these commuters. Teleworking would allow these workers to perform their duties and responsibilities from home or at another worksite—we actually have a remote telework facility in Jefferson County—where they would be removed from their regular workplace.

Telework would be good for families because it provides employees the flexibility they need to meet daily demands. It's an environmental bill because I believe it will reduce traffic congestion and air pollution as well as gasoline consumption.

Additionally, employers benefit from the increased productivity. I think the private sector has studies out there showing that telework can be much more productive for the overall organization: improved morale, fewer sick leave days used, better worker retention, and reduced costs for office space.

As telework is more widely adopted by the private sector, it is critical that the Federal Government continue to keep pace and serve as a model for telework. Several agencies within the Federal Government have already established efficient and effective telework policies, but H.R. 1722 requires each executive agency to establish a policy under which employees would be authorized to telework to the maximum extent possible without diminishing employee performance or agency operations.

As both speakers have stated, many law enforcement, home security, and emergency preparedness agencies on all levels of government advocate formal agency telework policies because they can aid continuity of operations planning for crises—such as the February snowstorms that crippled the Washington, D.C., area—through organized dispersal of employees and computer/telecom technology.

I know that telework may not work for every job, but there are jobs today that lend themselves to telework. Nearly 20 million Americans telework today, and at least 40 percent of American jobs are compatible with telework. I believe that instead of sitting in traffic for hours during the daily commute, time is better spent sitting down to dinner as a family, helping kids with their homework, or other important events that happen during the day which teleworking

would allow many of our Federal employees to do on a regular basis.

I urge passage of this legislation.

□ 1315

Mr. LYNCH. Madam Speaker, I want to thank the gentlelady from West Virginia for her thoughtful remarks, and I yield 5 minutes to the gentleman from Virginia (Mr. CONNOLLY) who is also an original cosponsor and a tireless champion of this legislation.

Mr. CONNOLLY of Virginia. Madam Speaker, I want to thank my good friend from Massachusetts who has so ably shepherded this legislation to this point.

The Telework Improvements Act is an important piece of legislation because it will help us meet five critical policy goals: reduction of dependence on foreign oil; reduction in traffic congestion; improvement in air quality; improvement in Federal recruitment and retention; and improvement in the continuity of operations plan for the Federal Government.

I want to particularly thank Congressman JOHN SARBANES for his leadership in introducing this legislation; my friend and colleague from Virginia, FRANK WOLF, who has long championed this cause; the Office of Personnel Management Director John Berry; and of course the ranking member on the subcommittee, the gentleman from Utah (Mr. CHAFFETZ).

Telework is an essential part of Federal personnel policy because it can help recruit and retain Federal employees. It can maintain continuity of operations in the event of an emergency, and reduce congestion and associated air pollution. That is very important in this National Capital Region, which is a nonattainment region as measured by the EPA.

With 47 percent of the Federal workforce eligible for retirement sometime over the next 10 years or so, we must provide benefits that attract highly qualified employees. Many private companies already provide better telework benefits than does the Federal Government. We must not fall further behind. The ability to work from remote workstations relies on its regular use. Telework is an important and cost-effective component of efforts to reduce congestion, greenhouse gas pollution, and smog. According to the Telework Exchange, if 20 percent of Americans teleworked, we could eliminate 67 million metric tons of greenhouse gas emissions annually and reduce Persian Gulf imports by 40 percent. These greenhouse gas emissions correspond to a reduction in ground level ozone in our region, which is critically important to protect the health of our region's residents.

Only 6 percent of eligible Federal employees currently telework on a regular basis, even though the largely white collar workforce in our region is perfectly suited for telework. By contrast, in my county, Fairfax County, the largest suburb in the National Capital Region, 20 percent of our eligible

workforce telecommutes at least one day a week. The Telework Improvements Act provides a vehicle to increase telework participation, establishing telework managing officers for each agency and integrating continuity of operations planning performance metrics. If I had my way, frankly, we would set a 20 percent goal for every Federal agency. Hopefully that is an issue we will revisit at some point.

As an expression of support for this legislation, the Office of Personnel Management announced administrative changes to improve telework policy. This announcement followed an oversight hearing at which Director John Berry received several questions from committee members about telework and the introduction of this act. Since then, we have had multiple severe snowstorms, as has been mentioned, and the nuclear summit hosted by President Obama in the District of Columbia, all of which demonstrated the importance of telework.

During the snowstorms, Federal workers saved taxpayers \$30 million each day in lost productivity or productivity that would have otherwise been lost because of a telework program already in place. That represented the equivalent of a 30 percent telework rate which is achievable on a regular basis if we commit ourselves to a more robust effort. Aggressive telework targets like these have already been undertaken by leaders in the private sector. AT&T, for example, has achieved a telework participation rate of 33 percent, contrasted with 6 percent in the Federal Government. It is estimated that many companies save as much as \$2,000 per employee per year as a result of reduced absenteeism as a result of telework. Although OPM's telework initiatives are already making a positive difference, it is clear we need to create a statutory framework so it is not undone potentially by future administrations.

In subcommittee markup, I introduced an amendment to direct GSA to work with other Federal agencies to ensure that telework is always a part of the continuity of operations planning. Should this legislation pass, we will be better prepared for future snowstorms or emergencies by enhancing the ability of Federal employees to work remotely. This amendment seems even more important in light of the attempted bombing in Times Square last week, and the ongoing terrorist threat faced here in the National Capital Region.

I appreciate Chairman LYNCH's willingness to work on this and a separate university-based telework center amendment that was adopted in full committee, and I urge my colleagues to support this legislation without further delay.

Mr. CHAFFETZ. Mr. Speaker, I yield 5 minutes to my colleague, the gentleman from Virginia (Mr. WOLF) who has been a long-time advocate and has worked tirelessly on this issue.

(Mr. WOLF asked and was given permission to revise and extend his remarks.)

Mr. WOLF. Madam Speaker, I want to thank Mr. SARBANES for his leadership on this issue. Most of the issues have been covered, but I would just say that there is nothing magic about strapping yourself into a metal box and driving 25 or 30 miles when you can telework. I think the important part of this legislation is the fact that Mr. SARBANES will have someone in each agency, a senior person responsible. Some agencies do a great job, and others do not do very well. But also, it is important for the American people to know the productivity, the studies have shown that the productivity of people who are teleworking is very, very high. So you are really getting a lot for the government and for whoever is the employer.

Secondly, with regard to the environment and the traffic and the congestion in this region and other regions, it is very important.

Lastly, with the American family under such attack, the opportunity for moms and dads to spend more time with their families, singing in a church choir, or coaching Little League is very beneficial.

I rise in strong support of H.R. 1722, the Telework Improvements Act, and thank the gentleman for yielding me time.

I also want to thank Congressman JOHN SARBANES for introducing this important and necessary legislation, and the committee for moving this legislation to the floor.

I am an original cosponsor and strong proponent of this bill.

I have been a long-time and staunch supporter of telework, also referred to as telecommuting.

Last Congress, Congressman SARBANES and I teamed to introduce legislation to establish a National Telework Week.

Last year, this House in a unanimous voice vote approved Representative DANNY DAVIS's Telework Improvements Act of 2008, of which I was an original cosponsor.

I was disappointed that the Senate did not act on that legislation, and am hopeful that the bill we will pass today will be given priority by the other body.

My legislation, enacted in 2001, mandated a phased-in program to expand the number of federal employees who telework with the goal of giving every eligible federal worker this workplace option by the end of 2005.

While annual surveys by the Office of Personnel Management on telework by federal employees have shown some progress in meeting the law's mandate, there is much more that agencies can do to expand telework.

This legislation is an important next step in making the federal government a model telework employer. The federal government should be leading the way in developing an "e-workforce" and enhancing the use of the technologies of the 21st century to seamlessly link employees and employers.

To emphasize the importance of telework in the federal workplace, when I chaired the Commerce-Justice-Science Appropriations subcommittee, I included provisions in the FY

2005, FY 2006 and FY 2007 spending bills for the departments of Commerce, Justice, and State and related agencies to withhold \$5 million from the agencies which failed to meet the 2001 law.

Telework offers a 21st century workplace option that can reduce traffic congestion and air pollution, as well as cut gasoline consumption and dependency on foreign oil. Study after study has shown that telework is a win-win for both employees and employers.

It gives employees the flexibility they need to meet daily demands.

Employers—both government and private businesses—get the benefit of increased productivity, improved morale, fewer sick leave days used, better worker retention, and reduced costs for office space.

As we face the realities of the post 9/11 world, ensuring continuity of operations of the federal government is one more reason to support federal telework policies.

The need for this legislation also was crystallized during the historic February blizzard, which paralyzed the Nation's capital and shut down the federal government for four days.

The estimated cost in lost productivity was some \$70 million a day, but that cost was cut dramatically from earlier estimates of \$100 million when the some 30 percent of the federal workforce who teleworked during the shutdown was factored in.

That's a huge savings with telework, which is why it is so important to ensure that more employees are eligible to work from home or at alternate worksites.

Our legislation builds on past actions to require each government agency to establish a telework policy and its provisions will:

Instruct the Office of Personnel Management (OPM) to develop a uniform, government-wide telework policy for federal employees.

Create a Telework Managing Officer within every agency and department to oversee telework within that agency or department.

The designation of a senior employee at each agency as a telework managing officer responsible for implementing the bill's requirements is a key provision to allow eligible employees to telework to the maximum extent possible.

Again, I thank my colleague from Maryland, Mr. SARBANES, for his leadership on this important legislation.

I urge my colleagues to support this bill.

Mr. LYNCH. Madam Speaker, I don't believe we have any further speakers, but I will continue to reserve.

Mr. CHAFFETZ. Madam Speaker, briefly, I am very supportive of this piece of legislation. I think it is important for the continuity of government and interoperations. I think it can be a cost-saving measure for a lot of our agencies, but it is not necessarily right for every single employee. I don't want this to be perceived, and I think the legislation does this, in any way, shape, or form for this to be an excuse to spend more money within our own human resources departments. I am a little worried about the scoring of this. Certainly large agencies will need to have somebody who helps shepherd this and move this forward. But for the smaller agencies, some of the other

agencies, it doesn't necessarily warrant that.

I do appreciate during the process being able to offer an amendment that would allow for some flexibility within the different agencies so that they have the internal control and don't necessarily have the excuse to go out and hire another person to try to manage this.

But with that said, I believe in and support this piece of legislation because, as I said before, the continuity of our government, this is a critical component to that. But it is also incumbent upon the executive branch to make sure that we have the safety, security, and the privacy components firmly in place. I believe that OPM, the Office of Personnel Management, will do that. This legislation strengthens their ability to do that, and that is why I am supportive of it. I appreciate the good work on both sides of the aisle. I urge my colleagues to support this legislation.

I yield back the balance of my time.

Mr. LYNCH. Madam Speaker, I want to thank the gentleman for his thoughtful comments and his leadership on this issue. I do want to just try to address the scoring aspect of it, for those who are, as rightly they should be, sensitive to the budget. Our understanding from the estimate provided by the Congressional Budget Office is that this provision would cost approximately \$30 million over 5 years. However, I think it is important to point out that during the recent unexpected snowstorms in the Washington, DC, and Northern Virginia area this past winter, in February we saved \$30 million per day. So the program costs \$30 million over 5 years, and in one severe snowstorm, we saved \$30 million per day by utilizing the telework function.

In closing, I also want to thank Mr. SARBANES and Mr. CONNOLLY for their leadership on our side and also the bipartisanship showed by the gentleman from West Virginia (Mrs. CAPITO) and Mr. WOLF as well. I think they did a fine job. I ask my colleagues on both sides of the aisle to support H.R. 1722.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Massachusetts (Mr. LYNCH) that the House suspend the rules and pass the bill, H.R. 1722, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. BROUN of Georgia. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

NATIONAL TRAIN DAY

Ms. CORRINE BROWN of Florida. Madam Speaker, I move to suspend the rules and agree to the resolution (H. Res. 1301) supporting the goals and ideals of National Train Day, as amended.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 1301

Whereas in 1830, the Nation's first passenger and freight railroad, the Baltimore & Ohio, revolutionized transportation in the United States;

Whereas on May 10, 1869, in Promontory Summit, Utah, the golden spike was driven into the final tie that joined 1,776 miles of the Central Pacific and Union Pacific railroads, transforming America by creating the Nation's first transcontinental railroad;

Whereas by 1910, trains carried 95 percent of all intercity transportation;

Whereas after 1920, rail passenger revenues declined due to the rise of the automobile;

Whereas in the 1930s, railroads reignited popular imagination with service improvements and new, diesel-powered streamliners;

Whereas on May 26, 1934, the Pioneer Zephyr set a speed record for travel between Denver and Chicago when it made a 1,015-mile, non-stop "Dawn-to-Dusk" run in 13 hours and 5 minutes at an average speed of 77 miles per hour and, during one section of the run, reached a speed of 112.5 miles per hour, just short of the then United States land speed record of 115 miles per hour;

Whereas on January 22, 1935, the 400, later named the Twin Cities 400, traveled 400 miles between Chicago and St. Paul in 400 minutes;

Whereas at its inception in 1935, Time magazine dubbed the 400, "the fastest train scheduled on the American continent, fastest in all the world on a stretch over 200 miles";

Whereas the resurgence in passenger railroading was short-lived, as the continuing rise of the automobile, the devastating economic impact of two World Wars, the creation of the Interstate Highway System, the increasing availability, comfort, and convenience of air travel, increasing train fares and decreasing service, and a number of railroad bankruptcies, mergers, and acquisitions took their toll on passenger rail service in the United States;

Whereas by 1965, only 10,000 rail passenger cars were in operation, 85 percent fewer than in 1929, and passenger rail service was provided on only 75,000 miles of track;

Whereas in 1970, Congress saved passenger rail service in the United States by creating the National Railroad Passenger Corporation, known as Amtrak;

Whereas since 1970, the Federal Government has invested nearly \$1,300,000,000 in our Nation's highways, more than \$484,000,000 in aviation, and \$67,000,000,000 in passenger rail;

Whereas with the enactment of the Passenger Rail Investment and Improvement Act of 2008 (Public Law 110-432) in the 110th Congress and the American Recovery and Reinvestment Act of 2009 (Public Law 111-5) in this Congress, Congress charted a new course for Amtrak and for the development of high-speed and intercity passenger rail in the United States;

Whereas the Recovery Act provided \$8,000,000,000 in grants to States for the development of high-speed and intercity passenger rail and \$1,300,000,000 for Amtrak for capital, safety, and security improvements;

Whereas the Transportation, Housing and Urban Development, and Related Agencies

Appropriations Act, 2010, provided an additional \$2,500,000,000 to States for investment in high-speed and intercity passenger rail and more than \$1,500,000,000 to Amtrak for capital and operating expenses;

Whereas the Federal Railroad Administration received 259 applications totaling \$57,000,000,000 for the \$8,000,000,000 in funds available under the Recovery Act;

Whereas in January, the President announced the recipients of the \$8,000,000,000 in Recovery Act funds for development of high-speed and intercity passenger rail service in 13 corridors spanning 31 States;

Whereas Amtrak has selected projects in 44 States to invest its \$1,300,000,000 in Recovery Act funds;

Whereas these and continued investments in developing a national high-speed and intercity passenger rail system will revitalize passenger rail service in the United States, help develop a domestic manufacturing base for high-speed and intercity passenger rail, and create good jobs in the United States;

Whereas Amtrak ridership grew every year from 1998 to 2008 and the railroad carried 27,200,000 passengers in 2009, making it the second-best year in the company's history; and

Whereas Amtrak has designated May 8, 2010, as National Train Day to celebrate America's love for trains: Now, therefore, be it

Resolved, That the House of Representatives—

(1) recognizes the important contributions that trains and Amtrak make to the national transportation system;

(2) supports the goals and ideals of National Train Day as designated by Amtrak; and

(3) urges the people of the United States to recognize such a day as an opportunity to celebrate passenger rail and learn more about trains.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Florida (Ms. CORRINE BROWN) and the gentleman from Pennsylvania (Mr. SHUSTER) each will control 20 minutes.

The Chair recognizes the gentleman from Florida.

GENERAL LEAVE

Ms. CORRINE BROWN of Florida. Madam Speaker, I ask that all Members may have 5 legislative days in which to revise and extend their remarks on H. Res. 1301.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Ms. CORRINE BROWN of Florida. Madam Speaker, I rise in support of this resolution, and I yield myself such time as I may consume.

Rail in America is experiencing a renaissance we haven't seen in 50 years. All forms of passenger rail, including Amtrak, are seeing increased ridership numbers. In fact, in 2009 Amtrak welcomed aboard over 27.1 million passengers, the second-largest annual total in Amtrak's history, an average of more than 74,000 passenger rides and more than 300 Amtrak trains per day.

For me, as chair of the Rail Subcommittee, the eventual goal is to have high-speed intercity passenger, and commuter rail lines connecting nationwide to serve as an enhancement to our current systems of transportation.