

118TH CONGRESS
2D SESSION

S. _____

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

IN THE SENATE OF THE UNITED STATES

Mr. ROMNEY (for himself and Mr. MANCHIN) introduced the following bill; which was read twice and referred to the Committee on

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 “Back to Work Act of
5 2024”.

6 **SEC. 2. TELEWORK.**

7 (a) IN GENERAL.—Chapter 65 of title 5, United
8 States Code, is amended—

9 (1) in section 6502—

10 (A) in subsection (b)(2)—

1 (i) in subparagraph (A), by striking
2 “and” at the end; and

3 (ii) by adding at the end the fol-
4 lowing:

5 “(C) provides that, subject to subsection
6 (d), an employee may not telework for more
7 than 40 percent of the work days of the em-
8 ployee per pay period;

9 “(D) shall be reviewed on an annual basis
10 by, and be subject to the annual approval of,
11 the head of the executive agency; and

12 “(E) provides that the executive agency, by
13 using remote technical means and other appro-
14 priate methods, will monitor and evaluate the
15 applicable employee when the employee is en-
16 gaged in telework;” and

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

18 “(d) ADJUSTMENTS TO THE PERMITTED NUMBER
19 OF TELEWORK DAYS.—With respect to the limitation
20 under subsection (b)(2)(C), the head of an executive agen-
21 cy may—

22 “(1) further limit the number of work days per
23 pay period that an employee of the executive agency
24 may telework based on the specific role of the em-
25 ployee or other circumstances determined appro-

1 appropriate by the head of the executive agency, includ-
2 ing—

3 “(A) the frequency with which the em-
4 ployee needs to access classified information;

5 “(B) whether the employee is newly ap-
6 pointed; and

7 “(C) whether the employee occupies a
8 managerial position within the executive agency;

9 or

10 “(2) waive that limitation with respect to an
11 employee of the executive agency if—

12 “(A) the employee is a spouse of—

13 “(i) a member of the Armed Forces;

14 or

15 “(ii) a Federal law enforcement offi-
16 cer;

17 “(B) the employee occupies a position—

18 “(i) the duties of which require—

19 “(I) highly specialized expertise;

20 or

21 “(II) frequent travel; or

22 “(ii) for which finding qualified can-
23 didates is challenging; or

24 “(C) inclement weather or other exigent
25 circumstances prevent the employee from reach-

1 ing the worksite of the employee during a pay
2 period.”; and

3 (2) in section 6506, by adding at the end the
4 following:

5 “(e) EXECUTIVE AGENCY REPORTS.—

6 “(1) IN GENERAL.—Not later than 1 year after
7 the date of enactment of this subsection, and annu-
8 ally thereafter, the head of each executive agency
9 shall submit to the Committee on Homeland Secu-
10 rity and Governmental Affairs of the Senate and the
11 Committee on Oversight and Accountability of the
12 House of Representatives a report that describes, for
13 the period covered by the report, the following:

14 “(A) What metrics and methods the execu-
15 tive agency uses to determine the productivity
16 of employees who telework.

17 “(B) What barriers, if any, prevent the ex-
18 ecutive agency from enforcing the limitation
19 under section 6502(b)(2)(C) and any initiatives
20 of the executive agency to address those bar-
21 riers.

22 “(C) Any negative effects of telework, in-
23 cluding whether telework results in increased
24 costs, security vulnerabilities, lower employee

1 morale, decreased employee productivity, or
2 waste, fraud, or abuse.

3 “(D) Any actions taken by the executive
4 agency (or a detailed justification for any lack
5 of action) in response to any findings of, or rec-
6 ommendations made by, the Inspector General
7 of the executive agency with respect to telework.

8 “(2) GAO REPORT.—With respect to each re-
9 port submitted by the head of an executive agency
10 under paragraph (1), the Comptroller General of the
11 United States shall submit an accompanying report
12 that evaluates the accuracy and thoroughness of the
13 report submitted by the head of the executive agency
14 with respect to the matters required to be included
15 in the report of the executive agency under that
16 paragraph.”.

17 (b) EFFECTIVE DATE.—The amendments made by
18 subsection (a) shall take effect on the date that is 180
19 days after the date of enactment of this Act.