



AMERICAN FEDERATION OF GOVERNMENT EMPLOYEES, AFL-CIO

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November 24, 2025

The Honorable James Comer
Chair
House Oversight and Accountability
Committee
United States House of Representatives
Washington, DC 20515

The Honorable Garcia
Ranking Member
House Oversight and Accountability
Committee
United States House of Representatives
Washington, DC 2051

Dear Chair Comer, Ranking Member Garcia and Members of the Committee:

On behalf of the American Federation of Government Employees, AFL-CIO (AFGE), which represents over 800,000 federal and District of Columbia employees I write urging you to oppose H.R. 5749, the “Official Time Reporting Act” and H.R. 5750, the “Ensuring a Qualified Civil Service Act of 2025.”

As an exceptionally challenging year for the modern civil service ends, it is deeply concerning that the Committee would consider, let alone advance, H.R. 5749 and H.R. 5750. Since January, few groups of Americans have faced more job insecurity, financial strain, or professional upheaval than federal employees. Many of these dedicated, nonpartisan civil servants endured six weeks without pay during the longest government shutdown in U.S. history, and they also saw the loss of collective bargaining agreements intended to support a stable, professional civil service.

H.R. 5749, the “Official Time Reporting Act”

In March, President Trump issued an executive order that voided collective bargaining agreements covering approximately two-thirds of the federal workforce. As a result, designated labor representatives in most agencies no longer have the ability to use a portion of their workday—known as official time—to negotiate and implement these agreements in partnership with agency managers. Given this context, it is surprising that the Committee has chosen to take up a measure focused on a practice that has already been significantly curtailed.

If enacted, H.R. 5749 would require federal agencies to issue annual reports on the use of official time in ways that could present a misleading picture of its role at the few agencies where it remains available, potentially fostering misconceptions and setting the stage for further restrictions.

H.R. 5749 appears to be premised on a misunderstanding of what official time is—and what it is not. Established under the 1978 Civil Service Reform Act, official time is made available to designated labor representatives to speak on behalf of agency employees, regardless of union membership. The law clearly defines acceptable uses of official time: representing employees in grievances and disciplinary actions, participating in labor-management workgroups, negotiating

collective bargaining agreements, and engaging in related proceedings. It also clearly prohibits using official time for internal union business, membership solicitation, campaigning, dues collection, or striking.

Only a very small percentage of federal employees are authorized to use official time, and the total number of hours involved is extremely limited when compared to the overall number of work hours federal employees devote to carrying out agency missions. Despite this, H.R. 5749 highlights selective data points that may create a misleading impression of official time's scope and impact.

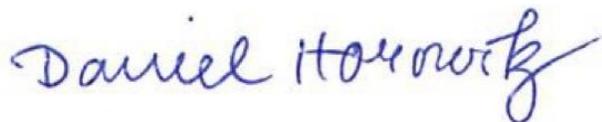
H.R. 5750, the “Ensuring a Qualified Civil Service Act of 2025”

Early in the second Trump administration, tens of thousands of probationary federal employees—those in their first year in a new position with virtually no employment due process rights—were arbitrarily removed from their jobs. Many had more than one year of total federal service but had recently moved to new roles. These terminations have signaled that the federal government has become an unreliable employer, undermining the civil service's ability to recruit younger workers with skill sets suited to the challenges of the 21st century and promote experienced workers to more senior positions in the executive branch.

In this context, it is difficult to understand why the Committee would advance a bill that doubles the probationary period. For civil servants to execute the laws of Congress in a nonpartisan manner, report wrongdoing without fear of retaliation, and serve all Americans promptly and impartially, the probationary period they must pass through should be long enough for agency managers to fairly assess their suitability for their positions, but not so long that they must work under a cloud of uncertainty beyond what is reasonable. Decades of experience show that a one-year probationary period strikes the right balance.

It is regrettable that the Committee is poised to advance H.R. 5749 and H.R. 5750 that, if enacted, would weaken the nonpartisan civil service that has ably and apolitically served the American people for almost 150 years. A more constructive path would be for the Committee to withdrawal or defeat these measures and turn its attention to investigating the state of the federal workforce after almost a year of profound change.

Sincerely,



Daniel Horowitz
Legislative Director