

Congress of the United States
House of Representatives

COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM

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January 31, 2025

Mr. Everett Kelley
National President
American Federation of Government Employees
80 F Street NW
Washington, D.C. 20001

Dear Mr. Kelley:

The Committee on Oversight and Government Reform is investigating the use—and abuse—of the federal collective bargaining process outlined in 5 U.S.C. Ch. 71. This process was used extensively toward the end of the Biden-Harris Administration to negotiate collective bargaining agreements (CBAs) intended primarily, not to manage the workforce under its own watch, but to constrain the ability of President Donald Trump to do so. The Biden-Harris Administration’s CBAs unduly infringe on President Trump’s ability to exercise his broad authority to oversee the federal workforce and ensure the laws of the land are faithfully executed.

Before leaving office, many Biden-Harris Administration officials signed CBAs to apparently “Trump-proof” the Executive Branch, including by entrenching telework entitlements for the federal workforce. Many of these CBAs were entered into with the American Federation for Government Employees (AFGE), the largest federal employee union. For instance, on November 27, 2024, outgoing Social Security Administration (SSA) Commissioner Martin O’Malley signed a CBA on behalf of SSA with AFGE, purporting to guarantee current telework levels for 42,000 SSA employees through 2029.¹ More recently, on January 17, 2025, AFGE agreed to a last-minute CBA with the Department of Education (ED), locking in remote work arrangements for several thousand ED employees until 2030.² The Committee requests documents and information related to CBAs signed between outgoing Biden-Harris Administration agency officials and AFGE.

Nearly all of ED’s 4,245 employees are telework eligible and they only spend 43.4 percent of their working hours in the office.³ Further, 2,341 ED employees are completely

¹ Josh Eidelson, *Thousands of Federal Employees Land Work-From-Home Deal Ahead of Trump*, BLOOMBERG NEWS, (Dec. 3, 2024).

² Collective Bargaining Agreement Between the U.S. Dep’t of Education and the American Federation of Government Employees Local 252 (Effective Date: Jan. 17, 2025).

³ See OFF. OF MGMT. AND BUDGET, OMB REPORT TO CONGRESS ON TELEWORK AND REAL PROPERTY UTILIZATION, at 9 (Aug. 2024).

remote, never showing up to the office.⁴ When the Biden-Harris Administration attempted to increase the federal workforce's in-person work, ED struggled to bring its employees back to the office, citing CBA negotiations as the "largest barrier the agency faces to completing execution."⁵

President Trump is working to bring efficiency to the federal government, including through reforms to the federal workforce. On his first day in office, President Trump signed an executive order requiring the "[h]eads of all departments and agencies in the executive branch...to terminate remote work arrangements and require employees to return to work in-person at their respective duty stations on a full-time basis."⁶ CBAs entered into by the outgoing Administration with AFGE should not undermine President Trump's ability to bring the federal workforce back to the office to better serve the American people.

To better understand how the statutory collective bargaining regime is being employed and whether it is serving the public interest, we are seeking further information concerning CBAs signed between Biden-Harris Administration officials and AFGE. To assist the Committee's oversight of this matter, we request the following information, covering the time period January 20, 2021 to the present unless otherwise indicated, as soon as possible but no later than February 14, 2025:

1. Copies of all CBAs signed between AFGE and the federal government during the period from January 1, 2024, to January 20, 2025;
2. All documents and communications among or between any official, employee, contractor, or agent of AFGE and any official, employee, contractor, or agent of any federal agency party to a CBA signed with AFGE during the period from January 1, 2024, to January 20, 2025;
3. All documents and communications among or between any official, employee, contractor, or agent of AFGE and any official, employee, contractor, or agent of the White House related to any CBA signed between AFGE and the federal government during the period from January 1, 2024, to January 20, 2025; and
4. All documents and communications among or between any officials, employees, contractors, or agents of AFGE related to any CBA signed between AFGE and the federal government during the period from January 1, 2024, to January 20, 2025.

The Committee on Oversight and Government Reform is the principal oversight committee of the U.S. House of Representatives and has broad authority to investigate "any matter" at "any time" under House Rule X. To arrange for delivery of documents or to ask any related follow up questions, please contact the Committee on Oversight and Government Reform Majority staff at (202) 225-5074. Thank you for your attention to this important matter.

⁴ *Id.*

⁵ *Id.* at A1084.

⁶ Presidential Actions, *Return to In-Person Work*, The White House (Jan. 20, 2025).

Mr. Everett Kelley
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Sincerely,



James Comer
Chairman
Committee on Oversight and Government Reform



Marjorie Taylor Greene
Subcommittee on Delivering on
Government Efficiency

cc: The Honorable Gerald Connolly, Ranking Member
Committee on Oversight and Government Reform

The Honorable Melanie Stansbury, Ranking Member
Subcommittee on Delivering on Government Efficiency