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Description of document:

Department of Justice (DOJ) Office of Professional Responsibility (OPR) Return to Work Plan, February 2025

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FOIA Request

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**U.S. Department of Justice**

**Office of Professional Responsibility**

*950 Pennsylvania Avenue, N.W., Suite 3266  
Washington, DC 20530  
(202) 514-3365*

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December 8, 2025

Re: OPR FOIA No. F26-00003

This letter is in response to your March 7, 2025, Freedom of Information Act (FOIA)/Privacy Act (PA) request seeking “a copy of the Department of Justice Return to Work Implementation Plan, dated February 2025.” Your request was referred to the Office of Professional Responsibility (OPR) by the Justice Management Division (JMD) for processing and direct response to you. OPR received your request on November 24, 2025, and has assigned to it request number **F26-00003**. Please refer to that number in any correspondence pertaining to this matter.\*

JMD referred to OPR three pages it found to be responsive to your FOIA request. After a careful review, OPR has determined these pages are appropriate for release without excisions, copies of which are enclosed.

If you have a question, you may contact OPR’s FOIA Public Liaison at the telephone number and address listed above. Additionally, you may contact the Office of Government Information Services (OGIS) at the National Archives and Records Administration to inquire about the FOIA mediation services they offer. The contact information for OGIS is:

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\* For your information, Congress excluded three discrete categories of law enforcement and national security records from the requirements of the FOIA. See 5 U.S.C. § 552(c) (2006 & Supp. IV 2010). This response is limited to those records that are subject to the requirements of the FOIA. This is a standard notification that is given to all our requesters and should not be taken as an indication that excluded records do, or do not, exist.

Office of Government Information Services  
National Archives and Records Administration  
8601 Adelphi Road (OGIS)  
College Park, MD 20740-6001  
Phone: 202-741-5770  
Toll Free: 1-877-684-6448  
Email: [ogis@nara.gov](mailto:ogis@nara.gov)

If you are not satisfied with OPR's determination in response to this request, you may administratively appeal by writing to the Director, Office of Information Policy (OIP), United States Department of Justice, 441 G Street, N.W., 6th Floor, Washington, DC 20530, or you may submit an appeal through OIP's FOIA STAR portal by creating an account following the instructions on OIP's website: <https://www.justice.gov/oip/submit-and-track-request-or-appeal>. Your appeal must be postmarked or electronically transmitted within 90 days of the date of this response to your request. If you submit your appeal by mail, both the letter and the envelope should be clearly marked "Freedom of Information Act Appeal."

If you are dissatisfied with the result of any appeal you make, judicial review may thereafter be available to you in the United States district court for the judicial district in which you reside, or in which you have your principal place of business, or in the District of Columbia.

Sincerely,

Margaret McCarty  
Senior Associate Counsel

Enclosure



**U.S. Department of Justice**

**Office of Professional Responsibility**

*950 Pennsylvania Avenue, N.W., Suite 3266  
Washington, D.C. 20530*

**MEMORANDUM**

DATE: February 4, 2025

TO: Dr. Nikki Collier  
Chief of Staff  
Justice Management Division

FROM: Jeffrey R. Ragsdale  
Counsel

SUBJECT: Return to Office Implementation Plan

**I. Introduction**

- Overview – OPR has a maximum staffing level of 29 employees. Since 2022, the Office of Professional Responsibility (OPR) staff were required to work in the office a minimum of three days per week. The OPR Counsel approved exemptions from this requirement on a case by case basis. Currently, 19 (70%) of the OPR staff adhere to the three days per week in-office schedule, 6 (22%) were approved by the OPR Counsel to work in the office less than three days per week; and 2 (8%) reside outside of the Washington, DC metropolitan area and telework five days per week.
- Compliance - In response to the January 20, 2025 Presidential Memorandum, the OPR staff were notified that effective February 24, 2025, the in-office requirement will increase from three to five days per week, any exemptions to this requirement must be approved by the DOJ leadership, and OPR staff who reside outside of the Washington, DC metropolitan area will need to report to workspace near their homes.

**II. Plan Overview**

- OPR completed the following steps to comply with the Presidential Memorandum:
  - Conducted a management review of the requirements defined in the January 20 Presidential Memorandum.
  - Disseminated the Presidential Memorandum to OPR staff.
  - Submitted clarification questions to the Justice Management Division (JMD).

- Reviewed and updated its telework policy and telework agreement form pending the release of the DOJ-wide Telework policy.
- Held an OPR staff meeting to discuss the five day per week in-office requirement effective February 24, 2025. Employees were instructed to submit exemption requests to this requirement by February 3, 2025.
- Attended DOJ-wide meetings addressing the Presidential Memorandum and reporting requirements.

### **III. Telework Agreement Revisions**

- OPR edited its telework policy and agreement form. Once the Department-wide telework policy is released, OPR will make any additional updates to these documents before releasing them to staff for review and signature.
- OPR's timeline for revising its telework policy and agreement form is as follows:
  - January 28, 2025 – OPR completed its initial revisions to the telework policy and telework agreement form.
  - January 30, 2025 – OPR Counsel held an office-wide staff meeting to review the information in the January 20, 2025 Presidential Memorandum, as well as inform staff of the initial revisions to the telework policy and agreement form.
  - TBD – OPR will release its revised telework policy and agreement form no later than three business days after the Department-wide policy is issued.

### **IV. Return to In-Person Work**

- Effective Monday, February 24, 2025, all OPR employees who work in main justice/ RFK and who do not have an exemption approved or pending will return to a five day per week in-office schedule.
- Three (11%) OPR employees who work in the Washington, DC metropolitan area have requested an exemption from this requirement. The OPR Counsel is reviewing these exemption requests. Once JMD releases written guidance on the exception approval process, the OPR Counsel may forward these requests to JMD and the AG/DAG for further review and approval.
- OPR contacted other DOJ offices and federal partners outside of the Washington, DC metropolitan area to identify workspace in Alabama and in Kansas/Missouri for the two staff who work remotely.
- OPR anticipates achieving 100% compliance with this Presidential Memorandum by February 24, 2025, for RFK employees; for those employees in remote positions, by that date or as soon thereafter as space is located; and for employees with exception requests, on that date or as soon thereafter as their exception requests are resolved.

## **V. Collective Bargaining Agreements (CBAs)**

- OPR does not have any Collective Bargaining Agreements in place.

## **VI. Determining New Duty Stations**

- OPR leadership contacted representatives from other DOJ Components (e.g., EOUSA, USAOs, ATF, and USMS) and the General Services Administration to identify workspace that can accommodate the two attorneys who work in Birmingham, Alabama, and Kansas City, Kansas. The USAO-KS has agreed to provide space for OPR's use, but that agreement is pending review and approval by EOUSA. The space that the USAO-ALN identified last week for the other remote worker is no longer available. OPR continues to look for space for its Birmingham-based employee. OPR is awaiting further guidance from JMD concerning the next steps for proceeding forward with the space identified in Kansas, assuming EOUSA approves our request.
- Based on information provided by EOUSA, OPR projects that the cost for using the space in USAO-KS is approximately \$31,000.

## **VII. Identifying Risks and Barriers**

- Due to the current continuing resolution, OPR is uncertain if funding is available to cover the expenses for the remote office space. If remote office space is not located or funded, the two affected attorneys would not be able to comply with the Presidential Memorandum.
- Considering the current OPR attorney vacancy, impending attorney retirement(s), and the current Department hiring freeze, the potential loss of two additional experienced OPR attorneys will have significant adverse impacts on OPR's mission.
- OPR plans to mitigate this risk by looking for ways to fund the remote workspace needed from its existing budget and by continuing to seek appropriate office space.

## **VIII. Exceptions Process**

- Three OPR staff submitted reasonable accommodation or compelling needs exception requests for the five day per week in-office work requirement. Two staff are requesting exceptions based on their or an immediate family member's medical condition. The other is a Schedule A employee who is requesting to maintain her existing three day in-office schedule due to her disability. The OPR Counsel is reviewing these exception requests and will process them in accordance with the guidance provided by JMD once it is released.
- The OPR Counsel did not receive any limited or categorical exception requests.

## **IX. Conclusion**

- OPR leadership and staff are committed to fully complying with the Return to In Office Work Presidential Memorandum as set forth above.