



## OFFICE OF PERSONNEL MANAGEMENT

### 5 CFR Part 591

[Docket ID: OPM-2026-0068]

RIN 3206-AO73

### Uniform Allowances

**AGENCY:** Office of Personnel Management.

**ACTION:** Direct final rule.

**SUMMARY:** The Office of Personnel Management (OPM) is issuing a direct final rule to raise the maximum annual uniform allowance and the maximum allowable cost payable by the agency for furnishing uniforms from \$800 to \$1,500, amend the purpose of the subpart and the definition of “uniform,” and ensure agencies maintain policies for administering uniform allowance programs. This document also provides guidance on appropriate and inappropriate uses of the allowance, distinguishes uniforms from personal protective equipment, and makes technical edits to improve transparency, accountability, and usability.

**DATES:** This rule is effective [INSERT DATE 90 DAYS AFTER DATE OF PUBLICATION IN THE *FEDERAL REGISTER*], unless significant adverse comments are received by [INSERT DATE 30 DAYS AFTER PUBLICATION IN THE *FEDERAL REGISTER*]. If significant adverse comments are received, OPM will withdraw the relevant provisions of this direct final rule.

**ADDRESSES:** You may submit comments for this direct final rule within the Federal eRulemaking Portal at <https://www.regulations.gov/>. Follow the instructions for submitting comments.

All comments must be received by the end of the comment period for them to be considered. All comments and other submissions received generally will be posted on the internet at [regulations.gov](https://www.regulations.gov/) as they are received, without change, including any personal

information provided. However, OPM retains discretion to redact personal or sensitive information, including but not limited to personal or sensitive information pertaining to third parties.

A summary of this rule may be found in the docket for this rulemaking at [www.regulations.gov](http://www.regulations.gov).

**FOR FURTHER INFORMATION CONTACT:** Ed Ames, Office of Personnel Management, Workforce Policy and Innovation, (202) 606-2858, [paypolicy@opm.gov](mailto:paypolicy@opm.gov).

**SUPPLEMENTARY INFORMATION:**

**I. Background**

Under 5 U.S.C. 5901 through 5903, OPM may adjust the maximum allowance for uniforms and the maximum allowable cost payable by the agency for furnishing uniforms and may prescribe such regulations as it considers necessary for the administration of uniforms. Any uniform allowance funds paid or uniforms furnished directly to employees are not “wages” for Social Security or Federal employment tax/wage withholding purposes—that is, not “wages” under the Social Security Act’s definition (42 U.S.C. 409), the Federal Insurance Contributions Act (26 U.S.C. chapter 21), or the Federal wage withholding rules (26 U.S.C. chapter 24). (See 5 U.S.C. 5901(c).)

The uniform allowance authority, as set forth in 5 U.S.C. 5901 through 5903, along with related OPM regulations, apply exclusively to civilian employees governed by title 5 of the United States Code. However, it is important to recognize that some agencies possess separate statutory authorities or appropriations that enable them to pay uniform allowances or provide uniforms independently of the title 5 provisions. OPM is aware of several examples of such independent authorities. For instance, civilian employees of the Department of War (10 U.S.C. 1593) and police officers within the Department of Veterans Affairs (38 U.S.C. 903) are subject to their own statutory provisions which allow for uniform allowances or the furnishing of uniforms. Additionally, certain components within the Department of Homeland Security may

operate under their own authorities or appropriations to either provide a uniform allowance or furnish uniforms to employees. It is important to note that agencies possessing independent statutory authority or appropriations for uniform allowances might not be able to utilize these independent authorities concurrently with the title 5 uniform allowance authority under 5 U.S.C. 5901 through 5903, depending on the limitations of the specific authority. Agencies must ensure compliance with the applicable statutory provisions governing the payment of uniform allowances or the furnishing of uniforms.

OPM last increased the Governmentwide maximum from \$400 to \$800 via final rule on April 26, 2007 (72 FR 20701). Nearly two decades have passed since that adjustment, during which uniform costs have risen significantly due to inflation and advancements in materials that improve durability, comfort, and safety.

This direct final rule amends 5 CFR part 591, subpart A, and includes several key changes: increasing the maximum annual uniform allowance rate and the maximum allowable cost of furnishing uniforms to \$1,500; clarifying OPM's authority under 5 U.S.C. 5901 through 5903; updating the purpose of the subpart (§ 591.101); clarifying the definition of "uniform" (§ 591.102); and adding a new section (§ 591.105) governing written agency policies when providing a uniform allowance or furnishing uniforms to employees.

The rule also provides guidance on appropriate and inappropriate uses of the uniform allowance. For example, uniform-allowance funds must not be used for personal protective equipment (PPE), which is governed separately under 5 U.S.C. 7903 and applicable agency safety standards or U.S. Department of Labor (DOL) Occupational Safety and Health Administration (OSHA) standards, or for items required solely for job performance, for example a tool such as a hammer. These clarifications distinguish uniforms from PPE and other non-uniform costs to promote consistency and accountability while preserving agency discretion to set allowance levels below the maximum. (See 5 U.S.C. 7903; 29 U.S.C. 668; 29 CFR part 1960; and 29 CFR part 1910, subpart I.)

OPM plans to issue guidance to agencies on administering the uniform allowance authority, including the changes made by this final rule. All guidance will be available at [opm.gov](https://www.opm.gov).

## **II. Maximum Uniform Allowance Increase**

OPM considered a variety of materials, which are listed in the docket at <https://www.regulations.gov/document/OPM-2026-0068-0001>. The sections below discuss several of the sources of information in greater detail.

### **1. Economic Context**

Since the last adjustment to the maximum uniform allowance in 2007, the cost of uniforms for Federal employees—particularly those in law enforcement and public safety roles—has risen substantially. The Consumer Price Index for All Urban Consumers (CPI-U) increased by over 57 percent between April 2007 and January 2026, meaning that the purchasing power of the current \$800 maximum allowance has been significantly diminished. However, the CPI-U does not fully capture the sharp increases in uniform and apparel costs experienced in recent years, especially for specialized, durable garments required in law enforcement. (BLS, 2026)

The Producer Price Index for Textile Products and Apparel (WPU03) (<https://fred.stlouisfed.org/series/WPU03>) reached 193 in January 2026, and when applied to the 2007 cap, suggests a purchasing power equivalent of approximately \$1,230 to \$1,240 before accounting for the additional costs of technical fabrics and modern construction. (FRB St. Louis, 2026)

### **2. Interagency Engagement**

Because nearly two decades had passed since the last adjustment to the maximum uniform allowance in 2007, OPM initiated an interagency engagement process in 2024 to better understand current uniform costs, agency practices, and employee needs. As a direct result, many of the revisions and clarifications to part 591, as well as the supplementary information provided

in this rule, reflect input and findings from that interagency process. On June 25, 2024, OPM sent an email to Chief Human Capital Officers Council (CHCOC) members (CHCOs, Deputy CHCOs, and Key Principals) totaling 77 recipients, and separately to 16 points of contact at agencies that are not part of the CHCOC. The two emails requested agencies designate a representative to participate in a uniform allowance interagency workgroup (IAWG) meeting and presented a data call consisting of an online survey regarding each agency's use of the uniform allowance and a spreadsheet to document the costs of various uniform garments, accessories, and related items. The IAWG meeting was held on September 26, 2024, and survey and spreadsheet submissions were requested by October 10, 2024.

The data call resulted in survey responses from twelve agencies and consolidated cost spreadsheets from six agencies. A comprehensive review of agency survey responses and uniform cost data revealed that the majority of agencies reported the current \$800 maximum uniform allowance is insufficient for at least some occupations. Agencies attribute this inadequacy to a combination of rising costs for textiles, apparel, and labor, as well as the need for uniforms with enhanced features such as comfort, stretch, durability, and stain resistance. Some agencies specifically cited post-COVID market volatility, supply chain disruptions, and the introduction of new uniform materials as key drivers of increased costs. Only one agency indicated that the \$800 allowance remains adequate for their current needs. The detailed cost data further supports these findings, with many agencies reporting average annual uniform costs that exceed the current maximum, particularly for firefighters and law enforcement positions. Of those submitting cost data, all but one reported at least one occupational group requiring uniforms. One agency submitted a spreadsheet without any cost data and confirmed that it does not have uniformed employees. Therefore, OPM excluded it from any cost analysis of uniformed employees. Additionally, one agency that did not use the uniform allowance authority indicated in its survey that it was considering implementation for at least one occupation. Among agencies with uniformed occupational groups, all but one department headquarters supported an increase

to the maximum uniform allowance. The exception did not have complete component-level data to make an informed recommendation but reported the cost of one occupation's uniforms at approximately \$900. One large department specifically recommended a maximum rate of \$1,500.

### **3. Analysis of Post-COVID Apparel Cost Trends**

Since 2020, uniform and apparel costs have increased at a notably sharper rate than in prior years, as reflected in the Producer Price Index by Commodity: Textile Products and Apparel, the Producer Price Index by Industry: Apparel Manufacturing, and the Consumer Price Index for All Urban Consumers: Apparel (WPU03) (<https://fred.stlouisfed.org/series/WPU03>). This acceleration is consistent with agency survey responses and supported by government and industry sources documenting supply chain disruptions, labor cost increases, and innovations in uniform fabrics and construction.

Global supply chain disruptions during the COVID pandemic significantly contributed to U.S. producer price index inflation, particularly in manufacturing, where bottlenecks and labor constraints drove costs upward (Federal Reserve Bank of St. Louis, 2022). Similarly, supply chain congestion and reduced labor supply were major drivers of inflation during and after the pandemic (National Bureau of Economic Research, 2024). Industry analysis indicates that apparel brands are facing rising labor costs and are diversifying production locations to manage these increases. (*Just Style*, 2024) Academic research further shows that the apparel industry has experienced accelerated trends in automation, digitalization, and market concentration post-COVID, all of which have added to cost pressures. (*Cornell Chronicle*, 2021) These factors further support OPM's determination to raise the maximum rate allowed under § 591.103 to \$1,500.

## **III. Regulatory Changes**

### **1. Purpose (§ 591.101)**

OPM is revising the purpose of the regulations to make clear that this subpart applies to both agencies that provide payment of the uniform allowance and those agencies that furnish uniforms to employees. In addition, OPM is adding “5 U.S.C. 5901 through 5903” as the prescribing authority—the current regulation only cites 5 U.S.C. 5903.

## **2. Definition of “Uniform” (§ 591.102)**

OPM is revising the definition of “uniform” to eliminate ambiguity and prevent misuse of uniform allowance funds. Based on inconsistent practices across agencies, OPM concludes that the current definition does not adequately distinguish between appearance-based uniform items and PPE and other non-uniform items.

During the interagency engagement process, feedback showed that some agencies have used uniform allowances to purchase items that are clearly PPE, such as ballistic vests, face shields, motor helmets, and footwear worn exclusively for safety purposes. Additional information gleaned from OPM’s engagement includes a comment from one agency noting, “Ballistic vests at \$1,800 are considered an article of a uniform to be purchased with the uniform allowance,” and another agency specifically requested clarification on whether certain items are PPE or uniform components.

Multiple agencies also reported using the uniform allowance for services like tailoring and cleaning, which are not uniform items and are prohibited. (See, e.g., *FLRA v. Air Force*, No. 10-1299 (D.C. Cir. May 27, 2011)). One agency reported using the uniform allowance to procure toolkits for craft workers.

In addition, among agencies with uniformed employees, more than half reported using 5 U.S.C. 7903 for PPE purchases, which is the appropriate procurement authority for protective equipment and clothing, but at least three said they do not, and one of the three was unaware of the authority. These gaps underscore the importance of defining boundaries between appropriate items for a uniform allowance and other unauthorized items. (See 5 U.S.C. 7903; 29 U.S.C. 668; 29 CFR part 1960; and 29 CFR part 1910, subpart I.)

The revised definition will specify that a “uniform” means specified article(s) of clothing or other items required by an agency to be worn “to provide a distinctive and easily identifiable appearance” when performing the employee’s job. OPM is also including multiple examples in the definition and more clearly excluding PPE required for safety and other non-uniform items. The changes related to PPE will better align with applicable safety standards set by the employing agency, DOL OSHA standards (see 29 U.S.C. 668; 29 CFR part 1960; and 29 CFR part 1910, subpart I), or other applicable standards. OPM expects that the revised definition will ensure consistent application governmentwide and support proper use of agency and taxpayer funds.

These revisions do not alter the substantive meaning of the term; rather, they provide additional clarity for agencies and employees of existing requirements.

### **3. Four Percent Service Charge Limitation (§ 591.103(b))**

We have added a new paragraph (b) to § 591.103, based on 5 U.S.C. 5901(a), making clear that an agency that provides uniforms to its employees can use appropriated uniform allowance funds to pay up to 4 percent of any service charges, but the sum of the cost of the uniform(s) and the service charge cannot exceed the maximum allowance amount.

### **4. Program Administration (§ 591.105)**

We have added a new section to strengthen accountability and ensure consistent administration of uniform allowance programs. Although the previous regulations only addressed a written policy if a uniform allowance was provided to employees, an agency furnishing uniforms would have also needed written procedures governing the program. This section makes clear that agencies need written policies if they provide a uniform allowance and/or furnish uniforms under part 591.

## **IV. Expected Impact**

### **1. Statement of Need**

OPM has determined that this regulatory action is necessary to update and clarify uniform allowance regulations under 5 U.S.C. 5901 through 5903. The maximum uniform allowance rate has not been revised since April 26, 2007 (72 FR 20701). Over the past 19 years, the Bureau of Labor Statistics' Consumer Price Index for All Urban Consumers (CPI-U) increased by 57.36 percent (BLS, 2026). Thus, purchasing \$800 (the current maximum uniform allowance rate) worth of goods in 2007 would now cost approximately \$1,260 as of January 2026. Through OPM's interagency engagement process and based on our research, OPM determined that uniform costs have risen beyond inflation due to advancements in materials that improve durability, comfort, stain resistance, stretchability, and safety. In addition, this regulatory action is necessary to restore the effectiveness of the uniform allowance program for Federal employees, particularly those in law enforcement and related public safety occupations, which represent the largest group in the reviewed data.

Without an increase, employees in these occupations are required to bear a disproportionate share of uniform costs, which can negatively affect recruitment, retention, and morale in occupations such as law enforcement, firefighting, and other uniformed roles. The February 2026 GAO report (<https://www.gao.gov/products/gao-26-108495>) underscores the importance of competitive benefits—including adequate uniform allowances—in attracting and retaining qualified personnel in law enforcement roles. (GAO, 2026) The adjustment to \$1,500 is supported by both agency-reported cost data and market analysis and is necessary to ensure that the allowance fulfills its statutory purpose of defraying, though not necessarily covering in full, the cost of required uniforms as Congress intended. (See U.S. Congress, *Congressional Record*, 100, p.15037, August 18, 1954.)

Finally, OPM's data call showed that several agencies do not maintain adequate records or uniform allowance policies, resulting in inconsistent application of statutory and regulatory requirements and, in some cases, unauthorized expenditures for items outside the definition of

“uniform.” These deficiencies undermine transparency, accountability, and fiscal stewardship of taxpayer funds.

## **2. Impact**

This rule will primarily affect Federal agencies that administer uniform allowance programs and employees who are required to wear uniforms in the performance of official duties. The rule will also affect Congress and OPM in their oversight capacities. The public and taxpayers are indirectly impacted through improved accountability and stewardship of Federal funds.

**Federal agencies** with employees required to wear costly uniforms will experience increased expenditures based on the increase of the maximum allowance. However, although agencies are authorized to pay up to the annual uniform allowance maximum rate, many employees will not need the full \$1,500 per year for uniforms. In fact, for many employees, the needed allowance may be much less. OPM believes agencies are in the best position to identify and manage the specific uniform allowance needs of their employees.

In addition, by OPM providing greater clarity in regulation and guidance on inappropriate purchases utilizing the uniform allowance, for example PPE and items required in the performance of employees’ duties, multiple agencies will experience decreases in their uniform allowance and furnishing of uniform costs. Agencies will also be able to better plan for and track appropriate uniform costs, PPE, and other items by providing employees with the allowance intended by statute for employees’ mandatory and appropriate uniform costs.

In addition to some agencies needing to allocate additional funding for uniform allowances, some Federal agencies covered by 5 CFR part 591, subpart A, may experience operational impacts related to compliance with policy requirements at § 591.105 if the agency does not have a formalized uniform allowance policy or does not maintain documentation sufficient to administer and oversee programs. These changes should improve consistency across agencies but may require initial administrative adjustments, such as updating internal systems,

training staff on new procedures, and revising policies to ensure that uniform standards and procurement practices align with clarified definitions.

**Agencies with independent statutory authorities or appropriations for uniforms** that allow or require an agency to provide an allowance and/or furnish uniforms for its employees are not expected to be affected by this final rule. However, any such agency is advised to review the applicable authorities and/or appropriations to determine if they reference 5 U.S.C. 5901 through 5903 and assess if any action may be required based on this final rule.

**Federal employees** whose required uniform expenses exceed the \$800 maximum annual uniform allowance will experience reduced out-of-pocket costs. Employees whose uniform costs are \$800 or less per year will not see any change in what they have received in the past, but some agencies report that they would like to update the uniform styles of some occupations based on a new higher maximum rate. Notably, one agency emphasized rising costs and wear-and-tear and argued a higher maximum rate will ensure a professional appearance and safe performance. Employees may be subject to updated agency policies governing uniform standards within § 591.105.

**Congress** will see an impact in its oversight role. Agency policy requirements will support Congressional inquiries and audits by ensuring agencies maintain standardized data on uniform allowance expenditures and program administration. This facilitates reporting and strengthens fiscal accountability.

**Taxpayers and the public** will be indirectly impacted through improved fiscal stewardship. This rule reduces the risk of misuse of funds and strengthens accountability for taxpayer dollars. These changes promote confidence in government operations and ensure that uniform allowance programs operate transparently and in accordance with statutory intent.

### **3. Costs**

Executive Order 12866 requires OPM to design regulations in the most cost-effective manner that achieve the intended policy objectives while minimizing burden on Federal agencies

and their employees. To meet this standard, OPM utilized a structured and transparent methodology for evaluating uniform costs across the Federal workforce. Agencies provided uniform cost data in October 2024, which reflected unadjusted spending levels at the time of collection. Because these submissions spanned multiple agencies, procurement methods, and occupational requirements, OPM normalized these data using the Producer Price Index (PPI) by Commodity: Textile Products and Apparel to present all figures consistently in December 2025 dollars. The PPI rose from 185.18 in October 2024 to 193 in January 2026, producing an adjustment factor of 1.040. (FRB St. Louis, 2026) Applying this factor allows for consistent comparison across agencies and ensures that cost estimates accurately reflect current market conditions for uniform components.

It is important to note that vendor prices were not adjusted using the PPI factor. Because vendor prices were collected contemporaneously as part of this rulemaking and already reflect current retail and catalog market conditions, OPM treated them as December 2025 values. The PPI adjustment applies only to agency reported costs submitted in October 2024, consistent with the methodology documented in the cost analysis.

Using this methodology, OPM converted all agency-reported uniform costs from October 2024 to December 2025 values. In October 2024, the highest annual uniform cost reported by agencies was \$3,200, which increases to approximately \$3,333 after applying the PPI adjustment factor. The lowest reported annual cost—\$53—increases to just over \$55 under the same adjustment. The average annual cost reported by agencies was \$977 in October 2024 and rises to approximately \$1,017 in December 2025 dollars. This paired presentation of October 2024 values and their PPI-adjusted equivalents provides a clear and consistent basis for evaluating the sufficiency of both the current \$800 allowance and the \$1,500 maximum.

The same methodology was applied to agency reported costs of weekly uniform sets for positions requiring different types of full uniform sets each week. Based on agency submissions, the average cost for all weekly sets was approximately \$3,760 in October 2024. When adjusted

using the PPI factor, this rises to \$3,915 in January 2026 dollars. Under the existing \$800 maximum allowance, employees in such positions face average out-of-pocket costs of \$3,115. With an increased maximum of \$1,500, the average out-of-pocket cost decreases to \$2,415, demonstrating meaningful financial relief even though the increase does not fully eliminate the gap for employees in the most uniform-intensive occupations.

OPM's analysis of uniform components further shows that agency-reported average costs for key items—such as long-sleeve shirts, belts, uniform jackets, and duty footwear—often exceed the lowest vendor prices available nationally. For example, agencies reported an average October 2024 boot cost of \$156.74, which rises to \$163.26 after PPI adjustment with vendor prices that ranged from approximately \$70 to \$200. While vendor prices show a wide range, agency-reported averages consistently reflect garments that meet specific durability, safety, and compliance requirements rather than minimum-priced consumer alternatives. This reinforces the extent to which uniformed employees incur costs above the current \$800 limit, even before accounting for the number of required uniform sets per year.

In addition to agency-reported and vendor pricing, OPM conducted a market analysis of non-PPE uniform components across national retailers and catalog sources. Market prices for long-sleeve shirts appropriate for uniform wear averaged \$60 to \$70, with uniform trousers averaging \$75 to \$90 per pair. Uniform jackets and sweaters averaged \$100 to \$130, while duty footwear ranged from \$200 to \$350 per pair. Because these prices were collected contemporaneously, they reflect current conditions and did not require PPI adjustment. These findings support the conclusion that uniform programs relying on current retail pricing—even for non-specialized garments—regularly generate costs that exceed the current \$800 maximum allowance, especially for employees requiring multiple sets over the course of a uniform cycle.

Illustrative occupational scenarios highlight the cumulative effect of uniform costs. A law enforcement employee requiring five shirts, four pairs of trousers, one jacket, and one pair of duty footwear would incur costs of between \$1,265 and \$1,465 annually using current market

averages. Under the current \$800 cap, such employees may face out-of-pocket costs of \$465 to \$665, whereas a \$1,500 maximum reduces this amount to \$0 to \$235. Similar cost burdens appear in fire department daily wear (non-PPE), where individual garment prices accumulate to significant totals when multiple sets and styles are required, exceeding the current allowance ceiling.

As part of OPM's October 2024 uniform allowance survey, agencies reported both their uniform cost concerns and estimated budgetary impacts under a higher maximum allowance. Of the 12 respondents, three expressed potential budget concerns while nine reported none. One large agency estimated that increasing the maximum allowance to \$1,500 would raise its program expenses by up to \$100,000 based on October 2024 costs. After applying the PPI factor, this estimate increases to approximately \$104,160. Another agency with a smaller uniformed workforce estimated total uniform program costs of \$240,000 in October 2024, which increases to \$249,984 after PPI adjustment. Presenting both original and adjusted figures together enables a clear understanding of both agency-reported conditions and current-market implications, illustrating that the budgetary effects of updating the allowance are proportionate and manageable across agencies.

#### **4. Benefits**

This rule provides significant benefits to multiple stakeholders by reducing financial burdens, improving program integrity, and enhancing transparency and accountability in the administration of uniform allowance programs.

**Federal employees** will benefit most directly from the increase in the maximum uniform allowance rate from \$800 to \$1,500. This adjustment reflects inflation and rising uniform costs, ensuring that employees required to wear uniforms in the performance of official duties receive an allowance that reasonably defrays the cost of those uniforms, as Congress intended (See U.S. Congress, *Congressional Record*, 100, p. 15037, August 18, 1954.) Under the current \$800 maximum, employees in occupations such as law enforcement and firefighting often incur

substantial out-of-pocket costs for required uniforms. Increasing the maximum allowance will reduce these costs and provide parity across uniformed positions.

**Federal agencies** will benefit from clearer regulatory standards and improved guidance on distinguishing uniforms from PPE and other non-uniform items, reducing ambiguity and preventing improper expenditures. The enhanced policy requirements at § 591.105 will strengthen program integrity and ensure consistent application of statutory and regulatory requirements.

In addition, providing a higher uniform allowance for law enforcement personnel—and likely other occupations that require more expensive, full uniform sets—may improve agencies' ability to recruit new candidates and retain current employees, based on GAO's February 2026 report.

**OPM** will benefit from enhanced oversight capability through broader policy requirements, enabling data-driven policy guidance and improved compliance monitoring.

**Congress** will benefit from increased transparency and accountability in uniform allowance programs. The codification of a broader policy requirement supports Congressional oversight responsibilities and ensures that taxpayer funds are used appropriately and as intended under 5 U.S.C. 5901 through 5903.

**Taxpayers and the public** will benefit from improved fiscal stewardship and accountability. By clarifying allowable expenses and requiring agencies to establish policies, this rule reduces the risk of misuse of funds and promotes responsible use of public resources.

## **5. Alternatives**

Alternatives considered by OPM included maintaining the current \$800 maximum rate or setting a lower increase based solely on CPI-U adjustments. Congress intended the uniform allowance to defray the costs of purchasing a uniform for employees who were not being furnished uniforms by their agencies (See U.S. Congress, *Congressional Record*, 100, p. 15037, August 18, 1954), but the allowance was not necessarily intended to cover the entire costs of all

uniform items needed by the employee. Furthermore, agencies are permitted to provide a higher initial maximum allowance or furnishing of uniforms by following procedures listed within § 591.104. Nonetheless, OPM determined that raising the maximum allowance governmentwide was a more efficient approach to address the increased costs of uniforms reported by agencies and verified by OPM's market research. OPM determined that this approach would both (1) provide agencies with expensive uniform needs the ability to provide a larger allowance without additional notice and comment on a case-by-case basis (see § 591.104) and (2) not increase costs for agencies with less costly uniforms.

## **6. Severability**

If any provision of this final rule is held to be invalid or unenforceable by its terms, or as applied to any person or circumstance, we believe that the various provisions should be severable and need not be impacted. Similarly, many of the operational requirements have no bearing on other provisions and are severable. For example, a change in the maximum uniform allowance rate is not subject to notice and comment and should be upheld even if another provision, such as the program administration provision, is found to be invalid.

## **V. Regulatory Compliance**

### **1. Notice and Comment**

Although 5 U.S.C. 1105 and 1103(b)(1) requires OPM to provide notice of and to seek comment on certain rules, 5 U.S.C. 1103(b)(4) exempts OPM rules that establish, among other things, allowances under 5 U.S.C. part III, subpart D. This rule establishes the allowance for uniforms, the authority for which is found in subchapter I of chapter 59 of title 5, United States Code. This rule does not establish any procedures, methodology, or criteria used to establish the uniform allowance.

In addition to the change to the maximum uniform allowance rate, which is not subject to notice and comment rulemaking, this rule makes minor modifications to subpart A of part 591. This rule is suitable for direct final rulemaking because it is non-controversial and consistent

with Federal law and policy. OPM does not expect to receive any significant adverse comments related to these minor modifications. These provisions of the rule will be beneficial to agencies and members of the public because they will improve compliance with statutory restrictions on the use of uniform allowances. The revision of the definition of a uniform makes no changes to the legal obligations or rights of any affected parties (*i.e.*, reflects statutory requirements that are already in effect). Similarly, the addition of the new program administration section (§ 591.105) codifies existing expectations and practices and does not impose new substantive obligations beyond what agencies should already be doing under current regulations. OPM accordingly finds that it is in the public interest to have this rule be effective as soon as possible.

This rule will be effective [INSERT DATE 90 DAYS AFTER DATE OF PUBLICATION IN THE *FEDERAL REGISTER*], unless significant adverse comments are received by [INSERT DATE 30 DAYS AFTER PUBLICATION IN THE *FEDERAL REGISTER*]. A significant adverse comment is one that explains: (1) why the rule is inappropriate, including challenges to the rule's underlying premise or approach; or (2) why the direct final rule will be ineffective or unacceptable without a change. If such comments are received, the provisions of this direct final rule that are subject to notice and comment (*i.e.*, uniform definition and § 591.105) will be withdrawn and OPM will publish a proposed rule for comments. If no significant adverse comments are received, this direct final rule will become effective 60 days after the comment period expires to allow agencies time to make changes needed to implement the rule. A comment recommending an addition to the rule will not be considered significant and adverse unless the comment explains how this direct final rule would be ineffective without the addition.

## **2. Regulatory Review**

OPM has examined the impact of this rule as required by E.O. 12866 and 13563, which direct agencies to assess all costs and benefits of available regulatory alternatives and, if regulation is necessary, to select regulatory approaches that maximize net benefits (including

potential economic, environmental, public, health, and safety effects, distributive impacts, and equity). A regulatory impact analysis must be prepared for rules that have an annual effect on the economy of \$100 million or more or adversely affect in a material way the economy, a sector of the economy, productivity, competition, jobs, the environment, public health or safety, or State, local, or tribal governments or communities. This rulemaking does not reach that threshold but has otherwise been designated as a “significant regulatory action” under section 3(f) of E.O. 12866. This rule is not expected to be considered an E.O. 14192 regulatory action because it imposes no more than de minimis costs.

### **3. Regulatory Flexibility Act**

The Director of OPM certifies that this rulemaking will not have a significant economic impact on a substantial number of small entities because the rule will apply only to Federal agencies and employees.

### **4. Federalism**

This rulemaking will not have substantial direct effects on the States, on the relationship between the national government and the States, or on distribution of power and responsibilities among the various levels of government. Therefore, in accordance with Executive Order 13132, the Director of OPM certifies that this rulemaking does not have sufficient federalism implications to warrant preparation of a Federalism Assessment.

### **5. Civil Justice Reform**

This rulemaking meets the applicable standards set forth in section 3(a) and (b)(2) of Executive Order 12988.

### **6. Unfunded Mandates Reform Act**

Section 202 of the Unfunded Mandates Reform Act of 1995 (UMRA) requires that agencies assess anticipated costs and benefits before issuing any rule that would impose spending costs on State, local, or tribal governments in the aggregate, or on the private sector, in any 1 year of \$100 million in 1995 dollars, updated annually for inflation. That threshold is

currently approximately \$206 million. This rulemaking will not result in the expenditure by State, local, or tribal governments, in the aggregate, or by the private sector, in excess of the threshold. Thus, no written assessment of unfunded mandates is required.

## **7. Congressional Review Act**

OMB's Office of Information and Regulatory Affairs has determined this rule does not satisfy the criteria listed in 5 U.S.C. 804(2).

## **8. Paperwork Reduction Act**

This regulatory action does not impose any new reporting or record-keeping requirements subject to the Paperwork Reduction Act.

## **VI. References**

- Ana Maria Santacreu and Jesse LaBelle, "Global Supply Chain Disruptions and Inflation During the COVID-19 Pandemic," Federal Reserve Bank of St. Louis *Review*, Second Quarter 2022, pp. 78-91. Available at: <https://www.stlouisfed.org/publications/review/2022/02/07/global-supply-chain-disruptions-and-inflation-during-the-covid-19-pandemic> (Accessed February 24, 2026).
- National Bureau of Economic Research. (2024). "Supply Chain Disruptions and Pandemic-Era Inflation." *NBER Digest*, April 2024. Available at: <https://www.nber.org/digest/202404/supply-chain-disruptions-and-pandemic-era-inflation> (Accessed February 24, 2026).
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### **List of Subjects in 5 CFR Part 591**

Government employees, Travel and transportation expenses, Wages.

### **Signing Statement**

The Director of OPM, Scott Kupor, reviewed and approved this document and has authorized the undersigned to electronically sign and submit this document to the Office of the Federal Register for publication.

Office of Personnel Management

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Jerson Matias,

Federal Register Liaison.

For the reasons stated in the preamble, the Office of Personnel Management amends 5 CFR part 591 as follows:

### **PART 591—ALLOWANCES AND DIFFERENTIALS**

#### **Subpart A—Uniform Allowances**

1. The authority citation for subpart A of part 591 is revised to read as follows:

**Authority:** 5 U.S.C. 1103(b)(4), 5 U.S.C. 5901, 5902, 5903.

2. Revise § 591.101 to read as follows:

**§ 591.101 Purpose.**

This subpart prescribes the regulations authorized by 5 U.S.C. 5901 through 5903 for the purpose of payment of an allowance or to furnish or purchase uniforms for one or more employees.

3. Amend § 591.102 by revising the definition for “Uniform” to read as follows:

**§ 591.102 Definitions.**

\* \* \* \* \*

*Uniform* means a specified article or articles of clothing or other items that are required by an agency to be worn by an employee to provide a distinctive and easily identifiable appearance in performing his or her job. Examples include hats, shirts, slacks, skirts, neckties, outerwear, name pins or tags, flag pins, rank insignias or cords, or patches. A “uniform” does not include personal protective equipment (PPE) required to be donned for an employee's safety; normal business or work attire (when an employee is not required to wear his or her required uniform); tools, communication devices, or other equipment required in the performance of an employee’s job duties; personal items worn at the discretion of the employee (for example, jewelry or undergarments); or any items worn based solely on a reasonable accommodation.

\* \* \* \* \*

4. Revise § 591.103 to read as follows:

**§ 591.103 Maximum uniform allowance rate.**

(a) Unless a higher initial maximum uniform allowance rate is payable under § 591.104 or other agency authority or specific appropriation to an employee who is required by statute, regulation, or an agency's written administrative procedures to wear a uniform, the head of an agency, out of funds available, must —

(1) Pay an allowance for a uniform not to exceed \$1,500 a year; or

(2) Furnish a uniform at a cost not to exceed \$1,500 a year.

(b) If an agency purchases a uniform directly from a vendor, the agency can spend up to 4 percent on service charges but the total cost of the uniform and any service charges cannot exceed the maximum allowance set forth in paragraph (a)(2) of this section.

5. Add § 591.105 to read as follows:

**§ 591.105 Program administration.**

An agency that provides a uniform allowance or furnishes uniforms under this subpart must establish policies to administer the program sufficient to ensure compliance with 5 U.S.C. 5901 and this subpart.

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