

116TH CONGRESS
2D SESSION

S. 4776

To reduce the amount provided to agencies that do not comply with reasonable vehicle utilization standards and to establish methods and procedures for evaluating vehicle fleets.

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 30 (legislative day, OCTOBER 29), 2020

Mrs. SHAHEEN (for herself, Mr. LANKFORD, and Mr. KING) introduced the following bill; which was read twice and referred to the Committee on Homeland Security and Governmental Affairs

A BILL

To reduce the amount provided to agencies that do not comply with reasonable vehicle utilization standards and to establish methods and procedures for evaluating vehicle fleets.

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. VEHICLE FLEET UTILIZATION.**

4 (a) DEFINITIONS.—In this section—

5 (1) the term “Administrator” means the Ad-
6 ministrator of General Services;

1 (2) the term “baseline vehicle budget for the ve-
2 hicle fleet management component” means the lesser
3 of—

4 (A) the sum, as determined by the Direc-
5 tor of the Office of Management and Budget,
6 of—

7 (i) the total dollar amount obligated
8 by the vehicle fleet management component
9 to purchase, maintain, and operate vehicles
10 in fiscal year 2019; and

11 (ii) the total dollar amount obligated
12 by the vehicle fleet management component
13 to lease, maintain, and operate vehicles in
14 fiscal year 2019; and

15 (B) the annual average, as determined by
16 the Director of the Office of Management and
17 Budget, of the sum of—

18 (i) the total dollar amount obligated
19 by the vehicle fleet management component
20 to purchase, maintain, and operate vehicles
21 during the last 3 full fiscal years before
22 the date of enactment of this Act; and

23 (ii) the total dollar amount obligated
24 by the vehicle fleet management component
25 to lease, maintain, and operate vehicles

1 during the last 3 full fiscal years before
 2 the date of enactment of this Act; and

3 (3) the term “executive agency” means an
 4 agency, as defined under section 551 of title 5,
 5 United States Code, that is in the executive branch;

6 (4) the term “Government-wide vehicle usage
 7 standards” means the vehicle usage standards estab-
 8 lished by the Administrator under subsection
 9 (b)(1)(A);

10 (5) the term “uniform vehicle fleet methods and
 11 procedures” means the methods and procedures es-
 12 tablished by the Administrator under subsection
 13 (b)(1)(B); and

14 (6) the term “vehicle fleet management compo-
 15 nent” means the agency, office, or component of an
 16 executive agency that establishes requirements and
 17 manages expenditures with respect to the use of ve-
 18 hicles by officers and employees of the executive
 19 agency.

20 (b) ESTABLISHMENT OF STANDARDS AND METHODS
 21 AND PROCEDURES.—

22 (1) IN GENERAL.—The Administrator—

23 (A) shall establish vehicle usage standards
 24 for the executive branch of the Federal Govern-
 25 ment; and

(B) in consultation with the Director of the Office of Management and Budget, shall establish uniform methods and procedures for use by executive agencies—

(i) in—

(I) determining the appropriate size of the vehicle fleet of the executive agency;

(II) determining whether to lease or purchase a vehicle;

(III) assessing the utilization of vehicles by the executive agency; and

(IV) documenting a decision to keep a vehicle that does not meet the vehicle utilization criteria; and

(ii) that require the vehicle fleet management component of the executive agency to maintain the procedures and the documentation described in clause (i)(IV) in an easily accessible manner.

(2) CONTENTS.—The Government-wide vehicle usage standards—

(A) shall include annual mileage minimums of 12,000 miles for passenger vehicles and 10,000 miles for light trucks; and

1 (B) may include additional standards, in-
2 cluding number of trips per month and number
3 of passengers per month.

4 (3) PUBLICATION.—The Administrator shall
5 make publicly available the Government-wide vehicle
6 usage standards, including documentation require-
7 ments and metrics, and the uniform vehicle fleet
8 methods and procedures.

9 (c) IMPLEMENTATION OF STANDARDS.—

10 (1) ALTERNATIVE STANDARDS.—

11 (A) IN GENERAL.—An executive agency
12 may establish and implement separate vehicle
13 usage standards for the executive agency.

14 (B) REVIEW.—

15 (i) IN GENERAL.—Any vehicle usage
16 standards implemented by an executive
17 agency as described in subparagraph (A)
18 shall be reviewed annually by the Adminis-
19 trator to ensure an optimal fleet profile.

20 (ii) PROVISION OF INFORMATION.—

21 The Administrator shall establish a process
22 for obtaining information from executive
23 agencies on vehicle utilization before mak-
24 ing a determination under subparagraph
25 (C).

1 (C) REDUCTION IN BUDGET FOR WEAKER
2 STANDARDS.—

3 (i) IN GENERAL.—For any fiscal year
4 for which the Administrator determines
5 that the vehicle usage standards imple-
6 mented by an executive agency as de-
7 scribed in subparagraph (A) are less strin-
8 gent than the Government-wide vehicle
9 usage standards, the vehicle fleet manage-
10 ment component of the executive agency
11 may not obligate for the purchase or lease
12 of vehicles more than the amount equal to
13 90 percent of the baseline vehicle budget
14 for the vehicle fleet management compo-
15 nent.

16 (ii) APPEALS PROCESS.—The Director
17 shall provide an appeal process under
18 which an executive agency may appeal a
19 determination under clause (i) on the basis
20 that the mission profile of the executive
21 agency requires a less stringent vehicle
22 usage standard. If such an appeal is suc-
23 cessful, the amount that may be obligated
24 for the purchase of lease of vehicles shall
25 not be reduced under clause (i).

1 (2) FAILURE TO IMPLEMENT STANDARDS.—For
2 any fiscal year for which the Administrator deter-
3 mines that an executive agency does not have vehicle
4 usage standards in effect, the vehicle fleet manage-
5 ment component of the executive agency may not ob-
6 ligate for the purchase or lease of vehicles more than
7 the amount equal to 80 percent of the baseline vehi-
8 cle budget for the vehicle fleet management compo-
9 nent.

10 (d) IMPLEMENTATION OF METHODS AND PROCE-
11 DURES.—

12 (1) IN GENERAL.—The head of each executive
13 agency shall ensure that—

14 (A) the uniform vehicle fleet methods and
15 procedures are implemented by the executive
16 agency, consistent with internal control stand-
17 ards;

18 (B) supporting documentation is made
19 publicly available regarding—

20 (i) any determination of the appro-
21 priate size of the vehicle fleet of the execu-
22 tive agency; and

23 (ii) the justification for any deviation
24 from the Government-wide vehicle usage
25 standards; and

1 (C) the vehicle fleet management compo-
2 nent of the executive agency maintains the pro-
3 cedures described in subparagraph (A) and the
4 documentation described in subparagraph (B)
5 in an easily accessible manner.

6 (2) UNDERUTILIZATION REVIEW.—The head of
7 each executive agency shall document—

8 (A) an annual review of the vehicle fleet of
9 the executive agency to identify underutilized
10 vehicles; and

11 (B) actions taken to remove underutilized
12 vehicles from the vehicle fleet or a justification
13 for the continued use of the underutilized vehi-
14 cles.

15 (3) AUDITS.—Not less frequently than once
16 every 2 years, the Inspector General of each execu-
17 tive agency shall—

18 (A) conduct an audit of the vehicle fleet
19 management practices of the executive agency
20 evaluating compliance with this section;

21 (B) submit to each committee of either
22 House of Congress with jurisdiction of the ac-
23 tivities or funding of the executive agency and
24 the Administrator a report regarding the audit;
25 and

- 1 (C) make publicly available a report re-
- 2 garding the audit.

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