

114TH CONGRESS
2D SESSION

H. R. 4785

To amend the Homeland Security Act of 2002 to direct the Under Secretary for Management of the Department of Homeland Security to make certain improvements in managing the Department’s vehicle fleet, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 17, 2016

Mr. PERRY (for himself, Mr. McCAUL, and Mrs. WATSON COLEMAN) introduced the following bill; which was referred to the Committee on Homeland Security

A BILL

To amend the Homeland Security Act of 2002 to direct the Under Secretary for Management of the Department of Homeland Security to make certain improvements in managing the Department’s vehicle fleet, and for other purposes.

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. SHORT TITLE.**

4 This Act may be cited as the “DHS Stop Asset and
5 Vehicle Excess Act” or the “DHS SAVE Act”.

1 **SEC. 2. DHS VEHICLE FLEETS.**

2 Section 701 of the Homeland Security Act of 2002
3 (6 U.S.C. 341) is amended—

4 (1) in subsection (a)(5), by inserting “vehicle
5 fleets (under subsection (c)),” after “equipment,”;

6 (2) by redesignating subsections (c) and (d) as
7 subsections (d) and (e), respectively; and

8 (3) by inserting after subsection (b) the fol-
9 lowing new subsection:

10 “(c) VEHICLE FLEETS.—

11 “(1) IN GENERAL.—In carrying out responsibil-
12 ities regarding vehicle fleets pursuant to subsection
13 (a)(5), the Under Secretary for Management shall
14 be responsible for overseeing and managing vehicle
15 fleets throughout the Department. The Under Sec-
16 retary shall also be responsible for the following:

17 “(A) Ensuring that components are in
18 compliance with Federal law, Federal regula-
19 tions, executive branch guidance, and Depart-
20 ment policy (including issuing guidance relating
21 to such) relating to fleet management and use
22 of vehicles from home to work.

23 “(B) Developing and distributing a stand-
24 dardized vehicle allocation methodology and fleet
25 management plan for components to use to de-

1 termine optimal fleet size in accordance with
2 paragraph (4).

3 “(C) Ensuring that components formally
4 document fleet management decisions.

5 “(D) Approving component fleet manage-
6 ment plans, vehicle leases, and vehicle acquisi-
7 tions.

8 “(2) COMPONENT RESPONSIBILITIES.—

9 “(A) IN GENERAL.—Each component
10 head—

11 “(i) shall—

12 “(I) comply with Federal law,
13 Federal regulations, executive branch
14 guidance, and Department policy (in-
15 cluding guidance relating to such) re-
16 lating to fleet management and use of
17 vehicles from home to work;

18 “(II) ensure that data related to
19 fleet management is accurate and reli-
20 able;

21 “(III) use such data to develop a
22 vehicle allocation tool derived by using
23 the standardized vehicle allocation
24 methodology provided by the Under
25 Secretary for Management to deter-

1 mine the optimal fleet size for the
2 next fiscal year and a fleet manage-
3 ment plan; and

4 “(IV) use vehicle allocation meth-
5 odologies and fleet management plans
6 to develop annual requests for funding
7 to support vehicle fleets pursuant to
8 paragraph (6); and

9 “(ii) may not, except as provided in
10 subparagraph (B), lease or acquire new ve-
11 hicles or replace existing vehicles without
12 prior approval from the Under Secretary
13 for Management pursuant to paragraph
14 (5)(B).

15 “(B) EXCEPTION REGARDING CERTAIN
16 LEASING AND ACQUISITIONS.—If exigent cir-
17 cumstances warrant such, a component head
18 may lease or acquire a new vehicle or replace an
19 existing vehicle without prior approval from the
20 Under Secretary for Management. If under exi-
21 gent circumstances a component head so leases,
22 acquires, or replaces a vehicle, such component
23 head shall provide to the Under Secretary an
24 explanation of such circumstances.

25 “(3) ONGOING OVERSIGHT.—

1 “(A) QUARTERLY MONITORING.—In ac-
2 cordance with paragraph (4), the Under Sec-
3 retary for Management shall collect, on a quar-
4 terly basis, information regarding component
5 vehicle fleets, including information on fleet
6 size, composition, cost, and vehicle utilization.

7 “(B) AUTOMATED INFORMATION.—The
8 Under Secretary for Management shall seek to
9 achieve a capability to collect, on a quarterly
10 basis, automated information regarding compo-
11 nent vehicle fleets, including the number of
12 trips, miles driven, hours and days used, and
13 the associated costs of such mileage for leased
14 vehicles.

15 “(C) MONITORING.—The Under Secretary
16 for Management shall track and monitor com-
17 ponent information provided pursuant to sub-
18 paragraph (A) and, as appropriate, subpara-
19 graph (B), to ensure that component vehicle
20 fleets are the optimal fleet size and cost effec-
21 tive. The Under Secretary shall use such infor-
22 mation to inform the annual component fleet
23 analyses referred to in paragraph (4).

24 “(4) ANNUAL REVIEW OF COMPONENT FLEET
25 ANALYSES.—

1 “(A) IN GENERAL.—To determine the opti-
2 mal fleet size and associated resources needed
3 for each fiscal year beginning with fiscal year
4 2018, component heads shall annually submit
5 to the Under Secretary for Management a vehi-
6 cle allocation tool and fleet management plan
7 using information described in paragraph
8 (3)(A). Such tools and plans may be submitted
9 in classified form if a component head deter-
10 mines that such is necessary to protect oper-
11 ations or mission requirements.

12 “(B) VEHICLE ALLOCATION TOOL.—Each
13 component head develop a vehicle allocation tool
14 in accordance with subclause (III) of paragraph
15 (2)(A)(i) that includes an analysis of the fol-
16 lowing:

17 “(i) Vehicle utilization data, including
18 the number of trips, miles driven, hours
19 and days used, and the associated costs of
20 such mileage for leased vehicles, in accord-
21 ance with such paragraph.

22 “(ii) The role of vehicle fleets in sup-
23 porting mission requirements for each com-
24 ponent.

1 “(iii) Any other information deter-
2 mined relevant by such component heads.

3 “(C) FLEET MANAGEMENT PLANS.—Com-
4 ponent heads shall use information described in
5 subparagraph (B) to develop a fleet manage-
6 ment plan for each such component. Such fleet
7 management plans shall include the following:

8 “(i) A plan for how each such compo-
9 nent may achieve obtain optimal fleet size
10 determined by the vehicle allocation tool
11 required under such subparagraph, includ-
12 ing the elimination of excess vehicles in ac-
13 cordance with paragraph (5), if applicable.

14 “(ii) A cost benefit analysis sup-
15 porting such plan.

16 “(iii) A schedule each such component
17 will follow to obtain optimal fleet size.

18 “(iv) Any other information deter-
19 mined relevant by component heads.

20 “(D) REVIEW.—The Under Secretary for
21 Management shall review and make a deter-
22 mination on the results of each component’s ve-
23 hicle allocation tool and fleet management plan
24 under this paragraph to ensure each such com-
25 ponent’s vehicle fleets are the optimal fleet size

1 and that components are in compliance with ap-
2 plicable Federal law, Federal regulations, execu-
3 tive branch guidance, and Department policy
4 pursuant to paragraph (2) relating to fleet
5 management and use of vehicles from home to
6 work. The Under Secretary shall use such tools
7 and plans when reviewing annual component re-
8 quests for vehicle fleet funding in accordance
9 with paragraph (6).

10 “(5) GUIDANCE TO DEVELOP FLEET MANAGE-
11 MENT PLANS.—The Under Secretary for Manage-
12 ment shall provide guidance, pursuant to paragraph
13 (1)(B) on how component heads may achieve opti-
14 mal fleet size in accordance with paragraph (4), in-
15 cluding processes for the following:

16 “(A) Leasing or acquiring additional vehi-
17 cles or replacing existing vehicles, if determined
18 necessary.

19 “(B) Disposing of excess vehicles that the
20 Under Secretary determines should not be re-
21 allocated in accordance with clause (iii).

22 “(C) Reallocating excess vehicles to other
23 components that may need temporary or long-
24 term use of additional vehicles.

1 “(6) ANNUAL REVIEW OF VEHICLE FLEET
2 FUNDING REQUESTS.—As part of the annual budget
3 process, the Under Secretary for Management shall
4 review and make determinations regarding annual
5 component requests for funding for vehicle fleets. If
6 component heads have not taken steps in further-
7 ance of achieving optimal fleet size in the prior fiscal
8 year pursuant to paragraphs (4) and (5), the Under
9 Secretary shall provide rescission recommendations
10 to the Committee on Appropriations and the Com-
11 mittee on Homeland Security of the House of Rep-
12 resentatives and the Committee on Appropriations
13 and the Committee on Homeland Security and Gov-
14 ernmental Affairs of the Senate regarding such com-
15 ponent vehicle fleets.

16 “(7) ACCOUNTABILITY FOR VEHICLE FLEET
17 MANAGEMENT.—

18 “(A) PROHIBITION ON CERTAIN NEW VE-
19 HICLE LEASES AND ACQUISITIONS.—The Under
20 Secretary for Management and component
21 heads may not approve in any fiscal year begin-
22 ning with fiscal year 2019 a vehicle lease, ac-
23 quisition, or replacement request if such compo-
24 nent heads did not comply in the prior fiscal
25 year with paragraph (4).

1 “(B) PROHIBITION ON CERTAIN PERFORM-
2 ANCE COMPENSATION.—No Department official
3 with vehicle fleet management responsibilities
4 may receive annual performance compensation
5 in pay in any fiscal year beginning with fiscal
6 year 2019 if such official did not comply in the
7 prior fiscal year with paragraph (4).

8 “(C) PROHIBITION ON CERTAIN CAR SERV-
9 ICES.—Notwithstanding any other provision of
10 law, no senior executive service official of the
11 Department whose office has a vehicle fleet may
12 receive access to a car service in any fiscal year
13 beginning with fiscal year 2019 if such official
14 did not comply in the prior fiscal year with
15 paragraph (4).

16 “(8) MOTOR POOL.—

17 “(A) IN GENERAL.—The Under Secretary
18 for Management may determine the feasibility
19 of operating a vehicle motor pool to permit
20 components to share vehicles as necessary to
21 support mission requirements to reduce the
22 number of excess vehicles in the Department.

23 “(B) REQUIREMENTS.—The determination
24 of feasibility of operating a vehicle motor pool
25 under subparagraph (A) shall—

1 “(i) include—

2 “(I) regions in the United States
3 in which multiple components with ve-
4 hicle fleets are located in proximity to
5 one another, or a significant number
6 of employees with authorization to use
7 vehicles are located; and

8 “(II) law enforcement vehicles;

9 “(ii) cover the National Capital Re-
10 gion; and

11 “(iii) take into account different mis-
12 sion requirements.

13 “(C) REPORT.—The Secretary shall in-
14 clude in the Department’s next annual perform-
15 ance report required under current law the re-
16 sults of the determination under this para-
17 graph.

18 “(9) DEFINITIONS.—In this subsection:

19 “(A) COMPONENT HEAD.—The term ‘com-
20 ponent head’ means the head of any component
21 of the Department with a vehicle fleet.

22 “(B) EXCESS VEHICLE.—The term ‘excess
23 vehicle’ means any vehicle that is not essential
24 to support mission requirements of a compo-
25 nent.

1 “(C) OPTIMAL FLEET SIZE.—The term
2 ‘optimal fleet size’ means, with respect to a par-
3 ticular component, the appropriate number of
4 vehicles to support mission requirements of
5 such component.

6 “(D) VEHICLE FLEET.—The term ‘vehicle
7 fleet’ means all owned, commercially leased, or
8 Government-leased vehicles of the Department,
9 including vehicles used for law enforcement and
10 other purposes.”.

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