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MEMORANDUM FOR THE HEADS OF EXECUTIVE DEPARTMENTS AND AGENCIES

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SUBJECT: Catalyzing Sustainable Transportation Through Federal Travel

The Biden-Harris Administration continues to expand the clean energy economy through historic legislative, regulatory, and executive action. Executive Order (E.O.) 14057 of December 8, 2021, on *Catalyzing Clean Energy Industries and Jobs through Federal Sustainability*, established the policy of the Administration for the Federal Government to achieve a carbon pollution-free electricity sector by 2035 and net-zero emissions economy-wide by no later than 2050.¹ As the Nation's largest employer, the Federal Government has the opportunity to lead by example, encourage private sector investment, and expand the economy and American industry by transforming its operations to deliver an equitable, clean energy future; demonstrate how innovation and environmental stewardship protect our planet; and expand deployment of American clean energy technologies and sustainable infrastructure.

The purpose of this Memorandum is to instruct Federal agencies on prioritizing sustainable transportation for official travel. This policy guidance implements the direction of E.O. 14057 to promote environmental stewardship, support resilient supply chains, and incentivize markets for

¹ E.O. 14057, § 101.

sustainable products and services. This policy further develops Federal supply chains that create and sustain well-paying union jobs, protect public health, advance environmental justice, and invest in the Federal workforce.²

By prioritizing sustainable transportation methods for official travel, many of which have achieved cost parity with other transportation methods, agencies can leverage the Federal demand signal for public transit, automobile, rail, and air travel, which will result in the Federal Government's saving taxpayer dollars and reducing its environmental footprint.

SECTION I: POLICY AND BACKGROUND

1. Policy.

Federal agencies should prioritize the availability and use of sustainable transportation for official travel, including local travel. Consistent with agency missions and fiscal responsibility, agencies and employees should prioritize official transportation as follows: 1) zero emission vehicles (ZEVs) over other automobiles; 2) interstate and commuter rail over air travel or long-distance automobile travel; and 3) public transit over automobiles. In addition, agencies should take steps to make sustainable transportation more widespread and easier to access for Federal employee travel by improving travel booking systems, by enabling sustainable air travel, and by leveraging the Federal Government's buying power to ensure cost effectiveness.

Accordingly, agencies should update their travel policies to prioritize sustainable transportation as described above. By providing an immediate, clear, and stable source of demand, these agency actions can catalyze private sector investment and accelerate the advancement of the United States' industrial capacity to supply domestic clean energy, infrastructure, and vehicles.

2. Background.

In fiscal year (FY) 2022, the Federal Government spent \$2.8 billion on transportation for official travel, which represents 1.8 percent of the Federal scope 3 greenhouse gas footprint. This expenditure included 2.8 million flights (\$1.66 billion), 2.3 million vehicle rentals (\$791 million), and 33,000 rail trips (\$4.2 million), along with other transportation activities (e.g., taxis and ride share).³ The travel industry is transitioning to a clean energy economy, including by deploying thousands of ZEV rental cars, installing ZEV charging infrastructure at hotels, providing ZEV ride-share options, and investing in sustainable aviation fuel (SAF). To date, the Federal Government has acquired over 14,000 ZEVs and installed 5,500 ZEV charging ports to date, with 24,000 more already in development.

Federal travel policies and procedures are elaborated in various regulations, including the Federal Travel Regulation (FTR), issued by the General Services Administration (GSA), which generally applies to most Federal employee travel; the Joint Travel Regulations, issued by the Department of Defense (DoD), which applies to travel by uniformed service members and DoD civilian travelers; and the

² E.O. 14057, §§ 208, 301, and 401.

³ General Services Administration, Office of Government-wide Policy, Travel Reporting Information Profile, available at <https://d2d.gsa.gov/report/business-travel-and-relocation-dashboard> (last visited July 24, 2023). This data is required by the Modernizing Government Travel Act, Pub. L. 115-34 (5 U.S.C. § 5707).

Foreign Affairs Manual (FAM), issued by the Department of State (DOS), which regulates official travel and related expenses of foreign service officers and their families. For local travel, other internal agency policies and requirements also may apply. Environmental factors, along with other policies and requirements such as the Fly America Act⁴ and fiscal and ethics requirements, have long shaped Federal Government travel policy. This Memorandum supplements these existing policies by instructing agencies to prioritize sustainable travel options to the extent permitted by law and to consider updating their regulations to reflect these principles, as allowable.

SECTION II: GUIDANCE

This section provides guidance on implementing the policy set forth in the previous section. It does not provide guidance on assessing the need to travel or other parameters around travel, which are covered separately in other travel policies, regulations, and laws.⁵ From a sustainability and cost perspective, virtual engagement is preferred over travel where effective and possible. Specifically, this section addresses three topics: prioritizing sustainable travel modes where there is more than one travel option available; enabling the emergence of sustainable air travel; and facilitating implementation of this Memorandum through updates to Government-wide systems where feasible.

1. Prioritizing Sustainable Travel Modes.

Federal agencies and employees should prioritize sustainable travel modes, as appropriate and consistent with the requirement to travel by the method that is most advantageous to the Federal Government, by using the following: 1) ZEVs over other automobiles; 2) rail over air travel or long-distance automobile travel; and 3) public transit over automobiles. Agencies should incorporate these priorities into appropriate agency policy and training materials.

A. Prioritizing ZEVs over other automobiles

When use of a motor vehicle is required for official travel, Federal agency employees should prioritize using a ZEV based on the criteria below.

- i. **Government-Furnished Vehicles:** When using a Government-furnished fleet vehicle for official travel, travelers should select a ZEV where available and where adequate charging infrastructure is likely to be available en route or at the destination.⁶
- ii. **Vehicle Rentals:** When renting a vehicle, travelers should select a ZEV where the daily rental rate is equal to or less than the daily rental rate of the least expensive compact car available. If another class of vehicle is approved other than a compact car, travelers should select a ZEV where the daily rental rate is equal to or less than the rental rate of the least expensive car of the approved class of vehicle. Due to lower ZEV charging costs compared to fueling costs, this policy will result in savings to the Federal Government.

⁴ 49 U.S.C. § 40118.

⁵ See, e.g., 31 U.S.C. § 1353; 5 U.S.C. § 4111; 5 U.S.C. § 7342; 5 U.S.C. § 13104; 41 C.F.R. § 301-71.107; OMB Memorandum M-21-29, Ensuring Integrity in Management and Use of Government Aircraft (July 12, 2021); OMB Circular No. A-123, Management's Responsibility for Enterprise Risk Management and Internal Control (July 15, 2016); OMB Circular A-123 Appendix B, A Risk Management Framework for Government Charge Card Programs (August 27, 2019), OMB Circular A-126, Improving the Management and Use of Government Aircraft (May 22, 1992).

⁶ E.O. 14057, § 204.

- iii. Taxi and Ride Share: When selecting a taxi or a ride share provided through an app-based ride hailing company, select a ZEV if one is available. If a ZEV is not available, select the vehicle with the highest fuel efficiency.

B. Prioritizing cost-effective rail over air travel or long-distance automobile travel

When traveling between cities, Federal employees should use rail when available and consistent with mission needs. In many areas, rail travel can be as fast or faster than air travel, and at least as cost-effective, when taking into account differences in departure/arrival locations and boarding/deboarding procedures. In general, employees should travel by rail where available for city pairs less than 250 miles apart, especially in the Northeast and Mid-Atlantic regions and in countries where regional or international rail is available and time and cost effective (e.g., in Europe and parts of Asia). Federal employees should use automobiles (including ZEVs) for long-distance travel only when no other practical option exists, such as when traveling in remote or rural areas.

C. Prioritizing public transit over automobiles

Federal agencies and employees should prioritize using public transit (e.g., subway, bus, light rail) when conducting local travel or upon arrival at the official travel location, to the extent that public transit is available and that its use is compatible with mission needs. Agencies and employees may also use non-motorized modes of transportation (e.g., bike-share) when available and compatible with mission needs.

2. Enabling Sustainable Air Travel.

Recognizing that sustainable air travel is an emerging field, this Memorandum does not set forth specific priorities for selecting between different air travel options. Rather, to enable agencies to reduce emissions from air travel, GSA should develop a sustainable aviation strategic plan and submit it to the Office of Management and Budget (OMB) and the Council on Environmental Quality (CEQ) within 120 days of the date of issuance of this Memorandum. The plan should consider the following, at a minimum, as consistent with applicable law:

- i. Current aviation environmental practices based on the ongoing, appropriate market research.
- ii. Requiring airlines to submit information on fuel and operational efficiency initiatives.
- iii. Developing evaluation factors that consider U.S. flag air carriers' investment in or usage of SAF that complies with the best available international standards for meaningful, incremental use of SAF.

3. Facilitating Implementation Through Updates to Government-Wide Travel Systems.

All Federal agencies should maximize the impact of this Memorandum by taking the following steps, to the maximum extent practicable:

- i. Changing defaults for displaying travel options to prioritize sustainable travel. This may require coordination with vendors or agencies with travel procurement authority.
- ii. Identifying and notifying employees of hotel options that include ZEV charging availability to support employees using ZEVs on official travel.

- iii. Providing information to employees on sustainable travel options.
- iv. Seeking opportunities to emphasize or add sustainable transportation policy, procedures, and goals to employee onboarding and continuing training, especially for employees with travel-related duties (e.g., fleet managers, fleet users, contracting officers, and travel administrators).
- v. Considering potential demand for charging vehicle rentals when developing agency- and site-level charging infrastructure plans.
- vi. Updating agency policies to clarify that when renting a ZEV, employees may treat charging expenses as a fuel expense.⁷ Agencies should address the need for prepaying for vehicle charging in some cases, where appropriate.
- vii. Within 120 days of the date of issuance of this Memorandum, agencies should report to OMB and CEQ on the plans and actions they have taken to carry out the policy, goals, and provisions of this Memorandum.

In addition, agencies with travel procurement authority should:

- i. Update travel manuals, as needed, to implement the policies conveyed in this Memorandum.
- ii. Work with vendors, agency procurement offices, and agency end-users to identify and address opportunities to establish sustainable transportation options as defaults and to prioritize providers with better sustainability performance within Government travel systems relative to current practice.
- iii. Work with vendors to update operational processes and provide information to enable Federal Government employees to select sustainable travel options where feasible, for example, by identifying accommodations that provide ZEV charging on travel booking systems to support employees using ZEVs on official travel.
- iv. Within 90 days of the date of issuance of this Memorandum, develop an analysis that calculates total cost of rental for ZEVs, inclusive of charging costs, based on authoritative data sources, and consider incorporating the results into travel management systems, policy, and guidance.
- v. Update rental car agreements, contracts, booking systems, training resources, and other agency materials and resources to prioritize ZEVs.
- vi. Ensure Government-wide access to ZEV charging networks and explore negotiated rates for Government charging contracts.
- vii. Incorporate relevant sustainability requirements into the Government travel system acquisition planning processes.
- viii. Develop enterprise travel management system requirements resulting from this policy and include such requirements in future Government-wide travel systems, including those required to display sustainability information to users to inform decision-making.
- ix. Within 90 days of the date of this Memorandum, in coordination with OMB and CEQ, issue travel bulletins to all internal agencies, bureaus, and component offices that use agency travel procurement systems to provide direction on immediate actions and further requirements to meet the policies, goals, and provisions of this Memorandum.
- x. Within 120 days of the date of this Memorandum, submit the sustainable aviation strategic plan described above.

⁷ 41 C.F.R. §§ 300-3.1 and 301-10.401.

- xi. Consider initiating any rulemaking processes needed to further implement the policies, goals, and provisions of this Memorandum, as appropriate and consistent with the applicable law (e.g., updates to the Federal Travel Regulation and/or Joint Travel Regulation).

SECTION III: GENERAL PROVISIONS

1. Definitions.

- i. “Zero-emission vehicle” or “ZEV” means a vehicle that when operating produces zero tailpipe exhaust emissions of any criteria pollutant (or precursor pollutant) or greenhouse gas.
- ii. “Sustainable Aviation Fuel” or “SAF” means a fuel made from renewable resources that meets a minimum of a 50 percent reduction in life cycle greenhouse gas emissions compared to conventional fuel.
- iii. “Agency with travel procurement authority” means a Federal agency that manages one or more top-level procurement vehicles for Federal travel for its own use or for use by travelers from other agencies. This term includes, without limitation, GSA, DOD, and DOS.
- iv. “Federal employee” means (a) an individual employed by an agency, regardless of status or rank; (b) an individual employed intermittently in Government service as an expert or consultant and paid on a daily when-actually-employed basis; or (c) an individual serving without pay or at \$1 a year (also referred to as “invitational traveler”).

2. Applicability, Limitations, and Exemptions.

- i. This Memorandum applies to all executive agencies as defined in 5 U.S.C. 105, excluding the Government Accountability Office and independent regulatory agencies as defined in 44 U.S.C. 3502(5). To support a whole-of-Government approach to achieve the policy in section I of this Memorandum, independent agencies are encouraged to implement the policies, goals, and provisions of this Memorandum, consistent with applicable law.
- ii. This Memorandum applies to an agency’s activities and personnel located both within and outside of the United States. The head of an agency may exempt overseas activities and personnel if the head of the agency determines that such exemption is in the interest of the United States.
- iii. The head of an agency may exempt particular agency activity and related personnel from the provisions of this Memorandum when in the interest of national security, including to protect intelligence sources and methods from unauthorized disclosure; where necessary to protect undercover law enforcement operations from unauthorized disclosure; where the activity is related to combat support, combat service support, military tactical or relief operations, or training for such operations; or for any reason not otherwise addressed in this section. If the head of an agency issues an exemption under this section, the agency shall notify the Chair of CEQ in writing within 30 days of the agency head’s issuance of an exemption under this provision.