

Calendar No. 199

116TH CONGRESS }
1st Session }

SENATE

{ REPORT
116-95

CHARGING HELPS AGENCIES REALIZE
GOVERNMENT EFFICIENCIES ACT

R E P O R T

OF THE

COMMITTEE ON HOMELAND SECURITY AND
GOVERNMENTAL AFFAIRS
UNITED STATES SENATE

TO ACCOMPANY

S. 2193

TO REQUIRE THE ADMINISTRATOR OF GENERAL SERVICES TO
ISSUE GUIDANCE TO CLARIFY THAT FEDERAL AGENCIES MAY
PAY BY CHARGE CARD FOR THE CHARGING OF FEDERAL ELEC-
TRIC MOTOR VEHICLES, AND FOR OTHER PURPOSES



SEPTEMBER 10, 2019.—Ordered to be printed

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Mr. JOHNSON, from the Committee on Homeland Security and
Governmental Affairs, submitted the following

R E P O R T

[To accompany S. 2193]

[Including cost estimate of the Congressional Budget Office]

The Committee on Homeland Security and Governmental Affairs, to which was referred the bill (S. 2193) to require the Administrator of General Services to issue guidance to clarify that Federal agencies may pay by charge card for the charging of Federal electric motor vehicles, and for other purposes, having considered the same, reports favorably thereon with amendments and recommends that the bill, as amended, do pass.

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I. PURPOSE AND SUMMARY

S. 2193, the Charging Helps Agencies Realize General Efficiencies Act, requires the Administrator of the General Services Administration (GSA) to issue clarifying guidance to the existing policy that Federal employees authorized to use a charge card to refuel a motor vehicle may also use their charge card and other forms of payment to pay for the charging of electric motor vehicles.

II. BACKGROUND AND THE NEED FOR LEGISLATION

Section 1344 of Title 31, United States Code, provides that Federal agencies may expend funds for the “maintenance, operation or repair of any passenger carrier” when used to provide transportation for official purposes.¹ If the agency has funds available or appropriated to it, it may use it in order to pay for providing transportation.²

The *Travel and Transportation Reform Act of 1998* requires Federal employees to pay for all payments of expenses for official government travel with government issued Federal travel charge cards.³ The *Travel and Transportation Reform Act of 1998* also provides that the GSA Administrator has the authority to create Federal regulations to collect any delinquent amounts that occurred due to an employee using a Federal charge card that the government would otherwise end up paying.⁴

On April 21, 2000, GSA issued a final rule, titled *Federal Travel Regulation; Mandatory Use of the Travel Charge Card*, which implements the requirements of the *Travel and Transportation Reform Act of 1998*.⁵

GSA operates the world’s largest commercial payment program for more than 560 Federal agencies and organizations, called the SmartPay Program.⁶ SmartPay serves as the government-wide commercial fleet account for the “purchase of fuel, maintenance and repair of government owned/operated motor vehicles, aircraft boats, and motorized equipment.”⁷ SmartPay encourages fleet managers to “integrate environmentally friendly components to their operations,” including alternative vehicle options like electric, hybrid and hydrogen fuel cell.⁸

The Charging Helps Agencies Realize General Efficiencies Act reiterates the requirements set forth in existing law by the *Travel and Transportation Reform Act of 1998* regarding payments of expenses for official Government travel. The CHARGE Act requires the GSA Administrator to issue guidance clarifying that Federal agencies may pay for charging of Federal electric motor vehicles.

III. LEGISLATIVE HISTORY

Senator Gary Peters (D–MI) introduced S. 2193, the Charging Helps Agencies Realize General Efficiencies Act, on July 18, 2019. The bill was referred to the Committee on Homeland Security and Governmental Affairs. Senator Rob Portman (R–OH) joined as a co-sponsor on July 23, 2019.

The Committee considered S. 2193 at a business meeting on July 24, 2019. During the business meeting, an amendment to clarify a definition was offered by Senator Peters and unanimously adopted. The bill, as amended, was ordered reported favorably by voice vote.

¹ 31 U.S.C. § 1344 *et seq.*

² *Id.*

³ Pub. L. No. 105–264.

⁴ *Id.*

⁵ Federal Travel Regulation; Mandatory Use of the Travel Charge Card, 65 Fed. Reg. pt. 3053–3058 (January 19, 2000) (to be codified at 41 C.F.R. 301).

⁶ *About GSA SmartPay*, SMARTPAY.GSA.GOV (Aug. 12, 2019), <https://smartpay.gsa.gov/content/about-gsa-smartpay#a1>.

⁷ *Account Holders / AOs*, SMARTPAY.GSA.GOV (Aug. 12, 2019), <https://smartpay.gsa.gov/content/fleet#sa168>.

⁸ *Id.*

Senators present for the vote were Johnson, Portman, Paul, Lankford, Romney, Scott, Enzi, Hawley, Peters, Carper, Hassan, Sinema, and Rosen. Consistent with Committee rules, the bill is being reported with a technical amendment.

IV. SECTION-BY-SECTION ANALYSIS OF THE BILL, AS REPORTED

Section 1. Short title

This section established that the Bill may be referred to as the “Charging Helps Agencies Realize General Efficiencies Act” or the “CHARGE Act”.

Section 2. Payment by charge card for charging Federal electric motor vehicles

Subsection (a) defines the terms Administrator, charge card, covered electric motor vehicle, electric motor vehicle, Federal agency, and passenger carrier.

Subsection (b) requires the GSA Administrator to issue guidance within 180 days of the bill’s passage in order to clarify that agencies may charge electric vehicles at commercial stations and pay for the transactions with a charge card.

Subsection (c) requires the GSA Administrator to provide charge cards to each agency for electric motor vehicles.

V. EVALUATION OF REGULATORY IMPACT

Pursuant to the requirements of paragraph 11(b) of rule XXVI of the Standing Rules of the Senate, the Committee has considered the regulatory impact of this bill and determined that the bill will have no regulatory impact within the meaning of the rules. The Committee agrees with the Congressional Budget Office’s statement that the bill contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act (UMRA) and would impose no costs on state, local, or tribal governments.

VI. CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, September 4, 2019.

Hon. RON JOHNSON,
Chairman, Committee on Homeland Security and Governmental Affairs, U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for S. 2193, the CHARGE Act.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Matthew Pickford.

Sincerely,

PHILLIP L. SWAGEL,
Director.

Enclosure.

S. 2193, CHARGE Act			
As ordered reported by the Senate Committee on Homeland Security and Governmental Affairs on July 24, 2019			
By Fiscal Year, Millions of Dollars	2019	2019-2024	2019-2029
Direct Spending (Outlays)	0	0	0
Revenues	0	0	0
Increase or Decrease (-) in the Deficit	0	0	0
Spending Subject to Appropriation (Outlays)	0	*	*
Statutory pay-as-you-go procedures apply?	No	Mandate Effects	
Increases on-budget deficits in any of the four consecutive 10-year periods beginning in 2030?	No	Contains intergovernmental mandate?	No
		Contains private-sector mandate?	No
* = between zero and \$500,000.			

S. 2193 would require the General Services Administration (GSA) to issue guidance on how agencies may pay to recharge electric vehicles they use. According to GSA this information is already available and a wide range of payment methods are possible. Thus, CBO estimates that implementing S. 2193 would have no significant effect on spending subject to appropriation.

The CBO staff contact for this estimate is Matthew Pickford. The estimate was reviewed by H. Samuel Papenfuss, Deputy Assistant Director for Budget Analysis.

VII. CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

Because this legislation would not repeal or amend any provision of current law, it would not make changes in existing law within the meaning of clauses (a) and (b) of paragraph 12 of rule XXVI of the Standing Rules of the Senate.