

AMENDMENT TO
RULES COMMITTEE PRINT 117-54
OFFERED BY MR. CASTEN OF ILLINOIS

At the end of subtitle B of title III, insert the following new section:

1 **SEC. 3___ . DIRECT HIRE AUTHORITY AND OTHER MATTERS**
2 **RELATING TO DEPARTMENT OF DEFENSE EN-**
3 **ERGY INDEPENDENCE AND CLIMATE RESIL-**
4 **IENCE EFFORTS.**

5 (a) **DIRECT HIRE AUTHORITY.**—Chapter 81 of title
6 10, United States Code, is amended by adding at the end
7 the following new section:

8 **“§ 1599j. Direct hire authority for positions sup-**
9 **porting Department of Defense energy**
10 **independence and climate resilience ef-**
11 **forts**

12 **“(a) AUTHORITY.**—The Secretary of Defense may
13 appoint in the Department of Defense, without regard to
14 the provisions of subchapter I of chapter 33 of title 5,
15 other than sections 3303 and 3328 of such title, qualified
16 candidates to positions described in subsection (b) who
17 possess skills and experience the Secretary determines are

1 necessary to support the sustainability efforts of the De-
2 partment of Defense.

3 “(b) POSITIONS.—The positions described in this
4 subsection are all positions involved in supporting the en-
5 ergy independence and climate resilience efforts of the De-
6 partment, including the following:

7 “(1) Any position under the Assistant Secretary
8 of Defense for Energy, Installations, and Environ-
9 ment.

10 “(2) Any position that supports the remediation
11 or response efforts of the Department with respect
12 to perfluoralkyl substances and polyfluoroalkyl sub-
13 stances.

14 “(3) Any position that supports the environ-
15 mental stewardship programs of the Department.

16 “(4) Any position that supports the efforts of
17 the Department to meet the energy resilience and
18 security goals outlined in—

19 “(A) section 203 of the Energy Policy Act
20 of 2005 (42 U.S.C. 15852);

21 “(B) the Energy Independence and Secu-
22 rity Act of 2007 (42 U.S.C. 17001 et seq.); or

23 “(C) section 2911(g) of this title.

24 “(5) Any position that supports the Chief Sus-
25 tainability Officer of the Department.

1 “(6) Any other position the Secretary deter-
2 mines is essential to advancing the energy independ-
3 ence and climate resilience efforts of the Depart-
4 ment.”.

5 (b) REPORT ON INVESTMENT BY DEPARTMENT IN
6 ALTERNATIVE FUEL VEHICLES.—

7 (1) REPORT.—Not later than two years after
8 the date of the enactment of this Act, the Secretary
9 of Defense shall submit to the Committees on Armed
10 Services of the House of Representatives and the
11 Senate a report on the investment in alternative fuel
12 vehicles by the Department of Defense.

13 (2) ELEMENTS.—The report under paragraph
14 (1) shall include, at a minimum, the following:

15 (A) An assessment of funding levels for in-
16 vestment by the Department in alternative fuel
17 vehicles and associated trends for such invest-
18 ment across programs of the Department and
19 the military departments.

20 (B) An assessment of any duplication of
21 efforts relating to such investment across pro-
22 grams of the Department and the military de-
23 partments.

1 (C) An assessment of the long-term avail-
2 ability to the Department of internal combus-
3 tion engines and spare parts for such engines.

4 (D) An assessment of the relative tactical
5 benefits and limitations of each type of vehicle
6 propulsion (such as speed, acceleration, noise
7 production, time to refuel or recharge, range,
8 and operational duration), across the various
9 types of military missions.

10 (E) An assessment of the relative tactical
11 benefits and limitations of each type of vehicle
12 propulsion with respect to the provision of sup-
13 port to other tactical systems requiring elec-
14 tricity.

15 (F) An assessment of how the propulsion
16 systems of electrical and other alternative fuel
17 vehicles may be fueled on the battlefield and
18 what investments may be necessary to maintain
19 such a fueling system.

20 (G) A comparison of the relative risk to
21 personnel of the Department and to the supply
22 chain between different fuel types to determine
23 the tradeoffs associated with the adoption of
24 any given fuel type.

1 (H) A projected timeline of when a poten-
2 tial conversion to the use of alternative fuel ve-
3 hicles as tactical vehicles could reasonably occur
4 without causing a significant effect on the read-
5 iness of the Armed Forces, as determined by
6 the Secretary.

7 (I) The projected costs of converting (or
8 replacing) and sustaining alternative fuel vehi-
9 cles as tactical vehicles, to include training, in
10 total and for the two-year period following the
11 date of the review.

12 (J) An assessment of any national security
13 implications relating to—

14 (i) the use of alternative fuel vehicles;
15 and

16 (ii) the effects of the use of such vehi-
17 cles on the supply chain for such vehicles
18 and the source materials of such vehicles.

19 (K) Recommendations for further coordi-
20 nation of efforts of the Department and any
21 legislative or organizational changes that may
22 improve the coordination or alignment of invest-
23 ment by the Department in the
24 operationalization of alternative energy sources.

1 (L) Such other elements as the Secretary
2 considers appropriate.

3 (c) INDEPENDENT STUDY ON SCOPE 3 EMISSIONS
4 RESULTING FROM CERTAIN DEPARTMENT OF DEFENSE
5 ACTIVITIES.—

6 (1) INDEPENDENT STUDY.—Not later than 180
7 days after the date of the enactment of this Act, the
8 Secretary of Defense shall seek to enter into a con-
9 tract with a federally funded research and develop-
10 ment center, or other suitable organization outside
11 the Department of Defense as determined appro-
12 priate by the Secretary, to conduct a study on the
13 scope 3 emissions resulting from certain activities of
14 the Department of Defense, including such activities
15 carried out under contracts or other agreements, in
16 accordance with the guidance of the Environmental
17 Protection Agency titled “Scope 3 Inventory Guid-
18 ance” (relating to scope 3 emissions), or any suc-
19 cessor guidance.

20 (2) ELEMENTS.—The study referred to in para-
21 graph (1) shall include a comprehensive review and
22 assessment of the following:

23 (A) Any contracts or other agreements re-
24 lating to manufacturing that the Secretary of
25 Defense has entered into.

1 (B) The extent to which, in performing
2 work under such contracts or other agreements,
3 contractors and other partners track green-
4 house gas emissions.

5 (C) The known greenhouse gas emissions
6 that occur within the supply chain of the De-
7 partment.

8 (3) REPORT.—

9 (A) SUBMISSION TO SECRETARY.—The
10 terms of the contract under paragraph (1) shall
11 include a requirement that the federally funded
12 research and development center or other orga-
13 nization that conducts the study under the con-
14 tract to submit to the Secretary of Defense a
15 report on the results of the study, which shall
16 include an identification of the following:

17 (i) Considerations and recommenda-
18 tions for the reduction of greenhouse gas
19 emissions of contractors and other part-
20 ners performing work under contracts or
21 other agreements with the Department.

22 (ii) Any existing alternatives that
23 produce lower greenhouse gas emissions
24 while still aligning with the national secu-
25 rity interests of the United States and the

1 priorities set forth in the national defense
2 strategy.

3 (iii) Any legislative recommendations
4 to—

5 (I) support and facilitate imple-
6 mentation of the national defense
7 strategy with respect to climate- and
8 environmental-related goals; or

9 (II) reduce greenhouse gas emis-
10 sions through modernization of the
11 supply chain of the Department.

12 (B) SUBMISSION TO CONGRESS.—Upon re-
13 ceiving the report on the results of the study
14 under subparagraph (A), the Secretary of De-
15 fense shall submit to the congressional defense
16 committees an unedited copy of such report, to-
17 gether with the written perspectives of the Sec-
18 retary of Defense and the Chairman of the
19 Joint Chiefs of Staff with respect to the results.

20 (C) FORM.—The report submitted under
21 subparagraph (B) shall be submitted in unclas-
22 sified form, but may include a classified annex.

23 (4) AMOUNTS.—In carrying out this subsection,
24 the Secretary shall use amounts provided in advance
25 in appropriation Acts.

1 (d) DEFINITIONS.—In this section:

2 (1) The term “alternative fuel vehicle” includes
3 a vehicle that uses—

4 (A) a fuel or power source described in the
5 first sentence of section 241(2) of the Clean Air
6 Act (42 U.S.C. 7581(2)); or

7 (B) propane.

8 (2) The term “national defense strategy”
9 means the review of the defense programs and poli-
10 cies of the United States that is carried out every
11 four years under section 113(g) of title 10, United
12 States Code.

13 (3) The term “scope 3 emissions” means emis-
14 sions that result from activities of a Federal depart-
15 ment or agency but are generated from value chain
16 activities.

