

SUBTITLE B—ENERGY AND ENVIRONMENTAL PROVISIONS

Section 311—Reimbursement of Environmental Protection Agency for Certain Costs in Connection with the Twin Cities Army Ammunition Plant, Minnesota

This section would authorize the Secretary of Defense to transfer not more than \$5,611,671 in fiscal year 2011 to the Hazardous Substance Superfund. This transfer is to satisfy reimbursement to the Environmental Protection Agency for costs incurred by the Agency at the Twin Cities Army Ammunition Plant.

Section 312—Payment to Environmental Protection Agency of Stipulated Penalties in Connection With Naval Air Station, Brunswick, Maine

This section would authorize the Secretary of Defense to transfer not more than \$153,000 to the Hazardous Substance Superfund established under subchapter A of chapter 98 of the Internal Revenue Code of 1986. This transfer is to satisfy a stipulated penalty against Naval Air Station, Brunswick, Maine, for failure of the Navy to sample certain monitoring wells in a timely manner.

Section 313—Testing and Certification Plan for Operational Use of an Aviation Biofuel Derived From Materials That Do Not Compete With Food Stocks

This section would require the Secretary of Defense to submit to Congress a testing and certification plan for operational use of a biofuel that is derived from materials that do not compete with food stocks.

Section 314—Report Identifying Hybrid or Electric Propulsion Systems and Other Fuel-Saving Technologies for Incorporation into Tactical Motor Vehicles

This section would require the secretary of each military department to submit to Congress a report identifying hybrid or electric propulsion systems and other vehicle technologies that reduce consumption of fossil fuels and are suitable for incorporation into the current fleet of tactical motor vehicles of each armed force under the jurisdiction of the secretary.

SUBTITLE C—WORKPLACE AND DEPOT ISSUES

Section 321—Technical Amendments to Requirement for Service Contract Inventory

This section would amend paragraph (c) of section 2330a of title 10, United States Code, to make technical corrections to the requirement for the Secretary of Defense to submit an annual inventory of services performed by contractors. This section would clarify that the responsibility for the development of the inventory should reside with the Under Secretary of Defense for Personnel and Readiness, who would be supported by the Under Secretary of Defense (Comptroller), and the Under Secretary of Defense for Acquisition, Technology, and Logistics. The committee believes that the inventory has much broader applicability than just as an acquisi-

tion tracking tool; the inventory can facilitate the Department of Defense's human capital planning and its efforts to determine the right mix of military personnel, civilian employees, and contractors. It also is a valuable tool for budgeting purposes.

This section also would clarify that information on full time equivalents derived from actual direct labor hours and not estimates should be used in the development of the Department's inventories.

Section 322—Repeal of Conditions on Expansion of Functions Performed Under Prime Vendor Contracts for Depot-Level Maintenance and Repair

This section would repeal section 346 of the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 (Public Law 105-261) as amended by section 336 of the National Defense Authorization Act for Fiscal Year 2000 (Public Law 106-65).

The committee notes that section 346 of Public Law 105-261 and section 336 of Public Law 106-65 were intended to give Congress additional oversight on the then-emerging concept of prime vendor support (PVS) strategies for depot-level maintenance and repair. Congress' intention was for the provisions to apply only to PVS for depot-level maintenance and repair. The committee understands, however, that the provisions, as written, have recently been interpreted as applying to any prime-vendor contract, including medical, electronic commerce, and industrial prime-vendor contracts, as well as to performance-based logistics contracts. Because these concepts are now established contracting mechanisms within the Department of Defense, the committee understands the reporting requirements of section 346 of Public Law 105-261 have created an undue burden on the Department of the Defense and the military departments.

Section 323—Pilot Program on Best Value for Contracts for Private Security Functions

This section would create a three-year pilot program within the Department of Defense to implement a "best value" procurement standard for private security contracts in the Republic of Iraq and the Islamic Republic of Afghanistan. This section also would require the contracting officer to provide a written justification for each "best value" contract awarded under this pilot program. Contracts awarded under this pilot program would continue until the end of their performance period, irrespective of whether the pilot program has been terminated. The Secretary of Defense would have the discretion to continue with a best-value program for private security contracts following termination of the best-value pilot program at the end of fiscal year 2013. The committee recognizes that such authority already exists in the Federal Acquisition Regulations but is rarely used; this section would facilitate the authorities for best-value contracts in these circumstances. Furthermore, this section would require the Secretary of Defense to submit a report, by January 15 of each year until 2013, to the congressional defense committees identifying the contracts awarded under this pilot program and the considerations, other than cost, in the award of such contracts. The committee notes that nothing in this section