

- (A) Petroleum.
- (B) Natural gas.
- (C) Coal.
- (D) Coke.

(2) The term “energy-efficient maintenance” includes—

(A) the repair of military vehicles, equipment, or facility and infrastructure systems, such as lighting, heating, or cooling equipment or systems, or industrial processes, by replacement with technology that—

(i) will achieve energy savings over the life-cycle of the equipment or system being repaired; and

(ii) will meet the same end needs as the equipment or system being repaired; and

(B) improvements in an operation or maintenance process, such as improved training or improved controls, that result in energy savings.

(3) The term “hybrid”, with respect to a motor vehicle, means a motor vehicle that draws propulsion energy from onboard sources of stored energy that are both—

(A) an internal combustion or heat engine using combustible fuel; and

(B) a rechargeable energy storage system.

(4) The term “operational energy” means the energy required for training, moving, and sustaining military forces and weapons platforms for military operations. The term includes energy used by tactical power systems and generators and weapons platforms.

(5) The term “petroleum” means natural or synthetic crude, blends of natural or synthetic crude, and products refined or derived from natural or synthetic crude or from such blends.

(6) The term “renewable energy source” means energy generated from renewable sources, including the following:

(A) Solar, including electricity.

(B) Wind.

(C) Biomass.

(D) Landfill gas.

(E) Ocean, including tidal, wave, current, and thermal.

(F) Geothermal, including electricity and heat pumps.

(G) Municipal solid waste.

(H) New hydroelectric generation capacity achieved from increased efficiency or additions of new capacity at an existing hydroelectric project. For purposes of this subparagraph, hydroelectric generation capacity is “new” if it was placed in service on or after January 1, 1999.

(I) Thermal energy generated by any of the preceding sources.

(Added Pub. L. 112–81, div. B, title XXVIII, §2821(a)(1), Dec. 31, 2011, 125 Stat. 1689; amended Pub. L. 115–91, div. B, title XXVIII, §2831(c)(6), Dec. 12, 2017, 131 Stat. 1858.)

AMENDMENTS

2017—Pars. (3) to (7). Pub. L. 115–91 redesignated pars. (4) to (7) as (3) to (6), respectively, and struck out former par. (3) which defined “energy security”.

§ 2925. Annual Department of Defense energy management reports

(a) ANNUAL REPORT RELATED TO INSTALLATIONS ENERGY MANAGEMENT, ENERGY RESILIENCE, AND MISSION ASSURANCE.—Not later than 120 days after the end of each fiscal year, the Secretary of Defense shall submit to the congressional defense committees an installation energy report detailing the fulfillment during that fiscal year of the energy performance goals for the Department of Defense under section 2911 of this title. Each report shall contain the following:

(1) A description of the progress made to achieve the goals of the Energy Policy Act of 2005 (Public Law 109–58), section 2911(g) of this title, section 553 of the National Energy Conservation Policy Act (42 U.S.C. 8259b), the Energy Independence and Security Act of 2007 (Public Law 110–140), and the energy performance goals for the Department of Defense during the preceding fiscal year, including progress on energy resilience at military installations according to metrics developed by the Secretary.

(2) A description of the energy savings, return on investment, and enhancements to installation mission assurance realized by the fulfillment of the goals described in paragraph (1).

(3) Details of all utility outages impacting energy resilience at military installations (excluding planned outages for maintenance reasons), whether caused by on- or off-installation disruptions, including the total number and location of outage, the duration of the outage, the financial impact of the outage, whether or not the mission was impacted, the mission requirements associated with disruption tolerances based on risk to mission, the responsible authority managing the utility, and measure taken to mitigate the outage by the responsible authority.

(4) Details of a military installation’s total energy requirements and critical energy requirements, and the current energy resilience and emergency backup systems servicing critical energy requirements, including, at a minimum—

(A) energy resilience and emergency backup system power requirements;

(B) the critical missions, facility, or facilities serviced;

(C) system service life;

(D) capital, operations, maintenance, and testing costs; and

(E) other information the Secretary determines necessary.

(5) At the discretion of the Secretary of Defense, a classified annex, as appropriate.

(b) ANNUAL REPORT RELATED TO OPERATIONAL ENERGY.—(1) Simultaneous with the annual report required by subsection (a), the Secretary of Defense, acting through the Assistant Secretary of Defense for Energy, Installations, and Environment, shall submit to the congressional defense committees a report on operational energy management and the implementation of the operational energy strategy established pursuant to section 2926(b) of this title.

(2) The annual report under this subsection shall address and include the following:

(A) Statistical information on operational energy demands, in terms of expenditures and consumption, for the preceding five fiscal years, including funding made available in regular defense appropriations Acts and any supplemental appropriation Acts.

(B) An estimate of operational energy demands for the current fiscal year and next fiscal year, including funding requested to meet operational energy demands in the budget submitted to Congress under section 1105 of title 31 and in any supplemental requests.

(C) A description of each initiative related to the operational energy strategy and a summary of funds appropriated for each initiative in the previous fiscal year and current fiscal year and requested for each initiative for the next five fiscal years.

(D) An evaluation of progress made by the Department of Defense—

(i) in implementing the operational energy strategy, including the progress of key initiatives and technology investments related to operational energy demand and management; and

(ii) in meeting the operational energy goals set forth in the strategy.

(E) A description of the alternative fuel initiatives of the Department of Defense, including funding and expenditures by account and activity for the preceding fiscal year, including funding made available in regular defense appropriations Acts and any supplemental appropriation Acts.

(F) An evaluation of practices used in contingency operations during the previous fiscal year and potential improvements to such practices to reduce vulnerabilities associated with fuel convoys, including improvements in tent and structure efficiency, improvements in generator efficiency, and displacement of liquid fuels with on-site renewable energy generation. Such evaluation should identify challenges associated with the deployment of more efficient structures and equipment and renewable energy generation, and recommendations for overcoming such challenges.

(G) Such recommendations as the Assistant Secretary considers appropriate for additional changes in organization or authority within the Department of Defense to enable further implementation of the energy strategy and such other comments and recommendations as the Assistant Secretary considers appropriate.

(3) If a report under this subsection is submitted in a classified form, the Secretary shall concurrently submit to the congressional defense committees an unclassified version of the information required by this subsection.

(Added Pub. L. 109-364, div. B, title XXVIII, § 2851(a)(1), Oct. 17, 2006, 120 Stat. 2493; amended Pub. L. 110-417, [div. A], title III, § 331(a), (b)(1), div. B, title XXVIII, § 2832, Oct. 14, 2008, 122 Stat. 4419, 4420, 4732; Pub. L. 111-84, div. A, title III, § 332(a), Oct. 28, 2009, 123 Stat. 2257; Pub. L. 111-383, div. B, title XXVIII, § 2832(c)(1), Jan. 7, 2011, 124 Stat. 4469; Pub. L. 112-81, div. A, title III, §§ 314(b), 342, div. B, title XXVIII, §§ 2821(b)(4), 2822(d), 2824(b), 2826, Dec. 31, 2011, 125 Stat. 1357, 1370, 1691-1694; Pub. L. 112-239, div. A, title X,

§ 1076(c)(3), (d)(6), Jan. 2, 2013, 126 Stat. 1950, 1951; Pub. L. 113-291, div. A, title IX, § 901(k)(4), Dec. 19, 2014, 128 Stat. 3468; Pub. L. 114-92, div. A, title III, § 313, Nov. 25, 2015, 129 Stat. 789; Pub. L. 114-328, div. A, title III, § 311, Dec. 23, 2016, 130 Stat. 2072; Pub. L. 115-91, div. A, title X, § 1081(a)(48), div. B, title XXVIII, §§ 2831(c)(7), 2836, Dec. 12, 2017, 131 Stat. 1597, 1858, 1859.)

REFERENCES IN TEXT

The Energy Policy Act of 2005, referred to in subsec. (a)(1), is Pub. L. 109-58, Aug. 8, 2005, 119 Stat. 594, which enacted chapter 149 of Title 42, The Public Health and Welfare, and enacted, amended, and repealed numerous other sections and notes in the Code. For complete classification of this Act to the Code, see Short Title note set out under section 15801 of Title 42 and Tables.

The Energy Independence and Security Act of 2007, referred to in subsec. (a)(1), is Pub. L. 110-140, Dec. 19, 2007, 121 Stat. 1492, which enacted chapter 152 of Title 42, The Public Health and Welfare, and enacted and amended numerous other sections and notes in the Code. Section 433 of the Act amended sections 6832 and 6834 of Title 42 and enacted provisions set out as a note under section 6834 of Title 42. For complete classification of this Act to the Code, see Short Title note set out under section 17001 of Title 42 and Tables.

AMENDMENTS

2017—Subsec. (a). Pub. L. 115-91, § 2831(c)(7)(A), substituted “Energy Resilience” for “Resiliency” in heading.

Subsec. (a)(1). Pub. L. 115-91, § 2836(1), inserted “, including progress on energy resilience at military installations according to metrics developed by the Secretary” before period at end.

Pub. L. 115-91, § 2831(c)(7)(B), substituted “2911(g)” for “2911(e)”.

Subsec. (a)(3). Pub. L. 115-91, § 2836(2), amended par. (3) generally. Prior to amendment, par. (3) read as follows: “Details of all commercial utility outages caused by threats and those caused by hazards at military installations that last eight hours or longer, whether or not the outage was mitigated by backup power, including non-commercial utility outages and Department of Defense-owned infrastructure, including the total number and location of outages, the financial impact of the outages, and measure taken to mitigate outages in the future at the affected locations and across the Department of Defense.”

Subsec. (a)(4), (5). Pub. L. 115-91, § 2836(3), (4), added par. (4) and redesignated former par. (4) as (5).

Subsec. (b)(1). Pub. L. 115-91, § 1081(a)(48), substituted “section 2926(b)” for “section 138c”.

2016—Subsec. (a). Pub. L. 114-328, § 311(1), inserted “, Resiliency, and Mission Assurance” after “Annual Report Related to Installations Energy Management” in heading.

Subsec. (a)(2) to (11). Pub. L. 114-328, § 311(2)–(4), added par. (2), redesignated pars. (9) and (11) as pars. (3) and (4), respectively, and struck out former pars. (2) to (8) and (10), which required various tables and descriptions in reports.

2015—Subsec. (a)(4). Pub. L. 114-92, § 313(1), (2), redesignated par. (5) as (4) and struck out former par. (4) which read as follows: “In addition to the information contained in the table listing energy projects financed through third party financing mechanisms, as required by paragraph (3), the table also shall list any renewable energy certificates associated with each project, including information regarding whether the renewable energy certificates were bundled or unbundled, the purchasing authority for the renewable energy certificates, and the price of the associated renewable energy certificates.”

Subsec. (a)(5), (6). Pub. L. 114-92, § 313(2), redesignated pars. (6) and (8) as (5) and (6), respectively. Former par. (5) redesignated (4).

Subsec. (a)(7). Pub. L. 114-92, §313(3), amended par. (7) generally. Prior to amendment, par. (7) read as follows: “A description and estimate of the progress made by the military departments to meet the certification requirements for sustainable green-building standards in construction and major renovations as required by section 433 of the Energy Independence and Security Act of 2007 (Public Law 110-140; 121 Stat. 1612).”

Pub. L. 114-92, §313(1), (2), redesignated par. (9) as (7) and struck out former par. (7) which read as follows: “An estimate of the types and quantities of energy consumed by the Department of Defense and members of the armed forces and civilian personnel residing or working on military installations during the preceding fiscal year, including a breakdown of energy consumption by user groups and types of energy, energy costs, and the quantities of renewable energy produced or procured by the Department.”

Subsec. (a)(8). Pub. L. 114-92, §313(2), redesignated par. (10) as (8). Former par. (8) redesignated (6).

Subsec. (a)(9). Pub. L. 114-92, §313(4), amended par. (9) generally. Prior to amendment, par. (9) read as follows: “Details of utility outages at military installations including the total number and locations of outages, the financial impact of the outage, and measures taken to mitigate outages in the future at the affected location and across the Department of Defense.”

Pub. L. 114-92, §313(2) redesignated par. (11) as (9). Former par. (9) redesignated (7).

Subsec. (a)(10). Pub. L. 114-92, §313(2), redesignated par. (12) as (10). Former par. (10) redesignated (8).

Subsec. (a)(11). Pub. L. 114-92, §313(5) added par. (11). Former par. (11) redesignated (9).

Subsec. (a)(12). Pub. L. 114-92, §313(2), redesignated par. (12) as (10).

2014—Subsec. (b)(1). Pub. L. 113-291 substituted “Energy, Installations, and Environment” for “Operational Energy Plans and Programs”.

2013—Subsec. (a)(1). Pub. L. 112-239, §1076(d)(6)(A), substituted “section 553” for “section 533”.

Subsec. (b)(1). Pub. L. 112-239, §1076(c)(3)(A), (d)(6)(B), substituted “Assistant Secretary of Defense for” for “Director of” and “section 138c” for “section 139b”.

Subsec. (b)(2)(G). Pub. L. 112-239, §1076(c)(3)(B), substituted “Assistant Secretary” for “Director” in two places.

2011—Subsec. (a). Pub. L. 112-81, §2826, in introductory provisions, substituted “Not later than 120 days after the end of each fiscal year, the Secretary of Defense shall submit to the congressional defense committees an installation energy report detailing the fulfillment during that fiscal year of the energy performance goals for the Department of Defense under section 2911 of this title. Each report shall contain the following:” for “As part of the annual submission of the energy performance goals for the Department of Defense under section 2911 of this title, the Secretary of Defense shall submit a report containing the following:”.

Subsec. (a)(3). Pub. L. 112-81, §2822(d)(1), inserted “whether the project incorporates energy security into its design,” after “through the duration of each such mechanism,”.

Subsec. (a)(4). Pub. L. 112-81, §2824(b)(2), added par. (4). Former par. (4) redesignated (5).

Pub. L. 111-383, §2832(c)(1), substituted “energy performance master plan” for “energy performance plan”.

Subsec. (a)(5) to (9). Pub. L. 112-81, §2824(b)(1), redesignated pars. (4) to (8) as (5) to (9), respectively.

Subsec. (a)(10). Pub. L. 112-81, §2824(b)(1), redesignated par. (9) as (10). Former par. (10) redesignated (11).

Pub. L. 112-81, §2822(d)(3), added par. (10). Former par. (10) redesignated (11).

Subsec. (a)(11). Pub. L. 112-81, §2824(b)(1), redesignated par. (10) as (11). Former par. (11) redesignated (12).

Pub. L. 112-81, §2822(d)(2), redesignated par. (10) as (11).

Subsec. (a)(12). Pub. L. 112-81, §2824(b)(1), redesignated par. (11) as (12).

Subsec. (b)(2)(E). Pub. L. 112-81, §314(b)(2), added subpar. (E). Former subpar. (E) redesignated (F).

Subsec. (b)(2)(F). Pub. L. 112-81, §342(2), added subpar. (F). Former subpar. (F) redesignated (G).

Pub. L. 112-81, §314(b)(1), redesignated subpar. (E) as (F).

Subsec. (b)(2)(G). Pub. L. 112-81, §342(1), redesignated subpar. (F) as (G).

Subsec. (b)(4). Pub. L. 112-81, §2821(b)(4), struck out par. (4) which read as follows: “In this subsection, the term ‘operational energy’ means the energy required for training, moving, and sustaining military forces and weapons platforms for military operations. The term includes energy used by tactical power systems and generators and weapons platforms.”

2009—Subsec. (a). Pub. L. 111-84, in par. (1), inserted “section 2911(e) of this title, section 533 of the National Energy Conservation Policy Act (42 U.S.C. 8259b),” after “(Public Law 109-58),” added pars. (2), (3), (9), and (10), and redesignated former pars. (2) to (6) as (4) to (8), respectively.

2008—Pub. L. 110-417, §331(b)(1), amended section catchline generally. Prior to amendment, catchline read as follows: “Annual report”.

Subsec. (a). Pub. L. 110-417, §2832, in heading substituted “Annual Report Related to Installations Energy Management” for “Report Required”, in par. (1) inserted “, the Energy Independence and Security Act of 2007 (Public Law 110-140),” after “(Public Law 109-58)”, and added par. (6).

Subsec. (b). Pub. L. 110-417, §331(a), added subsec. (b) and struck out former subsec. (b) which related to requirements for the initial report to be submitted by the Secretary of Defense.

TERMINATION OF REPORTING REQUIREMENTS

For termination, effective Dec. 31, 2021, of provisions of this section requiring submittal of annual reports to Congress, see section 1061 of Pub. L. 114-328, set out as a note under section 111 of this title.

§ 2926. Operational energy activities

(a) ALTERNATIVE FUEL ACTIVITIES.—The Assistant Secretary of Defense for Energy, Installations, and Environment, in consultation with the heads of the military departments and the Assistant Secretary of Defense for Research and Engineering, shall—

(1) lead the alternative fuel activities of the Department of Defense and oversee the investments of the Department in such activities;

(2) make recommendations to the Secretary regarding the development of alternative fuels by the military departments and the Office of the Secretary of Defense;

(3) establish guidelines and prescribe policy to streamline the investments in alternative fuel activities across the Department of Defense;

(4) encourage collaboration with and leveraging of investments made by the Department of Energy, the Department of Agriculture, and other relevant Federal agencies to advance alternative fuel development to the benefit of the Department of Defense; and

(5) certify the budget associated with the investment of the Department of Defense in alternative fuel activities in accordance with subsection (c)(4).

(b) OPERATIONAL ENERGY STRATEGY.—(1) The Assistant Secretary of Defense for Energy, Installations, and Environment shall be responsible for the establishment and maintenance of a department-wide transformational strategy for operational energy. The strategy shall establish near-term, mid-term, and long-term goals,