112TH CONGRESS
1ST SESSION

S. 1204

To amend title 10, United States Code, to reform Department of Defense energy policy, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JUNE 15, 2011

Mr. UDALL of Colorado introduced the following bill; which was read twice and referred to the Committee on Armed Services

---

A BILL

To amend title 10, United States Code, to reform Department of Defense energy policy, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Department of Defense Energy Security Act of 2011''.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

SEC. 2. CONGRESSIONAL DEFENSE COMMITTEES DEFINED.

In this Act, the term ''congressional defense committees'' means the Committees on Armed Services and Appropriations of the Senate and the House of Representatives.

SEC. 3. SENSE OF CONGRESS ON DEPARTMENT OF DEFENSE ENERGY SAVINGS INITIATIVES.

It is the sense of Congress that—

(1) the Department of Defense should develop, test, field, and maintain operationally effective tech-

nologies that reduce the energy needs of forward-deployed forces;

(2) the Secretary of Defense should ensure the energy security of Department of Defense facilities;

(3) the Assistant Secretary of Defense for Operational Energy Plans and Programs and the Deputy Under Secretary of Defense for Installations and Environment should act in concert to implement strategies and coordinate activities across the services to meet Department-wide and service energy goals, including service initiatives such as the Navy's Great Green Fleet, the Air Force's alternative fuel certification program, the Army's Net Zero installation pilot program, and the Marine Corps experimental forward operating base project; and

(4) in general, the Department of Defense should aggressively pursue opportunities to save energy, reduce energy-related costs, decrease reliance on foreign oil, decrease the energy-related logistics burden for deployed forces, ensure the long-term sustainability of military installations, and strengthen United States energy security.

SEC. 4. WAIVER AUTHORITY.

(a) IN GENERAL.—The Secretary of Defense may waive the implementation or operation of a provision of

this Act or an amendment made by this Act if the Secretary certifies to Congress that implementation or continued operation of such provision would adversely impact the national security of the United States.

(b) INTELLIGENCE ACTIVITY WAIVER.—The Director of National Intelligence may, in consultation with the Secretary of Defense, exempt an intelligence activity of the United States, and related personnel, resources, and facilities, from a provision of this Act or an amendment made by this Act to the extent the Director and Secretary determine necessary to protect intelligence sources and methods from unauthorized disclosure.

TITLE I—OPERATIONAL ENERGY SECURITY

SEC. 101. JOINT CONTINGENCY BASE RESOURCE PILOT PROJECT.

(a) PILOT PROJECT AUTHORIZED.—

(1) IN GENERAL.—The Secretary of Defense shall, in consultation with the Secretary of Energy, as appropriate, carry out a pilot project to assess the feasibility and advisability of various joint and multi-service mechanisms to decrease energy usage by deployed military units, including by minimizing at forward operating bases the production of waste water, consumption of drinking water, energy, and mate-

rials, and reducing impacts on habitat and perimeter security and by maximizing capacity and effectiveness at such bases while promoting operational independence from supply lines and minimizing the resource footprint. The Secretary of Defense shall designate a lead officer for the pilot project.

(2) MECHANISMS TO BE ASSESSED.—The mechanisms assessed under the pilot project shall include new energy and energy-efficiency technologies and such other systems, components, and technologies as the Secretary shall identify for purposes of the pilot project.

(3) UTILIZATION OF SMALL BUSINESS.—In carrying out the pilot project, the Secretary shall, to the extent practicable, seek to work with small businesses through small-scale procurement of systems, components, and technologies described in paragraph (2).

(b) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated for fiscal year 2012 $4,000,000 to carry out the pilot project authorized by subsection (a).

SEC. 102. RESEARCH AND DEVELOPMENT ACTIVITIES TO INCORPORATE HYBRID-DRIVE TECHNOLOGY INTO CURRENT AND FUTURE TACTICAL FLEET OF MILITARY GROUND VEHICLES.

(a) IDENTIFICATION OF USABLE HYBRID-DRIVE TECHNOLOGY.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense, in consultation with the Secretaries of the military departments and the Secretary of Energy, as appropriate, shall submit to Congress a report identifying hybrid-drive technologies suitable for incorporation into the next reset and recap of motor vehicles of the current tactical fleet of the military services. In identifying suitable hybrid-drive technologies, the Secretary shall consider the feasibility and costs and benefits of incorporating a hybrid-drive technology into each type and variant of vehicle, including fuel savings, and the design changes and amount of time required for incorporation.

(b) HYBRID-DRIVE TECHNOLOGY DEFINED.—In this section, the term ''hybrid-drive technology'' means a propulsion system, including the engine and drive train, that draws energy from onboard sources of stored energy that involve—

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

(2) a rechargeable energy storage system.

SEC. 103. CONVERSION OF DEPARTMENT OF DEFENSE FLEET OF NON-TACTICAL MOTOR VEHICLES TO ELECTRIC AND HYBRID MOTOR VEHICLES.

(a) CONVERSION REQUIRED.—

(1) IN GENERAL.—Subchapter II of chapter 173 of title 10, United States Code, is amended by inserting after section 2922c the following new section:

"§ 2922c–1. Conversion of Department of Defense non-tactical motor vehicle fleet to motor vehicles using electric or hybrid propulsion systems

''(a) DEADLINE FOR CONVERSION.—Beginning on October 1, 2017, the Secretary of Defense, the Secretary of a military department, or the head of a Defense Agency may not procure non-tactical motor vehicles or buses unless such vehicles use—

''(1) electric propulsion;

''(2) hybrid propulsion; or

''(3) an alternative propulsion system sufficient to make such non-tactical motor vehicles and buses meet or exceed applicable Corporate Average Fuel Economy standards.

''(b) PREFERENCE.—In procuring motor vehicles for use by a military department or defense agency after the

date of the enactment of this section, the Secretary concerned or the head of the defense agency shall provide a preference for the procurement of non-tactical motor vehicles with a propulsion system described in paragraph (1), (2), or (3) of subsection (a), including plug-in hybrid systems, if the motor vehicles—

''(1) will meet the requirement or the need for the procurement; and

''(2) are commercially available at a cost reasonably comparable, on the basis of life-cycle cost, to motor vehicles containing only an internal combustion or heat engine using combustible fuel.

''(c) WAIVER AUTHORITY.—The Secretary of Defense may waive the prohibitions under subsection (a) with respect to a class of non-tactical vehicles if the Secretary determines that there is a lack of commercial availability for the class of vehicles or if the acquisition of such vehicles is cost prohibitive.

''(d) HYBRID DEFINED.—In this section, 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—

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

''(2) a rechargeable energy storage system.''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of such subchapter is amended by inserting after the item relating to section 2922c the following new item:

"2922c–1. Conversion of Department of Defense non-tactical motor vehicle fleet to motor vehicles using electric or hybrid propulsion systems.".

(b) APPLICABILITY.—The prohibition under section 2922c–1(a) of title 10, United States Code, as added by subsection (a), does not apply to contracts for the procurement of non-tactical vehicles entered into before the date of the enactment of this Act.

SEC. 104. TEN-YEAR EXTENSION OF AUTHORIZED INITIAL TERM OF CONTRACTS FOR STORAGE, HANDLING OR DISTRIBUTION OF LIQUID FUELS AND NATURAL GAS.

Section 2922 of title 10, United States Code, is amended—

(1) in subsection (a), by adding at the end the following: "Contracts for the procurement of liquid fuels, or natural gas entered into pursuant to this section shall comply with the requirements of section 526 of the Energy Independence and Security Act of 2007 (42 U.S.C. 17142)."; and

(2) in subsection (b), in the first sentence, by striking "5 years" and inserting "15 years".

SEC. 105. ESTABLISHMENT OF DEPARTMENT OF DEFENSE JOINT TASK FORCE FOR ALTERNATIVE FUEL DEVELOPMENT.

(a) ESTABLISHMENT OF TASK FORCE.—The Assistant Secretary of Defense for Operational Energy, Plans, and Programs shall chair a joint task force for alternative fuel development, consisting of the Secretaries of the military departments, or their designees, the Assistant Secretary for Research and Engineering, and other members determined appropriate. The task force shall—

(1) lead the military departments in the development of alternative fuel;

(2) streamline the current investments of each of the military departments and ensure that such investments account for the requirements of the military departments;

(3) collaborate with and leverage investments made by the Department of Energy and other Federal agencies to advance alternative fuel development;

(4) coordinate proposed alternative fuel investments in accordance with section 138c(e) of title 10, United States Code; and

(5) focus its efforts on fuels that are compliant with the provisions of section 526 of the Energy

Independence and Security Act of 2007 (42 U.S.C. 17142).

(b) IMPLEMENTATION.—The Assistant Secretary of Defense for Operational Energy, Plans, and Programs shall prescribe policy for the task force established pursuant to subsection (a) and certify the budget associated with alternative fuel investments of the Department of Defense.

(c) NOTIFICATION.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a copy of the policy prescribed under subsection (b).

TITLE II—INSTALLATION ENERGY SECURITY

SEC. 201. FUNDING FOR INSTALLATION ENERGY TEST BED.

There is authorized to be appropriated $47,000,000 for each of fiscal years 2012 through 2016 for research, development, test, and evaluation, Defense-wide, for the Installation Energy Test Bed (PE 0603XXXD8Z). As appropriate, all Department of Defense projects funded through this program shall be open and available to the Department of Energy and its commercialization team.

SEC. 202. FUNDING FOR ENERGY CONSERVATION PROJECTS.

(a) AUTHORIZATION TO OBLIGATE FUNDS.—The Secretary of Defense may obligate, from amounts appropriated for military construction, land acquisition, and military family housing functions of the Department of Defense (other than the military departments) and available to carry out energy conservation projects, $135,000,000 for fiscal year 2012 to carry out energy conservation projects under chapter 173 of title 10, United States Code, to accelerate implementation of the energy performance plan of the Department of Defense and achievement of the energy performance goals established under section 2911 of such title, as amended by this Act.

(b) AUTHORIZATION OF APPROPRIATIONS TO COMPENSATE FOR DEFICIENCY.—There is authorized to be appropriated to the Secretary of Defense for fiscal year 2012 an amount equal to the difference between—

(1) the amount that may be obligated by the Secretary of Defense under subsection (a); and

(2) the amount appropriated for such fiscal year for military construction, land acquisition, and military family housing functions of the Department of Defense (other than the military departments) and available to carry out energy conservation projects.

SEC. 203. REPORT ON ENERGY-EFFICIENCY STANDARDS.

(a) REPORT REQUIRED.—Not later than January 30, 2013, the Secretary of Defense shall submit to the congressional defense committees a report on the energy-efficiency standards utilized by the Department of Defense for military construction.

(b) CONTENTS OF REPORT.—The report shall include the following:

(1) A cost-benefit analysis, on a life cycle basis, of adopting American Society of Heating, Refrigerating and Air-Conditioning Engineers (ASHRAE) building standard 189.1 versus 90.1 for sustainable design and development for the construction and renovation of non-temporary buildings and structures for the use of the Department of Defense.

(2) Department of Defense policy prescribing a comprehensive strategy for the development of design and building standards across the Department that include specific energy-efficiency standards and sustainable design attributes for military construction based on the cost-benefit analysis required by paragraph (1), and consistent with the requirement under subsection (c).

(c) ENERGY EFFICIENCY STANDARDS.—The Secretary of Defense shall prescribe Department-wide standards, to be effective no later than January 1, 2014, for

the design, construction, and renovation of Department of Defense facilities that mandate energy efficiency standards equivalent, at a minimum, to ASHRAE building standard 189.1.

SEC. 204. IDENTIFICATION OF ENERGY-EFFICIENT PRODUCTS FOR USE IN CONSTRUCTION, REPAIR, OR RENOVATION OF DEPARTMENT OF DEFENSE FACILITIES.

(a) RESPONSIBILITY OF SECRETARY OF DEFENSE.—Section 2915(e) of title 10, United States Code, is amended by striking paragraph (2) and inserting the following new paragraph:

''(2)(A) Not later than December 31, 2012, the Secretary of Defense shall prescribe a definition of the term 'energy-efficient product' for purposes of this subsection and establish and maintain a list of products satisfying the definition. The definition and list shall be developed in consultation with the Secretary of Energy to ensure, to the maximum extent practicable, consistency with definitions of the term used by other Federal agencies.

''(B) The Secretary shall modify the definition and list of energy-efficient products as necessary, but not less than annually, to account for emerging or changing technologies.

''(C) The list of energy-efficient products shall be included as part of the energy performance master plan developed pursuant to section 2911(b)(2) of this title. The Secretary of Defense shall report any research on topics related to technologies covered in this subsection being funded at national laboratories to the relevant program management offices of the Department of Energy to ensure research agendas are coordinated, where appropriate.''.

(b) CONFORMING AMENDMENT TO ENERGY PERFORMANCE MASTER PLAN.—Section 2911(b)(2) of such title is amended by adding at the end the following new subparagraph:

''(F) The up-to-date list of energy-efficient products maintained under section 2915(e)(2) of this title.''.

SEC. 205. CORE CURRICULUM AND CERTIFICATION STANDARDS FOR DEPARTMENT OF DEFENSE ENERGY MANAGERS.

(a) TRAINING PROGRAM AND ISSUANCE OF GUIDANCE.—

(1) IN GENERAL.—Subchapter I of chapter 173 of title 10, United States Code, is amended by inserting after section 2915 the following new section:

"§ 2915a. Facilities: department of defense energy managers

''(a) TRAINING PROGRAM REQUIRED.—The Secretary of Defense shall establish a training program for Department of Defense energy managers designated for military installations—

''(1) to improve the knowledge, skills, and abilities of energy managers; and

''(2) to improve consistency among energy managers throughout the Department in the performance of their responsibilities.

''(b) CURRICULUM AND CERTIFICATION.—(1) The Secretary of Defense shall identify core curriculum and certification standards required for energy managers. At a minimum, the curriculum shall include the following:

''(A) Details of the energy laws that the Department of Defense is obligated to comply with and the mandates that the Department of Defense is obligated to implement.

''(B) Details of energy contracting options for third-party financing of facility energy projects.

''(C) Details of the interaction of Federal laws with State and local renewable portfolio standards.

''(D) Details of current renewable energy technology options, and lessons learned from exemplary installations.

''(E) Details of strategies to improve individual installation acceptance of its responsibility for reducing energy consumption.

''(F) Details of how to conduct an energy audit and the responsibilities for commissioning, recommissioning, and continuous commissioning of facilities.

''(2) The curriculum and certification standards shall leverage the best practices of each of the military departments.

''(3) The certification standards shall identify professional qualifications required to be designated as an energy manager.

''(c) USE OF EXISTING ENERGY CERTIFICATION PROGRAMS.—The Deputy Under Secretary for Installations and Environment may determine that an existing Federal energy certification program is suitable to be used instead of the program described in subsection (b) to improve the knowledge, skills, and abilities of energy managers designated for military installations.

''(d) INFORMATION SHARING.—The Secretary of Defense shall ensure that there are opportunities and forums, not less than annually, for energy managers to exchange ideas and lessons learned within each military department, as well as across the Department of Defense.''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of such subchapter is amended by inserting after the item relating to section 2915 the following new item:

"2915a. Facilities: Department of Defense energy managers.".

(b) ISSUANCE OF GUIDANCE.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall issue guidance for the implementation of the core curriculum and certification standards for energy managers required by section 2915a of title 10, United States Code, as added by subsection (a).

(c) BRIEFING REQUIREMENT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense, or designated representatives of the Secretary, shall brief the Committees on Armed Services of the Senate and House of Representatives regarding the details of the energy manager core curriculum and certification requirements.

SEC. 206. REQUIREMENT FOR DEPARTMENT OF DEFENSE TO CAPTURE AND TRACK DATA GENERATED IN METERING DEPARTMENT FACILITIES.

(a) STUDY.—The Secretary of Defense shall conduct a study on the collection of data generated in the energy metering of Department of Defense facilities, including an assessment of what data is most relevant to energy efficiency determinations and an examination of methods to

collect such data. The study shall include recommendations for transmitting metering data electronically in a way that ensures protection from cyberthreats.

(b) DATA CAPTURE REQUIREMENT.—The Secretary of Defense shall require that the information generated by the installation energy meters be captured and tracked to determine baseline energy consumption and facilitate efforts to reduce energy consumption. The data shall be made available to procurement officials to enable decisions regarding technology acquisitions to include consideration of relevant energy efficiency information.

SEC. 207. ESTABLISHMENT OF MILESTONES FOR ACHIEVING DEPARTMENT OF DEFENSE 2025 RENEWABLE ENERGY GOAL.

Section 2911(e) of title 10, United States Code, is amended—

(1) by redesignating paragraph (2) as paragraph (3); and

(2) by inserting after paragraph (1) the following new paragraph:

''(2) In achieving the goal specified in paragraph (1) regarding the use of renewable energy by the Department of Defense—

''(A) after September 30, 2015, the Department shall produce or procure from renewable en-

ergy sources not less than 12 percent of the total quantity of facility energy it consumes within its facilities;

''(B) after September 30, 2018, the Department shall produce or procure from renewable energy sources not less than 16 percent of the total quantity of facility energy it consumes within its facilities; and

''(C) after September 30, 2021, the Department shall produce or procure from renewable energy sources not less than 20 percent of the total quantity of facility energy it consumes within its facilities.''.

SEC. 208. DEVELOPMENT OF RENEWABLE ENERGY SOURCES ON MILITARY LANDS.

(a) EXPANSION OF CURRENT GEOTHERMAL AUTHORITY.—Section 2917 of title 10, United States Code, is amended—

(1) by striking ''The Secretary'' and inserting ''(a) IN GENERAL.—The Secretary'';

(2) by striking ''geothermal energy resource'' and inserting ''renewable energy source''; and

(3) by adding at the end the following new subsections:

''(b) CONSIDERATION OF ENERGY SECURITY.—The development of a renewable energy resource under subsection (a) shall include consideration of energy security in the design and development of the project to ensure that it does not have an adverse impact on mission needs.

''(c) DEFINITIONS.—In this section:

''(1) RENEWABLE ENERGY.—The term 'renewable energy' means electric energy generated from—

''(A) solar energy;

''(B) wind energy;

''(C) marine and hydrokinetic renewable energy;

''(D) geothermal energy;

''(E) qualified hydropower;

''(F) biomass; or

''(G) landfill gas.

''(2) BIOMASS.—The term 'biomass' has the meaning given the term in section 203(b) of the Energy Policy Act of 2005 (42 U.S.C. 15852(b)).

''(3) QUALIFIED HYDROPOWER.—

''(A) IN GENERAL.—The term 'qualified hydropower' means—

''(i) incremental hydropower;

''(ii) additions of capacity made on or after January 1, 2001, or the effective

commencement date of an existing applicable State renewable electricity standard program at an existing non-hydroelectric dam, if—

"(I) the hydroelectric project installed on the non-hydroelectric dam—

"(aa) is licensed by the Federal Energy Regulatory Commission, or is exempt from licensing, and is in compliance with the terms and conditions of the license or exemption; and

"(bb) meets all other applicable environmental, licensing, and regulatory requirements, including applicable fish passage requirements;

"(II) the non-hydroelectric dam—

"(aa) was placed in service before the date of enactment of this section;

''(bb) was operated for flood control, navigation, or water supply purposes; and

''(cc) did not produce hydroelectric power as of the date of enactment of this section; and

''(III) the hydroelectric project is operated so that the water surface elevation at any given location and time that would have occurred in the absence of the hydroelectric project is maintained, subject to any license requirements imposed under applicable law that change the water surface elevation for the purpose of improving the environmental quality of the affected waterway, as certified by the Federal Energy Regulatory Commission; and

''(iii) in the case of the State of Alaska—

''(I) energy generated by a small hydroelectric facility that produces less than 50 megawatts;

''(II) energy from pumped storage; and

''(III) energy from a lake tap.

''(B) STANDARDS.—Nothing in this paragraph or the application of this paragraph shall affect the standards under which the Federal Energy Regulatory Commission issues licenses for and regulates hydropower projects under part I of the Federal Power Act (16 U.S.C. 791a et seq.).''.

(b) CLERICAL AMENDMENTS.—

(1) SECTION HEADING.—The heading of such section is amended to read as follows:

''§ 2917. Development of renewable energy sources on military lands''.

(2) TABLE OF SECTIONS.—The table of sections at the beginning of subchapter I of chapter 173 of such title is amended by striking the item relating to section 2917 and inserting the following new item:

''2917. Development of renewable energy sources on military lands.''.

SEC. 209. DEVELOPMENT OF RENEWABLE ENERGY ON MILITARY INSTALLATIONS.

(a) MILITARY INSTALLATIONS STUDY.—

(1) IN GENERAL.—Not later than 2 years after the date of the enactment of this Act, the Secretary

of Defense, in consultation with the Secretary of the Interior, the Secretary of Agriculture, the Secretary of Energy, and the heads of other Federal agencies, as appropriate, shall complete a study identifying locations on military installations and ranges, including military installations and ranges composed in whole or in part from lands withdrawn from the public domain or subject to a special use permit issued by the United States Forest Services that—

(A) exhibit a high potential for solar, wind, geothermal, and other renewable energy production; and

(B) could be developed for renewable energy production in a manner consistent with—

(i) all present and reasonably foreseeable military training and operational mission needs and research, development, testing, and evaluation requirements; and

(ii) all applicable environmental requirements.

(2) NOTICE OF INTENT TO PREPARE ENVIRONMENTAL IMPACT ANALYSIS.—Not later than 1 year after the completion of the study required under paragraph (1), the Secretary of Defense, in consultation with the Secretary of the Interior, the Sec-

retary of Agriculture, the Secretary of Energy, and the heads of other Federal agencies, as appropriate, shall prepare and publish in the Federal Register a Notice of Intent initiating the process to prepare an environmental impact analysis document to support a program to develop renewable energy on any lands identified in the study as suitable for such production.

(3) USE OF EXISTING STUDIES AND ASSESSMENTS.—The study required by paragraph (1) shall, to the extent possible, draw from existing studies and assessments of the Department of Defense, other Federal agencies, and such other studies as may be determined by the Secretary of Defense to be relevant.

(b) ADDITIONAL MATTERS.—The Secretary of Defense, in consultation with the Secretary of the Interior, the Secretary of Agriculture, the Secretary of Energy, and the heads of other Federal agencies, as appropriate, shall, not later than 2 years after the date of the enactment of this Act, prepare a report that—

(1) addresses the legal authorities governing authorization for the development of renewable energy facilities on military installations and ranges, including those composed in whole or in part from

lands withdrawn from the public domain or subject to a special use permit issued by the United States Forest Service, and identifies Federal and State statutory and regulatory constraints to the development of renewable energy facilities on installations and ranges designed to produce power in excess of the current or projected requirements of the military installation or range concerned;

(2) contains recommendations to facilitate and incentivize large-scale renewable development on military installations and ranges, including those composed in whole or in part from lands withdrawn from the public domain or subject to a special use permit issued by the United States Forest Service; and

(3) contains recommendations on—

(A) necessary changes in any law or regulation;

(B) whether the authorization for the use of such lands for development of renewable energy projects should be pursuant to lease, contract, right-of-way, permit, or other form of authorization;

(C) methods of improving coordination among the Federal, State, and local agencies, if

any, involved in authorizing renewable energy projects; and

(D) the disposition of revenues resulting from the development of renewable energy projects on such lands.

(c) SUBMISSION OF STUDY AND REPORT.—The Secretary shall, upon their completion, submit the study required by paragraph (a) and the report required by paragraph (b) to the Committee on Armed Services, the Committee on Energy and Natural Resources, and the Committee on Appropriations of the Senate and the Committee on Armed Services, the Committee on Natural Resources, and the Committee on Appropriations of the House of Representatives.

SEC. 210. REPORT ON CROSS-AGENCY RENEWABLE ENERGY DEVELOPMENT EFFORTS.

Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense, in consultation with the Secretary of Energy, the Secretary of the Interior, and the heads of other Federal agencies, as appropriate, shall submit to Congress a report addressing cross-jurisdictional issues involved with the development of renewable energy on military installations and ranges, including military installations and ranges composed in whole or in part from lands withdrawn from the public

domain or subject to a special use permit issued by the United States Forest Service. The report shall include a description of the authority to approve such development and options for disposition or use of funds generated from these renewable energy projects.

SEC. 211. ELIMINATION OF APPROVAL REQUIREMENT FOR LONG-TERM CONTRACTS FOR ENERGY OR FUEL FOR MILITARY INSTALLATIONS.

Section 2922a of title 10, United States Code, is amended—

(1) in subsection (a), by striking ''Subject to subsection (b), the Secretary of a military department'' and inserting ''The Secretary of a military department'';

(2) by striking subsection (b); and

(3) by redesignating subsection (c) as subsection (b).

SEC. 212. CONSIDERATION OF ENERGY SECURITY IN DEVELOPING ENERGY PROJECTS ON MILITARY INSTALLATIONS USING RENEWABLE ENERGY SOURCES.

(a) POLICY OF PURSUING ENERGY SECURITY.—

(1) POLICY REQUIRED.—The Secretary of Defense shall establish a policy under which favorable consideration is given for energy security in the de-

sign and development of renewable energy projects on military installations and ranges.

(2) NOTIFICATION.—The Secretary of Defense shall provide notification to Congress within 30 days after entering into any agreement for a facility energy project described in paragraph (1) that excludes pursuit of energy security on the grounds that inclusion of energy security is cost prohibitive. The Secretary shall also provide a cost-benefit analysis of the decision.

(3) ENERGY SECURITY DEFINED.—In this subsection, the term ''energy security'' has the meaning given that term in section 2924 of title 10, United States Code, as added by subsection (d).

(b) ADDITIONAL CONSIDERATION FOR DEVELOPING AND IMPLEMENTING ENERGY PERFORMANCE GOALS AND ENERGY PERFORMANCE MASTER PLAN.—Section 2911(c) of title 10, United States Code, is amended by adding at the end the following new paragraph:

''(12) Opportunities for improving energy security for facility energy projects that will use renewable energy sources.''.

(c) REPORTING REQUIREMENT.—Section 2925(a)(3) of such title is amended by inserting ''whether the project

incorporates energy security into its design,'' after ''through the duration of each such mechanism,''.

(d) ENERGY SECURITY DEFINED.—

(1) IN GENERAL.—Subchapter III of chapter 173 of title 10, United States Code, is amended by inserting before section 2925 the following new section:

''§ 2924. Energy security defined

''(a) IN GENERAL.—In this chapter, the term 'energy security' means having assured access to reliable supplies of energy and the ability to protect and deliver sufficient energy to meet operational needs.

''(b) PURSUIT OF ENERGY SECURITY.—In selecting facility energy projects on a military installation that will use renewable energy sources, pursuit of energy security means the installation will give favorable consideration to projects that provide power directly into the installation electrical distribution network. In such cases, this power should be prioritized to provide the power necessary for critical assets on the installation in the event of a disruption in the commercial grid.''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of such subchapter is amended by inserting before the item relating to section 2925 the following new section:

''2924. Energy security defined.''.

(e) STUDY ON USE OF RENEWABLE ENERGY TO IMPROVE ENERGY SECURITY.—

(1) STUDY.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall enter into a contract with an independent entity to conduct a study on the use of renewable energy generation to improve energy security at military installations.

(2) REPORT.—Not later than 18 months after the date of the enactment of this Act, the Secretary of Defense, in consultation with the Chief Information Officer and the relevant energy offices within the Department of Defense, shall submit to the congressional defense committees a report on the study conducted under paragraph (1), together with the Secretary's recommendations for using renewable energy generation to improve energy security at military installations.

SEC. 213. STUDY ON INSTALLATION ENERGY SECURITY AND SOCIETAL IMPACTS.

(a) STUDY.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall enter into a contract with an independent entity to conduct a study on energy security issues at military installations and related societal impacts.

(b) ELEMENTS.—The study required under subsection (a) shall include the following elements:

(1) A discussion of policy considerations, including engagement with utilities, transmission companies, and other entities involved in the incorporation of microgrids or other secure power generation infrastructure on military installations designed to assure continued mission-critical power in the event of a failure or extended interruption in the commercial power grid.

(2) An analysis of—

(A) whether, in the event a military installation has the continued use of a secure microgrid during a power disruption in an adjacent community lasting more than 36 hours, the military installation should have the capability and energy-generating capacity in excess of that required to assure continuation of mission-critical power in order to allow delivery of emergency power support to non-Department of Defense facilities and users providing emergency services and other critical functions in an adjacent community;

(B) the policy and other implications of not developing the capability and capacity described in subparagraph (A);

(C) the budgetary implication of developing the capability and capacity described in subparagraph (A); and

(D) the potential sources of funding from entities outside the Department of Defense required to develop the capability and capacity described in subparagraph (A).

(c) REPORT.—Not later than 18 months after the date of the enactment of this Act, the Secretary of Defense shall submit to Congress a report on the study conducted under this section, together with a plan for implementing the recommendations of the study.

○