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 fiscal year 2007, the Secretary of Defense shall submit a report containing the following:’’.

Subsec. (a)(4). 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)(5) to (9). Pub. L. 112–81, § 2824(b)(1), redesignated pars. (4) to (8) as (5) to (9), respectively.  
Pub. L. 112–81, § 2822(d)(2), redesignated par. (10) as (11).  
Subsec. (b)(2)(F). Pub. L. 112–81, § 314(b), 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, § 314(b), 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. 111–94, 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.  
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.  

§ 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, performance metrics to measure progress in meeting the goals, and a plan for implementation of the strategy within the military departments, the Office of the Secretary of Defense, and Defense Agencies.  
(2) The Secretary of each military department shall designate a senior official within each armed force under the jurisdiction of the Secretary who shall be responsible for operational energy plans and programs for that armed force. The officials so designated shall be responsible for coordinating with the Assistant Secretary and implementing initiatives pursuant to the strategy with regard to that official’s armed force.  
(3) The Chairman of the Joint Chiefs of Staff shall designate a senior official under the jurisdiction of the Chairman who shall be responsible for operational energy plans and programs for the Joint Chiefs of Staff and the Joint Staff. The official so designated shall be responsible for coordinating with the Assistant Secretary and implementing initiatives pursuant to the strategy with regard to the Joint Chiefs of Staff and the Joint Staff.  
(4) By authority of the Secretary of Defense, the Assistant Secretary shall prescribe policies and procedures for the implementation of the strategy. The Assistant Secretary shall make recommendations to the Secretary of Defense and Deputy Secretary of Defense and provide guidance to the Secretaries of the military departments and the officials designated under paragraph (2) with respect to specific operational energy plans and programs to be carried out pursuant to the strategy.  
(5) Updates to the strategy required by paragraph (1) shall be submitted to the congressional defense committees as soon as practicable after the modifications to the strategy are made.  
(c) BUDGETARY AND FINANCIAL MATTERS.—(1) The Assistant Secretary of Defense for Energy, Installations, and Environment shall review and implement initiatives pursuant to the strategy with regard to the Joint Chiefs of Staff and the Joint Staff.  
(2) The Secretary of Defense shall require that the Secretary of each military department and
the head of each Defense Agency with responsibility for executing activities associated with the strategy transmit their proposed budget for those activities for a fiscal year to the Assistant Secretary for review before submission of the proposed budget to the Under Secretary of Defense (Comptroller).

(3) The Assistant Secretary shall review a proposed budget transmitted under paragraph (2) for a fiscal year and, not later than January 31 of the preceding fiscal year, shall submit to the Secretary of Defense a report containing the comments of the Assistant Secretary with respect to the proposed budget, together with the certification of the Assistant Secretary regarding whether the proposed budget is adequate for implementation of the strategy.

(4) Not later than 30 days after the date on which the budget for a fiscal year is submitted to Congress pursuant to section 1105 of title 31, the Secretary of Defense shall submit to Congress a report on the proposed budgets for that fiscal year that were reviewed by the Assistant Secretary under paragraph (3).

(5) For each proposed budget covered by a report under paragraph (4) for which the certification of the Assistant Secretary under paragraph (3) is that the budget is not adequate for implementation of the strategy, the report shall include the following:

(A) A copy of the report set forth in paragraph (3).

(B) A discussion of the actions that the Secretary proposes to take, together with any recommended legislation that the Secretary considers appropriate, to address the inadequacy of the proposed budget.

(C) An appendix prepared by the Chairman of the Joint Chiefs of Staff describing—

(i) the progress made by the Joint Requirements Oversight Council in implementing the energy Key Performance Parameter; and

(ii) details regarding how operational energy is being addressed in defense planning, scenarios, support to strategic analysis, and resulting policy to improve combat capability.

(D) An appendix prepared by the Under Secretary of Defense for Acquisition, Technology, and Logistics certifying that and describing how the acquisition system is addressing operational energy in the procurement process, including long-term sustainment considerations, and how programs are extending combat capability as a result of these considerations.

(E) A separate statement of estimated expenditures and requested appropriations for that fiscal year for the activities of the Assistant Secretary in carrying out the duties of the Assistant Secretary.

(F) Any additional comments that the Secretary considers appropriate regarding the inadequacy of the proposed budgets.

(6) For each proposed budget covered by a report under paragraph (4) for which the certification of the Assistant Secretary under paragraph (3) is that the budget is adequate for implementation of the strategy, the report shall include the items set forth in subparagraphs (C), (D), and (E) of paragraph (5).

(d) ACCESS TO INITIATIVE RESULTS AND RECORDS.—(1) The Secretary of a military department shall submit to the Assistant Secretary of Defense for Energy, Installations, and Environment the results of all studies and initiatives conducted by the military department in connection with the operational energy strategy.

(2) The Assistant Secretary shall have access to all records and data in the Department of Defense (including the records and data of each military department) necessary in order to permit the Assistant Secretary to carry out the duties of the Assistant Secretary.


CODIFICATION


AMENDMENTS


Pub. L. 113–291, §901(g)(1)(B)–(C)(ii), transferred subsec. (c)(3) of section 138c of this title to subsec. (a) of this section, inserted heading, and redesignated subpars. (A) to (E) as pars. (1) to (5), respectively. See Codification note above.

Subsec. (a)(5). Pub. L. 113–291, §901(g)(1)(C)(iii), substituted “subsection (c)(4)” for “subsection (e)(4)”.

Subsec. (b). Pub. L. 113–291, §901(g)(1)(D), transferred subsec. (d) of section 138c of this title to subsec. (b) of this section. See Codification note above.


Subsec. (b)(4). Pub. L. 113–291, §901(g)(1)(F), as amended by Pub. L. 114–92, §1081(b)(2), substituted “make recommendations to the Secretary of Defense and Deputy Secretary of Defense and provide guidance to the Secretaries of the military departments” for “provide guidance to, and consult with, the Secretary of Defense, the Deputy Secretary of Defense, the Secretaries of the military departments.”

Subsec. (c). Pub. L. 113–291, §901(g)(1)(D), transferred subsec. (e) of section 138c of this title to subsec. (c) of this section. See Codification note above.


Subsec. (c)(4) to (6). Pub. L. 113–291, §901(g)(1)(G), amended pars. (4) to (6) generally. Prior to amendment, pars. (4) to (6) required the Secretary of Defense to report to Congress, by a certain date, on proposed budgets not certified by the Assistant Secretary under par.
§ 3001

3001. Definitions

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[360. Repealed.]

361. Repealed.

[360. Repealed.]

365. Repealed.

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AMENDMENTS


PART I—ORGANIZATION

301. Definitions

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[405. Repealed.]

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[433. Repealed.]

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439. Sale of Serviceable Material

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443. Disposal of Obsolete or Surplus Material

§ 3001. Definitions

In this title, the term “Army” means the Army or Armies referred to in the Constitution