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, § 312(2), redesignated pars. (6) and (8) as (5) and (6), respectively. Former par. (5) redesignated (4).


Pub. L. 114–92, § 313(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)(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. (b)(1). Pub. L. 112–239, § 1076(c)(3)(A), (d)(6)(B), substituted ‘‘Assistant Secretary of Defense for’’ for ‘‘Director’’ and ‘‘section 138b’’ for ‘‘section 138b’’.


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 ‘‘the project incorporates energy security into its design’’ after ‘‘through the duration of such mechanism.’’


Pub. L. 111–383, § 2832(a)(1), substituted ‘‘energy performance master plan’’ for ‘‘energy performance plan’’.

Subsec. (a)(5) to (9). Pub. L. 112–81, § 2823(b)(1), redesignated pars. (4) to (8) as (5) to (9), respectively.


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

Subsec. (b)(2)(G). Pub. L. 112–81, § 340(b), redesignated subpar. (F) as (G).

Subsec. (b)(4). Pub. L. 112–81, § 2824(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 Act (42 U.S.C. 8229b),’’ after ‘‘[Public Law 109–58),’’ added par. (2), (3), (9), and (10), and redesignated former pars. (2) to (6) as (4) to (8), respectively.


Subsec. (b). Pub. L. 110–417, § 313(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.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 2021 AMENDMENT

Pub. L. 116–283, div. A, title III, § 326(b), Jan. 1, 2021, 134 Stat. 3533, provided that: ‘‘The reporting requirement under paragraph (7) of section 2925(a) of title 10, United States Code, as added by subsection (a) of this section, applies to reports submitted under such section 2925 for fiscal year 2021 and thereafter.’’

USE OF ASSESSMENT TOOL

Pub. L. 117–81, div. A, title III, § 311(b)(2), Dec. 27, 2021, 135 Stat. 1677, provided that: ‘‘The Secretary of Defense shall use the Climate Vulnerability and Risk Assessment Tool of the Department of Defense (or such successor tool) in preparing each report under section 2925(a) of title 10, United States Code (as amended by paragraph (1) of this title),’’.

§ 2926. Operational energy

(a) OPERATIONAL ENERGY POLICY.—In carrying out section 2911(a) of this title, the Secretary of Defense shall ensure the types, availability, and use of operational energy promote the readiness of the armed forces for their military missions in contested logistics environments.

(b) RESPONSIBILITIES.—The Secretary of Defense shall—

(1) require the Secretaries concerned and the commanders of the combatant commands to assess the energy supportability in contested
logistics environments of systems, capabilities, and plans;
(2) authorize the use of energy security, cost of backup power, supportability in contested logistics environments, and energy resilience as factors in the cost-benefit analysis for procurement of operational equipment; and
(3) in selecting equipment that will use operational energy, give favorable consideration to the acquisition of equipment that enhances energy security, energy resilience, energy conservation, and reduces logistical vulnerabilities in contested logistics environments.

(c) Functions of the Assistant Secretary of Defense for Energy, Installations, and Environment.—The Assistant Secretary of Defense for Energy, Installations, and Environment, in consultation with the heads of the appropriate Department of Defense components and in coordination with the working group under subsection (d), shall—
(1) oversee the operational energy activities of the Department of Defense, including the activities of the working group established under subsection (d), and oversee the investments of the Department in such activities;
(2) make recommendations to the Secretary regarding the policies and investments that affect the use of operational energy across the Department of Defense, taking into account the findings of the working group under subsection (d);
(3) establish guidelines and recommend to the Secretary policy to improve warfighting capability through energy security and energy resilience, taking into account the findings of the working group under subsection (d);
(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

(See main edition for text of (4))

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

(d) Working Group.—(1) The Secretary of Defense shall establish a working group to integrate efforts to mitigate contested logistics challenges through the reduction of operational energy demand that are carried out within each armed force, across the armed forces, and with the Office of the Secretary of Defense and to conduct other coordinated functions relating to such efforts.
(B) The head of the working group under paragraph (1) shall be the Assistant Secretary of Defense for Energy, Installations, and Environment. The Assistant Secretary shall supervise the members of the working group and provide guidance to such members with respect to specific operational energy plans and programs to be carried out pursuant to the strategy under subsection (e).
(3) The members of the working group under paragraph (1) shall be appointed as follows:
(A) A senior official of each armed force, who shall be nominated by the Secretary concerned and confirmed by the Senate to represent such armed force.
(B) A senior official from each geographic and functional combatant command, who shall be appointed by the commander of the respective combatant command to represent such combatant command.
(C) A senior official under the jurisdiction of the Chairman of the Joint Chiefs of Staff, who shall be appointed by the Chairman to represent the Joint Chiefs of Staff and the Joint Staff.
(4) Each member of the working group shall be responsible for carrying out operational energy plans and programs and implementing coordinated initiatives pursuant to the strategy under subsection (e) for the respective component of the Department that the member represents.
(5) The duties of the working group under paragraph (1) shall be as follows:
(A) Planning for the integration of efforts to mitigate contested logistics challenges through the reduction of operational energy demand carried out within each armed force, across the armed forces, and with the Office of the Secretary of Defense.
(B) Developing recommendations regarding the strategy for operational energy under subsection (e).
(C) Developing recommendations relating to the development of, and modernization efforts for, platforms and weapons systems of the armed forces.
(D) Developing recommendations to ensure that such development and modernization efforts lead to increased lethality, extended range, and extended on-station time for tactical assets.
(E) Developing recommendations to mitigate the effects of hostile action by a near-peer adversary targeting operational energy storage and operations of the armed forces, including through the use of innovative delivery systems, distributed storage, flexible contracting, and improved automation.

(e) Operational Energy Strategy.—(1) The Assistant Secretary of Defense for Energy, Installations, and Environment, in coordination with the working group under subsection (d), shall be responsible for the establishment and maintenance of a department-wide transformational strategy for operational energy. The strategy shall be updated every five years and 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 each armed force, across the armed forces, and with the Office of the Secretary of Defense.
(2) The strategy required under paragraph (1) shall include the following:
(A) A plan to integrate efforts to mitigate contested logistics challenges through the reduction of operational energy demand within each armed force.
(B) An assessment of how industry trends transitioning from the production of internal combustion engines to the development and