

107TH CONGRESS
1ST SESSION

H. R. 2141

To require electric generation facilities owned and operated by the Department of Defense in the Western United States to generate electricity and to conserve energy in electric emergencies, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 12, 2001

Mr. THOMPSON of California (for himself, Ms. HARMAN, Ms. SOLIS, Mrs. CAPPS, Ms. PELOSI, Mrs. DAVIS of California, Ms. WOOLSEY, and Mr. FILNER) introduced the following bill; which was referred to the Committee on Armed Services, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To require electric generation facilities owned and operated by the Department of Defense in the Western United States to generate electricity and to conserve energy in electric emergencies, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Department of Defense
5 Energy Reduction Act of 2001”.

1 **SEC. 2. DEFINITIONS.**

2 For purposes of this Act:

3 (1) The term “qualified electric generator”
4 means any electric facility (other than a hydro-
5 electric generation facility) owned or operated by the
6 United States Department of Defense and located at
7 a fixed location in the western region.

8 (2) The term “western region” means that por-
9 tion of the United States that is encompassed by the
10 Western Systems Coordinating Council of the North
11 American Electric Reliability Council.

12 **SEC. 3. AUTHORIZATION OF GENERATION.**

13 (a) **PRESIDENTIAL AUTHORIZATION.**—In order to as-
14 sist in relieving energy demand during electric power
15 emergencies in the western region, the President shall au-
16 thorize the Secretary of Defense to use all qualified elec-
17 tric generators in the western region during such emer-
18 gencies to generate electric energy for facilities of the De-
19 partment of Defense or to provide additional electric en-
20 ergy for sale at cost (as determined by the Secretary) to
21 other persons for consumption or for resale. The Secretary
22 shall use generators that have the least adverse environ-
23 mental effects before using generators that have more ad-
24 verse environmental effects.

25 (b) **REIMBURSEMENT OF COSTS.**—No electric energy
26 may be sold by the Secretary under this section unless

1 the Secretary determines that there is an adequate assur-
2 ance the United States will be reimbursed for the full cost
3 of such electric energy. Notwithstanding sections 1341
4 and 3302 of title 31 of the United States Code or any
5 other provision of law, all proceeds of any sale of electric
6 energy under this section shall be retained by the Sec-
7 retary of Defense, and such amounts shall be available
8 without further appropriation to the Secretary to pay the
9 costs incurred by the Secretary for generating the electric
10 energy concerned. The authority of this section shall ter-
11minate on the date 2 years after the enactment of this
12 Act.

13 **SEC. 4. MOBILE GENERATORS.**

14 The President shall direct the Secretary of Defense
15 to immediately develop plan for the deployment of avail-
16 able mobile electric generation facilities owned or operated
17 by the Department of Defense in the event of energy emer-
18 gencies. Such plan shall—

- 19 (1) include the identification and preparation of
20 sites and the interconnection facilities to permit
21 their operation in an environmentally and operation-
22 ally optimal manner;
- 23 (2) assure that units remain available for de-
24 ployment in least-cost ways from the current loca-
25 tions to areas where electric emergencies may occur;

1 (3) coordinate with the Western Systems Co-
2 ordinating Council (WSCC) to develop operational
3 and management agreements to provide the WSCC
4 with maximum flexibility regarding the use of such
5 facilities in California;

6 (4) summarize actions required by the State
7 and Federal governments to deploy and provide com-
8 pensation for the use of these units; and

9 (5) develop environmental proposals or arrange-
10 ments to allow these facilities to be used in a State
11 experiencing an electric emergency.

12 **SEC. 5. COORDINATION.**

13 In issuing an authorization under section 3 and devel-
14 oping a plan under section 4, the President shall coordi-
15 nate with the Western Systems Coordinating Council of
16 the North American Electric Reliability Council. In order
17 to minimize any public health risk associated with the use
18 of qualified Federal electric generation facilities, the Presi-
19 dent shall coordinate such authorization with State and
20 local air quality management agencies.

21 **SEC. 6. ENERGY CONSERVATION MEASURES.**

22 The Secretary of Defense shall require all facilities
23 under the Secretary's jurisdiction in the western region
24 to reduce energy consumption by eliminating non-essential
25 activities that use significant amounts of electric energy

1 to the extent that such reduction does not jeopardize mili-
2 tary readiness or public health and safety and will not re-
3 sult in lay-offs of military or civilian personnel.

4 **SEC. 7. MILITARY READINESS.**

5 The President may exclude from the coverage of this
6 Act any electric generation facility in order to ensure mili-
7 tary readiness or to ensure that such facility is available
8 to respond to natural disasters. If the President deter-
9 mines to exclude any electric generation facility from use
10 under this subsection, the President shall submit, within
11 30 days after such determination, a report to Congress
12 regarding such exclusion, together with an explanation of
13 the reasons for such determination.

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