

General Services Administration and a utility service supplier under section 501 of title 40, United States Code, to procure the utility service needs of Federal agencies within the franchise territory of the supplier.

“(B) ENERGY RESILIENCE.—The term ‘energy resilience’ has the meaning given the term in section 101(e) of title 10, United States Code.

“(C) FRANCHISE TERRITORY.—The term ‘franchise territory’ means a geographical area that a utility service supplier has a right to serve based upon a franchise granted by an independent regulatory body, a certificate of public convenience and necessity, or other legal means.

“(D) UTILITY SERVICE.—The term ‘utility service’—
“(i) means a utility or service described in section 2872a(b) of title 10, United States Code;

“(ii) includes the services supplied by a utility service supplier described in an areawide contract such as connection, change, disconnection, continue service, line extension, alteration or relocation, metering, and special facilities, including primary generation, backup generation, microgrid controls, charging capabilities, and any supporting infrastructure; and

“(iii) includes ancillary services, including total maintenance and repair, major restoration and repair, studies, and any other services, as appropriate.

“(E) UTILITY SERVICE SUPPLIER.—The term ‘utility service supplier’ means an entity that supplies a utility service.

“(F) UTILITY SYSTEM.—The term ‘utility system’ has the meaning given the term in subsections (i)(1)(A) and (i)(2)(A) of section 2688 of title 10, United States Code.”

§ 2921. Energy efficiency targets for data centers

(a) COVERED DATA CENTERS.—

(1) For each covered data center, the Secretary of Defense shall—

(A) develop a power usage effectiveness target for the data center, based on location, resiliency, industry standards, and best practices;

(B) develop a water usage effectiveness target for the data center, based on location, resiliency, industry standards, and best practices;

(C) develop other energy efficiency or water usage targets for the data center based on industry standards and best practices, as applicable to meet energy efficiency and resiliency goals;

(D) identify potential renewable or clean energy resources, or related technologies such as advanced battery storage capacity, to enhance resiliency at the data center, including potential renewable or clean energy purchase targets based on the location of the data center; and

(E) identify any statutory, regulatory, or policy barriers to meeting any target under any of subparagraphs (A) through (C).

(2) The Secretary of Defense shall ensure that targets developed under paragraph (1) are consistent with guidance issued by the Secretary of Energy.

(3) In this subsection, the term “covered data center” means a data center of the Department of Defense that—

(A) is one of the 50 data centers of the Department with the highest annual power usage rates; and

(B) has been established before the date of the enactment of this section.

(b) NEW DATA CENTERS.—(1) Except as provided in paragraph (2), in the case of any Department of Defense data center established on or after the date of the enactment of this section, the Secretary of Defense shall establish energy, water usage, and resiliency-related standards that the data center shall be required to meet based on location, resiliency, industry and Federal standards, and best practices. Such standards shall include—

(A) power usage effectiveness standards;

(B) water usage effectiveness standards; and

(C) any other energy or resiliency standards the Secretary determines are appropriate.

(2) The Secretary may waive the requirement for a Department data center established on or after the date of the enactment of this section to meet the standards established under paragraph (1) if the Secretary—

(A) determines that such waiver is in the national security interest of the United States; and

(B) submits to the Committee on Armed Services of the House of Representatives notice of such waiver and the reasons for such waiver.

(Added Pub. L. 117–81, div. A, title III, §312(a)(1), Dec. 27, 2021, 135 Stat. 1627.)

Editorial Notes

REFERENCES IN TEXT

The date of the enactment of this section, referred to in subsecs. (a)(3)(B) and (b), is the date of enactment of Pub. L. 117–81, which was approved Dec. 27, 2021.

SUBCHAPTER II—ENERGY-RELATED PROCUREMENT

Sec. 2922.	Liquid fuels and natural gas: contracts for storage, handling, or distribution.
2922a.	Contracts for energy or fuel for military installations.
2922b.	Procurement of energy systems using renewable forms of energy.
2922c.	Procurement of gasohol as motor vehicle fuel.
2922d.	Procurement of fuel derived from coal, oil shale, and tar sands.
2922e.	Acquisition of certain fuel sources: authority to waive contract procedures; acquisition by exchange; sales authority.
2922f.	Preference for energy efficient electric equipment.
2922g.	Preference for motor vehicles using electric or hybrid propulsion systems; purchase or lease of certain electric and other vehicles.
[2922h.	Repealed.]
2922i.	Multiyear contracts: purchase of electricity from renewable energy sources.
2922j.	Annual report on purchase of drop-in fuel.

Editorial Notes

AMENDMENTS

2024—Pub. L. 118–159, div. A, title III, §315, Dec. 23, 2024, 138 Stat. 1851, added item 2922j and struck out item 2922h “Limitation on procurement of drop-in fuels”. Amendments were made pursuant to operation of section 102 of this title.

2022—Pub. L. 117–263, div. A, title III, §317(b), Dec. 23, 2022, 136 Stat. 2507, added item 2922g and struck out