

114TH CONGRESS  
1ST SESSION

# H. R. 3108

To improve energy savings by the Department of Defense, and for other purposes.

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IN THE HOUSE OF REPRESENTATIVES

JULY 16, 2015

Mr. PETERS (for himself, Mr. HONDA, and Mr. GALLEGO) introduced the following bill; which was referred to the Committee on Armed Services

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## A BILL

To improve energy savings by the Department of Defense,  
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; TABLE OF CONTENTS.**

4 (a) **SHORT TITLE.**—This Act may be cited as the  
5 “Department of Defense Energy Security Act of 2015”.

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

Sec. 1. Short title; table of contents.

Sec. 2. Pilot program on military use of energy savings performance contracts  
for mobile and other nonbuilding applications.

Sec. 3. Report of effectiveness of tactical vehicle research regarding energy effi-  
ciency.

- Sec. 4. Additional research to improve military vehicle technology to increase fuel economy or reduce fuel consumption of military vehicles used in combat.
- Sec. 5. Establishment of repository for operational energy-related research and development efforts of Department of Defense.
- Sec. 6. Study on power storage capacity requirement.
- Sec. 7. Establishment of Department of Defense alternative fueled vehicle infrastructure fund.
- Sec. 8. Secure energy innovation program.
- Sec. 9. Authority to use Energy Savings Investment Fund for energy management initiatives.
- Sec. 10. Report on energy performance initiatives.
- Sec. 11. Report on military readiness to deal with expected increased water shortages, instances of wildfire, increased drought, flooding due to sea level rise, and coastal erosion from storm surges.

1 **SEC. 2. PILOT PROGRAM ON MILITARY USE OF ENERGY**  
 2 **SAVINGS PERFORMANCE CONTRACTS FOR**  
 3 **MOBILE AND OTHER NONBUILDING APPLICA-**  
 4 **TIONS.**

5 (a) PROGRAM AUTHORIZED.—The Secretary of a  
 6 military department may carry out a pilot program under  
 7 which the Secretary will enter into energy savings per-  
 8 formance contracts under the authority of section 801 of  
 9 the National Energy Conservation Policy Act (42 U.S.C.  
 10 8287) for the purpose of achieving direct energy savings  
 11 and secondary savings in mobile assets of the Armed  
 12 Forces under the jurisdiction of the Secretary and other  
 13 nonbuilding applications of the military department.

14 (b) IMPLEMENTATION REPORT.—Not later than two  
 15 years after entering into the first energy savings perform-  
 16 ance contract under the pilot program, the Secretary of  
 17 the military department concerned shall submit to Con-  
 18 gress a report describing the implementation of the pilot

1 program, including the number of energy savings perform-  
2 ance contracts executed, the types of mobile assets and  
3 other nonbuilding applications covered, and the direct en-  
4 ergy savings and secondary savings achieved.

5 (c) DEFINITIONS.—In this section:

6 (1) MOBILE ASSET AND NONBUILDING APPLI-  
7 CATION.—The terms “mobile asset” and “non-  
8 building application” mean—

9 (A) any class of vehicles, devices, or equip-  
10 ment that—

11 (i) is transportable under the power of  
12 the applicable vehicle, device, or equipment  
13 by land, sea, or air; and

14 (ii) consumes energy from any fuel  
15 source for the purpose of—

16 (I) that transportation; or

17 (II) maintaining a controlled en-  
18 vironment within the vehicle, device,  
19 or equipment; and

20 (B) any federally owned equipment used to  
21 generate electricity or transport water.

22 (2) SECONDARY SAVINGS.—The term “sec-  
23 ondary savings” means additional energy or cost  
24 savings that are a direct consequence of the energy  
25 savings that result from the energy efficiency im-

1        improvements that were financed and implemented  
2        pursuant to an energy savings performance contract.

3        The term includes—

4                (A) energy and cost savings that result  
5                from a reduction in the need for fuel delivery  
6                and logistical support;

7                (B) personnel cost savings and environ-  
8                mental benefits; and

9                (C) in the case of electric generation equip-  
10                ment, the benefits of increased efficiency in the  
11                production of electricity, including revenues re-  
12                ceived by the Federal Government from the sale  
13                of electricity from the production.

14        (d) TERMINATION.—The authority to enter into an  
15        energy savings performance contract under the pilot pro-  
16        gram terminates September 30, 2041.

17        **SEC. 3. REPORT OF EFFECTIVENESS OF TACTICAL VEHICLE**  
18                **RESEARCH REGARDING ENERGY EFFI-**  
19                **CIENCY.**

20        Not later than one year after the date of the enact-  
21        ment of this Act, the Secretary of the Army shall submit  
22        to Congress a report describing all Army research since  
23        October 1, 2010—

24                (1) on technologies that may improve the range  
25                and endurance of tactical vehicles, without increas-

1 ing fuel demand, thereby also reducing the vulner-  
2 ability of tactical supply lines to attacks; and

3 (2) on auxiliary power units, batteries, and  
4 other engine technologies for running “hotel” loads  
5 and surveillance systems during silent watch, includ-  
6 ing plans for incorporating these technologies into  
7 programs of record or new acquisitions.

8 **SEC. 4. ADDITIONAL RESEARCH TO IMPROVE MILITARY VE-**  
9 **HICLE TECHNOLOGY TO INCREASE FUEL**  
10 **ECONOMY OR REDUCE FUEL CONSUMPTION**  
11 **OF MILITARY VEHICLES USED IN COMBAT.**

12 (a) RESEARCH AUTHORIZED.—The Secretary of De-  
13 fense, acting through the Assistant Secretary of Defense  
14 for Research and Engineering and in collaboration with  
15 the Secretary of the Army and the Secretary of the Navy,  
16 may carry out research to improve military vehicle tech-  
17 nology to increase fuel economy or reduce fuel consump-  
18 tion of military vehicles used in combat.

19 (b) PREVIOUS SUCCESSES.—The Secretary of De-  
20 fense shall ensure that research carried out under sub-  
21 section (a) takes into account the successes of, and lessons  
22 learned during, the development of the Fuel Efficient  
23 Ground Vehicle Alpha and Bravo programs to identify, as-  
24 sess, develop, demonstrate, and prototype technologies  
25 that support increasing fuel economy and decreasing fuel

1 consumption of light tactical vehicles, while balancing sur-  
2 vivability.

3 **SEC. 5. ESTABLISHMENT OF REPOSITORY FOR OPER-**  
4 **ATIONAL ENERGY-RELATED RESEARCH AND**  
5 **DEVELOPMENT EFFORTS OF DEPARTMENT**  
6 **OF DEFENSE.**

7 (a) REPOSITORY REQUIRED.—Not later than Decem-  
8 ber 31, 2016, the Secretary of Defense, acting through  
9 the Assistant Secretary of Defense for Research and Engi-  
10 neering and in collaboration with the Assistant Secretary  
11 of Defense for Operational Energy Plans and Programs  
12 and the Secretaries of the military departments, shall es-  
13 tablish a centralized repository for all operational energy-  
14 related research and development efforts of the Depart-  
15 ment of Defense, including with respect to the inception,  
16 operational, and complete phases of such efforts.

17 (b) INTERNET ACCESS.—The Secretary of Defense  
18 shall ensure that the repository required by subsection (a)  
19 is accessible through an Internet website of the Depart-  
20 ment of Defense and by all employees of the Department  
21 and members of the Armed Forces whom the Secretary  
22 determines appropriate, including all program managers  
23 involved in such research and development efforts, to en-  
24 able improved collaboration between military departments  
25 on research and development efforts described in sub-

1 section (a), sharing of best practices and lessons learned  
2 relating to such efforts, and reduce redundancy in such  
3 efforts.

4 **SEC. 6. STUDY ON POWER STORAGE CAPACITY REQUIRE-**  
5 **MENT.**

6 Not later than September 30, 2016, the Secretary of  
7 Defense shall submit to the congressional defense commit-  
8 tees a report on the costs and benefits associated with re-  
9 quiring 25 percent of National Guard and Reserve facili-  
10 ties to have at least a 21-day on-site power storage capac-  
11 ity to assist with providing support to civil authorities in  
12 case of manmade or natural disasters.

13 **SEC. 7. ESTABLISHMENT OF DEPARTMENT OF DEFENSE AL-**  
14 **TERNATIVE FUELED VEHICLE INFRASTRUC-**  
15 **TURE FUND.**

16 (a) ESTABLISHMENT OF FUND.—There is estab-  
17 lished in the Treasury a fund to be known as the “Depart-  
18 ment of Defense Alternative Fuel Vehicle Infrastructure  
19 Fund”.

20 (b) DEPOSITS.—The Fund shall consist of the fol-  
21 lowing:

22 (1) Amounts appropriated to the Fund.

23 (2) Amounts earned through investment under  
24 subsection (c).

1           (3) Any other amounts made available to the  
2 Fund by law.

3           (c) INVESTMENTS.—The Secretary shall invest any  
4 part of the Fund that the Secretary decides is not required  
5 to meet current expenses. Each investment shall be made  
6 in an interest-bearing obligation of the United States Gov-  
7 ernment, or an obligation that has its principal and inter-  
8 est guaranteed by the Government, that the Secretary de-  
9 cides has a maturity suitable for the Fund.

10          (d) USE OF FUNDS.—Amounts in the Fund shall be  
11 available to the Secretary, acting through the Under Sec-  
12 retary of Defense for Acquisition, Training, and Logistics,  
13 to install, operate, and maintain alternative fuel dis-  
14 pensing stations for use by alternative fueled vehicles of  
15 the Department of Defense and other infrastructure nec-  
16 essary to fuel alternative fueled vehicles of the Depart-  
17 ment.

18          (e) DEFINITIONS.—In this section:

19           (1) ALTERNATIVE FUEL.—The term “alter-  
20 native fuel” has the meaning given such term in sec-  
21 tion 32901 of title 49, United States Code.

22           (2) ALTERNATIVE FUELED VEHICLE.—The  
23 term “alternative fueled vehicle” means a vehicle  
24 that operates on alternative fuel.

1           (3) FUND.—The term “Fund” means the fund  
2           established under subsection (a).

3 **SEC. 8. SECURE ENERGY INNOVATION PROGRAM.**

4           (a) ESTABLISHMENT.—The Secretary of Defense  
5 shall establish a program to develop and support projects  
6 designed to foster secure and reliable sources of energy  
7 for military installations, including incorporation of ad-  
8 vanced energy metering, resilient energy, energy storage,  
9 and redundant power systems.

10          (b) METRICS.—The Secretary of Defense shall de-  
11 velop metrics for assessing the costs and benefits associ-  
12 ated with secure energy projects proposed or implemented  
13 as part of the program established under subsection (a).  
14 The metrics shall take into account financial and oper-  
15 ational costs associated with sustained losses of power re-  
16 sulting from natural disasters or attacks that damage elec-  
17 trical grids serving military installations.

18          (c) ASSESSMENT.—As part of the program estab-  
19 lished under subsection (a), the Secretary of each military  
20 department shall conduct an assessment of each military  
21 installation under the jurisdiction of the Secretary—

22               (1) to identify all critical electrical loads for  
23               military missions performed at the installation;

1           (2) to determine the security of these electrical  
2           supplies and the sufficiency and readiness of backup  
3           power and continuity of operations plans; and

4           (3) to investigate alternative and renewable en-  
5           ergy supplies and efficiency measures that would in-  
6           crease resilience of supplies to critical loads, which  
7           may include, but is not limited to, solar thermal,  
8           geothermal, waste heat, and renewable combined  
9           heat and power processes, combined heat and power,  
10          small modular nuclear reactor technologies, and fuel  
11          cell energy systems.

12          (d) IMPLEMENTATION METHODS.—The Secretary of  
13          Defense and the Secretaries of the military departments  
14          may use Energy Savings Performance Contracts, Power  
15          Purchase Agreements, and Enhanced Use Leasing agree-  
16          ments to carry out the program established under sub-  
17          section (a) to meet energy intensity or renewable energy  
18          goals if energy security and resilience of supply also im-  
19          proves as a result of entering into such a contract or  
20          agreement.

1 **SEC. 9. AUTHORITY TO USE ENERGY SAVINGS INVESTMENT**  
2 **FUND FOR ENERGY MANAGEMENT INITIA-**  
3 **TIVES.**

4 Section 2919(b)(2) of title 10, United States Code,  
5 is amended by striking “, to the extent provided for in  
6 an appropriations Act,”.

7 **SEC. 10. REPORT ON ENERGY PERFORMANCE INITIATIVES.**

8 Not later than March 1, 2016, the Secretary of De-  
9 fense shall provide a briefing or submit to the Committees  
10 on Armed Services of the Senate and the House of Rep-  
11 resentatives a report—

12 (1) describing the energy efficiency language in-  
13 cluded in the most recent aerial refueling tanker  
14 contract and in the Logistics Civil Augmentation  
15 Program contract; and

16 (2) evaluating the feasibility of including such  
17 energy efficiency provisions in other contracts for  
18 platforms and equipment that are high energy users,  
19 including the extent to which such provisions have  
20 been included in other contracts.

1 **SEC. 11. REPORT ON MILITARY READINESS TO DEAL WITH**  
2 **EXPECTED INCREASED WATER SHORTAGES,**  
3 **INSTANCES OF WILDFIRE, INCREASED**  
4 **DROUGHT, FLOODING DUE TO SEA LEVEL**  
5 **RISE, AND COASTAL EROSION FROM STORM**  
6 **SURGES.**

7 Not later than March 1, 2016, the Secretary of De-  
8 fense shall provide a briefing or submit to the Committees  
9 on Armed Services of the Senate and the House of Rep-  
10 resentatives a report on the strategy of the Department  
11 of Defense and initiatives to mitigate the impact of ex-  
12 pected increased water shortages, instances of wildfire, in-  
13 creased drought, flooding due to sea level rise, and coastal  
14 erosion from storm surges to ensure optimal military read-  
15 iness. At minimum, the briefing or report shall address  
16 the following issues:

17 (1) How are changing conditions affecting oper-  
18 ations and military readiness at military installa-  
19 tions?

20 (2) What has the Secretary determined to be  
21 most effective in preparing for future conditions?

22 (3) How are best practices being disseminated  
23 and implemented throughout installations?

24 (4) Is the Department facing any challenges in  
25 carrying out preparedness and resilience initiatives?

26 If so, what are these obstacles and do they require

1 congressional action to increase security on installa-  
2 tions?

3 (5) What opportunities exist for effective public  
4 private partnerships or contracts with industry to  
5 address and mitigate the effects of these conditions?

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