

117TH CONGRESS  
2D SESSION

# S. 4989

To amend title 10, United States Code, to include additional special considerations for developing and implementing the energy performance goals and energy performance master plan of the Department of Defense and to require a report on the feasibility of terminating energy procurement from foreign entities of concern.

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## IN THE SENATE OF THE UNITED STATES

SEPTEMBER 28, 2022

Ms. ERNST introduced the following bill; which was read twice and referred to the Committee on Armed Services

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## A BILL

To amend title 10, United States Code, to include additional special considerations for developing and implementing the energy performance goals and energy performance master plan of the Department of Defense and to require a report on the feasibility of terminating energy procurement from foreign entities of concern.

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 “DOD Energy Strategy  
5 Act of 2022”.

1 **SEC. 2. ADDITIONAL SPECIAL CONSIDERATIONS FOR DE-**  
2 **VELOPING AND IMPLEMENTING THE ENERGY**  
3 **PERFORMANCE GOALS AND ENERGY PER-**  
4 **FORMANCE MASTER PLAN OF THE DEPART-**  
5 **MENT OF DEFENSE.**

6 Section 2911(e) of title 10, United States Code, is  
7 amended by adding at the end the following new para-  
8 graphs:

9 “(14) The reliability and security of energy re-  
10 sources in the event of a military conflict.

11 “(15) The value of resourcing energy from al-  
12 lies of the United States in the North Atlantic Trea-  
13 ty Organization and other major allies of the United  
14 States.”.

15 **SEC. 3. REPORT ON FEASIBILITY OF TERMINATING EN-**  
16 **ERGY PROCUREMENT FROM FOREIGN ENTI-**  
17 **TIES OF CONCERN.**

18 (a) IN GENERAL.—Not later than 180 days after the  
19 date of the enactment of this Act, the Assistant Secretary  
20 of Defense for Energy, Installations, and Environment  
21 shall submit to the Committees on Armed Services of the  
22 Senate and the House of Representatives a report on the  
23 feasibility and advisability of terminating energy procure-  
24 ment by the Department of Defense from foreign entities  
25 of concern.

1 (b) ELEMENTS.—The report required under sub-  
2 section (a) shall include the following:

3 (1) An assessment of the reliance by the De-  
4 partment of Defense on foreign entities of concern  
5 for the procurement of energy.

6 (2) An identification of the number of energy  
7 contracts in force between the Director of the De-  
8 fense Logistics Agency and a foreign entity of con-  
9 cern or an entity headquartered in a country that is  
10 a foreign entity of concern.

11 (3) Such proposals as the Assistant Secretary  
12 of Defense for Energy, Installations, and Environ-  
13 ment may have for divestment of resourcing of en-  
14 ergy for the Department of Defense from entities de-  
15 scribed in subparagraph (B) and reconfiguring such  
16 resourcing instead from allies of the United States  
17 in the North Atlantic Treaty Organization and other  
18 major allies of the United States.

19 (c) FOREIGN ENTITY OF CONCERN DEFINED.—In  
20 this section, the term “foreign entity of concern” has the  
21 meaning given that term in section 9901 of the William  
22 M. (Mac) Thornberry National Defense Authorization Act  
23 for Fiscal Year 2021 (15 U.S.C. 4651).

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