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Key Energy Efficiency Provisions in H.R. 1540 – National Defense Authorization Act for FY 2012 as Enacted

This is a summary of key provisions regarding energy efficiency in the National Defense Authorization Act for FY 2012 (H.R. 1540) which was signed into law by President Barack Obama on December 31, 2011. The bill includes provisions on the use of energy-efficient technologies for contingency operations, use of energy efficient products in Department of Defense (DoD) facilities, metering of Navy piers, reporting on energy efficiency standards and enhancement of data server and center efficiency. Additionally, the bill includes two amendments by Alliance Honorary Vice Chair Sen. Mark Warner (D-Va.) that require tracking of energy data from DoD facilities and establishment of a training policy for military installation energy managers.

Title III – Operation and Maintenance

SEC. 315. ENERGY-EFFICIENT TECHNOLOGIES IN CONTRACTS FOR LOGISTICS SUPPORT OF CONTINGENCY OPERATIONS

Under the 2007 defense authorization bill (10 USC 2911), the Department of Defense (DoD) must annually submit energy performance goals and an energy performance master plan to Congress. Under this new provision, the master plan must “specifically address the application of energy-efficient or energy reduction technologies or processes” in logistics support contracts for contingency operations, and include “goals, metrics, and incentives for achieving energy efficiency in such contracts.” These technologies or processes must meet certain criteria: 1) achieve long-term savings by reducing demand for fuel and other sources of energy, 2) not disrupt the mission, and 3) able to “integrate seamlessly into the existing infrastructure.”

Title XXIV– Defense Agencies Military Construction

Subtitle A – Defense Agency Authorizations

SEC. 2402. AUTHORIZED ENERGY CONSERVATION PROJECTS

Authorizes \$135 million for a number of specified “energy conservation projects” at defense installations around the country and abroad.

Title XXVIII – Military Construction General Provisions

Subtitle C – Energy Security

SEC. 2825. IDENTIFICATION OF ENERGY-EFFICIENT PRODUCTS FOR USE IN CONSTRUCTION, REPAIR, OR RENOVATION OF DEPARTMENT OF DEFENSE FACILITIES

Section 2915(e) of title 10, United States Code, requires the department to ensure that energy efficient products are used in facility construction, repair, or renovation and to define which products should be used. In determining which products qualify, the amendment removes direction to consider Energy Star products and Federal Energy Management Program designated products, retains direction to consult the Department of Energy, and adds direction to modify the definition and list to account for emerging and changing technologies.

SEC. 2827. REQUIREMENT FOR DEPARTMENT OF DEFENSE TO CAPTURE AND TRACK DATA GENERATED IN METERING DEPARTMENT FACILITIES

Amendment by Alliance Honorary Chair Sen. Warner

Directs the department to “require that the information generated by the installation energy meters be captured and tracked to determine baseline energy consumption and facilitate efforts to reduce energy consumption.”

SEC. 2828. METERING OF NAVY PIERS TO ACCURATELY MEASURE ENERGY CONSUMPTION

Directs the Navy to “meter Navy piers so that the energy consumption of naval vessels while in port can be accurately measured and captured and steps taken to improve the efficient use of energy by naval vessels while in port,” and to report progress in each of the DoD energy management reports during FY12-FY17.

SEC. 2829. TRAINING POLICY FOR DEPARTMENT OF DEFENSE ENERGY MANAGERS

Amendment by Alliance Honorary Chair Sen. Warner

Directs the department to establish a training policy for energy managers of military installations. The policy should “improve the knowledge, skills, and abilities of energy managers” by ensuring they have a complete understanding of necessary and up-to-date information. The policy should be issued, and congressional committees briefed, no later than 180 days after enactment.

SEC. 2830. REPORT ON ENERGY-EFFICIENCY STANDARDS AND PROHIBITION ON USE OF FUNDS FOR LEADERSHIP IN ENERGY AND ENVIRONMENTAL DESIGN GOLD OR PLATINUM CERTIFICATION

The first subsection requires that, by June 20, 2012, the department submit a report to the congressional defense committees “on the energy-efficiency and sustainability standards utilized by the DoD for military construction and repair.” The report must include a cost-benefit analysis, return on investment, and long term payback for multiple design standards including: ASHRAE building standard 189.1-2011; ASHRAE building standard 90.1-2010; LEED silver, gold, platinum, and LEED volume certification; and other American National Standards Institute accredited standards. The report also is to include a copy of DoD policy “prescribing a comprehensive strategy for the pursuit of design and building standards across the Department that include specific energy-efficient standards and sustainable design attributes for military construction.”

The second subsection prohibits the DoD from using FY12 funding to achieve LEED gold or platinum certification. This limitation may be waived if the Secretary submits a notice to the congressional defense committees at least 30 days before funds are used towards achieving the certifications.

SEC. 2865. INVESTMENT PLAN FOR THE MODERNIZATION OF PUBLIC SHIPYARDS UNDER JURISDICTION OF DEPARTMENT OF THE NAVY

No later than September 1, 2012 the Navy is to submit “a plan to address the facilities and infrastructure requirements at each public shipyard under the jurisdiction of the Department of the Navy.” Some of the required elements include:

- “a review of all workload requirements in the last 15 years and an assessment of the efficiency in the use of existing facilities to meet the work load,”
- An assessment of the ability of facilities “to meet the energy savings goals of the Secretary of the Navy for military installations,” and
- A description of facility improvements or new construction projects that would generate energy savings and improve efficiency of operations.

SEC. 2867. DATA SERVERS AND CENTERS

Directs the DoD Chief Information Officer to submit to the congressional defense committees by April 1, 2012 a performance plan for reduction of resources required for data servers and centers. It is to be based on component plans from each military department and Defense Agency that achieve a variety of goals including “a reduction in the use of all utilities necessary to power and cool information systems and data centers.” The performance plan is to include performance standards and measures, goals and schedules, and an estimate of cost savings through implementation. It also is to include a department-wide strategy for computer virtualization, transitioning to cloud computing, and metrics to report on various elements of data center infrastructure including energy efficiency and utilization, with the aggregate data for each data center with over 100 kilowatts of power demand.