

**AMENDMENT TO H.R. 5136, AS REPORTED  
OFFERED BY MR. HINCHEY OF NEW YORK**

At the end of title VIII, add the following new section:

**1 SEC. 839. PROCUREMENT OF PHOTOVOLTAIC DEVICES.**

2 (a) **CONTRACT REQUIREMENT.**—The Secretary of  
3 Defense shall ensure that each contract awarded by the  
4 Department of Defense that includes the procurement of  
5 photovoltaic devices, including contracts described in sub-  
6 section (b), includes a provision requiring the photovoltaic  
7 devices to comply with the Buy American Act (41 U.S.C.  
8 10a et seq.).

9 (b) **CONTRACTS DESCRIBED.**—The contracts de-  
10 scribed in this subsection include, but are not limited to,  
11 energy savings performance contracts, utility service con-  
12 tracts, land leases, and private housing contracts.

13 (c) **DEFINITION OF PHOTOVOLTAIC DEVICES.**—In  
14 this section, the term “photovoltaic devices” means devices  
15 that convert light directly into electricity through a solid-  
16 state, semiconductor process.

