

§ 8273. Purpose of program

The purpose of the program established by section 8272 of this title is to—

- (1) accelerate the growth of a commercially viable and competitive industry to make photovoltaic solar electric systems available to the general public as an option in order to reduce national consumption of fossil fuel;
- (2) reduce fossil fuel costs to the Federal Government;
- (3) stimulate the general use within the Federal Government of methods for the minimization of life cycle costs; and
- (4) develop performance data on the program established by section 8272 of this title.

(Pub. L. 95-619, title V, § 564, Nov. 9, 1978, 92 Stat. 3280.)

§ 8274. Acquisition of systems

The program established by section 8272 of this title shall provide for the acquisition of photovoltaic solar electric systems and associated storage capability by the Secretary for their use by Federal agencies, and for the acquisition of such systems and associated capability by Federal agencies for their own use in cases where the authority to make such acquisition has been delegated to the agency involved by the Secretary. The acquisition of photovoltaic solar electric systems shall be at an annual level substantial enough to allow use of low-cost production techniques by suppliers of such systems. The Secretary (or other Federal agency acting under delegation from the Secretary) is authorized to make such acquisitions through the use of multiyear contracts. Authority under this part to enter into acquisition contracts shall be only to the extent as may be provided in advance in appropriation Acts.

(Pub. L. 95-619, title V, § 565, Nov. 9, 1978, 92 Stat. 3281; Pub. L. 96-294, title IV, § 407(2)(A), (B), June 30, 1980, 94 Stat. 717.)

Editorial Notes**AMENDMENTS**

1980—Pub. L. 96-294 inserted provisions relating to acquisition of systems and associated capability by Federal agencies and inserted “(or other Federal agency acting under delegation from the Secretary)”.

§ 8275. Administration

The Secretary shall administer the program established under section 8272 of this title and shall—

- (1) consult with the Secretary of Defense to insure that the installation and purchase of photovoltaic solar electric systems pursuant to this part shall not interfere with defense-related activities;
- (2) prescribe such requirements as may be appropriate to monitor and assess the performance and operation of photovoltaic electric systems installed pursuant to this part; and
- (3) report annually to the Congress on the status of the program.

Notwithstanding any other provision of law, the Secretary shall not be subject to the require-

ments of section 553 of title 5, in the performance of his functions under this part.

(Pub. L. 95-619, title V, § 566, Nov. 9, 1978, 92 Stat. 3281; Pub. L. 96-294, title IV, § 407(3), (4), June 30, 1980, 94 Stat. 717, 718.)

Editorial Notes**AMENDMENTS**

1980—Pub. L. 96-294 inserted provisions relating to inapplicability of section 553 of title 5 and substituted “requirements” for “rules and regulations” in par. (2).

Statutory Notes and Related Subsidiaries**TERMINATION OF REPORTING REQUIREMENTS**

For termination, effective May 15, 2000, of the reporting provision in par. (3) of this section, see section 3003 of Pub. L. 104-66, as amended, set out as a note under section 1113 of Title 31, Money and Finance, and the 3rd item on page 87 of House Document No. 103-7.

§ 8276. System evaluation and purchase program**(a) Program**

The Secretary shall establish, within 60 days after November 9, 1978, a photovoltaic systems evaluation and purchase program to provide such systems as are required by the Federal agencies to carry out this part. In acquiring photovoltaic solar electric systems under this part, the Secretary (or other Federal agency acting under delegation from the Secretary) shall insure that such systems reflect to the maximum extent practicable the most advanced and reliable technologies and shall schedule purchases in a manner which will stimulate the early development of a permanent low-cost private photovoltaic production capability in the United States, and to stimulate the private sector market for photovoltaic power systems. The Secretary and other Federal agencies acting under delegation from the Secretary shall, subject to the availability of appropriated funds, procure not more than 30 megawatts of photovoltaic solar electric systems during fiscal years ending September 30, 1979, September 30, 1980, and September 30, 1981.

(b) Other procurement

Nothing in this part shall preclude any Federal agency from directly procuring a photovoltaic solar electric system (in lieu of obtaining one under the program under subsection (a)), except that any such Federal agency shall consult with the Secretary before procuring such a system.

(Pub. L. 95-619, title V, § 567, Nov. 9, 1978, 92 Stat. 3281; Pub. L. 96-294, title IV, § 407(2)(C), (D), June 30, 1980, 94 Stat. 717.)

Editorial Notes**AMENDMENTS**

1980—Subsec. (a). Pub. L. 96-294 inserted provisions relating to Federal agencies acting under delegations from the Secretary.

§ 8277. Advisory committee**(a) Establishment**

There is hereby established an advisory committee to assist the Secretary in the establish-