

**AMENDMENT TO H.R. 4435, AS REPORTED
OFFERED BY MR. LAMBORN OF COLORADO**

At the end of subtitle F of title V, add the following
new section:

1 **SEC. 553. ENHANCEMENT OF AUTHORITY TO ACCEPT SUP-**
2 **PORT FOR UNITED STATES AIR FORCE ACAD-**
3 **EMY ATHLETIC PROGRAMS.**

4 Section 9362 of title 10, United States Code, is
5 amended by striking subsections (e), (f), and (g) and in-
6 serting the following new subsections:

7 “(e) ACCEPTANCE OF SUPPORT.—

8 “(1) SUPPORT RECEIVED FROM THE CORPORA-
9 TION.—Notwithstanding section 1342 of title 31, the
10 Secretary of the Air Force may accept from the cor-
11 poration funds, supplies, equipment, and services for
12 the support of the athletic programs of the Acad-
13 emy.

14 “(2) FUNDS RECEIVED FROM OTHER
15 SOURCES.—The Secretary may charge fees for the
16 support of the athletic programs of the Academy.
17 The Secretary may accept and retain fees for serv-
18 ices and other benefits provided incident to the oper-
19 ation of its athletic programs, including fees from

1 the National Collegiate Athletic Association, fees
2 from athletic conferences, game guarantees from
3 other educational institutions, fees for ticketing or li-
4 censing, and other consideration provided incidental
5 to the execution of the athletic programs of the
6 Academy.

7 “(3) LIMITATION.—The Secretary shall ensure
8 that contributions accepted under this subsection do
9 not reflect unfavorably on the ability of the Depart-
10 ment of the Air Force, any of its employees, or any
11 member of the armed forces to carry out any respon-
12 sibility or duty in a fair and objective manner, or
13 compromise the integrity or appearance of integrity
14 of any program of the Department of the Air Force,
15 or any individual involved in such a program.

16 “(f) LEASES AND LICENSES.—

17 “(1) SUPPORT RECEIVED FROM THE CORPORA-
18 TION.—In accordance with section 2667 of this title,
19 the Secretary of the Air Force may enter into leases
20 or licenses with the corporation for the purpose of
21 supporting the athletic programs of the Academy.
22 Consideration provided under such a lease or license
23 may be provided in the form of funds, supplies,
24 equipment, and services for the support of the ath-
25 letic programs of the Academy.

1 “(2) SUPPORT TO THE CORPORATION.—The
2 Secretary may provide support services to the cor-
3 poration without charge while the corporation con-
4 ducts its support activities at the Academy. In this
5 section, the term ‘support services’ includes the pro-
6 viding of utilities, office furnishings and equipment,
7 communications services, records staging and
8 archiving, audio and video support, and security sys-
9 tems in conjunction with the leasing or licensing of
10 property. Any such support services may only be
11 provided without any liability of the United States to
12 the corporation.

13 “(g) CONTRACTS AND COOPERATIVE AGREE-
14 MENTS.—The Secretary of the Air Force may enter into
15 contracts and cooperative agreements with the corporation
16 for the purpose of supporting the athletic programs of the
17 Academy. Notwithstanding section 2304(k) of this title,
18 the Secretary may enter such contracts or cooperative
19 agreements on a sole source basis pursuant to section
20 2304(c)(5) of this title. Notwithstanding chapter 63 of
21 title 31, a cooperative agreement under this section may
22 be used to acquire property, services, or travel for the di-
23 rect benefit or use of the Academy athletic programs.

24 “(h) TRADEMARKS AND SERVICE MARKS.—

1 “(1) LICENSING, MARKETING, AND SPONSOR-
2 SHIP AGREEMENTS.—Consistent with section 2260
3 (other than subsection (d)) of this title, an agree-
4 ment under subsection (g) may authorize the cor-
5 poration to enter into licensing, marketing, and
6 sponsorship agreements relating to trademarks and
7 service marks identifying the Academy, subject to
8 the approval of the Secretary of the Air Force.

9 “(2) LIMITATIONS.—No such licensing, mar-
10 keting, or sponsorship agreement may be entered
11 into if it would reflect unfavorably on the ability of
12 the Department of the Air Force, any of its employ-
13 ees, or any member of the armed forces to carry out
14 any responsibility or duty in a fair and objective
15 manner, or if the Secretary determines that the use
16 of the trademark or service mark would compromise
17 the integrity or appearance of integrity of any pro-
18 gram of the Department of the Air Force, or any in-
19 dividual involved in such a program.

20 “(i) RETENTION AND USE OF FUNDS.—Any funds
21 received under this section may be retained for use in sup-
22 port of the athletic programs of the Academy and shall
23 remain available until expended.”.

