AMENDMENT TO THE RULES COMMITTEE PRINT
FOR H.R. 4435
OFFERED BY MR. LAMBORN OF COLORADO

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

SEC. 553. ENHANCEMENT OF AUTHORITY TO ACCEPT SUPPORT FOR UNITED STATES AIR FORCE ACADEMY ATHLETIC PROGRAMS.

Section 9362 of title 10, United States Code, is amended by striking subsections (e), (f), and (g) and inserting the following new subsections:

“(e) Acceptance of Support.—

“(1) Support received from the corporation.—Notwithstanding section 1342 of title 31, the Secretary of the Air Force may accept from the corporation funds, supplies, equipment, and services for the support of the athletic programs of the Academy.

“(2) Funds received from other sources.—The Secretary may charge fees for the support of the athletic programs of the Academy. The Secretary may accept and retain fees for services and other benefits provided incident to the oper-
ation of its athletic programs, including fees from the National Collegiate Athletic Association, fees from athletic conferences, game guarantees from other educational institutions, fees for ticketing or licensing, and other consideration provided incidental to the execution of the athletic programs of the Academy.

“(3) LIMITATION.—The Secretary shall ensure that contributions accepted under this subsection do not reflect unfavorably on the ability of the Department of the Air Force, any of its employees, or any member of the armed forces to carry out any responsibility or duty in a fair and objective manner, or compromise the integrity or appearance of integrity of any program of the Department of the Air Force, or any individual involved in such a program.

“(f) LEASES AND LICENSES.—

“(1) SUPPORT RECEIVED FROM THE CORPORATION.—In accordance with section 2667 of this title, the Secretary of the Air Force may enter into leases or licenses with the corporation for the purpose of supporting the athletic programs of the Academy. Consideration provided under such a lease or license may be provided in the form of funds, supplies,
equipment, and services for the support of the athletic programs of the Academy.

“(2) SUPPORT TO THE CORPORATION.—The Secretary may provide support services to the corporation without charge while the corporation conducts its support activities at the Academy. In this section, the term ‘support services’ includes the providing of utilities, office furnishings and equipment, communications services, records staging and archiving, audio and video support, and security systems in conjunction with the leasing or licensing of property. Any such support services may only be provided without any liability of the United States to the corporation.

“(g) CONTRACTS AND COOPERATIVE AGREEMENTS.—The Secretary of the Air Force may enter into contracts and cooperative agreements with the corporation for the purpose of supporting the athletic programs of the Academy. Notwithstanding section 2304(k) of this title, the Secretary may enter such contracts or cooperative agreements on a sole source basis pursuant to section 2304(c)(5) of this title. Notwithstanding chapter 63 of title 31, a cooperative agreement under this section may be used to acquire property, services, or travel for the direct benefit or use of the Academy athletic programs.
“(h) Trademarks and Service Marks.—

“(1) Licensing, marketing, and sponsorship agreements.—Consistent with section 2260 (other than subsection (d)) of this title, an agreement under subsection (g) may authorize the corporation to enter into licensing, marketing, and sponsorship agreements relating to trademarks and service marks identifying the Academy, subject to the approval of the Secretary of the Air Force.

“(2) Limitations.—No such licensing, marketing, or sponsorship agreement may be entered into if it would reflect unfavorably on the ability of the Department of the Air Force, any of its employees, or any member of the armed forces to carry out any responsibility or duty in a fair and objective manner, or if the Secretary determines that the use of the trademark or service mark would compromise the integrity or appearance of integrity of any program of the Department of the Air Force, or any individual involved in such a program.”. 