

111TH CONGRESS
2^D SESSION

H. R. 5292

To require the continuation of full-service operations at the commissary and exchange stores serving Naval Air Station, Brunswick, Maine.

IN THE HOUSE OF REPRESENTATIVES

MAY 12, 2010

Ms. PINGREE of Maine (for herself and Mr. MICHAUD) introduced the following bill; which was referred to the Committee on Armed Services

A BILL

To require the continuation of full-service operations at the commissary and exchange stores serving Naval Air Station, Brunswick, Maine.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. OPERATIONS AT NAVY EXCHANGE SERVICE**

4 **COMMAND STORE, BRUNSWICK, MAINE.**

5 (a) CONTINUATION OF OPERATIONS THROUGH FIS-
6 CAL YEAR 2011.—The Secretary of the Navy shall operate
7 the Navy Exchange Service Command store in Brunswick,
8 Maine, through September 30, 2011, and may not take
9 any action to reduce or to terminate the sale of goods at
10 such store during fiscal year 2011.

1 (b) OPERATION TO ASSESS PROFITABILITY OF
2 STORE.—Commencing January 1, 2011, the Secretary
3 shall operate the Navy Exchange Service Command store
4 in Brunswick, Maine, for a period of not less than one
5 year in a manner designed to provide for a determination
6 of the profitability of the store.

7 (c) REPORT ON MANAGEMENT OF STORE.—

8 (1) REPORT REQUIRED.—Not later than Feb-
9 ruary 1, 2011, the Secretary shall submit to the con-
10 gressional defense committees and to the Comp-
11 troller General of the United States a report on the
12 management of the Navy Exchange Service Com-
13 mand store in Brunswick, Maine.

14 (2) ELEMENTS.—The report under paragraph
15 (1) shall include the following:

16 (A) Financial statements of the store for
17 the five fiscal years ending on September 30,
18 2010.

19 (B) A description and analysis of con-
20 straints to achieving profitability for the store
21 on a per year basis during the five calendar
22 years ending on December 31, 2010, if profit-
23 ability for the store was not achieved during
24 such calendar years.

1 (C) A projection for future profitability for
2 the store during the five calendar years begin-
3 ning on January 1, 2011, including pro forma
4 financial statements for that period and a de-
5 tailed discussion of the financial, operational,
6 and other assumptions through which such pro
7 forma statements were developed.

8 (D) A full description and assessment of
9 management actions required to achieve profit-
10 ability for the store during the period of assess-
11 ment under subsection (b) and during the four
12 following calendar years, including such rec-
13 ommendations for legislative or administrative
14 action to enhance the profitability of the store
15 during such five years as the Secretary con-
16 siders appropriate.

17 (E) A discussion of the financial implica-
18 tions for the operation of a combined exchange
19 and commissary store of the actions described
20 under subparagraph (D).

21 (F) Such other matters as the Secretary
22 considers appropriate.

23 (d) COMPTROLLER GENERAL REPORT.—Not later
24 than April 1, 2011, the Comptroller General of the United
25 States shall submit to the congressional defense commit-

1 tees a report setting forth an audit of the report submitted
2 under subsection (c), including an analysis of the elements
3 in the report and such recommendations regarding the
4 matters covered by the report as the Comptroller General
5 considers appropriate.

6 **SEC. 2. OPERATIONS AT DEFENSE COMMISSARY AGENCY**

7 **COMMISSARY STORE, TOPSHAM, MAINE.**

8 (a) **MAINTENANCE OF FULL-SERVICE OPERATIONS**
9 **THROUGH FISCAL YEAR 2011.**—Using amounts author-
10 ized to be appropriated for operation and maintenance for
11 the Navy, the Secretary of the Navy shall maintain oper-
12 ations at the Defense Commissary Agency commissary
13 store in Topsham, Maine, at a level of full-service oper-
14 ations until September 30, 2011.

15 (b) **PROHIBITION ON USE OF FUNDS FOR TERMI-**
16 **NATION OF OPERATIONS.**—No amounts may be obligated
17 or expended to reduce the level of operations of, terminate
18 operations of, or otherwise disestablish the Defense Com-
19 missary Agency commissary store in Topsham, Maine,
20 during fiscal year 2011.

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