

117TH CONGRESS
2^D SESSION

H. R. 9531

To amend title 10, United States Code, to authorize the unreimbursed use, by a foundation that supports a military service academy, of facilities or equipment of such military service academy.

IN THE HOUSE OF REPRESENTATIVES

DECEMBER 14, 2022

Mr. BACON introduced the following bill; which was referred to the Committee on Armed Services

A BILL

To amend title 10, United States Code, to authorize the unreimbursed use, by a foundation that supports a military service academy, of facilities or equipment of such military service academy.

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. SHORT TITLE.**

4 This Act may be cited as the “Military Service Acad-
5 emy Foundation Act of 2022”.

1 **SEC. 2. AUTHORIZATION OF CERTAIN SUPPORT FOR MILI-**
2 **TARY SERVICE ACADEMY FOUNDATIONS.**

3 (a) IN GENERAL.—Subchapter I of chapter 134 of
4 title 10, United States Code, is amended by inserting after
5 section 2245 the end the following new section:

6 **“§ 2246. Authorization of certain support for military**
7 **service academy foundations**

8 “(a) AUTHORITY.—Subject to subsection (b) and
9 pursuant to regulations prescribed by the Secretary of De-
10 fense, the Superintendent of a Service Academy may au-
11 thorize a covered foundation to use, on an unreimbursed
12 basis, facilities or equipment of such Service Academy.

13 “(b) LIMITATIONS.—Use of facilities or equipment
14 under subsection (a) may be provided only if such use—

15 “(1) is without any liability of the United
16 States to the covered foundation;

17 “(2) does not affect the ability of any official or
18 employee of the military department concerned, or
19 any member of the armed forces, to carry out any
20 responsibility or duty in a fair and objective manner;

21 “(3) does not compromise the integrity or ap-
22 pearance of integrity of any program of the military
23 department concerned, or any individual involved in
24 such a program;

1 “(4) does not include the participation of any
2 cadet or midshipman, other than participation in an
3 honor guard at an event of the covered foundation;

4 “(5) complies with the Joint Ethics Regulation;
5 and

6 “(6) has been reviewed and approved by an at-
7 torney of the military department concerned.

8 “(c) BRIEFING.—In any fiscal year during which the
9 Superintendent of a Service Academy exercises the author-
10 ity under subsection (a), the Secretary of the military de-
11 partment concerned shall provide a briefing not later than
12 the last day of that fiscal year to the Committees on
13 Armed Services of the Senate and House of Representa-
14 tives regarding the number of events or activities of a cov-
15 ered foundation supported by such exercise during such
16 fiscal year.

17 “(d) DEFINITIONS.—In this section:

18 “(1) The term ‘covered foundation’ means a
19 charitable, educational, or civic nonprofit organiza-
20 tion under section 501(c)(3) of the Internal Revenue
21 Code of 1986, that the Secretary concerned deter-
22 mines operates exclusively to support, with respect
23 to a Service Academy, any of the following:

24 “(A) Recruiting.

25 “(B) Parent or alumni development.

1 “(C) Academic, leadership, or character
2 development.

3 “(D) Institutional development.

4 “(E) Athletics.

5 “(2) The term ‘Service Academy’ has the mean-
6 ing given such term in section 347 of this title.”.

7 (b) CLERICAL AMENDMENT.—The table of sections
8 at the beginning of such subchapter is amended by insert-
9 ing after the item relating to item 2245 the following new
10 item:

 “2246. Authorization of certain support for military service academy founda-
 tions.”.

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