

AMENDMENT NO. \_\_\_\_\_ Calendar No. \_\_\_\_\_

Purpose: To prohibit the Department of Defense from entering into contracts to facilitate payments for honoring members of the Armed Forces at sporting events.

**IN THE SENATE OF THE UNITED STATES—114th Cong., 1st Sess.**

**H. R. 1735**

To authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

Referred to the Committee on \_\_\_\_\_ and  
ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT intended to be proposed by Mr. MCCAIN (for himself, Mr. BLUMENTHAL, and Mr. FLAKE) to the amendment (No. 1463) proposed by Mr. MCCAIN

Viz:

1       Insert after section 342 the following:

2   **SEC. 342A. PROHIBITION ON CONTRACTS TO FACILITATE**

3                   **PAYMENTS FOR HONORING MEMBERS OF**

4                   **THE ARMED FORCES AT SPORTING EVENTS.**

5       (a) SENSE OF SENATE.—It is the sense of the Senate

6 that—

1           (1) the Army National Guard has paid profes-  
2           sional sports organizations to honor members of the  
3           Armed Forces;

4           (2) any organization wishing to honor members  
5           of the Armed Forces should do so on a voluntary  
6           basis, and the Department of Defense should take  
7           action to ensure that no payments be made for such  
8           activities in the future; and

9           (3) any organization, including the National  
10          Football League, that has accepted taxpayer funds  
11          to honor members of the Armed Forces should con-  
12          sider directing an equivalent amount of funding in  
13          the form of a donation to a charitable organization  
14          that supports members of the Armed Forces, vet-  
15          erans, and their families.

16         (b) PROHIBITION.—

17           (1) IN GENERAL.—Subchapter I of chapter 134  
18           of title 10, United States Code, is amended by in-  
19           serting after section 2241a the following new sec-  
20           tion:

21         “§ 2241b. **Prohibition on contracts providing pay-**  
22                                 **ments for activities to honor members of**  
23                                 **the armed forces**

24           “(a) PROHIBITION.—The Department of Defense  
25           may not enter into any contract or other agreement under

1 which payments are to be made in exchange for activities  
2 by the contractor intended to honor, or giving the appear-  
3 ance of honoring, members of the armed forces (whether  
4 members of the regular components or the reserve compo-  
5 nents) at any form of sporting event.

6 “(b) CONSTRUCTION.—Nothing in subsection (a)  
7 shall be construed as prohibiting the Department from  
8 taking actions to facilitate activities intended to honor  
9 members of the armed forces at sporting events that are  
10 provided on a pro bono basis or otherwise funded with  
11 non-Federal funds if such activities are provided and re-  
12 ceived in accordance with applicable rules and regulations  
13 regarding the acceptance of gifts by the military depart-  
14 ments, the armed forces, and members of the armed  
15 forces.”.

16 (2) CLERICAL AMENDMENT.—The table of sec-  
17 tions at the beginning of subchapter I of chapter  
18 134 of such title is amended by inserting after the  
19 item relating to section 2241a the following new  
20 item:

“2241b. Prohibition on contracts providing payments for activities to honor  
members of the armed forces at sporting events.”.