

115TH CONGRESS
1ST SESSION

H. R. 2850

To establish the Military Resale Patron Benefits Advisory Commission, and
for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 8, 2017

Mr. JONES (for himself and Mr. WALZ) introduced the following bill; which
was referred to the Committee on Armed Services

A BILL

To establish the Military Resale Patron Benefits Advisory
Commission, and for other purposes.

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 Patron Pro-
5 tection Act of 2017”.

6 **SEC. 2. MILITARY RESALE PATRON BENEFITS ADVISORY**
7 **COMMISSION.**

8 (a) ESTABLISHMENT.—There is established a com-
9 mission to be known as the “Military Resale Patron Bene-

1 fits Advisory Commission” (in this Act referred to as “the
2 Commission”).

3 (b) DUTIES.—The duties of the Commission shall be
4 to advise the Secretary of Defense regarding—

5 (1) the effects of the operations of military
6 commissaries and exchanges on—

7 (A) patrons of military commissaries and
8 exchanges; and

9 (B) morale, welfare and recreation pro-
10 grams;

11 (2) the sources and uses of revenue from mili-
12 tary commissaries and exchanges, including sur-
13 charge funding;

14 (3) fulfillment of the requirements under Sec-
15 tion 661 of the National Defense Authorization Act
16 for Fiscal Year 2017 (Public Law 114–840);

17 (4) proposed reforms to the operations of mili-
18 tary commissaries and exchanges that could effect—

19 (A) the use of revenue from military com-
20 missaries and exchanges (including surcharge
21 funding);

22 (B) the morale, welfare and recreation pro-
23 grams provided for members of the Armed
24 Forces and their dependents; and

1 (C) philanthropic programs that benefit
2 members of the Armed Forces and their fami-
3 lies; and

4 (5) the possible effects of such reforms on the
5 morale of members of the Armed Forces and their
6 dependents.

7 (c) MEMBERSHIP.—

8 (1) NUMBER AND APPOINTMENT.—The Com-
9 mission shall be comprised of seven members, ap-
10 pointed by the Secretary of Defense from military or
11 veterans service organizations to represent the inter-
12 ests of patrons and beneficiaries of military com-
13 missaries and exchanges.

14 (2) TERMS.—

15 (A) IN GENERAL.—Each member shall be
16 appointed for a term of one year, subject to re-
17 newal by the Secretary of Defense.

18 (B) VACANCIES.—A vacancy in the Com-
19 mission shall be filled in the manner in which
20 the original appointment was made.

21 (3) PAY.—Members of the Commission shall
22 serve without pay.

23 (4) TRAVEL EXPENSES.—Each member shall
24 receive travel expenses, including per diem in lieu of
25 subsistence.

1 (5) CHAIRPERSON.—Members of the Commis-
2 sion shall elect a Chairperson.

3 (6) MEETINGS.—The Commission shall meet at
4 the call of the Chairperson.

5 (d) DIRECTOR AND STAFF OF COMMISSION; EX-
6 PERTS AND CONSULTANTS.—

7 (1) DIRECTOR.—The Secretary of Defense shall
8 appoint a member of the Armed Forces to serve as
9 the Director of the Commission.

10 (2) EXPERTS AND CONSULTANTS.—With the
11 approval of the Commission, the Director may pro-
12 cure temporary and intermittent services under sec-
13 tion 3109(b) of title 5, United States Code.

14 (3) STAFF OF FEDERAL AGENCIES.—Upon re-
15 quest of the Commission, the head of any Federal
16 department or agency may detail, on a reimbursable
17 basis, any of the personnel of that department or
18 agency to the Commission to assist it in carrying out
19 its duties under this Act.

20 (e) POWERS OF COMMISSION.—

21 (1) HEARINGS AND SESSIONS.—The Commis-
22 sion may, for the purpose of carrying out this Act,
23 hold hearings, sit and act at times and places, take
24 testimony, and receive evidence as the Commission
25 considers appropriate.

1 (2) OBTAINING OFFICIAL DATA.—The Commis-
2 sion may secure directly from any department or
3 agency of the United States information necessary
4 to enable it to carry out this Act. Upon request of
5 the Chairperson of the Commission, the head of that
6 department or agency shall furnish that information
7 to the Commission.

8 (3) MAILS.—The Commission may use the
9 United States mails in the same manner and under
10 the same conditions as other departments and agen-
11 cies of the United States.

12 (4) ADMINISTRATIVE SUPPORT SERVICES.—
13 Upon request of the Commission, the Administrator
14 of General Services shall provide to the Commission,
15 on a reimbursable basis, the administrative support
16 services necessary for the Commission to carry out
17 its responsibilities under this Act.

18 (f) REPORTS.—

19 (1) INTERIM REPORTS.—The Commission may
20 submit to the Secretary of Defense interim reports
21 as the Commission considers appropriate.

22 (2) FINAL REPORT.—The Commission shall
23 transmit a final report to the President and the
24 Congress not later than the day on which the Com-
25 mission terminates under subsection (g). The final

1 report shall contain a detailed statement of the find-
2 ings and conclusions of the Commission, together
3 with its recommendations for legislation or adminis-
4 trative actions the Commission considers appro-
5 priate.

6 (g) TERMINATION.—Section 14(a)(2)(B) of the Fed-
7 eral Advisory Committee Act (5 U.S.C. App.; relating to
8 the termination of advisory committees) notwithstanding,
9 the Commission shall terminate upon the day that is five
10 years after the date of the enactment of this Act.

11 **SEC. 3. REPORTS.**

12 (a) IN GENERAL.—Not later than March 1, 2018,
13 and annually thereafter for the subsequent four calendar
14 years, the Secretary of Defense shall submit to the Con-
15 gress an annual report regarding the following:

16 (1) The use of funds generated by military com-
17 missaries and exchanges other than to—

18 (A) cover capital costs of such military
19 commissaries and exchanges;

20 (B) support morale, welfare and recreation
21 programs;

22 (C) provide services directly to members of
23 the Armed Services or their families; or

24 (D) support operations in a forward de-
25 ployed or tactical environment.

1 (2) The constitution and purpose of the respec-
2 tive boards of directors of the Military Exchanges
3 and Commissary Operations and any determination
4 by any such board to use proceeds covered in a re-
5 port under paragraph (1).

6 (3) Responses of the Secretary to any findings
7 or proposals of the Commission.

8 (4) Actions described in subsection (b), (c), or
9 (d).

10 (b) NOTIFICATION BEFORE CERTAIN EXPENDI-
11 TURES.—The Secretary of Defense shall notify the Com-
12 mittees on Armed Services of the House of Representa-
13 tives and the Senate and the Committees on Appropria-
14 tions of the House of Representatives and the Senate no
15 later than 90 days before expending any funds generated
16 by a military commissary or exchange for a purpose other
17 than those named in subsection (a)(1).

18 (c) NOTIFICATION BEFORE ACTIONS THAT REDUCE
19 CERTAIN CONTRACTS.—The Secretary of Defense shall
20 notify the Committees on Armed Services of the House
21 of Representatives and the Senate no later than 90 days
22 before taking any action that would result in the reduction
23 of a contract awarded by the Defense Commissary Agency
24 that has been awarded to—

1 (1) a small, veteran-owned, woman-owned, or
2 disadvantaged business concern;

3 (2) a qualified nonprofit agency for the blind
4 under section 8501(7) of title 41, United States
5 Code; or

6 (3) a qualified nonprofit agency for other se-
7 verely disabled under section 8501(6) of title 41,
8 United States Code.

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