

**AMENDMENT TO THE RULES COMMITTEE PRINT
FOR H.R. 4435, AS REPORTED
OFFERED BY MR. POSEY OF FLORIDA**

At the end of title X, add the following:

1 **SEC. 10 __ . TRANSPORTATION OF SUPPLIES TO MEMBERS**
2 **OF THE ARMED FORCES FROM NONPROFIT**
3 **ORGANIZATIONS.**

4 (a) IN GENERAL.—Chapter 20 of title 10, United
5 States Code, is amended by inserting after section 402 the
6 following new section:

7 **“§ 403. Transportation of supplies from nonprofit or-**
8 **ganizations**

9 “(a) AUTHORIZATION OF TRANSPORTATION.—Not-
10 withstanding any other provision of law, and subject to
11 subsection (b), the Secretary of Defense may transport to
12 any country, without charge, supplies that have been fur-
13 nished by a nonprofit organization and that are intended
14 for distribution to members of the armed forces. Such sup-
15 plies may be transported only on a space available basis.

16 “(b) LIMITATIONS.—(1) The Secretary may not
17 transport supplies under subsection (a) unless the Sec-
18 retary determines that—

1 “(A) the transportation of the supplies is con-
2 sistent with the policies of the United States;

3 “(B) the supplies are suitable for distribution to
4 members of the armed forces and are in usable con-
5 dition;

6 “(C) there is a legitimate need for the supplies
7 by the members of the armed forces for whom they
8 are intended; and

9 “(D) adequate arrangements have been made
10 for the distribution and use of the supplies.

11 “(2) PROCEDURES.—The Secretary shall establish
12 procedures for making the determinations required under
13 paragraph (1). Such procedures shall include inspection
14 of supplies before acceptance for transport.

15 “(3) PREPARATION.—It shall be the responsibility of
16 the nonprofit organization requesting the transport of sup-
17 plies under this section to ensure that the supplies are
18 suitable for transport.

19 “(c) DISTRIBUTION.—Supplies transported under
20 this section may be distributed by the United States Gov-
21 ernment or a nonprofit organization.

22 “(d) DEFINITION OF NONPROFIT ORGANIZATION.—
23 In this section, the term ‘nonprofit organization’ means
24 an organization described in section 501(c)(3) of the In-

1 ternal Revenue Code of 1986 and exempt from tax under
2 section 501(a) of such Code.”.

3 (b) CLERICAL AMENDMENT.—The table of sections
4 at the beginning of chapter 20 of such title is amended
5 by inserting after the item relating to section 402 the fol-
6 lowing new item:

“403. Transportation of supplies from nonprofit organizations.”.

