

119TH CONGRESS
1ST SESSION

S. 3266

To support the athletic programs of the United States Merchant Marine Academy.

IN THE SENATE OF THE UNITED STATES

NOVEMBER 20, 2025

Mr. WICKER (for himself and Mr. KELLY) introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

A BILL

To support the athletic programs of the United States Merchant Marine 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 “USMMA Athletics Act
5 of 2025”.

6 **SEC. 2. SUPPORT FOR ATHLETIC PROGRAMS OF UNITED**
7 **STATES MERCHANT MARINE ACADEMY.**

8 (a) CORPORATION ESTABLISHMENT.—

9 (1) AUTHORITY.—The Secretary of Transpor-
10 tation (referred to in this section as the “Sec-

retary”) may establish, in accordance with the laws of the State of New York, a corporation (in this section referred to as the “corporation”) to support the athletic programs of the United States Merchant Marine Academy.

(2) OWNERSHIP.—All stock of the corporation shall be owned by the United States and held in the name of, and subject to be voted by, the Secretary.

(3) PURPOSE.—The corporation shall operate exclusively for charitable, educational, and civic purposes to support the athletic programs of the United States Merchant Marine Academy.

(b) CORPORATE ORGANIZATION.—The corporation shall be organized and operated—

(1) as a nonprofit corporation under section 501(c)(3) of the Internal Revenue Code of 1986;

(2) in accordance with this section; and

(3) pursuant to the laws of the State of New York, its articles of incorporation, and its bylaws.

(c) CORPORATE BOARD OF DIRECTORS.—

(1) LIMITATION ON COMPENSATION.—The members of the board of directors of the corporation shall serve without compensation as members of the board, except for reasonable travel and other related expenses for attendance at meetings of the board.

1 (2) DEPARTMENT OF TRANSPORTATION EM-
2 PLOYEE MEMBERSHIP.—

3 (A) IN GENERAL.—The Secretary may au-
4 thorize employees of the Department of Trans-
5 portation to serve, in their official capacities, as
6 members of the board of directors of the cor-
7 poration—

8 (i) for the sole purpose of providing
9 oversight and advice to, and in coordina-
10 tion with, the corporation; and

11 (ii) to carry out any activities of the
12 board other than those activities that con-
13 stitute participation in the day-to-day oper-
14 ations of the corporation.

15 (B) LIMITATION.—Employees serving as a
16 member of the board of directors pursuant to
17 an authorization under subparagraph (A) may
18 not hold more than one-third of the director-
19 ships.

20 (C) APPLICABILITY OF LIMITATION ON
21 COMPENSATION.—An employee serving as a
22 member of the board of directors shall be sub-
23 ject to the limitation on compensation under
24 paragraph (1).

25 (d) CONTRACTS AND COOPERATIVE AGREEMENTS.—

1 (1) IN GENERAL.—The Secretary may enter the
2 corporation into contracts and cooperative agree-
3 ments for the purpose of supporting the athletic pro-
4 grams of the United States Merchant Marine Acad-
5 emy.

6 (2) SOLE-SOURCE CONTRACTS.—Notwith-
7 standing section 3105 of title 41, United States
8 Code, a contract or cooperative agreement entered
9 into under paragraph (1) may be a sole-source con-
10 tract, subject to section 3304(a) of such title.

11 (3) ACQUISITIONS.—Notwithstanding chapter
12 63 of title 31, United States Code, a cooperative
13 agreement under this section may be used to acquire
14 property, services, or travel for the direct benefit or
15 use of the United States Merchant Marine Academy.

16 (e) LEASES.—For the purpose of supporting the ath-
17 letic programs of the United States Merchant Marine
18 Academy, in consultation with the Administrator of Gen-
19 eral Services, the Secretary may rent or lease to the cor-
20 poration any real property located at the United States
21 Merchant Marine Academy—

22 (1) under such terms and conditions as are
23 deemed advisable;

24 (2) for a period not exceeding 5 years;

1 (3) so long as such real property is not required
2 for immediate use by the United States Merchant
3 Marine Academy; and

4 (4) so long as all proceeds from such rental or
5 lease be retained and expended in accordance with
6 subsection (j).

7 (f) SUPPORT SERVICES.—

8 (1) AUTHORITY.—To the extent required by a
9 contract or cooperative agreement under subsection
10 (d), the Secretary may provide support services to
11 the corporation while the corporation conducts sup-
12 port activities at the United States Merchant Marine
13 Academy only if the Secretary determines that the
14 provision of such services is essential for the support
15 of the athletic programs of the United States Mer-
16 chant Marine Academy.

17 (2) NO LIABILITY OF THE UNITED STATES.—
18 The provision of support services under paragraph
19 (1) may not result in any liability for the United
20 States to the corporation.

21 (3) SUPPORT SERVICES DEFINED.—In this sub-
22 section, the term “support services” includes utili-
23 ties, office furnishings and equipment, communica-
24 tions services, records staging and archiving, audio

1 and video support, and security systems, in conjunc-
2 tion with the leasing or licensing of property.

3 (g) TRANSFERS FROM NONAPPROPRIATED FUND
4 OPERATION.—

5 (1) IN GENERAL.—Except as provided in para-
6 graph (2), the Secretary may, subject to the accept-
7 ance of the corporation, transfer to the corporation
8 all title to and ownership of the assets and liabilities
9 of the Department of Transportation non-
10 appropriated fund instrumentality, the function of
11 which includes providing support for the athletic
12 programs of the United States Merchant Marine
13 Academy, including bank accounts and financial re-
14 serves in the accounts of such fund instrumentality,
15 equipment, supplies, and other personal property.

16 (2) LIMITATION.—In making a transfer under
17 paragraph (1), the Secretary may not transfer any
18 interest in real property.

19 (h) ACCEPTANCE OF SUPPORT.—

20 (1) IN GENERAL.—Notwithstanding section
21 1342 of title 31, United States Code, the Secretary
22 may accept from the corporation funds, supplies,
23 and services for the support of the athletic programs
24 of the United States Merchant Marine Academy.

1 (2) EMPLOYEES OF THE CORPORATION.—For
2 purposes of this section, employees or personnel of
3 the corporation are not employees of the United
4 States.

5 (3) FUNDS RECEIVED FROM OTHER
6 SOURCES.—To support the athletic programs of the
7 United States Merchant Marine Academy, the Sec-
8 retary may accept funds from the National Colle-
9 giate Athletic Association, funds from athletic con-
10 ferences, game guarantees from other educational
11 institutions, fees for ticketing and licensing, and any
12 other consideration provided incidental to the execu-
13 tion of the athletic programs of the United States
14 Merchant Marine Academy.

15 (4) LIMITATION.—The Secretary shall ensure
16 that contributions under this subsection and expend-
17 iture of funds pursuant to subsection (j) do not—

18 (A) reflect unfavorably on the ability of the
19 Department of Transportation, or any employee
20 of the Department of Transportation, to carry
21 out any responsibility or duty of the Depart-
22 ment in a fair and objective manner; or

23 (B) compromise the integrity or appear-
24 ance of integrity of any program of the Depart-

1 ment of Transportation, or any individual in-
2 volved in such a program.

3 (i) TRADEMARKS AND SERVICE MARKS.—

4 (1) LICENSING, MARKETING, AND SPONSORSHIP
5 AGREEMENTS.—Subject to paragraph (2), a contract
6 or cooperative agreement under subsection (d) may,
7 consistent with section 109(h)(2) of title 49, United
8 States Code, include an authorization for the cor-
9 poration to enter into licensing, marketing, and
10 sponsorship agreements (subject to the approval of
11 the Secretary) relating to trademarks and service
12 marks identifying the United States Merchant Ma-
13 rine Academy.

14 (2) LIMITATIONS.—The corporation may not
15 enter into any licensing, marketing, or sponsorship
16 agreement pursuant to authority provided under
17 paragraph (1) that—

18 (A) may reflect unfavorably on the ability
19 of the Department of Transportation, or any
20 employee of the Department of Transportation,
21 to carry out any responsibility or duty of the
22 Department in a fair and objective manner; or

23 (B) the Secretary determines involves use
24 of the trademark or service mark would com-
25 promise the integrity or appearance of integrity

1 of any program of the Department of Transpor-
2 tation or any individual involved in such a pro-
3 gram.

4 (j) RETENTION AND USE OF FUNDS.—Funds re-
5 ceived by the Secretary under this section may be retained
6 for use to support the athletic programs of the United
7 States Merchant Marine Academy and shall remain avail-
8 able until expended.

9 (k) LICENSING AUTHORITY.—Section 109(h) of title
10 49, United States Code, is amended by striking paragraph
11 (2) and inserting the following:

12 “(2) LICENSING OF INTELLECTUAL PROP-
13 ERTY.—

14 “(A) AUTHORITY.—The Secretary may li-
15 cense trademarks and service marks owned or
16 controlled by the Secretary with respect to the
17 United States Merchant Marine Academy and
18 may retain and expend fees received from such
19 licensing in accordance with this paragraph.

20 “(B) DESIGNATED MARKS.—The Secretary
21 shall designate the trademarks and service
22 marks with respect to which the Secretary will
23 exercise the authority to retain licensing fees
24 under this paragraph.

1 “(C) USE OF FEES.—The Secretary shall
2 use fees retained under this paragraph for the
3 following purposes:

4 “(i) For payment of costs incurred by
5 the Secretary of securing trademark reg-
6 istrations and of operating the licensing
7 program under this paragraph.

8 “(ii) For recruiting activities of the
9 United States Merchant Marine Academy
10 under the jurisdiction of the Secretary, to
11 the extent that the total amount of the li-
12 censing fees available under this section for
13 a fiscal year exceed the total amount need-
14 ed for such fiscal year under paragraph
15 (1).

16 “(D) AVAILABILITY.—Fees received in a
17 fiscal year and retained under this paragraph
18 shall be available until expended.

19 “(E) DEFINITIONS.—In this paragraph,
20 the terms ‘trademark’ and ‘service mark’ have
21 the meanings given such terms, respectively, in
22 section 45 of the Act of July 5, 1946 (com-
23 monly referred to as the ‘Trademark Act of
24 1946’; 15 U.S.C. 1127).”.

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