

115TH CONGRESS
2D SESSION

S. 3201

To amend title 10, United States Code, to extend certain morale, welfare, and recreation privileges to certain veterans and their caregivers, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JULY 12, 2018

Mr. SCHATZ (for himself and Mr. BOOZMAN) introduced the following bill;
which was read twice and referred to the Committee on Armed Services

A BILL

To amend title 10, United States Code, to extend certain morale, welfare, and recreation privileges to certain veterans and their caregivers, 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 “Purple Heart and Dis-
5 abled Veterans Equal Access Act of 2018”.

1 **SEC. 2. EXTENSION OF CERTAIN MORALE, WELFARE, AND**
2 **RECREATION PRIVILEGES TO CERTAIN VET-**
3 **ERANS AND THEIR CAREGIVERS.**

4 (a) FINDINGS.—Congress makes the following find-
5 ings:

6 (1) In 2017, the Secretary of Defense deter-
7 mined that the addition of new patron categories to
8 the commissary and exchange systems would support
9 the growth of a robust customer base and help en-
10 sure the ability of both systems to provide benefits
11 to members of the Armed Forces and their families.

12 (2) The Secretary previously opposed extending
13 commissary and exchange privileges to large patron
14 groups such as disabled veterans.

15 (3) In January 2017, the Secretary of Defense
16 approved limited online exchange shopping privileges
17 for all veterans, effective November 11, 2017.

18 (4) The Secretary determined that current pa-
19 trons of exchanges did not perceive the extension of
20 such privileges as diluting the benefit for members
21 of the Armed Forces.

22 (5) The Purple Heart is the oldest military
23 decoration, awarded to members of the Armed
24 Forces who have been wounded or died in combat,
25 fighting for the United States. Since the modern in-
26 carnation of the award was established in 1932, ap-

1 proximately 1,800,000 members of the Armed
2 Forces have been awarded the Purple Heart.

3 (b) COMMISSARY STORES AND MWR FACILITIES
4 PRIVILEGES FOR CERTAIN VETERANS AND VETERAN
5 CAREGIVERS.—

6 (1) EXTENSION OF PRIVILEGES.—Chapter 54
7 of title 10, United States Code, is amended by add-
8 ing at the end the following new section:

9 **“§ 1065. Use of commissary stores and MWR facilities:**
10 **certain veterans and caregivers for vet-**
11 **erans**

12 “(a) ELIGIBILITY OF VETERANS WHO ARE MEDAL
13 OF HONOR RECIPIENTS.—A veteran who is a Medal of
14 Honor recipient shall be permitted to use commissary
15 stores and MWR facilities on the same basis as a member
16 of the armed forces entitled to retired or retainer pay.

17 “(b) ELIGIBILITY OF VETERANS AWARDED THE
18 PURPLE HEART.—A veteran who was awarded the Purple
19 Heart shall be permitted to use commissary stores and
20 MWR facilities on the same basis as a member of the
21 armed forces entitled to retired or retainer pay.

22 “(c) ELIGIBILITY OF VETERANS WHO ARE FORMER
23 PRISONERS OF WAR.—A veteran who is a former prisoner
24 of war shall be permitted to use commissary stores and

1 MWR facilities on the same basis as a member of the
2 armed forces entitled to retired or retainer pay.

3 “(d) ELIGIBILITY OF VETERANS WITH SERVICE-
4 CONNECTED DISABILITIES.—A veteran with a service-
5 connected disability shall be permitted to use commissary
6 stores and MWR facilities on the same basis as a member
7 of the armed forces entitled to retired or retainer pay.

8 “(e) ELIGIBILITY OF CAREGIVERS FOR VETERANS.—
9 A caregiver or family caregiver shall be permitted to use
10 commissary stores and MWR facilities on the same basis
11 as a member of the armed forces entitled to retired or
12 retainer pay.

13 “(f) USER FEE AUTHORITY.—(1) The Secretary of
14 Defense shall prescribe regulations that impose a user fee
15 on individuals who are eligible solely under this section
16 to purchase merchandise at a commissary store or MWR
17 retail facility.

18 “(2) The Secretary shall set the user fee under this
19 subsection at a rate that the Secretary determines will off-
20 set any increase in expenses arising from this section
21 borne by the Department of the Treasury on behalf of
22 commissary stores associated with the use of credit or
23 debit cards for customer purchases, including expenses re-
24 lated to card network use and related transaction proc-
25 essing fees.

1 “(3) The Secretary shall deposit funds collected pur-
 2 suant to a user fee under this subsection in the General
 3 Fund of the Treasury.

4 “(4) Any fee under this subsection is in addition to
 5 the uniform surcharge under section 2484(d) of this title.

6 “(g) DEFINITIONS.—In this section:

7 “(1) The term ‘MWR facilities’ includes—

8 “(A) MWR retail facilities, as that term is
 9 defined in section 1063(e) of this title; and

10 “(B) military lodging operated by the De-
 11 partment of Defense for the morale, welfare,
 12 and recreation of members of the armed forces.

13 “(2) The term ‘Medal of Honor recipient’ has
 14 the meaning given that term in section 1074h(e) of
 15 this title.

16 “(3) The terms ‘veteran’, ‘former prisoner of
 17 war’, and ‘service-connected’ have the meanings
 18 given those terms in section 101 of title 38.

19 “(4) The terms ‘caregiver’ and ‘family care-
 20 giver’ have the meanings given those terms in sec-
 21 tion 1720G(d) of title 38.”.

22 (2) CLERICAL AMENDMENT.—The table of sec-
 23 tions at the beginning of chapter 54 of such title is
 24 amended by adding at the end the following new
 25 item:

“1065. Use of commissary stores and MWR facilities: certain veterans and caregivers for veterans.”.

1 (3) EFFECTIVE DATE.—Section 1065 of title
2 10, United States Code, as added by paragraph (1),
3 shall take effect at the end of the 90-day period be-
4 ginning on the date of the enactment of this Act.

5 (c) AUTHORIZATION OF APPROPRIATIONS FOR UP-
6 DATING EPACS FOR MILITARY COMMISSARIES.—There is
7 hereby authorized to be appropriated for fiscal year 2019
8 for the Department of Defense, \$500,000 for updating the
9 electronic physical access control system used by military
10 commissaries and exchanges so that the system may rec-
11 ognize and accept veteran health identification cards.

12 (d) SENSE OF CONGRESS ON INDIVIDUALS AWARDED
13 THE PURPLE HEART.—It is the sense of Congress that
14 the Secretary of Defense, in coordination with the Sec-
15 retary of Veterans Affairs, should maintain a list of all
16 individuals awarded the Purple Heart.

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