

In the Senate of the United States,

October 24 (legislative day, September 22), 2000.

Resolved, That the bill from the House of Representatives (H.R. 5314) entitled “An Act to amend title 10, United States Code, to facilitate the adoption of retired military working dogs by law enforcement agencies, former handlers of these dogs, and other persons capable of caring for these dogs.”, do pass with the following

AMENDMENT:

Strike out all after the enacting clause and insert:

1 ***SECTION 1. PROMOTION OF ADOPTION OF MILITARY WORK-***
2 ***ING DOGS.***

3 *(a) ADOPTION OF MILITARY WORKING DOGS.—Chap-*
4 *ter 153 of title 10, United States Code, is amended by add-*
5 *ing at the end the following new section:*

6 ***“§2582. Military working dogs: transfer and adoption***
7 ***at end of useful working life***

8 *“(a) AVAILABILITY FOR ADOPTION.—The Secretary of*
9 *Defense may make a military working dog of the Depart-*

1 *ment of Defense available for adoption by a person or entity*
2 *referred to in subsection (c) at the end of the dog's useful*
3 *working life or when the dog is otherwise excess to the needs*
4 *of the Department, unless the dog has been determined to*
5 *be unsuitable for adoption under subsection (b).*

6 “(b) *SUITABILITY FOR ADOPTION.*—*The decision*
7 *whether a particular military working dog is suitable or*
8 *unsuitable for adoption under this section shall be made*
9 *by the commander of the last unit to which the dog is as-*
10 *signed before being declared excess. The unit commander*
11 *shall consider the recommendations of the unit's veteri-*
12 *narian in making the decision regarding a dog's adopt-*
13 *ability.*

14 “(c) *AUTHORIZED RECIPIENTS.*—*Military working*
15 *dogs may be adopted under this section by law enforcement*
16 *agencies, former handlers of these dogs, and other persons*
17 *capable of humanely caring for these dogs.*

18 “(d) *CONSIDERATION.*—*The transfer of a military*
19 *working dog under this section may be without charge to*
20 *the recipient.*

21 “(e) *LIMITATIONS ON LIABILITY FOR TRANSFERRED*
22 *DOGS.*—(1) *Notwithstanding any other provision of law,*
23 *the United States shall not be subject to any suit, claim,*
24 *demand or action, liability, judgment, cost, or other fee*
25 *arising out of any claim for personal injury or property*

1 *damage (including death, illness, or loss of or damage to*
2 *property or other economic loss) that results from, or is in*
3 *any manner predicated upon, the act or omission of a*
4 *former military working dog transferred under this section,*
5 *including any training provided to the dog while a military*
6 *working dog.*

7 “(2) *Notwithstanding any other provision of law, the*
8 *United States shall not be liable for any veterinary expense*
9 *associated with a military working dog transferred under*
10 *this section for a condition of the military working dog be-*
11 *fore transfer under this section, whether or not such condi-*
12 *tion is known at the time of transfer under this section.*

13 “(f) *ANNUAL REPORT.—The Secretary shall submit to*
14 *Congress an annual report specifying the number of mili-*
15 *tary working dogs adopted under this section during the*
16 *preceding year, the number of these dogs currently awaiting*
17 *adoption, and the number of these dogs euthanized during*
18 *the preceding year. With respect to each euthanized mili-*
19 *tary working dog, the report shall contain an explanation*
20 *of the reasons why the dog was euthanized rather than re-*
21 *tained for adoption under this section.”.*

22 “(b) *CLERICAL AMENDMENT.—The table of sections at*
23 *the beginning of such chapter is amended by adding at the*
24 *end the following new item:*

“2582. *Military working dogs: transfer and adoption at end of useful working life.*”.

Attest:

Secretary.

106TH CONGRESS
2D SESSION

H. R. 5314

AMENDMENT