

106TH CONGRESS
2D SESSION

H. R. 5314

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.

106TH CONGRESS
2^D SESSION

H. R. 5314

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.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. PROMOTION OF ADOPTION OF MILITARY**
2 **WORKING DOGS.**

3 (a) ADOPTION OF MILITARY WORKING DOGS.—
4 Chapter 153 of title 10, United States Code, is amended
5 by adding 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
9 of Defense shall make a military working dog of the De-
10 partment of Defense available for adoption by a person
11 or entity referred to in subsection (c) at the end of the
12 dog’s useful working life or when the dog is otherwise ex-
13 cess to the needs of the Department, unless the dog has
14 been determined to be unsuitable for adoption under sub-
15 section (b).

16 “(b) SUITABILITY FOR ADOPTION.—The decision
17 whether a particular military working dog is suitable or
18 unsuitable for adoption under this section shall be made
19 by the commander of the last unit to which the dog is
20 assigned before being declared excess. The unit com-
21 mander shall consider the recommendations of the unit’s
22 veterinarian in making the decision regarding a dog’s
23 adoptability.

24 “(c) AUTHORIZED RECIPIENTS.—Military working
25 dogs may be adopted under this section by law enforce-

1 ment agencies, former handlers of these dogs, and other
2 persons capable of humanely caring for these dogs.

3 “(d) CONSIDERATION.—The Secretary may authorize
4 the transfer a military working dog under this section
5 without charge to the recipient.

6 “(e) LIMITATIONS ON LIABILITY FOR TRANSFERRED
7 DOGS.—Notwithstanding any other provision of law, the
8 United States shall not be subject to any suit, claim, de-
9 mand or action, liability, judgment, cost, or other fee aris-
10 ing out of any claim for personal injury or property dam-
11 age that results from, or is in any manner predicated
12 upon, the act or omission of a former military working
13 dog transferred under this section, including any training
14 provided to the dog while a military working dog.

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

1 (b) CLERICAL AMENDMENT.—The table of sections
2 at the beginning of such chapter is amended by adding
3 at the end the following new item:

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

Passed the House of Representatives October 10,
2000.

Attest:

Clerk.