

106<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 5314

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IN THE SENATE OF THE UNITED STATES

OCTOBER 11 (legislative day, SEPTEMBER 22), 2000

Received

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## 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:

JEFF TRANDAHL,

*Clerk.*