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113TH CONGRESS
2D SESSION

H. R. 5413

To amend title 10, United States Code, to require that Federal, State, and local agencies to which surplus military equipment and personal property is sold or donated demonstrate that agency personnel are certified, trained, or licensed, as appropriate, in the proper operation of the equipment prior to the sale or donation.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 8, 2014

Mr. JOLLY introduced the following bill; which was referred to the Committee on Armed Services

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A BILL

To amend title 10, United States Code, to require that Federal, State, and local agencies to which surplus military equipment and personal property is sold or donated demonstrate that agency personnel are certified, trained, or licensed, as appropriate, in the proper operation of the equipment prior to the sale or donation.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. REQUIREMENT THAT STATE AND LOCAL AGENCIES RECEIVE TRAINING IN PROPER OPERATION OF SURPLUS MILITARY EQUIPMENT AND PROPERTY PRIOR TO SALE OR TRANSFER OF EQUIPMENT BY DEPARTMENT OF DEFENSE.

(a) SALE TO STATE AND LOCAL LAW ENFORCEMENT, FIREFIGHTING, HOMELAND SECURITY, AND EMERGENCY MANAGEMENT AGENCIES.—Section 2576 of title 10, United States Code, is amended by adding at the end the following new subsection:

''(e) The Secretary of Defense shall require, as a condition of the sale of any surplus military equipment under this section, that the State or local law enforcement, firefighting, homeland security, or emergency management agency purchasing the equipment demonstrates, prior to the sale of the equipment, that agency personnel have been certified, trained, or licensed, as appropriate, in the proper operation of the equipment.''.

(b) SALE OR DONATION FOR LAW ENFORCEMENT ACTIVITIES.—Section 2576a(b) of such title is amended—

(1) in paragraph (3), by striking ''and'' at the end;

(2) in paragraph (4), by striking the period and inserting ''; and''; and

(3) by adding at the end the following new paragraph:

''(5) the recipient agency demonstrates, prior to the transfer, that agency personnel have been certified, trained, or licensed, as appropriate, in the proper operation of the property.''.

(c) SALE OR DONATION TO ASSIST FIREFIGHTING AGENCIES.—Section 2576b of such title is amended—

(1) in paragraph (3), by striking ''and'' at the end;

(2) in paragraph (4), by striking the period and inserting ''; and''; and

(3) by adding at the end the following new paragraph:

''(5) the recipient agency demonstrates, prior to the transfer, that agency personnel have been certified, trained, or licensed, as appropriate, in the proper operation of the property.''.

(d) EFFECTIVE DATE.—The amendments made by this Act shall apply with respect to the sale, transfer, or donation of property or equipment made after the date of the enactment of this Act.

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