

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

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.

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. REQUIREMENT THAT STATE AND LOCAL AGEN-**
2 **CIES RECEIVE TRAINING IN PROPER OPER-**
3 **ATION OF SURPLUS MILITARY EQUIPMENT**
4 **AND PROPERTY PRIOR TO SALE OR TRANS-**
5 **FER OF EQUIPMENT BY DEPARTMENT OF DE-**
6 **FENSE.**

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

12 “(c) The Secretary of Defense shall require, as a con-
13 dition of the sale of any surplus military equipment under
14 this section, that the State or local law enforcement, fire-
15 fighting, homeland security, or emergency management
16 agency purchasing the equipment demonstrates, prior to
17 the sale of the equipment, that agency personnel have been
18 certified, trained, or licensed, as appropriate, in the proper
19 operation of the equipment.”.

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

22 (1) in paragraph (3), by striking “and” at the
23 end;

24 (2) in paragraph (4), by striking the period and
25 inserting “; and”; and

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

3 “(5) the recipient agency demonstrates, prior to
4 the transfer, that agency personnel have been cer-
5 tified, trained, or licensed, as appropriate, in the
6 proper operation of the property.”.

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

9 (1) in paragraph (3), by striking “and” at the
10 end;

11 (2) in paragraph (4), by striking the period and
12 inserting “; and”; and

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

15 “(5) the recipient agency demonstrates, prior to
16 the transfer, that agency personnel have been cer-
17 tified, trained, or licensed, as appropriate, in the
18 proper operation of the property.”.

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

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