

pursuant to procedures prescribed by the Secretary of Defense.

(b) PROPERTY COVERED.—(1) The property authorized to be donated under subsection (a) is furniture and other personal property that—

(A) is in, or was formerly in, a chapel under the jurisdiction of the Secretary of a military department and closed or being closed; and

(B) is determined by the Secretary to be excess to the requirements of the armed forces.

(2) No real property may be donated under this section.

(c) DONEES NOT TO BE CHARGED.—No charge may be imposed by the Secretary of a military department on a donee of property under this section in connection with the donation. However, the donee shall agree to defray any expense for shipping or other transportation of property donated under this section from the location of the property when donated to any other location.

(Added Pub. L. 105–85, div. A, title X, §1063(a), Nov. 18, 1997, 111 Stat. 1892.)

REFERENCES IN TEXT

Section 501(c)(3) of the Internal Revenue Code of 1986, referred to in subsec. (a), is classified to section 501(c)(3) of Title 26, Internal Revenue Code.

§ 2581. Excess UH–1 Huey and AH–1 Cobra helicopters: requirements for transfer to foreign countries

(a) REQUIREMENTS.—(1) Before an excess UH–1 Huey helicopter or AH–1 Cobra helicopter is transferred on a grant or sales basis to a foreign country for the purpose of flight operations by that country, the Secretary of Defense shall make all reasonable efforts to ensure that the helicopter receives, to the extent necessary, maintenance and repair equivalent to the depot-level maintenance and repair (as defined in section 2460 of this title) that the helicopter would need were the helicopter to remain in operational use with the armed forces. Any such maintenance and repair work shall be performed at no cost to the Department of Defense.

(2) The Secretary shall make all reasonable efforts to ensure that maintenance and repair work described in paragraph (1) is performed in the United States.

(b) EXCEPTION.—Subsection (a) does not apply with respect to salvage helicopters provided to the foreign country solely as a source for spare parts.

(Added Pub. L. 105–261, div. A, title XII, §1234(a), Oct. 17, 1998, 112 Stat. 2156.)

[§ 2582. Repealed. Pub. L. 112–81, div. A, title X, § 1061(19)(A), Dec. 31, 2011, 125 Stat. 1584]

Section, added Pub. L. 106–398, §1 [[div. A], title III, §381(a)], Oct. 30, 2000, 114 Stat. 1654, 1654A–84, related to annual report of public sales of military equipment identified on United States munitions list.

CODIFICATION

Another section 2582 was renumbered section 2583 of this title.

§ 2583. Military animals: transfer and adoption

(a) AVAILABILITY FOR ADOPTION.—The Secretary of the military department concerned

may make a military animal of such military department available for adoption by a person or entity referred to in subsection (c), unless the animal has been determined to be unsuitable for adoption under subsection (b), under circumstances as follows:

(1) At the end of the animal's useful life.

(2) Before the end of the animal's useful life, if such Secretary, in such Secretary's discretion, determines that unusual or extraordinary circumstances, including circumstances under which the handler of a military working dog is killed in action, dies of wounds received in action, or is medically retired as a result of injuries received in action, justify making the animal available for adoption before that time.

(3) When the animal is otherwise excess to the needs of such military department.

(b) SUITABILITY FOR ADOPTION.—The decision whether a particular military animal is suitable or unsuitable for adoption under this section shall be made by the commander of the last unit to which the animal is assigned before being declared excess. The unit commander shall consider the recommendations of the unit's veterinarian in making the decision regarding the adoptability of the animal.

(c) AUTHORIZED RECIPIENTS.—Military animals may be adopted under this section by law enforcement agencies, former handlers of these animals, and other persons capable of humanely caring for these animals. If the Secretary of the military department concerned determines that an adoption is justified under subsection (a)(2) under circumstances under which the handler of a military working dog is wounded in action, the dog may be made available for adoption only by the handler. If the Secretary of the military department concerned determines that such an adoption is justified under circumstances under which the handler of a military working dog is killed in action or dies of wounds received in action, the military working dog shall be made available for adoption only by a parent, child, spouse, or sibling of the deceased handler.

(d) CONSIDERATION.—The transfer of a military animal under this section may be without charge to the recipient.

(e) LIMITATIONS ON LIABILITY FOR TRANSFERRED ANIMALS.—(1) Notwithstanding any other provision of law, the United States shall not be subject to any suit, claim, demand or action, liability, judgment, cost, or other fee arising out of any claim for personal injury or property damage (including death, illness, or loss of or damage to property or other economic loss) that results from, or is in any manner predicated upon, the act or omission of a former military animal transferred under this section, including any training provided to the animal while a military animal.

(2) Notwithstanding any other provision of law, the United States shall not be liable for any veterinary expense associated with a military animal transferred under this section for a condition of the military animal before transfer under this section, whether or not such condition is known at the time of transfer under this section.

(f) **MILITARY ANIMAL DEFINED.**—In this section, the term “military animal” means the following:

- (1) A military working dog.
- (2) A horse owned by the Department of Defense.

(Added Pub. L. 106-446, §1(a), Nov. 6, 2000, 114 Stat. 1932, §2582; renumbered §2583, Pub. L. 107-107, div. A, title X, §1048(a)(25), Dec. 28, 2001, 115 Stat. 1224; amended Pub. L. 109-163, div. A, title V, §599, Jan. 6, 2006, 119 Stat. 3284; Pub. L. 109-364, div. A, title III, §352(a), Oct. 17, 2006, 120 Stat. 2160; Pub. L. 110-181, div. A, title X, §1063(a)(13), Jan. 28, 2008, 122 Stat. 322; Pub. L. 112-81, div. A, title III, §351, title X, §1061(20), Dec. 31, 2011, 125 Stat. 1375, 1584.)

AMENDMENTS

2011—Subsec. (a)(2). Pub. L. 112-81, §351(1), inserted “, including circumstances under which the handler of a military working dog is killed in action, dies of wounds received in action, or is medically retired as a result of injuries received in action,” after “extraordinary circumstances”.

Subsec. (c). Pub. L. 112-81, §351(2), inserted at end “If the Secretary of the military department concerned determines that an adoption is justified under subsection (a)(2) under circumstances under which the handler of a military working dog is wounded in action, the dog may be made available for adoption only by the handler. If the Secretary of the military department concerned determines that such an adoption is justified under circumstances under which the handler of a military working dog is killed in action or dies of wounds received in action, the military working dog shall be made available for adoption only by a parent, child, spouse, or sibling of the deceased handler.”

Subsecs. (f), (g). Pub. L. 112-81, §1061(20), redesignated subsec. (g) as (f) and struck out former subsec. (f). Prior to amendment, text of subsec. (f) read as follows: “The Secretary of Defense shall submit to Congress an annual report specifying the number of military animals adopted under this section during the preceding year, the number of these animals currently awaiting adoption, and the number of these animals euthanized during the preceding year. With respect to each euthanized military animal, the report shall contain an explanation of the reasons why the animal was euthanized rather than retained for adoption under this section.”

2008—Subsec. (e). Pub. L. 110-181 substituted “ANIMALS” for “DOGS” in heading.

2006—Pub. L. 109-364, §352(a)(1), substituted “animals” for “working dogs” in section catchline.

Pub. L. 109-163, §599(d), struck out “at end of useful working life” after “adoption” in section catchline.

Subsec. (a). Pub. L. 109-364, §352(a)(2)–(4), substituted “animal’s” for “dog’s” in pars. (1) and (2) and “animal” for “dog” wherever appearing, and struck out “working” after “may make a military” in introductory provisions and after “useful” in pars. (1) and (2).

Pub. L. 109-163, §599(a), (b), substituted “Secretary of the military department concerned may” for “Secretary of Defense may”, “such military department” for “the Department of Defense”, and “, unless the dog has been determined to be unsuitable for adoption under subsection (b), under circumstances as follows:” and pars. (1) to (3) for “at the end of the dog’s useful working life or when the dog is otherwise excess to the needs of the Department, unless the dog has been determined to be unsuitable for adoption under subsection (b).”

Subsec. (b). Pub. L. 109-364, §352(a)(2), (3), (5), substituted “the adoptability of the animal” for “a dog’s adoptability” and “animal” for “dog” in two places and struck out “working” after “military”.

Subsec. (c). Pub. L. 109-364, §352(a)(2), (3), substituted “animals” for “dogs” wherever appearing and struck out “working” after “Military”.

Subsec. (d). Pub. L. 109-364, §352(a)(2), (3), substituted “animal” for “dog” and struck out “working” after “military”.

2006—Subsec. (e). Pub. L. 109-364, §352(a)(3), substituted “animal” for “dog” wherever appearing in text.

Pub. L. 109-364, §352(a)(2), struck out “working” after “military” wherever appearing.

Subsec. (f). Pub. L. 109-364, §352(a)(2), (3), substituted “animal” for “dog” in two places and “animals” for “dogs” wherever appearing and struck out “working” after “military” in two places.

Pub. L. 109-163, §599(c), inserted “of Defense” after “Secretary”.

Subsec. (g). Pub. L. 109-364, §352(a)(6), added subsec. (g).

2001—Pub. L. 107-107 renumbered section 2582 of this title as this section.

CHAPTER 155—ACCEPTANCE OF GIFTS AND SERVICES

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| <p>Sec.
2601.
2601a.

2602.
2603.
2604.
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2606.
2607.
2608.
[2609.
2610.
2611.
2612.
2613
2614.</p> | <p>General gift funds.
Direct acceptance of gifts by members of the armed forces and Department of Defense and Coast Guard employees and their families.
American National Red Cross: cooperation and assistance.
Acceptance of fellowships, scholarships, or grants.
United Seamen’s Service: cooperation and assistance.
Acceptance of gifts for defense dependents’ schools.
Scouting: cooperation and assistance in foreign areas.
Acceptance of gifts for the Defense Intelligence College.
Acceptance of contributions for defense programs, projects, and activities; Defense Cooperation Account.
[Repealed.]
Competitions for excellence: acceptance of monetary awards.
Regional centers for security studies: acceptance of gifts and donations.
National Defense University: acceptance of gifts.
Acceptance of frequent traveler miles, credits, points, and tickets: use to facilitate rest and recuperation travel of deployed members and their families.
Emergency communications equipment: acceptance from local public safety agencies for temporary use related to disasters.</p> |
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AMENDMENTS

2011—Pub. L. 112-81, div. A, title V, §576(d)(2), Dec. 31, 2011, 125 Stat. 1429, substituted “Acceptance of frequent traveler miles, credits, points, and tickets: use to facilitate rest and recuperation travel of deployed members and their families” for “Acceptance of frequent traveler miles, credits, and tickets; use to facilitate rest and recuperation travel of deployed members and their families” in item 2613.

Pub. L. 111-383, div. A, title V, §591(b), Jan. 7, 2011, 124 Stat. 4232, added item 2601a.

2006—Pub. L. 109-364, div. A, title X, §1071(a)(19)(B), Oct. 17, 2006, 120 Stat. 2399, renumbered item 2613 “Emergency communications equipment: acceptance from local public safety agencies for temporary use related to disasters” as 2614.

Pub. L. 109-163, div. A, title IX, §903(a)(2), Jan. 6, 2006, 119 Stat. 3399, substituted “Regional centers for security studies” for “Asia-Pacific Center for Security Studies” in item 2611.

2004—Pub. L. 108-375, div. A, title V, §585(a)(2), title X, §1051(b), Oct. 28, 2004, 118 Stat. 1931, 2054, added two items 2613.