

take from a theater of operations as a souvenir an object formerly in the possession of the enemy.

(3) Such regulations shall provide that a member of the armed forces who wishes to retain as a souvenir an object covered by paragraph (2) may so request at the time the object is turned over pursuant to paragraph (2).

(4) Such regulations shall provide for an officer to be designated to review requests under paragraph (3). If the officer determines that the object may be appropriately retained as a war souvenir, the object shall be turned over to the member who requested the right to retain it.

(5) Such regulations shall provide for captured weaponry to be retained as souvenirs, as follows:

(A) The only weapons that may be retained are those in categories to be agreed upon jointly by the Secretary of Defense and the Secretary of the Treasury.

(B) Before a weapon is turned over to a member, the weapon shall be rendered unserviceable.

(C) A charge may be assessed in connection with each weapon in an amount sufficient to cover the full cost of rendering the weapon unserviceable.

(Added Pub. L. 103-160, div. A, title XI, §1171(a)(1), Nov. 30, 1993, 107 Stat. 1765.)

#### REGULATIONS

Pub. L. 103-160, div. A, title XI, §1171(b), Nov. 30, 1993, 107 Stat. 1766, provided that: "The initial regulations required by section 2579 of title 10, United States Code, as added by subsection (a), shall be prescribed not later than 270 days after the date of enactment of this Act [Nov. 30, 1993]. Such regulations shall specifically address the following, consistent with section 2579 of title 10, United States Code, as added by subsection (a):

"(1) The general procedures for collection and disposition of weapons and other enemy material.

"(2) The criteria and procedures for evaluation and disposition of enemy material for intelligence, testing, or other military purposes.

"(3) The criteria and procedures for determining when retention of enemy material by an individual or a unit in the theater of operations may be appropriate.

"(4) The criteria and procedures for disposition of enemy material to a unit or other Department of Defense entity as a souvenir.

"(5) The criteria and procedures for disposition of enemy material to an individual as an individual souvenir.

"(6) The criteria and procedures for determining when demilitarization or the rendering unserviceable of firearms is appropriate.

"(7) The criteria and procedures necessary to ensure that servicemembers who have obtained battlefield souvenirs in a manner consistent with military customs, traditions, and regulations have a reasonable opportunity to obtain possession of such souvenirs, consistent with the needs of the service."

#### § 2580. Donation of excess chapel property

(a) **AUTHORITY TO DONATE.**—The Secretary of a military department may donate personal property specified in subsection (b) to an organization described in section 501(c)(3) of the Internal Revenue Code of 1986 that is a religious organization in order to assist the organization in restoring or replacing property of the organization that has been damaged or destroyed as a result of an act of arson or terrorism, as determined

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

shall 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.**—(1) A military animal shall be made available for adoption under this section, in order of recommended priority—

(A) by former handlers of the animal;

(B) by other persons capable of humanely caring for the animal; and

(C) by law enforcement agencies.

(2) 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 shall 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 con-

dition 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) **TRANSFER OF RETIRED MILITARY WORKING DOGS.**—(1) If the Secretary of the military department concerned determines that a military working dog should be retired the Secretary shall transfer the dog—

(A) to the 341st Training Squadron; or

(B) to another location within the United States for adoption under this section.

(2) Paragraph (1) shall not apply if at the time of retirement—

(A) the dog is located outside the United States and a United States citizen or service member living abroad adopts the dog; or

(B) the dog is located within the United States and suitable adoption is available where the dog is located.

(g) **PREFERENCE IN ADOPTION OF RETIRED MILITARY WORKING DOGS FOR FORMER HANDLERS.**—(1) In providing for the adoption under this section of a retired military working dog described in paragraph (1) or (3) of subsection (a), the Secretary of the military department concerned shall accord a preference to the former handler of the dog unless the Secretary determines that adoption of the dog by the former handler would not be in the best interests of the dog.

(2) In the case of a dog covered by paragraph (1) with more than one former handler seeking adoption of the dog at the time of adoption, the Secretary shall provide for the adoption of the dog by such former handler whose adoption of the dog will best serve the interests of the dog and such former handlers. The Secretary shall make any determination required by this paragraph with respect to a dog following consultation with the kennel master of the unit at which the dog was last located before adoption under this section.

(3) Nothing in this subsection shall be construed as altering, revising, or overriding any policy of a military department for the adoption of military working dogs by law enforcement agencies before the end of the dogs' useful lives.

(h) **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; Pub. L. 112-239, div. A, title III, §371(a), Jan. 2, 2013, 126 Stat. 1706; Pub. L. 113-66, div. A, title X, §1091(b)(2), Dec. 26, 2013, 127 Stat. 876; Pub. L. 114-92, div. A, title III, §342, Nov. 25, 2015, 129 Stat. 793.)

#### AMENDMENTS

2015—Subsec. (a). Pub. L. 114-92, §342(a), substituted "shall make" for "may make" in introductory provisions.

Subsec. (c). Pub. L. 114-92, §342(b), amended subsec. (c) generally. Prior to amendment, text read as follows: "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."

Subsec. (f). Pub. L. 114-92, §342(d)(1), (2), (4), designated existing provisions as par. (1), redesignated former pars. (1) and (2) as subpars. (A) and (B), respectively, of par. (1), and added par. (2).

Pub. L. 114-92, §342(c), substituted "shall transfer" for "may transfer" in introductory provisions.

Subsec. (f)(1). Pub. L. 114-92, §342(d)(3)(A), struck out ", and no suitable adoption is available at the military facility where the dog is located," after "should be retired" in introductory provisions.

Subsec. (f)(1)(B). Pub. L. 114-92, §342(d)(3)(B), inserted "within the United States" after "to another location".

Subsecs. (g), (h). Pub. L. 114-92, §342(e), added subsec. (g) and redesignated former subsec. (g) as (h).

2013—Subsecs. (f), (g). Pub. L. 112-239, §371(a), as amended by Pub. L. 113-66, §1091(b)(2), added subsec. (f) and redesignated former subsec. (f) as (g).

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 "Sec-

retary 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.

#### EFFECTIVE DATE OF 2013 AMENDMENT

Pub. L. 113-66, div. A, title X, §1091(b), Dec. 26, 2013, 127 Stat. 876, provided in part that the amendment made by section 1091(b)(2) is effective as of Jan. 2, 2013, and as if included in Pub. L. 112-239 as enacted.

### CHAPTER 155—ACCEPTANCE OF GIFTS AND SERVICES

Sec.	
2601.	General gift funds.
2601a.	Direct acceptance of gifts by members of the armed forces and Department of Defense and Coast Guard employees and their families.
2602.	American National Red Cross: cooperation and assistance.
2603.	Acceptance of fellowships, scholarships, or grants.
2604.	United Seamen's Service: cooperation and assistance.
2605.	Acceptance of gifts for defense dependents' schools.
2606.	Scouting: cooperation and assistance in foreign areas.
2607.	Acceptance of gifts for the Defense Intelligence College.
2608.	Acceptance of contributions for defense programs, projects, and activities; Defense Cooperation Account.
[2609.	Repealed.]
2610.	Competitions for excellence: acceptance of monetary awards.
2611.	Regional centers for security studies: acceptance of gifts and donations.
2612.	National Defense University: acceptance of gifts.
2613.	Acceptance of frequent traveler miles, credits, points, and tickets: use to facilitate rest and recuperation travel of deployed members and their families.
2614.	Emergency communications equipment: acceptance from local public safety agencies for temporary use related to disasters.
2615.	Military museums and military education programs: cooperative agreement authority.