AMENDMENT TO H.R. 4435, AS REPORTED
OFFERED BY MR. POE OF TEXAS

Page 370, after line 23, insert the following:

SEC. 1082. SENSE OF CONGRESS REGARDING THE TRANSFER OF USED MILITARY EQUIPMENT TO FEDERAL, STATE, AND LOCAL AGENCIES.

(a) SENSE OF CONGRESS.—It is the sense of Congress that the Secretary of Defense should make every reasonable effort, by not later than one year after the date on which a piece of eligible equipment returns to the United States, to transfer such eligible equipment to a Federal, State, or local agency in accordance with subsections (b) and (c) of section 2576a of title 10, United States Code.

(b) PREFERENCE.—In considering applications for the transfer of eligible equipment under section 2576a of title 10, United States Code, the Secretary of Defense may give a preference to Federal, State, and local agencies that plan to use such eligible equipment primarily for the purpose of strengthening border security along the international border between the United States and Mexico.
(c) ELIGIBLE EQUIPMENT.—For purposes of this section, the term “eligible equipment” means equipment of the Department of Defense that—

(1) was used in Operation Enduring Freedom, Operation Iraqi Freedom, or Operation New Dawn;

(2) the Secretary of Defense determines would be suitable for use by a Federal, State, or local agency in law enforcement activities, including—

(A) intelligence surveillance and reconnaissance equipment;

(B) night-vision goggles; and

(C) tactical wheeled vehicles; and

(3) the Secretary determines is excess to military requirements.