

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

Page 370, after line 23, insert the following:

1 **SEC. 1082. SENSE OF CONGRESS REGARDING THE TRANS-**  
2 **FER OF USED MILITARY EQUIPMENT TO FED-**  
3 **ERAL, STATE, AND LOCAL AGENCIES.**

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

12 (b) PREFERENCE.—In considering applications for  
13 the transfer of eligible equipment under section 2576a of  
14 title 10, United States Code, the Secretary of Defense may  
15 give a preference to Federal, State, and local agencies that  
16 plan to use such eligible equipment primarily for the pur-  
17 pose of strengthening border security along the inter-  
18 national border between the United States and Mexico.

1 (c) ELIGIBLE EQUIPMENT.—For purposes of this  
2 section, the term “eligible equipment” means equipment  
3 of the Department of Defense that—

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

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

9 (A) intelligence surveillance and reconnais-  
10 sance equipment;

11 (B) night-vision goggles; and

12 (C) tactical wheeled vehicles; and

13 (3) the Secretary determines is excess to mili-  
14 tary requirements.

