

112TH CONGRESS
1ST SESSION

H. R. 3422

To require the Secretary of Defense to transfer at least 10 percent of certain military equipment returning from Iraq to Federal and State agencies.

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 15, 2011

Mr. POE of Texas (for himself and Mr. CARTER) introduced the following bill;
which was referred to the Committee on Armed Services

A BILL

To require the Secretary of Defense to transfer at least 10 percent of certain military equipment returning from Iraq to Federal and State agencies.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Send Equipment for
5 National Defense Act” or the “SEND Act”.

6 **SEC. 2. TRANSFER OF USED MILITARY EQUIPMENT TO**
7 **STATE AND FEDERAL AGENCIES.**

8 (a) IN GENERAL.—Not later than one year after eli-
9 gible equipment returns to the United States from Iraq,
10 and in accordance with subsections (b) and (c) of section

1 2576a of title 10, United States Code, the Secretary of
2 Defense shall transfer at least 10 percent of such eligible
3 equipment to Federal and State agencies.

4 (b) PREFERENCE.—In considering applications for
5 the transfer of eligible equipment, the Secretary shall give
6 preference to Federal and State agencies that will use the
7 eligible equipment primarily for the purpose of strength-
8 ening border security along the southern border of the
9 United States.

10 (c) WAIVER.—The Secretary may waive the require-
11 ment under subsection (a) with respect to eligible equip-
12 ment that the Secretary determines the Department of
13 Defense needs for immediate use, if the Secretary certifies
14 such determination to Congress.

15 (d) ELIGIBLE EQUIPMENT DEFINED.—In this sec-
16 tion, the term “eligible equipment” means equipment that
17 the Secretary determines would be suitable for use by Fed-
18 eral and State agencies in law enforcement activities, in-
19 cluding—

- 20 (1) surveillance unmanned aerial vehicles, in-
21 cluding the MQ-9 Reaper (also known as the “Pred-
22 ator B”);
- 23 (2) night-vision goggles; and

- 1 (3) high mobility multi-purpose wheel vehicles
- 2 (commonly known as “humvees”).

○