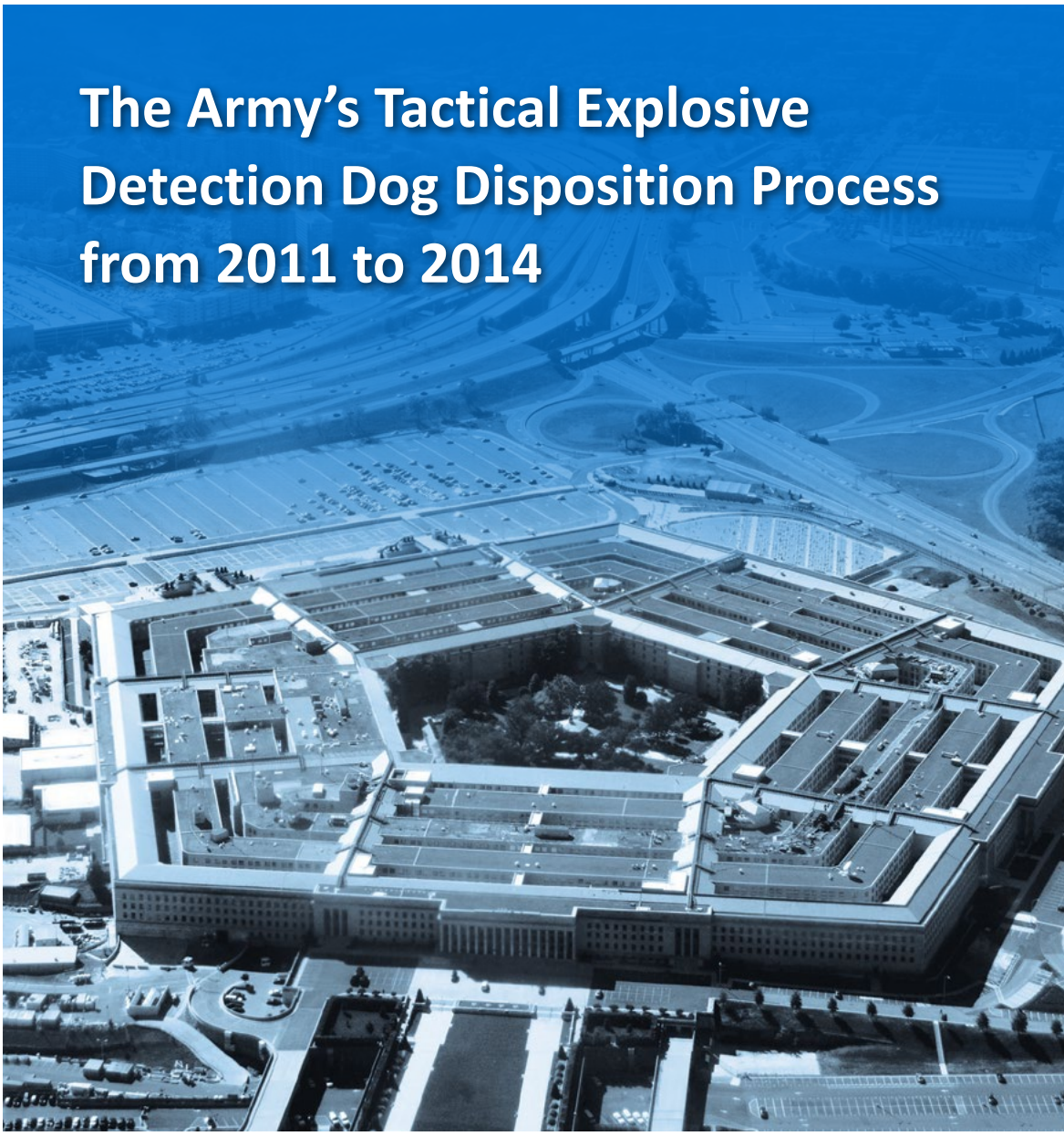
Report No. DODIG-2018-081

INSPECTOR GENERAL

U.S. Department of Defense

MARCH 1, 2018

The Army's Tactical Explosive Detection Dog Disposition Process from 2011 to 2014



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Results in Brief

The Army's Tactical Explosive Detection Dog Disposition Process from 2011 to 2014

March 1, 2018

Objectives

In 2016, the House Committee on Armed Services asked the DoD OIG to conduct an independent evaluation of the Army's Tactical Explosive Detection Dog (TEDD) disposition status, including an analysis of transfer and adoption records at the end of the program.

The objectives of this evaluation were to determine whether:

- the Department of the Army complied with appropriate criteria for the disposition of TEDDs at the time when the disposition of the TEDDs occurred, and[1]
- the Secretary of the Air Force, as the Executive Agent for the DoD Military Working Dog (MWD) Program, provided the required management and policy oversight of the TEDD disposition plan.

Background

In 2010, the Army began developing the TEDD capability to support Brigade Combat Teams deployed to Afghanistan to mitigate Improvised Explosive Device attacks and to reduce casualties resulting from Improved Explosive Devices. Because of its temporary duration, the Army developed the TEDD capability as a nontraditional MWD program. The Army procured and trained the dogs through an Army contract rather than procuring them through the

[1] For the purpose of this report, "disposition," or disposing of Military Working Dogs, includes conversion for continued military service, transfer to law-enforcement or other government agencies, adoptions to former handlers and persons capable of humanely caring for the dogs, and euthanasia.

Background (cont'd)

Air Force's 341st Training Squadron, the agency authorized by regulation to procure MWDs for use by DoD components. The Army selected and trained soldiers attached to deploying units as temporary TEDD handlers only for the duration of deployment. The Army ended the TEDD Program in 2014.

Findings

We found that:

DoD policy did not prioritize applicants for transfer or adoption of TEDDs.

The Secretary of the Air Force, as the Executive Agent for the DoD MWD Program, did not provide sufficient management and oversight of the Army's plan and process to dispose of its TEDDs.

The Department of the Army did not allot sufficient time to dispose of TEDDs when the program ended. The Army did not initiate planning for TEDD disposition from the commencement of the program. The Army Provost Marshal General did not exercise the option to extend the contract, or implement other contract methods to provide time to adequately vet and dispose of the remaining dogs in the program.

The Army did not use the DoD Working Dog Management System, as required by the Joint Military Working Dog Instruction and Army Regulation 190-12. As a result, the Army's Office of the Provost Marshal General did not ensure accuracy in the tracking of some TEDDs through final disposition.

Results in Brief

The Army's Tactical Explosive Detection Dog Disposition Process from 2011 to 2014

Recommendations

We recommend that the Secretary of the Army:

- Review, revise, and ensure Accountable Unit Commanders enforce Army Regulation 190-12, "Military Working Dogs," dated March 11, 2013, to ensure it complies with the requirements of "Air Force Instruction 31-126, Army Regulation 700-81, OPNAVINST 5585.2C, MCO 5585.6, 'DoD Military Working Dog (MWD) Program,' " dated February 28, 2017, particularly with respect to the disposition process (Recommendation C).
- Ensure that all future Army-funded Military Working Dog programs establish individual modules for tracking each nontraditional capability, such as Tactical Explosive Detection Dogs, within the established DoD Working Dog Management System (Recommendation D.2).

We recommend that the Secretary of the Air Force, as the Executive Agent for the Department of Defense Military Working Dog Program, in collaboration with the DoD components with Military Working Dog assets, review "Air Force Instruction 31-126, Army Regulation 700-81, OPNAVINST 5585.2C, MCO 5585.6, DoD Military Working Dog (MWD) Program" dated February 28, 2017, to ensure that it:

- includes guidance that addresses the vetting of non-military transfer and adoption applicants for Military working Dogs (Recommendation B.2.a).
- includes guidance for temporary, nontraditional Military Working Dog capabilities that are not directly supported by the 341st Training Squadron (Recommendation B.2.b).

We recommend that the Secretary of the Air Force, as the Executive Agent for the DoD Military Working Dog Program, maintain accountability for Military Working Dogs in nontraditional programs by ensuring the Services maintain all mandatory records within the DoD Working Dog Management System (Recommendation D.1).

We recommend that the Under Secretary of Defense for Personnel and Readiness, as the Principal Staff Assistant for the DoD MWD Program, revise DoD Directive 5200.31E, "DoD Military Working Dog (MWD) Program," dated August 10, 2011, to clarify the Military Working Dog Executive Agent's management and oversight authorities in cases where needs of the Services require nontraditional Military Working Dog programs (Recommendation B.1).

Management Comments and Our Response

The U.S. Army Provost Marshal General, responding on behalf of the Secretary of the Army, agreed with both recommendations addressed to the Secretary of the Army (Recommendations C and D.2).

In response to Recommendation C, the Provost Marshal General stated that the Army is currently revising Army Regulation (AR) 190-12, "Military Working Dogs," to ensure it complies with National Defense Authorization Act 2016, 10 United States Code 2583, and Air Force Instruction 31-126. The Provost Marshal General stated The U.S. Army Provost Marshal General, responding on behalf of the Secretary of the Army, agreed with both recommendations addressed to the Secretary of the Army (Recommendations C and D.2).

In response to Recommendation C, the Provost Marshal General stated that the Army is currently revising Army Regulation (AR) 190-12, "Military Working Dogs," to ensure it complies with National Defense Authorization Act 2016, 10 United States Code 2583,

Management Comments and Our Response (cont'd)

and Air Force Instruction 31-126. The Provost Marshal General stated that the Army would submit the revision to the Army Publishing Directorate no later than March 31, 2018, with an estimated publishing date of November 2018. Therefore, the recommendation is resolved but remains open. We will close the recommendation upon receipt of the updated AR 190-12.

In response to Recommendation D.2, the Provost Marshal General agreed and stated that the AR 190-12, "Military Working Dogs," revision will implement and direct establishment of individual modules within the DoD Working Dog Management System for all future Army-funded programs, including each potential nontraditional capability, until the MWD disposition and adoption process has been completed. Therefore, the recommendation is resolved but remains open. We will close the recommendation upon receipt of the updated AR 190-12.

The Associate Director of Security Forces, Deputy Chief of Staff/Logistics, Engineering, and Force Protection responded for the Secretary of the Air Force. In response to Recommendation B.2.a, the Associate Director did not comment on the recommendation to include guidance that addresses the vetting of non-military transfer and adoption applicants for MWDs within the AFI 31-126 Joint MWD Instruction. This recommendation remains open and unresolved pending management's response that provides actions planned to address section B.2.a. of the recommendation.

In response to Recommendation B.2.b, the Associate Director stated that the guidance for temporary nontraditional MWD capabilities not directly supported by the 341st Training Squadron already exists within the Joint Service Instruction. We agreed that the current regulation captures some of the language needed to address the finding, but is silent on others. For example:

- the regulation does not articulate a dissemination system that allows for written adoption rules to be provided to former handlers, which was identified as a shortfall in the Air Force's 2016 TEDD Adoption Report to Congress;
- the regulation does not clarify allowable exceptions, if any, to MWD policy and regulations for nontraditional MWD programs, such as the use or non-use of the Working Dog Management System; and
- the regulation does not address rules for MWD adoption by private companies or non-profit organizations.

Recommendation B.2.b remains open and unresolved pending management response to address the issues above.

In response to Recommendation B.1, the Director, Defense Human Resources Activity, responding for the Office of the Under Secretary of Defense for Personnel and Readiness, agreed with the finding and recommendation. The Director stated that his office is preparing to update Department of Defense Directive 5200.31E, "DoD Military Working Dog (MWD) Program," and they will work with the Military Services to incorporate clarifying guidance on oversight authorities in cases where nontraditional MWD services are required. The recommendation is resolved but remains open. We will close Recommendation B.1 once we verify that the next revision to Department of Defense Directive 5200.31E, "DoD Military Working Dog (MWD) Program" incorporates the recommended language.

Please see the Recommendations Table on the next page.

Recommendations Table

Management	Recommendations Unresolved	Recommendations Resolved	Recommendations Closed
Secretary of the Army		C., D.2	
Secretary of the Air Force	B.2.a, B.2.b.	D.1	
Under Secretary of Defense for Personnel and Readiness		B.1	

Please provide Management Comments by March 30, 2018.

Note: DoD OIG uses the following categories to describe agency management's comments to individual recommendations.

- **Unresolved** – Management has not agreed to implement the recommendation or has not proposed actions that will address the recommendation.
- **Resolved** – Management agreed to implement the recommendation or has proposed actions that will address the underlying finding that generated the recommendation.
- **Closed** – OIG verified that the agreed upon corrective actions were implemented.

INSPECTOR GENERAL
DEPARTMENT OF DEFENSE
4800 MARK CENTER DRIVE
ALEXANDRIA, VIRGINIA 22350-1500

March 1, 2018

MEMORANDUM FOR UNDER SECRETARY OF ARMY
SECRETARY OF THE AIR FORCE
UNDER SECRETARY OF DEFENSE FOR PERSONNEL AND READINESS

SUBJECT: The Army's Tactical Explosive Detection Dog Disposition Process from 2011 to 2014 (Report No. DODIG-2018-081)

We are providing this report for information and action, as requested below. We conducted this evaluation from June 2016 to December 2017 in accordance with the "Quality Standards for Inspection and Evaluation," published by the Council of the Inspectors General on Integrity and Efficiency in January 2012.

We considered management comments in response to a draft of this report when preparing the final report. DoD Instruction 7650.03 requires that all recommendations be resolved promptly. The Secretary of the Army, Secretary of the Air Force, and Under Secretary of Defense for Personnel and Readiness have initiated or proposed actions that will address the underlying findings that generated Recommendations B.1, C, D.1, and D.2. Therefore, these recommendations are resolved, but remain open. We will request an update on these recommendations after 6 months. Recommendations B.2.a and B.2.b are unresolved. We request additional management comments on Recommendations B.2.a and B.2.b no later than March 30, 2018.

Please send a PDF file containing your comments to SPO@dodig.mil. Copies of your comments must have the actual signature of the authorizing official for your organization. We cannot accept the / Signed / symbol in place of the actual signature. If you arrange to send classified comments electronically, you must send them over the SECRET Internet Protocol Router Network (SIPRNET).

We appreciate the courtesies extended to our staff. If you have any questions, please direct them to [redacted]

Kenneth P. Moorefield
Deputy Inspector General
Special Plans and Operations

cc: Department of the Army, Office of the Provost Marshal General

Contents

Contents (cont'd)

Introduction

In 2010, the Army initiated a Tactical Explosive Detection Dog (TEDD) program to train and field Improvised Explosive Device (IED) Detection Dogs for use in Operation Enduring Freedom in Afghanistan. The Army urgently required this explosive detection capability to mitigate a surge in the enemy's use of IEDs in combat. The contracted program included Army procurement and contractor sustainment, training, and fielding of Military Working Dogs over a period of 3 years, from February 2011 to February 2014. At the end of the contract period, February 2014, DoD Instructions and Army Regulations required the Army to evaluate the dogs' capabilities and to dispose of the dogs according to mandatory processes.[2]

In 2016, the House Committee on Armed Services requested that the DoD OIG conduct an independent evaluation of the Army's TEDD disposition process, including an analysis of transfer and adoption records. The committee had expressed concern over the Army's lack of sufficient responsiveness in addressing generally known challenges in the TEDD adoption process. These challenges included persistent concerns raised by former TEDD handlers regarding their opportunity to adopt a TEDD, and the committee's concerns about whether the adoption processes met the intent of military working dog law, instruction, and regulation.

See Appendix A for an explanation of the scope and methodology of our evaluation.

Objectives

The objectives of this evaluation were to determine whether:

- the Department of the Army complied with appropriate criteria for the disposition of TEDDs when the disposition of the TEDDs occurred, and
- the Secretary of the Air Force, as the Executive Agent for the DoD Military Working Dogs (MWD) Program, provided the required management and policy oversight of the TEDD disposition plan.

[2] Military working dogs must be deemed excess to the needs of the DoD by the Air Force's 341st Training Squadron before they are disposed of by any DoD component or participating federal agency. Disposition can include retention in current service, sale, adoption by former handlers or civilians, transfer to law enforcement or other government agencies, or euthanasia. The owning command or agency will contact 341st Training Squadron to identify their dog as a disposition candidate and begin the disposition process.

Additional Reporting

The National Defense Authorization Act for FY 2017 included language formally directing the Secretary of the Air Force, as the Executive Agent for the DoD MWD Program, to provide a report to the Senate and House Committees on Armed Services by August 31, 2016.

In accordance with DoD Directive 5200.31E, "DoD Military Working Dog (MWD) Program," the Secretary of the Air Force, as the DoD Executive Agent for the MWD program, is responsible for designating directors, staff, and program managers to provide for the management and oversight of the DoD MWD program, including DoD Component MWD requirements.

The Air Force report concluded that the Army's limited but avoidable transition window to dispose of TEDDs and its lack of a formal comprehensive plan for disposition contributed to the disorganized disposition process.[3] See Appendix D for a summary of the U.S. Air Force Report to congressional committees about the TEDD adoptions.

Background

DoD Military Working Dog Program

The DoD MWD Program involves both DoD-procured and contractor-provided working dogs. In 2011, two policies addressed DoD and Service relationships and responsibilities for Military Working Dog Programs. The policies were DoD Directive 5200.31E, "DoD Military Working Dog (MWD) Program," August 10, 2011, and Inter-Service/ Multi-Service Instruction, "Air Force Instruction 23-126_IP, Army Regulation 700-81, Office of the Chief of Naval Operations (OPNAV) Instruction 5585.2B, Marine Corps Order 10570.1A, DoD Military Working Dog (MWD) Program," published in 2011 and revised in 2017. Both policies define an MWD as any canine bred, procured, or acquired to meet DoD Component requirements, and by this definition includes TEDDs that the Army procured.

Figure 1. Dog and Handler.
Source: DoD Public Affairs.

[3] United States Air Force Report to Congressional Committees, "Tactical Explosive Detector Dog (TEDD) Adoption Report," August 2016.

DoD Directive 5200.31E

DoD Directive 5200.31E, "DoD Military Working Dog (MWD) Program," dated August 10, 2011, specifies responsibilities of the DoD MWD Executive Agent. DoD Directive 5200.31E designates the Secretary of the Air Force as the DoD Executive Agent for MWD "resourcing, training, utilization, and final disposition" of MWD assets. The Air Force Director of Security Forces, acting on behalf of the Executive Agent, has functional management responsibility for the DoD MWD Program and appoints a DoD MWD Program Manager (PM).[4]

DoD Directive 5200.31E directs the Executive Agent to designate program managers, along with directors and staff, to provide management and oversight of DoD Component MWD requirements, as well as MWD procurement, evaluation, inventory, distribution, and final disposition. The Program Manager, directors, and staff must coordinate with all program participants to provide continuous, timely, and sustainable MWD requirements.

This Directive also directs the DoD MWD PM to serve as the chairperson for the Joint Services Military Working Dog Committee (JSMWDC). The Committee advises the Executive Agent on MWD strategy, policy guidance, doctrine updates, annual reviews, and direction for carrying out the DoD MWD Program. The DoD PM is responsible for ensuring the committee reviews user requirements and program processes. In 2011, the committee consisted of MWD Program Managers from each Service with an MWD Program, and the DoD Veterinary Services Activity.

DoD Military Working Dog Program Instruction

"Air Force Instruction 23-126_IP, Army Regulation 700-81, Office of the Chief of Naval Operations (OPNAV) Instruction 5585.2B, Marine Corps Order 10570.1A, DoD Military Working Dog (MWD) Program," December 13, 2011, which we will refer to as the Joint MWD Instruction, specifies responsibilities and procedures for MWD procurement, accountability, and disposition processes applicable to all Military Services.[5]

The 2011 Joint MWD Instruction designated the Air Force's 341st Training Squadron (TRS) as the only agency authorized to procure and distribute Government-owned DoD dogs for use by DoD Components participating in the DoD

[4] According to Air Force Instruction 31-121, "Military Working Dog Program," the DoD MWD Program Manager is located at the Headquarters, Air Forces Security Forces Center, (HQ AFSFC), Lackland Air Force Base, Texas.

[5] Throughout this report, we refer to this instruction as the Joint MWD Instruction. On June 1, 2015, the DoD Military Working Dog (MWD) Program Instruction was superseded by Air Force Instruction Number 31-126, Army Regulation 700-81 OPNAVINST 5585.2C, MCO 5585.6. Subsequently, on February 28, 2017, the DoD again updated the Instruction. The summary of changes include new adoption prioritization in accordance with the 2016 National Defense Authorization Act.

MWD Program.[6] The Joint MWD instruction allowed contracted working dogs in situations, like the TEDD program, where the DoD "pipeline" could not provide mission essential support. The Instruction directed the DoD PM to participate in the contract review for each contract, and specified that the Joint MWD Instruction adoption processes applied to contracted dogs trained and sustained by contractors but procured and owned by the DoD.[7] The Joint MWD Instruction made the 341st TRS accountable for all Government-owned DoD MWD Program dogs, and responsible for declaring dogs as excess to the needs of the DoD before disposition.

Tactical Explosive Detection Dog (TEDD) Program

Requirement for TEDD Capability

According to copies of correspondence between the DoD MWD PM and the Army staff, in August 2010 the Joint Improvised Explosive Device Defeat Organization coordinated with the 341st TRS to determine if the Air Force could train and field a sufficient number of IED Detection Dogs for use in Afghanistan. The Air Force considered two courses of action to develop and train specific MWD capabilities to support the Joint Improvised Explosive Device Defeat Organization, either by modifying an existing "Specialized Search Dog" capability, or developing an "Improvised Explosive Device Detector Dog" capability used by the Marine Corps.[8] The Air Force judged that without an increase in resources, both courses of action would hinder its ability to sustain its annual trained dog requirement for the DoD and the Transportation Security Administration.

Also in 2010, the Commander of the 2nd Brigade, 101st Airborne Division, deployed in Afghanistan, sent his chain of command and Headquarters, Department of the Army an Operational Needs Statement request for explosive detection dogs. U.S. Army units in Afghanistan needed the dogs to mitigate a surge in the use of IEDs. On August 20, 2010, the Deputy Chief of Staff of the Army validated the requirement for an Improvised Explosive Device Detector Dog capability in support of Operation Enduring Freedom.

Due to a surge in overall MWD requirements, the 341st TRS determined that it could not support the Army's urgent operational need to produce Explosive Device Detection Dogs as quickly as the Army needed the capability in the field. The Army therefore decided to initiate actions to procure, train, and sustain TEDDs

[6] The 341st Training Squadron is a United States Air Force squadron, located at Lackland Air Force Base, which provides trained military working dogs and handlers for the DoD, other government agencies, and allies through training, logistic, and veterinary support, as well as research and development for security efforts worldwide.

[7] TEDDs were initially procured, trained, and sustained by contractors, but were procured and owned by the Army once trained and certified.

[8] See Appendix C, MWD Capability Comparisons chart, columns three and five, of this report for a comparison of these two capabilities.

as an internal, temporary capability with an Army-funded contract. The first TEDDs class began in October 2010 and completed its certification training in December 2010.

The Army determined that it could best satisfy the urgent Operational Needs Statement requirement by using Army resources to deploy the TEDDs as a temporary solution, rather than developing TEDDs over time as a budgeted program through the normal acquisition and programming process. According to the Army MWD PM, the Army did not consider the TEDD capability as a long-term Army program because:

- it was mission-specific and therefore short-term,
- it was not funded through normal Army MWD program funds,
- its dogs would be procured and trained by Army contract rather than through the Air Force's 341st TRS, and
- the dogs' operational handlers would be rotationally assigned from deployed units only for the duration of their deployment.

In October 2010, 2 months after validating the Operational Needs Statement, the Army reported to the JSMWDC that it had launched the TEDDs capability.[9]

Figure 2. Army MWD.
Source: DoD Public Affairs.

[9] DODD 5200.31E, "DoD Military Working Dog (MWD) Program," August 10, 2011: "The Joint Services Military Working Dog Committee is chaired by the DoD MWD PM or another manager or director appointed by the Secretary of the Air Force as the Executive Agent for the program. The Committee meets at least annually; consists of a representative from each DoD Component with MWD equity, including the DoD Veterinary Services Activity; reviews DoD MWD requirements and processes; and identifies and coordinates funding sources for MWD programs."

TEDD Program Characteristics

The Secretary of the Army designated the Army Provost Marshal General as responsible for the Army MWD Program. According to the DoD MWD PM, the Provost Marshal General assigned the Army PM the responsibility for managing the TEDD program. The PM added that, at that time, there was no written plan for TEDD disposition.

The initial TEDD contract, dated February 2011, stated that TEDDs were contractor-owned dogs until they completed final certification, at which time they became Government-owned dogs. Contractors procured, trained, fed, and kenneled the dogs from February 2011 until February 2014.

As mentioned previously, the TEDDs capability differed from traditional MWD programs. Some of the differences between the traditional MWD program and the nontraditional TEDD program appear in Table 1.

Table 1. Differences between Traditional MWD Program and the Army's TEDD Program

	DoD MWD	Army TEDD
Capability	Dual-purpose – detect and patrol. On-leash	Single-purpose-detect. Off-leash.
Handlers	Selected based on acceptance to Military Police school at Lackland Air Force Base.	Soldiers volunteer for the program; selected from Brigade Combat Team with an Infantry or other Military Occupational Specialty.
Handler Training	Attend initial 11-week MWD Training Course through the 341st TRS (DoD Dog Training Center); attend MWD Handler Course; 341st TRS certified.	Attend nine-week training course from contract trainers; Office of the Provost Marshal General certified.
Assigned Specialty Code	Service-specific specialty codes assigned to handlers.	No handler Military Occupational Specialty assigned.
Duration of Program/ Assignments	DoD MWD Program is enduring; handler assigned one MWD as their responsibility to train and certify with MWD.	TEDD is temporary; handler may be assigned only for training and deployment; upon redeployment TEDD handlers return to their normal duties and TEDD is reassigned to new temporary handler.
Identification Markers	Assigned National Stock Number (NSN) to identify capabilities; tattoo ID number assigned when dog accepted as government property.	No NSN assigned to TEDDs; tattoo ID number assigned when dog is certified after training completion and accepted as government property.
Working Dog Management System (WDMS)	All MWDs are tracked and managed within the WDMS by the 341st TRS.	TEDDs were not entered into the WDMS for tracking.

	DoD MWD	Army TEDD
Disposition	1. Submit complete disposition package for each MWD to 341st TRS Adoption/Disposition Coordinator. 2. 341st TRS Disposition Review Board reviews package. 3. Disposition Board either declares excess, directs to stay at present location, or directs return to Lackland Air Force Base for training. 4. If declared excess, make available for transfer, adoption, or humane euthanasia.	1. No Disposition Package Process required. 2. Army makes TEDDs available for transfer, adoption, or humane euthanasia. 3. Army permitted to provide only a list to 341st TRS of all TEDDs transferred and adopted, and to whom they were transferred or adopted.

TEDD Program Termination

In November 13, 2013, in the TEDD program's third year, United States Central Command notified the Army that the TEDDs would no longer be needed. The contract included options that would have extended the contract to February 7, 2015, at a cost of $3.5 million. The Army's MWD PM, while awaiting guidance from the Army's Provost Marshal General, began planning for disposition of the TEDDs. The contract end date, without the extension option, was February 10, 2014.

In January 2014, the Army decided not to approve contract options that would have extended the contract to 2015. The Army modified the TEDDs contract to provide for two additional 5-day increments, extending the contract from February 10, 2014, to February 20, 2014. The extensions were to allow additional time for TEDD Contractor Field Service Representatives to redeploy from Afghanistan, and to allow the Army additional time to dispose of the dogs at kennel locations in the United States.

In August 2016, the Executive Agent for the DoD MWD Program reported to Congress that in 2014, the Army disposed of 229 TEDDs. Of these, the Air Force reported that the Army had transferred 70 to Army units; provided 40 for adoption by handlers; transferred 17 to Federal agencies; transferred 46 to federal, state, and local law-enforcement agencies; provided 47 to private individuals for adoption; and reported 9 TEDDs deceased.

We determined from our analysis of TEDD disposition records that the Army disposed of 232 TEDDs. We identified three other TEDDs that the Army tracked on a spreadsheet but did not report to the Executive Agent for the DoD MWD Program.[10] However, based on limited information in disposition records, we were

[10] We identified the three missing TEDDs as Thor 1 R896, Tess R533, and Jacky R840.

unable to learn whether the additional dogs were transferred or adopted. These three TEDDs were also not included in the numbers reported by the Air Force in its September 2016 report to Congress.

Improvised Explosive Device Detector Dog

In 2008, the Marine Corps established a similar capability called the Improvised Explosive Device Detector Dog (IDD). This capability was in response to several Urgent Needs Statements to procure and deploy IDDs for use in Marine Ground Combat Units. The DoD MWD PM stated that the Marine Corps developed detailed procedures and coordinated training plans, resource estimates, and PM responsibilities with the DoD MWD Program Manager and the 341st TRS. The Marine Corps IDD program eventually totaled more than 600 dogs. According to representatives from Headquarters, United States Marine Corps Systems Command, the Marine Corps disposed of its IDDs between 2011 and 2014. Their deliberate disposition planning allowed time to explain the plan to concerned stakeholders, and provided time to review and consider adoption applications and mitigate handler and civilian adoption issues. The Marine Corps described its disposition process in a written document published by the United States Marine Corps Systems Command.[11] For more information on the IDD program, see Appendix C.

Figure 3. DoD MWD Monumente.
Source: Headquarters Air Force Security Forces.

[11] The Marine Corps incorporated the MWD document, "Improvised Explosive Device Detector Dog (IDD) Disposition Process," April 2012, into its "Marine Corps Military Working Dog (MWD) Manual" in 2015.

Finding A

DoD Policy Did Not Prioritize Applicants for Transfer or Adoption of Tactical Explosive Detection Dogs

The DoD's procedures for adopting or transferring MWDs did not include prioritizing handlers over other applicable entities or individuals.

At the time of the TEDD program, 10 United States Code (U.S.C.) §2583 [2013], "Military Animals: Transfer and Adoption," did not mandate a priority for authorized recipients of MWDs.

As a result of the DoD not developing priority standards of applicants,

- military department Secretaries had complete discretion over whether to transfer qualifying MWDs to former handlers, civilians capable of caring for the dogs, or law-enforcement agencies,
- not all former handlers who would have wanted to adopt had the opportunity, and
- the Air Force discovered and addressed inefficiencies in its MWD disposition processes that affected adoptions by handlers in nontraditional MWD programs.

Discussion

Congress standardized MWD adoption priorities in 2015, giving former handlers of their respective military dogs first priority for adoption. In 2016, the House Armed Services Committee expressed concern over lack of sufficient responsiveness by the Air Force and the Army in addressing generally known challenges in the TEDD adoption process, including persistent concerns raised by former TEDD handlers regarding their lack of opportunity to adopt a TEDD. However, during the TEDD program, from January 2011 to February 2014, U.S. law did not extend adoption priority to either former handlers, civilians, or law-enforcement agencies (LEAs), nor did DoD policy. The Secretary of Defense between 2000 and 2006, and the Service Secretaries between 2006 and 2015, approved and prioritized MWD adoption priorities.

Statutory Criteria for Transfer and Adoption of MWDs

In 2000, Congress added section 2582 to title 10, United States Code, (10 U.S.C. § 2582 [2000]), "Military working dogs: transfer and adoption at end of useful working life," commonly known as "the Robby Law."[12] This statute enabled the DoD to allow for the adoption of MWDs, and it ended the practice of euthanizing the dogs at the end of their useful working life.[13] According to 10 U.S.C. § 2582 (2000), the Secretary of Defense could decide whether MWDs would be made available for adoption and who could adopt.[14]

In 2006, Public Law 109-163, sections 599 (a) and (b), amended the Robby Law on transfers and adoptions of MWDs.[15] The amendment shifted the decision-making authority for adoptions and transfers of MWDs to the Secretary of the military department that owned the dog. The statutory language gave the Service Secretaries discretion to retain MWDs with still-useful working life within the Service, to transfer them to LEAs, or to place them for adoption.

Section 2583, title 10, United States Code (10 U.S.C. § 2583 [2013]) incorporated the 2006 amendment, and it was in effect and applicable in 2014 when the Army terminated its TEDD program and transferred TEDDs to LEAs and to civilians for adoption. The Army thus could dispose of the TEDDs using any priority determined by the Secretary of the Army or a designated agent.

Air Force TEDD Adoption Report to House Armed Services Committee

In August 2016, the U.S. Air Force provided a report to Congress, "Tactical Explosive Detector Dog (TEDD) Adoption Report." The report highlighted shortfalls in notifying handlers of processes for adoption of TEDDs at the end of the TEDD program and potential missed adoption opportunities, including:

- lack of written instructions explaining the TEDD adoption application processes and MWD adoption law to inform these military handlers,

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[12] Public Law 107-107, 2001, renumbered Section 2582 as 2583. According to Army Regulation 190-12, "Military Working Dogs," "Robby" was an MWD referred to by the Congressman originating 10 U.S.C. § 2582 [2000].

[13] 10 U.S.C. § 2582 [2000] stated, "… [A]t 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…. The decision whether a particular military working dog is suitable or unsuitable for adoption … shall be made by the commander of the last unit to which the dog is assigned …."

[14] Subsection (a), "Availability for Adoption," and subsection (c), "Authorized Recipients," in 10 U.S.C. § 2582 (2000), stated, "The Secretary of Defense may [emphasis added] make a military working dog of the Department of Defense available for adoption by … law-enforcement agencies, former handlers of these dogs, and other persons capable of humanely caring for these dogs."

[15] A "transfer" is defined as the transition of an MWD to a law-enforcement agency or other government agency. An "adoption" is the transition of an MWD either to a former handler or to another person capable of humanely caring for the dog.

- handlers not understanding or not following the traditional processes to keep the Office of the Provost Marshal General (OPMG) informed about their desires to adopt a TEDD,
- OPMG's insufficient notification of handlers at the end of the TEDD program, and
- failure to provide the proper amount of time for disposition of dogs no longer required in the program.

The Air Force report to Congress highlighted TEDD disposition as a primary reason for handler notification problems, stating that disposition shortfalls occurred because the Army did not have a sound disposition plan in place from the beginning of the TEDD program. The report recommended solutions at the DoD MWD program-level, such as increased MWD management, oversight, and review by the JSMWDC. The Air Force report stated that the JSMWDC would review future contracts processed outside the traditional DoD MWD Training Center and ensure disposition plans are included in the contracts. The report also stated that in accordance with the DoD MWD Instruction, all future MWDs, whether traditional or nontraditional program dogs, would be disposed of in the same manner and in accordance with laws and policies of the DoD.

Legislation since the TEDD Program to Establish Adoption Priorities

In 2015, Congress amended 10 U.S.C. § 2583 to specifically designate the recommended priority by which "[a] military animal shall be made available for adoption" by the Secretary of the military department owning the dog. The decision to make the dog available for adoption continues to reside with the Secretary of the military department concerned. The order of recommended priority in the current statute 10 U.S.C. § 2583 (2017) is:

1. former handlers of the animal,
2. other persons capable of humanely caring for the animal, and
3. law-enforcement agencies.

Conclusion

From 2000 until 2015, the DoD did not have an established priority for applicants for adoption of MWDs, and no adoption priorities for former MWD handlers. MWD adoption priorities established by Congress in 2015, after the TEDD program

ended, recommended former handlers of MWDs as first priority for MWD adoption. The Air Force's "Tactical Explosive Detector Dog (TEDD) Adoption Report" to Congress, August 2016, identified lack of disposition planning and time as primary issues interfering with adoption of TEDDs by former handlers. The Air Force's report focused on the DoD MWD PM's involvement in the MWD disposition process, as chair of the JSMWDC, by adding a requirement for JSMWDC to review MWD contracts. The report also emphasized maintaining DoD standards for disposition of all MWDs in both traditional and special programs.

Finding B

The Secretary of the Air Force, as the Executive Agent for the DoD Military Working Dog Program, Did Not Provide Sufficient Management and Oversight of the Army's Plan and Process to Dispose of Its TEDDs

The Executive Agent of the DoD MWD Program did not provide management and oversight of the disposition of the Army's MWDs at the end of the TEDD contract. This occurred because the DoD MWD PM relinquished management and oversight responsibility of the DoD-owned TEDDs to the Army.

As a result, the Army's Military Working Dog Program Manager did not document and properly dispose of the TEDDs in accordance with DoD MWD policies.

Discussion

DoD Directive 5200.31E, "DoD Military Working Dog (MWD) Program," dated August 10, 2011, designates the Secretary of the Air Force as the Executive Agent for the DoD MWD Program. In this role, the Executive Agent for the DoD MWD Program designates appropriate directors, program managers, and staff to manage and oversee:

- DoD Component or program participant MWD requirements;
- MWD breeding, procurement, and research, development, test, and evaluation;
- development of required training programs and curriculums for MWDs, instructors, kennel masters, and handlers;
- MWD inventory, distribution, and final disposition; and
- MWD and MWD Teams' training or support requirements.

According to the head of the Law-Enforcement and Police-Services Branch at Headquarters Air Force, the DoD Executive Agent provides policy and guidance for each Service's MWD program. However, the DoD Executive Agent does not operationally dictate how the Services execute their individual MWD programs.

Management and Oversight of the TEDD Program

Decision to Contract TEDDs

In September 2010, the Army's Maneuver Support Center of Excellence briefed representatives from the Army Chief of Staff's office on courses of action to meet the Army's need for a Counter-Improvised Explosive Device and Home-Made

Explosives detection capability. The Air Force considered modifying an existing "Specialized Search Dog" capability or developing the "Improvised Explosive Device Detector Dog" capability used by the Marine Corps. The briefing document that the DoD OIG evaluation team reviewed concluded that the DoD did not have the resources to meet the Army's needs.

In October 2010, the Army confirmed with the DoD MWD PM that it had decided to meet its urgent operational requirement for a TEDD MWD capability by developing the capability through an Army contract with Wyle Company and a sub-contractor, Vohne Liche Kennels, in Indiana. Vohne Liche Kennels was in charge of initially procuring, kenneling, and training the dogs. According to meeting minutes, the Army announced its decision at the October 2010 meeting of the JSMWDC.

Lack of Initial Disposition Planning for TEDDs

Neither the DoD MWD PM nor the Army MWD PM allocated sufficient time to dispose of the dogs as part of the initial TEDD plan. Neither PM could provide any written plans or agreements pertaining to responsibilities for executing a temporary TEDD capability that would satisfy mandatory DoD and Army MWD disposition requirements. These requirements included 341st TRS review of all MWD disposition records and its disposition recommendations in accordance with the Joint MWD Instruction. The Army MWD PM stated that the DoD MWD PM delegated authority to the Army to run the program. The DoD MWD PM added that both PMs understood the TEDDs to be a temporary mission requirement that would terminate after the mission ended.

TEDD Program Termination

At the end of 2013, U.S. Central Command determined that the TEDD program would no longer be a requirement at the end of the option year, February 10, 2014. In January 2014, the Army's Provost Marshal General decided not to exercise an option to extend the TEDD contract for another year. With less than 2 months remaining on the contract after the Provost Marshal General's January decision, the Army faced the challenge of disposing of over 150 TEDDs still in their possession by mid-February 2014 when the contract was scheduled to end.

The Army MWD PM told the evaluation team that he discussed disposition options with the DoD MWD PM, including using the 341st TRS to transport or provide kennel space for TEDDs during the disposition. The DoD PM responded that the 341st TRS lacked the kennel space to assume the responsibility for transferring all of the remaining dogs to other LEAs or civilian adopters.

On February 4, 2014, less than 3 weeks before the TEDD contract ended, the DoD MWD PM advised the Army MWD PM in a memorandum that the TEDDs not selected for patrol explosive detection dog training were required to go through the same disposition process as MWDs. However, the DoD PM stated that, given the short timeframe for disposition, he allowed the Army to provide only a final TEDD disposition list to the 341st TRS, rather than submit a complete disposition package for each dog for 341st TRS review. By removing the requirement for the 341st TRS to review and approve the Army's recommendations, the DoD MWD PM gave the Army's MWD PM and veterinary staff responsibility for the disposition decisions for each TEDD.

The DoD MWD Disposition Process

DoD Disposition Requirements

The 2011 DoD Joint MWD Instruction mandated specific requirements for MWD disposition. Each Service was required to conduct its own examinations of its dogs identified for disposition, and then provide a disposition package to the 341st TRS for approval and disposition guidance for each dog. The disposition package should have contained medical records and training issues, if issues existed, for the 341st TRS Disposition Review Board to review. Based on the Board's review, the 341st TRS could decide to retain excess MWDs at their duty stations or receive them at the 341st TRS for use in a training capacity. Additionally, the 341st TRS could also transfer an excess dog to an LEA, adopted it out to a former handler, or, if the dog qualified, adopt it out to a civilian applicant.

The Joint MWD Instruction mandated an adoption suitability checklist and other records as part of the disposition process for each dog. These processes helped 341st TRS determine risks associated with civilians adopting these dogs.

The 2011 Joint MWD Instruction also directed that the Veterinary Corps Officer would neuter or spay all MWDs before adoption. This step was not a requirement for transfer to LEAs.

Vetting of MWD Applicants

The 2011 Joint MWD Instruction did not provide formal vetting steps for civilians who apply to adopt MWDs or LEAs who apply to transfer a dog. According to the 341st TRS Chief of Logistics, the 341st TRS relies on an informal procedure for vetting civilian applicants. The procedure includes in-person interviews with applicants and observation of the applicant's interaction with the dog. After transferring MWDs to LEAs, the Chief reported that the 341st TRS typically conducts follow-up calls to police chiefs to ensure LEAs continue to use the dogs for law-enforcement purposes.

TEDD Disposition Shortfalls

Missing Records

The team reviewed TEDD disposition records from OPMG, the TEDD contractors, and a TEDD liaison assigned from Army Forces Command who helped redeploy TEDDs and unite them with their former handlers. Team members collected spreadsheets and individual records. They focused their review on the disposition records required in the Joint MWD Instruction: neuter forms, OPMG excess letters, veterinarian letters to Accountable Unit Commanders, "covenant not to sue" forms from adopters and law enforcement agencies, adoption suitability checklists, and Department of the Army Form 2062 receipts for each dog. The team also cross-referenced files to determine which dogs were adopted by former handlers and by civilians; which were transferred to other military services, government agencies, and law enforcement agencies at the federal, state, and local levels; and which dogs were deceased or had been euthanized.

In the case of TEDDs, many mandatory disposition records required by the Joint MWD Instruction were missing from the Army's files. Both the Army veterinarian and a veterinary technician conducting the disposition procedures disclosed to the evaluation team that they examined TEDDs that did not have records indicating the Army screened them for adoption suitability. The DoD OIG evaluation team's review found that, based on the records of 86 TEDDs available for adoption at the end of the contract, only 14 had completed adoption suitability checklists, approximately 16 percent of the dogs available for adoption.

Neutering Requirements

The Army veterinarian conducting the disposition stated that male dogs offered for adoption required neutering before adoption and a neuter form in their adoption packets for verification. The DoD OIG evaluation team's review found 10 neuter records for the 58 male dogs adopted, or approximately 17 percent of the requirement. According to the Army veterinarian, due to a lack of time, the Army veterinary staff was forced to bypass the requirement to neuter male TEDDs before adoption, but they arranged a process with the TEDD's new owners to complete neutering requirements after the adoptions.

Vetting of Applicants

The OPMG organized a "law enforcement week" from February 3 to 7, 2014, with a follow-on week from February 10 to 14, 2014, to focus on transferring dogs that qualified for continued service with law enforcement and other agencies. Just before the second week began, the OPMG opened the event to civilian adoptions, a change for which the veterinary staff had not prepared. The Fort Bragg Army

veterinarian in charge of disposition during the LEA weeks described vetting of applicants for civilian adoptions as moving very quickly, and she was concerned that the applicants were not fully educated about the type of dogs they were adopting. She stated that in several instances she questioned whether a civilian adopting a TEDD could handle the dog. A veterinary staff member added that there were civilians who adopted TEDDs whose home environments were not vetted for adoption suitability, as required by the Joint MWD Instruction adoption suitability checklist.

Handler Instructions and Notifications

The Air Force reported to Congress in its August 2016 "Tactical Explosive Detector Dog (TEDD) Adoption Report" that the Army's TEDD Program lacked written handler instructions regarding the handler's opportunity to adopt. The Air Force report acknowledged that handlers only received verbal advice on adoption from an Army representative during handler training. The report also noted the Army lacked the time to notify former TEDD handlers of the TEDDs disposition, and handlers did not fully understand the TEDDs adoption process.

MWD-Related Directives and Instructions

DoD Directive 5200.31E specified the responsibilities of the Secretary of the Air Force as Executive Agent for the program, including the designation of program managers to provide for management and oversight of DoD Component MWD requirements. However, the Directive did not address potential exceptions to MWD Executive Agent management and oversight policies in cases where operational needs of the Services require nontraditional approaches within the standard MWD program framework.

The Secretaries of the Air, Force, Army, and Navy updated the Joint MWD Instruction in 2017. The changes addressed the need for DoD and component engagement and information sharing to meet MWD requirements that arise in response to contingency operations. The revisions include:

- involving the DoD MWD Program Management and considering contracting lessons-learned from JSMWDC members in the coordination of each MWD contract;
- adding a requirement that each MWD contract must address disposition; and
- clarifying handlers' responsibility to make their adoption requests known to the kennel master in charge of the dog, and the kennel master's responsibility to update the handlers' request information in WDMS.

However, the 2017 Joint MWD Instruction update still lacked pertinent guidance, including:

- written MWD adoption instructions for handlers and a dissemination system that provides visibility on adoption rules, identified as shortfalls in the Air Force's 2016 TEDD Adoption Report to Congress;
- clarification of allowable exceptions to MWD policy and regulations for nontraditional MWD programs, such as use or non-use of WDMS; and
- rules for MWD adoption by private companies or non-profit organizations.

Conclusion

We found that the DoD Executive Agent provided inadequate management and oversight of the Army's disposition plan for its TEDDs. The DoD MWD PM delegated authority to the Army to run the program, including the disposition of TEDDs. By January 2014, the Army had less than 2 months to dispose of over 150 TEDDs. This was a difficult task due to lack of a formal disposition plan, lack of time, and insufficient records management. As the Air Force reported to Congress, the Army was not prepared to dispose of the TEDDs upon termination of the TEDD contract.

The DoD subsequently updated the Joint MWD Instruction in 2017. The revised Instruction provided additional internal controls to manage MWDs, but still lacked sufficient guidance for nontraditional programs, such as handler notification and allowable exceptions to policy for WDMS.

Recommendations, Management Comments, and Our Response

Recommendation B.1

We recommend that the Under Secretary of Defense for Personnel and Readiness, as the Principal Staff Assistant for the Department of Defense Military Working Dog Program, revise Department of Defense Directive 5200.31E, "DoD Military Working Dog (MWD) Program," dated August 10, 2011, to clarify Military Working Dog Executive Agent management and oversight authorities in cases where needs of the Services require nontraditional Military Working Dog programs.

Undersecretary of Defense for Personnel and Readiness Comments

The Director of the Defense Human Resources Activity, responding for the Office of the Under Secretary of Defense for Personnel and Readiness, agreed with the recommendation, stating that the Law Enforcement Policy Support Office is preparing to update DoD Directive 5200.31E. He stated that the office will work with the Military Services to incorporate clarifying guidance on oversight authorities in cases where nontraditional military working dog services are required.

Our Response

Comments from the Director of the Defense Human Resources Activity addressed all specifics of the recommendation, and no further comments are required. Therefore, the recommendation is resolved, but will remain open. We will close Recommendation B.1 once we verify that the next revision to DoD Directive 5200.31E incorporates the recommended language.

Recommendation B.2

We recommend that the Secretary of the Air Force, as the Executive Agent for the Department of Defense Military Working Dog Program, in collaboration with the Department of Defense Components with Military Working Dog assets, review Air Force Instruction 31-126, Army Regulation 700-81, OPNAVINST 5585.2C, MCO 5585.6, "DoD Military Working Dog (MWD) Program," dated February 28, 2017, to ensure that it:

a. **includes guidance that addresses the vetting of non-military transfer and adoption applicants for Military Working Dogs; and**
b. **includes guidance for temporary, nontraditional Military Working Dog capabilities that are not directly supported by the 341st Training Squadron.**

Secretary of the Air Force Comments

The Associate Director of Security Forces, Deputy Chief of Staff/Logistics, Engineering, and Force Protection, responding for the Secretary of the Air Force, agreed with the recommendations. The Associate Director stated that the guidance already existed, that contract working dogs procured outside the traditional MWD program must be absorbed in the DoD MWD program upon contract termination, and that contract working dogs deemed in excess will follow the same adoption eligibility criteria as traditional MWDs.

Our Response

Although the Associate Director agreed with the recommendations, the current policy does not address the specifics of the first sub element of the recommendation (Recommendation B.2.a) regarding the inclusion of guidance in the AFI 31-126 about vetting applicants for nonmilitary transfer or adoption of MWDs. Recommendation B.2.a, therefore, remains unresolved. We request that the Associate Director provide a response to the final report by March 30, 2018, specifying the action the Air Force will take to ensure that clear guidance exists for vetting MWD transfers to other government agencies or civilian law enforcement agencies and for adoption applicants.

For Recommendation B.2.b, we agree with the Associate Director that language in the current regulation, specifically Section 2.4 of AFI 31-126, guides the management of contract-supported working dogs procured and trained for specific service missions. We understand that the 341st TRS is designated as the only agency authorized to procure and distribute MWDs for use by DoD components or other agencies participating in the DoD MWD program, and that operational demands requiring the use of contract working dogs to meet exigent mission requirements would be considered "nontraditional." However, the regulation as written remains silent on other issues raised in this report.

- The regulation does not articulate a dissemination system that allows for written adoption rules to be provided to former handlers, which was also identified as a shortfall in the Air Force's 2016 TEDD Adoption Report to Congress.
- The regulation does not clarify allowable exceptions, if any, to MWD policy and regulations for nontraditional MWD programs, such as the use or non-use of the WDMS.
- The regulation does not address rules for MWD adoption by private companies or non-profit organizations.

Recommendation B.2.b, therefore, remains unresolved. We request that the Associate Director provide additional comments in response to the final report by March 30, 2018, specifying the action the command will take or has taken to address the points above.

Finding C

The Department of the Army Did Not Allot Sufficient Time to Dispose of the TEDDs When the Program Ended

The Department of the Army did not have a plan for how to dispose of the TEDDs when the contract expired in 2014.

This occurred because:

- the Army did not initiate planning for TEDD disposition from the beginning of the program, and
- when the program ended, the Army Provost Marshal General did not exercise the option to extend the contract for the TEDDs program an additional year, or implement other contract methods to provide kenneling services and provide the Army sufficient time to adequately vet and dispose of the dogs remaining in the program.

As a result, in some cases, the Army:

- did not follow veterinarian recommendations or did not complete adoption suitability checks for placement of the TEDDs,
- did not follow the Joint Military Working Dog neutering requirement when it adopted out TEDDs to private individuals and former handlers, and
- allowed the transfer and adoption of TEDDs to inadequately vetted applicants.

Discussion

The Army initiated its TEDD program in October 2010 as a temporary capability through an Army-funded contract to procure, train, and sustain TEDDs. At the time the Army stood up TEDDs, the Joint MWD Instruction did not specifically address temporary MWD programs. The Instruction mandated 341st TRS and DoD MWD PM coordination of MWD contracts and disposition of contracted dogs in accordance with its guidance for all MWDs. The Army hired contractors to procure, train, and sustain the TEDDs and the Army owned the dogs once they were certified. In accordance with DoD Directive 5200.31E and the Joint MWD Instruction, DoD-procured dogs are considered MWDs.

In October 2013, the Army MWD PM reported to the JSMWDC that the Army would fund the TEDD capability through FY 2014.

In November 2013, however, U.S Central Command notified the Army the TEDD requirement was ending, and the Army MWD PM met with support staff to discuss the disposition of TEDDs. According to his DoD OIG interview, the Army MWD PM asked the Army Veterinary staff at Fort Bragg, North Carolina, in November 2013 to screen TEDD records for TEDD conversion to Patrol Explosive Detection Dogs or for transfer to LEAs. The Fort Bragg Veterinarian stated that, in response, she and her staff began examining dogs in January 2014 for repurpose as military Patrol Explosive Detection Dogs or for transfer to LEAs and other agencies. The Veterinary staff and OPMG planned a Law Enforcement Week for the first week of February to facilitate transfer of TEDDs to LEAs.

End of the TEDD Contract and Priorities for Disposition

According to the Army MWD PM, in January 2014 the Army Provost Marshal General decided not to exercise an option to extend the TEDD contract to February 2015. Accordingly, the contract's period of performance ended on February 20, 2014. In an interview with the Army MWD PM, he stated that one of his challenges with the termination of the program was to execute the disposition of the remaining TEDDs in fewer than 45 days. The Army MWD PM also stated that he sought funding from the U.S. Army Forces Command to enable the Army to extend the time for the disposition of TEDDs, but the U.S. Army Forces Command was unable to support the request.

According to the DoD MWD PM, the Army OPMG's first priority was to assess the remaining TEDDs for continued service to fill military MWD vacancies. To this end, between November 2013 and February 2014, Army records show that the Army converted some of its TEDDs to Patrol Explosive Detection Dogs. The Army listed additional military transfers as occurring during this time, but the additional transfer papers did not include dates, and several documents contained conflicting information.

As a second priority, the Army sought to transfer as many dogs as possible to LEAs. The Army held a law-enforcement week from February 3 through 7, 2014, to give law-enforcement agencies an opportunity to observe TEDDs perform during training exercises and to allow LEAs to select TEDDs for their organizations. Between February 3 and February 7, 2014, at the end of the event, the Army's records show that the Army transferred 27 TEDDs to LEAs, 5 to other Federal agencies, 3 to military units, and 13 to a private company. Army records also show the Army completed seven adoptions to civilians. On February 7, at the end of the event, over 100 TEDDs still required disposition and remained at the kennel site in North Carolina or deployed in Afghanistan.

The Army Contracting Command modified the contract to extend it an additional 5 days to February 15, 2014, to provide time for contracted Field Service Representatives to travel from overseas to the United States before the contract expired.[16] This modification also allowed the Army's OPMG additional time to transfer as many remaining dogs as possible to individuals, including TEDD handlers, who could humanely care for the animals.[17]

The Army provided a follow-on week, February 10 to 14, 2014, to adopt TEDDs at the kennel site, and area civilians reported informal notification of the event through local social media. During this second adoption week, the kennel transferred TEDDs to LEAs and adopted TEDDs to both civilians and former TEDD handlers.

Table 2. Army Disposition of TEDDs January 26 through February 28, 2014

Army Disposition of TEDDs January through February 2014							
	Private Adoptions	Handler Adoptions	LEA Transfers	Federal Agencies	Military Positions	Soliden Technologies	Total TEDDS Dispositioned
*January 26-31	2	-	-	-	-	-	2
February 2-8	7	-	27	5	3	11	53
February 9-15	15	5	7	-	3	2	32
February 16-22	5	5	3	-	19	-	32
February 23-28	-	4	-	-	-	-	4
Total TEDDs In category	**29**	**14**	**37**	**5**	**25**	**13**	**123**

*There were a total of 156 TEDDs remaining in the program the beginning of January 2014
There were only two TEDD dispositions in the month of January 2014
There were a total of 33 TEDDs remaining in the program at the end of February 2014

According to disposition records, as of February 15, 2014, 69 TEDDs still required disposition. Contract records show that the Army Contracting Command granted a second contract modification to provide kenneling, feeding, and general welfare and maintenance for the remaining dogs at the kennel site to allow the Army time to adopt out additional TEDDs. This second contract modification extended the overall contract from February 15 to February 20, 2014, after which 37 TEDDs remained, some in North Carolina and others remaining deployed to Afghanistan until completion of their tour of duty.

[16] Contracted employees are field service representatives responsible for developing and conducting sustainment training of TEDD teams in theater

[17] The OPMG representatives explained, as part of the disposition process, although not a priority in accordance with the law, they gave dog handlers first right of refusal. They added that it is unclear how many former handlers the Army actually contacted, because the OPMG did not document attempts to contact them.

Army Disposition Issues

Remaining TEDDs and Lack of Time

According to the 2011 Joint MWD Instruction and the Army's policy document for the MWD program, Army Regulation 190-12, "Military Working Dogs," dated March 11, 2013, the MWD disposition process consisted of a disposition package review (training, medical, and adoption suitability) conducted by the 341st TRS Disposition Review Board.[18] Accountable Unit Commanders were responsible for sending the disposition package to the 341st TRS for each MWD considered for disposition. Upon reviewing the package, a Disposition Review Board makes a disposition recommendation for the MWDs.

The Army's OPMG had less than 2 months to dispose of 156 TEDDs before the end of the contract period.

Figure 4. Army MWD
Source: DoD Public Affairs

The Air Force reported to Congress in August 2016 that the Army did not plan for the TEDDs disposition before the decision to terminate the contract. The DoD MWD PM stated that he advised the Army MWD PM to follow the normal MWD disposition process for each dog that could not remain in the force as a patrol explosive detection dog. The DoD MWD PMs provided this guidance in a memorandum dated February 4, 2014, less than three weeks before the contract ended. However, to save administrative time, the DoD MWD PM cancelled the DoD requirement for the Army to submit each dog's disposition records to the 341st TRS for review.[19]

[18] The Joint MWD Instruction describes the Disposition Review Board as "members of the 341st TRS who review requests for disposition instructions for MWDs belonging to the DoD MWD Program."

[19] The DoD Joint MWD Instruction did not address altering mandatory disposition procedures to support the mission. The 2017 update to the Joint MWD Instruction directs that the Services' working dog contracts must address disposition in the contracts or in their policies, to ensure the dogs receive proper care.

Linking Deployed Handlers and TEDDs

According to an OPMG program analyst, some of these TEDDs continued to work overseas at the end of the contract. In order to assist with the disposition of the remaining deployed TEDDs, the Army MWD PM coordinated with a kennel master in theater to initiate the adoption paperwork for a small number of deployed TEDD handlers who wanted to adopt their TEDDs. To ensure continuity, the Army MWD PM coordinated for a TEDD liaison, an individual who worked at U.S. Army Forces Command. This person took possession of the TEDDs as they redeployed, coordinated veterinarian appointments, and personally cared for the dogs until the adopting handlers could return from their post-deployment activities to take final possession of their adopted dogs. According to the Army MWD PM, the liaison assisted the dogs and their handlers by providing valuable continuity until the handlers redeployed.

Screening of Dogs for Adoption

The Army Veterinary Clinic staff from Fort Bragg had planned for and screened TEDDs for medical and behavior suitability in preparation for transfers to LEAs during the primary and follow-on LEA weeks. The veterinary staff then provided recommendations on adoption suitability. However, OPMG added adoptions to civilians at the beginning of the follow-on LEA week, a process for which the Veterinary Clinic had not planned.

In some instances, the veterinarians recommended that only a handler or trainer should adopt a certain TEDD because of the dog's history of aggression. However, according to LEA week disposition records, the Army MWD PM did not always follow the veterinarians' recommendations or provide complete adoption suitability checklists before allowing families to adopt dogs. For example:

- The Army adopted a TEDD, described by an Army veterinarian as having a "history of aggression," to a civilian applicant. The veterinarian had recommended only adopting the dog to a previous handler or trainer. The adopter claimed the dog had "snapped at a child." An Army representative said that he retrieved the dog from the adopter, and that the Army subsequently adopted the dog to a second adopter. There were no young children in the second household. However, there was no indication in the adoption paperwork that the second adopter was a former handler or trainer.
- The Army allowed a family with children to adopt one TEDD described as having canine PTSD. There was no adoption suitability checklist with the dog's file indicating whether the dog was going to a family with children or would show aggression toward children. According to disposition records, this TEDD transferred 9 days later to a local sheriff's department.

- Another TEDD described as having possibly received bite training went to a home that had a young child. The dog's adoption suitability checklist dated October 3, 2013, signed by a veterinary corps officer, listed "unknown" as the evaluation for suitability for families with children and aggressiveness towards children. A second adoption suitability checklist, dated February 20, 2016, cleared the dog as suitable for families. The Army MWD PM completed and approved this second form, with no veterinary corps officer input or signature.

A member of the kennel staff reported during a group interview with DoD OIG team members that the Army's disposition of the TEDDs was uncoordinated and that it appeared the Army's priority was to get rid of the dogs as quickly as possible. Kennel staff familiar with the MWD adoption process expressed concern over what they observed. Staff members explained to our team that the adoptions were unplanned and rushed and that "some individuals seeking to adopt a dog were not capable of handling these types of dogs." One source described the adoption process as "organized chaos." An Army veterinarian noted the clinic's lack of preparation for adoption and described this stage of the civilian adoption process as emotionally charged and intense for the vet clinic staff.

Neutering Dogs Before Adoption

As part of the disposition process, the Joint MWD Instruction directs that "all MWDs will be neutered or spayed by the Veterinary Corps Officer prior to adoption." Female TEDDs were spayed earlier in the TEDD program. Neutering was not necessary for male TEDDs identified for continued work within the Services or for law enforcement.

The Fort Bragg veterinarian in charge of the TEDD disposition said that the Army's OPMG intended to transfer as many TEDDs as possible to LEAs. Therefore, the Army Veterinary Clinic initially screened the TEDDs for that purpose. According to the veterinarian, the Army then unexpectedly opened the follow-on LEA week to adoption by civilians to facilitate disposition of the remaining dogs before the kennel contract expired.

With the late decision to open adoptions to civilians, the Army Veterinary Clinic staff reported that they were rushed and not prepared to complete medical and suitability screenings of the remaining dogs for civilian adoptions. The Army did not neuter some male dogs as required before the civilian adoptions because the veterinary staff did not have time to perform the neutering procedures. In an effort to

The Army Veterinary Clinic staff was not prepared for adoption of the TEDDs to civilians, stating that they were rushed to complete medical and suitability screenings.

ensure dogs were neutered, the veterinarian staff advised civilian adopters to have the dogs neutered within 30 days of adoption and return the records to the Army for verification.

Army Vetting Process for Transfer to Law-Enforcement Agencies

In its effort to quickly transfer dogs to LEAs and adopt other dogs out to civilians, the Army did not appraise or vet some potential recipients of the TEDDs.

Neither Army Regulation 190-12 nor the Joint MWD Instruction provided specific guidance about vetting applicants before transfer and adoption of MWDs. Regarding the Army's procedure for vetting law enforcement, the Army MWD PM stated that he only required interested LEAs to produce a letter of intent signed by the Chief of Police or equivalent on an official letterhead. However, the Army reported that they did not retain these letters. In some instances, dogs transferred to LEAs for LEA use appeared to have been diverted to civilians.

In its haste to transfer dogs to law- enforcement agencies and to adopt other dogs out to civilians, the Army failed to vet some potential recipients.

For example, the Army transferred nine TEDDs to two local North Carolina police departments - three to the Jones County Police Department and six to the Taylortown Police Department. According to a Jones County Police Department Captain, although their intent was to train the TEDDs as search dogs, the dogs could not pass departmental training assessments. The police department ultimately transferred two of the dogs to private citizens within days of receiving them, and could not account for the whereabouts of the third dog.

The Taylortown Police Department staff adopted six TEDDs without its City Council's permission or the resources needed to sustain these dogs for law-enforcement use. During a DoD OIG interview, the new police chief reported that he heard that the families and relatives of the two ex-employees who signed the adoption paperwork for the police department kept the dogs. The Taylortown Police Department came under investigation by the local District Attorney for alleged questionable acquisition and disposition of TEDDs. The District Attorney's investigator stated that due to the use of incorrect disposition paperwork during the transfer of the dogs from the Army to Taylortown Police, the District Attorney could not produce evidence of wrongdoing by the police department, and subsequently closed the investigation.[20] He said that he was relatively sure the dogs were still with the families and relatives of the two ex-employees.

[20] Two Taylortown Police Department employees signed civilian adoption agreements for the six dogs instead of agreements for transfer to a law-enforcement agency. Additionally, the outdated agreement forms were not the forms approved by the 2011 Joint MWD Instruction, attachments 7 and 8.

Lack of Guidance for Adoption by Private Companies

Additionally, neither AR 190-12 nor Joint MWD Instructions offer specific guidance on MWD adoption by private companies. The Army MWD PM allowed Soliden Technologies, LLC, a private company, to adopt 13 TEDDs during law-enforcement week. According to the Army MWD PM, the company produced a letter indicating it would train the 13 TEDDs as service dogs for veterans. However, we found no evidence on the company's web site or in the Army's records to support that the company had ever engaged in the business of training service dogs.

Furthermore, the Army's disposition records did not indicate that Soliden had plans to use the TEDDs it adopted as service dogs. Soliden was not an LEA or other government agency, and the Army MWD PM categorized the Soliden MWD adoptions as civilian adoptions. Of the 13 dogs Soliden Technologies adopted, all six males and three of the females had no record of neutering, as required by the Joint MWD Instruction, and two of the dogs had been specifically requested by former handlers who had expressed a desire to adopt a TEDD.

According to the OPMG, Soliden Technologies left the 13 TEDDs at a kennel facility in Virginia without payment for their support. Essentially, the company abandoned the dogs to the kennel owner. According to television and Internet news sources, after over a year in the kennel facility, the U.S. War Dogs Association, working with members of Mission K9 Rescue – two nonprofit canine rescue organizations – eventually intervened and arranged to reunite the majority of the dogs with former handlers.

Army Process for Vetting MWDs for Civilian Adoption

The Joint MWD Instruction specifies that Accountable Unit Commanders must verify that MWDs are suitable for civilian adoption by completing an Adoption Suitability Checklist on each dog and reviewing a veterinarian's letter that describes each dog's physical condition as it relates to performance failure and medical eligibility for adoption. The 341st TRS must then receive and review each package before disposition.

The civilian adoptions that began on February 10, 2014, reportedly surprised the Fort Bragg veterinary staff, mainly because the staff did not previously screen the dogs for civilian adoptions as required by Joint MWD Instruction.

Additionally, Joint MWD Instruction and AR 190-12 mandate that all units participating in the MWD program use the Working Dog Management System (WDMS). The system tracks medical and training information relevant to TEDD adoption suitability. However, according to the Army MWD PM, the Army never accounted for the TEDD medical and training records in the WDMS.

In DoD OIG interviews, one adopter expressed concern with how fast the vetting process seemed to occur. Another adopter complained that there was no vetting process for adopting the TEDDs. The Army MWD PM stated that the Army could have used 6 months to get the disposition process right.

Conclusion

The Army's failure to plan for the disposition of the TEDDs during the initiation of the program and the Provost Marshal General's decision not to extend or modify the TEDD contract to allow for kenneling beyond February 2014 required the Army's MWD PM to execute the disposition of TEDDs on a shortened timeline. The Army MWD PM did not always follow the Army MWD Regulation, AR 190-12, or the Joint MWD Instruction.

Adoptions occurred without complete adoption suitability records and some families adopted TEDDs with possible aggressive or unsuitable tendencies. In addition, the Army did not neuter all of the male TEDDs before allowing private individuals and former handlers to adopt them.

The Army organized a law-enforcement week to transfer as many TEDDs as possible with useful working lives to law-enforcement agencies. During the event, the Army did not properly appraise or vet the individuals and organizations that adopted the TEDDs. The Army transferred some dogs to LEA representatives who never used them in a security role, and 1 private company adopted 13 TEDDs as service dogs for veterans but subsequently abandoned the dogs to a kennel.

Recommendations, Management Comments, and Our Response

Recommendation C

We recommend that the Secretary of the Army review, revise, and ensure Accountable Unit Commanders enforce Army Regulation 190-12, "Military Working Dogs," dated March 11, 2013, to ensure it complies with the requirements of "Air Force Instruction 31-126, Army Regulation 700-81, OPNAVINST 5585.2C, MCO 5585.6, DoD Military Working Dog (MWD) Program," dated February 28, 2017, particularly with respect to the disposition process.

Secretary of the Army Comments

The U.S. Army Provost Marshal General, responding on behalf of the Secretary of the Army, agreed with the recommendation. The Provost Marshal General stated that the Army is currently revising Army Regulation 190-12, "Military Working Dogs," to ensure it complies with National Defense Authorization Act 2016, 10 U.S.C. 2583, and with Air Force Instruction 31-126. The Provost Marshal General stated that the Army will submit the revision to the Army Publishing Directorate no later than March 31, 2018, with an estimated publishing date of November 2018.

Our Response

Comments from the Provost Marshal General addressed all specifics of the recommendation, and no further comments are required. The recommendation is resolved, but remains open. We will close this recommendation once we verify that the next revision to Army Regulation 190-12, "Military Working Dogs," incorporates the recommended language.

Finding D

The Army Did Not Track TEDDs through the DoD Program Management System for Military Working Dogs

The Army's OPMG did not use the established and prescribed DoD WDMS to account for dogs classified as TEDDs.[21]

This occurred because the Army's OPMG elected not to follow the Joint MWD Instruction and Army Regulation 190-12 for tracking TEDD MWDs.

As a result, the Army's MWD PM did not ensure accuracy in the tracking of some TEDDs through final disposition.

Discussion

According to the U.S. Air Force Security Forces website and the 2017 Joint MWD Instruction, WDMS provides full lifecycle management of the identity, medical status, training, operational assignment, and disposition of MWDs that have been evaluated, acquired, and deployed by the DoD and other participating Federal agencies. DoD Components are responsible for funding and managing their individual MWD assets within the WDMS.

The Joint MWD Instruction states that the 341st TRS "maintains accountable records on all classifications of MWDs by National Stock Number (NSN)," and the 341st TRS is responsible for the accountability of all dogs accepted as Government-owned DoD MWD Program dogs. The Joint MWD Instruction also states that DoD Components are responsible for reporting MWD assets through the WDMS, the accepted DoD program management system for MWDs at all units. Mandatory use of WDMS therefore applied to the Army's TEDDs.

Army Regulation 190-12, "Military Working Dogs," dated March 2013, describes the WDMS as the mechanism for "Army program managers to have a comprehensive view of the operational readiness of all MWDs and the handlers across the Army's MWD program," and the only system authorized and mandated for use by all MWD personnel operating in the program.

[21] The Working Dog Management System is the system of record for the Army MWD program.

Despite these requirements, the Army OPMG did not establish a module for tracking and reporting TEDDs in the WDMS. The DoD MWD PM explained that each service must establish modules within the WDMS and pay to have the ability to use it. He stated that the 341st TRS did not enter TEDDs in the WDMS because the Army procured the TEDDs rather than the 341st, and added that the Army decided not to add the TEDDs to the WDMS.

Figure 5. Deployment Operations with TEDD.
Source: DoD Public Affairs.

The Army's decision not to incorporate TEDDs into the WDMS, and the Air Force's acceptance, as the Executive Agent, of the Army's decision, violated the Joint MWD Instruction and Army Regulation 190-12." The MWD Instruction requires that DoD components use the WDMS for MWDs at all units. Moreover, DoD components must maintain accurate MWD data in WDMS.

Instead, the Army tracked the status of TEDDs on internally prepared spreadsheets outside the WDMS. Based on our analysis of disposition documents required by the Joint MWD Instruction, we found that the spreadsheets retained by the Army's OPMG included inconsistent data entries when compared with the actual disposition paperwork. The Army's TEDD management records appeared to be incomplete throughout the life of the TEDD program. For example, of the 49 TEDDs with documented disposition dates between 2011 and 2013 (that is, before the decision to terminate the TEDD program), 43 were missing all disposition records and 48 were missing adoption suitability checklists and valid excess letters.[22] The Army's process for tracking TEDDs on a spreadsheet rather than in the WDMS limited its ability to ensure accuracy of the status of some TEDDs during final disposition. (See Appendix A, Computer-Processed Data.)

The DoD OIG evaluation team concluded that if the Army had managed TEDD records within the WDMS, it could have been able to track pertinent TEDD data from procurement through final disposition. For example, with the lack of disposition time and missing adoption suitability checklists, the Army could have used MWDS records as additional information sources to determine suitability for TEDD transfer and adoption.

[22] To validate a dog's excess status, the command employing the dog sends an excess letter through the service component PM to the 341st TRS. In addition to validating the dog as excess, the letter validates the dog's temperament and certification status. The 341st TRS uses these letters for possible redistribution of excess dogs to other services or agencies.

In contrast with the Army's TEDD program, when the U.S. Marine Corps established its Improvised Explosive Device Detector Dog (IDD) Program in 2011, they incorporated WDMS. According to the Marine Corps' "IED Detector Dog (IDD) Disposition Process" Manual, April 2012, the Marine Corps used the MWDS to manage each IDD once it trained and certified each dog. The Marines used WDMS throughout the IDD adoption process, and removed the IDDs from the Marine Corps and DoD WDMS systems once adoption was complete.

Conclusion

The Joint MWD Instruction and Army Regulation 190-12 required the use of the WDMS as the only established DoD program management system for tracking MWDs at all units. When the Army elected not to incorporate TEDDs into the WDMS, it was not compliant with the Joint MWD Instruction or its own Service regulation. Overall, the Army did not consistently track TEDD data, as required by the Joint MWD Instruction, throughout the TEDD contract period or at the program's completion. DoD and Army regulations require this data to make informed decisions regarding suitability of transfer or adoption of TEDDs during the disposition process.

Recommendations, Management Comments, and Our Response

Recommendation D.1

We recommend that the Secretary of the Air Force, as the Executive Agent for the Department of Defense Military Working Dog program, maintain accountability for Military Working Dogs in nontraditional programs by ensuring the Services sufficiently maintain all mandatory records within the Department of Defense Working Dog Management System.

Secretary of the Air Force Comments

The Associate Director of Security Forces, Deputy Chief of Staff/Logistics, Engineering, and Force Protection, responding for the Secretary of the Air Force, agreed with the recommendation. The Associate Director stated that the Air Force would revise joint Service Military Working Dog regulation (Air Force Instruction 31-126) to mandate the use of the DoD Military Working Dog Management System (WDMS) for nontraditional program dogs to ensure Services maintain accountability. The Associate Director estimated completion of the revision by December 2018.

Our Response

Comments from the Associate Director addressed all specifics of the recommendation, and no further comments are required. The recommendation is resolved but will remain open. We will close the recommendation once we verify that the new policy revision in the Joint MWD Instruction, AFI 31-126, includes the appropriate language about mandatory use of the Working Dog Management System, to include its use for nontraditional MWDs. We expect to receive the revised regulation by December 2018.

Recommendation D.2

We recommend that the Secretary of the Army ensure that all future Army-funded Military Working Dog programs establish individual modules for tracking each nontraditional capability, such as Tactical Explosive Detection Dogs, within the established Department of Defense Working Dog Management System.

Secretary of the Army Comments

The U.S. Army Provost Marshal General, responding on behalf of the Secretary of the Army, agreed with the recommendation. The Provost Marshal General stated that the Army is currently revising Army Regulation 190-12, "Military Working Dogs," to implement and direct the establishment and use of individual modules within the DoD WDMS for all future Army-funded MWD programs, including nontraditional capabilities. The Provost Marshal General stated that the estimated publishing date for the revision to this instruction is November 2018.

Our Response

Comments from the Provost Marshal General addressed all specifics of the recommendation, and no further comments are required. The recommendation is resolved but will remain open. We will close this recommendation once we verify that the next revision to Army Regulation 190-12 incorporates the recommended language. We expect to receive the revised regulation by November 2018.

Appendix A

Scope and Methodology

We conducted this evaluation from June 2016 to December 2017, in accordance with the Council of the Inspectors General on Integrity and Efficiency, "Quality Standards for Inspection and Evaluation," published in January 2012. We planned and performed the evaluation to obtain sufficient and appropriate evidence to provide a reasonable basis for our conclusions based on our evaluation objectives.

The report evaluates whether the Department of the Army complied with appropriate criteria for the disposition of TEDDs at the time when the disposition of the TEDDs occurred, and whether the Secretary of the Air Force, as the Executive Agent for the DoD Military Working Dog Program, provided the required management and policy oversight of the TEDD disposition plan.

The scope of this evaluation included provisions of law; congressional guidance; service directives, instructions, and regulations; plans and procedures; contracts; and other standards and guidance pertaining to the adoption of TEDDs between 2009 and 2016. We also examined databases used to archive TEDDs information. Specifically, we reviewed:

- United States Code priorities for applicants for transfer or adoption of Tactical Explosive Detection Dogs,
- management and oversight of the Army's plan and process to dispose of its TEDDs by the Secretary of the Air Force, as the Executive Agent for the DoD Military Working Dog Program,
- the Department of the Army plan to dispose of the TEDDs when the program ended, and
- the Army's use of the Working Dog Management System to account for TEDDs during the program.

Disposition records for MWDs not part of the TEDD Program were outside the scope of this evaluation.

We announced our project on June 27, 2016. The team conducted interviews, collected documents, and analyzed TEDD records from June 2016 to April 2017. To evaluate our objectives, we:

- analyzed relevant provisions of the laws, DoD Directives, Service policies and guidance, and contracts in effect at the time of the TEDD disposition;

- conducted discussion meetings and interviews from July 2016 to December 2017 with the following program officials:
  - Headquarters, Air Force/A4 Security Forces;
  - DoD Executive Agent and DoD MWD Program Manager;
  - Department of the Army OPMG;
  - U.S. Marine Corps MWD Program Manager;
  - U.S. Marine Corps Systems Command;
  - 341st Training Squadron;
  - U.S. Army Contracting Command;
  - U.S. Army Forces Command;
  - Liaison Officer, TEDD;
  - Chief Executive Officer and kennel staff, K2 Solutions, Inc.;
  - TEDD handlers, civilian adopters, and law-enforcement officials; and
  - A TEDD advocacy group founder.
- conducted site visits to:
  - DoD MWD Training Center, Holland MWD Hospital, and the 341st Training Squadron, all located at Lackland Air Force Base (AFB), Texas, from August 8, 2016, to August 11, 2016, and
  - Southern Pines, North Carolina, from September 12, 2016, to September 15, 2016.
- examined and analyzed TEDD disposition records and a Microsoft Excel spreadsheet retained by Army OPMG and K2 Solutions, Inc.; and
- reviewed relevant documents obtained from the House Committee on Armed Services and a TEDD advocacy group.

The evaluation chronology was:

May and June 2016	research
July to October 2016	fieldwork
October 2016 to December 2017	analysis and report writing
January 2018	draft report issued
February 2018	management comments received and evaluated
February 2018	final report issued

Limitations

During our fieldwork, we determined that the Army's TEDD adoption records were incomplete. The evaluation team reconstructed individual TEDD disposition records to evaluate records reliability. Additionally, the TEDD program ended in 2014, restricting the team's ability to observe direct physical evidence. Instead, the evaluation team relied on documentary and testimonial evidence and computer-processed data.

Use of Computer-Processed Data

We used computer-processed data to perform this evaluation and to verify independently the TEDD disposition records. The DoD OIG Evaluation Team relied on information from the Army MWD PM at OPMG and the contracted TEDD Liaison at U.S. Army Forces Command, who stored and maintained records in different Microsoft Excel spreadsheets. Although the spreadsheets served as repositories, they tracked only the TEDD disposition information manually entered by the Army MWD PM and the contracted TEDD Liaison. Records entered in the spreadsheets did not have a source-to-electronic records trail that established the trustworthiness of the entries, such as dates of information creation or submission. We could not verify whether the Army MWD PM and TEDD Liaison at U.S. Army Forces Command entered TEDD disposition data during or after TEDD dispositions took place.

Furthermore, we determined that electronic records entered in the spreadsheets were not sufficiently reliable because there were technical errors in the entries and incomplete records, including missing information. Some entries appeared more than once. Because of these deficiencies, we could not reasonably assure the accuracy of the data entries in the spreadsheets, including disposal dates and transfer and adoption recipients for some TEDDs.

The unreliability of the spreadsheets did not affect our conclusions or findings. To account for all TEDDs dispositioned by the U.S. Army, we reviewed individual TEDD disposition records including transfer and adoption paperwork completed on each TEDD.

Prior Coverage

We found no prior coverage of the TEDD program during the last 5 years.

Appendix B

Section 2582, title 10, United States Code (10 U.S.C. § 2582 [2000]), "Military working dogs: transfer and adoption at end of useful working life," (The Robby Law)

H. R. 5314

One Hundred Sixth Congress
of the
United States of America

AT THE SECOND SESSION

Begun and held at the City of Washington on Monday, the twenty-fourth day of January, two thousand

An Act

To amend title 10, United States Code, to facilitate the adoption of retired military working dogs by law enforcement agencies, former handlers of these dogs, and other persons capable of caring for these dogs.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. PROMOTION OF ADOPTION OF MILITARY WORKING DOGS.

(a) ADOPTION OF MILITARY WORKING DOGS.—Chapter 153 of title 10, United States Code, is amended by adding at the end the following new section:

"§ 2582. Military working dogs: transfer and adoption at end of useful working life

"(a) AVAILABILITY FOR ADOPTION.—The Secretary of Defense may make a military working dog of the Department of Defense available for adoption by a person or entity referred to in subsection (c) 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).

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

"(c) AUTHORIZED RECIPIENTS.—Military working dogs may be adopted under this section by law enforcement agencies, former handlers of these dogs, and other persons capable of humanely caring for these dogs.

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

"(e) LIMITATIONS ON LIABILITY FOR TRANSFERRED DOGS.—(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 working dog transferred under this section, including any training provided to the dog while a military working dog.

"(2) Notwithstanding any other provision of law, the United States shall not be liable for any veterinary expense associated

10 U.S.C. § 2582 (2000) (cont'd)

with a military working dog transferred under this section for a condition of the military working dog before transfer under this section, whether or not such condition is known at the time of transfer under this section.

"(f) ANNUAL REPORT.—The Secretary shall submit to Congress an annual report specifying the number of military working dogs adopted under this section during the preceding year, the number of these dogs currently awaiting adoption, and the number of these dogs euthanized during the preceding year. With respect to each euthanized military working dog, the report shall contain an explanation of the reasons why the dog was euthanized rather than retained for adoption under this section.".

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

"2582. Military working dogs: transfer and adoption at end of useful working life.".

Speaker of the House of Representatives.

Vice President of the United States and
President of the Senate.

Section 2583, title 10, United States Code (10 U.S.C. § 2583 [2013]) "Military animals: transfer and adoption"

Page 1681 TITLE 10—ARMED FORCES § 2583

§ 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 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.

10 U.S.C. § 2583 (2013) (cont'd)

(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) TRANSFER OF RETIRED MILITARY WORKING DOGS.—If the Secretary of the military department concerned determines that a military working dog should be retired, and no suitable adoption is available at the military facility where the dog is located, the Secretary may transfer the dog—

(1) to the 341st Training Squadron; or

(2) to another location for adoption under this section.

(g) 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.)

AMENDMENTS

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 "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.

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

Section 2583, title 10, United States Code (10 U.S.C. § 2583 [2016]) "Military animals: transfer and adoption"

10 USC 2583: Military animals: transfer and adoption
Text contains those laws in effect on July 14, 2016

From Title 10-ARMED FORCES
Subtitle A-General Military Law
PART IV-SERVICE, SUPPLY, AND PROCUREMENT
CHAPTER 153-EXCHANGE OF MATERIAL AND DISPOSAL OF OBSOLETE, SURPLUS, OR UNCLAIMED PROPERTY

Jump To:
Source Credit
Amendments
Effective Date

§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 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) 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.

10 U.S.C. § 2583 (2016) (cont'd)

(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).

10 U.S.C. § 2583 (2016) (cont'd)

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 "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.

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

Appendix C

Military Working Dog Capabilities Comparison

Overview of Military Working Dogs

The use of dogs in war and other operations has been a standard practice in the military for years. Initially the military used dogs as sentries and trackers, but the military learned to use dogs as a force multiplier, and their role began to expand. The military began to train dogs and handlers to produce teams in which the members would complement each other.

The Department of the Army Field Manual 3-19.17 states:

> Even the most complex machines remain unable to duplicate the operational effectiveness of a properly trained MWD team .... MWDs provide a valuable asset to military police, infantry, Special Forces, the Department of Defense (DOD), and other government agencies. The MWD's senses of sight, smell, and hearing enhance his detection capabilities and provide commanders with a physical and psychological deterrent to criminal activity. Public knowledge of MWD team capabilities provides military police and various security forces with a formidable deterrent wherever the MWD team is employed.

The military now uses dogs in many different capacities, from patrol to narcotics to explosive detection, and at different locales, such as Iraq, Afghanistan, and many military installations across the United States.

MWD Programs of Military Services

DoD Perspective

In the Military Services, the MWD capability resides within the law-enforcement forces, security forces, and engineer units. The Military trains and certifies MWD handlers to care for, train, and employ MWDs.

Army Perspective

According to Army Regulation 190-12, dated March 11, 2013, the Army uses MWD teams for:

- garrison- and combat-support missions, including area security;
- movement- and mobility-support operations;
- law and order; and
- force protection, including the detection of narcotics, humans, landmines, firearms, ammunition, and explosives.

The Marine Corps' Perspective

According to Marine Corps Warfighting Publication 3-34.1, "Military Police Operations," September 9, 2010, military police use the unique capabilities of MWDs to enforce laws and regulations to:

- support mission assurance efforts by protecting forces and assets,
- conduct stability and warfighting operations,
- implement force multipliers – modular and mobile,
- deploy rapidly and integrate quickly into operations, and
- conduct high-tempo operations.

Improvised Explosive Device Detector Dog

In 2008, the Marine Corps established the Improvised Explosive Device Detector Dog (IDD) capability. Marine Ground Combat Units used the IDDs. Each IDD team consisted of a ground-combat marine handler and an IDD. The IDD's primary purpose was to facilitate the forward movement of a dismounted patrol by providing real-time identification of IEDs and the confirmation or refutation of suspicious items, areas, or choke points. The IDDs were purpose-driven dogs, trained to hunt for explosives, and specifically developed for use by deployed infantry and combat-engineer battalions.

Tactical Explosive Detection Dog

In 2010, the Army established the Tactical Explosive Detection Dog (TEDD) Program in response to a need for an MWD off-leash, explosive detection capacity to meet growing counter-IED requirements. The program consisted of a 9-week course designed to produce an off-leash, single-purpose MWD team capable of detecting a variety of explosives and explosive compounds. The team had the ability to search buildings, rooms, vehicles, and open areas and to conduct route clearance.

Similarities and Differences

The DoD MWD, IDD, and TEDD programs operate under the same procedures for budgeting, funding, accounting, procuring, distribution, and reporting of MWDs. These procedures apply to all services – Air Force, Army, Navy, and Marine Corps – in accordance with Joint MWD Instructions. However, there are differences in MWD capabilities and in the management of the individual MWD programs.

Management of Programs – The DoD Program Manager at Lackland AFB manages the DoD MWD program, the Marine Corps Systems Command manages the IDD program, and the Army's OPMG manages the TEDD program.

Allocation of Resources – The 341st Training Squadron (TRS) is the only agency authorized to procure and distribute MWDs. Furthermore, the 341st TRS is responsible for breeding and training dogs for the MWD program. The 341st TRS allocates the MWD to installations, bases, unit commanders based on requirements, and the MWDs become those commanders' assets for managing and use. However, since the Marine Corps and the Army generated an explosive detection dog capability in response to Urgent Operational Needs Statements, both Services contracted with civilian companies to procure and train the dogs for their respective capabilities.

Single Purpose vs. Dual Purpose – The DoD MWD program trains dogs either for single or dual purpose. Single-purpose dog training include drugs, explosives, or patrols. Dual-purpose dogs train in two capabilities such as patrol and explosives, search and rescue, or patrol and narcotics. The IDDs and TEDDs were single-purpose dogs trained only to search for improvised explosive devices.

Training and Occupational Specialty of Handlers – DoD MWD handler functions are performed by Military Police, Security Forces, and some Engineers. After 11 weeks of training, the handlers receive a MWD Handler occupational specialty and a permanent job as a handler.

The IDD handlers were Marine Infantry, and TEDD handlers were Army infantry soldiers or other soldiers with a non-law-enforcement Military Occupational Specialty. These IDD or TEDD handlers received 9 weeks of modified handler training, including the MWD team certification, but they did not receive an MWD Military Occupational Specialty upon certification. For both IDDs and TEDDs, this was a temporary duty. Upon redeployment (about 9 months), handlers returned to their normal Military Occupational Specialty duties.

For more comparison of the MWD capabilities, see Figure 6.

MWD Capability Comparisons

Attribute	Patrol/ Explosive Detection Dog (PEDD)	Mine Detection Dog (MDD)	Specialized Search Dog (SSD)	Tactical Explosive Detection Dog (TEDD)	IED Detection Dog (IDD) (USMC Only)
POR/Enduring	Yes/Yes	Yes/Yes	Yes/Yes	No/No	USMC Only
Organization	MP	ENG	MP/ENG	Embedded in BCT (BN)	Infantry/Engineer
Oversight	Kennel Master	Detachment Sergeant	Kennel Master/ Detachment Sergeant	BCT Kennel Master/ Field Service Rep	Embedded Kennel/ Field Service Rep
Handler	MP	ENG	MP/ENG/SF	Primary Infantry + other MOS	Primary Infantry + other MOS
Capabilities	Patrols, tracks, and detects domestic and foreign explosive materials and ammunition	Theater-specific land mines and explosives substances	Detect domestic and foreign explosive materials and ammunition	Detect domestic and foreign explosive materials and ammunition	Hasty detection, clearing and proofing
Employment	Primarily on-leash or wearing harness	On-leash or wearing a harness	Off-leash or wearing a harness	Off-leash or wearing a harness	Off-leash
Mission	Buildings, vehicles, open areas, routes, and personnel	Area clearance, route clearance and mine field extraction	Buildings, vehicles, open areas, routes, and personnel	Buildings, vehicles, open areas, routes, and personnel	Point-to-point; Orbit search in open areas; Building/Vehicle
Training	Dog and handler are trained separate	Dog and handler train together; Training includes block at Yuma	Dog and handler train together; Training includes block at Yuma	Dog is pre-trained prior to training with handler; Additional training with handler at Yuma leading to certification	Dogs trained for 15 weeks; Handler and dog trained for 5weeks; MRX (5 weeks)
Certification	Team certified once paired at unit	Team certified at unit after initial training	Team certified at unit after initial training	Certified at Yuma; Validated in theater	Dog certified only

Figure 6. MWD Capability Comparison.
Source: OPMG Representative

Appendix D

Synopsis of the Secretary of the Air Force's Report to Congressional Committees

"The National Defense Authorization Act for FY 2017, Report of the Committee on Armed Services, House of Representatives, on H.R. 4909, Together with Additional Views," dated May 4, 2016, referenced the Adoption of Tactical Explosive Detection Military Working Dogs. The committee directed the Secretary of the Air Force to provide a report to the Senate and House Committees on Armed Services by August 31, 2016, addressing five issues:

- how TEDD handlers were identified and contacted to verify intent to adopt TEDD military working dogs, including a listing of all TEDD handlers, the method by which they were contacted, the handlers' stated intentions regarding TEDD adoption, and instances of handlers reporting errors in the adoption process;
- what steps the Secretary has taken to ensure that all MWD handlers have visibility into the adoption process of all MWDs, including TEDDs;
- the factors that led to instances in the adoption process of TEDDs where handlers did not have the opportunity to adopt the TEDD, and how the Secretary intends to prevent future process errors in MWD adoptions;
- any resource, legislative, or departmental policy changes needed to correct deficiencies in the adoption process; and
- the process for selection of a handler for MWD adoption when more than one handler requests to adopt the MWD.

House Report 114-537, United States Air Force report to congressional committees, "Tactical Explosive Detector Dog (TEDD) Adoption Report," August 2016, highlighted that:

- The Army faced challenges in the disposition of TEDDs due to an avoidable limited transition window. The Army was not prepared, and it did not have a plan in place to dispose of the TEDDs upon termination of the contract. To ensure proper disposition, the Army should have planned the disposition process or renewed the contract for an optional additional year.
- The Army did not provide TEDD handlers with written guidance on the application process for TEDD adoption, and it did not provide in writing, an explanation of the current MWD-adoption law to avoid confusion.

- The Army stated that they attempted to contact 33 soldiers who had expressed a desire to adopt the dog they had worked with; however, the OPMG's training roster was incomplete. The OPMG assumed the remaining handlers did not want to adopt their dogs because they had not advised the OPMG of such an interest.
- In February 2014, when the TEDD contract ended, the adoption process proceeded in accordance with 10 U.S.C. § 2583 (2013), subsection (c), which was the law in place at the time. The law did not establish an order of priority; it provided only that 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.
- An amendment to the law in 2015 gave priority to the handler of a MWD wounded in action, and, if the handler of an MWD died in action or because of wounds received in action, then the MWD should be made available for adoption only by a parent, child, spouse, or sibling of the deceased handler. Furthermore, legislative changes reflected when, in the best interest of the dog, priority goes first to former handlers of the animal. However, the DoD continues to use and transfer MWDs with still useful working life when requirements exist in other services – except in cases where the handlers were wounded or killed in action or died of wounds received in action.
- Updates to the Air Force Instruction 31-126, "Military Working Dog Program," will ensure that all DoD-owned dogs are dispositioned in accordance with current law and with the policies of the DoD. In addition, the JSMWDC will review future contract considerations processed outside the traditional DoD Military Working Dog Training center to ensure that a disposition plan is a part of the contract requirements and in accordance with the law.

Management Comments

Department of the Army

DEPARTMENT OF THE ARMY
OFFICE OF THE ASSISTANT SECRETARY
MANPOWER AND RESERVE AFFAIRS
111 ARMY PENTAGON
WASHINGTON, DC 20310-0111

SAMR-MPQ 9 February 2018

MEMORANDUM FOR Inspector General, Office of the Inspector General, U.S. Department of Defense, 4800 Mark Center Drive, Alexandria, VA 22350-1500

SUBJECT: Army Response: Summary Report of the Army's Tactical Explosive Detection Dog (TEDD) Disposition Process from 2011 to 2014

1. The Army concurs with comment to the Department of Defense (DoD) Office of the Inspector General's (OIG) report on the Army's TEDD disposition process. The attached enclosure provides the Army's comments to recommendations C and D.2 of the report.

2. My point of contact for this action is the Office of the Provost Marshal General, [redacted]

SALO.DONALD.GEORGE.JR [redacted] Digitally signed by SALO.DONALD.GEORGE.JR [redacted]

DONALD G. SALO, JR
Deputy Assistant Secretary of the Army
(Military Personnel & Quality of Life)

Enclosure

Department of the Army (cont'd)

Enclousre 1

DEPARTMENT OF THE ARMY
OFFICE OF THE PROVOST MARSHAL GENERAL
2800 ARMY PENTAGON
WASHINGTON, DC 20310-2800

DAPM-MPO-LE

MEMORANDUM THRU Deputy Assistant Secretary of the Army, Military Personnel & Quality of Life, 111 Army Pentagon, Washington, DC 20310-0111

MEMORANDUM FOR Inspector General, Office of the Inspector General, U.S. Department of Defense, 4800 Mark Center Drive, Alexandria, VA 22350-1500

SUBJECT: Army Response: Summary Report of the Army's Tactical Explosive Detection Dog (TEDD) Disposition Process from 2011 to 2014

1. The Office of the Provost Marshal General (OPMG) concurs with the Department of Defense (DoD) Office of the Inspector General's (OIG) recommendations to the Army as contained in its report on the Army's TEDD disposition process. The report had two recommendations directed to the Army, recommendations C and D.2. Each recommendation is discussed below.

2. DOD OIG Recommendation C

a. DOD OIG Recommendation C: We recommend that the Secretary of the Army review, revise, and ensure Accountable Unit Commanders enforce Army Regulation 190-12, "Military Working Dogs," dated March 11, 2013, to ensure it complies with the requirements of "Air Force Instruction 31-126, Army Regulation 700-81, OPNAVINST 5585.2C, MCO 5585.6, DoD Military Working Dog (MWD) Program," dated February 28, 2017, particularly with respect to the disposition process.

b. Army Response: The Army concurs with Recommendation C. Army Regulation (AR) 190-12, March 11 2013, is currently being revised and we will submit to the Army Publishing Directorate (APD) NLT 31 March 2018. The revision implements and directs compliance with all MWD disposition and adoption requirements IAW NDAA 2016, 10 U.S. Code 2583 (Military Animals: Transfer and Adoption) and Air Force Instruction (AFI) 31-126, AR 700-81, OPNAVINST 5585.2C, MCO 5585.6 (DoD Military Working Dog (MWD) Program). The estimated publishing date for the revised AR 190-12 is November 2018. In the interim, the Army has issued a Headquarters Department of the Army (HQDA) MWD Disposition Checklist IAW AFI 31-126 to every Army MWD Detachment. The Army has also issued the updated MWD disposition and adoption guidelines through email, tele-conferences, and face-to-face leadership seminars.

Department of the Army (cont'd)

DAPM-MPO-LE
SUBJECT: Army Response: Summary Report of the Army's Tactical Explosive Detection Dog (TEDD) Disposition Process from 2011 to 2014

3. DOD OIG recommendation D.2

a. DOD OIG recommendation D.2: We recommend that the Secretary of the Army ensure that all future Army-funded Military Working Dog programs establish individual modules for tracking each non-traditional capability, such as Tactical Explosive Detection Dogs, within the established Department of Defense Working Dog Management System.

b. Army Response: The Army concurs with Recommendation D.2. AR 190-12, March 11 2013, is currently being revised and we will submit to APD NLT 31 March 2018. The revision implements and directs that individual modules be established within the Department of Defense (DoD) Working Dog Management System (WDMS) for all future Army-funded MWD programs. These individual WDMS modules will track each non-traditional capability, such as TEDDs, until the MWD disposition and adoption process has been completed. The estimated publishing date for the revised AR 190-12 is November 2018. In the interim, the Army has issued internal OPMG guidance directing DoD WDMS modules for any future Army-funded MWD programs.

4. My point of contact is [redacted]

DAVID P. GLASER
Major General, USA
Provost Marshal General

2

Department of the Air Force

DEPARTMENT OF THE AIR FORCE
HEADQUARTERS UNITED STATES AIR FORCE
WASHINGTON DC

8 February 2018

MEMORANDUM FOR DEPARTMENT OF DEFENSE OFFICE OF INSPECTOR GENERAL

FROM: HQ USAF/A4S
1030 Air Force Pentagon, Room 5E1040
Washington, DC 20330-1030

SUBJECT: DoD OIG Report on The Army's Tactical Explosive Detection Dog (TEDD) Disposition Process from 2011 to 2014

Thank you for the opportunity to provide data concerning the draft DoD OIG Report on The Army's Tactical Explosive Detection Dog (TEDD) Disposition Process from 2011 to 2014, January 19, 2018. Our management comments in response to the report's recommendations are below.

RECOMMENDATION B.2: We recommend that the Secretary of the Air Force, as the Executive Agent for the Department of Defense Military Working Dog (MWD) Program, in collaboration with the Department of Defense Components with MWD assets, review Air Force Instruction 31-126, Army Regulation 700-81, OPNAVINST 5585.2C, MCO 5585.6, "DoD MWD Program," dated February 28, 2017, to ensure that it: a. includes guidance that addresses the vetting of non-military transfer and adoption applicants for MWDs; and b. includes guidance for temporary, nontraditional MWD capabilities that are not directly supported by the 341st TRS.

COMMENT: The Air Force concurs but believes guidance already exists in the joint Service instruction, AFI 31-126, DoD MWD Program. All DoD owned contract working dogs (CWD) procured outside the traditional MWD program must be absorbed in the DoD MWD program upon contract termination. If CWDs are deemed in excess they will follow the same adoption eligibility criteria as traditional MWDs. Recommend closure.

RECOMMENDATION D.1: We recommend that the Secretary of the Air Force, as the Executive Agent for the Department of Defense MWD program, maintain accountability for MWDs in nontraditional programs by ensuring the Services sufficiently maintain all mandatory records within the Department of Defense Working Dog Management System (WDMS).

COMMENT: The Air Force concurs. The aforementioned joint Service AFI 31-126 will mandate the use of Department of Defense Working Dog Management System (WDMS) for nontraditional program dogs to ensure Services maintain accountability. This joint instruction requires extensive coordination across all the Services. Estimated Completion Date: Dec 18

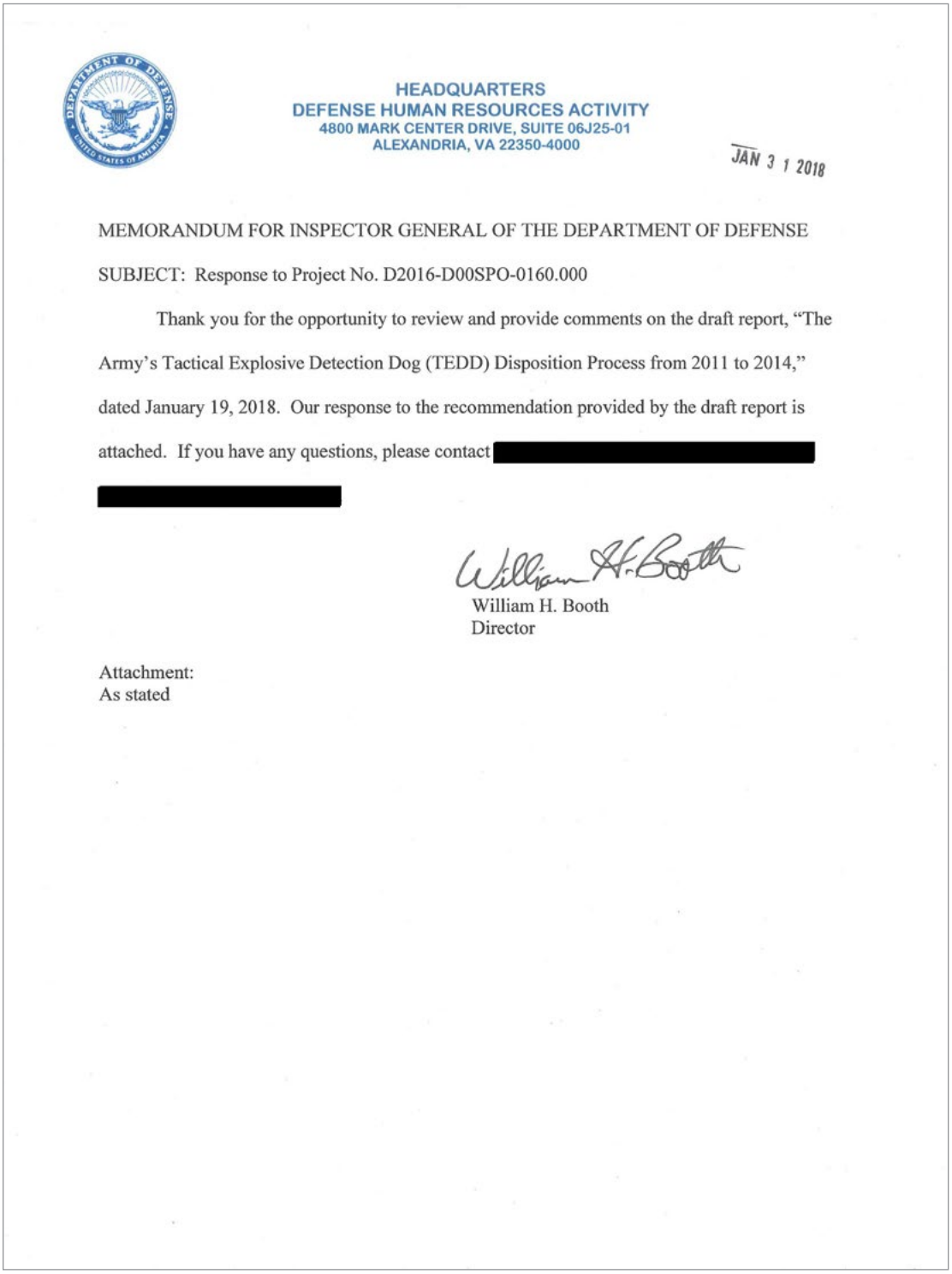
Department of the Air Force (cont'd)

Thank you for identifying the recommended improvement areas. The recommendations provided will certainly help us improve oversight of the program. Please feel free to direct any questions to my point of contact, [redacted]

SCHEPPERS.HE[redacted] Digitally signed by SCHEPPERS.HEIDI.L[redacted]
IDI.L.[redacted]

HEIDI L. SCHEPPERS, Col, USAF
Associate Director of Security Forces
DCS/Logistics, Engineering and Force Protection

Undersecretary of Defense for Personnel and Readiness



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JAN 3 1 2018

MEMORANDUM FOR INSPECTOR GENERAL OF THE DEPARTMENT OF DEFENSE

SUBJECT: Response to Project No. D2016-D00SPO-0160.000

Thank you for the opportunity to review and provide comments on the draft report, "The Army's Tactical Explosive Detection Dog (TEDD) Disposition Process from 2011 to 2014," dated January 19, 2018. Our response to the recommendation provided by the draft report is attached. If you have any questions, please contact [redacted]

[redacted]

William H. Booth
Director

Attachment:
As stated

Undersecretary of Defense for Personnel and Readiness (cont'd)

RESPONSE TO DRAFT RECOMMENDATIONS
PROJECT No. D2016-D00SPO-0160.000

Recommendation B.1 recommends "that the Office of the Under Secretary of Defense for Personnel and Readiness, as the Principal Staff Assistant for the Department of Defense Military Working Dog Program, revise Department of Defense Directive 5200.31E, "DoD Military Working Dog Program," dated August 10, 2011, to clarify Military Working Dog Executive Agent management and oversight authorities in cases where needs of the Services require nontraditional Military Working Dog programs."

Response B.1: The Defense Human Resources Activity (DHRA) agrees with this recommendation. The DHRA Law Enforcement Policy Support Office is preparing to update Department of Defense Directive 5200.31E, "DoD Military Working Dog Program," and will work with the Military Services to incorporate clarifying guidance on oversight authorities in cases when nontraditional military working dog services are required.

Acronyms and Abbreviations

IED	Improvised Explosive Device
JSMWDC	Joint Service Military Working Dog Committee
LEA	Law-Enforcement Agency
MWD	Military Working Dog
OPMG	Office of the Provost Marshal General
PM	Program Manager
TEDD	Tactical Explosive Detection Dog
TRS	Training Squadron
WDMS	Working Dog Management System

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