

109TH CONGRESS
2^D SESSION

H. R. 4958

To increase the number of trained detection canines of the Department of Homeland Security, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 14, 2006

Mr. ROGERS of Alabama (for himself, Mr. MEEK of Florida, Mr. MCCAUL of Texas, and Mr. THOMPSON of Mississippi) introduced the following bill; which was referred to the Committee on Homeland Security, and in addition to the Committees on the Judiciary and Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To increase the number of trained detection canines of the Department of Homeland Security, and for other purposes.

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

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Canine Detection
5 Team Augmentation and Certification Act of 2006”.

6 **SEC. 2. FINDINGS.**

7 The Congress finds the following:

1 (1) Canine detection teams, which consist of a
2 canine and a canine handler, are an important part
3 of a layered homeland security system to prepare
4 for, respond to, mitigate against, and prevent acts of
5 terrorism.

6 (2) Canine detection teams can be deployed
7 quickly and can move easily throughout a variety of
8 areas, including mass transit systems, airports,
9 cargo areas, sea ports, the Nation's borders, ports of
10 entry, office buildings, and stadiums.

11 (3) Canine detection teams can be trained to
12 detect a variety of items, such as explosives, nar-
13 cotics, concealed humans, cadavers, and chemical
14 and biological materials.

15 (4) Canine detection teams can be utilized in
16 situations where detection technologies are unavail-
17 able, immobile, or not cost-effective.

18 (5) There is a shortage of canine detection
19 teams available to assist Federal, State, and local
20 law enforcement personnel as they put their lives at
21 risk daily to protect the Nation.

22 (6) The Congress has authorized 2,000 new
23 Border Patrol agents for each of fiscal years 2006
24 through 2010 without a corresponding increase in

1 the number of detection canines deployed with these
2 Border Patrol agents.

3 (7) Canine detection teams have been deployed
4 to the Nation's busiest airports. However, the
5 Transportation Security Administration must in-
6 crease the capacity of its canine training program in
7 order to train and deploy canines to the Nation's
8 mass transit systems.

9 (8) Urban search and rescue canines and ca-
10 daver detection canines were used effectively in the
11 Gulf Coast region to respond to Hurricanes Katrina
12 and Rita.

13 (9) The Bureau of United States Customs and
14 Border Protection, the United States Secret Service,
15 the Coast Guard, and the Federal Protective Service
16 regularly use canine detection teams to secure Na-
17 tional Special Security Events, protect Federal
18 buildings and their occupants, and protect the Na-
19 tion's sea ports.

20 (10) State, local, and tribal agencies and the
21 private sector rely on canine detection teams for se-
22 curity purposes, like the Federal Government. In the
23 absence of national training and certification stand-
24 ards, there have been a number of fraudulent oper-
25 ations and the use of inadequately trained canines

1 and canine handlers. In one documented case, in
2 2003, a Virginia man, Russell Lee Ebersole, sup-
3 plied explosive detection canine teams to several gov-
4 ernment agencies, including the Federal Reserve
5 Board, that failed explosives detection tests on five
6 different occasions.

7 (11) The Subcommittee on Management, Inte-
8 gration, and Oversight of the Committee on Home-
9 land Security of the House of Representatives held
10 a hearing on September 28, 2005, regarding the use
11 of canine detection teams in support of homeland se-
12 curity activities. At the hearing, Subcommittee Mem-
13 bers were informed by several Federal agencies, a
14 local transit police department, a private canine se-
15 curity company, and a university-based canine train-
16 ing center that—

17 (A) there is a shortage of trained canine
18 detection teams;

19 (B) there is a need for a national canine
20 detection team training standard, or multiple
21 standards, in order to strengthen the quality of
22 canine detection teams and their interchange-
23 ability among Federal, State, and local agencies
24 and the private sector; and

1 (C) there is a demonstrated need for Fed-
2 eral leadership to ensure that certifying entities
3 are qualified and that they do not inappropri-
4 ately certify canine detection teams that may
5 put homeland security and public safety at risk.

6 **SEC. 3. CANINE DETECTION TEAM AUGMENTATION AND**
7 **CERTIFICATION.**

8 (a) INCREASING THE NUMBER OF TRAINED CANINE
9 DETECTION TEAMS.—

10 (1) INCREASE.—In each of fiscal years 2007
11 through 2011, the Secretary of Homeland Security
12 shall, subject to the availability of appropriations for
13 such purpose, increase the number of trained canine
14 detection teams of the Department over the number
15 of such teams deployed or available on the last day
16 of the preceding fiscal year as follows:

17 (A) CUSTOMS AND BORDER PROTEC-
18 TION.—An increase of not less than 25 percent
19 the number of trained canine detection teams
20 deployed at and between the Nation's ports of
21 entry.

22 (B) TRANSPORTATION SECURITY ADMINIS-
23 TRATION.—Increase by not less than 25 percent
24 the number of trained detection canines de-

1 employed at the Nation’s airports and mass tran-
2 sit systems.

3 (C) COAST GUARD, UNITED STATES SE-
4 CRET SERVICE, FEDERAL PROTECTIVE SERVICE,
5 AND FEDERAL EMERGENCY MANAGEMENT
6 AGENCY.—Increase by not less than 25 percent
7 the number of trained canine detection teams
8 available to Coast Guard stations, Secret Serv-
9 ice operations, and Federal Protective Service
10 operations across the country, and to the Fed-
11 eral Emergency Management Agency to ensure
12 their availability as needed in emergencies.

13 (2) NOTIFICATION OF CONGRESS.—If the Sec-
14 retary determines that an agency referred to in sub-
15 section (a) is unable to achieve the increase required
16 under subsection (a) for such reasons as cost or
17 availability, the Secretary shall notify the Committee
18 on Homeland Security of the House of Representa-
19 tives and the Committee on Homeland Security and
20 Governmental Affairs of the Senate, describing the
21 reasons why the agency is unable to achieve the in-
22 crease.

23 (b) COORDINATION, ENHANCEMENT, AND IMPROVE-
24 MENT OF CANINE DETECTION TEAMS.—

1 (1) IN GENERAL.—The Homeland Security Act
2 of 2002 is amended by adding at the end the fol-
3 lowing:

4 **“TITLE XIX—MISCELLANEOUS**
5 **PROVISIONS**

6 **“Subtitle A—Canine Detection**
7 **Teams**

8 **“SEC. 1901. COORDINATION AND ENHANCEMENT OF CA-**
9 **NINE PROTECTION TEAM TRAINING.**

10 “The Secretary shall—

11 “(1) fully coordinate the canine training pro-
12 grams of the Department that support the Depart-
13 ment’s counter-terrorism, counter-smuggling, trans-
14 portation security, and border security missions and
15 other missions of the Department, including, with
16 respect to the research and development of new ca-
17 nine training methods, the optimum number and
18 type of training aids, and measurements for effi-
19 ciency and effectiveness;

20 “(2) ensure that the Department is maximizing
21 its use of existing training facilities and resources to
22 train canines throughout the year; and

23 “(3) coordinate the use of detection canines
24 trained by other Federal agencies, nonprofit organi-
25 zations, universities, and private training facilities in

1 order to increase the number of trained detection ca-
2 nines available to Federal, State, and local law en-
3 forcement agencies.

4 **“SEC. 1902. CANINE PROCUREMENT.**

5 “The Secretary shall—

6 “(1) make it a priority to increase the number
7 of domestically bred canines used by the Department
8 to assist in its counter-terrorism mission, including
9 the protection of ports of entry and along the United
10 States border;

11 “(2) increase the utilization of domestically
12 bred canines from universities and private and non-
13 profit sources in the United States; and

14 “(3) consult with other Federal, State, and
15 local agencies, nonprofit organizations, universities,
16 and private entities that use detection canines, such
17 as those participating in the Scientific Working
18 Group on Dog and Orthogonal Detectors (popularly
19 known as ‘SWGDOG’), as well as the Office of Man-
20 agement and Budget, to encourage domestic breed-
21 ing of canines and consolidate canine procurement,
22 where possible, across the Federal Government to
23 reduce the cost of purchasing canines.

1 **“SEC. 1903. DOMESTIC CANINE BREEDING GRANT PRO-**
2 **GRAM.**

3 “(a) ESTABLISHMENT OF PROGRAM.—The Secretary
4 shall establish a competitive grant program for domestic
5 breeders of canines. The purpose of the grant program
6 shall be to encourage the development and growth of ca-
7 nine breeds that are best suited for detection training pur-
8 poses within the United States.

9 “(b) AUTHORIZATION OF APPROPRIATIONS.—There
10 is authorized to be appropriated to carry out this section
11 \$3,000,000 for each of fiscal years 2007 through 2011.

12 **“SEC. 1904. HOMELAND SECURITY CANINE DETECTION AC-**
13 **CREDITATION BOARD.**

14 “(a) ESTABLISHMENT OF ACCREDITATION BOARD.—

15 “(1) IN GENERAL.—Not later than 180 days
16 after the date on which the national voluntary con-
17 sensus standards referred to in subsection (b)(1) are
18 issued, the Secretary, in consultation with the Sec-
19 retary of Defense, the Secretary of State, and the
20 Attorney General, shall establish a Homeland Secu-
21 rity Canine Detection Accreditation Board to de-
22 velop and implement a process for certifying compli-
23 ance with such standards.

24 “(2) MEMBERSHIP.—The membership of the
25 Accreditation Board shall consist of experts in the
26 fields of canine training and explosives detection

1 from Federal and State agencies, universities, other
2 research institutions, and the private sector, such as
3 those represented on the Executive Board of
4 SWGDOG.

5 “(b) ACCREDITATION PROCESS.—The Accreditation
6 Board shall establish and implement a voluntary accredi-
7 tation process to—

8 “(1) certify that persons conducting certifi-
9 cation of canine detection teams appropriately en-
10 sure that the canine detection teams meet the na-
11 tional voluntary consensus standards developed by
12 SWGDOG;

13 “(2) ensure that canine detection teams do not
14 put public safety and the safety of law enforcement
15 personnel at risk due to fraud or weaknesses in the
16 initial or maintenance training curriculum; and

17 “(3) maintain and update a public list of enti-
18 ties accredited by the Department to certify canine
19 detection teams.

20 “(c) COMPLIANCE WITH STANDARDS.—Beginning
21 not later than the date that is 180 days after the date
22 on which the standards referred to in subsection (b)(1)
23 are issued, the Secretary shall require that grant funds
24 administered by the Department may not be used to ac-
25 quire a canine detection team unless—

1 “(1) the canine detection team is certified
2 under the process established under subsection (b);
3 or

4 “(2) the Secretary determines that the appli-
5 cant has shown special circumstances that justify
6 the acquisition of canines that are not certified
7 under the process established under subsection (b).

8 **“SEC. 1905. DEFINITIONS.**

9 “In this subtitle:

10 “(1) CANINE DETECTION TEAM.—The term ‘ca-
11 nine detection team’ means a canine and a canine
12 handler.

13 “(2) CERTIFYING ENTITY.—The term ‘certi-
14 fying entity’ means an entity that oversees the proc-
15 esses and procedures used to train and test canine
16 detection teams.

17 “(3) SWGDOG.—The term ‘SWGDOG’ means
18 the Scientific Working Group of Dog and Orthog-
19 onal Detectors.”.

20 “(2) CLERICAL AMENDMENT.—The table of sec-
21 tions in section 1(b) of such Act is amended by add-
22 ing at the end the following:

“TITLE XIX—MISCELLANEOUS PROVISIONS

“Subtitle A—Canine Detection Teams

“Sec. 1901. Coordination and enhancement of canine protection team training.

“Sec. 1902. Canine procurement.

“Sec. 1903. Domestic canine breeding grant program.

“Sec. 1904. Homeland Security Canine Detection Accreditation Board.
“Sec. 1905. Definitions.”.

1 (3) REPORT.—Not later than 120 days after
2 the date of the enactment of this Act, the Secretary
3 of Homeland Security shall report to the Committee
4 on Homeland Security of the House of Representa-
5 tives and the Committee on Homeland Security and
6 Governmental Affairs of the Senate on the plan of
7 the Secretary to coordinate and consolidate the ca-
8 nine training and related programs of the Depart-
9 ment of Homeland Security in accordance with sec-
10 tion 1901 of the Homeland Security Act of 2002, as
11 added by subsection (a).

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