**DFARS Case 2020-D021**

**Transfer and Adoption of Military Animals**

**Final Rule**

**PART 212—ACQUISITION OF COMMERCIAL PRODUCTS AND COMMERCIAL SERVICES**

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**SUBPART 212.3—SOLICITATION PROVISIONS AND CONTRACT CLAUSES FOR THE ACQUISITION OF COMMERCIAL PRODUCTS AND COMMERCIAL SERVICES**

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**212.301 Solicitation provisions and contract clauses for the acquisition of commercial products and commercial services.**

(c) \* \* \*

(f) The following additional provisions and clauses apply to DoD solicitations and contracts using FAR part 12 procedures for the acquisition of commercial products and commercial services. If the offeror has completed any of the following provisions listed in this paragraph electronically as part of its annual representations and certifications at *https://www.sam.gov*, the contracting officer shall consider this information instead of requiring the offeror to complete these provisions for a particular solicitation. The contracting officer shall not use other FAR or DFARS provisions and clauses unless required by the FAR or DFARS or consistent with customary commercial practices (section 874(b)(1)(A), Pub. L. 114–328).

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(xv) *Part 237—Service Contracting*.

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**[(E) Use the clause at 252.237-7027, Transfer and Adoption of Military Animals, as prescribed in 237.7804 to comply with 10 U.S.C. 2387.]**

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**PART 237—SERVICE CONTRACTING**

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**[SUBPART 237.78—TRANSFER AND ADOPTION OF MILITARY ANIMALS**

**237.7800 Scope of subpart.**

**This subpart implements 10 U.S.C. 2387, which requires, under certain circumstances, the transfer of a contract working dog to the Department of the Air Force, 341st Training Squadron, for veterinary screening and care in accordance with 10 U.S.C. 2583.**

**237.7801 Definition.**

**As used in this subpart—**

***Contract working dog* means a dog that—**

**(1) Performs a service for DoD pursuant to a contract; and**

**(2) Is trained and kenneled by an entity that provides such a dog pursuant to such a contract.**

**237.7802 Policy.**

**(a) In accordance with 10 U.S.C. 2387, DoD will transfer a contract working dog to the Department of the Air Force, 341st Training Squadron, for veterinary screening and care after the service life of the dog has terminated.**

**(b) The service life of a contract working dog may be terminated if—**

**(1) The final contractual obligation of the dog preceding transfer is with DoD; and**

**(2) The dog cannot be used by another department or agency of the Federal Government due to age, injury, or performance.**

**(c) A contract working dog that has reached the end of its service life will be transferred for care, reclassification as a military animal, and placement for adoption in accordance with 10 U.S.C 2583.**

**237.7803 Procedures.**

**Contracting officers, at the request of the requiring activity, may issue a determination that the service life of a contract working dog has terminated if the conditions in 237.7802(b) have been documented by the requiring activity.**

**237.7804 Contract clause.**

**Use the clause at 252.237-7027, Transfer and Adoption of Military Animals, in solicitations and contracts, including solicitations and contracts using FAR part 12 procedures for the acquisition of commercial products and commercial services, that require the services of a contract working dog.]**

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**PART 252—SOLICITATION PROVISIONS AND CONTRACT CLAUSES**

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**SUBPART 252.2—TEXT OF PROVISIONS AND CLAUSES**

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**[252.237-7027 Transfer and Adoption of Military Animals.**

**As prescribed in 237.7804, use the following clause:**

**Transfer and Adoption of Military Animals (FEB 2024)**

**(a) *Definition.* As used in this clause—**

***Contract working dog* means a dog that—**

**(1) Performs a service for DoD pursuant to a contract; and**

**(2) Is trained and kenneled by an entity that provides such a dog pursuant to such a contract.**

**(b) In accordance with 10 U.S.C. 2387, if the Contracting Officer determines that the service life of a contract working dog has terminated, the dog will be transferred to the Department of the Air Force, 341st Training Squadron, for veterinary screening and care, reclassification as a military animal, and placement for adoption in accordance with 10 U.S.C. 2583.**

**(c) The service life of a contract working dog may be terminated if the Contracting Officer determines that—**

**(1) The final contractual obligation of the dog preceding transfer is with DoD; and**

**(2) The dog cannot be used by another department or agency of the Federal Government due to age, injury, or performance.**

**(End of clause)]**