March 13, 2019

The Honorable James Inhofe  The Honorable Jack Reed  
Chairman  Ranking Member  
Armed Services Committee  Armed Services Committee  
United States Senate  United States Senate  
Washington, DC 20510  Washington, DC 20510  

Dear Chairman Inhofe and Ranking Member Reed:

On behalf of the American Bar Association (ABA), which has over 400,000 members, I write to urge your committee to expand its inquiry into the current condition of the military housing privatization initiative to include consideration of installation and private contractor policies that prevent many military families from bringing their family pets and, at times, service or emotional support animals when transferred between duty stations if they intend to live in military housing.

At its Midyear Meeting earlier this year, the ABA adopted a policy urging Congress and the Department of Defense (DoD) to direct the Armed Forces and their public/private housing contractors to enact uniform breed-neutral pet policies for families living in military housing in the United States (Resolution 112). One reason military families cannot always bring their pets when they move between assignments is there is currently no consistent installation pet policy in the DoD. Civilian attorneys who practice near military bases drafted the ABA’s new policy because they receive frequent phone calls from military families who feel forced to give up animals like their family dogs due to arbitrary, discriminatory installation pet policies that differ across military branches and duty stations within a branch. Thus, a military family who owns a dog and lives in military housing may be permitted to have the dog at one place, but that same dog may be banned from family housing at their next duty station.

As explained more fully in the report accompanying the attached ABA policy, the Air Force has a service-wide pet policy banning “aggressive or potentially aggressive breeds of dogs…defined as, both purebred or mixed breed Pit Bull (American Staffordshire Bull Terrier or [English] Staffordshire Bull Terrier), Rottweiler, Doberman Pinscher, Chow and wolf hybrids.”¹ The Navy, on the other hand, defers its pet policy to local commanders who decide whether breeds are banned in their on-base housing.² The Army prohibits “dangerous dog breeds” that it defines as “American Pit Bull, Stafford Bull Terrier, Bull Mastiffs, Dogo Argentino, Rhodesian Ridge Back, Dogu-de-Bordeaux, Chinese Fighting dog, Doberman Pincher, and crossbreeds of these dogs.”³ Finally, the Marine Corps policy prohibits all “full or mixed breeds of Pit Bulls,

---

³ Department of the Army, Policy Letter No. 34 (July 21, 2013).
March 13, 2019

Page 2 of 2

Rottweilers and canid/wolf hybrids” and directs a Veterinary Corps Officer or civilian veterinarian to make a determination of “majority breed” when an owner does not possess a breed registry certificate.4 When the issue involves service dogs, DoD has a policy on the use of these animals by service members, but it is not clear whether a specific military breed-ban in military housing applies to them or whether service dogs used by family members are covered by the DoD policy.5

Research shows that a family pet can provide a sense of continuity and emotional support for military families during periods of change, while helping them to adapt to new environments.6 Children may suffer great hardship if their pets are taken from them. The U.S. Marine Corps recognized this hardship and now classifies all household pets as important members of marine families, instead of as household possessions.7 Not being able to take a family pet to the next assignment because military housing will not allow a breed can adversely affect the morale of the entire family and add unnecessary stress to the move.

While the ABA is urging the enactment of uniform breed neutral policies for families living in military housing, we also recognize that installation and base commanders need to retain discretion regarding the behavior of individual animals. Enacting a consistent pet policy applicable to all installation housing, regardless of service or privatized provider, can balance diverse command interests in safety and security while also improving the morale and welfare of the service members and families affected by the policy.

We urge your committee to expand its inquiry to consider the concerns raised by military families to their attorneys as expressed in these comments and include a requirement that the DoD implement uniform, breed neutral pet policies for all U.S. military installations in the next National Defense Authorization Act. As noted in the attached report, two congressmen with military backgrounds already asked one of the services in 2011 to review the dog ownership policies in the military without success. Your current congressional inquiry into the military privatization initiative presents an opportunity to fix not only the housing conditions for military families, but also to help keep their pets part of the family as they move between assignments.

Thank you for considering these views. If you have any questions, please contact Holly Cook in our Governmental Affairs Office at 202-662-1860 or holly.cook@americanbar.org.

Sincerely,

Robert M. Carlson

Cc: Members of the Senate Committee on Armed Services

---

4 Marine Corps Order (MCO) 11000.22 Ch.1, § 5003 (Jan 22, 2018).
5 Dept. of Defense Instruction 1300.27 (Jan. 7, 2016).
7 MARADMIN 595-16 (Nov 21, 2016).