

117TH CONGRESS  
1ST SESSION

# H. R. 5862

To amend title 10, United States Code, to codify and expand the authority for joint task forces of the Department of Defense to support law enforcement agencies conducting counter-terrorism, counter-illicit trafficking, or counter-transnational organized crime activities, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 4, 2021

Mr. GARAMENDI introduced the following bill; which was referred to the  
Committee on Armed Services

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## A BILL

To amend title 10, United States Code, to codify and expand the authority for joint task forces of the Department of Defense to support law enforcement agencies conducting counter-terrorism, counter-illicit trafficking, or counter-transnational organized crime activities, 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,*

1 **SECTION 1. CODIFICATION AND EXPANSION OF AUTHORITY**  
 2 **FOR JOINT TASK FORCES OF THE DEPART-**  
 3 **MENT OF DEFENSE TO SUPPORT LAW EN-**  
 4 **FORCEMENT AGENCIES CONDUCTING**  
 5 **COUNTER-TERRORISM, COUNTER-ILLCIT**  
 6 **TRAFFICKING, OR COUNTER-**  
 7 **TRANSNATIONAL ORGANIZED CRIME ACTIVI-**  
 8 **TIES.**

9 (a) CODIFICATION.—Chapter 15 of title 10, United  
 10 States Code, is amended by adding at the end a new sec-  
 11 tion 285 consisting of—

12 (1) a heading as follows:

13 **“§ 285. Authority for joint task forces to support law**  
 14 **enforcement agencies conducting**  
 15 **counter-terrorism, counter-illicit traf-**  
 16 **ficking, or counter-transnational orga-**  
 17 **nized crime activities”;**

18 and

19 (2) a text consisting of the text of section 1022  
 20 of the National Defense Authorization Act for Fiscal  
 21 Year 2004 (10 U.S.C. 271 note).

22 (b) AMENDMENTS.—Section 285 of title 10, United  
 23 States Code, as added by subsection (a), is amended—

24 (1) in subsection (a), by inserting “, counter-il-  
 25 licit trafficking activities,” after “counter-terrorism  
 26 activities”;

1 (2) in subsection (b)—

2 (A) by striking “During fiscal years 2006  
3 through 2022, funds for drug interdiction” and  
4 inserting “Funds for drug interdiction”; and

5 (B) by inserting “, counter-illicit traf-  
6 ficking,” after “counter-terrorism”;

7 (3) in subsection (c)—

8 (A) in the matter preceding paragraph (1),  
9 by striking “of each year in which the authority  
10 in subsection (a) is in effect” and inserting “of  
11 each year”; and

12 (B) in paragraph (1)—

13 (i) by inserting “counter-illicit traf-  
14 ficking,” after “on counter-drug,”; and

15 (ii) by inserting “, counter-illicit traf-  
16 ficking,” after “provide counter-ter-  
17 rorism,”;

18 (4) in subsection (d)—

19 (A) in paragraph (2)(A)—

20 (i) by inserting “, counter-illicit traf-  
21 ficking,” after “counter-terrorism”; and

22 (ii) by striking “significantly”;

23 (B) by striking “(d) CONDITIONS.—” and  
24 all that follows through “(2)(A) Support” and  
25 inserting “(d) CONDITIONS.—(1) Support”;

1 (C) by redesignating subparagraph (B) as  
2 paragraph (2); and

3 (D) in paragraph (2), as so redesignated—  
4 (i) in the first sentence—

5 (I) by striking “subparagraph  
6 (A)” and inserting “paragraph (1)”;  
7 and

8 (II) by striking “vital to” and in-  
9 serting “in”; and

10 (ii) in the second sentence, by striking  
11 “the vital” and inserting “the”; and

12 (5) by striking subsection (e) and inserting the  
13 following new subsection (e):

14 “(e) DEFINITIONS.—(1) In this section:

15 “(A) The term ‘illicit trafficking’ means the  
16 trafficking of money, human trafficking, illicit finan-  
17 cial flows, illegal trade in natural resources and wild-  
18 life, illegal maritime activities, or trade in illegal  
19 drugs and weapons, whether conducted by a  
20 transnational criminal organization or a state actor.

21 “(B) The term ‘transnational organized crime’  
22 has the meaning given such term in section 284(i)  
23 of this title.

24 “(2) For purposes of applying the definition of  
25 transnational organized crime under paragraph (1)(B) to

1 this section, the term ‘illegal means’, as it appears in such  
2 definition, includes—

3 “(A) illicit trafficking; and

4 “(B) any other form of illegal means deter-  
5 mined by the Secretary of Defense.”.

6 (c) CONFORMING REPEAL.—Section 1022 of the Na-  
7 tional Defense Authorization Act for Fiscal Year 2004 (10  
8 U.S.C. 271 note) is repealed.

9 (d) CLERICAL AMENDMENT.—The table of sections  
10 at the beginning of chapter 15 of title 10, United States  
11 Code, is amended by adding at the end the following new  
12 item:

“285. Authority for joint task forces to support law enforcement agencies con-  
ducting counter-terrorism, counter-illicit trafficking, or  
counter-transnational organized crime activities.”.

