SEC. 1007. EXTENSION OF AUTHORITY FOR JOINT TASK FORCES TO PROVIDE SUPPORT TO LAW ENFORCEMENT AGENCIES CONDUCTING COUNTER–TERRORISM ACTIVITIES.

Subsection (b) of section 1022 of the National Defense Authorization Act for Fiscal Year 2004 (Public Law 108-136; 10 U.S.C. 371 note) is amended by striking "fiscal years 2006 through 2012" and inserting "the period ending on December 31, 2014".

Section-by-Section Analysis

The current authority under section 1022 of the National Defense Authorization Act (NDAA) for Fiscal Year (FY) 2004, which expires at the end of FY 2012, provides that a joint task force of the Department of Defense (DoD) that provides support to law enforcement agencies conducting counter-drug activities may also provide, subject to all applicable laws and regulations, support to law enforcement agencies conducting counter-terrorism activities. This proposal would extend the existing authority through 2014.

Budget Implications: There are no additional resources required to implement this authority. All costs would be absorbed within the annual appropriations of the Counternarcotics Central Transfer Account.

Funds used under this authority would be taken from the Drug Interdiction and Counter-Drug Activities, Defense appropriation.

RESOURCE REQUIREMENTS ($MILLIONS)								
	FY 2013	**FY 2014**	**FY 2015**	**FY 2016**	**FY 2017**	**Appropriation From**	**Budget Activity**	**Dash-1 Line Item**
Central Transfer Account	$15	$15	-	-	-	Drug Interdiction and Counter Drug Activities, Defense	01	0105D
Total	$15	$15	-	-	-			

Changes to Existing Law: This proposal would make the following changes to section 1022 of the National Defense Authorization Act for Fiscal Year 2004 (P.L. 108-136; 10 U.S.C. 371 note)**:**

SEC. 1022. AUTHORITY FOR JOINT TASK FORCES TO SUPPORT LAW ENFORCEMENT AGENCIES CONDUCTING COUNTERTERRORISM ACTIVITIES.

(a) AUTHORITY.—A joint task force of the Department of Defense that provides support to law enforcement agencies conducting counter-drug activities may also provide, subject to all applicable laws and regulations, support to law enforcement agencies conducting counter-terrorism activities.

(b) AVAILABILITY OF FUNDS.—During ~~fiscal years 2006 through 2012~~ the period ending on December 31, 2014, funds available to a joint task force to support counter-drug activities may also be used to provide the counter-terrorism support authorized by subsection (a).

(c) ANNUAL REPORT.—Not later than December 31 of each year after 2008 in which the authority in subsection (a) is in effect, the Secretary of Defense shall submit to Congress a report setting forth, for the one-year period ending on the date of such report, the following:

(1) An assessment of the effect on counter-drug and counter-terrorism activities and objectives of using counter-drug funds of a joint task force to provide counterterrorism support authorized by subsection (a).

(2) A description of the type of support and any recipient of support provided under subsection (a).

(3) A list of current joint task forces conducting counterdrug operations.

(4) A certification by the Secretary of Defense that any support provided under subsection (a) during such one-year period was provided in compliance with the requirements of subsection (d).

(d) CONDITIONS.—(1) Any support provided under subsection (a) may only be provided in the geographic area of responsibility of the joint task force.

(2)(A) Support for counter-terrorism activities provided under subsection (a) may only be provided if the Secretary of Defense determines that the objectives of using the counter-drug funds of any joint task force to provide such support relate significantly to the objectives of providing support for counter-drug activities by that joint task force or any other joint task force.

(B) The Secretary of Defense may waive the requirements of subparagraph (A) if the Secretary determines that such a waiver is vital to the national security interests of the United States. The Secretary shall promptly submit to Congress notice in writing of any waiver issued under this paragraph.

(C) The Secretary of Defense may delegate any responsibility of the Secretary under subparagraph (B) to the Deputy Secretary of Defense or to the Under Secretary of Defense for Policy. Except as provided in the preceding sentence, such a responsibility may not be delegated to any official of the Department of Defense or any other official.