

Calendar No. 493

118TH CONGRESS }
2d Session }

SENATE

{ REPORT
118-215

DHS JOINT TASK FORCES
REAUTHORIZATION ACT

—
R E P O R T

OF THE

COMMITTEE ON HOMELAND SECURITY AND
GOVERNMENTAL AFFAIRS
UNITED STATES SENATE

TO ACCOMPANY

S. 4698

TO AUTHORIZE THE JOINT TASK FORCES OF THE
DEPARTMENT OF HOMELAND SECURITY, AND FOR OTHER
PURPOSES



SEPTEMBER 9, 2024.—Ordered to be printed

—
U.S. GOVERNMENT PUBLISHING OFFICE

49-010

WASHINGTON : 2024

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DHS JOINT TASK FORCES REAUTHORIZATION ACT

SEPTEMBER 9, 2024.—Ordered to be printed

Mr. PETERS, from the Committee on Homeland Security and
Governmental Affairs, submitted the following

R E P O R T

[To accompany S. 4698]

[Including cost estimate of the Congressional Budget Office]

The Committee on Homeland Security and Governmental Affairs, to which was referred the bill (S. 4698), to authorize the Joint Task Forces of the Department of Homeland Security, and for other purposes, having considered the same, reports favorably thereon with an amendment and recommends that the bill, as amended, do pass.

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I. PURPOSE AND SUMMARY

S. 4698, the *DHS Joint Task Forces Reauthorization Act of 2024*, is a two-year reauthorization of the Department of Homeland Security’s (DHS) Joint Task Forces (JTF’s). It also requires the Secretary of Homeland Security to develop a staffing plan for JTF’s and include the plan in its congressional reporting requirements. To enhance congressional oversight, the bill also requires the Secretary to provide an annual briefing to Congress on the staffing and resources available to JTF–East (JTF–E) and a determination of whether the staffing levels and resources are sufficient. Additionally, the Secretary is required to provide a report to Congress

analyzing the cost and effectiveness of moving JTF–E’s headquarters.

II. BACKGROUND AND NEED FOR THE LEGISLATION

The Secretary of Homeland Security originally created JTFs under the DHS Southern Border and Approaches Campaign November 2014, designed as a Unity of Effort initiative in response to the influx of irregular migration, predominantly of citizens from Guatemala, Honduras, and El Salvador in the summer of 2014.¹ JTFs were created to coordinate activities across DHS components and with other U.S. government and international partners to address enduring and multi-faceted challenges, such as drug smuggling.² Congress later codified JTFs in the *National Defense Authorization Act* for Fiscal Year (FY) 2017 to secure the land and maritime borders of the United States, address homeland security crises, and establish regionally-based operations.³ In 2022, Congress reauthorized the JTFs for an additional two-year period, along with new reporting requirements.⁴

JTF–E is the only current JTF in operation at the Department. The Executive Agency for JTF–E is the U.S. Coast Guard (USCG), with the Atlantic Area Commander serving as the JTF–E Director. JTF–E is co-located with the USCG Atlantic Area Headquarters in Portsmouth, Virginia and works to plan and coordinate missions in the southern maritime approaches, including Puerto Rico, the U.S. Virgin Islands, Florida, the Gulf Coast, the Caribbean Sea, and eastern Pacific Ocean.⁵ Coordinating with U.S. interagency and international partners, JTF–E works to improve information-sharing and mission outcomes of efforts to combat Transnational Criminal Organizations through better targeting of vessels of interest and smuggling pathways. JTF–E partners include DHS components, the U.S. Department of Justice, the U.S. State Department Bureau of International Narcotics and Law Enforcement, and the U.S. Department of Defense including like Joint Interagency Task Force-South. In addition, JTF–E works with international partners like the Caribbean Regional Security System, Caribbean Community Implementation Agency for Crime and Security, French Customs and Navy, Royal Netherlands Coast Guard and Navy, British Royal Navy and UK National Crime Agency, and the Royal Canadian Navy.⁶

JTF–E coordinates across these partners to support efforts like Operation *Sentinel Watch* and Operation *Hammerhead*, which utilize the information sharing networks and processes to more effectively utilize assets deployed to the region. Coordination efforts led to the seizure of \$1.62 billion in cocaine, \$900,000 in illegally har-

¹Memorandum from Secretary Jeh Johnson to CBP Commissioner R. Gil Kerlikowske, Coast Guard Admiral Paul Zukunft, ICE Acting Director Thomas Winkowski, USCIS Director Leon Rodriguez, FEMA Administrator W. Craig Fugate, and DHS Policy Acting Assistant Secretary Alan Bersin, *Southern Border and Approaches Campaign* (www.dhs.gov/sites/default/files/publications/14_1120_memo_southern_border_campaign_plan.pdf) (Nov. 20, 2014).

²Government Accountability Office, *Department of Homeland Security: Additional Actions Needed to Improve Oversight of Joint Task Forces* (GAO–24–106866) (Feb. 2024).

³National Defense Authorization Act 2017, Pub. L. No. 114–328, Sec. 1901 (2016).

⁴National Defense Authorization Act 2023, Pub. L. No. 117–263, Sec. 7111 (2022).

⁵Government Accountability Office, *Department of Homeland Security: Additional Actions Needed to Improve Oversight of Joint Task Forces* (GAO–24–106866) (Feb. 2024).

⁶U.S. Coast Guard: *Eastern Caribbean Combined Coordination Group Holds Joint Meetings to Foster Interagency Coordination* (May 6, 2024); Department of Homeland Security, *DHS Joint Task Force–East: Eastern Caribbean Operational Successes* (July 2024).

vested fish, 339 illegal firearms, over 26,000 rounds of ammunition, and the interdiction of 339 migrants.⁷

An extension for DHS's authority to establish and operate JTFs will ensure that JTF-E is able to continue its success and collaborate with these critical partners. The staffing plan, annual briefing to Congress, and reporting to Congress would increase the accountability and transparency of JTFs, to help ensure they operate effectively and efficiently.

III. LEGISLATIVE HISTORY

Senator Gary Peters (D-MI) introduced S. 4698, *DHS Joint Task Force Reauthorization Act of 2024*, on July 11, 2024. The bill was referred to the Committee on Homeland Security and Governmental Affairs.

The Committee considered S. 4698 at a business meeting on July 31, 2024. During the business meeting, Senator Paul offered an amendment to the bill, as well as a modification to the amendment. The Paul amendment, as modified, changed the reauthorization period to two years, until September 30, 2026. The Committee adopted the modification to the Paul amendment by unanimous consent, with Senators Peters, Carper, Hassan, Sinema, Rosen, Ossoff, Blumenthal, Butler, Paul, Lankford, and Scott present. The Committee adopted the Paul amendment, as modified, by voice vote with Senators Peters, Carper, Hassan, Sinema, Rosen, Ossoff, Blumenthal, Butler, Paul, Lankford, and Scott present. The bill, as amended by the Paul amendment, as modified, was ordered reported favorably by roll call vote of 11 yeas to 0 nays, with Senators Peters, Carper, Hassan, Sinema, Rosen, Ossoff, Blumenthal, Butler, Paul, Lankford, and Scott voting in the affirmative. Senators Johnson, Romney, Hawley, and Marshall voted yea by proxy, for the record only.

IV. SECTION-BY-SECTION ANALYSIS OF THE BILL, AS REPORTED

Section 1. Short title

This section establishes the short title as the *DHS Joint Task Forces Reauthorization Act of 2024*.

Section 2. Amendment to Section 708 of the Homeland Security Act of 2002

Subsection (a) amends Section 708(b) of the Homeland Security Act of 2002 by adding a requirement for the Secretary of Homeland Security to develop a staffing plan for each Joint Task Force. It also requires the Secretary to include the staffing plan developed for Joint Task Forces in annual reporting to Congress and updates the reporting deadline to December 23, 2024. It also amends the sunset date, reauthorizing the authority through September 30, 2026.

Subsection (b) requires the Secretary of Homeland Security to provide an annual briefing to congressional committees covering the latest staffing and resource assessment at Joint Task Force-East and whether such resources are sufficient to advance the mis-

⁷Department of Homeland Security, *DHS Joint Task Force-East: Eastern Caribbean Operational Successes* (July 2024).

sion, strategic goals, and objectives. It specifies if staffing levels are determined to be insufficient, the briefing should include information on the cost, timeline, and strategy for increasing staffing levels. If resource levels are determined to be insufficient, it also requires the Secretary to provide information on the cost, timeline, and strategy for providing any remaining resource requirements.

Subsection (c) requires the Secretary of Homeland Security, in consultation with the Commandant of the Coast Guard, the Commissioner for U.S. Customs and Border Protection, the Director of U.S. Immigration and Customs Enforcement, and the Administrator of General Services, to submit a report to Congress that analyzes the costs and effectiveness of hosting the JTF–E headquarters in Portsmouth, Virginia, compared to alternative headquarters locations.

V. EVALUATION OF REGULATORY IMPACT

Pursuant to the requirements of paragraph 11(b) of rule XXVI of the Standing Rules of the Senate, the Committee has considered the regulatory impact of this bill and determined that the bill will have no regulatory impact within the meaning of the rules. The Committee agrees with the Congressional Budget Office’s statement that the bill contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act (UMRA) and would impose no costs on state, local, or tribal governments.

VI. CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

S. 4698, DHS Joint Task Forces Reauthorization Act of 2024			
As ordered reported by the Senate Committee on Homeland Security and Governmental Affairs on July 31, 2024			
By Fiscal Year, Millions of Dollars	2024	2024-2029	2024-2034
Direct Spending (Outlays)	0	0	0
Revenues	0	0	0
Increase or Decrease (-) in the Deficit	0	0	0
Spending Subject to Appropriation (Outlays)	0	14	not estimated
Increases <i>net direct spending</i> in any of the four consecutive 10-year periods beginning in 2035?	No	Statutory pay-as-you-go procedures apply? No	
		Mandate Effects	
Increases <i>on-budget deficits</i> in any of the four consecutive 10-year periods beginning in 2035?	No	Contains intergovernmental mandate? No	
		Contains private-sector mandate? No	

S. 4698 would extend through 2026 the authority for the Department of Homeland Security (DHS) to create and operate joint task forces (JTFs). DHS currently operates one joint task force—Joint Task Force–East. JTFs integrate and coordinate resources, intelligence, planning, and operations across DHS’s component units, including the Coast Guard, Customs and Border Protection, and Immigration and Customs Enforcement. DHS uses JTFs to combat transnational criminal organizations, enforce immigration laws,

and coordinate its border security efforts. Under current law, DHS’s authority to establish and operate JTFs expires at the end of 2024.

S. 4698 also would require DHS to create a staffing plan for any JTF it establishes and report to the Congress annually on the plan and the effectiveness of each task force in operation. Finally, the bill would require DHS to report to the Congress on the feasibility of relocating the headquarters of the Joint Task Force–East.

In recent years, Joint Task Force–East has been staffed by about 35 people each year. Using information from DHS about its current staffing and spending on this JTF and the costs for similar reporting requirements, CBO estimates that implementing S. 4698 would cost \$14 million over the 2024–2029 period, primarily for personnel costs. Any related spending would be subject to the availability of appropriated funds.

The CBO staff contact for this estimate is Jeremy Crimm. The estimate was reviewed by H. Samuel Papenfuss, Deputy Director of Budget Analysis.

PHILLIP L. SWAGEL,
Director, Congressional Budget Office.

VII. CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

In compliance with paragraph 12 of rule XXVI of the Standing Rules of the Senate, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in brackets, new matter is printed in *italics*, and existing law in which no change is proposed is shown in roman):

HOMELAND SECURITY ACT OF 2002

* * * * *

TITLE VII—MANAGEMENT

* * * * *

SEC. 708. JOINT TASK FORCES.

(a) * * *

(b) JOINT TASK FORCES.—

* * * * *

(9) MISSION; ESTABLISHMENT OF PERFORMANCE METRICS.—
The Secretary shall—

(A) * * *

(i) * * *

(ii) the criteria for terminating each Joint Task Force; **[and]**

(iii) * * *

(I) * * *

(II) a description of the methodology used to establish those metrics and any limitations with respect to data or information used to assess performance; *and*

(iv) a staffing plan for each Joint Task Force;

* * * * *

[(C) not later than one year after the date of the enactment of the DHS Joint Task Forces Reauthorization Act of 2022 and annually thereafter, submit to the committees specified in subparagraph (B) a report that contains information on the progress in implementing the outcome-based and other appropriate performance metrics established pursuant to subparagraph (A)(iii).]

(C) not later than December 23, 2024, and annually thereafter, submit to the committees specified in subparagraph (B) a report containing information regarding—

(i) the progress in implementing the outcome-based and other appropriate performance metrics established pursuant to subparagraph (A)(iii);

(ii) the staffing plan developed for each Joint Task Force pursuant to subparagraph (A)(iv); and

(iii) any modification to the mission, strategic goals, and objectives of each Joint Task Force, and a description of, and rationale for, any such modifications.

* * * * *

(13) SUNSET.— This section expires on September 30, [2024] 2026.

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