

112TH CONGRESS
2^D SESSION

S. 2165

AN ACT

To enhance strategic cooperation between the United States
and Israel, 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. SHORT TITLE.**

2 This Act may be cited as the “United States-Israel
3 Enhanced Security Cooperation Act of 2012”.

4 **SEC. 2. FINDINGS.**

5 Congress makes the following findings:

6 (1) Since 1948, United States Presidents and
7 both houses of Congress, on a bipartisan basis and
8 supported by the American people, have repeatedly
9 reaffirmed the special bond between the United
10 States and Israel, based on shared values and
11 shared interests.

12 (2) The Middle East is undergoing rapid
13 change, bringing with it hope for an expansion of de-
14 mocracy but also great challenges to the national se-
15 curity of the United States and our allies in the re-
16 gion, particularly to our most important ally in the
17 region, Israel.

18 (3) The Government of the Islamic Republic of
19 Iran is continuing its decades-long pattern of seek-
20 ing to foment instability and promote extremism in
21 the Middle East, particularly in this time of dra-
22 matic political transition.

23 (4) At the same time, the Government of the
24 Islamic Republic of Iran continues to enrich ura-
25 nium in defiance of multiple United Nations Secu-
26 rity Council resolutions.

1 (5) A nuclear-weapons capable Iran would fun-
2 damentally threaten vital United States interests,
3 encourage regional nuclear proliferation, further em-
4 power Iran, the world’s leading state sponsor of ter-
5 ror, and pose a serious and destabilizing threat to
6 Israel and the region.

7 (6) Over the past several years, with the assist-
8 ance of the Governments of the Islamic Republic of
9 Iran and Syria, Hizbollah and Hamas have in-
10 creased their stockpile of rockets, with more than
11 60,000 now ready to be fired at Israel. The Govern-
12 ment of the Islamic Republic of Iran continues to
13 add to its arsenal of ballistic missiles and cruise mis-
14 siles, which threaten Iran’s neighbors, Israel, and
15 United States Armed Forces in the region.

16 (7) As a result, Israel is facing a fundamentally
17 altered strategic environment.

18 (8) Pursuant to chapter 5 of title 1 of the
19 Emergency Wartime Supplemental Appropriations
20 Act, 2003 (Public Law 108–11; 117 Stat. 576), the
21 authority to make available loan guarantees to Israel
22 is currently set to expire on September 30, 2012.

23 **SEC. 3. STATEMENT OF POLICY.**

24 It is the policy of the United States:

1 (1) To reaffirm our unwavering commitment to
2 the security of the State of Israel as a Jewish state.
3 As President Barack Obama stated on December 16,
4 2011, “America’s commitment and my commitment
5 to Israel and Israel’s security is unshakeable.” And
6 as President George W. Bush stated before the
7 Israeli Knesset on May 15, 2008, on the 60th anni-
8 versary of the founding of the State of Israel, “The
9 alliance between our governments is unbreakable, yet
10 the source of our friendship runs deeper than any
11 treaty.”.

12 (2) To help the Government of Israel preserve
13 its qualitative military edge amid rapid and uncer-
14 tain regional political transformation.

15 (3) To veto any one-sided anti-Israel resolutions
16 at the United Nations Security Council.

17 (4) To support Israel’s inherent right to self-de-
18 fense.

19 (5) To pursue avenues to expand cooperation
20 with the Government of Israel both in defense and
21 across the spectrum of civilian sectors, including
22 high technology, agriculture, medicine, health, phar-
23 maceuticals, and energy.

24 (6) To assist the Government of Israel with its
25 ongoing efforts to forge a peaceful, negotiated settle-

1 ment of the Israeli-Palestinian conflict that results
2 in two states living side-by-side in peace and secu-
3 rity, and to encourage Israel's neighbors to recognize
4 Israel's right to exist as a Jewish state.

5 (7) To encourage further development of ad-
6 vanced technology programs between the United
7 States and Israel given current trends and insta-
8 bility in the region.

9 **SEC. 4. UNITED STATES ACTIONS TO ASSIST IN THE DE-**
10 **FENSE OF ISRAEL AND PROTECT UNITED**
11 **STATES INTERESTS.**

12 It is the sense of Congress that the United States
13 Government should take the following actions to assist in
14 the defense of Israel:

15 (1) Seek to enhance the capabilities of the Gov-
16 ernments of the United States and Israel to address
17 emerging common threats, increase security coopera-
18 tion, and expand joint military exercises.

19 (2) Provide the Government of Israel such sup-
20 port as may be necessary to increase development
21 and production of joint missile defense systems, par-
22 ticularly such systems that defend against the ur-
23 gent threat posed to Israel and United States forces
24 in the region.

1 (3) Provide the Government of Israel assistance
2 specifically for the production and procurement of
3 the Iron Dome defense system for purposes of inter-
4 cepting short-range missiles, rockets, and projectiles
5 launched against Israel.

6 (4) Provide the Government of Israel defense
7 articles and defense services through such mecha-
8 nisms as appropriate, to include air refueling tank-
9 ers, missile defense capabilities, and specialized mu-
10 nitions.

11 (5) Provide the Government of Israel additional
12 excess defense articles, as appropriate, in the wake
13 of the withdrawal of United States forces from Iraq.

14 (6) Examine ways to strengthen existing and
15 ongoing efforts, including the Gaza Counter Arms
16 Smuggling Initiative, aimed at preventing weapons
17 smuggling into Gaza pursuant to the 2009 agree-
18 ment following the Israeli withdrawal from Gaza, as
19 well as measures to protect against weapons smug-
20 gling and terrorist threats from the Sinai Peninsula.

21 (7) Offer the Air Force of Israel additional
22 training and exercise opportunities in the United
23 States to compensate for Israel's limited air space.

24 (8) Work to encourage an expanded role for
25 Israel with the North Atlantic Treaty Organization

1 (NATO), including an enhanced presence at NATO
2 headquarters and exercises.

3 (9) Expand already-close intelligence coopera-
4 tion, including satellite intelligence, with Israel.

5 **SEC. 5. ADDITIONAL STEPS TO DEFEND ISRAEL AND PRO-**
6 **TECT AMERICAN INTERESTS.**

7 (a) EXTENSION OF WAR RESERVES STOCKPILE AU-
8 THORITY.—

9 (1) DEPARTMENT OF DEFENSE APPROPRIA-
10 TIONS ACT, 2005.—Section 12001(d) of the Depart-
11 ment of Defense Appropriations Act, 2005 (Public
12 Law 108–287; 118 Stat. 1011) is amended by strik-
13 ing “more than 8 years after” and inserting “more
14 than 10 years after”.

15 (2) FOREIGN ASSISTANCE ACT OF 1961.—Sec-
16 tion 514(b)(2)(A) of the Foreign Assistance Act of
17 1961 (22 U.S.C. 2321h(b)(2)(A)) is amended by
18 striking “fiscal years 2011 and 2012” and inserting
19 “fiscal years 2013 and 2014”.

20 (b) EXTENSION OF LOAN GUARANTEES TO
21 ISRAEL.—Chapter 5 of title I of the Emergency Wartime
22 Supplemental Appropriations Act, 2003 (Public Law 108–
23 11; 117 Stat. 576) is amended under the heading “LOAN
24 GUARANTEES TO ISRAEL”—

1 (1) in the matter preceding the first proviso, by
2 striking “September 30, 2011” and inserting “Sep-
3 tember 30, 2015”; and

4 (2) in the second proviso, by striking “Sep-
5 tember 30, 2011” and inserting “September 30,
6 2015”.

7 **SEC. 6. REPORTS REQUIRED.**

8 (a) **REPORT ON ISRAEL’S QUALITATIVE MILITARY**
9 **EDGE (QME).**—

10 (1) **IN GENERAL.**—Not later than 180 days
11 after the date of the enactment of this Act, the
12 President shall submit to the Committee on Foreign
13 Relations of the Senate and the Committee on For-
14 eign Affairs of the House of Representatives a re-
15 port on the status of Israel’s qualitative military
16 edge in light of current trends and instability in the
17 region.

18 (2) **SUBSTITUTION FOR QUADRENNIAL RE-**
19 **PORT.**—If submitted within one year of the date
20 that the first quadrennial report required by section
21 201(c)(2) of the Naval Vessel Transfer Act of 2008
22 (Public Law 110–429; 22 U.S.C. 2776 note) is due
23 to be submitted, the report required by paragraph
24 (1) may substitute for such quadrennial report.

1 (b) REPORTS ON OTHER MATTERS.—Not later than
2 180 days after the date of the enactment of this Act, the
3 President shall submit to the appropriate congressional
4 committees a report on each of the following matters:

5 (1) Taking into account the Government of
6 Israel’s urgent requirement for F–35 aircraft, ac-
7 tions to improve the process relating to its purchase
8 of F–35 aircraft, particularly with respect to cost ef-
9 ficiency and timely delivery.

10 (2) Efforts to expand cooperation between the
11 United States and Israel in homeland security,
12 counter-terrorism, maritime security, energy, cyber-
13 security, and other related areas.

14 (3) Actions to integrate Israel into the defense
15 of the Eastern Mediterranean.

16 **SEC. 7. DEFINITIONS.**

17 In this Act:

18 (1) APPROPRIATE CONGRESSIONAL COMMIT-
19 TEES.—The term “appropriate congressional com-
20 mittees” means—

21 (A) the Committee on Appropriations, the
22 Committee on Armed Services, the Committee
23 on Foreign Relations, and the Select Committee
24 on Intelligence of the Senate; and

1 (B) the Committee on Appropriations, the
2 Committee on Armed Services, the Committee
3 on Foreign Affairs, and the Permanent Select
4 Committee on Intelligence of the House of Rep-
5 resentatives.

6 (2) QUALITATIVE MILITARY EDGE.—The term
7 “qualitative military edge” has the meaning given
8 the term in section 36(h)(2) of the Arms Export
9 Control Act (22 U.S.C. 2776(h)(2)).

Passed the Senate June 29, 2012.

Attest:

Secretary.

112TH CONGRESS
2^D SESSION

S. 2165

AN ACT

To enhance strategic cooperation between the
United States and Israel, and for other purposes.