

114TH CONGRESS
2D SESSION

H. R. 5843

IN THE SENATE OF THE UNITED STATES

NOVEMBER 30, 2016

Received

AN ACT

To establish a grant program at the Department of Homeland Security to promote cooperative research and development between the United States and Israel on cybersecurity.

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 Cybersecurity Cooperation Enhancement Act of 2016”.

4 **SEC. 2. UNITED STATES-ISRAEL CYBERSECURITY CO-**
5 **OPERATION.**

6 (a) GRANT PROGRAM.—

7 (1) ESTABLISHMENT.—The Secretary, in ac-
8 cordance with the agreement entitled the “Agree-
9 ment between the Government of the United States
10 of America and the Government of the State of
11 Israel on Cooperation in Science and Technology for
12 Homeland Security Matters”, dated May 29, 2008
13 (or successor agreement), and the requirements
14 specified in paragraph (2), shall establish a grant
15 program at the Department to support—

16 (A) cybersecurity research and develop-
17 ment; and

18 (B) demonstration and commercialization
19 of cybersecurity technology.

20 (2) REQUIREMENTS.—

21 (A) APPLICABILITY.—Notwithstanding any
22 other provision of law, in carrying out a re-
23 search, development, demonstration, or com-
24 mercial application program or activity that is
25 authorized under this section, the Secretary

1 shall require cost sharing in accordance with
2 this paragraph.

3 (B) RESEARCH AND DEVELOPMENT.—

4 (i) IN GENERAL.—Except as provided
5 in clause (ii), the Secretary shall require
6 not less than 50 percent of the cost of a
7 research, development, demonstration, or
8 commercial application program or activity
9 described in subparagraph (A) to be pro-
10 vided by a non-Federal source.

11 (ii) REDUCTION.—The Secretary may
12 reduce or eliminate, on a case-by-case
13 basis, the percentage requirement specified
14 in clause (i) if the Secretary determines
15 that such reduction or elimination is nec-
16 essary and appropriate.

17 (C) MERIT REVIEW.—In carrying out a re-
18 search, development, demonstration, or com-
19 mercial application program or activity that is
20 authorized under this section, awards shall be
21 made only after an impartial review of the sci-
22 entific and technical merit of the proposals for
23 such awards has been carried out by or for the
24 Department.

1 (D) REVIEW PROCESSES.—In carrying out
2 a review under subparagraph (C), the Secretary
3 may use merit review processes developed under
4 section 302(14) of the Homeland Security Act
5 of 2002 (6 U.S.C. 182(14)).

6 (3) ELIGIBLE APPLICANTS.—An applicant shall
7 be eligible to receive a grant under this subsection
8 if the project of such applicant—

9 (A) addresses a requirement in the area of
10 cybersecurity research or cybersecurity tech-
11 nology, as determined by the Secretary; and

12 (B) is a joint venture between—

13 (i)(I) a for-profit business entity, aca-
14 demic institution, National Laboratory (as
15 defined in section 2 of the Energy Policy
16 Act of 2005 (42 U.S.C. 15801)), or non-
17 profit entity in the United States; and

18 (II) a for-profit business entity, aca-
19 demic institution, or nonprofit entity in
20 Israel; or

21 (ii)(I) the Federal Government; and

22 (II) the Government of Israel.

23 (4) APPLICATIONS.—To be eligible to receive a
24 grant under this subsection, an applicant shall sub-
25 mit to the Secretary an application for such grant

1 in accordance with procedures established by the
2 Secretary, in consultation with the advisory board
3 established under paragraph (5).

4 (5) ADVISORY BOARD.—

5 (A) ESTABLISHMENT.—The Secretary
6 shall establish an advisory board to—

7 (i) monitor the method by which
8 grants are awarded under this subsection;
9 and

10 (ii) provide to the Secretary periodic
11 performance reviews of actions taken to
12 carry out this subsection.

13 (B) COMPOSITION.—The advisory board
14 established under subparagraph (A) shall be
15 composed of three members, to be appointed by
16 the Secretary, of whom—

17 (i) one shall be a representative of the
18 Federal Government;

19 (ii) one shall be selected from a list of
20 nominees provided by the United States-
21 Israel Binational Science Foundation; and

22 (iii) one shall be selected from a list
23 of nominees provided by the United States-
24 Israel Binational Industrial Research and
25 Development Foundation.

1 (6) CONTRIBUTED FUNDS.—Notwithstanding
2 any other provision of law, the Secretary may accept
3 or retain funds contributed by any person, govern-
4 ment entity, or organization for purposes of carrying
5 out this subsection. Such funds shall be available,
6 subject to appropriation, without fiscal year limita-
7 tion.

8 (7) REPORT.—Not later than 180 days after
9 the date of completion of a project for which a grant
10 is provided under this subsection, the grant recipient
11 shall submit to the Secretary a report that con-
12 tains—

13 (A) a description of how the grant funds
14 were used by the recipient; and

15 (B) an evaluation of the level of success of
16 each project funded by the grant.

17 (8) CLASSIFICATION.—Grants shall be awarded
18 under this subsection only for projects that are con-
19 sidered to be unclassified by both the United States
20 and Israel.

21 (b) TERMINATION.—The grant program and the ad-
22 visory board established under this section terminate on
23 the date that is seven years after the date of the enact-
24 ment of this Act.

1 (c) PROHIBITION ON ADDITIONAL FUNDING.—No
2 additional funds are authorized to be appropriated to
3 carry out this Act.

4 (d) DEFINITIONS.—In this section—

5 (1) the term “cybersecurity research” means re-
6 search, including social science research, into ways
7 to identify, protect against, detect, respond to, and
8 recover from cybersecurity threats;

9 (2) the term “cybersecurity technology” means
10 technology intended to identify, protect against, de-
11 tect, respond to, and recover from cybersecurity
12 threats;

13 (3) the term “cybersecurity threat” has the
14 meaning given such term in section 102 of the Cy-
15 bersecurity Information Sharing Act of 2015 (en-
16 acted as title I of the Cybersecurity Act of 2015 (di-
17 vision N of the Consolidated Appropriations Act,
18 2016 (Public Law 114–113)));

19 (4) the term “Department” means the Depart-
20 ment of Homeland Security; and

1 (5) the term “Secretary” means the Secretary
2 of Homeland Security.

 Passed the House of Representatives November 29,
2016.

Attest:

KAREN L. HAAS,
Clerk.