

112<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# S. 2165

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## 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.*



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