

US-Israel Enhanced Security Cooperation Act (27 July 2012)

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PUBLIC LAW 112–150—JULY 27, 2012
UNITED STATES-ISRAEL ENHANCED
SECURITY COOPERATION ACT OF 2012

126 STAT. 1146 PUBLIC LAW 112–150—JULY 27, 2012

Public Law 112–150

112th Congress

An act to enhance strategic cooperation between the United States and Israel, and for other purposes. Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, SECTION 1. SHORT TITLE. This Act may be cited as the “United States-Israel Enhanced Security Cooperation Act of 2012”.

SEC. 2. FINDINGS.

Congress makes the following findings:

- (1) Since 1948, United States Presidents and both houses of Congress, on a bipartisan basis and supported by the American people, have repeatedly reaffirmed the special bond between the United States and Israel, based on shared values and shared interests.
- (2) The Middle East is undergoing rapid change, bringing with it hope for an expansion of democracy but also great challenges to the national security of the United States and our allies in the region, particularly to our most important ally in the region, Israel.
- (3) The Government of the Islamic Republic of Iran is continuing its decades-long pattern of seeking to foment instability and promote extremism in the Middle East, particularly in this time of dramatic political transition.
- (4) At the same time, the Government of the Islamic Republic of Iran continues to enrich uranium in defiance of multiple United Nations Security Council resolutions.
- (5) A nuclear-weapons capable Iran would fundamentally threaten vital United States interests, encourage regional nuclear proliferation, further empower Iran, the world’s leading state sponsor of terror, and pose a serious and destabilizing threat to Israel and the region.
- (6) Over the past several years, with the assistance of the Governments of the Islamic Republic of Iran and Syria, Hizbollah and Hamas have increased their stockpile of rockets, with more than 60,000 now ready to be fired at Israel. The Government of the Islamic Republic of Iran continues to add to its arsenal of ballistic missiles and cruise missiles, which threaten Iran’s neighbors, Israel, and United States Armed Forces in the region.
- (7) As a result, Israel is facing a fundamentally altered strategic environment. 22 USC 8601. 22 USC 8601 note. United States-Israel Enhanced Security Cooperation Act of 2012. July 27, 2012 [S. 2165] PUBLIC LAW 112–150—JULY 27, 2012 126 STAT. 1147
- (8) Pursuant to chapter 5 of title 1 of the Emergency Wartime Supplemental Appropriations Act,

2003 (Public Law 108–11; 117 Stat. 576), the authority to make available loan guarantees to Israel is currently set to expire on September 30, 2012.

SEC. 3. STATEMENT OF POLICY.

It is the policy of the United States:

- (1) To reaffirm our unwavering commitment to the security of the State of Israel as a Jewish state. As President Barack Obama stated on December 16, 2011, “America’s commitment and my commitment to Israel and Israel’s security is unshakeable.” And as President George W. Bush stated before the Israeli Knesset on May 15, 2008, on the 60th anniversary of the founding of the State of Israel, “The alliance between our governments is unbreakable, yet the source of our friendship runs deeper than any treaty.”
- (2) To help the Government of Israel preserve its qualitative military edge amid rapid and uncertain regional political transformation.
- (3) To veto any one-sided anti-Israel resolutions at the United Nations Security Council.
- (4) To support Israel’s inherent right to self-defense.
- (5) To pursue avenues to expand cooperation with the Government of Israel both in defense and across the spectrum of civilian sectors, including high technology, agriculture, medicine, health, pharmaceuticals, and energy.
- (6) To assist the Government of Israel with its ongoing efforts to forge a peaceful, negotiated settlement of the Israeli-Palestinian conflict that results in two states living side-by side in peace and security, and to encourage Israel’s neighbors to recognize Israel’s right to exist as a Jewish state.
- (7) To encourage further development of advanced technology programs between the United States and Israel given current trends and instability in the region.

SEC. 4. UNITED STATES ACTIONS TO ASSIST IN THE DEFENSE OF ISRAEL AND PROTECT UNITED STATES INTERESTS.

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

- (1) Seek to enhance the capabilities of the Governments of the United States and Israel to address emerging common threats, increase security cooperation, and expand joint military exercises.
- (2) Provide the Government of Israel such support as may be necessary to increase development and production of joint missile defense systems, particularly such systems that defend against the urgent threat posed to Israel and United States forces in the region.
- (3) Provide the Government of Israel assistance specifically for the production and procurement of the Iron Dome defense system for purposes of intercepting short-range missiles, rockets, and projectiles launched against Israel.
- (4) Provide the Government of Israel defense articles and defense services through such mechanisms as appropriate, to include air-refueling tankers, missile defense capabilities, and specialized munitions. 22 USC 8603. 22 USC 8602. 126 STAT. 1148 PUBLIC LAW 112–150—JULY 27, 2012
- (5) Provide the Government of Israel additional excess defense articles, as appropriate, in the wake of the withdrawal of United States forces from Iraq.

- (6) Examine ways to strengthen existing and ongoing efforts, including the Gaza Counter Arms Smuggling Initiative, aimed at preventing weapons smuggling into Gaza pursuant to the 2009 agreement following the Israeli withdrawal from Gaza, as well as measures to protect against weapons smuggling and terrorist threats from the Sinai Peninsula.
- (7) Offer the Air Force of Israel additional training and exercise opportunities in the United States to compensate for Israel's limited air space.
- (8) Work to encourage an expanded role for Israel with the North Atlantic Treaty Organization (NATO), including an enhanced presence at NATO headquarters and exercises.
- (9) Expand already-close intelligence cooperation, including satellite intelligence, with Israel.

SEC. 5. ADDITIONAL STEPS TO DEFEND ISRAEL AND PROTECT AMERICAN INTERESTS.

(a) EXTENSION OF WAR RESERVES STOCKPILE AUTHORITY.—

(1) DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2005.—

Section 12001(d) of the Department of Defense Appropriations Act, 2005 (Public Law 108–287; 118 Stat. 1011) is amended by striking “more than 8 years after” and inserting “more than 10 years after.”

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

(b) EXTENSION OF LOAN GUARANTEES TO ISRAEL.—Chapter 5

of title I of the Emergency Wartime Supplemental Appropriations Act, 2003 (Public Law 108–11; 117 Stat. 576) is amended under the heading “LOAN GUARANTEES TO ISRAEL” —

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

(4) in the second proviso, by striking “September 30, 2011” and inserting “September 30, 2015”.

SEC. 6. REPORTS REQUIRED.

(a) REPORT ON ISRAEL'S QUALITATIVE MILITARY EDGE (QME)—

(1) IN GENERAL —Not later than 180 days after the date of the enactment of this Act, the President shall submit to the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives a report on the status of Israel's qualitative military edge in light of current trends and instability in the region.

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

(b) REPORTS ON OTHER MATTERS —Not later than 180 days after the date of the enactment of this Act, the President shall submit to the appropriate congressional committees a report on each of the following matters: President. 22 USC 8604.

PUBLIC LAW 112–150—JULY 27, 2012 126 STAT. 1149 LEGISLATIVE HISTORY—S. 2165 (H.R. 4133); SENATE REPORTS: No. 112–179 (Comm. on Foreign Relations).

CONGRESSIONAL RECORD, Vol. 158 (2012): June 29, considered and passed Senate. July 17, considered and passed House. DAILY COMPILATION OF PRESIDENTIAL DOCUMENTS (2012): July 27, Presidential remarks. Æ

(1) Taking into account the Government of Israel's urgent requirement for F-35 aircraft, actions to improve the process relating to its purchase of F-35 aircraft, particularly with respect to cost efficiency and timely delivery.

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

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

SEC. 7. DEFINITIONS.

In this Act:

(1) **APPROPRIATE CONGRESSIONAL COMMITTEES** .—The term “appropriate congressional committees” means—(A) the Committee on Appropriations, the Committee on Armed Services, the Committee on Foreign Relations, and the Select Committee on Intelligence of the Senate; and

(B) the Committee on Appropriations, the Committee on Armed Services, the Committee on Foreign Affairs, and the Permanent Select Committee on Intelligence of the House of Representatives.

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

Approved July 27, 2012. 22 USC 8605.