

United States-Israel Strategic Partnership Act of 2014
Passed in the House of Representatives and the Senate during 2014.
Signed into law by President Obama,
(19 December 2014)

<https://www.congress.gov/bill/113th-congress/house-bill/938/text?format=xml>

113TH CONGRESS
2D SESSION

H. R. 938

IN THE SENATE OF THE UNITED STATES

MARCH 6, 2014

Received; read twice and referred to the Committee on Foreign Relations

AN ACT

To strengthen the strategic alliance between the United States and Israel, and for other purposes. (For the House of Representatives Findings and Statement of Policy referencing this law, please see “The United States-Israel Enhanced Security Cooperation Act of 2012 on this site

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE AND TABLE OF CONTENTS.

(a) **SHORT TITLE.**—This Act may be cited as the “United States-Israel Strategic Partnership Act of 2014”.

(b) **TABLE OF CONTENTS.**—The table of contents for this Act is as follows:

[Sec. 1. Short title and table of contents.](#)

[Sec. 2. Findings.](#)

[Sec. 3. Declaration of policy.](#)

TITLE I—UNITED STATES-ISRAEL STRATEGIC ALLIANCE

[Sec. 101. Amendments to the United States-Israel Enhanced Security Cooperation Act of 2012.](#)

[Sec. 102. Authorization of assistance for Israel.](#)

[Sec. 103. United States-Israel cooperation on cyber-security.](#)

[Sec. 104. Statement of United States Policy Regarding Israel’s defense systems.](#)

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[Sec. 106. Statement of policy.](#)

[Sec. 107. Sense of Congress.](#)

TITLE II—UNITED STATES-ISRAEL ENERGY COOPERATION

[Sec. 201. United States-Israel energy cooperation.](#)

TITLE III—OFFSET

[Sec. 301. Offset.](#)

SEC. 2. FINDINGS.

Congress finds the following:

(1) The turmoil in the Middle East poses a serious threat to United States national security interests and requires cooperation with allies that are willing to work with the United States in pursuit of shared objectives.

(2) The October 31, 1998, Memorandum of Agreement signed by President Clinton and Prime Minister Netanyahu commits the United States to working jointly with Israel towards enhancing Israel’s defensive and deterrent capabilities and upgrading the framework of the United States-Israel strategic and military relationships, as well as the technological cooperation between both countries.

(3) On August 16, 2007, the United States and Israel signed a Memorandum of Understanding reMarcy affirming United States commitment to the security of Israel and establishing a 10-year framework for incremental increases in United States military assistance to Israel.

(4) The Memorandum of Understanding signed two years later on January 16, 2009 reaffirmed the United States commitment and noted “the security, military and intelligence cooperation between the United States and Israel”.

(5) The United States and Israel conduct a semi-annual Strategic Dialogue. The Department of State, in a statement following the July 12, 2012, meeting of the Strategic Dialogue, noted that the discussions

focused on such issues of mutual concern as “Iran’s continued quest to develop nuclear weapons, which the United States and Israel are both determined to prevent” and “how the continued violence of the Syrian regime against its citizens [assisted by Iran and Hezbollah] could also lead to severe consequences for the entire region”.

SEC. 3. DECLARATION OF POLICY.

Congress declares that Israel is a major strategic partner of the United States.

TITLE I—UNITED STATES-ISRAEL STRATEGIC ALLIANCE

SEC. 101. AMENDMENTS TO THE UNITED STATES-ISRAEL ENHANCED SECURITY COOPERATION ACT OF 2012.

(a) UNITED STATES ACTIONS TO ASSIST IN THE DEFENSE OF ISRAEL AND PROTECT UNITED STATES INTERESTS.—Section 4 of the United States-Israel Enhanced Security Cooperation Act of 2012 ([Public Law 112–150](#); [22 U.S.C. 8603](#)) is amended—

(1) by striking “It is the sense of Congress that the United States Government should” and inserting “(a) IN GENERAL.—The President should, to the maximum extent practicable,”; and

(2) by adding at the end the following:

“(b) REPORT.—Not later than 180 days after the date of the enactment of this subsection, the President shall submit to Congress a report on the implementation of this section.”.

(b) EXTENSION OF WAR RESERVES STOCKPILE AUTHORITY.—Section 5(a) of the United States-Israel Enhanced Security Cooperation Act of 2012 ([Public Law 112–150](#)) is amended to read as follows:

“(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 10 years after’ and inserting ‘more than 11 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 ‘and 2014’ and inserting ‘, 2014, and 2015’.”.

(c) AMENDMENTS TO REQUIREMENTS RELATING TO ASSESSMENT OF ISRAEL’S QUALITATIVE MILITARY EDGE OVER MILITARY THREATS.—

(1) ASSESSMENT REQUIRED; REPORTS.—Section 201 of [Public Law 110–429](#) (122 Stat. 4843; [22 U.S.C. 2776](#) note) is amended—

(A) in subsection (a), by striking “an ongoing basis” and inserting “a biennial basis”; and

(B) in subsection (c)(2)—

(i) in the heading, by striking “QUADRENNIAL” and inserting “BIENNIAL”; and

(ii) in the text, by striking “Not later than four years after the date on which the President transmits the initial report under paragraph (1), and every four years thereafter,” and inserting “Not later than one year after the date of the enactment of the United States-Israel Strategic Partnership Act of 2014, and biennially thereafter.”.

(2) REPORT.—

(A) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of State shall submit to the appropriate congressional committees a report on—

(i) the range of cyber and asymmetric threats posed to Israel by state and non-state actors; and

(ii) the joint efforts of the United States and Israel to address the threats identified in clause (i).

(B) FORM.—The report required under subparagraph (A) shall be submitted in unclassified form, but may contain a classified annex.

(C) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this paragraph, the term “appropriate congressional committees” means the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate.

SEC. 102. AUTHORIZATION OF ASSISTANCE FOR ISRAEL.

(a) FINDING.—Congress finds that Israel has adopted high standards in the field of export controls, including by becoming adherent to the Australia Group, the Missile Technology Control Regime, the Nuclear Suppliers Group, and the Wassenaar Arrangement control lists, and by enacting robust legislation and regulations for the control of dual-use and defense items.

(b) EXPEDITED LICENSING PROCEDURES.—

(1) IN GENERAL.—The President shall direct the Secretary of State to undertake discussions with Israel to identify the steps required to be taken to include Israel within the list of countries described in section 740.20(c)(1) of title 15, Code of Federal Regulations (relating to eligibility for Strategic Trade Authorization).

(2) REPORT.—

(A) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, and every 180 days thereafter for a period of 3 years or until such time that Israel is included on the list of countries determined as eligible for the Strategic Trade Authorization, whichever occurs first, the President shall submit to the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations and the Committee on Banking, Housing, and Urban Affairs of the Senate a report on the following:

(i) The current status of negotiations.

(ii) The reasons that Israel has not yet been determined as eligible for the Strategic Trade Authorization.

(B) FORM.—The report required by subparagraph (A) shall be submitted in unclassified form but may contain a classified annex.

(c) LICENSING TREATMENT AS MTCR ADHERENT.—The President shall direct the Secretary of Commerce to ensure that, subject to the requirements of section 6(l) of the Export Administration Act of 1979 ([50 U.S.C. App. 2405\(l\)](#)) (as continued in effect pursuant to the International Emergency Economic Powers Act), Israel is treated no less favorably than other members or adherents to the Missile Technology Control Regime designated in Country Group A:2 in Supplement No. 1 to part 740 of title 15, Code of Federal Regulations.

(d) OVERSEAS PRIVATE INVESTMENT CORPORATION.—In carrying out its authorities under title IV of chapter 2 of part I of the Foreign Assistance Act of 1961 ([22 U.S.C. 2191 et seq.](#)), the Overseas Private Investment Corporation should consider giving preference to providing insurance, financing, or reinsurance for energy and water projects in Israel.

(e) ENERGY, WATER, AGRICULTURE, AND ALTERNATIVE FUEL TECHNOLOGIES.—

(1) IN GENERAL.—The President is authorized to carry out cooperative activities with Israel and to provide assistance to Israel that promotes cooperation in the fields of energy, water, agriculture, alternative fuel technologies, and civil space, where appropriate and pursuant to existing law.

(2) REQUIREMENTS.—In carrying out paragraph (1), the President is authorized to share and exchange with Israel research, technology, intelligence, information, equipment, and personnel that the President determines will advance the national security interests of the United States and is consistent with the Strategic Dialogue and pertinent provisions of law—

(A) by enhancing scientific cooperation between Israel and the United States; or

(B) by the sale, lease, exchange in kind, or other techniques the President determines to be suitable.

(f) COOPERATIVE RESEARCH PILOT PROGRAMS.—

(1) IN GENERAL.—The Secretary of Homeland Security, acting through the Director of the Homeland Security Advanced Research Projects Agency and with the concurrence of the Secretary of State, is authorized to enter into cooperative research pilot programs with Israel to enhance Israel's capabilities in the following areas:

(A) Border, maritime, and aviation security.

(B) Explosives detection.

(C) Emergency services.

(2) AUTHORIZATION OF APPROPRIATIONS.—For fiscal year 2014, there are authorized to be appropriated to the Secretary of Homeland Security—

(A) \$1,000,000 to carry out paragraph (1)(A);

(B) \$1,000,000 to carry out paragraph (1)(B); and

(C) \$1,000,000 to carry out paragraph (1)(C).

SEC. 103. UNITED STATES-ISRAEL COOPERATION ON CYBER-SECURITY.

It is a sense of Congress that the United States and Israel should take steps and explore avenues to increase cooperation on cyber-security.

SEC. 104. STATEMENT OF UNITED STATES POLICY REGARDING ISRAEL'S DEFENSE SYSTEMS.

(a) FINDINGS.—Congress—

(1) commends the first phase completion of the David's Sling Weapon System (DSWS) by the Israel Missile Defense Organization and the U.S. Missile Defense Agency, which is designed to provide additional opportunities for interception by the joint United States-Israel Arrow Weapon System (Arrow 2 and Arrow 3);

(2) congratulates the Israel Missile Defense Organization and the U.S. Missile Defense Agency on successfully executing the Arrow 3 flyout of a more advanced interceptor, which will improve Israel's defenses against upper tier ballistic missile threats from nations including Iran;

(3) recognizes that during Operation Pillar of Defense in November 2012, Israel deployed Iron Dome short-range rocket defense batteries to intercept Hamas-launched rockets fired from Gaza—of those rockets that posed a threat to the life of Israeli citizens, 80 to 85 percent were successfully intercepted, saving countless lives; and

(4) agrees that, as stated by former Secretary of Defense Leon Panetta, "Iron Dome performed, I think it's fair to say, remarkably well during the recent escalation ... Iron Dome does not start wars. It helps prevent wars."

(b) STATEMENT OF POLICY.—It should be the policy of the United States that the President, acting through the Secretary of Defense and the Secretary of State, should provide assistance, upon request by the Government of Israel, for the enhancement of the David's Sling Weapon System, the enhancement of the joint United States-Israel Arrow Weapon System (Arrow 2 and Arrow 3), and the procurement and enhancement of the Iron Dome short-range rocket defense system for purposes of intercepting short-range rockets, missiles, and other projectiles launched against Israel.

SEC. 105. REPORT ON OTHER MATTERS.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the United States and Israel should continue collaborative efforts to enhance Israel's military capabilities, including through the transfer of advanced combat aircraft, active phased array radar, military tanker-transports, other multi-mission military aircraft, advanced or specialized munitions, and through joint training and exercise opportunities in the United States;

(2) the United States and Israel should expeditiously conclude an updated Memorandum of Understanding regarding United States security assistance in order to help Israel meet its unique security requirements and uphold its qualitative military edge;

(3) the United States should ensure that Israel has timely access to important military equipment, including by augmenting the forward deployed United States War Reserve Stockpile in Israel and by

continuing to provide Israel with critical military equipment and spare parts through the Department of Defense's Excess Defense Articles program; and

(4) the United States should continue to support Israel's inherent right of self-defense.

(b) REPORT.—

(1) IN GENERAL.—Not later than 120 days after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the appropriate congressional committees a report that—

(A) reviews the progress made toward the actions and efforts identified in the report required under section 6(b) of the United States-Israel Enhanced Security Cooperation Act of 2012 ([Public Law 112–150](#); [22 U.S.C. 8604\(b\)](#)); and

(B) provides policy recommendations, if necessary.

(2) FORM.—The report required by paragraph (1) may include a classified annex.

(3) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this subsection, the term “appropriate congressional committees” means—

(A) the Committee on Foreign Affairs and the Committee on Armed Services of the House of Representatives; and

(B) the Committee on Foreign Relations and the Committee on Armed Services of the Senate.

SEC. 106. STATEMENT OF POLICY.

It shall be the policy of the United States to include Israel in the list of countries that participate in the visa waiver program under section 217 of the Immigration and Nationality Act ([8 U.S.C. 1187](#)) when Israel satisfies, and as long as Israel continues to satisfy, the requirements for inclusion in such program specified in such section.

SEC. 107. SENSE OF CONGRESS.

It is the sense of Congress that the Department of State should continue and, to the furthest extent practicable, increase its coordination on monitoring and combating anti-Semitism with the Government of Israel.

TITLE II—UNITED STATES-ISRAEL ENERGY COOPERATION

SEC. 201. UNITED STATES-ISRAEL ENERGY COOPERATION.

(a) FINDINGS.—Section 917(a) of the Energy Independence and Security Act of 2007 ([42 U.S.C. 17337\(a\)](#)) is amended—

(1) in paragraph (1), by striking “renewable” and inserting “covered”;

(2) in paragraph (4)—

(A) by striking “possible many” and inserting “possible—

“(A) many”;

(B) by inserting “and” after the semicolon at the end; and

(C) by adding at the end the following:

“(B) significant contributions to the development of renewable energy and energy efficiency through the established programs of the United States-Israel Binational Industrial Research and Development Foundation and the United States-Israel Binational Science Foundation;”;

(3) in paragraph (6)—

(A) by striking “renewable” and inserting “covered”; and

(B) by striking “and” after the semicolon at the end;

(4) in paragraph (7)—

(A) by striking “renewable” and inserting “covered”; and

(B) by striking the period at the end and inserting a semicolon; and

(5) by adding at the end the following:

“(8) United States-Israel energy cooperation, and the development of natural resources by Israel, are strategic interests of the United States;

“(9) Israel is a strategic partner of the United States in water technology;

“(10) the United States can play a role in assisting Israel with regional safety and security issues;

“(11) the National Science Foundation of the United States should collaborate with the Israel Science Foundation;

“(12) the United States and Israel should strive to develop more robust academic cooperation in energy innovation technology and engineering, water science, technology transfer, and analysis of geopolitical implications of new natural resource development and associated areas;

“(13) the United States supports the goals of the Alternative Fuels Administration of Israel;

“(14) the United States strongly urges open dialogue and continued mechanisms for regular engagement and encourages further cooperation between applicable departments, agencies, ministries, institutions of higher education, and the private sectors of the United States and Israel on energy security issues, including—

“(A) identifying policy priorities associated with the development of natural resources of Israel;

“(B) discussing best practices to secure cyber energy infrastructure;

“(C) best practice sharing;

“(D) leveraging natural gas to positively impact regional stability;

“(E) improving energy efficiency and the overall performance of water technologies through research and development in water desalination, wastewater treatment and reclamation, and other water treatment technologies;

“(F) technical and environmental management of deep-water exploration and production;

“(G) coastal protection and restoration;

“(H) academic outreach and engagement;

“(I) private sector and business development engagement;

“(J) regulatory consultations;

“(K) leveraging alternative transportation fuels and technologies; and

“(L) any other areas determined appropriate by the United States and Israel;

“(15) the United States acknowledges the achievements and importance of the United States-Israel Binational Industrial Research and Development Foundation and the United States-Israel Binational Science Foundation and supports continued multiyear funding to ensure the continuity of the programs of the Foundations; and

“(16) the United States and Israel have a shared interest in addressing their immediate, near-term, and long-term energy and environmental challenges.”.

(b) ESTABLISHMENT.—Section 917(b)(1) of the Energy Independence and Security Act of 2007 ([42 U.S.C. 17337\(b\)\(1\)](#)) is amended by striking “renewable energy or energy efficiency” and inserting “covered energy”.

(c) TYPES OF ENERGY.—Section 917(b)(2) of the Energy Independence and Security Act of 2007 ([42 U.S.C. 17337\(b\)\(2\)](#)) is amended—

(1) in the heading, by striking “TYPES OF” and inserting “COVERED”;

(2) in subparagraph (F), by striking “and” after the semicolon at the end;

(3) in subparagraph (G), by striking the period at the end and inserting a semicolon; and

(4) by adding at the end the following:

“(H) natural gas energy, including conventional and unconventional natural gas technologies and natural gas projects conducted by or in conjunction with the United States-Israel Binational Science Foundation, the United States-Israel Binational Industrial Research and Development Foundation, and the United States-Israel Science and Technology Foundation; and

“(I) improvement of energy efficiency and the overall performance of water technologies through research and development in water desalination, wastewater treatment and reclamation, and other water treatment technologies.”.

(d) ELIGIBLE APPLICANTS.—Section 917(b)(3) of the Energy Independence and Security Act of 2007 ([42 U.S.C. 17337\(b\)\(3\)](#)) is amended by striking “energy efficiency or renewable” and inserting “covered”.

(e) AUTHORIZATION OF APPROPRIATIONS; INTERNATIONAL PARTNERSHIPS.—Section 917 of the Energy Independence and Security Act of 2007 ([42 U.S.C. 17337](#)) is amended—

(1) by redesignating subsections (c) and (d) as subsections (e) and (f), respectively;

(2) by inserting after subsection (b) the following:

“(c) INTERNATIONAL PARTNERSHIPS.—

“(1) IN GENERAL.—The Secretary may, subject to the availability of appropriations, enter into cooperative agreements supporting and enhancing dialogue and planning involving international partnerships between the Department, including National Laboratories of the Department, and the Government of Israel and its ministries, offices, and institutions.

“(2) FEDERAL SHARE.—The Secretary may not pay more than 50 percent of the costs described in paragraph (1).

“(3) ANNUAL REPORTS.—The Secretary shall submit to the Committee on Energy and Commerce, the Committee on Science, Space, and Technology, the Committee on Foreign Affairs, and the Committee on Appropriations of the House of Representatives and the Committee on Energy and Natural Resources, the Committee on Foreign Relations, and the Committee on Appropriations of the Senate an annual report that describes—

“(A) actions taken to carry out this subsection; and

“(B) any projects under this subsection for which the Secretary requests funding.

“(d) UNITED STATES-ISRAEL CENTER.—The Secretary may establish a joint United States-Israel Center based in an area of the United States with the experience, knowledge, and expertise in offshore energy development to further dialogue and collaboration to develop more robust academic cooperation in energy innovation technology and engineering, water science, technology transfer, and analysis of geopolitical implications of new natural resource development and associated areas.”; and

(3) by amending subsection (f) (as redesignated) to read as follows:

“(f) AUTHORIZATION OF APPROPRIATIONS.—Of the amounts made available under section 931 of the Energy Policy Act of 2005 ([42 U.S.C. 16231](#)), the Secretary is authorized to use \$2,000,000 for each fiscal year to carry out this section.”.

(f) TERMINATION.—Subsection (e) of section 917 of the Energy Independence and Security Act of 2007 ([42 U.S.C. 17337](#)) (as redesignated by subsection (e)(1)) is amended by striking “the date that is 7 years after the date of enactment of this Act” and inserting “September 30, 2021”.

TITLE III—OFFSET

SEC. 301. OFFSET.

Section 102(a) of the Enhanced Partnership with Pakistan Act of 2009 ([Public Law 111–73](#)) is amended by striking “\$1,500,000,000” and inserting “\$1,487,000,000”.

Passed the House of Representatives March 5, 2014.

Attest:

KAREN L. HAAS,

Clerk