

112TH CONGRESS
2D SESSION

S. 2165

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

IN THE SENATE OF THE UNITED STATES

MARCH 6, 2012

Mrs. BOXER (for herself, Mr. ISAKSON, and Ms. COLLINS) introduced the following bill; which was read twice and referred to the Committee on Foreign Relations

A BILL

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,*

3 **SECTION 1. SHORT TITLE.**

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

6 **SEC. 2. FINDINGS.**

7 Congress makes the following findings:

8 (1) Since the State of Israel was established in
9 1948, Presidents of both parties and both Houses of
10 Congress, supported by the American people, have

1 recognized the special bond between the United
2 States and Israel, based on shared values and
3 shared interests.

4 (2) The Middle East is undergoing rapid
5 change, bringing with it hope for an expansion of de-
6 mocracy but also profound challenges to regional se-
7 curity—particularly to our most important ally,
8 Israel—and to the national security of the United
9 States.

10 (3) The past year has witnessed the fall of old
11 regimes and the rise of political parties in the Mid-
12 dle East who must now choose between a course of
13 moderation and inclusion in the international com-
14 munity or a course of extremism and isolation.

15 (4) The Government of the Islamic Republic of
16 Iran is continuing its decades-long pattern of seek-
17 ing to foment instability in the Middle East, particu-
18 larly in this time of dramatic political transition.

19 (5) At the same time, the Government of the
20 Islamic Republic of Iran continues to enrich ura-
21 nium in defiance of international law.

22 (6) A nuclear-weapons capable Iran would fun-
23 damentally threaten vital United States interests,
24 encourage regional nuclear proliferation, further em-
25 power Iran, the world's leading state sponsor of ter-

1 ror, and pose a serious and destabilizing threat to
2 Israel and the region.

3 (7) Over the past several years, with the assist-
4 ance of the Governments of the Islamic Republic of
5 Iran and Syria, Hezbollah and Hamas have in-
6 creased their stockpile of rockets, with more than
7 60,000 now ready to be fired at Israel. The Govern-
8 ment of the Islamic Republic of Iran continues to
9 develop its missile technology as well, including
10 cruise missiles.

11 (8) As a result, the Government and people of
12 Israel are facing a fundamentally altered strategic
13 environment fraught with new and profound chal-
14 lenges.

15 **SEC. 3. STATEMENT OF UNITED STATES POLICY.**

16 It is the policy of the United States:

17 (1) To reaffirm our unwavering commitment to
18 the security of the State of Israel as a Jewish state,
19 as President Barack Obama stated on December 16,
20 2011, “America’s commitment and my commitment
21 to Israel and Israel’s security is unshakeable,” and
22 as President George W. Bush stated before the
23 Israeli Knesset on May 15, 2008, on the 60th anni-
24 versary of the founding of the State of Israel, “The
25 alliance between our governments is unbreakable, yet

1 the source of our friendship runs deeper than any
2 treaty.”.

3 (2) To provide the Government of Israel the
4 military capabilities necessary to deter and defend
5 itself against any threat or possible combination of
6 threats.

7 (3) To assist the Government of Israel with its
8 ongoing efforts to forge a peaceful, negotiated settle-
9 ment of the Israeli-Palestinian conflict that results
10 in two states living side-by-side in peace and secu-
11 rity, and to encourage Israel’s neighbors to recognize
12 Israel’s right to exist as a Jewish state.

13 (4) To veto any one-sided anti-Israel resolutions
14 at the United Nations Security Council.

15 (5) To support Israel’s inherent right to self-de-
16 fense.

17 (6) To pursue every opportunity to expand co-
18 operation with the Government of Israel on defense
19 and national security matters and across the spec-
20 trum of civilian sectors, including advanced tech-
21 nology, agriculture, medicine, health, pharma-
22 ceuticals, and energy.

1 **SEC. 4. SENSE OF CONGRESS.**

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

5 (1) Seek to enhance the capabilities of the Gov-
6 ernments of the United States and Israel to address
7 emerging common threats, increase security coopera-
8 tion, and expand joint military exercises.

9 (2) Work to encourage an expanded role for
10 Israel within the North Atlantic Treaty Organization
11 (NATO), including an enhanced presence at NATO
12 headquarters and exercises.

13 (3) Expand already-close intelligence coopera-
14 tion, including satellite intelligence, with the Govern-
15 ment of Israel.

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

23 (5) Provide the Government of Israel with nec-
24 essary support to increase development and produc-
25 tion of joint missile defense systems, particularly

1 such systems that defend the urgent threat posed to
2 Israel and United States forces in the region.

3 (6) Make every effort to assure the provision to
4 the Government of Israel of defensive equipment
5 through such mechanisms as lend-lease, to include
6 air refueling tankers, missile defense capabilities,
7 and specialized munitions.

8 (7) Undertake efforts to make available for pur-
9 chase by the Government of Israel surplus defense
10 items, particularly those resulting from the end of
11 United States combat operations in Iraq.

12 (8) Offer the Air Force of Israel additional
13 training and exercise opportunities in the United
14 States to compensate for Israel's limited air space.

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

17 (a) EXTENSION OF WAR RESERVES STOCKPILE AU-
18 THORITY.—

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

1 (2) FOREIGN ASSISTANCE ACT OF 1961.—Sec-
2 tion 514(b)(2)(A) of the Foreign Assistance Act of
3 1961 (22 U.S.C. 2321h(b)(2)(A)) is amended by
4 striking “fiscal years 2011 and 2012” and inserting
5 “fiscal years 2013 and 2014”.

6 (b) EXTENSION OF LOAN GUARANTEES TO
7 ISRAEL.—Chapter 5 of title I of the Emergency Wartime
8 Supplemental Appropriations Act, 2003 (Public Law 108–
9 11; 117 Stat. 576) is amended under the heading “LOAN
10 GUARANTEES TO ISRAEL”—

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

14 (2) in the second proviso, by striking “Sep-
15 tember 30, 2011” and inserting “September 30,
16 2015”.

17 **SEC. 6. REPORTS REQUIRED.**

18 (a) REPORT ON ISRAEL’S QUALITATIVE MILITARY
19 EDGE (QME).—Not later than 180 days after the date
20 of the enactment of this Act, the President shall submit
21 to the appropriate congressional committees a report on
22 the status of Israel’s qualitative military edge in light of
23 current trends and instability in the Middle East region,
24 including what, if any, mitigating technologies could be

1 provided to the Government of Israel to counter increasing
2 threats in the region.

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

7 (1) Actions to improve the acquisition process
8 for the purchase of F–35 aircraft by Israel, particu-
9 larly with respect to cost efficiency and on-time de-
10 livery, taking into account the urgent need of the
11 Government of Israel for such aircraft.

12 (2) Efforts to expand cooperation between the
13 United States Government and the Government of
14 Israel in homeland security, counter-terrorism, mari-
15 time security, energy, cyber-security, and other re-
16 lated areas.

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

19 **SEC. 7. DEFINITIONS.**

20 In this Act:

21 (1) APPROPRIATE CONGRESSIONAL COMMIT-
22 TEES.—The term “appropriate congressional com-
23 mittees” means—

24 (A) the Committee on Appropriations, the
25 Committee on Armed Services, the Committee

1 on Foreign Relations, and the Select Committee
2 on Intelligence of the Senate; and

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

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

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