

115TH CONGRESS
2D SESSION

H. R. 5126

To authorize assistance for procurement of missile defense systems for Israel,
and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 27, 2018

Mrs. MURPHY of Florida (for herself and Mr. MAST) introduced the following bill; which was referred to the Committee on Foreign Affairs, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To authorize assistance for procurement of missile defense
systems for 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 “Deterring and Defeat-
5 ing Rocket and Missile Threats to Israel Act of 2018”.

6 **SEC. 2. FINDINGS.**

7 Congress finds the following:

8 (1) Israel is surrounded by adversaries. Threats
9 to Israel emanate from Hezbollah in Lebanon to the

1 north, from the Iranian-supported regime of Bashar
2 al-Assad in Syria to the northeast, from Hamas in
3 the Gaza Strip to the south, and from Iran to the
4 east. Each of these state and non-state actors pos-
5 sess an arsenal of rockets or missiles that could be
6 used to target Israel.

7 (2) Iran possesses the largest and most diverse
8 missile arsenal in the Middle East, with thousands
9 of medium-range ballistic and cruise missiles capable
10 of striking Israel.

11 (3) While Syria has used much of its ballistic
12 missile inventory during its nearly seven-year civil
13 war, it still maintains a robust arsenal of short-
14 range ballistic missiles capable of striking Israel.

15 (4) Hamas and other terrorist groups in Gaza
16 possess almost 12,000 rockets that threaten south-
17 ern Israel.

18 (5) Hezbollah, an entity designated as a ter-
19 rorist organization by the Department of State and
20 the European Union, continues to procure rockets to
21 deploy against Israel in violation of United Nations
22 Security Council Resolution 1701 (2006).

23 (6) According to open source reporting,
24 Hezbollah has developed an arsenal of between

1 100,000 and 150,000 rockets, and is seeking to de-
2 velop an indigenous rocket production capability.

3 (7) In total, there are thousands of missiles and
4 230,000 rockets aimed at Israel. In 2016, the Israeli
5 military estimated that, in the event of a conflict in
6 which rockets and missiles were fired at Israel from
7 all directions, between 250 and 400 civilians would
8 likely be killed in the conflict, including dozens in
9 the Tel Aviv area. Hezbollah alone could launch
10 1,200 rockets each day, a barrage that would over-
11 whelm Israel’s missile defense capabilities.

12 (8) The 2016 Memorandum of Understanding
13 Between the United States and Israel (relating to
14 security assistance for fiscal years 2019 through
15 2028) committed the United States to provide \$500
16 million annually to support Israel’s missile defense
17 programs.

18 (9) The 2016 Memorandum of Understanding
19 further states that “both sides jointly commit to re-
20 spect the missile defense funding levels specified in
21 this MOU” and that Israel may seek additional sup-
22 port in “exceptional circumstances as may be jointly
23 agreed by the U.S. administration and Israel”.

24 **SEC. 3. SENSE OF CONGRESS.**

25 It is the sense of Congress that—

1 (1) the United States stands behind Israel in
2 its quest for peace and security;

3 (2) the United States should support Israel's
4 efforts to defend itself against its adversaries, in-
5 cluding by facilitating the procurement of missile de-
6 fense systems critical to the protection of Israel's
7 population; and

8 (3) there are currently an insufficient number
9 of missile defense systems and interceptors to ad-
10 dress the full scope of Israel's self-defense require-
11 ments in light of the rocket and missile threat to
12 Israel.

13 **SEC. 4. AUTHORIZATION OF ASSISTANCE FOR PROCURE-**
14 **MENT OF MISSILE DEFENSE SYSTEMS FOR**
15 **ISRAEL.**

16 (a) IN GENERAL.—The President, acting through the
17 Secretary of Defense and the Secretary of State, is author-
18 ized to provide assistance, upon request of the Government
19 of Israel and for jointly agreed upon exceptional cir-
20 cumstances, to the Government of Israel for the procure-
21 ment of missile defense systems, including the Iron Dome,
22 David Sling, and Arrow systems, additional interceptors
23 for those systems or any future missile defense systems,
24 and missile defense development.

1 (b) RULE OF CONSTRUCTION.—Any assistance pro-
2 vided under the authority of subsection (a) is in addition
3 to any assistance provided under the authority specified
4 in the 2016 Memorandum of Understanding Between the
5 United States and Israel.

6 (c) LIMITATION.—The authority specified in sub-
7 section (a) shall be exclusively for the purpose of enhanc-
8 ing Israeli missile defense, consistent with the 2016
9 Memorandum of Understanding Between the United
10 States and Israel, to address mutually agreed-upon excep-
11 tional circumstances.

12 (d) REPORT.—Not later than 10 days after the date
13 on which the United States Government receives a request
14 from the Government of Israel as described in subsection
15 (a), the Secretary of Defense, with the concurrence of the
16 Secretary of State, shall submit to Congress a report that
17 contains the following:

18 (1) A written copy of the request from the Gov-
19 ernment of Israel.

20 (2) An assessment of the request from the Gov-
21 ernment of Israel.

22 (3) The urgent nature of the rocket and missile
23 threat to Israel and a description of potential at-
24 tacks against Israel which would justify exceeding
25 the annual amount of United States assistance to

1 support Israel's missile defense programs under the
2 2016 Memorandum of Understanding Between the
3 United States and Israel.

4 (e) AUTHORIZATION OF APPROPRIATIONS.—

5 (1) IN GENERAL.—There is authorized to be
6 appropriated to the President such sums as may be
7 necessary to carry out this section.

8 (2) REPLENISHMENT.—If amounts made avail-
9 able for the Missile Defense Agency are used to
10 carry out this section for a fiscal year, the President
11 shall replenish such amounts for the Missile Defense
12 Agency for the subsequent fiscal year from amounts
13 made available pursuant to the authorization of ap-
14 propriations under paragraph (1) for such subse-
15 quent fiscal year.

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