

115TH CONGRESS  
2D SESSION

# S. 2497

To amend the Foreign Assistance Act of 1961 and the Arms Export Control Act to make improvements to certain defense and security assistance provisions and to authorize the appropriations of funds to Israel, and for other purposes.

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IN THE SENATE OF THE UNITED STATES

MARCH 5, 2018

Mr. RUBIO (for himself and Mr. COONS) introduced the following bill; which was read twice and referred to the Committee on Foreign Relations

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## A BILL

To amend the Foreign Assistance Act of 1961 and the Arms Export Control Act to make improvements to certain defense and security assistance provisions and to authorize the appropriations of funds to 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; TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the  
5 “United States-Israel Security Assistance Authorization  
6 Act of 2018”.

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

- Sec. 1. Short title; table of contents.  
 Sec. 2. Appropriate congressional committees defined.

TITLE I—SECURITY ASSISTANCE FOR ISRAEL

- Sec. 101. Findings.  
 Sec. 102. Statement of policy regarding Israel’s defense systems.  
 Sec. 103. Assistance for Israel.  
 Sec. 104. Extension of war reserves stockpile authority.  
 Sec. 105. Extension of loan guarantees to Israel.  
 Sec. 106. Joint assessment of quantity of precision guided munitions for use by  
 Israel.  
 Sec. 107. Transfer of precision guided munitions to Israel.  
 Sec. 108. Modification of rapid acquisition and deployment procedures.  
 Sec. 109. Eligibility of Israel for the strategic trade authorization exception to  
 certain export control licensing requirements.

TITLE II—ENHANCED UNITED STATES-ISRAEL COOPERATION

- Sec. 201. United States-Israel space cooperation.  
 Sec. 202. United States Agency for International Development—Israel en-  
 hanced cooperation.  
 Sec. 203. Authority to enter into a cooperative project agreement with Israel  
 to counter unmanned aerial vehicles that threaten the United  
 States or Israel.

TITLE III—ENSURING ISRAEL’S QUALITATIVE MILITARY EDGE

- Sec. 301. Improved reporting on enhancing Israel’s qualitative military edge  
 and security posture.  
 Sec. 302. Statement of policy.

3 **SEC. 2. APPROPRIATE CONGRESSIONAL COMMITTEES DE-**  
 4 **FINED.**

5 In this Act, the term “appropriate congressional com-  
 6 mittees” means—

- 7 (1) the Committee on Foreign Relations and  
 8 the Committee on Armed Services of the Senate; and  
 9 (2) the Committee on Foreign Affairs and the  
 10 Committee on Armed Services of the House of Rep-  
 11 resentatives.

1 **TITLE I—SECURITY ASSISTANCE**  
2 **FOR ISRAEL**

3 **SEC. 101. FINDINGS.**

4 Congress makes the following findings:

5 (1) In April 1998, the United States designated  
6 Israel as a “major non-NATO ally”.

7 (2) On August 16, 2007, the United States and  
8 Israel signed a 10-year Memorandum of Under-  
9 standing on United States military assistance to  
10 Israel. The total assistance over the course of this  
11 understanding would equal \$30,000,000,000.

12 (3) On July 27, 2012, the United States-Israel  
13 Enhanced Security Cooperation Act of 2012 (Public  
14 Law 112–150; 22 U.S.C. 8601 et seq.) declared it  
15 to be the policy of the United States “to help the  
16 Government of Israel preserve its qualitative military  
17 edge amid rapid and uncertain regional political  
18 transformation” and “provide Israel defense articles  
19 and services, to include air refueling tankers, missile  
20 defense capabilities, and specialized munitions”.

21 (4) On December 19, 2014, President Barack  
22 Obama signed into law the United States-Israel  
23 Strategic Partnership Act of 2014 (Public Law 113–  
24 296) which stated the sense of Congress that Israel  
25 is a major strategic partner of the United States

1 and declared it to be the policy of the United States  
2 “to continue to provide Israel with robust security  
3 assistance, including for the procurement of the Iron  
4 Dome Missile Defense System”.

5 (5) Section 1679 of the National Defense Au-  
6 thorization Act for Fiscal Year 2016 (Public Law  
7 114–92; 129 Stat. 1135) authorized funds to be ap-  
8 propriated for Israeli cooperative missile defense  
9 program codevelopment and coproduction, including  
10 funds to be provided to the Government of Israel to  
11 procure the David’s Sling weapon system as well as  
12 the Arrow 3 Upper Tier Interceptor Program.

13 (6) On June 22, 2016, Senate Resolution 508  
14 (114th Congress) was introduced in the United  
15 States Senate, expressing support for the expeditious  
16 consideration and finalization of a new, robust, and  
17 long-term Memorandum of Understanding on mili-  
18 tary assistance to Israel between the United States  
19 Government and the Government of Israel.

20 (7) Senate Resolution 508 provides that the  
21 Senate—

22 (A) “reaffirms that Israel is a major stra-  
23 tegic partner of the United States”;

24 (B) “reaffirms that it is the policy and law  
25 of the United States to ensure that Israel main-

1 tains its qualitative military edge and has the  
2 capacity and capability to defend itself from all  
3 credible military threats”;

4 (C) “reaffirms United States support of a  
5 robust Israeli tiered missile defense program”;

6 (D) “supports continued discussions be-  
7 tween the Government of the United States and  
8 the Government of Israel for a robust and long-  
9 term Memorandum of Understanding on United  
10 States military assistance to Israel”;

11 (E) “urges the expeditious finalization of a  
12 new Memorandum of Understanding between  
13 the Government of the United States and the  
14 Government of Israel”; and

15 (F) “supports a robust and long-term  
16 Memorandum of Understanding negotiated be-  
17 tween the United States and Israel regarding  
18 military assistance which increases the amount  
19 of aid from previous agreements and signifi-  
20 cantly enhances Israel’s military capabilities”.

21 (8) On September 14, 2016, the United States  
22 and Israel signed a 10-year Memorandum of Under-  
23 standing reaffirming the importance of continuing  
24 annual United States military assistance to Israel  
25 and cooperative missile defense programs in a way

1 that enhances Israel's security and strengthens the  
2 bilateral relationship between the two countries.

3 (9) The 2016 Memorandum of Understanding  
4 reflected United States support of Foreign Military  
5 Financing (FMF) grant assistance to Israel over the  
6 ten year period beginning in fiscal year 2019 and  
7 ending in fiscal year 2028. FMF grant assistance  
8 would be at a level of \$3,300,000,000 annually, to-  
9 taling \$33,000,000,000, the largest United States  
10 assistance package ever and a reiteration of the  
11 seven-decade, unshakeable, bipartisan commitment  
12 of the United States to Israel's security.

13 (10) The Memorandum of Understanding also  
14 reflected United States support for funding for coop-  
15 erative programs to develop, produce, and procure  
16 missile, rocket, and projectile defense capabilities  
17 over a ten year period beginning in fiscal year 2019  
18 and ending in fiscal year 2028 at a level of  
19 \$500,000,000 per year, totaling \$5,000,000,000.

20 **SEC. 102. STATEMENT OF POLICY REGARDING ISRAEL'S DE-**  
21 **FENSE SYSTEMS.**

22 It shall be the policy of the United States to provide  
23 assistance to the Government of Israel in order to support  
24 funding for cooperative programs to develop, produce, and  
25 procure missile, rocket, projectile, and other defense capa-

1 bilities to help Israel meet its security needs and to help  
2 develop and enhance United States defense capabilities.

3 **SEC. 103. ASSISTANCE FOR ISRAEL.**

4 (a) AUTHORIZATION OF APPROPRIATIONS FOR  
5 ISRAEL.—Section 513(c) of the Security Assistance Act  
6 of 2000 (Public Law 106–280; 114 Stat. 856) is amend-  
7 ed—

8 (1) in paragraph (1), by striking “2002 and  
9 2003” and inserting “2019, 2020, 2021, 2022,  
10 2023, 2024, 2025, 2026, 2027, and 2028”; and

11 (2) in paragraph (2)—

12 (A) by striking “equal to—” and inserting  
13 “not less than \$3,300,000,000.”; and

14 (B) by striking subparagraphs (A) and  
15 (B).

16 **SEC. 104. EXTENSION OF WAR RESERVES STOCKPILE AU-**  
17 **THORITY.**

18 (a) DEPARTMENT OF DEFENSE APPROPRIATIONS  
19 ACT, 2005.—Section 12001(d) of the Department of De-  
20 fense Appropriations Act, 2005 (Public Law 108–287;  
21 118 Stat. 1011) is amended by striking “after September  
22 30, 2018” and inserting “after September 30, 2023”.

23 (b) FOREIGN ASSISTANCE ACT OF 1961.—Section  
24 514(b)(2)(A) of the Foreign Assistance Act of 1961 (22  
25 U.S.C. 2321h(b)(2)(A)) is amended by striking “2013,

1 2014, 2015, 2016, 2017, and 2018” and inserting “2018,  
2 2019, 2020, 2021, 2022, and 2023.”.

3 **SEC. 105. EXTENSION OF LOAN GUARANTEES TO ISRAEL.**

4 Chapter 5 of title I of the Emergency Wartime Sup-  
5 plemental Appropriations Act, 2003 (Public Law 108–11;  
6 117 Stat. 576) is amended under the heading “LOAN  
7 GUARANTEES TO ISRAEL”—

8 (1) in the matter preceding the first proviso, by  
9 striking “September 30, 2019” and inserting “Sep-  
10 tember 30, 2023”; and

11 (2) in the second proviso, by striking “Sep-  
12 tember 30, 2019” and inserting “September 30,  
13 2023”.

14 **SEC. 106. JOINT ASSESSMENT OF QUANTITY OF PRECISION**  
15 **GUIDED MUNITIONS FOR USE BY ISRAEL.**

16 (a) **IN GENERAL.**—The President, acting through the  
17 Secretary of State and the Secretary of Defense, is author-  
18 ized to conduct a joint assessment with the Government  
19 of Israel with respect to the matters described in sub-  
20 section (b).

21 (b) **MATTERS DESCRIBED.**—The matters described  
22 in this subsection are the following:

23 (1) The quantity and type of precision guided  
24 munitions that are necessary for Israel to combat



1 Hezbollah in the event of a sustained armed con-  
2 frontation between Israel and Hezbollah.

3 (2) The quantity and type of precision guided  
4 munitions that are necessary for Israel in the event  
5 of a sustained armed confrontation with other armed  
6 groups and terrorist organizations such as Hamas.

7 (3) The resources the Government of Israel can  
8 plan to dedicate to acquire such precision guided  
9 munitions.

10 (4) United States planning to assist Israel to  
11 prepare for sustained armed confrontations de-  
12 scribed in this subsection as well as the ability of the  
13 United States to resupply Israel in the event of con-  
14 frontations described in paragraphs (1) and (2), if  
15 any.

16 (c) REPORT.—

17 (1) IN GENERAL.—Not later than 15 days after  
18 the date on which the joint assessment authorized  
19 under subsection (a) is completed, the President  
20 shall submit to the appropriate congressional com-  
21 mittees a report that contains the joint assessment.

22 (2) FORM.—The report required under para-  
23 graph (1) shall be submitted in unclassified form,  
24 but may contain a classified annex.

1 **SEC. 107. TRANSFER OF PRECISION GUIDED MUNITIONS TO**  
2 **ISRAEL.**

3 (a) IN GENERAL.—Notwithstanding section 514 of  
4 the Foreign Assistance Act of 1961 (22 U.S.C. 2321h),  
5 the President is authorized—

6 (1) to utilize the Special Defense Acquisition  
7 Fund to transfer precision guided munitions and re-  
8 lated defense articles and services to reserve stocks  
9 for Israel; and

10 (2) to transfer such quantities of precision  
11 guided munitions from reserve stocks for Israel as  
12 necessary for legitimate self-defense and otherwise  
13 consistent with the purposes and conditions for such  
14 transfers under the Arms Export Control Act (22  
15 U.S.C. 2751 et seq.).

16 (b) CERTIFICATIONS.—Except in case of emergency,  
17 not later than 5 days before making a transfer under this  
18 section, the President shall certify in an unclassified noti-  
19 fication to the appropriate congressional committees that  
20 the transfer of the precision guided munitions—

21 (1) does not affect the ability of the United  
22 States to maintain a sufficient supply of precision  
23 guided munitions;

24 (2) does not harm the combat readiness of the  
25 United States or the ability of the United States to

1 meet its commitment to allies for the transfer of  
2 such munitions; and

3 (3) is absolutely necessary for Israel to counter  
4 the threat of rockets in a timely fashion.

5 **SEC. 108. MODIFICATION OF RAPID ACQUISITION AND DE-**  
6 **PLOYMENT PROCEDURES.**

7 (a) REQUIREMENT TO ESTABLISH PROCEDURES.—

8 (1) IN GENERAL.—Section 806(a) of the Bob  
9 Stump National Defense Authorization Act for Fis-  
10 cal Year 2003 (10 U.S.C. 2302 note; Public Law  
11 107–314) is amended—

12 (A) in paragraph (1)(C), by striking “;  
13 and”;

14 (B) in paragraph (2), by striking the pe-  
15 riod at the end and inserting “; and”; and

16 (C) by adding at the end the following new  
17 paragraph:

18 “(3) urgently needed to support production of  
19 precision guided munitions—

20 “(A) for United States counterterrorism  
21 missions; or

22 “(B) to assist an ally of the United States  
23 under direct missile threat from—

24 “(i) an organization the Secretary of  
25 State has designated as a foreign terrorist

1 organization pursuant to section 219 of the  
2 Immigration and Nationality Act (8 U.S.C.  
3 1189); or

4 “(ii) a country the government of  
5 which the Secretary of State has deter-  
6 mined, for purposes of section 6(j) of the  
7 Export Administration Act of 1979 (50  
8 U.S.C. 4605(j)) (as in effect pursuant to  
9 the International Emergency Economic  
10 Powers Act), section 620A of the Foreign  
11 Assistance Act of 1961 (22 U.S.C. 2371),  
12 section 40 of the Arms Export Control Act  
13 (22 U.S.C. 2780), or any other provision  
14 of law, is a government that has repeatedly  
15 provided support for acts of international  
16 terrorism.”.

17 (2) PRESCRIPTION OF PROCEDURES.—Not later  
18 than 180 days after the date of the enactment of  
19 this Act, the Secretary of Defense shall prescribe  
20 procedures for the rapid acquisition and deployment  
21 of supplies and associated support services for pur-  
22 poses described in paragraph (3) of section 806(a)  
23 of the Bob Stump National Defense Authorization  
24 Act for Fiscal Year 2003, as added by paragraph  
25 (1)(A) of this subsection.

1 (b) USE OF AMOUNTS IN SPECIAL DEFENSE ACQUI-  
2 SITION FUND.—Section 114(c)(3) of title 10, United  
3 States Code, is amended by inserting before the period at  
4 the end the following: “or to assist an ally of the United  
5 States that is under direct missile threat, including from  
6 a terrorist organization supported by Iran, and such  
7 threat adversely affects the safety and security of such  
8 ally”.

9 **SEC. 109. ELIGIBILITY OF ISRAEL FOR THE STRATEGIC**  
10 **TRADE AUTHORIZATION EXCEPTION TO CER-**  
11 **TAIN EXPORT CONTROL LICENSING RE-**  
12 **QUIREMENTS.**

13 (a) FINDINGS.—Congress makes the following find-  
14 ings:

15 (1) Israel has adopted high standards in the  
16 field of export controls.

17 (2) Israel has declared its unilateral adherence  
18 to the Missile Technology Control Regime, the Aus-  
19 tralia Group, and the Nuclear Suppliers Group.

20 (3) Israel is a party to—

21 (A) the Convention on Prohibitions or Re-  
22 strictions on the Use of Certain Conventional  
23 Weapons which may be Deemed to be Exces-  
24 sively Injurious or to Have Indiscriminate Ef-  
25 fects, signed at Geneva October 10, 1980;

1 (B) the Protocol for the Prohibition of the  
2 Use in War of Asphyxiating, Poisonous or  
3 Other Gases, and of Bacteriological Methods of  
4 Warfare, signed at Geneva June 17, 1925; and

5 (C) the Convention on the Physical Protec-  
6 tion of Nuclear Material, adopted at Vienna Oc-  
7 tober 26, 1979.

8 (4) Section 6(b) of the United States-Israel  
9 Strategic Partnership Act of 2014 (22 U.S.C. 8603  
10 note) directs the President, consistent with the com-  
11 mitments of the United States under international  
12 agreements, to take steps so that Israel may be in-  
13 cluded in the list of countries eligible for the stra-  
14 tegic trade authorization exception under section  
15 740.20(c)(1) of title 15, Code of Federal Regula-  
16 tions, to the requirement for a license for the export,  
17 re-export, or in-country transfer of an item subject  
18 to controls under the Export Administration Regula-  
19 tions.

20 (5) As of December 27, 2016, the last publica-  
21 tion of the license exceptions country list, Israel had  
22 not been included for the strategic trade authoriza-  
23 tion exception under section 740.20 (c) (1) of title  
24 15, Code of Federal Regulations.

1 (b) REPORT ON ELIGIBILITY FOR STRATEGIC TRADE  
2 AUTHORIZATION EXCEPTION.—

3 (1) IN GENERAL.—Not later than 120 days  
4 after the date of the enactment of this Act, the  
5 President shall submit to the appropriate congress-  
6 sional committees a report that—

7 (A) describes the steps taken to include  
8 Israel in the list of countries eligible for the  
9 strategic trade authorization exception under  
10 section 740.20(c)(1) of title 15, Code of Federal  
11 Regulations, as required under 6(b) of the  
12 United States-Israel Strategic Partnership Act  
13 of 2014 (22 U.S.C. 8603 note; Public Law  
14 113–296); and

15 (B) includes the reasons as to why Israel  
16 has not yet been included in such list of coun-  
17 tries eligible for the strategic trade authoriza-  
18 tion exception.

19 (2) FORM.—The report required under para-  
20 graph (1) shall be submitted in unclassified form,  
21 but may contain a classified annex.

1     **TITLE II—ENHANCED UNITED**  
2     **STATES-ISRAEL COOPERATION**

3     **SEC. 201. UNITED STATES-ISRAEL SPACE COOPERATION.**

4         (a) FINDINGS.—Congress makes the following find-  
5     ings:

6             (1) Authorized in 1958, the National Aero-  
7     nautics and Space Administration (NASA) supports  
8     and coordinates United States Government research  
9     in aeronautics, human exploration and operations,  
10    science, and space technology.

11            (2) Established in 1983, the Israel Space Agen-  
12    cy (ISA) supports the growth of Israel’s space indus-  
13    try by supporting academic research, technological  
14    innovation, and educational activities.

15            (3) The mutual interest of the United States  
16    and Israel in space exploration affords both nations  
17    an opportunity to leverage their unique abilities to  
18    advance scientific discovery.

19            (4) In 1996, NASA and the ISA entered into  
20    their first agreement outlining areas of mutual co-  
21    operation, which remained in force until 2005.

22            (5) Since 1996, NASA and the ISA have suc-  
23    cessfully cooperated on many space programs sup-  
24    porting the Global Positioning System and research



1 related to the sun, earth science, and the environ-  
2 ment.

3 (6) The bond between NASA and the ISA was  
4 permanently forged on February 1, 2003, with the  
5 loss of the crew of STS–107, including Israeli Astro-  
6 naut Ilan Ramon.

7 (7) The United States-Israel Strategic Partner-  
8 ship Act Of 2014 (Public Law 113–296) designated  
9 Israel as a major strategic partner of the United  
10 States.

11 (8) On October 13, 2015, the United States  
12 and Israel signed the Framework Agreement be-  
13 tween the National Aeronautics and Space Adminis-  
14 tration of the United States of America and the  
15 Israel Space Agency for Cooperation in Aeronautics  
16 and the Exploration and Use of Airspace and Outer  
17 Space for Peaceful Purposes.

18 (b) CONTINUING COOPERATION.—The Administrator  
19 of the National Aeronautics and Space Administration  
20 shall continue to work with the Israel Space Agency to  
21 identify and cooperatively pursue peaceful space explo-  
22 ration and science initiatives in areas of mutual interest,  
23 taking all appropriate measures to protect sensitive infor-  
24 mation, intellectual property, trade secrets, and economic  
25 interests of the United States.

1 **SEC. 202. UNITED STATES AGENCY FOR INTERNATIONAL**  
2 **DEVELOPMENT—ISRAEL ENHANCED CO-**  
3 **OPERATION.**

4 (a) STATEMENT OF POLICY.—It should be the policy  
5 of the United States Agency for International Develop-  
6 ment (USAID) to cooperate with Israel in order to ad-  
7 vance common goals across a wide variety of sectors, in-  
8 cluding energy, agriculture and food security, democracy,  
9 human rights and governance, economic growth and trade,  
10 education, environment, global health, and water and sani-  
11 tation.

12 (b) MEMORANDUM OF UNDERSTANDING.—The Ad-  
13 ministrator of the United States Agency for International  
14 Development is authorized to enter into memoranda of un-  
15 derstanding with Israel in order to advance common goals  
16 on energy, agriculture and food security, democracy,  
17 human rights and governance, economic growth and trade,  
18 education, environment, global health, and water and sani-  
19 tation with a focus on strengthening mutual ties and co-  
20 operation with nations throughout the world.

1 **SEC. 203. AUTHORITY TO ENTER INTO A COOPERATIVE**  
2 **PROJECT AGREEMENT WITH ISRAEL TO**  
3 **COUNTER UNMANNED AERIAL VEHICLES**  
4 **THAT THREATEN THE UNITED STATES OR**  
5 **ISRAEL.**

6 (a) FINDINGS.—Congress makes the following find-  
7 ings:

8 (1) On February 10, 2018, Iran launched from  
9 Syria an unmanned aerial vehicle (commonly known  
10 as a “drone”) that penetrated Israeli airspace.

11 (2) Israeli officials noted that the unmanned  
12 aerial vehicle was in Israeli airspace for a minute-  
13 and-a-half before being shot down by its air force.

14 (3) Senior Israeli officials stated that the un-  
15 manned aerial vehicle was an advanced piece of tech-  
16 nology.

17 (4) It remains unclear whether the unmanned  
18 aerial vehicle was armed. Nonetheless, the launch,  
19 and sophistication of the unmanned aerial vehicle,  
20 highlight the threat Israel faces from unmanned aer-  
21 ial vehicles from Iranian forces active in Syria and  
22 from Hezbollah in Lebanon.

23 (5) The United States likewise faces the threat  
24 of unmanned aerial vehicles along the United States  
25 border and in areas of active hostilities, including Is-  
26 lamic State of Iraq and Syria (ISIS) drones in Syria

1 and Iraq and al Qaeda manufactured drones in Af-  
2 ghanistan.

3 (b) SENSE OF CONGRESS.—It is the sense of the  
4 Congress that—

5 (1) joint research and development to counter  
6 unmanned aerial vehicles will serve the national se-  
7 curity interests of the United States and Israel;

8 (2) Israel faces urgent and emerging threats  
9 from unmanned aerial vehicles, and other unmanned  
10 vehicles, launched from Lebanon by Hezbollah, from  
11 Syria by Iran’s Revolutionary Guard Corps, or from  
12 others seeking to attack Israel; and

13 (3) the United States and Israel should con-  
14 tinue to work together to defend against all threats  
15 to the safety, security, and national interests of both  
16 countries.

17 (c) AUTHORITY TO ENTER INTO AGREEMENT.—

18 (1) IN GENERAL.—The President is authorized  
19 to enter into a cooperative project agreement with  
20 Israel under the authority of section 27 of the Arms  
21 Export Control Act (22 U.S.C. 2767), to carry out  
22 research on and development, testing, evaluation,  
23 and joint production (including follow-on support) of  
24 defense articles and defense services to detect, track,

1 and destroy unmanned aerial vehicles that threaten  
2 the United States or Israel.

3 (2) APPLICABLE REQUIREMENTS.—The cooper-  
4 ative project agreement described in paragraph  
5 (1)—

6 (A) shall provide that any activities carried  
7 out pursuant to the agreement are subject to—

8 (i) the applicable requirements de-  
9 scribed in subparagraphs (A), (B), and (C)  
10 of section 27(b)(2) of the Arms Export  
11 Control Act (22 U.S.C. 2767(b)(2)); and

12 (ii) any other applicable requirements  
13 of the Arms Export Control Act (22  
14 U.S.C. 2751 et seq.) with respect to the  
15 use, transfers, and security of such defense  
16 articles and defense services under that  
17 Act; and

18 (B) shall establish a framework to nego-  
19 tiate the rights to intellectual property devel-  
20 oped under the agreement.

1 **TITLE III—ENSURING ISRAEL’S**  
2 **QUALITATIVE MILITARY EDGE**

3 **SEC. 301. IMPROVED REPORTING ON ENHANCING ISRAEL’S**  
4 **QUALITATIVE MILITARY EDGE AND SECUR-**  
5 **RITY POSTURE.**

6 Section 201(c)(2) the Naval Vessel Transfer Act of  
7 2008 is amended by adding at the end the following: “The  
8 report shall include an assessment of—

9 “(A) the ability of Israel to effectively de-  
10 fend itself against military threats from re-  
11 gional non-state actors;

12 “(B) the risk that is posed by the sale or  
13 export of a subsequent unauthorized transfer or  
14 proliferation of the equipment for use against  
15 Israel;

16 “(C) the range of cyber and asymmetric  
17 threats posed to Israel by state and non-state  
18 actors;

19 “(D) the range of threats posed to Israel  
20 by state and non-state actors through the use  
21 of unmanned vehicles and systems, through air,  
22 land, or water; and

23 “(E) the effective countermeasures avail-  
24 able to Israel to defend against the risks and

1           threats described in subparagraphs (B) through  
2           (D).”.

3 **SEC. 302. STATEMENT OF POLICY.**

4           It is the policy of the United States to ensure that  
5 Israel maintains its ability to counter and defeat any cred-  
6 ible conventional military, or emerging, threat from any  
7 individual state or possible coalition of states or from non-  
8 state actors, while sustaining minimal damages and cas-  
9 ualties, through the use of superior military means, pos-  
10 sessed in sufficient quantity, including weapons, com-  
11 mand, control, communication, intelligence, surveillance,  
12 and reconnaissance capabilities that in their technical  
13 characteristics are superior in capability to those of such  
14 other individual or possible coalition states or non-state  
15 actors.

○