

116TH CONGRESS
1ST SESSION

H. R. 1837

AN ACT

To make improvements to certain defense and security assistance provisions and to authorize assistance 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,*

1 **SECTION 1. SHORT TITLE AND TABLE OF CONTENTS.**

2 (a) SHORT TITLE.—This Act may be cited as the
 3 “United States-Israel Cooperation Enhancement and Re-
 4 gional Security Act”.

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

Sec. 1. Short title and table of contents.

**TITLE I—ENHANCED COOPERATION BETWEEN THE UNITED
STATES AND ISRAEL**

- Sec. 101. Coordinator of United States-Israel Research and Development.
- Sec. 102. Cooperation on directed energy capabilities.
- Sec. 103. Cooperation on cybersecurity.
- Sec. 104. Report on potential benefits and impact to the United States of es-
 tablishing a joint United States-Israel Cybersecurity Center of
 Excellence.
- Sec. 105. Cyber diplomacy officer.
- Sec. 106. United States Agency for International Development Memorandum-
 Israel enhanced cooperation.
- Sec. 107. Cooperative projects among the United States, Israel, and developing
 countries.
- Sec. 108. Joint cooperative program related to innovation and high-tech for the
 Middle East region.
- Sec. 109. Sense of Congress on Eastern Mediterranean energy cooperation.
- Sec. 110. Cooperation on other matters.

TITLE II—SECURITY ASSISTANCE FOR ISRAEL

- Sec. 201. Findings.
- Sec. 202. Statement of policy.
- Sec. 203. Contingency plans to provide Israel with necessary defense articles
 and services.
- Sec. 204. Waiver for existing or imminent military threat to Israel.
- Sec. 205. Security assistance for Israel.
- Sec. 206. Joint assessment of quantity of precision guided munitions for use by
 Israel.
- Sec. 207. Transfer of precision guided munitions to Israel.
- Sec. 208. Sense of Congress on rapid acquisition and deployment procedures.
- Sec. 209. Extension of War Reserves Stockpile authority.
- Sec. 210. Eligibility of Israel for the strategic trade authorization exception to
 certain export control licensing requirements.
- Sec. 211. Extension of loan guarantees to Israel.
- Sec. 212. Definition.

**TITLE III—JUSTICE FOR UNITED STATES VICTIMS OF
PALESTINIAN TERRORISM**

- Sec. 301. Short title.

Sec. 302. Facilitation of the settlement of terrorism-related claims of nationals of the United States.

Sec. 303. Modification to consent of certain parties to personal jurisdiction.

TITLE IV—BUDGETARY EFFECTS

Sec. 401. Determination of budgetary effects.

1 TITLE I—ENHANCED COOPERA- **2 TION BETWEEN THE UNITED** **3 STATES AND ISRAEL**

4 SEC. 101. COORDINATOR OF UNITED STATES-ISRAEL RE- **5 SEARCH AND DEVELOPMENT.**

6 (a) IN GENERAL.—The President is encouraged to
7 designate the Assistant Secretary of State for the Bureau
8 of Oceans and International Environmental and Scientific
9 Affairs to act as Coordinator of United States-Israel Re-
10 search and Development (in this section referred to as the
11 “Coordinator”).

12 (b) AUTHORITIES AND DUTIES.—The Coordinator, in
13 conjunction with the heads of relevant Federal Govern-
14 ment departments and agencies and in coordination with
15 the Israel Innovation Authority, shall oversee civilian
16 science and technology programs on a joint basis with
17 Israel.

18 (c) REPORT.—Not later than 1 year after the date
19 of the enactment of this Act, and annually thereafter, the
20 Coordinator shall submit to the appropriate congressional
21 committees a report on the implementation of this section.

1 (d) APPROPRIATE CONGRESSIONAL COMMITTEES
2 DEFINED.—In this section, the term “appropriate con-
3 gressional committees” means—

4 (1) the Committee on Foreign Affairs and the
5 Committee on Science, Space, and Technology of the
6 House of Representatives; and

7 (2) the Committee on Foreign Relations and
8 the Committee on Commerce, Science, and Trans-
9 portation of the Senate.

10 **SEC. 102. COOPERATION ON DIRECTED ENERGY CAPABILI-**
11 **TIES.**

12 (a) AUTHORITY.—

13 (1) IN GENERAL.—The Secretary of Defense,
14 upon request of the Ministry of Defense of Israel
15 and with the concurrence of the Secretary of State,
16 is authorized to carry out research, development,
17 test, and evaluation activities, on a joint basis with
18 Israel, to establish directed energy capabilities that
19 address threats to the United States, deployed forces
20 of the United States, or Israel. Any activities carried
21 out pursuant to such authority shall be conducted in
22 a manner that appropriately protects sensitive infor-
23 mation and the national security interests of the
24 United States and the national security interests of
25 Israel.

1 (2) REPORT.—The activities described in para-
2 graph (1) may be carried out after the Secretary of
3 Defense submits to the appropriate congressional
4 committees a report setting forth the following:

5 (A) A memorandum of agreement between
6 the United States and Israel regarding sharing
7 of research and development costs for the capa-
8 bilities described in paragraph (1), and any
9 supporting documents.

10 (B) A certification that the memorandum
11 of agreement—

12 (i) requires sharing of costs of
13 projects, including in-kind support, be-
14 tween the United States and Israel;

15 (ii) establishes a framework to nego-
16 tiate the rights to any intellectual property
17 developed under the memorandum of
18 agreement; and

19 (iii) requires the United States Gov-
20 ernment to receive semiannual reports on
21 expenditure of funds, if any, by the Gov-
22 ernment of Israel, including a description
23 of what the funds have been used for,
24 when funds were expended, and an identi-

1 fication of entities that expended the
2 funds.

3 (b) SUPPORT IN CONNECTION WITH ACTIVITIES.—

4 (1) IN GENERAL.—The Secretary of Defense is
5 authorized to provide maintenance and sustainment
6 support to Israel for the directed energy capabilities
7 research, development, test, and evaluation activities
8 authorized in subsection (a)(1). Such authority in-
9 cludes authority to install equipment necessary to
10 carry out such research, development, test, and eval-
11 uation.

12 (2) REPORT.—The support described in para-
13 graph (1) may not be provided until 15 days after
14 the Secretary of Defense submits to the appropriate
15 congressional committees a report setting forth a de-
16 tailed description of the support to be provided.

17 (3) MATCHING CONTRIBUTION.—The support
18 described in paragraph (1) may not be provided un-
19 less the Secretary of Defense certifies to the appro-
20 priate congressional committees that the Govern-
21 ment of Israel will contribute to such support—

22 (A) an amount equal to not less than the
23 amount of support to be so provided; or

1 (B) an amount that otherwise meets the
2 best efforts of Israel, as mutually agreed to by
3 the United States and Israel.

4 (c) LEAD AGENCY.—The Secretary of Defense shall
5 designate an appropriate research and development entity
6 of a military department as the lead agency of the Depart-
7 ment of Defense in carrying out this section.

8 (d) SEMIANNUAL REPORT.—The Secretary of De-
9 fense shall submit to the appropriate congressional com-
10 mittees on a semiannual basis a report that contains a
11 copy of the most recent semiannual report provided by the
12 Government of Israel to the Department of Defense pur-
13 suant to subsection (a)(2)(B)(iii).

14 (e) APPROPRIATE CONGRESSIONAL COMMITTEES DE-
15 FINED.—In this section, the term “appropriate congres-
16 sional committees” means—

17 (1) the Committee on Armed Services, the
18 Committee on Foreign Affairs, the Committee on
19 Homeland Security, and the Committee on Appro-
20 priations of the House of Representatives; and

21 (2) the Committee on Armed Services, the
22 Committee on Foreign Relations, the Committee on
23 Homeland Security and Governmental Affairs, and
24 the Committee on Appropriations of the Senate.

1 **SEC. 103. COOPERATION ON CYBERSECURITY.**

2 (a) GRANT PROGRAM.—

3 (1) ESTABLISHMENT.—The Secretary, in ac-
4 cordance with the agreement entitled the “Agree-
5 ment between the Government of the United States
6 of America and the Government of the State of
7 Israel on Cooperation in Science and Technology for
8 Homeland Security Matters”, dated May 29, 2008
9 (or successor agreement), and the requirements
10 specified in paragraph (2), shall establish a grant
11 program at the Department to support—

12 (A) cybersecurity research and develop-
13 ment; and

14 (B) demonstration and commercialization
15 of cybersecurity technology.

16 (2) REQUIREMENTS.—

17 (A) APPLICABILITY.—Notwithstanding any
18 other provision of law, in carrying out a re-
19 search, development, demonstration, or com-
20 mercial application program or activity that is
21 authorized under this section, the Secretary
22 shall require cost sharing in accordance with
23 this paragraph.

24 (B) RESEARCH AND DEVELOPMENT.—

25 (i) IN GENERAL.—Except as provided
26 in clause (ii), the Secretary shall require

1 not less than 50 percent of the cost of a
2 research, development, demonstration, or
3 commercial application program or activity
4 described in subparagraph (A) to be pro-
5 vided by a non-Federal source.

6 (ii) REDUCTION.—The Secretary may
7 reduce or eliminate, on a case-by-case
8 basis, the percentage requirement specified
9 in clause (i) if the Secretary determines
10 that such reduction or elimination is nec-
11 essary and appropriate.

12 (C) MERIT REVIEW.—In carrying out a re-
13 search, development, demonstration, or com-
14 mercial application program or activity that is
15 authorized under this section, awards shall be
16 made only after an impartial review of the sci-
17 entific and technical merit of the proposals for
18 such awards has been carried out by or for the
19 Department.

20 (D) REVIEW PROCESSES.—In carrying out
21 a review under subparagraph (C), the Secretary
22 may use merit review processes developed under
23 section 302(14) of the Homeland Security Act
24 of 2002 (6 U.S.C. 182(14)).

1 (3) ELIGIBLE APPLICANTS.—An applicant shall
2 be eligible to receive a grant under this subsection
3 if the project of such applicant—

4 (A) addresses a requirement in the area of
5 cybersecurity research or cybersecurity tech-
6 nology, as determined by the Secretary; and

7 (B) is a joint venture between—

8 (i)(I) a for-profit business entity, aca-
9 demic institution, National Laboratory (as
10 defined in section 2 of the Energy Policy
11 Act of 2005 (42 U.S.C. 15801)), or non-
12 profit entity in the United States; and

13 (II) a for-profit business entity, aca-
14 demic institution, or nonprofit entity in
15 Israel; or

16 (ii)(I) the Federal Government; and

17 (II) the Government of Israel.

18 (4) APPLICATIONS.—To be eligible to receive a
19 grant under this subsection, an applicant shall sub-
20 mit to the Secretary an application for such grant
21 in accordance with procedures established by the
22 Secretary, in consultation with the advisory board
23 established under paragraph (5).

24 (5) ADVISORY BOARD.—

1 (A) ESTABLISHMENT.—The Secretary
2 shall establish an advisory board to—

3 (i) monitor the method by which
4 grants are awarded under this subsection;
5 and

6 (ii) provide to the Secretary periodic
7 performance reviews of actions taken to
8 carry out this subsection.

9 (B) COMPOSITION.—The advisory board
10 established under subparagraph (A) shall be
11 composed of three members, to be appointed by
12 the Secretary, of whom—

13 (i) one shall be a representative of the
14 Federal Government;

15 (ii) one shall be selected from a list of
16 nominees provided by the United States-
17 Israel Binational Science Foundation; and

18 (iii) one shall be selected from a list
19 of nominees provided by the United States-
20 Israel Binational Industrial Research and
21 Development Foundation.

22 (6) CONTRIBUTED FUNDS.—Notwithstanding
23 any other provision of law, the Secretary may accept
24 or retain funds contributed by any person, govern-
25 ment entity, or organization for purposes of carrying

1 out this subsection. Such funds shall be available,
2 subject to appropriation, without fiscal year limita-
3 tion.

4 (7) REPORT.—Not later than 180 days after
5 the date of completion of a project for which a grant
6 is provided under this subsection, the grant recipient
7 shall submit to the Secretary a report that con-
8 tains—

9 (A) a description of how the grant funds
10 were used by the recipient; and

11 (B) an evaluation of the level of success of
12 each project funded by the grant.

13 (8) CLASSIFICATION.—Grants shall be awarded
14 under this subsection only for projects that are con-
15 sidered to be unclassified by both the United States
16 and Israel.

17 (b) TERMINATION.—The grant program and the ad-
18 visory board established under this section terminate on
19 the date that is 7 years after the date of the enactment
20 of this Act.

21 (c) NO ADDITIONAL FUNDS AUTHORIZED.—No addi-
22 tional funds are authorized to carry out the requirements
23 of this section. Such requirements shall be carried out
24 using amounts otherwise authorized.

25 (d) DEFINITIONS.—In this section—

1 (1) the term “cybersecurity research” means re-
2 search, including social science research, into ways
3 to identify, protect against, detect, respond to, and
4 recover from cybersecurity threats;

5 (2) the term “cybersecurity technology” means
6 technology intended to identify, protect against, de-
7 tect, respond to, and recover from cybersecurity
8 threats;

9 (3) the term “cybersecurity threat” has the
10 meaning given such term in section 102 of the Cy-
11 bersecurity Information Sharing Act of 2015 (en-
12 acted as title I of the Cybersecurity Act of 2015 (di-
13 vision N of the Consolidated Appropriations Act,
14 2016 (Public Law 114–113)));

15 (4) the term “Department” means the Depart-
16 ment of Homeland Security; and

17 (5) the term “Secretary” means the Secretary
18 of Homeland Security.

19 **SEC. 104. REPORT ON POTENTIAL BENEFITS AND IMPACT**
20 **TO THE UNITED STATES OF ESTABLISHING A**
21 **JOINT UNITED STATES-ISRAEL CYBERSECU-**
22 **RITY CENTER OF EXCELLENCE.**

23 (a) IN GENERAL.—Not later than 1 year after the
24 date of the enactment of this Act, the Secretary of State
25 shall submit to the appropriate congressional committees

1 a report examining the potential benefits and impact to
2 the United States of establishing a joint United States-
3 Israel Cybersecurity Center of Excellence based in the
4 United States and Israel to leverage the experience, knowl-
5 edge, and expertise of institutions of higher education (as
6 such term is defined in subsection (a) or (b) of section
7 101 of the Higher Education Act of 1965 (20 U.S.C.
8 1001)), private sector entities, and government entities in
9 the area of cybersecurity and protection of critical infra-
10 structure (as such term is defined in subsection (e) of sec-
11 tion 1016 of the Critical Infrastructures Protection Act
12 of 2001 (42 U.S.C. 5195c; enacted in title X of the USA
13 PATRIOT Act (Public Law 107–56))).

14 (b) APPROPRIATE CONGRESSIONAL COMMITTEES
15 DEFINED.—In this section, the term “appropriate con-
16 gressional committees” means—

- 17 (1) the Committee on Foreign Affairs and the
18 Committee on Homeland Security of the House of
19 Representatives; and
20 (2) the Committee on Foreign Relations and
21 the Committee on Homeland Security and Govern-
22 mental Affairs of the Senate.

1 **SEC. 105. CYBER DIPLOMACY OFFICER.**

2 The Secretary of State is encouraged to appoint a
3 qualified individual to assume the role of cyber diplomacy
4 officer at the United States Embassy in Israel.

5 **SEC. 106. UNITED STATES AGENCY FOR INTERNATIONAL**
6 **DEVELOPMENT MEMORANDUM-ISRAEL EN-**
7 **HANCED COOPERATION.**

8 (a) STATEMENT OF POLICY.—It should be the policy
9 of the United States Agency for International Develop-
10 ment to cooperate with Israel in order to advance common
11 goals across a wide variety of sectors, including energy,
12 agriculture and food security, democracy, human rights
13 and governance, economic growth and trade, education,
14 environment, global health and water and sanitation.

15 (b) MEMORANDUM OF UNDERSTANDING.—The Sec-
16 retary of State, acting through the Administrator of the
17 United States Agency for International Development, is
18 authorized to enter into memoranda of understanding with
19 Israel in order to advance common goals on energy, agri-
20 culture and food security, democracy, human rights and
21 governance, economic growth and trade, education, envi-
22 ronment, global health and water sanitation with a focus
23 on strengthening mutual ties and cooperation with nations
24 throughout the world.

1 **SEC. 107. COOPERATIVE PROJECTS AMONG THE UNITED**
2 **STATES, ISRAEL, AND DEVELOPING COUN-**
3 **TRIES.**

4 Section 106(f) of the Foreign Assistance Act of 1961
5 (22 U.S.C. 2151d) is amended to read as follows:

6 “(f) There are authorized to be appropriated
7 \$2,000,000 for each of fiscal years 2020 through 2024
8 to finance cooperative projects among the United States,
9 Israel, and developing countries that identify and support
10 local solutions to address sustainability challenges relating
11 to water resources, agriculture, and energy storage, in-
12 cluding for the following activities:

13 “(1) Establishing public-private partnerships.

14 “(2) Supporting the identification, research, de-
15 velopment testing, and scaling of innovations that
16 focus on populations that are vulnerable to environ-
17 mental and resource-scarcity crises, such as subsist-
18 ence farming communities.

19 “(3) Seed or transition-to-scale funding, pub-
20 licity and marketing promotional support, or
21 mentorship and partnership brokering support.

22 “(4) Acceleration of demonstrations or applica-
23 tions of local solutions to sustainability challenges,
24 or the further refinement, testing, or implementation
25 of innovations that have previously effectively ad-
26 dressed sustainability challenges.”.

1 **SEC. 108. JOINT COOPERATIVE PROGRAM RELATED TO IN-**
2 **NOVATION AND HIGH-TECH FOR THE MIDDLE**
3 **EAST REGION.**

4 (a) SENSE OF CONGRESS.—It is the sense of Con-
5 gress that—

6 (1) the United States should help foster co-
7 operation in the Middle East region by financing
8 and, where appropriate, cooperating in projects re-
9 lated to innovation and high-tech; and

10 (2) such projects should—

11 (A) contribute to development and the
12 quality of life in the Middle East region
13 through the application of research and tech-
14 nology; and

15 (B) contribute to Arab-Israeli cooperation
16 by establishing strong working relationships
17 that last beyond the life of such projects.

18 (b) ESTABLISHMENT.—The Secretary of State, act-
19 ing through the Administrator of the United States Agen-
20 cy for International Development, is authorized to seek to
21 establish a program between the United States, Israel,
22 Egypt, Jordan, Morocco, Tunisia, Lebanon, and the West
23 Bank and Gaza Strip to provide for cooperation in the
24 Middle East region by financing and, where appropriate,
25 cooperating in, projects related to innovation and high-
26 tech.

1 (c) PROJECT REQUIREMENTS.—Each project carried
 2 out under the program established by subsection (b)—

3 (1) shall include participation from at least one
 4 entity of Israel and one entity of Egypt, Jordan,
 5 Morocco, Tunisia, Lebanon, and the West Bank and
 6 Gaza Strip; and

7 (2) should include participation from a total of
 8 three or more such entities to the maximum extent
 9 practicable.

10 **SEC. 109. SENSE OF CONGRESS ON EASTERN MEDITERRA-**
 11 **NEAN ENERGY COOPERATION.**

12 It is the sense of Congress that cooperation between
 13 the United States and Israel for the purpose of research
 14 and development of energy sources would be in the na-
 15 tional interests of not only the United States and Israel,
 16 but also of the other nations in the Eastern Mediterranean
 17 and North Africa with similar natural gas finds.

18 **SEC. 110. COOPERATION ON OTHER MATTERS.**

19 (a) UNITED STATES-ISRAEL ENERGY CENTER.—
 20 There is authorized to be appropriated to the Secretary
 21 of Energy \$4,000,000 for each of the fiscal years 2020,
 22 2021, and 2022 to carry out the activities of the United
 23 States-Israel Energy Center established pursuant to sec-
 24 tion 917(d) of the Energy Independence and Security Act
 25 of 2007 (42 U.S.C. 17337(d)).

1 (b) UNITED STATES-ISRAEL BINATIONAL INDUS-
2 TRIAL RESEARCH AND DEVELOPMENT FOUNDATION.—It
3 is the sense of Congress that grants to promote covered
4 energy projects conducted by or in conjunction with the
5 United States-Israel Binational Industrial Research and
6 Development Foundation should continue to be funded at
7 not less than \$2,000,000 annually under section 917(b)
8 of the Energy Independence and Security Act of 2007 (42
9 U.S.C. 17337(b)).

10 (c) UNITED STATES-ISRAEL COOPERATION ON EN-
11 ERGY, WATER, HOMELAND SECURITY, AGRICULTURE,
12 AND ALTERNATIVE FUEL TECHNOLOGIES.—Section 7 of
13 the United States-Israel Strategic Partnership Act of
14 2014 (22 U.S.C. 8606) is amended by adding at the end
15 the following:

16 “(d) AUTHORIZATION OF APPROPRIATIONS.—There
17 are authorized to be appropriated to carry out this section
18 \$2,000,000 for each of the fiscal years 2020, 2021, and
19 2022.”.

20 (d) ANNUAL POLICY DIALOGUE.—It is the sense of
21 Congress that the Department of Transportation and
22 Israel’s Ministry of Transportation should engage in an
23 annual policy dialogue to implement the 2016 Memo-
24 randum of Cooperation signed by the Secretary of Trans-
25 portation and the Israeli Minister of Transportation.

1 (e) COOPERATION ON SPACE EXPLORATION AND
2 SCIENCE INITIATIVES.—The Administrator of the Na-
3 tional Aeronautics and Space Administration shall con-
4 tinue to work with the Israel Space Agency to identify and
5 cooperatively pursue peaceful space exploration and
6 science initiatives in areas of mutual interest, taking all
7 appropriate measures to protect sensitive information, in-
8 tellectual property, trade secrets, and economic interests
9 of the United States.

10 (f) UNITED STATES-ISRAEL BINATIONAL AGRICUL-
11 TURAL RESEARCH AND DEVELOPMENT FUND.—

12 (1) IN GENERAL.—Section 1458(e)(2) of the
13 National Agricultural Research, Extension, and
14 Teaching Policy Act of 1977 (7 U.S.C. 3291(e)(2))
15 is amended—

16 (A) in subparagraph (A), by striking
17 “and” at the end;

18 (B) in subparagraph (B), by striking the
19 period at the end and inserting “; and”; and

20 (C) by adding at the end the following:

21 “(C) include food and nutrition research
22 and development and the commercialization of
23 the best practices identified through such re-
24 search and development.”.

1 (2) AUTHORIZATION OF APPROPRIATIONS.—

2 There are authorized to be appropriated to carry out
3 subparagraph (C) of section 1458(e)(2) of the Na-
4 tional Agricultural Research, Extension, and Teach-
5 ing Policy Act of 1977, as added by paragraph
6 (1)(C), \$7,000,000 for each of the fiscal years 2020,
7 2021, and 2022.

8 (3) REPORT.—

9 (A) IN GENERAL.—Not later than 1 year
10 after the date of the enactment of this Act, the
11 Secretary of Agriculture shall submit to the ap-
12 propriate congressional committees a report on
13 activities of the United States-Israel Binational
14 Agricultural Research and Development Fund
15 under section 1458(e) of the Food and Agri-
16 culture Act of 1977 (7 U.S.C. 3291(e)).

17 (B) APPROPRIATE CONGRESSIONAL COM-
18 MITTEES DEFINED.—In this paragraph, the
19 term “appropriate congressional committees”
20 means—

21 (i) the Committee on Foreign Affairs
22 and the Committee on Agriculture of the
23 House of Representatives; and

1 (ii) the Committee on Foreign Rela-
 2 tions and the Committee on Agriculture,
 3 Nutrition, and Forestry of the Senate.

4 (g) RESEARCH AND DEVELOPMENT COOPERATION
 5 RELATING TO DESALINATION TECHNOLOGY.—

6 (1) IN GENERAL.—Not later than 1 year after
 7 the date of the enactment of this Act, the White
 8 House Office of Science and Technology Policy shall
 9 submit to the appropriate congressional committees
 10 a report on research and development cooperation
 11 with international partners, such as the State of
 12 Israel, in the area of desalination technology as re-
 13 quired under section 9(b)(3) of the Water Desalina-
 14 tion Act of 1996 (42 U.S.C. 10301 note).

15 (2) APPROPRIATE CONGRESSIONAL COMMIT-
 16 TEES DEFINED.—In this subsection, the term “ap-
 17 propriate congressional committees” means—

18 (A) the Committee on Foreign Affairs and
 19 the Committee on Natural Resources of the
 20 House of Representatives; and

21 (B) the Committee on Foreign Relations
 22 and the Committee on Energy and Natural Re-
 23 sources of the Senate.

24 (h) RESEARCH AND TREATMENT OF
 25 POSTTRAUMATIC STRESS DISORDER.—It is the sense of

1 Congress that the Secretary of Veterans Affairs should
2 seek to explore collaboration between the Mental Illness
3 Research, Education and Clinical Centers and Centers of
4 Excellence and Israeli institutions with expertise in re-
5 searching and treating posttraumatic stress disorder.

6 (i) DEVELOPMENT OF HEALTH TECHNOLOGIES.—

7 (1) IN GENERAL.—There are authorized to be
8 appropriated to the Secretary of Health and Human
9 Services \$2,000,000 for each of fiscal years 2020,
10 2021, and 2022 to establish a bilateral cooperative
11 program with Israel for the development of health
12 technologies, including health technologies described
13 in paragraph (2), with an emphasis on collabo-
14 ratively advancing the use of technology, personal-
15 ized medicine, and data in relation to aging.

16 (2) TYPES OF HEALTH TECHNOLOGIES.—The
17 health technologies described in this paragraph may
18 include technologies such as artificial intelligence,
19 biofeedback, sensors, monitoring devices, and kidney
20 care.

21 (j) OFFICE OF INTERNATIONAL PROGRAMS OF THE
22 FOOD AND DRUG ADMINISTRATION.—

23 (1) IN GENERAL.—It is the sense of Congress
24 that the Commissioner of the Food and Drug Ad-
25 ministration should seek to explore collaboration

1 with Israel through the Office of International Pro-
2 grams.

3 (2) REPORT.—

4 (A) IN GENERAL.—Not later than 1 year
5 after the date of the enactment of this Act, the
6 Commissioner, acting through the head of the
7 Office of International Programs, shall submit
8 to the appropriate congressional committees a
9 report on the benefits to the United States and
10 to Israel of opening an office in Israel for the
11 Office of International Programs.

12 (B) APPROPRIATE CONGRESSIONAL COM-
13 MITTEES DEFINED.—In this paragraph, the
14 term “appropriate congressional committees”
15 means—

16 (i) the Committee on Foreign Affairs
17 and the Committee on Energy and Com-
18 merce of the House of Representatives;
19 and

20 (ii) the Committee on Foreign Rela-
21 tions and the Committee on Health, Edu-
22 cation, Labor, and Pensions of the Senate.

23 (k) SENSE OF CONGRESS ON UNITED STATES-
24 ISRAEL ECONOMIC COOPERATION.—It is the sense of
25 Congress that—

1 (1) the United States-Israel economic partner-
2 ship has achieved great tangible and intangible bene-
3 fits to both countries and is a foundational compo-
4 nent of the strong alliance;

5 (2) science and technology innovations present
6 promising new frontiers for United States-Israel eco-
7 nomic cooperation, particularly in light of wide-
8 spread drought, cybersecurity attacks, and other
9 major challenges impacting the United States; and

10 (3) the President should regularize and expand
11 existing forums of economic dialogue with Israel and
12 foster both public and private sector participation.

13 **TITLE II—SECURITY** 14 **ASSISTANCE FOR ISRAEL**

15 **SEC. 201. FINDINGS.**

16 Congress makes the following findings:

17 (1) On September 14, 2016, the United States
18 and Israel signed a 10-year Memorandum of Under-
19 standing reaffirming the importance of continuing
20 annual United States military assistance to Israel
21 and cooperative missile defense programs in a way
22 that enhances Israel’s security and strengthens the
23 bilateral relationship between the two countries.

24 (2) The 2016 Memorandum of Understanding
25 reflected United States support of Foreign Military

1 Financing (FMF) grant assistance to Israel over the
2 10-year period beginning in fiscal year 2019 and
3 ending in fiscal year 2028. Such FMF grant assist-
4 ance would equal \$3.3 billion annually, totaling \$33
5 billion.

6 (3) The 2016 Memorandum of Understanding
7 also reflected United States support for funding for
8 cooperative programs to develop, produce, and pro-
9 cure missile, rocket and projectile defense capabili-
10 ties over a 10-year period beginning in fiscal year
11 2019 and ending in fiscal year 2028 at a level of
12 \$500 million annually, totaling \$5 billion.

13 **SEC. 202. STATEMENT OF POLICY.**

14 It is the policy of the United States to provide assist-
15 ance to the Government of Israel in order to help enable
16 Israel to defend itself by itself and develop long-term ca-
17 pacity, primarily through the acquisition of advanced ca-
18 pabilities that are available from the United States.

19 **SEC. 203. CONTINGENCY PLANS TO PROVIDE ISRAEL WITH**
20 **NECESSARY DEFENSE ARTICLES AND SERV-**
21 **ICES.**

22 (a) IN GENERAL.—The President, acting through the
23 Secretary of Defense and in consultation with the Sec-
24 retary of State, shall establish and update as appropriate
25 contingency plans to provide Israel with defense articles

1 and services that are determined by the Secretary of De-
2 fense to be necessary for the defense of Israel.

3 (b) CONGRESSIONAL BRIEFING.—Not later than 1
4 year after the date of the enactment of this Act, and annu-
5 ally thereafter, the Secretary of Defense, in consultation
6 with the Secretary of State, shall brief the appropriate
7 congressional committees on the status of the contingency
8 plans required under subsection (a).

9 **SEC. 204. WAIVER FOR EXISTING OR IMMINENT MILITARY**
10 **THREAT TO ISRAEL.**

11 Section 38 of the Arms Export Control Act is amend-
12 ed by adding at the end the following:

13 “(1) WAIVER FOR EXISTING OR IMMINENT MILITARY
14 THREAT TO ISRAEL.—

15 “(1) IN GENERAL.—Upon receiving information
16 that Israel is under an existing or imminent threat
17 of military attack, the President may waive the re-
18 quirements of this Act and direct the immediate
19 transfer to Israel of such defense articles or services
20 the President determines to be necessary to assist
21 Israel in its defense against such threat. Amounts
22 obligated or expended to carry out this paragraph
23 shall not be subject to any limitation in law, or pro-
24 vision of any bilateral agreement, relating to the

1 amount of United States assistance authorized to be
2 made available to Israel.

3 “(2) NOTIFICATION REQUIRED.—As soon as
4 practicable after a transfer of defense articles or
5 services pursuant to the authority provided by para-
6 graph (1), the President shall provide a notification
7 in writing to Congress of the details of such trans-
8 fer, consistent with the requirements of section 36 of
9 this Act.”.

10 **SEC. 205. SECURITY ASSISTANCE FOR ISRAEL.**

11 Section 513(c) of the Security Assistance Act of 2000
12 (Public Law 106–280; 114 Stat. 856) is amended—

13 (1) in paragraph (1), by striking “2002 and
14 2003” and inserting “2020, 2021, 2022, 2023 and
15 2024”;

16 (2) in paragraph (2), by striking “equal to—”
17 and all that follows and inserting “not less than
18 \$3,300,000,000.”; and

19 (3) in paragraph (3), by striking “Funds au-
20 thorized” and all that follows through “later.” and
21 inserting “Funds authorized to be available for
22 Israel under subsection (b)(1) and paragraph (1) of
23 this subsection for fiscal years 2020, 2021, 2022,
24 2023, and 2024 shall be disbursed not later than 30
25 days after the date of the enactment of an Act mak-

1 ing appropriations for the Department of State, for-
2 eign operations, and related programs for the re-
3 spective fiscal year, or October 31 of the respective
4 fiscal year, whichever is later.”.

5 **SEC. 206. JOINT ASSESSMENT OF QUANTITY OF PRECISION**
6 **GUIDED MUNITIONS FOR USE BY ISRAEL.**

7 (a) IN GENERAL.—The President, acting through the
8 Secretary of Defense and in consultation with the Sec-
9 retary of State, is authorized to conduct a joint assess-
10 ment with the Government of Israel with respect to the
11 matters described in subsection (b).

12 (b) MATTERS DESCRIBED.—The matters described
13 in this subsection are the following:

14 (1) The quantity and type of precision guided
15 munitions that are necessary for Israel to combat
16 Hezbollah in the event of a sustained armed con-
17 frontation between Israel and Hezbollah.

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

22 (3) The resources the Government of Israel can
23 plan to dedicate to acquire such precision guided
24 munitions.

1 (4) United States planning to assist Israel to
2 prepare for the sustained armed confrontations de-
3 scribed in paragraphs (1) and (2) as well as the abil-
4 ity of the United States to resupply Israel in the
5 event of such confrontations described in paragraphs
6 (1) and (2), if any.

7 (c) REPORT.—

8 (1) IN GENERAL.—Not later than 15 days after
9 the date on which the joint assessment authorized
10 under subsection (a) is completed, the Secretary of
11 Defense shall submit to the appropriate congres-
12 sional committees a report that contains the joint
13 assessment.

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

17 **SEC. 207. TRANSFER OF PRECISION GUIDED MUNITIONS TO**
18 **ISRAEL.**

19 (a) IN GENERAL.—Notwithstanding section 514 of
20 the Foreign Assistance Act of 1961 (22 U.S.C. 2321h),
21 the President is authorized to transfer to Israel precision
22 guided munitions from reserve stocks for Israel in such
23 quantities as necessary for legitimate self-defense of Israel
24 and is otherwise consistent with the purposes and condi-

1 tions for such transfers under the Arms Export Control
2 Act (22 U.S.C. 2751 et seq.).

3 (b) CERTIFICATION.—Except in the case of an emer-
4 gency as determined by the President, not later than 5
5 days before making a transfer under subsection (a), the
6 President shall certify to the appropriate congressional
7 committees that the transfer of the precision guided muni-
8 tions—

9 (1) does not affect the ability of the United
10 States to maintain a sufficient supply of precision
11 guided munitions;

12 (2) does not harm the combat readiness of the
13 United States or the ability of the United States to
14 meet its commitment to allies for the transfer of
15 such munitions;

16 (3) is necessary for Israel to counter the threat
17 of rockets in a timely fashion; and

18 (4) is in the national security interest of the
19 United States.

20 **SEC. 208. SENSE OF CONGRESS ON RAPID ACQUISITION**
21 **AND DEPLOYMENT PROCEDURES.**

22 It is the sense of Congress that the President should
23 prescribe procedures for the rapid acquisition and deploy-
24 ment of precision guided munitions for United States
25 counterterrorism missions, or to assist an ally of the

1 United States, including Israel, that is subject to direct
2 missile threat.

3 **SEC. 209. EXTENSION OF WAR RESERVES STOCKPILE AU-**
4 **THORITY.**

5 (a) DEPARTMENT OF DEFENSE APPROPRIATIONS
6 ACT, 2005.—Subsection (d) of section 12001 of the De-
7 partment of Defense Appropriations Act, 2005 (Public
8 Law 108–287; 118 Stat. 1011) is amended by striking
9 “after September 30, 2020” and inserting “after Sep-
10 tember 30, 2025”.

11 (b) FOREIGN ASSISTANCE ACT OF 1961.—Section
12 514(b)(2)(A) of the Foreign Assistance Act of 1961 (22
13 U.S.C. 2321h(b)(2)(A)) is amended by striking “2013,
14 2014, 2015, 2016, 2017, 2018, 2019, and 2020” and in-
15 serting “2020, 2021, 2022, 2023, 2024, and 2025”.

16 **SEC. 210. ELIGIBILITY OF ISRAEL FOR THE STRATEGIC**
17 **TRADE AUTHORIZATION EXCEPTION TO CER-**
18 **TAIN EXPORT CONTROL LICENSING RE-**
19 **QUIREMENTS.**

20 (a) FINDINGS.—Congress finds the following:

21 (1) Israel has adopted high standards in the
22 field of export controls.

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

1 (3) Israel is a party to—

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

6 (B) the Convention on the Physical Protec-
7 tion of Nuclear Material, adopted at Vienna on
8 October 26, 1979.

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

21 (b) REPORT ON ELIGIBILITY FOR STRATEGIC TRADE
22 AUTHORIZATION EXCEPTION.—

23 (1) IN GENERAL.—Not later than 120 days
24 after the date of the enactment of this Act, the
25 President shall submit to the appropriate congres-

1 sional committees a report that describes the steps
2 taken to include Israel in the list of countries eligible
3 for the strategic trade authorization exception under
4 section 740.20 (c) (1) of title 15, Code of Federal
5 Regulations section, as required under 6(b) of the
6 United States-Israel Strategic Partnership Act of
7 2014 (22 U.S.C. 8603 note).

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

11 **SEC. 211. EXTENSION OF LOAN GUARANTEES TO ISRAEL.**

12 Chapter 5 of title I of the Emergency Wartime Sup-
13 plemental Appropriations Act, 2003 (Public Law 108–11;
14 117 Stat. 576) is amended under the heading “Loan
15 Guarantees to Israel”—

16 (1) in the matter preceding the first proviso, by
17 striking “September 30, 2020” and inserting “Sep-
18 tember 30, 2025”; and

19 (2) in the second proviso, by striking “Sep-
20 tember 30, 2020” and inserting “September 30,
21 2025”.

22 **SEC. 212. DEFINITION.**

23 In this title, the term “appropriate congressional
24 committees” means—

1 (1) the Committee on Foreign Affairs and the
2 Committee on Armed Services of the House of Rep-
3 resentatives; and

4 (2) the Committee on Foreign Relations and
5 the Committee on Armed Services of the Senate.

6 **TITLE III—JUSTICE FOR UNITED**
7 **STATES VICTIMS OF PALES-**
8 **TINIAN TERRORISM**

9 **SEC. 301. SHORT TITLE.**

10 This title may be cited as the “Justice for United
11 States Victims of Palestinian Terrorism Act”.

12 **SEC. 302. FACILITATION OF THE SETTLEMENT OF TER-**
13 **RORISM-RELATED CLAIMS OF NATIONALS OF**
14 **THE UNITED STATES.**

15 (a) **COMPREHENSIVE PROCESS TO FACILITATE THE**
16 **RESOLUTION OF ANTI-TERRORISM ACT CLAIMS.**—The
17 Secretary of State, in consultation with the Attorney Gen-
18 eral, shall, not later than 30 days after the date of enact-
19 ment of this Act, develop and initiate a comprehensive
20 process for the Department of State to facilitate the reso-
21 lution and settlement of covered claims.

22 (b) **ELEMENTS OF COMPREHENSIVE PROCESS.**—The
23 comprehensive process developed under subsection (a)
24 shall include, at a minimum, the following:

1 (1) Not later than 45 days after the date of en-
2 actment of this Act, the Department of State shall
3 publish a notice in the Federal Register identifying
4 the method by which a national of the United
5 States, or a representative of a national of the
6 United States, who has a covered claim, may contact
7 the Department of State to give notice of the cov-
8 ered claim.

9 (2) Not later than 120 days after the date of
10 enactment of this Act, the Secretary of State, or a
11 designee of the Secretary, shall meet (and make
12 every effort to continue to meet on a regular basis
13 thereafter) with any national of the United States,
14 or a representative of a national of the United
15 States, who has a covered claim and has informed
16 the Department of State of the covered claim using
17 the method established pursuant to paragraph (1) to
18 discuss the status of the covered claim, including the
19 status of any settlement discussions with the Pales-
20 tinian Authority or the Palestine Liberation Organi-
21 zation.

22 (3) Not later than 180 days after the date of
23 enactment of this Act, the Secretary of State, or a
24 designee of the Secretary, shall make every effort to
25 meet (and make every effort to continue to meet on

1 a regular basis thereafter) with representatives of
2 the Palestinian Authority and the Palestine Libera-
3 tion Organization to discuss the covered claims iden-
4 tified pursuant to paragraph (1) and potential settle-
5 ment of the covered claims.

6 (c) REPORT TO CONGRESS.—The Secretary of State
7 shall, not later than 240 days after the date of enactment
8 of this Act, and annually thereafter for 5 years, submit
9 to the Committee on the Judiciary and the Committee on
10 Foreign Relations of the Senate and the Committee on
11 the Judiciary and the Committee on Foreign Affairs of
12 the House of Representatives a report describing activities
13 that the Department of State has undertaken to comply
14 with this section, including specific updates regarding
15 paragraphs (2) and (3) of subsection (b).

16 (d) SENSE OF CONGRESS.—It is the sense of Con-
17 gress that—

18 (1) covered claims should be resolved in a man-
19 ner that provides just compensation to the victims;

20 (2) covered claims should be resolved and set-
21 tled in favor of the victim to the fullest extent pos-
22 sible and without subjecting victims to unnecessary
23 or protracted litigation;

24 (3) the United States Government should take
25 all practicable steps to facilitate the resolution and

1 settlement of all covered claims, including engaging
 2 directly with the victims or their representatives and
 3 the Palestinian Authority and the Palestine Libera-
 4 tion Organization; and

5 (4) the United States Government should
 6 strongly urge the Palestinian Authority and the Pal-
 7 estine Liberation Organization to commit to good-
 8 faith negotiations to resolve and settle all covered
 9 claims.

10 (e) DEFINITION.—In this section, the term “covered
 11 claim” means any pending action by, or final judgment
 12 in favor of, a national of the United States, or any action
 13 by a national of the United States dismissed for lack of
 14 personal jurisdiction, under section 2333 of title 18,
 15 United States Code, against the Palestinian Authority or
 16 the Palestine Liberation Organization.

17 **SEC. 303. MODIFICATION TO CONSENT OF CERTAIN PAR-**
 18 **TIES TO PERSONAL JURISDICTION.**

19 (a) AMENDMENT TO TITLE 18.—Section 2334 of title
 20 18, United States Code, is amended—

21 (1) by striking subparagraphs (A) and (B) of
 22 subsection (e)(1) and inserting the following:

23 “(A) beginning on the date that is 180
 24 days after the date of enactment of this sub-
 25 paragraph, makes, renews, promotes, or ad-

1 vances any application in order to obtain the
2 same standing as a member state in the United
3 Nations or any specialized agency thereof, or
4 accepts such standing, outside an agreement
5 negotiated between Israel and the Palestinians;
6 or

7 “(B) beginning on the date that is 15 days
8 after the date of enactment of the Justice for
9 United States Victims of Palestinian Terrorism
10 Act—

11 “(i) continues to maintain any office,
12 headquarters, premises, or other facilities
13 or establishments in the United States; or

14 “(ii) establishes or procures any of-
15 fice, headquarters, premises, or other fa-
16 cilities or establishments in the United
17 States.”; and

18 (2) And by inserting after paragraph (2) the
19 following:

20 “(3) DEFENDANT DEFINED.—For purposes of
21 paragraph (1) of this subsection, the term ‘defend-
22 ant’ means—

23 “(A) the Palestinian Authority;

24 “(B) the Palestine Liberation Organiza-
25 tion;

“(C) any organization or other entity that is a successor to or affiliated with the Palestinian Authority or the Palestine Liberation Organization; or

“(D) any organization or other entity—

“(i) identified in subparagraph (A), (B), or (C); and

“(ii) that self-identifies as, holds itself out to be, or carries out conduct in the name of, the ‘State of Palestine’ or ‘Palestine’ in connection with official business of the United Nations.

“(4) EXCEPTION FOR CERTAIN ACTIVITIES AND LOCATIONS.—In determining whether a defendant shall be deemed to have consented to personal jurisdiction under paragraph (1)(B), a court may not consider—

“(A) any office, headquarters, premises or other facility or establishment used exclusively for the purpose of conducting official business of the United Nations; or

“(B) any activity undertaken exclusively for the purpose of conducting official business of the United Nations.

1 “(5) RULE OF CONSTRUCTION.—Notwith-
2 standing any other law (including any treaty), any
3 office, headquarters, premises, or other facility or es-
4 tablishment within the territory of the United States
5 that is not specifically exempted by paragraph
6 (4)(A) shall be considered to be in the United States
7 for purposes of clauses (i) and (ii) of paragraph
8 (1)(B).”.

9 (b) PRIOR CONSENT NOT ABROGATED.—The amend-
10 ments made by this section do not abrogate any consent
11 deemed to have been given under section 2334(e) of title
12 18, United States Code, as in effect on the day before
13 the date of enactment of this Act.

14 **TITLE IV—BUDGETARY EFFECTS**

15 **SEC. 401. DETERMINATION OF BUDGETARY EFFECTS.**

16 The budgetary effects of this Act, for the purpose of
17 complying with the Statutory Pay-As-You-Go Act of 2010,
18 shall be determined by reference to the latest statement
19 titled “Budgetary Effects of PAYGO Legislation” for this
20 Act, submitted for printing in the Congressional Record
21 by the Chairman of the House Budget Committee, pro-

- 1 vided that such statement has been submitted prior to the
- 2 vote on passage.

Passed the House of Representatives July 23, 2019.

Attest:

Clerk.

116TH CONGRESS
1ST SESSION

H. R. 1837

AN ACT

To make improvements to certain defense and security assistance provisions and to authorize assistance for Israel, and for other purposes.