

(Pub. L. 112–150, § 7, July 27, 2012, 126 Stat. 1149.)

Editorial Notes

REFERENCES IN TEXT

This chapter, referred to in text, was in the original “this Act”, meaning Pub. L. 112–150, July 27, 2012, 126 Stat. 1146, which is classified principally to this chapter. For complete classification of this Act to the Code, see Short Title note set out under section 8601 of this title and Tables.

Section 2776(h)(2) of this title, referred to in par. (2), was redesignated section 2776(h)(3) of this title by Pub. L. 113–296, § 11(b)(1), Dec. 19, 2014, 128 Stat. 4078.

§ 8606. United States-Israel cooperation on energy, water, homeland security, agriculture, and alternative fuel technologies

(a) In general

The President is authorized, subject to existing law—

- (1) to undertake activities in cooperation with Israel; and
- (2) to provide assistance promoting cooperation in the fields of energy, water, agriculture, and alternative fuel technologies.

(b) Requirements

In carrying out subsection (a), the President is authorized, subject to existing requirements of law and any applicable agreements or understandings between the United States and Israel—

- (1) to share and exchange with Israel research, technology, intelligence, information, equipment, and personnel, including through sales, leases, or exchanges in kind, that the President determines will advance the national security interests of the United States and are consistent with the Strategic Dialogue and pertinent provisions of law; and
- (2) to enhance scientific cooperation between Israel and the United States.

(c) Cooperative research programs

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, subject to existing law, to enter into cooperative research programs with Israel to enhance Israel’s capabilities in—

- (1) border, maritime, and aviation security;
- (2) explosives detection;
- (3) emergency services; and
- (4) cybersecurity.

(d) Authorization of appropriations

There is authorized to be appropriated to carry out this section \$2,000,000 for fiscal year 2021.

(Pub. L. 113–296, § 7, Dec. 19, 2014, 128 Stat. 4077; Pub. L. 114–304, § 2(b), Dec. 16, 2016, 130 Stat. 1520; Pub. L. 116–283, div. A, title XII, § 1280A(g), Jan. 1, 2021, 134 Stat. 3984.)

Editorial Notes

CODIFICATION

Section was enacted as part of the United States-Israel Strategic Partnership Act of 2014, and not as part of the United States-Israel Enhanced Security Cooperation Act of 2012 which comprises this chapter.

AMENDMENTS

2021—Subsec. (d). Pub. L. 116–283 added subsec. (d).

2016—Subsec. (c). Pub. L. 114–304, § 2(b)(1), (2), struck out “pilot” before “programs” in heading and in introductory provisions.

Subsec. (c)(4). Pub. L. 114–304, § 2(b)(3)–(5), added par. (4).

Statutory Notes and Related Subsidiaries

UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT MEMORANDA OF UNDERSTANDING TO ENHANCE COOPERATION WITH ISRAEL

Pub. L. 116–283, div. A, title XII, § 1277, Jan. 1, 2021, 134 Stat. 3981, provided that: “The Secretary of State, acting through the Administrator of the United States Agency for International Development, may enter into memoranda of understanding with Israel to advance common goals on energy, agriculture, food security, democracy, human rights, governance, economic growth, trade, education, environment, global health, water, and sanitation, with a focus on strengthening mutual ties and cooperation with nations throughout the world.”

COOPERATION ON DIRECTED ENERGY CAPABILITIES

Pub. L. 116–283, div. A, title XII, § 1280, Jan. 1, 2021, 134 Stat. 3982, provided that:

“(a) REPORT.—Not later than March 15, 2021, the Secretary of Defense, with the concurrence of the Secretary of State, shall submit to the appropriate congressional committees [Committees on Foreign Relations and Armed Services of the Senate and Committees on Foreign Affairs and Armed Services of the House of Representatives] a report on potential areas for directed energy cooperation.

“(b) ELEMENTS.—The report required by subsection (a) shall include the following:

“(1) A description of any science and technology effort or research, development, test, and evaluation effort associated with directed energy.

“(2) A description of activities or efforts recommended for potential defense cooperation activities associated with directed energy between the United States and Israel in support of development of military capabilities of mutual benefit.

“(3) A description of any obstacle or challenge associated with an effort described under paragraph (2) and recommendations to address such obstacle or challenge.

“(4) A description of any authority or authorization of appropriations required for the execution of efforts described under paragraph (2).

“(c) FORM.—The report required by subsection (a) shall be submitted in unclassified form but may contain a classified annex, as determined necessary by the Secretary of Defense.

“(d) PROGRAM AUTHORITY.—If recommended as a result of the report required by subsection (a), the Secretary of Defense, with the concurrence of the Secretary of State, may establish a program to carry out research, development, test, and evaluation activities, on a joint basis with Israel, to promote directed energy capabilities of mutual benefit to both the United States and Israel that address threats to the United States, deployed forces of the United States, and Israel. Any activities carried out under this subsection shall be conducted in a manner that appropriately protects sensitive information, intellectual property, the national security interests of the United States, and the national security interests of Israel. Any such program shall take into consideration the recommendations of the United States-Israel Defense Acquisition Advisory Group.”

UNITED STATES-ISRAEL COOPERATION TO COUNTER UNMANNED AERIAL SYSTEMS

Pub. L. 116–92, div. A, title XII, § 1278, Dec. 20, 2019, 133 Stat. 1702, provided that:

“(a) AUTHORITY TO ESTABLISH CAPABILITIES TO COUNTER UNMANNED AERIAL SYSTEMS.—

“(1) IN GENERAL.—The Secretary of Defense, upon request of the Ministry of Defense of Israel and in consultation with the Secretary of State and the Director of National Intelligence, is authorized to carry out research, development, test, and evaluation activities, on a joint basis with Israel, to establish capabilities for countering unmanned aerial systems that threaten the United States or Israel. Any activities carried out pursuant to such authority shall be conducted in a manner that appropriately protects sensitive technology and information and the national security interests of the United States and Israel.

“(2) REPORT.—The activities described in paragraph (1) and subsection (b) may not be carried out until after the Secretary of Defense submits to the appropriate committees of Congress a report setting forth the following:

“(A) A memorandum of agreement between the United States and Israel regarding sharing of research and development costs for the capabilities described in paragraph (1), and any supporting documents.

“(B) A certification that the memorandum of agreement—

“(i) requires sharing of costs of projects, including in-kind support, between the United States and Israel;

“(ii) establishes a framework to negotiate the rights to any intellectual property developed under the memorandum of agreement; and

“(iii) requires the United States Government to receive semiannual reports on expenditure of funds, if any, by the Government of Israel, including a description of what the funds have been used for, when funds were expended, and an identification of entities that expended the funds.

“(b) SUPPORT IN CONNECTION WITH THE PROGRAM.—

“(1) IN GENERAL.—The Secretary of Defense is authorized to provide maintenance and sustainment support to Israel for the research, development, test, and evaluation activities authorized in subsection (a)(1). Such authority includes authority to install equipment necessary to carry out such research, development, test, and evaluation activities.

“(2) REPORT.—Support may not be provided under paragraph (1) until 15 days after the Secretary submits to the appropriate committees of Congress a report setting forth a detailed description of the support to be provided.

“(3) MATCHING CONTRIBUTION.—

“(A) IN GENERAL.—Except as provided in subparagraph (B), support may not be provided under this subsection unless the Government of Israel contributes an amount not less than the amount of support to be so provided to the program, project, or activity for which the support is to be so provided in the calendar year in which the support is provided.

“(B) EXCEPTION.—Subject to paragraph (4), the Secretary may use amounts available to the Secretary in excess of the amount contributed by the Government of Israel to provide support under this subsection for costs associated with any unique national requirement identified by the United States with respect to countering unmanned aerial systems.

“(4) ANNUAL LIMITATION ON AMOUNT.—The amount of support provided under this subsection in any year may not exceed \$25,000,000.

“(5) USE OF CERTAIN AMOUNTS FOR RDT&E ACTIVITIES IN THE UNITED STATES.—Of the amount provided by the United States in support under paragraph (1), not less than 50 percent of such amount shall be used for research, development, test, and evaluation activities in the United States in connection with such support.

“(c) LEAD AGENCY.—The Secretary of Defense shall designate an appropriate research and development entity of a military department as the lead agency of the Department of Defense in carrying out this section.

“(d) SEMIANNUAL REPORTS.—The Secretary of Defense shall submit to the appropriate committees of Congress on a semiannual basis a report that contains a copy of the most recent semiannual report provided by the Government of Israel to the Department of Defense pursuant to subsection (a)(2)(B)(iii).

“(e) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term ‘appropriate committees of Congress’ means—

“(1) the Committee on Armed Services, the Committee on Foreign Relations, the Committee on Homeland Security, the Committee on Appropriations, and the Select Committee on Intelligence of the Senate; and

“(2) the Committee on Armed Services, the Committee on Foreign Affairs, the Committee on Homeland Security, the Committee on Appropriations, and the Permanent Select Committee on Intelligence of the House of Representatives.

“(f) SUNSET.—The authority in this section to carry out activities described in subsection (a), and to provide support described in subsection (b), shall expire on December 31, 2024.”

UNITED STATES-ISRAEL ANTI-TUNNEL COOPERATION

Pub. L. 114-92, div. A, title XII, §1279, Nov. 25, 2015, 129 Stat. 1079, as amended by Pub. L. 114-328, div. A, title XII, §1295(a), (b), Dec. 23, 2016, 130 Stat. 2562; Pub. L. 115-91, div. A, title XII, §1278(a), Dec. 12, 2017, 131 Stat. 1700; Pub. L. 115-232, div. A, title XII, §1272(a), Aug. 13, 2018, 132 Stat. 2066; Pub. L. 116-92, div. A, title XII, §1279, Dec. 20, 2019, 133 Stat. 1703, provided that:

“(a) AUTHORITY TO ESTABLISH ANTI-TUNNEL CAPABILITIES PROGRAM WITH ISRAEL.—

“(1) IN GENERAL.—The Secretary of Defense, upon request of the Ministry of Defense of Israel and in consultation with the Secretary of State and the Director of National Intelligence, is authorized to carry out research, development, test, and evaluation, on a joint basis with Israel, to establish anti-tunnel capabilities to detect, map, and neutralize underground tunnels that threaten the United States or Israel. Any activities carried out pursuant to such authority shall be conducted in a manner that appropriately protects sensitive information and United States and Israel national security interests.

“(2) REPORT.—The activities described in paragraph (1) and subsection (b) may be carried out after the Secretary of Defense submits to the appropriate committees of Congress a report setting forth the following:

“(A) A memorandum of agreement between the United States and Israel regarding sharing of research and development costs for the capabilities described in paragraph (1), and any supporting documents.

“(B) A certification that the memorandum of agreement—

“(i) requires sharing of costs of projects, including in-kind support, between the United States and Israel;

“(ii) establishes a framework to negotiate the rights to any intellectual property developed under the memorandum of agreement; and

“(iii) requires the United States Government to receive semiannual reports on expenditure of funds, if any, by the Government of Israel, including a description of what the funds have been used for, when funds were expended, and an identification of entities that expended the funds.

“(b) SUPPORT IN CONNECTION WITH PROGRAM.—

“(1) IN GENERAL.—The Secretary of Defense is authorized to provide maintenance and sustainment support to Israel for the anti-tunnel capabilities research, development, test, and evaluation activities authorized in subsection (a)(1). Such authority includes authority to install equipment necessary to carry out such research, development, test, and evaluation.

“(2) REPORT.—Support may not be provided under paragraph (1) until 15 days after the Secretary sub-

mits to the appropriate committees of Congress a report setting forth a detailed description of the support to be provided.

“(3) MATCHING CONTRIBUTION.—

“(A) IN GENERAL.—Except as provided in subparagraph (B), support may not be provided under this subsection unless the Government of Israel contributes an amount not less than the amount of support to be so provided to the program, project, or activity for which the support is to be so provided in the calendar year in which the support is provided.

“(B) EXCEPTION.—Subject to paragraph (4), the Secretary may use amounts available to the Secretary in excess of the amount contributed by the Government of Israel to provide support under this subsection for costs associated with any unique national requirement identified by the United States with respect to anti-tunnel capabilities.

“(4) ANNUAL LIMITATION ON AMOUNT.—The amount of support provided under this subsection in any year may not exceed \$50,000,000.

“(5) USE OF CERTAIN AMOUNTS FOR RDT&E ACTIVITIES IN THE UNITED STATES.—Of the amount provided by the United States in support under paragraph (1), not less than 50 percent of such amount shall be used for research, development, test, and evaluation activities in the United States in connection with such support.

“(c) LEAD AGENCY.—The Secretary of Defense shall designate an appropriate research and development entity of a military department as the lead agency of the Department of Defense in carrying out this section.

“(d) SEMI-ANNUAL REPORTS.—The Secretary of Defense shall submit to the appropriate committees of Congress on a semiannual basis a report that contains a copy of the most recent semiannual report provided by the Government of Israel to the Department of Defense pursuant to subsection (a)(2)(B)(iii).

“(e) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term ‘appropriate committees of Congress’ means—

“(1) the Committee on Armed Services, the Committee on Foreign Relations, the Committee on Homeland Security, the Committee on Appropriations, and the Select Committee on Intelligence of the Senate; and

“(2) the Committee on Armed Services, the Committee on Foreign Affairs, the Committee on Homeland Security, the Committee on Appropriations, and the Permanent Select Committee on Intelligence of the House of Representatives.

“(f) SUNSET.—The authority in this section to carry out activities described in subsection (a), and to provide support described in subsection (b), shall expire on December 31, 2024.”

CONSTRUCTIVE REGIONAL ENERGY COOPERATION

Pub. L. 113-296, §12(c)(2), Dec. 19, 2014, 128 Stat. 4081, provided that: “The Secretary of State shall continue the ongoing diplomacy efforts of the Secretary of State in—

“(A) engaging and supporting the energy security of Israel; and

“(B) promoting constructive regional energy cooperation in the Eastern Mediterranean.”

§ 8607. Other matters of cooperation

(a) In general

Activities authorized under this section shall be carried out with the concurrence of the Secretary of State and aligned with the National Security Strategy of the United States, the United States Government Global Health Security Strategy, the Department of State Integrated Country Strategies, the USAID Country Development Cooperation Strategies, and any equivalent or successor plans or strategies, as necessary and appropriate.

(b) Development of health technologies

(1) In general

There is authorized to be appropriated to the Secretary of Health and Human Services \$4,000,000 for fiscal years 2021 through 2023 for a bilateral cooperative program with the Government of Israel that awards grants for the development of health technologies, which may include health technologies listed in paragraph (2), subject to paragraph (3), with an emphasis on collaboratively advancing the use of technology and personalized medicine in relation to COVID-19.

(2) Types of health technologies

The health technologies described in this paragraph are technologies such as, drugs and vaccines, ventilators, diagnostic tests, and technologies to facilitate telemedicine.

(3) Restrictions on funding

Amounts appropriated pursuant to paragraph (1) are subject to a matching contribution from the Government of Israel.

(4) Option for establishing new program

Amounts appropriated pursuant to paragraph (1) may be expended for a bilateral program with the Government of Israel that—

(A) is in existence on the day before January 1, 2021, for the purposes described in paragraph (1); or

(B) is established after January 1, 2021, by the Secretary of Health and Human Services, in consultation with the Secretary of State, in accordance with the Agreement between the Government of the United States of America and the Government of the State of Israel on Cooperation in Science and Technology for Homeland Security Matters, done at Jerusalem May 29, 2008 (or a successor agreement), for the purposes described in paragraph (1).

(5) Public availability

The Secretary shall require, as a condition of any grant awarded under this subsection, that all research publications and results of such research, including basic and applied research, shall be made publicly available on the website of the Department of Health and Human Services.

(c) Coordinator of United States-Israel Research and Development

(1) In general

The President may designate the Assistant Secretary of State for the Bureau of Oceans and International Environmental and Scientific Affairs, or another appropriate Department of State official, to act as Coordinator of United States-Israel Research and Development (referred to in this subsection as the “Coordinator”).

(2) Authorities and duties

The Coordinator, in conjunction with the heads of relevant Federal Government departments and agencies and in coordination with the Israel Innovation Authority, may oversee civilian science and technology programs on a joint basis with Israel.