

**Suspend the Rules and Pass the Bill, H. R. 5843, With an  
Amendment**

**(The amendment strikes all after the enacting clause and inserts a  
new text)**

114<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 5843

To establish a grant program at the Department of Homeland Security to promote cooperative research and development between the United States and Israel on cybersecurity.

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## IN THE HOUSE OF REPRESENTATIVES

JULY 14, 2016

Mr. LANGEVIN (for himself and Mr. RATCLIFFE) introduced the following bill;  
which was referred to the Committee on Homeland Security

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## A BILL

To establish a grant program at the Department of Homeland Security to promote cooperative research and development between the United States and Israel on cybersecurity.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “United States-Israel  
5 Cybersecurity Cooperation Enhancement Act of 2016”.

1 **SEC. 2. UNITED STATES-ISRAEL CYBERSECURITY CO-**  
2 **OPERATION.**

3 (a) GRANT PROGRAM.—

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

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

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

17 (2) REQUIREMENTS.—

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

25 (B) RESEARCH AND DEVELOPMENT.—

1 (i) IN GENERAL.—Except as provided  
2 in clause (ii), the Secretary shall require  
3 not less than 50 percent of the cost of a  
4 research, development, demonstration, or  
5 commercial application program or activity  
6 described in subparagraph (A) to be pro-  
7 vided by a non-Federal source.

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

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

22 (D) REVIEW PROCESSES.—In carrying out  
23 a review under subparagraph (C), the Secretary  
24 may use merit review processes developed under

1 section 302(14) of the Homeland Security Act  
2 of 2002 (6 U.S.C. 182(14)).

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

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

9 (B) is a joint venture between—

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

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

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

19 (II) the Government of Israel.

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

1 (5) ADVISORY BOARD.—

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

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

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

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

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

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

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

23 (6) CONTRIBUTED FUNDS.—Notwithstanding  
24 any other provision of law, the Secretary may ac-  
25 cept, retain, and use funds contributed by any per-

1 son, government entity, or organization for purposes  
2 of carrying out this subsection—

3 (A) without further appropriation; and

4 (B) without fiscal year limitation.

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

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

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

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

18 (b) TERMINATION.—The grant program and the ad-  
19 visory committee established under this section terminate  
20 on the date that is seven years after the date of the enact-  
21 ment of this Act.

22 (c) PROHIBITION ON ADDITIONAL FUNDING.—No  
23 additional funds are authorized to be appropriated to  
24 carry out this Act.

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.