

**AMENDMENT IN THE NATURE OF A SUBSTITUTE  
TO H.R. 5843  
OFFERED BY MR. LANGEVIN OF RHODE ISLAND**

Strike all after the enacting clause and insert the following:

**1 SECTION 1. SHORT TITLE.**

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

**4 SEC. 2. UNITED STATES-ISRAEL CYBERSECURITY CO-  
5 OPERATION.**

6 (a) GRANT PROGRAM.—

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

16 (A) cybersecurity research and develop-  
17 ment; and

1 (B) demonstration and commercialization  
2 of cybersecurity technology.

3 (2) REQUIREMENTS.—

4 (A) APPLICABILITY.—Notwithstanding any  
5 other provision of law, in carrying out a re-  
6 search, development, demonstration, or com-  
7 mercial application program or activity that is  
8 authorized under this section, the Secretary  
9 shall require cost sharing in accordance with  
10 this paragraph.

11 (B) RESEARCH AND DEVELOPMENT.—

12 (i) IN GENERAL.—Except as provided  
13 in clause (ii), the Secretary shall require  
14 not less than 50 percent of the cost of a  
15 research, development, demonstration, or  
16 commercial application program or activity  
17 described in subparagraph (A) to be pro-  
18 vided by a non-Federal source.

19 (ii) REDUCTION.—The Secretary may  
20 reduce or eliminate, on a case-by-case  
21 basis, the percentage requirement specified  
22 in clause (i) if the Secretary determines  
23 that such reduction or elimination is nec-  
24 essary and appropriate.

1 (C) MERIT REVIEW.—In carrying out a re-  
2 search, development, demonstration, or com-  
3 mercial application program or activity that is  
4 authorized under this section, awards shall be  
5 made only after an impartial review of the sci-  
6 entific and technical merit of the proposals for  
7 such awards has been carried out by or for the  
8 Department.

9 (D) REVIEW PROCESSES.—In carrying out  
10 a review under subparagraph (C), the Secretary  
11 may use merit review processes developed under  
12 section 302(14) of the Homeland Security Act  
13 of 2002 (6 U.S.C. 182(14)).

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

17 (A) addresses a requirement in the area of  
18 cybersecurity research or cybersecurity tech-  
19 nology, as determined by the Secretary; and

20 (B) is a joint venture between—

21 (i)(I) a for-profit business entity, aca-  
22 demic institution, National Laboratory (as  
23 defined in section 2 of the Energy Policy  
24 Act of 2005 (42 U.S.C. 15801)), or non-  
25 profit entity in the United States; and

1 (II) a for-profit business entity, aca-  
2 demic institution, or nonprofit entity in  
3 Israel; or

4 (ii)(I) the Federal Government; and  
5 (II) the Government of Israel.

6 (4) APPLICATIONS.—To be eligible to receive a  
7 grant under this subsection, an applicant shall sub-  
8 mit to the Secretary an application for such grant  
9 in accordance with procedures established by the  
10 Secretary, in consultation with the advisory board  
11 established under paragraph (5).

12 (5) ADVISORY BOARD.—

13 (A) ESTABLISHMENT.—The Secretary  
14 shall establish an advisory board to—

15 (i) monitor the method by which  
16 grants are awarded under this subsection;  
17 and

18 (ii) provide to the Secretary periodic  
19 performance reviews of actions taken to  
20 carry out this subsection.

21 (B) COMPOSITION.—The advisory board  
22 established under subparagraph (A) shall be  
23 composed of three members, to be appointed by  
24 the Secretary, of whom—

1 (i) one shall be a representative of the  
2 Federal Government;

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

6 (iii) one shall be selected from a list  
7 of nominees provided by the United States-  
8 Israel Binational Industrial Research and  
9 Development Foundation.

10 (6) CONTRIBUTED FUNDS.—Notwithstanding  
11 any other provision of law, the Secretary may ac-  
12 cept, retain, and use funds contributed by any per-  
13 son, government entity, or organization for purposes  
14 of carrying out this subsection—

15 (A) without further appropriation; and

16 (B) without fiscal year limitation.

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

22 (A) a description of how the grant funds  
23 were used by the recipient;

24 (B) an evaluation of the level of success of  
25 each project funded by the grant.

1           (8) CLASSIFICATION.—Grants shall be awarded  
2           under this subsection only for projects that are con-  
3           sidered to be unclassified by both the United States  
4           and Israel.

5           (b) TERMINATION.—The grant program and the ad-  
6           visory committee established under this section terminate  
7           on the date that is seven years after the date of the enact-  
8           ment of this Act.

9           (c) PROHIBITION ON ADDITIONAL FUNDING.—No  
10          additional funds are authorized to be appropriated to  
11          carry out this Act.

12          (d) DEFINITIONS.—In this section—

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

17               (2) the term “cybersecurity technology” means  
18               technology intended to identify, protect against, de-  
19               tect, respond to, and recover from cybersecurity  
20               threats;

21               (3) the term “cybersecurity threat” has the  
22               meaning given such term in section 102 of the  
23               Cybersecurity Information Sharing Act of 2015 (en-  
24               acted as title I of the Cybersecurity Act of 2015 (di-

1 vision N of the Consolidated Appropriations Act,  
2 2016 (Public Law 114–113));

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

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

