

# Section 219 of the FY2027 NDAA

## *The U.S.-Israel Defense Technology Cooperation Initiative: Background, the Funding-Transparency Debate, and the Entrenchment Question*

Prepared July 2026 — reflects the legislative record as of this date; the bill was still moving through Congress at time of writing.

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### 1. Background: Why Military Funding Moves Separately

Each year, Congress funds the military through a two-track process that is distinct from how the rest of the federal government is funded.

#### The National Defense Authorization Act (NDAA)

The NDAA is an authorization bill. It sets defense policy, troop levels, and the programs the Department of Defense is permitted to pursue — but it does not itself appropriate money. It is typically introduced and marked up in committee during the spring and summer, with floor action in the House and Senate over the summer and fall, ahead of the fiscal year that begins October 1.

#### Defense Appropriations

A separate appropriations bill actually provides the dollars the NDAA authorizes. Congress votes on this independently of the NDAA.

#### Why the NDAA Is a Magnet for Riders

The NDAA has passed in some form for over sixty consecutive years, making it one of the most reliable “must-pass” bills in Congress. Because failure to pass it is viewed as politically and practically untenable, lawmakers frequently attach unrelated or contested provisions to it, calculating that they are more likely to survive as part of a bill that is virtually guaranteed to become law than as standalone legislation. Section 219 is one such provision.

### 2. The Provision: What Section 219 Does

The provision at issue was originally numbered Section 224 in the House's Fiscal Year 2027 NDAA and was later renumbered Section 219 during committee editing. The Senate's parallel version is numbered Section 1217. Both would create a “United States-Israel Defense Technology Cooperation Initiative.”

Core elements, per the bill text and reporting:

- Directs the Secretary of Defense to designate a senior “executive agent” responsible for synchronizing and accelerating bilateral defense-technology cooperation with Israel.
- Covers missile and air defense, counter-drone systems, cyber capabilities, artificial intelligence, quantum technology, autonomous systems, directed-energy weapons, biotechnology, and defense-industrial co-production.
- Directs integration of Israeli-origin and jointly developed technologies into U.S. military systems and programs of record.

- Requires periodic reporting, briefings, and assessments to Congress on progress and technology transitions.
- Does not, according to independent analysis of the bill text, transfer command authority, place Israeli personnel under U.S. military command, or formally merge the two armed forces.

The House Armed Services Committee advanced the provision on June 4, 2026, over objections from some members, and it has moved toward full House consideration since.

### 3. The Case for the Provision

Supporters, including AIPAC, describe Section 219 as a natural extension of an already-close alliance rather than a novel departure. Their arguments include:

- It formalizes and accelerates cooperation that already occurs informally through existing cooperative project agreements and missile-defense co-development programs (e.g., Arrow, David's Sling).
- It does not create joint command structures, does not merge the militaries, and does not transfer U.S. decision-making authority to Israel.
- It has no effect on existing congressional oversight and authority over arms sales or appropriations — those processes continue unchanged.
- Built-in reporting, briefing, and assessment requirements provide continued transparency to Congress.
- Faster technology-sharing strengthens both countries against common threats such as missile attacks and drone warfare.

### 4. The Case Against the Provision

#### 4.1 Transparency and the Appropriations Bypass

Critics — led by an unusual bipartisan pairing of Rep. Thomas Massie (R-KY) and Rep. Ro Khanna (D-CA), joined by Sen. Bernie Sanders (I-VT) and organizations including the Quincy Institute for Responsible Statecraft — argue that AIPAC's transparency defense, while narrowly accurate, misses the substantive point.

Their argument: Section 219 does not touch the existing arms-sales and appropriations process — that much is true. But the benefits Israel receives under the initiative (joint R&D funding, co-production arrangements, technology integration) flow through the base defense budget and a newly created executive-agent office, not through a dedicated, discrete appropriations line that Congress votes on and the public can see itemized. A reporting requirement to a congressional committee is a materially weaker form of accountability than an itemized, votable appropriation. The Quincy Institute has argued the provision would “disguise taxpayer funding for the Israeli military,” and other analysts have framed the timing — arriving as public support for unconditional aid to Israel has fallen — as evidence that reduced visibility is a design goal, not an incidental side effect.

#### 4.2 The “Creep” and Entrenchment Argument

A second, related critique focuses on gradual, hard-to-reverse expansion rather than the current year's funding alone:

- Institutional-incentive version: as public support for open-ended aid to Israel declines, Section 219 is read by critics as a deliberate shift away from a single, politically vulnerable line item toward a standing structure that renews administratively rather than facing a fresh political fight each year.
- Irreversibility version: once an executive-agent office, joint programs, and integrated supply chains exist, unwinding the relationship is no longer a vote — it requires disentangling actual defense infrastructure,

making it “exceedingly difficult for any future president to unwind this partnership ... no matter what public opinion says.”

- Constitutional/accountability version: critics argue the provision creates permanent structures across military, intelligence, technological, and strategic functions that, cumulatively, exceed anything the public or Congress explicitly consented to in any single vote — even though no individual addition looks dramatic on its own.
- No comparable ceiling exists: reporting notes that no equivalent “executive agent” integration structure exists even with closer, longer-standing allies such as the United Kingdom, France, Germany, or Japan — meaning there is no established precedent that defines how far this cooperation is expected to grow or where it stops.

#### 4.3 Additional Concerns Raised

- Espionage and counterintelligence exposure from deeper technical integration.
- The Senate version (Sec. 1217) reportedly would limit a president's ability to restrict intelligence-sharing with Israel over human rights concerns.
- Concerns that the provision singles out one ally for a category of integration not extended to any other partner nation.

### 5. Assessing the “Hidden Funding” Claim

Based on the record above, the claim that Section 219 “hides” money for Israel is best understood as partially true, with the disagreement turning on which process is being measured:

- Narrowly true (AIPAC's point): existing appropriations and arms-sales oversight mechanisms are not altered or weakened by this provision.
- Also true in a different sense (critics' point): the initiative creates a new channel of benefit to Israel — joint R&D, co-production, integration funding — that runs through the base defense budget and an administrative office rather than a discrete, itemized appropriation, making it structurally harder to track or total.
- Contested: whether this design is incidental or intentionally built to reduce visibility as public support for open-ended aid softens is a matter of interpretation, not settled fact — supporters and critics draw opposite conclusions from the same structural features.

### 6. Legislative Status (as of mid-July 2026)

- June 4, 2026 — House Armed Services Committee advances the provision as part of the FY2027 NDAA.
- Massie and Khanna introduce a bipartisan amendment to strike Section 219; the House Rules Committee declines to make it eligible for floor debate.
- June 30, 2026 — the procedural rule needed to bring the full NDAA to the floor fails, 198-224, stalling the bill and forcing leadership to write a new rule.
- Rep. Adam Smith (D-WA), ranking member of House Armed Services, withdraws his support for the provision.
- Massie states he will reintroduce the strike amendment when the House reconvenes and takes up a new procedural rule.

- The Senate's parallel provision (Section 1217) remains under consideration separately; any differences between House and Senate versions must be reconciled in conference before the NDAA is finalized.

As of this writing, Section 219 has not been enacted. Its fate depends on (a) whether a floor vote on the strike amendment is ultimately allowed, (b) the outcome of that vote if held, and (c) how the House and Senate versions are reconciled in conference.

## Sources

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*This document summarizes a chat-based research discussion and reflects publicly reported claims from named advocates, critics, and news outlets on both sides. It is not a neutral legal analysis of bill text and should not be relied upon as one; original sources are cited above for further reading.*