

There appears to be a sufficient second.

The clerk will call the roll.

The senior assistant executive clerk called the roll.

Mr. THUNE. The following Senator is necessarily absent: the Senator from Wyoming (Mr. BARRASSO).

The result was announced—yeas 50, nays 49, as follows:

[Rollcall Vote No. 30 Ex.]

#### YEAS—50

Baldwin	Heinrich	Rosen
Bennet	Hickenlooper	Sanders
Blumenthal	Hirono	Schatz
Booker	Kaine	Schumer
Brown	Kelly	Shaheen
Butler	King	Sinema
Cantwell	Klobuchar	Smith
Cardin	Lujan	Stabenow
Carper	Markey	Tester
Casey	Menendez	Van Hollen
Coons	Merkley	Warner
Cortez Masto	Murphy	Warnock
Duckworth	Murray	Warren
Durbin	Ossoff	Welch
Fetterman	Padilla	Whitehouse
Gillibrand	Peters	Wyden
Hassan	Reed	

#### NAYS—49

Blackburn	Grassley	Ricketts
Boozman	Hagerty	Risch
Braun	Hawley	Romney
Britt	Hoeben	Rounds
Budd	Hyde-Smith	Rubio
Capito	Johnson	Schmitt
Cassidy	Kennedy	Scott (FL)
Collins	Lankford	Scott (SC)
Cornyn	Lee	Sullivan
Cotton	Lummis	Thune
Cramer	Manchin	Tillis
Crapo	Marshall	Tuberville
Cruz	McConnell	Vance
Daines	Moran	Wicker
Ernst	Mullin	Young
Fischer	Murkowski	
Graham	Paul	

#### NOT VOTING—1

Barrasso

The nomination was confirmed.

The PRESIDING OFFICER (Mr. OSSOFF). Under the previous order, the motion to reconsider is considered made and laid upon the table, and the President will be immediately notified of the Senate's action.

The Senator from Oregon.

#### GAZA

Mr. MERKLEY. Mr. President, I rise tonight to talk about the extraordinarily challenging humanitarian situation in Gaza. And let's begin with October 7.

Israel has every right to eliminate the military threat of Hamas, to go after Hamas terrorists who conducted a horrific attack on Israel October 7.

But how the Netanyahu government wages that war matters. And how they have done so is deeply disturbing to millions of Americans, and it is deeply disturbing to me.

Hamas is the enemy. Palestinian civilians are not the enemy.

Earlier this month, Senator VAN HOLLEN and I visited the Rafah Crossing on the border between Egypt and Gaza. We spoke with aid workers who had served in the worst conflict zones in the world, from Syria to Sudan to Yemen, including one worker who had spent several months working on the frontline in Ukraine. Each told us that

they had never witnessed a humanitarian disaster on the scale or severity of Gaza.

In Gaza, calamity after calamity multiplies the suffering. It is not just a shortage of food. It is a shortage of food; it is contaminated water; it is massive displacement; it is continuous bombing and shelling; it has destroyed hospitals and other hospitals that desperately need drugs and medical supplies; it is communication failures due to damage and communication failures due to blackouts.

As of today, more than 26,000 Palestinian civilians are dead. It is estimated that 70 percent are women and children—some 18,000 women and children. It is really an unfathomable number.

But let's try to put some perspective on that. If 18,000 women and children were lined up holding hands, they would form a line over 13 miles long. Or if you spent 1 minute with each child and woman—18,000 women and children—it would take you more than 300 hours to visit or connect with each of them—12 days.

In addition to the 26,000 Palestinian civilians who are dead, an estimated 65,000 Palestinians are wounded.

Of Gaza's 2.3 million people, 1.7 million are eternally displaced—over 70,000 homes destroyed. Those who are told to leave the north for the safety of the south are now often bombed or shelled in the locations they were encouraged to go to. There is no guaranteed safe place in Gaza. Even designated U.N. shelters have come under attack.

When thinking about food, 90 percent of Palestinians are living on less than one meal a day—one meal a day. Only one of the three clean drinking water pipelines from Israel is functioning. And water filtration equipment has been repeatedly turned away by Israeli inspectors, as I saw for myself in Rafah.

Just 14 of 36 hospitals are still operating, and those hospitals lack basic medical supplies and even lack food.

One doctor who came out of Gaza talked to me about the extraordinarily deep wounds—burns—caused by white phosphorus, and he showed me pictures of those wounds. Another talked to me about—he was an orthopedic surgeon. He fixed broken bones, but he said he couldn't believe how many bones had been shattered by the blasts and how much untreatable trauma there was to individuals' internal organs. UNICEF estimates at least 1,000 children have had arms or legs amputated, many without anesthesia.

New mothers have been profoundly impacted. More mothers are having miscarriages. More mothers are having stillbirths. More mothers are anemic and suffering postpartum hemorrhaging. More mothers are undernourished and cannot breastfeed, and yet finding clean water and formula is extremely difficult. More mothers are enduring C-section surgeries without anesthesia.

Let me say it again: Israel has every right to go after Hamas. Hamas is Israel's enemy. The Palestinian people are not their enemy, and they are not our enemy. So we should be disconcerted, we should be staggered, we should be horrified by the extraordinary level of civilian deaths and injuries and the humanitarian challenges I have described with food and water and medicine.

President Biden has called the bombing "indiscriminate" and urged the Netanyahu government to adopt a much more targeted war strategy. This message has been repeated by Secretary of State Blinken. This message has been repeated by Secretary of Defense Austin. These messages have been repeated with increasing intensity. But the Netanyahu government has rejected these requests.

President Biden has called for Israel to vastly increase humanitarian aid to afflicted Palestinian civilians, but the Netanyahu government has also rejected that request. The suffering is growing with each passing day. So what has prevented a massive influx of aid needed to address the humanitarian conditions in Gaza? Before October 7, 500 trucks a day went into Gaza. Why can't 500 trucks a day go into Gaza carrying that needed humanitarian aid—food, water, and medical supplies?

In short, Israel has done two things: They have set up a complex and inefficient inspection process post-October 7 that restricts aid from entering Gaza. And, second, once aid is into Gaza, there isn't a deconfliction process that makes it possible to deliver aid safely.

Into more detail now about how that inspection process works. Senator VAN HOLLEN and I witnessed the burdensome inspection process firsthand at the Rafah checkpoint. The inspection process can take more than a week from the time a driver loads a truck until that driver can deliver that aid into Gaza. We witnessed hundreds of trucks lined up on the highway in Egypt, mile after mile of trucks. They were filled with food, water, and medical supplies, sitting on the side of the highway. Some of them were waiting for permission to go to Israel, to Nitzana, for inspection. And some of them had been inspected in Nitzana and sent back to Rafah to await final permission to enter into Gaza. The challenge, when you think about a truck, is it should be able to load up its supplies, be inspected, and deliver those supplies in the same day, not a process that takes over a week.

Let's think about that process for a moment. Israel is appropriately trying to stop dual-use items from entering into Gaza, and so there is a preapproval process between the suppliers and the Israeli Government. That is appropriate. But then, when things are approved and trucks arrive at Nitzana, they are often told by the person inspecting: No, we are not allowing that to go in.

Maybe the tent pole is too long, or in one case, medical kits for birthing children had scalpels. A scalpel is a sharp blade, and they were rejected. That inconsistently greatly complicates delivery, and it includes the fact that if anything in the load is rejected, the entire truck is rejected, and it starts the process all over again.

Items that are allowed in one day can be rejected the next. Senator VAN HOLLEN and I visited a warehouse full of those rejected items, and they were the things that you would expect for delivery for humanitarian aid. There were water-testing kits. There were medical supplies. There was other desperately needed equipment.

Once trucks make it through one of the two gates—Kerem Shalom from Israel or Rafah Crossing from Egypt—then they face the second problem, the problem of deconfliction or the lack thereof of deconfliction, so that drivers face a terrifying gauntlet of damaged roads and falling bombs and artillery shells.

The failure to set up deconfliction that allows this aid to be delivered safely is unacceptable, and there is only one government that can set up that deconfliction process, and that is the Netanyahu government.

More than 150 U.N. workers have been killed in Gaza so far—the largest loss of life in the history of the United Nations. More than 300 additional healthcare workers have been killed. Due to injuries and displacement, the U.N. humanitarian workforce, which was 13,000 strong in Gaza on October 6, has been reduced to 3,000 workers. The rest are injured or killed or refugees within Gaza itself.

Only the Netanyahu government has the power to establish an organized, efficient inspection process. Only the Netanyahu government has the power to enforce deconfliction protocols. This double failure has stymied the delivery of sufficient humanitarian aid, unnecessarily deepening the suffering of Palestinian civilians.

Now, delivery of aid faces an additional problem. The Netanyahu government has produced information showing that at least 12 U.N. workers may have been involved in the October 7 terrorist attack on Israel. This is, for sure, deeply troubling. That is 12 workers out of a workforce that counted 13,000, but it is troubling. It is completely against the principles in which the U.N. Relief and Works Agency functions.

The United States has appropriately paused assistance to UNRWA pending an investigation, and I welcome that these individuals were immediately terminated. They certainly don't represent the thousands of men and women who work for UNRWA and bravely serve vulnerable people day in and day out in some of the most dangerous settings around the world.

I look forward to a swift and thorough investigation to ensure accountability so that U.S. assistance can

promptly resume, that the entire humanitarian assistance program can continue.

Wish though we might, there is no immediate way to replace that UNRWA workforce—now down to 3,000 workers but essential 3,000 workers—to deliver the aid that does make it into Gaza. It can't be replaced overnight by any other international organization.

It is the Netanyahu government that has chosen a war strategy against Hamas that has killed a breathtaking, shocking, unacceptable number of Palestinian civilians. It is the Netanyahu government that has preserved a complicated and inefficient inspection system and a failed deconfliction process that severely limited humanitarian aid to innocent civilians.

But let me be clear. The United States shares the responsibility for these failures. We, the United States of America, are Israel's major partner in supplying economic aid. We, the United States, are Israel's major partner in supplying military aid. We, the United States, have resupplied Israel with bombs and artillery shells—bombs and artillery shells of the types that have caused many of the civilian deaths.

The world looks at our close partnership and expects the United States to do more than “request” that the Netanyahu government adopt a more targeted strategy against Hamas to reduce civilian deaths and injuries. The world expects the United States to do more than “request” that the Netanyahu government fix the inspection and deconfliction process to greatly increase the flow of humanitarian aid. No matter how often we “request,” no matter how intensely we “request,” simply requesting hasn't worked. The world expects the United States to use our influence that comes with being Israel's closest partner to reduce the civilian carnage and vastly increase the humanitarian aid.

President Biden and his team have operated for 3½ months under plan A. Plan A made sense in the context of our longstanding relationship. Plan A was to make requests, make them more clearly, make them repeatedly, make them more intently, but not use any other significant leverage for change. Plan A, now over 100 days in operation, has failed, so it is time that the United States move in a bolder fashion. Let's call it plan B.

Provision 620I of the Foreign Assistance Act reads:

No assistance shall be furnished under this Act or the Arms Export Control Act to any country when it is made known to the President [of the United States] that the government of such country prohibits or otherwise restricts, directly or indirectly, the transport or delivery of United States humanitarian assistance.

Well, Senator VAN HOLLEN and I certainly saw for ourselves the restrictions on the delivery of aid that the Netanyahu government has sustained for 100 days, a convoluted inspection policy, and a broken deconfliction process.

Section 620I is American law. It enables the President of the United States to tell Prime Minister Netanyahu: We are not allowed by law to provide another dollar of aid as long as you are restricting humanitarian aid into Gaza through these broken deconfliction processes and complicated, convoluted inspection processes.

So President Biden has leverage. He is bound by American law. All he has to do is make it clear that that is leverage that he is bound to follow, that is a law he is bound to follow. As long as the Netanyahu government restricts the delivery of humanitarian aid, the United States cannot legally deliver financial or military aid to Israel under provision 620I of U.S. public law.

And the President should do more. Our President should do more. He should make it clear that as long as the Netanyahu government delivers insufficient humanitarian aid to Gaza, the United States is going to provide aid directly—directly provide food, water, and medical aid to the Palestinian people in Gaza.

It is time for the United States to use American ships and helicopters to provide medical supplies to every one of Gaza's remaining 14 hospitals. We must move swiftly to eliminate the shortages of anesthesia and antibiotics and any other shortfall of medicine or medical supplies. Picture American helicopters delivering to those 14 hospitals.

Never again should a woman delivering a child in Gaza go through a C-section without anesthesia. Never again should a child having an arm or leg amputated because it is shattered or it is full of gangrene have it done without anesthesia. Never again should these medical procedures occur without antibiotics. The United States can deliver and is morally bound to address this shortfall of medical aid.

It is also time for our team, our President, to say to Team Netanyahu, to say to his government, that if the Netanyahu government cannot or will not ensure that sufficient food and water are supplied to civilians in Gaza, the United States will ensure, and we will use our ships and our ship-to-shore assets to supply food and water to Gaza directly, which, fortunately, has a 40-mile coastline that greatly facilitates that type of supply.

We, the United States, as the major partner with Israel through financial aid and military aid, are inextricably linked to the humanitarian crisis in Gaza. The United States, as Israel's supplier, is complicit now in the suffering of the people in Gaza. This complicity must end. President Biden must use the leverage and power of the United States to address the suffering of Palestinian civilians in Gaza—to deliver medical supplies, to deliver food, to deliver clean water.

Let me step back and repaint this picture once again. More than 26,000 Palestinians are dead. That includes

more than 18,000 women and children. More than 65,000 Palestinians have been injured, and 1.7 million Palestinians in Gaza have been driven from their homes. Ninety percent of Palestinians in Gaza are surviving on less than a meal per day. The supply of clean water is woefully insufficient. Medicines are in desperately short supply.

As we ponder this, we must realize that we must value the life of every child the same, no matter who they are or where they call home. If we keep that in mind, we will find the right answer to the enormous suffering in Gaza.

The Palestinian people are not Israel's enemy. The Palestinian people are not America's enemy. The United States must end our complicity in this humanitarian catastrophe. The United States must pivot from simply "requesting" that the Netanyahu government fix the inspection and deconfliction processes that are restricting humanitarian aid to using every asset at our disposal to directly deliver a massive amount of humanitarian aid into Gaza. We must act boldly. We must act swiftly. To do otherwise is completely unacceptable and immoral. The United States must act now.

The PRESIDING OFFICER. The Senator from Maine.

#### UKRAINE

Mr. KING. Mr. President, I recently read a book by the great historian William L. Shirer—not "The Rise and Fall of the Third Reich," which we all read some years ago, but a book about the fall of the Third Republic. It was about France between the wars, between World War I and World War II.

One of the most haunting parts of that book—more than a chapter—was about the failure of the European allies, particularly France and Great Britain, to confront Hitler in the late 1930s when stopping him would have been relatively easy.

Whenever people write to my office, they say: Why are we supporting Ukraine?

I answer: Google Sudetenland, 1938.

We could have stopped a murderous dictator who was bent on geographic expansion at that time—I say "we," the West—at a relatively low cost. The result of not doing so was 55 million deaths. That chapter has haunted me because it echoes so strongly in what is happening now in Ukraine.

We are going to have one of the most important votes that any of us have ever taken—hopefully in the next few days—on support for the people of Ukraine, as they fight for our values. This vote will echo throughout the history of this country and the history of the world for generations, particularly if we fail to meet what I believe is a commitment to the people of Ukraine.

If we back away, walk away, pull out, and leave the Ukrainians without the resources to defend themselves, it will compromise the interests of this coun-

try for 50 years. It will be viewed as one of the greatest geopolitical mistakes of the 21st century. Why?

First, it will embolden Vladimir Putin. He told us in 2005 that he felt that the greatest catastrophe of the 20th century was the dissolution of the Soviet Union. He has said that, and he has pursued the remedy to that catastrophe—in his eyes—ever since.

In 2005, he said that the greatest catastrophe was the dissolution of the Soviet Union. In 2008, he gobbled up part of what had been an independent country of Georgia; in 2014, we all know, Crimea and Eastern Ukraine; in 2022, he tried for the rest of Ukraine.

And I have talked to people about this. I talked to a fellow on the street in Maine recently, and he said: Well, he will stop with Ukraine.

I said: The Finns don't think so. The Swedes don't think so. The Baltic countries don't think so. And the Finns and the Swedes know Russia. Finland has a long border with Russia. They know Russia better than any of us. And they decided to join NATO. They haven't been in NATO for almost 75 years. Why did they decide to join this year? It wasn't just a coincidence: Oh, yeah. Oh, let's join NATO.

No. They know what is coming. They see the danger of our failure to stop Vladimir Putin in Ukraine.

Maya Angelou once said: If someone tells you who they are, you should believe them. Putin has told us who he is. He is an autocrat. He is an authoritarian. And he wants to rebuild the Soviet Union. And I believe we wouldn't stop there.

I don't have much doubt about that, in 2022, when those Russian tanks were headed for Kyiv, if Zelenskyy had run and if they had succeeded in dismantling and amputating the head of the Ukrainian Government, the people of the Baltic states—Lithuania, Latvia, Estonia—would also be facing threats from Russia.

We have to take him at his word. He doesn't like the West. He despises the West. He thinks NATO is an aggressive alliance, somehow designed to invade or otherwise threaten Russia.

NATO doesn't want to invade Russia. NATO wants to keep the lines where they are. And that is one of the significances of the invasion of Ukraine. It was the first crossing of a border of this nature since World War II. The lines of Europe had been drawn. He crossed into a separate country.

He doesn't like the concept of democracy. He doesn't like the rule of law. He has a nostalgic view of the Soviet Union.

What we are looking at here is an important piece of a global struggle that is really the struggle of the 21st century, in my opinion. It is the struggle between the idea of democracy and the rule of law and the authoritarianism and totalitarianism. That is what is going on here. And Ukraine is the opening wedge in that debate.

I hate to call it a "debate." It is a conflict, where we have

authoritarianism and totalitarianism. And they are saying—Xi Jinping and Putin and others—are saying our system can't work; it is too messy; it is too complicated; it takes too long to make decisions. And they are betting—they are betting—that we don't have the staying power, that our democracy is too feckless to stick to our guns—in this case, literally. We would be rewarding naked aggression. Sudetenland 1938—the lesson we learned from the '30s was that appeasing dictators—appeasing authoritarians—just doesn't work.

But it wouldn't only embolden Putin; it would embolden Xi Jinping. Many of my colleagues on both sides of the aisle are gravely concerned about the future of Taiwan. It is inevitable that if we cut and run in Ukraine, that will change Xi Jinping's calculus about Taiwan.

He is going to say: Well, the Americans aren't going to stick. We don't have to worry too much about them helping the Taiwanese defend themselves.

That is going to make it easier for him to make that decision because he is going to look and take a lesson. We aren't as good as our word. We left. We walked away. He is watching this like a hawk—and not a friendly hawk.

Do you know who else is watching us like a hawk? Kim Jong Un. Just in the last few days, he is making threatening noises about South Korea and about war on the peninsula. Do you think he doesn't pay attention to what we are doing or not doing in Ukraine? It will be a signal to him: You can't count on those Americans. You can't count on them sticking with the South Koreans against aggression from the north.

It will embolden Iran. It will be the most—I hate to use the word "catastrophe" because that is what Putin used, but it would be a catastrophe for this country.

It would also shatter the confidence of our allies and our commitments. Our asymmetric advantage in the world right now is allies. China has customers. We have allies. Russia has Iran and North Korea. We have allies across the world. But our allies are going to say, Well, wait a minute, you are with us now, but when the going gets tough and you have to, maybe, have a budget supplemental to stick with us, you are going to walk away. And it is going to undermine the confidence of our allies.

And in places like Japan and South Korea, they may say: We can't count on the Americans to defend us. Therefore, maybe we better develop our own nuclear arms, for example. Maybe we can't count on the famous American nuclear umbrella: proliferation, heightened tension—a higher likelihood of these unthinkable weapons being used.

The other reason we can't walk away is, we are undermining our ability to negotiate and make deals in the future. Who the heck is going to deal with us if they know we can't be trusted, that we can't keep our word? People who