

They are thinking about their family member that was lost defending the country, or they are thinking about a sale at an appliance store. They are not thinking about this and this drama.

We should take seriously, though, the national security risk that all of us know about and do something about it.

Just as a side note that all of us know full well, the number of people designated by this administration as special interest aliens, those that are a national security risk by definition, who are coming across our border and being released into the country, is in the thousands.

We all know it. We should take that seriously. If we want to just deal with the people who are on the higher list, who are on the Terror Watchlist, if I go back to, let's say, 2017, there were two people who were apprehended on the Terror Watchlist in 2017. There were six people apprehended in 2018. There were three people in 2019. But if I take that to this past year, 2023, there were 172. We have people crossing our border who we know are a national security risk while we are playing political messaging games here.

Let's sit down and solve this. Let's not just vote on things that we know are going to fail. Let's not just do political messaging. Let's actually sit down and solve this.

Over the past 2 years, something has shifted on our southern border. It is not just people from the Western Hemisphere who are crossing illegally; it is people from all over the world. We went from having a handful of Chinese citizens who crossed the border to last year and this year—tens of thousands of Chinese nationals crossing our border.

I asked DHS: Are any of these Chinese nationals being deported?

They responded to me: Yes, we have started deporting Chinese nationals who are here illegally.

I said: Terrific. How many?

Their response: Fourteen so far.

Fourteen of the tens of thousands who have crossed in the last 2 years. We have deported 14 Chinese nationals.

Can I tell you, in Oklahoma, there are thousands of Chinese nationals who have come into my State who are working in illegal marijuana operations. Our Oklahoma Bureau of Narcotics has done a tremendous job of trying to be able to shut down all these illegal grow operations, but they continue to spring up. Over and over again, when they do a bust, it is Chinese nationals working, individuals who were trafficked over our southern border and individuals who are in our country illegally—over and over and over.

We know this is going on. We know we have a terror risk. We all see it. We know there are individuals by the thousands being released who are declared by this administration as special-interest aliens. We understand full well criminal activities that are happening. And we are doing messaging bills that everyone knows will fail.

Why don't we sit down and actually talk about it and work it out? Why don't we figure out how to solve this? That is what the American people expect us to do.

My friends in Oklahoma look at me and say "You guys go figure this out" because they feel the problem is there, and what they feel is correct. So let's sit down and figure this out.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Vermont.

INTERNATIONAL CRIMINAL COURT

Mr. SANDERS. Mr. President, there has been a lot of attention and controversy attached to a recent action by the International Criminal Court, the ICC.

The core purpose of the ICC is to prosecute the most serious international crimes—genocide, crimes against humanity, war crimes, and the crime of aggression. I believe that it is very important that all of us support accountability for these crimes and the important mission of the ICC.

Last year, the ICC declared that President Vladimir Putin, of Russia, was in violation of international law and that he was a war criminal. The ICC issued arrest warrants for Putin and one of his senior officials, saying there are reasonable grounds to believe that they had committed the war crime of unlawful deportation and transfer of population for their systematic kidnapping of thousands and thousands of Ukrainian children.

I supported the ICC decision. In fact, that is the tip of the iceberg of what Putin has done in Ukraine. Putin started the most destructive war in Europe since World War II. He has bombed civilians and devastated civilian infrastructure, killing at least 30,000 civilians and displacing millions more. Hundreds of thousands of Ukrainian and Russian soldiers have been killed or wounded as a result of Putin's horrific invasion of Ukraine.

On that occasion, when the ICC declared Putin a war criminal, the U.S. Government welcomed the ICC decision. A White House spokesperson said:

There is no doubt that Russia is committing war crimes and atrocities in Ukraine, and we have been clear that those responsible must be held accountable. The ICC prosecutor is an independent actor and makes his own prosecutorial decisions based on the evidence before him. We support accountability for perpetrators of war crimes.

That is what a U.S. Government spokesperson said in March 2023, and I agree. In my view, Mr. Putin is, in fact, a war criminal.

We live in a world of increasing division, tension, and hostility. Around the globe, countries are dramatically increasing their military budgets, and more countries are attempting to gain nuclear weapons and other dangerous weapons systems. It is in times like these that we most need international law. Without it, we will have an even

more violent world where might makes right and war criminals can act with impunity.

In recent years, the ICC has attempted to hold governments and political leaders accountable for crimes against humanity. That is what they do. That is what they are supposed to do.

All wars are terrible, and very often, civilian casualties are unavoidable. But after the horrors of the Second World War, countries throughout the world came together to try to establish rules to govern the conduct of war and to limit civilian casualties. The ICC's role is to enforce these limits.

Yesterday, the ICC prosecutor announced that he was requesting arrest warrants for three top Hamas leaders, including Yahya Sinwar, the group's leader in Gaza.

To my mind, Sinwar and his Hamas accomplices are clearly war criminals. The horrific October 7 terrorist attack on Israel began this war and included the mass murder of 1,200 innocent men, women, and children, the taking of hundreds of hostages, and sexual violence against captives. These war crimes are well documented, and very few people would dispute the merits of those charges.

The ICC prosecutor also asked for arrest warrants for Israeli Prime Minister Netanyahu and Defense Minister Gallant. The ICC charges focus on the use of starvation of civilians as a method of war as well as international attacks against the civilian population. Those are the charges—the use of starvation of civilians as a method of war, really a war crime, as well as intentional attacks against the civilian population.

Specifically, the prosecutor says that Netanyahu is responsible for "depriving [civilians] of objects indispensable to their survival, including willfully impeding relief supplies as provided for under the Geneva Conventions."

Now, many people here in the beltway in Washington have responded negatively to this decision from the ICC prosecutor. It seems that some folks here were comfortable with what the ICC did in terms of Putin and in terms of Sinwar but not with Netanyahu.

Some have argued that it is unfair to compare the democratically elected head of the Israeli Government to Putin, who runs an authoritarian system, or Sinwar, the head of a terrorist organization, but that is not what the ICC has done. In fact, the ICC prosecutor has looked at what each of these leaders has done, looked at their actions and then compared those actions to established standards of international law.

In other words, the ICC is not making some claim of equivalence, as some have charged, but is, in fact, holding both sides in this current war to the same standard.

Yes, democratically elected officials can commit war crimes. Let me repeat.

Democratically elected officials can commit war crimes.

The ICC is doing its job. It is doing what it is supposed to do. We cannot only apply international law when it is convenient. And the independent panel of international legal experts the ICC appointed to help with this case unanimously—unanimously—agreed with the charges.

People may be uncomfortable to see the Prime Minister of Israel charged with war crimes, but let us take a hard look at what he has actually done, and we must determine whether his actions meet the standard of being a war crime.

In 7½ months, more than 35,000 Palestinians have been killed and almost 80,000 injured. Thousands more are still under the rubble, but their bodies have not been fully identified. Some 60 percent of the victims are women, children, or the elderly. More than 250 aid workers have been killed, including 193 U.N. staff—more than in any previous conflict.

There are 2.2 million people living in Gaza. More than 1.7 million of them have been forced from their homes—75 percent of the population. I am trying to think of my own State and what it would be like if three-quarters of the people—400,000 people—were just driven out of their homes, and these are, by and large, poor people, desperate people.

In just the last 2 weeks, more than 900,000 have been displaced, many of whom have been forced to move many times during this war—chased out of one place, gone to another place; chased out of that place, gone to another place—and many of these people are children. Gaza has a very young population. Many of them are elderly, and many of them are sick. These are people who have been forced out of their homes, who have moved and again, often without adequate food, without adequate water supplies, and certainly without adequate healthcare.

When we talk about war crimes and when we talk about attacks on civilians, let's understand Gaza's housing stock has been demolished. Again, I try to think of my own State and what it would mean if 60 percent of the housing was destroyed. Now, if these people who have been chased from their homes—displaced from their homes—are ever able to return to their communities, where are they going to live? Over 60 percent of the housing units in Gaza have been damaged or destroyed, including 221,000 housing units that have been completely destroyed, leaving more than a million people homeless. Entire neighborhoods have been wiped out both by bombings and by planned detonations of explosive charges.

In other words, we are looking at a war. We understand Hamas is a very difficult enemy that often uses civilians to protect their own people—I have got it—but what we are talking

about here is over 60 percent of the housing units in Gaza that have been destroyed. It is hard for me to believe that there is a terrorist in every one of those buildings. Israel has destroyed the civilian infrastructure of Gaza. It has wiped out their ability to have electricity. There is virtually no electricity in Gaza right now, and there is virtually no clean water, and raw sewage is running through the streets, spreading disease. Now, if that is not an attack on civilians, I don't know what is.

The healthcare system in Gaza has been systematically annihilated. There are 21 hospitals that have been made inoperable. In fact, of the 36 hospitals in Gaza, only 4 have not been damaged by bombardment, raided by the Israeli military, or closed. More than 400 healthcare workers have been killed. Well, what do we say when we have a war in which the healthcare system is annihilated at a time when you have tens and tens of thousands of people who are wounded, many of them seriously?

The education system in Gaza has been virtually destroyed. Every one of Gaza's 12 universities has been bombed. More than 400 schools have suffered direct hits, and 56 schools have been totally destroyed. Today, 625,000 children in Gaza have no access to education at all.

I will tell you something else. When you talk about what is going on in Gaza, what is not talked about almost at all—I think I read one article on this. I want you to think about the psychic damage done to the children—to the children who see housing being destroyed and their parents or relatives being killed; who see drones flying around them, some of which have guns; who are being pushed out of their homes; who experience deafening noise, inadequate food, inadequate water; who are pushed, shoved into any place and every place. What kind of psychic damage is there? If there is one child in Gaza who does not suffer psychic damage from this horror, I will be very surprised.

As a result of the destruction and Israeli policies restricting the entry of humanitarian aid into Gaza, more than a million people today face catastrophic levels of hunger, and Gaza remains on the brink of famine. Hundreds of thousands of children face starvation. Even now—more than 7 months into this war—Israel's invasion of Rafah has severely disrupted the humanitarian relief operation by closing the two main border crossings and making it almost impossible for the U.N. to access its warehouses or to distribute aid. Very little aid has gotten in for more than 2 weeks. Bakeries have had to shut down, and hospitals are running low on fuel.

Just today—today—the U.N. announced that it has been forced to hold all food distribution in Rafah after running out of supplies.

The World Food Programme said that humanitarian operations in Gaza

are “near collapse.” It said that, if food and other supplies don't resume entering Gaza “in massive quantities, famine-like conditions will spread.”

Now, Mr. Netanyahu has been on TV today and elsewhere. He denies it all. Ain't true, says Mr. Netanyahu. He claims that Israel is deeply worried about the civilian population and is worried about the children and that Israel is not blocking humanitarian aid at all—not at all. Well, it turns out that the United Nations and virtually every other humanitarian group involved in the humanitarian disaster in Gaza strongly disagrees with Mr. Netanyahu.

Now, we can trust the words of a Prime Minister under criminal indictment in Israel or we can trust the people whose function in life is to provide humanitarian aid.

The U.N. Secretary General says that much more aid is urgently needed “to avert an entirely preventable human-made famine” and that “there is no alternative to the massive use of land routes.”

Cindy McCain—the wife of our former Republican colleague John McCain and who is now the head of the World Food Programme—said of Gaza that “there is famine—full-blown famine—in the north, and it's moving its way south.”

A month ago, more than 50—five, zero—humanitarian organizations called on Israel to allow greater humanitarian access and to stop unnecessarily restricting aid. These are 50 humanitarian organizations. Mr. Netanyahu says one thing, but 50 organizations that are desperately trying to get food to hungry people say something else. Let the world decide who is telling the truth. This group of humanitarian organizations included Catholic Relief Services, CARE, Mercy Corps, Oxfam, Save the Children, Refugees International, and scores of other well-respected humanitarian organizations. They say that Netanyahu and his team have blocked humanitarian aid.

Two of our colleagues—Senator VAN HOLLEN and Senator MERKLEY—visited Rafah in January, and I heard their presentation to the Democratic caucus. Upset by the unreasonable Israeli restrictions on aid, they talked about trucks being inspected, inspected, sent back, and that things that should have been allowed to get through were not allowed to get through. They said afterward that the United States must “demand that the Netanyahu government lift the impediments to the delivery of basic goods needed to sustain life in Gaza.” Netanyahu denies it, but two of our colleagues who were there say that Israel was blocking aid.

The U.S. Government also disagrees with Netanyahu. USAID Administrator Samantha Power said:

Food has not flowed in sufficient quantities to avoid this imminent famine in the south and these conditions that are giving rise already to child deaths in the north.

In March, Secretary of State Blinken said:

The bottom line is food is getting in, but it's insufficient.

In April, he said that there had been progress, "but it is not enough. We still need to get more aid in and around Gaza."

And, in a formal report this month, the State Department said:

Israel did not fully cooperate with the United States Government's efforts and United States Government-supported international efforts to maximize humanitarian assistance flow to and distribution within Gaza.

I got a kick out of hearing Mr. Netanyahu this afternoon. He talked about airlifts. My God, they are supporting airdrops. They are supporting food coming in from the sea. Well, the reason that the United States is spending millions of dollars to get food in from the sea is precisely because Israel is blocking the ability to get trucks in. The reason that Jordan and other countries and the United States are doing airdrops is, once again, because trucks cannot get through. Netanyahu is taking credit. Yet the reason we are having to do those is precisely because of the policies of his government.

President Biden himself has said that "a major reason why distributing humanitarian aid in Gaza has been so difficult [is] because Israel has not done enough to protect aid workers trying to deliver desperately needed help to civilians. . . . Israel has also not done enough to protect civilians."

This was from President Joe Biden.

So it is fair to say that most of the world disagrees with Mr. Netanyahu.

Think about all that destruction. Think about the tens of thousands of civilians killed and of the schools and hospitals blown up. Take a look at the pictures of emaciated children who are starving to death while food just sits miles away.

One of the things that is interesting, to my mind, is we don't see enough of those pictures. Maybe that has something to do with the fact that Israel—the Israeli military—has killed dozens and dozens and dozens of journalists.

I just met with some journalists last week. One was a young man who happens to come from my own State of Vermont who had no doubt that he was targeted along with other press people. They had big press symbols on their coats, and they were attacked. He was slightly injured. One of his colleagues was killed. Another one was severely injured.

Now, if you add all of that stuff up, are these actions war crimes? Yes, I believe that they are. I believe that there is substantial evidence that the extreme rightwing Israeli Government, led by Netanyahu, has used starvation as a weapon of war and has clearly targeted civilians and civilian infrastructure.

As I think we all agree—I certainly do—Israel had the right to defend itself against the Hamas terrorist attack of October 7, but it did not—and this is where we get into the issue of war

crimes. Yes, you have the right to defend yourself. Yes, Israel has the right to go after Hamas—very few people doubt that—but Netanyahu and his government do not have the right to wage an all-out war against the children, against the women, against the innocent people of Gaza. And, for that, there must be consequences.

What the ICC has done is important not only for the global community in the sense that we cannot allow the human race to descend into barbarity. Somebody has got to say: Look, war is terrible. It is a little bit embarrassing as a human being that we have been at war for thousands of years and do not seem to make progress in eliminating war, but if there is war, let us learn from what happened in the past and do our best to protect the women, the children—the innocent people.

So Israel had a right to defend itself against a terrible enemy in Hamas, but it does not have the right to wage an all-out war against the people of Gaza.

Now, what the ICC is doing is important for the world. It is to tell leaders all over the world—dictators, people in democratic countries—that if you go to war, you just cannot wage all-out war against civilians. That is what the ICC is doing. That is important.

It is also important for those of us in the United States. Our Nation claims to be the leader of the free world—the free world. At our best, we try to mobilize countries to uphold international law and prevent crimes against humanity. That is what we do and have done.

But how can or how will the United States be able to criticize any country in the world—whether it is Russia, China, Saudi Arabia, or anyone, any other country in the world—if we pretend that what is happening in Gaza is acceptable, if we actually believe what Netanyahu is saying?

If we turn our backs and ignore the crimes against humanity that are being committed in Gaza right now, what credibility will we ever have in criticizing the actions of any country no matter how terrible those actions may be? Because people will say: Oh, really, you are attacking China or Turkey or anyone else, really, really, deeply concerning. But, apparently, for Netanyahu, we don't believe it.

I don't want to see this great country of ours be in that position. I want to see this country respected all over the world as a country that does believe in human rights, that does believe in international law.

The ICC, as I see it, is trying to uphold international law and minimum standards of decency. Our government should do no less.

I yield the floor.

MORNING BUSINESS

(At the request of Mr. DURBIN, the following statement was ordered to be printed in the RECORD.)

VOTE EXPLANATION

• Mr. TESTER. Mr. President, I was absent due to a personal matter when

the Senate voted on vote No. 172 on confirmation of Seth Robert Aframe, of New Hampshire, to be United States Circuit Judge for the First Circuit. Last week, I voted to invoke cloture on Mr. Aframe. On vote No. 172, had I been present, I would have voted yea.

Mr. President, I was absent due to a personal matter when the Senate voted on vote No. 173 on the motion to invoke cloture on Krissa M. Lanham to be United States District Judge for the District of Arizona. On vote No. 173, had I been present, I would have voted yea.

Mr. President, I was absent due to a personal matter when the Senate voted on vote No. 174 on confirmation of Krissa M. Lanham to be United States District Judge for the District of Arizona. On vote No. 174, had I been present, I would have voted yea.

Mr. President, I was absent due to a personal matter when the Senate voted on vote No. 175 on the motion to invoke cloture on Angela M. Martinez to be U.S. District Judge for the District of Arizona. On vote No. 175, had I been present, I would have voted yea.

Mr. President, I was absent due to a personal matter when the Senate voted on vote No. 176 on passage of S.J. Res. 58, providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Department of Energy relating to "Energy Conservation Program: Energy Conservation Standards for Consumer Furnaces". On vote No. 176, had I been present, I would have voted yea.●

BUDGET SCOREKEEPING REPORT

Mr. WHITEHOUSE. Mr. President, I submit to the Senate a budget scorekeeping report. The report, which covers fiscal year 2024, was prepared and submitted as a letter by the Congressional Budget Office pursuant to section 308(b) of the Congressional Budget Act of 1974. This information assists the Senate Budget Committee in determining if budgetary points of order lie against pending legislation.

CBO's report shows the effect on spending and revenues of congressional action through April 15, 2024. Between CBO's last report on December 13, 2023, and April 15, 2024, Congress passed eight pieces of legislation with effects on direct spending or revenue. These include two appropriations bills passed in March, P.L. 118-42 and P.L. 118-47, that completed the fiscal year 2024 appropriations cycle in line with the bipartisan agreement enacted last summer.

CBO's report included three tables, tables 1, 2, and 3. Tables 1 and 2 show that current budgetary levels are within allowable amounts for budget authority and outlays. The allowable levels include an adjustment for the Senate-passed national security supplemental, P.L. 118-50, which had not yet