

The Honorable Joseph R. Biden, Jr.  
President  
The White House  
1600 Pennsylvania Avenue NW  
Washington, DC 20500

December 12, 2023

Dear President Biden:

We all know the current war in the Middle East was begun by Hamas' brutal terrorist attack against Israel, which killed some 1,200 innocent men, women, and children, and took more than 240 hostages. American citizens were among those killed and abducted by Hamas. We share the belief that Israel has the right to defend itself and respond against the perpetrators of the October 7<sup>th</sup> attack.

But while there is a moral case for a military response against a brutal terrorist attack, it is clear that the Netanyahu government's current campaign is being conducted in a deeply immoral way. A just cause for war does not excuse atrocities in the conduct of that war. Israel has the right to go to war against Hamas. It does not have the right to go to war against innocent men, women, and children in Gaza. Israel's reliance on widespread and indiscriminate bombardment, including with massive explosive ordinance in densely populated urban areas, is unconscionable.

Israel's military campaign will be remembered among some of the darkest chapters of our modern history. Consider the toll thus far.

As of December 11<sup>th</sup>, within a population of 2.3 million people in Gaza, it is estimated that some 18,000 people have been killed and more than 49,000 wounded since October 7<sup>th</sup> – seventy percent of whom are women and children. The United Nations, World Health Organization, human rights monitors, outside academic studies, and the Israeli government itself finds these figures to be broadly reliable. The UN and U.S. officials believe, if anything, the count may be higher, with thousands of bodies trapped beneath the rubble. So far, 134 UN workers have been killed.

Nearly 1.9 million people, more than 85 percent of the population, have been driven from their homes across Gaza. Despite the sharing of coordinates with Israeli forces, 40 UN facilities have sustained direct hits, 61 UN installations have sustained collateral damage, and 11 bakeries have been destroyed in the bombardment. The UN reports that over 234,000 housing units have been damaged and more than 46,000 homes completely destroyed, amounting to 60 percent of the housing stock, a figure confirmed by academic analysis of satellite radar data.<sup>1</sup>

To put this in historical perspective, this means the destruction in Gaza is now equivalent to that of Dresden, where two years of bombing during World War II made the city's name synonymous with total destruction. Robert Pape, Professor of Political Science at the University of Chicago, has documented that the Allied bombing of Dresden from 1943 to 1945 severely damaged 56 per cent of its non-industrial buildings, half of its homes, and killed about 25,000 people.<sup>2</sup> Meanwhile, the horrific fire-bombing of Japanese cities in 1945 destroyed 40 percent of the urban area of the 66 cities attacked, leaving 30 percent of Japan's population homeless.<sup>3</sup> Gaza has passed these nightmarish thresholds in two months.

This bombardment has made it impossible for the UN and other aid groups to provide basic necessities to the 2.3 million people in Gaza. Some 1.3 million people are sheltering in 154 overcrowded UN facilities. The UN's senior humanitarian official said the bombing means "we do not have a humanitarian operation in southern Gaza that can be called by that name anymore," and that he fears a "breakdown in society" amid absolute desperation.<sup>4</sup> There is no electricity and insufficient food, water, medicine, and fuel. Eight in ten households in southern Gaza cannot secure adequate food, rising to 97 percent in the north. Ambulances can no longer rescue the injured for lack of fuel. The shortage of clean water and adequate hygiene or sanitation facilities increases the risk of disease. And that is not to mention the deep and lasting psychological damage being done.

This constitutes not just a humanitarian cataclysm, but a mass atrocity.

And it is being done with bombs and equipment produced and provided by the United States and heavily subsidized by American taxpayers. Tragically, we are complicit in this carnage.

---

<sup>1</sup> United Nations, "Hostilities in the Gaza Strip and Israel – OCHA Flash Update #52," (November 28, 2023), available at: <https://www.un.org/unispal/document/hostilities-in-the-gaza-strip-and-israel-ocha-flash-update-52/>. John Paul Rathbone, "Military briefing: the Israeli bombs raining on Gaza," *Financial Times*, (December 6, 2023), available at: <https://www.ft.com/content/7b407c2e-8149-4d83-be01-72dcae8aee7b>.

<sup>2</sup> Rathbone, "Military briefing: the Israeli bombs raining on Gaza," *Financial Times*.

<sup>3</sup> Robert A. Pape, "Why Japan Surrendered," *International Security*, Vol. 18, No. 2 (Fall, 1993), pp. 154-201, available at: <https://www.jstor.org/stable/2539100?seq=12>.

<sup>4</sup> United Nations, "Gaza humanitarian disaster heralds 'breakdown' of society," (December 8, 2023), available at: <https://news.un.org/en/story/2023/12/1144547#:~:text=OCHA%20head%20and%20UN%20emergency,called%20by%20that%20name%20anymore%E2%80%9D>.

The Israeli military has made extensive use of Mk84 2,000-pound bombs, Mk83 1,000-pound bombs, Mk82 500-pound bombs, and 155mm artillery in their campaign.<sup>5</sup> These munitions are manufactured in the United States and supplied to Israel by the United States. The *Wall Street Journal* reported that the U.S. has provided at least 15,000 bombs and 57,000 155mm artillery shells to Israel since October 7<sup>th</sup>, including more than 5,000 Mk82 unguided 500-pound bombs, more than 5,400 Mk84 2,000-pound bombs, and thousands of smaller munitions and targeting kits.<sup>6</sup> The *Washington Post* reports that, in the first six weeks after October 7<sup>th</sup>, Israel dropped more than 22,000 American-supplied guided and unguided bombs on Gaza.<sup>7</sup>

These munitions were provided with the full knowledge they would likely be used in Gaza, a densely populated urban area with a large civilian presence. The entire Gaza Strip is the physical size of Las Vegas but has more than three times the population, and Gaza City is more densely populated than New York City.<sup>8</sup> American officials told the *Wall Street Journal* that “Israel used an American-provided bomb with a large payload in one of the deadliest strikes of the entire war, an attack that leveled an apartment block in Gaza’s Jabalia refugee camp, killing more than 100 people” in its effort to eliminate a Hamas leader, also reported killed in the strike.<sup>9</sup> Amnesty International has documented specific cases of what we all know: that U.S. weapons are being used to cause mass civilian casualties. Based on photographic and satellite evidence, as well as on-the-ground investigation and analysis of bomb fragments, Amnesty has documented that U.S.-made Joint Direct Attack Munitions (JDAM) were used in two deadly Israeli airstrikes homes in Gaza in which 43 civilians were killed.<sup>10</sup> These are just a few of the best-documented cases of what is a widespread reality.

Given the munitions provided since October 7<sup>th</sup>, on top of existing stockpiles, and the \$3.8 billion in military aid provided every year, amounting to 15 percent of the Israeli defense budget, we must clearly acknowledge that Israel’s indiscriminate bombing and widespread use of massive explosive ordinance in densely populated urban areas is being done with

---

<sup>5</sup> Rathbone, “Military briefing: the Israeli bombs raining on Gaza,” *Financial Times*.

<sup>6</sup> Jared Malsin and Nancy A. Youssef, “U.S. Sends Israel 2,000-Pound Bunker Buster Bombs for Gaza War,” *Wall Street Journal*, (December 1, 2023), available at: <https://www.wsj.com/world/middle-east/u-s-sends-israel-2-000-pound-bunker-buster-bombs-for-gaza-war-82898638>.

<sup>7</sup> Missy Ryan, Michael Birnbaum, Abigail Hauslohner, and John Hudson, “Biden’s arming of Israel faces backlash as Gaza’s civilian toll grows,” *Washington Post*, (December 9, 2023), available at: <https://www.washingtonpost.com/national-security/2023/12/09/us-weapons-israel-gaza/>.

<sup>8</sup> Dylan Moriarty and Bonnie Berkowitz, “Visualizing the size of Gaza City compared with U.S. cities,” *Washington Post*, (October 17, 2023), available at: <https://www.washingtonpost.com/world/2023/10/17/gaza-size-population-comparison/>.

<sup>9</sup> Malsin and Youssef, “U.S. Sends Israel 2,000-Pound Bunker Buster Bombs for Gaza War,” *Wall Street Journal*.

<sup>10</sup> Amnesty International, “US-Made Munitions Killed 43 Civilians in Two Documented Israeli Air Strikes in Gaza – New Investigation,” (December 5, 2023), available at: <https://www.amnestyusa.org/press-releases/israel-opt-us-made-munitions-killed-43-civilians-in-two-documented-israeli-air-strikes-in-gaza-new-investigation/>.

American bombs and money. The United States government has urged Israel to change its tactics, but we have done little but ask nicely while continuing to enable that campaign.

The Netanyahu government's current military approach is immoral, it is in violation of international law, and the United States must end our complicity in those actions.

Therefore, I ask you to make two critical changes in policy: first, while it is appropriate to support defensive systems that will protect Israeli civilians against incoming missile and rockets attacks, it would be irresponsible to provide an additional \$10.1 billion in military aid beyond these defensive systems as contained in the proposed supplemental foreign aid package. This money would allow for the continuation of the Netanyahu government's widespread, indiscriminate bombardment. Therefore, I ask that you withdraw your support for that portion of the funding requested from Congress. Second, I ask that you support efforts at the United Nations to end the bloodshed, such as the recent resolution, vetoed by the United States, that would have demanded an immediate humanitarian ceasefire, the unconditional release of all hostages, and full humanitarian access.

Sincerely,



Bernard Sanders

United States Senator