

Further, if present and voting: the Senator from Indiana (Mr. YOUNG) would have voted "yea."

The result was announced—yeas 59, nays 40, as follows:

[Rollcall Vote No. 338 Ex.]

YEAS—59

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

NAYS—40

Barrasso	Graham	Ricketts
Blackburn	Grassley	Risch
Boozman	Hagerty	Romney
Braun	Hawley	Rubio
Britt	Hoeven	Schmitt
Budd	Hyde-Smith	Scott (FL)
Capito	Johnson	Scott (SC)
Cornyn	Kennedy	Thune
Cotton	Lankford	Tillis
Crapo	Lee	Tuberville
Cruz	Lummis	Vance
Daines	McConnell	Wicker
Ernst	Mullin	
Fischer	Paul	

NOT VOTING—1

Young

The nomination was confirmed.

The PRESIDING OFFICER (Mr. WELCH). 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 Rhode Island.

LEGISLATIVE SESSION

Mr. REED. Mr. President, I move to proceed to legislative session.

The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

JOURNAL OF PROCEEDINGS

Mr. REED. Mr. President, I ask that the Journal of proceedings be approved to date.

The PRESIDING OFFICER. Without objection, it is so ordered.

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2024—CONFERENCE REPORT—Resumed

Mr. REED. Mr. President, I call for the regular order with respect to the conference report to accompany H.R. 2670.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The committee on conference on the disagreeing votes of the two Houses on the

amendment of the Senate to the bill (H.R. 2670) to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense and for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes, having met, have agreed that the House recede from its disagreement to the amendment of the Senate and agree to the same with an amendment and the Senate agree to the same, signed by a majority of the conferees on the part of both Houses.

Pending:

Schumer motion to recommit the conference report to accompany the bill to the Committee on Conference, with instructions.

Schumer amendment No. 1373 (to the instructions of the motion to recommit the conference report to accompany the bill to the Committee on Conference), to modify the effective date.

Schumer amendment No. 1374 (to Amendment No. 1373), to modify the effective date.

Mr. REED. Mr. President, I ask that Senator ERNST be permitted to speak for up to 5 minutes, and that, following the vote on the Ernst motion to table, Senators HAWLEY and LUJÁN be permitted to speak for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Iowa.

Ms. ERNST. Mr. President, Leader SCHUMER is blocking us from having an important and timely debate on Biden's unlawful, immoral policy to use tax dollars intended for our national defense to pay for abortions.

The world is imploding because of Biden's failed leadership and weakness, and our country is under greater threat than it has been in years. Meanwhile, the Biden Department of Defense is waging a war on the unborn.

I never back down from a fight, and Democrats' tactics will not deter my work to stop Biden from forcing the Pentagon to provide transportation tourism for abortion with taxpayers' hard-earned money.

As a mom, soon-to-be grandma, and 23-year combat veteran and retired lieutenant colonel of our great U.S. Army, I firmly believe the Pentagon should be focusing on protecting innocent life, not destroying it. That is why I have led the legislation to overturn this abhorrent policy and why I am here today to continue my fight for life.

Congress has been clear for nearly half a century: The Hyde amendment protects taxpayers from being forced to fund abortions, and that includes the Department of Defense.

Senator SCHUMER should stop obstructing the world's greatest deliberative body from debating this important, longstanding issue.

A "yes" vote on this motion would allow me to offer the House-passed, pro-life provisions similar to my own bill. Including these protections in the Defense bill would restore the DoD's mission integrity by preventing any taxpayer funding for Biden's radical abortion tourism, including travel costs.

America is being threatened by adversaries at home and abroad. Why are President Biden and Leader SCHUMER dividing us with their radical abortion agenda?

This is a moment where we should all stand united in the defense of our Nation. Let's do so today.

I urge my colleagues on both sides of the aisle to vote yes to defeat SCHUMER's gross attempt to silence our voices and those of the unborn.

MOTION TO TABLE AMENDMENT NO. 1373

Mr. President, I move to table the Schumer amendment No. 1373 for the purposes of offering my amendment numbered 1376, and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

The result was announced—yeas 47, nays 53, as follows:

[Rollcall Vote No. 339 Leg.]

YEAS—47

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

NAYS—53

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

The motion was rejected.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. LUJÁN. Mr. President, I rise in support of Senator HAWLEY's motion to table.

And I speak today on behalf of: Annie, Henry, Cipriano, Rosemary, Tina, Louisa, Francisco, Laura, Wilbert, Charles, and the thousands upon thousands of people who have endured the agony and suffering brought on by our nuclear weapons testing in New Mexico and across the country.

In July of 1945, Annie was in her kitchen with her family when, all of a sudden, they heard a boom. The next second, they were on the floor holding onto one another, trying to comfort each other, because around them windows were shattering and walls were crumbling.

When they went outside, they thought that it started to snow, but it was ash falling from the sky. Some families, who were away from the community, later that night returned, only to find clothing that they were hanging on a drying line full of this ash that they didn't know where it was coming from.

Both Annie and her youngest sister Marcie were the only two children living in their little home—their casita—in Capitan, NM. Both have died from cancer.

Henry was just 11 years old when the bomb went off. He recalls thinking the world was ending. Henry watched as his brother, his nephew, and niece all died of cancer. He was diagnosed with cancer at the age of 63. I am sorry to say that we lost him in 2022.

And it is not just the downwinders who were impacted. Cipriano worked in the uranium mines for 8 years. Now, the personal protective equipment he was given: a single paper mask, one per shift. That mask was useless after into the first hour because it would get covered with something that we have known to be called yellowcake, the particulate from the uranium mine ore that would cover everything, including places where some of these uranium miners would go to have their lunch. And they would try to clean the dust off, but they could never keep up with it because it just kept accumulating.

Some folks were told: Just wait until you get home to shake the yellowcake—the dust—off your clothing, because in those mines, sometimes they would spread water to keep the particulate down. Well, they got the miners' clothing wet. So the yellowcake would stick to it. It was hard to peel off. So wait until you get home and it dries to shake it off.

Many of these families—namely the Navajo uranium miners—lived in a one-home generational house. So if you go home and start shaking your clothing filled with a yellowcake that then dries off, what are you doing to grandma and grandpa, to your siblings, to your kids, and maybe your grandkids when that particulate is now all around you?

Cipriano lived with shortness of breath since he was in his twenties. Later, he developed pulmonary fibrosis, kidney failure, and he eventually needed a kidney transplant. He, too, sadly, passed away.

All of these stories, medical traumas, and generational pain are happening on our watch. And while millions of people flocked to the theaters this summer to see a big blockbuster that told the story about this Trinity test that took place—some of us know what that is—in the Tularosa Basin, the first place that a nuclear bomb was set off on American soil to test it. But not much was mentioned about these families who are dying of cancer today.

You know, some Navajo elders, some women, some grandmas—as we call

them—came to Congress when I was a Member of the House to testify. And during one of those conversations, one of those elders asked a question back to those of us who were on the dais. And she said: Are you waiting for all of us to die so that the problem goes away?

I don't know what to say to her when I go home—and I will see her right now—because this legislation, which we all fought for—and I want to thank Senator HAWLEY for finding a way for us to work together to fight for the families in and around Missouri, working with Senator CRAPO, and every one of you for making this happen. And we passed this with a bipartisan strong vote out of the Senate. It has now been taken out of the NDAA in this conference. What do I tell these families?

There is a lot that I have learned in this body: the challenges and frustrations that exist for our constituents, for each and every one of us on occasion. But I have also learned—especially here in the Senate—that the fight is never over; that there is always something that can be done. When I listen to the brilliant parliamentarian team, they teach me on how I can do my job better for the people that I represent. I know that a “yes” vote on this might be challenging; but for the families in States all across America, what can we do to help them?

In the same way that this body came together to pass incredible pieces of policy to help victims due to exposure—I will point most recently to an act this Congress took after 9/11 when we got together in a bipartisan way and we said we are going to pass the Zadroga Act—and that act was not only passed once, but then it was extended for, like, 90 years because it was the right thing to do. And it costs some money. But it was the right thing to do.

There is a liability from the United States of America to these families. I believe that the CBO should actually be using this as a pay-for, because when there is a liability from the United States of America and you fix it, it actually creates credit, a path forward to pay for everything else. But for some reason, the CBO does not release this aggregated data to help us better understand what is happening here.

So I plead and I urge with my colleagues that we find a way to do the right thing here; that going forward, we find a path to get this done.

And I want to say thank you to all the staff and the Members who know about these families now. You have taken time to understand them. And many of you have given me advice on how we can do things better. And I thank you for that. The families thank you for that. So I hope that this fight will not be forgotten.

I urge my Republican and Democratic leadership to work with us to help pass the Radiation Exposure Compensation Act amendments.

I thank Senator HAWLEY.

And I yield the floor.

The PRESIDING OFFICER. The Senator from Missouri.

Mr. HAWLEY. Mr. President, I want to add a few words to my friend Senator LUJÁN's eloquent statement of the need to do justice to these good Americans who have—let's just tell it like it is—been poisoned by their own government, who have been exposed to nuclear waste, nuclear radiation by the U.S. Government, by the U.S. Defense Department.

These Americans are happy to do their part for national security. They are proud of what they have done for their country. But they deserve to be recognized, and they deserve to be compensated.

And so I want to add again my voice in support of justice for these Americans. And I want to say again to this body that it is wrong—it is wrong—to turn our backs on these tens of thousands of Americans who have given their health and, in many cases, their lives for their country and not been recognized for it; in many cases not been compensated for it. And now they are told that because of the actions of this body, because of the conference report, because of a backroom deal struck in conference, this program that compensates victims of nuclear radiation will soon expire. And tens of thousands of Americans who have relied on this program for 30-plus years for lifesaving health and treatment will get nothing. The lights will go dark, and these Americans will be turned out into the cold. And thousands more—like the residents of my State and New Mexico and other States around this country who deserve compensation—will get nothing.

That is not acceptable to me. It is not right. And I want to take a moment now to tell a story or two from the victims who are affected, just to help everybody understand what is at stake here because I know this is the national defense bill, and if I have learned one thing about this bill, it is, the suits always get paid. The corporations, they always get paid. The defense contractors, they always get paid. They come out great in the end. It is amazing. It is a law in Washington, ironclad. If you are a big corporation, you do defense work, you are going to be fine. This body will take care of you.

But will we take care of the men and women who don't otherwise have a voice in this body? Will we take care of the men and women who don't pay DC lobbyists, who don't work for the Raytheon Corporation? Will they be taken care of? That is the question. Let's meet a few of them. Let me introduce you to Claire.

Claire's parents grew up near Weldon Spring in my State, in Missouri. Weldon Spring is the site of a Manhattan Project uranium refining site. That site sat untouched from the Manhattan Project era until 2001, more than 50 years after it was contaminated.

In 2020, Claire was diagnosed with lymphoma. She was 2 years old. Let me introduce you to Veda, Claire's cousin. Veda, her mom and dad, they all lived together right near that same site where nuclear waste has been dumped, not adequately cleaned up or dealt with. She grew up there, and, wouldn't you know it, just 6 weeks after her cousin Claire was diagnosed with lymphoma, Veda was diagnosed with leukemia. She was 4 years old when she was diagnosed.

Why is this happening in St. Louis? I will tell you why. St. Louis was a uranium processing site, like many other cities around the country, and St. Louis was proud to do its part in the Manhattan Project. You won't get any argument from me about that. You certainly won't get any argument from Missourians. But here is what is not acceptable. After the Manhattan Project was concluded, the Federal Government didn't clean up the waste. No, the Federal Government allowed nuclear waste to sit out in barrels right near a stream that runs along schools, that runs alongside suburbs, that cuts right through the heart of the city.

The Federal Government dumped nuclear waste into a public landfill. Then it dumped the nuclear waste into a second landfill. Then it dumped it into an area in the downtown part of the city. And here we are, all these decades later, how much of it has been cleaned up? None of it. None of it. That is why these children are sick.

Let me introduce you to Howard Billiman because it is not just in Missouri, but it is all over the country. This is Howard Billiman. Howard was a Navajo code talker in World War II, absolutely instrumental to the U.S. war effort. He died of stomach cancer after living downwind from the nuclear tests that Senator LUJÁN was talking about just a moment ago. And now his children who also grew up downwind have developed cancer themselves. So it is not just one generation. It is generation upon generation because the U.S. Government has not done what is right. They haven't cleaned up the contamination. They haven't made whole the families they injured.

In fact, as this body recognized in 1990, when it first passed the radiation statute, the government owes these folks an apology; it owes them a clean-up; and it owes them recognition and compensation.

That is true also of Bernice Gutierrez. Here is Bernice. She was 8 days old—8 days—when the government tested the first atomic bomb just miles away from her family's home in New Mexico. Her entire family was repeatedly exposed to nuclear tests. As a consequence, 44 members of Bernice's family—44—have been diagnosed with cancer or other radiation-linked diseases. Her mother had cancer three times. Three of her brothers have had cancer. Her sister has had cancer, and she has thyroid disease. Her oldest son passed

away from a radiation-linked disease, and her daughter now has thyroid cancer. Add to that, 36 additional relatives who have cancers linked to radiation. This is all one family in one State who have been compensated not at all—not at all.

They have given their health for this country. They haven't gotten recognition. They haven't gotten compensation. That is wrong.

Meet Leslie Begay. Leslie is a Navajo marine who fought for his country in Vietnam. There he is. When he returned home, he went to work mining uranium to support the Cold War effort. Think about this. He goes to Vietnam, fights for his country in Vietnam, comes home, goes to the uranium mines to support his country's Cold War effort. He says he was issued—in his words—"just a rain jacket, safety glasses, and a hard hat. That's it."

Now, Leslie is having a double lung transplant. He lives in New Mexico. He pays \$700 a month for medication. And what does he get for his injuries, for his illnesses brought on by his exposure in the mines? Nothing. Nothing. Zero. He has gotten zero.

I want to introduce you to one more person, my friend, Kristen Camuso. Kristen grew up in St. Louis. She played in and around Coldwater Creek, that creek where the government left barrels of radioactive waste sitting out for literally years, open, the rain, the elements. The waste leaked out of the barrels right down into the creek. And for decades, the people of St. Louis were told: Oh, there is no problem. The creek is fine. No problem at all. You can play in it. Your kids can play in it. You can send your kids to school by it, build houses by it, and people did because that is what the government said. And now thousands of people are sick, including Kristen.

Since her 2012 cancer diagnosis, Kristen has had her gall bladder removed. She has had a total hysterectomy. She has had her left adrenal gland removed, and after all that, doctors found another tumor on her right adrenal gland and a lesion on her liver. Her medicine is so expensive, she has to ration the care. There is just no way around it. As she says, "I am forced to choose which way I can die."

I say, again, this is not right. These are good people who have done nothing wrong. Their government has caused this. When the government causes injury, the government should make it right. That is what we are asking for. That is what the radiation compensation program does, and it is wrong to let it expire. It is an injustice. It is a scar on the conscience of this body and this Nation.

And I will come to the floor as long as it takes until we do right by these Americans who have done right by their country because they deserve better than this.

Here is the last thing I will say. You know, you think about the billions of dollars in costs that the government

has imposed on these people, taking their health, taking their lives, over decades, and yet what is in this year's Defense bills, the Defense appropriations bills, one analysis recently found that House and Senate appropriators have added at least \$26 billion for programs the Pentagon doesn't even want, \$26 billion in 1 year.

Things like \$5 million for a social network analysis for the Army, \$4 million to research the impacts of soil structures on hydrology, \$12 million for new snow removal equipment. Where is my favorite? The \$15 billion inserted by Senators—\$15 billion with a "b"—in 1 year, \$15 billion for 636 weapons projects the Pentagon did not request. That is 636 weapons programs the Pentagon doesn't request. But yet we don't have a dime for these people.

We don't have a dime for the people exposed to nuclear waste and radiation by their own government. No, this is not right. It is not right, and I am not willing to accept it. Senator LUJÁN is not willing to accept it. And I urge the Members of this body, do not be willing to accept it. We must reauthorize this program. We must do right by these Americans. They deserve it.

This isn't a welfare check; this is justice. It is what they deserve. It is what they have earned. And I will continue to come to this floor as long as it takes.

I am going to make a motion now to extend debate on this bill. I have no illusions that this will succeed. I realize my colleagues are eager, all too eager, to move on, but I think it is important we take as much time as is necessary to understand the stakes of what we are doing and to understand the stakes of turning our backs on these people.

MOTION TO TABLE THE MOTION TO RECOMMIT

Mr. President, so now, I move to table the Schumer motion to recommit, and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from West Virginia (Mr. MANCHIN) is necessarily absent.

The result was announced—yeas 26, nays 73, as follows:

[Rollcall Vote No. 340 Leg.]

#### YEAS—26

Bennet	Hawley	Risch
Braun	Heinrich	Rosen
Cantwell	Hickenlooper	Rubio
Cortez Masto	Johnson	Sanders
Crapo	Kelly	Schmitt
Cruz	Lee	Sinema
Daines	Luján	Tester
Graham	Marshall	Vance
Grassley	Paul	

#### NAYS—73

Baldwin	Britt	Carper
Barrasso	Brown	Casey
Blackburn	Budd	Cassidy
Blumenthal	Butler	Collins
Booker	Capito	Coons
Boozman	Cardin	Cornyn

Cotton	Markey	Scott (SC)
Cramer	McConnell	Shaheen
Duckworth	Menendez	Smith
Durbin	Merkley	Stabenow
Ernst	Moran	Sullivan
Fetterman	Mullin	Thune
Fischer	Murkowski	Tillis
Gillibrand	Murphy	Tuberville
Hagerty	Murray	Van Hollen
Hassan	Ossoff	Warner
Hirono	Padilla	Warnock
Hoeben	Peters	Whitehouse
Hyde-Smith	Reed	Wicker
Kaine	Ricketts	Wyden
Kennedy	Romney	Young
King	Rounds	
Klobuchar	Schatz	
Lankford	Schumer	
Lummis	Scott (FL)	

NOT VOTING—1

Manchin

The motion was rejected.

CLOTURE MOTION

The PRESIDING OFFICER (Mr. MARKEY). Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the conference report to accompany H.R. 2670, a bill to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense and for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

Charles E. Schumer, Jack Reed, Tammy Duckworth, Margaret Wood Hassan, Angus S. King, Jr., Robert P. Casey, Jr., Tim Kaine, Chris Van Hollen, Jeanne Shaheen, Mark Kelly, Christopher A. Coons, Mazie Hirono, Alex Padilla, Patty Murray, Michael F. Bennet, Catherine Cortez Masto, Raphael G. Warnock.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the conference report to accompany H.R. 2670, a bill to authorize appropriations for fiscal year 2024 for military activities of the Department of Defense and for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The legislative clerk called the roll.

The yeas and nays resulted—yeas 85, nays 15, as follows:

[Rollcall Vote No. 341 Leg.]

YEAS—85

Baldwin	Carper	Durbin
Barrasso	Casey	Ernst
Bennet	Cassidy	Fetterman
Blackburn	Collins	Fischer
Blumenthal	Coons	Gillibrand
Boozman	Cornyn	Graham
Britt	Cortez Masto	Grassley
Brown	Cotton	Hagerty
Budd	Cramer	Hassan
Butler	Crapo	Heinrich
Cantwell	Cruz	Hickenlooper
Capito	Daines	Hirono
Cardin	Duckworth	Hoeben

Hyde-Smith	Murray	Shaheen
Johnson	Ossoff	Sinema
Kaine	Padilla	Smith
Kelly	Peters	Stabenow
Kennedy	Reed	Sullivan
King	Ricketts	Tester
Klobuchar	Risch	Thune
Lankford	Romney	Tillis
Manchin	Rosen	Van Hollen
Marshall	Rounds	Warner
McConnell	Rubio	Warnock
Menendez	Schatz	Whitehouse
Moran	Schmitt	Wicker
Mullin	Schumer	Young
Murkowski	Scott (FL)	
Murphy	Scott (SC)	

NAYS—15

Booker	Lummis	Tuberville
Braun	Markey	Vance
Hawley	Merkley	Warren
Lee	Paul	Welch
Lujan	Sanders	Wyden

The ACTING PRESIDENT pro tempore. On this vote, the yeas are 85, the nays are 15.

Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to.

The motion was agreed to.

The ACTING PRESIDENT pro tempore. The Senator from Rhode Island.

## MORNING BUSINESS

Mr. REED. Mr. President, I ask unanimous consent that the Senate be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

## ARMS SALES NOTIFICATION

Mr. CARDIN. Mr. President, section 36(b) of the Arms Export Control Act requires that Congress receive prior notification of certain proposed arms sales as defined by that statute. Upon such notification, the Congress has 30 calendar days during which the sale may be reviewed. The provision stipulates that, in the Senate, the notification of proposed sales shall be sent to the chairman of the Senate Foreign Relations Committee.

In keeping with the committee's intention to see that relevant information is available to the full Senate, I ask unanimous consent to have printed in the RECORD the notifications that have been received. If the cover letter references a classified annex, then such an annex is available to all Senators in the office of the Foreign Relations Committee, room SD-423.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

DEFENSE SECURITY  
COOPERATION AGENCY,  
Washington, DC.

Hon. BENJAMIN L. CARDIN,  
Chairman, Committee on Foreign Relations,  
U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: On December 8, 2023, the Secretary of State, pursuant to section 36(b) of the Arms Export Control Act, as amended, determined that an emergency exists which requires the immediate sale of the defense articles and defense services identi-

fied in the attached transmittal to the Government of Israel through the Foreign Military Sales process, including any further amendment specific to costs, quantity, or requirements occurring within the duration of circumstances giving rise to this emergency sale.

Please find attached (Tab 1) the Secretary of State Determination and Justification waiving the congressional review requirements under Section 36(b)(1) of the Arms Export Control Act (AECA), as amended. We will issue a news release to notify the public of this proposed sale upon delivery of this letter to your office.

Sincerely,

MIKE MILLER,

(for James A. Hirsch, Director).

Enclosures.

UNCLASSIFIED

Determination Under Section 36(b)(1) of the Arms Export Control Act

Pursuant to section 36(b)(1) of the Arms Export Control Act, 22 U.S.C. 2776, I hereby determine that an emergency exists that requires the immediate sale through the following foreign military sales case, including any further amendments specific to the cost, quantity, or requirements of these cases, in the national security interest of the United States:

For Israel:

120mm Tank Cartridges

This determination shall be published in the Federal Register and, along with the accompanying Memorandum of Justification, shall be transmitted to Congress with the applicable notifications.

Date: 12-8-23

ANTHONY J. BLINKEN,

Secretary of State.

(U) Memorandum of Justification for Emergency Arms Transfers to Israel Under Section 36(b)(1) of the Arms Export Control Act

(U) On October 7, Hamas launched the worst attack on Israel since the 1973 Yom Kippur War. Thousands of rockets were fired and continue to be fired indiscriminately, hitting locations and civilians as far as Tel Aviv and Jerusalem. Hamas gunmen crossed into Israel, entering towns and communities as far as 15 miles from Gaza, slaughtering men, women, and children. More than 230 hostages were captured and dragged back into Gaza, including U.S. citizens. As of today, Hamas' act of terrorism has claimed the lives of more than 1,200 in Israel, including at least 31 U.S. citizens, and wounded thousands more. The attack is the single deadliest day for the Jewish people since the Holocaust, and is reminiscent of the worst rampages of ISIS. The following day, the Government of Israel formally declared war on Hamas in accordance with its Basic Law.

(U) Israel has the right to defend itself, and the United States supports Israel taking necessary action to defend its country and protect its people from Hamas terrorists, consistent with international law and, specifically, the law of war. Following the attack, the President directed surging additional military assistance to the Israeli Defense Force, to include ammunition and interceptors to replenish the Iron Dome. The Department of State and the Department of Defense are coordinating with Israeli partners to meet their military requirements and ensure Israel has what it needs to defend itself, its people, and U.S. citizens living, working, and traveling in Israel.

(U) Israel faces further credible security threats on its northern border with Lebanon and Syria. Since October 7, sporadic violence has occurred across the Blue Line, which marks the de facto boundary between Israel