

## EXECUTIVE SESSION

## EXECUTIVE CALENDAR

Mr. SCHUMER. Mr. President, I move to proceed to executive session to consider Calendar No. 376.

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

The PRESIDING OFFICER. The clerk will report the nomination.

The legislative clerk read the nomination of John A. Kazen, of Texas, to be United States District Judge for the Southern District of Texas.

## CLOTURE MOTION

Mr. SCHUMER. Mr. President, I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

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 nomination of Executive Calendar No. 376, John A. Kazen, of Texas, to be United States District Judge for the Southern District of Texas.

Charles E. Schumer, Richard J. Durbin, Tina Smith, Alex Padilla, Jack Reed, Patty Murray, Christopher A. Coons, Sheldon Whitehouse, Mazie Hirono, Peter Welch, Richard Blumenthal, Jeanne Shaheen, Margaret Wood Hassan, Chris Van Hollen, Brian Schatz, John W. Hickenlooper, Robert P. Casey, Jr.

Mr. SCHUMER. I ask unanimous consent that the mandatory quorum calls for the cloture motions filed today, December 19, be waived.

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

Mr. SCHUMER. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. SCHUMER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

# PROVIDING FOR CONGRESSIONAL DISAPPROVAL UNDER CHAPTER 8 OF TITLE 5, UNITED STATES CODE, OF THE RULE SUBMITTED BY THE BUREAU OF CONSUMER FINANCIAL PROTECTION RELATING TO "SMALL BUSINESS LENDING UNDER THE EQUAL CREDIT OPPORTUNITY ACT (REGULATION B)"—VETO

Mr. SCHUMER. As in legislative session, I ask unanimous consent the veto message on S.J. Res. 32, it be considered as having been read, printed in the RECORD, and spread in full upon the Journal.

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

The veto message is ordered to be printed in the RECORD as follows:

## To the Senate of the United States:

I am returning herewith without my approval S.J. Res. 32, a resolution that would disapprove of the Consumer Financial Protection Bureau's (CFPB) final rule titled "Small Business Lending Under the Equal Credit Opportunity Act (Regulation B)."

The CFPB's final rule would provide small business owners, lenders, and the public with critical information about the \$1.7 trillion small business financing market. It would bring much needed transparency to small business lending and improve the ability of lenders and community organizations to meet the most critical needs of America's small businesses. This rule implements a long-overdue piece of the Dodd-Frank Wall Street Reform and Consumer Protection Act. It is also central to the effective implementation of the Community Reinvestment Act, which helps ensure that the needs of all borrowers—including low- and moderate-income borrowers—are met. But this Republican-led resolution would hinder the Government's ability to conduct oversight of abusive and predatory lenders, make it harder for 33 million small businesses across the country to assess lending opportunities and access capital, and make it more difficult for lenders and community groups to address the most acute gaps in capital access for minority- and women-owned businesses.

If enacted, this resolution would harm all those that stand to benefit from expanded transparency and accountability. By hampering efforts to promote transparency and accountability in small business lending, Republicans are siding with big banks and corporations over the needs of small business owners. Small businesses are the engines of our economy, and my Administration will not support policies that hurt their ability to thrive and grow.

Therefore, I am vetoing this resolution.

JOSEPH R. BIDEN, Jr.

THE WHITE HOUSE, December 19, 2023.

UNANIMOUS CONSENT AGREEMENT—VETO  
MESSAGE S.J. RES. 32

Mr. SCHUMER. Mr. President, I further ask unanimous consent that, notwithstanding rule XXII, the veto message with respect to S.J. Res. 32 be considered at a time to be determined by the majority leader in concurrence with the Republican leader prior to January 31, 2024; that there be up to 2 hours for debate equally divided between the two leaders or their designees; that the Senate then vote on passage of the joint resolution, the objections of the President to the contrary notwithstanding.

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

Mr. SCHUMER. Mr. President, for the information of Senators, there will be no further votes tonight. It is our expectation that we will finish all remaining business tomorrow.

I yield the floor.

The PRESIDING OFFICER. The Senator from Vermont.

## ISRAEL

Mr. SANDERS. Mr. President, let me begin by wishing all Americans and my colleagues here in the Congress a very happy and peaceful holiday season.

Unfortunately, for the people in Israel and Palestine, that will not be the case. This is not a peaceful season for them. In Gaza, millions of people will end the year under constant bombardment, exposed to the winter or living in tents, wondering where they will find their next meal or clean drinking water or the medical supplies they need. What is going on in Gaza right now is an unmitigated humanitarian disaster, and we must not look away from it.

We all know that the current war was begun by Hamas in their brutal terrorist attack against Israel, which killed some 1,200 innocent men, women, and children and took more than 240 hostages. Hamas is a corrupt terrorist organization which, before and after their attack on October 7, has made it clear that their goal is to destroy the State of Israel.

There is no question in my mind that Israel has the right to defend itself and respond against the perpetrators of the October 7 attack. But while it is clear that Israel has the right to respond militarily against that terrorist attack, it is also clear that the Netanyahu rightwing extremist government is waging that war—that response—in a deeply reckless and immoral way.

A just cause for war does not excuse atrocities in the conduct of that war, and that is precisely what we are seeing. 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 the use of massive explosive ordnance in densely populated 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—and I hope that every Member of Congress is prepared to consider the toll of what Israel is doing right now. As of today, nearly 20,000 people have been killed, 70 percent of whom are women and children.

Let me repeat that. Nearly 20,000 people have been killed, 70 percent of whom are women and children. And more than 52,000 have been wounded since October 7. More victims are likely trapped under the rubble. Further, 135 United Nations workers have been killed as well as dozens of other aid workers.

Unbelievably—and it really is quite unbelievable—nearly 1.9 million people—that is more than 85 percent of the population in Gaza—have been driven from their homes. Can you imagine

that? Eighty-five percent of the people have been thrown out of their homes, and, as we speak, they don't know where they are going. They don't know what their future is. They don't have enough food, water, medical supplies, or fuel.

Despite sharing their locations with Israeli military forces, more than 100 United Nations facilities have been bombed. More than 100 U.N. facilities have been bombed, and the U.N. reports—and, again, an incredible fact—that over 60 percent of the housing units in Gaza have been damaged or destroyed. Can you imagine that?

My State of Vermont has 600,000 people. That is one-third of the people who live in Gaza, and I am just trying to think in my mind what it would look like if 60 percent of the housing units in Vermont were damaged or destroyed. But that is the case in Gaza right now.

Let me put this in historical perspective and what that historical perspective means: that the destruction in Gaza is now equivalent to that of Dresden, Germany, where 2 years of bombing by the U.S. Air Force and British Air Force during World War II destroyed half of the homes in that city and killed about 25,000 people. Gaza has matched that in just 2 months—not 2 years, 2 months.

This massive bombardment has made it impossible for the United Nations and other aid groups to provide basic necessities to the people in Gaza. As we speak, some 1.4 million people are sheltering in 155 overcrowded U.N. facilities.

Can you imagine that 1.4 million people are sheltering tonight in 155 grossly overcrowded U.N. facilities? There is little electricity, food, water, medicine, or fuel; and hundreds of thousands of children are going hungry tonight in Gaza. The shortage of clean water and adequate sanitation facilities is leading to disease.

And we can't even begin to contemplate the lasting psychological damage being done to the children of Gaza. Can you imagine a 5-year-old, a 10-year-old, looking around for whether a bomb is going to be hitting him or her, wondering what kind of house, if any, they are ever going to return to or where are they going? Massive psychological damage is being done to the people of Gaza and especially to the children. The United Nations' senior humanitarian official said that he fears a "breakdown in society" amid this desperation.

Let's be frank. What we are talking about in Gaza now is not just a humanitarian cataclysm but a mass atrocity.

And what is important for every Member of this body to understand—for every American to understand—is that all of this is being done with bombs and equipment provided by the United States of America and heavily subsidized by American taxpayers. We are paying for the carnage in Gaza right now—our bombs, our ordnance. There is no denying that we are, as a nation, complicit in this carnage.

The Israeli military has made extensive use of massive explosive munitions in its campaign, including 2,000-pound and 1,000-pound bombs, and 155-millimeter artillery. These bombs and shells are manufactured here in America and supplied to Israel by the United States of America.

The Wall Street Journal reports that the United States has provided at least 15,000 bombs and 57,000 artillery shells to Israel since October 7, including more than 5,400 of the huge 2,000-pound bombs that can flatten entire neighborhoods.

The Washington Post reports that, in just 6 weeks after October 7, Israel dropped more than 22,000 American-supplied bombs on Gaza. And CNN reports that U.S. intelligence believes 40 to 45 percent of the bombs Israel has used in Gaza have been unguided "dumb bombs."

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. Parts of Gaza are more densely populated than New York City.

The press, human rights monitors, and U.S. officials have confirmed that U.S.-provided bombs have been used in attacks that have killed thousands of civilians.

This campaign, I am sorry to say, very likely violates U.S. law and U.S. policy. That is why I have introduced a privileged resolution under section 502B of the Foreign Assistance Act. The resolution requests that the State Department provide information on any credible allegations of human rights violations in Gaza caused by indiscriminate or disproportionate military operations and the blanket denial of humanitarian access. It also requests a list of the arms provided to Israel since October 7 and a description of the steps taken to limit civilian risk caused by Israeli military actions.

We will be voting on this resolution in January, and the best basic question that we will be answering in that resolution is, Do we support asking the State Department whether human rights violations may have been committed in the Israeli campaign in Gaza?

That is not a tough question, and I hope that what we will see is a "yes" vote from most of my colleagues.

This should not be controversial. If you believe, as I do, that this campaign has been indiscriminate, then, it is our responsibility to get that question answered. If you believe Israel has done nothing wrong in Gaza, then you should want that information to support your belief.

When we receive this information, we will then have a privileged vehicle to debate any necessary changes in U.S. security assistance to Israel.

While I look forward to this debate, let me also mention that there are other things that we should be doing as well. The United States—President Biden—has urged Israel to change its tactics with regard to their indiscriminate

bombing. The President and people in the State Department have asked Netanyahu over and over and over again. Unfortunately, the Netanyahu government has not listened and has not been terribly interested in our perspective, despite the fact that we are supplying the bombs that they are using, despite the fact that we have provided them with \$3.5 billion every year for a long time in military aid. Instead, the Netanyahu government is continuing its military approach, which is both immoral and in violation of international law.

In my view, the United States must end our complicity in those actions, and, to do so, we must make two critical changes in our policy. First, while it is appropriate to support defensive systems like Iron Dome to protect Israeli civilians against incoming rockets, it would be irresponsible to provide an additional \$10.1 billion in military aid beyond those defensive systems, as contained in the proposed supplemental foreign aid package.

The bottom line is that we should not be giving more money to a right-wing extremist government in Israel to conduct a horrific and immoral military campaign that includes indiscriminate bombardment.

Second, in my view, the United States should support efforts at the United Nations Security Council to end the bloodshed, such as the resolution expected tomorrow that would demand an "urgent suspension of hostilities to allow safe and unhindered humanitarian access, and for urgent steps towards a sustainable cessation of hostilities," as well as the unconditional release of all hostages. This should be something we strongly support.

As you may recall, last week, the United States vetoed a resolution, and I think that was disappointing not just to me but to many Americans.

As we soon head home to our families, let us not forget the millions of people in desperate need both here in the United States and around the world. In Gaza, there is a horrific situation we can and must do more to address. We cannot forget about it. We cannot shove it under the rug. The time is now for the United States to stand up and do everything that we can to end this humanitarian disaster.

I yield the floor.

The PRESIDING OFFICER. The Senator from Delaware.

#### MILITARY PROMOTIONS

Mr. CARPER. Mr. President, as this day comes to an end, a very sad chapter in the history of this body comes to an end, mercifully.

I stand here before you and my colleagues as the last Vietnam veteran serving in the U.S. Senate, a retired Navy captain, a grandson of a Gold Star Mother, and from a family who believes in the Navy blue.

I want to say to the hundreds of military families who have endured the uncertainty of whether or not their loved ones—their husbands, their fathers,

their brothers, their sisters—were going to be able to assume the promotions that they have earned for their years of service in protecting our country and in helping to defend our Constitution that this sad chapter has come to an end.

I want to apologize to those families. I spoke last week and urged that we turn this page and move on, and I am grateful that that has happened.

I want to especially commend the work behind the scenes of our chairman of the Senate Armed Services Committee, JACK REED, an Army veteran, for the work that he has done in enabling us to end this sad chapter.

I remember serving in a number of tours in Southeast Asia in the Vietnam war. In some of those years, we were not home for Christmas, for the holidays. We were on the other side of the world, and our families were back here in the States. Those were not happy days for us, and I know the last months have not been happy days for a lot of people in the armed services who deserve better.

My hope is and my prayer is that at this Christmas season—at this holiday season, as we move toward Christmas—and as we move toward the end of the year and into a new year that the memories of what they have had to endure will fade and that what they will remember is that there are a number of our colleagues who stood up and said that this has got to end, and let's treat our military folks—all of them—with the respect that they deserve.

We have a big Air Force base in Delaware, Dover Air Force Base. We have C-5s and C-17s. Through their large cargo aircraft, they provide an air bridge to Ukraine by literally carrying in those large aircraft the munitions, the supplies, and the materials that are needed to help Ukraine fight back against the Russian invasion.

I have kept very close tabs with the Air Force base, gosh, for 30-some years. One of the challenges we have at the Dover Air Force Base, with the Delaware National Guard, and at military installations across the country is the workforce. We find, for civilians, there are all kinds of businesses and all kinds of employers. When I go visit them in Delaware and across the country and I ask them how are they doing, how are we doing, what can we do to help—we in the Federal Government and the State government—they say: We just need people to come to work, people who are employable and trainable who will come to work.

We have similar challenges in our armed services these days. We need people who are willing to step up, be trained, and serve in the Army, the Navy, the Air Force, the Marine Corps, and the Coast Guard. We want to make sure, when they do that, that we will respect them and their families as we traditionally have done since the beginning of this country.

So, as we wrap this up and prepare to go home for the day—at least in Dela-

ware—I will be back tomorrow to, hopefully, do more of our Nation's business. I am hopeful we will, and I am encouraged by what has happened today.

Again, to those who serve us throughout the world in the Army, Navy, Air Force, and Marines, the Navy salutes you, and God bless. To each and every one of you out there who is serving us, whether you happen to be in the States or someplace around the world, God bless you. Be safe, and thank you so much.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. MERKLEY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

## LEGISLATIVE SESSION

### MORNING BUSINESS

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

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

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

### VOTE EXPLANATION

• Mr. BRAUN. Mr. President, on December 19, 2023, the Senate voted on the confirmation of Ms. Elizabeth H. Richard, of Virginia, a Career Member of the Senior Foreign Service, Class of Career Minister, to be Coordinator for Counterterrorism, with the rank and status of Ambassador at Large, Executive Calendar No. 144. Had I been present for this, I would have voted in favor of Ms. Richard's nomination.●

### 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 which have been received. If the cover letter references a classified annex, then such

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: Pursuant to the reporting requirements of Section 36(b)(5)(C) of the Arms Export Control Act (AECA), as amended, we are forwarding Transmittal No. 23-0W. This notification relates to enhancements or upgrades from the level of sensitivity of technology or capability described in the Section 36(b)(1) AECA certification 17-57 of October 30, 2017.

Sincerely,

JAMES A. HURSCH,  
Director.

Enclosure.

TRANSMITTAL NO. 23-0W

Report of Enhancement or Upgrade of Sensitivity of Technology or Capability (Sec. 36(b)(5)(C), AECA)

(i) Purchaser: Government of Canada.  
(ii) Sec. 36(b)(1), AECA Transmittal No.: 17-57; Date: October 30, 2017; Implementing Agency: Air Force.

(iii) Description: On October 30, 2017, Congress was notified by Congressional certification transmittal number 17-57 of the possible sale, under Section 36(b)(1) of the Arms Export Control Act, of up to thirty-two (32) AIM-120D Advanced Medium-Range Air-to-Air Missiles (AMRAAMs), up to eighteen (18) AMRAAM Captive Air Training Missiles (CATMs); up to four (4) AMRAAM Non-Development Item—Airborne Instrumentation Unit (NDI-AIU); up to two (2) AMRAAM Instrumented Test Vehicles (ITV); up to seven (7) spare AMRAAM guidance units; up to four (4) spare AMRAAM control sections for use on their F/A-18 aircraft. Included in the sale were containers; storage and preservation; transportation; aircrew and maintenance training; training aids and equipment, spares and repair parts; warranties; weapon system support and test equipment; publications and technical documentation; software development, integration, and support; system integration and testing; U.S. Government and contractor engineering, technical, and logistics support; and other related elements of logistics and program support. The total estimated program cost was \$140 million. Major Defense Equipment (MDE) constituted \$130 million of this total.

On February 21, 2019, Congress was notified by Congressional certification transmittal number 19-0E of the inclusion of up to eighty-eight (88) AIM-120D AMRAAMs beyond the number enumerated in the original notification (for a total of one hundred twenty (120) AIM-120D AMRAAMs),—as well as the increase of up to sixteen (16) spare AMRAAM guidance units (for a total of twenty-three (23) spare AMRAAM guidance units), and eight (8) spare AMRAAM control sections (for a total of twelve (12) spare AMRAAM control sections). The MDE value increased by \$150 million to \$280 million. The total case value increased to \$308 million.

This transmittal notifies the inclusion of the following additional MDE items: up to four hundred twelve (412) AIM-120D AMRAAMs; up to forty-eight (48) AMRAAM Air-to-Air Vehicles Instrumented (AAVI); and up to ten (10) spare AMRAAM guidance units for use on F/A-18 and F-35 aircraft. Also included are KGV-135A embedded COMSEC devices; classified software and