

118TH CONGRESS
1ST SESSION

S. RES. 504

Requesting information on Israel's human rights practices pursuant to section 502B(c) of the Foreign Assistance Act of 1961.

IN THE SENATE OF THE UNITED STATES

DECEMBER 14, 2023

Mr. SANDERS submitted the following resolution; which was referred to the Committee on Foreign Relations

RESOLUTION

Requesting information on Israel's human rights practices pursuant to section 502B(c) of the Foreign Assistance Act of 1961.

Whereas there have been 5 rounds of fighting between Israel and Hamas in the last 15 years;

Whereas the current round of conflict began on October 7, 2023, when Hamas, a terrorist organization, unleashed a brutal attack against Israel, killing some 1,200 innocent men, women, and children, and taking more than 200 hostages;

Whereas United States citizens were among those killed and abducted by Hamas;

Whereas the Senate has unanimously reaffirmed Israel's right to defend itself against Hamas terrorism and re-

spond against the perpetrators of the October 7, 2023, attack;

Whereas Israel has conducted retaliatory military operations against targets in Gaza since October 7, 2023, relying heavily on the use of airstrikes and artillery bombardment;

Whereas, as of December 14, 2023, nearly 19,000 people have been killed and more than 50,000 wounded in the Israeli counteroffensive in Gaza since October 7, 2023;

Whereas 70 percent of those killed in Gaza are reported to be women and children;

Whereas the United Nations, World Health Organization, human rights monitors, outside academic studies, the Government of Israel, and United States officials find these figures to be broadly reliable;

Whereas the United Nations, United States officials, and outside experts believe the current death toll is likely higher, with thousands of bodies trapped beneath the rubble in Gaza;

Whereas 135 United Nations aid workers have been killed in Gaza since October 7, 2023;

Whereas nearly 1,900,000 people, more than 85 percent of the population, have been displaced across the Gaza Strip since October 7, 2023;

Whereas, on November 24, 2023, the United Nations reported that “across the Gaza Strip, over 234,000 housing units have been damaged and more than 46,000 homes have been completely destroyed, amounting to over 60 [percent] of the total housing stock”;

Whereas 43 United Nations facilities have sustained direct hits, 60 United Nations installations have sustained collateral damage, and 11 bakeries have been destroyed in the bombardment;

Whereas academic analysis of satellite radar data confirms the United Nations assessment that some 60 percent of the buildings in northern Gaza have been severely damaged and, across the Gaza Strip, “between 82,600 and 105,300 buildings have been left in ruins, according to the estimate, which counts buildings where at least half the structure was damaged”;

Whereas Robert Pape, Professor of Political Science at the University of Chicago, said that “over the space of two years, between 1943 and 1945, the Allied bombing of 61 major German cities razed an estimated 50 percent of their urban areas,” and that the Allied bombing of Dresden severely damaged 56 percent of that city’s non-industrial buildings and half of its homes, a threshold the bombing in Gaza has matched in 2 months;

Whereas the Israeli military has made extensive use of Mark 84 2,000-pound bombs, Mark 83 1,000-pound bombs, Mark 82 500-pound bombs, and 155mm artillery in densely populated urban areas with a large civilian presence;

Whereas these munitions are manufactured in the United States and supplied to Israel by the United States;

Whereas the Washington Post reports that, in the first 6 weeks after October 7, 2023, the Government of Israel dropped more than 22,000 guided and unguided bombs on Gaza that were supplied by the United States;

Whereas CNN reports, based on United States intelligence assessments, that 40 to 45 percent of the 29,000 air-to-ground munitions that Israel has used in Gaza since October 7, 2023, have been unguided “dumb bombs”;

Whereas the Wall Street Journal reports that the United States has provided at least 15,000 bombs and 57,000 155mm artillery shells to Israel since October 7, 2023, including more than 5,000 Mark 82 unguided 500-pound bombs, more than 5,400 Mark 84 2,000-pound bombs, and thousands of smaller munitions and targeting kits;

Whereas these munitions were delivered with the knowledge that they would likely be used in Gaza, a densely populated urban area with a large civilian presence;

Whereas the entire Gaza Strip is the physical size of Las Vegas but has more than 3 times the population, and Gaza City is more densely populated than New York City;

Whereas, on December 1, 2023, United States 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; and

Whereas Amnesty International has found, based on photographic and satellite evidence, as well as on-the-ground investigation and analysis of bomb fragments, that United States-made Joint Direct Attack Munitions (JDAM) were used in 2 deadly Israeli airstrikes on homes in Gaza in which 43 civilians were killed: Now, therefore, be it

1 *Resolved,*

2 **SECTION 1. REQUEST FOR INFORMATION ON ISRAEL'S**
3 **HUMAN RIGHTS PRACTICES.**

4 (a) STATEMENT REQUESTED.—The Senate requests
5 that the Secretary of State, not later than 30 days after
6 the date of the adoption of this resolution, transmit to the
7 Committee on Foreign Relations of the Senate and the
8 Committee on Foreign Affairs of the House of Representa-
9 tives, pursuant to section 502B(c) of the Foreign Assist-
10 ance Act of 1961 (22 U.S.C. 2304(c)), a statement re-
11 garding Israel's human rights practices that has been pre-
12 pared in collaboration with the Assistant Secretary of
13 State for Democracy, Human Rights, and Labor and the
14 Office of the Legal Adviser.

15 (b) ELEMENTS.—The statement submitted under
16 subsection (a) should include—

17 (1) all available credible information concerning
18 alleged violations of internationally recognized
19 human rights by the Government of Israel, includ-
20 ing—

21 (A) the denial of the right to life in the
22 context of the armed conflict in Gaza and the
23 West Bank caused by indiscriminate or dis-
24 proportionate operations; and

1 (B) the denial of the right to life and the
2 security of the person by the blanket denial of
3 basic humanitarian needs, including food,
4 water, medical care, fuel, and shelter;

5 (2) a description of the steps that the United
6 States Government has taken to—

7 (A) promote respect for and observance of
8 human rights as part of the Government of
9 Israel's activities, including in the context of
10 the armed conflict in Gaza and the West Bank;

11 (B) limit the risk to civilian life and civil-
12 ian infrastructure caused by Israeli military ac-
13 tion in Gaza and the West Bank;

14 (C) discourage any practices that are inim-
15 ical to internationally recognized human rights;
16 and

17 (D) publicly or privately call attention to,
18 and disassociate the United States and any se-
19 curity assistance provided for the Government
20 of Israel from any practices described in sub-
21 paragraph (C);

22 (3) an assessment, notwithstanding any prac-
23 tices described in paragraph (2)(B), of whether ex-
24 traordinary circumstances exist that necessitate a
25 continuation of security assistance for the Govern-

1 ment of Israel, and if so, a description of the cir-
2 cumstances and the extent to which security assist-
3 ance should be continued (subject to such conditions
4 as Congress may impose under section 502B of the
5 Foreign Assistance Act of 1961 (22 U.S.C. 2304));

6 (4) a certification that no unit of the Israeli se-
7 curity forces receiving United States assistance since
8 January 1, 2018, has—

9 (A) committed any gross violations of
10 human rights; or

11 (B) continued to receive United States as-
12 sistance in violation of section 620M of the
13 Foreign Assistance Act of 1961 (22 U.S.C.
14 2378d) or section 362 of title 10, United States
15 Code;

16 (5) a description of the manner and extent to
17 which the Secretary of State or the Secretary of De-
18 fense has determined, for purposes of compliance
19 with the vetting requirements of section 620M of the
20 Foreign Assistance Act of 1961 (22 U.S.C. 2378d)
21 and section 362 of title 10, United States Code, that
22 any information relating to the commission of
23 human rights violations by units of Israeli security
24 forces is credible; and

25 (6) other information, including—

1 (A) a summary and list of United States
2 weapons and munitions provided to Israel since
3 October 7, 2023;

4 (B) an assessment from the Secretary of
5 State of the likelihood that United States secu-
6 rity assistance (as defined in section 502B(d) of
7 the Foreign Assistance Act of 1961 (22 U.S.C.
8 2304(d))) will be used in support of Israeli ac-
9 tivities related to the armed conflict in Gaza
10 and the West Bank;

11 (C) a detailed assessment of the compli-
12 ance of the Government of Israel with inter-
13 national human rights and humanitarian law
14 during its operations in Gaza and the West
15 Bank since October 7, 2023; and

16 (D) a description and assessment of the
17 actions that the United States Government is
18 taking to ensure end use monitoring protocols
19 for all weapons sold or transferred to the Gov-
20 ernment of Israel for use in Gaza and the West
21 Bank.

22 (c) GROSS VIOLATIONS OF HUMAN RIGHTS DE-
23 FINED.—In this section, the term “gross violations of
24 human rights” has the meaning given the term “gross vio-
25 lations of internationally recognized human rights” in sec-

1 tion 502B(d)(1) of the Foreign Assistance Act of 1961
2 (22 U.S.C. 2304).

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