United States Senate
WASHINGTON, DC 20510-4504

November 1, 2023

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

Dear President Biden,

Thank you for your leadership in response to the horrific Hamas terrorist attack against Israel. And thank you for your efforts to secure humanitarian access for the many innocent people in desperate need in Gaza. It is encouraging to see some initial aid beginning to flow, though we know far more is urgently needed to avoid a major humanitarian catastrophe.

We also appreciate Secretary Blinken's recent comments at the United Nations, in which he stated that the international community "must affirm the right of any nation to defend itself," while also insisting that "Israel must take all possible precautions to avoid harm to civilians."[1] Secretary Blinken also underlined that "food, medicine and water and other assistance must flow into Gaza and to the areas people need them," and that "civilians must be able to get out of harm's way."[2] We share your administration's view that "humanitarian pauses must be considered for these purposes," and stand ready to assist.[3]

Israel suffered a barbaric attack and is well within its rights to defend itself in keeping with international law, including the protection of civilians. As a response, Israel is contemplating a large-scale ground invasion targeting Hamas. Reports indicate Israeli ground forces are already active in Gaza. We note recent reports that senior U.S. officials – including Secretary of Defense Austin – have conveyed to the Israeli government their serious concerns about the risks associated with this course.[4] We share many of these concerns, not just relating to the timing and difficulty of such an operation and its likely humanitarian toll, but also regarding the difficult questions about the political reality it will leave in its wake.

---

[1] ABC News, "Blinken backs Israel at UNSC but says 'humanitarian pauses must be considered' to protect civilians," (October 24, 2023), available at: https://abcnews.go.com/International/blinken-backs-israel-unsc-humanitarian-pauses-considered-protect/story?id=104253042.

[2] Ibid.

[3] Ibid.

[4] The New York Times, "U.S. Advises Israel to Delay Gaza Invasion, Officials Say," (October 22, 2023), available at: https://www.nytimes.com/2023/10/22/us/politics/us-hostages-israel-gaza.html.

Israel's proposed invasion will likely bring difficult, street-by-street fighting against entrenched Hamas fighters in a dense urban environment still populated by many civilians. Hamas will continue to use human shields and its extensive tunnel network, and will likely resort to insurgent tactics. As two experts recently wrote, "the battle will not end when Israel has reoccupied the territory. There is no Palestinian entity that Israel trusts to govern Gaza in Hamas's stead. As a result, a military victory could mean Israel has to administer the territory for the foreseeable future. Israeli officials, in other words, will have to govern an immiserated people who see them as their enemy and who may wage a guerrilla war."[5]

We have serious concerns about what this invasion and potential occupation of Gaza will mean, both in terms of the long-term security of Israel and the well-being of the Palestinian residents of Gaza. Congress needs more information about Israel's long-term plans and goals, as well as the United States Government's assessments of those prospects.

As Congress considers the administration's emergency funding request, some of the questions that need to be answered are:

- What is the U.S. Government's assessment regarding the potential human toll of a potential invasion and occupation – both in terms of civilians and Israeli soldiers killed or wounded?
- How will many hundreds of thousands of civilians receive the food, water, fuel, and medical care they need in the midst of what could be extremely heavy urban warfare?
- How will the request for humanitarian aid included in the supplemental funding request help mitigate the unfolding humanitarian catastrophe in Gaza?
- How long will it take to establish military control of Gaza, and what level of insurgent activity does the administration anticipate from that point?
- How will the success of the operation be measured?
- Are there alternatives to a ground invasion that would be effective in assuring Israel's long-term security?
- How likely is it that other regional actors – especially Iran-backed proxies – would enter the conflict, and what effect would that have on U.S. forces in the region?
- What will this operation mean for the hostages still being held in Gaza?
- What political authority would administer Gaza after an Israeli operation?
- Will the hundreds of thousands of Palestinians who have been displaced be guaranteed safe return to their homes?
- What impact will the invasion and occupation of Gaza have on the international community's support for Israel?
- How does the administration anticipate the international community will address the ongoing human needs in Gaza—and the rest of Palestine—when the shooting and bombs stop? Will the United States take a leading role in this effort?
- What political process will follow this conflict, and what is the desired end-state in Gaza?

[5] Daniel Byman and Seth G. Jones, "What Israel Will Face in Gaza: The High Costs of Crushing Hamas," *Foreign Affairs*, (October 14, 2023), available at: https://www.foreignaffairs.com/israel/what-israel-will-face-gaza.

This is the fifth conflict between Israel and Hamas in fifteen years. Clearly, a terrorist organization like Hamas cannot be the answer to the very serious problems facing the people of Gaza. Just a few months ago, thousands of people defied Hamas' authoritarian rule to protest on the streets of Gaza. Their voices are silenced now, but there can be no long-term solution to this ongoing crisis without a serious effort to address Palestinian demands for peace, legitimate political representation, and a vibrant economy. The United States must take a leading role in charting out a future that respects the lives of Palestinians and Israelis alike.

We can start by answering the questions laid out above. We request that you respond in writing and that your administration provide a briefing, in a classified setting as needed, in sufficient time for us to consider the President's budget request with the necessary information.

Sincerely,

Bernard Sanders
United States Senator

Elizabeth Warren
United States Senator

Peter Welch
United States Senator

Jeffrey A. Merkley
United States Senator