

## **Biden Continues to Provide Israel Billions for War Crimes**

*Biden's administration is violating US law by continuing to send military aid to Israel despite Gaza war crimes*

As Israeli forces continue to carry out war crimes in Gaza, the United States has seen growing popular opposition to military aid to Israel's far right government. Since the Nixon administration, the United States has been sending over \$2 billion in taxpayer-funded military aid to Israel every year. Starting in 2016, it was raised to [\\$3.8 billion annually](#), supplemented by an additional [\\$14.1 billion provided this year](#).

Among the weapons [approved by President Joe Biden](#) in late March to ship to Israel were 1,800 MK-84 bombs, weighing roughly 2,000 pounds (900 kilograms), which are powerful enough to level an entire apartment block and leave a crater 35-feet (11 meters) deep. Israel has killed many hundreds of Palestinian civilians in recent months using this U.S.-supplied weapon.

On May 14, [Biden](#) informed a congressional committee of additional arms transfers to support Israel's ongoing war on Palestinians in Gaza, including \$700 million in tank ammunition, \$500 million in tactical vehicles and \$60 million in mortar rounds.

Continued U.S. military aid to Israel violates Section 6201 of the [1961 Foreign Assistance Act](#), which prohibits aid to countries that block U.S. humanitarian operations, as well as the 1999 [Leahy Amendment](#), which prohibits support for foreign security forces engaged in gross human rights violations. The Biden administration refuses to abide by these laws and neither Congress nor the courts have been willing to enforce them.

The Biden administration has faced pushback internationally, including from its closest allies. European Union foreign policy chief [Josep Borrell](#) has called on the United States to limit its arms transfers to Israel, saying, "If you believe that too many people are being killed, maybe you should provide less arms in order to prevent so many people being killed," and adding, "If the international community believes that this is a slaughter ... maybe we have to think about the provision of arms."

The [United Nations Human Rights Council](#), along with [Amnesty International](#), [Human Rights Watch](#), and many other peace and human rights groups, have called for the suspension of military aid to Israel as long as it continues to use these weapons in the commission of war crimes.

[Polls](#) show that a majority of Americans agree. This is particularly true among Democratic voters, 62 percent of whom agree that "the U.S. should stop weapons shipments to Israel until Israel discontinues its attacks on the people of Gaza," while just 14 percent disagree.

Back in the 1980s, there was similar [widespread popular opposition](#) to the United States arming the junta of El Salvador, where U.S.-supplied government forces and allied far right death squads were killing civilians by the tens of thousands by bombing rural villages, massacring civilians in areas of rebel activities, and assassinating peasant leaders, union organizers, student activists, journalists, opposition politicians, priests, or anyone challenging the U.S.-backed regime. In response to constituent pressure, Congress began demanding conditions on U.S. military aid. Eventually, a "compromise" would be reached in which arms would continue to flow, but only under the condition of improvements in the human rights situation. However, it was left to the Reagan administration to determine whether the human rights situation was improving. Despite evidence to the

contrary, the administration would regularly certify the Salvadoran regime's human rights record was improving and the aid would continue to flow.

Similarly, Sen. Chris Van Hollen and most other Senate critics of Biden's support for Israel's war on Gaza agreed to support both the regular and supplemental arms packages for Israel in return for the president issuing [National Security Memorandum 20](#), which directed the U.S. State Department to "obtain certain credible and reliable written assurances from foreign governments receiving [U.S.] defense articles and, as appropriate, defense services" that they will abide by U.S. and international law and required the Departments of State and Defense to report to Congress the extent to which such partners are abiding by their assurances. It would also require suspending U.S. military aid if they were found to be in violation of the law.

As with the Reagan administration in El Salvador, however, [the Biden administration](#) has insisted that the far right government of Israel is not violating U.S. and international law, thereby allowing the arms transfers to continue. This assessment is contrary to reports from Amnesty International, Human Rights Watch, and virtually every reputable authority on international humanitarian law who has been following Israel's assault on Gaza closely, as well as many of those within his own administration.

For example, [the assessment](#) from four State Department bureaus determined that Israel's assurances were "neither credible nor reliable." It cited eight examples of Israeli military actions that the officials said raise "serious questions" about potential violations of international humanitarian law, including repeated airstrikes on protected sites and civilian infrastructure, "unconscionably high levels of civilian harm to military advantage," and "killing humanitarian workers and journalists at an unprecedented rate."

The [Biden administration](#) also insists that "Israel itself has accountability processes to get at this," that "Israel has the ability, the means, and the actions to self-correct," and that "Israel has processes, procedures, rules, regulations, to try to minimize civilian harm." However, [Reuters](#) reported that assessments from State Department bureaus found that in fact Israel has been "taking little action to investigate violations or to hold to account those responsible for significant civilian harm."

In contrast to his overall unconditional military support for Israel's war on the people of Gaza was [Biden's May 8 decision](#) to delay a shipment of 3,500 bombs, including the notorious 2,000-pound unguided bunker busters. This decision could save some civilian lives. Though pausing the shipment of 3,500 bombs may not be that significant in light of the estimated 90,000 bombs Israel has dropped on Gaza since October, it should be seen as a reflection of the growing popular opposition to U.S. military support for Israel and, in that sense, a partial political victory for supporters of international humanitarian law.

This is also the first time Biden has conditioned any aid to Israel, in contrast to more significant threats to withhold aid taken [by previous U.S. presidents](#), which have successfully ended Israeli military offensives.

Biden also announced that he would freeze additional offensive weapons if Israel went ahead with its planned assault on Rafah, though he's failed to follow up on that despite Israel's partial incursion into the besieged Gaza city and escalating bombing raids, that have forced 800,000 Palestinians seeking refuge there to flee yet again.

In suspending one shipment of particular kinds of ordnance and giving a warning about future restrictions, Biden appeared to have succeeded in some circles in giving the false impression that he is finally taking Israeli war crimes seriously. This has allowed Biden supporters concerned about growing opposition to his support for Israel's war on Gaza from the progressive wing of the party to argue that the administration was finally "getting tough" with Israel, arguing that Biden is "doing his best," or even claiming that he has actually ceased providing Israel with offensive weapons altogether.

In Washington, however, Biden has been attacked from the right for not providing Israel with even more armaments. Some [Republicans](#) have falsely accused Biden of imposing an “arms embargo” on Israel. [Sen. Lindsey Graham](#) (R-South Carolina), comparing Israel’s assault on Gaza to the U.S. atomic bombings of Hiroshima and Nagasaki, argued, “The US used whatever means necessary to end a war of annihilation. Israel should be allowed to do what they need to do to win.”

Presumptive Republican presidential nominee [Donald Trump](#) has argued any restrictions or warnings mean Biden and the Democratic Party “hate Israel.” Furthermore, claimed Jews who vote for Democrats also “hate Israel” and “their religion.”

And it’s not just Republicans: [Sen. Ben Cardin](#) (D-Maryland), chair of the Senate Foreign Relations Committee and Congressional Democrats’ chief foreign policy spokesman, released a statement saying “Israel has not violated International Humanitarian Law,” that there should be no restrictions on U.S. military assistance to Israel, and that Biden isn’t supporting Israeli Prime Minister Benjamin Netanyahu enough. On May 10, 26 House Democrats wrote [a letter](#) to the White House saying they were “deeply concerned about the message the Administration is sending to Hamas and other Iranian-backed terrorist proxies” by withholding the heavy bombs, dubiously claiming that the decision goes against Israel’s right to defend itself, buttresses terrorist groups, allows these groups to steal humanitarian aid and even emboldens antisemitism.

On May 16, in an unprecedented action, [the House of Representatives](#), with virtually all Republicans and 16 Democrats voting in favor, passed a bill requiring the Biden administration to allow the suspended bomb shipments to move forward despite ongoing Israeli war crimes. It is now being considered by the Senate.

Opposition to unconditional U.S. military aid to repressive far right governments engaging in war crimes is not new. In addition to El Salvador in the 1980s, there have been vigorous debates in Congress and among the American public regarding arm transfers to Guatemala, Turkey, Indonesia, Chile, Pakistan, Zaire, Morocco, Saudi Arabia, and other dubious allies, reflecting popular opposition to U.S. weapons being used to kill innocent civilians. Clearly, the failure of the Biden administration and Congress to stop military aid to Israel is not simply a matter of pressure by the Israel lobby.

Indeed, the dramatically increased military aid to Israel is a boon for the U.S. arms industry. Almost all this funding goes to U.S.-based arms manufacturers. Indeed, the arms industry’s budget for lobbying and campaign contributions dwarfs that of AIPAC and other pro-Israel groups.

Meanwhile, the Israel lobby is divided. [J Street](#) is a pro-Israel organization that proudly claims it “has supported every single appropriation of security aid to Israel, including the emergency supplemental legislation signed into law two weeks ago” yet, unlike Biden and a bipartisan majority of Congress, “continues to fervently believe that any further military assistance to Israel must be provided in full accordance with US and international law, and with President’s Biden’s own [National Security Memorandum] 20.”

Still, the Biden administration remains defiant. In early April, after Israeli forces killed hundreds more civilians, including scores at a hospital and seven aid workers (including an American), a [White House spokesperson](#) reiterated that the Biden administration would not condition military aid to Israel because “we believe the approach we are taking is working.”

The bottom line is that, regardless of what Biden and his supporters keep saying, conditioning military aid to Israel’s far right government would not be “abandoning Israel.” Israel could still receive aid if it acted in compliance with U.S. law and international humanitarian law by ceasing its attacks on civilian targets and ending its colonization, repression and apartheid in the West Bank. But the Biden administration and a large bipartisan majority of Congress are choosing to continue to provide armaments to Israel’s war machine regardless of the humanitarian catastrophe that Israel is inflicting, and with total disregard to public opinion in the United States and the views of the international community.

Biden’s decision to continue to provide arms to Israel in the face of ongoing war crimes sends a dangerous message to right-wing governments around the world that they can slaughter tens of thousands of civilians and the United States will continue to provide them with unconditional military aid regardless

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