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While the Biden administration has been publicly voicing reservations over the mounting death toll in Gaza, a *Washington Post* investigation revealed the administration has quietly approved and delivered more than 100 separate weapons sales to Israel over the last five months, amounting to thousands of precision-guided munitions, small-diameter bombs, bunker busters and other lethal aid. Only two approved foreign military sales to Israel have been made public since the launch of Israel's assault on October 7, which the Biden administration approved using emergency authority to bypass Congress. "It is actually illegal to provide military assistance to a country that is restricting U.S.-funded humanitarian assistance, and we know that this is the case with Israel," says Josh Paul, a veteran State Department official who worked on arms deals and resigned in protest of a push to increase arms sales to Israel amid its assault on Gaza. Paul describes the "production line"-style sale of weapons to Israel and says increasing internal dissent is putting pressure on Biden to change his "dead-end" policy of unconditional support for Israel. "We have a president and a set of policies ... that remain set on this course regardless of the harm it is doing to Israeli security, to American global interests and, of course, to so many Palestinians."

**AMY GOODMAN:** This is *Democracy Now!*, [democracynow.org](https://democracynow.org), *The War and Peace Report*. I'm Amy Goodman, with Nermeen Shaikh.

**NERMEEN SHAIKH:** Over the past few weeks, the Biden administration has been publicly voicing reservations over the mounting death toll in Gaza, calling on Israel to protect civilians and allow in humanitarian aid. But behind the scenes, the Biden administration has quietly approved and delivered more than 100 separate weapons sales to Israel over the last five months, amounting to thousands of precision-guided munitions, small-diameter bombs, bunker busters and other lethal aid, this according to a new [investigation](#) by *The Washington Post*.

**AMY GOODMAN:** Only two approved foreign military sales to Israel have been made public since the launch of Israel's assault on October 7th, amounting to over \$250 million worth of tank shells and ammunition, which the administration authorized using emergency authority to bypass Congress. But in the case of the hundred other weapons sales, known as Foreign Military Sales, the arms transfers were made without any public debate, because each fell under a specific dollar amount that requires the executive branch to individually notify

Congress.

For more, we're joined by Josh Paul, a veteran State Department official who worked on arms deals and resigned in protest of a push to increase arms sales to Israel amidst its assault on Gaza. Josh Paul is the former director of congressional and public affairs for the Bureau of Political-Military Affairs in the State Department, where he worked for 11 years. He's now a nonresident at DAWN — that's Democracy for the Arab World Now. He's joining us from New Haven, Connecticut.

Josh, welcome back to *Democracy Now!* Can you talk about the significance of this *Washington Post*

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, what we've learned about the U.S. flooding Israel with weapons as President Biden talks about saying he's putting pressure on Israel to let food aid in?

**JOSH PAUL:** Thank you, and thank you for having me.

I think what we've learned from this story shouldn't be a surprise to anyone. It is that the president continues to facilitate the flow of arms to Israel despite a change in tone. You know, we have certainly heard the administration call for more humanitarian assistance, for, you know, at least a temporary ceasefire. But at the same time, it continues to provide the arms that enable Israel to continue its operations. So, I think that's pretty consistent, frankly, with what the White House has said, including John Kirby from the podium this week, that this remains U.S. policy.

I think many of your viewers may be shocked to hear that there have been a hundred sales in the last few months since October 7th. But here, I don't think anyone in the State Department will be particularly moved by this story. Much of the process does, unfortunately, move like a production line when it comes to cases that do not require, under law, congressional notification. So what we really have here is both a policy problem but also a lack of transparency that is built into the system, and which can only be remedied by a change in law.

**NERMEEN SHAIKH:** Well, let's go to what national security communications adviser John Kirby said. He was questioned at the White House by the journalist Andrew Feinberg, a

correspondent for

*The Independent* in Britain.

**ANDREW FEINBERG:** What is preventing the president from communicating to the Israeli government that if they don't allow aid, we will not continue supplying weapons? Why is that not a fair trade: no aid, no bombs?

**JOHN KIRBY:** Because the president still believes that it's important for Israel to have what it needs to defend itself against a still viable Hamas threat. Maybe some people have forgotten what happened on the 7th of October, but President Biden has not.

**NERMEEN SHAIKH:** So, Josh Paul, your response, both to the question and to Kirby's response?

**JOSH PAUL:** I mean, there you have it. And I think the question could also have noted that under U.S. law, under Section 620I of the Foreign Assistance Act, it is actually illegal to provide military assistance to a country that is restricting U.S.-funded humanitarian assistance. And we know that this is the case with Israel, because Jake Sullivan himself, the national security adviser, has said that this is a problem, and, of course, we would not be airdropping aid into Gaza, were we leaning on Israel to open the humanitarian aid routes. So, you know, I think there is a clear case to be made here that we are not in accordance with U.S. law, certainly out of step, I think, with international law. And at the same time, the Biden administration position remains: We will continue to provide arms to Israel, whatever it requests and requires.

**NERMEEN SHAIKH:** Well, if you could explain, Josh: How much does this differ from the procedure that's been in place regarding U.S. arms transfers to Ukraine? I mean, in this case, as we've said, only two approved foreign military sales to Israel have been made public. What about to Ukraine?

**JOSH PAUL:** Yeah. So, for the most part, the procedures and processes through which we provide arms to Israel versus Ukraine are different. Ukraine requires an authorization under presidential drawdown authority, as well as new and novel funding to, for example, Department of Defense's Ukraine Security Assistance Initiative. Those have expired. We are out of,

essentially, both of those. And so, without additional funding, we will not be able to provide arms to Ukraine.

Israel, on the other hand, is perfectly capable of using its own money to procure weapons through the Foreign Military Sales system, through the direct promotional sales system, which, by the way, *The Washington Post* didn't touch on. And it's quite possible that there's a hundred more sales through that other channel to Israel that we don't know about. And, of course, you know, we are providing Israel with military ground assistance, which it can also tap into and knows that it will be able to tap into, because it has a 10-year commitment from us to continue providing billions of dollars a year, unlike Ukraine. So it's a slightly different situation and much easier, I think, for Israel to continue to receive weapons even in the absence of a supplemental, unlike Ukraine.

**AMY GOODMAN:** Democratic Colorado Congressman Jason Crow told *The Washington Post* the Biden administration should apply, quote, "existing standards" stipulating that the United States, quote, "shouldn't transfer arms or equipment to places where it's reasonably likely that those will be used to inflict civilian casualties, or to harm civilian infrastructure." Crow, a former Army Ranger who served in Iraq and Afghanistan, told the *Post*, "I am concerned that the widespread use of artillery and air power in Gaza — and the resulting level of civilian casualties — is both a strategic and moral error." Now, Crow is not usually a dove on all of these issues, but it's very interesting to see him talk about his response, his critical response to the U.S. when it comes to Israel.

And this is particularly interesting on the day of President Biden's State of the Union address tonight. We don't know exactly what he's going to say. We know there are a number of Americans who have family members who are being held hostage in Gaza. We don't know if the Biden family or the administration will be inviting any Palestinians, and that Biden wanted to be able to announce a ceasefire tonight, which is clear, it looks like, will not be happening. But your response to all of this and how these weapons sales, do you feel, perpetuate the war?

**JOSH PAUL:** Yeah, I mean, I think that people who have served in the military or worked in the Middle East, people like Representative Crow, also, frankly, like Secretary of Defense Austin, understand that what Israel is doing is not going to lead to success on Israel's own terms, as Secretary of Defense Austin has said. It will lead to strategic failure. And that is why I think the same is true on the Israeli side, where you have former heads of Mossad, for example, saying that this is a dead-end road, that what they are doing is damaging to their own

interests.

But I think that is separate from the political question here. And the political question is one in which we have a president and, you know, a set of policies and, frankly, a Congress, as well, for the most part, that remains set on this course, regardless of the harm it is doing to Israeli security and to American global interests and, of course, to so many Palestinians.

**AMY GOODMAN:** Josh Paul, you were in the State Department for 11 years, and you were involved with these kind of arms deals. You resigned in protest of a push to increase arms to Israel. But I wanted to ask you: How much does protest on the ground affect what's going on in the State Department, in the White House? How much do you hear it? I mean, there is a massive amount of protest in the United States. And no matter who wants to insulate Biden from it, almost everywhere he goes he is hearing the chants of "ceasefire." I mean, tonight, one of his guests will be the UAW President Shawn Fain. The UAW was one of the early unions to call for a ceasefire. How much does it matter?

**JOSH PAUL:** I think protest is very important, I think particularly protest when it manifests at the ballot box, in terms of, for example, the "uncommitted" vote or the "other" vote that we have seen in states and will continue, I hope, to see in the coming days, because that signals to the Biden administration that they really have a political problem here. And that is really one of the only means we have of getting this administration to change course in the time that it has left. So I think that is very important. I think it's most important when it manifests directly in the political process, and when it comes with organization. I think there is a momentum around this issue now, and we have to maintain that momentum for the, frankly, months and years ahead, because this is not going to be a long-term pole to shift where American policy is and has been for many years.

**AMY GOODMAN:** Finally, you were inside for years the State Department. Now that you've resigned — and we sort of ask you this every time since then — how many people inside the administration have reached out to you? Do you feel that that's increasing? And how many times do they tell you that they've been discussing this with Biden or the inner circle of Biden, and what their views on this are? I mean, Biden was no fan of Netanyahu from the beginning. And so, yet he is embracing him now. What they are saying?

**JOSH PAUL:** Yeah, I mean, I'm still hearing from people I had not heard from previously, to be clear, who are saying that, you know, "This is not working. I feel sick to my stomach of being

involved in this. And, you know, I'm trying to make changes, and it's just not working." I had several of those conversations just in the last week with people I've not spoken to before on this issue. So I think the internal pressure, the internal disgust, frankly, is still there.

But I think, you know, the White House and the president have surrounded the president with, you know, a council of advisers who are, for the most part, like-minded with him. And I don't know how much of that dissent is actually breaking through, and, even if it did, how much it would change the president's decision-making. I think he is where he is. And, you know, absent significant political pressure, that is not going to change, unfortunately.

**AMY GOODMAN:** Josh Paul, we want to thank you for being with us, veteran State Department official, worked on arms deals, resigned in protest of a push to increase arms sales to Israel and its siege on Gaza. He's the former director of congressional and public affairs for the Bureau of Political-Military Affairs in the State Department, where he worked for 11 years, now a nonresident fellow with DAWN — that's Democracy for the Arab World Now.