

two groups: the Federalist Society and the Heritage Foundation. They came up with a list, and that is the list he said he would choose from. That list was expanded when he became President.

Judge Barrett was on that list, Justice Kavanaugh, Justice Gorsuch—you can see the pattern there. I don't want a Supreme Court that is chosen by those two groups, but, so far, that is what the President has decided to do.

In this case, the rush is, I think, for that basic reason, that the majority party here and Republicans in the House and a Republican President want this statute struck down. They want to have that majority, a six-to-three majority, to do that.

But I guess, as much as I can talk, as we all do, about some of the policy—and I will—and the numbers, I think the most compelling parts of this debate are the stories that come from people across Pennsylvania and across the country who have come to us. I met some of these families about 10 years ago when we were debating the act then. I met them again when we were trying to stop the repeal in 2017 and 2018, and now we are getting together again because of this new and, I think, mortal threat to the law.

I will just mention two for tonight—Erin and Shannon. Erin, I know better; I have met her over the years—Erin Gabriel. She has been very public about the fight that she is waging on behalf of her three children with disabilities: Collin, Bridget, and Abby. I have heard a good bit about each of them and maybe the most about Abby.

Erin is from Beaver County, PA, right on the Ohio border, just north of Pittsburgh, and she is very concerned about what happens to her children because of their disabilities. Of course, under the old law—the old way of approaching these issues—a child with a disability could be denied coverage because of a preexisting condition, and, also, a corresponding or related concern is the threat to Medicaid itself, especially in budget debates here over time, and Medicaid expansion.

Erin Gabriel is one of the people who has made very clear to us the adverse impact on the life of her children that could result if the statute is overturned and declared unconstitutional.

A second person who has brought her story to our attention is Shannon Striner. Shannon is a mom to two daughters: Haley and Sienna. Haley is actually a second grader now, and Sienna is a young girl with Down syndrome. Obviously, Sienna is a child who is going to need a lot of care, and we have to make sure that our healthcare system is there to meet the needs of those families.

We are going to be talking more about these challenges that these families face, but for the life of me, I will never be able to understand—if I lived 1,000 years, I will never be able to understand why we would ever go backward on healthcare. Why would we go

back to a time when a child or an adult who has a preexisting condition would be denied coverage? Why would we go back and erase by virtue of, in this case, what would be a judicial fiat all the progress that has been made because of the Affordable Care Act?

So many more people have the security of healthcare. In my home State, it is 1 million people who gained coverage. The number now nationally is about 23 million. That number keeps going up. Most of them are getting their healthcare through the expansion of Medicaid. The number on that keeps growing.

Part of the reason it is growing is because people lost their insurance as a result of the adverse impact of COVID-19—people losing their jobs and turning to programs like Medicaid for coverage. So that number keeps going up.

In the State of Pennsylvania, just by way of example, the latest number is 840,781 Pennsylvanians who have benefited from Medicaid expansion. The benefit of it is one of the reasons you have States that are not controlled by Democrats that are voting to expand coverage. So that number keeps going up.

I want to make sure that we take every step necessary to protect coverage, not just to uphold a statute and to, frankly, grow the number of people with healthcare but to remember the impact it has on people's lives and ensure that the people who gain coverage don't lose it.

We have a State—as the Presiding Officer knows because of his family's roots—we have a State of a few big cities, but mostly it is a State of a lot of small towns. We have 48 rural counties out of 67, and in those small towns or rural communities, we have a lot of people who have gained coverage because of the expansion of Medicaid.

As I said, you can see the number: 840,000 out of about 1 million who gained coverage—gained coverage through Medicaid expansion, so that is a big number. And even in a small county like Cameron County, one of our smallest—it might be the smallest county in population—there are 350 people in that county who got Medicaid expansion. I want to make sure all 350 or more can benefit from Medicaid expansion.

Big cities like Philadelphia have bigger numbers, obviously. When I look at my home county, Lackawanna County, and look at the next county next to it, the largest population county in the region, Luzerne County, these are huge numbers of people who have gained coverage on Medicaid expansion. In Lackawanna, it is more than 17,180 people and more than 26,000 in Luzerne County. Now, that is not accounting for the folks who got coverage because of the exchanges that were set up. So the balance of those folks in Pennsylvania who got coverage, between 840 and 1 million, got their coverage because of the exchanges that were set up by the Affordable Care Act.

One last point before I move to a second topic: Here are some of the benefits of Medicaid expansion that don't get a lot of attention but should warrant attention. I will just give you one example in 1 year from one State.

In 2019, in Pennsylvania, over 135,000 people were able to receive treatment for substance use disorder because they were covered through Medicaid expansion. Now, most people may not think of that longer category or that long phrase, “substance use disorder,” but a subcategory to that and one of the largest parts of that challenge for many families and many communities is the opioid crisis. So that means tens of thousands of Pennsylvanians were getting covered by Medicaid expansion and treatment therefrom just at the time the opioid crisis was on the rise and causing death and devastation to so many families and so many communities. So that is one benefit to the program that doesn't get a lot of attention.

We know that on the larger question of the Affordable Care Act itself, beyond Medicaid expansion and the exchanges, is the so-called prescription drug doughnut hole, that coverage gap where the older Pennsylvanian, at some point in the availability of prescription medications, has to pay for a while before they get into a catastrophic category where the Federal Government and the Medicare Program can pick up the cost. But in that coverage gap—and “doughnut hole” is a very benign way of describing a very burdensome problem for a lot of seniors—if that were to go away, if the Affordable Care Act were declared unconstitutional and that doughnut hole coverage or the filling of the gap, so to speak, were not there the next year or the year after or 5 years or 10 years from now, that could adversely impact hundreds of thousands of Pennsylvanians. By one estimate, more than 293,000 people on Medicare would be forced to pay more for their prescription drugs.

So that is a lot on the line when it comes to the Affordable Care Act, and that is why this nomination is of such great consequence for one big issue. I think the Affordable Care Act Supreme Court decision will be the most significant decision that this Court will decide maybe for 25 years because of the scope of the impact.

Even someone who is not threatened directly by the loss of coverage, the loss of protection for a preexisting condition, or even someone who can buy because of their wealth or their circumstances—that person will also be affected because premiums will likely skyrocket. So there are very few, if any, Americans not affected by this lawsuit that will utterly destroy the Affordable Care Act.

RUSSIA

Mr. President, I want to move to another urgent issue, and this arose again just the other night. This is a matter of significant foreign policy that I

know Members on both sides are concerned about: President Trump's continued affinity for Vladimir Putin, most recently evidenced by his silence regarding the recent poisoning of Russian opposition leader Alexei Navalny, who gave an interview on CBS's "60 Minutes" that aired just 2 nights ago, October 18, this past Sunday. Navalny was poisoned and nearly killed by a highly lethal chemical weapon nerve agent, Novichok, in August of this year and is currently recovering in Berlin under close security protection.

In the interview on "60 Minutes," Navalny directly alleged that Vladimir Putin was behind the poisoning. I am quoting him now. When asked a question, "Do you think Vladimir Putin was responsible?" Navalny said, "I don't think. I am sure he is responsible."

While German Chancellor Angela Merkel and French President Macron have called for answers from Putin and led the European Union in imposing sanctions on Russian officials over the use of chemical weapons in violation of international law, President Trump's silence is, to use an old expression, deafening.

In a "60 Minutes" interview, Mr. Navalny goes on to describe that nerve agent, Novichok, is impossible to acquire. Only someone in Putin's position would be able to deploy it. As the world knows, Mr. Putin is not afraid to go after opponents, like Navalny, who continue to reveal the corruption and authoritarianism of his regime.

Despite the growing consensus that Putin himself may have directed the attack, our President has refused to even query—even ask questions—whether there is malicious intent involved. Vladimir Putin, as we know, is a proven enemy of democracy and will go to any lengths to undermine democracy activists in his own country and other countries.

When a President of the United States speaks out, the world listens. In this case—this case of attempted murder—the silence of President Trump is insulting to our values as Americans. He is signaling to autocratic leaders all over the world that it is OK to take direct action against their opposition through violence and intimidation. He is signaling to the world that the United States is not committed—not committed—to protecting and promoting democracy.

President Trump's silence on Alexei Navalny's poisoning is not the only instance of absolute deference to Vladimir Putin. Throughout his Presidency, President Trump has continuously made decisions that benefit Putin's agenda. In so doing, President Trump also acts to undermine U.S. influence and even to undermine our national security.

The U.S. Senate, as a part of a co-equal branch of government, must recognize this threat and act as a body to ensure that our institutions at home and our interests abroad are protected.

In these last 4 years, the Senate has not lived up to this solemn responsibility.

Here is a list—some may argue a short list—of how the President has enabled and empowered Putin and his efforts to undermine our democracy and our national security:

No. 1, vowing to pursue closer ties with Russia in his first foreign policy speech as a Presidential candidate at the Center for the National Interest in April of 2016, then-Candidate Trump said: "We desire to live peacefully and in friendship with Russia."

Openly and repeatedly questioning U.S. intelligence community findings that Russia interfered in the 2016 elections.

Siding with Putin—with Putin—at the 2018 Helsinki summit against the U.S. intelligence community findings about the 2016 election interference. At that now infamous press conference, President Trump said he doesn't "see any reason why" Russia would be responsible and that "President Putin was extremely strong and powerful in his denial today." That is what the President of the United States of America said, totally undermining our intelligence community in just a few remarks. In my judgment, this was one of the worst moments in the history of the U.S. Presidency—a dangerous statement by the President that undermined and still undermines our national security.

Another example is attempting to impeach Special Counsel Mueller's investigation into the Trump campaign's ties to Russia and Russian interference in the 2016 election. Special Counsel Mueller's report documents 10 episodes in which the President interfered with the investigation, including when he asked White House Counsel Don McGahn to fire Mueller in June of 2016. In my opinion, that is a clear case among several of such instances of obstruction of justice.

Next, deploying Attorney General Bill Barr around the world chasing conspiracy theories and investigating President Trump's complaints about the origin of the government's investigation into Russia's election interference.

Intimidating Ukraine's President to investigate former Vice President Biden and his son and threatening to cut U.S. security assistance to Ukraine if they didn't cooperate. As we all know, this originated in a White House whistleblower complaint that led to the President's impeachment. The President's conduct distracted from actual engagement and support to Ukraine as it continues to grapple with Russian aggression.

Next, making continued attacks against and undermining NATO, more recently evidenced by his sudden decision to withdraw nearly 10,000 U.S. troops from Germany.

Another example is withdrawing U.S. troops from Syria nearly a year ago, clearing the way for Russia—Russia—

to become the sole power broker in Syria through enhanced cooperation with Turkey, as evidenced by Turkey's purchase of the Russian S-400 missile system. The Associated Press reports of Russia deploying troops to Syria the same week that the United States withdrew indicates the benefit to Russia.

Next, failing to act on intelligence that the Russian Government offered to pay Taliban and Haqqani Network militants to target American troops in Afghanistan, as reported by the New York Times in June of this year. In fact, President Trump suggested this intelligence was "a hoax" in a July 1 tweet. It was not a hoax. We know it happened.

Withdrawing from the Open Skies Treaty, which gives us critical access to and intelligence into Russian military activities.

As I noted earlier, continuing to be silent—totally silent—about the recent poisoning of Russian opposition politician Alexei Navalny. Navalny has openly stated that Putin is behind the attack, as I mentioned, and President Trump stands apart—far apart—from Western leaders in his lack of condemnation of the attack.

Next, refusing to approve a clean 5-year extension of the New START treaty and thereby clearing a path for Russia to expand its nuclear arsenal unchecked.

Finally and most recently—just this statement alone maybe sums up all of it—the President said at a campaign rally on Monday, September 21:

I like Putin. He likes me.

This list should concern every Member of the Senate. I know it concerns a lot of the Members here, but we have to do more.

President Trump has never said a critical word about Vladimir Putin. Yet President Trump has publicly insulted, denigrated, and smeared the U.S. intelligence community, Members of Congress, and even veterans. His tweets disparaging Americans count in the hundreds—hundreds of tweets regarding Americans, but he has never said a word—not a single word—critical of Vladimir Putin.

I will focus on one of the big issues and then conclude. In June of this year, the New York Times reported on intelligence that the Russian Government offered to pay Taliban and Haqqani Network militants to target American troops in Afghanistan. The President's silence and refusal to raise this with Putin in his many one-on-one conversations with him is alarming, and this failure undermines our national security.

One incident that may have been a bounty attack was an April 2019 bombing that killed three marines. One of them was a Pennsylvanian. We know that as of the most recent numbers, 294 servicemembers from Pennsylvania were killed in the wars in Afghanistan and Iraq—the third highest toll of any State.

Any possibility that Russia is playing a hand in killing American and Pennsylvania soldiers must be thoroughly investigated. President Trump's silence indicates not only that he doesn't care about Russian threats to national security, but apparently he doesn't care that American lives might be at risk because of Russian aggression. To date, the majority in the Senate has not taken appropriate action to hold this President accountable for his failure to act or investigate these serious allegations.

#### ELECTION SECURITY

Mr. President, despite these recent failures abroad, one of the biggest challenges we all face right now is the pressing threat to our democracy.

As Americans across the Nation are currently casting their ballots by way of voting early in person or voting by mail for the next President of the United States, we are seeing increasing reports of Russian efforts to interfere in our election.

The CIA has concluded that Vladimir Putin is likely directly involved in Russian efforts to promote disinformation, sow discord, and carry out cyber attacks on the United States. I cite for this the New York Times September 22, 2020, article.

Former Director of National Intelligence Dan Coats, a former Republican Senator here from Indiana on two different occasions—he served his State twice in that capacity—wrote in an op-ed recently:

If we fail to take every conceivable effort to ensure the integrity of our election, the winners will not be Donald Trump or Joe Biden, Republicans or Democrats. The only winners will be Vladimir Putin, Xi Jinping and Ali Khamenei.

Leaders, of course, of China and Iran. Despite clear evidence, President Trump continues to deny Russian misconduct, and he continues to contradict our intelligence community.

We should ask, what is the obligation of the Senate? I spent 4 years—as many people have—urging the President from afar, at least, to actively demonstrate to us that his love of country outweighs his affinity for Putin. At this point in time, I don't expect his behavior to change. But it is incumbent—in-cumbent—upon the U.S. Senate, as part of a coequal branch of government, to call out the President and to hold him accountable when he engages in these kinds of actions or inactions, as the case may be.

The Senate has taken some actions. This body has passed a number of substantive sanctions: the Countering America's Adversaries Through Sanctions Act—so-called CAATSA—against Russia for its aggression in Ukraine and interference in the 2016 election. That was the right thing to do and an appropriate thing to do.

The Senate Intelligence Committee and other committees of jurisdiction have done important work documenting Russia's interference in the 2016 election, but that is not enough.

The work cannot stop there. Russia has continued, will continue, and will continue to succeed in undermining our national security if we allow them.

The silence of Senate Republicans on this issue of the President's total deference to Putin has become, in my judgment, complicity. Those who fail to stand up and loudly express their alarm are tacitly showing their approval. Their failure to take action is also its own danger to our democracy.

Instead of prioritizing the unprecedented public health and economic crisis that is in front of us, some Republican-led committees—not all but some—are prioritizing a partisan political investigation, the basis for which stems directly from a known Russian disinformation campaign.

In the face of intelligence reports showing that the Russians are once again seeking to influence this election, Senate Republicans have refused to pass a single piece of substantive election security legislation.

There is still time. I will give one example or one suggestion to the majority. The SAFE Act, which requires paper ballots in Federal elections and would authorize \$775 million in grants to help States secure their voting systems, passed the House 450 days ago, but Majority Leader McCONNELL would rather let this bill gather dust on his desk than take meaningful action to protect our democracy, to protect our election. The unwillingness to protect our elections from foreign interference is a dereliction of duty by the majority.

Finally, in conclusion, I call on my colleagues to answer the call of duty to protect our election, protect our democracy, and protect our national security against malign and persistent Russian influence and interference orchestrated by the man President Trump has never criticized.

Thank you.

I yield the floor.

#### MORNING BUSINESS

#### REMEMBERING AMBASSADOR RICHARD SCHIFTER

Mr. CARDIN. Mr. President, today I mourn the loss of a tremendous champion for human rights and the State of Israel and one of my personal heroes and mentors, Ambassador Richard Schifter. Ambassador Schifter lived a truly remarkable life. After escaping Nazi-occupied Austria in 1938, he bravely returned to Europe just a few short years later as one of the U.S. Army's "Ritchie Boys", German-speaking officers trained in counterintelligence at Camp Ritchie in Maryland. While serving in Europe, he learned that all of his family had been killed in the Holocaust. At just over 20 years old, Ambassador Schifter had experienced more adversity than most of us see in a lifetime. Nevertheless, he spent the next seven decades demonstrating incredible

faith and courage as he strived to make the world a better place.

Ambassador Schifter was successful in this mission. After he graduated from Yale Law School, he went on to become an attorney, advocating for the rights of Native American Tribes facing discrimination at the hands of the U.S. Government. Under Presidents Reagan and George H.W. Bush, he served as Assistant Secretary of State for Human Rights and Humanitarian Affairs, U.S. Representative to the Geneva-based UN Human Rights Commission, and as Deputy U.S. Representative to the UN Security Council. Under President Clinton, he served as Special Assistant to the President on the staff of the National Security Council and as Special Advisor to the Secretary of State. As a diplomat and public servant, he fought against oppressive regimes around the world. He pressured the Soviet Union to release political prisoners, end the criminalization of dissent, and allow the emigration of Soviet Jews. After leaving the U.S. Government, Ambassador Schifter went on the lead the American Jewish International Relations Institute, where he fiercely defended the State of Israel and worked to ensure that other people would never suffer his family's fate under the Nazis. Until his last day, Ambassador Schifter fought to promote fairness and democracy and to protect the security and freedom of others.

I would be remiss if I failed to commemorate Ambassador Schifter's enormous impact on our home State of Maryland. Ambassador Schifter served for 20 years on the Maryland State Board of Education, leading both the Governor's Commission on Funding the Education of Handicapped Children and the Governor's Commission on Values Education. He was also the chairman of the Montgomery County Democratic Committee. In all these roles, he worked to expand equality and opportunity for everyone in our State. Even as his professional responsibilities spanned the globe, Ambassador Schifter remained committed to building a brighter future for his neighbors.

Ambassador Schifter's passing is a staggering loss, but his legacy lives on and will serve as the true North Star for all of us who share his devotion to human rights, democracy, and decency. His parent's decision in 1938 to send their 15-year-old son to a new country, alone, saved not just his life, but also countless others on whose behalf Ambassador Schifter worked so indefatigably throughout his illustrious career. I extend my deepest condolences Ambassador Schifter's children and grandchildren and all those who were fortunate enough to call Ambassador Schifter a friend.