We don't need to normalize or legitimize these methods by engaging in them ourselves. Doing so would simply create a false moral equivalence that plays right into Putin's hands. Instead, we must employ responses that play to our strengths. We stand for transparency and accountability in the United States. We stand for the rule of law. We must develop and implement a comprehensive strategy that deploys tools that are consistent with and showcase these values. We must shine a light on corruption at the highest levels of the Putin regime. We must shine a light on how Putin's cronies are hiding their ill-gotten gains in the West. We must deploy a systematic and strategic messaging campaign that counters the base of Putin's power, reputation, and funding.

We must take these actions in concert with our allies and partners. In response to the Skripal poisoning, the United States expelled 60 Russian diplomats, joining with more than 25 ally and partner nations in applying diplomatic pressure on Russia. This action sent a strong signal that the world would not allow Putin to act with impunity. When we act together with our allies and partners to push back against these hybrid operations, it imposes a cost to Putin's reputation on the world stage, which thwarts one of his major strategic interests.

While these steps were in the right direction, they have been undermined by the President's words and actions. Despite punitive measures in response to the Skripal poisoning, the Kremlin thought that the Helsinki summit erased that damage. Press reports indicate that Western and U.S. intelligence agencies assessed that the Kremlin was pleased with the outcome of the summit at Helsinki and is confused as to why President Trump is not implementing more Russia-friendly policies.

One important tool in our arsenal for holding the Kremlin accountable is sanctions, including those on Putin's inner circle. In particular, sanctions implemented under the Magnitsky Act appear to be particularly threatening to him. This act was passed in response to the death of Sergei Magnitsky, who uncovered massive tax fraud and corruption that was traced back to Kremlin officials. He was arrested in Russia and placed in jail, where he was tortured until he died.

The origins of the Magnitsky Act were to hold accountable those in the Russian Government who were complicit in Magnitsky's abuse and death by sanctioning their assets and barring them from receiving American visas. Subsequently, the Magnitsky Act has been expanded to include others who are culpable of acts of significant corruption and abuse.

Russia expert Heather Conley of the Center for Strategic and International Studies testified recently at a Banking Committee hearing about the significance of the Magnitsky sanctions to Putin. She said:

> Because the Kremlin has based its economic model and its survival on kleptocracy, sanctions and other policy instruments dedicated to preventing the furtherance of corruption—or worse yet in the minds of the Kremlin, to providing accurate information to the Russian people of the extent of this corruption—are a powerful countermeasure to Russia's malign behavior.

The Magnitsky sanctions, along with those designated under the Countering America's Adversaries Through Sanctions Act, or CAATSA, threaten Putin's power structure and present a counter-narrative of corruption and abuse by the Kremlin.

We need to continue to use these sanctions to hold those who are complicit in dirty active measures and those who are responsible for aggression, corruption, and interfering in our elections accountable. Ratcheting up sanctions on those in Putin's inner circle is a way to make Putin and his cronies feel pain and has the potential to change their behavior. Additional sanctions should be imposed on oligarchs and high-ranking government officials to target Putin's base of power and further expose the corrupt nature of their sources of income.

We should also consider declassifying the so-called 241 report compiled by the intelligence community along with the Departments of Treasury and State. This report required an assessment of the net worth of senior Kremlin officials and oligarchs, their relationship to Putin and his inner circle, and evidence of corrupt practices. If we were to release such a report—with redactions for portions with national security implications—to the public, it would further expose malign activity and unexplained streams of wealth.

Congress has provided many tools for the administration to implement, and it is time to utilize them fully. Implementing them in a transparent, public manner is likely to cause reputational harm to Putin himself and restore a level of confidence in the administration here at home. However, specifically targeting sanctions this way is unlikely to cause large-scale harm to the Russian people or to our European allies.

It is very clear that implementing sanctions is far more effective when done with the cooperation of the international community. The most effective sanctions regimes are those that are implemented in a multilateral fashion.

I urge the administration to engage with our allies and partners to coordinate sanctions enforcement and further escalatory steps as warranted. That includes working through diplomatic channels to ensure that the sanctions placed on Russia by the European Union remain in place. A coordinated front of the United States and our European allies provides the greatest chance of successful implementation of sanctions and deterring further aggression by Russia.

The administration must also place a premium on exerting diplomatic pressure to isolate those who flout or do not enforce sanctions on Russia.

Another form of pressure should be an increase in assistance to pro-democracy and civil society groups in Russia and in nations of the former Soviet Union. Working with these groups in conjunction with our allies, partners, and the private sector would provide another means of raising the costs of Putin and his oligarchs. Putin is threatened by the success of democracies and private enterprise.

In addition to sanctions, we must continue to play a strong role in law enforcement, along with our allies and partners. That includes aggressive prosecution of murders and threats of violence to limit the impunity. With Litvinenko, it took almost 10 years for the United Kingdom to have an official inquiry into the assassination. The United Kingdom has acted quicker in the wake of the Skripal poisoning, moving to identify suspects and hold the Kremlin accountable for these actions. We need to adopt UK's lessons learned to ensure that those who seek to use these weapons will be prosecuted fully and without delay.

We have missed too many of these dirty active measures operations for far too long. We must recognize this is an element of Russia's hybrid warfare. We must not fail to have the imagination to see what is happening right before our eyes. We must do more to identify and attribute these attacks from Russia. These attacks have only grown more brazen and will not stop unless we take strong measures to counter them and send the message that dirty active measures are unacceptable and will be costly to Russia or any other country which uses them.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. SULLIVAN). The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

UNANIMOUS CONSENT AGREEMENT

Mr. MCCONNELL. Mr. President, I ask unanimous consent that notwithstanding the provision of rule XXII, all postcloture time on the Clark nomination be considered expired at 12:10 p.m. on Thursday, October 11, and that if confirmed, the motion to reconsider be considered made and laid upon the table and the President be immediately notified of the Senate's action.

The PRESIDING OFFICER. Without objection, it is so ordered.

LEGISLATIVE SESSION

MORNING BUSINESS

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to a period of morning

business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

S.J. RES. 63

Ms. COLLINS. Mr. President, earlier today I voted in support of the resolution offered by Senator BALDWIN to roll back rules adopted in August by the Trump administration that would allow individuals to purchase so-called short-term, limited duration health insurance plans for up to 1 year. The Obama administration had previously limited the duration of such plans to 3 months. I rise now to explain why I chose to support the resolution and, beyond that, to note the critical need to take action to protect individuals who have no other affordable health insurance option.

First, as proponents of the resolution have noted, short-term limited duration plans do not provide protections for enrollees who suffer from preexisting conditions. As I have often emphasized, it is essential that individuals who suffer from preexisting conditions are covered. In June of this year, I wrote to Attorney General Sessions urging him to reconsider his decision not to defend provisions protecting individuals with preexisting conditions in ongoing litigation challenging the Affordable Care Act in Federal court in Texas. As I noted in my letter, striking down these protections is no small matter:

''In 2016, the Kaiser Family Foundation estimated that 27 percent of American adults under age 65 have pre-existing conditions that would leave them uninsurable in the individual market. More recently, 57 percent of Americans responding to a poll said that they, or someone in their household, suffers from a pre-existing condition. These numbers include 590,000 Mainers, roughly 45 percent of the state's population.''

Mr. President, I ask unanimous consent that my letter be printed in the RECORD immediately following my remarks.

At the same time, we cannot ignore the fact that many individuals lack an affordable health insurance option. For example, individuals who earn more than 400 percent of the Federal poverty level—about $49,000—are not entitled to the ACA's premium tax credits and must shoulder the full cost of plans they purchase in the exchange. For a 64-year-old male living in Caribou, ME, this amounts to about $9,500 for the cheapest bronze plan—or nearly 20 percent of his income—far too expensive. Based on the statistics I have already cited, there is a better than even chance that this individual suffers from a preexisting condition.

Individuals who lose their jobs and their healthcare coverage along with it may also benefit from these plans. If someone is struggling to pay rent or a mortgage and trying to keep up with other bills, a short-term plan can help them achieve some measure of coverage without compounding their financial worries. There is a role for these plans, and I believe that we should work together to address these real-world situations.

The underlying flaw in the Affordable Care Act is that it does not provide affordable coverage, but I believe this flaw can be addressed without jeopardizing protections for individuals with preexisting conditions. In fact, earlier this year, I offered legislation with my good friend LAMAR ALEXANDER that would have done exactly that. Our bill, would have funded cost-sharing reductions, reformed the section 1332 waiver program, and provided $30 billion over 3 years to support State reinsurance or invisible high-risk pools—methods proven to reduce rates without discriminating against those with preexisting conditions. Furthermore, healthcare experts at Oliver Wyman projected that our bill would have lowered individual health insurance premiums in the individual market by as much as 40 percent compared to what people would otherwise pay, while also expanding coverage to an additional 3.2 million individuals.

Unfortunately—and incredibly—when we tried to advance this legislation, the Democratic leaders blocked it.

I remain deeply disappointed that members on the other side of the aisle chose to derail legislation that could have lowered rates for the 18 million Americans who get their health insurance coverage from the individual market. I am also disappointed that we again find ourselves in an ''all or nothing, take it or leave it'' situation. I can only hope that some of the energy now stoking partisan animosity will be redirected soon toward finding healthcare solutions that work for all Americans.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

U.S. SENATE,
Washington, DC, June 27, 2018.

Re Texas v. United States, No. 4:18–cv–00167–O (N,D. Tex.).

Hon. JEFF SESSIONS,
Attorney General, U.S. Department of Justice, Washington, DC.

DEAR ATTORNEY GENERAL SESSIONS: I am writing regarding the Department's recent decision not to defend critical consumer protections in ongoing litigation challenging the Affordable Care Act (ACA) before the United States District Court for the Northern District of Texas. I urge you to reconsider your position and to defend these critical protections for individuals with pre-existing conditions like asthma, arthritis, cancer, diabetes, and heart disease.

In your June 7, 2018. letter to Speaker Ryan explaining the Department's decision, you argue that the ACA's provisions protecting people with pre-existing conditions are not severable from the individual mandate, and cannot survive if that provision is struck down as unconstitutional. Respectfully, I disagree,

This is no small matter. In 2016, the Kaiser Family Foundation estimated that 27 percent of American adults under age 65 have pre-existing conditions that would leave them uninsurable in the individual market. More recently, 57 percent of Americans responding to a poll said that they or someone in their household suffers from a pre-existing condition. These numbers include 590,000 Mainers, roughly 45 percent of the State's population.

I want to make clear that my concern is to protect individuals with pre-existing conditions, not to defend the individual mandate. Data show that the individual mandate is highly regressive—80 percent of those who pay the fine make less than $50,000 per year. The Supreme Court was right to find that the individual mandate is not within the powers granted to Congress under the Commerce Clause, and Congress was right in eliminating the individual mandate's penalty through the passage of the Tax Cuts and Jobs Act, P.L. 115–97.

I do not dispute your contention that the individual mandate will cease to be constitutional as a tax when it no longer produces revenue, beginning in 2019. But it does not follow that eliminating this penalty requires that important consumer protections—such as provisions ensuring that Americans with pre-existing conditions have access to health insurance—must also fall. In my view, the severability argument you outlined in your letter is focused on the wrong period of time: severability should not be measured by Congress's intent in 2010, when the Affordable Care Act was passed into law, but rather by Congress's intent in 2017, when Congress amended it through the Tax Cuts and lobs Act. It is implausible that Congress intended protections for those with pre-existing conditions to stand or fall together with the individual mandate, when Congress affirmatively eliminated the penalty while leaving these critical consumer protections in place. If Congress had intended to eliminate these consumer protections along with the individual mandate, it could have done so. It chose not to.

Your letter states that it is ''rare'' for the Department to forgo defense of duly enacted statutes. The Department should do its duty and defend the important consumer protections in the ACA, particularly those that ensure that people with pre-existing conditions can secure insurance.

Sincerely,

SUSAN M. COLLINS,
United States Senator.

U.S.-ISRAEL RELATIONSHIP

Mr. MENENDEZ. Mr. President, today I want to once again reaffirm that the U.S. Congress stands firmly behind a strong U.S.-Israel relationship. As threats to Israel continue to increase, as her enemies continue to grow ever closer, the United States will stand firm in our commitments.

Despite partisanship interfering with so many pressing policy issues today, an overwhelming majority of members of all political parties continue to reaffirm congressional support for this relationship.

Congress continues to fully fund the unprecedented $38 billion of memorandum of understanding for military aid and will continue to do so on a bipartisan basis.

Congress continues to authorize and fund missile codevelopment programs, like Iron Dome, David's Sling, and Arrow 3, and will continue to do so on a bipartisan basis.