

people's lives and our economy. That is what a "no" vote is. Voting yes would help cement this as a lasting legacy for this Congress.

So, again, I urge all of my colleagues, please put the partisanship aside. Recognize the value of eliminating shutdowns and vote yes on this very simple, very commonsense bill that I think quite honestly the American people want to see passed.

With just a couple more minutes, I sat in the Chamber, and I listened to all the arguments about the ObamaCare subsidies—the temporary, COVID, enhanced ObamaCare subsidies. Nobody is talking about doing away with the ObamaCare subsidies. But for sure it should be pointed out that the reason health insurance is so expensive on the individual market is because of the faulty design of ObamaCare.

We had high-risk pools to take care of people with preexisting conditions. It needed a couple of tweaks to cover everybody. But that wasn't good enough for Democrats because they want a single-payer system, so they threw out and outlawed high-risk pools, and in its place forced people on the individual insurance market to pick up the full cost of covering people with preexisting conditions. That caused insurance rates on the individual market to skyrocket. That is why insurance prices continue to skyrocket on the individual market in particular.

What Democrats did during COVID is they basically removed any participation in the ObamaCare exchanges from many millions of people who qualified. The result of that is massive fraud. You have unscrupulous agents and brokers who are signing people up, just using their name and their birth date, for health insurance that these people don't even know they are signed up for. So they don't make claims. Something like 12 million people on the ObamaCare exchanges out of 20½ million had no claims. It is typical that maybe 10 to 15 percent of people on insurance don't make claims because they are healthy but 12 million out of 20½? That means 6 million don't even know they have a policy.

So we are literally pouring tens of billions of dollars per year into insurance companies for policies for people that they don't even know they have and they don't use them, while we are paying commissions to those dishonest brokers. That is a massive level of fraud that apparently Democrats have no problem perpetuating. Republicans have a problem with that. We want to lower premiums by doing commonsense reforms and repairing the damage done by ObamaCare.

Again, I think what I heard on the floor needed some response. That is my response to that.

I will just end again by encouraging all of my colleagues—the American people don't like these shutdowns. They want them ended. We have a very simple bill—not partisan—that really

offers no advantage to anybody, which is perfect. It just keeps the government open. It gives appropriators time to do appropriating, appropriate those Departments, and end all the chaos and all the turmoil and all the playing games with people's lives.

With that, I yield the floor.

VOTE ON WALTZ NOMINATION

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the Waltz nomination?

Mr. JOHNSON. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. BARRASSO. The following Senator is necessarily absent: the Senator from North Carolina (Mr. TILLIS).

The result was announced—yeas 54, nays 45, as follows:

[Rollcall Vote No. 532 Ex.]

YEAS—54

Banks	Fischer	Moody
Barrasso	Graham	Moran
Blackburn	Grassley	Moreno
Boozman	Hagerty	Mullin
Britt	Hawley	Murkowski
Budd	Hoeben	Ricketts
Capito	Husted	Risch
Cassidy	Hyde-Smith	Rounds
Collins	Johnson	Schmitt
Cornyn	Justice	Scott (FL)
Cotton	Kelly	Scott (SC)
Cramer	Kennedy	Shaheen
Crapo	Lankford	Sheehy
Cruz	Lee	Sullivan
Curtis	Lummis	Thune
Daines	Marshall	Tuberville
Ernst	McConnell	Wicker
Fetterman	McCormick	Young

NAYS—45

Alsobrooks	Hickenlooper	Reed
Baldwin	Hirono	Rosen
Bennet	Kaine	Sanders
Blumenthal	Kim	Schatz
Blunt Rochester	King	Schiff
Booker	Klobuchar	Schumer
Cantwell	Lujan	Slotkin
Coons	Markey	Smith
Cortez Masto	Merkley	Van Hollen
Duckworth	Murphy	Warner
Durbin	Murray	Warnock
Gallego	Ossoff	Warren
Gillibrand	Padilla	Welch
Hassan	Paul	Whitehouse
Heinrich	Peters	Wyden

NOT VOTING—1

Tillis

The nomination was confirmed.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER. The majority leader is recognized.

Mr. THUNE. Mr. President, I ask unanimous consent 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.

The Senator from Washington.

Mrs. MURRAY. Mr. President, I ask unanimous consent that there now be 2 minutes of debate, equally divided, prior to this cloture vote.

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

ELIMINATE SHUTDOWNS ACT

Mrs. MURRAY. Mr. President, this bill has a very nice-sounding name, but that is about the only good thing you can say about it because what it really does is hand over Congress's power of the purse to Donald Trump and Russ Vought.

If this bill passes, it won't just be Democrats' voice in funding that gets squashed; Republicans will be cutting themselves out of funding decisions because the bill extends government funding indefinitely so Donald Trump and Russ Vought never have to worry about Congress again.

If this bill were to pass, Trump could quite literally refuse to sign every funding bill—even a bipartisan bill—unless it met all of his demands. And Congress would then have to override his veto with a two-thirds vote in both Chambers if we ever wanted to get off the "forever CR" this bill would put in place. No way.

There is a very simple way to avert a shutdown. It starts with Republicans working with Democrats to hammer out a solution. It is time to do that.

I yield the floor.

The PRESIDING OFFICER. The Senator from Wisconsin.

Mr. JOHNSON. Mr. President, I will ask you, I will ask everybody in the Chamber, everybody listening to me on C-SPAN: Aren't you getting sick and tired of the shutdown showdowns? I am. In 15 years, we should have passed 180 appropriations bills before the end of the fiscal year. We passed six—3.6 percent. That is a 96.7-percent failure rate.

I am sorry the appropriations process is broken. This bill does nothing to diminish the authority of the appropriators. What it does is it removes all the turmoil, all the disruption of people's lives. It takes away the partisan bickering, and it just—every 14-day rolling appropriations bill to keep any Department open, where we haven't passed an appropriations bill, gives appropriators time to find areas of agreement and work on compromise in disagreement.

Let me be clear, a vote against the Eliminate Shutdowns Act is a vote to continue the chaos and to continue the partisan game playing with people's lives.

And by the way, this won't be the only time we will vote on this. I will guarantee you that if we go into a shutdown. Please, do right by the American people. Vote for the Eliminate Shutdowns Act. We can do away with shutdowns for all time. A simple vote yes will do that.

I yield the floor.

CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The senior assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the

Standing Rules of the Senate, do hereby move to bring to a close debate on the motion to proceed to Calendar No. 161, S. 2806, a bill to provide for automatic continuing appropriations.

John Thune, Bernie Moreno, Mike Crapo, Chuck Grassley, Ashley B. Moody, Markwayne Mullin, John Barrasso, Tim Sheehy, Pete Ricketts, Ted Budd, Bill Hagerty, John R. Curtis, David McCormick, Tim Scott of South Carolina, John Cornyn, Cynthia M. Lummis, Steve Daines.

The PRESIDING OFFICER. Under the previous order, the mandatory quorum call under rule XXII has been waived.

The question is, Is it the sense of the Senate that debate on the motion to proceed to S. 2806, a bill to provide for automatic continuing appropriations, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. BARRASSO. The following Senators are necessarily absent: the Senator from Kansas (Mr. MARSHALL) and the Senator from North Carolina (Mr. TILLIS).

The yeas and nays resulted—yeas 37, nays 61, as follows:

[Rollcall Vote No. 533 Ex.]

YEAS—37

Banks	Ernst	McCormick
Barrasso	Graham	Moody
Blackburn	Grassley	Moreno
Britt	Hagerty	Risch
Budd	Hawley	Schmitt
Capito	Hoeven	Scott (FL)
Cornyn	Husted	Scott (SC)
Cotton	Johnson	Sheehy
Cramer	Justice	Sullivan
Crapo	Kennedy	Tuberville
Cruz	Lankford	Young
Curtis	Lee	
Daines	Lummis	

NAYS—61

Alsobrooks	Hirono	Ricketts
Baldwin	Hyde-Smith	Rosen
Bennet	Kaine	Rounds
Blumenthal	Kelly	Sanders
Blunt Rochester	Kim	Schatz
Booker	King	Schiff
Boozman	Klobuchar	Schumer
Cantwell	Lujan	Shaheen
Cassidy	Markey	Slotkin
Collins	McConnell	Smith
Coons	Merkley	Thune
Cortez Masto	Moran	Van Hollen
Duckworth	Mullin	Warner
Durbin	Murkowski	Warnock
Fetterman	Murphy	Warren
Fischer	Murray	Welch
Gallo	Ossoff	Whitehouse
Gillibrand	Padilla	Wicker
Hassan	Paul	Wyden
Heinrich	Peters	
Hickenlooper	Reed	

NOT VOTING—2

Marshall Tillis

(Mr. BARRASSO assumed the Chair.)
The PRESIDING OFFICER (Mr. SCHMITT). On this vote, the yeas are 37, the nays are 61.

Three-fifths of the Senate duly chosen and sworn not having voted in the affirmative, the motion is rejected.

The majority leader.

MOTION TO RECONSIDER

Mr. THUNE. Mr. President, I enter a motion to reconsider.

The PRESIDING OFFICER. The motion is entered.

LEGISLATIVE SESSION

MORNING BUSINESS

Mr. THUNE. Mr. President, I ask unanimous consent that the Senate proceed to legislative session for 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.

GOVERNMENT ACCOUNTABILITY OFFICE OPINION LETTER

Mr. BARRASSO. Mr. President, I ask unanimous consent to have printed in the RECORD the GAO opinion letter dated September 18, 2025.

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

DECISION

Matter of: U.S. Department of the Interior, Bureau of Land Management—Applicability of the Congressional Review Act to Buffalo Field Office Record of Decision and Approved Resource Management Plan Amendment

File: B-337503

Date: September 18, 2025

DIGEST

The U.S. Department of the Interior, Bureau of Land Management (BLM) Buffalo Field Office issued a *Record of Decision and Approved Resource Management Plan Amendment* (Buffalo RMPA). The Buffalo RMPA makes areas of public land administered by the Buffalo Field Office unavailable for coal leasing consideration.

The Congressional Review Act (CRA) requires that before a rule can take effect, an agency must submit the rule to both the House of Representatives and the Senate, as well as the Comptroller General. CRA adopts the definition of “rule” under the Administrative Procedure Act (APA) but excludes certain categories of rules from coverage. We conclude that the Buffalo RMPA meets APA’s definition of a rule, and that no CRA exception applies. Therefore, the Buffalo RMPA is a rule subject to CRA’s submission requirements.

DECISION

In November 2024, the U.S. Department of the Interior (Interior), Bureau of Land Management (BLM), Buffalo Field Office issued a *Record of Decision and Approved Resource Management Plan Amendment* (Buffalo RMPA). We received a request for a decision as to whether the Buffalo RMPA is a rule for purposes of the Congressional Review Act (CRA). As discussed below, we conclude that the Buffalo RMPA is a rule for purposes of CRA.

Our practice when issuing decisions is to obtain the legal views of the relevant agency on the subject of the request. Accordingly, we reached out to Interior to obtain the agency’s views. We received Interior’s response on August 8, 2025.

BACKGROUND

BLM Public Land Management

Under the Federal Land Policy and Management Act of 1976, as amended (FLPMA), BLM is responsible for developing, maintaining, and, when appropriate, revising “land use plans which provide by tracts or areas for the use of the public lands.” BLM land use plans, referred to as “resource management plans” (RMPs), establish goals and di-

rectives to guide future land and resource management actions implemented by BLM. Pursuant to FLPMA, BLM established procedures for the development, revision, and amendment of RMPs.

The objective of resource management planning is to maximize resource values for the public through a rational, consistently applied set of regulations and procedures which promote the concept of multiple use management. An RMP generally establishes land use designations; allowable resource uses; resource conditions, goals, and objectives; program constraints and general management practices; areas to be covered by more specific plans; and other related information.

BLM may amend an RMP to account for, among other things, new data, new or revised policy, or a change in circumstances. Amendments are to be made through an environmental assessment of the proposed change or an environmental impact statement, if needed, and must involve public involvement and interagency coordination.

Buffalo Field Office Resource Management Plan

In 2015 BLM issued a Record of Decision (ROD) for six approved resource management plan amendments (2015 ROD). According to BLM, the 2015 ROD reflected a broad and unprecedented effort to address declining ecosystems in the region and concerns about a potentially endangered species. The 2015 ROD included the Buffalo Field Office Approved Resource Management Plan (2015 Buffalo RMP).

Following its issuance, the 2015 Buffalo RMP was challenged in the United States District Court for the District of Montana on the basis that BLM improperly approved the plan in violation of the National Environmental Policy Act (NEPA). The court found that BLM violated NEPA and ordered BLM to complete a new coal screening and remedial NEPA analysis.

In response to the court’s order, BLM issued an amended Record of Decision and Approved Resource Management Plan (2019 Buffalo RMPA) in November of 2019. The 2019 Buffalo RMPA was also challenged in court. Once again, the court found that BLM violated NEPA. In its order, the court directed BLM to consider no coal leasing and limited coal leasing alternatives and to disclose the public health impacts, both climate and non-climate, of burning fossil fuels from the planning area.

On November 20, 2024, in response to the court’s order, BLM issued the Buffalo RMPA, which is the subject of this decision. The Buffalo RMPA replaced the 2019 Buffalo RMPA’s decision regarding the availability of coal resources for leasing. The Buffalo RMPA designates 48.12 billion short tons of coal as unavailable for further consideration for leasing. It also precludes the acceptance of new coal lease applications for the duration of the planning period, which extends through 2038. However, it permits the development of existing coal leases in accordance with lease terms and conditions.

Congressional Review Act

CRA, enacted in 1996 to strengthen congressional oversight of agency rulemaking, requires federal agencies to submit a report on each new rule to both houses of Congress and to the Comptroller General for review before a rule can take effect. The report must contain a copy of the rule, “a concise general statement relating to the rule,” and the rule’s proposed effective date. CRA allows Congress to review and disapprove rules issued by federal agencies for a period of 60 days using special procedures. If a resolution of disapproval is enacted, then the new rule has no force or effect.

CRA adopts the definition of “rule” under the Administrative Procedure Act (APA),