

across the aisle. We should be extending the ACA premiums now and making sure these prices don't rise and continue to work on long-term solutions to make health insurance more affordable for Americans.

So I urge my colleagues to continue to work with us. The ACA tax credits expiring at the end of this year and this enrollment that we are going to see on November 1, that everybody is going to see how much these costs are going up—I am asking my colleagues, let's roll up our sleeves. Let's work to lower these costs.

I know that in the Affordable Care Act, there are States like New York, Oregon, and Minnesota who have the basic health plan. The basic health plan provision, modeled on something our State had first done, lowered the costs for a lot of working families across the United States. Programs like this should be considered, as well as solutions that would help us lower costs for the future.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maine.

NOMINATION OF JOSHUA D. DUNLAP

Ms. COLLINS. Mr. President, I rise today in strong support of Joshua Dunlap to serve on the U.S. Court of Appeals for the First Circuit.

Josh is an attorney of extraordinary intelligence, extensive experience, and demonstrated integrity. He is highly respected in the legal community throughout the State of Maine, and I urge my colleagues to support his nomination to the First Circuit.

Josh grew up in Vassalboro, ME, and now lives in Scarborough with his wife Sydney and their three children.

He graduated first in his class from Notre Dame Law School, where he received the law school's highest honor, awarded to the student with the most distinguished academic record.

He then clerked for Judge Paul Kelly of the U.S. Court of Appeals for the Tenth Circuit.

In 2009, Josh joined the very well respected law firm Pierce Atwood in Portland, ME. During his 16 years at the firm, he has specialized in complex civil litigation matters and currently serves as cochair of the firm's appellate team.

Josh is admitted to practice in multiple U.S. courts of appeal and the U.S. Supreme Court. He has also assisted special masters in three original jurisdiction proceedings before the Supreme Court.

Finally, Josh also chairs the Maine Appellate Rules Committee, to which he was appointed by the Maine Supreme Judicial Court.

This impressive experience, coupled with his intelligence and integrity, makes Josh exceptionally well qualified to serve on the First Circuit. His substantial appellate litigation experience will also bring a practitioner's perspective to the court.

The nonpartisan American Bar Association unanimously rated Josh as

"well qualified" to serve on the First Circuit. I would note that that is the highest possible rating for a judicial nominee. It reflects the ABA's assessment of his integrity, experience, and temperament.

There were several compelling letters of support submitted to the Senate Judiciary Committee in favor of Josh's nomination, and I would like to highlight a couple of them.

A diverse group of faculty and alumni from his law school who taught Josh or studied alongside him praised him for his "respect for differing views" and "deep appreciation for the rule of law."

A letter signed by a group of leading Maine attorneys who describe themselves as representing a broad spectrum of political views and legal philosophies wrote that Josh has all the qualities the very finest judges exhibit: He is hard-working, courteous, and judicial in temperament, very smart, and of sterling character, with a commitment to fairness and the rule of law.

At his confirmation hearing before the Senate Judiciary Committee, Josh testified that Mainers are famously independent and that he suspects that characterizes him as well. That is exactly what we want in a judge.

Maine is proud of our history of supplying superb, well-qualified, independent-minded jurists to the Federal bench. I know that Josh will continue in that fine tradition. I urge all of my colleagues to vote in favor of his nomination, for he truly deserves bipartisan support.

Mr. President, seeing that there are no other speakers, I would ask unanimous consent that the already scheduled vote begin immediately.

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

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 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 nomination of Executive Calendar No. 370, Joshua D. Dunlap, of Maine, to be United States Circuit Judge for the First Circuit.

John Thune, Bernie Moreno, Katie Boyd Britt, Chuck Grassley, James Lankford, Pete Ricketts, Markwayne Mullin, Tim Sheehy, Jon Husted, Eric Schmitt, Jim Justice, James E. Risch, Tom Cotton, Steve Daines, Ted Budd, John R. Curtis, John Boozman.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the nomination of Joshua D. Dunlap, of Maine, to be United States Circuit Judge for the First Circuit, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. BARRASSO. The following Senators are necessarily absent: the Senator from Missouri (Mr. SCHMITT) and the Senator from Mississippi (Mr. WICKER).

The yeas and nays resulted—yeas 51, nays 47, as follows:

[Rollcall Vote No. 601 Leg.]

YEAS—51

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

NAYS—47

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

NOT VOTING—2

Schmitt
Wicker

The PRESIDING OFFICER (Mr. SHEEHY). On this vote, the yeas are 51, the nays are 47.

The motion is agreed to.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

The PRESIDING OFFICER. The clerk will report the nomination.

The legislative clerk read the nomination of Joshua D. Dunlap, of Maine, to be United States Circuit Judge for the First Circuit.

The PRESIDING OFFICER. The Senator from Tennessee.

GOVERNMENT FUNDING

Mrs. BLACKBURN. Mr. President, today marks nearly a full month since the Schumer shutdown started. That was really the time when the Democrats decided to just go on strike and filibuster a clean CR.

What has happened is our Federal law enforcement is being forced to work without pay; air traffic control towers are understaffed; flights are delayed; and it has jeopardized nutritional programs for millions of low-income families. This crisis is something that was entirely, completely, unavoidable. Yet the Democrats have voted over and over to keep the government closed.

The reason they are doing this is Democrat leader CHUCK SCHUMER is holding the government hostage to ram through hundreds of billions of dollars in inflationary spending. In other words, we are not spending enough—\$38 trillion in debt is not enough. They want to run it up some more. He claims that this reckless action is needed to stop Republicans, in his words, “from taking healthcare away” from Americans by allowing healthcare subsidies to expire under the Affordable Care Act, or ObamaCare, as it is known—and more appropriately known—because there is nothing affordable about this thing.

The problem is that is a falsehood, and it shows you how our friends across the aisle are willing to put the American people and their lives and SNAP benefits and paychecks in jeopardy in order to achieve a goal.

One thing that needs to be understood is that the subsidies that are there for ObamaCare—they are permanent. They are permanent. They are not going anywhere. And households that have incomes that fall between 100 and 400 percent of the Federal poverty level are going to continue to get a credit without any interruption. That is in law. That subsidy is there.

This year, the upper limit for these ObamaCare subsidies was an income limit of \$128,600 for a family of four. For the lowest income individuals, insurance premiums can never exceed 2 percent of the total household income. That is something that is Federal law.

Here is what is set to expire at the end of the year: It is President Biden's COVID-era bonus credits that were put in place. This is something that the Democrats did in 2021.

The Biden COVID credits eliminated the 400-percent income cap, allowing households that are making over—get this—a half million dollars a year, \$500,000 a year—they could benefit from this subsidy program. So let's say you were buying health insurance on the ObamaCare exchange and you were making over a half million dollars a year. You too—you too—could get a taxpayer-funded insurance subsidy for ObamaCare. Bear in mind, the subsidy does not go to the individual. The subsidy goes directly to the insurance company.

My friends across the aisle choose to rant and rail against insurance companies. But do you know what? They are enriching them every day, and they want to enrich them even more because now that these emergency subsidies are set to expire more than 5 years after the start of the pandemic, the Democrats are fighting to make these enhanced Biden COVID credit bonuses—they want to make them permanent. This would cost U.S. taxpayers 450 billion hard-earned dollars every single year.

Now, the reason behind this madness is really quite simple. Our friends across the aisle want to bring America one step closer to government-run

healthcare. You know, when we were having all the debates about ObamaCare, they kept saying: All right, we will settle for ObamaCare because that is a step toward government-run healthcare. That is one step toward a single-payer system. That is one step toward socialized medicine.

That is what they want. It would be like Medicaid for all or the VA for all. They want control of your doctor, your health insurance, the kind of care you could get, where you are going to get it, when you are going to get it. Think the VA. Think Medicaid—because that is what they want.

Our debt, as I said, is at \$38 trillion. So what they are trying to do to fund this program that is rife with waste and fraud is unbelievable. Now, the reality is, the lowest cost plan in 2026, the average marketplace premium after tax credits, is projected to be \$50 a month—\$20 less than the average monthly premium in 2020. But we can't ignore the wasteful spending that exists within ObamaCare.

According to one estimate, there are 6.4 million people improperly reporting their income to benefit from fully funded plans under ObamaCare, thanks to the Biden COVID credits. Remember, I said, there are some people, because of the Biden COVID credits, who have zero-dollar premiums. So the estimate is 6.4 million people improperly report their income in order to get that zero premium.

This abuse is costing the taxpayers \$27 billion in 2025 alone. That is the cost of this. This is the cost of not verifying. This is the cost of a program that has run amok with waste and abuse.

Another peculiar example of wasteful enrollment, close to 12 million enrollees in the program filed no claims last year. In other words, they didn't use the insurance. That number is triple what the number was from 2021 because the Democrats expanded the option of zero-premium plans.

Among those 12 million, many people don't even know that they have been enrolled in a taxpayer-funded program. Others may have separate health insurance coverage that they have chosen to use. And taxpayers sent money directly to the insurers on their behalf. This is because an insurance agent, as long as he has name, address, and contact info, can enroll you in this and get that commission.

Think about that. You don't even know you are in the program. You have got an insurance agent who has name, address, phone number, and contact information; and, all of a sudden, they have enrolled you.

Extending these Biden-era enhanced credits, as the Democrats are demanding, would be doing nothing to address the waste, the fraud, and the abuse that is running rampant in this program. And it wouldn't do anything to address the structural flaws that are there in ObamaCare that have really sent premiums soaring over the last several years.

You know, it is so interesting to me that ObamaCare promised that it was going to lower the cost of premiums; it was going to make healthcare affordable and in reach of everybody in the country. But it turns out it is too expensive. You can't afford it unless you get a subsidy. You can't afford it unless you are getting a zero-dollar premium. That is because the insurance tries to be “one size fits all” and requires people to pay for things they are never going to use.

So what we have seen is the price of the insurance and the utilization—the price has gone up, and the utilization has gone down because you have got an insurance card and you have got access to the queue, but you can't get a doctor and you don't get in to see the doctor.

We know that the costs on these premiums really shot up after the Biden COVID credits went into law. And as the premiums go up, taxpayers are on the hook to subsidize the insurance companies.

Remember, the payment goes to them, not to the individual. It goes directly to the insurance company. The agent can enroll you, even if you don't know you are enrolled, because they have got your name, address, phone number, and contact information.

Republicans have already started to address the root causes of this escalation. We have secured measures in the Big Beautiful Bill that prevent illegal aliens from receiving subsidies under ObamaCare. We prevent them from getting Medicaid services also.

It also requires individuals who misstate their income to repay the excess subsidy that they got. That seems fair. If you lied about it on your form and it shows up when it is verified, you are not going to get off with a slap on the hand. You have got to repay. You have got to pay because if you are cheating, it means somebody else is going to be paying that difference.

So requiring applicants to verify their income, their family size, their immigration status, and their residence before enrolling ensures that you are not going to have people abusing the system and ripping off hard-working taxpayers. That is common sense.

Our Democratic colleagues should be working with us to implement more integrity measures to ensure that these taxpayer-funded benefits only go to the people who deserve them.

Republicans want to tackle the rising premium costs because this is too expensive to afford. They want to drive down the cost of prescription drugs by holding pharmacy benefit managers, or PBMs, accountable. We want to streamline the process for prompt payment of claims, put a shot clock on these insurance companies, make certain they are paying your local doctor, and maintain the fiscal solvency of the Medicare Program.

We want to see healthcare freedom. People want to make certain that we have got choice and options; that you are not mandated into a program you

don't want, that covers things you don't need.

How about health savings accounts? How about association health plans? How about across-State-line purchase of health insurance? So when you get a health insurance product you like, you can keep it. When you get a doctor you like, you can keep him. When you get a payment price you like, you can keep that and make it.

We would love to be addressing these issues, but our Democratic colleagues have decided they want to keep going with a government shutdown and hold the government hostage so they can appease their leftwing base.

It is time for them to end the theatrics and come to the table and get back to work.

I yield the floor.

The PRESIDING OFFICER. The Senator from Iowa.

(The remarks of Ms. ERNST pertaining to the introduction of S. 3091 are printed in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

Ms. ERNST. I yield the floor.

The PRESIDING OFFICER. The Senator from Iowa.

Ms. ERNST. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mr. BUDD). Without objection, it is so ordered.

ORDER OF PROCEDURE

Mr. THUNE. Mr. President, I ask unanimous consent that the postcloture time with respect to the Dunlap nomination be expired and the Senate vote on the confirmation of the nomination, notwithstanding rule XXII, at a time to be determined by the majority leader, in consultation with the Democratic leader, no earlier than Tuesday, November 4; further, that if cloture is invoked on the Tung nomination, that all postcloture time be expired and the Senate vote on confirmation of the nomination, notwithstanding rule XXII, at a time to be determined by the majority leader, in consultation with the Democratic leader, no earlier than Wednesday, November 5; finally, that if confirmed, the motions 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

Mr. THUNE. Mr. President, I move to proceed to legislative session.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The motion was agreed to.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. THUNE. Mr. President, I move to proceed to executive session to consider Calendar No. 371.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of Eric Chunyee Tung, of California, to be United States Circuit Judge for the Ninth Circuit.

CLOTURE MOTION

Mr. THUNE. Mr. President, I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

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 nomination of Executive Calendar No. 371, Eric Chunyee Tung, of California, to be United States Circuit Judge for the Ninth Circuit.

John Thune, Markwayne Mullin, John Barrasso, Tim Sheehy, Pete Ricketts, Ted Budd, Bill Hagerty, Bernie Moreno, John R. Curtis, Jon A. Husted, Jim Justice, Ashley B. Moody, Roger Marshall, Joni Ernst, Ron Johnson, John Boozman, John Kennedy.

LEGISLATIVE SESSION

Mr. THUNE. Mr. President, I move to proceed to legislative session.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The motion was agreed to.

CLOTURE MOTION

Mr. THUNE. Mr. President, I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

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. 168, H.R. 5371, a bill making continuing appropriations and extensions for fiscal year 2026, and for other purposes.

John Thune, James E. Risch, Tim Sheehy, John Cornyn, Mike Rounds, John R. Curtis, Jim Justice, Katie Boyd Britt, David McCormick, Todd Young, Bill Hagerty, Dan Sullivan, Marsha Blackburn, Rick Scott of Florida, John Barrasso, Kevin Cramer, Cindy Hyde-Smith.

MORNING BUSINESS

Mr. THUNE. Mr. President, I ask unanimous consent that the Senate be in 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 FUNDING

Mr. GRASSLEY. Mr. President, the Federal Government has a full lapse in funding and has for 30 days. This is not a new revelation.

I want to alert Senator SCHUMER to a grave concern I have. On November 1, 42 million Americans including 131,000 Iowa families will lose their food stamps. Food stamps cost 9 billion a month to administer.

I am calling on Senator SCHUMER to notify 42 million Americans that due to the Schumer Shutdown, their families won't be able to buy groceries with food stamps.

Let's wake up to the fact that Washington is an island surrounded by reality. Iowans in the Real America aren't glued to the TV. Iowans are living their lives, working hard, raising their families. Their world doesn't revolve around Congress. But guess what? Senate Democrats are taking away their food stamps as leverage for unrelated political demands.

Get the word out, Leader SCHUMER. Don't let Americans figure this out at the grocery store this weekend. That is unfair to the American people. Senate Republicans have voted 13 times to fulling fund government including food assistance. Forty-four Senate Democrats have opposed fully funding government 13 times. Americans are suffering because Democrats are holding government hostage.

I can't understand why Senate Democrats want Americans to lose access to their food assistance, law enforcement to go unpaid, and air traffic controllers to call in sick for work.

I am begging Senator SCHUMER to return the government to the American people, as it is their government.

HONDURAS

Mr. WELCH. Mr. President, on September 3, 2025, I spoke about the upcoming November 30 general elections in Honduras for President, Members of Congress, and Members of the Central American Parliament. Significant fraud has been a problem in many of Honduras' past elections, most notably prior to, and during, the 2013 and 2017 elections of former President Juan Orlando Hernandez who today sits in a U.S. prison. So it is important that this election, like the election of Hernandez' successor in 2021, is widely accepted as free, fair, and transparent and that the results are honored in and outside of Honduras.

At that time, I expressed concern about a report that on July 16, Counselor Ana Paola Hall had resigned from the National Electoral Council due to political pressure and threats against her and her family. I also expressed concern that the government of President Castro had reportedly failed to