

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

NAYS—46

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

NOT VOTING—3

Capito	Duckworth	Justice
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The PRESIDING OFFICER. On this vote, the yeas are 51, and the nays are 46. The motion is agreed to.

The motion was agreed to.

EXECUTIVE CALENDAR

The PRESIDING OFFICER. The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of William J. Crain, of Louisiana, to be United States District Judge for the Eastern District of Louisiana.

NOMINATION OF WILLIAM J. CRAIN

Mr. DURBIN. Mr. President, today, the Senate will vote to confirm William Crain to the U.S. District Court for the Eastern District of Louisiana.

During his time as a State court judge, Justice Crain has repeatedly demonstrated his partisan ideology. In 2019, while serving as a State appellate court judge, Justice Crain ran for election to the Louisiana Supreme Court. He identified himself as the “most conservative” candidate and emphasized his pro-life credentials. His campaign materials identified him as “the conservative choice” and further noted that the Louisiana Republican Party had endorsed him to “protect Louisiana and keep a conservative lean on the state’s highest court.”

Justice Crain has not only campaigned as a far-right activist. He has also ruled as one from the bench. Throughout his career as a State court judge, Justice Crain has imposed extremely harsh criminal sentences. In case after case, his rulings show that he prefers to pursue his own “tough-on-crime” political agenda, instead of fairness and justice.

As a State district court judge, he once imposed a life sentence and a 40-year sentence on two defendants who had stolen cameras from a Walmart store. As a State supreme court jus-

tice, he dissented from a majority opinion finding that a 60-year sentence for a nonviolent drug offense was excessive. Justice Crain argued that his colleagues “deflect[ed] from the violence long associated with drug culture.” And in 2022, while on the Louisiana Supreme Court, Justice Crain dissented from the court’s majority opinion in *June Medical Services v. Landry* that prevented trigger statutes outlawing abortion from going into immediate effect.

This nominee’s extreme record on the State bench provides us with a clear view of how he will rule if he is confirmed to the Federal bench.

I oppose his nomination. I urge my colleagues to join me.

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2:15 p.m.

Thereupon, the Senate, at 1:06 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mrs. BRITT).

EXECUTIVE CALENDAR—Continued

VOTE ON CRAIN NOMINATION

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

Mr. DAINES. 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 Senators are necessarily absent: the Senator from West Virginia (Mrs. CAPITO), the Senator from West Virginia (Mr. JUSTICE), the Senator from North Carolina (Mr. TILLIS), and the Senator from Alabama (Mr. TUBERVILLE).

Further, if present and voting: the Senator from North Carolina (Mr. TILLIS) would have voted “yea.”

Mr. DURBIN. I announce that the Senator from Illinois (Ms. DUCKWORTH) is necessarily absent.

The result was announced—yeas 49, nays 46, as follows:

[Rollcall Vote No. 638 Ex.]

YEAS—49

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

NAYS—46

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

NOT VOTING—5

Capito	Justice	Tuberville
Duckworth	Tillis	

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motion to reconsider is considered made and laid upon the table, and the President will be immediately notified of the Senate’s action.

CLOTURE MOTION

The PRESIDING OFFICER (Mr. BANKS). 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 nomination of Executive Calendar No. 573, James D. Maxwell II, of Mississippi, to be United States District Judge for the Northern District of Mississippi.

John Thune, Katie Boyd Britt, Tommy Tuberville, Tim Sheehy, Jon A. Husted, Joni Ernst, Shelley Moore Capito, Cindy Hyde-Smith, Mike Rounds, Bernie Moreno, Jim Justice, Pete Ricketts, John Barrasso, Ted Budd, Eric Schmitt, Ashley B. Moody, Tom Cotton.

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 nomination of James D. Maxwell II, of Mississippi, to be United States District Judge for the Northern District of Mississippi, 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 West Virginia (Mrs. CAPITO), the Senator from West Virginia (Mr. JUSTICE), the Senator from North Carolina (Mr. TILLIS), and the Senator from Alabama (Mr. TUBERVILLE).

Further, if present and voting: the Senator from North Carolina (Mr. TILLIS) would have voted “yea.”

Mr. DURBIN. I announce that the Senator from Illinois (Ms. DUCKWORTH) is necessary absent.

The yeas and nays resulted—yeas 49, nays 46, as follows:

[Rollcall Vote No. 639 Ex.]

YEAS—49

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

NAYS—46

Alsobrooks	Hirono	Sanders
Baldwin	Kaine	Schatz
Bennet	Kelly	Schiff
Blumenthal	Kim	Schumer
Blunt Rochester	King	Shaheen
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Cantwell	Lujan	Smith
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Durbin	Murphy	Warnock
Fetterman	Murray	Warren
Galego	Ossoff	Welch
Gillibrand	Padilla	Whitehouse
Hassan	Peters	Wyden
Heinrich	Reed	
Hickenlooper	Rosen	

NOT VOTING—5

Capito	Justice	Tuberville
Duckworth	Tillis	

The PRESIDING OFFICER. On this vote, the yeas are 49, the nays are 46.

The motion is agreed to.

EXECUTIVE CALENDAR

The PRESIDING OFFICER. The clerk will report the nomination.

The legislative clerk read the nomination of James D. Maxwell II, of Mississippi, to be United States District Judge for the Northern District of Mississippi.

The PRESIDING OFFICER. The Senator from Idaho.

HEALTHCARE

Mr. CRAPO. Mr. President, this week, we are going to spend a lot of time discussing problems with our healthcare system. To do that, we need to understand just how we got here.

Concerns about the rising healthcare costs are not new. In 2009, Democrats highlighted shortcomings in the American healthcare system as proof that the Federal Government had to intervene.

President Obama told us how to judge his healthcare plan. He told us that Americans would be able to keep their insurance plans and their doctors, and he also told us that insurance premiums would go down. As everyone knows, these predictions did not come true.

But there were signs from the start that ObamaCare would not work, which is why not one single Republican voted for it. That is also why the Democrats created the premium tax credits in the first place. They did not trust the one-size-fits-all nature of

ObamaCare to lower costs and expand options.

Instead of decreasing, over the last 15 years, ObamaCare premiums have increased over 220 percent. A family of four pays \$10,000 more for coverage today than they did before ObamaCare, and their deductibles have doubled. Insurance providers have dried up, and rural hospitals are struggling. ObamaCare has undermined healthcare in America.

In 2021, the Democrats again decided that premiums were too high and that a Federal response was necessary. But rather than fix the structural flaws in ObamaCare, they created an even bigger subsidy with fewer guardrails to entice more people into a broken program. Not only did they make the subsidy bigger, they made everyone eligible, regardless of their income. So families making \$600,000 a year began to qualify. Democrats also temporarily eliminated reviews to confirm accurate payments and allowed individuals to continuously enroll throughout the year.

Because those changes were made under the premise of responding to the pandemic, the enhancements were only supposed to last for 2 years. But before they expired, the Democrats extended them for 3 more years—again, without a single Republican vote.

With those expanded subsidies again about to expire—and by the way, on a date set by my Democrat colleagues—the pattern has become clear: Democrats respond to rising premiums by throwing taxpayer dollars at the problem. Their supposedly “short-term” fixes only drive premiums higher and make the problem harder to solve, leaving us with apparently no choice other than to do the same thing again and again and again.

ObamaCare is broken, and throwing good taxpayer money after bad policy is not going to fix it.

The enhanced premium tax credits account for only about 4 percentage points of next year’s projected 20 percent increase in insurance premiums.

Let me say that again. These enhanced premium tax credits that we are talking about only account for about 4 percentage points of next year’s projected 20 percent increase in insurance premiums.

Extending them will not solve the crisis. What it will do is cause tens of billions more dollars to be paid directly to insurance companies without improving patient care or choice. With taxpayers footing the bill, these subsidies give insurance companies every single reason they need to keep hiking premiums.

Even the Washington Post just yesterday explained in their words that “Obamacare subsidies make it too easy to scam the system.”

Last year, the Centers for Medicare and Medicaid Services found that 1.6 million Americans were enrolled in both Medicaid and ObamaCare plans. This year, 6.4 million Americans were

improperly enrolled in the enhanced premium tax credits, at a cost of \$27 billion. Another 12 million subsidized plans reported no claims in 2024, suggesting that many of them were opened on behalf of people who did not even know they were insured.

Because insurance companies receive the subsidies regardless of whether a plan is used, there is no incentive on their part to check the enrollment status. In 2024, \$35 billion was paid out for these unused plans.

My colleagues in the House asked the Government Accountability Office to look into the fraud surrounding the ObamaCare tax credits. Their findings, the findings of the GAO, were shocking.

The GAO created fake identities and attempted to enroll them in ObamaCare plans. All four of their fake applicants in 2024 received a subsidy. This year, 18 out of 20 fake applicants received subsidies.

GAO also found tens of thousands of cases of apparent identity theft and hundreds of thousands of cases where insurers or brokers changed people’s plans or enrolled them in new ones without their consent.

Perhaps worst of all, they found that over \$21 billion worth of subsidies—nearly one-third of all subsidies paid in 2023—had not been double-checked against enrollees’ income. That means that there was nothing stopping these enrollees from misrepresenting their incomes to receive higher subsidies than those for which they were eligible.

Ultimately, it is not just the taxpayers that are hurt by this fraud, although taxpayers should not be on the hook for it to begin with; the other Americans who rely on Federal health programs suffer as these program dollars go to waste.

Republicans addressed some of these program integrity issues in the One Big Beautiful Bill—the Working Families Tax Cut Act—when we tightened eligibility and verification standards for Federal healthcare programs, but no degree of oversight and enforcement is as effective as addressing the basic incentives in the system that result in fraud.

I appreciate that some of my Democratic colleagues have finally acknowledged these issues, but the fact remains they have not offered any ideas on how to solve them. Extending these expensive, fraud-ridden subsidies for another 3 years with no reforms—I repeat, no reforms—is a nonstarter. Continuing to pour billions of dollars more into the pockets of big insurance companies and fraudsters will not lower healthcare costs for American families, especially when you consider that the vast majority of Americans are not insured through the ObamaCare Marketplace and are therefore not even eligible for these subsidies in the first place.

Senator CASSIDY and I have a different plan. The motivating principle