

So you have got 100,000 duplicate numbers enrolled in the program. In one case, a single Social Security number—one number—was used to apply for more than 125 policies.

I call that fraud. And I think it is amazing that ObamaCare is so poorly run that they are allowing this level of fraud and waste of your tax dollars, which are paying for every bit of this.

This is a program that now our colleagues across the aisle are saying: We don't want to fix it. We just want to kick the can. We want to extend these subsidies for 3 more years because the program is really expensive.

And why is it expensive? Waste, fraud, abuse, and government mandates. And ObamaCare is too expensive to afford.

Now, Republicans have already started to address the root cause of the issue, and in the Big Beautiful Bill, there are provisions that require individuals who misstate their income to repay the excess subsidy amount in full.

Requiring applicants to verify their income, their family size, their immigration status, and residence before enrolling ensures no one can abuse the system at the expense of American taxpayers.

This is what you call old common sense. If you are going to go apply for a credit card or a loan at the bank, you have got to verify this, and you are going to be held legally responsible.

Under ObamaCare, it is like nobody gave a ripping flip about what you put on the paper. Whatever you said, all right—there was no verification that was done.

Republicans are also working on solutions to lower the cost—how about that one?—and to promote healthcare freedom, to let you, the patient, the individual, have more choice, more options, and make decisions that affect your healthcare.

This week, our Finance Committee chairman, Senator CRAPO, and the Health Committee chairman, Senator CASSIDY, introduced legislation that would direct funds directly to patients, not to insurance companies. Well, how about that?

Let's make certain that patients—patients—are the ones who receive those funds, not the insurance companies, because we have already defined the waste, the fraud, and the abuse that is taking place in the program.

Now, doing this through health savings accounts and funding for cost-sharing reduction payments, these are things that are positive, that would help to bring some transparency to the system.

Unlike the Democrat proposal, which only further adds to our \$38 trillion in debt, the Crapo-Cassidy bill would drive down the cost of premiums and provide an off-ramp for the Biden plussed-up bonus COVID credits for individuals that were making six-figure incomes.

Now, last week, I introduced a package of bills to support and expand Ten-

nessee's Medicaid innovation, including the Medicaid Primary Care Improvement Act, which would allow States to use Medicaid dollars to pay for direct primary care arrangements, expanding healthcare access for Medicaid beneficiaries and improving outcomes.

And we are introducing legislation that I have worked on for years to empower citizens to purchase health insurance across State lines and have portability on policies. If they get a policy that works, that they like, that they can afford, allow them to take that policy with them, regardless of where they live—again, common sense.

We do know this: You have got to promote competition so that we can bring down prices and give consumers—individuals, patients—more power to price shop for affordable plans.

Americans do not want the Federal Government in charge of their healthcare. They do not want socialized medicine. They do not want government-run healthcare plans. And they definitely do not want their hard-earned tax dollars underwriting fraud.

I yield the floor.

The PRESIDING OFFICER (Mr. BANKS). The Senator from Iowa.

#### ARCTIC FROST INVESTIGATION

Mr. GRASSLEY. Mr. President, if you hear the term "Arctic Frost," for most of us in Washington, DC, it is not a meteorological term. It is a name that the Biden administration put on the efforts through Special Counsel Jack Smith to put then-citizen Trump in prison so he could never run for President again.

I have been trying to make as much of this information that we discover public. So I come to the Senate floor now to discuss this now-infamous Arctic Frost investigation that I and Senator JOHNSON of Wisconsin have exposed.

As we have shown through our investigation, Arctic Frost was not just about putting President Trump in prison, but it was a means to an end. That end that the Arctic Frost investigation sought was a vehicle by which partisan FBI agents and partisan Department of Justice prosecutors could improperly investigate the entire Republican political apparatus.

As Arctic Frost became Special Counsel Jack Smith's election case, it also targeted over 400 Republican groups and individuals. Recently, Senator JOHNSON and I have exposed that the Special Counsel's office obtained phone records of at least 11 Senators and 6 Members of the House of Representatives—all of them Republican. I expect there will be more Members of Congress added to that list. Each of these subpoenas included a court-issued nondisclosure order.

Recently, I made public Department of Justice documents, including emails. These documents showed that Special Counsel Smith's office knew of the constitutional implications of issuing a subpoena for congressional data.

A May 17, 2023, email shows that Molly Gaston from Special Counsel Smith's office emailed John Keller, one of the heads of Biden's Department of Justice Public Integrity Section. In that email, Gaston consulted Keller about issuing subpoenas for Members' phone records. Keller, from the Department of Justice, told her that there might be litigation risk if you do that.

So Smith's staff was warned.

And the reason why? Keller said subpoenaing congressional information could violate the speech or debate clause of the Constitution.

As we all know, the speech or debate clause protects Members of Congress from any retaliation or civil action for what is said right here on the floor of the House and Senate.

Well, no kidding—they were warned.

Of course, the Department of Justice knows that core constitutional activity of constitutional officers is protected in the Constitution.

Keller's email to Gaston also notes case law saying legislators asserting an invasion of speech or debate may intervene and oppose subpoenas. So it is a constitutionally based opposition. However, affected Members—remember they are all Republicans—weren't afforded the opportunity to challenge the subpoenas, as the law would give them the right to do.

It is all about the subpoenas having a nondisclosure order in it.

Now, these nondisclosure orders, rubberstamped by a judge named Boasberg and others on the same court, kept secret Jack Smith's action against the Republican Members. So far, almost all of the nondisclosure orders for Members' own records were signed by Judge Boasberg.

On November 20, 2025, I, along with Chairman JOHNSON and Mr. JORDAN, chairman of the House Judiciary Committee, wrote to Judge Boasberg. We asked what information Special Counsel Smith's office presented, if any, to the court that led to the approval of the nondisclosure orders of Members' phone records, in violation of Federal law.

We also asked Mr. Boasberg if he ever denied any Department of Justice nondisclosure order requests.

Now, Judge Boasberg never answered our letter. He had Judge Robert Conrad, the Director of the Administrative Office of the U.S. Courts, responding on his behalf. Judge Conrad failed to fully answer our questions. The letter claimed that responding to our letter fully would "encroach upon the separation of powers."

Now, the court ought to have raised that concern when Special Counsel Smith requested the nondisclosure orders for the legislative branch phone records—not after it became public as a result of our getting these documents.

But the limited response by the judge shows that the Federal court, including Judge Boasberg, essentially acted as a rubberstamp in approving Special Counsel Smith's nondisclosure orders.

Judge Conrad's letter stated that the Department of Justice typically doesn't include a subpoena with a non-disclosure order request and only provides a signifier, like a phone number, to the court. Thus, the information before the court would reveal that a phone number belonged to a Member of Congress.

Judge Conrad's response appears to indicate that Special Counsel Smith's office failed to disclose to the court that any subpoenas sought phone records for Members of Congress. Jack Smith took this egregious action even though Smith and his team knew case law was clear that legislators could challenge the grand jury subpoena on grounds it violated the speech or debate clause of the Constitution. The letter from Judge Conrad raises serious questions about Special Counsel Smith's candor—or lack thereof—before the court.

But the volume of subpoenas issued by the special counsel's office should have raised alarms with Judge Boasberg and any other judges involved in issuing those subpoenas—alarms that maybe congressional records could have been swept up by the government's conduct.

So there are some questions: Did Judge Boasberg and others even ask the question? Was even a small amount of due diligence done? Boasberg and others won't say. Not asking these simple questions appears to be a clear dereliction of duty.

The actions by the Biden Justice Department and the Federal court raise more questions that Congress and the American people deserve answers to.

These things are very important because when the power of the Federal Government, particularly through the Department of Justice prosecutors and the FBI to be politically weaponized to put anybody in prison—and if they can attempt to do it to a former President then and now President Trump for 4 years, it could be done to anybody. And we need to know that this should never happen again in the United States of America.

So I am giving you this update. Accordingly, my oversight will continue.

I yield the floor.

THE PRESIDING OFFICER. The Senator from Ohio.

UNANIMOUS CONSENT REQUEST—S. 3391

Mr. HUSTED. Mr. President, healthcare is the No. 1 driver of inflation in the 21st century. When we talk about affordability, healthcare is the biggest driver of our costs rising in this century. And the fact of the matter is that the Affordable Care Act is really the "Unaffordable Care Act," and it has made it less affordable. That fact is indisputable.

I have been in the Senate for less than a year; and I didn't create this problem, but I am here working to be part of the solution. In just a moment, I will ask for unanimous consent to pass my bill, S. 3391, the Accountability for Better Care Act.

My proposal represents a good-faith offer on a short-term basis to extend enhanced premium credits for 2 years. I will repeat that: This would extend enhanced premium credits for 2 years but with reforms that will reduce fraud, lower premiums, and protect long-standing conscience rights for millions of Americans. That is what it does.

Before I explain what this common-sense proposal does in more detail, I think that it is equally important to express why it is important, why I am on the floor today—because I will tell you, over the past few weeks, I have been visiting and getting calls and talking with Ohioans who are very concerned about their rising premium payments.

I was in a meeting recently with a pastor. He and his wife are attempting to renew their policy under the ACA. He makes a little over \$80,000 a year, and he is going to see his premiums rise by over \$10,000 next year.

I had another conversation with a small business owner who indicated, with premiums and deductibles, that it will take more than 30 percent of his salary to afford healthcare. These are just a few examples of the millions of Ohioans and Americans that are worried. That is why we have got to take action. It is long past time to do so.

One action we can take today, as part of this legislation, is to address the fraudulent enrollees under the program, though. It has existed for 4 years, and we know that it has cost taxpayers \$27 billion each year. That is a lot of money. There is a lot of fraud going on in the country right now, and we certainly can't stand by and watch it happen by renewing premium subsidies and not do anything to eliminate the fraud. We know it is happening, so it is important, if we are going to extend the tax credits, that we fix the problem.

We could do this by requiring everyone receiving a premium tax credit to pay something toward their health insurance that will help realign the incentives and reduce fraud. I offer a modest solution to this. It requires simply \$5—\$5—on a monthly basis to enroll so that we can combat fraud, so we can know there is an actual person on the other side of this policy that the insurance companies sign people up for so that we can eliminate the rampant fraud. And to put this in perspective, a \$5 request is simply 16 cents a day to get affordable healthcare provided for, largely, by the taxpayers of this country.

That is a pretty great deal for the people who would be enrolled. Requiring this minimum premium will also make certain that Americans cannot be enrolled without their knowledge because we know that there have been convictions around this country for unscrupulous brokers that sign people up under the ACA enhanced premiums. There have been prosecutions and convictions. We know it is fraud. We can fix it simply by asking people to pay a

little bit in return for their largely free healthcare.

We also know that insurers raise premiums on the ACA silver plans in order to address the cost-sharing reductions for low-income individuals. We know this process as silver loading.

In my bill, we will fund the cost-sharing reductions so that we can end the practice of silver loading—the games that insurance companies have been playing. This would lower premiums in the long run by 10 to 20 percent for lower income individuals and save the taxpayers between \$5 billion and \$10 billion. It is an important reform to the tax credits.

Finally, my bill maintains household premium contributions for most people making up to 400 percent of the Federal poverty level, and it also places an income cap on the ACA tax credit for households up to 600 percent of the Federal poverty line. That is \$192,000 for a family of four—because we know, under the old system, people making \$20 an hour would subsidize the premiums for people making a million dollars a year. No one thinks that is right; I can't imagine anyone does. So we fixed that.

These premium contributions are gradually increased as individuals earn more wages up to that income cap. This will reduce the sharp cliff that many of these families are facing because of the design of the credits that currently exist and are about to expire.

I hear constantly from Ohioans that they are worried about their out-of-pocket costs due to failures with ObamaCare. We know it doesn't work; colleagues on the floor have detailed why.

My bill creates a soft landing to protect Ohioans and Americans from steep rises in their premiums created by the failure—the structural failure of the ObamaCare system.

I have long said that I believe that there is a way forward with this proposal; that we can protect families from punishing premium costs and address the underlying fraud in the ACA and to do so in a balanced and thoughtful way.

I came to the floor just a couple of weeks ago and outlined this framework in a proposal I called "Fraud, Freeze, and Fix." Well, today, this is the manifestation of that as represented by the Accountability for Better Care Act.

I appeal to my colleagues on the other side of the aisle that have stated that their goal is to extend the Biden-era COVID bonuses. If that is true, they should support this bill because it does that. That is what it does, but it also gives Congress a runway to fix and address the drivers of high costs of healthcare.

I will conclude this, finally. To my Democrat colleagues, there was a 43-day government shutdown that was ostensibly—it was ostensibly supposed to be about extending the ACA subsidies. Well, this is your opportunity to take yes for an answer because we are extending the ACA subsidies. You get