

Whereas, on June 7, 2018, pursuant to section 530D of title 28, United States Code, then Attorney General Jefferson Sessions, under the direction of the President, notified Congress that the Department of Justice—

(1) would not defend the constitutionality of the requirement to maintain minimum essential coverage under section 5000A of the Internal Revenue Code of 1986, as added by the ACA; and

(2) would argue that certain provisions of the ACA, including the provisions protecting an estimated 133,000,000 individuals in the United States with pre-existing medical conditions, are inseverable from the requirement to maintain minimum essential coverage;

Whereas the United States District Court for the Northern District of Texas—

(1) issued an order declaring that—

(A) the requirement to maintain minimum essential coverage is unconstitutional; and

(B) the remaining provisions of the ACA, including protections for individuals with pre-existing medical conditions, are inseverable from that requirement; and

(2) invalidated the remaining provisions of the ACA;

Whereas the decision of the United States District Court for the Northern District of Texas was stayed and is pending appeal before the United States Court of Appeals for the Fifth Circuit;

Whereas the refusal of the Department of Justice to defend the ACA, as even then Attorney General Sessions acknowledged in his notice to Congress, contravened the Executive Branch's "longstanding tradition of defending the constitutionality of duly enacted statutes if reasonable arguments can be made in their defense";

Whereas reasonable arguments can be made in defense of the ACA, as evidenced by an amicus brief filed by legal experts, including experts who supported other legal challenges to the ACA; and

Whereas, by arguing that the guaranteed issue, community rating, and other protections prohibiting discrimination are inseverable from the remaining provisions of the ACA and therefore the remaining provisions of the ACA are invalid, the Department of Justice is risking vital protections for the estimated 133,000,000 individuals in the United States with pre-existing medical conditions: Now, therefore, be it

Resolved, That it is the sense of the Senate that the Department of Justice should protect individuals with pre-existing medical conditions, including by reversing its position and defending the critically important provisions of the Patient Protection and Affordable Care Act (Public Law 111-148; 124 Stat. 119) in *Texas v. United States*, No. 4:18-cv-00167-O (N.D. Tex.).

SENATE RESOLUTION 95—RECOGNIZING THE 198TH ANNIVERSARY OF THE INDEPENDENCE OF GREECE AND CELEBRATING DEMOCRACY IN GREECE AND THE UNITED STATES

Mr. MENENDEZ (for himself, Mr. BARRASSO, Mr. SCHUMER, Mr. GARDNER, Mr. MURPHY, Mr. RUBIO, Mr. CARDIN, Mr. ENZI, Mr. WYDEN, Mr. BRAUN, Mr. VAN HOLLEN, Mr. JOHNSON, Ms. STABENOW, Mr. TILLIS, Mr. DURBIN, Mr. REED, Mr. WHITEHOUSE, Mr. BROWN, Mr. COONS, Mrs. SHAHEEN, Ms. HASSAN, Mrs. GILLIBRAND, Mr. CASEY, Mr. PETERS, Mr. CARPER, Mr. BENNET, and Mr. BOOKER) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 95

Whereas the people of ancient Greece developed the concept of democracy, in which the supreme power to govern was vested in the people;

Whereas the founding fathers of the United States, many of whom read Greek political philosophy in the original Greek language, drew heavily on the political experience and philosophy of ancient Greece in forming the representative democracy of the United States;

Whereas Petros Mavromichalis, the former Commander in Chief of Greece and a founder of the modern Greek state, said to the citizens of the United States in 1821, "It is in your land that liberty has fixed her abode and . . . in imitating you, we shall imitate our ancestors and be thought worthy of them if we succeed in resembling you.;"

Whereas the Greek national anthem, the "Hymn to Liberty", includes the words, "most heartily was gladdened George Washington's brave land";

Whereas the people of the United States generously offered humanitarian assistance to the people of Greece during their struggle for independence;

Whereas Greece heroically resisted Axis forces at a crucial moment in World War II, forcing Adolf Hitler to change his timeline and delaying the attack on Russia;

Whereas Winston Churchill said that "if there had not been the virtue and courage of the Greeks, we do not know which the outcome of World War II would have been" and "no longer will we say that Greeks fight like heroes, but that heroes fight like Greeks";

Whereas hundreds of thousands of the people of Greece were killed during World War II;

Whereas Greece consistently allied with the United States in major international conflicts throughout its history as a modern state;

Whereas Greece is a strategic partner and ally of the United States in bringing political stability and economic development to the Balkan region, having invested billions of dollars in the countries of the region and having contributed more than \$750,000,000 in development aid for the region;

Whereas the Government and people of Greece actively participate in peacekeeping and peace-building operations conducted by international organizations, including the United Nations, the North Atlantic Treaty Organization, the European Union, and the Organization for Security and Co-operation in Europe;

Whereas Secretary of State Michael Pompeo hosted Acting Greek Foreign Minister George Katrougalos in a United States-Greece Strategic Dialogue on December 13, 2018, that underscored Greece's importance to the United States as a pillar of stability in the Eastern Mediterranean and Balkans and as an important NATO ally;

Whereas the eastern Mediterranean trilateral partnership of Greece, Israel, and Cyprus is increasingly important to United States interests, and each country's strong relationship with the United States, as well as the prospect of an Eastern Mediterranean pipeline enabling safe transmission of gas to Western Europe, is critical to security and energy stability;

Whereas the United States was the honored country at Greece's premier Thessaloniki International Fair on September 8-16, 2018;

Whereas Greece received worldwide praise for its extraordinary handling during the 2004 Olympic Games of more than 14,000 athletes and more than 2,000,000 spectators and journalists, a feat the Government and people of Greece handled efficiently, securely, and with hospitality;

Whereas Greece, located in a region where Christianity meets Islam and Judaism, maintains excellent relations with Muslim countries and Israel;

Whereas Greece remains an integral part of the European Union;

Whereas the Government of Greece has taken important steps in recent years to further cross-cultural understanding, rapprochement, and cooperation in various fields with Turkey, and has also improved its relations with other countries in the region, including Israel, thus enhancing the stability of the wider region;

Whereas the Governments and people of Greece and the United States are at the forefront of efforts to advance freedom, democracy, peace, stability, and human rights;

Whereas those efforts and similar ideals have forged a close bond between the people of Greece and the United States; and

Whereas it is proper and desirable for the United States to celebrate March 25, 2019, Greek Independence Day, with the people of Greece and to reaffirm the democratic principles from which those two great countries were founded: Now, therefore, be it

Resolved, That the Senate—

(1) extends warm congratulations and best wishes to the people of Greece as they celebrate the 198th anniversary of the independence of Greece;

(2) expresses support for the principles of democratic governance to which the people of Greece are committed; and

(3) notes the important role that Greece has played in the wider European region and in the community of nations since gaining its independence 198 years ago.

NOTICE OF INTENT TO OBJECT TO PROCEEDING

I, Senator CHUCK GRASSLEY, intend to object to proceeding to the nomination of William Ro Evanina, of Pennsylvania, to be Director of the National Counterintelligence and Security Center, dated March 5, 2019.

AUTHORITY FOR COMMITTEES TO MEET

Mr. FISCHER. Mr. President, I have 10 requests for committees to meet during today's session of the Senate. They have the approval of the Majority and Minority leaders

Pursuant to rule XXVI, paragraph 5(a), of the Standing Rules of the Senate, the following committees are authorized to meet during today's session of the Senate:

COMMITTEE ON ARMED SERVICES

The Committee on Armed Services is authorized to meet during the session of the Senate on Tuesday, March 05, 2019, at 9:30 a.m., to conduct a hearing.

COMMITTEE ON ARMED SERVICES

The Committee on Armed Services is authorized to meet during the session of the Senate on Tuesday, March 05, 2019, at 2:30 p.m., to conduct a hearing.

COMMITTEE ON ENERGY AND NATURAL

RESOURCES

The Committee on Energy and Natural Resources is authorized to meet during the session of the Senate on Tuesday, March 05, 2019, at 10 a.m., to conduct a hearing entitled "Examining the electricity sector in changing climate."

COMMITTEE ON FOREIGN RELATIONS

The Committee on Foreign Relations is authorized to meet during the session of the Senate on Tuesday, March 05, 2019, at 3 p.m., to conduct a hearing entitled “Post-Hanoi: Status of the North Korean Denuclearization effort.”

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

The Committee on Health, Education, Labor, and Pensions is authorized to meet during the session of the Senate on Tuesday, March 05, 2019, at 10 a.m., to conduct a hearing entitled “Vaccines save lives: What is driving preventable disease outbreaks?”

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

The Committee on Homeland Security and Governmental Affairs is authorized to meet during the session of the Senate on Tuesday, March 05, 2019, at 2:30 p.m., to conduct a hearing on the nomination of Joseph V. Cuffari, of Arizona, to be Inspector General, Department of Homeland Security.

COMMITTEE ON THE JUDICIARY

The Committee on the Judiciary is authorized to meet during the session of the Senate on Tuesday, March 05, 2019, at 10 a.m., to conduct a hearing on the following nominations: Sean D. Jordan, to be United States District Judge for the Eastern District of Texas, and Mark T. Pittman, to be United States District Judge for the Northern District of Texas.

SELECT COMMITTEE ON INTELLIGENCE

The Select Committee on Intelligence is authorized to meet during the session of the Senate on Tuesday, March 05, 2019, at 2:30 p.m., to conduct a closed hearing.

SUBCOMMITTEE ON ANTITRUST, COMPETITION POLICY AND CONSUMER RIGHTS

The Subcommittee on Antitrust, Competition Policy and Consumer Rights of the Committee on the Judiciary is authorized to meet during the session of the Senate on Tuesday, March 05, 2019, at 2:30 p.m., to conduct a hearing entitled “Does America have a monopoly problem: Examining concentration and competition in United States economy.”

SUBCOMMITTEE ON CLEAN AIR AND NUCLEAR SAFETY

The Subcommittee on Clean Air and Nuclear Safety of the Committee on Environment and Public Works is authorized to meet during the session of the Senate on Tuesday, March 05, 2019, at 10 a.m., to conduct a hearing entitled “States roles in protecting air quality.”

MEASURE PLACED ON THE CALENDAR—H.R. 1112

Mr. McCONNELL. Madam President, I understand there is a bill at the desk that is due for a second reading.

The PRESIDING OFFICER. The clerk will read the bill by title for the second time.

The legislative clerk read as follows:

A bill (H.R. 1112) to amend chapter 44 of title 18, United States Code, to strengthen

the background check procedures to be followed before a Federal firearms licensee may transfer a firearm to a person who is not such a licensee.

Mr. McCONNELL. In order to place the bill on the calendar under the provisions of rule XIV, I object to further proceeding.

The PRESIDING OFFICER. Objection having been heard, the bill will be placed on the calendar.

EXPRESSING SUPPORT FOR THE DESIGNATION OF MARCH 2, 2019, AS “GOLD STAR FAMILIES REMEMBRANCE DAY”

Mr. McCONNELL. Madam President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 93, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 93) expressing support for the designation of March 2, 2019, as “Gold Star Families Remembrance Day.”

There being no objection, the Senate proceeded to consider the resolution.

Mr. McCONNELL. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

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

The resolution (S. Res. 93) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today’s RECORD under “Submitted Resolutions.”)

ORDERS FOR WEDNESDAY, MARCH 6, 2019

Mr. McCONNELL. Madam President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m., Wednesday, March 6; further, that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, morning business be closed, and the Senate proceed to executive session and resume consideration of the Readler nomination under the previous order.

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

ORDER FOR ADJOURNMENT

Mr. McCONNELL. Madam President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order, following the remarks of Senator PORTMAN and Senator BROWN.

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

The PRESIDING OFFICER. The Senator from Ohio.

OPIOID EPIDEMIC

Mr. PORTMAN. Madam President, I have come to the floor of the Senate today to talk about the opioid crisis, to talk about what is happening out there in our communities and how some of our Federal legislation is working, and to talk about some good news, which is that there is some improvement in terms of the overdose deaths we have seen in this country, but also a warning that although we are finally making progress on the opioid crisis, we are also seeing other drugs, such as pure crystal meth, coming from Mexico and other drugs beginning to take hold in our communities.

So let me start, if I could, by talking a little about what the opioid crisis has been and what we are doing to address it.

You recall that the last data we had, which is for 2017—over 70,000 Americans lost their lives to overdoses. The No. 1 drug, the No. 1 killer, has been fentanyl, which is a synthetic opioid that, about 4 or 5 years ago, hit our communities hard. Year after year, for 7 or 8 years now, we have seen increases every single year in the number of people who die from overdoses, which is one way to measure it. Another way to measure it is just the number of people addicted. That is a harder figure to find, but that has also increased year to year.

It is devastating communities. The No. 1 cause of death in my home State of Ohio is opioid overdoses. Among Americans under 50, it is now the No. 1 cause of death in America.

It also has had many impacts on our health system and on our criminal justice system. Go to the emergency rooms. Look at our jails that are filled with people whose crimes somehow relate to opioids. Often, these are property crimes—people doing something to get the money to pay for their drugs.

Look at the impact it has had on our families. The foster care system is overwhelmed. I was with some juvenile court judges today from Ohio who were telling me that they can’t find sponsors, that they can’t find foster parents because the system is overrun with kids whose parents are addicted to opioids, and they cannot go home, but they need a loving family.

It has impacted our economy because so many people are now out of work altogether, aren’t even looking for work, and don’t even show up in the unemployment numbers. If you look at the labor force participation rate being so low—in other words, the number of people working—the unemployment rate today would not be 4 percent; it would be more like 8 percent if you just went back to a normal level. And a lot of that, based on studies done by the Department of Labor and Brookings and others, shows that the opioid crisis is driving that.

It has impacted us in so many ways. Here is the exciting news: After 7 or 8 years of increases every year in the number of people whose hopes are lost,