

documents, and representation by the Senate Legal Counsel, and ask for its immediate consideration.

Mr. MCCONNELL. Mr. President, this resolution concerns a request for testimony and documents in a criminal action pending in North Dakota federal district court. In this action, the defendant is charged with sending to Senator HEITKAMP an e-mail threatening to kill or injure her. A trial is scheduled for June 6, 2017.

The prosecution is seeking for introduction into evidence at trial documentary evidence from the Senator's office, including the e-mail at issue, as well as testimony from the Senator's correspondence manager. Senator HEITKAMP would like to cooperate by providing such relevant evidence. The enclosed resolution would authorize that staffer, and any other current or former employee of the Senator's office from whom relevant evidence may be necessary, to testify and produce documents in this action, with representation by the Senate Legal Counsel.

S. RES. 178

Whereas, in the case of *United States v. Kevin Lee Olson*, Cr. No. 17-26, pending in the United States District Court for the District of North Dakota, the prosecution has requested the production of testimony and documents from Kobye Noel, an employee in the Washington, D.C. office of Senator Heidi Heitkamp;

Whereas, pursuant to sections 703(a) and 704(a)(2) of the Ethics in Government Act of 1978, 2 U.S.C. §§288b(a) and 288c(a)(2), the Senate may direct its counsel to represent current or former employees of the Senate with respect to any subpoena, order, or request for testimony relating to their official responsibilities;

Whereas, by the privileges of the Senate of the United States and Rule XI of the Standing Rules of the Senate, no evidence under the control or in the possession of the Senate may, by the judicial or administrative process, be taken from such control or possession but by permission of the Senate; and

Whereas, when it appears that evidence under the control or in the possession of the Senate may promote the administration of justice, the Senate will take such action as will promote the ends of justice consistent with the privileges of the Senate: Now, therefore, be it

*Resolved*, That Kobye Noel, an employee in the Office of Senator Heidi Heitkamp, and any other current or former employee of the Senator's office from whom relevant evidence may be necessary, are authorized to testify and produce documents in the case of *United States v. Kevin Lee Olson*, except concerning matters for which a privilege should be asserted.

SEC. 2. The Senate Legal Counsel is authorized to represent current and former employees of Senator Heitkamp's office in connection with the production of evidence authorized in section one of this resolution.

#### AMENDMENTS SUBMITTED AND PROPOSED

SA 217. Mr. SULLIVAN (for Mr. ROBERTS (for himself and Mrs. McCASKILL)) proposed an amendment to the bill H.R. 1238, to amend the Homeland Security Act of 2002 to make the Assistant Secretary of Homeland Security for Health Affairs responsible for coordinating the efforts of the Department

of Homeland Security related to food, agriculture, and veterinary defense against terrorism, and for other purposes.

#### TEXT OF AMENDMENTS

SA 217. Mr. SULLIVAN (for Mr. ROBERTS (for himself and Mrs. McCASKILL)) proposed an amendment to the bill H.R. 1238, to amend the Homeland Security Act of 2002 to make the Assistant Secretary of Homeland Security for Health Affairs responsible for coordinating the efforts of the Department of Homeland Security related to food, agriculture, and veterinary defense against terrorism, and for other purposes; as follows:

On page 4, lines 1 and 2, strike "relating to food and agriculture" and insert "or the Secretary of Health and Human Services".

On page 4, strike line 3 and all that follows through the end of the matter following line 6 and insert the following:

(b) CLERICAL AMENDMENT.—The table of contents in section 1(b) of the Homeland Security Act of 2002 is amended—

(1) by striking the items relating to sections 523, 524, 525, 526, and 527; and

(2) by inserting after the item relating to section 522 the following:

"Sec. 523. Guidance and recommendations.

"Sec. 524. Voluntary private sector preparedness accreditation and certification program.

"Sec. 525. Acceptance of gifts.

"Sec. 526. Integrated public alert and warning system modernization.

"Sec. 527. National planning and education.

"Sec. 528. Coordination of Department of Homeland Security efforts related to food, agriculture, and veterinary defense against terrorism."

#### AUTHORITY FOR COMMITTEES TO MEET

Mr. GRASSLEY. 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 HOMELAND SECURITY AND GOVERNMENT AFFAIRS

The Committee on Homeland Security and Government Affairs is authorized to meet during the session of the Senate on Wednesday, May 24, 2017, at 10 a.m. in order to conduct a hearing titled "Border Insecurity: The Rise of MS-13 and Other Transnational Criminal Organizations."

##### COMMITTEE ON THE JUDICIARY

The Committee on the Judiciary is authorized to meet during the session of the Senate, on May 24, 2017, at 10 a.m., in room SD-226 of the Dirksen Senate Office Building, to conduct a hearing entitled "Nominations." The witness list is attached.

##### COMMITTEE ON SMALL BUSINESS AND ENTREPRENEURSHIP

The Committee on Small Business and Entrepreneurship is authorized to

meet during the session of the Senate today, May 24, 2017, off the floor at the start of the first scheduled vote to conduct a business meeting on the following:

—The nomination of Althea H. Coetzee to be Deputy Administrator of the Small Business Administration.

##### COMMITTEE ON VETERANS' AFFAIRS

The Committee on Veterans' Affairs is authorized to meet during the session of the Senate on Wednesday, May 24, 2017, in SR-418 at 2:30 p.m. to consider S. 1094, the Department of Veterans Affairs Accountability and Whistleblower Protection Act of 2017.

##### COMMITTEE ON INTELLIGENCE

The Senate Select Committee on Intelligence is authorized to meet during the session of the 115th Congress of the U.S. Senate on Wednesday, May 24, 2017 from 2:30 p.m.–4 p.m., in room SH-219 of the Senate Hart Office Building to hold a closed hearing.

##### SUBCOMMITTEE ON SEAPOW

The Subcommittee on Seapower of the Committee on Armed Services is authorized to meet during the session of the Senate on Wednesday, May 24, 2017, at 9:30 a.m., in open session.

##### SUBCOMMITTEE ON STRATEGIC FORCES

The Subcommittee on Strategic Forces of the Committee on Armed Services is authorized to meet during the session of the Senate on Wednesday, May 24, 2017, at 2:30 p.m., in open and closed sessions.

##### COMMITTEE ON THE SUBCOMMITTEE JUDICIARY ON CRIME AND TERRORISM

The Committee on the Judiciary, Subcommittee on Crime and Terrorism, is authorized to meet during the session of the Senate, on May 24, 2017, at 2:30 p.m., in room SD-226 of the Dirksen Senate Office Building, to conduct a hearing entitled "Law Enforcement Access to Data Stored Across Borders: Facilitating Cooperation and Protecting Rights."

##### SUBCOMMITTEE ON EAST ASIA, THE PACIFIC AND INTERNATIONAL CYBERSECURITY POLICY

The Committee on Foreign Relations Subcommittee on East Asia, The Pacific, and International Cybersecurity Policy is authorized to meet during the session of the Senate on Wednesday, May 24, 2017 at 2:15 p.m., to hold a hearing entitled "American Leadership in the Asia-Pacific, Part 2: Economic Issue."

##### SUBCOMMITTEE ON CONSUMER PROTECTION, PRODUCT SAFETY, INSURANCE, AND DATA SECURITY

The Committee on Commerce, Science, and Transportation is authorized to hold a meeting during the session of the Senate on Wednesday, May 24, 2017, at 2:30 p.m. in room 253 of the Russell Senate Office Building.

The Committee will hold Subcommittee Hearing on "Pool Safety: The Tenth Anniversary of the Virginia Graeme Baker Pool and Spa Safety Act."

Mr. MERKLEY. Mr. President, I ask unanimous consent that that my intern, Kelsey Sherman, be granted privileges of the floor for the balance of the day.

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

#### PRIVILEGES OF THE FLOOR

Mr. WYDEN. Mr. President, I ask unanimous consent that Olivia Rockwell, Brian Larkin, Elizabeth Isbey, Benjamin Willis, and Elizabeth Jurinka, legislative fellows in my office, be given floor privileges for the remainder of this Congress.

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

#### ORDER OF PROCEDURE

Mr. MCCONNELL. Mr. President, I ask unanimous consent that notwithstanding the provisions of rule XXII, the vote on confirmation of Judge Thapar occur at 1:30 p.m. on Thursday, May 25; that if confirmed, 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.

#### CONGRATULATING THE WEBSTER UNIVERSITY CHESS TEAM FOR WINNING A RECORD-BREAKING FIFTH CONSECUTIVE NATIONAL TITLE

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 177, submitted earlier today.

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

The bill clerk read as follows:

A resolution (S. Res. 177) congratulating the Webster University chess team for winning a record-breaking fifth consecutive national title at the President's Cup collegiate chess championship in New York City.

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

Mr. MCCONNELL. Mr. President, I further 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. 177) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under "Submitted Resolutions.")

#### AUTHORIZING TESTIMONY, DOCUMENT PRODUCTION, AND REPRESENTATION

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 178, submitted earlier today.

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

The assistant bill clerk read as follows:

A resolution (S. Res. 178) to authorize testimony, document production, and representation in *United States v. Kevin Lee Olson*.

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

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the resolution 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. 178) was agreed to.

#### ORDERS FOR THURSDAY, MAY 25, 2017

Mr. MCCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10:30 a.m., Thursday, May 25; 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, and morning business be closed; further, that following leader remarks, the Senate proceed to executive session to resume consideration of the Thapar nomination; finally, that all time during morning business, recess, adjournment, and leader remarks count postclosure on the Thapar nomination.

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

#### ORDER FOR ADJOURNMENT

Mr. MCCONNELL. Mr. 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 Senators MANCHIN, SULLIVAN, and MERKLEY.

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

The Senator from West Virginia.

#### HEALTHCARE LEGISLATION

Mr. MANCHIN. Mr. President, I rise today to talk about the concerns of the good people of my great State of West Virginia, about their healthcare and the needs they have. If the American Health Care Act is passed, which is the Republican plan that was passed over in the House, many West Virginians are going to lose their current insurance coverage.

Individuals on Medicaid expansion would not be guaranteed coverage after 2020. That means that for anybody that has gotten insurance for the first time, there is no guarantee they can keep it at all past 2020. The American Hospital Association estimates that 68,200 West

Virginians would lose their Medicaid coverage in 2018, and another 126,000 people who currently have it would be without Medicaid coverage by 2026.

The American Health Care Act, which is being sent by our friends in the House—our Republican friends in the House—increases the cost to our State. The bill cuts \$834 billion from Medicaid, meaning that the State would receive less Federal Medicaid funding, and it would not increase if costs rise in the case of health crises.

In fact, the American Hospital Association estimates that my State of West Virginia would lose a total of \$9.8 billion over the next 10 years—\$9.8 billion over the next 10 years alone in my great State. With all of the hard work they have done, to go without healthcare is unbelievable.

This bill would also increase costs for older, sicker, poorer, rural West Virginians. We have this type of a population in all of our States. Older Americans would face higher costs because insurance companies could charge them five times more than younger beneficiaries—five times more. So if a young beneficiary is paying \$2,500 a year, they can end up paying \$10,000, \$12,000 a year. That would increase the costs to older Americans nationally by anywhere from \$2,000 to \$8,400.

We did this little comparison here of what that would actually look like. Let's say there is a low-income senior, somebody who hasn't gotten to Medicare eligibility yet because of their age, and they are over the 138th percentile of the poverty guidelines, and they are paying about \$1,700 now for their insurance under the Affordable Care Act.

With this piece of legislation, they are going to pay upwards of \$13,000—\$13,000, which they don't have. The cost to purchase insurance for low-income seniors in West Virginia who buy insurance on the exchanges, as I just showed you, could go up to almost 800 percent—800 percent of the costs they are paying.

So today I am going to share the story of a West Virginian who is concerned about losing her healthcare. This West Virginia native is Stephanie Fredricksen. She told me her story at a townhall that we had in the Eastern Panhandle in March. She asked me to make sure I shared this story with all of you. This will be printed in the RECORD. So this is going to be Stephanie's story. This is one of many stories throughout my State of West Virginia:

My name is Stephanie Fredricksen and back in April 2016, I woke up one day unable to turn my head due to stiffness in my neck and terrible pain. At first I thought I had just slept on it wrong and it would go away. By early May, the pain had spread to every joint in my body.

Then, I began to experience painful spasms in my back, my shoulders, my neck, and even my jaw. I started having blurred vision and shooting pain in my eyes. I also began suffering from extreme exhaustion, on really bad days activities as simple as getting out