

here, and this is a good nomination. I hope my colleagues will support it.

CORONAVIRUS

Mr. President, having said that, let me remind my colleagues that we are still in the middle of a global pandemic—if we need to be reminded. I don't think we do. But once we have voted on the nomination before us today, I would urge the Senate to pivot and begin focusing next on examining issues related to the pandemic and to ensuring that the assistance we provided in the legislation we have passed so far—four pieces, some bigger than others—is getting to the families and the communities that badly need it. If we were unable or unwilling to do so, I am not sure that the Senate should be returning to Washington to act on non-urgent business in contravention of the recommendation of the Office of the Attending Physician and while this entire region is still under stay-at-home orders.

I also want to make it clear that the Environment and Public Works Committee, on which I serve and lead with Senator JOHN BARRASSO of Wyoming, was willing to approve this particular nomination unanimously by voice vote, but it is what is it is, and we are here today.

In the midst of a global pandemic, the majority leader says he is concerned with nominations. Well, then, let's address positions that are actually more relevant to the crisis that we face today.

Currently, one-third of the inspector general positions that are confirmed by the Senate remain either vacant or without permanent leadership. The President has nominated individuals to fill some, but not all, of these positions. The Senate should work quickly to vet those nominees we have received, especially those who would be involved with oversight for the coronavirus response.

My colleagues will recall that this past March Congress passed an unprecedented \$2 trillion relief package, the CARES Act, to bring help to millions of Americans who find themselves in dire straits through no fault of their own. Thankfully, the CARES Act created three new separate oversight bodies to monitor this emergency funding. I was also proud to work with Democrats and Republican colleagues alike to help secure an additional \$20 million to ensure that the Government Accountability Office, which is known as GAO, can conduct important oversight of this funding. In fact, I learned last week that GAO has already notified Congress that it has already either undertaken or begun investigations or has planned investigations of over 150 audits that are related to this funding. Now, I appreciate GAO's diligence on this important matter; not only do I appreciate it, but we appreciate it, and the American taxpayers appreciate it as well.

More than ever, it is critical that we have robust oversight to make sure

that this money gets into the pockets of those who need it most and not into the pockets of those who would literally steal money from the needy and steal money from the taxpayers of this country.

If our majority leader wants to bring the Senate back, then I would like to suggest that our time would be well spent making sure that those oversight bodies created in the CARES Act are fully functional, including the CARES Act Congressional Oversight Commission, which I am told still lacks a chairperson. This is a five-person panel. It is one created by each of our leaders in the House and the Senate. That would give us four, and then another one would be jointly agreed to by the majority leader here and the Speaker of the House. I am told that as of today, as of this moment, we still lack a chairperson of that important panel. I hope that our leader here, Leader MCCONNELL, and Speaker PELOSI will work with haste even today—even today—to jointly name a chair to the Congressional Oversight Commission as required by law.

The CARES Act also created the Pandemic Response Accountability Committee. That is a committee composed of inspectors general from relevant agencies to oversee all spending appropriated through the CARES Act. That is a huge undertaking. Unfortunately, those IG positions at key agencies, including the Treasury Department and including the Department of Education, still remain vacant.

We have seen over the last month just how crucial it is that our IGs remain independent. Since the Senate was last in session, the President has unceremoniously removed, reassigned, or undermined highly regarded inspectors general who apparently weren't loyal enough to him or who dared to criticize what they viewed as a failed or flawed response to the coronavirus. For example, at the beginning of April, President Trump removed Glenn Fine, a highly regarded acting inspector general for the Pentagon, who had only a week earlier been selected by his peers—selected by his peers—to chair the Pandemic Response Accountability Committee, the third oversight body created by the CARES Act.

We have also seen the President look to replace the Health and Human Services IG who, in a detailed report, pointed out the severe shortages that a number of our hospitals have been facing during the coronavirus outbreak.

I believe it is clear that Congress needs to speak up when appropriate and do a better job supporting our inspectors general when this President—or frankly any President—takes retaliatory action against the independent watchdogs responsible for identifying failures, waste, fraud, and abuse across our Federal Government, especially when this much money is at risk.

If the Senate is going to be back in session, it would seem to me these critical oversight positions should be among our top priorities.

NOMINATION OF ROBERT J. FEITEL

Mr. President, having said that, let me turn again to the nomination before the Senate today. Like all agencies, the Nuclear Regulatory Commission needs a strong and independent inspector general, and I believe in Mr. Feitel we have one. I believe he is up to the task.

We cannot be complacent when it comes to nuclear safety. Just remember, 50 percent of the carbon-free energy produced in this country is produced by our nuclear powerplants. Think about that. In a day and age when the climate crisis is a huge threat literally to our planet and those of us who live on it, right now, half of the carbon-free electricity comes in this country from nuclear powerplants.

It is the job of the Nuclear Regulatory Commission to oversee those plants and make sure they are being run well, run safely, and in ways that enable us to continue to depend on them as we go forward for carbon-free electricity.

Anyway, Mr. Feitel is well qualified and prepared, I think; certainly the Environment and Public Works Committee believes he is prepared to take on this responsibility. I hope my colleagues will join Senator BARRASSO, our chairman, and myself and the members of our committee to vote yes on this nomination.

With that, I don't see anybody waiting to speak after me, so I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

REMEMBERING JIM CUMMINGS

Mr. BRAUN. Mr. President, I rise to honor and recognize the life and contributions of Mr. Jim Cummings to the countless Hoosiers whose lives he touched over nine decades.

Jim was a giant in Indiana. His long and rich life left many indelible marks on our State. We look to people like Jim Cummings as an example of a life well lived in service to others. His role in founding the Indiana Black Expo in 1970 made him a leader to all Hoosiers during a time of great change in our State and our Nation. As a lifelong servant to those in his State and community, his dedication to conservative principles guided his thoughts and actions for many years.

His life of service extended beyond his work with the Indiana Black Expo. It included serving his community in public office on a number of boards in Indianapolis and working as the Deputy Assistant Secretary for the Department of Housing and Urban Development under President Ronald Reagan.

Indiana has lost one of its most distinguished Hoosiers of this generation.

The Cummings family has lost a father, a grandfather, and a great-grandfather. I join them in mourning the loss of Jim Cummings.

In closing, I personally thank the Cummings family for the vast contributions he made to Indianapolis and the Hoosier State. Both are better because of him. On behalf of me and Maureen, my wife, we extend our sincere condolences to all of his family and friends at this time.

NOMINATION OF ROBERT J. FEITEL

Mr. President, in my remaining time, I recommend the confirmation of Robert Feitel to be the inspector general of the Nuclear Regulatory Commission.

We reviewed his nomination in my subcommittee in December of last year. I believe he is fully qualified for this position. During subcommittee consideration, we received a letter of support from the Chief of the Department of Justice's Capital Case Section, who noted that Mr. Feitel has exhibited the ability to provide a fair-minded, independent assessment of each case, to scrupulously adhere to his ethical obligations, and to follow the facts and evidence wherever they lead. These characteristics are necessary for any inspector general but particularly at the NRC.

I close by noting that Mr. Feitel's confirmation today is an example of why the Senate should be getting back to work. Essential American workers are getting up every morning to stock our grocery stores, to deliver the mail, and to transport critical supplies to our healthcare workers. It is our responsibility to ensure they have the resources to do their jobs and have the assurances that our Nation's government is working in their best interests.

It seems to me that the inspector general of the NRC is a position that you could label as essential. Even though America's nuclear plants are operating at historically high levels of safety and performance, we can never be too careful. We cannot let our guard down. It is irresponsible to let this agency go so long without a confirmed, independent regulator.

Had the Senate not returned today, this office would have gone another day with the lights not on. I am proud that the Senate is returning to ensure that Mr. Feitel can assume his post quickly and that this Senate can continue to serve the best interests of the American people.

I yield the floor.

NOMINATION OF WILLIAM R. EVANINA

Mr. GRASSLEY. Mr. President, since June of 2018, I have objected to the nomination of William R. Evanina to be Director of the National Counterintelligence and Security Center. Today, due to the recent actions by the Office of the Director of National Intelligence ODNI, and the Attorney General to finally respond to my very longstanding oversight requests, I withdraw my objection to Mr. Evanina's nomination.

When I noticed my intention to object to this nominee in June of 2018, I

made it very clear to the public and to the administration my reasons for doing so. I did not question Mr. Evanina's credentials in any way, and I put my statement of those reasons in the RECORD. I have done that consistently, not only since the rules of the Senate first required every Member to do that, but even before that rule was put in place.

At the time, I experienced difficulties obtaining relevant documents and briefings from the Justice Department and ODNI related to the 2016 election controversies. On several occasions, then-Deputy Attorney General—DAG—Rod Rosenstein personally assured me that the Senate Judiciary Committee, of which I was chairman, would receive equal access to information provided to the House Permanent Select Committee on Intelligence—HPSCI—with regard to any concessions in its negotiations regarding pending subpoenas from that committee. However, I, and the Judiciary Committee, never received equal access from DAG Rosenstein.

For example, on August 7, 2018, I wrote to the Justice Department and pointed out that the House Intelligence Committee had received documents related to Bruce Ohr that the Judiciary Committee had not received. The Department initially denied those records had been provided to the House Intelligence Committee. After my staff confronted the Department, we eventually received some Bruce Ohr documents. In that same 2018 letter, I also asked for other documents based on my equal access agreement with DAG Rosenstein.

I then learned that the Justice Department took the position that then-ODNI Director Dan Coats prohibited the Department from sharing the requested records with the committee. Needless to say, it was your typical bureaucratic blame-game.

Then, some personnel changes took place. I voiced my concerns to Acting Director Grenell and Attorney General Barr. Recently, thanks to their commitment to transparency, I have received access to the types of documents that I asked for almost 2 years ago in June 2018. Moreover, both Acting Director Grenell and Attorney General Barr have gone multiple steps further by declassifying much of the information that I had sought access to. Credit should be given when it is due and Acting Director Grenell and Attorney General Barr deserve that credit here today.

If their predecessors had simply respected legitimate congressional oversight and their agreements with me and the Judiciary Committee from the beginning, Mr. Evanina would have been confirmed long ago.

Now, I also want to remind everyone, especially future administrations, that the Senate Judiciary Committee's jurisdiction extends to the intelligence community. In the authorizing resolution that created the Senate Select Committee on Intelligence, the Senate

explicitly reserved for other standing committees, such as the Senate Judiciary Committee, independent authority to "study and review any intelligence activity" and "to obtain full and prompt access to the product of the intelligence activities of any department or agency" when such activity "directly affects a matter otherwise within the jurisdiction of such committee"—S. Res. 400. The Senate Judiciary Committee has jurisdiction over all federal courts, including the Foreign Intelligence Surveillance Court, FISC. As I understand it, the records at issue here fall into that category.

Let this also be a reminder that when it comes to congressional oversight, I will use all the tools at my disposal to get to the truth of the matter and get access to the records that I believe are necessary to advance my investigations. The executive branch must recognize that it has an ongoing obligation to respond to congressional inquiries in a timely and reasonable manner. As I have said many times before, transparency brings accountability and congressional oversight helps to bring about the sunlight necessary for that to happen.

The PRESIDING OFFICER. Under the previous order, the question is, Will the Senate advise and consent to the Feitel nomination?

Mr. BRAUN. Mr. President, 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 legislative clerk called the roll.

Mr. THUNE. The following Senators are necessarily absent: the Senator from North Dakota (Mr. CRAMER), the Senator from Utah (Mr. LEE), the Senator from Kansas (Mr. MORAN) and the Senator from Florida (Mr. RUBIO).

Further, if present and voting, the Senator from Utah (Mr. LEE) would have voted "yea," the Senator from Kansas (Mr. MORAN) would have voted "yea," and the Senator from Florida (Mr. RUBIO) would have voted "yea."

Mr. DURBIN. I announce that the Senator from Ohio (Mr. BROWN), the Senator from New Mexico (Mr. HEINRICH), the Senator from Vermont (Mr. LEAHY), the Senator from Washington (Mrs. MURRAY), the Senator from Vermont (Mr. SANDERS), the Senator from Hawaii (Mr. SCHATZ), the Senator from Michigan (Ms. STABENOW), the Senator from New Mexico (Mr. UDALL), and the Senator from Rhode Island (Mr. WHITEHOUSE) are necessarily absent.

The result was announced—yeas 87, nays 0, as follows:

[Rollcall Vote No. 81 Ex.]

YEAS—87

Alexander	Blunt	Capito
Baldwin	Booker	Cardin
Barrasso	Boozman	Carper
Bennet	Braun	Casey
Blackburn	Burr	Cassidy
Blumenthal	Cantwell	Collins