

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

Coons	Inhofe	Roberts
Cornyn	Johnson	Romney
Cortez Masto	Jones	Rosen
Cotton	Kaine	Rounds
Crapo	Kennedy	Sasse
Cruz	King	Schumer
Daines	Klobuchar	Scott (FL)
Duckworth	Lankford	Scott (SC)
Durbin	Loeffler	Shaheen
Enzi	Manchin	Shelby
Ernst	Markey	Sinema
Feinstein	McConnell	Smith
Fischer	McSally	Sullivan
Gardner	Menendez	Tester
Gillibrand	Merkley	Thune
Graham	Murkowski	Tillis
Grassley	Murphy	Toomey
Harris	Paul	Van Hollen
Hassan	Perdue	Warner
Hawley	Peters	Warren
Hirono	Portman	Wicker
Hoeben	Reed	Wyden
Hyde-Smith	Risch	Young

NOT VOTING—13

Brown	Moran	Stabenow
Cramer	Murray	Udall
Heinrich	Rubio	Whitehouse
Leahy	Sanders	
Lee	Schatz	

The nomination was confirmed. The PRESIDING OFFICER (Mr. SULLIVAN). 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 actions.

The majority leader.

LEGISLATIVE SESSION

Mr. MCCONNELL. Mr. President, I move to proceed to legislative session. The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. MCCONNELL. Mr. President, I move to proceed to executive session to consider Calendar No. 111.

The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the nomination.

The legislative clerk read the nomination of William R. Evanina, of Pennsylvania, to be Director of the National Counterintelligence and Security Center. (New Position)

CLOTURE MOTION

Mr. MCCONNELL. Mr. President, I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The 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 William R. Evanina, of Pennsylvania, to be Director of the National Counterintelligence and Security Center. (New Position)

Mitch McConnell, Lisa Murkowski, Chuck Grassley, Josh Hawley, Joni Ernst, John Barrasso, John Cornyn, Shelley Moore Capito, Deb Fischer, Rob Portman, John Thune, Roger F. Wicker, John Boozman, Roy Blunt, Cindy Hyde-Smith, Mike Braun, Marsha Blackburn.

Mr. MCCONNELL. I ask unanimous consent that the mandatory call be waived.

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

MORNING BUSINESS

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to legislative session for a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

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

BUDGET ENFORCEMENT LEVELS FOR FISCAL YEAR 2020

Mr. ENZI. Mr. President, section 251 of the Balanced Budget and Emergency Deficit Control Act of 1985, BBEDCA, establishes statutory limits on discretionary spending and allows for various adjustments to those limits. In addition, sections 302 and 314(a) of the Congressional Budget Act of 1974 allow the chairman of the Budget Committee to establish and make revisions to allocations, aggregates, and levels consistent with those adjustments.

The Senate recently considered three measures that were signed into law to combat the coronavirus. These measures, the Family First Coronavirus Response Act, P.L. 116-127; the Coronavirus Aid, Relief and Economic Security Act, P.L. 116-136; and the Paycheck Protection Program and Health Care Enhancement Act, P.L. 116-139, provided supplemental emergency appropriations to support activities related to public health and response to the coronavirus that qualify for cap adjustments under section 251(b)(2)(A)(i) of BBEDCA.

The Family First Coronavirus Response Act included emergency appropriations totaling \$82 million in revised security budget authority and \$2,389 million in revised nonsecurity budget authority. The Congressional Budget Office, CBO, estimates that these appropriations will result in \$843 million in outlays in fiscal year 2020.

The Coronavirus Aid, Relief and Economic Security Act included emergency appropriations totaling \$10,525 million in revised security budget authority and \$319,158 million in revised nonsecurity budget authority. CBO estimates that these appropriations will result in \$98,789 million in outlays in fiscal year 2020.

The Paycheck Protection Program and Health Care Enhancement Act included emergency appropriations totaling \$162,100 million in revised nonsecurity budget authority. CBO estimates that these appropriations will result in \$113,132 million in outlays in fiscal year 2020.

As a result of the emergency designations, I am revising the budget authority and outlay allocations to the Committee on Appropriations by increasing revised security budget authority by \$10,607 million, revised nonsecurity budget authority by \$483,647 million and outlays by \$212,764 million in fiscal year 2020. Further, I am increasing the budgetary aggregate for fiscal year 2020 by \$494,072 million in budget authority and \$212,655 million in outlays.

I ask unanimous consent that the accompanying tables, which provide details about the adjustment, be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

REVISION TO BUDGETARY AGGREGATES

(Pursuant to Sections 311 and 314(a) of the Congressional Budget Act of 1974) (\$ in millions)

	2020
Current Spending Aggregates:	
Budget Authority	3,824,732
Outlays	3,734,450
Adjustments:	
Budget Authority	494,072
Outlays	212,655
Revised Spending Aggregates:	
Budget Authority	4,318,804
Outlays	3,947,105

REVISION TO SPENDING ALLOCATION TO THE COMMITTEE ON APPROPRIATIONS FOR FISCAL YEAR 2020

(Pursuant to Sections 302 and 314(a) of the Congressional Budget Act of 1974) (\$ in millions)

	2020
Current Allocation:	
Revised Security Discretionary Budget Authority	746,000
Revised Nonsecurity Category Discretionary Budget Authority	662,748
General Purpose Outlays	1,417,551
Adjustments:	
Revised Security Discretionary Budget Authority	10,607
Revised Nonsecurity Category Discretionary Budget Authority	483,647
General Purpose Outlays	212,764
Revised Allocation:	
Revised Security Discretionary Budget Authority	756,607
Revised Nonsecurity Category Discretionary Budget Authority	1,146,395
General Purpose Outlays	1,630,315

Memorandum: Detail of Adjustments Made Above

	OCO	Program Integrity	Disaster Relief	Emergency	Wildfire Suppression	U.S. Census	Total
Revised Security Discretionary Budget Authority	0	0	0	10,607	0	0	10,607
Revised Nonsecurity Category Discretionary Budget Authority	0	0	0	483,647	0	0	483,647
General Purpose Outlays	0	0	0	212,764	0	0	212,764