

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