consent. They have protected the prerogatives of home State Senators. They are the ones who have to vouch for somebody from their State, and they are the ones who have the most at stake.

I remember when a dear friend of mine, then-the Senator from Arizona, Barry Goldwater, called and asked if he could drop by and see me. He had recommended a person to President Reagan for the U.S. Supreme Court. It was Sandra O'Connor. He explained how they had looked at a number of people, and she was the best. With respect for Senator Goldwater, I agreed, and I supported her.

They have also ensured fairness and comity in the Senate. In many ways, traditions like the blue slip have been central to what makes the Senate the Senate. All of us, whether we are a Democrat or Republican, should care about good-faith consultation when it comes to nominees from our own States. The reasons are both principled but pragmatic. We know our States better than anybody else. We know who is qualified to fill a lifetime appointment to the bench, and, critically, we know the one constant in life is impermanence. That is precisely why traditions matter.

When I became chairman of the Judiciary Committee at the start of the Obama administration, every single Senate Republican signed a letter making the case for the importance of this tradition, and requesting that it be respected during the new administration. Republicans said: We are unified. We must follow the blue-slip tradition.

I didn't need that reminder. Under my chairmanship, during both the Bush and the Obama administrations, I respected the blue-slip tradition without exception, even when it was not politically expedient, even when I was attacked for protecting a Republican Senator's prerogative. I faced pressure from my own party's leadership to hold hearings for President Obama's nominees who had not received blue slips from Republican Senators. I was criticized by advocacy groups and even the editorial page of the New York Times.

I resisted such pressure. I did so because I believed then, and I still believe now, that certain principles matter more than party. It was certainly what every single Republican said they agreed with when President Obama was President. Not all Judiciary chairmen followed the same blue-slip policy as I did, but Chairman GRASSLEY did follow the same policy, at least when there was a Democrat in the White House. Last Congress, no judicial nominee received a hearing without both home State Senators returning positive blue slips. This Congress, coinciding with a change in the White House, there has been a change in the blue-slip policy. What was sacred to Republicans for the Democrats is not sacred to the Republicans for Republicans.

Tomorrow, the Judiciary Committee will hold a hearing for a nominee in the Ninth Circuit, Ryan Bounds. He is opposed by not just one but both of his home State Senators. If Mr. Bounds is ultimately confirmed, it will mark the first time in the history of the U.S. Senate that a judicial nominee is confirmed with opposition from both home State Senators. It is nothing we ever thought possible with Republican or Democratic Presidents because it would have been too partisan. It would have destroyed what is best for the Senate, would destroy the comity of the Senate, would destroy the ability for Senators to represent their home State.

Also, this week, the full Senate will consider the nomination of Michael Brennan to the Seventh Circuit, over the objection of home State Senator TAMMY BALDWIN. Mr. Brennan's nomination was not even supported by the bipartisan Wisconsin Federal Nominating Commission. This is a nominating commission made up of Republicans and Democrats. They did not support this nomination. For years, this has been a longstanding requirement for potential nominees of the Federal bench in Wisconsin, and because the bipartisan commission couldn't support him, it is no wonder Senator BALDWIN cannot, in good conscience, return her blue slip.

Many of us have established processes. I have. I have a bipartisan process in my State. Many have established these processes to vet and recommend nominees in our home State. Yet somehow Mr. Brennan was nominated, and he may be confirmed this week, even though it ignores a bipartisan commission.

Make no mistake, this kind of a confirmation would do lasting damage to the Senate's traditions, would do lasting damage to the Senate I love, would do lasting damage to a Senate, which I served for almost 44 years.

My concern is not about a mere piece of paper. My concern is, we are failing to protect the fundamental rights of home State Senators—Republicans and Democrats alike—and we are failing in our constitutional duty to provide our advice and consent. This is a unique requirement the U.S. Senators have—advice and consent. There are 100 of us. Four hundred and thirty-five House Members don't have this; we do.

Mr. Brennan's nomination makes a mockery of the blue-slip process. It makes a mockery of the time-tested process that home State Senators have abided by in Wisconsin for decades—under both Republican and Democratic administrations, and that should concern all of us.

I understand the pressure on my Republican colleagues to help a President from their own party to fill judicial vacancies; even a President who attacks the very legitimacy of our judiciary, who tweeted attacks against members of the Federal judiciary. The dilemma is that yielding to such pressure—undermining a Senate tradition simply due to a change in the White House—will do lasting damage to the integrity of this body. The Senate should never function as a mere rubberstamp for nominees seeking lifetime appointments to our Federal judiciary.

Some may dismiss these warnings. I served in the Senate long enough to know that partisan winds tend to change direction. Inevitably, the majority becomes the minority. It has happened several times since I have been here. The White House changes hands. That has happened several times since I have been here. Then, the shoe is on the other foot, which is precisely why maintaining a single, consistent policy is so critical.

I urge my fellow Senators of both parties to consider the damage we are doing to this body by abandoning one of the few remaining sources of bipartisan good will in our judicial confirmation process. A vote for Mr. Brennan is a vote to abandon our ability to serve as a check on not just this President but any future President of either party. Chasing expediency provides fleeting advantage. It inflicts lasting harm on this body, and it is within our power to put a stop to it.

I urge all my Senate colleagues to ensure that home State Senators are provided the same courtesies during the Trump administration the home State Senators—both Republicans and Democrats—were provided during the Obama administration. For that reason, I ask my fellow Senators to oppose Mr. Brennan's nomination unless he has bipartisan support from his home State.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Mr. President, first of all, I want to thank the distinguished Senator from Vermont, who has been such a role model to me since I came to the Senate—we started working together on technology issues and worked together on so many matters dealing with appropriations and finance—for all his counsel, not just on this but over the years. I thank him for the courtesy of being allowed to go next.

NOMINATION OF RYAN BOUNDS

Mr. President, there is now a vitally important debate happening on the Senate floor with respect to judicial nominations. What is clear to me is, the majority is now chipping away at a century of bipartisan tradition that has protected the interests of those in our home State and served as a check on the power of the Executive. It is the Senate bowing down to the White House, derelict in its constitutional responsibility to provide or withhold advice and consent on nominees. In my view, this is a dangerous mistake that is going to have harmful consequences for decades.

Today, the debate at hand is over the mishandling of the nomination of Michael Brennan to the Court of Appeals for the Seventh Circuit. This could be the first time in decades that a judicial

nominee is confirmed over the objection of a home State Senator. Tomorrow, the Senate Judiciary Committee is going to throw out the window a bipartisan practice that dates back more than a century when it holds a hearing on the nomination of Ryan Bounds to sit on the Ninth Circuit Court of Appeals. It goes without saying that individuals who are up for a lifetime seat on a powerful Federal court must be forthcoming and truthful in the nomination process. My view is, Ryan Bounds hasn't even cleared that low bar. Mr. Bounds misled the independent committee that considers potential nominees in Oregon by withholding inflammatory writings that reveal disturbing views on sexual assault and on communities of people who are vulnerable and disadvantaged.

He has had ample opportunity to clean up this mess, express remorse, and explain how his views have changed, but I haven't seen it. The comments I have seen suggest Mr. Bounds views this as a matter of poor word choice and youthful indiscretion—an issue he can almost dismiss with a small wave of the hand. In my view, that is wrong, he is wrong, and an individual up for a lifetime seat on a Federal bench has an obligation to do better than that. Yet his nomination has moved forward anyway.

This action by the majority—what will happen tomorrow unless common sense and good will and tradition prevail tonight—will throw in the dustbin a century of bipartisan tradition. Tomorrow will cheapen the advice and consent role of the U.S. Senate, and this body will cede power to the executive branch.

First, to explain what I mean, I am going to discuss the practice we have maintained in Oregon with respect to judges. When there are vacancies on the bench, Oregon Senators convene an independent committee of Oregonians from all over the legal community to select and interview candidates for judicial nominations. The committee performs a thorough, statewide search, conducts rigorous interviews, and then recommendations are made to Oregon's two Senators. Senator MERKLEY and I review those recommendations, and we submit a short list to the President for his consideration. For us, this process is the core of what advice and consent is all about when it comes to judicial nominees. We even wrote to the current White House counsel very early on in the new administration—now more than a year ago—to make sure they were up to date about this longstanding Oregon practice.

As part of the work the independent committee does in Oregon, candidates are asked whether anything in their past would have a negative impact on their potential nomination. Any lawyer who has read up on a hard-fought nomination in the past ought to know that inflammatory writings about women, people of color, and LGBTQ Americans certainly qualify as potentially threatening to a nomination. Mr. Bounds, however, did not alert our Oregon committee to his writings. He said there was nothing to worry about. In fact, he highlighted his precollege days in an effort to paint a picture of diversity and tolerance, conveniently skipping over his later intolerant writings. My view is that Mr. Bounds misled the committee by this omission, and he was wrong to do so.

It was not until after the committee finished its work that these writings came to light. That is why five of the seven members of the independent Oregon judicial selection committee, including the chair, said that this would have changed their decision to include Mr. Bounds among the committee's recommended candidates. Yet the Trump administration and the majority on the Senate Judiciary Committee have moved forward with his nomination anyway in direct violation of our longstanding practices.

Here is the second tradition that could be thrown out, and it goes back yet further. Not once in more than a century has the Senate held a hearing on a judicial nominee without having input from either home-State Senator. This tradition has stood for 101 years and has benefited both sides as a check on the power of the President.

Let me briefly quote a letter that the entire Senate Republican Conference sent to the last President at the beginning of his term in 2009. They wrote that dating back to the Nation's founding, the Senate has had a ''unique constitutional responsibility to provide or withhold its Advice and Consent on nominations.''

They continued: ''Democrats and Republicans have acknowledged the importance of maintaining this principle, which allows individual senators to provide valuable insights into their constituents' qualifications for federal service.''

So, in 2009, when a Democrat was in the White House, my Republican colleagues stood firm on maintaining this tradition, and the Democrats did. The last administration and Democratic leaders here in the Senate respected the request of our Republican colleagues. There were no hearings on judicial nominations when neither home-State Senator had consented. Now the Republican majority is on the verge of breaking that practice, in lockstep with the White House, to seat a nominee when there are, in my view, serious red flags.

To my colleagues in the Senate, the White House might believe that providing advice and consent begins and ends with this body's rubberstamping whatever names are sent, and the majority in the Senate might be happy to go along with that. I believe that is the wrong way to go.

Neither Senator MERKLEY nor I have given our approval for this nomination to go forward. As I have noted in conversations with the chairman of the committee, we are not stonewalling, and we are not fishing around for any old reason to bring down a Republican nominee. We are honoring the bipartisan tradition that has stood for more than a century, and we are fulfilling our constitutional duties.

I have declined to give approval for a hearing because I believe Mr. Bounds purposefully misled the independent Oregon committee that reviewed his candidacy. He omitted information that was vitally important during a critical time of the vetting process. That cannot be dismissed, ignored, or wished away. It is a fact and, in my view, a fact that is a disqualifying one.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. JOHNSON). The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

NUCLEAR AGREEMENT WITH IRAN

Mr. NELSON. Mr. President, the President just announced that the United States will withdraw from the Iran nuclear deal. The President says he wants a better deal. So do a lot of us. The fact is, we need to keep pressure on Iran with additional economic sanctions that will stop it from developing ICBM missiles. That was not part of the Iran nuclear agreement. We need to ratchet up the pressure on Iran in order to stop its ICBM missile program.

Pulling out of the Iran nuclear deal is a tragic mistake. It will divide us from our European allies, and it will allow Iran to build a nuclear weapon—a nuclear bomb—within a year, as compared to 7 to 12 years in the future if we stay in the agreement. I think keeping an atomic weapon out of a radical religious outfit like Iran, headed by an Ayatolla, is clearly in the free world's interest. Certainly, it is for the free world. Clearly, it is for the United States, as it is for all of our allies. That is why the United States had such broad support in an agreement that Iran not build a nuclear weapon. Pulling out of this agreement risks all of the unprecedented restrictions on Iran's nuclear program that are in place right now—the hundreds of visits by the IAEA, the International Atomic Energy Agency, and its ability to get in behind locked doors. Before this agreement, we never had that kind of insight into Iran. Now is the time to continue ramping up the pressure on Iran, not to back off, as pulling out of the agreement will cause us to do.

First things first, let's keep restrictions on Iran's nuclear program—the lessened enriched uranium, the complete cementing over of the plutonium plant, the ability to inspect and verify. Then what we ought to be doing is doubling down on Iran's ballistic missile program, on its regional aggression, on its support for terror, and on its human