

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 poten-

tially 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

rights violations. It was the tough U.S. and international sanctions that brought Iran to the table in the first place, and it was we in this Congress who enacted many of those economic sanctions.

To sum up, we need to put more pressure on Iran with additional economic sanctions to stop it from developing its ICBM missiles, and pulling out of the Iran nuclear agreement now is a tragic mistake. It will divide us from our European allies, and it will cause Iran to build a nuclear bomb within a year instead of preventing it from building one for at least 7 to 12 years. That seems, to me, to be a choice that we made at the time we entered this agreement. It seems to be all the more clear today that we ought to continue the agreement.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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 President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. DAINES). Without objection, it is so ordered.

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent to speak for up to 15 minutes as in morning business.

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

CLIMATE CHANGE

Mr. WHITEHOUSE. Mr. President, situated off the northeast corner of Australia lies one of the seven natural wonders of the world, a wonder that is visible from space—the Great Barrier Reef. Each year, around 2 million visitors come from around the globe to experience the Great Barrier Reef. They come to see hundreds of species of sharks, dolphins, fish, mollusks, whales, seabirds, and other marine life thriving in nearly 133,000 square miles of coral reef. Some of these coral structures are thought to date back as long as 25 million years. When Pope Francis spoke of the “wonderworld of the seas,” this is the kind of beauty and bounty he had in mind.

It is difficult to imagine something so expansive and ancient threatened so profoundly by one of Earth’s more recent inhabitants—humans—but it is. The oceans are taking the brunt of our modern carelessness. They are warming, acidifying, and literally suffocating under our carbon dioxide emissions. They are fouled with our plastic garbage, and they are polluted with runoff from farming and storm water wash into the sea.

I have come to the floor before to plead that my Senate colleagues heed the warnings of our oceans. Those warnings are loud and clear and measurable. They are measurable with thermometers, tide gauges, and simple pH tests, and they are chronicled by the testimony of fishermen and sailors.

Today I wish to focus on that Great Barrier Reef. A healthy coral reef is

one of the most productive engines of life on Earth. It is home to 25 percent of the world’s fish biodiversity. The corals use calcium carbonate—a compound usually readily available in ocean water—to build their hard skeletons. These hard structures shelter the living coral polyps and undergird the entire ecosystem that depends on the reef. Without the corals, the whole thing collapses.

The living corals have evolved a symbiotic relationship with tiny photosynthetic algae called zooxanthellae. The algae live in the surface tissue of the corals. It is the algae that provide the color that you see healthy corals display. The corals’ metabolic waste is converted by the algae back into food and oxygen for the corals, and, in turn, corals shelter the algae.

However, the range of pH, temperature, salinity, and water clarity within which this symbiotic magic takes place is fairly narrow. Get outside that comfort range, and the corals get stressed. When they are stressed enough, they begin to evict their algae. This is what is called “coral bleaching.” The corals whiten as they shed their colorful algae.

Of course, without the algae, corals can’t live for long. The algae can resettle, and the corals can recover, but if the algae don’t resettle, the corals soon die. That is what is happening in huge swaths of the Great Barrier Reef, and here is why.

As we have pumped massive quantities of waste CO₂ into the atmosphere, dramatically raising the concentration of carbon dioxide in the Earth’s atmosphere, the oceans have absorbed approximately 30 percent of all of that excess carbon dioxide.

We recently broke a dangerous new atmospheric record, exceeding a monthly average of 410 parts per million of carbon dioxide in the atmosphere for the first time in human history.

For comparison, at the start of the Industrial Revolution, atmospheric carbon dioxide was around 280 parts per million. That is 280 not so long ago and 410 now, and 300 had been about the upper limit of carbon dioxide in the atmosphere for as long as human beings have been on this planet.

About a third of all of that added CO₂ gets absorbed by the ocean, and it is absorbed with a chemical reaction that makes the ocean more acidic. That is why we talk about ocean acidification.

At the same time that the oceans have been soaking up all of that excess CO₂, they have also been soaking up heat—lots of heat—roughly 90 percent of the excess heat trapped in the atmosphere by these greenhouse gases. As a result of all of that heat, the oceans are warming as they get more acidic, more often knocking the corals out of the conditions they need for that symbiosis to thrive.

We are only 1 year out from the massive bleaching that tore across the globe from 2014 to 2017. NOAA branded

it “the longest, most widespread, and possibly the most damaging coral bleaching event on record.”

This graphic shows how severe and pervasive the bleaching was. The light blue areas on the map, which you really don’t see any of, represent the parts of the ocean that are under no stress. These are the continents. There is North America and South America. Over here is Australia. There is Asia. And the red parts are the oceans.

The lighter red is “Alert Level 1” areas, where heat stress led to significant coral bleaching. The deeper red is “Alert Level 2” areas, which experienced not only widespread coral bleaching but also significant coral die-off. This white box right here marks the Great Barrier Reef. You can see that severe coral bleaching in the northern edges of the Great Barrier Reef, and this was new. According to NOAA, these are areas where bleaching had never occurred before.

In 2016 scientists with the Australian Research Council’s Centre of Excellence for Coral Reef Studies undertook extensive aerial and in-water surveys of the Great Barrier Reef to estimate the extent of the damage. Out of the over 900 individual reefs that were surveyed, only 7 percent of those reefs escaped bleaching, and 93 percent were hit. In the northern portion of the Great Barrier Reef, upwards of 80 percent of the corals were severely bleached.

When the researchers returned, they found that up to two-thirds of those corals in the northern section had died. The central and southern sections fared better but still saw corals dying.

A recent paper in *Nature* by Australian and NOAA researchers totaled the damage. The paper’s lead author, Dr. Terry Hughes, told *The Atlantic*: “On average, across the Great Barrier Reef, one in three corals died in nine months.”

In the northern section of the reef, researchers found that some species, such as staghorn and table corals, suffered what they called a “catastrophic die-off.” In total, about one-half of the northern range’s corals died.

Dr. Hughes went on to say the Great Barrier Reef “has transformed into a completely new system that looks differently, and behaves differently, and functions differently.” That is climate change.

In an interview with *Huffington Post*, Dr. Hughes said the heat wave that caused the bleaching was so intense that some of the corals basically “cooked” and died quickly. Usually, if corals can’t recover their algae after a bleaching event, they slowly starve to death. Some of the less resilient species crashed by up to 90 percent in the recent bleaching.

Dr. Hughes made clear to the *Atlantic* that human-caused climate change was the driving force behind this coral bleaching. Indeed, the title of his *Nature* article is, “Global warming transforms coral reef assemblages.”