

**Prepared Statement by Senator Chuck Grassley of Iowa
Chairman, Senate Judiciary Committee
Hearing on Nominations
May 9, 2018**

I want to address some of the falsehoods that have been said today about my blue-slip policy.

First, it is completely false that I have “done away” with the blue-slip courtesy. My blue-slip policy is the same as all but two of my 18 predecessors. Like Chairmen Ted Kennedy, Joe Biden, and Orrin Hatch, I will hold hearings for circuit-court nominees without two positive blue slips if the White House consulted with home-state senators.

Chairman Leahy had his policy, which is fine. He required two positive blue slips before holding a hearing. But his policy was different than 16 other chairmen. It is my policy, not Chairman Leahy’s policy, that is in line with historical precedent.

I encourage my colleagues to take a look at the [Washington Post fact-checker](#) dated February 21, 2018. The same arguments we’re hearing today were given two Pinocchios by the fact-checkers for being false. Yet my colleagues keep repeating these falsehoods today.

Second, it’s been said that we’ve never held a confirmation hearing for a nominee without at least one positive blue slip. That’s demonstrably false. For example, we held five such hearings under Chairman Hatch for nominees to the Sixth and Ninth Circuits.

Third, it’s been said by some colleagues that we haven’t confirmed a nominee without home-state senator support in nearly 30 years. What these colleagues don’t mention is that the way senators used to block nominees they opposed was through the filibuster.

Well, my Democratic colleagues abolished the filibuster in 2013 to pack the DC Circuit with liberal judges. Leading this effort was Senator Merkley, who argued that 41 senators shouldn’t be able to block a Senate majority from confirming judges. Now he asks for the right to block a nominee he opposes from even getting a hearing in the Judiciary Committee. I told my Democratic colleagues they would regret abolishing the filibuster. Today, they do.

With respect to the nomination of Mr. Bounds, I was satisfied the White House consulted with the Oregon senators, considered their preferred nominee, and gave the senators time to establish their judicial selection committee. In contrast, it appears the Oregon senators never even extended the courtesy of a meeting to Mr. Bounds. The White House acted in good faith, but the Oregon senators appear not to have reciprocated.

I understand there is some objection to his college writings. Well, that is why we have a hearing. So senators can ask him about them. And if the Oregon senators considered these writings so critical to their evaluation process, they should not have advised Mr. Bounds that he need not disclose them to their selection committee.