

## SUPREME COURT NOMINATION

Mr. CARDIN. Madam President, article II, section 2, clause 2 of the Constitution provides that the President “shall nominate, and by and with the Advice and Consent of the Senate, shall appoint . . . judges of the Supreme Court.”

One of the most important constitutional responsibilities I have as a Senator is to provide advice and consent on a President’s Supreme Court nominee. A new Justice is someone who could serve for a generation or more and have a profound impact on the lives of all Americans for decades to come.

Recently, Supreme Court Justice Stephen Breyer announced that he would step down once the Senate confirms his successor. In his remarks, while reflecting on what he learned during his nearly three decades on the High Court, he said:

This is a complicated country. There are more than 330 million people, and my mother used to say it’s every race, it’s every religion—and she would emphasize this—and it’s every point of view possible.

Justice Breyer has built a reputation and cemented a legacy as a champion of civil rights and fought to protect American consumers and our very democratic system of government from the attempts to undermine our campaign finance system and weaken the sacred franchise of the right to vote. His thoughtful scholarship on the importance of safeguarding human rights and respecting international law will continue to influence democratic governments around the world for years to come.

When I think about a successor to Justice Breyer, I want to see someone who can serve as a strong and thoughtful presence on a Court that is tasked with some of the most complicated legal problems and questions in our Nation. Each new Justice is someone who could serve for a generation or more and have a profound impact on the lives of all Americans for decades to come.

The Supreme Court will make decisions on a broad range of issues, such as voting rights, healthcare, women’s reproductive freedoms, equal rights for women, climate change policy, gun safety, campaign finance, civil rights issues, and so much more. A nominee should represent the values of our Constitution in such a way that allows us to expand, not restrict, the civil rights of all Americans and keep powerful special interests and corporations in check.

The U.S. Constitution is not a perfect document, but its authors designed a system of government around the rule of law and protection from abuses of power. Abuses could come from special interests or the government itself. Our Constitution created the Supreme Court of the United States as the protector of our constitutional rights.

A Justice should have a healthy respect for the separation of powers and

checks and balances in our constitutional system. A nominee should strive to safeguard the independence of the judiciary and protect the prerogatives of each branch of government, including Congress and its duly-enacted laws. A strong nominee must be respectful of the diversity of the American experience and live up to his or her constitutional oath to uphold the Constitution and laws of the United States, as well as their judicial oath to “administer justice without respect to persons, and do equal right to the poor and to the rich.”

Thus far, 115 Justices have served in our Nation’s history, including Baltimore’s own Thurgood Marshall, who was the first Black Supreme Court Justice. It is long past time to improve diversity on our Nation’s Court, which promises “equal justice under the law” to all those who enter its hollowed chambers. The Supreme Court and its Justices should look more like the America it serves in both its demographic and professional diversity.

Madam President, I know you are aware that of the 115 Justices who have served throughout the history of the United States on the Supreme Court, 108 of those 115 are White males. We need greater diversity in our courts, and we need greater diversity on the Supreme Court of the United States.

In Maryland, for years, I have worked diligently when vacancies arise to recommend highly qualified lawyers to the President who will better diversify our Federal bench. Our Federal district court in Maryland consists of 10 active district court judges who sit in Baltimore and Greenbelt. I am proud that our court reflects the breadth and depth of the demographic and professional diversity in Maryland, including the first Black woman to serve as a Federal judge in Maryland and the first Asian-American Federal judge in Maryland.

Half of the active district judges in our State are now women. I chuckle when I recall the late Supreme Court Justice Ruth Bader Ginsburg’s comment on how many women should be on the Supreme Court, as she was only the second female Justice in the Court’s history. This is her quote:

When I’m sometimes asked ‘When will there be enough [women on the Supreme Court]?’ and I say ‘When there are nine,’ people are shocked. But there’d been nine men, and nobody’s [even] raised a question about that.

Our Federal judges in Maryland come from a wide variety of legal backgrounds, including having served as prosecutors, public defenders, private law firm attorneys, and judges in other courts. Maryland now has its first Black U.S. attorney in our State’s history, whom I was pleased, along with Senator VAN HOLLEN, to recommend to President Biden and who was unanimously confirmed by the Senate.

I believe that a more diverse court and justice system inspires the confidence of Marylanders who seek their

day in court and want to be treated fairly, with dignity and respect.

I am confident that the Senate, under the leadership of Majority Leader SCHUMER and Judiciary Chair DURBIN, will conduct a fair hearing, vetting, and confirmation process for President Biden’s eventual pick to replace Justice Breyer.

I look forward to working with my colleagues in the Senate over the coming months to give full and fair consideration to President Biden’s nominee to replace Justice Breyer in order to fill the upcoming vacancy on the Supreme Court. I am hopeful the American people will be proud of the process that unfolds in the Senate as they watch and learn more about the Constitution and the three branches of government that interact in this unique process to select the next Justice who will dispense justice on the highest Court in our land.

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. BROWN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

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

## HOUSING

Mr. BROWN. Madam President, before last year, the committee I chair and one of the committees on which the Presiding Officer sits—the Banking, Housing, and Urban Affairs Committee—was far too much about Wall Street and far too little about issues that matter to people’s lives.

We have changed that. Instead of always listening to the biggest banks and their corporate lobbyists, we listen to workers and we listen to their families from all kinds of communities all over the country.

Last year, we held the committee’s first-ever worker listening session where, as hard as it was for all of us, no Senator asked questions. We just heard from witnesses. We heard from workers—about a half-dozen workers—who just told us their story.

We know that workers power our economy. We heard from workers from all kinds of backgrounds, working all kinds of jobs. Some worked for banks, others worked for large tech companies, and some for other corporations. They talked about wage theft. They talked about being laid off during a pandemic with no severance pay. They talked about the danger in their workplaces. They talked about how, in some cases, their companies busted their unions.

Their stories make it clear that the real harm the Wall Street business model does is to workers’ lives.

Yesterday, we held our second listening session, this time with renters from around the country whose homes are owned by deep-pocketed investors like corporate landlords and private equity funds.

One of those renters—some lived in the Presiding Officer's home State, I believe in North Minneapolis—told her story. It is an increasing problem in every region, from big cities to rural towns. Deep-pocketed investors come into a community they have no connection to, and they buy up homes; they raise rents; they cut services; and they don't deliver on their promises to their tenants.

These out-of-town and sometimes out-of-country investors are raising rents often by as much as 50 percent, issuing eviction notices, and leaving toxic mold and pest infestations to grow worse, all to pad their bottom line.

We heard from renters in apartment buildings and single-family homes and manufactured housing. We heard from renters in Las Vegas, NV; Great Falls, MT; and Hyattsville, MD—all sharing those stories.

One renter was told, when she asked why her rent suddenly increased by hundreds of dollars a month, "We have to please the investors." Think about that. "We have to please the investors."

Renters in Nevada, in Maryland, in Texas, and in California had their homes repeatedly flooded with wastewater, lived with rodent infestations, and went long periods without working showers or hot water.

Listen to Juan Cuellar from Maryland. He said:

The ceiling in the hallways is falling in. The wood floor is buckling. We don't have heat. There are cockroaches and mice. The air conditioning units don't work. There is a lot of mold. The refrigerator doesn't work. They don't want to fix anything, including the stove and the refrigerator and the heater.

They don't even have heat. These investors claim they are just running a business. OK. The business is supposed to be providing a decent place to live—that is part of the deal—in exchange for collecting people's hard-earned money in rent each month. If your building is full of mold and mice and doesn't have working heat or doesn't have a working stove, you are not holding up your end of the deal. You are not running a real business; you are running a scam. Families pay a very high price for it.

Rachel Jones is a working mother in North Minneapolis. She said her persistent complaints about her home's leaking sewage and dangerous garage went unanswered. The city itself was forced to step in because of code violations. This single mother said the company that owns her home bought it as "essentially a money-grabbing tool. That's all they are doing."

Ms. Nguyen, who lives in Brooklyn, talked about the firm that bought her building, Greenbrook. She said:

They and their business model do not care if I or my neighbors become homeless—in fact, their business model makes that possibility [much more] likely.

Cindy Newman, from Great Falls, MT, talked about her manufactured

home community. She worked hard to buy her home, but she rents the land it sits on. That is how manufactured homes work, how mobile home parks work. She rents the land it sits on. She said they used to have "a fair land owner who kept our community safe and affordable," until the private equity firm Havenpark Capital took over.

I would just add that Senator SANDERS just walked in, and Senator SANDERS and I have talked about when these private equity firms come in and buy mobile home parks and the damage that so often does.

She said her new owners in Montana have "cut back on all amenities and strip value out of our communities. They are brutal, absentee landlords." Her line, her quote.

The group raised rents and added fees for water and sewer and trash removal. Ms. Newman said this company bought a number of these homes—Havenpark—all over Montana and Iowa and other places around the country.

She said it amounted to about an 86-percent increase—her words—for the dirt that her home sits on. But they just can't pick up and move. Moving her home to a different community would cost \$10,000 or \$20,000.

Just picture these mobile home parks. These mobile homes they buy—maybe \$30-, \$40-, \$50,000 in some cases—they set them and then they build around them, and they aren't really mobile at that point. It costs, as this woman said, \$10- to \$20,000 to move them.

Most of her neighbors are seniors. They are on fixed incomes.

She continues:

It's hard to believe we could lose our homes and our life savings to such uncaring, greedy people.

Remember, they moved into these places 5 years, 10 years, 20 years ago. A family owned it. The family rented the land out for \$200 or \$300 a month. Then a private equity firm came in and doubled their rent. I mean, think about what that does, just upending the lives of people who are not all that affluent. They are kind of living paycheck to paycheck or Social Security check to Social Security check anyway.

As apartments and houses and manufactured home communities that people can afford become harder and harder to find, families are left with an impossible choice: pay money they don't have for a home that may put their kids at risk or gamble and look for a new place to live with a fear they will end up with no place to sleep.

That is what these seven renters, who represent millions of renters across the country—that is what they told us yesterday. These renters and homeowners shared their stories. They have shone a light on this problem.

Tomorrow in our hearing—we will hold a hearing in our committee looking at how we ended up here, how this exploitive business model has exploded around the country. For Wall Street investors, rent increases are distilled

down as returns to shareholders. Code violations and eviction violations are just the cost of doing business. But for Mr. Cuellar and Ms. Jones and Ms. Newman and millions of Americans, these are their homes. These are their neighborhoods. It is up to us to look out for them, not to look out for private equity firms' bottom lines.

I yield the floor.

The PRESIDING OFFICER. The Senator from Vermont.

UNANIMOUS CONSENT REQUEST—S. 3615

Mr. SANDERS. Madam President, let us be as clear as we can be, and that is, there is significant discontent throughout our country today, from Vermont to California and in all 50 States. The American people are worried about COVID. We are all worried about COVID. We are all tired of COVID. But the American people are worried about much more. They are worried about inflation, the price of food and gas, and other products going up. They are worried about climate change and whether or not the planet they will be leaving to their kids and grandchildren will be healthy and habitable. They are worried about a middle class whose real, inflation-accounted-for wages have not risen in almost 50 years, have been stagnant, and the reality that today, half of our workforce is living paycheck to paycheck.

The American people are worried about the massive level of income and wealth inequality which we are experiencing in which, during this pandemic alone, just the last few years, the billionaire class saw an increase in their wealth by some \$2 trillion while at the same time, thousands of workers died as they went to their jobs. They didn't have a choice about it; they went to work, and they died.

The American people are worried that their kids are not getting the quality childcare that they need or that the family can afford. They are worried about the outrageous levels of student debt that their kids acquired because they chose to get a higher education.

Above all else, the American people, in my view, are outraged that in the midst of all of these crises and more, their elected officials are simply not responding.

In my view, now is the time to tell the American people that we in Congress do understand their pain, that we do know what they are going through, and that we are prepared to stand up for the working families of this country and take on the greed of powerful special interests who wield so much influence over the economic and political life of our Nation.

Today, Senator KLOBUCHAR and I are going to focus on one—just one—of the many issues that this Congress must address. The American people want action, and that is what we have to give them. We have to respond to the crises.

Today, we are going to be talking about prescription drugs. For decades, literally decades—20, 30, 40 years—