

some government review of the product, some inspection, some standards. Not the case. When it comes to prescription drugs, they have to be proven to be safe and effective. Not so for dietary supplements. These products can hit the shelves and make outrageous claims and not be regulated in any way, like prescription drugs.

What our bill says is that each of the companies selling these products has to register with the FDA the name of the product and the ingredients in the product. So if something goes wrong and people start getting sick, we at least have the most basic information to protect Americans.

The FDA is one of the most important Agencies in the Federal Government. It has fallen on hard times. It is there to protect the health of families across the country, especially our children. Whether it is dietary supplements or tobacco or e-cigarettes, we need to make sure the FDA not only has the tools for the job but uses them.

#### CONFIRMATION OF SARAH A.L. MERRIAM

Mr. President, today, the Senate will vote to confirm Judge Sarah Merriam to serve on the Second Circuit Court of Appeals.

Judge Merriam was confirmed last year as a U.S. District Court Judge for the District of Connecticut. She received a bipartisan vote on the Senate floor, which reflects not only her qualifications, but her impartiality as well.

Prior to her appointment to the district court, Judge Merriam served as a U.S. magistrate judge for the District of Connecticut from 2015 to 2021.

Throughout her time on the Federal bench, Judge Merriam has presided over hundreds of matters, including five trials that proceeded to final judgment.

This significant judicial experience has undoubtedly prepared Judge Merriam to serve on the Second Circuit.

Judge Merriam also has extensive experience in Federal court as an advocate. For the bulk of her career as a practicing attorney, she served as an assistant Federal defender, representing clients who could not otherwise afford adequate legal representation.

Notably, 24 former Federal prosecutors in Connecticut—including three former U.S. attorneys appointed by Presidents of both political parties—support Judge Merriam's nomination to the Second Circuit.

This broad, bipartisan support is a testament to her fairness and evenhandedness, both as a jurist and as an advocate.

The American Bar Association unanimously rated Judge Merriam "well qualified" to serve on the Second Circuit, and she has the strong support of Senators BLUMENTHAL and MURPHY.

Judge Merriam has shown that she has the qualifications, experience, and fidelity to the rule of law needed to administer justice on the Second Circuit. I will be supporting her confirmation and urge my colleagues to do the same.

I yield the floor.

#### VOTE ON MERRIAM NOMINATION

The PRESIDING OFFICER. Under the previous order, all postcloture time is expired.

The question is, Will the Senate advise and consent to the Merriam nomination?

Mr. DURBIN. 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 senior assistant executive clerk called the roll.

Mr. THUNE. The following Senators are necessarily absent: the Senator from North Dakota (Mr. CRAMER), the Senator from Texas (Mr. CRUZ), and the Senator from Kansas (Mr. MORAN).

The result was announced—yeas 53, nays 44, as follows:

#### [Rollcall Vote No. 337 Ex.]

##### YEAS—53

Baldwin	Heinrich	Peters
Bennet	Hickenlooper	Reed
Blumenthal	Hirono	Rosen
Booker	Kaine	Sanders
Brown	Kelly	Schatz
Cantwell	King	Schumer
Cardin	Klobuchar	Shaheen
Carper	Leahy	Sinema
Casey	Lujan	Smith
Collins	Manchin	Stabenow
Coons	Markley	Tester
Cortez Masto	Menendez	Van Hollen
Duckworth	Merkley	Warner
Durbin	Murkowski	Warrick
Feinstein	Murphy	Warren
Gillibrand	Murray	Whitehouse
Graham	Ossoff	Wyden
Hassan	Padilla	

##### NAYS—44

Barrasso	Hagerty	Romney
Blackburn	Hawley	Rounds
Blunt	Hoeven	Rubio
Boozman	Hyde-Smith	Sasse
Braun	Inhofe	Scott (FL)
Burr	Johnson	Scott (SC)
Capito	Kennedy	Shelby
Cassidy	Lankford	Sullivan
Cornyn	Lee	Thune
Cotton	Lummis	Tillis
Crapo	Marshall	Toomey
Daines	McConnell	Tuberville
Ernst	Paul	Wicker
Fischer	Portman	Young
Grassley	Risch	

##### NOT VOTING—3

Cramer	Cruz	Moran
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The nomination was confirmed.

The PRESIDING OFFICER (Mr. SCHATZ). Under the previous order, the motion to reconsider is considered made and laid upon the table, and the President will be immediately notified of the Senate's action.

#### EXECUTIVE CALENDAR

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to the consideration of the following nomination, which the clerk will report.

The legislative clerk read the nomination of David P. Pekoske, of Maryland, to be Administrator of the Transportation Security Administration for a term of five years. (New Position)

The PRESIDING OFFICER. The Senator from California.

#### TRIBUTE TO VANESSA VALDIVIA

Mr. PADILLA. Mr. President, I rise today because today is a bittersweet day for me. I rise to recognize and express my gratitude for the outstanding work of Vanessa Valdivia, who has served as my communications director since my first day here in the Senate. I speak for everybody in my office when I say we are going to miss her.

But I am also proud. Next week, she will begin work at the White House as Special Assistant to the President and as Press Secretary to the First Lady. I have no doubt that she will do great things in her new role.

Since our first days in the Russell basement, in an office I had when I was transitioning, Vanessa has brought her incredible experience, her unique personality, and her tremendous passion to the job in helping me communicate our work to the people of California. From my maiden speech here on the Senate floor, during the depths of the COVID-19 pandemic, to crisscrossing the State on an infrastructure listening tour as we were negotiating the Infrastructure Investment and Jobs Act here in Washington, to ensuring that Californians were consistently informed of the historic progress that we have made in this Congress, Vanessa has been a key leader in my office and an adviser to me.

She is a California native and is the proud daughter of Mexican-Nicaraguan immigrants. Now, some of you may remember some of my remarks during the confirmation hearings of now-Justice Ketanji Brown Jackson when I said that, often, Americans of color needed to work twice as hard to garner half the respect. Well, it comes as no surprise that Vanessa has gained the utmost respect from her former bosses and colleagues on the various Presidential and Senate campaigns that she has been a part of and from the Senate offices that she has worked in, including those of Senators BOOKER, HEINRICH, and PETERS in addition to mine, and I have no doubt that she will bring the same work ethic and savvy to serving the First Lady and the Biden administration.

Mr. President, I ask unanimous consent to deliver the next part of my remarks in Spanish.

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

Mr. PADILLA. (English translation of statement made in Spanish is as follows:)

Vanessa, I wish you all the luck in your next chapter. Don't forget your friends here in the Senate. I have no doubt that you will continue to do great things working for the First Lady and the Biden administration. Thank you for your work for all of California.

Mr. President, let the record reflect that Vanessa Valdivia will be deeply missed and that the State of California and the U.S. Senate thank her for her service.

I yield the floor.

The PRESIDING OFFICER. The senior Senator from Texas.

## BUSINESS BEFORE THE SENATE

Mr. CORNYN. Mr. President, the 117th Congress is drawing to a close, and there is a lot we need to do before the end of the year when the 117th Congress is no more.

At the top of that list, of course, are must-pass bills. In the next couple of weeks, the Senate is expected to pass a short-term funding bill to avert a government shutdown. Later this year, we will either have to pass another short-term extension or a full government funding package, otherwise known around here as an omnibus.

On top of that, Congress needs to pass the National Defense Authorization Act, which it has done 61 years in a row. The majority leader has, so far, declined to put that bill on the floor. This is a piece of legislation that provides our men and women in uniform the training they need and the equipment they need to fight and win America's wars and, hopefully, to prevent a war. It also supports our military families, and with an all-volunteer military like we have, it is critical that Congress step up and not only provide for those who wear the uniform but for those who also serve as members of that military member's family.

Even though these major pieces of legislation garner most of the attention, there are countless other bills that need to reach the President's desk before the end of this Congress. As the Presiding Officer knows, if a bill passes one Chamber but doesn't pass both and isn't signed into law, it literally expires. Many of these bills pass the Senate with overwhelming bipartisan support but continue to collect dust on the House calendar.

One of those bills is the Jenna Quinn Law, which I have spoken about many times here on the Senate floor.

This legislation carries the name of a brave young woman from Texas who was a survivor of child sexual assault. Jenna, as a result of her own terrible experience, has made it her mission to end the cycle of abuse that harms children and communities across the country. Her work is having a big impact. She was the inspiration behind the 2009 Texas law that requires training for teachers, caregivers, and other adults who work with children on how to prevent, recognize, and report child sexual abuse. Since then, a number of other States have passed similar laws, but this training lacks a source of funding in many instances, and that is where the Jenna Quinn Law comes into play.

I introduced this bill with Senator HASSAN of New Hampshire to finally back those training sessions with Federal funding through grants from the Department of Health and Human Services. We initially introduced the bill last Congress, and it passed the Senate unanimously. Unfortunately, it became a political hostage and was used to try to exert leverage to advance a partisan bill that stood no chance of passage. So here we are, 2 years later, and the bill is, once again,

stuck in House purgatory. It has now passed the Senate twice—both times with unanimous support—but for some inexplicable reason, the House refuses to even hold a vote.

This is an issue that is way too important for politics. The children who suffer as a result of child abuse and neglect continue to suffer. As for the caregivers who might be able, as a result of the training they receive, to identify a child who is suffering from the abuse, that training is not occurring as a result of the intransigence of the House of Representatives.

So I would implore of Speaker PELOSI, Leader HOYER, and other Democratic leaders in the House who control the majority to please pass this critical legislation.

Here is another great example of a bill that passed the Senate but which is stuck in the House.

Last year, the Senate passed a bipartisan bill I introduced with Senator WHITEHOUSE of Rhode Island, called the Residential Substance Use Disorder Treatment Act, to help incarcerated individuals who are struggling with drug abuse.

There is a well-established link between drug abuse and crime. In order for these individuals who have the requisite desire to try to turn their lives around to have the best shot at living healthy and productive lives, they need to break the cycle of addiction. The Residential Substance Use Disorder Treatment Act provides incarcerated individuals with access to treatment for their substance use disorders. This treatment is coupled with programs to prepare these men and women to reenter society, and it provides them with community-based treatment once they are released.

We learned, from experience in Texas, that it is not enough just to give people who commit nonviolent crimes an opportunity to improve themselves while they are in prison. There also needs to be follow-on services to support them, particularly if they are trying to recover from their addictions.

Our bill updates the program and expands access to treatment in jails and prisons around the country so we can reduce recidivism and build safer and healthier communities. More than two dozen organizations have endorsed this bill, including law enforcement, criminal justice, and behavioral health groups. It passed the Senate with unanimous support last year, but for some unknown reason, it still is lingering on the House calendar.

This is a commonsense, nonpolitical bill that will help get folks the critical assistance they need in order to break the cycle of addiction and to live healthier, productive lives. So why won't the House pass a bill that will help fund law enforcement and bolster our fight against drug abuse? Well, we are not receiving any sort of answers.

The third bill I would like to mention is one I introduced with Senator

PADILLA, the Senator from California, to support infrastructure projects and disaster relief across the country.

Last year, State and local governments received huge sums of money for COVID-19 relief, but as more people have gotten vaccinated and we have learned, somehow, to live with this virus, many of these governments at the State and local levels have found themselves with huge amounts of cash that they can't use for the agreed-upon purpose and that they don't need any more for that purpose.

So the idea behind the bill is pretty simple: Give the State and local leaders the flexibility they need to invest in the most critical projects in their communities. In some places, that may mean pandemic relief-related expenses still, eliminating hospital staffing shortages, and supporting more vaccinations. But in places where the need is simply not there, our bill gives these leaders the option to invest in things that are actually needed and that will have a lasting impact. That includes infrastructure projects like constructing bridges, extending railways, modernizing ports, and expanding access to broadband. It also includes disaster relief, which is a major need in many States across the country.

Both Texas and Kentucky, for example, have experienced devastating flooding in the last couple of months. Jackson, MS, is in the midst of a water crisis that has dragged on for weeks, with no end in sight. The Speaker's home State of California continues to battle destructive wildfires.

If this bill becomes law—again, it passed the Senate 100 to 0—State and local leaders will be able to put a portion of the COVID-19 relief dollars toward disaster relief. This is voluntary on their part. There is no requirement that they do so, but if they need it and they don't need it for COVID-19 purposes, then, we ought to give them the authority to use it. Again, these funds are already appropriated. So there is no worry about an inflationary appropriation of additional funds. Local leaders know their communities best, and they should be able to use this funding in a way that makes the most sense for them.

Senator PADILLA and I worked with our Senate colleagues and the White House to craft language that everyone could live with. We built broad bipartisan support for the bill, and it passed the Senate, as I said, 100 to 0. Once again, 8 months later, the House has done nothing. Speaker PELOSI, so far, has declined to let this bill pass even though it would support disaster relief in her own State and even though it passed by huge bipartisan majorities.

Those are just three of the bills that are stuck in the House that have passed the Senate.

The Senate has unanimously advanced legislation to support programs for those experiencing mental health crises, to provide tax relief to survivors of human trafficking, to equip law enforcement officials with the tools they