

**SEC. 3. EFFECTIVE DATE.**

This Act shall take effect on the date that is 180 days after the date of the enactment of this Act.

**SA 2925.** Mr. McCONNELL (for Mr. NELSON (for himself and Ms. AYOTTE)) proposed an amendment to the bill S. 142, to require special packaging for liquid nicotine containers, and for other purposes; as follows:

Amend the title so as to read: "A bill to require special packaging for liquid nicotine containers, and for other purposes."

**SA 2926.** Mr. McCONNELL (for Mr. FRANKEN (for himself and Mr. CORNYN)) proposed an amendment to the bill S. 993, to increase public safety by facilitating collaboration among the criminal justice, juvenile justice, veterans treatment services, mental health treatment, and substance abuse systems; as follows:

On page 26, line 24, strike "\$30,000,000" and insert "\$18,000,000".

On page 27, line 2, strike "20 percent" and insert "28 percent".

### AUTHORITY FOR COMMITTEES TO MEET

#### COMMITTEE ON ARMED SERVICES

Mr. CORNYN. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on December 10, 2015, at 9:30 a.m.

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

#### COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. CORNYN. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on December 10, 2015, at 10 a.m., in room SD-366 of the Dirksen Senate Office Building.

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

#### COMMITTEE ON FOREIGN RELATIONS

Mr. CORNYN. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on December 10, 2015, at 10 a.m. to conduct a hearing entitled "Independent South Sudan: A Failure of Leadership."

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

#### COMMITTEE ON THE JUDICIARY

Mr. CORNYN. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate on December 10, 2015, at 10 a.m., in room SD-226 of the Dirksen Senate Office Building.

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

#### SUBCOMMITTEE ON REGULATORY AFFAIRS AND FEDERAL MANAGEMENT

Mr. CORNYN. Mr. President, I ask unanimous consent that the Subcommittee on Regulatory Affairs and Federal Management of the Committee on Homeland Security and Govern-

mental Affairs be authorized to meet during the session of the Senate on December 10, 2015, at 10 a.m. to conduct a hearing entitled, "Implementing Solutions: The Importance of Following Through on GAO and OIG Recommendations."

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

The PRESIDING OFFICER (Mr. SASSE). The majority leader.

### EXECUTIVE SESSION

#### EXECUTIVE CALENDAR

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to executive session for the consideration of Calendar Nos. 397 through 414 and all nominations on the Secretary's desk in the Air Force, Army, Coast Guard, Foreign Service, and Navy; that the nominations be confirmed en bloc and the motions to reconsider be considered made and laid upon the table with no intervening action or debate; that no further motions be in order; that any statements related to the nominations be printed in the RECORD; and that the President be immediately notified of the Senate's action.

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

The nominations considered and confirmed en bloc are as follows:

#### IN THE MARINE CORPS

The following named officer for appointment to the grade of lieutenant general in the United States Marine Corps while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

#### To be lieutenant general

Lt. Gen. John E. Wissler

#### IN THE NAVY

The following named officer for appointment as the Chief of the Bureau of Medicine and Surgery and Surgeon General and for appointment in the United States Navy to the grade indicated under title 10, U.S.C., sections 601 and 5137:

#### To be vice admiral

Rear Adm. Clinton F. Faison, III

#### IN THE ARMY

The following named officer for appointment as The Surgeon General, United States Army, and for appointment in the United States Army to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., sections 601 and 3036:

#### To be lieutenant general

Maj. Gen. Nadja Y. West

The following Army National Guard of the United States officer for appointment in the Reserve of the Army to the grade indicated under title 10, U.S.C., sections 12203 and 12211:

#### To be brigadier general

Col. Edward E. Hildreth, III

The following named officers for appointment to the grade indicated in the United States Army under title 10, U.S.C., section 624:

#### To be brigadier general

Colonel Jennifer G. Buckner  
Colonel Sean A. Gainey

Colonel David T. Isaacson  
Colonel Patrick B. Roberson

#### IN THE AIR FORCE

The following Air National Guard of the United States officers for appointment in the Reserve of the Air Force to the grade indicated under title 10, U.S.C., sections 12203 and 12212:

#### To be brigadier general

Col. Blake A. Gettys  
Col. Karen E. Mansfield

The following Air National Guard of the United States officers for appointment in the Reserve of the Air Force to the grade indicated under title 10, U.S.C., sections 12203 and 12212:

#### To be brigadier general

Col. Todd M. Branden  
Col. Mark A. Crosby  
Col. Fermin A. Rubio

The following Air National Guard of the United States officers for appointment in the Reserve of the Air Force to the grade indicated under title 10, U.S.C., sections 12203 and 12212:

#### To be brigadier general

Col. David M. Bakos  
Col. Vance C. Bateman  
Col. Sandra L. Best  
Col. Jeffrey C. Bozard  
Col. William D. Bunch  
Col. Rafael Carrero  
Col. Larry K. Clark  
Col. Kevin D. Clotfelter  
Col. Marshall C. Collins  
Col. James N. Cox  
Col. Jason R. Cripps  
Col. Christopher S. Croxton  
Col. Francis N. Detorie  
Col. Ruben Fernandez-Vera  
Col. John T. Ferry  
Col. John E. Flowers  
Col. Michael J. Francis  
Col. Vincent R. Franklin  
Col. Clay L. Garrison  
Col. Kevin J. Heer  
Col. Dana A. Hessheimer  
Col. Gene W. Hughes, Jr.  
Col. James T. Johnson  
Col. Gregory F. Jones  
Col. Marshall L. Kjellvik  
Col. James R. Kriesel  
Col. Ronald S. Lambe  
Col. Andrew J. MacDonald  
Col. Stephen J. Maher  
Col. Matthew J. Manifold  
Col. Maren McAvoey  
Col. Gregory S. McCreary  
Col. Stephen B. Mehring  
Col. Jessica Meyeraan  
Col. Billy M. Nabors  
Col. Jeffrey L. Newton  
Col. Peter Nezamis  
Col. Patrick R. Renwick  
Col. Stephen M. Ryan  
Col. Peter R. Schneider  
Col. Gregory N. Schnulo  
Col. Greg A. Semmel  
Col. Ray M. Shepard  
Col. Marc A. Sicard  
Col. Paul R. Silvestri  
Col. Christopher A. Stratmann  
Col. Peter F. Sullivan, Jr.  
Col. Tami S. Thompson  
Col. Joseph B. Wilson  
Col. Gregory S. Woodrow

The following Air National Guard of the United States officer for appointment in the Reserve of the Air Force to the grade indicated under title 10, U.S.C., sections 12203 and 12212:

#### To be major general

Brig. Gen. Edward P. Maxwell

The following Air National Guard of the United States officers for appointment in the Reserve of the Air Force to the grade indicated under title 10, U.S.C., sections 12203 and 12212:

*To be major general*

Brig. Gen. Robert C. Bolton  
Brig. Gen. Charles W. Chappuis, Jr.  
Brig. Gen. Dawne L. Deskins  
Brig. Gen. Timothy L. Frye  
Brig. Gen. Paul D. Jacobs  
Brig. Gen. Mark E. Jannitto  
Brig. Gen. Ronald W. Solberg  
Brig. Gen. James K. Vogel  
Brig. Gen. William L. Welsh  
Brig. Gen. Wayne A. Zimmet

The following named officer for appointment in the United States Air Force to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

*To be lieutenant general*

Maj. Gen. John D. Bansemer

The following named officer for appointment in the Reserve of the Air Force to the grade indicated under title 10, U.S.C., section 12203:

*To be brigadier general*

Col. Russell A. Muncy

The following named officer for appointment in the Reserve of the Air Force to the grade indicated under title 10, U.S.C., section 12203:

*To be brigadier general*

Col. Patricia N. Beyer

The following named officer for appointment in the Reserve of the Air Force to the grade indicated under title 10, U.S.C., section 12203:

*To be brigadier general*

Col. Christopher W. Lentz

The following named officers for appointment in the Reserve of the Air Force to the grade indicated under title 10, U.S.C., section 12203:

*To be brigadier general*

Col. Lee Ann T. Bennett  
Col. Richard M. Casto  
Col. Jonathan M. Ellis  
Col. James J. Fontanella  
Col. John P. Healy  
Col. Daniel J. Heires  
Col. Robert A. Huston  
Col. William R. Kountz, Jr.  
Col. Albert V. Lupenski  
Col. Tyler D. Otten  
Col. Russell P. Reimer  
Col. Harold E. Rogers, Jr.  
Col. Tracey A. Siems

IN THE ARMY

The following named officer for appointment to the grade indicated in the United States Army under title 10, U.S.C., section 624:

*To be major general*

Brig. Gen. John C. Thomson, III

The following Army National Guard of the United States officer for appointment in the Reserve of the Army to the grade indicated under title 10, U.S.C., sections 12203 and 12211:

*To be major general*

Brig. Gen. Sylvia R. Crockett

IN THE AIR FORCE

The following named officers for appointment in the United States Air Force to the grade indicated under title 10, U.S.C., section 624:

*To be brigadier general*

Col. Kenneth T. Bibb, Jr.  
Col. Angela M. Cadwell

Col. Martin A. Chapin  
Col. James R. Cluff  
Col. Charles S. Corcoran  
Col. Sean M. Farrell  
Col. Chad P. Franks  
Col. Alexus G. Grynkeiwich  
Col. Timothy D. Haugh  
Col. Christopher D. Hill  
Col. Eric T. Hill  
Col. Samuel C. Hinote  
Col. William G. Holt, II  
Col. Linda S. Hurry  
Col. Matthew C. Isler  
Col. Kyle J. Kremer  
Col. John C. Kubinec  
Col. Douglas K. Lamberth  
Col. Lance K. Landrum  
Col. Jeannie M. Leavitt  
Col. William J. Liguori, Jr.  
Col. Michael J. Lutton  
Col. Corey J. Martin  
Col. Tom D. Miller  
Col. Richard G. Moore, Jr.  
Col. James D. Peccia, III  
Col. Heather L. Pringle  
Col. Michael J. Schmidt  
Col. James R. Sears, Jr.  
Col. Daniel L. Simpson  
Col. Mark H. Slocum  
Col. Robert S. Spalding, III  
Col. William A. Spangenthal  
Col. Edward W. Thomas Jr  
Col. John T. Wilcox, II  
Col. Michael P. Winkler

NOMINATIONS PLACED ON THE SECRETARY'S  
DESK

IN THE AIR FORCE

PN970 AIR FORCE nominations (105) beginning BRYAN K. ALLEN, and ending GARRICK H. YOKOE, which nominations were received by the Senate and appeared in the Congressional Record of November 19, 2015.

IN THE ARMY

PN971 ARMY nomination of James D. Ferguson, which was received by the Senate and appeared in the Congressional Record of November 19, 2015.

PN972 ARMY nominations (8) beginning KELVIN L. BROWN, and ending PAUL L. WAGNER, II, which nominations were received by the Senate and appeared in the Congressional Record of November 19, 2015.

PN973 ARMY nominations (3) beginning DAESOO LEE, and ending BRIAN D. RAY, which nominations were received by the Senate and appeared in the Congressional Record of November 19, 2015.

PN974 ARMY nomination of Wayne W. Santos, which was received by the Senate and appeared in the Congressional Record of November 19, 2015.

PN975 ARMY nomination of Anthony J. Fadell, which was received by the Senate and appeared in the Congressional Record of November 19, 2015.

PN976 ARMY nomination of Ricardo Alonsojournet, which was received by the Senate and appeared in the Congressional Record of November 19, 2015.

PN977 ARMY nomination of Jeffrey M. Sloan, which was received by the Senate and appeared in the Congressional Record of November 19, 2015.

PN978 ARMY nominations (2) beginning ANDREW C. DILLON, and ending ANDRE R. HOLDER, which nominations were received by the Senate and appeared in the Congressional Record of November 19, 2015.

PN979 ARMY nomination of Rebecca R. Tomsyck, which was received by the Senate and appeared in the Congressional Record of November 19, 2015.

PN980 ARMY nomination of Everett S. P. Spain, which was received by the Senate and appeared in the Congressional Record of November 19, 2015.

PN981 ARMY nomination of Shane R. Reeves, which was received by the Senate and appeared in the Congressional Record of November 19, 2015.

PN982 ARMY nominations (5) beginning DAVID E. BENTZEL, and ending BRIAN U. T. KIM, which nominations were received by the Senate and appeared in the Congressional Record of November 19, 2015.

PN983 ARMY nominations (4) beginning TERESA L. BRININGER, and ending RICHARD A. VILLARREAL, which nominations were received by the Senate and appeared in the Congressional Record of November 19, 2015.

PN984 ARMY nominations (39) beginning KEVIN R. BASS, and ending D003940, which nominations were received by the Senate and appeared in the Congressional Record of November 19, 2015.

PN985 ARMY nominations (19) beginning KIMBERLIE A. BIEVER, and ending PAMELA M. WULF, which nominations were received by the Senate and appeared in the Congressional Record of November 19, 2015.

PN986 ARMY nominations (9) beginning DAVID BARRETT, and ending JENNIFER S. ZUCKER, which nominations were received by the Senate and appeared in the Congressional Record of November 19, 2015.

PN987 ARMY nominations (2) beginning DAVID W. LAWS, and ending JOHN E. SWANBERG, which nominations were received by the Senate and appeared in the Congressional Record of November 19, 2015.

PN988 ARMY nomination of William A. Altmire, which was received by the Senate and appeared in the Congressional Record of November 19, 2015.

PN989 ARMY nomination of Jesus J. T. Nufable, which was received by the Senate and appeared in the Congressional Record of November 19, 2015.

PN990 ARMY nominations (6) beginning RUBEN BERMUDEZPAGAN, and ending TODD W. SCHAFFER, which nominations were received by the Senate and appeared in the Congressional Record of November 19, 2015.

PN991 ARMY nomination of Joshua A. Carlisle, which was received by the Senate and appeared in the Congressional Record of November 19, 2015.

PN992 ARMY nomination of William C. Moorhouse, which was received by the Senate and appeared in the Congressional Record of November 19, 2015.

PN993 ARMY nomination of Gregg T. Olsow, which was received by the Senate and appeared in the Congressional Record of November 19, 2015.

PN994 ARMY nomination of Roger S. Giraud, which was received by the Senate and appeared in the Congressional Record of November 19, 2015.

PN995 ARMY nomination of Steven M. Wilke, which was received by the Senate and appeared in the Congressional Record of November 19, 2015.

IN THE COAST GUARD

PN997 COAST GUARD nominations (3) beginning CORINNA M. FLEISCHMANN, and ending KIMBERLY C. YOUNG-MCLEAR, which nominations were received by the Senate and appeared in the Congressional Record of November 19, 2015.

PN998 COAST GUARD nominations (247) beginning MICHAEL S. ADAMS, JR., and ending JAMES R. ZOLL, JR., which nominations were received by the Senate and appeared in the Congressional Record of November 19, 2015.

PN999 COAST GUARD nominations (173) beginning JASON C. ALEKSAS, and ending YAMASHEKA Z. YOUNG-MCLEAR, which nominations were received by the Senate and appeared in the Congressional Record of November 19, 2015.

## IN THE FOREIGN SERVICE

PN72-5 FOREIGN SERVICE nomination of Daniel Sylvester Cronin, which was received by the Senate and appeared in the Congressional Record of January 13, 2015.

PN877-2 FOREIGN SERVICE nomination of Derrell Kennedo, which was received by the Senate and appeared in the Congressional Record of September 21, 2015.

PN939 FOREIGN SERVICE nominations (119) beginning Steven Carl Aaberg, and ending Sandra M. Zuniga Guzman, which nominations were received by the Senate and appeared in the Congressional Record of November 10, 2015.

PN951-1 FOREIGN SERVICE nominations (3) beginning James F. Entwistle, and ending Daniel R. Russel, which nominations were received by the Senate and appeared in the Congressional Record of November 19, 2015.

PN954 FOREIGN SERVICE nominations (102) beginning Christopher Volciak, and ending Edward L. Robinson, III, which nominations were received by the Senate and appeared in the Congressional Record of November 19, 2015.

## IN THE NAVY

PN996 NAVY nomination of Kenneth C. Collins, II, which was received by the Senate and appeared in the Congressional Record of November 19, 2015.

## NOMINATION DISCHARGED AND EXECUTIVE CALENDAR

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Environment and Public Works Committee be discharged from consideration of PN714 and the Senate proceed to consider the following nominations en bloc: PN714, Calendar Nos. 385, 392, and 426.

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

The clerk will report the nominations en bloc.

The senior assistant legislative clerk read the nominations of Richard Capel Howorth, of Mississippi, to be a Member of the Board of Directors of the Tennessee Valley Authority for a term expiring May 18, 2020; Cherry Ann Murray, of Kansas, to be Director of the Office of Science, Department of Energy; Eric Drake Eberhard, of Washington, to be a Member of the Board of Trustees of the Morris K. Udall and Stewart L. Udall Foundation for a term expiring October 6, 2018; and Darryl L. DePriest, of Illinois, to be Chief Counsel for Advocacy, Small Business Administration.

Thereupon, the Senate proceeded to consider the nominations en bloc.

The PRESIDING OFFICER. Is there further debate on the nominations en bloc?

If not, the question is, Will the Senate advise and consent to the Howorth, Murray, Eberhard, and DePriest nominations en bloc?

The nominations were confirmed en bloc.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the motion to reconsider be considered made and laid upon the table with no intervening action or debate; that no further motions be in order to the nominations; that any statements related to

the nominations be printed in the RECORD; that the President be immediately notified of the Senate's action and the Senate then resume legislative session.

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

## LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will now resume legislative session.

## UNANIMOUS CONSENT AGREEMENT—EXECUTIVE CALENDAR

Mr. MCCONNELL. Mr. President, I ask unanimous consent that on Monday, December 14, at 5 p.m., the Senate proceed to executive session to consider the following nominations: Calendar Nos. 393 through 396; that there be 30 minutes for debate on the Starzak nomination equally divided in the usual form; that upon the use or yielding back of time, the Senate proceed to vote without intervening action or debate on the nominations in the order listed; that following disposition of the nominations, the motions to reconsider be considered made and laid upon the table with no intervening action or debate; that no further motions be in order to any of the nominations; that any statements related to the nominations be printed in the Record; that the President be immediately notified of the Senate's action and the Senate then resume legislative session.

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

## CHILD NICOTINE POISONING PREVENTION ACT OF 2015

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 35, S. 142.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 142) to require the Consumer Product Safety Commission to promulgate a rule to require child safety packaging for liquid nicotine containers, and for other purposes.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Commerce, Science, and Transportation, with an amendment to strike all after the enacting clause and insert in lieu thereof the following:

S. 142

## SECTION 1. SHORT TITLE.

This Act may be cited as the "Child Nicotine Poisoning Prevention Act of 2015".

## SEC. 2. CHILD SAFETY PACKAGING FOR LIQUID NICOTINE CONTAINERS.

(a) DEFINITIONS.—In this section:

(1) COMMISSION.—The term "Commission" means the Consumer Product Safety Commission.

(2) LIQUID NICOTINE CONTAINER.—

(A) IN GENERAL.—The term "liquid nicotine container" means a consumer product, as defined in section 3(a)(5) of the Consumer Product

Safety Act (15 U.S.C. 2052(a)(5)) notwithstanding subparagraph (B) of such section, that consists of a container that—

(i) has an opening from which nicotine in a solution or other form is accessible and can flow freely through normal and foreseeable use by a consumer; and

(ii) is used to hold soluble nicotine in any concentration.

(B) EXCLUSIONS.—The term "liquid nicotine container" does not include nicotine in a solution or other form in a sealed, pre-filled, disposable container inserted directly into an electronic cigarette or other similar device, so long as the nicotine in the container is inaccessible or cannot flow freely out of such container or electronic cigarette or other similar device through normal and foreseeable use by a consumer.

(3) NICOTINE.—The term "nicotine" means any form of the chemical nicotine, including any salt or complex, regardless of whether the chemical is naturally or synthetically derived.

(4) SPECIAL PACKAGING.—The term "special packaging" has the meaning given such term in section 2 of the Poison Prevention Packaging Act of 1970 (15 U.S.C. 1471).

(b) REQUIRED USE OF SPECIAL PACKAGING FOR LIQUID NICOTINE CONTAINERS.—

(1) RULEMAKING.—

(A) IN GENERAL.—Notwithstanding section 3(a)(5)(B) of the Consumer Product Safety Act (15 U.S.C. 2052(a)(5)(B)) or section 2(f)(2) of the Federal Hazardous Substances Act (15 U.S.C. 1261(f)(2)), not later than 1 year after the date of enactment of this Act, the Commission shall promulgate a rule requiring special packaging for liquid nicotine containers.

(B) AMENDMENTS.—The Commission may promulgate such amendments to the rule promulgated under subparagraph (A) as the Commission considers appropriate.

(2) EXPEDITED PROCESS.—The Commission shall promulgate the rule under paragraph (1) in accordance with section 553 of title 5, United States Code.

(3) INAPPLICABILITY OF CERTAIN RULEMAKING REQUIREMENTS.—The following provisions shall not apply to a rulemaking under paragraph (1): (A) Sections 7 and 9 of the Consumer Product Safety Act (15 U.S.C. 2056 and 2058).

(B) Section 3 of the Federal Hazardous Substances Act (15 U.S.C. 1262).

(C) Subsections (b) and (c) of section 3 of the Poison Prevention Packaging Act of 1970 (15 U.S.C. 1472).

(4) SAVINGS CLAUSE.—Nothing in this section shall be construed to limit or diminish the authority of the Food and Drug Administration to regulate the manufacture, marketing, sale, or distribution of liquid nicotine, liquid nicotine containers, electronic cigarettes, or similar products that contain or dispense liquid nicotine.

(5) ENFORCEMENT.—A rule promulgated under paragraph (1) shall be treated as a standard applicable to a household substance established under section 3(a) of the Poison Prevention Packaging Act of 1970 (15 U.S.C. 1472(a)).

(c) REPORTING REQUIREMENTS.—Not later than 3 years after the date of enactment of this Act, the Commission shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Energy and Commerce of the House of Representatives a report detailing the rule and requirements promulgated under this Act and any enforcement actions taken thereunder.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the committee-reported substitute be withdrawn; that the Nelson substitute amendment be agreed to; that the bill, as amended, be read three times and passed; that the amendment to the title be agreed to; and that the motions to reconsider be considered made and laid upon the table with no intervening action or debate.