

(Purpose: To include a provision relating to the payment of annual charges)

At the end, add the following:

(c) OBLIGATION FOR PAYMENT OF ANNUAL CHARGES.—Any obligation of a licensee or exemptee for the payment of annual charges under section 10(e) of the Federal Power Act (16 U.S.C. 803(e)) for a project that has not commenced construction as of the date of enactment of this Act shall commence not earlier than the latest of—

(1) the date by which the licensee or exemptee is required to commence construction; or

(2) the date of any extension of the deadline under paragraph (1).

The bill (S. 724), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 724

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. MODERNIZING AUTHORIZATIONS FOR NECESSARY HYDROPOWER APPROVALS.

(a) PRELIMINARY PERMITS.—Section 5 of the Federal Power Act (16 U.S.C. 798) is amended—

(1) in subsection (a), by striking “three” and inserting “4”; and

(2) in subsection (b)—

(A) by striking “Commission may extend the period of a preliminary permit once for not more than 2 additional years beyond the 3 years” and inserting the following: “Commission may—

“(1) extend the period of a preliminary permit once for not more than 4 additional years beyond the 4 years”;

(B) by striking the period at the end and inserting “; and”; and

(C) by adding at the end the following:

“(2) after the end of an extension period granted under paragraph (1), issue an additional permit to the permittee if the Commission determines that there are extraordinary circumstances that warrant the issuance of the additional permit.”.

(b) TIME LIMIT FOR CONSTRUCTION OF PROJECT WORKS.—Section 13 of the Federal Power Act (16 U.S.C. 806) is amended in the second sentence by striking “once but not longer than two additional years” and inserting “for not more than 8 additional years.”.

(c) OBLIGATION FOR PAYMENT OF ANNUAL CHARGES.—Any obligation of a licensee or exemptee for the payment of annual charges under section 10(e) of the Federal Power Act (16 U.S.C. 803(e)) for a project that has not commenced construction as of the date of enactment of this Act shall commence not earlier than the latest of—

(1) the date by which the licensee or exemptee is required to commence construction; or

(2) the date of any extension of the deadline under paragraph (1).

SWAN LAKE HYDROELECTRIC PROJECT BOUNDARY CORRECTION ACT

The bill (H.R. 219) to correct the Swan Lake hydroelectric project survey boundary and to provide for the conveyance of the remaining tract of land within the corrected survey boundary to the State of Alaska, was considered, was ordered to a third reading, was read the third time, and passed.

TO AUTHORIZE THE EXPANSION OF AN EXISTING HYDROELECTRIC PROJECT

The bill (H.R. 220) to authorize the expansion of an existing hydroelectric project, and for other purposes, was considered, was ordered to a third reading, was read the third time, and passed.

AUTHORIZING THE FEDERAL ENERGY REGULATORY COMMISSION TO ISSUE AN ORDER CONTINUING A STAY OF A HYDROELECTRIC LICENSE

The bill (S. 215) to authorize the Federal Energy Regulatory Commission to issue an order continuing a stay of a hydroelectric license for the Mahoney Lake hydroelectric project in the State of Alaska, and for other purposes, was considered, was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 215

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. STAY AND REINSTATEMENT OF FERC LICENSE NO. 11393 FOR THE MAHONEY LAKE HYDROELECTRIC PROJECT.

(a) DEFINITIONS.—In this section:

(1) COMMISSION.—The term “Commission” means the Federal Energy Regulatory Commission.

(2) LICENSE.—The term “license” means the license for the Commission project numbered 11393.

(3) LICENSEE.—The term “licensee” means the holder of the license.

(b) STAY OF LICENSE.—On the request of the licensee, the Commission shall issue an order continuing the stay of the license.

(c) LIFTING OF STAY.—On the request of the licensee, but not later than 10 years after the date of enactment of this Act, the Commission shall—

(1) issue an order lifting the stay of the license under subsection (b); and

(2) make the effective date of the license the date on which the stay is lifted under paragraph (1).

(d) EXTENSION OF LICENSE.—

(1) IN GENERAL.—Notwithstanding the time period specified in section 13 of the Federal Power Act (16 U.S.C. 806) that would otherwise apply to the Commission project numbered 11393, the Commission may, at the request of the licensee, and after reasonable notice, in accordance with the good faith, due diligence, and public interest requirements of, and the procedures of the Commission under, that section, extend the time period during which the licensee is required to commence the construction of the project for not more than 3 consecutive 2-year periods from the date of the expiration of the extension originally issued by the Commission.

(2) REINSTATEMENT OF EXPIRED LICENSE.—

(A) IN GENERAL.—If the period required for the commencement of construction of the project described in paragraph (1) has expired prior to the date of enactment of this Act, the Commission may reinstate the license effective as of the date of the expiration of the license.

(B) EXTENSION.—If the Commission reinstates the license under subparagraph (A), the first extension authorized under paragraph (1) shall take effect on the date of that expiration.

(e) EFFECT.—Nothing in this Act prioritizes, or creates any advantage or dis-

advantage to, Commission project numbered 11393 under Federal law, including the Federal Power Act (16 U.S.C. 791a et seq.) or the Public Utility Regulatory Policies Act of 1978 (16 U.S.C. 2601 et seq.), as compared to—

(1) any electric generating facility in existence on the date of enactment of this Act; or

(2) any electric generating facility that may be examined, proposed, or developed during the period of any stay or extension of the license under this Act.

TO REINSTATE AND EXTEND THE DEADLINE FOR COMMENCEMENT OF CONSTRUCTION OF A HYDROELECTRIC PROJECT INVOLVING THE GIBSON DAM

The Senate proceeded to consider the bill (S. 490) to reinstate and extend the deadline for commencement of construction of a hydroelectric project involving the Gibson Dam, which had been reported from the Committee on Energy and Natural Resources, with an amendment to strike all after the enacting clause and insert in lieu thereof the following:

S. 490

SECTION 1. REINSTATEMENT AND EXTENSION OF TIME FOR FEDERAL ENERGY REGULATORY COMMISSION PROJECT INVOLVING GIBSON DAM.

(a) IN GENERAL.—Notwithstanding the time period specified in section 13 of the Federal Power Act (16 U.S.C. 806) that would otherwise apply to the Federal Energy Regulatory Commission project numbered 12478-003, the Federal Energy Regulatory Commission (referred to in this section as the “Commission”) may, at the request of the licensee for the project, and after reasonable notice, in accordance with the good faith, due diligence, and public interest requirements of, and the procedures of the Commission under, that section, extend the time period during which the licensee is required to commence construction of the project for not more than 3 consecutive 2-year periods from the date of the expiration of the extension originally issued by the Commission.

(b) REINSTATEMENT OF EXPIRED LICENSE.—

(1) IN GENERAL.—If the period required for the commencement of construction of the project described in subsection (a) has expired prior to the date of enactment of this Act, the Commission may reinstate the license effective as of that date of expiration.

(2) EXTENSION.—If the Commission reinstates the license under paragraph (1), the first extension authorized under subsection (a) shall take effect on the date of that expiration.

The committee-reported amendment in the nature of a substitute was agreed to.

The bill (S. 490), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed.

TO EXTEND A PROJECT OF THE FEDERAL ENERGY REGULATORY COMMISSION INVOLVING THE CANNONVILLE DAM

The bill (H.R. 2292) to extend a project of the Federal Energy Regulatory Commission involving the Cannonville Dam, was considered, was ordered to a third reading, was read the third time, and passed.

TO EXTEND THE DEADLINE FOR COMMENCEMENT OF CONSTRUCTION OF A HYDROELECTRIC PROJECT

The bill (H.R. 951) to extend the deadline for commencement of construction of a hydroelectric project, was considered, was ordered to a third reading, was read the third time, and passed.

TO EXTEND THE DEADLINE FOR COMMENCEMENT OF CONSTRUCTION OF A HYDROELECTRIC PROJECT

The bill (H.R. 446) to extend the deadline for commencement of construction of a hydroelectric project, was considered, was ordered to a third reading, was read the third time, and passed.

TO EXTEND THE DEADLINE FOR COMMENCEMENT OF CONSTRUCTION OF A HYDROELECTRIC PROJECT

The bill (H.R. 447) to extend the deadline for commencement of construction of a hydroelectric project, was considered, was ordered to a third reading, was read the third time, and passed.

REINSTATE AND EXTEND THE DEADLINE FOR COMMENCEMENT OF CONSTRUCTION OF A HYDROELECTRIC PROJECT INVOLVING JENNINGS RANDOLPH DAM

Extend the deadline for commencement of construction of a hydroelectric project involving Jennings Randolph Dam, was considered, was ordered to a third reading, was read the third time, and passed.

NORTHERN MARIANA ISLANDS U.S. WORKFORCE ACT OF 2018

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 5956.

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

The assistant bill clerk read as follows:

A bill (H.R. 5956) to incentivize the hiring of United States workers in the Commonwealth of the Northern Mariana Islands, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the bill be considered read a third time.

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

The bill was ordered to a third reading and was read the third time.

Mr. MCCONNELL. I know of no further debate on the bill.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall the bill pass?

The bill (H.R. 5956) was passed.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the mo-

tion to reconsider be considered made and laid upon the table.

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

MARRAKESH TREATY IMPLEMENTATION ACT

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 414, S. 2559.

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

The senior assistant legislative clerk read as follows:

A bill (S. 2559) to amend title 17, United States Code, to implement the Marrakesh Treaty, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the bill be considered read a third time and passed and the motion to reconsider be considered made and laid upon the table.

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

The bill (S. 2559) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 2559

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Marrakesh Treaty Implementation Act”.

SEC. 2. IMPLEMENTATION AMENDMENTS.

(a) IN GENERAL.—Chapter 1 of title 17, United States Code, is amended—

(1) in section 121—

(A) in subsection (a)—

(i) by inserting “in the United States” after “distribute”;

(ii) by striking “, nondramatic”;

(iii) by inserting “or of a previously published musical work that has been fixed in the form of text or notation” after “literary work”;

(iv) by striking “specialized formats” and inserting “accessible formats”; and

(v) by striking “blind or other persons with disabilities” and inserting “eligible persons”;

(B) in subsection (b)(1)—

(i) in subparagraph (A)—

(I) by inserting “in the United States” after “distributed”;

(II) by striking “a specialized format” and inserting “an accessible format”; and

(III) by striking “blind or other persons with disabilities” and inserting “eligible persons”;

(ii) in subparagraph (B), by striking “a specialized format” and inserting “an accessible format”;

(C) in subsection (c)(3), by striking “specialized formats” and inserting “accessible formats”; and

(D) in subsection (d)—

(i) by striking paragraphs (2) and (4);

(ii) by redesignating paragraph (1) as paragraph (2);

(iii) by redesignating paragraph (3) as paragraph (4);

(iv) by inserting before paragraph (2), as so redesignated, the following:

“(1) ‘accessible format’ means an alternative manner or form that gives an eligible person access to the work when the copy or phonorecord in the accessible format is used

exclusively by the eligible person to permit him or her to have access as feasibly and comfortably as a person without such disability as described in paragraph (3);”;

(v) by inserting after paragraph (2), as so redesignated, the following:

“(3) ‘eligible person’ means an individual who, regardless of any other disability—

“(A) is blind;

“(B) has a visual impairment or perceptual or reading disability that cannot be improved to give visual function substantially equivalent to that of a person who has no such impairment or disability and so is unable to read printed works to substantially the same degree as a person without an impairment or disability; or

“(C) is otherwise unable, through physical disability, to hold or manipulate a book or to focus or move the eyes to the extent that would be normally acceptable for reading; and”;

(vi) in paragraph (4), as so redesignated, by striking “; and” at the end and inserting a period; and

(2) by inserting after section 121 the following:

“§ 121A. Limitations on exclusive rights: reproduction for blind or other people with disabilities in Marrakesh Treaty countries

“(a) Notwithstanding the provisions of sections 106 and 602, it is not an infringement of copyright for an authorized entity, acting pursuant to this section, to export copies or phonorecords of a previously published literary work or of a previously published musical work that has been fixed in the form of text or notation in accessible formats to another country when the exportation is made either to—

“(1) an authorized entity located in a country that is a Party to the Marrakesh Treaty; or

“(2) an eligible person in a country that is a Party to the Marrakesh Treaty,

if prior to the exportation of such copies or phonorecords, the authorized entity engaged in the exportation did not know or have reasonable grounds to know that the copies or phonorecords would be used other than by eligible persons.

“(b) Notwithstanding the provisions of sections 106 and 602, it is not an infringement of copyright for an authorized entity or an eligible person, or someone acting on behalf of an eligible person, acting pursuant to this section, to import copies or phonorecords of a previously published literary work or of a previously published musical work that has been fixed in the form of text or notation in accessible formats.

“(c) In conducting activities under subsection (a) or (b), an authorized entity shall establish and follow its own practices, in keeping with its particular circumstances, to—

“(1) establish that the persons the authorized entity serves are eligible persons;

“(2) limit to eligible persons and authorized entities the distribution of accessible format copies by the authorized entity;

“(3) discourage the reproduction and distribution of unauthorized copies;

“(4) maintain due care in, and records of, the handling of copies of works by the authorized entity, while respecting the privacy of eligible persons on an equal basis with others; and

“(5) facilitate effective cross-border exchange of accessible format copies by making publicly available—

“(A) the titles of works for which the authorized entity has accessible format copies or phonorecords and the specific accessible formats in which they are available; and