

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

The bill (H.R. 2122) to reinstate and 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

“(B) information on the policies, practices, and authorized entity partners of the authorized entity for the cross-border exchange of accessible format copies.

“(d) Nothing in this section shall be construed to establish—

“(1) a cause of action under this title; or

“(2) a basis for regulation by any Federal agency.

“(e) Nothing in this section shall be construed to limit the ability to engage in any activity otherwise permitted under this title.

“(f) For purposes of this section—

“(1) the terms ‘accessible format’, ‘authorized entity’, and ‘eligible person’ have the meanings given those terms in section 121; and

“(2) the term ‘Marrakesh Treaty’ means the Marrakesh Treaty to Facilitate Access to Published Works by Visually Impaired Persons and Persons with Print Disabilities concluded at Marrakesh, Morocco, on June 28, 2013.”.

(b) TABLE OF SECTIONS AMENDMENT.—The table of sections for chapter 1 of title 17, United States Code, is amended by inserting after the item relating to section 121 the following:

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

ORDERS FOR FRIDAY, JUNE 29, 2018, THROUGH MONDAY, JULY 9, 2018

Mr. McCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn, to then convene for pro forma sessions only, with no business being conducted, on the following dates and times, and that following each pro forma session, the Senate adjourn until the next pro forma session: Friday, June 29, at 8:30 a.m.; Tuesday, July 3, at 9 a.m.; Thursday, July 5, at 1 p.m. I further ask that when the Senate adjourns on Thursday, July 5, it next convene at 3 p.m., Monday, July 9; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, and morning business be closed; further, that following leader remarks, the Senate proceed to executive session and resume consideration of the Bennett nomination; finally, that notwithstanding the provisions of rule XXII, the cloture motions filed during today's session ripen at 5:30 p.m., Monday, July 9.

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

ADJOURNMENT UNTIL AT 8:30 A.M. TOMORROW

Mr. McCONNELL. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 7:37 p.m., adjourned until Friday, June 29, 2018, at 8:30 a.m.

NOMINATIONS

Executive nominations received by the Senate:

DEPARTMENT OF DEFENSE

ALAN RAY SHAFFER, OF VIRGINIA, TO BE DEPUTY ADMINISTRATOR OF DEFENSE FOR ACQUISITION AND SUSTAINMENT. (NEW POSITION)

UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT

MICHAEL T. HARVEY, OF TEXAS, TO BE AN ASSISTANT ADMINISTRATOR OF THE UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT, VICE PAIGE EVE ALEXANDER, RESIGNED.

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 601:

To be general

GEN. ROBERT B. ABRAMS

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

To be major

KATHLEEN E. AALDERINK
TRAVIS F. ABEITA
BENJAMIN C. ABSHIRE
ASHLEE R. ADAME
BROOKS D. ADAMO
BRYAN D. ADAMS
CHRISTOPHER K. ADAMS
DANIEL J. ADAMS
DONALD J. ADAMS
MATTHEW G. ADAMS
MICHAEL A. ADAMS II
NICHOLAS S. ADAMS
SCOTT D. ADAMSON
ADEKUNBIH ADEWUNMI
LANCE A. ADSITT
SARAH E. AFFALTER
TIA M. AHLF
ANDREW D. AHN
SIMMONA A. AHN
JUSTIN V. AHRENS
MERRIDITH T. AKERS
JACOB A. AKINS
STEPHEN D. ALBERT
JOSHUA R. ALBRITTON
TREVOR J. ALDRIDGE
BENJAMIN J. ALDRUS
JEREMIAH A. ALEFOSIO
KELLY N. ALEXANDER
TIMOTHY A. ALEXANDER
WILLIAM J. ALEXSON
DANIEL C. ALLEN
DOUGLAS C. ALLEN
JOEL M. ALLEN
PATRICK C. ALLEN
ROBERT D. ALLEN
TIMOTHY J. ALLEN
ERIN A. ALMEIDA
ERIC A. ALMEIDA
KEDEN J. ALON
JASON A. ALTENHOFEN
HUNTER LESLIE L. ALTMAN
RAFAEL A. ALVARADO
JOSE L. ALVAREZ, JR.
TIMOTHY R. ALVORD
DANIEL C. AMACK
DANIELLE S. AMASON
JACKY R. AMERSON, JR.
DARBY L. ANABLE
JOSEPH M. ANDERSEN
AMANDA Y. ANDERSON
BRYAN C. ANDERSON
DAVID J. ANDERSON
ESTHER M. ANDERSON
GEORGE E. ANDERSON
JON R. ANDERSON
KEVIN S. ANDERSON
MUNSON J. ANDERSON III
RYAN T. ANDERSON
SEAN K. ANDERSON
DEREK S. ANDREWE
JEFFREY S. ANDRADE
JONATHAN S. ANDRESEN
JOSHUA R. ANSON
JEFFREY D. ANTAL
JEREMY P. ANTHONY
MARCUS K. ANTHONY
THOMAS D. ANTONOFF, JR.
BRYANNA N. APPLEBY
SHARON ARANA
GEORGE A. ARBUCKLE
ROBERT A. ARCAD
JEFFREY B. ARCHER
ZACHARY W. ARENDSEE
JOSEPH M. ARGANBRIGHT
MARVIN RAY ARIDA
JOSHUA M. ARNALL
AARON C. ARNTZ
ANTHONY D. AROCHA
JONATHAN M. ARONOFF
JARED M. ASCHENBRENNER
MICHAEL C. ATKINSON

TRENTON C. ATWOOD
BRADY J. AUGUSTIN
LAJUAN D. AUSTIN
LANCE A. AUSTIN
KEVIN AUTREY
THOMAS V. AVOLIO
TY S. AXSON
MICHELLE L. AXTMAN
JOHNMICHAEL B. AYERS
RICHARD T. AYERS
CURTIS A. BABBIE
PHILIP W. BACHMEYER
EVAN J. BACKES
EDWARD J. BAE
LEIGHTON F. BAGBY
MARK A. BAILIE
ADAM L. BAIR
CASSIDY J. BAIR
CHRISTOPHER M. BAIR
KAITLIN R. BAIRD
NICHOLAS J. BAKER
MICHAEL V. BAKKE
DANIEL A. BALCH
ERIC K. BALDOCK
JOSEPH R. BALDWIN
MARY K. BALDWIN
NEWTON L. BANG
JOEL F. BANJOJOHNSON
DOUGLAS H. BANNING
KARAN BANSAL
WAYNE R. BARBER
JASON M. BARHORST
ROBERT D. BARLOW
AUSTIN M. BARNES
BRETT O. BARNES
CAMERON A. BARNES
JOEL R. BARNES
ALEXANDER E. BARNETT
LEVI J. BARNETT
RYAN J. BARNUM
DONALD A. BARRETT
MARIE F. BARRETT
JOSHUA B. BARROGA
MATTHEW M. BARRY
MARK J. BARTAK
STEVEN M. BARTELS
AUSTIN G. BARTLETT
LYNDON G. BARTLETT
DAVE G. BARTOLOME
ALEXANDER P. BARWIKOWSKI
ZACHRY H. BASNIGHT
JACOB ALAN BASS
JUSTIN K. BATEMAN
DOUGLAS S. BATES
SEAN M. D. BATSON
JUSTIN J. BAUMAN
DAVID T. BAXTER
CHARLES L. BAYNE
JAMES E. BEARD
ANDREW L. BEASLEY
KENDALL G. BEASLEY
THOMAS M. BEASLEY
MATTHEW A. BEAUDREAULT
ANDREW J. BEAUREGARD
JESSICA L. BEAUREGARD
JOSEPH M. BECKER
JEFFREY K. BEENE
BRADY L. BEHRENDT
ANDREW T. BEIDLER
JOHN R. BEILSTEIN
JESSE D. BEINHOWER
BRADLEY S. BELL
BRETT I. BELL
JUSTIN R. BELLAMY
BRIAN A. BELONGIA
REBECCA R. W. BELONGIA
RAFAEL E. BELTRAN
ROBERT J. BELUS
JOSH A. BENFER
LOUIS L. BENNETT
WILLIAM G. BENNETT
CODY A. BENY
HOWARD D. BENSINGER
CHRISTOPHER D. BENSON
ROBERT L. BENT
TIMOTHY J. BENT
NICHOLAUS J. BENTE
STEVEN L. BENTHAL
TYLER R. BERENSEN
TEREMY S. BERGER
KAWIKA H. BERGGREN
ADAM P. BERGOO
RICHARD C. BERNARD
THERON R. BERRY
MYLES A. BERTHOLD
PETER J. BETZ
DANIEL B. BEVERS
PATRICK E. BEVILLE
JAMES E. BEVINS
SAMUEL M. BEXTEN
BRIAN J. BEYER
BRIAN A. BIACAN
GREGORY A. BIELER
DEREK J. BIERMANN
NICHOLAS D. BIGGERT
PETER C. BILLINGS
KYLE L. BINGMAN
LEVI S. BIRD
DERRICK W. BIRDSSELL
KEVIN W. BISHOP
MARK R. BISHOP
MICHAEL J. BLACK
TIMOTHY A. BLACK
AARON M. BLACKBURN
SAMUEL A. BLAKELY
ANDREW S. D. BLANCHARD
JASON D. BLAND