

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

“(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 ARMY 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. ANDREWEG

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