SEC. 215. RECOGNIZED ORGANIZATIONS; OVERSIGHT.

(a) IN GENERAL.—Section 3316 of title 46, United States Code, is amended by redesignating subsection (g) as subsection (h), and by inserting after subsection (f) the following:

''(g)(1) There shall be within the Coast Guard an office that conducts comprehensive and targeted oversight of all recognized organizations that act on behalf of the Coast Guard.

''(2) The staff of the office shall include subject matter experts, including inspectors, investigators, and auditors, who possess the capability and authority to audit all aspects of such recognized organizations.

''(3) In this subsection the term 'recognized organization' has the meaning given that term in section 2.45–1 of title 46, Code of Federal Regulations, as in effect on the date of the enactment of the Hamm Alert Maritime Safety Act of 2018.''.

(b) DEADLINE FOR ESTABLISHMENT.—The Commandant of the Coast Guard shall establish the office required by the amendment made by subsection (a) by not later than 2 years after the date of the enactment of this Act.

SEC. 216. TIMELY WEATHER FORECASTS AND HAZARD ADVISORIES FOR MERCHANT MARINERS.

Not later than 1 year after the date of enactment of this Act, the Commandant shall seek to enter into negotiations through the International Maritime Organization to amend the International Convention for the Safety of Life at Sea to require that vessels subject to the requirements of such Convention receive—

(1) timely synoptic and graphical chart weather forecasts; and

(2) where available, timely hazard advisories for merchant mariners, including broadcasts of tropical cyclone forecasts and advisories, intermediate public advisories, and tropical cyclone updates to mariners via appropriate technologies.

SEC. 217. ANONYMOUS SAFETY ALERT SYSTEM.

(a) PILOT PROGRAM.—Not later than 1 year after the date of enactment of this Act, the Commandant shall establish an anonymous safety alert pilot program.

(b) REQUIREMENTS.—The pilot program established under subsection (a) shall provide an anonymous reporting mechanism to allow crew members to communicate urgent and dire safety concerns directly and in a timely manner with the Coast Guard.

SEC. 218. MARINE SAFETY IMPLEMENTATION STATUS.

(a) IN GENERAL.—Not later than December 19 of 2018, and of each of the 2 subsequent years thereafter, the Commandant shall provide to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a briefing on the status of implementation of each action outlined in the Commandant's final action memo dated December 19, 2017, regarding the sinking and loss of the vessel El Faro.

(b) REPORT.—Not later than 2 years after the date of enactment of this Act, the Department of Homeland Security Inspector General shall report to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives on the status of the Coast Guard's implementation of each action outlined in the Commandant's final action memo dated December 19, 2017, regarding the sinking and loss of the vessel El Faro.

SEC. 219. DELEGATED AUTHORITIES.

(a) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, the Commandant shall review the authorities that have been delegated to recognized organizations for the alternative compliance program as described in subpart D of part 8 of title 46, Code of Federal Regulations, and, if necessary, revise or establish policies and procedures to ensure those delegated authorities are being conducted in a manner to ensure safe maritime transportation.

(b) BRIEFING.—Not later than 1 year after the date of the enactment of this Act, the Commandant shall provide to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a briefing on the implementation of subsection (a).

TITLE III—CENTER OF EXPERTISE

SEC. 301. SHORT TITLE.

This title may be cited as the ''Coast Guard Blue Technology Center of Expertise Act''.

SEC. 302. COAST GUARD BLUE TECHNOLOGY CENTER OF EXPERTISE.

(a) ESTABLISHMENT.—Not later than 1 year after the date of the enactment of this Act and subject to the availability of appropriations, the Commandant may establish under section 58 of title 14, United States Code, a Blue Technology center of expertise.

(b) MISSIONS.—In addition to the missions listed in section 58(b) of title 14, United States Code, the Center may—

(1) promote awareness within the Coast Guard of the range and diversity of Blue Technologies and their potential to enhance Coast Guard mission readiness, operational performance, and regulation of such technologies;

(2) function as an interactive conduit to enable the sharing and dissemination of Blue Technology information between the Coast Guard and representatives from the private sector, academia, nonprofit organizations, and other Federal agencies;

(3) increase awareness among Blue Technology manufacturers, entrepreneurs, and vendors of Coast Guard acquisition policies, procedures, and business practices;

(4) provide technical support, coordination, and assistance to Coast Guard districts and the Coast Guard Research and Development Center, as appropriate; and

(5) subject to the requirements of the Coast Guard Academy, coordinate with the Academy to develop appropriate curricula regarding Blue Technology to be offered in professional courses of study to give Coast Guard cadets and officer candidates a greater background and understanding of Blue Technologies.

(c) BLUE TECHNOLOGY EXPOSITION; BRIEFING.—Not later than 6 months after the date of the enactment of this Act, the Commandant shall provide to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a briefing on the costs and benefits of hosting a biennial Coast Guard Blue Technology exposition to further interactions between representatives from the private sector, academia, and nonprofit organizations, and the Coast Guard and examine emerging technologies and Coast Guard mission demands.

(d) DEFINITIONS.—In this section:

(1) CENTER.—The term ''Center'' means the Blue Technology center of expertise established under this section.

(2) COMMANDANT.—The term ''Commandant'' means the Commandant of the Coast Guard.

(3) BLUE TECHNOLOGY.—The term ''Blue Technology'' means any technology, system, or platform that—

(A) is designed for use or application above, on, or below the sea surface or that is otherwise applicable to Coast Guard operational needs, including such a technology, system, or platform that provides continuous or persistent coverage; and

(B) supports or facilitates—

(i) maritime domain awareness, including—

(I) surveillance and monitoring;

(II) observation, measurement, and modeling: or

(III) information technology and communications;

(ii) search and rescue;

(iii) emergency response;

(iv) maritime law enforcement;

(v) marine inspections and investigations; or

(vi) protection and conservation of the marine environment.

Mr. WHITEHOUSE. I thank the Presiding Officer. Bravo to all who participated in making this possible.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. FLAKE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. WICKER). Without objection, it is so ordered.

UNANIMOUS CONSENT AGREEMENT—EXECUTIVE CALENDAR NO. 867

Mr. FLAKE. Mr. President, I ask unanimous consent that following leader remarks on Thursday, September 27, the Senate proceed to executive session for the consideration of the following nomination: Executive Calendar No. 867. I further ask that the time until 12:40 be equally divided in the usual form; that following the use or yielding back of time, the Senate vote on the nomination with no motions in order and without intervening action or debate; that if confirmed, the motion to reconsider be considered made and laid upon the table; that the President be immediately notified of the Senate's action; that no further motions be in order; and that any statements related to the nomination be printed in the RECORD.

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

LEGISLATIVE SESSION

MORNING BUSINESS

Mr. FLAKE. Mr. President, I ask unanimous consent that the Senate proceed to legislative session for a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

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

MUSIC MODERNIZATION ACT

Mr. HATCH. Mr. President, I wish to enter a few remarks into the RECORD

regarding section 103(a) of the Music Modernization Act, which the Senate recently passed.

By striking current sections 114(f)(1) and (2) of title 17 and substituting a new section 114(f)(1) based on current section 114(f)(2), section 103(a) of the bill creates a uniform ''willing buyer/willing seller'' rate standard in section 114. This fair standard requires that performing artists and copyright owners be appropriately compensated for the use of their works under the statutory license because rates under this standard are to be set at a level that best approximates the rates that artists and copyright owners would have been able to negotiate in a free market. It has long been a goal of Congress to move toward a free market standard for the statutory license and to move away from the 801(b) standard that permits the copyright royalty judges to set a nonmarket rate for satellite digital audio radio services, (SDARS), and preexisting subscription services, (PSS). Discounted nonmarket rates harm artists and copyright owners, as well as the competitors of SDARS and PSS. As a transitional matter, however, the bill amends section 804(b)(3)(B) of the Copyright Act to continue, through 2027, 2018-2022 statutory royalty rates for PSS that are finally determined in the rate proceeding currently pending before the copyright royalty judges.

The bill also continues through 2027 the statutory royalty rates for SDARS set forth by the copyright royalty judges on December 14, 2017, in their initial determination for the rate period ending on December 31, 2022. The remainder of my statement today will address the PSS category.

After 2027, the PSS will remain a distinct category of service under section 114. We have chosen to retain the PSS category as a distinct category because, over the last 20 years, the PSS have been treated distinctly from other types of services for purposes other than the rate standard, such as in the statutory license reporting regulations in 37 C.F.R. 370.3. We express no view as to the merits of those particular provisions or as to whether it makes sense to continue to treat the PSS differently from other types of services as to reporting requirements or any other matter besides the rate standard.

One consequence of retaining the PSS category after 2027 is that, so long as there continue to be PSS in operation, statutory royalty rates for PSS will continue to be set in proceedings separate from those in which rates are set for similar ''new subscription services'' that also provide music channels delivered over cable and satellite networks as part of cable and satellite subscription packages. Statutory royalty rates for such new subscription services have always been subject to the willing buyer/willing seller rate standard and are currently found at 37 C.F.R. part 383. The difference in the timing of rate proceedings for PSS and similar new subscription services is simply the result of keeping each service on the same 5-year cycle of rate-setting proceedings that has applied to the service in the past and does not reflect a judgment that the royalty rates for PSS and similar new subscription services should be different. The intent of this legislation is to eliminate the rate-setting preference that the PSS and SDARS previously enjoyed under section 114(f)(1) and require all services to pay statutory royalties reflecting the fair market value of the recordings they use without regard to regulatory categories or the schedule of rate-setting proceedings. We expect that similar services will pay similar market rates.

During the period through 2027, when the PSS may continue to pay statutory royalty rates that have been set at below-market levels depending on the outcome of the pending rate proceeding—eligibility for the PSS rates will continue to be limited to the category of services eligible for grandfathering under the old rate standard when the PSS category was created, so as to protect pre–1998 investments in the particular service offerings at issue.

Mr. President, I now wish to enter into the RECORD a few remarks regarding section 105 of the Music Modernization Act, or MMA, which the Senate recently passed.

An important policy objective of the MMA is to bring legal certainty to areas of the music licensing marketplace where it is lacking today in order to benefit songwriters, recording artists, music users, and ultimately listeners. In the market for the public performance of musical works, where no governing statutory framework exists, that certainty has long been provided by the Department of Justice, DOJ, consent decrees with ASCAP and BMI.

To ensure that certainty remains in that market, section 105 of the MMA creates a process that will enable Congress to exercise an ongoing oversight role over decisions by DOJ to review, modify, or terminate the ASCAP or BMI consent decree. Terminating either of these decrees without a viable legislative alternative in place would create the very market uncertainty that the MMA seeks to remedy.

For that reason, in the event DOJ elects to undertake a review of the ASCAP or BMI consent decree, the MMA instructs DOJ to consult with and report to Congress throughout that review. Such a process will enable Congress to act on any needed legislative improvements or replacement of the consent decree framework as a precursor to DOJ action to terminate the decrees.

Importantly, in the event that DOJ decides to move to terminate either the ASCAP or BMI consent decree, including through a motion to sunset the decree after a specified period of time, the MMA requires DOJ to notify the House and Senate Committees on the Judiciary of its intent to file such a motion ''a reasonable time before'' filing the motion. The purpose of this provision is to provide adequate time for congressional consultation and any legislative action that may be necessary as the result of a motion to terminate the decree. The bill's sponsors believe that such notification is required under section 105 and that ''a reasonable time'' means at least 90 days before a motion to terminate is filed, in order to provide adequate notice to Congress.

ROHINGYA CRISIS

Mr. DURBIN. Mr. President, Saturday, August 25, 2018, marked 1 year since the brutal attacks in Burma that sent more than 700,000 Rohingya fleeing for their lives to Bangladesh.

Horrific stories were reported, including mass murder, rape, babies being thrown into fires, and entire villages razed to the ground at the hands of Burmese military officials. In Bangladesh, these desperate refugees joined hundreds of thousands of others who fled in waves of previous violence.

The Rohingya sadly have a long history of being discriminated against and even violently attacked in Burma. In fact, UN Secretary General Antonio Gutteres said recently of the Rohingya, ''there is no population in the world that I have seen more discrimination against.'' While we have seen changes in Burma recently, the horrible treatment of ethnic minorities such as the Rohingya has continued.

Saturday, August 25, 2018, is also the day we lost our Senate colleague, the great patriot, John McCain.

John McCain and I historically partnered with Senators FEINSTEIN and MCCONNELL to renew sanctions against Burma until it released Aung San Suu Kyi and moved toward democracy. More recently, John McCain was the sponsor of bipartisan Senate legislation that would narrowly sanction those Burmese military officials response for the violence against the Rohingya. I was proud to join him in that effort. The bill has nearly two dozen cosponsors, Members from across the country and the political spectrum. We all recognize as John McCain did that, despite the historic changes in Burma, we must not allow the Burmese military to continue to act with impunity.

We appreciate the efforts of our administration—humanitarian aid, sanctions on a few security officials and units, interviewing refugees and documenting crimes—but it is not enough, especially as Burmese officials continue to deny that any crimes took place and ignore calls of safe and voluntary repatriation and accountability. There are even reports that the Burmese military continues to bulldoze and overtake former Rohingya villages, as well as engage in attacks in Shan and Kachin State against other ethnic minorities.