

and for other purposes; to the Committee on the Judiciary.

Mr. WYDEN. Mr. President, we in Congress are tasked in the Constitution with promoting science and the useful arts through giving authors and inventors the exclusive right to their writings and discoveries for a limited time. The first copyright act provided that the “limited time” would be a term of protection of 14 years, renewable once. Since that time, the copyright term has exploded to 95, or 120 years, or 70 years after the death of the artist, depending on the circumstance. I have serious concerns that these lengthy terms tip the balance toward limiting rather than promoting creativity and innovation. Unfortunately, a bill—the CLASSICS Act—currently under consideration in the Judiciary Committee blows past current U.S. copyright term to provide a windfall to a select few.

The CLASSICS Act (Compensating Legacy Artists for their Songs, Service, and Important Contributions to Society Act) would give up to 144 of exclusive copyright protection for digital transmissions of pre-1972 sound recordings. Not only that, but it would create a hodge-podge of State and Federal rights, basically cherry-picking the most valuable right under the Federal regime and leaving the rest to be governed by States. This means that if a library wants to make a copy of a recording, and then digitally transmit that copy, it would have to navigate two different regimes—creating more uncertainty, not less.

That is why, today, I am introducing the ACCESS to Recordings Act. It would give artists the full suite of Federal rights, as well as the uniformity and certainty that goes with the Federal copyright system. Along with that comes the exceptions and limitations, including those that enable archivists to preserve recordings, many of which are starting to degrade in their original physical medium and urgently need to be digitally preserved. In addition, it provides the same term available to post-72 recordings—95 years from publication. Let’s be clear that is a significant term of protection. A song recorded in 1960 will enjoy protection until 2055—37 years from now.

I hope that someday, in the not too distant future, my colleagues and I can sit down and talk about real copyright reform, but in the meantime, we shouldn’t be expanding term and making it more difficult for users of the copyright system—including both artists and the public—to navigate their rights and obligations. What I suggest instead is a straight-forward application of the Federal rules that apply to post-1972 recordings to those created before that time. We must remember that copyright is for the public interest, not just for the enrichment of large corporations. That is why I am introducing the ACCESS to Recordings Act.

By Mr. DAINES (for himself, Mr. CRAPO, Mr. THUNE, Mr. ROUNDS, and Mr. RISCH):

S. 2943. A bill to amend the Internal Revenue Code of 1986 to exempt Indian tribal governments and other tribal entities from the employer health coverage mandate during the time the employer health coverage mandate exists; to the Committee on Finance.

Mr. DAINES. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 2943

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 “Tribal Employment and Jobs Protection Act”.

SEC. 2. EXEMPTION OF INDIAN TRIBAL GOVERNMENTS FROM EMPLOYER MANDATE.

(a) IN GENERAL.—Paragraph (2) of section 4980H(c) of the Internal Revenue Code of 1986 is amended by adding at the end the following new subparagraph:

“(G) CERTAIN INDIAN EMPLOYERS.—The term ‘applicable large employer’ does not include—

“(i) any Indian tribal government (as defined in section 7701(a)(40)), a subdivision of an Indian tribal government (determined in accordance with section 7871(d)), or an agency or instrumentality of an Indian tribal government or subdivision thereof,

“(ii) any tribal organization (as defined in section 4(l) of the Indian Self-Determination and Education Assistance Act),

“(iii) any corporation if more than 50 percent (determined by vote and value) of the outstanding stock of such corporation is owned, directly or indirectly, by any entity described in clause (i) or (ii), or

“(iv) any partnership if more than 50 percent of the value of the capital and profits interests of such partnership are owned, directly or indirectly, by any entity described in clause (i) or (ii).”.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to calendar years beginning after December 31, 2014.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 520—RECOGNIZING AND COMMENDING THE CONTRIBUTIONS OF LI KA-SHING IN GLOBAL BUSINESS LEADERSHIP AND PHILANTHROPY UPON HIS RETIREMENT FROM A 78-YEAR PROFESSIONAL CAREER

Mr. HATCH (for himself and Mrs. FEINSTEIN) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 520

Whereas Congress has recognized examples of corporate statesmanship and philanthropy in an effort to encourage similar engagement within the United States and abroad;

Whereas Li Ka-shing was the chairman of the CK Group of Companies, a multinational corporation with 310,000 employees operating in 57 countries around the world;

Whereas Li Ka-shing has dedicated his life not only to the success of the CK Group of Companies, but also to improving the welfare of all of humanity;

Whereas, at the age of 12, Li Ka-shing was forced to leave school to provide for his family following the death of his father from tuberculosis, and later became the wealthiest individual in Asia;

Whereas the business philosophy of Li Ka-shing reflects his belief in the importance of cooperation and contribution from allies, partners, and employees;

Whereas Li Ka-shing believes and has taught that an equitable society can only be achieved if individuals are willing to do their part to build a more caring society;

Whereas, in 1980, Li Ka-shing established the Li Ka Shing Foundation to nurture a culture of giving and to foster creativity, constructive engagement, and sustainability;

Whereas, to date, Li Ka-shing, through the Li Ka Shing Foundation and the CK Group of Companies, has given some \$3,000,000,000 to support critical programs that transcend national boundaries, governments, ethnicities, religions, and politics;

Whereas the philanthropy of Li Ka-shing includes donations to children’s health and resources centers, cancer research centers, and major medical and bioscience research facilities at Stanford University, the University of California, Berkeley, and the University of California, San Francisco,

Whereas Li Ka-shing has given billions of dollars to combat hepatitis, avian flu, and hereditary and degenerative diseases;

Whereas Li Ka-shing has funded scholarships at the University of Utah, Utah Valley University, and schools throughout Canada, Asia, and Europe;

Whereas the philanthropy of Li Ka-shing has—

(1) created a free hospice program throughout China;

(2) built hospitals; and

(3) provided medical services—

(A) to correct cataracts;

(B) to help children with cleft lips and palates; and

(C) to install prosthetics for amputees;

Whereas Li Ka-shing has developed a monastery as a modern institute for Buddhist education to spread peace and harmony;

Whereas Li Ka-shing has brought relief to victims of tsunamis in American Samoa and Indonesia, as well as earthquakes around the world;

Whereas Li Ka-shing has established Shantou University, the only privately funded public university in the world, to provide open enrollment to students across China, regardless of their means;

Whereas, in his historic “My Third Son” speech, Li Ka-shing articulated his philosophy that his fellow man is as much a part of his family as are his sons, Victor and Richard;

Whereas the “My Third Son” speech has been referenced by other philanthropists, such as Warren Buffett;

Whereas the concept of the “Third Son” of Li Ka-shing has been mentioned in “The Chronicle of Philanthropy” and cited in the context of honors Li Ka-shing has received, such as the inaugural Malcolm S. Forbes Lifetime Achievement Award, the Carnegie Medal of Philanthropy, the Knight Commander of the Order of the British Empire, the Commandeur, Légion d’honneur in France, and the Grand Bauhinia Medal in Hong Kong; and

Whereas Li Ka-shing has retired as Chairman of CK Group of Companies: Now, therefore, be it

Resolved, That the Senate—

(1) commends Li Ka-shing for his global business leadership and service to humanity through the advancement of philanthropy;

(2) congratulates Li Ka-shing as he formally retires as chairman of the CK Group of Companies on May 10, 2018; and

(3) respectfully requests that the Secretary of the Senate transmit a copy of this resolution to Li Ka-shing.

SENATE RESOLUTION 521—CON-DEMNING THE HORRIFIC ATTACK IN SANTA FE, TEXAS, AND EXPRESSING SUPPORT AND PRAYERS FOR ALL OF THOSE IMPACTED BY THE TRAGEDY

Mr. CORNYN (for himself, Mr. CRUZ, Mr. MCCONNELL, Mr. SCHUMER, Mr. ALEXANDER, Ms. BALDWIN, Mr. BARASSO, Mr. BENNET, Mr. BLUMENTHAL, Mr. BLUNT, Mr. BOOKER, Mr. BOOZMAN, Mr. BROWN, Mr. BURR, Ms. CANTWELL, Mrs. CAPITO, Mr. CARDIN, Mr. CARPER, Mr. CASEY, Mr. CASSIDY, Ms. COLLINS, Mr. COONS, Mr. CORKER, Ms. CORTEZ MASTO, Mr. COTTON, Mr. CRAPO, Mr. DAINES, Mr. DONNELLY, Ms. DUCKWORTH, Mr. DURBIN, Mr. ENZI, Mrs. ERNST, Mrs. FEINSTEIN, Mrs. FISCHER, Mr. FLAKE, Mr. GARDNER, Mrs. GILLIBRAND, Mr. GRAHAM, Mr. GRASSLEY, Ms. HARRIS, Ms. HASSAN, Mr. HATCH, Mr. HEINRICH, Ms. HEITKAMP, Mr. HELLER, Ms. HIRONO, Mr. HOEVEN, Mrs. HYDE-SMITH, Mr. INHOFE, Mr. ISAKSON, Mr. JOHNSON, Mr. JONES, Mr. KAINE, Mr. KENNEDY, Mr. KING, Ms. KLOBUCHAR, Mr. LANKFORD, Mr. LEAHY, Mr. LEE, Mr. MANCHIN, Mr. MARKEY, Mr. MCCAIN, Mrs. MCCASKILL, Mr. MENENDEZ, Mr. MERKLEY, Mr. MORAN, Ms. MURKOWSKI, Mr. MURPHY, Mrs. MURRAY, Mr. NELSON, Mr. PAUL, Mr. PERDUE, Mr. PETERS, Mr. PORTMAN, Mr. REED, Mr. RISCH, Mr. ROBERTS, Mr. ROUNDS, Mr. RUBIO, Mr. SANDERS, Mr. SASSE, Mr. SCHATZ, Mr. SCOTT, Mrs. SHAHEEN, Mr. SHELBY, Ms. SMITH, Ms. STABENOW, Mr. SULLIVAN, Mr. TESTER, Mr. THUNE, Mr. TILLIS, Mr. TOOMEY, Mr. UDALL, Mr. VAN HOLLEN, Mr. WARNER, Ms. WARREN, Mr. WHITEHOUSE, Mr. WICKER, Mr. WYDEN, and Mr. YOUNG) submitted the following resolution; which was considered and agreed to:

S. RES. 521

Whereas on May 18, 2018, a mass shooting took place at Santa Fe High School in Santa Fe, Texas;

Whereas the people of the United States mourn the 10 innocent lives that were lost at Santa Fe High School in this unthinkable tragedy;

Whereas the people of the United States continue to pray for those who were wounded in the attack and are now recovering;

Whereas law enforcement personnel and first responders performed their duties admirably during the attack and risked their lives for the safety of the students of Santa Fe High School; and

Whereas the people of the United States are grateful for the quick action of first responders who cared for the injured: Now, therefore, be it

Resolved, That the Senate—

(1) condemns the senseless attack at Santa Fe High School in Santa Fe, Texas, that took place on Friday, May 18, 2018;

(2) honors the memories of the victims that were killed;

(3) expresses hope for a full and speedy recovery and pledges continued support for people who were injured in the attack;

(4) offers heartfelt condolences and deepest sympathies to all of the students, teachers,

administrators, and faculty of Santa Fe High School, as well as the families, friends, and loved ones affected by the tragedy; and

(5) honors the selfless and dedicated service of—

(A) the teachers, school administrators, school support staff, medical professionals, and other individuals in the Galveston County community;

(B) the emergency response teams and law enforcement officials who responded to the call of duty; and

(C) the law enforcement officials who continue to investigate the attack.

AMENDMENTS SUBMITTED AND PROPOSED

SA 2267. Mr. MCCONNELL (for Mr. CASSIDY) proposed an amendment to the bill S. 916, to provide for the delivery of a controlled substance by a pharmacy to an administering practitioner.

SA 2268. Mr. MCCONNELL (for Mr. CASSIDY) proposed an amendment to the bill S. 916, *supra*.

TEXT OF AMENDMENTS

SA 2267. Mr. MCCONNELL (for Mr. CASSIDY) proposed an amendment to the bill S. 916, to provide for the delivery of a controlled substance by a pharmacy to an administering practitioner; as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the “Ensuring Patient Access to Substance Use Disorder Treatments Act of 2018”.

SEC. 2. DELIVERY OF A CONTROLLED SUBSTANCE BY A PHARMACY TO BE ADMINISTERED BY INJECTION OR IMPLANTATION.

(a) IN GENERAL.—The Controlled Substances Act is amended by inserting after section 309 (21 U.S.C. 829) the following:

“DELIVERY OF A CONTROLLED SUBSTANCE BY A PHARMACY TO AN ADMINISTERING PRACTITIONER

“SEC. 309A. (a) IN GENERAL.—Notwithstanding section 102(10), a pharmacy may deliver a controlled substance to a practitioner in accordance with a prescription that meets the requirements of this title and the regulations issued by the Attorney General under this title, for the purpose of administering of the controlled substance by the practitioner if—

“(1) the controlled substance is delivered by the pharmacy to the prescribing practitioner or the practitioner administering the controlled substance, as applicable, at the location listed on the practitioner’s certificate of registration issued under this title;

“(2) in the case of administering of the controlled substance for the purpose of maintenance or detoxification treatment under section 303(g)(2)—

“(A) the practitioner who issued the prescription is a qualifying practitioner authorized under, and acting within the scope of that section; and

“(B) the controlled substance is to be administered by injection or implantation;

“(3) the pharmacy and the practitioner are authorized to conduct the activities specified in this section under the law of the State in which such activities take place;

“(4) the prescription is not issued to supply any practitioner with a stock of controlled substances for the purpose of general dispensing to patients;

“(5) except as provided in subsection (b), the controlled substance is to be adminis-

tered only to the patient named on the prescription not later than 14 days after the date of receipt of the controlled substance by the practitioner; and

“(6) notwithstanding any exceptions under section 307, the prescribing practitioner, and the practitioner administering the controlled substance, as applicable, maintain complete and accurate records of all controlled substances delivered, received, administered, or otherwise disposed of under this section, including the persons to whom controlled substances were delivered and such other information as may be required by regulations of the Attorney General.

“(b) MODIFICATION OF NUMBER OF DAYS BEFORE WHICH CONTROLLED SUBSTANCE SHALL BE ADMINISTERED.—

“(1) INITIAL 2-YEAR PERIOD.—During the 2-year period beginning on the date of enactment of this section, the Attorney General, in coordination with the Secretary, may reduce the number of days described in subsection (a)(5) if the Attorney General determines that such reduction will—

“(A) reduce the risk of diversion; or

“(B) protect the public health.

“(2) MODIFICATIONS AFTER SUBMISSION OF REPORT.—After the date on which the report described in subsection (c) is submitted, the Attorney General, in coordination with the Secretary, may modify the number of days described in subsection (a)(5).

“(3) MINIMUM NUMBER OF DAYS.—Any modification under this subsection shall be for a period of not less than 7 days.”

(b) STUDY AND REPORT.—Not later than 2 years after the date of enactment of this section, the Comptroller General of the United States shall conduct a study and submit to Congress a report on access to and potential diversion of controlled substances administered by injection or implantation.

(c) TECHNICAL AND CONFORMING AMENDMENT.—The table of contents for the Comprehensive Drug Abuse Prevention and Control Act of 1970 is amended by inserting after the item relating to section 309 the following:

“Sec. 309A. Delivery of a controlled substance by a pharmacy to an administering practitioner.”

SA 2268. Mr. MCCONNELL (for Mr. CASSIDY) proposed an amendment to the bill S. 916, to provide for the delivery of a controlled substance by a pharmacy to an administering practitioner; as follows:

Amend the title so as to read: “To amend the Controlled Substances Act to provide for the delivery of a controlled substance by a pharmacy to an administering practitioner.”

AUTHORITY FOR COMMITTEES TO MEET

Mr. ISAKSON. Mr. President, I have 7 requests for committees to meet during today’s session of the Senate. They have the approval of the Majority and Minority leaders.

Pursuant to rule XXVI, paragraph 5(a), of the Standing Rules of the Senate, the following committees are authorized to meet during today’s session of the Senate:

COMMITTEE ON ARMED SERVICES

The Committee on Armed Services is authorized to meet during the session of the Senate on Wednesday, May 23, 2018, at 9:30 a. m. to conduct a hearing.