S. RES. 102

At the request of Mr. PORTMAN, the names of the Senator from Illinois (Mr. DURBIN) and the Senator from Oklahoma (Mr. LANKFORD) were added as cosponsors of S. Res. 102, a resolution designating April 2019 as ''Second Chance Month'' .

S. RES. 104

At the request of Mr. RUBIO, the name of the Senator from Florida (Mr. SCOTT) was added as a cosponsor of S. Res. 104, a resolution calling on the Government of Iran to fulfill repeated promises of assistance in the case of Robert Levinson, the longest held United States civilian in our Nation's history.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. THUNE (for himself and Mr. WYDEN):

S. 765. A bill to promote neutrality, simplicity, and fairness in the taxation of digital goods and digital services; to the Committee on Finance.

Mr. THUNE. 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. 765

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 ''Digital Goods and Services Tax Fairness Act of 2019''.

SEC. 2. MULTIPLE AND DISCRIMINATORY TAXES PROHIBITED.

(a) MULTIPLE TAXES.—No State or local jurisdiction shall impose multiple taxes on the sale or use of a covered electronic good or service.

(b) DISCRIMINATORY TAXES.—No State or local jurisdiction shall impose discriminatory taxes on the sale or use of a digital good or a digital service.

SEC. 3. SOURCING LIMITATION.

Subject to section 6(a), taxes on the sale of a covered electronic good or service may only be imposed by a State or local jurisdiction whose territorial limits encompass the customer tax address.

SEC. 4. CUSTOMER TAX ADDRESS.

(a) SELLER OBLIGATION.—

(1) IN GENERAL.—Subject to subsection (e)(2), a seller shall be responsible for obtaining and maintaining in the ordinary course of business the customer tax address with respect to the sale of a covered electronic good or service, and shall be responsible for collecting and remitting the correct amount of tax for the State and local jurisdictions whose territorial limits encompass the customer tax address if the State or local jurisdiction has the authority to require such collection and remittance by the seller.

(2) CERTAIN TRANSACTIONS.—When a customer tax address is not a business location of the seller under clause (i) of section 7(4)(A)—

(A) if the sale is a separate and discrete transaction, then a seller shall use reasonable efforts to obtain a customer tax address, as such efforts are described in clauses (iii), (iv), and (v) of section 7(4)(A), before resorting to using a customer tax address as determined by clause (vi) of such section 7(4)(A); and

(B) if the sale is not a separate and discrete transaction, then a seller shall use reasonable efforts to obtain a customer tax address, as such efforts are described in clauses (ii), (iii), (iv), and (v) of section 7(4)(A), before resorting to using a customer tax address as determined by clause (vi) of such section 7(4)(A).

(b) RELIANCE ON CUSTOMER-PROVIDED INFORMATION.—A seller that relies in good faith on information provided by a customer to determine a customer tax address shall not be held liable for any additional tax based on a different determination of that customer tax address by a State or local jurisdiction or court of competent jurisdiction, unless and until binding notice is given as provided in subsection (c).

(c) ADDRESS CORRECTION.—If a State or local jurisdiction is authorized under State law to administer a tax, and the jurisdiction determines that the customer tax address determined by a seller is not the customer tax address that would have been determined under section 7(4)(A) if the seller had the additional information provided by the State or local jurisdiction, then the jurisdiction may give binding notice to the seller to correct the customer tax address on a prospective basis, effective not less than 45 days after the date of such notice, if—

(1) when the determination is made by a local jurisdiction, such local jurisdiction obtains the consent of all affected local jurisdictions within the State before giving such notice of determination; and

(2) before the State or local jurisdiction gives such notice of determination, the customer is given an opportunity to demonstrate in accordance with applicable State or local tax administrative procedures that the address used is the customer tax address.

(d) COORDINATION WITH SOURCING OF MOBILE TELECOMMUNICATIONS SERVICE.—

(1) IN GENERAL.—If—

(A) a covered electronic good or service is sold to a customer by a home service provider of mobile telecommunications service that is subject to being sourced under section 117 of title 4, United States Code, or the charges for a covered electronic good or service are billed to the customer by such a home service provider; and

(B) the covered electronic good or service is delivered, transferred, or provided electronically by means of mobile telecommunications service that is deemed to be provided by such home service provider under section 117 of such title,

then the home service provider and, if different, the seller of the covered electronic good or service, may presume that the customer's place of primary use for such mobile telecommunications service is the customer tax address described in section 7(4)(A)(ii) with respect to the sale of such covered electronic good or service.

(2) DEFINITIONS.—For purposes of this subsection, the terms ''home service provider'', ''mobile telecommunications service'', and ''place of primary use'' have the same meanings as in section 124 of title 4, United States Code.

(e) MULTIPLE LOCATIONS.—

(1) IN GENERAL.—If a digital service, audio or video programming service, or VoIP service is sold to a customer and available for use by the customer in multiple locations simultaneously, the seller may determine the customer tax addresses using a reasonable and consistent method based on the addresses of use as provided by the customer and determined in agreement with the customer at the time of sale or at a later time.

(2) DIRECT CUSTOMER PAYMENT.—

(A) ESTABLISHMENT OF DIRECT PAYMENT PROCEDURES.—Each State and local jurisdiction shall provide reasonable procedures that permit the direct payment by a qualified customer, as determined under procedures established by the State or local jurisdiction, of taxes that are on the sale of covered electronic goods or services to multiple locations of the customer and that would, absent such procedures, be required or permitted by law to be collected from the customer by the seller.

(B) EFFECT OF CUSTOMER COMPLIANCE WITH DIRECT PAYMENT PROCEDURES.—When a qualified customer elects to pay tax directly under the procedures established under subparagraph (A), the seller shall—

(i) have no obligation to obtain the multiple customer tax addresses under subsection (a); and

(ii) not be liable for such tax, provided the seller follows the State and local procedures and maintains appropriate documentation in its books and records.

SEC. 5. TREATMENT OF BUNDLED TRANSACTIONS, DIGITAL CODES, AND OTHER RULES.

(a) BUNDLED TRANSACTION.—If a charge for a distinct and identifiable covered electronic good or service is aggregated with and not separately stated from one or more charges for other distinct and identifiable goods or services, which may include other covered electronic goods or services, and any part of the aggregation is subject to taxation, then the entire aggregation may be subject to taxation, except to the extent that the seller can identify, by reasonable and verifiable standards, one or more charges for the nontaxable goods or services from its books and records kept in the ordinary course of business.

(b) DIGITAL CODE.—The tax treatment of the sale of a digital code shall be the same as the tax treatment of the sale of the covered electronic good or service to which the digital code relates.

(c) APPLICATION OF FIXED CHARGES TO VOIP SERVICE.—With respect to VoIP service, if any tax is based on a fixed charge, such fixed charge shall be based on the number of simultaneous outbound calls the customer has purchased the right to place, regardless of actual usage or the number of the customer's phone numbers.

(d) RULE OF CONSTRUCTION.—The sale of a digital code shall be considered the sale transaction for purposes of this Act.

SEC. 6. NO INFERENCE.

(a) CUSTOMER LIABILITY.—Subject to the prohibition provided in section 2, nothing in this Act modifies, impairs, supersedes, or authorizes the modification, impairment, or supersession of any law allowing a State or local jurisdiction to impose tax on and collect tax directly from a customer based upon use of a covered electronic good or service in such State.

(b) NON-TAX MATTERS.—This Act shall not be construed to apply in, or to affect, any non-tax regulatory matter or other context.

(c) STATE TAX MATTERS.—The definitions contained in this Act are intended to be used with respect to interpreting this Act. Nothing in this Act shall prohibit a State or local jurisdiction from adopting different nomenclature to enforce the provisions set forth in this Act.

(d) INTERNET TAX FREEDOM ACT.—Nothing in this Act modifies, impairs, supersedes, or authorizes the modification, impairment, or supersession of the Internet Tax Freedom Act (47 U.S.C. 151 note).

SEC. 7. DEFINITIONS.

In this Act, the following definitions shall apply:

(1) AUDIO OR VIDEO PROGRAMMING SERVICE.—The term ''audio or video programming service'' means programming provided by, or

generally considered comparable to programming provided by, a radio or television broadcast station, regardless of the facilities used to deliver or provide such service.

(2) COVERED ELECTRONIC GOOD OR SERVICE.—The term ''covered electronic good or service'' means a digital good, digital service, audio or video programming service, or VoIP service.

(3) CUSTOMER.—The term ''customer'' means a person that purchases a covered electronic good or service or digital code.

(4) CUSTOMER TAX ADDRESS.—

(A) IN GENERAL.—The term ''customer tax address'' means—

(i) with respect to the sale of a covered electronic good or service that is received by the customer at a business location of the seller, such business location;

(ii) if clause (i) does not apply and the primary use location of the covered electronic good or service is known by the seller, such location;

(iii) if neither clause (i) nor clause (ii) applies, and if the location where the covered electronic good or service is received by the customer, or by a donee of the customer that is identified by such customer, is known to the seller and maintained in the ordinary course of the seller's business, such location;

(iv) if none of clauses (i) through (iii) applies, the location indicated by an address for the customer that is available from the business records of the seller that are maintained in the ordinary course of the seller's business, when use of the address does not constitute bad faith;

(v) if none of clauses (i) through (iv) applies, the location indicated by an address for the customer obtained during the consummation of the sale, including the address of a customer's payment instrument, when use of this address does not constitute bad faith; or

(vi) if none of clauses (i) through (v) applies, including the circumstance in which the seller is without sufficient information to apply such paragraphs, one of the following locations, as selected by the seller, provided that such location is consistently used by the seller for all such sales to which this clause applies:

(I) The location in the United States of the headquarters of the seller's business.

(II) The location in the United States where the seller has the greatest number of employees.

(III) The location in the United States—

(aa) from which the seller makes digital goods available for electronic delivery; or

(bb) from which digital services, VoIP services, or audio or video programming services are provided electronically.

(B) EXCLUSION.—For purposes of this paragraph, the term ''location'' does not include the location of a server, machine, or device, including an intermediary server, that is used simply for routing or storage.

(5) DELIVERED OR TRANSFERRED ELECTRONICALLY; PROVIDED ELECTRONICALLY.—The term ''delivered or transferred electronically'' means the delivery or transfer of a digital good by means other than tangible storage media, and the term ''provided electronically'' means the provision of a digital service, audio or video programming service, or VoIP service remotely via electronic means.

(6) DIGITAL CODE.—The term ''digital code'' means a code that conveys only the right to obtain a covered electronic good or service without making further payment.

(7) DIGITAL GOOD.—The term ''digital good'' means any software or other good that is delivered or transferred electronically, including sounds, images, data, facts, or combinations thereof, maintained in digital format, where such software or other good is the true object of the transaction, rather than the activity or service performed to create such software or other good, that results in the delivery to the customer of a complete copy of such software or other good, with the right to use permanently or for a specified period, and includes, as an incidental component, charges for the delivery or transfer of such software or other good.

(8) DIGITAL SERVICE.—

(A) IN GENERAL.—The term ''digital service'' means any service that is provided electronically, including the provision of remote access to or use of a digital good, and includes, as an incidental component, charges for the electronic provision of the digital service to the customer.

(B) EXCEPTIONS.—The term ''digital service'' does not include a service that is predominantly attributable to the direct, contemporaneous expenditure of live human effort, skill, or expertise, a telecommunications service, an ancillary service, Internet access, audio or video programming service, or a hotel intermediary service.

(C) CLARIFYING DEFINITIONS.—For purposes of subparagraph (B)—

(i) the term ''ancillary service'' means a service that is associated with or incidental to the provision of telecommunications services, including, but not limited to, detailed telecommunications billing, directory assistance, vertical service, and voice mail services;

(ii) the term ''hotel intermediary service''—

(I) means a service provided by a person that facilitates the sale, use, or possession of a hotel room or other transient accommodation to the general public; and

(II) does not include the purchase of a digital service by a person who provides a hotel intermediary service or by a person who owns, operates, or manages hotel rooms or other transient accommodations;

(iii) the term ''Internet access'' means any service included within the definition of the term ''internet access'' under section 1105(5) of the Internet Tax Freedom Act (47 U.S.C. 151 note); and

(iv) the term ''telecommunications service''—

(I) means the electronic transmission, conveyance, or routing of voice, data, audio, video, or any other information or signals to a point, or between or among points;

(II) includes such transmission, conveyance, or routing in which computer processing applications are used to act on the form, code, or protocol of the content for purposes of transmission, conveyance, or routing, without regard to whether such service is referred to as VoIP service; and

(III) does not include data processing and information services that allow data to be generated, acquired, stored, processed, or retrieved and delivered by an electronic transmission to a purchaser where such purchaser's primary purpose for the underlying transaction is the processed data or information.

(9) DISCRIMINATORY TAX.—

(A) IN GENERAL.—The term ''discriminatory tax'' means any tax imposed by a State or local jurisdiction on digital goods or digital services that—

(i) is not generally imposed and legally collectible by such State or local jurisdiction on transactions involving similar property, goods, or services accomplished through other means;

(ii) is not generally imposed and legally collectible at the same or higher rate by such State or local jurisdiction on transactions involving similar property, goods, or services accomplished through other means;

(iii) imposes an obligation to collect or pay the tax on a person, other than the seller, that the State or local jurisdiction would not impose in the case of transactions involving similar property, goods, or services accomplished through other means;

(iv) establishes a classification of digital services or digital goods providers for purposes of establishing a higher tax rate to be imposed on such providers than the tax rate generally imposed on providers of similar property, goods, or services accomplished through other means; or

(v) does not provide a resale and component part exemption for the purchase of digital goods or digital services in a manner consistent with the State's resale and component part exemption applicable to the purchase of similar property, goods, or services accomplished through other means.

(B) CLARIFICATION.—For purposes of this paragraph, any tax that is limited in its application to only certain services, providers, or industries shall not be considered to be generally imposed, with the exception of any State tax which is imposed—

(i) in lieu of a generally imposed tax; and

(ii) at a rate which is not greater than the rate of such tax.

(10) LOCAL JURISDICTION.—

(A) IN GENERAL.—The term ''local jurisdiction'' means—

(i) any municipality, city, county, township, parish, transportation district, or assessment jurisdiction;

(ii) any other local jurisdiction in the territorial jurisdiction of the United States with the authority to impose a tax; and

(iii) any governmental entity or person acting on behalf of an entity described in clause (i) or (ii) and with the authority to assess, impose, levy, or collect taxes.

(B) EXCEPTION.—The term ''local jurisdiction'' shall not include a State.

(11) MULTIPLE TAX.—

(A) IN GENERAL.—The term ''multiple tax'' means any tax that is imposed by one State, one or more of that State's local jurisdictions, or both on the same or essentially the same covered electronic good or service that is also subject to tax imposed by another State, one or more local jurisdictions in such other State (whether or not at the same rate or on the same basis), or both, without a credit for taxes paid in other jurisdictions.

(B) EXCEPTION.—The term ''multiple tax'' shall not include a tax imposed by a State and one or more political subdivisions thereof on the same covered electronic good or service or a tax on persons engaged in selling covered electronic goods or services which also may have been subject to a sales or use tax thereon.

(12) PRIMARY USE LOCATION.—

(A) IN GENERAL.—The term ''primary use location'' means a street address representative of where the customer's use of a covered electronic good or service will primarily occur, which shall be the residential street address or a business street address of the actual end user of the covered electronic good or service, including, if applicable, the address of a donee of the customer that is designated by the customer.

(B) CUSTOMERS THAT ARE NOT INDIVIDUALS.—For the purpose of subparagraph (A), if the customer is not an individual, the primary use location is determined by the location of the customer's employees or equipment (machine or device) that make use of the covered electronic good or service, but does not include the location of a person who uses the covered electronic good or service as the purchaser of a separate good or service from the customer.

(13) SALE AND PURCHASE.—The terms ''sale'' and ''purchase'', and all variations thereof, shall include the provision, lease, rent, license, and corresponding variations thereof.

(14) SELLER.—

(A) IN GENERAL.—The term ''seller'' means a person making sales of covered electronic goods or services.

(B) EXCEPTIONS.—A person that provides billing service or electronic delivery or transport service on behalf of another unrelated or unaffiliated person, with respect to the other person's sale of a covered electronic good or service, shall not be treated as a seller of that covered electronic good or service.

(C) RULE OF CONSTRUCTION.—Nothing in this paragraph shall preclude the person providing the billing service or electronic delivery or transport service from entering into a contract with the seller to assume the tax collection and remittance responsibilities of the seller.

(15) SEPARATE AND DISCRETE TRANSACTION.—The term ''separate and discrete transaction'' means a sale of a covered electronic good or service or digital code sold in a single transaction that does not involve any additional charges or continued payment in order to maintain possession of the digital good or access to or usage of the digital service, audio or video programming service, or VoIP service.

(16) STATE.—The term ''State'' means—

(A) any of the several States, the District of Columbia, or any territory or possession of the United States; and

(B) any governmental entity or person acting on behalf of an entity described in subparagraph (A) and with the authority to assess, impose, levy, or collect taxes.

(17) TAX.—

(A) IN GENERAL.—The term ''tax'' means any charge imposed by any State or local jurisdiction for the purpose of generating revenues for governmental purposes, including any tax, charge, or fee levied as a fixed charge or measured by gross amounts charged, regardless of whether such tax, charge, or fee is imposed on the seller or the customer and regardless of the terminology used to describe the tax, charge, or fee.

(B) EXCLUSIONS.—The term ''tax'' does not include an ad valorem tax, a tax on or measured by capital, a tax on or measured by net income, apportioned gross income, apportioned revenue, apportioned taxable margin, or apportioned gross receipts, or a State or local jurisdiction business and occupation tax imposed on a broad range of business activity in a State that enacted a State tax on gross receipts after January 1, 1932, and before January 1, 1936.

(18) VOIP SERVICE.—The term ''VoIP service'' means any interconnected VoIP service, as defined in section 9.3 of title 47, Code of Federal Regulations, or any successor technology.

SEC. 8. EFFECTIVE DATE; APPLICATION.

(a) GENERAL RULE.—This Act shall take effect 60 days after the date of enactment of this Act.

(b) EXCEPTIONS.—A State or local jurisdiction shall have 2 years from the date of enactment of this Act to modify any State or local tax statute enacted prior to the date of enactment of this Act to conform to the provisions set forth in sections 4 and 5 of this Act.

(c) APPLICATION TO LIABILITIES AND PENDING CASES.—Nothing in this Act shall affect liability for taxes accrued and enforced before the effective date of this Act or affect ongoing litigation relating to such taxes.

SEC. 9. SAVINGS PROVISION.

If any provision or part of this Act is held to be invalid or unenforceable by a court of competent jurisdiction for any reason, such holding shall not affect the validity or enforceability of any other provision or part of this Act unless such holding substantially limits or impairs the essential elements of this Act, in which case this Act shall be deemed invalid and of no legal effect as of the date that the judgment on such holding is final and no longer subject to appeal.

By Mrs. FEINSTEIN (for herself and Ms. HARRIS):

S. 774. A bill to adjust the boundary of the Santa Monica Mountains National Recreation Area to include the Rim of the Valley Corridor, and for other purposes; to the Committee on Energy and Natural Resources.

Mrs. FEINSTEIN. Mr. President, I am pleased to introduce the ''Rim of the Valley Corridor Preservation Act.'' This legislation would expand the boundaries of the Santa Monica Mountains National Recreation Area by 191,000 acres.

This legislation would provide surrounding communities with much-needed access to nature and open space, while maintaining private property rights and existing local land-use authorities.

The proposed expansion is based upon findings of the National Park Service after a six-year special resource study of the area.

This study was directed by Congress in the Rim of the Valley Corridor Study Act, passed in 2008.

The National Park Service's recommendation takes into account over 2,000 comments received from the public, elected officials, local organizations, and other stakeholders.

This bill would add an additional 191,000 acres, known as the Rim of the Valley Unit, to the existing Santa Monica Mountains National Recreation area to provide members of the local community with improved recreational and educational opportunities.

The proposed expansion would also better protect natural resources and habitats, including valuable habitat for endangered wildlife, such as the California red-legged frog, mountain lions, bobcats, foxes, badgers, coyotes, and deer.

Notably, the ''Rim of the Valley Corridor Preservation Act'' would only allow the Department of the Interior to acquire non-Federal land within the new boundaries through exchange, donation, or purchase from willing sellers.

I want to highlight that this legislation will not create any additional liability or restrictions for private property owners.

This legislation will significantly expand outdoor recreational opportunities for residents of Los Angeles County, one of the most densely populated and park-poor areas in California.

In fact, 47% of Californians—that's six percent of the total U.S. population—live within two hours of the proposed expansion area. Enlarging the Santa Monica Mountains National Recreation Area, at no cost to U.S. taxpayers, will provide these communities with increased access to public lands and boost the local economy.

This bill enjoys the support of more than 50 local municipalities, community groups, and elected officials. It is the product of significant public engagement in the legislative process.

I would like to thank my colleague, Representative ADAM SCHIFF, for re-introducing this legislation in the House.

I look forward to working with my colleagues to pass the ''Rim of the Valley Corridor Preservation Act'' as quickly as possible.

Thank you, Mr. President, I yield the floor.

By Mr. DURBIN (for himself, Mr. MARKEY, Ms. HIRONO, Mr. BLUMENTHAL, and Mrs. GILLIBRAND):

S. 783. A bill to amend the Children's Online Privacy Protection Act of 1998 to give Americans the option to delete personal information collected by internet operators as a result of the person's internet activity prior to age 13; to the Committee on Commerce, Science, and Transportation.

Mr. DURBIN. 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. 783

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 ''Clean Slate for Kids Online Act of 2019''.

SEC. 2. ENHANCING THE CHILDREN'S ONLINE PRIVACY PROTECTION ACT OF 1998.

(a) DEFINITIONS.—Section 1302 of the Children's Online Privacy Protection Act of 1998 (15 U.S.C. 6501) is amended by adding at the end the following:

''(13) DELETE.—The term 'delete' means to remove personal information such that the information is not maintained in retrievable form and cannot be retrieved in the normal course of business.''.

(b) REGULATION OF UNFAIR AND DECEPTIVE ACTS AND PRACTICES IN CONNECTION WITH THE COLLECTION AND USE OF PERSONAL INFORMATION FROM AND ABOUT CHILDREN ON THE INTERNET.—Section 1303 of the Children's Online Privacy Protection Act of 1998 (15 U.S.C. 6502) is amended—

(1) in subsection (a), by adding at the end the following:

''(3) FAILURE TO DELETE.—It is unlawful for an operator of a website or online service directed to children, or any operator that has actual knowledge that it is collecting personal information from a child, to fail to delete personal information collected from or about a child if a request for deletion is made pursuant to regulations prescribed under subsection (e).''; and

(2) by adding at the end the following:

''(e) RIGHT OF AN INDIVIDUAL TO DELETE PERSONAL INFORMATION COLLECTED WHEN THE PERSON WAS A CHILD.—

''(1) IN GENERAL.—Not later than 1 year after the date of enactment of this subsection, the Commission shall promulgate under section 553 of title 5, United States Code, regulations that require the operator of any website or online service directed to children, or any operator that has actual knowledge that it has collected personal information from a child or maintains such personal information—

''(A) to provide notice in a prominent place on the website of how an individual over the

age of 13, or a legal guardian of an individual over the age of 13 acting with the knowledge and consent of the individual, can request that the operator delete all personal information in the possession of the operator that was collected from or about the individual when the individual was a child notwithstanding any parental consent that may have been provided when the individual was a child;

''(B) to promptly delete all personal information in the possession of the operator that was collected from or about an individual when the individual was a child when such deletion is requested by an individual over the age of 13 or by the legal guardian of such individual acting with the knowledge and consent of the individual, notwithstanding any parental consent that may have been provided when the individual was a child;

''(C) to provide written confirmation of deletion, after the deletion has occurred, to an individual or legal guardian of such individual who has requested such deletion pursuant to this subsection; and

''(D) to except from deletion personal information collected from or about a child—

''(i) only to the extent that the personal information is necessary—

''(I) to respond to judicial process; or

''(II) to the extent permitted under any other provision of law, to provide information to law enforcement agencies or for an investigation on a matter related to public safety; and

''(ii) if the operator retain such excepted personal information for only as long as reasonably necessary to fulfill the purpose for which the information has been excepted and that the excepted information not be used, disseminated or maintained in a form retrievable to anyone except for the purposes specified in this subparagraph.''.

(c) SAFE HARBORS.—Section 1304 of the Children's Online Privacy Protection Act of 1998 (15 U.S.C. 6503) is amended—

(1) in subsection (a), by striking ''section 1303(b)'' and inserting ''subsections (b) and (e) of section 1303''; and

(2) in subsection (b)(1), by striking ''subsection (b)'' and inserting ''subsections (b) and (e)''.

(d) ACTIONS BY STATES.—Section 1305(a)(1) of the Children's Online Privacy Protection Act of 1998 (15 U.S.C. 6504(a)(1)) is amended by striking ''1303(b)'' and inserting ''subsection (b) or (e) of section 1303''.

By Mr. DURBIN (for himself, Mr. TESTER, Mr. VAN HOLLEN, Mr. BENNET, Mr. BLUMENTHAL, Mr. MERKLEY, Mr. PETERS, Mr. JONES, Mr. BROWN, Ms. STABENOW, Ms. HARRIS, Ms. KLOBUCHAR, Mr. UDALL, Ms. DUCKWORTH, and Mr. WYDEN):

S. 791. A bill to amend title 38, United States Code, to provide for clarification regarding the children to whom entitlement to educational assistance may be transferred under the Post-9/11 Educational Assistance Program, and for other purposes; to the Committee on Veterans' Affairs.

Mr. DURBIN. 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. 791

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 ''GI Education Benefits Fairness Act of 2019''.

SEC. 2. CLARIFICATION REGARDING THE CHILDREN TO WHOM ENTITLEMENT TO EDUCATIONAL ASSISTANCE MAY BE TRANSFERRED UNDER THE POST 9/11 EDUCATIONAL ASSISTANCE PROGRAM.

(a) IN GENERAL.—Section 3319(c) of title 38, United States Code, is amended to read as follows:

''(c) ELIGIBLE DEPENDENTS.—

''(1) TRANSFER.—An individual approved to transfer an entitlement to educational assistance under this section may transfer the individual's entitlement as follows:

''(A) To the individual's spouse.

''(B) To one or more of the individual's children.

''(C) To a combination of the individuals referred to in subparagraphs (A) and (B).

''(2) DEFINITION OF CHILDREN.—For purposes of this subsection, the term 'children' includes dependents described in section 1072(2)(I) of title 10.''.

(b) APPLICABILITY.—The amendment made by subsection (a) shall apply with respect to educational assistance payable under chapter 33 of such title before, on, or after the date of the enactment of this Act.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 108—HONORING THE LIFE, ACCOMPLISHMENTS, AND LEGACY OF REPRESENTATIVE WALTER BEAMON JONES, JR

Mr. BURR (for himself, Mr. TILLIS, and Mr. PAUL) submitted the following resolution; which was considered and agreed to:

S. RES. 108

Whereas the passing of Walter Beamon Jones, Jr. (in this preamble referred to as ''Walter B. Jones''), on February 10, 2019, was a monumental loss to his wife, JoeAnne, and their daughter, Ashley, as well as a deep loss for the Third Congressional District of North Carolina and the entire Congress;

Whereas Walter B. Jones was born on February 10, 1943, in Farmville, North Carolina, to Walter B. Jones, Sr., and Doris Long;

Whereas Walter B. Jones attended Hargrave Military Academy in Chatham, Virginia, and went on to Atlantic Christian College, where he received his degree in history in 1966;

Whereas, also in 1966, Walter B. Jones married his wife of more than 50 years, JoeAnne Whitehurst, and they later welcomed their only child, Ashley Elizabeth;

Whereas Walter B. Jones went on to serve for 4 years in the North Carolina National Guard, beginning his long career of serving the people of North Carolina;

Whereas, in 1982, following in his father's footsteps, Walter B. Jones was elected to serve the Ninth District in the House of Representatives of North Carolina, ultimately serving 5 consecutive terms;

Whereas, in 1994, Walter B. Jones was elected to represent the Third Congressional District of North Carolina in the House of Representatives of the United States, where he served for 12 full terms;

Whereas, although Walter B. Jones began his political career as a Democrat and later switched to the Republican Party, he always voted with his constituents of Eastern North Carolina in mind, regardless of party position;

Whereas Walter B. Jones worked tirelessly on the Committee on Armed Services of the House of Representatives to advocate for members of the Armed Forces and their families;

Whereas Walter B. Jones was a staunch advocate for peace and began a letter-writing campaign to the loved ones of the fallen soldiers in Iraq and Afghanistan, personally sending more than 11,200 letters;

Whereas Walter B. Jones worked for 14 years to finally restore honor to and clear the names of 2 deceased Marine pilots who had been wrongly blamed for a military accident that took the lives of 17 other Marines;

Whereas the heritage of Eastern North Carolina held an important place in the heart of Walter B. Jones, moving him to protect the Shackleford Banks Wild Horses and to work to extend protections to the Corolla Wild Horses that have freely roamed the beaches of North Carolina for centuries;

Whereas Walter B. Jones worked closely with Government agencies in his district, particularly the National Park Service, to ensure his constituents and guests in the district were able to enjoy the natural beauty of the coastline of North Carolina;

Whereas Walter B. Jones had an outstanding working relationship with the fishermen and beach communities in the Third Congressional District of North Carolina, always advocating on behalf of the marine industry and maintaining continuous engagement on coastal issues;

Whereas, in 2004, Walter B. Jones was voted by congressional staffers as the nicest Member of Congress, a testament to his ever-gracious and humble demeanor;

Whereas Walter B. Jones, always a man of the people, built an outstanding record in constituent services, ensuring every person in his district would have access to him and his office; and

Whereas Walter B. Jones is survived by his wife of 53 years, JoeAnne, and daughter, Ashley Elizabeth: Now, therefore, be it

Resolved, That the Senate—

(1) honors the life, accomplishments, and legacy of Congressman Walter B. Jones, Jr.; and

(2) extends its warmest sympathies to the family, friends, and loved ones of Congressman Walter B. Jones, Jr.

AMENDMENTS SUBMITTED AND PROPOSED

SA 193. Mr. LEE (for Mr. PAUL) proposed an amendment to the joint resolution S.J. Res. 7, to direct the removal of United States Armed Forces from hostilities in the Republic of Yemen that have not been authorized by Congress.

SA 194. Mr. LEE (for Mr. INHOFE (for himself and Mr. CORNYN)) proposed an amendment to the joint resolution S.J. Res. 7, supra.

SA 195. Mr. LEE (for Mr. RUBIO (for himself and Mr. CORNYN)) proposed an amendment to the joint resolution S.J. Res. 7, supra.

SA 196. Mr. MERKLEY submitted an amendment intended to be proposed by him to the joint resolution S.J. Res. 7, supra; which was ordered to lie on the table.

SA 197. Mr. VAN HOLLEN submitted an amendment intended to be proposed by him to the joint resolution S.J. Res. 7, supra; which was ordered to lie on the table.

SA 198. Mr. VAN HOLLEN submitted an amendment intended to be proposed by him to the joint resolution S.J. Res. 7, supra; which was ordered to lie on the table.

SA 199. Mr. VAN HOLLEN submitted an amendment intended to be proposed by him to the joint resolution S.J. Res. 7, supra; which was ordered to lie on the table.