

AMENDMENT NO. 3500

At the request of Mr. HOEVEN, the names of the Senator from Maryland (Ms. MIKULSKI), the Senator from New Jersey (Mr. BOOKER), the Senator from North Dakota (Ms. HEITKAMP) and the Senator from Texas (Mr. CORNYN) were added as cosponsors of amendment No. 3500 proposed to H.R. 636, a bill to amend the Internal Revenue Code of 1986 to permanently extend increased expensing limitations, and for other purposes.

AMENDMENT NO. 3522

At the request of Ms. CANTWELL, the name of the Senator from Massachusetts (Mr. MARKEY) was added as a cosponsor of amendment No. 3522 intended to be proposed to H.R. 636, a bill to amend the Internal Revenue Code of 1986 to permanently extend increased expensing limitations, and for other purposes.

AMENDMENT NO. 3524

At the request of Mr. BENNET, the names of the Senator from Washington (Mrs. MURRAY) and the Senator from Connecticut (Mr. BLUMENTHAL) were added as cosponsors of amendment No. 3524 proposed to H.R. 636, a bill to amend the Internal Revenue Code of 1986 to permanently extend increased expensing limitations, and for other purposes.

AMENDMENT NO. 3527

At the request of Mr. RUBIO, the names of the Senator from New Hampshire (Ms. AYOTTE) and the Senator from Maine (Ms. COLLINS) were added as cosponsors of amendment No. 3527 intended to be proposed to H.R. 636, a bill to amend the Internal Revenue Code of 1986 to permanently extend increased expensing limitations, and for other purposes.

AMENDMENT NO. 3539

At the request of Mr. BLUNT, the names of the Senator from New Hampshire (Mrs. SHAHEEN), the Senator from Oregon (Mr. MERKLEY), the Senator from Vermont (Mr. LEAHY), the Senator from Massachusetts (Mr. MARKEY), the Senator from Ohio (Mr. BROWN), the Senator from Connecticut (Mr. MURPHY), the Senator from Iowa (Mr. GRASSLEY), the Senator from Montana (Mr. DAINES), the Senator from Delaware (Mr. COONS), the Senator from Montana (Mr. TESTER), the Senator from Illinois (Mr. KIRK), the Senator from Michigan (Ms. STABENOW) and the Senator from Alaska (Mr. SULLIVAN) were added as cosponsors of amendment No. 3539 intended to be proposed to H.R. 636, a bill to amend the Internal Revenue Code of 1986 to permanently extend increased expensing limitations, and for other purposes.

AMENDMENT NO. 3556

At the request of Mr. FLAKE, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of amendment No. 3556 intended to be proposed to H.R. 636, a bill to amend the Internal Revenue Code of 1986 to permanently extend increased expensing limitations, and for other purposes.

AMENDMENT NO. 3557

At the request of Mr. FLAKE, the name of the Senator from Arkansas (Mr. BOOZMAN) was added as a cosponsor of amendment No. 3557 intended to be proposed to H.R. 636, a bill to amend the Internal Revenue Code of 1986 to permanently extend increased expensing limitations, and for other purposes.

AMENDMENT NO. 3558

At the request of Mrs. FEINSTEIN, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of amendment No. 3558 intended to be proposed to H.R. 636, a bill to amend the Internal Revenue Code of 1986 to permanently extend increased expensing limitations, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

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

S. 2775. A bill to amend the Internal Revenue Code of 1986 to make technical corrections, and for other purposes; to the Committee on Finance.

Mr. HATCH. Mr. President, as Chairman and Ranking Member of the Senate Finance Committee, Senator WYDEN and I introduce S. 2775, the Technical Corrections Act of 2016, which, if enacted, will make technical and clerical corrections to the PATH Act, the major tax bill passed and signed into law this past December, and other recently passed pieces of tax legislation.

Ranking Member WYDEN and I have asked the nonpartisan Joint Committee on Taxation to make available to the public a technical explanation of S. 2775. That technical explanation, which can be found in report number JCX-16-16, expresses the Finance Committee's understanding of this important legislation and is available on the JCT's website at www.jct.gov.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 417—CELEBRATING THE 144TH ANNIVERSARY OF ARBOR DAY

Mrs. FISCHER (for herself and Mr. SASSE) submitted the following resolution; which was considered and agreed to:

S. RES. 417

Whereas Arbor Day was founded in Nebraska City, Nebraska on April 10, 1872, to recognize the importance of planting trees;

Whereas it is estimated that on the first Arbor Day, more than 1,000,000 trees were planted in the State of Nebraska alone;

Whereas Arbor Day is observed in all 50 States and across the world;

Whereas participating in Arbor Day activities promotes civic participation and highlights the importance of planting and caring for trees and vegetation;

Whereas those activities provide an opportunity to convey to future generations the value of land and stewardship;

Whereas National Arbor Day is observed on the last Friday of April each year; and

Whereas April 29, 2016, marks the 144th anniversary of Arbor Day: Now, therefore, be it Resolved, That the Senate—

(1) recognizes April 29, 2016, as “National Arbor Day”;

(2) celebrates the 144th anniversary of Arbor Day;

(3) supports the goals and ideals of National Arbor Day; and

(4) encourages the people of United States to participate in National Arbor Day activities.

AMENDMENTS SUBMITTED AND PROPOSED

SA 3565. Mr. CORNYN (for himself, Mr. FLAKE, Mr. HELLER, and Mr. MCCAIN) submitted an amendment intended to be proposed to amendment SA 3464 submitted by Mr. THUNE (for himself and Mr. NELSON) to the bill H.R. 636, to amend the Internal Revenue Code of 1986 to permanently extend increased expensing limitations, and for other purposes; which was ordered to lie on the table.

SA 3566. Mr. CORNYN submitted an amendment intended to be proposed to amendment SA 3464 submitted by Mr. THUNE (for himself and Mr. NELSON) to the bill H.R. 636, supra; which was ordered to lie on the table.

SA 3567. Mr. COCHRAN (for himself, Mr. HOEVEN, and Mr. WICKER) submitted an amendment intended to be proposed to amendment SA 3464 submitted by Mr. THUNE (for himself and Mr. NELSON) to the bill H.R. 636, supra.

SA 3568. Ms. COLLINS (for herself and Mr. KING) submitted an amendment intended to be proposed to amendment SA 3464 submitted by Mr. THUNE (for himself and Mr. NELSON) to the bill H.R. 636, supra; which was ordered to lie on the table.

SA 3569. Ms. COLLINS (for herself and Mr. CASEY) submitted an amendment intended to be proposed to amendment SA 3464 submitted by Mr. THUNE (for himself and Mr. NELSON) to the bill H.R. 636, supra; which was ordered to lie on the table.

SA 3570. Ms. HEITKAMP (for herself and Mr. FLAKE) submitted an amendment intended to be proposed to amendment SA 3464 submitted by Mr. THUNE (for himself and Mr. NELSON) to the bill H.R. 636, supra; which was ordered to lie on the table.

SA 3571. Mr. BLUMENTHAL submitted an amendment intended to be proposed to amendment SA 3464 submitted by Mr. THUNE (for himself and Mr. NELSON) to the bill H.R. 636, supra; which was ordered to lie on the table.

SA 3572. Mr. BLUMENTHAL submitted an amendment intended to be proposed to amendment SA 3464 submitted by Mr. THUNE (for himself and Mr. NELSON) to the bill H.R. 636, supra; which was ordered to lie on the table.

SA 3573. Mr. BLUMENTHAL submitted an amendment intended to be proposed to amendment SA 3464 submitted by Mr. THUNE (for himself and Mr. NELSON) to the bill H.R. 636, supra; which was ordered to lie on the table.

SA 3574. Mr. BLUMENTHAL submitted an amendment intended to be proposed to amendment SA 3464 submitted by Mr. THUNE (for himself and Mr. NELSON) to the bill H.R. 636, supra; which was ordered to lie on the table.

SA 3575. Mr. BLUMENTHAL submitted an amendment intended to be proposed by him to the bill H.R. 636, supra; which was ordered to lie on the table.

SA 3576. Mr. BLUMENTHAL submitted an amendment intended to be proposed to amendment SA 3464 submitted by Mr. THUNE

3464 submitted by Mr. THUNE (for himself and Mr. NELSON) to the bill H.R. 636, supra.

SA 3624. Mr. SCHATZ (for himself and Mr. HEINRICH) submitted an amendment intended to be proposed to amendment SA 3464 submitted by Mr. THUNE (for himself and Mr. NELSON) to the bill H.R. 636, supra; which was ordered to lie on the table.

SA 3625. Mr. KAINÉ submitted an amendment intended to be proposed to amendment SA 3464 submitted by Mr. THUNE (for himself and Mr. NELSON) to the bill H.R. 636, supra; which was ordered to lie on the table.

SA 3626. Mr. KAINÉ submitted an amendment intended to be proposed to amendment SA 3464 submitted by Mr. THUNE (for himself and Mr. NELSON) to the bill H.R. 636, supra; which was ordered to lie on the table.

SA 3627. Mr. NELSON submitted an amendment intended to be proposed by him to the bill H.R. 636, supra; which was ordered to lie on the table.

SA 3628. Mrs. MURRAY (for herself and Ms. CANTWELL) submitted an amendment intended to be proposed to amendment SA 3464 submitted by Mr. THUNE (for himself and Mr. NELSON) to the bill H.R. 636, supra; which was ordered to lie on the table.

SA 3629. Mrs. MURRAY (for herself and Ms. CANTWELL) submitted an amendment intended to be proposed to amendment SA 3464 submitted by Mr. THUNE (for himself and Mr. NELSON) to the bill H.R. 636, supra; which was ordered to lie on the table.

SA 3630. Ms. HIRONO (for herself, Ms. MURKOWSKI, Mr. SCHATZ, and Mr. SULLIVAN) submitted an amendment intended to be proposed to amendment SA 3464 submitted by Mr. THUNE (for himself and Mr. NELSON) to the bill H.R. 636, supra; which was ordered to lie on the table.

SA 3631. Mr. THUNE (for Mr. PAUL) submitted an amendment intended to be proposed to amendment SA 3464 submitted by Mr. THUNE (for himself and Mr. NELSON) to the bill H.R. 636, supra; which was ordered to lie on the table.

SA 3632. Mrs. MURRAY (for herself and Ms. CANTWELL) submitted an amendment intended to be proposed to amendment SA 3464 submitted by Mr. THUNE (for himself and Mr. NELSON) to the bill H.R. 636, supra; which was ordered to lie on the table.

SA 3633. Mr. NELSON (for himself and Mr. COATS) submitted an amendment intended to be proposed to amendment SA 3464 submitted by Mr. THUNE (for himself and Mr. NELSON) to the bill H.R. 636, supra.

SA 3634. Mr. NELSON submitted an amendment intended to be proposed to amendment SA 3464 submitted by Mr. THUNE (for himself and Mr. NELSON) to the bill H.R. 636, supra; which was ordered to lie on the table.

SA 3635. Mr. BOOZMAN (for himself, Mr. WARNER, and Mr. BENNET) submitted an amendment intended to be proposed to amendment SA 3464 submitted by Mr. THUNE (for himself and Mr. NELSON) to the bill H.R. 636, supra; which was ordered to lie on the table.

SA 3636. Mr. INHOFE submitted an amendment intended to be proposed to amendment SA 3464 submitted by Mr. THUNE (for himself and Mr. NELSON) to the bill H.R. 636, supra; which was ordered to lie on the table.

SA 3637. Mr. DAINES submitted an amendment intended to be proposed to amendment SA 3464 submitted by Mr. THUNE (for himself and Mr. NELSON) to the bill H.R. 636, supra; which was ordered to lie on the table.

SA 3638. Mr. BROWN (for himself and Mr. PORTMAN) submitted an amendment intended to be proposed to amendment SA 3464 submitted by Mr. THUNE (for himself and Mr. NELSON) to the bill H.R. 636, supra; which was ordered to lie on the table.

SA 3639. Mr. KAINÉ (for himself and Mr. WARNER) submitted an amendment intended

to be proposed to amendment SA 3464 submitted by Mr. THUNE (for himself and Mr. NELSON) to the bill H.R. 636, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 3565. Mr. CORNYN (for himself, Mr. FLAKE, Mr. HELLER, and Mr. MCCAIN) submitted an amendment intended to be proposed to amendment SA 3464 submitted by Mr. THUNE (for himself and Mr. NELSON) to the bill H.R. 636, to amend the Internal Revenue Code of 1986 to permanently extend increased expensing limitations, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

TITLE —CROSS-BORDER TRADE ENHANCEMENT ACT OF 2016

SEC. 01. SHORT TITLE.

This title may be cited as the “Cross-Border Trade Enhancement Act of 2016”.

SEC. 02. REPEAL AND TRANSITION PROVISION.

(a) REPEAL.—Subject to subsections (b) and (c), section 560 of the Department of Homeland Security Appropriations Act, 2013 (division D of Public Law 113-6; 127 Stat. 378) and section 559 of the Department of Homeland Security Appropriations Act, 2014 (division F of Public Law 113-76; 6 U.S.C. 211 note) are repealed.

(b) AGREEMENTS IN EFFECT.—Notwithstanding subsection (a), nothing in this Act may be construed as affecting in any manner an agreement entered into pursuant to section 560 of the Department of Homeland Security Appropriations Act, 2013 (division D of Public Law 113-6; 127 Stat. 378) or section 559 of the Department of Homeland Security Appropriations Act, 2014 (division F of Public Law 113-76; 6 U.S.C. 211 note) that is in effect on the day before the date of the enactment of this Act, and any such agreement shall continue to have full force and effect on and after such date.

(c) PROPOSED AGREEMENTS.—Notwithstanding subsection (a), nothing in this Act may be construed as affecting in any manner a proposal accepted for consideration by U.S. Customs and Border Protection pursuant to section 559 of the Department of Homeland Security Appropriations Act, 2014 (division F of Public Law 113-76; 6 U.S.C. 211 note) that was accepted prior to the date of the enactment of this Act.

SEC. 03. DEFINITIONS.

In this title:

(1) ADMINISTRATION.—The term “Administration” mean the General Services Administration.

(2) ADMINISTRATOR.—The term “Administrator” mean the Administrator of the Administration.

(3) COMMISSIONER.—The term “Commissioner” means the Commissioner of U.S. Customs and Border Protection.

(4) DONATION AGREEMENT.—The term “donation agreement” means an agreement made under section 05(a).

(5) FEE AGREEMENT.—The term “fee agreement” means an agreement made by the Commissioner under section 04(a)(1).

(6) PERSON.—The term “person” means—

- (A) an individual;
- (B) a corporation, partnership, trust, estate, association, or any other private or public entity;
- (C) a Federal, State, or local government;
- (D) any subdivision, agency, or instrumentality of a Federal, State, or local government; or

(E) any other governmental entity.

(7) RELEVANT COMMITTEES OF CONGRESS.—The term “relevant committees of Congress” means—

(A) the Committee on Environment and Public Works, the Committee on Finance, the Committee on Homeland Security and Governmental Affairs, and the Committee on the Judiciary of the Senate; and

(B) the Committee on Homeland Security, the Committee on the Judiciary, and the Committee on Transportation and Infrastructure of the House of Representatives.

SEC. 04. AUTHORITY TO ENTER INTO FEE AGREEMENTS FOR THE PROVISION OF CERTAIN SERVICES OF U.S. CUSTOMS AND BORDER PROTECTION.

(a) FEE AGREEMENTS.—

(1) AUTHORITY FOR FEE AGREEMENTS.—Notwithstanding section 13031(e) of the Consolidated Omnibus Budget Reconciliation Act of 1985 (19 U.S.C. 58c(e)) and section 451 of the Tariff Act of 1930 (19 U.S.C. 1451), the Commissioner may, upon the request of any person, enter into an agreement with that person under which—

(A) U.S. Customs and Border Protection will provide the services described in paragraph (2) at a port of entry or any other facility where U.S. Customs and Border Protection provides or will provide services;

(B) such person will remit a fee imposed under subsection (b) to U.S. Customs and Border Protection in an amount equal to the full costs incurred or that will be incurred in providing such services; and

(C) any additional facilities which U.S. Customs and Border Protection deems necessary for the provision of services under an agreement entered into under this section shall be provided, maintained, and equipped by such person in accordance with U.S. Customs and Border Protection specifications.

(2) SERVICES DESCRIBED.—Services described in this paragraph are any services related to, or in support of, customs, agricultural processing, border security, or inspection-related immigration matters provided by an employee or contractor of U.S. Customs and Border Protection at ports of entry or any other facility where U.S. Customs and Border Protection provides or will provide services.

(3) MODIFICATION OF PRIOR AGREEMENTS.—The Commissioner, at the request of a person who has previously entered into an agreement with U.S. Customs and Border Protection for the reimbursement of fees in effect on the date of enactment of this Act, may modify such agreement to implement any provisions of this title.

(4) NUMERICAL LIMITATIONS.—Except as provided in paragraphs (5) and (6), there shall be no limit to the number of fee agreements that may be entered into by the Commissioner.

(5) AUTHORITY FOR NUMERICAL LIMITATIONS.—

(A) RESOURCE AVAILABILITY.—If the Commissioner finds that resource or allocation constraints would prevent U.S. Customs and Border Protection from fulfilling, in whole or in part, requests for services under the terms of existing or proposed fee agreements, the Commissioner shall impose annual limits on the number of new fee agreements.

(B) ANNUAL REVIEW.—If the Commissioner limits the number of new fee agreements under this paragraph, the Commissioner shall annually evaluate and reassess such limits and publish the results of such evaluation and affirm any such limits that shall remain in effect in a publicly available format.

(6) NUMERICAL LIMITATIONS AT AIR PORTS OF ENTRY.—

(A) IN GENERAL.—The Commissioner may not enter into more than 10 fee agreements