

activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Ms. CANTWELL (for herself and Mrs. MURRAY):

S. 3028. A bill to redesignate the Olympic Wilderness as the Daniel J. Evans Wilderness; to the Committee on Energy and Natural Resources.

Ms. CANTWELL. Mr. President, I am pleased to join with Senator MURRAY in introducing legislation to rename the Olympic Wilderness in Olympic National Park as the Daniel J. Evans Wilderness, in honor of former Washington Senator and Governor Dan Evans.

Dan Evans has had a long and distinguished career in public service. He was first elected Governor of Washington in 1964 and was reelected in 1968 and 1972. In 1983, he was appointed to fill the term of the late Senator Henry M. Jackson and served an additional term in the Senate before retiring in January, 1989. From 1993 through 2005, Senator Evans served as a member of the University of Washington Board of Regents.

During his time in the Senate, Senator Evans was a leader in the passage of two major wilderness bills in our state. He was a cosponsor of the 1984 Washington Wilderness Act, which designated more than one million acres of national forest lands in Washington as wilderness. And he was the lead sponsor of the Washington Park Wilderness Act of 1988, which designated more than 1.5 million acres of wilderness in Olympic, Mount Rainier and North Cascade National Parks.

Thanks to Senator Evans' dedication to protecting many of our state's most spectacular wildlands, Washingtonians and all Americans are able to enjoy outdoor recreation opportunities in some of our Nation's most iconic areas, including protection of more than 876,000 acres of wilderness in Olympic National Park.

This dedication will not affect the management of either the national park or the wilderness, but it will appropriately recognize the important role of Dan Evans in securing the permanent protection of this magnificent landscape.

By Mr. ALEXANDER (for himself, Mr. JOHNSON, Mr. McCONNELL, Mr. BARRASSO, Mr. BOOZMAN, Mr. CASSIDY, Mr. COATS, Mr. COCHRAN, Ms. COLLINS, Mr. CORKER, Mr. CORNYN, Mr. COTTON, Mr. CRAPO, Mr. CRUZ, Mr. DAINES, Mr. ENZI, Mrs. ERNST, Mrs. FISCHER, Mr. FLAKE, Mr. GARDNER, Mr. GRAHAM, Mr. HATCH, Mr. HELLER, Mr. HOEVEN, Mr. INHOFF, Mr. ISAKSON, Mr. LANKFORD, Mr. LEE,

Mr. MCCAIN, Mr. MORAN, Ms. MURKOWSKI, Mr. PAUL, Mr. PERDUE, Mr. RISCH, Mr. ROBERTS, Mr. ROUNDS, Mr. RUBIO, Mr. SCOTT, Mr. SESSIONS, Mr. SHELBY, Mr. THUNE, Mr. TILLIS, Mr. VITTER, Mr. WICKER, and Mr. SULLIVAN):

S.J. Res. 34. A joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Department of Labor relating to defining and delimiting the exemptions for executive, administrative, professional, outside sales, and computer employees; to the Committee on Health, Education, Labor, and Pensions.

Mr. ALEXANDER. Mr. President, I am here today to introduce a Congressional Review Act resolution of disapproval on the administration's so-called overtime rule. I am joined by Senator JOHNSON of Wisconsin on this effort and also 43 other Senators who are cosponsors.

While President Obama is running around talking about keeping college costs down, his administration has put out this so-called overtime rule that could raise tuition by hundreds of dollars for millions of American college students or cause layoffs at our colleges and universities. In Tennessee, for example, colleges report to me that they may have to raise tuition by anywhere from \$200 a student to \$850 a student in one case because of this rule.

The administration's new rule is a radical change to our Nation's overtime rules. What they have done is doubled the salary threshold for overtime. Here is what that means. Hourly workers are usually paid for overtime work, but salaried workers generally don't earn overtime unless they are making below a threshold set by the Labor Department, as required by the Fair Labor Standards Act. Today that threshold is \$23,660. This administration is raising it all at one time to \$47,476. The administration calls this the overtime rule. I think we should call this the "time card" rule or the "higher tuition" rule. This means that a midlevel manager in Knoxville or Nashville who is making \$40,000 a year is going to have to go back to punching a time card.

The rule affects 4.23 million workers nationwide and nearly 100,000 in Tennessee. It is going to create huge costs for employers, including small businesses, nonprofits, such as the Boy Scouts, and colleges and universities. They have to decide whether to cut services, cut benefits, lay off or demote employees, or create more part-time jobs or do a little of all of that.

The University of Tennessee says that if they increase everyone's salaries to meet the new threshold, they will have to increase tuition by over \$200 per student on average, with some seeing as much as a \$456 increase.

If they put all the salaried employees back on time cards, they will face big morale issues.

Listen to this letter I received from a University of Tennessee employee:

Currently, I am an exempt employee but I stand to fall under the non-exempt status under the new standards. While this may not seem like a major issue to many, I stand to lose a substantial amount of benefits if my status changes. The nature of my position does not ever cause me to work overtime, as I work in an office from 8:30-4:30 daily and I am salaried. If I am reclassified, it appears I will lose 96 hours of annual leave per year, as well as be subject to an almost 100 hour lower cap on accrued annual leave.

Another private college in Tennessee tells me it will cost them the equivalent of \$850 a student if they don't lay off any employees.

As employers, they also face the cascade of regulations that is coming from the Labor Department.

This rule should be called the "time card" rule because they are going to pull millions of Americans who have climbed their way to salaried positions backwards—back to filling out a time-card and punching a clock, back to having fewer benefits, backwards in their careers, back to being left out of the room, back to being left off emails and even out of the discussion.

Want to show your stuff at work? Want to get up early, leave late, climb the ladder, earn the American dream the way that so many Americans have before you? Tough luck. Employers are going to say: Don't come early. Don't stay late. Don't take time off to go to your kids' football game. Work your 8 hours and go home. I don't have enough money to pay you overtime.

This rule says the Obama administration knows best. They know how to manage your career, your work schedule, your free time, and your income. They know better than you do.

Today, somebody who makes a salary of less than \$23,660 must be paid overtime. Almost everyone agrees that threshold is low and should begin to go up. Almost everyone said to the administration: It is time to raise the number, but don't go too high, too fast or you will create all kinds of destruction.

They didn't listen, so now we are going to have these huge costs.

Let's talk about employers. Let's remember that we are talking about nonprofits like Operation Smile, which is a charity that funds cleft palate operations for children. They say this rule will mean 3,000 fewer surgeries a year. Then there is the Great Smoky Mountain Council of the Boy Scouts, my home council, which estimates \$100,000 in added annual costs because during certain seasons, employees staff weekend campouts and recruitment events, which mean longer hours.

Many Americans are discouraged by this economic recovery. Millions are still waiting for the recovery. But you don't grow the economy by regulations such as this.

The National Retail Federation says the rule will "curtail career advancement opportunities, diminish workplace flexibility, damage employee morale, and lead to a more hierarchical workplace."

The U.S. Chamber Commerce says: "The dramatic escalation of the salary threshold, below which employees must be paid overtime for working more than 40 hours a week, will mean millions of employees who are salaried professionals will have to be reclassified to hourly wage workers."

There are 16 million Americans—including 320,000 Tennesseans—who are working part time while looking for full-time work or who are out of work entirely. They need a vibrant economy; they don't need Washington bureaucrats telling them how to manage their work schedule, their free time, and their income.

I know this is a good-sounding rule, but it wrestles more and more control from the hands of Americans and small business owners and puts more power in Washington agencies.

Many of these rules, like the overtime rule or the "higher tuition" rule or the "time card" rule—call it whatever you will—won't stand the test of time. They will end up in courts and they will lose, or another President will come along and fix what is broken. But in the meantime, how many millions of dollars and hours of time will be wasted as small business owners make excruciating decisions about how to implement these rules?

My hope is that the Senate will vote to give this "time card" "higher tuition" rule an early death before business owners and nonprofits and colleges and universities begin the task of implementing it by December.

The PRESIDING OFFICER. The Senator from Wisconsin.

Mr. JOHNSON. Mr. President, I rise first to say thank you to the Senator from Tennessee for leading this vote of disapproval on what is really a terrible rule. It is a solution looking for a problem.

I spent 31 years running a manufacturing plant. It has been my experience that I have never had somebody in my operation ask to go from salary to hourly. I remember in 2004 when they tightened the rules and a number of people who worked for me were forced into hourly. None of them wanted to go. By the way, none of them received higher wages or a higher salary; they just lost flexibility—and that is exactly what is going to happen.

Being an accountant, I would like to kind of go through the numbers. These are the Department of Labor's own calculations. They claim there would be \$1.2 billion more wages paid to workers. That is what they claim the benefit is going to be, but they also admit that there will be \$678 million in compliance costs to businesses just trying to figure out the rule, trying to implement it.

What they are missing is, if wages—and I think that is a big "if" because I think what will end up happening is—you know, employers are competing in a global economy, and you can't just increase costs. So my guess, basically, is what is going to happen—and hap-

pened to my business in 2004—is they will just adjust. The workers won't get any more money. But let's just say \$1.2 billion in wages is paid to workers. Well, that will be a cost to businesses. So as far as the overall benefit to the economy, wages might increase \$1.2 billion, but business costs will increase \$1.2 billion, and that nets to zero benefit to the economy. But there will still be a \$678 million compliance cost to businesses, and, of course, that will be added to the already onerous regulatory burden on our economy.

There are three different studies—the Small Business Administration, the Competitive Enterprise Institute, and the National Association of Manufacturers—putting the cost of complying with Federal regulation somewhere between \$1.75 trillion to over \$2 trillion per year. If you take the medium estimate of that and divide it by 127 million households, that is a total cost of compliance with Federal regulations of \$14,800 per year, per household. The only larger expense to a household is housing. That is the cost of complying.

Let me finish with another figure—\$12,000 per year, per employee. That is the cost of just four Obama regulations to one Wisconsin paper manufacturer. I can't tell you which one because the CEO fears retaliation. Now, think of that for a minute. But just four Obama regulations are costing one paper manufacturer the equivalent of \$12,000 per year, per employee.

So if you are concerned about income inequality, if you are wondering why wages have stagnated, look no further than this massive regulatory burden, and of course the overtime rule is just one of those burdens. I would just ask everybody, would you rather have that \$12,000 feeding the government in compliance costs or would you rather have that \$12,000 in your paycheck feeding your family?

Making a living is hard. Big Government just makes it a whole lot harder, and this overtime rule is just going to make it that much more incrementally harder.

Mr. ISAKSON. Mr. President, I rise for a few minutes to compliment Chairman ALEXANDER and Senator JOHNSON for their resolution of disapproval on the overtime rule.

When I came into the Chamber, LAMAR ALEXANDER was making his speech, followed by Senator JOHNSON. I listened closely, because I got a phone call last week from Bryant Wright, the pastor at the Johnson Ferry Baptist Church in Marietta, GA. They are one of the largest Baptist churches in my State. They provide daycare. They provide early childhood development. They provide sports activities. They provide vacation Bible school—a 24/7 program for underprivileged kids.

The unintended consequence of what I am sure is a well-intended regulation is that a 24-hour-a-day camp counselor at Johnson Ferry Baptist Church for their vacation Bible school will be paid regular pay for 8 hours and then have

to be paid time and a half for the other 16 hours of the day they are with the child under the application of the rule. You are going to price the Johnson Ferry Baptist Church out of the business of providing for underprivileged children. And what is going to happen? Those people are going to come to the government for the government to provide that service.

So what this will do is take a church out of the business of helping human beings and put the government in the position of having more demand for taxpayers to fund services that would have been provided anyway.

I commend Chairman ALEXANDER. I commend Senator JOHNSON and others. I urge all my colleagues to join them in the resolution of disapproval in the overtime rule. It is wrong for America. Its consequences are unintended, but they are devastating. I urge everybody to vote in favor of it, and I appreciate Senator ALEXANDER for his leadership in introducing that joint resolution.

I yield the floor.

#### AMENDMENTS SUBMITTED AND PROPOSED

SA 4448. Mr. LEE (for himself, Mrs. FEINSTEIN, Mr. PAUL, Mr. UDALL, Mr. CRUZ, Ms. COLLINS, and Mr. HEINRICH) submitted an amendment intended to be proposed by him to the bill S. 2943, to authorize appropriations for fiscal year 2017 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table.

SA 4449. Mr. BARRASSO (for himself and Mr. ENZI) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4450. Mr. SULLIVAN submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4451. Mr. HEINRICH submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4452. Mr. HEINRICH (for himself, Mr. HELLER, and Mr. UDALL) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4453. Mr. HEINRICH submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4454. Mr. HEINRICH submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4455. Mrs. SHAHEEN (for herself and Ms. AYOTTE) submitted an amendment intended to be proposed by her to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4456. Mr. MERKLEY submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4457. Mr. MERKLEY (for himself and Mr. MARKEY) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

SA 4458. Mr. ISAKSON submitted an amendment intended to be proposed by him