

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.

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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

SA 4518. Mr. BURR (for himself and Mrs. FEINSTEIN) submitted an amendment intended to be proposed by him to the bill S. 2943, supra; which was ordered to lie on the table.

2943, *supra*; which was ordered to lie on the table.

SA 4519. Mr. BURR (for himself, Mrs. FEINSTEIN, and Ms. COLLINS) submitted an amendment intended to be proposed by him to the bill S. 2943, *supra*; which was ordered to lie on the table.

SA 4520. Mr. BURR (for himself and Mrs. FEINSTEIN) submitted an amendment intended to be proposed by him to the bill S. 2943, *supra*; which was ordered to lie on the table.

SA 4521. Mr. BURR (for himself and Mrs. FEINSTEIN) submitted an amendment intended to be proposed by him to the bill S. 2943, *supra*; which was ordered to lie on the table.

SA 4522. Mr. BURR (for himself, Mrs. FEINSTEIN, and Ms. COLLINS) submitted an amendment intended to be proposed by him to the bill S. 2943, *supra*; which was ordered to lie on the table.

SA 4523. Mr. BURR (for himself, Mrs. FEINSTEIN, and Ms. COLLINS) submitted an amendment intended to be proposed by him to the bill S. 2943, *supra*; which was ordered to lie on the table.

SA 4524. Mr. BURR (for himself, Mrs. FEINSTEIN, and Ms. COLLINS) submitted an amendment intended to be proposed by him to the bill S. 2943, *supra*; which was ordered to lie on the table.

SA 4525. Mr. BURR (for himself and Mrs. FEINSTEIN) submitted an amendment intended to be proposed by him to the bill S. 2943, *supra*; which was ordered to lie on the table.

SA 4526. Mr. BROWN submitted an amendment intended to be proposed by him to the bill S. 2943, *supra*; which was ordered to lie on the table.

SA 4527. Mr. CASEY (for himself, Mr. INHOFE, Mr. BLUMENTHAL, and Mr. BENNET) submitted an amendment intended to be proposed by him to the bill S. 2943, *supra*; which was ordered to lie on the table.

SA 4528. Mrs. McCASKILL submitted an amendment intended to be proposed by her to the bill S. 2943, *supra*; which was ordered to lie on the table.

SA 4529. Mrs. MURRAY (for herself and Mr. Kaine) submitted an amendment intended to be proposed by her to the bill S. 2943, *supra*; which was ordered to lie on the table.

SA 4530. Mrs. GILLIBRAND (for herself and Mr. DAINES) submitted an amendment intended to be proposed by her to the bill S. 2943, *supra*; which was ordered to lie on the table.

SA 4531. Mr. BOOKER (for himself, Mr. BLUMENTHAL, Mr. NELSON, Mr. SCHUMER, and Mr. MENENDEZ) submitted an amendment intended to be proposed by him to the bill S. 2943, *supra*; which was ordered to lie on the table.

SA 4532. Mr. MANCHIN submitted an amendment intended to be proposed by him to the bill S. 2943, *supra*; which was ordered to lie on the table.

SA 4533. Mr. SCHATZ (for himself and Mr. SASSE) submitted an amendment intended to be proposed by him to the bill S. 2943, *supra*; which was ordered to lie on the table.

SA 4534. 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 4535. Mrs. ERNST submitted an amendment intended to be proposed by her to the bill S. 2943, *supra*; which was ordered to lie on the table.

SA 4536. Mr. CASSIDY submitted an amendment intended to be proposed by him to the bill S. 2943, *supra*; which was ordered to lie on the table.

SA 4537. Mr. RUBIO submitted an amendment intended to be proposed by him to the bill S. 2943, *supra*; which was ordered to lie on the table.

SA 4538. Mrs. MURRAY (for herself, Mr. BLUMENTHAL, Mr. BROWN, and Ms. MIKULSKI) submitted an amendment intended to be proposed by her to the bill S. 2943, *supra*; which was ordered to lie on the table.

SA 4539. Mrs. MURRAY (for herself, Mr. BLUMENTHAL, Mr. BROWN, and Ms. MIKULSKI) submitted an amendment intended to be proposed by her to the bill S. 2943, *supra*; which was ordered to lie on the table.

SA 4540. Mrs. MURRAY (for herself, Mr. BLUMENTHAL, Mr. BROWN, and Ms. MIKULSKI) submitted an amendment intended to be proposed by her to the bill S. 2943, *supra*; which was ordered to lie on the table.

SA 4541. Ms. HIRONO submitted an amendment intended to be proposed by her to the bill S. 2943, *supra*; which was ordered to lie on the table.

SA 4542. Ms. HIRONO submitted an amendment intended to be proposed by her to the bill S. 2943, *supra*; which was ordered to lie on the table.

SA 4543. Ms. HIRONO submitted an amendment intended to be proposed by her to the bill S. 2943, *supra*; which was ordered to lie on the table.

SA 4544. Mr. BOOKER submitted an amendment intended to be proposed by him to the bill S. 2943, *supra*; which was ordered to lie on the table.

SA 4545. Mr. VITTER submitted an amendment intended to be proposed by him to the bill S. 2943, *supra*; which was ordered to lie on the table.

SA 4546. Mr. VITTER submitted an amendment intended to be proposed by him to the bill S. 2943, *supra*; which was ordered to lie on the table.

SA 4547. Mr. BROWN submitted an amendment intended to be proposed by him to the bill S. 2943, *supra*; which was ordered to lie on the table.

SA 4548. Mr. BROWN (for himself, Mr. BLUNT, Mrs. McCASKILL, and Mr. PORTMAN) submitted an amendment intended to be proposed by him to the bill S. 2943, *supra*; which was ordered to lie on the table.

SA 4549. Mr. REED (for himself and Ms. MIKULSKI) proposed an amendment to amendment SA 4229 proposed by Mr. McCain to the bill S. 2943, *supra*.

SA 4550. Mr. GRAHAM submitted an amendment intended to be proposed by him to the bill S. 2943, *supra*; which was ordered to lie on the table.

SA 4551. Mr. ROUNDS submitted an amendment intended to be proposed by him to the bill S. 2943, *supra*; which was ordered to lie on the table.

SA 4552. Mr. PERDUE submitted an amendment intended to be proposed by him to the bill S. 2943, *supra*; which was ordered to lie on the table.

SA 4553. Mr. LEAHY (for himself, Mr. FLAKE, Mr. CARDIN, and Mr. DURBIN) submitted an amendment intended to be proposed by him to the bill S. 2943, *supra*; which was ordered to lie on the table.

TEXT OF AMENDMENTS

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; as follows:

At the end of subtitle D of title X, add the following:

SEC. 1031. PROHIBITION ON THE INDEFINITE DETENTION OF CITIZENS AND LAWFUL PERMANENT RESIDENTS.

Section 4001 of title 18, United States Code, is amended—

(1) by striking subsection (a) and inserting the following:

“(a) No citizen or lawful permanent resident of the United States shall be imprisoned or otherwise detained by the United States except consistent with the Constitution and pursuant to an Act of Congress that expressly authorizes such imprisonment or detention.”;

(2) by redesignating subsection (b) as subsection (c); and

(3) by inserting after subsection (a) the following:

“(b)(1) A general authorization to use military force, a declaration of war, or any similar authority, on its own, shall not be construed to authorize the imprisonment or detention without charge or trial of a citizen or lawful permanent resident of the United States apprehended in the United States.

“(2) Paragraph (1) applies to an authorization to use military force, a declaration of war, or any similar authority enacted before, on, or after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2017.

“(3) This section shall not be construed to authorize the imprisonment or detention of a citizen of the United States, a lawful permanent resident of the United States, or any other person who is apprehended in the United States.”.

SA 4449. Mr. BARRASSO (for himself and Mr. ENZI) 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; as follows:

At the end of subtitle E of title III, add the following:

SEC. 341. AUTHORITY FOR AGREEMENTS TO REIMBURSE STATES FOR COSTS OF SUPPRESSING WILDFIRES ON STATE LANDS CAUSED BY DEPARTMENT OF DEFENSE ACTIVITIES UNDER LEASES AND OTHER GRANTS OF ACCESS TO STATE LANDS.

Section 2691 of title 10, United States Code, is amended by adding at the end the following new subsection:

“(d) The Secretary of Defense may, in any lease, permit, license, or other grant of access for use of lands owned by a State, agree to reimburse the State for the reasonable costs of the State in suppressing wildland fires caused by the activities of the Department of Defense under such lease, permit, license, or other grant of access.”.

SA 4450. Mr. SULLIVAN 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; as follows:

After section 1241, insert the following: