

HONORING F. DALE KUENZLI, EXECUTIVE DIRECTOR OF THE MICHIGAN BEAN COMMISSION

**HON. DAVE CAMP**

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Saturday, November 8, 1997*

Mr. CAMP. Mr. Speaker, I rise today to pay tribute to F. Dale Kuenzli, executive director of the Michigan Bean Commission since 1993, who has announced his intention to retire in December. As the third executive to lead the commission since its 1965 inception, Dale has led the Michigan Bean Commission in a professional and enthusiastic manner during the past 4 years. He has worked tirelessly with local, State, Federal, and international officials to open markets to Michigan bean growers. He is known around the world as a brilliant spokesperson for Michigan farmers, with a talent for deciphering the complex language of agribusiness and financial markets. Not just a "beansmith," as he is often called, Dale is also a well-rounded agribusiness person with a keen political acumen and a dedication to our vision for the future of Michigan's farm families. Dale is also known for his loyalty to his family and to his other passion, the Michigan State Spartans. Dale is also to be honored for his contributions to the apple industry, given his avid consumption of what is estimated to be a pound and half of apples every day. On the occasion of his retirement, we bestow upon F. Dale Kuenzli our highest esteem for his accomplishments, and wish him success in his future endeavors.

HONORING F. DALE KUENZLI, EXECUTIVE DIRECTOR OF THE MICHIGAN BEAN COMMISSION

**HON. JAMES A. BARCIA**

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Saturday, November 8, 1997*

Mr. BARCIA. Mr. Speaker, I join with my colleague, Mr. CAMP, in paying tribute to a gentleman who is legendary as an ambassador of our State's agriculture industry. As a skilled trader, an articulate emissary, and a singular man of honor and integrity, he has been a blessing for our bean growers, as well as an individual that will be difficult to fully replace. It has been my good fortune to have worked with Dale on many projects of importance to the dry bean growers of my district and State. I want to offer my personal thanks for all that he has done, and my best wishes for all that the future holds for him. Thank you, Mr. Speaker.

**THE SALE INCENTIVE  
COMPENSATION ACT**

**HON. HARRIS W. FAWELL**

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Saturday, November 8, 1997*

Mr. FAWELL. Mr. Speaker, Leronda Lucky is an industrious yellow page advertising salesperson for BellSouth in Ohio. She wants to be paid on commission and work as many

hours as possible. "My primary motivation," she says, "to work long and hard hours is so that I can earn as much money as possible to support my family, save money for my children's education, and save for retirement."

Unfortunately, Leronda must work as an hourly employee and is limited to working 9 to 5 each day, 40 hours per week and being paid overtime for hours over 40. "My base pay and the prospect of overtime earnings do not motivate me," says Leronda. "My choice is to be paid on a commission basis. Also my clients do not necessarily have 9 to 5 work hours. I need the flexibility to determine when I need to meet with the customers on their hours."

Leronda Lucky's story is an example of how 1938-era workplace laws do not necessarily fit the workers or the workplace of the 1990's. Such antiquated laws end up hurting the very workers they were intended to help.

The 1938 Fair Labor Standards Act set the workweek at 40 hours and required that any additional hours worked be paid at one and a half times the base hourly wage. The law made workers hourly employees unless they met certain criteria to exempt them. Salesperson who work away from their employer's premise, in the law referred to as "outside salesmen," were exempt, allowing them to work as many hours as they wished, when they wished, and for a commission if they so choose. This exemption was granted on an idea that professional salespeople work irregular hours in response to their customers' needs and they generally work on commission as opposed to an hourly wage.

In 1938, these salespeople were outside, communicating with their customers by traveling from town to town and visiting customers in person. In 1997, with the advent of fax machines, computers, e-mail, the Internet, modems, and advanced telecommunications, the once outside sales force has moved inside. These inside salespeople can work at one location—at an office, or even at home. Communications, paying for goods, and other transactions can be done electronically. The once outside sales force is today a more efficient, effective and profitable inside sales force. Without the 1938 law, these inside salespeople could earn wages that greatly exceed the amounts that are otherwise available through hourly pay rates plus overtime.

The House Subcommittee on Workforce Protections recently held hearings on this outdated law. Several inside salespeople, including Leronda Lucky, testified on the need to reform the 1938 Fair Labor Standards Act to make it fit the workplace of the 1990's. And so yesterday, along with my colleague on the subcommittee, Congressman ROBERT E. ANDREWS, I introduced H.R. 2888, the Sales Incentive Compensation Act, to make this area of the law adapt to today's work force.

**H.R. 2888, THE SALES INCENTIVE  
COMPENSATION ACT**

**HON. ROBERT E. ANDREWS**

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Saturday, November 8, 1997*

Mr. ANDREWS. Mr. Speaker, many American workers today earn their living by selling goods and services to customers across the continent or across the globe. Such sales-

people increasingly find that their paycheck is determined by how well they produce and how much they sell, because they are paid in part according to a bonus or commission system. Salespeople who can substantially increase their salary by earning more commissions ought to be allowed to work longer hours and perform their jobs more effectively, in order to make more money. Unfortunately, current law keeps them from earning as much as they could.

I am proud to join with my colleague, Congressman HARRIS FAWELL, to introduce H.R. 2888, the Sales Incentive Compensation Act. This common-sense legislation will give fear greater flexibility to salespeople and their employees, by allowing salespeople to choose to work harder in order to earn higher commissions. And it ensures security and fairness for all workers, by precluding abuses that would force employees to work longer hours without substantial reward.

Our bill provides flexibility to meet the demands of the workplace and the market. Today's customers demand goods and services at different times and in different time zones. Today's information economy allows a more flexible sales force to make sales around the clock. The Sales Incentive Compensation Act gives employees the flexibility to adjust their schedule in order to earn more money in commission, rather than limiting their earning potential. For instance, a working mother may find it easier to make sales calls from home, while the employer benefits from a more productive sales force.

In addition, our bill guarantees security and protection for workers. The Sales Incentive Compensation Act ensures that lower earning workers cannot be exploited or denied the protections of time-and-a-half overtime for work beyond a 40-hour week. The bill establishes a stringent test which guarantees that salespeople cannot be exempted from the wage and hour laws unless they receive a substantial minimum salary and are guaranteed the opportunity to earn significant commissions or incentive-based compensation. Employees cannot be exempted from the 40-hour work week unless they meet this test.

The Sales Incentive Compensation Act is based on the principles of fairness and opportunity. Under our bill, salespeople must be given the opportunity to continue earning commissions if they choose to work longer hours and are successful in making more sales. The rate of bonus pay for extra sales must be as good, or better, than the rate for the salesperson's minimum sales. Employees would have an incentive to work harder, and employers would be required to pay them a fair commission for each additional sales that they make. Thus, both businesses and salespeople will share in the increased profit and productivity that will be created when H.R. 2888 becomes law. I urge my colleagues to support this sensible and crucial legislation.

**NATO INFRASTRUCTURE FAIR  
SHARE ACT**

**HON. MAX SANDLIN**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Saturday, November 8, 1997*

Mr. SANDLIN. Mr. Speaker, I rise today to introduce legislation that will ensure our allies

pay their fair share to the North Atlantic Treaty Organization Security Investment Program [NSIP]. My legislation will reduce the amount the United States contributes to NSIP to \$140 million in each of the next 3 fiscal years. This bill will save taxpayers \$177 million.

NSIP is a program designed to improve the transportation and infrastructure of NATO member nations. Under the fiscal year 1998 military construction appropriation bill signed by the President on September 30, 1997, the U.S. contributes \$153 million to NSIP. This amount was appropriately reduced from the fiscal year 1996, \$161 million and fiscal year 1997, \$172 million contributions. The United States still pays a disproportionate amount into this account, however, while receiving minimal benefit to our own infrastructure.

The NSIP supports projects and activities listed by NATO as capability packages, stand-alone projects, urgent requirements, and minor works. The projects are then placed in the following categories: authorized works, intra-theater, and trans-Atlantic force mobility; surveillance, reconnaissance, and intelligence systems; logistics support and re-supply; lines of communications control, training support, and exercise facilities; nuclear capabilities; and political-military consultation. These programs are important and I strongly advocate a prepared military. But why do we continue to spend money to expand logistic support and re-supply in Europe when we continue to downsize military depots in this country? Depots are necessary to provide the logistic support and re-supply efforts essential to defend our Nation from a military attack.

Why do we continue to spend money on transportation infrastructure to enhance force mobility in Europe while we continue to cut funding to our own Nation's transportation infrastructure? The Interstate Highway System was conceived so the U.S. military would be able to move forces and equipment from coast to coast. Highway capital investment per 1,000 vehicle mile of travel in the United States decreased by 17 percent from 1985–95, while travel increased by 37 percent. The United States needs an additional \$15 billion annually to maintain current conditions on our roads and bridges and another \$33 billion annually to improve conditions and performance. We must find alternate sources of income to improve our roads in this country.

I am an advocate of a strong national defense and have fought to increase money in the Defense budget and to fund the weapons programs essential to our military readiness. However, at a time when we are closing military bases and putting American soldiers out of work, it is wrong for American taxpayers to continue paying billions of dollars annually to benefit wealthy nations such as England, Germany, and France while these same countries use their capital to compete with us in international markets. Our country has for too long assumed the lion's share of the cost of defending our allies. These countries do not have war-torn, war-tattered economies. These countries are tough, shrewd international competitors. They have strong economies that give them the capability to pay for their own defense.

I believe NATO is one of the organizations that precipitated our victory in the cold war. As we prepare to expand NATO to include the emerging democracies of Poland, the Czech Republic, and Hungary, we must realize that

expanding NATO will not be easy and will in fact be a rather expensive operation. I advocate expanding NATO and do not believe we should make these countries, which are feeling the growing pains of the change from a Communist economic system to a capitalist system, pay any more than they can afford. However, we must ask our wealthy European allies to pay an appropriate portion of the cost of expanding the infrastructure that is needed to defend these nations.

When I first came to Congress, I pledged to work to enact legislation ensuring Texas receives an equitable share of transportation funds. This goal has yet to be achieved. However, while we continue to work toward that goal domestically, we can also work to see that U.S. taxpayers receive some benefit from every dollar they spend that is earmarked for infrastructure. This bill aims to do just that by decreasing the amount of money the United States contributes to the NSIP. For every dollar that Texas contributes to the national highway trust fund, it receives approximately \$.77 cents in return. Massachusetts, on the other hand, receives \$2.13 for each dollar it invests. Connecticut has a nearly 187 percent return on its dollar. Clearly, Texans already contribute transportation funds to other States. Why should we be asked to contribute transportation funds to other countries as well? My constituents do not receive adequate funds to repair our own roads, but they are asked to pay for the roads of people abroad.

America's infrastructure needs are great. With the heavy increase in the volume of traffic due to the implementation of NAFTA, we in Texas are more aware of that fact than most. The increase in the number of trucks on our highways has left many of our roads with potholes that have rendered them almost impassable. However, while the potholes remain along highways in east Texas, the taxpayers see their hard earned income going not to improve the Federal highways they use, but to build roads and highways in Germany, France, and England.

We have seen a tremendous amount of support for burden sharing in recent years. This support was evident when the House agreed to the conference report this year on H.R. 1119, the National Defense Authorization Act. That bill authorizes appropriations for fiscal year 1998 and 1999 military activities of the Department of Defense and prescribes military personnel strengths for those fiscal years. The bill contains important provisions on burden sharing. Section 1221 instructs the President to step up efforts to increase burden sharing from nations with whom we have military relations by having them take one or more of the following actions: increase their annual budgetary outlays for national defense as a percentage of its gross domestic product by 10 percent or at least to a level commensurate to that of the United States by September 30, 1998; increase the amount of military assets they contribute to multinational military activities; increase the amount of annual budgetary outlays of foreign assistance; and in nations with U.S. military bases, increase their financial contributions to the payment of the U.S. military non-personnel costs.

The Defense authorization bill also includes a sense-of-Congress resolution dealing with the costs of enlarging NATO. Section 1223 contains a section that states: "It is the sense of Congress that the analysis of the North At-

lantic Alliance of the military requirements relating to NATO enlargement and of the financial costs to the Alliance of NATO enlargement will be one of the major factors in the consideration by the Senate of the ratification of instruments to approve the admission of new member nations to the Alliance and by Congress for the authorization and appropriation of the funding for the costs associated with such enlargement."

The burdensharing proposals that have been passed in recent years have proved to be an effective way of encouraging wealthy foreign countries to begin paying their fair share for their own defense. Legislation in 1989 called upon Japan to increase its share of the cost of stationing United States troops there. This amendment has led to billions of dollars in savings for the U.S. taxpayer since then, including over \$3.7 billion last year. Japan now contributes 78 percent of the non-personnel cost of stationing United States troops there.

It is essential that we continue to stress the importance of burdensharing principles. Annually, we spend about 4 percent of our gross national product on defense while France spends a mere 2.5 percent and Germany a paltry 1.5 percent. As we have seen with the Japanese, if we apply pressure to nations capable of sharing in the cost of their defense, we will save United States tax dollars without removing one United States troop from foreign soil. I believe this bill is an important first step in improving our Nation's infrastructure and making our wealthy allies share the burden of their defense.

#### VETERANS' DAY 1997

#### HON. BENJAMIN A. GILMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Saturday, November 8, 1997*

Mr. GILMAN. Mr. Speaker, on the 11th day of the 11th month of the year 1997 we take time to remember those men and women who risked and sacrificed their lives for our Nation. It is a day to remember not only those who have lost their lives in battle but, also those who served valiantly and survived. Our greatness as a Nation could not have been achieved without the strong will and sacrifice of our citizens.

Veterans Day has been an American tradition since 1919, when Woodrow Wilson proclaimed Armistice Day to commemorate the November 11, 1918, Armistice that ended the fighting between the Allies and the central powers. This was our first step onto the international scene. It was a day of observance and remembrance for the 58,000 Americans who had died in World War I.

When the name for the day of observance was changed from Armistice Day to Veterans Day in 1954, it was proclaimed a day for honoring the veterans from all of our wars. The day however, still remained the 11th day of the 11th month, a date which marked the end of bloodshed that left the hope of lasting peace. While that peace did not last there is still hope that one day the world will learn to live together in harmony.

Until then it is important to remember those men who fought for freedom and dreamed that their efforts would bring peace to the world.