

objectives was to make it more affordable for nonprofits to solicit donations to fund their activities.

For a mail piece to be eligible for the lower nonprofit rate, Congress prescribed two requirements: first, the organization or mailer must be qualified to mail at the nonprofit rate; and second, the qualified organization must own the mail piece.

Over the last several years, the United States Postal Service, which has made great strides under Postmasters Runyon and Henderson, has increasingly applied the statutory standard of "ownership" in a way that may have a chilling effect on the use of nonprofit mail rates to solicit donations for charity, education, and advocacy.

The purpose of the bill I am introducing today is to clarify ambiguities existing in both law and Postal Service regulations with respect to fundraising. The bill clarifies the law so the Postal Service should not read the statutory "ownership" test so literally as to disqualify solicitation mail sent by otherwise eligible nonprofit organizations that negotiate a risk-sharing agreement with respect to their solicitation mail.

In my view, it is imperative that otherwise qualified nonprofit organizations be able to solicit donations at the lowest possible cost. When nonprofits conduct activities that further the purposes enumerated in the statute, for example to provide "safety net" social services, it eases the burden on government and taxpayers.

During a time in which Congress is attempting to allow taxpayers to keep more of their hard earned money, it would be advantageous for nonprofits to solicit individuals and families, who thanks to tax relief and their own individual initiative may have an extra few dollars to send to their favorite charity. Likewise, this Republican-led Congress is asking nonprofits to provide services the government has traditionally been ineffective or inefficient in providing.

Given this purpose, it would then be irrational for Congress to limit use of the nonprofit mail rate only to fundraising campaigns that raise donations sufficient to pay all solicitation costs. Otherwise qualified nonprofit organizations need to be able to negotiate the best deal they can for the professional fund-raising services the organization needs—whether it is creative, copywriting, list analysis, mail piece introduction, or data entry.

It is important to point out the bill I am introducing is not a back door to allow unauthorized parties to mail at the nonprofit rate. Current law restricts an otherwise qualified organization from utilizing the nonprofit rate to sell goods or services. There are restrictions whether the item offered for sale is related to the organization's purpose or unrelated. Soliciting a donation, however, is different from promoting the sale of a product or service.

Furthermore, Congress has instituted reforms limiting a nonprofit's use of the special mail rate to sell products and services. The bill I am introducing today does not affect the reforms Alaska Senator TED STEVENS set in motion in the mid-1980s in this regard.

The bill also recognizes the subsequent reform Congress enacted to require sales promoted at the nonprofit rate to be "substantially

related" to the purpose for which the nonprofit qualified for the nonprofit rate.

More importantly, this bill does not limit the Postal Service's authority to enforce any other section of the federal postal statutes. Accordingly, the Postal Service retains all of its tools to discover and prosecute fraud—a mission that I strongly support.

The problem addressed by this bill is the Postal Service's present interpretation of the statutory "ownership" standard, which is causing litigation and inconsistent application in solicitation cases.

I am aware of the ongoing discussions within the Postal Service and with nonprofit organizations to resolve this issue. I remain hopeful the Postal Service can correct this issue without Congressional intervention. Hopefully, this bill will encourage all parties to continue their constructive dialogue and, perhaps, prevent further unnecessary litigation.

INTRODUCTION OF H.R. 5655 TO DESIGNATE THE LANAI POST OFFICE, THE GORO HOKAMA POST OFFICE

HON. PATSY T. MINK

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Friday, December 15, 2000

Mrs. MINK of Hawaii. Mr. Speaker, on December 13, 2000, I introduced H.R. 5655, to designate the Post Office on Lanai as the Goro Hokama Post Office.

Mr. Hokama has dedicated his life to the communities of Lanai and Maui and to the State of Hawaii. Mr. Hokama's leadership abilities and sense of public duty were apparent even in high school, where he was Student Body President. After serving two years in the Army, he returned to Lanai, and in 1954 he began his public service career which continues till this day. He worked for the Dole Pineapple Company from 1946 to 1991 and was a Member of the ILWU. He was elected by his union to serve on the International Executive Board, Division Executive Board and as a division representative steward, and served on the Membership Service Committee as well as actively participating on many negotiating teams.

Mr. Hokama has been involved in nearly every aspect of community life, everything from political offices to volunteering at Little League games. He served a total of 41 years on the Maui County Council and its predecessor, the Maui Board of Supervisors. He was Chairman of the Maui County Council for 16 years. He served as Chairman or Vice-Chairman of the Committee on the Whole, Finance Committee, Legislative Committee, Planning and Land Use Committee, and Federal, State and County Relations Committee.

He was a member of the Hawaii State Association of Counties (HSAC), serving as President 11 times and Vice President 4 times. In 1999 he was appointed to the State Public Employees Appeals Board.

Mr. Hokama was a Board Member of the Western Interstate Region from 1985 to 1994.

Mr. Hokama has been President of the Lanai School PTA, a Lanai Volunteer Fireman,

Past Chairman of the Lanai Advisory to the Planning Commission, and was a past President of the Lanai Little League. In 1987, he won the Hawaii State Little League Baseball Outstanding Volunteer Award.

Mr. Hokama is currently the Chairman of the Maui County Hospital Management Advisory Committee and since 1998 has been Vice Chairman of the Maui Civil Service Commission. He also remains on the Board of Directors of the Maui Economic Opportunities, Inc., the Board of Trustees on both the Lanai Community Hospital and Maui Memorial Hospital, and has been President of the HAPCO. Lanai Federal Credit Union for over 30 years.

Goro Hokama has given himself, his time, and his life to our community and to our State. He is married and has two children, Riki and Joy. The naming of the Lanai Post Office as the Goro Hokama Post Office would be a way to honor and pay tribute to a great public servant.

HONORING WILLY AND THEKLA (STEIN) NORDWIND OF KALAMAZOO, MICHIGAN

HON. FRED UPTON

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Friday, December 15, 2000

Mr. UPTON. Mr. Speaker, I want to bring to the attention of the House of Representatives a very momentous event which occurred on September 25, 2000 and involved two constituents of mine: Willy and Thekla (Stein) Nordwind of Kalamazoo, Michigan.

After more than five decades of denials, avoidance and legal maneuvering, Germany—for the first time—returned to the rightful heirs, a major work of art previously confiscated by the Third Reich. On September 25, the Lovis Corinth painting, *Walchensee, Johannisnacht* (The Walchensee on Saint John's Eve) was returned to the heirs of Gustav and Clara Stein Kirstein in a ceremony which took place in the shadow of the Brandenburg Gate in Berlin. Thekla (Stein) Nordwind, niece of the Kirstein's, is the representative of the rightful heirs to whom the art was returned. Both Thekla (Stein) Nordwind and her husband, Willy Nordwind, were in Berlin for the ceremony.

As a result of this event, Ronald S. Lauder, Chairman of the World Jewish Congress' Commission for Art Recovery, stated, "After one year of negotiations, we hope this first step will correct some past injustices and that all works of art belonging to families of Holocaust victims will be returned. We will never forget the millions of lives that were broken or lost. We honor that memory by contributing to closing one of the darkest chapters in 20th-century cultural history."

Thekla (Stein) Nordwind said she accepted the painting, "Not only on behalf of the heirs of her aunt and uncle, but on behalf of so many others who want and need some acknowledgement and recognition of the devastation suffered by their families. Although no one can restore what was truly lost to so many families, the return of this painting is a symbol of the wish of the German Government to atone for the sins of the past."