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## Senate

The Senate met at 2 p.m., and was called to order by the President pro tempore [Mr. THURMOND].

### PRAYER

The Chaplain, Dr. Lloyd John Ogilvie, offered the following prayer:

Almighty God, You have shown us that living each day as our only day results in living life at full potential. Thank You for the gift of this new day. Help us pull out all the stops and live with enthusiasm. We renew our commitment to excellence in all we do. Our goal is to glorify You in every responsibility and relationship today. Replenish our wells of creativity, vision, and physical strength. Give us hope in life's burdens and peace in our conflicts. Most of all, dear God, help us not to miss the joy. In the name of Him who brings abundant life. Amen.

### RECOGNITION OF THE MAJORITY LEADER

The PRESIDENT pro tempore. The able majority leader, Senator LOTT of Mississippi, is recognized.

Mr. LOTT. Thank you, Mr. President.

### SCHEDULE

Mr. LOTT. Mr. President, for the information of all Senators, today, until 3:30 p.m., the Senate will be in a period of morning business to accommodate a number of Senators who have requested time to speak. Following morning business, the Senate will resume consideration of the motion to proceed to S. 543, the Volunteer Protection Act. As announced last week, there will be no rollcall votes during today's session. However, under the previous agreed to order, there will be a cloture vote on the motion to proceed to S. 543 at 2:15 tomorrow. If cloture is invoked, the Senate will continue debate on the motion to proceed for 1 hour, followed by a vote on the motion. Therefore, additional votes may occur

during tomorrow's session of the Senate. In fact, I expect that there will be.

Hopefully, the Senate will be able to finish action on the Volunteer Protection Act early this week so we can begin consideration at some point—and it is not clear now whether it would be Wednesday or Thursday; and it will partially depend at least on what happens in the House on the supplemental appropriations bill—but, again, all Senators will be notified of changes in the schedule. And I thank my colleagues for their attention.

### THE VOLUNTEER PROTECTION ACT

Mr. LOTT. Mr. President, if I could be heard just briefly on the legislation itself.

You will note that in my opening statement here, the debate is on the motion to proceed. I want the American people to hear that. We basically have the threat of a filibuster from the Democrats on even taking up for consideration the substance of the bill, S. 543.

What is this bill? This bill is the Volunteer Protection Act. I think it is quite a coincidence, highly ironic actually, that there is this meeting now in Philadelphia, the City of Brotherly Love, to encourage voluntarism in America—a worthy goal. And I have been impressed by the participants and by what they have had to say. We need to encourage Americans to volunteer, to be more philanthropic, to contribute what they can, not only of their money but of their time—a worthy goal of America. And while America leads all the rest of the world already in that effort, we can all do more, I am sure.

But now comes this bill and trying to protect volunteers from being sued. In many instances in America, if you volunteer, if you go on a charitable organization's board of directors, if you join some of the volunteer organizations, you run the risk of being sued and being held personally liable.

So in the spirit of the conference going on in Philadelphia, it seems very appropriate to me that the Senate would pass legislation to provide some reasonable modicum of protection against these frivolous lawsuits that discourage people from volunteering, and yet we are being told that we are going to have a filibuster of even proceeding to this bill.

Let me read some of the components of this bill. It says:

To provide certain protections [not total protections, but certainly protections] to volunteers, nonprofit organizations, and governmental entities in lawsuits based on the activities of volunteers.

It says that:

The Congress finds and declares that—

(1) the willingness of volunteers to offer their services is deterred [now] by the potential for liability actions against them and organizations they serve;

(2) as a result, many nonprofit public and private organizations and governmental entities, including voluntary associations, social service agencies, educational institutions, and other civic programs, have been adversely affected by the withdrawal of volunteers from boards of directors and service in other capacities;

(3) the contribution of these programs to their communities is thereby diminished, resulting in fewer and higher cost programs than would be obtainable if volunteers were participating;

(4) because Federal funds are expended on useful and cost-effective social service programs, many of which are national in scope, depend heavily on volunteer participation, and represent some of the most successful public-private partnerships, protection of volunteerism through clarification and limitation of the personal liability risks assumed by the volunteer in connection with such participation is [certainly] an appropriate [action] for [this] Federal legislation;

It goes on and talks about how the threat of lawsuit is limiting volunteers. It is leading to higher costs of private programs as well as public-private cooperation. It then sets out exactly what those limitations are.

If you are actually involved in serious personal misconduct, you still

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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