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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

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would be subject to liability. But to have some clarification here with regard to when you will be sued, even when you are in effect an innocent bystander in a voluntary capacity, is something that we should do. It is long overdue.

We have known many instances, I am sure, in our own States where these types of lawsuits have been filed. And it is time that we take action. In fact, it goes hand in glove with what is happening in Philadelphia.

So I urge my colleagues that have reservations based on this, if there are concerns by trial lawyers that we can legitimately address, fine. But I do not think we should allow trial lawyers to dictate that we cannot have even the consideration of legislation that would provide some protection for volunteers in America.

Mr. President, again, I urge my colleagues to allow this legislation to go forward. And I hope that our colleagues will be able to vote for a final product by an overwhelming vote.

I yield the floor at this time, Mr. President.

Mr. MURKOWSKI addressed the Chair.

The PRESIDING OFFICER (Mr. BURNS). The Senator from Alaska.

Mr. MURKOWSKI. Mr. President, let me wish the occupant of the Chair a good day.

#### MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, the Senate will now go into a period of morning business not to extend beyond 3:30 p.m.

Mr. MURKOWSKI. Mr. President, I ask unanimous consent that I may be permitted to speak in morning business for not more than 10 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MURKOWSKI. I thank the Chair. (The remarks of Mr. MURKOWSKI pertaining to the introduction of S. 660 are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

Mr. MURKOWSKI. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. REID. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REID. Mr. President, I ask unanimous consent that I be allowed to speak as if in morning business for up to 15 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### TITLE IX

Mr. REID. Mr. President, several months ago I visited White Pine County High School located in Ely, NV, one

of the rural spots of Nevada. I was going to speak to an assembly of high school students. I was in a room waiting to give my presentation. In the room were two young ladies. They were dressed in letter sweaters from White Pine County High School. One of them was named Lauren and the other was Casandra.

While waiting, I struck up a conversation with these two young ladies. I asked them what sports they participated in. One of them ran track. She told me she had won the summer tournament in sprints. The other girl said she participated in softball.

So we carried on our conversation for a short period of time. As I was getting ready to go in, one of the young ladies said, "Senator I don't know what I would do without my sports."

Mr. President, these two young ladies' ability to participate in athletics is as a result of something that the Federal Government has done.

I started a series of speeches last summer on the Senate floor to discuss the good things that happen in Government. We tend to dwell on the negative, rather than the positive aspects of Government. I talked about how proud I was that we have our National Park System with great parks like Yellowstone, Yosemite, Grand Canyon, and the other great entities that are the envy of the world.

I talked about the Federal Emergency Management Agency, what a great job they have done in Nevada, and how proud I was of the work they had done in the State of Nevada during the recent floods. They are, of course, in every newspaper and on every news program because of the work they are doing with the floods of North Dakota and South Dakota right now.

I talked about the Consumer Product Safety Commission, and about the great work they do to make the marketplace safer for us.

I also talked about the great work that 25,000 men and women engage in every summer in fighting forest fires, principally in the Western part of the United States. They do very courageous things, such as jumping out of helicopters with backpacks weighing almost 100 pounds, and rappelling off the back of helicopters.

These are Government programs. We should acknowledge them. The Federal Government has its shortcomings, and I am the first to acknowledge that. But let's not dwell on the shortcomings. Let's talk about some of the good things that happen.

That is the reason I am here today; to talk about one of the programs that the Federal Government initiated that I think is good. I am here to speak about title IX, enacted as part of the Education Act Amendments of 1972, which gives women and girls equal rights in education and in athletics.

Just a couple of months ago we celebrated the 11th annual National Girls and Women in Sports Day. We had all kinds of star female athletes come here

to The Mall in Washington to celebrate the accomplishments of women in sports and to commemorate the upcoming anniversary of title IX.

I think this Federal statute is an example of good Government. What we attempted to do in this legislation is level the playing field for all Americans.

Title IX is an example of Government funding providing just such an opportunity in America. We have not reached the goal of equity for men and women in high school and college athletics. But we have come a tremendous way as indicated, in my opinion, by Lauren and Casandra telling me about their enthusiastic participation in rural Nevada athletics.

So as we approach the 25th anniversary of title IX this June we can be proud of the accomplishments made under this law while looking ahead to the goal of equal treatment for men and women in education and in sports.

In 1972, when this law went into effect, about 1 out of every 30 girls in high school played sports. Today it is 1 in 3. Now women account for 34 percent of athletic participants in high school and college sports.

In 1972, just a small amount of money was spent nationwide on athletic scholarships for women—less than \$100,000. Today it is approaching \$200 million. Fifty-five percent of women participate in high school sports.

A recent USA Today analysis of 303 NCAA Division I schools found that women comprised 37 percent of all athletes at these schools. There has been an increase even since 1992 in girls participating in college athletics. It is up over 20 percent.

It is a great accomplishment to have one of your children graduate from college. I have had that opportunity with my children. But it is also a great thrill to watch your children participate in athletics at the high school level and at the college level. Only one of my children has participated in athletics at the college level. But that was a great thrill for me to watch my young boy play on three national NCAA championship teams on three separate occasions. He played soccer at the University of Virginia, where they were national champions. Girls should have the same opportunity that my son had to play Division I and Division II college athletics.

Nationwide, 7 million women of all ages play soccer. The number of NCAA Division I women's soccer teams has increased from 22 in 1982 to over 200 now. That is a significant increase. Thanks to title IX, more women are going to college, more women are getting scholarships, and more women are playing sports at a competitive level.

I have always been one that supported college athletics. While some criticize competitive athletics in college, I think they are great. Athletics allows people who would never have set foot within a university campus to get an education. They don't always graduate, even though the graduation rates