

Statement on Signing the Volunteer Protection Act of 1997

June 19, 1997

I have signed into law S. 543, the "Volunteer Protection Act of 1997," which will provide volunteers working for nonprofit and governmental entities certain protections from civil liability. Through citizen service, Americans recognize that we are responsible for one another and that we are members of a true community. All levels of government should encourage citizens to volunteer for service. This bill is a small part of what the Federal Government is doing to help our citizens serve as volunteers.

This legislation is a limited and targeted bill that deals with the specific concerns of individuals serving our communities without compensation. It preserves for the States, the traditional source of tort law, not only the ability to opt out of the bill's provisions in most cases, but also the right to require proper licensing and evidence of financial responsibility. It is important to note that none of the bill's limitations on liability will apply to misconduct that constitutes a crime of violence, an act of international terrorism, or a hate crime, or to misconduct that involves intoxication, drug use, a sexual offense, or the violation of any State or Federal civil rights laws. The bill does not apply to actions on behalf of any organization that engages in hate crimes. Also, S. 543 does not interfere with State law regarding the liability of volunteer organizations.

I remain concerned, however, that S. 543 contains both an absolute prohibition on joint and several liability of volunteers for noneconomic damages and elements of one-way preemption of State law. These are both modifications of tort law that make it harder for innocent injured parties to recover. I emphasize that my signing this specialized and limited bill, which is designed to promote individual citizen service, in no way mitigates the concern about these issues that I raised in my veto message on the product liability bill presented to me last year (H.R. 956, 104th Congress).

On balance, however, S. 543 will encourage volunteer citizen service without unduly affecting the rights of citizens who benefit from such service. I am pleased to have signed the bill.

WILLIAM J. CLINTON

The White House, June 19, 1997.