

Farr LaTourette
 Fattah Laughlin
 Fawell Lazio
 Fazio Leach
 Fields (LA) Levin
 Filner Lewis (CA)
 Flake Lewis (GA)
 Flanagan Lewis (KY)
 Foglietta Lightfoot
 Foley Lincoln
 Forbes Linder
 Ford Lipinski
 Fowler Livingston
 Fox LoBiondo
 Frank (MA) Lofgren
 Franks (CT) Longley
 Franks (NJ) Lowey
 Frelinghuysen Lucas
 Frisa Luther
 Frost Maloney
 Funderburk Manton
 Furse Manzullo
 Gallegly Markey
 Gejdenson Martinez
 Gekas Martini
 Gephardt Mascara
 Gilchrest Matsui
 Gillmor McCarthy
 Gilman McCollum
 Gonzalez McCrery
 Goodlatte McDade
 Goodling McDermott
 Gordon McHale
 Goss McHugh
 Graham McInnis
 Green (TX) McIntosh
 Greene (UT) McKeon
 Greenwood McKinney
 Gunderson McNulty
 Gutierrez Meehan
 Gutknecht Meek
 Hall (OH) Menendez
 Hall (TX) Metcalf
 Hamilton Meyers
 Hancock Mica
 Hastert Millender-
 Hastings (FL) McDonald
 Hastings (WA) Miller (CA)
 Hayworth Miller (FL)
 Hefley Minge
 Hefner Mink
 Heineman Moakley
 Herger Molinari
 Hilleary Mollohan
 Hilliard Montgomery
 Hinchey Moorhead
 Hobson Moran
 Hoekstra Morella
 Hoke Murtha
 Holden Myers
 Horn Myrick
 Hostettler Neal
 Houghton Nethercutt
 Hoyer Neumann
 Hunter Ney
 Hutchinson Norwood
 Hyde Nussle
 Inglis Oberstar
 Istook Obey
 Jackson (IL) Olver
 Jackson-Lee Ortiz
 (TX) Orton
 Jacobs Owens
 Jefferson Oxley
 Johnson (CT) Packard
 Johnson (SD) Pallone
 Johnson, E. B. Parker
 Johnson, Sam Pastor
 Johnston Paxon
 Jones Payne (NJ)
 Kanjorski Payne (VA)
 Kaptur Pelosi
 Kasich Peterson (FL)
 Kelly Peterson (MN)
 Kennedy (MA) Petri
 Kennedy (RI) Pickett
 Kennelly Pombo
 Kildee Pomeroy
 Kim Porter
 King Portman
 Kleczka Poshard
 Klink Pryce
 Klug Quinn
 Knollenberg Radanovich
 Kolbe Rahall
 LaFalce Ramstad
 LaHood Rangel
 Largent Reed
 Latham Regula

Richardson
 Riggs
 Rivers
 Roberts
 Roemer
 Rogers
 Rohrabacher
 Ros-Lehtinen
 Roth
 Roukema
 Roybal-Allard
 Royce
 Rush
 Sabo
 Salmon
 Sanders
 Sawyer
 Saxton
 Scarborough
 Schaefer
 Schiff
 Schroeder
 Schumer
 Scott
 Seastrand
 Sensenbrenner
 Serrano
 Shadegg
 Shaw
 Shays
 Shuster
 Sisisky
 Skaggs
 Skeen
 Skelton
 Slaughter
 Smith (MI)
 Smith (NJ)
 Smith (TX)
 Smith (WA)
 Solomon
 Souder
 Spence
 Spratt
 Stark
 Stearns
 Stenholm
 Stockman
 Stokes
 Studds
 Stump
 Stupak
 Talent
 Tanner
 Tate
 Tauzin
 Taylor (MS)
 Taylor (NC)
 Tejada
 Thomas
 Thompson
 Thornberry
 Thornton
 Thurman
 Tiahrt
 Torkildsen
 Torres
 Torricelli
 Towns
 Traficant
 Upton
 Velazquez
 Vento
 Visclosky
 Volkmer
 Vucanovich
 Walker
 Walsh
 Wamp
 Ward
 Waters
 Watt (NC)
 Watts (OK)
 Waxman
 Weldon (FL)
 Weldon (PA)
 Weller
 White
 Whitfield
 Wicker
 Wilson
 Wise
 Wolf
 Woolsey
 Wynn
 Yates
 Young (FL)
 Zimmer

NOT VOTING—25

Canady Fields (TX)
 Chrysler Ganske
 Collins (IL) Geren
 Conyers Gibbons
 de la Garza Hansen
 Deutsch Harman
 Dooley Hayes
 Kingston
 Engel Lantos

□ 1514

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mrs. MEYERS of Kansas. Mr. Speaker, I ask unanimous consent that all Members be given 5 legislative days to revise and extend their remarks and include extraneous material on H.R. 3719.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kansas?

There was no objection.

PERSONAL EXPLANATION

Mr. KINGSTON. Mr. Speaker, I was unavoidably absent from rollcall votes Nos. 402, 403, 404, 405, and 406 because of a mandatory evacuation in my hometown of Savannah, GA, due to Hurricane Fran's approach to the Georgia coastline. If I had been present I would have voted "yes" on all five of these votes.

BILL EMERSON GOOD SAMARITAN FOOD DONATION ACT

Mr. GOODLING. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 2428) to encourage the donation of food and grocery products to nonprofit organizations for distribution to needy individuals by giving the Model Good Samaritan Food Donation Act the full force and effect of law, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Senate amendments: Page 2, line 8, after "striking" insert: "the title heading and".

Page 2, strike out line 15 and insert: Samaritan";

(C) in subsection (b)(7), to read as follows: "(7) GROSS NEGLIGENCE.—The term 'gross negligence' means voluntary and conscious conduct (including a failure to act) by a person who, at the time of the conduct, knew that the conduct was likely to be harmful to the health or well-being of another person.";

Page 2, strike out all after line 15, over to and including line 11 on page 3 and insert: (D) by striking subsection (c) and inserting the following:

"(C) LIABILITY FOR DAMAGES FROM DONATED FOOD AND GROCERY PRODUCTS.—

"(1) LIABILITY OF PERSON OR GLEANER.—A person or gleaner shall not be subject to civil or criminal liability arising from the nature, age, packaging, or condition of apparently wholesome food or an apparently fit grocery product that the person or gleaner donates in good faith to a nonprofit organization for ultimate distribution to needy individuals.

"(2) LIABILITY OF NONPROFIT ORGANIZATION.—A nonprofit organization shall not be subject to civil or criminal liability arising from the nature, age, packaging, or condition of apparently wholesome food or an apparently fit grocery product that the nonprofit organization received as a donation in good faith from a person or gleaner for ultimate distribution to needy individuals.

"(3) EXCEPTION.—Paragraphs (1) and (2) shall not apply to an injury to or death of an ultimate user or recipient of the food or grocery product that results from an act or omission of the person, gleaner, or nonprofit organization, as applicable, constituting gross negligence or intentional misconduct."; and

Page 3, after line 11 insert:

(E) in subsection (f), by adding at the end the following: "Nothing in this section shall be construed to supersede State or local health regulations.".

Page 4, after line 1 insert:

(C) CONFORMING AMENDMENT.—The table of contents for the National and Community Service Act of 1990 is amended by striking the items relating to title IV.

Mr. GOODLING (during the reading).

Mr. Speaker, I ask unanimous consent that the Senate amendments be considered as read and printed in the RECORD.

The SPEAKER pro tempore (Mr. BARRETT of Nebraska). Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The SPEAKER pro tempore. Is there objection to the original request of the gentleman from Pennsylvania?

Mr. CLAY. Mr. Speaker, reserving the right to object, although I do not intend to object, I ask the gentleman from Pennsylvania [Mr. GOODLING] to offer an explanation of his request.

Mr. GOODLING. Mr. Speaker, will the gentleman yield?

Mr. CLAY. I yield to the gentleman from Pennsylvania.

Mr. GOODLING. Mr. Speaker, on July 12 the House passed H.R. 2428, the Bill Emerson Good Samaritan Food Donation Act, which would have the effect of increasing the donation of food products to needy individuals and their families. This legislation also paid tribute to one of the finest Members of this body with whom I have had the privilege to serve, Bill Emerson.

The Senate has now acted on this legislation and returned it to this body for final action. The only major change to the bill is the inclusion of language that makes it explicit that nothing in the act supersedes State or local health regulations. It also makes minor clarifying changes with respect to the definition of gross negligence.

Mr. Speaker, the threat of liability often inhibits the donation of food to feed the needy. Individuals and corporations who are interested in donating food often do not because they are afraid of what will happen should such food cause harm to recipients. This legislation eliminates the threat of liability, except in instances of intentional harm and gross negligence, and it deserves our support.

Mr. Speaker, the legislation meant a great deal to Bill Emerson and its enactment into law will be a fitting tribute to a man who was committed to