

105TH CONGRESS
1ST SESSION

S. 1351

To amend the Sikes Act to establish a mechanism by which outdoor recreation programs on military installations will be accessible to disabled veterans, military dependents with disabilities, and other persons with disabilities.

IN THE SENATE OF THE UNITED STATES

OCTOBER 30, 1997

Mr. BURNS introduced the following bill; which was read twice and referred to the Committee on Armed Services

A BILL

To amend the Sikes Act to establish a mechanism by which outdoor recreation programs on military installations will be accessible to disabled veterans, military dependents with disabilities, and other persons with disabilities.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Disabled Sportsmen’s
5 Access Act”.

1 **SEC. 2. OUTDOOR RECREATION DEVELOPMENT ON MILI-**
 2 **TARY INSTALLATIONS FOR DISABLED VETER-**
 3 **ANS, MILITARY DEPENDENTS WITH DISABIL-**
 4 **ITIES, AND OTHER PERSONS WITH DISABIL-**
 5 **ITIES.**

6 (a) FINDINGS.—Congress finds the following:

7 (1) The Department of Defense is the steward
 8 of nearly 30,000,000 acres of lands and resources
 9 managed for a variety of recreational activities.

10 (2) The Department of Veterans Affairs reports
 11 that nearly 9,000,000 veterans are classified as dis-
 12 abled. Of these disabled veterans, nearly 78,000 suf-
 13 fer from serious spinal cord injuries.

14 (3) Outdoor recreational opportunities are im-
 15 portant for people with disabilities and add an intan-
 16 gible improvement to the quality of life.

17 (4) A 1996 survey conducted by the Paralyzed
 18 Veterans of America found that the number one rec-
 19 reational activity for members of the organization
 20 was fishing, followed closely by hunting, and that
 21 outdoor recreational activities generally led every
 22 category of the survey.

23 (b) ACCESS FOR DISABLED VETERANS, MILITARY
 24 DEPENDENTS WITH DISABILITIES, AND OTHER PERSONS
 25 WITH DISABILITIES.—Section 103 of the Act of Septem-
 26 ber 15, 1960 (commonly known as the Sikes Act; 16

1 U.S.C. 670c), is amended by adding at the end the follow-
2 ing new subsections:

3 “(b) ACCESS FOR DISABLED VETERANS, MILITARY
4 DEPENDENTS WITH DISABILITIES, AND OTHER PERSONS
5 WITH DISABILITIES.—(1) In developing facilities and con-
6 ducting programs for public outdoor recreation at military
7 installations, consistent with the primary military mission
8 of the installations, the Secretary of Defense shall ensure,
9 to the maximum extent practicable, that outdoor recre-
10 ation opportunities (including fishing, hunting, trapping,
11 wildlife viewing, boating, and camping) made available to
12 the public also provide equal access for persons described
13 in paragraph (2) when topographic, vegetative, and water
14 resources allow equal access without substantial modifica-
15 tion to the natural environment.

16 “(2) Persons referred to in paragraph (1) are dis-
17 abled veterans, military dependents with disabilities, and
18 other persons with disabilities.

19 “(3) The Secretary of Defense shall carry out this
20 subsection in consultation with the Secretary of Veterans
21 Affairs, national service, military, and veterans organiza-
22 tions, and sporting organizations in the private sector that
23 participate in outdoor recreation projects for persons de-
24 scribed in paragraph (2).

1 “(c) ACCEPTANCE OF DONATIONS.—In connection
2 with the facilities and programs for public outdoor recre-
3 ation at military installations, in particular the require-
4 ment under subsection (b) to provide equal access for per-
5 sons described in paragraph (2) of such subsection, the
6 Secretary of Defense may accept—

7 “(1) the voluntary services of individuals and
8 organizations; and

9 “(2) donations of money or property, whether
10 real, personal, mixed, tangible, or intangible.

11 “(d) TREATMENT OF VOLUNTEERS.—A volunteer
12 under subsection (c) shall not be considered to be a Fed-
13 eral employee and shall not be subject to the provisions
14 of law relating to Federal employment, including those re-
15 lating to hours of work, rates of compensation, leave, un-
16 employment compensation, and Federal employee benefits,
17 except that—

18 “(1) for the purposes of the tort claims provi-
19 sions of chapter 171 of title 28, United States Code,
20 the volunteer shall be considered to be a Federal em-
21 ployee;

22 “(2) for the purposes of subchapter I of chapter
23 81 of title 5, United States Code, relating to com-
24 pensation to Federal employees for work injuries,
25 the volunteer shall be considered to be an employee,

1 as defined in section 8101(1)(B) of title 5, United
2 States Code, and the provisions of such subchapter
3 shall apply; and

4 “(3) for purposes of the provisions of chapter
5 11 of part I of title 18, United States Code, the vol-
6 unteer (to whom such provisions would not otherwise
7 apply except for this subsection) shall be a special
8 Government employee.”.

9 (c) CONFORMING AMENDMENT.—Such section is fur-
10 ther amended by striking out “SEC. 103.” and inserting
11 in lieu thereof the following:

12 **“SEC. 103. PROGRAM FOR PUBLIC OUTDOOR RECREATION.**

13 **“(a) PROGRAM AUTHORIZED.—”.**

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