

110TH CONGRESS
2D SESSION

H. R. 4255

IN THE SENATE OF THE UNITED STATES

AUGUST 1, 2008

Received; read twice and referred to the Committee on Veterans' Affairs

AN ACT

To amend title 38, United States Code, to authorize the Secretary of Veterans Affairs to provide assistance to the Paralympic Program of the United States Olympic Committee, and for other purposes.

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

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “United States Olympic
3 Committee Paralympic Program Act of 2008”.

4 **SEC. 2. FINDINGS AND PURPOSE.**

5 (a) FINDINGS.—Congress makes the following find-
6 ings:

7 (1) In 1998, Congress enacted the Olympic and
8 Amateur Sports Act Amendments of 1998 (33
9 U.S.C. 101 note), which amended chapter 2205 of
10 title 36, United States Code, and included a state-
11 ment that the purpose of the Act was “to encourage
12 and provide assistance to amateur athletic programs
13 and competition for amateur athletes with disabili-
14 ties, including, where feasible, the expansion of op-
15 portunities for meaningful participation by such
16 amateur athletes in programs of athletic competition
17 for able-bodied amateur athletes”.

18 (2) The United States Olympic Committee
19 manages and administers the Paralympic Program
20 for physically disabled athletes.

21 (3) In 2005, the United States Olympic Com-
22 mittee entered into a memorandum of understanding
23 with the Secretary of Veterans Affairs to expand the
24 Paralympic Program to provide special training and
25 rehabilitation to disabled veterans and disabled

1 members of the Armed Forces as part of their reha-
2 bilitation and return to an active lifestyle.

3 (4) The Paralympic Program has a significant
4 positive effect on the quality of life of such veterans
5 and servicemembers, including helping to improve
6 the mobility, vitality, and physical, psychological,
7 and social well-being of disabled veterans and dis-
8 abled members of the Armed Forces who participate
9 in the program and reducing the incidence of sec-
10 ondary medical conditions in those participants.

11 (5) Because of Operation Iraqi Freedom and
12 Operation Enduring Freedom, the number of dis-
13 abled veterans and disabled members of the Armed
14 Forces has increased substantially and it is therefore
15 necessary to expand the scope and size of the
16 Paralympic Program to provide rehabilitative serv-
17 ices through sports to disabled veterans and mem-
18 bers of the Armed Forces.

19 (b) PURPOSE.—The purposes of this Act are as fol-
20 lows:

21 (1) To promote the lifelong health of disabled
22 veterans and disabled members of the Armed Forces
23 through regular participation in physical activity and
24 sports.

1 (2) To develop a system that promotes disabled
 2 sports from the local level through elite levels by cre-
 3 ating partnerships among organizations specializing
 4 in supporting, training, and promoting programs for
 5 disabled athletes.

6 (3) To provide training and support to local or-
 7 ganizations to provide Paralympic sports training to
 8 disabled veterans and disabled members of the
 9 Armed Forces in their own communities.

10 (4) To provide support to the United States
 11 Olympic Committee for the Paralympic Program to
 12 increase the participation of disabled veterans and
 13 disabled members of the Armed Forces in sports as
 14 part of their rehabilitation.

15 **SEC. 3. DEPARTMENT OF VETERANS AFFAIRS PROVISION**
 16 **OF ASSISTANCE TO UNITED STATES OLYMPIC**
 17 **COMMITTEE PARALYMPIC PROGRAM.**

18 (a) PROVISION OF ASSISTANCE AUTHORIZED.—Sub-
 19 chapter II of chapter 5 of title 38, United States Code,
 20 is amended by inserting after section 521 the following:

21 **“§ 521A. Assistance for United States Olympic Com-**
 22 **mittees Paralympic Program**

23 “(a) AUTHORIZATION TO PROVIDE ASSISTANCE.—
 24 The Secretary may make grants to the United States
 25 Olympic Committee to plan, develop, manage, and imple-

1 ment the Paralympic Program for disabled veterans and
2 disabled members of the Armed Forces.

3 “(b) OVERSIGHT BY SECRETARY.—As a condition of
4 receiving a grant under this section, the United States
5 Olympic Committee shall permit the Secretary to conduct
6 such oversight of the use of grant funds as the Secretary
7 determines is appropriate.

8 “(c) APPLICATION REQUIREMENT.—(1) Before the
9 Secretary may make a grant to the United States Olympic
10 Committee under this section, the Committee shall submit
11 to the Secretary an application that describes the activities
12 to be carried out with the grant, including information on
13 specific measurable goals and objectives to be achieved
14 using grant funds. The application shall include a detailed
15 description of all partnerships referred to in paragraph (2)
16 at the national and local levels that will be participating
17 in such activities and the amount of grant funds that will
18 be made available for each of such partnerships.

19 “(2) PARTNERSHIPS.—Partnerships referred to in
20 this paragraph are agreements between the United States
21 Olympic Committee and national organizations with sig-
22 nificant experience in the training and support of disabled
23 athletes and the promotion of disabled sports at the local
24 and national levels. Such organizations include Disabled
25 Sports USA, Blaze Sports, Paralyzed Veterans of Amer-

1 ica, and Disabled American Veterans. The agreements
2 shall detail the scope of activities and funding provided
3 by the United States Olympic Committee to the partner.

4 “(d) USE OF FUNDS.—(1) The United States Olym-
5 pic Committee, with the assistance and cooperation of the
6 Secretary and the heads of other appropriate Federal and
7 State departments and agencies and partnerships referred
8 to in subsection (c)(2), shall use a grant under this section
9 to recruit, support, encourage, schedule, facilitate, super-
10 vise, and implement the activities described in paragraph
11 (3) for disabled veterans and disabled members of the
12 Armed Forces either directly or by supporting a program
13 described in paragraph (2).

14 “(2) A program described in this paragraph is a sport
15 program that—

16 “(A) promotes basic physical activity, games,
17 recreation, training, and competition;

18 “(B) is approved by the Secretary; and

19 “(C)(i) provides services and activities described
20 in paragraph (3) for disabled veterans and disabled
21 members of the Armed Forces; and

22 “(ii) may also provide services and activities de-
23 scribed in paragraph (3) for individuals with disabil-
24 ities who are not veterans or members of the Armed
25 Forces, or both; except that funds made available to

1 carry out this section may not be used to support
2 those individuals with disabilities who are not vet-
3 erans or members of the Armed Forces.

4 “(3) Activities described in this paragraph are—

5 “(A) instruction, participation, and competition
6 in Paralympic sports;

7 “(B) training and technical assistance to pro-
8 gram administrators, coaches, recreational thera-
9 pists, instructors, Department employees, and other
10 appropriate individuals; and

11 “(C) coordination, Paralympic classification of
12 athletes, athlete assessment, sport-specific training
13 techniques, program development (including pro-
14 grams at the local level), program-specific medical
15 and personal care support, sports equipment, sup-
16 plies, program evaluation, and other activities re-
17 lated to the implementation and operation of the
18 program.

19 “(4) A grant made under this section may include,
20 at the discretion of the Secretary, an amount for adminis-
21 trative expenses, but not to exceed ten percent of the
22 amount of the grant.

23 “(5) Funds made available by the United States
24 Olympic Committee to a grantee under subsection (c) may

1 include an amount for administrative expenses, but not
2 to exceed ten percent of the amount of such funds.

3 “(e) OUTREACH REQUIREMENT.—The Secretary
4 shall conduct an outreach campaign to inform all eligible
5 veterans and separating members of the Armed Forces
6 with physical disabilities about the existence of the
7 Paralympic Program and shall provide for, facilitate, and
8 encourage participation of such veterans and separating
9 servicemembers in programs under this section to the ex-
10 tent possible.

11 “(f) COORDINATION.—The Secretary shall ensure ac-
12 cess to and use of appropriate Department facilities by
13 disabled veterans and disabled members of the Armed
14 Forces participating in the Paralympic Program to the
15 maximum extent possible and to the extent that such ac-
16 cess and use does not adversely affect any other assistance
17 provided to veterans.

18 “(g) AUTHORIZATION OF APPROPRIATIONS.—There
19 is authorized to be appropriated \$8,000,000 annually to
20 carry out this section.

21 “(h) SEPARATE ACCOUNTING.—The Department
22 shall have a separate line item in budget proposals of the
23 Department for funds to be appropriated to carry out this
24 section. Funds appropriated to carry out this section shall

1 not be commingled with any other funds appropriated to
2 the Department.

3 “(i) LIMITATION ON USE OF FUNDS.—Except as pro-
4 vided in subsections (d)(4) and (d)(5), funds appropriated
5 to carry out this section may not be used to support or
6 provide services to individuals who are not disabled vet-
7 erans or disabled members of the Armed Forces.”.

8 (b) CLERICAL AMENDMENT.—The table of sections
9 at the beginning of such chapter is amended by inserting
10 after the item relating to section 521 the following new
11 item:

“521A. Assistance for United States Olympic Committees Paralympic Pro-
gram.”.

12 (c) DEADLINE FOR MEMORANDUM OF UNDER-
13 STANDING.—The Secretary of Veterans Affairs may not
14 award a grant under section 521A of title 38, United
15 States Code, as added by subsection (a), until the United
16 States Olympic Committee has entered into a memo-
17 randum of understanding or cooperative agreement with
18 the Secretary regarding implementation of the Paralympic
19 Program. Such agreement shall be concluded not later
20 than 180 days after the date of the enactment of this Act.

1 **SEC. 4. DEPARTMENT OF VETERANS AFFAIRS OFFICE OF**
2 **NATIONAL VETERANS SPORTS PROGRAMS**
3 **AND SPECIAL EVENTS.**

4 (a) ESTABLISHMENT OF OFFICE OF NATIONAL VET-
5 ERANS SPORTS PROGRAMS AND SPECIAL EVENTS.—
6 Chapter 3 of title 38, United States Code, is amended by
7 adding at the end the following:

8 **“§ 321. Office of National Veterans Sports Programs**
9 **and Special Events**

10 “(a) ESTABLISHMENT.—There is in the Department
11 an Office of National Veterans Sports Programs and Spe-
12 cial Events. There is at the head of the Office a Director,
13 who shall report directly to the Assistant Secretary for
14 Public and Intergovernmental Affairs of the Department.

15 “(b) RESPONSIBILITIES OF DIRECTOR.—Subject to
16 the direction of the Secretary, the Director—

17 “(1) shall establish and carry out qualifying
18 programs and events;

19 “(2) may provide for sponsorship by the De-
20 partment of qualifying programs and events;

21 “(3) may provide for, facilitate, and encourage
22 participation by disabled veterans in qualifying pro-
23 grams and events; and

24 “(4) shall cooperate with the United States
25 Olympic Committee and its subsidiaries to promote
26 the participation of disabled veterans and disabled

1 members of the Armed Forces in sporting events
2 sponsored by the United States Olympic Committee
3 and its subsidiaries.

4 “(c) QUALIFYING PROGRAM OR EVENT.—For pur-
5 poses of this section, a qualifying program or event is a
6 sports program or other event in which disabled veterans
7 and disabled members of the Armed Forces participate
8 and that is approved by the Secretary as being consistent
9 with the goals and missions of the Department.

10 “(d) MONTHLY ASSISTANCE ALLOWANCE.—(1) The
11 Director may provide a monthly assistance allowance to
12 a veteran with a disability invited by the United States
13 Olympic Committee to compete for a slot on, or selected
14 for, the Paralympic Team for any month in which the vet-
15 eran is training or competing in any event sanctioned by
16 the United States Olympic Committee or who is residing
17 at a United States Olympic Committee training center.

18 “(2) The amount of the monthly assistance payable
19 to a veteran under paragraph (1) shall be equal to the
20 monthly amount of subsistence allowance that would be
21 payable to the veteran under chapter 31 of this title if
22 the veteran were eligible for and entitled to rehabilitation
23 under such chapter.

24 “(3) Any amount of assistance paid to a veteran
25 under this subsection shall be in addition to any other as-

1 sistance available to the veteran under any other provision
2 of law.

3 “(4) There is authorized to be appropriated to carry
4 out this subsection \$2,000,000 for fiscal year 2009 and
5 each fiscal year thereafter.

6 “(e) LIMITATION ON STATUTORY CONSTRUCTION.—
7 Nothing in this section shall be construed as a limitation
8 on current disabled sports and special events supported
9 by the Department.”.

10 (b) CLERICAL AMENDMENT.—The table of sections
11 at the beginning of such chapter is amended by adding
12 at the end the following new item:

“321. Office of National Veterans Sports Programs and Special Events.”.

13 (c) RESPONSIBILITIES OF UNDER SECRETARY FOR
14 HEALTH.—The Secretary of Veterans Affairs shall direct
15 the Under Secretary for Health of the Department of Vet-
16 erans Affairs—

17 (1) to make available, to the maximum extent
18 possible, recreational therapists, physical therapists,
19 and other medical staff to facilitate participation of
20 veterans in sporting events conducted under the aus-
21 pices of the United States Olympic Committee;

22 (2) to allow such personnel to participate in the
23 United States Olympic Committee Paralympic Pro-
24 gram without requiring the use of personal leave;
25 and

(3) to support other similar activities or events as those described in this section and determined to be appropriate by the Secretary.

Passed the House of Representatives July 31, 2008.

Attest: LORRAINE C. MILLER,
Clerk.