

110TH CONGRESS  
2D SESSION

# S. 3376

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.

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## IN THE SENATE OF THE UNITED STATES

JULY 31, 2008

Mr. SALAZAR introduced the following bill; which was read twice and referred to the Committee on Veterans' Affairs

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## A BILL

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,*

3 **SECTION 1. SHORT TITLE.**

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

6 **SEC. 2. FINDINGS AND PURPOSE.**

7 (a) FINDINGS.—Congress makes the following find-  
8 ings:

1           (1) In 1998, Congress enacted the Olympic and  
2       Amateur Sports Act Amendments of 1998, which  
3       amended chapter 2205 of title 36, United States  
4       Code, which included a statement that the purpose  
5       of the Act was “to encourage and provide assistance  
6       to amateur athletic programs and competition for  
7       amateur athletes with disabilities, including, where  
8       feasible, the expansion of opportunities for meaning-  
9       ful participation by such amateur athletes in pro-  
10      grams of athletic competition for able-bodied ama-  
11      teur athletes”.

12          (2) The United States Olympic Committee  
13      manages and administers the Paralympic Program  
14      for physically disabled athletes.

15          (3) In 2005, the United States Olympic Com-  
16      mittee entered into a memorandum of understanding  
17      with the Secretary of Veterans Affairs to expand the  
18      Paralympic Program to provide special training and  
19      rehabilitation to disabled veterans and disabled  
20      members of the Armed Forces as part of their reha-  
21      bilitation and return to an active lifestyle.

22          (4) The Paralympic Program has a significant  
23      positive effect on the quality of life of such veterans  
24      and servicemembers, including helping to improve  
25      the mobility, vitality, and physical, psychological,

1 and social well-being of disabled veterans and dis-  
2 abled members of the Armed Forces who participate  
3 in the program and reducing the incidence of sec-  
4 ondary medical conditions in those participants.

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

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

15 (1) To promote the life-long health of disabled  
16 veterans and disabled members of the Armed Forces  
17 through regular participation in physical activity and  
18 sports.

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

24 (3) To provide training and support to local or-  
25 ganizations to provide Paralympic sports training to

1 disabled veterans and disabled members of the  
 2 Armed Forces in their own communities.

3 (4) To provide support to the United States  
 4 Olympic Committee for the Paralympic Program to  
 5 increase the participation of disabled veterans and  
 6 disabled members of the Armed Forces in sports as  
 7 part of their rehabilitation.

8 **SEC. 3. DEPARTMENT OF VETERANS AFFAIRS PROVISION**  
 9 **OF ASSISTANCE TO UNITED STATES OLYMPIC**  
 10 **COMMITTEE PARALYMPIC PROGRAM.**

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

14 **“§ 521A. Assistance for the United States Olympic**  
 15 **Committee Paralympic Program**

16 **“(a) AUTHORIZATION TO PROVIDE ASSISTANCE.—**  
 17 The Secretary may make grants to the United States  
 18 Olympic Committee to plan, develop, manage, and imple-  
 19 ment the Paralympic Program for disabled veterans and  
 20 disabled members of the Armed Forces.

21 **“(b) OVERSIGHT BY SECRETARY.—**As a condition of  
 22 receiving a grant under this section, the United States  
 23 Olympic Committee shall permit the Secretary to conduct  
 24 such oversight of the use of grant funds as the Secretary  
 25 determines is appropriate.

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

12       “(2) PARTNERSHIPS.—Partnerships referred to in  
13 this paragraph are agreements between the United States  
14 Olympic Committee and national organizations with sig-  
15 nificant experience in the training and support of disabled  
16 athletes and the promotion of disabled sports at the local  
17 and national levels. Such organizations include Disabled  
18 Sports USA, Blaze Sports, Paralyzed Veterans of Amer-  
19 ica, and Disabled American Veterans. The agreements  
20 shall detail the scope of activities and funding provided  
21 by the United States Olympic Committee to the partner.

22       “(d) USE OF FUNDS.—(1) The United States Olym-  
23 pic Committee, with the assistance and cooperation of the  
24 Secretary and the heads of other appropriate Federal and  
25 State departments and agencies and partnerships referred

1 to in subsection (c)(2), shall use a grant under this section  
 2 to recruit, support, encourage, schedule, facilitate, super-  
 3 vise, and implement the activities described in paragraph  
 4 (3) for disabled veterans and disabled members of the  
 5 Armed Forces either directly or by supporting a program  
 6 described in paragraph (2).

7 “(2) A program described in this paragraph is a sport  
 8 program that—

9 “(A) promotes basic physical activity, games,  
 10 recreation, training, and competition;

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

12 “(C)(i) provides services and activities described  
 13 in paragraph (3) for disabled veterans and disabled  
 14 members of the Armed Forces; and

15 “(ii) may also provide services and activities de-  
 16 scribed in paragraph (3) for individuals with disabil-  
 17 ities who are not veterans or members of the Armed  
 18 Forces, or both; except that funds made available to  
 19 carry out this section may not be used to support  
 20 those individuals with disabilities who are not vet-  
 21 erans or members of the Armed Forces.

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

23 “(A) instruction, participation, and competition  
 24 in Paralympic sports;

1           “(B) training and technical assistance to pro-  
2           gram administrators, coaches, recreational thera-  
3           pists, instructors, Department employees, and other  
4           appropriate individuals; and

5           “(C) coordination, Paralympic classification of  
6           athletes, athlete assessment, sport-specific training  
7           techniques, program development (including pro-  
8           grams at the local level), program-specific medical  
9           and personal care support, sports equipment, sup-  
10          plies, program evaluation, and other activities re-  
11          lated to the implementation and operation of the  
12          program.

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

17          “(5) Funds made available by the United States  
18          Olympic Committee to a grantee under subsection (c) may  
19          include an amount for administrative expenses, but not  
20          to exceed ten percent of the amount of such funds.

21          “(e) OUTREACH REQUIREMENT.—The Secretary  
22          shall conduct an outreach campaign to inform all eligible  
23          veterans and separating members of the Armed Forces  
24          with physical disabilities about the existence of the  
25          Paralympic Program and shall provide for, facilitate, and

1 encourage participation of such veterans and separating  
2 servicemembers in programs under this section to the ex-  
3 tent possible.

4 “(f) COORDINATION.—The Secretary shall ensure ac-  
5 cess to and use of appropriate Department facilities by  
6 disabled veterans and disabled members of the Armed  
7 Forces participating in the Paralympic Program to the  
8 maximum extent possible and to the extent that such ac-  
9 cess and use does not adversely affect any other assistance  
10 provided to veterans.

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

14 “(h) SEPARATE ACCOUNTING.—The Department  
15 shall have a separate line item in budget proposals of the  
16 Department for funds to be appropriated to carry out this  
17 section. Funds appropriated to carry out this section shall  
18 not be commingled with any other funds appropriated to  
19 the Department.

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



1 (b) CLERICAL AMENDMENT.—The table of sections  
 2 at the beginning of such chapter is amended by inserting  
 3 after the item relating to section 521 the following new  
 4 item:

“521A. Assistance for United States Olympic Committee Paralympic Program.”.

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

14 **SEC. 4. DEPARTMENT OF VETERANS AFFAIRS OFFICE OF**  
 15 **NATIONAL VETERANS SPORTS PROGRAMS**  
 16 **AND SPECIAL EVENTS.**

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

21 **“§ 321. Office of National Veterans Sports Programs**  
 22 **and Special Events**

23 “(a) ESTABLISHMENT.—There is in the Department  
 24 an Office of National Veterans Sports Programs and Spe-  
 25 cial Events. There is at the head of the Office a Director,

1 who shall report directly to the Assistant Secretary for  
2 Public and Intergovernmental Affairs of the Department.

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

5 “(1) shall establish and carry out qualifying  
6 programs and events;

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

9 “(3) may provide for, facilitate, and encourage  
10 participation by disabled veterans in qualifying pro-  
11 grams and events; and

12 “(4) shall cooperate with the United States  
13 Olympic Committee and its subsidiaries to promote  
14 the participation of disabled veterans and disabled  
15 members of the Armed Forces in sporting events  
16 sponsored by the United States Olympic Committee  
17 and its subsidiaries.

18 “(c) QUALIFYING PROGRAM OR EVENT.—For pur-  
19 poses of this section, a qualifying program or event is a  
20 sports program or other event in which disabled veterans  
21 and disabled members of the Armed Forces participate  
22 and that is approved by the Secretary as being consistent  
23 with the goals and missions of the Department.

24 “(d) MONTHLY ASSISTANCE ALLOWANCE.—(1) The  
25 Director may provide a monthly assistance allowance to

1 a veteran with a disability invited by the United States  
2 Olympic Committee to compete for a slot on, or selected  
3 for, the Paralympic Team for any month in which the vet-  
4 eran is training or competing in any event sanctioned by  
5 the United States Olympic Committee or who is residing  
6 at a United States Olympic Committee training center.

7 “(2) The amount of the monthly assistance payable  
8 to a veteran under paragraph (1) shall be equal to the  
9 monthly amount of subsistence allowance that would be  
10 payable to the veteran under chapter 31 of this title if  
11 the veteran were eligible for and entitled to rehabilitation  
12 under such chapter.

13 “(3) Any amount of assistance paid to a veteran  
14 under this subsection shall be in addition to any other as-  
15 sistance available to the veteran under any other provision  
16 of law.

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

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

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

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

4 (c) RESPONSIBILITIES OF UNDER SECRETARY FOR  
 5 HEALTH.—The Secretary of Veterans Affairs shall direct  
 6 the Under Secretary for Health of the Department of Vet-  
 7 erans Affairs—

8 (1) to make available, to the maximum extent  
 9 possible, recreational therapists, physical therapists,  
 10 and other medical staff to facilitate participation of  
 11 veterans in sporting events conducted under the aus-  
 12 pices of the United States Olympic Committee;

13 (2) to allow such personnel to participate in the  
 14 United States Olympic Committee Paralympic Pro-  
 15 gram without requiring the use of personal leave;  
 16 and

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

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