

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

There was no objection.

# UNITED STATES OLYMPIC COMMITTEE PARALYMPIC PROGRAM ACT OF 2008

Mr. HARE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4255) 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, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4255

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

## SECTION 1. SHORT TITLE.

This Act may be cited as the "United States Olympic Committee Paralympic Program Act of 2008".

## SEC. 2. FINDINGS AND PURPOSE.

(a) FINDINGS.—Congress makes the following findings:

(1) In 1998, Congress enacted the Olympic and Amateur Sports Act Amendments of 1998 (33 U.S.C. 101 note), which amended chapter 2205 of title 36, United States Code, and included a statement that the purpose of the Act was "to encourage and provide assistance to amateur athletic programs and competition for amateur athletes with disabilities, including, where feasible, the expansion of opportunities for meaningful participation by such amateur athletes in programs of athletic competition for able-bodied amateur athletes".

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

(3) In 2005, the United States Olympic Committee entered into a memorandum of understanding with the Secretary of Veterans Affairs to expand the Paralympic Program to provide special training and rehabilitation to disabled veterans and disabled members of the Armed Forces as part of their rehabilitation and return to an active lifestyle.

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

(5) Because of Operation Iraqi Freedom and Operation Enduring Freedom, the number of disabled veterans and disabled members of the Armed Forces has increased substantially and it is therefore necessary to expand the scope and size of the Paralympic Program to provide rehabilitative services through sports to disabled veterans and members of the Armed Forces.

(b) PURPOSE.—The purposes of this Act are as follows:

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

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

(3) To provide training and support to local organizations to provide Paralympic sports training to disabled veterans and disabled mem-

bers of the Armed Forces in their own communities.

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

## SEC. 3. DEPARTMENT OF VETERANS AFFAIRS PROVISION OF ASSISTANCE TO UNITED STATES OLYMPIC COMMITTEE PARALYMPIC PROGRAM.

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

### "§521A. Assistance for United States Olympic Committees Paralympic Program

"(a) AUTHORIZATION TO PROVIDE ASSISTANCE.—The Secretary may make grants to the United States Olympic Committee to plan, develop, manage, and implement the Paralympic Program for disabled veterans and disabled members of the Armed Forces.

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

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

"(2) PARTNERSHIPS.—Partnerships referred to in this paragraph are agreements between the United States Olympic Committee and national organizations with significant experience in the training and support of disabled athletes and the promotion of disabled sports at the local and national levels. Such organizations include Disabled Sports USA, Blaze Sports, Paralyzed Veterans of America, and Disabled American Veterans. The agreements shall detail the scope of activities and funding provided by the United States Olympic Committee to the partner.

"(d) USE OF FUNDS.—(1) The United States Olympic Committee, with the assistance and cooperation of the Secretary and the heads of other appropriate Federal and State departments and agencies and partnerships referred to in subsection (c)(2), shall use a grant under this section to recruit, support, encourage, schedule, facilitate, supervise, and implement the activities described in paragraph (3) for disabled veterans and disabled members of the Armed Forces either directly or by supporting a program described in paragraph (2).

"(2) A program described in this paragraph is a sport program that—

"(A) promotes basic physical activity, games, recreation, training, and competition;

"(B) is approved by the Secretary; and

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

"(ii) may also provide services and activities described in paragraph (3) for individuals with disabilities who are not veterans or members of the Armed Forces, or both; except that funds made available to carry out this section may not be used to support those individuals with disabilities who are not veterans or members of the Armed Forces.

"(3) Activities described in this paragraph are—

"(A) instruction, participation, and competition in Paralympic sports;

"(B) training and technical assistance to program administrators, coaches, recreational therapists, instructors, Department employees, and other appropriate individuals; and

"(C) coordination, Paralympic classification of athletes, athlete assessment, sport-specific training techniques, program development (including programs at the local level), program-specific medical and personal care support, sports equipment, supplies, program evaluation, and other activities related to the implementation and operation of the program.

"(4) A grant made under this section may include, at the discretion of the Secretary, an amount for administrative expenses, but not to exceed ten percent of the amount of the grant.

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

"(e) OUTREACH REQUIREMENT.—The Secretary shall conduct an outreach campaign to inform all eligible veterans and separating members of the Armed Forces with physical disabilities about the existence of the Paralympic Program and shall provide for, facilitate, and encourage participation of such veterans and separating servicemembers in programs under this section to the extent possible.

"(f) COORDINATION.—The Secretary shall ensure access to and use of appropriate Department facilities by disabled veterans and disabled members of the Armed Forces participating in the Paralympic Program to the maximum extent possible and to the extent that such access and use does not adversely affect any other assistance provided to veterans.

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

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

"(i) LIMITATION ON USE OF FUNDS.—Except as provided in subsections (d)(4) and (d)(5), funds appropriated to carry out this section may not be used to support or provide services to individuals who are not disabled veterans or disabled members of the Armed Forces."

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

"521A. Assistance for United States Olympic Committees Paralympic Program."

(c) DEADLINE FOR MEMORANDUM OF UNDERSTANDING.—The Secretary of Veterans Affairs may not award a grant under section 521A of title 38, United States Code, as added by subsection (a), until the United States Olympic Committee has entered into a memorandum of understanding or cooperative agreement with the Secretary regarding implementation of the Paralympic Program. Such agreement shall be concluded not later than 180 days after the date of the enactment of this Act.

## SEC. 4. DEPARTMENT OF VETERANS AFFAIRS OFFICE OF NATIONAL VETERANS SPORTS PROGRAMS AND SPECIAL EVENTS.

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

### "§321. Office of National Veterans Sports Programs and Special Events

"(a) ESTABLISHMENT.—There is in the Department an Office of National Veterans Sports Programs and Special Events. There is at the head of the Office a Director, who shall report directly to the Assistant Secretary for Public and Intergovernmental Affairs of the Department.

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

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

“(2) may provide for sponsorship by the Department of qualifying programs and events;

“(3) may provide for, facilitate, and encourage participation by disabled veterans in qualifying programs and events; and

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

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

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

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

“(3) Any amount of assistance paid to a veteran under this subsection shall be in addition to any other assistance available to the veteran under any other provision of law.

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

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

(b) *CLERICAL AMENDMENT.*—The table of sections at the beginning of such chapter is amended by adding at the end the following new item: “321. Office of National Veterans Sports Programs and Special Events.”

(c) *RESPONSIBILITIES OF UNDER SECRETARY FOR HEALTH.*—The Secretary of Veterans Affairs shall direct the Under Secretary for Health of the Department of Veterans Affairs—

(1) to make available, to the maximum extent possible, recreational therapists, physical therapists, and other medical staff to facilitate participation of veterans in sporting events conducted under the auspices of the United States Olympic Committee;

(2) to allow such personnel to participate in the United States Olympic Committee Paralympic Program without requiring the use of personal leave; and

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

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Illinois (Mr. HARE) and the gentleman from Kansas (Mr. MORAN) each will control 20 minutes.

The Chair recognizes the gentleman from Illinois.

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Mr. HARE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, we must honor the sacrifice of our servicemembers by pro-

viding them with the resources needed to heal from the wounds of war and to help them live an active life after their service to our country.

While the VA has taken an active role in initiating programs for our most severely injured veterans, I strongly believe that Congress should provide the VA with the needed resources to help meet this growing demand for rehabilitative services. For this reason, H.R. 4255, the United States Paralympic Programs Act of 2008, is introduced, and I urge my colleagues to support this bill.

This bill would establish the Department of Veterans Affairs Office of National Veterans Sports Programs and Special Events; it would authorize the VA to provide grants to the United States Olympic Committee to implement the Paralympic Program; and, authorize a financial assistance program for veterans who participate in events leading to elite competition.

Mr. Speaker, it has been a decade since Congress last revisited this program that provides opportunities for participation in paralympic supports. Our Nation's current commitment in fighting the global war on terror has brought to light the need to reevaluate existing programs to see if they meet the needs of a new generation of disabled veterans and servicemembers.

As the number of disabled servicemembers has substantially increased over the years, it has become necessary to expand available rehabilitative services to ensure that these men and women are afforded the best possible care after their service to our Nation.

Mr. Speaker, I applaud the efforts of the VA for entering into a memorandum of agreement with the United States Olympic Committee to help take care of seriously injured veterans and allowing them to be part of the Paralympic Program. This program helps them to accept new physical limitations and to explore those limits. I, like some of my colleagues in the House, have had the pleasure of meeting some of these servicemembers and veterans who have benefited from programs such as the one being proposed today.

Earlier this year, the chairman had the pleasure of meeting Jose Ramos, a veteran of the Navy originally from El Paso, Texas. Jose testified before the Subcommittee on Economic Opportunity about benefits that adaptive sports programs provide in teaching veterans that they can continue to live productive lives despite their injuries.

I would like to thank the ranking member of the committee, Representative STEVE BUYER, for the bipartisan effort he demonstrated in working on this important piece of legislation. By working together, we were able to incorporate language from his bill and craft H.R. 4255. I ask all my colleagues to join me in showing their strong support for H.R. 4255 as amended, the United States Paralympic Program Act of 2008.

Mr. Speaker, I reserve the balance of my time.

Mr. BOOZMAN. Mr. Speaker, I rise in strong support of H.R. 4255 as amended, 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.

Mr. Speaker, I want to recognize the bipartisan manner in which this bill moved through the committee. I want to especially acknowledge Chairman FILNER for introducing H.R. 4255, the United States Olympic Committee Paralympic Act of 2008, and working with Subcommittee Chairwoman STEPHANIE HERSETH SANDLIN and myself to incorporate several provisions from Ranking Member STEVE BUYER's bill, H.R. 1370, Disabled Veterans Sports and Special Events Promotion Act of 2007, into the amended version of the bill.

In 2005, the VA and USOC concluded an agreement to increase efforts to increase participation by disabled veterans in sports at all levels as part of their rehabilitation from their injuries. Ranking Member BUYER was proud to play a role in encouraging the USOC and VA to reach that agreement. By combining those two bills, we will give VA and USOC Paralympics some of the resources they will need to meet that goal.

Through the grant program, this bill uses the USOC and its partners to equip, train, and support disabled veterans' sports, and I look forward to seeing the VA, USOC Paralympics, and their partners to ramp up their efforts.

Most importantly, I am excited that we will have at least 11 disabled veterans participating as members of the U.S. Paralympic team in Beijing. Mr. Speaker, I want to recognize these dedicated Americans who are the beginning of a larger disabled veteran participation in future games.

Disabled veterans on this year's Paralympic Team are:

Chuck Lear from Jacksonville, Illinois, archery;

Carlos Leon from North Lauderdale, Florida, track and field;

Kari Miller from Washington, D.C., sitting volleyball;

T.J. Pemberton from Guthrie, Oklahoma, archery;

Oscar Sanchez from Los Angeles, California, cycling;

Jennifer Schuble from Houston, Texas, cycling;

Melissa Stockwell from Minneapolis, Minnesota, swimming;

Kevin Stone from Kodak, Tennessee, archery;

Casey Tibbs from San Diego, California, track and field;

Scott Winkler from Grovetown, Georgia, track and field; and,

Russell Wolfe from Williamsburg, Virginia, archery.

I am also pleased to see a renewed commitment to providing training opportunities for disabled veterans at all levels of participation.

Mr. Speaker, as I said earlier, I believe Chairman FILNER and Ranking Member BUYER have created a bill that will encourage more disabled veterans to participate in sports from the local level up through elite competition such as the Paralympic Games beginning with games in Beijing. I urge my colleagues to support H.R. 4255, as amended.

I yield back the balance of my time.

Mr. FILNER. I thank Mr. BOOZMAN for participating in this debate and for his leadership on the committee.

#### GENERAL LEAVE

Mr. FILNER. I would ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 4255, as amended.

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

There was no objection.

Mr. FILNER. In conclusion, Mr. Speaker, all of us have been to hospitals, we have been to homes where we have seen disabled veterans, whether from the current war or previous wars. We all know that a major factor in their recovery, especially mentally, is a sense of self-worth, a sense that they have a future, a sense that although they have problems physically, they can overcome that and be productive members of our society.

For many of those veterans who were athletes or who were participating in athletics, the opportunity to participate again competitively is one of the most meaningful things they can have in their recovery. And what this program will do, the Paralympic Program, is give both disabled active duty and veterans, the opportunity to compete, to train, and to have that comradeship with fellow athletes, and to show that they are indeed human beings who can participate in this society. That is a major, major part of the healing process.

I urge my colleagues to support this.

Mr. BOOZMAN. Will the gentleman yield?

Mr. FILNER. I yield to the gentleman from Arkansas.

Mr. BOOZMAN. Mr. Speaker, I just want to associate myself with Mr. FILNER's remarks. I think he said it very, very well. For many individuals, for many soldiers this is such an important thing and truly is part of the healing process. And, again, I just associate myself with his remarks. I also want to again reiterate how much I appreciate Mr. FILNER working with Mr. BUYER to give us such a good bill.

Mr. FILNER. I thank the gentleman.

Ms. HERSETH SANDLIN. Mr. Speaker, as the Chairwoman of the Veterans' Affairs Economic Opportunity Subcommittee, I rise today in strong support of H.R. 4255, as amended, which the Economic Opportunity Subcommittee passed on June 26 and the full Committee approved on July 15.

I would like to congratulate Chairman FILNER for introducing this bill to authorize the VA

to make a grant to the United States Olympic Committee to provide and develop activities for servicemembers and veterans with physical disabilities. I also would like to thank full Committee Ranking Member BUYER for his leadership and willingness to work with the majority to combine provisions of his bill, H.R. 1370, with the Chairman's bill.

The United States Olympic Committee Paralympics Program Act will help increase the participation of disabled veterans in physical activities and sports to promote healthy-living, help elite-level athletes compete in sporting programs, and help our wounded servicemembers transition to the next stage in their lives.

Again, I thank the Chairman and Ranking Member BUYER for their leadership on this important issue. I encourage my colleagues to support H.R. 4255.

Mr. BUYER. Mr. Speaker, I rise in strong support of H.R. 4255, as amended, 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.

Mr. Speaker, I want to applaud the bipartisan manner in which this bill moved forward through the Committee. I want to especially acknowledge Chairman FILNER for introducing H.R. 4255, the United States Olympic Committee Paralympic Act of 2008 and working with Subcommittee Chairwoman STEPHANIE HERSETH SANDLIN and Ranking Member JOHN BOOZMAN to incorporate into the amended version of the bill several provisions from my bill, H.R. 1370, The Disabled Veterans Sports and Special Events Promotion Act of 2007.

In 2005, the VA and the USOC concluded an agreement to increase efforts to increase participation by disabled veterans in sports at all levels, as part of their rehabilitation from their injuries. I was privileged to participate in encouraging the USOC and VA to reach that agreement and by combining our two bills, we will give VA and the USOC Paralympics some of the resources they will need to meet that goal. I look forward to seeing the VA, USOC Paralympics and their partners ramp up their efforts and am excited that we will have at least 11 disabled veterans participating as members of the U.S. Paralympic Team in Beijing as a beginning of larger disabled veteran participation in the future games.

I am also pleased to see a renewed commitment to providing training opportunities for veterans that will be offered. Mr. Speaker, as I said earlier, I believe you and I have created a bill that will encourage more disabled veterans to participate in sports from the local level up through elite competition such as the Paralympic games beginning with games in Beijing. Through the grant program, this bill uses the USOC and its partners to equip, train and support disabled veterans' sports and I urge my colleagues to support this bill as amended.

Mr. Speaker, I urge all my colleagues to support H.R. 4255, as amended.

Mr. FILNER. I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Illinois (Mr. HARE) that the House suspend the rules and pass the bill, H.R. 4255, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. BOOZMAN. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

The point of no quorum is considered withdrawn.

#### MESSAGE FROM THE SENATE

A further message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate insists upon its amendment to the bill (H.R. 4137) "An Act to amend and extend the Higher Education Act of 1965, and for other purposes," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. KENNEDY, Mr. DODD, Mr. HARKIN, Ms. MIKULSKI, Mr. BINGAMAN, Mrs. MURRAY, Mr. REED, Mrs. CLINTON, Mr. OBAMA, Mr. SANDERS, Mr. BROWN, Mr. ENZI, Mr. GREGG, Mr. ALEXANDER, Mr. BURR, Mr. ISAKSON, Ms. MURKOWSKI, Mr. HATCH, Mr. ROBERTS, Mr. ALLARD, and Mr. COBURN, to be the conferees on the part of the Senate.

#### IMPROVING SCRA AND USERRA PROTECTIONS ACT OF 2008

Mr. FILNER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 6225) to amend title 38, United States Code, relating to equitable relief with respect to a State or private employer, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 6225

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Improving SCRA and USERRA Protections Act of 2008".

#### SEC. 2. EQUITY POWERS.

Section 4323(e) of title 38, United States Code, is amended by striking "may use" and inserting "shall use, in any case in which the court determines it is appropriate."

#### SEC. 3. RELIEF FOR STUDENTS WHO ARE MEMBERS OF ARMED FORCES DURING PERIOD OF MILITARY SERVICE.

(a) IN GENERAL.—Title VII of the Servicemembers Civil Relief Act (50 U.S.C. App. 591 et seq.) is amended by adding at the end the following new section:

#### "SEC. 707. TUITION, REENROLLMENT, AND STUDENT LOAN RELIEF FOR POSTSECONDARY STUDENTS CALLED TO MILITARY SERVICE.

"(a) TUITION AND REENROLLMENT.—Whenever a servicemember is called, activated, or ordered to military service and withdraws or takes a leave of absence from an institution of higher education in which the servicemember is enrolled, the institution shall—

"(1) provide a credit or refund to the servicemember the tuition and fees paid by