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REPORT
110–774

UNITED STATES OLYMPIC COMMITTEE PARALYMPIC PROGRAM ACT OF 2008

JULY 24, 2008.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. FILNER, from the Committee on Veterans' Affairs, submitted the following

R E P O R T

[To accompany H.R. 4255]

[Including cost estimate of the Congressional Budget Office]

The Committee on Veterans' Affairs, to whom was referred 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, having considered the same, report favorably thereon with an amendment and recommend that the bill as amended do pass.

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AMENDMENT

The amendment is as follows:

Strike all after the enacting clause and insert the following:

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 members 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.

PURPOSE AND SUMMARY

H.R. 4255, was introduced by Representative Bob Filner of California, the Chairman of the Committee on Veterans' Affairs, on December 4, 2007. As amended, the bill also includes provisions from H.R. 1370, introduced by Representative Steve Buyer of Indiana, the Ranking Member of the Committee on Veterans' Affairs. This legislation, as amended, would authorize the Secretary of the Department of Veterans Affairs (VA) to provide a grant to the United States Olympic Committee (USOC) and its partners with experience in disabled sports to implement the Paralympic Program by developing activities from the local level through elite competition for servicemembers and veterans with physical disabilities.

BACKGROUND AND NEED FOR LEGISLATION

The Olympic and Amateur Sports Act Amendments of 1998 (Public Law 105–277) updated the Amateur Sports Act of 1978 (Public Law 95–606) to reflect developments in amateur athletic programs for disabled athletes that had occurred over the 20-year period between the enactment of these two Acts. It has been a decade since Congress has revisited this law and our nation's current commitment to 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.

Thousands of members of the Armed Forces have been wounded during service in Operation Enduring Freedom and Operation Iraqi Freedom. This cost of war has placed a tremendous burden on the rehabilitation facilities of both the Department of Defense and the VA. As the number of disabled individuals has substantially increased over the years, it has become necessary to expand available rehabilitative services to ensure these men and women are afforded the best possible care after their service to our country. The Committee believes that adaptive sports offer an exceptional venue for disabled veterans to improve their rehabilitation outcomes and that a partnership between the VA and the USOC is an ideal way to accomplish that goal.

On November 17, 2005, the USOC and the VA signed a memorandum of understanding to increase participation in sports by disabled veterans and encourage those who qualify to compete for a spot on the U.S. Paralympic Team. The Committee staff has seen firsthand how allowing these men and women to participate in the Paralympic Program has significantly improved their quality of life.

In May 2008, Committee staff toured the USOC facilities and met with instructors, program developers and athletes. Committee staff also visited the U.S. Air Force Academy where the Paralympic Program was conducting training for the shot-put, discus, javelin, short run, and wheelchair competitions. Staff observed the consistently positive attitudes expressed by the disabled veterans participating in the training and several mentioned their desire to attempt to qualify for the U.S. Paralympic Team.

The Paralympic Program is taking seriously injured veterans and helping them to accept their new physical limitations and to explore those limits. The Program teaches veterans that they can live productive lives even though they are injured or disabled. The veterans learn how to use their new equipment, which can range from

a wheelchair to a prosthetic limb and engage in recreational events to help hone their fine motor skills and social events so they can see how others are coping with similar disabilities. Many of the instructors are amputees and have a very positive mental attitude and outlook on life. They make good role models for the recently injured servicemembers. Some of these instructors are still on active duty and take personal time to train these recently injured veterans. Committee staff was very impressed with the program, instructors, and the athletes.

Improving the quality of life for disabled servicemembers and veterans has proven successful in leading to a positive outlook on life and easing the transition to civilian life. The Committee believes that Congress should provide the VA with the needed resources to help meet this growing demand for rehabilitative services. To assist in this effort, H.R. 4255, as amended, authorizes $8 million annually to fund a grant program whereby VA can assist the USOC in expanding the opportunity for veterans and servicemembers to participate in the Paralympic Program and thereby improve the mobility, vitality, physical and psychological well-being of these brave men and women.

As part of the grant program, the Committee expects the USOC to establish partnership agreements with nationally recognized organizations such as Disabled Sports USA and others. The Committee believes that such agreements will facilitate participation by increased numbers of disabled veterans beginning with local events and progressing through increasingly skilled levels according to the capabilities of the disabled veteran.

H.R. 4255, as amended, would establish the Department of Veterans Affairs Office of National Veterans Sports Programs and Special Events. VA currently has a national office to manage its events such as the National Veterans Wheelchair Games and the National Veterans Winter Sports Clinic in cooperation with veteran service organizations such as the Paralyzed Veterans of America and the Disabled American Veterans. The Committee believes that an office with the goal of promoting rehabilitation through adaptive sports and other types of events is needed to ensure continuation of those events and cooperative opportunities. In addition, while the Paralympic Program has been fruitful, disabled veterans have not competed for membership on the U.S. Paralympic Team in significant numbers. To encourage additional participation of disabled veterans on the U.S. Paralympic Team, the bill authorizes $2 million to fund a financial assistance program for veterans who participate in events leading to elite competition.

HEARINGS

On March 13, 2008, the Subcommittee on Economic Opportunity held a hearing on the U.S. Paralympic Military Program. The following witnesses testified: Mr. Andy Krieger, Director of Sports and Recreation, Paralyzed Veterans of America; Mr. Adrian Atizado, Assistant National Legislative Director, Disabled American Veterans; Mr. Jose Ramos, a veteran from El Paso, Texas, accompanied by Ms. Julia Ray, Manager, Wounded Warrior Disabled Sports Project, Disabled Sports USA; Mr. Charles Huebner, Chief of Paralympics, United States Olympic Committee; and Dan D.

Scott, M.D., Physical and Rehabilitation Service, Denver VA Medical Center, U.S. Department of Veterans Affairs.

On June 19, 2008, the Subcommittee on Economic Opportunity held a legislative hearing on a number of bills introduced in the 110th Congress, including H.R. 4255. The following witnesses testified: The Honorable Bob Filner of California; The Honorable Dennis A. Cardoza of California; The Honorable Zoe Lofgren of California; The Honorable John R. Carter of Texas; The Honorable John Boozman of Arkansas; The Honorable Stephanie Herseth Sandlin of South Dakota; The Honorable Peter Welch of Vermont; Mr. Charles Huebner, Chief of Paralympics, United States Olympic Committee; Mr. Bobby Franklin, Executive Vice President, CTIA The Wireless Association; Mr. Kerry Baker, Associate National Legislative Director, Disabled American Veterans; Mr. Joseph C. Sharpe, Jr., Deputy Director, National Economic Commission, The American Legion; Mr. Richard Daley, Associate Legislation Director, Paralyzed Veterans of America; Mr. Rick Weidman, Executive Director for Policy and Government Affairs, Vietnam Veterans of America; and Mr. R. Keith Pedigo, Associate Deputy Under Secretary for Policy and Programs, U.S. Department of Veterans Affairs, accompanied by Ms. Diane Hartmann, Director, National Programs and Special Events, U.S. Department of Veterans Affairs. Those submitting statements for the record included: The Honorable Michael L. Dominguez, Principal Deputy Secretary of Defense (Personnel and Readiness), U.S. Department of Defense; The Honorable Charles Ciccolella, Assistant Secretary for Veterans' Employment and Training, U.S. Department of Labor; and Ms. Rebecca Noah Poynter, Owner, OnPoynt Communications, Dallas, Texas.

SUBCOMMITTEE CONSIDERATION

On June 26, 2008, the Subcommittee on Economic Opportunity met in open markup session and ordered favorably forwarded to the full Committee H.R. 4255, as amended, by voice vote. During consideration of the bill the following amendment was considered:

An amendment in the nature of a substitute by Mr. Hall of New York that would require the VA to conduct oversight of the Paralympic Program; require a separate budget line item for funding appropriated for this program; provide, subject to the availability of appropriations for this purpose, a monthly allowance for a veteran invited by the USOC to compete for a slot, or those selected for, the Paralympic Team; and, require the Under Secretary for Health to make available therapists and other medical staff to facilitate participation in sporting events, pay all appropriate expenses of VA personnel and not require employees to use personal leave to support events in Paralympic Program, was agreed to by voice vote.

COMMITTEE CONSIDERATION

On July 16, 2008, the full Committee met in an open markup session, a quorum being present, and ordered H.R. 4255, as amended, reported favorably to the House of Representatives, by voice vote. During consideration of the bill the following amendment was considered:

An amendment in the nature of a substitute by Ms. Herseth Sandlin of South Dakota that would make technical and conforming changes and clarify the intent of the legislation, was agreed to by voice vote.

COMMITTEE VOTES

Clause 3(b) of rule XIII of the Rules of the House of Representatives requires the Committee to list the record votes on the motion to report the legislation and amendments thereto. There were no record votes taken on amendments or in connection with ordering H.R. 4255 reported to the House. A motion by Mr. Buyer of Indiana to order H.R. 4255, as amended, reported favorably to the House of Representatives was agreed to by voice vote.

COMMITTEE OVERSIGHT FINDINGS

In compliance with clause 3(c)(1) of rule XIII and clause 2(b)(1) of rule X of the Rules of the House of Representatives, the Committee's oversight findings and recommendations are reflected in the descriptive portions of this report.

STATEMENT OF GENERAL PERFORMANCE GOALS AND OBJECTIVES

In accordance with clause 3(c)(4) of rule XIII of the Rules of the House of Representatives, the Committee's performance goals and objectives are reflected in the descriptive portions of this report.

NEW BUDGET AUTHORITY, ENTITLEMENT AUTHORITY, AND TAX EXPENDITURES

In compliance with clause 3(c)(2) of rule XIII of the Rules of the House of Representatives, the Committee adopts as its own the estimate of new budget authority, entitlement authority, or tax expenditures or revenues contained in the cost estimate prepared by the Director of the Congressional Budget Office pursuant to section 402 of the Congressional Budget Act of 1974.

EARMARKS AND TAX AND TARIFF BENEFITS

H.R. 4255 does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9(d), 9(e), or 9(f) of rule XXI of the Rules of the House of Representatives.

COMMITTEE COST ESTIMATE

The Committee adopts as its own the cost estimate on H.R. 4255 prepared by the Director of the Congressional Budget Office pursuant to section 402 of the Congressional Budget Act of 1974.

CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

Pursuant to clause 3(c)(3) of rule XIII of the Rules of the House of Representatives, the following is the cost estimate for H.R. 4255 provided by the Congressional Budget Office pursuant to section 402 of the Congressional Budget Act of 1974:

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, July 23, 2008.

HON. BOB FILNER,
Chairman, Committee on Veterans' Affairs,
House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for H.R. 4255, the United States Olympic Committee Paralympic Program Act of 2008.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Dwayne M. Wright.

Sincerely,

ROBERT A. SUNSHINE
(For Peter R. Orszag, Director).

Enclosure.

H.R. 4255—United States Olympic Committee Paralympic Program Act of 2008

Summary: H.R. 4255 would authorize the Department of Veterans Affairs (VA) to provide grants to the United States Olympic Committee (USOC) to implement the Paralympic Program for disabled veterans and disabled members of the armed forces. H.R. 4255 also would establish an Office of National Veterans Sports Programs and Special Events within VA. CBO estimates that implementing H.R. 4255 would cost $10 million in 2009 and $50 million over the 2009–2013 period, assuming appropriation of the authorized amounts. Enacting the bill would have no effect on direct spending or revenues.

H.R. 4255 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act (UMRA) and would impose no costs on state, local, or tribal governments.

Estimated cost to the Federal Government: The estimated budgetary impact of H.R. 4255 is shown in the following table. The costs of this legislation fall within budget function 700 (veterans benefits and services).

	By fiscal year, in millions of dollars—					
	2009	2010	2011	2012	2013	2009–2013
CHANGES IN SPENDING SUBJECT TO APPROPRIATION						
Paralympic Program:						
Authorization Level	8	8	8	8	8	40
Estimated Outlays	8	8	8	8	8	40
Office of National Veterans Sports Programs:						
Authorization Level	2	2	2	2	2	10
Estimated Outlays	2	2	2	2	2	10
Total Changes:						
Authorization Level	10	10	10	10	10	50
Estimated Outlays	10	10	10	10	10	50

Basis of estimate: Section 3 would allow VA to make grants to the USOC to plan, develop, manage, and implement the Paralympic Program for disabled veterans and disabled members of the armed services. VA would be authorized to provide $8 million in grant money per year to the USOC for those purposes. In order to receive the grant, the USOC would have to apply to VA and outline the activities and objectives it would expect to achieve using

the grant. CBO expects that implementing section 3 would cost $40 million over the 2009–2013 period, assuming appropriation of the authorized amounts.

Section 4 would establish the Office of National Veterans Sports and Special Events within VA. The goal of this office would be to promote the participation of disabled veterans and disabled members of the armed services in sporting events sponsored by the USOC. Through this office, VA would be authorized to provide a monthly allowance to certain veterans for any month in which they are in training for any USOC event or are residing at the USOC training center. Also, the Veterans Health Administration would be required, whenever possible, to provide recreational and physical therapists and other medical staff to facilitate the participation of veterans in any USOC-sanctioned activity. Under section 4, $2 million would be authorized annually to run the Office of National Veterans Sports and Special Events. CBO expects that implementing section 4 would cost $10 million over the 2009–2013 period, assuming appropriation of the authorized amounts.

Intergovernmental and private-sector impact: H.R. 4255 contains no intergovernmental or private-sector mandates as defined in UMRA and would impose no costs on state, local, or tribal governments.

Estimate prepared by: Federal costs: Dwayne M. Wright; Impact on state, local, and tribal governments: Lisa Ramirez-Branum; Impact on the private sector: Daniel Frisk.

Estimate approved by: Theresa Gullo, Deputy Assistant Director for Budget Analysis.

FEDERAL MANDATES STATEMENT

The Committee adopts as its own the estimate of Federal mandates regarding H.R. 4255 prepared by the Director of the Congressional Budget Office pursuant to section 423 of the Unfunded Mandates Reform Act.

ADVISORY COMMITTEE STATEMENT

No advisory committees within the meaning of section 5(b) of the Federal Advisory Committee Act would be created by H.R. 4255.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 3(d)(1) of rule XIII of the Rules of the House of Representatives, the Committee finds that the Constitutional authority for H.R. 4255 is provided by Article I, section 8 of the Constitution of the United States.

APPLICABILITY TO LEGISLATIVE BRANCH

The Committee finds that the legislation does not relate to the terms and conditions of employment or access to public services or accommodations within the meaning of section 102(b)(3) of the Congressional Accountability Act.

SECTION-BY-SECTION ANALYSIS OF THE LEGISLATION

Section 1. Short title

This section would provide the short title of H.R. 4255 as the "United States Olympic Committee Paralympics Program Act of 2008."

Section 2. Findings and purpose

Subsection (a) Findings

This subsection notes that Congress finds that: the United States Olympic Committee manages and administers the Paralympic Program for physically disabled athletes; 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 members and veterans of the Armed Forces; the Paralympic Program helps rehabilitate disabled members and veterans of the Armed Forces, reducing the incidence of secondary medical conditions in those participants; because of Operation Enduring Freedom and Operation Iraqi Freedom the number of disabled members and veterans has substantially increased; thereby, justifying the expansion of the Paralympic Program.

Subsection (b) Purpose

This subsection states that the purpose of this Act is to promote a healthy lifestyle of disabled veterans and members of the Armed Forces through physical activity and sports; increase outreach efforts for participation in disabled sports; create partnerships among organizations involved in helping disabled athletes; provide training to organizations that offer paralympic sports training to disabled veterans and members of the Armed Forces in their own communities; provide support to the United States Olympic Committee to increase participation in the Paralympic Program.

Section 3. Department of Veterans Affairs provision of assistance to United States Olympic Committee Paralympic Program

This section creates a new section 521A of title 38, United States Code, that would authorize the VA to provide grants to the USOC to implement the Paralympic Program. The VA would be required to conduct oversight of the use of the grant and the USOC would be required to submit an application to the Secretary that outlines the goal and objectives that would be achieved with the grant funds prior to receiving the grant. In addition, the grant application would provide a list of local and national partnerships that would be participating in activities proposed to be funded by the grant and the amount of grant funds that would be distributed to such other groups. Grant monies could only be used to support, supervise, and implement the activities for disabled veterans and members of the Armed Forces for a program approved by the Secretary that provides services and activities for disabled veterans and members of the Armed Forces.

Section 4. Department of Veterans Affairs Office of National Veterans Sports Programs and Special Events

This section would establish an Office of National Veterans Sports Programs and Special Events. The Office Director will report directly to the Assistant Secretary for Public and Intergovernmental Affairs. The Office Director would establish and carry out qualifying programs approved by the Secretary and facilitate and encourage participation of disabled veterans in such programs. Subject to the availability of appropriations for such purpose, the Office Director would be authorized to establish a monthly amount of subsistence allowance for certain veterans competing, or selected, for a spot on the U.S. Paralympic Team.

CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

In compliance with clause 3(e) of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as reported, are shown as follows (new matter is printed in italic and existing law in which no change is proposed is shown in roman):

TITLE 38, UNITED STATES CODE

* * * * * * *

PART I—GENERAL PROVISIONS

* * * * * * *

CHAPTER 3—DEPARTMENT OF VETERANS AFFAIRS

Sec.
301. Department.
* * * * * * *
321. Office of National Veterans Sports Programs and Special Events.
* * * * * * *

§ 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.

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CHAPTER 5—AUTHORITY AND DUTIES OF THE SECRETARY

SUBCHAPTER I—GENERAL AUTHORITIES

Sec.
501. Rules and regulations.

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SUBCHAPTER II—SPECIFIED FUNCTIONS

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

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SUBCHAPTER II—SPECIFIED FUNCTIONS

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§ 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.

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