

Calendar No. 286

116TH CONGRESS
1ST SESSION

S. 1608

To provide for the publication by the Secretary of Health and Human Services of physical activity recommendations for Americans.

IN THE SENATE OF THE UNITED STATES

MAY 22, 2019

Mr. WICKER (for himself, Mr. BROWN, Ms. SINEMA, Mrs. CAPITO, and Ms. WARREN) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

NOVEMBER 5, 2019

Reported by Mr. ALEXANDER, with an amendment

[Strike out all after the enacting clause and insert the part printed in italic]

A BILL

To provide for the publication by the Secretary of Health and Human Services of physical activity recommendations for Americans.

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 “Promoting Physical
5 Activity for Americans Act”.

1 **SEC. 2. PHYSICAL ACTIVITY RECOMMENDATIONS FOR**
2 **AMERICANS.**

3 (a) **REPORTS.—**

4 (1) **IN GENERAL.—**Not later than December 31,
5 2028, and at least every 10 years thereafter, the
6 Secretary of Health and Human Services (referred
7 to in this section as the “Secretary”) shall publish
8 a report that provides physical activity recommenda-
9 tions for the people of the United States. Each such
10 report shall contain physical activity information and
11 recommendations for consideration and use by the
12 general public, and shall be considered, as applicable
13 and appropriate, by relevant Federal agencies in ear-
14 nying out relevant Federal health programs.

15 (2) **BASIS OF RECOMMENDATIONS.—**The infor-
16 mation contained in each report required under
17 paragraph (1) shall be based on the most current
18 evidence-based scientific and medical knowledge at
19 the time the report is prepared, and shall include ad-
20 ditional information for population subgroups, such
21 as children or individuals with disabilities, if sci-
22 entific and medical evidence indicates that physical
23 activity recommendations vary in such a manner
24 that such stratification is warranted.

25 (3) **UPDATE REPORTS.—**Not later than 5 years
26 after the publication of the first report under para-

1 graph (1), and every 10 years thereafter, the Sec-
2 retary shall publish an updated report detailing evi-
3 dence-based practices and highlighting continuing
4 issues with respect to physical activity. The contents
5 of reports under this paragraph may focus on a par-
6 ticular group, subsection, or other division of the
7 general public or on a particular issue relating to
8 physical activity.

9 (b) INTERACTION WITH OTHER RECOMMENDA-
10 TIONS.—Federal agencies proposing to issue physical ac-
11 tivity recommendations that differ from the recommenda-
12 tions in the most recent report published under subsection
13 (a)(1) shall, as applicable and appropriate, take into con-
14 sideration the recommendations provided through reports
15 issued under this Act.

16 (c) EXISTING AUTHORITY NOT AFFECTED.—This
17 section is not intended to limit the support of biomedical
18 research by any Federal agency or to limit the presen-
19 tation or communication of scientific or medical findings
20 or review of such findings by any Federal agency.

21 (d) LIMITATION.—Notwithstanding any other provi-
22 sion of this Act, no physical fitness standard established
23 under this Act shall be binding on any individual as a mat-
24 ter of Federal law or regulation.

1 **SECTION 1. SHORT TITLE.**

2 *This Act may be cited as the “Promoting Physical Ac-*
3 *tivity for Americans Act”.*

4 **SEC. 2. PHYSICAL ACTIVITY RECOMMENDATIONS FOR**
5 **AMERICANS.**

6 (a) *REPORTS.*—

7 (1) *IN GENERAL.*—*Not later than December 31,*
8 *2028, and at least every 10 years thereafter, the Sec-*
9 *retary of Health and Human Services (referred to in*
10 *this section as the “Secretary”) shall publish a report*
11 *that provides physical activity recommendations for*
12 *the people of the United States. Each such report shall*
13 *contain physical activity information and rec-*
14 *ommendations for consideration and use by the gen-*
15 *eral public, and shall be considered, as applicable and*
16 *appropriate, by relevant Federal agencies in carrying*
17 *out relevant Federal health programs.*

18 (2) *BASIS OF RECOMMENDATIONS.*—*The infor-*
19 *mation contained in each report required under para-*
20 *graph (1) shall be based on the most current evidence-*
21 *based scientific and medical knowledge at the time the*
22 *report is prepared, and shall include additional rec-*
23 *ommendations for population subgroups, such as chil-*
24 *dren or individuals with disabilities, including infor-*
25 *mation regarding engagement in appropriate phys-*
26 *ical activity and avoiding inactivity.*

1 (3) *UPDATE REPORTS.*—Not later than 5 years
2 after the publication of the first report under para-
3 graph (1), and at least every 10 years thereafter, the
4 Secretary shall publish an updated report detailing
5 evidence-based practices and highlighting continuing
6 issues with respect to physical activity. The contents
7 of reports under this paragraph may focus on a par-
8 ticular group, subsection, or other division of the gen-
9 eral public or on a particular issue relating to phys-
10 ical activity.

11 (b) *INTERACTION WITH OTHER RECOMMENDA-*
12 *TIONS.*—Federal agencies proposing to issue physical activ-
13 ity recommendations that differ from the recommendations
14 in the most recent report published under subsection (a)(1)
15 shall, as applicable and appropriate, take into consider-
16 ation the recommendations provided through reports issued
17 under this Act.

18 (c) *EXISTING AUTHORITY NOT AFFECTED.*—This sec-
19 tion is not intended to limit the support of biomedical re-
20 search by any Federal agency or to limit the presentation
21 or communication of scientific or medical findings or re-
22 view of such findings by any Federal agency.

23 (d) *LIMITATION.*—Notwithstanding any other provi-
24 sion of this Act, no physical fitness standard established

1 *under this Act shall be binding on any individual as a mat-*
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