

109TH CONGRESS  
1ST SESSION

# H. R. 2240

To provide assistance for the development of indoor disease prevention and health promotion centers in urban and rural areas throughout the United States.

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## IN THE HOUSE OF REPRESENTATIVES

MAY 10, 2005

Mr. SANDERS (for himself, Mr. KUCINICH, Ms. CORRINE BROWN of Florida, Mr. OWENS, Mrs. CHRISTENSEN, Mr. PAYNE, Mr. MCGOVERN, and Mr. ABERCROMBIE) introduced the following bill; which was referred to the Committee on Energy and Commerce, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## A BILL

To provide assistance for the development of indoor disease prevention and health promotion centers in urban and rural areas throughout the United States.

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 “Urban and Rural Dis-  
5       ease Prevention and Health Promotion Act of 2005”.

6       **SEC. 2. CONGRESSIONAL FINDINGS.**

7       The Congress finds that—

1           (1) in 1999, 61 percent of adults in the United  
2 States were overweight or obese;

3           (2) all age, racial, and ethnic groups, and both  
4 genders, have experienced increases in the percent-  
5 age of persons who are overweight or obese;

6           (3) each year in the United States, approxi-  
7 mately 112,000 deaths are associated with obesity;

8           (4) overweight and obesity are associated with  
9 heart disease, certain types of cancer, type 2 diabe-  
10 tes, stroke, arthritis, breathing problems, and psy-  
11 chological disorders, such as depression;

12           (5) in 2000, the economic cost of obesity in the  
13 United States was approximately \$117,000,000,000;

14           (6) it is recommended that American adults ac-  
15 cumulate at least 30 minutes, and American chil-  
16 dren accumulate at least 60 minutes, of moderate  
17 physical activity most days of the week, though more  
18 may be needed to prevent weight gain, to lose  
19 weight, or to maintain weight loss;

20           (7) less than one-third of American adults en-  
21 gage in these recommended amounts of physical ac-  
22 tivity;

23           (8) 40 percent of adults in the United States do  
24 not participate in any leisure-time physical activity;

1           (9) physical activity is important in preventing  
 2           and treating overweight and obesity and is extremely  
 3           helpful in maintaining weight loss, especially when  
 4           combined with healthy eating;

5           (10) there is a direct positive relationship be-  
 6           tween the level of individual and community use of  
 7           public recreational facilities and services, access to  
 8           and condition of such facilities, and the diversity and  
 9           quality of services relative to current and potential  
 10          uses; and

11          (11) medical and other research document a di-  
 12          rect positive relationship between active recreation  
 13          and disease prevention and general wellness.

14 **SEC. 3. GRANT AND LOAN PROGRAM FOR INDOOR DISEASE**  
 15 **PREVENTION AND HEALTH PROMOTION CEN-**  
 16 **TERS.**

17          (a) **AUTHORITY.**—The Secretary of Housing and  
 18          Urban Development may make grants and loans in accord-  
 19          ance with this Act to eligible entities under section 4 for  
 20          the development of indoor centers for disease prevention  
 21          and health promotion.

22          (b) **CENTERS.**—For purposes of this Act, the term  
 23          “indoor disease prevention and health promotion center”  
 24          means a structure or facility, or a portion thereof, that—

1           (1) is used principally as an indoor recreational  
2       facility providing services, programs, and activities  
3       that result in disease prevention and health pro-  
4       motion, including direct recreation services for indi-  
5       viduals and groups, information on public and per-  
6       sonal health and wellness, health screening, and  
7       other necessary services in collaboration with public  
8       and private health professionals and other entities;

9           (2) is owned or controlled by the eligible entity  
10      that receives the grant or loan under this Act;

11          (3) is available for use by, and provides services  
12      to, residents of the jurisdiction of such eligible entity  
13      free of charge or at a charge not exceeding that nec-  
14      essary to provide for operation and maintenance of  
15      the facility and for appropriate public recreation  
16      services; and

17          (4) is subject to such legally binding and en-  
18      forceable commitments, as the Secretary shall re-  
19      quire, to ensure that the structure or facility, or por-  
20      tion thereof, is used as provided in paragraph (1) for  
21      the 25-year period beginning upon the receipt of a  
22      grant or loan made under this Act; except that the  
23      Secretary may, upon the request of an entity that  
24      received a grant or loan under this Act, waive the

1 applicability of such commitments if the Secretary  
2 finds that—

3 (A) environmental or other conditions have  
4 substantially reduced the public value of the fa-  
5 cility or public access to the facility; or

6 (B) the site or facility has substantially de-  
7 teriorated, through no fault of the entity that  
8 received the grant or loan, and such entity en-  
9 ters into an agreement with the Secretary to  
10 obtain or provide a replacement facility that  
11 generally provides access to services for persons  
12 that were served at the original facility.

13 **SEC. 4. ELIGIBLE ENTITIES.**

14 Grants and loans under this Act may be made only  
15 to the following entities:

16 (1) A unit of general local government.

17 (2) An official State, metropolitan, regional, or  
18 other area agency, district, public-purpose corpora-  
19 tion, or other limited-purpose political subdivision of  
20 a State, that is empowered under State or local laws  
21 or under an interstate compact or agreement to  
22 manage, administer, or provide public parks and rec-  
23 reational facilities.

24 (3) Public authorities or agencies associated  
25 with economic or community development or restora-

1       tion, whose activities support capital investments for  
2       public recreation.

3   **SEC. 5. ELIGIBLE USES OF ASSISTANCE.**

4       Amounts from a grant or loan under this Act may  
5       be used only for the development of indoor centers for dis-  
6       ease prevention and health promotion, which shall include  
7       the following activities:

8               (1) Planning.

9               (2) Design.

10              (3) Site acquisition, preparation, and construc-  
11       tion.

12              (4) Assessment of, and response to, site envi-  
13       ronmental conditions.

14              (5) Landscaping.

15              (6) New construction.

16              (7) Rehabilitation of existing recreational struc-  
17       tures and facilities.

18              (8) Enhancement and expansion of public infra-  
19       structure.

20              (9) Acquisition and conversion of existing non-  
21       recreational structures and facilities.

22   **SEC. 6. GRANT AND LOAN REQUIREMENTS.**

23       (a) AMOUNT.—The Secretary may not make a grant  
24       or loan under this Act for any fiscal year to any eligible

1 entity that has received a grant or loan during any of the  
2 preceding three fiscal years.

3 (b) LOANS.—Loans made with amounts made avail-  
4 able under this Act shall be subject to the following re-  
5 quirements:

6 (1) NO INTEREST LOANS.—Loans shall not  
7 bear interest.

8 (2) TERM.—Loans shall have a term to matu-  
9 rity not to exceed 10 years.

10 (3) REVOLVING LOAN FUND.—Loan amounts  
11 repaid to the Secretary shall be available to the Sec-  
12 retary, without fiscal year limitation, for making ad-  
13 ditional loans under this Act.

14 (4) OTHER CONDITIONS.—Loans shall be sub-  
15 ject to such other terms and conditions as the Sec-  
16 retary may establish.

17 (c) APPLICATIONS.—The Secretary shall provide for  
18 eligible entities to submit applications for grants and loans  
19 under this Act.

20 (d) SELECTION CRITERIA.—Not later than 60 days  
21 after the date of the enactment of this Act, the Secretary  
22 shall cause to be published in the Federal Register a list  
23 of criteria for the selection of applicant eligible entities  
24 for grants and loans under this Act. Such criteria shall  
25 be based upon factors that the Secretary considers are ap-

1 appropriate to determine need among communities for Fed-  
2 eral financial assistance for development of indoor disease  
3 prevention and health promotion centers.

4 (e) REVIEW OF APPLICATIONS AND SELECTION.—

5 (1) REVIEW PANEL.—The Secretary shall ap-  
6 point a panel of experts in the fields of public recre-  
7 ation, public health, and community health care to  
8 review applications for grants and loans under this  
9 Act and to make recommendations to the Secretary  
10 for selection of such applications for grants and  
11 loans based upon the criteria established pursuant to  
12 subsection (d).

13 (2) SELECTION.—The Secretary shall select eli-  
14 gible entities that have submitted applications for  
15 grants and loans under this Act to receive such as-  
16 sistance, based upon the criteria established pursu-  
17 ant to subsection (d) and taking into consideration  
18 the recommendations of the panel established pursu-  
19 ant to paragraph (1) of this subsection.

20 **SEC. 7. ALLOCATION OF AMOUNTS.**

21 (a) REGIONAL ALLOCATION.—Of any amounts made  
22 available for assistance under this Act for each fiscal  
23 year—

24 (1) 50 percent shall be made available for  
25 grants and loans for the development of indoor dis-



1 ease prevention and health promotion centers that  
2 will be located in units of general local government  
3 having a population of 50,000 or less; and

4 (2) 50 percent shall be made available for  
5 grants and loans for the development of indoor dis-  
6 ease prevention and health promotion centers that  
7 will be located in units of general local government  
8 having a population of more than 50,000.

9 (b) ALLOCATION FOR GRANTS AND LOANS.—Of any  
10 amounts made available for assistance under this Act for  
11 each fiscal year, the Secretary shall make not more than  
12 10 percent available for loans under this Act.

13 **SEC. 8. MATCHING FUNDS REQUIREMENT.**

14 (a) IN GENERAL.—The amount of a grant made  
15 under this Act by the Secretary to any eligible entity may  
16 not exceed the amount that the eligible entity certifies, as  
17 the Secretary shall require, that the entity will contribute  
18 from non-Federal sources for the activities under section  
19 5.

20 (b) SUPPLEMENTAL FUNDS.—In determining the  
21 amount contributed for purposes of meeting the require-  
22 ment under subsection (a), an eligible entity may include  
23 the value of any donated material or building, the value  
24 of any lease on a building, and the value of any adminis-  
25 trative or other costs incurred by an eligible entity relating

1 to carrying out the activities assisted with amounts pro-  
2 vided under this Act and amounts contributed under this  
3 section.

4 **SEC. 9. LABOR.**

5 (a) IN GENERAL.—Any contract for activities de-  
6 scribed in section 5 for an indoor center for disease pre-  
7 vention and health promotion that is developed in whole  
8 or in part with amounts made available under this Act  
9 shall contain—

10 (1) a provision requiring that not less than the  
11 wages prevailing in the locality, as determined or  
12 adopted (subsequent to a determination under appli-  
13 cable State or local law) by the Secretary, shall be  
14 paid to all architects, technical engineers, draftsmen,  
15 and technicians employed in the development of the  
16 center involved; and

17 (2) a provision requiring that not less than the  
18 wages prevailing in the locality, as predetermined by  
19 the Secretary of Labor pursuant to subchapter IV of  
20 chapter 31 of title 40, United States Code (40  
21 U.S.C. 3141 et seq.), shall be paid to all laborers  
22 and mechanics employed in the development of the  
23 center involved.

24 (b) COMPLIANCE.—Each eligible entity receiving as-  
25 sistance under this Act shall require certification as to

1 compliance with the provisions of this section before mak-  
2 ing any payment under such contract.

3 (c) INAPPLICABILITY TO VOLUNTEERS.—Subsection  
4 (a) shall not apply if the individual receives no compensa-  
5 tion or is paid expenses, reasonable benefits, or a nominal  
6 fee to perform the services for which the individual volun-  
7 teered and such persons are not otherwise employed at any  
8 time in the development work.

9 **SEC. 10. DEFINITIONS.**

10 For purposes of this Act, the following definitions  
11 shall apply:

12 (1) ELIGIBLE ENTITY.—The term “eligible enti-  
13 ty” means any entity that, under section 4, is eligi-  
14 ble to receive a grant or loan under this Act.

15 (2) SECRETARY.—The term “Secretary” means  
16 the Secretary of Housing and Urban Development.

17 (3) UNIT OF GENERAL LOCAL GOVERNMENT.—  
18 The term “unit of general local government” means  
19 any city, town, township, county, parish, village, or  
20 other general purpose political subdivision of a  
21 State.

22 **SEC. 11. AUTHORIZATION OF APPROPRIATIONS.**

23 There is authorized to be appropriated to the Sec-  
24 retary for grants and loans under this Act—

25 (1) \$100,000,000 for fiscal year 2006;

- 1           (2) \$125,000,000 for fiscal year 2007;
- 2           (3) \$150,000,000 for fiscal year 2008;
- 3           (4) \$175,000,000 for fiscal year 2009; and
- 4           (5) \$200,000,000 for fiscal year 2010.

5 **SEC. 12. REGULATIONS.**

6       The Secretary may issue any regulations necessary  
7 to carry out this Act.

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