

(ii) in subparagraph (B), by striking “, but subsequent” and inserting “, Subsequent”.

SEC. 304. AUTHORIZATION OF APPROPRIATIONS.

Section 275 (20 U.S.C. 9176) is amended—

(1) by striking subsection (a) and inserting the following:

“(a) GRANTS.—For the purpose of carrying out this subtitle, there are authorized to be appropriated to the Director \$38,600,000 for fiscal year 2011 and such sums as may be necessary for each of the fiscal years 2012 through 2016.”;

(2) by striking subsection (b);

(3) by redesignating subsection (c) as subsection (b); and

(4) by adding at the end the following:

“(c) FUNDING RULES.—Notwithstanding any other provision of this subtitle, if the amount appropriated under subsection (a) for a fiscal year is greater than the amount appropriated under such subsection for fiscal year 2011 by more than \$10,000,000, then an amount of not less than 30 percent but not more than 50 percent of the increase in appropriated funds shall be available, from the funds appropriated under such subsection for the fiscal year, to enter into arrangements under section 274 to carry out the State assessments described in section 274(a)(4) and to assist States in the implementation of such plans.”.

TITLE IV—REPEAL OF THE NATIONAL COMMISSION ON LIBRARIES AND INFORMATION SCIENCE ACT

SEC. 401. REPEAL.

(a) IN GENERAL.—The National Commission on Libraries and Information Science Act (20 U.S.C. 1501 et seq.) is repealed.

(b) TRANSFER OF FUNCTIONS.—The functions that the National Commission on Libraries and Information Science exercised before the date of enactment of this Act shall be transferred to the Institute of Museum and Library Services established under section 203 of the Museum and Library Services Act (20 U.S.C. 9102).

(c) TRANSFER AND ALLOCATION OF APPROPRIATIONS AND PERSONNEL.—The personnel and the assets, contracts, property, records, and unexpended balance of appropriations, authorizations, allocations, and other funds employed, held, used, arising from, available to, or to be made available for the functions and activities vested by law in the National Commission on Libraries and Information Science shall be transferred to the Institute of Museum and Library Services upon the date of enactment of this Act.

(d) REFERENCES.—Any reference to the National Commission on Libraries and Information Science in any Federal law, Executive Order, rule, delegation of authority, or document shall be construed to refer to the Institute of Museum and Library Services when the reference regards functions transferred under subsection (b).

The SPEAKER pro tempore (Mr. ALTMIRE). Pursuant to the rule, the gentleman from Arizona (Mr. GRIJALVA) and the gentleman from Wisconsin (Mr. PETRI) each will control 20 minutes.

The Chair recognizes the gentleman from Arizona.

GENERAL LEAVE

Mr. GRIJALVA. Mr. Speaker, I request 5 legislative days during which Members may revise and extend and insert extraneous material on S. 3984 into the RECORD.

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

There was no objection.

Mr. GRIJALVA. I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of Senate Bill 3984, which reauthorizes the Museum and Library Services Act. This bipartisan bill updates the MLSA to better reflect the role that libraries and museums play in our Nation's communities, and it ensures the preservation of collections for future generations.

Our Nation's libraries serve an important role in providing our communities with free access to all types of information and telecommunications services. During these difficult economic times, libraries are a lifeline to many without home access to computers or to the Internet in order to search for employment, to conduct research, or to access training resources. According to the American Library Association, two-thirds of our Nation's libraries report that they provide the only free access to computers and the Internet in their communities.

Within the last 2 years, libraries have experienced significant increases in demands for services, including helping patrons complete online job applications, creating resumes, and accessing job databases. This bill will enable libraries to continue offering these critical services to the American people.

The Senate bill will also help the Institute of Museum and Library Services to encourage more collaboration between agencies and programs to promote family literacy, technology education, and workforce development. These efforts will help libraries fully leverage their role as resource facilities and community centers. Additionally, this reauthorization enhances current training opportunities for professionals, and it supports the development of a diverse workforce, capable of meeting the 21st-century information needs of our communities.

□ 1610

Our Nation's museums are also a critical part of our country's educational and economic infrastructure, stimulating tourism and partnering with schools to support the local curriculum. According to the American Association of Museums, these centers of discovery and learning employ as many as half a million Americans nationwide and contribute approximately \$20.7 billion to the American economy each year.

Museums attract nearly 850 million visits per year and an additional 542 million via the Internet. Museums also include aquariums, botanical gardens, nature centers, and zoos. Over 175 million people visit accredited zoos and aquariums annually, and these institutions generate \$8.4 billion in annual U.S. economic activity. Zoos and aquariums provide millions of children with their only firsthand experiences with wildlife.

This bill also acts to strengthen capacity for conservation and preservation of museum collections and re-

quires that museums and diverse geographic regions of various types and sizes be supported.

Mr. Speaker, I want to thank the original Senate sponsors of this bill, Senators REED, ENZI, HARKIN, and BURR, as well as chairman of the House Education and Labor Committee, Mr. GEORGE MILLER, and Ranking Member KLINE for their leadership in bringing this important bipartisan legislation to the floor.

I urge my colleagues to join me in supporting this legislation to reauthorize the Museum and Library Services Act to help us preserve and enhance the critical role which libraries and museums play in our Nation's communities.

I reserve the balance of my time.

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

Mr. Speaker, the bill before us, the Museum and Library Services Act, reauthorizes the Institute for Museum and Library Services, the Federal agency that oversees Federal funds going to libraries and museums nationwide, and generally updates the law.

The Museum and Library Services Act authorizes funding for the Library Services and Technology Act and for Museum Services. The library program funding is distributed to States through a formula, and the funds are spent on a wide variety of libraries across our Nation. Through this bill, the Library Services and Technology Act is updated to require greater coordination and better leveraging of Federal and State investment in our Nation's libraries.

The museum funds are distributed through five competitive grant programs and two cooperative agreements. In this section of the bill, the Museum Services Act is updated to encourage greater collaboration between museums and other organizations to leverage resources and improve local communities. It also tries to strengthen capacity for the conservation and preservation of museum collections and helps support State efforts to leverage museum funds.

I yield back the balance of my time.

Mr. GRIJALVA. Mr. Speaker, this is a good piece of legislation. It enhances the quality of life for the American people. I urge its support, and I yield back the remainder of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Arizona (Mr. GRIJALVA) that the House suspend the rules and pass the bill, S. 3984.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

NATIONAL FOUNDATION ON FITNESS, SPORTS, AND NUTRITION ESTABLISHMENT ACT

Mr. GRIJALVA. Mr. Speaker, I move to suspend the rules and pass the bill

(S. 1275) to establish a National Foundation on Physical Fitness and Sports to carry out activities to support and supplement the mission of the President's Council on Physical Fitness and Sports.

The Clerk read the title of the bill.

The text of the bill is as follows:

S. 1275

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 "National Foundation on Fitness, Sports, and Nutrition Establishment Act".

SEC. 2. ESTABLISHMENT AND PURPOSE OF FOUNDATION.

(a) **ESTABLISHMENT.**—There is established the National Foundation on Fitness, Sports, and Nutrition (hereinafter in this Act referred to as the "Foundation"). The Foundation is a charitable and nonprofit corporation and is not an agency or establishment of the United States.

(b) **PURPOSES.**—The purposes of the Foundation are—

(1) in conjunction with the Office of the President's Council on Fitness, Sports and Nutrition, to develop a list and description of programs, events and other activities which would further the purposes and functions outlined in Executive Order 13265, as amended, and with respect to which combined private and governmental efforts would be beneficial;

(2) to encourage and promote the participation by private organizations in the activities referred to in subsection (b)(1) and to encourage and promote private gifts of money and other property to support those activities; and

(3) in consultation with such Office, to undertake and support activities to further the purposes and functions of such Executive Order.

(c) **PROHIBITION ON FEDERAL FUNDING.**—The Foundation may not accept any Federal funds.

SEC. 3. BOARD OF DIRECTORS OF THE FOUNDATION.

(a) **ESTABLISHMENT AND MEMBERSHIP.**—The Foundation shall have a governing Board of Directors (hereinafter referred to in this Act as the "Board"), which shall consist of 9 members each of whom shall be a United States citizen and—

(1) 3 of whom should be knowledgeable or experienced in one or more fields directly connected with physical fitness, sports, nutrition, or the relationship between health status and physical exercise; and

(2) 6 of whom should be leaders in the private sector with a strong interest in physical fitness, sports, nutrition, or the relationship between health status and physical exercise. The membership of the Board, to the extent practicable, should represent diverse professional specialties relating to the achievement of physical fitness through regular participation in programs of exercise, sports, and similar activities, or to nutrition. The Assistant Secretary for Health, the Executive Director of the President's Council on Fitness, Sports and Nutrition, the Director for the National Center for Chronic Disease Prevention and Health Promotion, the Director of the National Heart, Lung, and Blood Institute, and the Director for the Centers for Disease Control and Prevention shall be ex officio, nonvoting members of the Board. Appointment to the Board or its staff shall not constitute employment by, or the holding of an office of, the United States for the purposes of laws relating to Federal employment.

(b) **APPOINTMENTS.**—Within 90 days from the date of enactment of this Act, the members of the Board shall be appointed by the Secretary in accordance with this subsection. In selecting individuals for appointments to the Board, the Secretary should consult with—

(1) the Speaker of the House of Representatives concerning the appointment of one member;

(2) the Majority Leader of the House of Representatives concerning the appointment of one member;

(3) the Majority Leader of the Senate concerning the appointment of one member;

(4) the President Pro Tempore concerning the appointment of one member;

(5) the Minority Leader of the House of Representatives concerning the appointment of one member; and

(6) the Minority Leader of the Senate concerning the appointment of one member.

(c) **TERMS.**—The members of the Board shall serve for a term of 6 years, except that the original members of the Board shall be appointed for staggered terms as determined appropriate by the Secretary. A vacancy on the Board shall be filled within 60 days of the vacancy in the same manner in which the original appointment was made and shall be for the balance of the term of the individual who was replaced. No individual may serve more than 2 consecutive terms as a member.

(d) **CHAIRMAN.**—The Chairman shall be elected by the Board from its members for a 2-year term and shall not be limited in terms or service, other than as provided in subsection (c).

(e) **QUORUM.**—A majority of the current membership of the Board shall constitute a quorum for the transaction of business.

(f) **MEETINGS.**—The Board shall meet at the call of the Chairman at least once a year. If a member misses 3 consecutive regularly scheduled meetings, that member may be removed from the Board and the vacancy filled in accordance with subsection (c).

(g) **REIMBURSEMENT OF EXPENSES.**—Members of the Board shall serve without pay, but may be reimbursed for the actual and necessary traveling and subsistence expenses incurred by them in the performance of the duties of the Foundation, subject to the same limitations on reimbursement that are imposed upon employees of Federal agencies.

(h) **LIMITATIONS.**—The following limitations apply with respect to the appointment of employees of the Foundation:

(1) Employees may not be appointed until the Foundation has sufficient funds to pay them for their service. No individual so appointed may receive a salary in excess of the annual rate of basic pay in effect for Executive Level V in the Federal service. A member of the Board may not receive compensation for serving as an employee of the Foundation.

(2) The first employee appointed by the Board shall be the Secretary of the Board who shall serve, at the direction of the Board, as its chief operating officer and shall be knowledgeable and experienced in matters relating to physical fitness, sports, and nutrition.

(3) No Public Health Service employee nor the spouse or dependent relative of such an employee may serve as a member of the Board of Directors or as an employee of the Foundation.

(4) Any individual who is an employee or member of the Board of the Foundation may not (in accordance with the policies developed under subsection (i)) personally or substantially participate in the consideration or determination by the Foundation of any matter that would directly or predictably affect any financial interest of—

(A) the individual or a relative (as such term is defined in section 109(16) of the Eth-

ics in Government Act, 1978) of the individual; or

(B) any business organization, or other entity, of which the individual is an officer or employee, is negotiating for employment, or in which the individual has any other financial interest.

(i) **GENERAL POWERS.**—The Board may complete the organization of the Foundation by—

(1) appointing employees;

(2) adopting a constitution and bylaws consistent with the purposes of the Foundation and the provision of this Act; and

(3) undertaking such other acts as may be necessary to carry out the provisions of this Act.

In establishing bylaws under this subsection, the Board shall provide for policies with regard to financial conflicts of interest and ethical standards for the acceptance, solicitation and disposition of donations and grants to the Foundation.

SEC. 4. POWERS AND DUTIES OF THE FOUNDATION.

(a) **IN GENERAL.**—The Foundation—

(1) shall have perpetual succession;

(2) may conduct business throughout the several States, territories, and possessions of the United States;

(3) shall have its principal offices in or near the District of Columbia; and

(4) shall at all times maintain a designated agent authorized to accept service of process for the Foundation.

The serving of notice to, or service of process upon, the agent required under paragraph (4), or mailed to the business address of such agent, shall be deemed as service upon or notice to the Foundation.

(b) **SEAL.**—The Foundation shall have an official seal selected by the Board which may be used as provided for in section 5.

(c) **INCORPORATION; NONPROFIT STATUS.**—To carry out the purposes of the Foundation under section 2, the Board shall—

(1) incorporate the Foundation in the District of Columbia; and

(2) establish such policies and bylaws as may be necessary to ensure that the Foundation maintains status as an organization that is described in section 501(c)(3) of the Internal Revenue Code of 1986.

(d) **POWERS.**—Subject to the specific provisions of section 2, the Foundation, in consultation with the Office of the President's Council on Fitness, Sports, and Nutrition, shall have the power, directly or by the awarding of contracts or grants, to carry out or support activities for the purposes described in such section.

(e) **TREATMENT OF PROPERTY.**—For purposes of this Act, an interest in real property shall be treated as including easements or other rights for preservation, conservation, protection, or enhancement by and for the public of natural, scenic, historic, scientific, educational inspirational or recreational resources. A gift, devise, or bequest may be accepted by the Foundation even though it is encumbered, restricted, or subject to beneficial interests of private persons if any current or future interest therein is for the benefit of the Foundation.

SEC. 5. PROTECTION AND USES OF TRADEMARKS AND TRADE NAMES.

(a) **TRADEMARKS OF THE FOUNDATION.**—Authorization for a contributor, or a supplier of goods or services, to use, in advertising regarding the contribution, goods, or services, the trade name of the Foundation, or any trademark, seal, symbol, insignia, or emblem of the Foundation may be provided only by the Foundation with the concurrence of the Secretary or the Secretary's designee.

(b) TRADEMARKS OF THE COUNCIL.—Authorization for a contributor or supplier described in subsection (a) to use, in such advertising, the trade name of the President's Council on Fitness, Sports, and Nutrition, or any trademark, seal, symbol, insignia, or emblem of such Council, may be provided—

(1) by the Secretary or the Secretary's designee; or

(2) by the Foundation with the concurrence of the Secretary or the Secretary's designee.

SEC. 6. AUDIT, REPORT REQUIREMENTS, AND PETITION OF ATTORNEY GENERAL FOR EQUITABLE RELIEF.

(a) AUDITS.—For purposes of the Act entitled “An Act for audit of accounts of private corporations established under Federal law”, approved August 30, 1964 (Public Law 88-504, 36 U.S.C. 1101-1103), the Foundation shall be treated as a private corporation under Federal law. The Inspector General of the Department of Health and Human Services and the Comptroller General of the United States shall have access to the financial and other records of the Foundation, upon reasonable notice.

(b) REPORT.—The Foundation shall, not later than 60 days after the end of each fiscal year, transmit to the Secretary and to Congress a report of its proceedings and activities during such year, including a full and complete statement of its receipts, expenditures, and investments.

(c) RELIEF WITH RESPECT TO CERTAIN FOUNDATION ACTS OR FAILURE TO ACT.—If the Foundation—

(1) engages in, or threatens to engage in, any act, practice or policy that is inconsistent with its purposes set forth in section 2(b); or

(2) refuses, fails, or neglects to discharge its obligations under this Act, or threaten to do so;

the Attorney General of the United States may petition in the United States District Court for the District of Columbia for such equitable relief as may be necessary or appropriate.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Arizona (Mr. GRIJALVA) and the gentleman from Wisconsin (Mr. PETRI) each will control 20 minutes.

The Chair recognizes the gentleman from Arizona.

GENERAL LEAVE

Mr. GRIJALVA. Mr. Speaker, I request 5 legislative days during which Members may revise, extend and insert extraneous material on S. 1275 into the RECORD.

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

There was no objection.

Mr. GRIJALVA. I yield myself as much time as I may consume.

Mr. Speaker, today I rise in support of S. 1275, which establishes a National Foundation on Fitness, Sports, and Nutrition to carry out activities to support and supplement the mission of the President's Council on Physical Fitness and Sports.

According to a 2009 study by the Centers for Disease Control and Prevention, 33 States currently have an obesity prevalence rate of 25 percent or greater, and roughly 25 million children, one in three kids, over the age of six are obese or overweight. These numbers represent a dramatic and concerning increase in obesity in the United States over the past 20 years.

These growing rates require that we take some action. The creation of this foundation is a move in that direction.

According to the Department of Health and Human Services, adults 18 and older need 30 minutes of physical activity. Unfortunately, 25 percent of American children do not participate in any free-time physical activity, and 92 percent of our youth have no year-round daily physical education or activity. It is vital that we encourage our children to be healthy and active individuals.

The President's Council on Fitness, Sports and Nutrition is a volunteer advisory committee created by President Eisenhower in 1956. The council collaborates with Federal, State, and local agencies, the private sector, and nonprofit organizations to promote physical fitness in sports. However, despite its critically important mission, the council's budget has been reduced over time and is now approximately just \$1.2 million per year.

This legislation would establish a foundation to work in conjunction with the council to bring much-needed private resources to the fight against youth inactivity and obesity. Not only will this foundation increase the reach and impact of the council in promoting physical fitness, sports, and nutrition programs across the country; it will not use any taxpayer resources.

With the support of private funds, the foundation will make strategic grants and increase public awareness of Federal policies and programs to improve physical fitness and nutrition. To oversee such activities, the foundation will be governed by a bipartisan, 11-member board of directors.

Establishing this independent foundation will contribute to our national efforts to end childhood obesity and improve child nutrition. Yesterday, the President signed the Healthy, Hunger-Free Kids Act to dramatically improve children's access to nutritious meals and enhance the quality of meals they eat in and out of school.

Additionally, the First Lady's Let's Move campaign has set a goal of ending childhood obesity in a generation. The Let's Move campaign is a collaborative and community-oriented initiative which engages every sector of our society that impacts the health of children. It seeks to provide schools, families, and communities the simple tools they need to help kids be more active, eat better, and get healthy. The bill adds to these efforts by enhancing the tools available to improve the health and well-being of our children.

Mr. Speaker, I want to thank the sponsor of the Senate bill, Senator MARK WARNER of Virginia, and the sponsor of its companion legislation in the House, Representative JOHN SARBANES of Maryland, for their leadership in bringing this important legislation to the floor.

I also want to thank Chairman WAXMAN of the Energy and Commerce Committee for working with the Education

and Labor Committee to allow this bill to move quickly to the floor.

I urge my colleagues to join me in supporting this legislation to establish a National Foundation on Fitness, Sports, and Nutrition.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON ENERGY AND COMMERCE,
Washington, DC, December 14, 2010.

Hon. GEORGE MILLER,
Chairman, Committee on Education and Labor,
Rayburn House Office Building, Washington, DC.

DEAR CHAIRMAN MILLER: I am writing to confirm our understanding regarding S. 1275, the “National Foundation on Fitness, Sports, and Nutrition Establishment Act.” The Committee on Energy and Commerce has jurisdictional interest in the bill. In light of the interest in moving this bill forward promptly, I am not exercising the jurisdiction of the Committee on Energy and Commerce regarding S. 1275, with the understanding that taking this course does not prejudice the Committee's jurisdictional interests and prerogatives on this or similar legislation in the future.

I would appreciate your including this letter during consideration of the bill on the House floor. Thank you for your cooperation on this matter.

Sincerely,

HENRY A. WAXMAN,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON EDUCATION AND LABOR,
Washington, DC, December 14, 2010.

Hon. HENRY A. WAXMAN,
Chairman, Committee on Energy and Commerce,
Rayburn House Office Building, Washington, DC.

DEAR CHAIRMAN WAXMAN: Thank you for your December 14, 2010, letter regarding the jurisdictional interest of the Committee on Energy and Commerce in S. 1275, the National Foundation on Fitness, Sports, and Nutrition Establishment Act. I appreciate your assistance in ensuring its timely consideration and in refraining from exercising any such jurisdiction at this time. I acknowledge that, by not taking such action, the Committee on Energy and Commerce does not prejudice any jurisdictional interest or other prerogative it may have.

I value your cooperation and look forward to working with you as we move ahead with this important legislation.

Sincerely,

GEORGE MILLER,
Chairman.

I reserve the balance of my time.

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

Today, we consider S. 1275, the National Foundation on Physical Fitness and Sports Establishment Act. This legislation would establish a charitable and nonprofit foundation to raise private funds to carry out new initiatives by the President's Council on Fitness, Sports and Nutrition. The bill establishes a board of directors to govern the activities of the foundation appointed by the Speaker, the majority leaders of the House and Senate, and the minority leaders of the House and Senate.

First established in 1965, the President's Council on Fitness, Sports and Nutrition has been renewed by every President for the last 45 years. The council is made up of 25 volunteer citizens, including New Orleans Saints

quarterback and Super Bowl XLIV MVP Drew Brees, three-time Olympic gymnast Dominique Dawes, Billie Jean King, Grant Hill, and Michelle Kwan.

□ 1620

The council advises the President and the Secretary of Health and Human Services on opportunities to develop accessible, affordable, and sustainable physical activity, fitness, sports, and nutrition programs for all Americans regardless of age, background, or ability.

The council has played an important role over the years in raising the awareness of Americans about the need to become physically active. It sponsors an array of programs, events, and initiatives, including the establishment of May as National Physical Fitness and Sports Month; runs the Presidential Physical Fitness Award; recognizes national and local contributions to physical activities; and has played an instrumental role in the development of physical activity guidelines, dietary guidelines, and the National Physical Activity Plan.

Currently, the President's Council on Fitness, Sports and Nutrition lacks any grant making or regulatory authority, which has limited its activities to providing consultation and technical assistance, general publications, a Web site, and guidance to schools, government agencies, and other interested parties on how to improve physical activity.

The bill before us, S. 1275, would establish a charitable and nonprofit foundation to raise private funds so that the council can award grants to carry out and support its activities. The foundation is similar to those established for the National Institutes of Health and the Centers for Disease Control. Foundations created by Congress allow these programs to create partnerships with the private sector, leverage funds, and expand their work without increasing Federal expenditures. Consistent with this belief, the bill prohibits the foundation from accepting or competing for any Federal funds.

As has been stated on this floor in the past, childhood and adult obesity is an issue that has now reached epidemic proportions in the United States. In 2008, 17 percent of children between the ages of 2 and 19 were obese, and approximately 70 to 80 percent of overweight or obese children remain obese in adulthood. These children are more likely to develop diseases such as high blood pressure and type 2 diabetes. In order to reverse these dangerous trends, Americans need information and support to improve their diet and promote exercise in their daily lives. The bill will establish the President's Council on Fitness, Sports and Nutrition and will ensure that it continues to play an important role in attacking the obesity crisis that is negatively impacting the health of all Americans.

I would also like to mention at this point the contributions of our former

colleague from Maryland, Tom McMillen, in urging that we attempt this important matter before the end of this Congress, and I urge my colleagues to join me in doing so.

I yield back the balance of my time.

Mr. GRIJALVA. Mr. Speaker, I am pleased to yield 5 minutes to the gentleman from Maryland (Mr. SARBANES), the sponsor of the companion legislation in the House.

Mr. SARBANES. Mr. Speaker, I thank the gentleman for yielding.

I rise in strong support. It's a privilege to rise today in support of S. 1275 and its companion, H.R. 4322, which is an act to create the National Foundation on Fitness, Sports and Nutrition, which is designed to support the President's Council on Fitness, Sports and Nutrition.

I want to thank the many cosponsors of this legislation. It's a bipartisan bill. We have strong support from both Republicans and Democrats and have done so all the way through this process. I want to thank Congressman GEORGE MILLER for his efforts in moving this from the Education and Labor Committee, and I want to salute his staff for working so closely with us. And of course Senator MARK WARNER, who is the sponsor on the Senate side of this legislation. I, too, want to salute former Congressman Tom McMillen who has been just a tireless advocate for establishing this foundation which can support the mission of the President's Council on Fitness, Sports and Nutrition. This council was first established, as has been indicated a couple of times, by President Eisenhower back in 1956, who understood that we needed to create a focus here at the Federal level on the issue of healthy lifestyles, on fitness, on physical activity, and getting people outside into regular activity. And today we have the council with the same mission, a very important mission, more important I think than ever before.

You have heard the discussion about the increasing incidence of obesity among the next generation, the importance of encouraging regular physical activity, of paying attention to nutrition. I, myself, am very focused on research that shows that the average young person today spends about 7½ hours a day on television, video games, Internet, and handheld electronic devices, and about 4 minutes a day—that's minutes a day—outside in unstructured physical recreation. That's a real changeover from the way things used to be, and it means that we really have to focus our young people on engaging in regular physical activity. And there is a lot of attention on that, and that's what the President's Council on Fitness, Sports and Nutrition is all about.

Now, as was mentioned, the Federal dollars that are available to support the President's council are relatively limited, and I think we can expect that that is going to be the case going forward. Luckily, though, there are many

people in the private sector, private citizens, others, who are ready to step forward and contribute to this effort because they understand how critically important the mission of the President's council is. So they are ready to do that. They are, in fact, very excited about the newly appointed commissioner to the President's council and I think the outpouring of support that that is going to generate. And they are ready to step forward and help.

Unfortunately, up until now, up until the creation of this act, of this foundation, there hasn't really been a mechanism by which private parties could step forward and support the mission of the council. And that's exactly what this legislation is designed to do. The foundation that is created by this bill makes it possible for the foundation, upon behalf of the President's council, to solicit, receive, and administer private contributions. So this is going to give people a chance to step forward and say, This mission is a critical one, and we want to support it with our private dollars.

This is a very accepted model. We have seen it work with the National Park Service, with the National Institutes of Health, with the Centers for Disease Control. And I think it's a wonderful opportunity to strengthen the council's mission going forward. For that reason, I urge support of this bill.

Mr. GRIJALVA. I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Arizona (Mr. GRIJALVA) that the House suspend the rules and pass the bill, S. 1275.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

SUPPORTING DESIGNATION OF ED ROBERTS DAY

Mr. GRIJALVA. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 1759) expressing support for designation of January 23rd as "Ed Roberts Day".

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 1759

Whereas Edward Verne Roberts was born January 23, 1939;

Whereas Roberts acquired polio as an adolescent in 1953 and had to spend vast expanses of time in an iron lung;

Whereas Roberts' career as an advocate began when a high school administrator threatened to deny him a diploma because he had not completed driver's education and physical education;

Whereas in 1962 Roberts was admitted to the University of California at Berkeley (UC Berkeley) where he became the first severely disabled student to attend UC Berkeley;