

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

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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;

Whereas when his search for housing at the university met resistance, the director of the campus hospital offered Roberts a room in an empty wing, which Roberts accepted on the condition that it was considered a dormitory space;

Whereas other significantly disabled students joined Roberts in the empty wing over the next few years and called themselves the "Rolling Quads";

Whereas at UC Berkeley the Rolling Quads began advocating for curb cuts, opening access to the wider community and creating the first student-led disability services program at a university in the Nation;

Whereas the student program led to the creation of the Nation's first center for independent living;

Whereas Roberts assumed leadership of the Center for Independent Living, Berkeley and guided its development as a model for disability advocacy and self-help services across the Nation and around the world;

Whereas in 1975 Roberts was appointed the Director of the California Department of Rehabilitation;

Whereas in 1983 Roberts co-founded the World Institute on Disability, an organization committed to eliminating barriers to full social integration for persons with disabilities;

Whereas Ed Roberts died from natural causes on March 14, 1995; and

Whereas Ed Roberts was a leader and champion in the disability rights movement: Now, therefore, be it

*Resolved*, That the House of Representatives—

(1) supports the designation of an "Ed Roberts Day"; and

(2) acknowledges the accomplishments of Ed Roberts in helping reduce barriers, increase access, and improve lives for persons with disabilities.

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 and extend and insert extraneous material on House Resolution 1759 into the RECORD.

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

There was no objection.

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

Mr. Speaker, I rise today in support of House Resolution 1759, which supports the establishment of "Ed Roberts Day." Mr. Edward Verne Roberts was a pioneering leader and a champion in the disability rights movement.

Mr. Roberts was born January 23, 1939, in San Mateo, California. Mr. Roberts acquired polio at the age of 14 in 1953, 2 years before the Salk vaccine put an end to that epidemic. After 18 months in the hospital, he returned home paralyzed from the neck down except for a few fingers and toes.

Roberts continued his high school education while spending vast amounts of time resting and sleeping in the iron

lung. When a high school administrator threatened to deny him a diploma because he had not completed drivers and physical education requirements, he protested and began an early career of activism. Later, Roberts became the first student with severe disabilities to attend the University of California at Berkeley.

At UC Berkeley, other students with significant disabilities joined Roberts in an empty wing in which the university had placed him and, over the next few years, began to call themselves the "Rolling Quads." The Rolling Quads began advocating for curb cuts, opening access to the wider community, and creating the first student-led disabilities service program at any university in the Nation. That student program led to the creation of the Nation's first Center for Independent Living, and Roberts assumed leadership of the center and guided its development as a model for disability advocacy and self-help service.

After earning a bachelor's degree and a master's degree in political science at UC Berkeley, in 1975, Roberts was appointed the Director of the California Department of Rehabilitation. In 1983, he cofounded the World Institute on Disability, an organization committed to eliminating the barriers to full social integration for persons with disabilities.

Mr. Edward Verne Roberts died from natural causes on March 14, 1995, leaving behind a legacy as the modern father of the disability rights movement. Roberts' efforts helped to reduce barriers, increase access, and improve the lives for persons with disabilities across this Nation and world. It is with these contributions in mind that this resolution calls for the establishment of "Ed Roberts Day."

Mr. Speaker, I want to thank the sponsor of the resolution and chairman of the House Education and Labor Committee, Mr. GEORGE MILLER, for his leadership in bringing this important resolution to the floor. I urge my colleagues to join me in support of House Resolution 1759, which supports the designation of an "Ed Roberts Day."

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

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

I rise in support of House Resolution 1759, which supports the designation of an "Ed Roberts Day" for his tireless work as a leader and champion in the disability rights community.

Born January 23, 1939, Edward Verne Roberts contracted polio at the age of 14 in 1953. Despite spending most of his adolescence in an iron lung, he graduated high school and was admitted into the University of California at Berkeley, where he became the first severely disabled person to attend that university.

This feat is all the more amazing when you consider the obstacles that were thrown in Ed's way. A high school

administrator threatened to deny him a diploma because he had not completed driver's education and physical education requirements. College administrators told him they had tried to educate students with disabilities before and it did not work. The director of campus housing was afraid that they could not accommodate his needs, offering him a room in the empty wing of the campus hospital. Ed accepted only on the condition that it was considered dormitory space.

During his time at UC Berkeley and after he left college, Ed worked with other students with disabilities to push for curb cuts so that parts of the university could be accessible to disabled persons. He formed the Physical Disabled Student Program to help facilitate and ease the transition for other students with disabilities to attend college.

In 1972, he established the first Center for Independent Living in order to support and assist disabled persons in gaining independence. The center's philosophy was, and it continues to be, based on three main points:

First, comprehensive programs with a wide variety of services, such as employment and assistive technology, are the most effective at meeting the needs of persons with disabilities;

Second, people with disabilities know best how to meet the needs of others with disabilities; and

Third, the strongest and most vibrant communities are those that include and embrace all people, including disabled persons.

Today, most independent living centers across the country use this model as a basis for their work with individuals with disabilities. To celebrate this fact, Ed is known as the "Father of the Independent Living Movement."

Mr. Speaker, Ed Roberts was a pioneer in the disability community until his death in 1995. Today, we honor him and acknowledge his work to reduce barriers, increase access, and improve the lives of all persons with disabilities. So I rise in support of House Resolution 1759, which supports the designation of an "Ed Roberts Day."

Mr. Speaker, I yield back the balance of my time.

Mr. GRIJALVA. Mr. Speaker, 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 agree to the resolution, H. Res. 1759.

The question was taken.

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

Mr. GRIJALVA. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

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

# HOUSTON, TEXAS, PROPERTY CONVEYANCE

Ms. NORTON. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 6510) to direct the Administrator of General Services to convey a parcel of real property in Houston, Texas, to the Military Museum of Texas, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 6510

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

## SECTION 1. CONVEYANCE OF REAL PROPERTY IN HOUSTON, TEXAS.

(a) **AUTHORITY TO CONVEY.**—The Administrator of General Services shall convey, at the market value determined under subsection (b), to the Military Museum of Texas all right, title, and interest of the United States in and to the parcel of real property located at 8611 Wallisville Road in Houston, Texas, as described in subsection (c).

(b) **DETERMINATION OF MARKET VALUE.**—For purposes of subsection (a), the market value of the real property shall be determined by an independent appraisal based on the current use of the property. The appraisal shall be commissioned by the Administrator and paid for by the Military Museum of Texas.

(c) **PROPERTY DESCRIPTION.**—The real property to be conveyed is the 3.673 acres of land in Lot 3 of Moers Subdivision in the W.M. Black Survey, Abstract 114, Harris County, Texas, more particularly described as follows:

(1) Beginning at an iron rod located at the intersection of the north line of Wallisville Road presently being 100' wide with the southeast line of U.S. Highway 90 presently being 150' in width.

(2) Thence north 38°13' east 1068.61' along the southeast line of U.S. Highway 90 to an iron rod for the point of beginning.

(3) Thence south 01°15'43" east 713.5' along a fence to a galvanized iron fence corner in the north line of Wallisville Road.

(4) Thence south 79°26' west, 408' more or less parallel to the east boundary line to a point in the southeast line of U.S. Highway 90.

(5) Thence north 38°13' east 460' more or less along the southeast line of U.S. Highway 90 to the point of beginning.

(d) **STRUCTURES AND IMPROVEMENTS.**—The conveyance shall include the improvements, structures, and fixtures located on the real property conveyed and related personal property.

(e) **USE RESTRICTION.**—

(1) **IN GENERAL.**—As a condition of the conveyance, the Military Museum of Texas shall use and maintain the real property conveyed, for a minimum period of 30 years, in a manner consistent with the use of the property at the time of the conveyance.

(2) **USE RESTRICTION.**—Except as provided by paragraph (3), if the real property conveyed ceases to be used or maintained as required by paragraph (1), all or any portion of the property shall, in its then existing condition and at the option of the Administrator, revert to the United States.

(3) **ABROGATION OF USE RESTRICTION.**—

(A) **IN GENERAL.**—The Military Museum of Texas may seek abrogation of the use restriction set forth in paragraph (2) by obtaining the advance written consent of the Administrator, and by payment to the United States of the fair market value of the real property to be released from the restriction.

(B) **DETERMINATION OF FAIR MARKET VALUE.**—For purposes of subparagraph (A),

the fair market value of the real property shall be determined by an independent appraisal based on the highest and best use of the property as of the effective date of the abrogation. The appraisal shall be commissioned by the Administrator and paid for by the Military Museum of Texas.

(f) **COMPLIANCE.**—

(1) **REPORTS.**—As a condition of the conveyance, the Military Museum of Texas shall submit to the Administrator, not later than one year after the date of the conveyance and annually thereafter for a period of 30 years, a report on the Military Museum's use and maintenance of the real property conveyed, and any other reports required by the Administrator to evidence the Military Museum's continuous use of the property in accordance with subsection (d).

(2) **INSPECTIONS.**—Not later than one year after the date of conveyance and every 5 years thereafter for a period of 30 years, the Administrator shall conduct inspections of the real property conveyed to confirm information provided in the reports submitted under paragraph (1).

(g) **ADDITIONAL TERMS AND CONDITIONS.**—The Administrator may require the conveyance to be subject to such additional terms and conditions as the Administrator considers appropriate and necessary to protect the interests of the United States.

(h) **COSTS OF CONVEYANCE.**—The Military Museum of Texas shall be responsible for all reasonable and necessary costs associated with the conveyance, including real estate transaction and environmental documentation costs.

(i) **RELATIONSHIP TO ENVIRONMENTAL LAW.**—Nothing in this section may be construed to affect or limit the application of or obligation to comply with any environmental law, including section 120(h) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9620(h)).

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from the District of Columbia (Ms. NORTON) and the gentleman from Florida (Mr. MARIO DIAZ-BALART) each will control 20 minutes.

The Chair recognizes the gentlewoman from the District of Columbia.

### GENERAL LEAVE

Ms. NORTON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 6510.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from the District of Columbia? There was no objection.

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

H.R. 6510 directs the Administrator of General Services to convey a parcel of real property in Houston, Texas, to the Military Museum of Texas. The Military Museum of Texas is a nonprofit 501(c)(3) based in Harris County, Texas, that was created to honor the contributions of the citizens of Texas to the armed services of the United States.

The museum was founded in 1992 as a charitable organization and has an all-volunteer staff with an annual operating budget. The Military Museum of Texas' main activities include educating citizens on Texas' military history and preserving military memorabilia.

The memorabilia include artillery field pieces, field equipment, et cetera, but primarily military vehicles for display that are shared with the public. Its income is derived directly from the sale of items to the general public, membership dues, event fees, and contributions of private individuals and corporations.

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The museum devotes a significant portion of its funds to its military vehicle restoration program, and these vehicles are often shared with the public on site and at local parades. The Military Museum of Texas estimates the value of its military vehicles and military memorabilia collection in its inventory at \$10 million.

The museum is currently housed in approximately 20,000 square feet owned by the General Services Administration. Originally, GSA leased the facility to the State of Texas starting in the early 1970s, before the museum took control of the facility in late 2004 under lease with the State of Texas for nominal rent plus utilities and minor repairs.

Since its initial occupancy, the Military Museum has worked with a private consultant to put together a 5-year capital improvement plan for fiscal years 2010 through 2015, to improve the facility and address storm damage to make the museum more of a world-class museum.

The General Services Administration declared the property excess on December 16, 2009, and the Military Museum of Texas has expressed an interest in purchasing the property at its full market value with a museum use restriction. The government interest in this property is protected because if the site is used for anything except for a museum during the next 30 years, the owners will be required to pay the market value of the parcel at the highest and best use.

Given that the GSA has declared this property excess and the Military Museum of Texas is willing to purchase at market value, we find this transfer to be in the best interest of the government, and I urge my colleagues to support the bill.

I reserve the balance of my time.

Mr. MARIO DIAZ-BALART of Florida. Mr. Speaker, I yield myself such time as I may consume.

Let me add my words to the gentlewoman from the District of Columbia. This bill would direct the GSA to transfer property in Houston to the Military Museum, as the gentlewoman just said.

I want to thank the gentlewoman from Texas, SHEILA JACKSON LEE, for bringing up this bill. This would, as well as what the chairwoman just talked about, also solve an issue that is really an unfortunate symptom of poor management of real Federal property.

In 2004, the museum leased this property, as we just heard, in good faith from the State of Texas, which had