

113TH CONGRESS
2D SESSION

H. R. 4765

To address childhood obesity, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 29, 2014

Ms. FUDGE (for herself, Mr. ELLISON, Ms. LEE of California, Mr. RICHMOND, and Mr. PAYNE) introduced the following bill; which was referred to the Committee on Energy and Commerce, and in addition to the Committees on Agriculture, Education and the Workforce, the Judiciary, Financial Services, and Natural Resources, 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

A BILL

To address childhood obesity, and for other purposes.

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 “Fit for Life Act of
5 2014”.

6 **SEC. 2. TABLE OF CONTENTS.**

7 The table of contents of this Act is as follows:

Sec. 1. Short title.

Sec. 2. Table of contents.

TITLE I—IMPROVING THE NUTRITIONAL QUALITY OF AND
ACCESS TO FOODS IN UNDERSERVED AMERICAN COMMUNITIES

Subtitle A—Access to Nutritious and Quality Foods in Underserved American
Communities

- Sec. 101. Nutritious Food Access through mobility and Innovation Program.
- Sec. 102. Expansion of the Fresh Fruit and Vegetable Program.
- Sec. 103. Expanding Access to the Summer Food Service Program for Children.
- Sec. 104. Study and report on physical activity and nutritional quality of meals and snacks served, in juvenile justice facilities.
- Sec. 105. Local food insecurity assessments: evaluating the unique nutritional needs of local communities.
- Sec. 106. Weekends and holidays without hunger.

Subtitle B—Ensuring a Healthy Start for Children in Underserved American
Communities

- Sec. 111. Improving Healthy Eating and Physical Activity Among our Youngest Children.
- Sec. 112. Health and fitness school programs: training America's youth to live healthy lifestyles.

TITLE II—ADVANCING PREVENTATIVE MEASURES AND TREATMENT OF OBESITY IN ADULTS AND CHILDREN IN UNDERSERVED COMMUNITIES

- Sec. 201. Community health and wellness navigators pilot program: connecting America's health professionals with our schools.
- Sec. 202. Coverage of evidence-based preventive services under Medicaid and SCHIP.
- Sec. 203. Coverage of medical nutrition therapy under Medicaid and CHIP.
- Sec. 204. Clarification of EPSDT inclusion of prevention, screening, and treatment services for obesity and overweight; CHIP coverage.
- Sec. 205. National commission on child obesity.
- Sec. 206. GAO report.

TITLE III—ENCOURAGING PHYSICAL ACTIVITY IN UNDERSERVED
AMERICAN COMMUNITIES

- Sec. 301. Renovation of foreclosed and abandoned properties to create spaces that encourage physical activity in American neighborhoods.
- Sec. 302. National youth sports program revitalization.
- Sec. 303. Expansion of the Zuni Youth Enrichment Project Summer Camp.
- Sec. 304. Making routes to schools in underserved communities safe and accessible with public participation through the Community Oriented Policing Services program.
- Sec. 305. School infrastructure healthier upgrades competitive grant.
- Sec. 306. Shared use agreement expansion pilot grant program.
- Sec. 307. Land and Water Conservation Fund Program Grants in Low-Income Communities and Expand Tribal Participation.
- Sec. 308. Changing Hearts, Attitudes, and Minds by Participating in Sports (CHAMPS) Program.
- Sec. 309. Coordinated School Health Initiatives.
- Sec. 310. Rewarding elementary and secondary schools for outstanding student performance in physical fitness programs.

1 **TITLE I—IMPROVING THE NU-**
2 **TRITIONAL QUALITY OF AND**
3 **ACCESS TO FOODS IN UNDER-**
4 **SERVED AMERICAN COMMU-**
5 **NITIES**

6 **Subtitle A—Access to Nutritious**
7 **and Quality Foods in Under-**
8 **served American Communities**

9 **SEC. 101. NUTRITIOUS FOOD ACCESS THROUGH MOBILITY**
10 **AND INNOVATION PROGRAM.**

11 (a) **ADMINISTRATION.**—The Secretary of Agriculture
12 shall carry out a pilot program to make 3-year grants in
13 accordance with this section to nonprofit organizations,
14 local government agencies, and accredited colleges and
15 universities.

16 (b) **ELIGIBILITY.**—To be eligible to receive a grant
17 under this section, a nonprofit organization, local govern-
18 ment agency, for-profit business, or accredited college or
19 university shall submit to the Secretary an application in
20 such form, and containing such information, as the Sec-
21 retary may require by rule. Such application shall include
22 an assurance that such applicant will create or expand an
23 innovative food distribution project that—

1 (1) serves an area in which residents have low
2 income, or an area that is a food desert or food
3 swamp;

4 (2) is not a supermarket-based project;

5 (3) provides for the free or low-cost delivery of
6 fresh fruits and vegetables to food recipients who
7 participate in such project;

8 (4) provides for the acquisition of produce
9 trucks to distribute food to such recipients without
10 a delivery charge and without any other service
11 charge; or

12 (5) provides for the establishment of a commu-
13 nity food market (including a food market in a
14 school) at which fresh fruits and vegetables are sold
15 to such recipients at a low cost.

16 (c) PRIORITY.—The Secretary shall give priority to—

17 (1) eligible applicants that propose to create or
18 to expand a project that will operate in a geo-
19 graphical area in which there is a high incidence of
20 childhood obesity;

21 (2) eligible applicants that have a proven record
22 of serving low-income or minority communities; and

23 (3) organizations with plans for sustainability
24 plans in place for continuing successful services after
25 Federal funding lapses.

1 (d) REPORTING.—Each recipient of a 3-year grant
2 made under this section shall submit annually to the Sec-
3 retary a report that includes an assessment of—

4 (1) the impact that the recipient’s project has
5 had on the community involved during the year for
6 which such report is submitted; and

7 (2) the prospects of continuing such project
8 after the 3-year period for which such grant is
9 made.

10 **SEC. 102. EXPANSION OF THE FRESH FRUIT AND VEGE-**
11 **TABLE PROGRAM.**

12 Section 19 of the Richard B. Russell National School
13 Lunch Act (42 U.S.C. 1769a) is amended—

14 (1) in subsection (a), by inserting “, secondary
15 schools, childcare centers, and family childcare
16 homes” after “elementary schools”;

17 (2) by amending subsection (b) to read as fol-
18 lows:

19 “(b) PROGRAM.—A school, childcare center, or family
20 childcare home participating in the program—

21 “(1) shall make free fruits and vegetables avail-
22 able to students throughout the school, center, or
23 home day (or at such other times as are considered
24 appropriate by the Secretary) in 1 or more areas
25 designated by the school, center, or home; and

1 “(2) may make free fruits and vegetables in any
2 other form (such as fresh, frozen, dried, pureed, or
3 canned) available to students throughout the school,
4 center, or home day (or at such other times as are
5 considered appropriate by the Secretary) in 1 or
6 more areas designated by the school only if such
7 fruits and vegetables meet any additional nutrition
8 specifications, as established by the Secretary.”;

9 (3) in subsection (d)—

10 (A) in the heading, by inserting “, CEN-
11 TERS, OR HOMES”;

12 (B) in paragraph (1)—

13 (i) in the matter preceding subpara-
14 graph (A), by inserting “, centers, or
15 homes” after “schools”;

16 (ii) in subparagraph (A), by inserting
17 “, center, or home” after “school”;

18 (iii) in subparagraph (B), by inserting
19 “, centers, or homes” after “schools”;

20 (iv) by amending subparagraph (C) to
21 read as follows:

22 “(C) ensure that each school selected is an
23 elementary school or secondary school (as such
24 terms are defined in section 9101 of the Ele-
25 mentary and Secondary Education Act of 1965

1 (20 U.S.C. 7801)), each center selected is a
2 childcare center (as such term is defined in sec-
3 tion 39900 of the Public Health Service Act),
4 and each home selected is a family childcare
5 home (as such term is defined in section 39900
6 of the Public Health Service Act).”; and

7 (v) in subparagraph (D)—

8 (I) in the matter preceding clause
9 (i), by inserting “, centers, or homes”
10 after “schools”;

11 (II) in clause (i), by inserting “,
12 center, or home” after “school”; and

13 (III) in clause (ii), by inserting “,
14 center, or home” after “as determined
15 by the school”;

16 (C) in paragraph (2), by inserting “, cen-
17 ters, or homes” after each place “schools” ap-
18 pears; and

19 (D) in paragraph (3), by inserting “, cen-
20 ters, or homes” after each place “schools” ap-
21 pears; and

22 (4) in subsection (e), by inserting “, center, or
23 home” after “school”.

1 **SEC. 103. EXPANDING ACCESS TO THE SUMMER FOOD**
2 **SERVICE PROGRAM FOR CHILDREN.**

3 Section 13(a) of the Richard B. Russell National
4 School Lunch Act (42 U.S.C. 1761(a)) is amended—

5 (1) in paragraph (1)(A), by striking “50 per-
6 cent” each place it appears and inserting “40 per-
7 cent”;

8 (2) by repealing paragraph (9); and

9 (3) in paragraph (10)—

10 (A) in subparagraph (A)—

11 (i) by striking “The Secretary” and
12 inserting “From the amounts appropriated
13 to carry out this paragraph, the Sec-
14 retary”; and

15 (ii) by striking “not more than 5”;

16 (B) in subparagraph (C), by striking “fis-
17 cal year 2006” and inserting “fiscal year
18 2015”;

19 (C) in subparagraph (D)—

20 (i) by striking “January 1, 2008” and
21 inserting “January 1, 2015”; and

22 (ii) by striking “January 1, 2009”
23 and inserting “January 1, 2016”; and

24 (D) by striking subparagraph (E).

1 **SEC. 104. STUDY AND REPORT ON PHYSICAL ACTIVITY AND**
2 **NUTRITIONAL QUALITY OF MEALS AND**
3 **SNACKS SERVED IN JUVENILE JUSTICE FA-**
4 **CILITIES.**

5 (a) **STUDY.**—The Administrator of the Office of Ju-
6 venile Justice and Delinquency Prevention, in consultation
7 with the Secretary of Agriculture, shall conduct a study
8 on—

9 (1) physical activity by juveniles in juvenile jus-
10 tice facilities, including—

11 (A) the amount of such physical activity;

12 (B) the types of physical activities in which
13 such juveniles participate;

14 (C) the number of hours per day such ju-
15 veniles participate in such physical activity;

16 (D) the degree of inclusiveness for juve-
17 niles with disabilities in physical activities;

18 (E) the participation rates for juveniles
19 with disabilities; and

20 (F) the adequacy of the amounts and types
21 of physical activity of such juveniles; and

22 (2) the nutritional quality of meals and snacks
23 served in juvenile justice facilities.

24 (b) **REPORT.**—Not later than two years after the date
25 of the enactment of this Act, the Administrator of the Of-
26 fice of Juvenile Justice and Delinquency Prevention, in

1 consultation with the Secretary of Agriculture, shall sub-
2 mit to Congress a report on the findings of the study con-
3 ducted under subsection (a), including an evaluation of
4 whether the amounts and types of physical activity by ju-
5 veniles, and the nutritional quality of meals and snacks
6 served, in juvenile justice facilities are adequate to ensure
7 the health and wellness of such juveniles.

8 **SEC. 105. LOCAL FOOD INSECURITY ASSESSMENTS: EVALU-**
9 **ATING THE UNIQUE NUTRITIONAL NEEDS OF**
10 **LOCAL COMMUNITIES.**

11 (a) IN GENERAL.—The Secretary of Health and
12 Human Services shall establish a 3-year pilot program to
13 award grants to local and tribal governments, on a com-
14 petitive basis, to allow such local and tribal governments,
15 in partnership with the local community organizations
16 under subsection (e), to—

- 17 (1) conduct a food security assessment; and
18 (2) make an inventory of the system in order to
19 identify the strengths and gaps in such system.

20 (b) DATA POINTS FOR ASSESSMENT.—For purposes
21 of conducting an assessment and making an inventory
22 under a grant under subsection (a), with respect to the
23 community served by a local or tribal government, such
24 government shall examine the following food security and
25 food system issues in the community:

1 (1) The prevalence of childhood obesity.

2 (2) The availability of safe routes to school for
3 children.

4 (3) The quality of food served in school and
5 childcare settings.

6 (4) The availability of supermarkets.

7 (5) The cost and availability of fresh fruits and
8 vegetables.

9 (6) The concentration of convenience stores and
10 other food vendors that sell a disproportionate
11 amount of foods that are not fresh fruits and vegeta-
12 bles.

13 (7) The availability of products.

14 (8) The concentration of fast food restaurants.

15 (9) The availability of green space or recreation
16 areas, and the extent to which such space or areas
17 encourage physical activity by adults and children.

18 (10) Any other issues determined to be relevant
19 by the local or tribal government.

20 (11) Any other issues determined to be relevant
21 by the Secretary of Health and Human Services.

22 (c) NUMBER OF SITES.—The Secretary of Health
23 and Human Services, in awarding grants under subsection
24 (a), shall award grants to no more than—

25 (1) 20 local governments; and

1 (2) 5 tribal governments.

2 (d) PRIORITY.—In awarding grants under subsection
3 (a), the Secretary of Health and Human Services shall
4 give priority to those local and tribal governments that
5 serve communities with the highest concentrations of pov-
6 erty.

7 (e) REQUIREMENT OF PARTNERSHIPS.—In order to
8 qualify for a grant under subsection (a), a local or tribal
9 government shall demonstrate, to the satisfaction of the
10 Secretary of Health and Human Services, that the local
11 or tribal government has entered into a partnership (for
12 the purpose of conducting an assessment and making an
13 inventory under subsection (a)) with at least one of the
14 following local community organizations:

15 (1) A nonprofit, community-based organization
16 or entity.

17 (2) A developer or urban planning institution.

18 (3) An accredited college or university.

19 (4) A freestanding children’s hospital or center
20 with expertise in child health and policy.

21 **SEC. 106. WEEKENDS AND HOLIDAYS WITHOUT HUNGER.**

22 Section 18 of the Richard B. Russell National School
23 Lunch Act (42 U.S.C. 1769) is amended by adding at the
24 end the following:

1 “(1) WEEKENDS AND HOLIDAYS WITHOUT HUN-
2 GER.—

3 “(1) DEFINITIONS.—In this subsection:

4 “(A) AT-RISK SCHOOL CHILD.—The term
5 ‘at-risk school child’ has the meaning given the
6 term in section 17(r)(1).

7 “(B) ELIGIBLE INSTITUTION.—

8 “(i) IN GENERAL.—The term ‘eligible
9 institution’ means a public or private non-
10 profit institution that is determined by the
11 Secretary to be able to meet safe food stor-
12 age, handling, and delivery standards es-
13 tablished by the Secretary.

14 “(ii) INCLUSIONS.—The term ‘eligible
15 institution’ includes—

16 “(I) an elementary or secondary
17 school or school food service authority;

18 “(II) a food bank or food pantry;

19 “(III) a homeless shelter; and

20 “(IV) such other type of emer-
21 gency feeding agency as is approved
22 by the Secretary.

23 “(2) ESTABLISHMENT.—Subject to the avail-
24 ability of appropriations provided in advance in an
25 appropriations Act specifically for the purpose of

1 carrying out this subsection, the Secretary shall es-
2 tablish a program under which the Secretary shall
3 provide commodities, on a competitive basis, to eligi-
4 ble institutions to provide nutritious food to at-risk
5 children on weekends and during extended school
6 holidays during the school year.

7 “(3) ELIGIBILITY.—

8 “(A) IN GENERAL.—To be eligible to re-
9 ceive commodities under this subsection, an eli-
10 gible institution shall submit an application to
11 the Secretary at such time, in such manner,
12 and containing such information as the Sec-
13 retary may determine.

14 “(B) PLAN.—An application under sub-
15 paragraph (A) shall include the plan of the eli-
16 gible institution for the distribution of nutri-
17 tious foods to at-risk school children, includ-
18 ing—

19 “(i) methods of food service delivery
20 to at-risk school children;

21 “(ii) assurances that children receiv-
22 ing foods under the project will not be pub-
23 licly separated or overtly identified;

1 “(iii) lists of the types of food to be
2 provided under the project and provisions
3 to ensure food quality and safety;

4 “(iv) information on the number of
5 at-risk school children to be served and the
6 per-child cost of providing the children
7 with food; and

8 “(v) such other information as the
9 Secretary determines to be necessary to as-
10 sist the Secretary in evaluating projects
11 that receive commodities under this sub-
12 section.

13 “(4) PRIORITY.—In selecting applications under
14 this subsection, the Secretary shall give priority to
15 eligible institutions that—

16 “(A) have on-going programs and experi-
17 ence serving populations with significant pro-
18 portions of at-risk school children;

19 “(B) have a good record of experience in
20 food delivery and food safety systems;

21 “(C) maintain high quality control, ac-
22 countability, and recordkeeping standards;

23 “(D) provide children with readily
24 consumable food of high nutrient content and
25 quality;

1 “(E) demonstrate cost efficiencies and the
2 potential for obtaining supplemental funding
3 from non-Federal sources to carry out projects;
4 and

5 “(F) demonstrate the ability to continue
6 projects for the full approved term of the pilot
7 project period.

8 “(5) GUIDELINES.—

9 “(A) IN GENERAL.—The Secretary shall
10 issue guidelines containing the criteria for
11 projects to receive commodities under this sub-
12 section.

13 “(B) INCLUSIONS.—The guidelines shall,
14 to the maximum extent practicable within the
15 funds available and applications submitted, take
16 into account—

17 “(i) geographical variations in project
18 locations to include qualifying projects in
19 rural, urban, and suburban areas with high
20 proportions of families with at-risk school
21 children;

22 “(ii) different types of projects that
23 offer nutritious foods on weekends and
24 during school holidays to at-risk school
25 children; and

1 “(iii) institutional capacity to collect,
2 maintain, and provide statistically valid in-
3 formation necessary for the Secretary—

4 “(I) to analyze and evaluate the
5 results of the pilot project; and

6 “(II) to make recommendations
7 to Congress.

8 “(6) EVALUATION.—

9 “(A) INTERIM EVALUATION.—Not later
10 than November 30, 2016, the Secretary shall
11 complete an interim evaluation of the pilot pro-
12 gram carried out under this subsection.

13 “(B) FINAL REPORT.—Not later than De-
14 cember 31, 2017, the Secretary shall submit to
15 Congress a final report that contains—

16 “(i) an evaluation of the pilot pro-
17 gram carried out under this subsection;
18 and

19 “(ii) any recommendations of the Sec-
20 retary for legislative action.

21 “(7) FUNDING.—

22 “(A) AUTHORIZATION OF APPROPRIA-
23 TIONS.—There is authorized to be appropriated
24 to carry out this section such sums as are nec-
25 essary, to remain available until expended.

1 “(B) AVAILABILITY OF FUNDS.—Not more
 2 than 3 percent of the funds made available
 3 under subparagraph (A) may be used by the
 4 Secretary for expenses associated with review of
 5 the operations and evaluation of the projects
 6 carried out under this subsection.”.

7 **Subtitle B—Ensuring a Healthy**
 8 **Start for Children in Under-**
 9 **served American Communities**

10 **SEC. 111. IMPROVING HEALTHY EATING AND PHYSICAL AC-**
 11 **TIVITY AMONG OUR YOUNGEST CHILDREN.**

12 Title III of the Public Health Service Act (42 U.S.C.
 13 241 et seq.) is amended by adding at the end the fol-
 14 lowing:

15 **“PART W—HEALTHY KIDS PROGRAM**

16 **“SEC. 3990O. DEFINITIONS.**

17 “**In this part:**

18 “(1) **CHILDCARE CENTER.**—The term ‘childcare
 19 center’ means a center licensed or otherwise author-
 20 ized to provide childcare services for fewer than 24
 21 hours per day per child in a nonresidential setting,
 22 unless care in excess of 24 hours is due to the na-
 23 ture of the parents’ work.

24 “(2) **EARLY LEARNING COUNCIL.**—The term
 25 ‘early learning council’ means an early childhood as-

1 sembly that is established to advise Governors, State
2 legislators, or State agency administrators on how
3 best to meet the needs of young children and their
4 families specifically through improvement of pro-
5 grams and services.

6 “(3) FAMILY CHILDCARE HOME.—The term
7 ‘family childcare home’ means a private family home
8 where home-based childcare is provided for a portion
9 of the day, unless care in excess of 24 hours is due
10 to the nature of the parents’ work, and that is cer-
11 tified, registered, or licensed in the State in which
12 it is located.

13 “(4) SCREEN TIME LIMITS.—The term ‘screen
14 time limits’ means policies or guidelines, such as
15 those developed by the American Academy of Pediat-
16 rics, designed to reduce the daily amount of time
17 that children spend watching or looking at digital
18 monitors or displays, including television sets, com-
19 puter monitors, or hand-held gaming devices.

20 “(5) SECRETARY.—The term ‘Secretary’ means
21 the Secretary of Health and Human Services.

22 **“SEC. 39900-1. GRANTS.**

23 “(a) IN GENERAL.—The Secretary, in consultation
24 with appropriate entities within the Department of Health
25 and Human Services, shall award 3-year competitive

1 grants to 5 State health departments (or other appro-
2 priate childcare licensing entities within such States) to
3 help reduce and prevent obesity among the birth to 5-year-
4 old population of the State in childcare settings outside
5 a child’s place of residence.

6 “(b) USE OF FUNDS.—State grantees shall use
7 amounts received under a grant under this subsection to—

8 “(1) provide, or enter into contracts to provide,
9 training (that meets the requirements of subsection
10 (c)) to the staff of national, State, or community-
11 based organizations with networks of childcare cen-
12 ters, or a consortium of childcare centers and family
13 childcare homes consisting of at least 10 centers, for
14 the purpose of implementing evidence-based healthy
15 eating and physical activity policies and practices,
16 including curricula and other interventions; and

17 “(2) provide grants to childcare centers and
18 family childcare homes, whose staff received the
19 training described in paragraph (1), to implement
20 practice, curricula, and policy changes (that meet
21 the requirements of subsection (d)) that promote
22 healthy eating and physical activity among the birth
23 to 5 years of age population.

24 Preference in awarding grants shall be given to those
25 States that demonstrate collaboration between relevant

1 State entities related to childcare and health and with key
2 stakeholders, such as State early learning councils and
3 other community-based organizations working with
4 childcare centers or family childcare homes.

5 “(c) TRAINING REQUIREMENTS.—

6 “(1) IN GENERAL.—Training provided under
7 subsection (b) shall—

8 “(A) include the provision of information
9 concerning age-appropriate healthy eating and
10 physical activity interventions and culturally
11 competent curricula for the birth to 5 years of
12 age population in the State involved, which at
13 a minimum shall include—

14 “(i) a handbook that includes rec-
15 ommendations, guidelines, and best prac-
16 tices for childcare centers and family
17 childcare homes relating to healthy eating,
18 physical activity, and screen time reduc-
19 tion;

20 “(ii) information about the availability
21 of and services provided by childcare
22 health consultants; and

23 “(iii) health and wellness resources
24 available through the Child Care Bureau

1 and the Maternal and Child Health Bu-
2 reau;

3 “(B) identify, improve upon, and expand
4 nutrition and physical activity best practices
5 targeted to the birth to 5 years of age popu-
6 lation in the State involved and identify strate-
7 gies for incorporating parental education and
8 other parental involvement; and

9 “(C) provide instruction on how to appro-
10 priately model, direct, and encourage childcare
11 staff behavior to apply the best practices and
12 strategies identified under subparagraph (B).

13 “(2) TRAINING ENTITIES.—A grantee may con-
14 duct the training required under this section di-
15 rectly, or may provide such training through a con-
16 tract with—

17 “(A) an appropriate national, State, or
18 community organization with relevant expertise;

19 “(B) a health care provider or professional
20 organization with relevant expertise;

21 “(C) a university or research center that
22 employs faculty with relevant expertise; or

23 “(D) any other entity determined appro-
24 priate by the State and approved by the Sec-
25 retary.

1 “(3) REQUIREMENT OF CONTRACT.—If a grant-
2 ee elects to provide the training under this section
3 through a contract, the grantee shall ensure that a
4 consistent healthy eating and physical activity cur-
5 riculum is being developed for all childcare entities
6 participating in the pilot program in the State.

7 “(d) PRACTICE, CURRICULA, AND POLICY
8 CHANGES.—After training is provided as required under
9 subsection (c), a State grantee shall ensure that the orga-
10 nizations and consortia involved—

11 “(1) implement, in childcare settings, evidence-
12 based policy changes that promote healthy eating,
13 physical activity, and appropriate screen time limits
14 among the birth to 5 years of age population;

15 “(2) utilize an evidence-based, culturally com-
16 petent healthy eating and physical activity cur-
17 riculum in childcare settings focusing on such birth
18 to age 5 population;

19 “(3) implement programs, activities, and proce-
20 dures for incorporating parental education and in-
21 volvement of parents in programs, including dissemi-
22 nating a written parental involvement policy, and co-
23 ordinating and integrating parental involvement
24 strategies under this section, to the extent feasible
25 and appropriate, with parental involvement strate-

1 gies under other programs, such as the Head Start
2 program and the Early Head Start Program; and

3 “(4) find innovative ways to remove barriers
4 that exist to providing opportunities for healthy eat-
5 ing and physical activity.

6 All activities described in this paragraph shall be evidence-
7 based and be consistent with the curriculum presented
8 through training activities described in subsection (c).

9 **“SEC. 39900-2. GRANTS FOR THE EVALUATION OF PILOT**
10 **PROGRAMS.**

11 “The Secretary shall award competitive grants to
12 prevention research centers or universities to evaluate the
13 programs carried out with grants under section 39900-
14 1, including baseline, process, and outcome measurements.

15 **“SEC. 39900-3. COORDINATION.**

16 “(a) INTERAGENCY COORDINATION.—To the extent
17 practicable, the Secretary shall coordinate activities con-
18 ducted under this part with activities undertaken by the
19 National Prevention, Health Promotion and Public Health
20 Council established under section 4001 of the Patient Pro-
21 tection and Affordable Care Act (Public Law 111-148).

22 Where practicable, such coordination shall—

23 “(1) include the sharing of current and emerg-
24 ing best practices concerning healthy eating, physical
25 activity, and screen time limits that have a popu-

1 lation-level impact in promoting nutrition and phys-
2 ical activity in childcare settings;

3 “(2) promote the effective implementation and
4 sustainability of such programs; and

5 “(3) avoid unnecessary duplication of effort.

6 “(b) PILOT COORDINATION.—The Secretary shall
7 designate an individual (directly or through contract) to
8 provide technical assistance to States and pilot centers in
9 the development, implementation, and evaluation of activi-
10 ties and dissemination of information described in para-
11 graphs (1), (2), and (3) of subsection (a).

12 **“SEC. 39900–4. EVALUATION AND REPORTING.**

13 “(a) TECHNICAL ASSISTANCE AND INFORMATION.—
14 The Secretary shall—

15 “(1) provide technical assistance to grantees
16 and other entities providing training under a grant
17 under this part; and

18 “(2) disseminate to health departments and
19 trainers under grants under this part information
20 concerning evidence-based approaches, including dis-
21 semination of existing toolkits, curricula, and exist-
22 ing or emerging best practices that can be expanded
23 or improved upon through a program conducted
24 under this part.

1 “(b) EVALUATION REQUIREMENTS.—With respect to
2 evaluations conducted under section 39900–2, the Sec-
3 retary shall ensure that—

4 “(1) evaluation metrics are consistent across all
5 programs funded under this part;

6 “(2) interim outcomes are measured by the
7 number of centers that have implemented policy and
8 environmental strategies that support use of cur-
9 ricula and practices supporting healthy eating, phys-
10 ical activity, and screen time limits;

11 “(3) interim outcomes are measured, to the ex-
12 tent possible, by behavior changes in healthy eating,
13 physical activity, and screen time; and

14 “(4) upon completion of the program, the eval-
15 uation shall include an identification of best prac-
16 tices relating to behavior change and reductions in
17 the increasing prevalence of overweight and obesity
18 that could be replicated in other settings.

19 “(c) DISSEMINATION OF INFORMATION.—Upon the
20 conclusion of the programs carried out under this part,
21 the Secretary shall disseminate to all appropriate agencies
22 within the Department of Health and Human Services evi-
23 dence, best practices, and lessons learned from grantees.
24 Such agencies shall encourage the adoption of the best
25 practices.

1 “(d) REPORT TO CONGRESS.—Not later than 6
2 months after the completion of the program under this
3 part, the Secretary shall submit to Congress a report con-
4 taining an evaluation of the program, including rec-
5 ommendations as to how lessons learned from the program
6 can be incorporated into future guidance documents devel-
7 oped and provided by the Secretary and other Federal
8 agencies, as appropriate.

9 **“SEC. 39900-5. AUTHORIZATION OF APPROPRIATIONS.**

10 “There is authorized to be appropriated to carry out
11 this part, \$2,500,000 for each of fiscal years 2015, 2016,
12 and 2017.”.

13 **SEC. 112. HEALTH AND FITNESS SCHOOL PROGRAMS:**

14 **TRAINING AMERICA’S YOUTH TO LIVE**
15 **HEALTHY LIFESTYLES.**

16 (a) IN GENERAL.—The Secretaries shall carry out a
17 2-year pilot program consisting of awarding grants to eli-
18 gible entities for the purpose of establishing or expanding
19 evidence-based health and fitness programs in secondary
20 schools in low-income communities.

21 (b) HEALTH AND FITNESS PROGRAM REQUIRE-
22 MENTS.—As a condition on receipt of a grant under this
23 section, an eligible entity shall agree that any health and
24 fitness program at a secondary school funded through the
25 grant will—

1 (1) be conducted in partnership with the sec-
2 ondary school, community entities, and tribal coun-
3 cils;

4 (2) ensure the services provided are inclusive of
5 students with disabilities;

6 (3) include services by recent graduates of insti-
7 tutions of higher education who are interested in
8 pursuing graduate degrees in medicine, nursing, nu-
9 trition science, exercise physiology, public health, or
10 a related discipline;

11 (4) use services by such graduates to supple-
12 ment rather than supplant the health and fitness
13 curriculum of the secondary school;

14 (5) include a highly effective student-mentor
15 intervention and education program conducted by
16 such graduates for a maximum of 2 years of service
17 in 1 secondary school per graduate;

18 (6) build a healthier community through
19 wellness activities and increased awareness about
20 and access to healthy foods;

21 (7) provide daily health and fitness instruction
22 to both students and faculty;

23 (8) conduct an annual in-school health and fit-
24 ness fair using the services of secondary school stu-
25 dents with the objective of building a healthier com-

1 munity through wellness activities and increased
2 awareness about and access to healthy foods;

3 (9) conduct an annual school-based and an an-
4 nual community-based health and fitness fair using
5 the services of secondary school students with the
6 objective of building a healthier community through
7 wellness activities and increased awareness about
8 and access to healthy foods; and

9 (10) expose secondary school students to a vari-
10 ety of career choices in wellness and health-related
11 disciplines, including careers in medicine, nursing,
12 nutrition science, and exercise physiology.

13 (c) NON-FEDERAL FUNDS.—The Secretaries shall
14 encourage grantees under this section to contribute funds
15 from non-Federal sources to increase—

16 (1) the number of secondary schools at which
17 health and fitness programs are offered; or

18 (2) the longevity of such programs.

19 (d) MINIMUM NUMBER OF SCHOOLS.—The Secre-
20 taries shall ensure that grants under this section are used
21 to establish or expand health and fitness programs at a
22 total of not less than 20 schools.

23 (e) ASSESSMENT; REPORTING.—As conditions on re-
24 ceipt of a grant under this section, an eligible entity shall
25 agree to—

1 (1) conduct an annual assessment of health and
2 fitness programs funded through the grant;

3 (2) on an annual basis, report the findings of
4 each assessment under paragraph (1) to the partici-
5 pating school, community partners, local contribu-
6 tors of funds, and tribal councils; and

7 (3) not later than the end of fiscal year 2016,
8 submit a report to the Secretaries and an appro-
9 priate representative of the Centers for Disease Con-
10 trol and Prevention on the success of the programs
11 in educating children and families and thereby pre-
12 venting or reducing childhood obesity, including data
13 from each assessment under paragraph (1).

14 (f) REPORT TO CONGRESS.—Not later than the end
15 of fiscal year 2016, the Secretaries shall submit to the
16 Congress a report that—

17 (1) summarizes the results achieved through
18 programs funded under this section; and

19 (2) includes a summary of the reports sub-
20 mitted by grant recipients under subsection (e)(3).

21 (g) DEFINITIONS.—In this section:

22 (1) The term “secondary school” has the mean-
23 ing given to such term in section 9101 of the Ele-
24 mentary and Secondary Education Act of 1965 (20
25 U.S.C. 7801).

1 (2) The term “eligible entity” means a non-
2 profit organization or entity with the ability to meet
3 the requirements applicable to a grantee under this
4 section, as determined by the Secretaries.

5 (3) The term “low-income communities” in-
6 cludes—

7 (A) communities with a high percentage of
8 children eligible for free and reduced priced
9 lunches under the Richard B. Russell National
10 School Lunch Act (42 U.S.C. 1751 et seq.);
11 and

12 (B) any other communities determined by
13 the Secretaries to be low-income for purposes of
14 this section.

15 (4) The term “Secretaries” means the Sec-
16 retary of Health and Human Services and the Sec-
17 retary of Education, acting jointly and in conjunc-
18 tion with the Director of the Centers for Disease
19 Control and Prevention.

20 (h) AUTHORIZATION OF APPROPRIATIONS.—To carry
21 out this section, there is authorized to be appropriated
22 \$1,400,000 for the period of fiscal years 2015 through
23 2016.

1 **TITLE II—ADVANCING PREVENT-**
2 **ATIVE MEASURES AND**
3 **TREATMENT OF OBESITY IN**
4 **ADULTS AND CHILDREN IN**
5 **UNDERSERVED COMMU-**
6 **NITIES**

7 **SEC. 201. COMMUNITY HEALTH AND WELLNESS NAVIGA-**
8 **TORS PILOT PROGRAM: CONNECTING AMER-**
9 **ICA'S HEALTH PROFESSIONALS WITH OUR**
10 **SCHOOLS.**

11 (a) IN GENERAL.—The Secretary of Health and
12 Human Services shall award grants to 5 or more States
13 for the establishment of a community navigator program,
14 consisting of each such State making subgrants to 1 or
15 more eligible entities for a local community navigator pro-
16 gram described in subsection (b).

17 (b) PROGRAM DESCRIPTION.—A local community
18 navigator program described in this subsection shall con-
19 sist of the following:

20 (1) An eligible entity, in partnership with a
21 local educational agency, a bureau-funded school, or
22 a nonprofit health or education organization, will
23 hire and train 2 or more community navigators.

24 (2) The community navigators will facilitate a
25 relationship between the eligible entity and the local

1 educational agency, bureau-funded school, or non-
2 profit health or education organization in low-income
3 communities to ensure increased access to medical
4 care through educating parents and school adminis-
5 trators.

6 (3) The community navigators will carry out
7 educational activities for elementary school and sec-
8 ondary school students and their parents in low-in-
9 come communities with the goal of—

10 (A) increasing familial intake of nutritious
11 meals;

12 (B) increasing physical activity both in and
13 out of the school setting; and

14 (C) increasing access to medical care.

15 (4) The community navigators will specifically
16 recognize and address that there are subgroups that
17 are shown to have particular barriers to physical ac-
18 tivities, such as persons with disabilities.

19 (c) REPORT.—Not later than 2 years after the date
20 of the enactment of this Act, the Secretary shall submit
21 a report to the Congress on the effectiveness of the pro-
22 gram under this section.

23 (d) DEFINITIONS.—In this section:

1 (1) The term “bureau-funded school” has the
2 meaning given such term in section 1146 of the
3 Education Amendments of 1978 (25 U.S.C. 2026).

4 (2) The terms “elementary school”, “local edu-
5 cational agency”, and “secondary school” have the
6 meanings given to such terms in section 9101 of the
7 Elementary and Secondary Education Act of 1965
8 (20 U.S.C. 7801).

9 (3) The term “eligible entity” includes a Feder-
10 ally qualified health center (as defined in section
11 1861(aa) of the Social Security Act (42 U.S.C.
12 1395x(aa))), a facility operated by the Indian
13 Health Service (including a facility operated by an
14 Indian tribe or tribal organization through a con-
15 tract or compact with the Service under the Indian
16 Self-Determination and Education Assistance Act
17 (25 U.S.C. 450 et seq.)), a free-standing children’s
18 hospital that is described in subparagraph (L) or
19 (M) of section 340B(a)(4) of the Public Health
20 Service Act (42 U.S.C. 256b(a)(4)), a non-profit
21 with demonstrated effectiveness in the area of health
22 care and with a focus on serving low-income commu-
23 nities, a rural hospital, and a rural health clinic.

24 (4) The term “low-income communities” in-
25 cludes—

1 (A) communities with a high percentage of
2 children eligible for free and reduced priced
3 lunches under the Richard B. Russell National
4 School Lunch Act (42 U.S.C. 1751 et seq.);
5 and

6 (B) any other communities determined by
7 the Secretaries to be low-income for purposes of
8 this section.

9 (5) The term “nonprofit health or education or-
10 ganization” shall be defined by the Secretary.

11 (6) The term “Secretary” means the Secretary
12 of Health and Human Services.

13 (7) The term “State” includes the District of
14 Columbia and any commonwealth, territory, or pos-
15 session of the United States, including the Common-
16 wealth of Puerto Rico, the United States Virgin Is-
17 lands, Guam, American Samoa, and the Common-
18 wealth of the Northern Mariana Islands.

19 (e) AUTHORIZATION OF APPROPRIATIONS.—To carry
20 out this section, there are authorized to be appropriated
21 such sums as may be necessary for fiscal years 2015 and
22 2016.

1 **SEC. 202. COVERAGE OF EVIDENCE-BASED PREVENTIVE**
2 **SERVICES UNDER MEDICAID AND SCHIP.**

3 (a) STATE OPTION TO PROVIDE MEDICAL ASSIST-
4 ANCE FOR EVIDENCE-BASED PREVENTIVE SERVICES.—

5 (1) IN GENERAL.—Section 1905 of the Social
6 Security Act (42 U.S.C. 1396d) is amended—

7 (A) in subsection (a)—

8 (i) in paragraph (28), by striking
9 “and” at the end;

10 (ii) by redesignating paragraph (29)
11 as paragraph (30); and

12 (iii) by inserting after paragraph (28)
13 the following:

14 “(29) evidence-based preventive services de-
15 scribed in subsection (ee); and”;

16 (B) by adding at the end the following:

17 “(ee) For purposes of subsection (a)(29), evidence-
18 based preventive services described in this subsection
19 are—

20 “(1) any preventive services which the Sec-
21 retary has determined are reasonable and necessary
22 for preventing obesity and comorbidities of obesity,
23 including diet and exercise counseling, and healthy
24 weight and obesity counseling; and

25 “(2) any other evidence-based, effective, clinical
26 intervention for obese individuals designed to pre-

1 vent comorbidities of obesity, including pharma-
2 cological or surgical services.”.

3 (2) CONFORMING AMENDMENT.—Section
4 1902(a)(10)(C)(iv) of such Act (42 U.S.C.
5 1396(a)(10)(C)(iv)) is amended by inserting “, or
6 (29)” after “(24)”.

7 (b) STATE OPTION TO PROVIDE CHILD HEALTH AS-
8 SISTANCE FOR EVIDENCE-BASED PREVENTIVE SERV-
9 ICES.—Section 2110(a) of the Social Security Act (42
10 U.S.C. 1397jj(a)) is amended—

11 (1) by redesignating paragraph (28) as para-
12 graph (29); and

13 (2) by inserting after paragraph (27) the fol-
14 lowing:

15 “(28) Evidence-based preventive services de-
16 scribed in section 1905(ee).”.

17 **SEC. 203. COVERAGE OF MEDICAL NUTRITION THERAPY**
18 **UNDER MEDICAID AND CHIP.**

19 (a) STATE OPTION TO PROVIDE MEDICAL ASSIST-
20 ANCE FOR MEDICAL THERAPY SERVICES.—

21 (1) IN GENERAL.—Section 1905(a) of the So-
22 cial Security Act (42 U.S.C. 1396d(a)), as amended
23 by section 202(a)(1), is amended—

24 (A) in paragraph (29), by striking “and”
25 at the end;

1 (B) by redesignating paragraph (30) as
2 paragraph (31); and

3 (C) by inserting after paragraph (29) the
4 following:

5 “(30) medical nutrition therapy services (as de-
6 fined in section 1861(vv)(1)) for individuals with
7 prediabetes or obesity or who are overweight (as de-
8 fined by the Secretary); and”.

9 (2) CONFORMING AMENDMENT.—Section
10 1902(a)(10)(C)(iv) of such Act (42 U.S.C.
11 1396(a)(10)(C)(iv)), as amended by section
12 202(a)(2), is amended by striking “or (29)” and in-
13 serting “(29), or (30)”.

14 (b) STATE OPTION TO PROVIDE CHILD HEALTH AS-
15 SISTANCE FOR MEDICAL NUTRITION THERAPY SERV-
16 ICES.—Section 2110(a) of the Social Security Act (42
17 U.S.C. 1397jj(a)), as amended by section 202(b), is
18 amended—

19 (1) by redesignating paragraph (29) as para-
20 graph (30); and

21 (2) by inserting after paragraph (28) the fol-
22 lowing:

23 “(29) Medical nutrition therapy services (as de-
24 fined in section 1861(vv)(1)) for individuals with

1 prediabetes or obesity or who are overweight (as de-
2 fined by the Secretary).”.

3 **SEC. 204. CLARIFICATION OF EPSDT INCLUSION OF PRE-**
4 **VENTION, SCREENING, AND TREATMENT**
5 **SERVICES FOR OBESITY AND OVERWEIGHT;**
6 **CHIP COVERAGE.**

7 (a) IN GENERAL.—Section 1905(r) of the Social Se-
8 curity Act (42 U.S.C. 1396d(r)) is amended—

9 (1) in paragraph (1)(B)—

10 (A) in clause (iv), by striking “and” at the
11 end;

12 (B) in clause (v), by striking the period at
13 the end and inserting “, and”; and

14 (C) by adding at the end the following:

15 “(vi) weight and BMI measurement
16 and monitoring.”; and

17 (2) in paragraph (5), by inserting “(including
18 treatment services related to obesity and body
19 weight, such as medical nutrition therapy services
20 (as defined in section 1861(vv)(1)), physical therapy,
21 exercise training, behavioral health counseling, and
22 such other evidence-based services as recommended
23 by the Secretary (taking into consideration the
24 American Academy of Pediatrics Expert Committee
25 Guidelines Regarding the Prevention, Assessment,

1 and Treatment of Child and Adolescent Overweight
2 and Obesity and the National Center on Health,
3 Physical Activity, and Disability’s Physical Activity
4 Guidelines for Individuals with Disabilities)” after
5 “screening services”.

6 (b) CHIP.—

7 (1) REQUIRED COVERAGE.—Section 2103 of
8 the Social Security Act (42 U.S.C. 1397cc) is
9 amended—

10 (A) in subsection (a), in the matter pre-
11 ceding paragraph (1), by striking “and (7)”
12 and inserting “(7), and (8)”; and

13 (B) in subsection (c)—

14 (i) by redesignating paragraphs (7)
15 and (8) as paragraphs (8) and (9), respec-
16 tively; and

17 (ii) by inserting after paragraph (6),
18 the following:

19 “(7) PREVENTION, SCREENING, AND TREAT-
20 MENT SERVICES FOR OVERWEIGHT AND OBESE.—

21 The child health assistance provided to a targeted
22 low-income child shall include coverage of weight
23 and BMI measurement and monitoring, as well as
24 appropriate treatment services, including medical
25 nutrition therapy services (as defined in section

1 1861(vv)(1)), physical therapy or exercise training,
2 including steps needed to make such therapy and
3 training inclusive for persons with disabilities, be-
4 havioral health counseling, and such other evidence-
5 based services as recommended by the Secretary.
6 For purposes of the previous sentence the Secretary
7 shall take into consideration the American Academy
8 of Pediatrics Expert Committee Guidelines Regard-
9 ing the Prevention, Assessment, and Treatment of
10 Child and Adolescent Overweight and Obesity and
11 the National Center on Health, Physical Activity,
12 and Disability’s Physical Activity Guidelines for In-
13 dividuals with Disabilities.”.

14 (2) CONFORMING AMENDMENT.—Section
15 2102(a)(7)(B) of the Social Security Act (42 U.S.C.
16 1397bb(c)(2)) is amended by striking “section
17 2103(c)(5)” and inserting “paragraphs (5) and (7)
18 of section 2103(c)”.

19 **SEC. 205. NATIONAL COMMISSION ON CHILD OBESITY.**

20 (a) ESTABLISHMENT.—There is established a com-
21 mission to be known as the National Commission on Child
22 Obesity (in this section referred to as the “Commission”).

23 (b) DUTIES OF COMMISSION.—The Commission
24 shall—

1 (1) conduct a comprehensive study that exam-
2 ines and assesses the needs of children relating to
3 the prevalence, prevention, and treatment of child-
4 hood overweight and obesity, including specific find-
5 ings relating to—

6 (A) best practices for the prevention and
7 treatment of childhood overweight and obesity;

8 (B) child physical health and mental
9 health;

10 (C) childcare in all settings;

11 (D) child welfare;

12 (E) elementary and secondary education;

13 (F) food availability in neighborhoods;

14 (G) access to health care;

15 (H) health care utilization;

16 (I) built environment;

17 (J) parent physical health and education;

18 (K) underserved communities, including
19 tribal communities, health professional shortage
20 areas designated under section 332 of the Pub-
21 lic Health Service Act (42 U.S.C. 254e), medi-
22 cally underserved areas (as defined in section
23 799B of such Act (42 U.S.C. 295p), and areas
24 in the Appalachian region (as defined in section
25 14102(a) of title 40, United States Code);

1 (L) relevant activities in childhood over-
2 weight and obesity;

3 (M) the availability of information on State
4 and Federal supportive nutrition programs,
5 such as the Summer Food Service Program, the
6 Women, Infants, and Children Program, the
7 State Children’s Health Insurance Program
8 under title XXI of the Social Security Act, and
9 the Supplemental Nutrition Assistance Pro-
10 gram; and

11 (N) children with disabilities;

12 (2) identify, review, and evaluate existing laws,
13 regulations, policies, programs, and public health ini-
14 tiatives relevant to best practices for the prevalence,
15 prevention, and treatment of childhood overweight
16 and obesity;

17 (3) identify, review, and evaluate the lessons
18 learned from past laws, regulations, policies, pro-
19 grams, and public health initiatives relevant to the
20 prevalence, prevention, and treatment of childhood
21 overweight and obesity;

22 (4) advise on the need to revise laws, regula-
23 tions, policies, and programs relative to addressing
24 best practices for the prevalence, prevention, and

1 treatment of childhood overweight and obesity at
2 regular intervals as new knowledge is gained;

3 (5) include in the interim report required by
4 subsection (i)(1) recommendations on—

5 (A) the appropriate Federal agency to es-
6 tablish the infrastructure for the creation of a
7 comprehensive nationwide registry of patient
8 data associated with children living with obe-
9 sity;

10 (B) the specific criteria needed for such
11 registry to allow the field of pediatric clinicians
12 access to patient-level, clinical data suitable for
13 research and the development of best practices;

14 (C) the appropriate funding level required
15 for the establishment and implementation of
16 such the registry described in subparagraph
17 (A); and

18 (D) how to capture large-scale data that
19 are currently unavailable on adolescent and
20 child patients who are currently obese; and

21 (6) include in the final report required by sub-
22 section (i)(3) the Commission's specific findings,
23 conclusions, and recommendations to address the
24 needs of children relating to the prevention and

1 treatment of childhood overweight and obesity, in-
2 cluding specific recommendations on—

3 (A) the need for planning and establishing
4 a national resource center for children and obe-
5 sity; and

6 (B) such coordination of resources and
7 services, administrative actions, policies, regula-
8 tions, and legislative changes as the Commis-
9 sion considers appropriate.

10 (c) COMPOSITION.—

11 (1) MEMBERS.—The Commission shall be com-
12 posed of 15 members, of whom—

13 (A) 3 members, including at least one from
14 each major national political party, shall be ap-
15 pointed by the President;

16 (B) 3 members shall be appointed by the
17 majority leader of the Senate;

18 (C) 3 members shall be appointed by the
19 minority leader of the Senate;

20 (D) 3 members shall be appointed by the
21 Speaker of the House of Representatives; and

22 (E) 3 members shall be appointed by the
23 minority leader of the House of Representa-
24 tives.

1 (2) APPOINTMENT.—Members of the Commis-
2 sion shall be appointed not later than 6 months after
3 the date of the enactment of this Act.

4 (3) CHAIRPERSON, VICE CHAIRPERSON, AND
5 MEETINGS.—

6 (A) IN GENERAL.—Not later than 30 days
7 after the date on which all members of the
8 Commission are appointed under paragraph (1),
9 such members shall meet to elect a Chairperson
10 and Vice Chairperson from among such mem-
11 bers and shall determine a schedule of Commis-
12 sion meetings.

13 (B) INITIAL MEETING.—The Commission
14 shall meet and begin the operations of the Com-
15 mission not later than 120 days after the ap-
16 pointment of members of the Commission.

17 (4) GOVERNMENTAL APPOINTEES.—An indi-
18 vidual appointed to the Commission may not be an
19 official or employee of the Federal Government.

20 (5) COMMISSION REPRESENTATION.—The Com-
21 mission shall include at least one—

22 (A) representative from each of a nonprofit
23 and for-profit entity with demonstrated exper-
24 tise in addressing the needs of children relating

1 to the prevalence, prevention, and treatment of
2 childhood overweight and obesity;

3 (B) State or local director of health; and

4 (C) tribal health representative.

5 (6) QUALIFICATIONS.—Members appointed
6 under paragraph (1) may include—

7 (A) individuals involved with providing
8 services to children, including health and other
9 social services;

10 (B) individuals involved with administering
11 health insurance coverage to children;

12 (C) individuals with experience in public
13 health initiatives relating to the prevention and
14 treatment of childhood overweight and obesity,
15 including coordination of resources and services
16 among State and local governments, the Fed-
17 eral Government, and nongovernmental entities;

18 (D) individuals with philanthropic experi-
19 ence focused on the needs of children relating
20 to the prevalence, prevention, and treatment of
21 childhood overweight and obesity;

22 (E) individuals who have conducted aca-
23 demic research relating to the prevalence, pre-
24 vention, and treatment of childhood overweight
25 and obesity; and

1 (F) individuals with significant experience
2 in child health and policy.

3 (7) QUORUM AND VACANCY.—

4 (A) QUORUM.—A majority of the members
5 of the Commission shall constitute a quorum,
6 but a lesser number of members may hold hear-
7 ings.

8 (B) VACANCY.—Any vacancy in the Com-
9 mission shall not affect its powers and shall be
10 filled in the same manner in which the original
11 appointment was made.

12 (d) POWERS OF COMMISSION.—

13 (1) HEARINGS.—The Commission may hold
14 such hearings, meet and act at such times and
15 places, and receive such evidence as may be nec-
16 essary to carry out the functions of the Commission.

17 (2) INFORMATION FROM FEDERAL AGENCIES.—

18 (A) IN GENERAL.—The Commission may
19 access, to the extent authorized by law, from
20 any executive department, bureau, agency,
21 board, commission, office, independent estab-
22 lishment, or instrumentality of the Federal Gov-
23 ernment such information, suggestions, esti-
24 mates, and statistics as the Commission con-
25 siders necessary to carry out this section.

1 (B) PROVISION OF INFORMATION.—On
2 written request of the Chairperson of the Com-
3 mission, each department, bureau, agency,
4 board, commission, office, independent estab-
5 lishment, or instrumentality of the Federal Gov-
6 ernment shall, to the extent authorized by law,
7 provide the requested information to the Com-
8 mission.

9 (C) RECEIPT, HANDLING, STORAGE, AND
10 DISSEMINATION.—Information shall only be re-
11 ceived, handled, stored, and disseminated by
12 members of the Commission and its staff con-
13 sistent with all applicable statutes, regulations,
14 and Executive orders.

15 (3) ASSISTANCE FROM FEDERAL AGENCIES.—

16 (A) GENERAL SERVICES ADMINISTRA-
17 TION.—On request of the Chairperson of the
18 Commission, the Administrator of General
19 Services shall provide to the Commission, on a
20 reimbursable basis, administrative support and
21 other assistance necessary for the Commission
22 to carry out its duties.

23 (B) OTHER DEPARTMENTS AND AGEN-
24 CIES.—In addition to assistance under subpara-
25 graph (A), departments and agencies of the

1 United States may provide to the Commission
2 such assistance as they determine advisable and
3 as authorized by law.

4 (4) CONTRACTING.—The Commission may
5 enter into financially reasonable contracts to enable
6 the Commission to discharge its duties under this
7 section.

8 (5) POSTAL SERVICES.—The Commission may
9 use the United States mails in the same manner and
10 under the same conditions as a department or agen-
11 cy of the United States.

12 (e) STAFF OF COMMISSION.—

13 (1) IN GENERAL.—The Chairperson of the
14 Commission, in consultation with the Vice Chair-
15 person, in accordance with rules agreed upon by the
16 Commission, may appoint and fix the compensation
17 of a staff director, policy director, and administra-
18 tive assistant (and other staff if agreed upon by a
19 majority of Commission members) to enable the
20 Commission to carry out its functions, in accordance
21 with the provisions of title 5, United States Code,
22 except that no rate of pay fixed under this para-
23 graph may exceed the equivalent of that payable for
24 a position at level V of the Executive Schedule under
25 section 5316 of title 5, United States Code.

1 (2) STAFF OF FEDERAL AGENCIES.—Upon re-
2 quest of the Chairperson of the Commission, the
3 head of any executive department, bureau, agency,
4 board, commission, office, independent establish-
5 ment, or instrumentality of the Federal Government
6 may detail, without reimbursement, any of its per-
7 sonnel to the Commission to assist it in carrying out
8 its duties under this section. Any detail of an em-
9 ployee shall be without interruption or loss of civil
10 service status or privilege.

11 (3) CONSULTANT SERVICES.—The Commission
12 is authorized to procure (pursuant to a majority vote
13 of the Commission members) the services of experts
14 and consultants in accordance with section 3109 of
15 title 5, United States Code, but at rates not to ex-
16 ceed the daily equivalent of the annual rate of basic
17 pay for level IV of the Executive Schedule under sec-
18 tion 5315 of title 5, United States Code.

19 (f) TRAVEL EXPENSES.—Each member of the Com-
20 mission shall serve without compensation, but shall receive
21 travel expenses, including per diem in lieu of subsistence,
22 in accordance with applicable provisions in the same man-
23 ner as persons employed intermittently in the Government
24 service are allowed expenses under section 5703 of title
25 5, United States Code.

1 (g) APPLICABILITY OF FACA.—The Federal Advi-
2 sory Committee Act, including any provisions applicable
3 to staff, is deemed to apply to the Commission.

4 (h) REPORTS OF COMMISSION; TERMINATION.—

5 (1) INTERIM REPORT.—The Commission shall,
6 not later than 1 year after the date of its first meet-
7 ing, submit to the President and the Congress an in-
8 terim report containing specific findings, conclu-
9 sions, and recommendations required under this sec-
10 tion and agreed to by a majority of Commission
11 members.

12 (2) OTHER REPORTS AND INFORMATION.—

13 (A) REPORTS.—The Commission may
14 issue additional reports as the Commission de-
15 termines necessary.

16 (B) INFORMATION.—The Commission may
17 hold public hearings to collect information and
18 shall make such information available for use
19 by the public.

20 (3) FINAL REPORT.—The Commission shall,
21 not later than 2 years after the date of its first
22 meeting, submit to the President and Congress a
23 final report containing specific findings, conclusions,
24 and recommendations required under this section

1 and agreed to by a majority of Commission mem-
2 bers.

3 (4) TERMINATION.—

4 (A) IN GENERAL.—Unless reauthorized by
5 statute, the Commission, and all the authorities
6 of this section, shall terminate 180 days after
7 the date on which the final report is submitted
8 under paragraph (3).

9 (B) RECORDS.—Not later than the date of
10 termination of the Commission under subpara-
11 graph (A), all records and papers of the Com-
12 mission shall be delivered to the Archivist of the
13 United States for deposit in the National Ar-
14 chives.

15 (i) DEFINITIONS.—In this section:

16 (1) OBESITY.—The term “obesity” with respect
17 to children means having a body mass index (BMI)
18 greater than or equal to the 95th percentile for age
19 and sex according to the Centers for Disease Control
20 and Prevention.

21 (2) CHILD; CHILDREN.—The terms “child” and
22 “children” mean an individual or individuals, respec-
23 tively, who have not attained 18 years of age.

1 (j) AUTHORIZATION OF APPROPRIATIONS.—There is
2 authorized to be appropriated to carry out this section,
3 \$1,500,000 for each of fiscal years 2015 and 2016.

4 **SEC. 206. GAO REPORT.**

5 Not later than 2 years after the first appropriation
6 of Federal funds to carry out this Act, the Comptroller
7 General of the United States shall submit to Congress a
8 report on the effectiveness of the activities carried out
9 under this Act in reducing child obesity, which shall in-
10 clude an analysis of the costs and the benefits of such ac-
11 tivities.

12 **TITLE III—ENCOURAGING PHYS-**
13 **ICAL ACTIVITY IN UNDER-**
14 **SERVED AMERICAN COMMU-**
15 **NITIES**

16 **SEC. 301. RENOVATION OF FORECLOSED AND ABANDONED**
17 **PROPERTIES TO CREATE SPACES THAT EN-**
18 **COURAGE PHYSICAL ACTIVITY IN AMERICAN**
19 **NEIGHBORHOODS.**

20 Section 106(a) of the Housing and Community De-
21 velopment Act of 1974 (42 U.S.C. 5306(a)) is amended—

22 (1) in paragraph (3)—

23 (A) by striking “(1) and” and inserting

24 “(1),”; and

1 (B) by inserting “and after reserving such
2 amounts for units of general local government,
3 special district governments, and Indian tribes
4 with high foreclosure rates and great infrastruc-
5 ture need under paragraph (4),” after “para-
6 graph (2),”;

7 (2) by redesignating paragraph (4) as para-
8 graph (5);

9 (3) in paragraph (5), as redesignated by para-
10 graph (2) of this section, by striking “paragraphs
11 (1), (2), and (3)” and inserting “paragraphs (1),
12 (2), (3), and (4)”;

13 (4) by inserting after paragraph (3) the fol-
14 lowing new paragraph:

15 “(4)(A) For each fiscal year, of the amount ap-
16 proved in appropriation Acts under section 103 for
17 grants for such fiscal year (excluding the amounts
18 provided for use in accordance with section 107), the
19 Secretary shall reserve for grants to units of general
20 local government, special district governments, and
21 Indian tribes that the Secretary determines have
22 both high foreclosure rates and the greatest infra-
23 structure needs, based on the scope of the needs, an
24 amount the Secretary determines necessary.

1 “(B) Grants under this paragraph may be used
2 by units of general local government, special district
3 governments, and Indian tribes to—

4 “(i) renovate foreclosed commercial prop-
5 erties, abandoned commercial properties, or
6 both, to be transformed into community cen-
7 ters, public recreation facilities, swimming
8 pools, or any other type of facility that will en-
9 courage indoor physical activity;

10 “(ii) demolish foreclosed or abandoned
11 commercial and residential properties, or both,
12 to use the sites for—

13 “(I) the construction of parks, play-
14 grounds, outdoor swimming pools, tracks,
15 soccer fields, baseball diamonds, or any
16 other type of facility that will encourage
17 outdoor physical activity;

18 “(II) community gardens or urban
19 farms, particularly in areas that are food
20 deserts (as such term is defined in section
21 7527(a) of the Food, Conservation, and
22 Energy Act of 2008 (Public Law 110–234;
23 122 Stat. 2039); or

1 “(III) mixed-use facilities that are
2 used for both of the purposes under sub-
3 clauses (I) and (II) of this clause; and

4 “(iii) reconstruct and repair dilapidated
5 sidewalks, bike and pedestrian trails, and in-
6 door and outdoor facilities that encourage phys-
7 ical activity.

8 “(C) In making grants under this paragraph,
9 the Secretary shall give priority among units of gen-
10 eral local government, special district governments,
11 and Indian tribes eligible pursuant to subparagraph
12 (A)—

13 “(i) to units of general local government,
14 special district governments, and Indian tribes
15 that demonstrate the ability and willingness to
16 work with local educational agencies, devel-
17 opers, and other community-based organizations
18 to enter into mixed-use agreements to maximize
19 the use and efficiency of properties renovated,
20 constructed, or reconstructed and repaired
21 through the use of grant funds;

22 “(ii) to units of general local government,
23 special district governments, and Indian tribes
24 that demonstrate the willingness to recognize
25 and promote the involvement of individuals en-

1 rolled in a national service program authorized
2 under the National and Community Service Act
3 of 1990 (42 U.S.C. 12501 et seq.) or the Do-
4 mestic Volunteer Service Act of 1973 (42
5 U.S.C. 4950 et seq.) in the renovation, con-
6 struction, or reconstruction and repair of prop-
7 erties through the use of grant funds;

8 “(iii) to projects proposed by units of gen-
9 eral local government, special district govern-
10 ments, and Indian tribes that are easily acces-
11 sible, on foot or by public transportation, for
12 persons in low-income communities; and

13 “(iv) to projects proposed by units of gen-
14 eral local government, special district govern-
15 ments, and Indian tribes that have particular
16 accessibility considerations for persons with dis-
17 abilities.

18 “(D) For purposes of this paragraph, the term
19 ‘special district government’ means any organized
20 local entity, known by a variety of titles, including
21 districts, authorities, boards, and commissions, other
22 than a unit of general local government or local edu-
23 cational agency, authorized by State law to provide
24 only one or a limited number of designated func-
25 tions, and with sufficient administrative and fiscal

1 Health and Human Services, that the organization has en-
2 tered into a partnership with community entities, local
3 funders, and tribal leaders (including, if applicable, the
4 tribal council) to plan and execute an enrichment program
5 under subsection (a).

6 (c) NUMBER OF SITES.—The Secretary of Health
7 and Human Services, in providing funding under sub-
8 section (a), shall provide funding to no more than 20 com-
9 munity-based organizations.

10 (d) MODEL AND CAMP REQUIREMENT.—The enrich-
11 ment program under subsection (a) shall—

12 (1) be modeled on similar programs established
13 by the Zuni Youth Enrichment Project; and

14 (2) shall include a camp of at least 6 weeks in
15 duration during the summer.

16 (e) SPECIFIC CAMP REQUIREMENTS.—

17 (1) DAILY ACTIVITIES.—With respect to chil-
18 dren attending a camp under subsection (d)(2), the
19 leader of the organization that receives funds under
20 subsection (a) shall, for each day of the camp, en-
21 sure that such children are—

22 (A) involved in at least 60 minutes of
23 physical activity (with appropriate accommoda-
24 tions made for children with disabilities); and

1 (B) provided with at least two meals that
2 meet national nutritional standards.

3 (2) OTHER ACTIVITIES.—Such leader shall also
4 ensure that—

5 (A) a community gardening activity is in-
6 cluded in the activities conducted at the camp;
7 and

8 (B) health and wellness education is pro-
9 vided to the children attending the camp.

10 (f) EVALUATION.—

11 (1) IN GENERAL.—A community-based organi-
12 zation that receives funding under subsection (a),
13 shall, as a condition of receiving such funding, con-
14 duct an evaluation of the enrichment program con-
15 ducted by such organization.

16 (2) MODEL.—The form, manner, content, and
17 frequency of the evaluation under paragraph (1)
18 shall be modeled on the Zuni Youth Enrichment
19 Project standard project evaluation.

20 (g) REPORT.—Not later than 1 year after the date
21 on which a community organization first receives funding
22 under subsection (a) and annually thereafter, the organi-
23 zation shall—

24 (1) submit a report to the Secretary of Health
25 and Human Services on the outcomes of the enrich-

1 ment program conducted by the organization under
2 this section, including—

3 (A) the findings of the evaluation con-
4 ducted under subsection (f); and

5 (B) the impact of such enrichment pro-
6 gram on the rates of childhood obesity on the
7 reservation or area of tribal land served by the
8 organization; and

9 (2) provide a copy of the findings under para-
10 graph (1)(A) to community entities, local funders,
11 tribal leaders (including, if applicable, the tribal
12 council), and the families of children participating in
13 the enrichment program.

14 **SEC. 304. MAKING ROUTES TO SCHOOLS IN UNDERSERVED**
15 **COMMUNITIES SAFE AND ACCESSIBLE WITH**
16 **PUBLIC PARTICIPATION THROUGH THE COM-**
17 **MUNITY ORIENTED POLICING SERVICES PRO-**
18 **GRAM.**

19 Section 1701 of the Omnibus Crime Control and Safe
20 Streets Act of 1968 (42 U.S.C. 3796dd) is amended—

21 (1) in subsection (b)—

22 (A) in paragraph (16), by striking “and”
23 after the semicolon;

24 (B) by redesignating paragraph (17) as
25 paragraph (18), and in such paragraph (18) (as

1 so redesignated), by striking “through (16)”
2 and inserting “through (17)”; and

3 (C) by inserting after paragraph (16) the
4 following new paragraph:

5 “(17) to award grants for Safe Routes to
6 School-Community Oriented Policing Services pro-
7 grams, in accordance with subsection (1); and”;

8 (2) by adding at the end the following new sub-
9 section:

10 “(1) SAFE ROUTES TO SCHOOL-COMMUNITY ORI-
11 ENTED POLICING SERVICES PROGRAMS.—

12 “(1) GRANT PROGRAM.—The Director of the
13 Office of Community Oriented Policing Services, in
14 collaboration with the Secretary of Education, shall
15 award grants to not fewer than 10 local and tribal
16 law enforcement agencies in low-income communities
17 for the planning, development, and assessment of
18 Safe Routes to School-Community Oriented Policing
19 Services programs in accordance with this sub-
20 section.

21 “(2) GRANT PERIOD.—Each grant awarded
22 under this subsection shall be for a 3-year period be-
23 ginning with the first fiscal year that begins after
24 the date of enactment of the Fit for Life Act of
25 2014, and may not be renewed.

1 “(3) USE OF GRANTS.—A grant awarded under
2 this subsection shall be used by each grantee to—

3 “(A) assess the needs of the low-income
4 community served by the grantee with respect
5 to the ability of elementary and secondary
6 school students to get to and from school safely;
7 and

8 “(B) establish and maintain a Safe Routes
9 to School-Community Oriented Policing Serv-
10 ices program that ensures the availability of
11 safe routes to and from school for elementary
12 and secondary school students in underserved
13 communities by addressing the unique personal
14 safety dangers to students in such communities
15 that may cause routes to or from school to be
16 unsafe, such as dangers associated with crime,
17 drug or gang activity, abandoned properties,
18 and the presence of sexual predators.

19 “(4) REPORTS.—Not later than one year after
20 receiving a grant award under this subsection, and
21 annually thereafter, each grantee shall submit to the
22 Director of the Office of Community Oriented Policing
23 Services a report on the Safe Routes to School-
24 Community Oriented Policing Services program car-
25 ried out by the grantee that includes—

1 “(A) a description of the activities carried
2 out with such grant during the preceding year;

3 “(B) the effectiveness of such activities in
4 ensuring safe routes to and from school for ele-
5 mentary and secondary school students;

6 “(C) a description of the activities the
7 grantee plans to carry out with such grant in
8 succeeding years; and

9 “(D) best practices, plans, and findings for
10 purposes of incorporation into urban planning
11 and development in underserved communities in
12 succeeding years.

13 “(5) DEFINITION.—The term ‘low-income com-
14 munities’ includes—

15 “(A) communities with a high percentage
16 of children eligible for free and reduced priced
17 lunches under the Richard B. Russell National
18 School Lunch Act (42 U.S.C. 1751 et seq.);
19 and

20 “(B) any other communities determined by
21 the Director of the Office of Community Ori-
22 ented Policing Services to be low-income for
23 purposes of this section.”.

1 **SEC. 305. SCHOOL INFRASTRUCTURE HEALTHIER UP-**
2 **GRADES COMPETITIVE GRANT.**

3 (a) IN GENERAL.—From the amounts appropriated
4 to carry out this Act, the Secretary of Education shall
5 award grants, on a competitive basis, to eligible entities
6 to upgrade facilities specifically pertaining to healthy eat-
7 ing and fitness.

8 (b) AUTHORIZED USE OF FUND.—An eligible entity
9 receiving a grant under this section shall use such grant
10 to upgrade facilities specifically pertaining to healthy eat-
11 ing and fitness, which may include—

- 12 (1) building or maintaining school gardens;
13 (2) renovating outdoor facilities for physical
14 educations or activity programs; or
15 (3) upgrading kitchen and cafeteria services to
16 better prepare and store healthy foods.

17 (c) PRIORITY.—In awarding grants under this sec-
18 tion to eligible entities that are local educational agencies,
19 the Secretary shall give priority to local educational agen-
20 cies that—

- 21 (1) serve a high-percentage of low-income stu-
22 dents;
23 (2) serve a high-percentage of students who are
24 minorities;
25 (3) serve a high-percentage of students with
26 childhood obesity; and

1 (4) serve schools that have joint use agreements
2 for afterschool programs or community-wellness
3 partnerships for afterschool or weekend use.

4 (d) DEFINITIONS.—In this section:

5 (1) ELIGIBLE ENTITY.—The term “eligible enti-
6 ty” means a local educational agency or licensed
7 childcare centers with evidence-based wellness pro-
8 grams.

9 (2) LOCAL EDUCATIONAL AGENCY.—The term
10 “local educational agency” has the meaning given
11 the term in section 9101 of the Elementary and Sec-
12 ondary Education Act of 1965 (20 U.S.C. 7801).

13 (3) SECRETARY.—The term “Secretary” means
14 the Secretary of Education.

15 **SEC. 306. SHARED USE AGREEMENT EXPANSION PILOT**
16 **GRANT PROGRAM.**

17 (a) IN GENERAL.—From the amounts appropriated
18 to carry out this section, the Secretary of Education shall
19 award grants, on a competitive basis, to eligible entities
20 to supplement programmatic costs, operations, security,
21 maintenance fees, and other costs associated with out-of-
22 school use of elementary school or secondary school build-
23 ings or facilities for physical activity, fitness, and wellness
24 purposes.

1 (b) GRANT TERMS.—Each grant under this section
2 shall be awarded for a period of not more than 3 years.

3 (c) TOTAL GRANTS.—The Secretary shall award not
4 less than 15 grants under this section for each fiscal year
5 for which funds are appropriated to carry out this section.

6 (d) PRIORITY.—In awarding grants under this sec-
7 tion, the Secretary shall give priority to each eligible entity
8 that—

9 (1) serves low-income and minority populations;

10 (2) serves communities with high levels of child-
11 hood obesity; and

12 (3) is supporting a joint or shared-use agree-
13 ment (as described in subsection (e)(2)(A)) that—

14 (A) was established not more than 5 years
15 before the eligible entity received a grant under
16 this section; and

17 (B) allows the open community use of ele-
18 mentary school or secondary school buildings or
19 facilities as opposed to only fee-based sports
20 league use.

21 (e) DEFINITIONS.—In this section:

22 (1) ESEA TERMS.—The terms “elementary
23 school” and “secondary school” have the meanings
24 given such terms in section 9101 of the Elementary

1 and Secondary Education Act of 1965 (20 U.S.C.
2 7801).

3 (2) ELIGIBLE ENTITY.—The term “eligible enti-
4 ty” means an elementary school, secondary school,
5 local government, or community partner that has—

6 (A) adopted or entered into a joint or
7 shared-use agreement authorizing elementary
8 school or secondary school buildings or facilities
9 to be used by community and nonprofit organi-
10 zations for community programs; and

11 (B) the ability to use funds to support
12 such community programs.

13 (3) SECRETARY.—The term “Secretary” means
14 the Secretary of Education.

15 **SEC. 307. LAND AND WATER CONSERVATION FUND PRO-**
16 **GRAM GRANTS IN LOW-INCOME COMMU-**
17 **NITIES AND EXPAND TRIBAL PARTICIPATION.**

18 Section 6(e) of the Land and Water Conservation Act
19 of 1965 (16 U.S.C. 4601–8(e)) is amended by adding at
20 the end the following:

21 “(3) LOW-INCOME COMMUNITIES AND INDIAN
22 RESERVATIONS.—For development of programs to
23 increase the use of and access to parks and open
24 space in low-income communities and on or near In-
25 dian reservations.”.

1 **SEC. 308. CHANGING HEARTS, ATTITUDES, AND MINDS BY**
2 **PARTICIPATING IN SPORTS (CHAMPS) PRO-**
3 **GRAM.**

4 Part B of title III of the Public Health Service Act
5 is amended by inserting after section 317T (42 U.S.C.
6 247b–22) the following:

7 **“SEC. 317U. CHANGING HEARTS, ATTITUDES, AND MINDS BY**
8 **PARTICIPATING IN SPORTS (CHAMPS) PRO-**
9 **GRAM.**

10 “(a) **IN GENERAL.**—The Secretary, acting through
11 the Director of the Centers for Disease Control and Pre-
12 vention, may make grants to eligible entities to carry out
13 nationally based or community-based qualified childhood
14 obesity prevention initiatives.

15 “(b) **ELIGIBLE ENTITIES.**—To be eligible to seek a
16 grant under this section, an entity shall be—

17 “(1) a nationally based nonprofit organization
18 proposing to implement programs described in sub-
19 section (c), each serving at least 1,000 individuals,
20 at 5 or more locations across the Nation; or

21 “(2) a community-based nonprofit organization
22 proposing to implement a program described in sub-
23 section (c) serving at least 1,000 individuals.

24 “(c) **QUALIFIED CHILDHOOD OBESITY PREVENTION**
25 **INITIATIVE.**—To qualify as a childhood obesity prevention

1 initiative eligible for funding under this section, an initia-
2 tive shall consist of programs that—

3 “(1) serve children or adolescents most at risk
4 for being overweight and obese in predominantly
5 economically disadvantaged communities;

6 “(2) serve children or adolescents during after-
7 school hours, weekends, or summer hours;

8 “(3) provide structured physical fitness activi-
9 ties, including organized sports, which engage each
10 participant in a minimum of 60 minutes of moderate
11 to vigorous physical activity at least three days per
12 week for a period of at least 24 weeks in a given
13 year;

14 “(4) provide adult supervision and guidance or
15 coaches who encourage and teach proper exercise
16 techniques and skills;

17 “(5) combine physical fitness activities with nu-
18 tritional counseling and education; and

19 “(6) demonstrate measurable results for reduc-
20 ing childhood obesity on the part of participants, in-
21 cluding through—

22 “(A) measurement and study of partici-
23 pants’ moderate to vigorous physical activity
24 (MVPA) each day, both as part of the pro-

1 grams funded under this section and on the
2 participants' own initiative;

3 “(B) increased knowledge of and aware-
4 ness about the importance of physical activity
5 and exercise as well as the nutritional value of
6 food and beverage choices;

7 “(C) keeping track of and reporting mean-
8 ingful reductions in the consumption of food
9 and beverages with low nutritional value, in-
10 creased consumption of healthy items, and in-
11 creased levels of unstructured, self-initiated
12 physical activity outside of the programs funded
13 under this section; and

14 “(D) measurement and study of partici-
15 pants' body mass index (BMI) indicating
16 that—

17 “(i) children entering programs fund-
18 ed under this section with a healthy body
19 mass index maintain it while participating
20 in such programs; and

21 “(ii) children participating in such
22 programs with an unhealthy body mass
23 index halt any negative trend lines toward
24 obesity or begin trend lines in a positive di-
25 rection.

1 “(d) PRIORITY.—In selecting among applicants for
2 grants under this section, the Secretary shall give priority
3 to eligible entities proposing to carry out programs that
4 will provide additional societal benefits, such as—

5 “(1) effectiveness in working with programs for
6 ethnic and racial minorities that are evaluated by
7 independent, third-party evaluators;

8 “(2) improvements to academic performance in
9 school;

10 “(3) character building and leadership develop-
11 ment;

12 “(4) gang and juvenile delinquency prevention
13 and reduction;

14 “(5) gender equality and female empowerment;

15 “(6) mentoring, volunteerism promotion, and
16 service-learning opportunities;

17 “(7) family and community engagement and
18 participation;

19 “(8) workforce education and career develop-
20 ment opportunities; or

21 “(9) being inclusive of persons with disabilities.

22 “(e) DISTRIBUTION OF FUNDS.—Of the amount
23 made available to carry out this section for a fiscal year,
24 the Secretary shall award—

1 “(1) not less than 25 percent of such amount
2 to nationally based nonprofit organizations described
3 in subsection (b)(1); and

4 “(2) not more than 75 percent of such amount
5 to community-based nonprofit organizations de-
6 scribed in subsection (b)(2).

7 “(f) COST-SHARE REQUIREMENTS.—

8 “(1) IN GENERAL.—With respect to the costs of
9 a qualified childhood obesity prevention initiative to
10 be carried out under this section—

11 “(A) in the case of an applicant that is a
12 nationally based nonprofit organization, a grant
13 under subsection (a) may be made only if the
14 organization agrees to make available (directly
15 or through donations from public or private en-
16 tities) non-Federal contributions toward such
17 costs in an amount that is not less than one-
18 third of such costs (\$1 for each \$2 of Federal
19 funds provided in the grant); and

20 “(B) in the case of an applicant that is a
21 community-based nonprofit organization, a
22 grant under subsection (a) may be made only if
23 the organization agrees to make available (di-
24 rectly or through donations from public or pri-
25 vate entities) non-Federal contributions toward

1 such costs in an amount that is not less than
2 one-fourth of such costs (\$1 for each \$3 of Fed-
3 eral funds provided in the grant).

4 “(2) NON-FEDERAL CONTRIBUTIONS BY SUB-
5 GRANTEES.—If a nationally based nonprofit organi-
6 zation chooses to provide grant funds received under
7 this section to a subgrantee to carry out one or more
8 programs as part of the organization’s qualified
9 childhood obesity prevention initiative, the organiza-
10 tion shall require the subgrantee to make available
11 (directly or through donations from public or private
12 entities) non-Federal contributions toward the costs
13 of such programs in an amount that is not less than
14 one-third of such costs (\$1 for each \$2 of Federal
15 funds provided in the grant). The amount of non-
16 Federal contributions by subgrantees required under
17 this paragraph is in addition to the amount of non-
18 Federal contributions by the nationally based non-
19 profit organization required under paragraph (1).

20 “(3) DETERMINATION OF AMOUNT CONTRIB-
21 UTED.—

22 “(A) IN GENERAL.—Non-Federal contribu-
23 tions required by paragraph (1) or (2)—

1 “(i) in the case of a nationally based
2 nonprofit organization, shall be made in
3 cash; and

4 “(ii) in the case of a subgrantee de-
5 scribed in paragraph (2) or a community-
6 based nonprofit organization, may be in
7 cash or in kind, fairly evaluated, including
8 plant, equipment, or services.

9 “(B) EXCLUSION OF FEDERAL CONTRIBU-
10 TIONS.—Amounts provided by the Federal Gov-
11 ernment, or services assisted or subsidized to
12 any significant extent by the Federal Govern-
13 ment, may not be included in determining the
14 amount of non-Federal contributions required
15 by paragraph (1) or (2).

16 “(g) REPORT TO CONGRESS.—Not later than one
17 year after the first appropriation of Federal funds to carry
18 out this section, the Secretary shall report to the Congress
19 on the progress made in carrying out programs funded
20 by grants under this section.

21 “(h) BEST PRACTICES GUIDELINES.—Based on the
22 results of programs funded through grants under this sec-
23 tion during the first two fiscal years of such funding, the
24 Secretary shall develop publicly accessible best practices

1 guidelines for obesity reduction programs. The Secretary
2 shall update these guidelines every two years.

3 “(i) AUTHORIZATION OF APPROPRIATIONS.—To
4 carry out this section, there is authorized to be appro-
5 priated \$50,000,000 for each of fiscal years 2015 through
6 2019.”.

7 **SEC. 309. COORDINATED SCHOOL HEALTH INITIATIVES.**

8 (a) IN GENERAL.—From the amounts appropriated
9 to carry out this section, the Secretary of Education shall
10 carry out a pilot program to award grants to not more
11 than 5 eligible entities to carry out coordinated school
12 health initiatives in schools.

13 (b) AMOUNT OF GRANT.—A grant awarded under
14 subsection (a) may not exceed \$15,000.

15 (c) USE OF FUNDS.—An eligible entity receiving a
16 grant under this section shall carry out a coordinated
17 school health initiative in each school under the jurisdic-
18 tion of the entity under which the entity shall—

19 (1) carry out a program, such as a fitness pro-
20 gram, to assess the physical fitness (including aer-
21 obic capacity, muscular strength and endurance,
22 flexibility, and body composition) of each student
23 served by the entity; and

24 (2) evaluate such assessments to—

1 (A) establish baselines with respect to aer-
2 obic capacity, muscular strength and endur-
3 ance, flexibility, and body composition that each
4 such student should meet by a certain period;
5 and

6 (B) identify interventions to assist each
7 such student, including those with disabilities,
8 in meeting such baselines;

9 (3) review the interventions identified under
10 paragraph (2)(B) to determine the best practices
11 with respect to such interventions;

12 (4) use the determinations for best practices
13 under paragraph (3) to implement interventions in
14 each school under the jurisdiction of the entity; and

15 (5) not later than 1 year after the implementa-
16 tion of the interventions, assess the physical fitness
17 of each student served by the entity.

18 (d) REPORTING.—

19 (1) ELIGIBLE ENTITY.—Each eligible entity re-
20 ceiving a grant under this section shall submit to the
21 Secretary at such time and in such manner as deter-
22 mined by the Secretary, a report on—

23 (A) the initial physical fitness assessments
24 carried out under subsection (c)(1);

1 (B) the interventions implemented under
2 subsection (c)(4); and

3 (C) the physical fitness assessments car-
4 ried out under subsection (c)(5) after the inter-
5 ventions have been implemented.

6 (2) SECRETARY.—Not later than the first ap-
7 propriation of Federal funds to carry out this sec-
8 tion, the Secretary shall use the reports received
9 under paragraph (1) to prepare and transmit to
10 Congress a report on—

11 (A) the average physical fitness levels of
12 students participating in the coordinated school
13 health initiative under this section—

14 (i) prior to the interventions imple-
15 mented by each eligible entity under this
16 section; and

17 (ii) 1 year after the implementation of
18 the interventions;

19 (B) the best practices with respect to the
20 interventions; and

21 (C) recommendations on how schools and
22 local educational agencies may incorporate such
23 best practices.

24 (e) APPLICATION.—To receive a grant under this sec-
25 tion, an eligible entity shall submit an application to the

1 Secretary of Education at such time, in such manner, and
2 containing such information as the Secretary may require.

3 (f) SUPPLEMENT, NOT SUPPLANT.—Funds received
4 under this section shall be used to supplement, and not
5 supplant, non-Federal funds that would otherwise be used
6 for activities authorized under this section.

7 (g) DEFINITIONS.—For purposes of this section:

8 (1) ELIGIBLE ENTITY.—The term “eligible enti-
9 ty” means a local educational agency—

10 (A) that serves—

11 (i) a high percentage of students eligi-
12 ble for free or reduced price lunches under
13 the Richard B. Russell National School
14 Lunch Act; or

15 (ii) a community otherwise determined
16 by the Secretary to be a low-income com-
17 munity; and

18 (B) that forms a partnership with an insti-
19 tution of higher education or a nonprofit health
20 or education organization, as determined by the
21 Secretary, for the purposes of carrying out the
22 coordinated school health initiative described in
23 subsection (c).

24 (2) INSTITUTION OF HIGHER EDUCATION.—The
25 term “institution of higher education” has the

1 meaning given the term in section 101 of the Higher
2 Education Act of 1965 (20 U.S.C. 1001).

3 (3) LOCAL EDUCATIONAL AGENCY.—The term
4 “local educational agency” has the meaning given
5 such term in section 9101 of the Elementary and
6 Secondary Education Act of 1965 (20 U.S.C. 7801).

7 (4) SECRETARY.—The term “Secretary” means
8 the Secretary of Agriculture.

9 **SEC. 310. REWARDING ELEMENTARY AND SECONDARY**
10 **SCHOOLS FOR OUTSTANDING STUDENT PER-**
11 **FORMANCE IN PHYSICAL FITNESS PRO-**
12 **GRAMS.**

13 (a) IN GENERAL.—The Secretary of Health and
14 Human Services may make grants to elementary and sec-
15 ondary schools as rewards for their students’ outstanding
16 performance in the Presidential Youth Fitness Program
17 or other federally supported physical fitness programs.

18 (b) PREFERENCE.—In making grants under sub-
19 section (a), the Secretary shall give preference to elemen-
20 tary and secondary schools that—

21 (1) have the highest percentage of students
22 earning a Presidential Physical Fitness Award
23 through the Presidential Youth Fitness Program;

24 (2) demonstrate the greatest improvement in
25 the number or percentage of students earning the

1 National Physical Fitness Award and the Partici-
2 pant Physical Fitness Award through the Presi-
3 dential Youth Fitness Program; and

4 (3) implement evidence-based physical edu-
5 cation and physical activity policies and programs
6 that align with the Presidential Youth Fitness Pro-
7 gram.

8 (c) ALLOCATION OF FUNDS FOR UNDERPERFORMING
9 SCHOOLS.—Of the amounts made available for grants
10 under this section for each fiscal year, the Secretary shall
11 set aside a portion of such amounts for underperforming
12 elementary and secondary schools that—

13 (1) are in need of improvement;

14 (2) meet the requirements of this section; and

15 (3) have evidence-based physical education and
16 physical activity policies and programs.

17 (d) USE OF FUNDS.—As a condition on receipt of
18 a grant under this section, a school shall agree to use the
19 grant funds for programs and activities to further improve
20 the physical fitness of students.

21 (e) DATA REQUIREMENTS.—As a condition on re-
22 ceipt of a grant, a school shall agree to report the results
23 achieved at the school through the Presidential Youth Fit-
24 ness Program or other Federal physical fitness programs
25 to the community and the relevant State agency—

1 (1) to improve tracking of physical fitness data
2 across the United States; and

3 (2) to inform efforts to strengthen local
4 wellness policies to improve student physical activity
5 and physical fitness.

6 (f) APPLICATION.—To seek a grant under this sec-
7 tion, a school shall submit an application at such time,
8 in such manner, and containing such information as the
9 Secretary may require. At a minimum, an application
10 under this subsection shall include—

11 (1) a description of the school’s programs and
12 activities for improving physical fitness;

13 (2) an assurance of compliance with applicable
14 requirements of physical fitness programs of the De-
15 partment of Health and Human Services; and

16 (3) an assessment of physical fitness levels of
17 students in the school before, during, and after im-
18 plementation such programs.

19 (g) REPORTS.—

20 (1) HHS.—Not later than 18 months after the
21 date of the enactment of this Act, and annually
22 thereafter, the Secretary shall submit a report to the
23 Congress on the program of grants under this sec-
24 tion, including—

1 (A) a description of best practices by ele-
2 mentary and secondary schools for improving
3 physical fitness; and

4 (B) any recommendations for improving
5 the program under this section.

6 (2) GAO.—Not later than 24 months after the
7 date of the enactment of this Act, the Comptroller
8 General of the United States shall complete a study
9 and submit a report to the Congress—

10 (A) analyzing physical fitness levels of stu-
11 dents in elementary and secondary schools
12 across the Nation;

13 (B) evaluating the President’s Challenge to
14 determine whether the standards for Presi-
15 dential Physical Fitness Awards, National
16 Physical Fitness Awards, and Participant Phys-
17 ical Fitness Awards are accurate, up-to-date,
18 and appropriate; and

19 (C) evaluating the effectiveness of the
20 awards described in subparagraph (B).

21 (h) DEFINITIONS.—In this section:

22 (1) The term “elementary and secondary
23 schools” means public or private elementary schools
24 and secondary schools (as defined in section 9101 of

1 the Elementary and Secondary Education Act of
2 1965 (20 U.S.C. 7801)).

3 (2) The term “President’s Challenge” refers to
4 the premier program of the President’s Council on
5 Fitness, Sports & Nutrition, under the Secretary of
6 Health and Human Services, for increasing physical
7 activity and improving physical fitness.

8 (3) The term “Secretary” means the Secretary
9 of Health and Human Services.

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