

117TH CONGRESS
1ST SESSION

H. R. 4795

To amend the National Foundation on Fitness, Sports, and Nutrition Establishment Act of 2010 to permit the Foundation to receive Federal funds, revise the procedures for the appointment of members of the Board of the National Foundation on Fitness, Sports, and Nutrition, and other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 29, 2021

Mrs. BUSTOS (for herself and Mr. FITZPATRICK) introduced the following bill;
which was referred to the Committee on Education and Labor

A BILL

To amend the National Foundation on Fitness, Sports, and Nutrition Establishment Act of 2010 to permit the Foundation to receive Federal funds, revise the procedures for the appointment of members of the Board of the National Foundation on Fitness, Sports, and Nutrition, and 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 “National Foundation
5 on Fitness, Sports, & Nutrition Act” or the “NFFSN
6 Act”.

1 **SEC. 2. ESTABLISHMENT AND PURPOSE OF FOUNDATION.**

2 (a) **FUNDING AND SUPPORT SERVICES.**—Section 2 of
3 the National Foundation on Fitness, Sports, and Nutri-
4 tion Establishment Act (36 U.S.C. 20101 note) is amend-
5 ed—

6 (1) by amending subsection (c) to read as fol-
7 lows:

8 “(c) **FEDERAL GRANTS.**—The Foundation may be el-
9 igible for a federal grant if the Foundation meets the eligi-
10 bility requirements for the grant.”; and

11 (2) by adding at the end the following:

12 “(d) **FUNDING.**—To the extent permitted by law and
13 subject to the availability of funds, the Secretary of Health
14 and Human Services may provide funding, facilities, utili-
15 ties, and other administrative support services to the
16 Foundation.”.

17 (b) **BOARD OF DIRECTORS.**—

18 (1) **BOARD COMPOSITION.**—Section 3(a) of such
19 Act (36 U.S.C. 20101 note) is amended—

20 (A) by striking “**ESTABLISHMENT AND**
21 **MEMBERSHIP**” and inserting “**ESTABLISHMENT**
22 **AND COMPOSITION**”;

23 (B) by striking “The Foundation shall
24 have a governing Board of Directors (herein-
25 after referred to in this Act as the ‘Board’),
26 which shall consist of 9 members each of whom

1 shall be a United States citizen and—” and in-
2 serting:

3 “(1) IN GENERAL.—The Foundation shall have
4 a governing Board of Directors (hereinafter referred
5 to in this Act as the ‘Board’), each of whom shall
6 be a United States citizen and—”;

7 (C) in paragraph (1), by striking “3 of
8 whom” and inserting “at least 3 of whom”;

9 (D) in paragraph (2), by striking “6 of
10 whom” and inserting “at least 6 of whom”;

11 (E) by redesignating paragraphs (1) and
12 (2) as subparagraphs (A) and (B), respectively;

13 (F) by striking “The membership of the
14 Board” and inserting:

15 “(2) MEMBERSHIP.—The membership of the
16 Board”; and

17 (G) by adding at the end the following:

18 “(3) NUMBER OF MEMBERS.—The Board shall
19 consist of at least 9 members and the Board may
20 amend the bylaws of the Foundation to increase the
21 number of members of the Board.”.

22 (2) BOARD APPOINTMENTS.—Section 3(b) of
23 such Act (36 U.S.C. 20101 note) is amended to read
24 as follows:

1 “(b) APPOINTMENTS.—Members of the Board shall
2 be appointed by the Board by majority approval.”.

3 (3) BOARD TERMS.—Section 3(c) of such Act
4 (36 U.S.C. 20101 note) is amended by striking “in
5 the same manner in which the original appointment
6 was made” and inserting “in the manner required
7 by subsection (b)”.

8 (4) BOARD SALARY.—Section 3(h)(1) of such
9 Act (36 U.S.C. 20101 note) is amended by striking
10 the second sentence.

11 (c) PROTECTION OF TRADEMARKS.—Section 5(a) of
12 such Act (36 U.S.C. 20101 note) is amended by striking
13 “may be provided only by the Foundation with the concur-
14 rence of the Secretary or the Secretary’s designee” and
15 inserting “may be provided only by the Foundation”.

16 **SEC. 3. EFFECTIVE DATE.**

17 (a) IN GENERAL.—The amendments made by this
18 Act shall take effect on the date of the enactment of this
19 Act.

20 (b) BOARD APPOINTMENT RULE.—The amendments
21 made to sections 3(b) and 3(c) of the National Foundation
22 on Fitness, Sports, and Nutrition Establishment Act (36
23 U.S.C. 20101 note) by this Act shall apply to all vacancies
24 on the Board of Directors of the National Foundation of
25 Fitness, Sport, and Nutrition and expirations of a Board

1 member's term occurring on or after the date of enact-
2 ment of this Act.

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