

115TH CONGRESS
2D SESSION

S. 2827

To amend the Morris K. Udall and Stewart L. Udall Foundation Act.

IN THE SENATE OF THE UNITED STATES

MAY 10, 2018

Mr. HEINRICH (for himself and Mr. MCCAIN) introduced the following bill;
which was read twice and referred to the Committee on Environment and
Public Works

A BILL

To amend the Morris K. Udall and Stewart L. Udall
Foundation Act.

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. FINDINGS.**

4 Congress finds the following:

5 (1) Since 1999, the Morris K. Udall and Stew-
6 art L. Udall Foundation (referred to in this Act as
7 the “Foundation”) has operated the Parks in Focus
8 program to provide opportunities for the youth of
9 the United States to learn about and experience the

1 Nation's parks and wilderness, and other outdoor
2 areas.

3 (2) Since 2001, the Foundation has conducted
4 research and provided education and training to Na-
5 tive American and Alaska Native professionals and
6 leaders on Native American and Alaska Native
7 health care issues and tribal public policy through
8 the Native Nations Institute for Leadership, Man-
9 agement, and Policy.

10 (3) The Foundation is committed to continuing
11 to make a substantial contribution toward public
12 policy in the future by—

13 (A) playing a significant role in developing
14 the next generation of environmental, public
15 health, public lands, natural resource, and Na-
16 tive American leaders; and

17 (B) working with current leaders to im-
18 prove collaboration and decision-making on
19 challenging environmental, energy, public
20 health, and related economic problems and trib-
21 al governance and economic development issues.

22 **SEC. 2. DEFINITIONS.**

23 Section 4 of the Morris K. Udall and Stewart L.
24 Udall Foundation Act (20 U.S.C. 5602) is amended—

1 (1) in paragraph (2), by striking “the Udall
2 Center for Studies in Public Policy established at
3 the University of Arizona in 1987” and inserting
4 “the Udall Center for Studies in Public Policy estab-
5 lished in 1987 at the University of Arizona, and in-
6 cludes the Native Nations Institute”;

7 (2) by redesignating paragraphs (3) through
8 (7), (8), and (9) as paragraphs (4) through (8),
9 (11), and (12), respectively;

10 (3) by inserting after paragraph (2) the fol-
11 lowing:

12 “(3) the term ‘collaboration’ means to work in
13 partnership with other entities for the purpose of—

14 “(A) resolving disputes;

15 “(B) addressing issues that may cause or
16 result in disputes; or

17 “(C) streamlining and enhancing Federal,
18 State, or tribal environmental and natural re-
19 source decision-making processes or procedures
20 that may result in a dispute or conflict;”;

21 (4) in paragraph (7), as redesignated by para-
22 graph (2), by striking “section 7(a)(1)(D)” and in-
23 serting “section 7(a)(1)(B)”;

1 (5) in paragraph (8), as redesignated by para-
 2 graph (2), by striking “section 1201(a)” and insert-
 3 ing “section 101(a)”;

4 (6) by inserting after paragraph (8), as redesign-
 5 ated by paragraph (2), the following:

6 “(9) the term ‘Nation’s parks and wilderness’
 7 means units of the National Park System and com-
 8 ponents of the National Wilderness Preservation
 9 System;

10 “(10) the term ‘Native Nations Institute’
 11 means the Native Nations Institute for Leadership,
 12 Management, and Policy established at the Univer-
 13 sity of Arizona in 2001;”.

14 **SEC. 3. ESTABLISHMENT OF MORRIS K. UDALL AND STEW-**
 15 **ART L. UDALL FOUNDATION.**

16 Section 5(e) of the Morris K. Udall and Stewart L.
 17 Udall Foundation Act (20 U.S.C. 5603(e)) is amended by
 18 striking “Arizona.” and inserting “Arizona and the Dis-
 19 trict of Columbia.”.

20 **SEC. 4. PURPOSE OF THE FOUNDATION.**

21 Section 6 of the Morris K. Udall and Stewart L.
 22 Udall Foundation Act (20 U.S.C. 5604) is amended—

23 (1) in paragraph (4), by striking “establish a
 24 Program for Environmental Policy Research and
 25 Environmental Conflict Resolution and Training at

1 the Center” and inserting “establish a program for
 2 environmental policy research at the Center and a
 3 program for environmental conflict resolution and
 4 training at the United States Institute for Environ-
 5 mental Conflict Resolution”;

6 (2) in paragraph (5), by inserting “, natural re-
 7 source, conflict resolution,” after “environmental”;

8 (3) in paragraph (7)—

9 (A) by inserting “at the Native Nations In-
 10 stitute” after “develop resources”; and

11 (B) by inserting “providing education to
 12 and” after “policy, by”; and

13 (4) in paragraph (8), by striking “resolve envi-
 14 ronmental” and inserting “resolve environmental
 15 issues, conflicts, and”.

16 **SEC. 5. AUTHORITY OF THE FOUNDATION.**

17 Section 7 of the Morris K. Udall and Stewart L.
 18 Udall Foundation Act (20 U.S.C. 5605) is amended—

19 (1) in subsection (a)—

20 (A) in paragraph (1)—

21 (i) by striking subparagraphs (A)
 22 through (C) and inserting the following:

23 “(A) GENERAL PROGRAMMING AUTHOR-
 24 ITY.—The Foundation is authorized to identify
 25 and conduct, directly or by contract, such pro-

grams, activities, and services as the Foundation considers appropriate to carry out the purposes described in section 6, which may include—

“(i) awarding scholarships, fellowships, internships, and grants, by national competition or other method, to eligible individuals, as determined by the Foundation and in accordance with paragraphs (2), (3), and (4), for study in fields related to the environment or Native American and Alaska Native health care and tribal policy;

“(ii) funding the Center to carry out and manage other programs, activities, and services; and

“(iii) other education programs that the Board determines are consistent with the purposes for which the Foundation is established.”;

(ii) by redesignating subparagraph (D) as subparagraph (B); and

(iii) in subparagraph (B), as redesignated—

(I) in clause (i)(II)—

1 (aa) by inserting “collabora-
 2 tion,” after “mediation,”; and

3 (bb) by striking “to resolve
 4 environmental disputes.” and in-
 5 serting the following: “to re-
 6 solve—

7 “(aa) environmental dis-
 8 putes; and

9 “(bb) Federal, State, or
 10 tribal environmental or natural
 11 resource decision-making proc-
 12 esses or procedures that may re-
 13 sult in a dispute or conflict that
 14 may cause or result in disputes.”;
 15 and

16 (II) in clause (ii), by inserting
 17 “collaboration,” after “mediation,”;

18 (B) by striking paragraph (5);

19 (C) by redesignating paragraphs (6) and
 20 (7) as paragraphs (7) and (8), respectively;

21 (D) by inserting after paragraph (4) the
 22 following:

23 “(5) PARKS IN FOCUS.—The Foundation
 24 shall—

1 “(A) identify and invite the participation
2 of youth throughout the United States to enjoy
3 the Nation’s parks and wilderness and other
4 outdoor areas, in an education program in-
5 tended to carry out the purpose of paragraphs
6 (1) and (2) of section 6; and

7 “(B) provide training and education pro-
8 grams and activities to teach Federal employ-
9 ees, natural resource professionals, elementary
10 and secondary school educators, and others to
11 work with youth to promote the use and enjoy-
12 ment of the Nation’s parks and wilderness and
13 other outdoor areas.

14 “(6) SPECIFIC PROGRAMS.—The Foundation
15 shall assist in the development and implementation
16 of programs at the Center—

17 “(A) to provide for an annual meeting of
18 experts to discuss contemporary environmental
19 issues;

20 “(B) to conduct environmental policy re-
21 search; and

22 “(C) to promote dialogue with visiting pol-
23 icymakers on environmental, natural resource,
24 and public lands issues.”;

(E) in paragraph (7), as redesignated by subparagraph (C), by striking “Morris K. Udall’s papers” and inserting “the papers of Morris K. Udall and Stewart L. Udall”; and

(F) by adding at the end the following:

“(9) NATIVE NATIONS INSTITUTE.—The Foundation shall provide direct or indirect assistance to the Native Nations Institute from the annual appropriations to the Trust Fund in such amounts as Congress may direct to conduct research and provide education and training to Native American and Alaska Native professionals and leaders on Native American and Alaska Native health care issues and tribal public policy issues as provided in section 6(7).”;

(2) by striking subsection (c) and inserting the following:

“(c) PROGRAM PRIORITIES.—

“(1) IN GENERAL.—The Foundation shall determine the priority of the programs to be carried out under this Act and the amount of funds to be allocated for such programs from the funds earned annually from the interest derived from the investment of the Trust Fund, subject to paragraph (2).

1 “(2) LIMITATIONS.—In determining the amount
2 of funds to be allocated for programs carried out
3 under this Act for a year—

4 “(A) not less than 50 percent of such an-
5 nual interest earnings shall be utilized for the
6 programs set forth in paragraphs (2), (3), (4),
7 and (5) of subsection (a);

8 “(B) not more than 20 percent of such an-
9 nual interest earnings shall be allocated for sal-
10 aries and other administrative purposes; and

11 “(C) not less than 20 percent of such an-
12 nual interest earnings shall be appropriated to
13 the Center for activities under paragraphs (7)
14 and (8) of subsection (a).”; and

15 (3) by adding at the end the following:

16 “(d) DONATIONS.—Any funds received by the Foun-
17 dation in the form of donations or grants, as well as any
18 unexpended earnings on interest from the Trust Fund
19 that is carried forward from prior years—

20 “(1) shall not be included in the calculation of
21 the funds available for allocations pursuant to sub-
22 section (c); and

23 “(2) shall be available to carry out the provi-
24 sions of this Act as the Board determines to be nec-
25 essary and appropriate.”.

1 **SEC. 6. USE OF INSTITUTE BY FEDERAL AGENCY OR OTHER**
2 **ENTITY.**

3 Section 11 of the Morris K. Udall and Stewart L.
4 Udall Foundation Act (20 U.S.C. 5607b) is amended—

5 (1) in subsection (a)—

6 (A) by inserting “collaboration,” after
7 “mediation,”; and

8 (B) by striking “resources.” and inserting
9 “resources, or with a Federal, State, or tribal
10 process or procedure that may result in a dis-
11 pute or conflict.”; and

12 (2) in subsection (c)(2)(C), by inserting “medi-
13 ation, collaboration, and” after “agree to”.

14 **SEC. 7. ADMINISTRATIVE PROVISIONS.**

15 Section 12 of the Morris K. Udall and Stewart L.
16 Udall Foundation Act (20 U.S.C. 5608) is amended—

17 (1) in subsection (a)—

18 (A) in paragraph (4), by striking “accept,
19 hold, administer, and utilize gifts” and insert-
20 ing “accept, hold, solicit, administer, and utilize
21 donations, grants, and gifts”; and

22 (B) in paragraph (7), by striking “in the
23 District of Columbia or its environs” and in-
24 serting “in the District of Columbia and Tuc-
25 son, Arizona, or their environs”; and

1 (2) in subsection (b), by striking “, with the ex-
2 ception of paragraph (4),”.

3 **SEC. 8. AUTHORIZATION OF APPROPRIATIONS.**

4 Section 13(b) of the Morris K. Udall and Stewart L.
5 Udall Foundation Act (20 U.S.C. 5609(b)) is amended by
6 striking “fiscal years 2004 through 2008” and inserting
7 “fiscal years 2019 through 2024”.

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