

115TH CONGRESS
2D SESSION

S. 2827

AN ACT

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,*

1 **SECTION 1. FINDINGS.**

2 Congress finds the following:

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

10 (2) Since 2001, the Foundation has conducted
11 research and provided education and training to Na-
12 tive American and Alaska Native professionals and
13 leaders on Native American and Alaska Native
14 health care issues and tribal public policy through
15 the Native Nations Institute for Leadership, Man-
16 agement, and Policy.

17 (3) The Foundation is committed to continuing
18 to make a substantial contribution toward public
19 policy in the future by—

20 (A) playing a significant role in developing
21 the next generation of environmental, public
22 health, public lands, natural resource, and Na-
23 tive American leaders; and

24 (B) working with current leaders to im-
25 prove collaboration and decision-making on
26 challenging environmental, energy, public

1 health, and related economic problems and trib-
2 al governance and economic development issues.

3 **SEC. 2. DEFINITIONS.**

4 (a) IN GENERAL.—Section 4 of the Morris K. Udall
5 and Stewart L. Udall Foundation Act (20 U.S.C. 5602)
6 is amended—

7 (1) in paragraph (2), by striking “the Udall
8 Center for Studies in Public Policy established at
9 the University of Arizona in 1987” and inserting
10 “the Udall Center for Studies in Public Policy estab-
11 lished in 1987 at the University of Arizona, and in-
12 cludes the Native Nations Institute”;

13 (2) by redesignating paragraphs (3) through
14 (7), (8), and (9) as paragraphs (4) through (8),
15 (11), and (12), respectively;

16 (3) by inserting after paragraph (2) the fol-
17 lowing:

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

20 “(A) resolving disputes;

21 “(B) addressing issues that may cause or
22 result in disputes; or

23 “(C) streamlining and enhancing Federal,
24 State, or tribal environmental and natural re-

source decision-making processes or procedures
that may result in a dispute or conflict;”;

(4) in paragraph (7), as redesignated by paragraph (2)—

(A) by striking “United States Institute for Environmental Conflict Resolution” and inserting “John S. McCain III United States Institute for Environmental Conflict Resolution”;
and

(B) by striking “section 7(a)(1)(D)” and inserting “section 7(a)(1)(B)”;

(5) in paragraph (8), as redesignated by paragraph (2), by striking “section 1201(a)” and inserting “section 101(a)”;

and
(6) by inserting after paragraph (8), as redesignated by paragraph (2), the following:

“(9) the term ‘Nation’s parks and wilderness’ means units of the National Park System and components of the National Wilderness Preservation System;

“(10) the term ‘Native Nations Institute’ means the Native Nations Institute for Leadership, Management, and Policy established at the University of Arizona in 2001;”.

(b) CONFORMING AMENDMENT.—Section 3(5)(B) of the Morris K. Udall and Stewart L. Udall Foundation Act (20 U.S.C. 5601(5)(B)) is amended by striking “the United States Institute for Environmental Conflict Resolution” and inserting “the Institute”.

SEC. 3. ESTABLISHMENT OF MORRIS K. UDALL AND STEWART L. UDALL FOUNDATION.

Section 5(e) of the Morris K. Udall and Stewart L. Udall Foundation Act (20 U.S.C. 5603(e)) is amended by striking “Arizona.” and inserting “Arizona and the District of Columbia.”.

SEC. 4. PURPOSE OF THE FOUNDATION.

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

(1) in paragraph (4), by striking “establish a Program for Environmental Policy Research and Environmental Conflict Resolution and Training at the Center” and inserting “establish a program for environmental policy research at the Center and a program for environmental conflict resolution and training at the John S. McCain III United States Institute for Environmental Conflict Resolution”;

(2) in paragraph (5), by inserting “, natural resource, conflict resolution,” after “environmental”;

(3) in paragraph (7)—

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

3 (B) by inserting “providing education to
 4 and” after “policy, by”; and

5 (4) in paragraph (8)—

6 (A) by inserting “John S. McCain III” be-
 7 fore “United States Institute for Environmental
 8 Conflict Resolution”; and

9 (B) by striking “resolve environmental”
 10 and inserting “resolve environmental issues,
 11 conflicts, and”.

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

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

15 (1) in subsection (a)—

16 (A) in paragraph (1)—

17 (i) by striking subparagraphs (A)
 18 through (C) and inserting the following:

19 “(A) GENERAL PROGRAMMING AUTHOR-
 20 ITY.—The Foundation is authorized to identify
 21 and conduct, directly or by contract, such pro-
 22 grams, activities, and services as the Founda-
 23 tion considers appropriate to carry out the pur-
 24 poses described in section 6, which may in-
 25 clude—

“(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 the subparagraph heading, by striking “INSTITUTE FOR ENVIRONMENTAL CONFLICT RESOLUTION” and inserting “JOHN S. MCCAIN III UNITED STATES INSTITUTE FOR EN-

VIRONMENTAL CONFLICT RESOLUTION”;

(II) in clause (i)—

(aa) in subclause (I), by inserting “John S. McCain III” before “United States Institute for Environmental Conflict Resolution”; and

(bb) in subclause (II)—

(AA) by inserting “collaboration,” after “mediation,”; and

(BB) by striking “to resolve environmental disputes.” and inserting the following: “to resolve—

“(aa) environmental disputes; and

“(bb) Federal, State, or tribal environmental or natural resource decision-making processes or procedures that may result in a dispute or conflict that may cause or result in disputes.”; and

1 (III) in clause (ii), by inserting
2 “collaboration,” after “mediation,”;
3 (B) by striking paragraph (5);
4 (C) by redesignating paragraphs (6) and
5 (7) as paragraphs (7) and (8), respectively;
6 (D) by inserting after paragraph (4) the
7 following:

8 “(5) PARKS IN FOCUS.—The Foundation
9 shall—

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

16 “(B) provide training and education pro-
17 grams and activities to teach Federal employ-
18 ees, natural resource professionals, elementary
19 and secondary school educators, and others to
20 work with youth to promote the use and enjoy-
21 ment of the Nation’s parks and wilderness and
22 other outdoor areas.

23 “(6) SPECIFIC PROGRAMS.—The Foundation
24 shall assist in the development and implementation
25 of programs at the Center—

1 “(A) to provide for an annual meeting of
2 experts to discuss contemporary environmental
3 issues;

4 “(B) to conduct environmental policy re-
5 search; and

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

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

13 (F) by adding at the end the following:

14 “(9) NATIVE NATIONS INSTITUTE.—The Foun-
15 dation shall provide direct or indirect assistance to
16 the Native Nations Institute from the annual appro-
17 priations to the Trust Fund in such amounts as
18 Congress may direct to conduct research and provide
19 education and training to Native American and
20 Alaska Native professionals and leaders on Native
21 American and Alaska Native health care issues and
22 tribal public policy issues as provided in section
23 6(7).”;

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

1 “(c) PROGRAM PRIORITIES.—

2 “(1) IN GENERAL.—The Foundation shall de-
3 termine the priority of the programs to be carried
4 out under this Act and the amount of funds to be
5 allocated for such programs from the funds earned
6 annually from the interest derived from the invest-
7 ment of the Trust Fund, subject to paragraph (2).

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

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

15 “(B) not more than 17.5 percent of such
16 annual interest earnings shall be allocated for
17 salaries and other administrative purposes; and

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

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

23 “(d) DONATIONS.—Any funds received by the Foun-
24 dation in the form of donations or grants, as well as any

1 unexpended earnings on interest from the Trust Fund
 2 that is carried forward from prior years—

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

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

9 **SEC. 6. USE OF INSTITUTE BY FEDERAL AGENCY OR OTHER**
 10 **ENTITY.**

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

13 (1) in subsection (a)—

14 (A) by inserting “collaboration,” after
 15 “mediation,”; and

16 (B) by striking “resources.” and inserting
 17 “resources, or with a Federal, State, or tribal
 18 process or procedure that may result in a dis-
 19 pute or conflict.”; and

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

22 **SEC. 7. ADMINISTRATIVE PROVISIONS.**

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

25 (1) in subsection (a)—

1 (A) in paragraph (4), by striking “accept,
 2 hold, administer, and utilize gifts” and insert-
 3 ing “accept, hold, solicit, administer, and utilize
 4 donations, grants, and gifts”; and

5 (B) in paragraph (7), by striking “in the
 6 District of Columbia or its environs” and in-
 7 serting “in the District of Columbia and Tuc-
 8 son, Arizona, or their environs”; and

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

11 **SEC. 8. AUTHORIZATION OF APPROPRIATIONS.**

12 Section 13(b) of the Morris K. Udall and Stewart L.
 13 Udall Foundation Act (20 U.S.C. 5609(b)) is amended by
 14 striking “fiscal years 2004 through 2008” and inserting
 15 “fiscal years 2019 through 2022”.

16 **SEC. 9. AUDIT OF THE FOUNDATION.**

17 Not later than 2 years after the date of enactment
 18 of this Act, the Inspector General of the Department of
 19 the Interior shall conduct an audit of the Morris K. Udall
 20 and Stewart L. Udall Foundation.

Passed the Senate December 13, 2018.

Attest:

Secretary.

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