

115<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# S. 2827

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## 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 Stewart  
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-

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

3 (4) in paragraph (7), as redesignated by para-  
4 graph (2)—

5 (A) by striking “United States Institute  
6 for Environmental Conflict Resolution” and in-  
7 serting “John S. McCain III United States In-  
8 stitute for Environmental Conflict Resolution”;  
9 and

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

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

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

17 “(9) the term ‘Nation’s parks and wilderness’  
18 means units of the National Park System and com-  
19 ponents of the National Wilderness Preservation  
20 System;

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

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

6 **SEC. 3. ESTABLISHMENT OF MORRIS K. UDALL AND STEW-**  
7 **ART L. UDALL FOUNDATION.**

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

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

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

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

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

25 (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—

1           “(i) awarding scholarships, fellow-  
2           ships, internships, and grants, by national  
3           competition or other method, to eligible in-  
4           dividuals, as determined by the Foundation  
5           and in accordance with paragraphs (2),  
6           (3), and (4), for study in fields related to  
7           the environment or Native American and  
8           Alaska Native health care and tribal policy;

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

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

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

18          (iii) in subparagraph (B), as redesi-  
19          gnated—

20                  (I) in the subparagraph heading,  
21                  by striking “INSTITUTE FOR ENVI-  
22                  RONMENTAL CONFLICT RESOLUTION”  
23                  and inserting “JOHN S. MCCAIN III  
24                  UNITED STATES INSTITUTE FOR EN-

1 ENVIRONMENTAL CONFLICT RESOLU-  
2 TION”;

3 (II) in clause (i)—

4 (aa) in subclause (I), by in-  
5 serting “John S. McCain III” be-  
6 fore “United States Institute for  
7 Environmental Conflict Resolu-  
8 tion”; and

9 (bb) in subclause (II)—

10 (AA) by inserting “col-  
11 laboration,” after “medi-  
12 ation,”; and

13 (BB) by striking “to  
14 resolve environmental dis-  
15 putes.” and inserting the  
16 following: “to resolve—

17 “(aa) environmental dis-  
18 putes; and

19 “(bb) Federal, State, or  
20 tribal environmental or natural  
21 resource decision-making proc-  
22 esses or procedures that may re-  
23 sult in a dispute or conflict that  
24 may cause or result in disputes.”;  
25 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.*

115<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

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