

TO REAUTHORIZE THE MORRIS K. UDALL AND STEWART  
L. UDALL TRUST FUND, AND FOR OTHER PURPOSES

DECEMBER 7, 2022.—Ordered to be printed

Mr. GRIJALVA, from the Committee on Natural Resources,  
submitted the following

R E P O R T

[To accompany H.R. 5715]

[Including cost estimate of the Congressional Budget Office]

The Committee on Natural Resources, to whom was referred the bill (H.R. 5715) to reauthorize the Morris K. Udall and Stewart L. Udall Trust Fund, and for other purposes, having considered the same, reports favorably thereon with an amendment and recommends that the bill as amended do pass.

The amendment is as follows:

Strike all after the enacting clause and insert the following:

**SECTION 1. FUNDING REAUTHORIZATION.**

Section 13 of the Morris K. Udall and Stewart L. Udall Foundation Act (20 U.S.C. 5609) is amended—

(1) by striking “through 2023” each place it appears and inserting “through 2029”;

(2) in subsection (b)(1), by striking “\$1,000” and inserting “\$5,000”; and

(3) in subsection (c), by striking “the fiscal year in which this subsection is enacted” and inserting “fiscal year 2022”.

**SEC. 2. AUDIT OF THE FOUNDATION.**

The Morris K. Udall and Stewart L. Udall Foundation Act (20 U.S.C. 5609) is amended by inserting at the end the following—

**“SEC. 14. AUDIT OF THE FOUNDATION.**

“Not later than 4 years after the date of enactment of this section, the Inspector General of the Department of the Interior shall conduct an audit of the Morris K. Udall and Stewart L. Udall Foundation.”.

PURPOSE OF THE BILL

The purpose of H.R. 5715 is to reauthorize the Morris K. Udall and Stewart L. Udall Trust Fund.

## BACKGROUND AND NEED FOR LEGISLATION

The Udall Foundation was established by Congress in 1992 as an independent executive branch agency to honor Morris K. Udall's impact on the nation's environment, public lands, and natural resources, and his support of the rights and self-governance of American Indians and Alaska Natives. In 2009, Congress honored Stewart L. Udall by adding his name to the foundation's title.

Udall Foundation houses the John S. McCain III National Center for Environmental Conflict Resolution, which is a program that assists parties in resolving environmental conflicts that involve federal agencies or interests, and provides training and capacity-building in collaboration, multiparty problem solving, and conflict resolution. The Udall Foundation also provides funding for research and training to American Indian and Alaska Native leaders on health care issues and tribal public policy through the Native Nations Institute for Leadership, Management, and Policy.

In addition, the Udall Foundation has awarded over \$700,000 in environmental fellowships and \$8,000,000 in scholarships to students, provided over 255 American Indian and Alaska Native interns with experience in more than 60 congressional offices, and exposed over 3,000 youth to national park and wilderness conservation through its Parks in Focus program.

The annual income from the Udall Foundation's Trust Fund is specifically allocated as follows: at least 50 percent for scholarships, internships, and fellowships; at least 20 percent for grants to the Udall Center for Studies in Public Policy at the University of Arizona (Udall Center); and a maximum of 17.5 percent for administrative costs. Parks in Focus and other education activities are funded from the remaining 12.5 percent of Trust Fund income. Since fiscal year 2001, set-asides from appropriations have been made for the purposes of the Native Nations Institute (NNI), a program of the Udall Center, pursuant to congressional authorization.

H.R. 5715 will support the work of the Udall Foundation by amending the Morris K. and Stewart L. Udall Foundation Act to reauthorize the agency's Trust Fund through 2029 and raise the funding limit for official representation and reception expenses from \$1,000 to \$5,000.

## COMMITTEE ACTION

H.R. 5715 was introduced on October 25, 2021, by Representative Raúl M. Grijalva (D-AZ). The bill was referred to the Committee on Education and Labor, and in addition to the Committee on Natural Resources. On March 31, 2022, the Subcommittee for Indigenous Peoples of the United States held a hearing on the bill. On July 13, 2022, the Natural Resources Committee met to consider the bill. Chair Grijalva offered an amendment in the nature of a substitute. Rep. Jay Obernolte (R-CA) offered an amendment designated Obernolte #1 to the amendment in the nature of a substitute. The amendment was agreed to by voice vote. The amendment in the nature of a substitute, as amended, was agreed to by voice vote. The bill, as amended, was adopted and ordered favorably reported to the House of Representatives by voice vote.

## HEARINGS

For the purposes of clause 3(c)(6) of House rule XIII, the following hearing was used to develop or consider this measure: hearing by the Subcommittee for Indigenous Peoples of the United States held on March 31, 2022.

## COMMITTEE OVERSIGHT FINDINGS AND RECOMMENDATIONS

Regarding clause 2(b)(1) of rule X and clause 3(c)(1) of rule XIII of the Rules of the House of Representatives, the Committee on Natural Resources' oversight findings and recommendations are reflected in the body of this report.

COMPLIANCE WITH HOUSE RULE XIII AND  
CONGRESSIONAL BUDGET ACT

1. *Cost of Legislation and the Congressional Budget Act.* With respect to the requirements of clause 3(c)(2) of rule XIII of the Rules of the House of Representatives and section 308(a) of the Congressional Budget Act of 1974 and with respect to requirements of clause (3)(c)(3) and clause 3(d) of rule XIII of the Rules of the House of Representatives and section 402 of the Congressional Budget Act of 1974, the Committee has requested but not received a cost estimate for this bill from the Director of Congressional Budget Office. The Committee adopts as its own cost estimate the forthcoming cost estimate of the Director of the Congressional Budget Office, should such cost estimate be made available before House passage of the bill.

The Committee has requested but not received from the Director of the Congressional Budget Office a statement as to whether this bill contains any new budget authority, spending authority, credit authority, or an increase or decrease in revenues or tax expenditures.

2. *General Performance Goals and Objectives.* As required by clause 3(c)(4) of rule XIII, the general performance goals and objectives of this bill are to reauthorize the Morris K. Udall and Stewart L. Udall Trust Fund.

## EARMARK STATEMENT

This bill does not contain any Congressional earmarks, limited tax benefits, or limited tariff benefits as defined under clause 9(e), 9(f), and 9(g) of rule XXI of the Rules of the House of Representatives.

## UNFUNDED MANDATES REFORM ACT STATEMENT

An estimate of federal mandates prepared by the Director of the Congressional Budget Office pursuant to section 423 of the Unfunded Mandates Reform Act was not made available to the Committee in time for the filing of this report. The Chair of the Committee shall cause such estimate to be printed in the *Congressional Record* upon its receipt by the Committee.

## EXISTING PROGRAMS

This bill does not establish or reauthorize a program of the federal government known to be duplicative of another program. Such programs were not included in any report from the Government Accountability Office to Congress pursuant to section 21 of Public Law 111–139. The most recent Catalog of Federal Domestic Assistance published pursuant to 31 U.S.C. § 6104 does not identify other programs as related to the Morris K. Udall Scholarship Program (CFDA No. 85.400) and Morris K. Udall Native American Congressional Internship Program (CFDA No. 85.402) reauthorized by this bill.

## APPLICABILITY TO LEGISLATIVE BRANCH

The Committee finds that the legislation does not relate to the terms and conditions of employment or access to public services or accommodations within the meaning of section 102(b)(3) of the Congressional Accountability Act.

## PREEMPTION OF STATE, LOCAL, OR TRIBAL LAW

Any preemptive effect of this bill over state, local, or tribal law is intended to be consistent with the bill's purposes and text and the Supremacy Clause of Article VI of the U.S. Constitution.

## CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

In compliance with clause 3(e) of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italics, and existing law in which no change is proposed is shown in roman):

**MORRIS K. UDALL AND STEWART L. UDALL  
FOUNDATION ACT**

\* \* \* \* \*

**SEC. 13. AUTHORIZATION OF APPROPRIATIONS.**

(a) TRUST FUND.—There is authorized to be appropriated to the Trust Fund \$2,000,000 for each of fiscal years 2020 **[through 2023]** *through 2029* to carry out the provisions of this Act.

(b) ENVIRONMENTAL DISPUTE RESOLUTION FUND.—There is authorized to be appropriated to the Environmental Dispute Resolution Fund established by section 10 \$4,000,000 for each of fiscal years 2020 **[through 2023]** *through 2029*, of which—

(1) \$3,000,000 shall be used to pay operations costs (including not more than **[\$1,000]** *\$5,000* for official reception and representation expenses); and

(2) \$1,000,000 shall be used for grants or other appropriate arrangements to pay the costs of services provided in a neutral manner relating to, and to support the participation of non-Federal entities (such as State and local governments, tribal governments, nongovernmental organizations, and individuals) in, environmental conflict resolution proceedings involving Federal agencies.

(c) TRAINING OF PROFESSIONALS IN HEALTH CARE AND PUBLIC POLICY.—There is authorized to be appropriated to carry out section 6(7) \$12,300,000 for the 5-fiscal year period beginning with **the fiscal year in which this subsection is enacted** *fiscal year 2022*.

**SEC. 14. AUDIT OF THE FOUNDATION.**

*Not later than 4 years after the date of enactment of this section, the Inspector General of the Department of the Interior shall conduct an audit of the Morris K. Udall and Stewart L. Udall Foundation.*

## COMMITTEE CORRESPONDENCE



COMMITTEE ON  
EDUCATION AND LABOR  
U.S. HOUSE OF REPRESENTATIVES  
2176 RAYBURN HOUSE OFFICE BUILDING  
WASHINGTON, DC 20515-6100

December 2, 2022

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JOSEPH SEMPOLINSKI, NEW YORK

The Honorable Raúl Grijalva  
Chair  
Committee on Natural Resources  
U.S. House of Representatives  
1324 Longworth House Office Building  
Washington, DC 20515

Dear Chair Grijalva:

I write concerning H.R. 5715, *a bill to reauthorize the Morris K. Udall and Stewart L. Udall Trust Fund, and for other purposes*. There are certain provisions in the legislation that fall within the Rule X jurisdiction of the Committee on Education and Labor.

In the interest of permitting your committee to proceed expeditiously to floor consideration of this important bill, I am willing to waive this committee's right to sequential referral. I do so with the understanding that by waiving consideration of the bill, the Committee on Education and Labor does not waive any future jurisdictional claim over the subject matters contained in the bill which fall within its Rule X jurisdiction. I request that you urge the Speaker to name members of the Education and Labor Committee to any conference committee which is named to consider such provisions.

Please place this letter into the committee report on H.R. 5715 and into the *Congressional Record* during consideration of the measure on the House floor. Thank you for the cooperative spirit in which you have worked regarding this matter and others between our respective committees.

Sincerely,

Robert C. "Bobby" Scott  
Chairman

cc: The Honorable Virginia Foxx, Ranking Member, Committee on Education and Labor  
The Honorable Bruce Westerman, Ranking Member, Committee on Natural Resources  
The Honorable Nancy Pelosi, Speaker  
The Honorable Steny Hoyer, Majority Leader  
The Honorable Jason Smith, Parliamentarian

RAÚL M. GRIJALVA OF ARIZONA  
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VIVIAN MOGELTIN  
REPUBLICAN STAFF DIRECTOR

**U.S. House of Representatives**  
**Committee on Natural Resources**  
**Washington, DC 20515**

December 2, 2022

The Honorable Robert C. "Bobby" Scott  
Chair  
Committee on Education and Labor  
U.S. House of Representatives  
2176 Rayburn House Office Building  
Washington, DC 20515

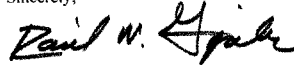
Dear Chair Scott,

I write to you concerning H.R. 5715, a bill to reauthorize the Morris K. Udall and Stewart L. Udall Trust Fund, and for other purposes.

I appreciate your willingness to work cooperatively on this legislation. I recognize that the bill contains provisions that fall within the jurisdiction of the Committee on Education and Labor. I acknowledge that your Committee will not formally consider H.R. 5715 and agree that the inaction of your Committee with respect to the bill does not waive any future jurisdictional claim over the matters contained in the bill that fall within your Committee's Rule X jurisdiction. I am pleased to support your request that the Speaker name members of the Committee on Education and Labor to any conference committee to consider such provisions.

I will ensure that our exchange of letters is included in the committee report on H.R. 5444 and the *Congressional Record* during floor consideration of the bill. I appreciate your cooperation regarding this legislation and look forward to continuing to work with you as this measure moves through the legislative process.

Sincerely,



Raúl M. Grijalva  
Chair  
House Natural Resources Committee

Cc: The Honorable Nancy Pelosi, Speaker  
The Honorable Steny Hoyer, Majority Leader  
The Honorable Bruce Westerman, Ranking Member, Committee on Natural Resources  
The Honorable Virginia Foxx, Ranking Member, Committee on Education and Labor  
The Honorable Jason Smith, Parliamentarian



SUPPLEMENTAL, MINORITY, ADDITIONAL, OR DISSENTING VIEWS  
None.

