

and to outstanding Native American and Alaska Native undergraduate students who intend to pursue careers in health care and tribal public policy.

(B) An eligible individual awarded a scholarship under this chapter may receive payments under this chapter only during such periods as the Foundation finds that the eligible individual is maintaining satisfactory proficiency and devoting full time to study or research and is not engaging in gainful employment other than employment approved by the Foundation pursuant to regulations of the Board.

(C) The Foundation may require reports containing such information, in such form, and to be filed at such times as the Foundation determines to be necessary from any eligible individual awarded a scholarship under this chapter. Such reports shall be accompanied by a certificate from an appropriate official at the institution of higher education, approved by the Foundation, stating that such individual is making satisfactory progress in, and is devoting essentially full time to study or research, except as otherwise provided in this subsection.

### (3) Fellowships

Fellowships shall be awarded to—

(A) outstanding graduate students who intend to pursue advanced degrees in fields related to the environment and to outstanding Native American and Alaska Native graduate students who intend to pursue advanced degrees in health care and tribal public policy, including law and medicine; and

(B) faculty from a variety of disciplines to bring the expertise of such faculty to the Foundation.

### (4) Internships

Internships shall be awarded to—

(A) deserving and qualified individuals to participate in internships in Federal, State and local agencies or in offices of major environmental organizations pursuant to section 5604 of this title; and

(B) deserving and qualified Native American and Alaska Native individuals to participate in internships in Federal, State and local agencies or in offices of major public health or public policy organizations pursuant to section 5604 of this title.

### (5) Grants

The Foundation shall award grants to the Center—

(A) to provide for an annual panel of experts to discuss contemporary environmental issues;

(B) to conduct environmental policy research;

(C) to conduct research on Native American and Alaska Native health care issues and tribal public policy issues;

(D) for visiting policymakers to share the practical experiences of such for visiting policymakers with the Foundation; and

(E) to conduct training, research, and other activities under section 5604(7) of this title.

### (6) Repository

The Foundation shall provide direct or indirect assistance from the proceeds of the Trust

Fund to the Center to maintain the current site of the repository for Morris K. Udall's papers and other such public papers as may be appropriate and assure such papers' availability to the public.

### (7) Coordination

The Foundation shall assist in the development and implementation of a Program for Environmental Policy Research and Environmental Conflict Resolution and Training to be located at the Center.

### (b) Udall Scholars

Recipients of scholarships, fellowships, and internships under this chapter shall be known as "Udall Scholars", "Udall Fellows", and "Udall Interns", respectively.

### (c) Program priorities

The Foundation shall determine the priority of the programs to be carried out under this chapter and the amount of funds to be allocated for such programs. However, not less than 50 percent shall be utilized for the programs set forth in section 5604(a)(2) of this title, section 5604(a)(3) of this title, and section 5604(a)(4) of this title, not more than 15 percent shall be used for salaries and other administrative purposes, and not less than 20 percent shall be appropriated to the Center for section 5604(a)(5) of this title, section 5604(a)(6) of this title, and section 5604(a)(7) of this title conditioned on a 25-percent match from other sources and further conditioned on adequate space at the Center being made available for the Executive Director and other appropriate staff of the Foundation by the Center.

(Pub. L. 102-259, §7, Mar. 19, 1992, 106 Stat. 81; Pub. L. 105-156, §§5, 9(b), Feb. 11, 1998, 112 Stat. 9, 12; Pub. L. 111-90, §6, Nov. 3, 2009, 123 Stat. 2977.)

#### AMENDMENTS

2009—Subsec. (a)(5)(E). Pub. L. 111-90, §6(1), added subpar. (E).

Subsec. (b). Pub. L. 111-90, §6(2), added subsec. (b) and struck out former subsec. (b). Prior to amendment, text read as follows: "Recipients of scholarships, fellowships, internships, and grants under this chapter shall be known as 'Morris K. Udall Scholars'."

1998—Subsec. (a)(1)(D). Pub. L. 105-156, §5(1), added subpar. (D).

Subsec. (a)(6). Pub. L. 105-156, §9(b), substituted "Trust Fund" for "Fund".

Subsec. (a)(7). Pub. L. 105-156, §5(2), inserted "and Training" after "Conflict Resolution".

### § 5606. Establishment of Morris K. Udall and Stewart L. Udall Trust Fund

#### (a) Establishment of Trust Fund

There is established in the Treasury of the United States a trust fund to be known as the "Morris K. Udall and Stewart L. Udall Trust Fund" to be administered by a Foundation. The Trust Fund shall consist of amounts appropriated to it pursuant to section 5609(a) of this title and amounts credited to it under subsection (b) of this section.

#### (b) Investment of Trust Fund assets

(1)<sup>1</sup> IN GENERAL.—It shall be the duty of the Secretary of the Treasury to invest, at the di-

<sup>1</sup> So in original. No par. (2) has been enacted.

rection of the Foundation Board, in full the amounts appropriated to the Trust Fund. Such investments shall be in public debt securities with maturities suitable to the needs of the Trust Fund. Investments in public debt securities shall bear interest “at rates determined by the Secretary of the Treasury taking into consideration the current average market yield on outstanding marketable obligations of the United States” of comparable maturity.

(Pub. L. 102-259, §8, Mar. 19, 1992, 106 Stat. 82; Pub. L. 105-156, §9, Feb. 11, 1998, 112 Stat. 12; Pub. L. 111-90, §7, Nov. 3, 2009, 123 Stat. 2978.)

#### AMENDMENTS

2009—Pub. L. 111-90 substituted “and Stewart L. Udall” for “Scholarship and Excellence in National Environmental Policy” in section catchline and in subsec. (a).

1998—Subsec. (a). Pub. L. 105-156, §9(a), substituted “The Trust Fund” for “The fund” and “5609(a)” for “5609”.

Subsec. (b). Pub. L. 105-156, §9(b), substituted “Trust Fund” for “Fund” in two places.

### § 5607. Expenditures and audit of Trust Fund

#### (a) In general

The Foundation shall pay from the interest and earnings of the Trust Fund such sums as the Board determines are necessary and appropriate to enable the Foundation to carry out the provisions of this chapter, including a reasonable amount for official reception and representation expenses, as determined by the Board, not to exceed \$5,000 for a fiscal year.

#### (b) Audit by Government Accountability Office

The activities of the Foundation and the Center under this chapter may be audited by the Government Accountability Office under such rules and regulations as may be prescribed by the Comptroller General of the United States. Representatives of the Government Accountability Office shall have access to all books, accounts, records, reports filed and all other papers, things, or property belonging to or in use by the Foundation and the Center, pertaining to such federally assisted activities and necessary to facilitate the audit.

(Pub. L. 102-259, §9, Mar. 19, 1992, 106 Stat. 83; Pub. L. 105-156, §9(b), Feb. 11, 1998, 112 Stat. 12; Pub. L. 108-271, §8(b), July 7, 2004, 118 Stat. 814; Pub. L. 111-90, §8, Nov. 3, 2009, 123 Stat. 2978.)

#### AMENDMENTS

2009—Subsec. (a). Pub. L. 111-90 inserted before period at end “, including a reasonable amount for official reception and representation expenses, as determined by the Board, not to exceed \$5,000 for a fiscal year”.

2004—Subsec. (b). Pub. L. 108-271 substituted “Government Accountability Office” for “General Accounting Office” in heading and in two places in text.

1998—Subsec. (a). Pub. L. 105-156 substituted “Trust Fund” for “Fund”.

### § 5607a. Environmental Dispute Resolution Fund

#### (a) Establishment

There is established in the Treasury of the United States an Environmental Dispute Resolution Fund to be administered by the Foundation. The Fund shall consist of amounts appro-

riated to the Fund under section 5609(b) of this title and amounts paid into the Fund under section 5607b of this title.

#### (b) Expenditures

The Foundation shall expend from the Fund such sums as the Board determines are necessary to establish and operate the Institute, including such amounts as are necessary for salaries, administration, the provision of mediation and other services, and such other expenses as the Board determines are necessary, including not to exceed \$1,000 annually for official reception and representation expenses.

#### (c) Distinction from Trust Fund

The Fund shall be maintained separately from the Trust Fund established under section 5606 of this title.

#### (d) Investment of amounts

##### (1) In general

The Secretary of the Treasury shall invest such portion of the Fund as is not, in the judgment of the Secretary, required to meet current withdrawals.

##### (2) Interest-bearing obligations

Investments may be made only in interest-bearing obligations of the United States.

##### (3) Acquisition of obligations

For the purpose of investments under paragraph (1), obligations may be acquired—

- (A) on original issue at the issue price; or
- (B) by purchase of outstanding obligations at the market price.

##### (4) Sale of obligations

Any obligation acquired by the Fund may be sold by the Secretary of the Treasury at the market price.

##### (5) Credits to Fund

The interest on, and the proceeds from the sale or redemption of, any obligations held in the Fund shall be credited to and form a part of the Fund.

(Pub. L. 102-259, §10, as added Pub. L. 105-156, §6(b), Feb. 11, 1998, 112 Stat. 10; amended Pub. L. 105-277, div. A, §101(h) [title V, §517(c)], Oct. 21, 1998, 112 Stat. 2681-480, 2681-512.)

#### PRIOR PROVISIONS

A prior section 10 of Pub. L. 102-259 was renumbered section 12 and is classified to section 5608 of this title.

#### AMENDMENTS

1998—Subsec. (b). Pub. L. 105-277 inserted before period at end “, including not to exceed \$1,000 annually for official reception and representation expenses”.

### § 5607b. Use of Institute by Federal agency or other entity

#### (a) Authorization

A Federal agency may use the Foundation and the Institute to provide assessment, mediation, or other related services in connection with a dispute or conflict related to the environment, public lands, or natural resources.

#### (b) Payment

##### (1) In general

A Federal agency may enter into a contract and expend funds to obtain the services of the Institute.