

ance and resources for policy analysis, and carrying out other appropriate activities;<sup>1</sup>

(8) establish as part of the Foundation the United States Institute for Environmental Conflict Resolution to assist the Federal Government in implementing section 4331 of title 42 by providing assessment, mediation, and other related services to resolve environmental disputes involving agencies and instrumentalities of the United States; and

(9) complement the direction established by the President in Executive Order No. 12988 (61 Fed. Reg. 4729; relating to civil justice reform).

(Pub. L. 102-259, § 6, Mar. 19, 1992, 106 Stat. 80; Pub. L. 105-156, § 4, Feb. 11, 1998, 112 Stat. 9; Pub. L. 106-568, title VIII, § 817(a), Dec. 27, 2000, 114 Stat. 2918.)

#### REFERENCES IN TEXT

Executive Order No. 12988, referred to in par. (9), is set out as a note under section 519 of Title 28, Judiciary and Judicial Procedure.

#### AMENDMENTS

2000—Par. (7). Pub. L. 106-568 inserted before semicolon at end “, by conducting management and leadership training of Native Americans, Alaska Natives, and others involved in tribal leadership, providing assistance and resources for policy analysis, and carrying out other appropriate activities.”

1998—Par. (4). Pub. L. 105-156, § 4(1), substituted “Environmental Conflict Resolution and Training” for “an Environmental Conflict Resolution”.

Pars. (8), (9). Pub. L. 105-156, § 4(2)–(4), added pars. (8) and (9).

### § 5605. Authority of Foundation

#### (a) Authority of Foundation

##### (1) In general

(A) The Foundation, in consultation with the Center, is authorized to identify and conduct such programs, activities, and services as the Foundation considers appropriate to carry out the purposes described in section 5604 of this title. The Foundation shall have the authority to award scholarships, fellowships, internships, and grants and fund the Center to carry out and manage other programs, activities and services.

(B) The Foundation may provide, directly or by contract, for the conduct of national competition for the purpose of selecting recipients of scholarships, fellowships, internships, and grants awarded under this chapter.

(C) The Foundation may award scholarships, fellowships, internships and grants to eligible individuals in accordance with the provisions of this chapter for study in fields related to the environment and Native American and Alaska Native health care and tribal public policy. Such scholarships, fellowships, internships and grants shall be awarded to eligible individuals who meet the minimum criteria established by the Foundation.

(D) INSTITUTE FOR ENVIRONMENTAL CONFLICT RESOLUTION.—

(i) IN GENERAL.—The Foundation shall—

(I) establish the United States Institute for Environmental Conflict Resolution as part of the Foundation; and

(II) identify and conduct such programs, activities, and services as the Foundation determines appropriate to permit the Foundation to provide assessment, mediation, training, and other related services to resolve environmental disputes.

(ii) GEOGRAPHIC PROXIMITY OF CONFLICT RESOLUTION PROVISION.—In providing assessment, mediation, training, and other related services under clause (i)(II) to resolve environmental disputes, the Foundation shall consider, to the maximum extent practicable, conflict resolution providers within the geographic proximity of the conflict.

#### (2) Scholarships

(A) Scholarships shall be awarded to outstanding undergraduate students who intend to pursue careers related to the environment 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.

<sup>1</sup> So in original. The period probably should not appear.

**(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)<sup>1</sup> of this title, section 5604(a)(3)<sup>1</sup> of this title, and section 5604(a)(4)<sup>1</sup> 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)<sup>1</sup> of this title, section 5604(a)(6)<sup>1</sup> of this title, and section 5604(a)(7)<sup>1</sup> 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.)

REFERENCES IN TEXT

References to subsec. (a)(2) to (7) of section 5604 of this title in subsec. (c) were in the original references to subsec. (a)(2) to (7) of section 6 of Pub. L. 102-259 but probably should have been references to subsec. (a)(2) to (7) of this section, which is section 7 of Pub. L.

<sup>1</sup> See References in Text note below.

102-259. Section 5604 of this title does not contain subsecs., and subsec. (a)(2) to (7) of this section relates to various programs and activities to be carried out by the Foundation.

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 direction 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.

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