

## SHORT TITLE OF 2009 AMENDMENT

Pub. L. 111-90, §1, Nov. 3, 2009, 123 Stat. 2976, provided that: “This Act [amending this section, sections 5602, 5603, 5605 to 5607, 5607b, and 5608 of this title, and provisions set out as note under this section] may be cited as the ‘Morris K. Udall Scholarship and Excellence in National Environmental Policy Amendments Act of 2009’.”

## SHORT TITLE OF 2003 AMENDMENT

Pub. L. 108-160, §1, Dec. 6, 2003, 117 Stat. 2013, provided that: “This Act [enacting section 5609 of this title] may be cited as the ‘Environmental Policy and Conflict Resolution Advancement Act of 2003’.”

## SHORT TITLE OF 1998 AMENDMENT

Pub. L. 105-156, §1, Feb. 11, 1998, 112 Stat. 8, provided that: “This Act [enacting sections 5607a and 5607b of this title and amending sections 5602 to 5607, 5608, and 5609 of this title] may be cited as the ‘Environmental Policy and Conflict Resolution Act of 1998’.”

## SHORT TITLE

Pub. L. 102-259, §1, Mar. 19, 1992, 106 Stat. 78, as amended by Pub. L. 111-90, §2, Nov. 3, 2009, 123 Stat. 2976, provided that: “This Act [enacting this chapter] may be cited as the ‘Morris K. Udall and Stewart L. Udall Foundation Act’.”

## FINDINGS

Pub. L. 116-94, div. P, title III, §301, Dec. 20, 2019, 133 Stat. 3186, provided that: “Congress finds the following:

“(1) Since 1999, the Morris K. Udall and Stewart L. Udall Foundation (referred to in this Act [probably means “this title”, title III of div. P of Pub. L. 116-94, which amended this section and sections 5602 to 5605 and 5607a to 5609 of this title and enacted provisions set out as a note under section 5605 of this title] as the ‘Foundation’) has operated the Parks in Focus program to provide opportunities for the youth of the United States to learn about and experience the Nation’s parks and wilderness, and other outdoor areas.

“(2) Since 2001, the Foundation has conducted research and provided education and training to Native American and Alaska Native professionals and leaders on Native American and Alaska Native health care issues and tribal public policy through the Native Nations Institute for Leadership, Management, and Policy.

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

“(A) playing a significant role in developing the next generation of environmental, public health, public lands, natural resource, and Native American leaders; and

“(B) working with current leaders to improve collaboration and decision-making on challenging environmental, energy, public health, and related economic problems and tribal governance and economic development issues.”

## REPEAL OF PREVIOUS LEGISLATION

Pub. L. 102-259, §2, Mar. 19, 1992, 106 Stat. 78, provided that: “The Morris K. Udall Scholarship and Excellence in National Environmental Policy Act, S. 1176, One Hundred Second Congress, is hereby repealed.” [For details concerning purported pocket veto of S. 1176, One Hundred Second Congress, see Weekly Compilation of Presidential Documents, vol. 28 (1992), no. 12, p. 507, Mar. 19, Presidential Statement, and Cong. Rec., vol. 138, pt. 3, p. 4078, Mar. 3, 1992.]

## § 5602. Definitions

For the purposes of this chapter—

(1) the term “Board” means the Board of Trustees of the Foundation established under section 5603(b) of this title;

(2) the term “Center” means the Udall Center for Studies in Public Policy established in 1987 at the University of Arizona, and includes the Native Nations Institute;

(3) the term “collaboration” means to work in partnership with other entities for the purpose of—

(A) resolving disputes;

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

(C) streamlining and enhancing Federal, State, or tribal environmental and natural resource decision-making processes or procedures that may result in a dispute or conflict;

(4) the term “eligible individual” means a citizen or national of the United States or a permanent resident alien of the United States;

(5) the term “environmental dispute” means a dispute or conflict relating to the environment, public lands, or natural resources;

(6) the term “Foundation” means the Morris K. Udall and Stewart L. Udall Foundation established under section 5603(a) of this title;

(7) the term “institution of higher education” has the same meaning given to such term by section 1001(a) of this title;

(8) the term “National Center” means the John S. McCain III National Center for Environmental Conflict Resolution established pursuant to section 5605(a)(1)(B) of this title;

(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;

(11) the term “State” means each of the several States, the District of Columbia, Guam, the Virgin Islands, American Samoa, the Commonwealth of the Northern Mariana Islands, the Republic of the Marshall Islands, the Federal States of Micronesia, and the Republic of Palau (until the Compact of Free Association is ratified); and

(12) the term “Trust Fund” means the Morris K. Udall and Stewart L. Udall Trust Fund established in section 5606 of this title.

(Pub. L. 102-259, §4, Mar. 19, 1992, 106 Stat. 78; Pub. L. 105-156, §2, Feb. 11, 1998, 112 Stat. 8; Pub. L. 105-244, title I, §102(a)(6)(I), Oct. 7, 1998, 112 Stat. 1619; Pub. L. 111-90, §4, Nov. 3, 2009, 123 Stat. 2977; Pub. L. 116-94, div. P, title III, §302(a), Dec. 20, 2019, 133 Stat. 3186.)

## REFERENCES IN TEXT

For ratification of Compact of Free Association with the Republic of Palau, referred to in par. (11), see Proc. No. 6726, Sept. 27, 1994, 59 F.R. 49777, set out as a note under section 1931 of Title 48, Territories and Insular Possessions.

## AMENDMENTS

2019—Par. (2). Pub. L. 116-94, §302(a)(1), substituted “the Udall Center for Studies in Public Policy established in 1987 at the University of Arizona, and includes the Native Nations Institute” for “the Udall Center for Studies in Public Policy established at the University of Arizona in 1987”.

Par. (3). Pub. L. 116-94, §302(a)(4), added par. (3). Former par. (3) redesignated (4).

Pars. (4), (5). Pub. L. 116-94, §302(a)(3), redesignated pars. (3) and (4) as (4) and (5), respectively. Former par. (5) redesignated (6).

Par. (6). Pub. L. 116-94, §302(a)(2), (3), redesignated par. (5) as (6) and struck out former par. (6) which defined the term "Institute".

Par. (7). Pub. L. 116-94, §302(a)(5), substituted "section 1001(a) of this title" for "section 1141(a) of this title".

Par. (8). Pub. L. 116-94, §302(a)(6), added par. (8). Former par. (8) redesignated (11).

Pars. (9), (10). Pub. L. 116-94, §302(a)(7), added pars. (9) and (10). Former par. (9) redesignated (12).

Pars. (11), (12). Pub. L. 116-94, §302(a)(3), redesignated pars. (8) and (9) as (11) and (12), respectively.

2009—Par. (1). Pub. L. 111-90, §4(1), struck out "Morris K. Udall Scholarship and Excellence in National Environmental Policy" before "Foundation".

Pars. (5), (9). Pub. L. 111-90, §4(2), (3), substituted "and Stewart L. Udall" for "Scholarship and Excellence in National Environmental Policy".

1998—Pars. (4), (5). Pub. L. 105-156, §2(1), (2), added par. (4) and redesignated former par. (4) as (5). Former par. (5) redesignated (9).

Par. (6). Pub. L. 105-244, which directed the substitution of "section 1001" for "section 1141(a)" in par. (6), could not be executed because "section 1141(a)" did not appear in text.

Pub. L. 105-156, §2(3), added par. (6). Former par. (6) redesignated (7).

Par. (7). Pub. L. 105-156, §2(1), (4), redesignated par. (6) as (7) and struck out "and" at end. Former par. (7) redesignated (8).

Par. (8). Pub. L. 105-156, §2(1), (5), redesignated par. (7) as (8) and substituted "; and" for period at end.

Par. (9). Pub. L. 105-156, §2(1), (6), redesignated par. (5) as (9) and substituted "'Trust Fund'" for "'fund'" and period for semicolon at end.

#### EFFECTIVE DATE OF 1998 AMENDMENT

Amendment by Pub. L. 105-244 effective Oct. 1, 1998, except as otherwise provided in Pub. L. 105-244, see section 3 of Pub. L. 105-244, set out as a note under section 1001 of this title.

### § 5603. Establishment of Morris K. Udall and Stewart L. Udall Foundation

#### (a) Establishment

There is established as an independent entity of the executive branch of the United States Government, the Morris K. Udall and Stewart L. Udall Foundation.

#### (b) Board of Trustees

The Foundation shall be subject to the supervision and direction of the Board of Trustees. The Board shall be comprised of thirteen trustees, eleven of whom shall be voting members of the Board, as follows:

(1) Two Trustees, shall be appointed by the President, with the advice and consent of the Senate, after considering the recommendation of the Speaker of the House of Representatives, in consultation with the Minority Leader of the House of Representatives.

(2) Two Trustees, shall be appointed by the President, with the advice and consent of the Senate, after considering the recommendation of the President pro tempore of the Senate, in consultation with the Majority and Minority Leaders of the Senate.

(3) Five Trustees, not more than three of whom shall be of the same political party, shall be appointed by the President with the

advice and consent of the Senate, who have shown leadership and interest in—

(A) the continued use, enjoyment, education, and exploration of our Nation's rich and bountiful natural resources, such as presidents of major foundations involved with the environment; or

(B) in the improvement of the health status of Native Americans and Alaska Natives and in strengthening tribal self-governance, such as tribal leaders involved in health and public policy development affecting Native American and Alaska Native communities.

(4) The Secretary of the Interior, or the Secretary's designee, who shall serve as a voting ex officio member of the Board but shall not be eligible to serve as Chairperson.

(5) The Secretary of Education, or the Secretary's designee, who shall serve as a voting ex officio member of the Board but shall not be eligible to serve as Chairperson.

(6) The President of the University of Arizona shall serve as a nonvoting, ex officio member and shall not be eligible to serve as chairperson.<sup>1</sup>

(7) The chairperson of the President's Council on Environmental Quality, who shall serve as a nonvoting, ex officio member and shall not be eligible to serve as chairperson.<sup>1</sup>

#### (c) Term of office

(1)<sup>2</sup> IN GENERAL.—The term of office of each member of the Board shall be six years, except that—

(A) in the case of the Trustees first taking offices—

(i) as designated by the President, one Trustee appointed pursuant to subsection (b)(2) and two trustees appointed pursuant to subsection (b)(3) shall each serve two years; and

(ii) as designated by the President, one Trustee appointed pursuant to subsection (b)(1) and two Trustees appointed pursuant to subsection (b)(3) shall each serve four years; and

(iii) as designated by the President, one Trustee appointed pursuant to subsection (b)(1), one Trustee appointed pursuant to subsection (b)(2), and one Trustee appointed pursuant to subsection (b)(3) shall each serve six years;

(B) a Trustee appointed to fill a vacancy shall serve for the remainder of the term for which the Trustee's predecessor was appointed and shall be appointed in the same manner as the original appointment for that vacancy was made; and

(C) a Trustee may serve after the expiration of the Trustee's term until a successor has been chosen.

#### (d) Travel and subsistence pay

Trustees shall serve without pay, but shall be entitled to reimbursement for travel, subsistence, and other necessary expenses incurred in the performance of their duties as members of the Board.

<sup>1</sup> So in original. Probably should be capitalized.

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