

cy, including the functions of the Director of the Federal Emergency Management Agency relating thereto, to the Secretary of Homeland Security, and for treatment of related references, see former section 313(1) and sections 551(d), 552(d), and 557 of Title 6, Domestic Security, and the Department of Homeland Security Reorganization Plan of November 25, 2002, as modified, set out as a note under section 542 of Title 6.

§ 5197b. Use of existing facilities

In performing duties under this subchapter, the Administrator—

(1) shall cooperate with the various departments and agencies of the Federal Government;

(2) shall use, to the maximum extent, the existing facilities and resources of the Federal Government and, with their consent, the facilities and resources of the States and political subdivisions thereof, and of other organizations and agencies; and

(3) shall refrain from engaging in any form of activity which would duplicate or parallel activity of any other Federal department or agency unless the Administrator, with the written approval of the President, shall determine that such duplication is necessary to accomplish the purposes of this subchapter.

(Pub. L. 93-288, title VI, § 623, as added Pub. L. 103-337, div. C, title XXXIV, § 3411(a)(3), Oct. 5, 1994, 108 Stat. 3110; amended Pub. L. 111-351, § 3(c)(2), Jan. 4, 2011, 124 Stat. 3864.)

PRIOR PROVISIONS

Provisions similar to those in this section were contained in section 2257 of Title 50, Appendix, War and National Defense, prior to repeal by Pub. L. 103-337, § 3412(a).

AMENDMENTS

2011—Pub. L. 111-351 substituted “Administrator” for “Director” in introductory provisions and in par. (3).

TRANSFER OF FUNCTIONS

For transfer of all functions, personnel, assets, components, authorities, grant programs, and liabilities of the Federal Emergency Management Agency, including the functions of the Under Secretary for Federal Emergency Management relating thereto, to the Federal Emergency Management Agency, see section 315(a)(1) of Title 6, Domestic Security.

For transfer of functions, personnel, assets, and liabilities of the Federal Emergency Management Agency, including the functions of the Director of the Federal Emergency Management Agency relating thereto, to the Secretary of Homeland Security, and for treatment of related references, see former section 313(1) and sections 551(d), 552(d), and 557 of Title 6, Domestic Security, and the Department of Homeland Security Reorganization Plan of November 25, 2002, as modified, set out as a note under section 542 of Title 6.

§ 5197c. Annual report to Congress

The Administrator shall annually submit a written report to the President and Congress covering expenditures, contributions, work, and accomplishments of the Federal Emergency Management Agency pursuant to this subchapter, accompanied by such recommendations as the Administrator considers appropriate.

(Pub. L. 93-288, title VI, § 624, as added Pub. L. 103-337, div. C, title XXXIV, § 3411(a)(3), Oct. 5, 1994, 108 Stat. 3110; amended Pub. L. 111-351, § 3(c)(2), Jan. 4, 2011, 124 Stat. 3864.)

PRIOR PROVISIONS

Provisions similar to those in this section were contained in section 2258 of Title 50, Appendix, War and National Defense, prior to repeal by Pub. L. 103-337, § 3412(a).

AMENDMENTS

2011—Pub. L. 111-351 substituted “Administrator” for “Director” in two places.

TRANSFER OF FUNCTIONS

For transfer of all functions, personnel, assets, components, authorities, grant programs, and liabilities of the Federal Emergency Management Agency, including the functions of the Under Secretary for Federal Emergency Management relating thereto, to the Federal Emergency Management Agency, see section 315(a)(1) of Title 6, Domestic Security.

For transfer of functions, personnel, assets, and liabilities of the Federal Emergency Management Agency, including the functions of the Director of the Federal Emergency Management Agency relating thereto, to the Secretary of Homeland Security, and for treatment of related references, see former section 313(1) and sections 551(d), 552(d), and 557 of Title 6, Domestic Security, and the Department of Homeland Security Reorganization Plan of November 25, 2002, as modified, set out as a note under section 542 of Title 6.

§ 5197d. Applicability of subchapter

The provisions of this subchapter shall be applicable to the United States, its States, Territories and possessions, and the District of Columbia, and their political subdivisions.

(Pub. L. 93-288, title VI, § 625, as added Pub. L. 103-337, div. C, title XXXIV, § 3411(a)(3), Oct. 5, 1994, 108 Stat. 3110.)

PRIOR PROVISIONS

Provisions similar to those in this section were contained in section 2259 of Title 50, Appendix, War and National Defense, prior to repeal by Pub. L. 103-337, § 3412(a).

§ 5197e. Authorization of appropriations and transfers of funds

(a) Authorization of appropriations

There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this subchapter.

(b) Transfer authority

Funds made available for the purposes of this subchapter may be allocated or transferred for any of the purposes of this subchapter, with the approval of the Director of the Office of Management and Budget, to any agency or government corporation designated to assist in carrying out this subchapter. Each such allocation or transfer shall be reported in full detail to the Congress within 30 days after such allocation or transfer.

(Pub. L. 93-288, title VI, § 626, as added Pub. L. 103-337, div. C, title XXXIV, § 3411(a)(3), Oct. 5, 1994, 108 Stat. 3110.)

PRIOR PROVISIONS

Provisions similar to those in this section were contained in section 2260 of Title 50, Appendix, War and National Defense, prior to repeal by Pub. L. 103-337, § 3412(a).

§ 5197f. Relation to Atomic Energy Act of 1954

Nothing in this subchapter shall be construed to alter or modify the provisions of the Atomic Energy Act of 1954 (42 U.S.C. 2011 et seq.).

(Pub. L. 93-288, title VI, §627, as added Pub. L. 103-337, div. C, title XXXIV, §3411(a)(3), Oct. 5, 1994, 108 Stat. 3110.)

REFERENCES IN TEXT

The Atomic Energy Act of 1954, referred to in text, is act Aug. 1, 1946, ch. 724, as added by act Aug. 30, 1954, ch. 1073, §1, 68 Stat. 919, which is classified principally to chapter 23 (§2011 et seq.) of this title. For complete classification of this Act to the Code, see Short Title note set out under section 2011 of this title and Tables.

PRIOR PROVISIONS

Provisions similar to those in this section were contained in section 2262 of Title 50, Appendix, War and National Defense, prior to repeal by Pub. L. 103-337, §3412(a).

§ 5197g. Federal Bureau of Investigation

Nothing in this subchapter shall be construed to authorize investigations of espionage, sabotage, or subversive acts by any persons other than personnel of the Federal Bureau of Investigation.

(Pub. L. 93-288, title VI, §628, as added Pub. L. 103-337, div. C, title XXXIV, §3411(a)(3), Oct. 5, 1994, 108 Stat. 3110.)

PRIOR PROVISIONS

Provisions similar to those in this section were contained in section 2263 of Title 50, Appendix, War and National Defense, prior to repeal by Pub. L. 103-337, §3412(a).

§ 5197h. Minority emergency preparedness demonstration program**(a) In general**

The Administrator shall establish a minority emergency preparedness demonstration program to research and promote the capacity of minority communities to provide data, information, and awareness education by providing grants to or executing contracts or cooperative agreements with eligible nonprofit organizations to establish and conduct such programs.

(b) Activities supported

An eligible nonprofit organization may use a grant, contract, or cooperative agreement awarded under this section—

(1) to conduct research into the status of emergency preparedness and disaster response awareness in African American and Hispanic households located in urban, suburban, and rural communities, particularly in those States and regions most impacted by natural and manmade disasters and emergencies; and

(2) to develop and promote awareness of emergency preparedness education programs within minority communities, including development and preparation of culturally competent educational and awareness materials that can be used to disseminate information to minority organizations and institutions.

(c) Eligible organizations

A nonprofit organization is eligible to be awarded a grant, contract, or cooperative agree-

ment under this section with respect to a program if the organization is a nonprofit organization that is described in section 501(c)(3) of title 26 and exempt from tax under section 501(a) of such title, whose primary mission is to provide services to communities predominately populated by minority citizens, and that can demonstrate a partnership with a minority-owned business enterprise or minority business located in a HUBZone (as defined in section 632(p) of title 15) with respect to the program.

(d) Use of funds

A recipient of a grant, contract, or cooperative agreement awarded under this section may only use the proceeds of the grant, contract, or agreement to—

(1) acquire expert professional services necessary to conduct research in communities predominately populated by minority citizens, with a primary emphasis on African American and Hispanic communities;

(2) develop and prepare informational materials to promote awareness among minority communities about emergency preparedness and how to protect their households and communities in advance of disasters;

(3) establish consortia with minority national organizations, minority institutions of higher education, and faith-based institutions to disseminate information about emergency preparedness to minority communities; and

(4) implement a joint project with a minority serving institution, including a part B institution (as defined in section 1061(2) of title 20), an institution described in subparagraph (A), (B), or (C) of section 1063b(e)(1)¹ of title 20, and a Hispanic-serving institution (as defined in section 1101a(a)(5) of title 20).

(e) Application and review procedure

To be eligible to receive a grant, contract, or cooperative agreement under this section, an organization must submit an application to the Administrator at such time, in such manner, and accompanied by such information as the Administrator may reasonably require. The Administrator shall establish a procedure by which to accept such applications.

(f) Authorization of appropriation

There is authorized to be appropriated to carry out this section \$1,500,000 for fiscal year 2002 and such funds as may be necessary for fiscal years 2003 through 2007. Such sums shall remain available until expended.

(Pub. L. 93-288, title VI, §629, as added Pub. L. 107-73, title IV, §431, Nov. 26, 2001, 115 Stat. 697; amended Pub. L. 111-351, §3(c)(2), Jan. 4, 2011, 124 Stat. 3864.)

REFERENCES IN TEXT

Subparagraph (A), (B), or (C) of section 1063b(e)(1) of title 20, referred to in subsec. (d)(4), was in the original “subparagraph (A), (B), or (C) of section 326 of that Act (20 U.S.C. 1063b(e)(1)(A), (B), or (C))”, which was translated as reading “subparagraph (A), (B), or (C) of section 326(e)(1) of that Act (20 U.S.C. 1063b(e)(1)(A), (B), or (C))” to reflect the probable intent of Congress.

¹ See References in Text note below.