§ 5128. Authorization of appropriations

(a) In General.— In order to carry out this chapter (except sections 5107 (e), 5108 (g)(2), 5113, 5115, 5116, and 5119), the following amounts are authorized to be appropriated to the Secretary:

(1) For fiscal year 2005, $24,940,000.
(2) For fiscal year 2006, $29,000,000.
(3) For fiscal year 2007, $30,000,000.
(4) For fiscal year 2008, $30,000,000.

(b) Hazardous Materials Emergency Preparedness Fund.— There shall be available to the Secretary, from the account established pursuant to section 5116 (i), for each of fiscal years 2005 through 2008 the following:

(1) To carry out section 5115, $200,000.
(2) To carry out sections 5116 (a) and (b), $21,800,000 to be allocated as follows:
   (A) $5,000,000 to carry out section 5116 (a).
   (B) $7,800,000 to carry out section 5116 (b).
   (C) Of the amount provided for by this paragraph for a fiscal year in excess of the suballocations in subparagraphs (A) and (B)—
      (i) 35 percent shall be used to carry out section 5116 (a); and
      (ii) 65 percent shall be used to carry out section 5116 (b),
      except that the Secretary may increase the proportion to carry out section 5116 (b) and decrease the proportion to carry out section 5116 (a) if the Secretary determines that such reallocation is appropriate to carry out the intended uses of these funds as described in the applications submitted by States and Indian tribes.
(3) To carry out section 5116 (f), $150,000.
(4) To publish and distribute the Emergency Response Guidebook under section 5116 (i)(3), $625,000.
(5) To carry out section 5116 (j), $1,000,000.

(c) Hazmat Training Grants.— There shall be available to the Secretary, from the account established pursuant to section 5116 (i), to carry out section 5107 (e) $4,000,000 for each of fiscal years 2005 through 2008.

(d) Issuance of Hazmat Licenses.— There are authorized to be appropriated for the Department of Transportation such amounts as may be necessary to carry out section 5103a.

(e) Credits to Appropriations.— The Secretary may credit to any appropriation to carry out this chapter an amount received from a State, Indian tribe, or other public authority or private entity for expenses the Secretary incurs in providing training to the State, authority, or entity.

(f) Availability of Amounts.— Amounts made available by or under this section remain available until expended.

### Historical and Revision Notes

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<td>5127(d)</td>
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In the section, references to fiscal years 1991 and 1992 are omitted as obsolete.

In subsections (b), (c)(1), and (d), the words “amounts in” are omitted as surplus.

In subsection (c), the text of 49 App.:1815(i)(3)(A) is omitted as obsolete.

In subsection (c)(2), the words “relating to dissemination of the curriculum” are omitted as surplus.

### Amendments


2005—Pub. L. 109–59, § 7125, substituted “Authorizations” for “Authorization” in section catchline and amended text generally, substituting provisions relating to authorization of appropriations for fiscal years 2005 to 2008, consisting of subsecs. (a) to (f), for provisions relating to authorization of appropriations for fiscal years 1993 to 1998, consisting of subsecs. (a) to (g).

Pub. L. 109–59, § 7123(b), renumbered section 5127 of this title as this section.


Subsec. (b). Pub. L. 103–311, § 119(c)(4), amended subsec. (b)(1) generally. Prior to amendment, subsec. (b)(1) read as follows:

“(b) Hazmat Employee Training.—(1) Not more than $250,000 is available to the Director of the National Institute of Environmental Health Sciences from the account established under section 5116 (i) of this title for each of the fiscal years ending September 30, 1993–1998, to carry out section 5107 (e) of this title.”

Pub. L. 103–311, § 119(b), designated existing provisions as par. (1) and added par. (2).