



THE DIRECTOR

EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

May 4, 2004

The Honorable Ted Stevens
Chairman
Committee on Appropriations
United States Senate
Washington, D.C. 20510

Dear Mr. Chairman:

In light of the interest in the status of Emergency Response Fund (ERF) appropriations, I am transmitting an Update Report on the use of these funds.

The obligations reported cover the period September 18, 2001, through February 29, 2004. This report supplements Quarterly Reports and other information previously provided to Congress concerning the use of the \$40 billion provided by P.L. 107-38, the FY 2001 Emergency Supplemental Appropriations Act for Recovery from and Response to Terrorist Attacks on the United States. Of that \$40 billion, \$20 billion was made available, subject to reporting and consultation requirements, in P.L. 107-38, and the remaining \$20 billion was subsequently made available by Congress through direct transfer to specific departments and agencies by P.L. 107-117, the FY 2002 Department of Defense and Emergency Supplemental Appropriations for Recovery from and Response to Terrorist Attacks on the United States.

In total, \$3.091 billion was obligated between February 28, 2003, and February 29, 2004, eight percent of the total obligations of the ERF. The second table in this report presents the change in cumulative obligations.

Sincerely,

A handwritten signature in black ink, appearing to read "J. Bolten", with a long horizontal stroke extending to the right.

Joshua B. Bolten
Director

Enclosure

Identical Letter Sent to The Honorable Robert C. Byrd, The Honorable C.W. Bill Young, and
The Honorable David R. Obey



REPORT ON EXPENDITURES FROM THE EMERGENCY RESPONSE FUND
 Amounts as of February 29, 2004
 (In millions of dollars)



<u>Agency</u>	<u>Budget Authority</u>	<u>Cumulative Obligations</u>	<u>Unobligated Balance</u>	<u>Percentage obligated</u>
Department of Agriculture	342	292	50	85.3%
Department of Commerce.....	28	25	3	88.0%
Department of Defense.....	16,618	16,618	---	100.0%
Department of Education	10	10	0	96.5%
Department of Energy	374	370	4	98.9%
Department of Health and Human Services	1,824	1,730	94	94.8%
Department of Homeland Security.....	9,631	9,280	351	96.4%
Department of Housing and Urban Development.....	2,701	2,701	0	100.0%
Department of the Interior	93	77	16	82.8%
Department of Justice	1,659	1,604	55	96.7%
Department of Labor	249	247	2	99.1%
Department of State	439	315	124	71.7%
Department of Transportation.....	1,330	1,219	111	91.6%
Department of the Treasury	60	57	3	95.0%
Department of Veterans Affairs.....	2	1	1	51.7%
Army Corps of Engineers	139	139	---	100.0%
Environmental Protection Agency	176	173	2	98.7%
Executive Office of the President	144	136	7	94.9%
General Services Administration	140	140	1	99.4%
International Assistance Programs	1,540	1,390	150	90.2%
National Aeronautics and Space Administration	108	107	1	98.7%
Small Business Administration	241	238	3	98.9%
Social Security Administration.....	8	8	---	100.0%
Other Independent Agencies (total).....	374	342	32	91.4%
United States Postal Service	675	675	---	100.0%
Unallocated	18		18	
EXECUTIVE BRANCH TOTAL	38,923	37,893	1,030	97.4%
Judicial Branch.....	116	N.A.		N.A.
Legislative Branch.....	633	N.A.		N.A.
Reductions and Other Rescissions	328			
GRAND TOTAL	40,000	37,893		
Memorandum				
Department of Defense.....	16,618	16,618		100.0%
Non-Defense Executive Branch.....	22,305	21,276		95.4%

Note: Detail in this document may not add due to rounding.

A small amount of funds received by EXOP in March 2004 are included in this report, and the obligations reports include some more recent information.



REPORT ON EXPENDITURES FROM THE EMERGENCY RESPONSE FUND
Change from February 28, 2003 to February 29, 2004
(In millions of dollars)



<u>Agency</u>	Cumulative Obligations 02/28/2003 3/	Adjustments for Department of Homeland Security	Change in Obligations 02/28/03 - 2/29/04	Percentage of Obligations During Period	Cumulative Obligations 02/29/2004 5/
Department of Agriculture 1/	172	0	120	41%	292
Department of Commerce.....	23	0	2	9%	25
Department of Defense 2,4/.....	17,233	0	-615	-4%	16,618
Department of Education	9	0	0	3%	10
Department of Energy	370	0	0	0%	370
Department of Health and Human Services 1/.....	2,690	-989	29	1% 6/	1,730
Department of Homeland Security 1/.....	---	9,280	0	0%	9,280
Department of Housing and Urban Development.....	2,701	0	0	0%	2,701
Department of the Interior	69	0	8	10%	77
Department of Justice 1/.....	1,793	-543	354	16% 6/	1,604
Department of Labor	247	0	0	0%	247
Department of State	356	0	-40	-13%	315
Department of Transportation 1/.....	2,840	-1,677	56	2% 6/	1,219
Department of the Treasury 1/.....	512	-579	125	19% 6/	57
Department of Veterans Affairs.....	1	0	0	13%	1
Army Corps of Engineers	117	0	22	16%	139
Environmental Protection Agency	141	0	32	18%	173
Executive Office of the President	125	0	12	9%	136
Federal Emergency Management Agency 1/.....	3,021	-5,491	2,470	45% 6/	---
General Services Administration	135	0	4	3%	140
International Assistance Programs	1,274	0	116	8%	1,390
National Aeronautics and Space Administration	93	0	15	14%	107
Small Business Administration	188	0	50	21%	238
Social Security Administration.....	8	0	0	0%	8
Other Independent Agencies (total).....	286	0	56	16%	342
United States Postal Service	400	0	275	41%	675
EXECUTIVE BRANCH TOTAL	34,802	0	3,091	8%	37,893

1/ Reflects transfers to and from the Department of Homeland Security.

2/ Reflects rescissions and reductions.

3/ Not adjusted for subsequent transfers between agencies.

4/ This report reflects an update to DOD accounting in the estimates for February 29, 2004.

5/ DOD, IAP, State, EXOP, HHS, and SBA have transferred funds to or received funds from the Emergency Response Fund since the publication of the May 2003 report. The President notified the Congress of these reallocations through an official and formal transmittal.

6/ Obligations for period measured against total obligations for agency, before DHS transfers.

Note: Detail in this document may not add due to rounding.



REPORT ON EXPENDITURES FROM THE EMERGENCY RESPONSE FUND
Amounts as of February 29, 2004
(In thousands of dollars)



	Budget Authority (Total)	Cumulative Obligations
Department of Agriculture		
Animal and Plant Health Inspection Service		
Salaries and Expenses.....	\$104,128	\$100,863
Buildings and Facilities.....	14,953	14,953
Agricultural Research Service		
Salaries and Expenses.....	38,155	27,704
Buildings and Facilities	50,332	20,619
Food Safety and Inspection.....	15,000	12,239
Office of the Secretary.....	80,919	76,862
Subtotal	303,487	253,240
Food and Nutrition Service		
Special Supplemental Program for WIC.....	39,000	39,000
Total	342,487	292,240



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	Budget Authority (Total)	Cumulative Obligations
Department of Commerce		
Departmental Management		
Salaries and Expenses.....	4,776	4,776
Economic Development Administration		
Economic development assistance programs.....	2,000	2,000
International Trade Administration		
Operations and Administration	1,100	799
Bureau of Industry and Security		
Operations and Administration	1,756	1,736
National Oceanic and Atmospheric Administration		
Operations, Research and Facilities.....	2,750	2,750
National Institute of Standards & Technology		
Scientific and Technical Research and Services.....	5,000	5,000
Construction of Research Facilities	1,225	1,222
National Telecommunications and Information Administration		
Public Telecommunications Facilities, Planning and Construction	8,250	5,183
United States Patent and Trademark Office		
Salaries and expenses	1,500	1,500
Total	28,357	24,966



REPORT ON EXPENDITURES FROM THE EMERGENCY RESPONSE FUND
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	Budget Authority (Total)	Cumulative Obligations
Department of Defense - Military		
Increased Situational Awareness.....	5,121,863	5,011,919
Enhanced Force Protection.....	1,524,000	1,323,851
Improved Command and Control.....	1,403,000	1,314,585
Increased Worldwide Posture.....	4,849,331	4,887,859
Offensive Counterterrorism.....	1,862,000	1,827,365
Procurement		
Initial Crisis Response.....	588,800	482,398
Pentagon Repair/Upgrade.....	1,442,000	1,338,000
Other.....	217,000	209,323
Airport Security.....	246,000	222,294
	<u>17,253,994</u>	<u>16,617,594</u>
Transfer to ERF and State/International Assistance Programs--September 2003	-290,000	
To ERF--September 2003	-18,400	
Rescission/transfer ¹	-104,000	
Rescission ²	-224,000	
	<u><u>16,617,594</u></u>	<u><u>16,617,594</u></u>

¹P.L. 108-11 directed that all remaining balances on October 31, 2003 in the DERF should be transferred to, and merged with, the Iraqi Freedom Fund.

²P.L. 107-206 rescinded \$224 million from funds provided in P.L. 107-38 to the Defense Emergency Response Fund.



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	<u>Budget Authority (Total)</u>	<u>Cumulative Obligations</u>
Department of Education		
Office of Elementary and Secondary Education		
School Improvement Programs	10,000	9,653
Total	<u><u>10,000</u></u>	<u><u>9,653</u></u>



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	<u>Budget Authority (Total)</u>	<u>Cumulative Obligations</u>
Department of Energy		
Weapons Activities.....	136,000	134,254
Defense Environmental Restoration & Waste Management.....	8,200	8,200
Other Defense Activities.....	3,500	3,300
Defense Nuclear Nonproliferation.....	226,000	224,003
Total	<u>373,700</u>	<u>369,757</u>



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	Budget Authority (Total)	Cumulative Obligations
Department of Health and Human Services		
Food and Drug Administration.....	15,000	14,971
Health Resources and Services Administration.....	185,000	185,000
Centers for Disease Control and Prevention.....	45,900	38,776
National Institutes of Health.....	10,500	10,499
Substance Abuse and Mental Health Services Admin.....	38,000	38,000
Administration for Children and Families.....	23,700	23,700
Administration on Aging.....	1,300	1,300
Bioterrorism		
Food and Drug Administration.....	137,850	137,044
Food and Drug Administration -- July 2003 transfers.....	5,000	4,259
Centers for Disease Control and Prevention.....	2,116,000	1,980,258
less programs transferred to DHS(Stockpile/Smallpox).....	-1,105,000	-975,550
Net CDC funding.....	1,011,000	1,004,708
National Institutes of Health.....	180,000	125,206
Health Resources and Services Administration.....	135,000	131,467
Office of the Secretary.....	55,814	28,794
Less programs transferred to DHS (OER).....	-19,814	-13,747
Net OS funding.....	36,000	15,047
Total, Pre-transfers to DHS	2,949,064	2,719,274
Less programs transferred to DHS	-1,124,814	-989,297
Total	1,824,250	1,729,977



REPORT ON EXPENDITURES FROM THE EMERGENCY RESPONSE FUND
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	Budget Authority (Total)	Cumulative Obligations
Department of Homeland Security (from Treasury)		
Federal Law Enforcement Training Center		
Salaries and Expenses	23,000	20,327
Acquisition, Construction, Improvements	8,500	8,500
Customs and Border Protection		
Salaries and Expenses	472,240	417,784
Operations and Maintenance, Air and Marine Interdiction Programs	9,600	9,564
United States Secret Service		
Salaries and Expenses	131,483	118,730
Department of Homeland Security (from Justice)		
Immigration and Customs Enforcement	583,400	542,783
Department of Homeland Security (from Agriculture)		
Plum Island, NY, Facility	24,513	0
Department of Homeland Security (from HHS)		
CDC and Prevention (Stockpile/Smallpox).....	1,105,000	975,550
Office of the Secretary (OER).....	19,814	13,747
Department of Homeland Security (from Transportation)		
Transportation Security Administration		
Direct appropriation from P.L. 107-117.....	94,800	94,800
Temporary transfer of BA from FAA.....	325,000	325,000
Temporary transfer of BA from FEMA.....	1,030,000	1,030,000
United States Coast Guard		
Operating Expenses.....	227,150	227,150
Department of Homeland Security (from Federal Emergency Management Agency)		
Disaster Relief Fund	5,326,871	5,253,669
Emergency Management Planning and Assistance.....	212,672	212,494
Salaries and Expenses.....	18,197	10,980
Department of Homeland Security - Additional Headquarter Costs		
Transfer from Secret Service.....	4,500	4,500
Transfer from FEMA EMPA.....	2,900	2,900
Transfer from FEMA ONP.....	11,200	11,200
Total	9,630,840	9,279,678



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	<u>Budget Authority (Total)</u>	<u>Cumulative Obligations</u>
Department of Housing and Urban Development		
Community Planning and Development		
Community Development Block Grants	2,700,000	2,700,000
Office of Inspector General		
Inspector General	1,000	860
Total	<u><u>2,701,000</u></u>	<u><u>2,700,860</u></u>



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	<u>Budget Authority (Total)</u>	<u>Cumulative Obligations</u>
Department of the Interior		
National Park Service		
Operation of the National Park System	11,811	11,516
United States Park Police.....	26,695	26,535
Construction*.....	21,624	6,147
Bureau of Reclamation		
Water and Related Resources.....	30,259	30,259
Office of the Secretary		
Departmental Management Salaries and Expenses.....	2,205	2,205
Total	<u>92,594</u>	<u>76,662</u>

*The unobligated funds are for a two-phase construction project at Federal Hall. There was some delay in initiating it because of some hazardous materials issues. The NPS funds are scheduled for obligation by the fall.



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	Budget Authority (Total)	Cumulative Obligations
Department of Justice		
General Administration - S&E	5,000	2,000
Administrative Review & Appeals - S&E	3,500	3,477
Legal Activities		
Criminal Division - S&E	4,800	4,800
Civil Division - S&E	7,633	7,633
Civil Division - S&E	7,300	7,300
U.S. Attorneys - S&E	56,370	56,370
Counterterrorism Fund		
U.S. Marshalls Service	3,900	2,795
Federal Bureau of Investigation	36,900	36,900
U.S. Marshals Service - S&E	10,200	10,200
U.S. Marshals Service - Construction	9,125	9,125
ATF - S&E	10,605	3,067
Federal Bureau of Investigation - S&E	745,000	705,353
	39,700	39,700
Office of Justice Programs		
Justice Assistance	400,000	400,000
State & Local Law Enforcement	251,100	251,050
Crime Victims Fund	68,100	64,291
Total	1,659,233	1,604,061



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	Budget Authority (Total)	Cumulative Obligations
Department of Labor		
Training and Employment Services.....	57,500	57,500
State Unemployment Insurance and Employment Service Operations.....	7,600	7,600
Occupational Safety and Health Administration.....	1,500	1,500
Workers Compensation.....	175,000	175,000
Pension and Welfare Benefits Administration.....	1,600	1,072
Departmental Management.....	5,880	4,208
Total	249,080	246,880



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	Budget Authority (Total)	Cumulative Obligations
Department of State		
Bureau of Information Resource Management		
Capital Investment Fund	15,000	15,000
Department of State - Various Bureaus		
Diplomatic and Consular Programs	103,990	-
Educational and Cultural Exchanges	2,400	2,400
Bureau of Resource Management		
Emergencies in the Diplomatic and Consular Service	51,000	51,000
Overseas Buildings Operations		
Embassy Security Construction and Maintenance	42,850	39,826
Bureau of Population, Refugees, and Migration		
Migration and Refugee Assistance	100,000	100,000
Bureau of International Narcotics Control & Law Enforcement		
International Narcotics and Law Enforcement	124,000	106,872
Bureau of European and Eurasian Affairs	100	92
Total	439,340	315,190

Note: The Assistance for Newly Independent States (NIS) transferred \$3.5 million in ERF funds to three accounts using its own transfer authority to perform activities on behalf of NIS: Educational and Cultural Exchange, Bureau of European and Eurasian Affairs, and International Narcotics Control.



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	Budget Authority (Total)	Cumulative Obligations
Department of Transportation		
Federal Aviation Administration		
Operations - General Fund.....	241,000	241,000
Operations - Trust Fund.....	200,000	175,650
Facilities and Equipment.....	196,000	192,631
Aviation Insurance Revolving Fund		
Grants-in-Aid to Airports.....	175,000	171,403
Research, Engineering and Development.....	50,000	48,774
Federal Highway Administration		
Federal-Aid Highways.....	75,000	75,000
Miscellaneous Highway Trust Funds.....	100,000	54,402
Federal Railroad Administration		
Safety and Operations.....	6,000	5,234
Capital Grants to Amtrak.....	100,000	76,700
Federal Transit Administration		
Formula Grants Program.....	33,500	26,677
Capital Investments.....	100,000	98,900
Office of the Inspector General		
Salaries and Expenses.....	1,300	1,111
Office of the Secretary		
Payments to Air Carriers.....	50,000	50,000
Research and Special Programs Administration		
Research and Special Programs.....	2,500	1,700
Total	1,330,300	1,219,182



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	Budget Authority (Total)	Cumulative Obligations
Department of the Treasury		
Departmental Offices		
Salaries and Expenses	6,100	5,026
Air Transportation Stabilization Program	9,400	9,400
International Affairs Technical Assistance	3,000	3,000
Financial Crimes Enforcement Network		
Salaries and Expenses	1,760	1,751
Financial Management Service		
Salaries and Expenses	110	110
Internal Revenue Service		
Processing, Assistance and Maintenance	14,910	14,594
Tax Law Enforcement	6,714	5,604
Information Systems	16,441	15,909
Inspector General for Tax Administration		
Salaries and Expenses	2,032	2,032
Total	60,467	57,426



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	<u>Budget Authority (Total)</u>	<u>Cumulative Obligations</u>
Department of Veterans Affairs		
National Cemetery Administration (NCA).....	217	19
General Operating Expenses (GOE).....	2,000	1,127
Total	<u>2,217</u>	<u>1,146</u>



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	<u>Budget Authority (Total)</u>	<u>Cumulative Obligations</u>
Army Corps of Engineers		
Operations and Maintenance.....	139,000	139,000
Total	<u>139,000</u>	<u>139,000</u>



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	Budget Authority (Total)	Cumulative Obligations
Environmental Protection Agency		
Environmental Programs and Management (EPM).....	39,000	36,793
Science and Technology (S&T).....	90,308	90,377
Hazardous Substances Superfund.....	41,292	41,099
State and Tribal Grants (STAG).....	5,000	4,999
Total	175,600	173,268



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	Budget Authority (Total)	Cumulative Obligations
Executive Office of the President		
Office of Administration*.....	82,765	79,565
Office of Administration to fund the WMD Commission**.....	4,000	1,400
Unanticipated Needs.....	51,000	51,000
National Security Council***.....	4,800	3,200
United States Trade Representative****.....	1,200	1,200
Total*****	143,765	136,365

*\$3.2M in remaining Office of Administration ERF funds - The remaining Emergency Response Funds will primarily be used to cover ongoing relocation and equipment expenses as a result of the security related relocations of the Eisenhower Executive Office Building and the security related upgrades now being constructed in the building. A portion of the funding was intended for the enhancement of an offsite facility used for continuity of operations for the Executive Office of the President. A contract for the upgrades of this facility is expected to be awarded by May 2004.

**In March, an additional \$4 million was transferred to the Office of Administration to fund the Commission on the Intelligence Capabilities of the US regarding Weapons of Mass Destruction (WMD). The obligations shown here reflect amounts as of March 2004.

***\$1.6 M in remaining NSC ERF funds (as of 4/12/04) - This funding is used solely for expenses incurred in creating and operating the Directorate of Strategic Planning and Southwest Asian Affairs (originally the Directorate for Islamic Outreach and Southwest Asian Affairs), including personnel costs, office construction, and travel.

****Transferred from ERF.

*****Office of National Drug Control Policy (ONDCP) is shown with Other Independent Agencies.



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	<u>Budget Authority (Total)</u>	<u>Cumulative Obligations</u>
General Services Administration		
Public Buildings Service		
Federal Buildings Fund.....	140,321	139,500
Total	<u><u>140,321</u></u>	<u><u>139,500</u></u>



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	<u>Budget Authority (Total)</u>	<u>Cumulative Obligations</u>
International Assistance Programs		
US Agency For International Development		
Europe and Eurasia Bureau		
Assistance for the New Independent States of the former Soviet Union	60,500	60,500
Bureau of Humanitarian Relief		
PL 480 Title II.....	95,000	95,000
International Disaster Assistance.....	146,000	143,554
Asia Near East Bureau		
Economic Support Fund	753,000	613,000
Management Bureau		
Operating Expense.....	17,400	17,087
Subtotal, US Agency For International Development	1,071,900	929,141
Department of State		
Defense Security Cooperation Agency	77,000	77,000
Nonproliferation, Anti-Terrorism, Demining and Related Programs		
NADR.....	118,200	113,155
Bureau of Political and Military Affairs		
Foreign Military Financing Program	45,000	45,000
Peacekeeping	220,000	220,000
Subtotal, Department of State	460,200	455,155
Department of the Treasury		
Departmental Offices		
International Affairs Technical Assistance	3,000	2,928
Subtotal, Department of Treasury	3,000	2,928
Peace Corps		
General and special funds.....	5,290	2,680
Subtotal, Peace Corps	5,290	2,680
Total, International Assistance Programs	1,540,390	1,389,904

* The Assistance for Newly Independent States (NIS) transferred \$3.5 million in ERF funds to three accounts using its own transfer authority to perform activities on behalf of NIS: Educational and Cultural Exchange, Bureau of European and Eurasian Affairs, and International Narcotics Control. The NIS account also includes \$17.5 million that was transferred from Nonproliferation, Anti-Terrorism, Demining, and Related programs account.



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	<u>Budget Authority (Total)</u>	<u>Cumulative Obligations</u>
National Aeronautics and Space Administration		
Human Space Flight.....	76,000	74,937
Science, Aeronautics and Technology.....	32,499	32,171
Total	<u>108,499</u>	<u>107,108</u>



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	Budget Authority (Total)	Cumulative Obligations
Small Business Administration		
Salaries and Expenses	31,000	33,881
Disaster Loans Program Account.....	135,000	130,571
Small Business Administration	75,000	73,901
Total	241,000	238,353



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Social Security Administration		
Limitation on Administrative Expenses (LAE)	7,500	7,500
Total	7,500	7,500



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Other Independent Agencies (Total)		
Broadcasting Board of Governors		
International Broadcasting Operations.....	23,050	21,518
Broadcasting Capital Improvements.....	35,000	24,107
Total	58,050	45,625
Commodity Futures Trading Commission (CFTC)		
Salaries and Expenses.....	17,100	17,100
Total	17,100	17,100
District of Columbia		
Total	205,988	204,902
Equal Employment Opportunity Commission		
Salaries and Expenses.....	1,301	1,297
Total	1,301	1,297
Export-Import Bank of the United States		
New York Regional Office, 6 World Trade Center		
Management Bureau.....	75	53
Total	75	53
Federal Drug Control Programs		
High Intensity Drug Trafficking Areas Program (through ONDCP)	2,300	2,300
Total	2,300	2,300
National Capital Planning Commission		
Salaries and Expenses.....	758	758
Total	758	758
National Labor Relations Board		
Salaries and Expenses.....	180	180
Total	180	180
National Transportation Safety Board		
Departmental Offices		
Salaries and Expenses.....	800	589
Total	800	589



REPORT ON EXPENDITURES FROM THE EMERGENCY RESPONSE FUND
Amounts as of February 29, 2004
(In thousands of dollars)



	Budget Authority (Total)	Cumulative Obligations
Nuclear Regulatory Commission		
Salaries and Expenses.....	36,000	30,661
Total	36,000	30,661
Securities Exchange Commission		
Salaries and Expenses.....	20,700	20,700
Total	20,700	20,700
Smithsonian Institution		
Salaries and Expenses.....	21,707	11,323
Kennedy Center for the Performing Arts		
Operations and Maintenance.....	4,274	1,620
National Gallery of Art		
Salaries and Expenses.....	2,148	1,978
Total	28,129	14,921
National Science Foundation		
Research and Related Activities.....	300	300
Total	300	300
National Archives and Records Administration		
Operating Expenses.....	1,600	1,595
Repairs and Restoration.....	1,000	975
Total	2,600	2,570
Other Independent Agencies (Total)	374,281	341,956



REPORT ON EXPENDITURES FROM THE EMERGENCY RESPONSE FUND
Amounts as of February 29, 2004
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	<u>Budget Authority (Total)</u>	<u>Cumulative Obligations</u>
United States Postal Service		
Payment to Postal Service Fund	675,000	675,000
Total	675,000	675,000