



THE DIRECTOR

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

August 2, 2004

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

Dear Mr. Chairman:

I am transmitting an update on the use of the Emergency Response Fund (ERF) appropriations. This report covers 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, and 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. As of the end of May, the Executive Branch agencies have reported total obligations of \$38.2 billion, bringing the total to over 98 percent of the amount provided after taking into account rescissions and reallocations enacted by Congress.

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 May 31, 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	325	18	94.8%
Department of Commerce.....	28	28	0	98.9%
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	1,731	94	94.9%
Department of Homeland Security*.....	9,626	9,280	347	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	1,605	55	96.7%
Department of Labor	249	249	---	100.0%
Department of State	439	420	19	95.6%
Department of Transportation.....	1,330	1,267	63	95.3%
Department of the Treasury	60	58	3	95.1%
Department of Veterans Affairs.....	2	1	1	51.7%
Army Corps of Engineers	139	139	---	100.0%
Environmental Protection Agency	176	170	5	96.9%
Executive Office of the President	144	138	6	96.1%
General Services Administration	140	140	1	99.4%
International Assistance Programs	1,540	1,507	33	97.8%
National Aeronautics and Space Administration**.....	109	107	1	98.7%
Small Business Administration***.....	199	189	10	95.0%
Social Security Administration.....	8	8	---	100.0%
Other Independent Agencies (total).....	374	354	20	94.6%
United States Postal Service	675	675	---	100.0%
Unallocated	17		17	
EXECUTIVE BRANCH TOTAL	38,877	38,164	713	98.2%
Judicial Branch.....	116	N.A.		N.A.
Legislative Branch.....	633	N.A.		N.A.
Reductions and Other Rescissions***.....	373			
GRAND TOTAL	40,000	38,164		

Memorandum

Department of Defense.....	16,618	16,618	100.0%
Non-Defense Executive Branch.....	22,260	21,546	96.8%

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

*Reflects an update to DHS accounting in the estimates for May 31, 2004.

**Reflects an update to NASA accounting in the estimates for May 31, 2004.

***Reflects rescinded SBA BA amount totalling \$42,425,000 per P.L.s 108-199 and 108-7. See SBA detail section.



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	Budget Authority (Total)	Cumulative Obligations
Department of Agriculture		
Animal and Plant Health Inspection Service*		
Salaries and Expenses.....	\$104,128	\$102,514
Buildings and Facilities.....	14,953	14,953
Agricultural Research Service*		
Salaries and Expenses.....	38,155	29,602
Buildings and Facilities.....	50,332	49,252
Food Safety and Inspection.....	15,000	11,009
Office of the Secretary.....	80,919	78,311
Food and Nutrition Service		
Special Supplemental Program for WIC.....	39,000	39,000
Total	342,487	324,641

*The Agricultural Research Service's unobligated funds have been allocated for the development and validation of assays targeting rapid detection of high consequence animal and plant pathogens (\$4 million), improved physical security measures at select priority locations (\$4.6 million). The majority of the physical security funds are expected to be obligated in the fourth quarter. The approximately \$1.1 million in unobligated balances in the Buildings and Facilities account will be used to complete site development work at the National Centers for Animal Health at Ames, Iowa.



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	Budget Authority (Total)	Cumulative Obligations
Department of Commerce		
Departmental Management		
Salaries and Expenses*	4,775	4,774
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	1,756
National Oceanic and Atmospheric Administration		
Operations, Research and Facilities	2,750	2,750
National Institute of Standards & Technology		
Scientific and Technical Research and Services***	4,999	4,999
Construction of Research Facilities	1,225	1,224
National Telecommunications and Information Administration		
Public Telecommunications Facilities, Planning and Construction	8,250	8,250
United States Patent and Trademark Office		
Salaries and expenses	1,500	1,500
Total	28,355	28,052

*Pursuant to Division B, Section 215 of Public Law 108-199, \$1K was rescinded from S&E.

**Obligation of these funds has been slowed by the pace of risk assessments of various posts. The remaining balances will be used for the security of personnel and posts of ITA.

***Pursuant to Division B, Section 215, of Public Law 108-199, \$1K was rescinded from STRS.



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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*	-104,000	
Rescission**	-224,000	
	<u>16,617,594</u>	<u>16,617,594</u>

*P.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.

**P.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	10,000	9,653



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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	14,946
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	137,177
Food and Drug Administration -- July 2003 transfers.....	5,000	4,259
Centers for Disease Control and Prevention.....	1,011,000	1,004,708
National Institutes of Health.....	180,000	125,832
Health Resources and Services Administration.....	135,000	131,467
Office of the Secretary.....	36,000	15,047
Total	1,824,250	1,730,711

*FDA deobligated net \$25,000 in FY 2002 transactions after conducting a quarterly review of unliquidated obligations to verify that obligations are still valid. FDA has processed requisitions to obligate these funds and should award contracts by August.



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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*	126,983	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	9,626,340	9,279,678

*Reflects an update to DHS accounting in the estimates for May 31, 2004.



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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	26,560
Construction*.....	21,624	6,152
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>76,692</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*	15,000	15,000
U.S. Attorneys - S&E	56,370	56,370
Counterterrorism Fund		
U.S. Marshalls Service	2,795	2,795
Counterterrorism Fund.....	1,105	---
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.....	784,700	745,663
Office of Justice Programs		
Justice Assistance	400,000	400,000
State & Local Law Enforcement	251,100	251,100
Crime Victims Fund	68,100	64,291
Total	1,659,300	1,604,788

* For Legal Activities, Civil Division, S&E, the previous report on expenditures from the ERF had incorrectly applied a rescission in the amount of \$67,000 to the original budget authority. This report, ending May 2004, corrects this error.



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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	1,600
Departmental Management.....	5,880	5,880
Total	249,080	249,080



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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	102,508
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	40,360
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	108,774
Bureau of European and Eurasian Affairs	100	92
Total	439,340	420,134



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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	199,970
Facilities and Equipment.....	196,000	193,122
Aviation Insurance Revolving Fund		
Grants-in-Aid to Airports.....	175,000	173,393
Research, Engineering and Development.....	50,000	49,756
Federal Highway Administration		
Federal-Aid Highways.....	75,000	75,000
Miscellaneous Highway Trust Funds.....	100,000	73,402
Federal Railroad Administration		
Safety and Operations.....	6,000	5,234
Capital Grants to Amtrak.....	100,000	76,748
Federal Transit Administration		
Formula Grants Program.....	33,500	26,677
Capital Investments.....	100,000	100,000
Office of the Inspector General		
Salaries and Expenses.....	1,300	1,300
Office of the Secretary		
Payments to Air Carriers.....	50,000	50,000
Research and Special Programs Administration		
Research and Special Programs.....	2,500	1,844
Total	1,330,300	1,267,446



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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	14,909
Tax Law Enforcement	6,714	5,551
Information Systems	16,441	15,820
Inspector General for Tax Administration		
Salaries and Expenses	2,032	1,938
Total	60,467	57,505



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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>

*These monies have been earmarked for a series of program assessments specifically geared to reviewing multiple aspects of VA's emergency response capabilities. These assessments have been done through various contractors. The next assessment SOW has just completed the review and concurrence process. A contract will be let sometime before 7/15/04. The contractor will be assessing the emergency preparedness capabilities of VA medical facilities. We estimate the cost to be approx. \$250,000. The contract will run for approx. 8 months. Other assessments, awarded earlier, are still underway. Monies from the fund are not expended every month.



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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	37,351
Science and Technology (S&T).....	90,308	87,762
Hazardous Substances Superfund.....	41,292	40,086
State and Tribal Grants (STAG).....	5,000	4,999
Total	175,600	170,198



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	<u>Budget Authority (Total)</u>	<u>Cumulative Obligations</u>
Executive Office of the President		
Office of Administration*.....	82,765	79,550
Office of Administration to fund the WMD Commission.....	4,000	3,061
Unanticipated Needs.....	51,000	51,000
National Security Council**.....	4,800	3,324
United States Trade Representative.....	1,200	1,200
Total***	<u>143,765</u>	<u>138,135</u>

*The remaining \$3.2M in Office of Administration ERF 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.

**The unobligated \$1,476,000 will be 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.

***Office of National Drug Control Policy (ONDCP) is listed 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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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	144,179
Asia Near East Bureau		
Economic Support Fund	753,000	724,681
Management Bureau		
Operating Expense.....	17,400	17,154
Subtotal, US Agency For International Development	1,071,900	1,041,514
Department of State		
Defense Security Cooperation Agency	77,000	77,000
Nonproliferation, Anti-Terrorism, Demining and Related Programs		
NADR.....	118,200	117,818
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	459,818
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	1,506,940



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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*.....	32,500	32,171
Total	<u>108,500</u>	<u>107,108</u>

*Reflects an update to NASA accounting in the estimates for May 31, 2004.



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	Budget Authority (Total)	Cumulative Obligations
Small Business Administration		
Salaries and Expenses	31,000	24,743
Disaster Loan Program Account*.....	119,968	118,045
Business Loan Program Account**	47,607	45,903
Total	198,575	188,691

*Reflects rescinded SBA BA in the amount of \$15,032,000 per Section 628 of P.L. 108-199 (making these funds were made available to the regular disaster program).

**Reflects rescinded SBA BA in the amount of \$27,393,000 per Section 624 of P.L. 108-7 (making these funds were made available to the regular 7(a) program).



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	<u>Budget Authority (Total)</u>	<u>Cumulative Obligations</u>
Social Security Administration		
Limitation on Administrative Expenses (LAE)	7,500	7,500
Total	7,500	7,500



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	<u>Budget Authority (Total)</u>	<u>Cumulative Obligations</u>
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	1,301
Total	1,301	1,301
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



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	<u>Budget Authority (Total)</u>	<u>Cumulative Obligations</u>
Nuclear Regulatory Commission		
Salaries and Expenses.....	36,000	32,100
Total	36,000	32,100
Securities Exchange Commission		
Salaries and Expenses.....	20,700	20,700
Total	20,700	20,700
Smithsonian Institution		
Salaries and Expenses.....	21,707	21,514
Kennedy Center for the Performing Arts		
Operations and Maintenance*.....	4,274	1,954
National Gallery of Art		
Salaries and Expenses.....	2,148	2,148
Total	28,129	25,616
National Science Foundation		
Research and Related Activities.....	300	300
Total	300	300
National Archives and Records Administration		
Operating Expenses**.....	1,600	1,584
Repairs and Restoration.....	1,000	975
Total	2,600	2,559
Other Independent Agencies (Total)	374,281	354,083

*All remaining funds are expected to be obligated by the end of the fiscal year primarily through two large projects. The electronic security system project is out to bid. The service tunnel project will go out to bid by the end of July, after construction documents are fully completed. Construction documents were approved by the National Capital Planning Commission and the Commission of Fine Arts last month.

**The NARA's OE account reflects a deobligation of \$11,000.00 resulting from a prior-year recovery from a FY 02 guard contract.



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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