

Public Law 107-38  
107th Congress

An Act

Sept. 18, 2001

[H.R. 2888]

2001 Emergency  
Supplemental  
Appropriations  
Act for Recovery  
from and  
Response to  
Terrorist Attacks  
on the United  
States.

Making emergency supplemental appropriations for fiscal year 2001 for additional disaster assistance, for anti-terrorism initiatives, and for assistance in the recovery from the tragedy that occurred on September 11, 2001, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, to provide emergency supplemental appropriations for fiscal year 2001, namely:

EXECUTIVE OFFICE OF THE PRESIDENT AND FUNDS  
APPROPRIATED TO THE PRESIDENT

EMERGENCY RESPONSE FUND

(INCLUDING TRANSFERS OF FUNDS)

For emergency expenses to respond to the terrorist attacks on the United States that occurred on September 11, 2001, to provide assistance to the victims of the attacks, and to deal with other consequences of the attacks, \$40,000,000,000, to remain available until expended, including for the costs of: (1) providing Federal, State, and local preparedness for mitigating and responding to the attacks; (2) providing support to counter, investigate, or prosecute domestic or international terrorism; (3) providing increased transportation security; (4) repairing public facilities and transportation systems damaged by the attacks; and (5) supporting national security: *Provided*, That these funds may be transferred to any authorized Federal Government activity to meet the purposes of this Act: *Provided further*, That the Congress designates the entire amount as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985: *Provided further*, That \$40,000,000,000 shall be available only to the extent that an official budget request, that includes designation of the \$40,000,000,000 as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, is transmitted by the President to the Congress: *Provided further*, That the President shall consult with the chairmen and ranking minority members of the Committees on Appropriations prior to the transfer of these funds: *Provided further*, That of the \$40,000,000,000 made available herein, \$10,000,000,000 shall not be available for transfer to any Department or Agency until 15 days after the Director of the Office of Management and Budget has submitted to the House and Senate Committees on Appropriations a proposed allocation and plan for use of the funds for that

Department or Agency; \$20,000,000,000 may be obligated only when enacted in a subsequent emergency appropriations bill, in response to the terrorist acts on September 11, 2001: *Provided further*, That the President shall transmit an amended budget request proposing an allocation of funds: *Provided further*, That not less than one-half of the \$40,000,000,000 shall be for disaster recovery activities and assistance related to the terrorist acts in New York, Virginia, and Pennsylvania on September 11, 2001, as authorized by law: *Provided further*, That the Director of the Office of Management and Budget shall provide quarterly reports to the Committees on Appropriations on the use of these funds, beginning not later than January 2, 2002: *Provided further*, That the President shall submit to the Congress as soon as practicable detailed requests to meet any further funding requirements for the purposes specified in this Act.

Reports.

### GENERAL PROVISIONS

SEC. 101. Funds appropriated by this Act, or made available by the transfer of funds in this Act, for intelligence activities are deemed to be specifically authorized by the Congress for purposes of section 504 of the National Security Act of 1947 (50 U.S.C. 414).

SEC. 102. Funds appropriated by this Act, or made available by the transfer of funds in this Act, may be obligated and expended notwithstanding section 10 of Public Law 91-672, section 313 of the Foreign Relations Authorization Act, fiscal years 1994 and 1995, and section 15 of the State Department Basic Authorities Act of 1956.

This Act may be cited as the "2001 Emergency Supplemental Appropriations Act for Recovery from and Response to Terrorist Attacks on the United States".

Approved September 18, 2001.

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LEGISLATIVE HISTORY—H.R. 2888 (S. 1426):

CONGRESSIONAL RECORD, Vol. 147 (2001):

Sept. 14, considered and passed House and Senate.