

**AMENDMENT IN THE NATURE OF A SUBSTITUTE  
TO H.R. 4547  
OFFERED BY MR. STUMP**

Strike all after the enacting clause and insert the following:

**1 SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

2 (a) **SHORT TITLE.**—This Act may be cited as the  
3 “Cost of War Against Terrorism Authorization Act of  
4 2002”.

5 (b) **TABLE OF CONTENTS.**—The table of contents of  
6 this Act is as follows:

- Sec. 1. Short title; table of contents.
- Sec. 2. Amounts authorized for continued operations for the War on Terrorism.
- Sec. 3. Additional authorizations

**TITLE I—AUTHORIZATION OF APPROPRIATIONS**

Subtitle A—Authorizations to Transfer Accounts

- Sec. 101. War on Terrorism Current Operations Fund.
- Sec. 102. War on Terrorism Equipment Replacement and Enhancement Fund.
- Sec. 103. General provisions applicable to transfers.

Subtitle B—Authorizations to Specified Accounts

- Sec. 111. Army procurement.
- Sec. 112. Navy and Marine Corps procurement.
- Sec. 113. Air Force procurement.
- Sec. 114. Defense-wide activities procurement.
- Sec. 115. Research, development, test, and evaluation, defense-wide.
- Sec. 116. Classified activities.
- Sec. 117. Global Information Grid system.
- Sec. 118. Operation and maintenance.
- Sec. 119. Military personnel.

Subtitle C—Military Construction Authorizations

- Sec. 131. Authorized military construction and land acquisition projects.

**TITLE II—WARTIME PAY AND ALLOWANCE INCREASES**

- Sec. 201. Increase in rate for family separation allowance.

- Sec. 202. Increase in rates for various hazardous duty incentive pays.
- Sec. 203. Increase in rate for diving duty special pay.
- Sec. 204. Increase in rate for imminent danger pay.
- Sec. 205. Increase in rate for career enlisted flyer incentive pay.
- Sec. 206. Increase in amount of death gratuity.
- Sec. 207. Effective date.

1 **SEC. 2. AMOUNTS AUTHORIZED FOR CONTINUED OPER-**  
2 **ATIONS FOR THE WAR ON TERRORISM.**

3 The amounts authorized to be appropriated in this  
4 Act, totalling \$10,000,000,000, are authorized for the  
5 conduct of operations in continuation of the war on ter-  
6 rorism in accordance with the Authorization for Use of  
7 Military Force (Public Law 107-40; 50 U.S.C. 1541 note)  
8 and, to the extent appropriations are made pursuant to  
9 such authorizations, shall only be expended in a manner  
10 consistent with the purposes stated in section 2(a) thereof.

11 **SEC. 3. ADDITIONAL AUTHORIZATIONS**

12 The amounts authorized to be appropriated by this  
13 Act are in addition to amounts authorized to be appro-  
14 priated for military functions of the Department of De-  
15 fense for fiscal year 2003 in the National Defense Author-  
16 ization Act for Fiscal Year 2003 or any other Act.

1       **TITLE I—AUTHORIZATION OF**  
2                   **APPROPRIATIONS**  
3           **Subtitle A—Authorizations to**  
4                   **Transfer Accounts**

5       **SEC. 101. WAR ON TERRORISM OPERATIONS FUND.**

6           (a) AUTHORIZATION OF APPROPRIATIONS.—There is  
7 hereby authorized to be appropriated to the Department  
8 of Defense for fiscal year 2003 the amount of  
9 \$3,544,682,000, to be available only for operations in ac-  
10 cordance with the purposes stated in section 2 for Oper-  
11 ation Noble Eagle and Operation Enduring Freedom.  
12 Funds authorized in the preceding sentence may only be  
13 used as provided in subsection (b).

14           (b) TRANSFER AUTHORITY.—Subject to section 103,  
15 the Secretary of Defense may, in the Secretary's discre-  
16 tion, transfer amounts authorized in subsection (a) to any  
17 fiscal year 2003 military personnel or operation and main-  
18 tenance account of the Department of Defense for the pur-  
19 poses stated in that subsection.

20       **SEC. 102. WAR ON TERRORISM EQUIPMENT REPLACEMENT**  
21                   **AND ENHANCEMENT FUND.**

22           (a) AUTHORIZATION OF APPROPRIATIONS.—There is  
23 hereby authorized to be appropriated to the Department  
24 of Defense for fiscal year 2003 the amount of  
25 \$1,000,000,000, to be available only in accordance with

1 the purposes stated in section 2 and to be used only as  
2 provided in subsection (b).

3 (b) TRANSFER AUTHORITY.—Subject to section 103,  
4 the Secretary of Defense may, in the Secretary's discre-  
5 tion, transfer amounts authorized in subsection (a) to any  
6 fiscal year 2003 procurement or research, development,  
7 test, and evaluation account of the Department of Defense  
8 for the purpose of—

9 (1) emergency replacement of equipment and  
10 munitions lost or expended in operations conducted  
11 as part of Operation Noble Eagle or Operation En-  
12 during Freedom; or

13 (2) enhancement of critical military capabilities  
14 necessary to carry out operations pursuant to Public  
15 Law 107-40.

16 **SEC. 103. GENERAL PROVISIONS APPLICABLE TO TRANS-**  
17 **FERS.**

18 (a) IN GENERAL.—Amounts transferred pursuant to  
19 section 101(b) or 102(b) shall be merged with, and avail-  
20 able for the same purposes and the same time period as,  
21 the account to which transferred.

22 (b) CONGRESSIONAL NOTICE-AND-WAIT REQUIRE-  
23 MENT.— A transfer may not be made under section  
24 101(b) or 102(b) until the Secretary of Defense has sub-  
25 mitted a notice in writing to the Committees on Appro-

1 priations and the Committees on Armed Services of the  
2 Senate and House of Representatives of the proposed  
3 transfer and a period of 15 days has elapsed after the  
4 date such notice is received. Any such notice shall include  
5 specification of the amount of the proposed transfer, the  
6 account to which the transfer is to be made, and the pur-  
7 pose of the transfer.

8 (c) TRANSFER AUTHORITY CUMULATIVE.—The  
9 transfer authority provided by this subtitle is in addition  
10 to any other transfer authority available to the Secretary  
11 of Defense under this Act or any other Act.

## 12 **Subtitle B—Authorizations to** 13 **Specified Accounts**

### 14 **SEC. 111. ARMY PROCUREMENT.**

15 Funds are hereby authorized to be appropriated for  
16 fiscal year 2003 for procurement accounts of the Army  
17 in amounts as follows:

18 (1) For ammunition, \$100,000,000.

19 (2) For other procurement, \$10,700,000.

### 20 **SEC. 112. NAVY AND MARINE CORPS PROCUREMENT.**

21 (a) NAVY.—Funds are hereby authorized to be appro-  
22 priated for fiscal year 2003 for procurement accounts for  
23 the Navy in amounts as follows:

24 (1) For aircraft, \$106,000,000.

1           (2) For weapons, including missiles and tor-  
2 pedoes, \$633,000,000.

3           (b) MARINE CORPS.—Funds are hereby authorized to  
4 be appropriated for fiscal year 2003 for the procurement  
5 account for the Marine Corps in the amount of  
6 \$25,200,000.

7           (c) NAVY AND MARINE CORPS AMMUNITION.—Funds  
8 are hereby authorized to be appropriated for fiscal year  
9 2003 for the procurement account for ammunition for the  
10 Navy and the Marine Corps in the amount of  
11 \$120,600,000.

12 **SEC. 113. AIR FORCE PROCUREMENT.**

13           Funds are hereby authorized to be appropriated for  
14 fiscal year 2003 for procurement accounts for the Air  
15 Force in amounts as follows:

16           (1) For aircraft, \$214,550,000.

17           (2) For ammunition, \$157,900,000.

18           (3) For other procurement, \$10,800,000.

19 **SEC. 114. DEFENSE-WIDE ACTIVITIES PROCUREMENT.**

20           Funds are hereby authorized to be appropriated for  
21 fiscal year 2003 for the procurement account for Defense-  
22 wide procurement in the amount of \$614,414,000.

1 **SEC. 115. RESEARCH, DEVELOPMENT, TEST, AND EVALUA-**  
2 **TION, DEFENSE-WIDE.**

3 Funds are hereby authorized to be appropriated for  
4 fiscal year 2003 for the research, development, test, and  
5 evaluation account for Defense-wide activities in the  
6 amount of \$390,100,000.

7 **SEC. 116. CLASSIFIED ACTIVITIES.**

8 Funds are hereby authorized to be appropriated for  
9 the Department of Defense for fiscal year 2003 for un-  
10 specified intelligence and classified activities in the  
11 amount of \$1,980,000,000, of which—

12 (1) \$1,618,874,000 is authorized to be appro-  
13 priated to procurement accounts;

14 (2) \$301,600,000 is authorized to be appro-  
15 priated to operation and maintenance accounts; and

16 (3) \$60,200,000 is authorized to be appro-  
17 priated to research, development, test, and evalua-  
18 tion accounts.

19 **SEC. 117. GLOBAL INFORMATION GRID SYSTEM.**

20 None of the funds authorized to be appropriated by  
21 this Act for the Department of Defense system known as  
22 the Global Information Grid may be obligated until the  
23 Secretary of Defense submits to the Committees on Armed  
24 Services and the Committees on Appropriations of the  
25 Senate and House of Representatives the Secretary's cer-  
26 tification that the end-to-end system is secure and pro-

1 tected from unauthorized access to the information trans-  
2 mitted through the system.

3 **SEC. 118. OPERATION AND MAINTENANCE.**

4 Funds are hereby authorized to be appropriated for  
5 fiscal year 2003 for the use of the Armed Forces for ex-  
6 penses, not otherwise provided for, for operation and  
7 maintenance, in amounts as follows:

8 (1) For the Army, \$14,400,000.

9 (2) For the Navy, \$5,300,000.

10 (3) For the Marine Corps, \$11,500,000.

11 (4) For the Air Force, \$522,000,000.

12 **SEC. 119. MILITARY PERSONNEL.**

13 There is hereby authorized to be appropriated to the  
14 Department of Defense for military personnel accounts for  
15 fiscal year 2003 a total of \$503,100,000.

16 **Subtitle C—Military Construction**  
17 **Authorizations**

18 **SEC. 131. AUTHORIZED MILITARY CONSTRUCTION AND**

19 **LAND ACQUISITION PROJECTS.**

20 (a) PROJECTS AUTHORIZED.—Using amounts appro-  
21 priated pursuant to the authorization of appropriations in  
22 subsection (b), the Secretary of the military department  
23 concerned may acquire real property and carry out mili-  
24 tary construction projects for the installations and loca-  
25 tions, and in the amounts, set forth in the following table:



**Projects Authorized**

<b>Military Department</b>	<b>Installation or location</b>	<b>Amount</b>
Department of the Army .....	Qatar .....	\$8,600,000
Department of the Navy .....	Naval Station, Guantanamo Bay, Cuba .....	\$4,280,000
	Naval Station, Rota, Spain .....	\$18,700,000
Department of the Air Force	Bolling Air Force Base, District of Columbia .....	\$3,500,000
	Total .....	\$35,080,000

1 (b) AUTHORIZATION OF APPROPRIATIONS.—Funds  
 2 are hereby authorized to be appropriated for fiscal year  
 3 2003 for the military construction projects authorized by  
 4 subsection (a) in the total amount of \$35,080,000.

5 **TITLE II—WARTIME PAY AND**  
 6 **ALLOWANCE INCREASES**

7 **SEC. 201. INCREASE IN RATE FOR FAMILY SEPARATION AL-**  
 8 **LOWANCE.**

9 Section 427(a)(1) of title 37, United States Code, is  
 10 amended by striking “\$100” and inserting “\$125”.

11 **SEC. 202. INCREASE IN RATES FOR VARIOUS HAZARDOUS**  
 12 **DUTY INCENTIVE PAYS.**

13 (a) FLIGHT PAY FOR CREW MEMBERS.—Subsection  
 14 (b) of section 301 of title 37, United States Code, is  
 15 amended by striking the table and inserting the following  
 16 new table:

<i>“Pay grade:</i>	<i>Monthly Rate</i>
O-10 .....	\$200
O-9 .....	\$200
O-8 .....	\$200
O-7 .....	\$200
O-6 .....	\$300
O-5 .....	\$300
O-4 .....	\$275
O-3 .....	\$225

“Pay grade:	<i>Monthly Rate</i>
O-2 .....	\$200
O-1 .....	\$200
W-5 .....	\$300
W-4 .....	\$300
W-3 .....	\$225
W-2 .....	\$200
W-1 .....	\$200
E-9 .....	\$290
E-8 .....	\$290
E-7 .....	\$290
E-6 .....	\$265
E-5 .....	\$240
E-4 .....	\$215
E-3 .....	\$200
E-2 .....	\$200
E-1 .....	\$200”.

1           (b) INCENTIVE PAY FOR PARACHUTE JUMPING  
 2 WITHOUT STATIC LINE.—Subsection (c)(1) of such sec-  
 3 tion is amended by striking “\$225” and inserting “\$275”.

4           (c) OTHER HAZARDOUS DUTIES.—Subsection (c)(1)  
 5 of such section is amended by striking “\$150” and insert-  
 6 ing “\$200”.

7           (d) REMOVAL OF AIR WEAPONS CONTROLLER CREW  
 8 MEMBERS FROM LIST OF HAZARDOUS DUTIES.—Such  
 9 section is further amended—

- 10           (1) in subsection (a)—
- 11                 (A) by striking paragraph (12);
- 12                 (B) in paragraph (11), by striking “; or”
- 13                 and inserting a period; and
- 14                 (C) in paragraph (10), by inserting “or”
- 15                 after the semicolon; and
- 16           (2) in subsection (c), as amended by sub-  
 17 sections (b) and (c) of this section—

1 (A) by striking “(1)”; and

2 (B) by striking paragraph (2).

3 **SEC. 203. INCREASE IN RATE FOR DIVING DUTY SPECIAL**  
4 **PAY.**

5 Section 304(b) of title 37, United States Code, is  
6 amended—

7 (1) by striking “\$240” and inserting “\$290”;

8 and

9 (2) by striking “\$340” and inserting “\$390”.

10 **SEC. 204. INCREASE IN RATE FOR IMMINENT DANGER PAY.**

11 Section 310(a) of title 37, United States Code, is  
12 amended by striking “\$150” and inserting “\$250”.

13 **SEC. 205. INCREASE IN RATE FOR CAREER ENLISTED**  
14 **FLYER INCENTIVE PAY.**

15 The table in section 320(d) of title 37, United States  
16 Code, is amended to read as follows:

<b>“Years of aviation service</b>	<b>Monthly rate</b>
4 or less .....	\$200
Over 4 .....	\$275
Over 8 .....	\$400
Over 14 .....	\$450”.

17 **SEC. 206. INCREASE IN AMOUNT OF DEATH GRATUITY.**

18 Section 1478(a) of title 10, United States Code, is  
19 amended by striking “\$6,000” and inserting “\$12,000”.

20 **SEC. 207. EFFECTIVE DATE.**

21 (a) IN GENERAL.—Except as provided in subsection

22 (b), the amendments made by this title shall take effect

23 on the later of the following:

1           (1) The first day of the first month beginning  
2           on or after the date of the enactment of this Act.

3           (2) October 1, 2002.

4           (b) DEATH GRATUITY.—The amendment made by  
5 section 206 shall apply with respect to a person covered  
6 by section 1475 or 1476 of title 10, United States Code,  
7 whose date of death occurs on or after the later of the  
8 following:

9           (1) The date of the enactment of this Act.

10          (2) October 1, 2002.