

Chapter 6

History of Combat Pay

BRANDON R. GOULD

STANLEY A. HOROWITZ

Executive Summary

The purpose of recognition for combat risks originated in Badge Pay for combat infantry in World War II. Designed to boost flagging infantry morale, Badge Pay awarded \$10 per month to holders of a Combat Infantryman's Badge, earned through combat service, and \$5 to those with an Expert Infantryman's Badge, earned through proficiency in training. To proponents in the Congress and the Department of the Army, the uniquely harsh and hazardous conditions of infantry service impaired infantry morale and justified special recognition. The fact that infantry pay was considerably less than other specialties had a similar effect on morale and provided a secondary justification for token compensation.

Unlike its successors, Badge Pay was not a combat pay in the traditional sense. Although other servicemembers endured similar risks and discomforts, only the infantry could receive Badge Pay, and once awarded, an infantryman would continue to receive compensation until the entitlement was curtailed in 1949. Future pays would extend eligibility beyond the infantry but restrict benefits to the periods of risk exposure. Still, by introducing the general concept of recognition and rewarding the "hazards and hardships" of infantry service, Badge Pay established precedents for future special pays.

Authorized in 1952, Combat Pay for servicemembers deployed to Korea represented the first modern form of direct combat compensation. Combat Pay awarded \$45 per month to members serving at least six days in designated "combat units" or those wounded, injured, or killed by hostile fire. Defined by statute, "combat units" were effectively restricted to frontline ground units with the intent that special recognition extend only to those enduring the worst "hazards and hardships" of war. Receipt of additional special and incentive pays, such as flight or submarine pay, was banned. This narrow, conditions-based interpretation of the purpose of recognition echoed its predecessor, Badge Pay, but angered the Navy and Air Force, whose members faced slim prospects of eligibility. Almost immediately upon enactment,

Copyright © 2011 Institute for Defense Analyses. Reprinted with permission.

The views expressed in this paper represent those of the authors and are not necessarily those of the Department of Defense.

the other services and their supporters in the Congress sought to replace the criterion of “unit designation” with broad, geographically-based zonal eligibility.

From the perspective of its opponents, the dual standard of “hazards and hardships” was both administratively burdensome and distributionally inequitable. The Navy and Air Force argued that risk alone deserved recognition. During the Korean War several proposals to expand eligibility from the perspective of “recognition for risk” were introduced and subsequently rebuffed in the Congress and executive commissions.

These setbacks ultimately proved temporary when the Navy and Air Force succeeded in convincing the Congress to relax narrow, unit-based recognition with broad, zonal eligibility during the Vietnam War. In 1963, Combat Pay, which had statutorily expired with the Korean armistice, was reauthorized as Hostile Fire Pay (HFP). The legislative history of HFP indicated continuity in purpose and policy with its Korean War predecessor. As favored by the Army, eligibility would be restricted to those serving at least six days with designated frontline “combat units,” effectively excluding members of the Navy and Air Force. However, unlike Korean War Combat Pay, which codified eligibility criteria into law, the authorization of HFP granted the Department of Defense near-complete discretion over its administration. Initially, the Department followed narrow historical precedent, continuing the dual standard of “hazards and hardships” and the policy of unit-based eligibility. However, as a result of internal deliberations, likely stemming from the unprecedented combat environment in Southeast Asia, the Department reversed course in 1965 and replaced the practice of designating combat units with the policy of zonal eligibility for Vietnam. The six-day criterion was also rescinded. Immediately upon implementation of this directive, the number of HFP recipients quintupled. Although the purpose of HFP remained “recognition” in spirit, the substance of combat pay policy had shifted dramatically. No longer was recognition reserved to those who endured the worst “hazards and hardships”—all within the designated area who faced any level of risk were entitled to recognition. In the immediate aftermath of zonal eligibility, the Department, the Gates Commission, and the Second Quadrennial Review of Military Compensation attempted to tighten eligibility criteria to include only those routinely exposed to hostile fire. Opposed by the Air Force and Navy, all of these attempts failed.

The decades after the Vietnam War saw the entrenchment of the policy of zonal eligibility and the perspective demanding “recognition for risk.” In the absence of major conflict, the Department issued few new designations in the late 1970s and early 1980s. In 1983, the bombing of Marine barracks in Beirut and violence against servicemembers in El Salvador prompted the Department and the Congress

to reevaluate combat pay policy. As HFP was traditionally reserved for the overt hazards of open warfare, existing policy struggled to recognize the latent risks of low-intensity conflicts that characterized post-Vietnam military deployments. The Congress redressed the omission by authorizing a new special pay—Imminent Danger Pay (IDP)—recognizing the risk of “physical harm or imminent danger on the basis of civil insurrection, civil war, terrorism, or wartime conditions” short of open warfare. This change enhanced the relevance of combat pay to contemporary military deployments but once again lowered the risk threshold for pay eligibility.

The authorization of IDP also opened the floodgates for new designations. Beginning in 1983 with five designations, the number grew to 34 in 1993, peaking at 52 in 2003. Because the risks of Imminent Danger areas were latent, new designations could extend indefinitely, often with minimal reference to actual hostile events within designated areas. As the number of designations accumulated in the 1980s and 1990s, the length of designations experienced similar growth. For designations issued in the 1980s, the average designation length stood at 10.14 years; in the 1990s, designation length grew to 11.14 years. Of the 16 designations initiated since 1999, 15 remain active today.

Although the increasing number of low-intensity designations for IDP corresponded to the risk environment of military deployments in the 1980s and 1990s, modern HFP/IDP may struggle to appropriately recognize the overt risks of the combat operations in Iraq and Afghanistan. Whereas previous decades featured either only high-end or low-end designations—HFP for Vietnam in the 1960–70s, IDP designations thereafter—the coexistence of designations for open warfare and low-intensity conflicts is a source of dissonance in modern combat pay policy. The status quo, wherein deployments in Afghanistan and Athens receive identical recognition despite vastly different hazards and hardships, defies conventional notions of equity. The wide distribution of risks receiving special pay may also dilute the impact of recognition on servicemember morale. In 2003, the Bush Administration grappled with this imbalance by proposing to extend a temporary raise in HFP/IDP (to \$225/month) only for members deployed to Iraq and Afghanistan (all others would receive HFP/IDP at \$150/month). The raise was made permanent for all personnel, and the dissonance in recognition persists to this day.

In summary, while combat pay has adhered to its broad historical purpose of risk recognition, the specific application of recognition has evolved considerably in response to new conflict environments and political coalitions. Originally intended to narrowly recognize only those enduring the worst “hazards and hardships” of frontline combat, modern combat pay now recognizes servicemembers exposed to *any* degree of risk.

1. Introduction

A. The Purpose of Recognition and the Evolution of Combat Pay

In every major conflict beginning with World War II, the United States has recognized the extreme and uncontrollable risks of combat with special pay for combat service. Beginning with Badge Pay of the 1940s and continuing through today's Hostile Fire Pay/Imminent Danger Pay (HFP/IDP), members of the Armed Services deployed to hazardous areas have received token combat compensation. Although policy on rewarding risk has changed substantially over time, combat pay has largely remained faithful to its original intent: to recognize those enduring the risks of combat. The purpose of recognition for combat service is both unique among special and incentive pays and essential to understanding the historical development of modern day HFP/IDP. Unlike other justifications for special pay, the purpose of recognition entails an abstract, not concrete, objective. Consequently, throughout the past half century, interpretations by stakeholders in the Congress and the military and revisions of prevailing political perspectives on combat recognition have driven the process of policy change to combat pay. As a result, combat pay has evolved from a narrow benefit reserved for the extreme hazards and hardships of frontline service to a broad-based entitlement providing recognition for any level of hostile risk.

It is impossible to understand the evolution of combat pays without reference to the broader history of special and incentive pays. Ever since 1886, the military has provided a host of special and incentive pays to supplement basic pay.¹ The majority of these pays serve one of two purposes—manpower incentives or compensation for conditions of service. Basic military compensation is determined primarily by rank and years of service, regardless of a member's skills or occupation. If unaltered by manpower incentives, such a system of uniform compensation would produce an excess of manpower in less scarce, more desirable occupations and a deficit in high skill, high risk, or otherwise undesirable duties. With regard to compensation for conditions of service, the dissonance between varying occupational skills and risks and constant military pay would clash with the concept of "fair" compensation. Special and incentive pays have historically served as the means of fine-tuning individual compensation to meet the problems arising from a common military pay scale.

The vast majority of special and incentive pays correspond to the two aforementioned purposes: achieving manpower objectives or compensating for the individualized costs of service. "Incentive" pays—which include critical skill reenlistment bonuses, pays for medical personnel, and career compensation for

1. Diving Duty Pay was established by Navy Department directive in 1886.

aviators and submariners—strive to bridge shortfalls in scarce, risky, or undesirable occupations or acquire and maintain undersupplied skills to meet military manpower needs. “Compensatory” pays—such as Family Separation Allowance, death and disability benefits, and several Hazardous Duty pays—attempt to rectify the uneven distribution of risks, costs, and sacrifices across the force out of a sense of fundamental “fairness.”² Both “incentive” and “compensatory” pays address specific problems—manpower needs or individual sacrifices—with tailored responses that can be evaluated and modified on the basis of their effectiveness.

In contrast to other special and incentive pays, combat pay stands alone. Throughout its history, combat pay was intended to neither provide incentives for combat service nor compensate for combat risks. Because exposure to the enemy is involuntary, incentives have little bearing on the supply of combat service personnel. Because exposure to hostile risk is unpredictable and the costs of combat are immeasurable, the military cannot provide ex-ante compensation for the sacrifices of combat service. Instead, the problem that combat pay strives to solve is more nuanced. Although combat is the universal obligation of all military service, combat risks and costs are borne by only a fraction of servicemembers. Unlike the host of other special and incentive pays, combat pay was intended to *recognize* service under conditions of extreme and uncontrollable risk.

As the purpose of recognition is distinct from either manpower incentives or cost compensation, recognition is unrelated to these specific and measurable problems within the military pay system. Because of the undefined objective of risk recognition, political and military stakeholders must supply the specific policy details. Who is to be recognized? For what risk circumstances? Why is recognition necessary? Given the context of the military’s universal combat obligation yet wide variation in risk, the answers to these questions are not immediately apparent.

Behind the historical evolution of combat pay policy are ongoing clashes between competing perspectives justifying recognition of combat risks. Historically, Service perspectives on risk recognition are strongly correlated with the expected beneficiaries of special pay. When the Army alone stood to benefit from Combat Pay in Korea, it was opposed by the Navy and Air Force; three decades later, when Imminent Danger Pay (IDP) promised broader benefits for all, few objections were aired. Changes in combat environments also influence the predominant perspective on risk recognition. The shift from a stalemated frontline in Korea to a fluid counterinsurgency in South Vietnam favored recognition based upon general risks within a geographic area rather than the specific hazards and hardships of frontline unit assignment.

2. Examples of “compensatory” pays include parachute duty pay, demolition duty pay, flight deck duty pay, experimental stress duty pay, personal exposure pay, non-crewmember flight pay, and toxic fuels and propellants and chemical munitions exposure pay.

Political perspectives on risk recognition historically define the groups deserving recognition relative to others already receiving special pay. In Korea, the existence of special pays for aviators and submariners prompted calls for recognition pay for frontline infantry units; in Lebanon and El Salvador, unexpected military casualties demanded similar recognition for the latent risks of low-intensity conflicts as the hazards of open war. Equalization of special pay among individuals exposed to risk supplied a politically powerful motivation behind extending recognition pay to new and broader groups. Though recognition itself has remained the core justification of combat pays, recognition relative to groups already receiving benefits has driven every change in policy and perspective in the historical development of modern HFP/IDP.

B. Outline of the Report

The following sections of this report detail the historical development of combat pay from Badge Pay in World War II to HFP/IDP in deployments to multiple low-intensity conflicts with omnipresent hostile risks. Each section highlights the competing perspectives on risk recognition and exposes the internal political dynamics and external risk factors that produced changes to combat pay.

Section 2 documents the origins of direct combat compensation in Badge Pay of World War II. Though not a “combat pay” in the modern sense, Badge Pay established two critical precedents—by citing recognition as a justification for special pay and forging a narrow but dedicated political constituency within the infantry for combat compensation.

Section 3 details the authorization, administration, and evaluation of Combat Pay for U.S. ground forces in the Korean War. Combat Pay recognized the hazards and hardships of front-line service and attempted to equalize special pay across various hazardous duties. Narrow administration of the pay drew criticism from the Air Force and Navy, who adopted a new perspective on risk recognition that opened the door for future geographically-based eligibility expansions.

Section 4 discusses the policy, perspectives, and potential causes behind the emergence of broad zonal eligibility for combat pay in Vietnam. Originally intended to follow the Korean War example, the newly authorized Hostile Fire Pay (HFP) conferred greater discretion on the Department of Defense, which allowed advocates within the Navy and Air Force to successfully replace frontline unit recognition with broader, risk-based geographic eligibility that reflected the combat environment in Vietnam.

Section 5 explores the entrenchment and extension of Vietnam-era policies and perspectives on combat compensation in the post-Vietnam risk environment.

The authorization of IDP in 1983 and the subsequent proliferation of the number and length of deployments for low-intensity risks are characteristic of continuing trends in combat compensation. However severe risks in prolonged wars in Iraq and Afghanistan clash with the policy status quo for HFP/IDP, wherein all risks receive equal recognition.

Section 6 summarizes the historical trends in combat pay policy and concludes with a potential path forward for HFP/IDP in the contemporary risk environment.

2. Badge Pay: Recognizing Infantry in World War II

A. Authorization of Infantry Badge Pay

Badge Pay, the first authorized combat pay, originated as a limited measure to improve the morale of frontline infantrymen in World War II. The uneven distribution of the hazards of combat service motivated recognition for those exposed to combat risks. In World War II, infantry were a small fraction of the force, but suffered the large majority of casualties. In North Africa, for example, the infantry comprised twenty percent of the American force, yet suffered seventy percent of military casualties.³ In addition to these extreme risks, combat infantrymen endured the severe hardships of frontline service, including exposure to the elements; deprivation from sleep, warmth, and leisure; and the omnipresent threat of enemy fire. Despite experiencing the worst hazards and hardships of war, combat infantrymen, controlling for rank, were paid less than their counterparts in other Services and occupations.

As a result of this imbalance in hazards, hardships, and pay, the Army was faced with a deterioration of morale in its frontline units. According to Army Major General Miller G. White, “the differences in the life of that Infantry soldier as compared to the life of any other soldier...the hardships he undergoes and the knowledge of these differences had a very adverse effect on the morale of the average Infantry soldier.” That infantry morale “didn’t compare with the other branches” was especially troublesome because “the maintenance of high morale and pride of service, so essential to the winning of battles, is nowhere more important than in the infantry.”⁴

As a first step toward bolstering morale, the War Department created the Expert Infantryman and Combat Infantryman badges in 1943. These badges were meant to provide symbolic recognition to infantrymen for proficiency in training and performance in combat. The Expert Infantryman’s Badge was awarded for

3. *H.R. Rep. No. 78-1700* (1944).

4. *Pay of Expert and Combat Infantrymen: Hearing on S.1973 and S. 1787, Before the Senate Committee on Military Affairs, 78th Cong.* (1944).

meeting high standards of proficiency upon completion of infantry training. The Combat Infantryman's Badge was awarded for service in combat under hostile fire. At the time of authorization, neither badge conveyed material benefits upon its owner. Rather, the Army believed that symbolic recognitions, like non-monetary distinctions in other occupations, would foster a sense of *esprit de corps* among the infantry. Improved morale, in turn, would contribute toward individual excellence and overall combat performance.⁵

In addition to the badges, the Army engaged in other activities to support infantry morale during World War II. To achieve greater pay equality across occupations, the Army accelerated infantry promotions at a faster rate than other specialties. To counteract negative stereotypes, the Army launched a public relations campaign highlighting the prestige of infantry service.⁶ Badge Pay was the next element of the Army's strategy for improving infantry morale.

The idea for special pay for the combat infantry did not originate within the military. Prominent American war correspondent Ernie Pyle is largely credited with fathering the concept of Badge Pay and leading the political struggle for its authorization. Pyle's dispatches from the European front dramatized the desperate living conditions of frontline infantrymen. In his columns, Pyle repeatedly stressed the need to "give recognition to that poor old sonavabitch who lies up there in the mud and cold and rain for weeks at a time, never dry, never warm, eating cold food out of cans, dirty and unshaven and sleepless, and constantly under mortar, artillery or rifle fire."⁷ Special compensation, Pyle argued, was already given to aviators and submariners whose occupations were arguably less risky and more comfortable than the "dogface" infantryman "who lives like a beast and dies in great numbers."⁸ Extending token compensation to the combat infantry would recognize the extreme hazards and hardships they endured.

Responding to Pyle's advocacy and widespread support for infantry special pay, the War Department introduced its proposal for Badge Pay in June of 1944. The proposal awarded \$5 per month for an Expert Infantryman Badge and \$10 for the Combat Infantryman Badge. Two justifications were offered in support of the proposal. The first echoed Pyle's call for recognition of the hazards and hardships of frontline service. Although none could match the total number of infantry casualties, other occupations, such as submariners and fighter pilots, experienced similarly high

5. H.R. Rep. No. 78-1700 (1944).

6. *Hearing on S.1973 and S. 1787* (1944).

7. *Ibid.*

8. 90th Cong. Rec. 6,570 (daily ed. June 5, 1944).

death rates,⁹ but combat hardships, not hazards, were what set the infantry apart from the rest of the military. Congressional testimony from Pyle and Secretary of War Henry Stimson expounded upon the severe and unique nature of frontline infantry hardships:

Sec. STIMSON: The conditions in which the Infantry render service—constant exposure to extremes of temperature; going sleepless and sleeping in rain and mud; fighting for days without relaxation from strain or lightening of the monotony—cannot be changed and their effect must be recognized. They imperatively require the creation of incentives which will not merely help men overcome the inevitable hardship and unpleasantness but will affirmatively build up among them that individual pride and pride of service which are essential to the highest military morale.¹⁰

Mr. PYLE: Of the one million men overseas, probably no more than 100,000 are now in actual combat with the enemy. But as it is now, there is no official distinction between the dogface lying for days and nights under the constant mortar fire on an Italian hill and the headquarters clerk living in a hotel in Rio de Janeiro... Their two worlds are so far apart that the human mind can barely grasp the magnitude of the difference. One lives like a beast and dies in great numbers. The other is merely working away from home. Both are doing necessary jobs, but it seems to me the actual warrior deserves something to set him apart.¹¹

The pay discrepancy between the infantry and other military occupations provided a second justification for combat compensation. According to Major General White, average annual pay for the infantry stood at \$749 in 1944, below that of the Field Artillery (\$758) and Signal Corps (\$834), and beneath the \$763 annual figure for the Army as a whole. An additional \$5 to \$10 per month would bring infantry compensation nearer to the level of the other branches and the technical services.¹² Badge Pay would also redress the asymmetry in special pays between the Army and the other Services. If pilots received flight pay and the Navy had hazard pays for submarine and diving duty, the argument went, the infantry should have a pay of their own to recognize combat hazards. Equalization of both average pay levels

9. Office of the Assistant Secretary of Defense for Manpower and Reserve Affairs, *Report of the 1971 Quadrennial Review of Military Compensation: Hostile Fire Pay*, Second Edition, December 1971. In World War II, the following occupational specialties suffered similar casualty rates as the combat infantry, in which one of every 7.5 members deployed were killed in action:

Infantry	1:7.5 (all)	1:7.6 (enlisted)	1:7.2 (officers)
Air Corps	1:15.7 (all)	1:23.9 (enlisted)	1:4.8 (officers)
Submariners	1:7.7 (all)		

10. H.R. Rep. No. 78-1700 (1944).

11. 90th Cong. Rec. 6,570 (daily ed. June 5, 1944).

12. *Hearings on S.1973 and S. 1787* (1944).

and hazardous duty pays imposed a concrete structure for Pyle’s abstract concept of “recognition.” Major General White, Senator Charles Tobey, and Secretary Stimson were the lead advocates of this perspective.

Mr. STIMSON: Duty in the infantry is exceptionally arduous and unremitting, that it must perforce be rendered in conditions peculiarly harsh and unpleasant, and that, for his reward, the infantryman must be content with pay rates below the average rate for all arms, and notably below the rates paid to certain noncombatant arms.¹³

Mr. TOBEY: Airmen, submarine sailors, divers, and a few such branches already receive added compensation on the premise that these services are hazardous. Certainly front line operatives are in as hazardous a spot as any, and are devoid of the comforts which these others enjoy.¹⁴

Despite the conflict between these twin motives of recognition and equalization, the legislative testimony reflected a general consensus that Badge Pay existed to bolster infantry morale. For Pyle and his backers in the Congress, infantry morale was intrinsically valuable from the perspective of fairness; recognition for the infantry’s disproportionate sacrifice expressed national solidarity and was simply the right thing to do. For proponents in the Army and War Department, morale was extrinsically valuable: an infantry with high morale was more effective than a dispirited corps. Furthermore, pay for Expert Infantrymen would induce trainees to strive for excellence prior to combat deployments. During World War II, these subtle differences in perspective—pay for recognition or equalization, morale as intrinsically or extrinsically valuable—converged on a single policy, Badge Pay.

B. Evaluation and Criticism of Badge Pay

In a sense, Badge Pay was not “combat pay” as currently understood, but rather special pay for the combat infantry. Several critical features distinguish Badge Pay from modern combat pays. Most importantly, eligibility for the pay did not relate to service in combat. Eligibility for the Expert Infantryman Badge required achievement of high proficiency standards during training, not actual combat experience. Badge Pay proponents argued that the infantry training regimen entailed similar hardships (and, to a lesser extent, hazards) as frontline service, but the fact remains that the Expert Infantryman Badge did not recognize actual combat.

Neither did receipt of Badge Pay depend on an infantryman’s presence on the battlefield. Upon earning his badge, an individual would continue to receive Badge Pay as long as the pay was authorized. In theory, a soldier could meet the minimum

13. H.R. Rep. No. 78-1700 (1944).

14. *Hearings on S. 1973 and S. 1787* (1944).

obligations for an Expert or Combat Infantryman's Badge, exit the war theater, and receive monthly compensation until the pay was terminated in 1949. Although questionable from the perspective of risk recognition, the permanence of Badge Pay was entirely consistent with the Army's efforts to bolster infantry morale and equalize overall infantry compensation with other military occupations.

Furthermore, Badge Pay did not cover the combat hazards and hardships experienced by non-infantry military specialties. Despite serving alongside the infantry and enduring the same conditions, artillerymen, tank crews, and special forces units could neither hold a Combat Infantryman's Badge nor receive the pay that came with it. Only one exception was made: Combat Medics embedded with infantry units were authorized to receive the pay in 1945, but all other specialties remained ineligible. The exclusion of soldiers exposed to equivalent risks and hardships from the compensation embodied the narrow intent of the pay. Badge Pay targeted a specific problem—infantry morale—with a specific solution—special infantry pay. The disproportionate hazards and hardships of frontline infantry service featured prominently in the legislative debate, but combat risks themselves were not yet incorporated into the criteria for special recognition.

The disconnect between exposure to combat hazards and eligibility for Badge Pay did not escape congressional criticism. Leading the opposition to Badge Pay, Senator Tobey and Representative Samuel Weiss introduced a broader proposal for combat pay that recognized risk in general, rather than focusing specifically on the infantry. The Tobey and Weiss bill offered members of the Armed Forces deployed to the front lines special pay at fifty percent of base pay while actively engaged in combat. In months when the member was no longer on the frontlines, the bonus would no longer be paid.¹⁵

In defense of his alternative, Senator Tobey argued that his proposal was preferable to Badge Pay for two reasons. First, the alternative recognized combat hazards and hardships in general, rather than focusing specifically on an occupational specialty (the infantry). As such, the proposal was more equitable toward non-infantry members of the Armed Forces who endured the same conditions as the combat infantryman. Second, because bonuses were only paid during periods of combat service, the pay was simultaneously more generous and less costly than the continuous Badge Pay.¹⁶

Neither of these arguments proved persuasive to proponents of Badge Pay. The particular conditions of infantry service—namely omnipresent hazards, unremitting hardships, and inferior basic pay, Major General White argued—necessitated

15. Ibid.

16. Ibid.

special pay to bolster flagging infantry morale. To improve infantry morale, pay must be restricted to the infantry itself. From this infantry-centric perspective, the permanence of Badge Pay was beneficial, as it stabilized gains in morale, not an expensive or inequitable feature, as Tobey argued. On the contrary, Tobey's proposed bonus rate of fifty percent of base pay exceeded mere token recognition and worsened compensation differentials between high and low paid specialties. Finally, any pay that depended on tracking individual deployments would either be administratively infeasible or must grant eligibility across such a broad combat area as to render its morale value meaningless.¹⁷

Ernie Pyle, in written testimony, anticipated problems in administering the Tobey proposal as well. Pyle feared that unless the pay was restricted to the infantry, it would soon expand beyond its intended scope. Voicing these concerns, Pyle warned that "Congress, maybe not quite getting the point of what the proposal was made for, will want to give [combat pay] to anyone who is ever in danger from enemy action. If it is made that way, it will be so broad as to destroy the value of doing it at all."¹⁸ If Tobey's proposed pay were expanded in such a manner, not only would combat morale improvements diminish, but broader eligibility would place an undue burden on the finances of a fully mobilized military.

In the face of Pyle's criticism and War Department opposition, the Tobey-Weiss proposal was shelved. However, defeat proved temporary. Following the repeal of Badge Pay in 1949, the perspective behind the Tobey-Weiss bill—that the hazards and hardships of frontline combat deserved recognition—resurfaced as the principal justification for Combat Pay in the Korean War. This move from occupational-based recognition for the combat infantry to conditions-based pay for frontline soldiers initiated the development of modern combat pay. Eventually, as Pyle feared, the Congress would authorize pay "to anyone who is ever in danger from enemy action" marking the complete transition to hostile risk as the object of recognition.¹⁹

C. Legacy of Badge Pay

Badge Pay became law on June 30, 1944. Despite the cessation of hostilities within fourteen months, holders of Expert Infantryman and Combat Infantryman Badges continued to receive additional pay until 1949. In 1948, the President's Commission on Military Compensation, better known as the Hook Commission, conducted a comprehensive study on military special and incentive pays, including Badge Pay. Special pay for the combat infantry, the Hook Commission judged, was neither necessary nor appropriate under current circumstances. The end of World

17. *Ibid.*

18. *Ibid.*

19. *Ibid.*

War II had rendered special pay for combat service irrelevant, and there was no need for additional incentives to attract and retain volunteers in the combat arms. Arguing that all special pays should be justified on the basis of military manpower requirements, the Hook Commission dispensed with the concept of recognition and recommended the abolition of Badge Pay.²⁰ The Career Compensation Act of 1949 codified these recommendations into law and suspended monthly payments to the infantry.

Despite its termination, Badge Pay set two important precedents. First, in addition to manpower incentives and cost compensation, Badge Pay established “recognition” as a legitimate justification for special pay. Through the Tobey-Weiss proposal, the relationship between the hazards and hardships of combat and eligibility for recognition pay formed the basis of future combat pays. Second, Badge Pay incubated the political coalition that would advocate for the authorization of future combat pays. Eligibility restricted to the infantry, although criticized by the Congress, engendered a unified base of support within the Army for reinstating recognition pays during wartime. To consolidate support within the Army, eligibility for Korean War Combat Pay extended beyond the infantry to all soldiers serving on the frontlines of combat. Backed by this united constituency, the Army revived proposals for combat pay almost immediately upon American entrance into the Korean conflict. Delays in the authorization of Combat Pay in Korea may have reflected the still-narrow scope of the coalition backing special pay, but it is unlikely that any such provision would have passed without the precedent of Badge Pay.

3. Combat Pay: Clashing Perspectives on Recognition in Korea

Combat Pay for frontline soldiers in the Korean War reprised the narrow scope of Badge Pay. However, the debate over authorization and administration of Combat Pay introduced a new perspective—broad recognition for risk—in opposition to the standard of narrow eligibility. When superimposed upon subtle shifts in eligibility policy, this new perspective eventually transitioned opponents of Combat Pay in the Navy and Air Force into advocates for geographically-based pay eligibility for varying degrees of risk. Although, in practice, Combat Pay in Korea strongly resembled Badge Pay in World War II, the emergence of a new perspective on risk recognition, combined with the abandonment of infantry exclusivity, paved the way for the development of modern HFP in Vietnam and beyond.

20. Under Secretary of Defense for Personnel and Readiness, *Military Compensation Background Papers: Hostile Fire Pay*, Sixth Edition, 2005.

A. Political Struggles over Authorization of Combat Pay

The authorization of Combat Pay for Korea traveled a much more circuitous route than Badge Pay in World War II. As early as July of 1950, only weeks after North Korean forces crossed the 38th parallel, the Army introduced a proposal to provide “hazard duty pay” to personnel in combat.²¹ In contrast to World War II, pay equalization, not hazard recognition, provided the driving force behind this proposal. The fact that specialists such as aviators, parachutists, and submariners received special pay for hazardous duties, yet troops in combat did not, was unacceptable to the Army. The soldiers who endured the greatest risks and hardships and shouldered the vast majority of casualties should not want for a hazard pay of their own. To remedy this “gross inequity,” the Army argued, Congress must either authorize special pay for combat service or suspend all existing hazardous duty pays during a time of war.²²

The Army’s proposal was a direct challenge to the special and incentive pays of the other Services. Unsurprisingly, the Navy and Air Force immediately voiced their opposition to the new pay. The Army’s proposed pay for combat duty, the Navy and Air Force argued, was not comparable to other hazardous duty pays because “members who are entitled to incentive pay are generally volunteers for the duty... known to be continually hazardous.”²³ Two years prior, the Hook Commission had explicitly rejected the concept of special pays that were not designed to meet military manpower requirements. Combat service was neither voluntary nor suffering from recruitment or retention deficits. Hence, combat pay was not necessary under the prevailing perspective on special and incentive pays. Neither was combat pay appropriate, the Navy argued, because “extra pay should not be required for the performance of the primary duty for which the Armed Forces exist.”²⁴ (Note that neither the Navy nor the Air Force stood to benefit from the proposed “hazard duty pay,” which would have accrued predominantly to ground forces.) Just as the asymmetry in special and incentive pays motivated the Army’s proposal for combat pay, expectations of eligibility restricted to the ground forces motivated the Navy and Air Force to oppose it.

The Secretary of Defense sided with the Army. The Department’s opinion echoed the Army’s justification for a new special pay to equalize compensation for combat service with other hazardous duties. Adjudicating the dispute, Assistant Secretary of Defense Marx Leva posited that “compensation received by the soldiers, sailors,

21. Ibid.

22. *Report of the 1971 QRMC: Hostile Fire Pay*, Second Edition, December 1971.

23. Secretary of the Navy, Memorandum to Secretary of Defense, *Proposed Amendment to the Career Compensation Act to Provide Special Pay for Combat Duty*, November 22, 1950.

24. Ibid.

and airmen who go into combat should be more nearly equal than it is now” and concluded combat pay could remedy the disparity.²⁵ Secretary of Defense George Marshall agreed, and submitted legislation in December of 1950 for the authorization of Combat Pay.

In their opinions, Marshall and Leva outlined the framework for Combat Pay, which the Congress would leave relatively unchanged. Like Badge Pay, the scope of recognition was narrow. Only those routinely exposed to the hazards and hardships of frontline service would receive pay. To be eligible in a given month, an individual must spend at least six days in “combat,” defined as either engagement with enemy forces or “direct support” of engagement. Critically, no individual could receive Combat Pay and another hazardous duty or incentive pay at the same time.²⁶ This restriction effectively excluded aviators, submariners, and other specialists from any prospects of eligibility, guaranteeing opposition by the Navy and Air Force in the Congress. Pay rates were proposed at \$100 for officers and \$50 for enlisted personnel, equivalent to the prevailing rates for other hazardous duty incentive pays.²⁷ By restricting eligibility to ground forces, yet modeling Combat Pay after existing hazardous duty pays, the Department’s proposal rebuked the other Services and granted the Army practically everything it had desired, setting the stage for a contentious political struggle.

The Department’s proposal was approved by the Bureau of the Budget and forwarded to the Congress on January 19, 1951. Hearings were held, and several additional proposals were introduced in both chambers, but a floor vote did not occur. Legislative efforts stagnated until 1952. Although the specific reasons for postponement were not recorded, the delay between the introduction of legislation and its eventual consideration may have reflected the nature of the political coalition backing combat pay. Despite its best efforts, the Army alone could not muster the critical congressional support in the face of opposition from the Navy and Air Force. The Department, though supportive of combat pay in general, did not wish to alienate the other Services by advancing the Army’s agenda. It is likely that the combat pay proposal would have died quietly in 1951, were it not for the cohesive Army coalition forged by Badge Pay that kept the proposal alive until more favorable political conditions arose.

The turning point for Korean War Combat Pay came with the emergence of a dedicated sponsor on the Senate Armed Services Committee. In March of 1952, Senator Russell Long (D-LA) introduced the Department’s Combat Pay proposal as an amendment to the Armed Forces Pay Raise Act of 1952. Offered on the floor of

25. *Ibid.*

26. Combat Duty Pay Act of 1952, Pub. L. No. 82-488, 66 Stat. 517, 538-539 (1952).

27. *Report of the 1971 QRCM: Hostile Fire Pay*, Second Edition, December 1971.

the Senate, the amendment bypassed the committee process, where previous efforts had bogged down. Consideration on the floor guaranteed an up or down vote and ensured that the proposal would receive a higher priority than past efforts.

Like his legislative strategy, Long's tactics proved superior to previous Departmental efforts. Whereas the Army had previously stressed equalization of special and incentive pays for hazardous service, Long and his co-sponsors emphasized the need to recognize the extreme hazards and hardships of frontline combat service:

Sen. LONG: [the] amendments have one specific purpose: to grant at least a small amount of recognition to those members of our Armed Forces who undeniably have borne the brunt of all the hazards, discomforts, devastation, disease, dirt, and death involved in our country's opposition to Communist aggression in Korea... It is not alone the hazard of instant death at the hands of an enemy often unseen, nor is it solely the uncomfortable conditions under which these men must live, for which we should compensate; it is the combination of all of these factors which make up the daily life of the doughboy in combat. All day and every day, for periods which often are terminated only by his success or his failure in action against the enemy, he must live in indescribable filth, without even the barest comforts of life, under conditions of extreme cold or unbearable heat, often without food, and always with the ever-present threat of sudden death, loss of limb, or other irreplaceable physical harm. Even should none of these events occur, the mental and physical stress occasioned by living in their constant presence is alone sufficient to warrant our recognition and gratitude.²⁸

Long's emphasis on the need to recognize the hazards and hardships of combat service echoed World War II-era appeals in support of Badge Pay. His emotional testimony reframed the debate in terms of sacrifice and patriotism, rather than as a pay dispute between the squabbling Services. Though he was certainly motivated, in part, by the asymmetry in hazardous duty pays,²⁹ his appeals for recognition rather than equalization captured the moral high ground from pay opponents and attracted congressional support to the Army's cause. That Long was a respected member of the Senate, rather than a representative of the military, lent credibility to his arguments as well.

Long also demonstrated a willingness to compromise. Although he preferred the Department's recommended monthly pay levels of \$100 for officers and \$50 for enlisted personnel, supporters in the Congress argued that "the blood that comes

28. 98th Cong. Rec. 3,106 (1952).

29. Long on pay equalization: "The present provisions for hazard and incentive pay for personnel in other services have created an anomalous situation which it is now our duty to correct".

from the body of a private... is just as precious as the blood that comes from a major.”³⁰ If he supported the Department’s pay differential, Long risked losing some of his core supporters. With only token resistance, the officer-enlisted differential was dropped, and an amendment set Combat Pay at a flat rate of \$50 per month. To this day, officers and enlisted personnel serving in designated Hostile Fire or Imminent Danger areas still receive the same rates of special pay in recognition of their hazardous service.

Long’s proposal also anticipated a major concern that the Department did not: the Congress’s fear of the cost of Combat Pay. The Department’s proposal had ceded administrative discretion over eligibility criteria, including the definition of “combat,” to the military. Although the Department repeatedly asserted their intent to maintain narrow eligibility, the Congress remained skeptical, fearing that, if left unchecked, the pay would eventually cover the entire Korean peninsula at great cost to the war effort. General Lawton Collins predicted less than sixty percent of Army troops in Korea would receive the pay, but he conceded under questioning that eligibility could fluctuate with changing conditions on the ground.³¹ Under DoD administration, Senators Harry Byrd (D-VA) and Richard Russell (D-GA) voiced fears of unchecked pay expansion in hearings on Combat Pay, excerpted below.

Sen. BYRD: You are opening up a very broad field here. You practically leave it, as I see it here, largely to the commander in the field...I think terrific pressure is going to be brought to bear to make it so that it will be a much broader application of this than you now contemplate. I fear that. I can see no reason why we shouldn’t write it into the law...There may be another chief of staff who is not opposed to [wider eligibility] and may want to broaden it and extend it, because there are going to be a lot of instances when soldiers are going to contend that they are just as much entitled to this award as somebody else being on the front line when there is no shooting...³²

Sen. RUSSELL: I am heartily in favor of the principle of that bill, but it is one that is subject to great abuses, and it is my desire...to see that it is truly a combat pay bill and not a bonus for all who happen to be in the Far Eastern theater during the time that some men were engaged in combat in Korea.³³

Responding to concerns of DoD overreach, Long’s bill left little room for administrative maneuvering. Individuals would be eligible for combat pay only if

30. *Report of the 1971 QRCM: Hostile Fire Pay*, Second Edition, December 1971.

31. *Hearings on S. 579, Before the Senate Committee on Armed Services* (April 5, 1951).

32. *Ibid.*

33. *Hearings on S. 579* (June 16, 1951).

“physically present and serving with a combat unit in Korea which is subjected to hostile fire for a minimum period of six days per month.” To prevent an overly generous interpretation, a “combat unit” was defined as a unit “regimental size or smaller... which in the performance of their mission either, first, come into direct contact with the enemy...or, second, which are subjected to hostile fire while furnishing direct fire or service support to those units which are in direct contact with the enemy.”³⁴ Eligibility based upon strict statutory criteria guaranteed that only extreme hazards and hardships would be recognized and limited the Department’s ability to expand the pay beyond the Congress’s (or the Army’s) narrow intent. During the war, less than twenty percent of troops deployed to Korea and adjacent waters received Combat Pay,³⁵ but when the Department gained discretionary authority over eligibility in 1963, HFP quickly expanded to all servicemembers within the combat area.

The combination of statutory eligibility criteria and the rhetoric of recognition assembled a strong legislative coalition in support of Combat Pay. However, despite his best efforts, Long’s proposed amendment to the Armed Forces Pay Raise Act of 1952 was rejected.³⁶ This proved a temporary setback, as a similar amendment offered by Senator Blair Moody (D-MI) passed without dissent three days later. Moody’s amendment was identical to Long’s proposal, save for the rate of Combat Pay, which was lowered to \$45 per month. In conference, the House rejected Moody’s amendment, citing the lack of hearings on Combat Pay. However, less than three months later, Moody, undeterred, attached Combat Pay as an amendment to the Appropriations Act of 1952. The House initially objected in conference but withdrew its objection once support grew behind the principle of recognition for frontline combatants. On July 10, 1952 the Combat Pay amendment cleared the House on a unanimous vote, and Combat Pay became law.³⁷

Although his initial amendment had failed, Long’s strategic guidance proved instrumental to the enactment of Combat Pay. Left to its own devices, the Army was unlikely to succeed in the face of congressional skepticism and opposition from the other Services. Long’s strategic decisions to emphasize frontline recognition and constrict eligibility criteria reframed the legislative debate in the familiar terms of Badge Pay. From this well-accepted perspective, Long was able to assemble a political coalition behind Combat Pay. Even after repeated setbacks—the failure of the initial amendment, defeat in conference, and reservations in the House—the

34. 98th Cong. Rec. 3,107 (1952).

35. *Report of the 1971 QRM: Hostile Fire Pay*, Second Edition, December 1971.

36. The reason for this rejection is unclear. There does not appear to be evidence supporting or rejecting the possibility that the amendment was defeated on its merits. Given the ease with which the subsequent proposals were adopted, perhaps procedural problems were to blame for this initial failure.

37. *Report of the 1971 QRM: Hostile Fire Pay*, Second Edition, December 1971.

Senate coalition remained intact. Through the passage of Combat Pay, the principle of recognition had gained its place as a justification for special pay, and some form of combat pay has existed ever since.

B. Pay Administration and Its Critics

Administration of Combat Pay during the Korean War followed its narrow statutory authorization. Soldiers assigned to designated “combat units” became eligible only after six days of engagement with the enemy. Those receiving flight, submarine, or other special and incentive pays for hazardous duty were barred from eligibility for Combat Pay. In addition to eligibility for frontline service, a servicemember who was killed or injured by hostile fire, regardless of unit assignment, was eligible for Combat Pay for up to three months after the hostile event. This provision, which will be discussed in greater depth in section 3.C, afforded some degree of eligibility outside of frontline ground units, including Naval and Air Force personnel. As a result of the narrow statutory eligibility requirements, an average of roughly 15 percent of the military and 19 percent of the Army deployed to Korea received Combat Pay in a given month.³⁸

Although consistent with legislative intent and historical precedent, narrow eligibility provoked a backlash within the Congress and the Services. Only one year after authorization, the Services voiced their criticisms of Combat Pay to the President’s Commission on Incentive, Hazardous Duty, and Special Pays, commonly known as the Strauss Commission. Unsurprisingly, the Navy and Air Force proposed sweeping changes to the pay. In their comments to the Commission, the Navy proposed lifting the ban on multiple pays, eliminating the six-day combat requirement, and extending eligibility to the crews of ships exposed to hostile fire (as opposed to only those killed or wounded). Even the Army, which disproportionately benefited from Combat Pay, griped that “ground troops immediately to the rear of combat units [who] also live in discomfort and are exposed to the danger of guerilla harassments and enemy bombing” were ineligible based on their unit designation.³⁹

Despite the Services’ complaints, the Strauss Commission endorsed the existing purpose and scope of Combat Pay. As argued by Senator Long one year earlier, Combat Pay existed for “special recognition for the front line soldier whose duties were not only extremely hazardous, but were generally performed with far fewer

38. Statistical Information Analysis Division, *Military Personnel Historical Report 1953*, Department of Defense, 2011. Note: The Second QRM uses the combat pay eligibility figures (46,000 for Army, 4,000 for Marines) for 1952. The deployment statistics used are from 1953, so there is an overlap issue with the percentages. Still, the actual percentages for 1952–53 amounted to only a fraction of the total deployment in Korea.

39. Commission on Incentive-Hazardous Duty and Special Pays, *Differential Pays for the Armed Services of the United States*, Volume 1, March 1953.

comforts than were available in the other services.” Narrow eligibility was essential because “the morale value of the pay...would be decreased if the pay was authorized for individuals who face only occasional risks from enemy fire or explosion.” The Commission dismissed Service recommendations to eliminate the six-day eligibility requirement and the ban on multiple pays, and explicitly “opposed...a broader expansion of combat pay on an area basis.”⁴⁰ The report did recommend corrections to several minor eligibility inequities. Because ships experienced disproportionately high casualty rates from isolated hostile events, the six-day combat requirement should not apply to ships. Likewise, Naval minesweepers, which faced sustained operational risks, should be eligible based on the number of days spent minesweeping, rather than the number of explosions in a given month. Addressing the Army’s concern for combat support personnel, the Commission recommended that ground forces who were killed or wounded by hostile fire should also receive Combat Pay, regardless of unit assignment. As an aside, the Commission also recommended linking Combat Pay rates to the lowest hazardous duty pay of \$55 per month. These modest recommendations resulted in no legislative changes.⁴¹ The general purpose of recognition for hazards and hardships and narrow scope of eligibility remained intact through the Korean War.

Critics of narrow eligibility found a voice in the Congress, as well. In January of 1953, Representative James Van Zandt (R-PA) introduced a bill replacing unit-based eligibility requirements with eligibility for all personnel serving in a geographic “combat zone.” In remarks on H.R. 2766 entitled “The Combat Pay Act of 1952 is Highly Discriminatory and Should Be Revised,” Van Zandt cited several specific cases to argue that unit-based pay was inequitable. A group of Marines, for example, was denied combat pay after the group was “withdrawn from actual combat after five days of heavy fighting because of casualties and the necessity to rest.”⁴² Eligibility for Naval vessels, Van Zandt argued, was even more inequitable; only 24 of the 481 ships receiving hostile fire in Korean waters received Combat Pay from 1950 to 1952. The statutory ban on multiple special pays also unfairly denied Combat Pay to combat aviators and frontline medical personnel.⁴³ In addition to these inequities, the process of determining the “combat” status of a unit was far too subjective and administratively burdensome, especially when applied retroactively. Zonal eligibility, Van Zandt argued, would resolve administrative inefficiencies and

40. *Ibid.*

41. It is unclear whether the Strauss Commission’s recommendations had any effect on the administration of Combat Pay during the Korean War. Under the statutory authorization for Combat Pay, there would seem to be little flexibility on the eligibility issues for ships and minesweepers, for example. However, some allowances may have been made.

42. 99th Cong. Rec. Appendix A466 (daily ed. February 6, 1953).

43. *Ibid.*

extend recognition on the principle of combat risk, rather than the arbitrary six-day, combat-unit statutory requirements.

Van Zandt's proposal reignited the inter-Service debate over Combat Pay. The Navy immediately embraced zonal eligibility for Combat Pay and urged passage of H.R. 2766. It bears mentioning that, once authorized in 1952, Combat Pay's opponents quickly shifted strategy from opposition to demanding eligibility for their servicemembers. The Army, despite expressing reservations to the Strauss Commission on the administration of Combat Pay, opposed the proposal. As summarized by the Second Quadrennial Review on Military Compensation (QRMC), "The crux of [the Army's] argument was that in any given zone or area in ground combat there are degrees of exposure to risk and miseries, which range from the almost unbearable conditions of the front line rifleman to the relative comfort and greater safety of headquarters personnel."⁴⁴ The Navy's position drew no distinction based upon degrees of hazard within a designated area; all servicemembers faced some degree of risk, therefore all should receive recognition pay. As in 1950, the Department sided with the Army and warned that "putting combat pay on a zonal or area basis might well destroy whatever value had been gained from the Combat Duty Pay Act of 1952."⁴⁵ With the drawdown of combat operations in Korea, congressional interest in Combat Pay waned, and the Van Zandt proposal was not enacted. Eventually, Van Zandt's perspective, recognition for any degree of risk rather than eligibility for extreme frontline hazards and hardships, would triumph in the more dynamic counterinsurgency in Vietnam.

C. Emergence of New Perspectives on Risk Recognition

Although formal attempts to broaden eligibility failed during the Korean War, new features of the Combat Duty Pay Act signaled the possibility for future eligibility expansions based on Navy and Air Force perspectives, hereafter referred to as "recognition for risk." In contrast to occupational or unit-based combat pays, which recognized only the most severe frontline risks, this competing perspective sought recognition for all those participating in an operation in which members were exposed to some degree of hostile risk. The potential for broader eligibility redirected political strategies from advocating or opposing combat pay to challenging or defending existing eligibility standards. The concept of pay equalization—championed by the Army in World War II and Korea—would soon be used by the Navy and Air Force to justify recognition for varying degrees of combat risk beyond the frontlines. The clashing perspectives on risk recognition embodied by the Strauss Commission and

44. *Report of the 1971 QRMC: Hostile Fire Pay*, Second Edition, December 1971.

45. *Ibid.*

H.R. 2766 would eventually result in zonal eligibility in Vietnam. To some extent, the roots of this decade-long struggle over policy and perspective can be directly traced back to subtle changes in language and intent of the still-narrow Korean War Combat Pay.

The first and most important distinction between Combat Pay and its predecessor, Badge Pay, is the group each pay sought to recognize. While Badge Pay recognized members of the infantry to redress the morale deficit of that particular occupational specialty, Combat Pay recognized frontline soldiers, regardless of occupational specialty, based upon the extreme hazards and hardships of combat service. The shift from occupational eligibility to conditions-based eligibility (hazards and hardships) was critical to the abstract intent and practical administration of combat compensation. Theoretically, after Korea, recognition was accorded *a posteriori* on the basis of the circumstances of service, rather than *a priori* on the basis of occupational choices or assignment. For specialties and Services previously excluded from Badge Pay, this shift in perspective eliminated any intrinsic ban on recognition for combat service.

The implications of this distinction were immediately recognized in the Congress and the military. In hearings on Badge Pay, advocates had clung to narrow eligibility restricted to infantrymen. War correspondent Ernie Pyle warned of broader eligibility: “I suspect that the average person discussing this proposal would want to give fight pay to everyone who served on the Anzio beachhead, for they were all certainly in danger. Yet the bulk of our troops up there, the supply troops and reserves and what not, were living either in houses or dugouts, and were living comfortably.” Army Major General White agreed: “He [Pyle] is talking about the Infantry soldier, the man with the rifle. Under our bill only he gets the pay. Under Senator Tobey’s bill everybody gets the pay.”⁴⁶ Even under the most extreme hazards and hardships, such as those on the Anzio beachhead, recognition for the infantry should not be compromised.

Debate over Combat Pay in Korea cited virtually the exact same scenario, but a shifted perspective on recognition produced different eligibility outcomes. Just as Pyle tabbed Anzio as his archetypal test case, General J. Lawton Collins cited Normandy to define where Combat Pay should operate. “For the first ten days,” General Collins argued, “everybody in that relatively small beachhead was subject to great hazards, and therefore...up until a certain date, yes, anybody operative on shore within that beachhead was in direct support of these front-line combat units; and, therefore, would be entitled to the pay.”⁴⁷ On the frontlines of battle, combat hazards and

46. *Hearings on S. 1973 and S. 1787* (1944).

47. *Hearings on S. 579* (April 5, 1951).

hardships, though varying to some small degree, were a shared experience. Because all soldiers—infantry and non-infantry alike—endured such conditions, all should be recognized through combat pay. Under this new perspective, eligibility in Korea would depend upon combat conditions, not occupational specialties.

Once recognition became a matter of the conditions of service, it was easier for former opponents to engage in a debate over what service conditions merited recognition. The Army fought to retain narrow eligibility based on the extreme hazards and hardships of frontline service. Whereas infantry exclusivity had prevented the other Services from participating in Badge Pay, the lifting of the occupational ban to Combat Pay freed the Navy and the Air Force to pursue eligibility for their own members. Responding to the potential for combat benefits, the other Services dropped the strategy of outright opposition to combat pay in favor of redefining the service conditions that deserved recognition to gain eligibility for their members who faced some degree of risk, but not the extreme hazards and hardships of frontline combat. This strategic recalibration was apparent in the Services' comments to the Strauss Commission and the Navy's support of H.R. 2766. Eventually, calls to expand eligibility proved more persuasive than attempts to withhold or deny pay. The political coalitions and policy strategies behind all future eligibility expansions can be traced back to this single change in perspective from occupational eligibility to recognition for the conditions of combat service.

In addition to the shift in perspectives, the Combat Duty Pay Act of 1952 authorized a secondary eligibility pathway that granted recognition on the basis of risk alone. Under the law, six days of service in a designated frontline “combat unit” constituted the primary means of eligibility for Combat Pay. However, soldiers also gained eligibility if they were killed or wounded by enemy action in Korea, regardless of their unit assignment.⁴⁸ This secondary pathway was deemed necessary for the fair treatment of military casualties (after all, those killed by hostile fire made the ultimate sacrifice of combat) and received little discussion during congressional hearings. However, the presence of this event-based standard in the authorization for Combat Pay marked a departure from the prevailing perspective on conditions-based recognition. Whereas recipients eligible by unit assignment deserved recognition for the hazards and hardships of service, combat casualties received pay solely on the basis of exposure to risk. As such, event-based eligibility dispensed with the dual standard of “hazards and hardships.”⁴⁹ Once the dual standard was no longer essential for one form of Combat Pay eligibility, pressure mounted to make risk the sole object of

48. Combat Duty Pay Act of 1952, Pub. L. No. 82-488, 66 Stat. 517, 538-539 (1952).

49. The hazards and hardships of infantry service were also cited as justification for Badge Pay for the combat infantry in World War II.

recognition, facilitating pay expansion to varying degrees of risk exposure. During Vietnam, the introduction of zonal eligibility marked the replacement of Combat Pay's dual standard with the perspective stipulating risk, regardless of degree, as the sole object for recognition.

The existence of this secondary, risk-based eligibility criterion also influenced Service strategies toward combat pay. Whereas Badge Pay was restricted to the infantry, and unit-based Combat Pay corresponded to ground forces, hostile casualties were distributed throughout the force. A sailor at sea, for example, may not face combat risks on a "routine and continuing basis," but if he were injured in an isolated incident, eligibility for Combat Pay would follow.⁵⁰ Now that their members would be eligible, it was much easier for the Navy and Air Force to drop their principled opposition to Combat Pay, and instead push for broader eligibility. Conveniently, event-based eligibility also provided an alternative perspective—recognition for risk—with which to make their case for further expansion.

In summary, the history of Combat Pay in Korea displayed both continuity with, and change from, Badge Pay. On the surface, little appeared to change from Badge Pay. As before, the rhetoric of recognition backed by the motive of pay equalization won the day in the Congress. Narrow eligibility extended only to those on the frontlines who endured the hazards and hardships of combat. Recipients of other special and incentive pays remained ineligible. Despite challenges, the Congress, the Strauss Commission, and the Department resisted expansion of Combat Pay beyond its narrow intent. As in World War II, only a fraction of the force in Korea—under 20 percent—actually received combat pay.⁵¹

But beneath the surface, the undercurrents of change promoted the shift from occupational recognition to compensation for service conditions, which erased the line between those eligible and ineligible for combat pay. Once recognition was a matter of circumstance, rather than status, the debate over combat pay shifted from existential to definitional in nature. Freed from occupational bans, former opponents abandoned their stance and assembled a political coalition to advocate eligibility for their own members. Recognition for risk, a perspective intended to grant eligibility for military casualties, emerged as the primary challenger to the dual standard recognizing both the hazards and hardships of combat. Ultimately, the clash of perspectives on recognition in Korea set the stage for the changes that would come in Vietnam.

50. Office of the Assistant Secretary of Defense for Manpower, *Revised Recommendations Relating to Pay and Allowances of Members of the Uniformed Services*, Volume 7, December 31, 1962.

51. *Report of the 1971 QRC: Hostile Fire Pay*, Second Edition, December 1971; *Military Personnel Historical Report 1953*.

4. Hostile Fire Pay: Recognition for Risk in Vietnam

The present-day form of combat pay evolved as a result of changes made during the Vietnam War. Although initially intending to follow historical precedent, the military quickly replaced narrow, unit-based recognition with broad, zonal eligibility for Southeast Asia. This drastic change in policy resulted from a shift in perspective from conditions-based eligibility and the dual standard of the hazards and hardships of combat to the concept of recognition solely on the basis of risk. Once implemented, the legislative, administrative, and philosophical changes of the Vietnam era would prove permanent. The 1963 authorization of HFP remains intact, and the concept of “recognition for risk,” regardless of degree, has attained greater prominence in the intervening decades through the authorization of IDP in the 1980s.

The emergence of the modern form of HFP, however, came at the cost of a clean break with its combat pay predecessors. Embracing the perspective of “recognition for risk” and the policy of zonal eligibility entailed abandoning the pay’s narrow administration. The equity, political defensibility, and administrative feasibility of zonal eligibility, proponents argued, justified its greater cost and diluted focus. Formal military recognition of the extreme hazards and hardships of combat, the historical relationship between risk and reward, and recognition’s salutary effect on the morale of frontline soldiers were lost in these changes.

A. Preliminary Changes to Hostile Fire Pay Invite Future Expansion

Initial attempts to provide combat pay for members of the Armed Forces in Vietnam emulated the narrow examples of their World War II and Korean predecessors. Calls to reauthorize combat pay followed the initial escalation of the American commitment in 1962. Leading the way once again, the Army offered a proposal modeled on the basis of Korean War Combat Pay. The proposal was reviewed alongside other special and incentive pays by the Office of the Assistant Secretary of Defense for Manpower’s Task Force on Military Compensation (hereafter referenced as the Gorham Commission), which affirmed the Army’s proposal and, after considering several alternatives, recommended the outlines of a reauthorized combat pay.

The Gorham Commission’s report validated recognition, rather than incentives or compensation, as the policy justification for combat pay. Because “the hazards and hardships of combat are currently experienced by a small percentage of the Armed Forces,” recognition “payment should be restricted to those individuals normally subjected to the hazards and discomforts of combat.” If pay expanded beyond the

frontline combatants, the effect of recognition on military morale and, extrinsically, combat effectiveness would diminish.⁵² To maintain combat pay's effects on morale, the Commission explicitly rejected zonal eligibility. As in the Korean War, it indicated that exceptions to the dual standard of "hazards and hardships" should be made for those killed or injured by hostile fire and, echoing the Strauss Commission, crewmembers of ships or aircraft exposed to hostile fire in a given month. From a conceptual standpoint, the Gorham Commission's recommendations represented an exact copy of the narrow perspective behind Korean War Combat Pay.

In its policy recommendations, the Commission appeared to make only minor deviations from historical precedent but failed to anticipate the consequences of its main recommendation: greater administrative discretion for the DoD. In total, the Commission made four policy recommendations: raising the rate of combat pay to \$55 per month, renaming combat pay "Danger Pay," delegating administrative discretion over combat pay to the Department, and eliminating the statutory ban on multiple special and incentive pays.⁵³ The first two recommendations had limited impact, while the second pair opened the door for broader eligibility. All four recommendations were incorporated in the 1963 authorization of HFP. Though seemingly innocuous, the elimination of the ban on multiple hazardous duty pays and the delegation of greater administrative authority to the DoD had far-reaching consequences. Ironically, the proposal for the delegation of authority originated from the Army, which historically desired narrow pay eligibility, but had criticized the inflexible statutory restrictions of the Combat Duty Pay Act. To remedy perceived statutory inflexibilities, the Army recommended that the Secretary of Defense be permanently empowered to "invest combat pay 'during such periods and in such geographical areas as he may prescribe.'" ⁵⁴ A permanent combat pay would prevent the need for legislative reauthorizations in future conflicts, and greater DoD discretion would enhance responsiveness to combat conditions and mitigate the perceived distributional inequities of the Korean War.

Departmental discretion, especially under the watchful eyes of the Army, seemed to the Commission to have few drawbacks. Despite requesting greater authority, the Army intended to administer combat pay according to historical precedent. Eligibility would be determined by six days' service with a designated combat unit. Receipt of multiple hazardous duty pays, which the Army opposed, would be banned.⁵⁵ Without objection from the Air Force and Navy, who deemed the matter "not a

52. *Revised Recommendations Relating to Pay and Allowances of Members of the Uniformed Services.*

53. *Ibid.*

54. *Ibid.* Army proposal for combat pay to Secretary of Defense.

55. *Revised Recommendations Relating to Pay and Allowances of Members of the Uniformed Services.*

high priority,”⁵⁶ future struggles over eligibility criteria appeared unlikely. Indeed, greater flexibility adhered to the Commission’s guiding principle “that the legislation authorizing Combat Duty Pay be both broad enough to include those individuals who are regularly exposed to the tensions and discomforts of combat, as well as those subjected to actual enemy fire, and restrictive enough so as to single out and convey special recognition of the recipients.”⁵⁷

The Commission signed off on the Army’s proposal for greater administrative discretion, but then broke with the Army and questioned the need for the statutory ban on multiple hazardous duty pays.⁵⁸ Both of the Commission’s recommendations were forwarded to the President and incorporated into the legislative authorization for HFP in 1963. In the hands of conservative OSD administrators, greater discretionary authority may have amounted to a minor revision; however, greater discretionary authority liberated former opponents in the Navy and Air Force to pursue their preferred perspective—recognition for risk. Like the shift from occupational eligibility, elimination of the statutory ban on multiple special and incentive pays dismantled formal eligibility barriers for aviators, submariners, and other specialists and enlisted these groups into the internal struggle for eligibility restructuring. Within two years, the critics within the Department would emerge triumphant. Their new perspective (recognition for risk) and policy (zonal eligibility) amounted to an about-face of historical precedent. Without the Gorham Commission’s recommendations for greater administrative discretion and diluted statutory restrictions, these changes in policy and perspective may not have been possible.

For the most part, the recommendations of the Gorham Commission were incorporated into the Uniformed Services Pay Act of 1963, which authorized HFP under Section 310 of Title 31 of the U.S. Code. Although the Department and the Gorham Commission anticipated that HFP would differ little from Combat Pay in Korea, the delegation of discretionary authority was the most striking feature of the new law. In a side-by-side comparison, the 1952 authorization for Combat Pay amounts to 849 words, more than double the 324 words of its 1963 successor. The 1952 Act, which can be found in Appendix A to this report, provides definitions for ten terms,⁵⁹ while the authorization for HFP leaves all definitions and

56. Interestingly, the Marine Corps opposed the legitimacy of combat pay altogether despite the fact that, second to the Army, their members were a primary beneficiary. In their comments to the Commission, the Marine Corps argued that “combat is the fundamental reason for having a military force, and that anyone choosing the military service as a vocation accepts the fact that he is subject to the hazards and discomforts of combat duty.”

57. *Revised Recommendations Relating to Pay and Allowances of Members of the Uniformed Services.*

58. *Ibid.*

59. Combat Duty Pay Act of 1952, Pub. L. No. 82-488, 66 Stat. 517, 538-539 (1952). The 1952 Act contains statutory definitions for the following terms: uniformed services, member, officer, secretary, incentive pay, special pay, combat unit, actual combat on land, military unit, and Korea.

interpretations thereof to the discretion of the Secretary of Defense. Although the Congress anticipated combat pay administration would follow historical precedent, the legislation abandoned all references to eligibility for designated “combat units.” Replacing the “combat unit” criterion was the more malleable standard of “duty in an area in which he was in imminent danger of being exposed to hostile fire or explosion of hostile mines and in which, during the period he was on duty in that area, other members of the uniformed services were subject to hostile fire or the explosion of hostile mines.” Neither “area,” “imminent danger,” nor “hostile fire” was defined in the statute. Trusting that the Secretary would maintain tight eligibility standards, the 1963 Act also dropped the six-day requirement and the ban on multiple hazardous duty pays. As a token reference to cost containment, the Act stipulated that HFP be suspended “in a time of war declared by Congress.”⁶⁰

The 1963 authorization effected a shift of power over combat pay from the Congress to the Department. After 1963, the Secretary of Defense could not only designate new conflicts or units for HFP, but, more importantly, the Department gained control over the regulations structuring pay eligibility. By law, “any determination of fact” made under the Secretary’s regulatory and administrative authority was “conclusive” and “may not be reviewed by any other officer or agency of the United States.”⁶¹ At the moment of passage, Departmental discretion appeared likely to preserve the status quo; however, within two years, the internal rulemaking process would institute a complete transformation in the perspective and policy on combat compensation.

Just as the Department and Gorham Commission failed to anticipate future changes to combat pay, the Congress did not acknowledge these consequences of delegating discretion when evaluating and ultimately passing HFP. The legislative history of the Uniformed Services Pay Act of 1963 confirms widely-held expectations that the Department intended to use its newfound authority to maintain the historical precedent of narrow eligibility, but the tone of the congressional debate indicated support behind broader recognition perspectives and eligibility policies. In testimony before the Senate Armed Services Committee Norman S. Paul, Assistant Secretary of Defense for Manpower, suggested that, as in Korea, frontline forces in Vietnam would receive combat pay. Of the “approximately 12,000 troops assigned in South Vietnam,” Paul estimated, “between 2,200 and 2,800 of these 12,000 members would qualify for special pay.”⁶² This figure was subsequently confirmed by Secretary of the Army Cyrus Vance and cited by Representatives Charles E. Bennett (D-FL) and Torbert MacDonald (D-MA), who projected special pay “for the men who are

60. Uniformed Services Pay Act of 1963, Pub. L. No. 88-132, 77 Stat. 210, 216 (1963).

61. *Ibid.*

62. *Military Pay Increase: Hearings on H.R. 5555, Before the Senate Committee on Armed Services* (July 16–18, 1963).

actually fighting in Vietnam” would cost a maximum of \$1 to \$2 million per year. To constrain both eligibility and costs, Secretary Vance anticipated the development of regulations similar to those from Korea:

The Department presently contemplates that such regulations will require that a member must be assigned to and physically present with his unit not less than six days of the month in order to qualify; that the mission of the unit itself must be such that it is subject to hostile fire, or the member must be acting as an adviser with an allied unit subject to such fire. Such unit will not be larger than a brigade, combat command, regiment group, or other similar organization... These are similar to the limitations imposed by regulations during the Korean War.⁶³

Representatives of the military assured the Congress that there were no plans to expand the pay to other countries, such as South Korea, or modify eligibility requirements.⁶⁴ Zonal eligibility, highlighted by this exchange between Secretary Vance and Senator Howard Cannon (D-NV), was out of the question:

Sen. CANNON: Would you give the committee your views as to how [the combat pay] provision would be implemented?

Sec. VANCE: Yes sir; I would. This would be implemented by a Department of Army regulation, based upon policy guidance from the Department of Defense. As I see it, at the present time it would apply only to South Vietnam. If it is applied retroactively, I believe it would apply only to south-east Asia. I think that we can clearly define those who should receive such pay. This is not administratively difficult and it should be done.

Sen. CANNON: Of course, it could be argued that all of our personnel in the entire country such as Vietnam, would be subject to hostile fire or explosion. What are your comments on that?

Sec. VANCE: That is not the intent. It would be quite clearly spelled out as to those who would be entitled to it, and those who would not, and it would not include all in South Vietnam. Indeed, I believe it would only include—our estimates are 2,000 or 3,000 of a total of 12,000.

Sen. CANNON: And it would be limited to people actually subjected to the hazards.

Sec. VANCE: Yes, indeed sir.

Sen. CANNON: And you would, I presume, issue regulations that would limit the application, so that would be very clear?

Sec. VANCE: That is correct.⁶⁵

63. H.R. Rep. No. 88-208 (1963).

64. *Hearings on H.R. 5555* (August 5, 1963).

65. *Hearings on H.R. 5555* (July 16–18, 1963).

Keeping with his concern for pay expansion, Cannon successfully argued in favor of a House provision that suspended payment of combat pay during times of war declared by the Congress, when the entire military faced reasonable expectations of exposure to hostile action.⁶⁶

Assurances of continuity with historical precedent masked the growing support within the Congress for the perspective of recognition for risk and the policy changes it entailed. Whereas the predominant perspective behind Combat Pay in the Korean War demanded recognition for both the hazards *and* hardships of frontline combat service, debate over HFP focused almost exclusively on the hazards, *not* hardships, of military service. In the two hearings, three committee reports, and one entry in the Congressional Record on HFP, not one member of the Congress or the military cited the “hardships” or “discomforts” of combat in justification of special recognition, and only one passing mention of “frontline soldiers” can be found.⁶⁷ Rather the quote below from the official report of the Senate Committee on Armed Services was characteristic of congressional emphasis on hazards, not hardships:

During this period of world tension a limited number of members of our Armed forces are assigned to duties in various parts of the world where they are exposed to the hazards of injury and death from hostile fire. This pay will provide tangible recognition for a dangerous task to which only a small proportion of our servicemen are assigned. The Department of Defense strongly urges the enactment of this proposal.⁶⁸

Recognition was still justified, but the conditions deserving recognition were changing. The absence of the historical dual standard of “hazards and hardships” reflected a shift from Korean War era “conditions-based” recognition, which encompassed only severe risks, toward the perspective of recognition for *any* degree of risk. If any risk were sufficient for recognition, then special pay need not be restricted to those serving on the frontlines of combat, as the dual standard had done. Logically, all who were exposed to the same risks as frontline soldiers deserved equal recognition. Although such a concept seems reasonable, it was argued that, in practice, the perspective of recognition for risk could not be contained to the most extreme cases of combat risk. If both frontline soldiers and bomber pilots, for example, were recognized for exposure to extreme risk of routine enemy fire, it would be difficult to exclude other groups exposed to lesser risks from special pay. In Korea, the dual standard facilitated such a division; frontline soldiers endured the most dire risks and severe discomforts, hence the conditions-based perspective successfully restricted recognition to these members. The deletion of the “hardships” element

66. *Ibid.*

67. 109th Cong. Rec. 8,080 (1963).

68. S. Rep. No. 88-387 (1963).

removed the final conceptual barrier to recognition for those behind the frontlines who faced varying degrees of combat risk. Once freed to pursue recognition (both statutorily and, now, conceptually), formerly excluded groups would advocate and accomplish expansions in eligibility for successively lower levels of risk. As predicted more than a decade earlier, the shift to “recognition for risk” allowed combat pay policy to gradually expand coverage, ultimately ending with eligibility for members facing *any* degree of risk.

B. Explanations for the Decline of the Dual Standard

The unprecedented combat environment in Vietnam and contemporaneous changes in other special and incentive pays may have partially justified departure from the dual standard of “hazards and hardships.” Arguably the unique combat risks of a counterinsurgency and proposed changes to Foreign Duty Pay diminished the relevance of hardships to the scope of combat recognition. The dual standard, apologists declared, had developed on the battlefields of Korea where casualties peaked along defined frontlines and risks dissipated towards the rear. In the jungles of Vietnam, conversely, nowhere was safe and combat risk was impossible to estimate. In a counterinsurgency, traditional concepts of “hazards,” “hardships,” and “front lines” became muddled and unconnected from each other. Arguably, the conditions-based perspective and its dual standard were inappropriate for Vietnam. Hazard alone, the risk-based perspective concluded, was a fair and equitable standard for recognition in such an environment. From this reasoning flowed the corollary of zonal eligibility: all within the area faced risk; all should receive recognition.

Complementing this conceptual shift, contemporaneous changes to Foreign Duty Pay may have also displaced the need to recognize combat hardships, in the minds of legislators. The Uniformed Services Pay Act, which included the authorization for HFP, proposed sweeping changes to various special and incentive pays, particularly Foreign Duty Pay. Judging Foreign Duty Pay for enlisted personnel outside the continental United States wasteful and unnecessary, the Department recommended its repeal in 1963. The Congress declined, but fundamentally restructured Foreign Duty Pay, giving the Secretary of Defense discretion to apply the pay to areas with “undesirable climate, lack of normal community facilities, and accessibility of location.”⁶⁹ As a result of further revisions in 1998, Foreign Duty Pay is now known as Hardship Duty Pay and is available in “places where living conditions are substantially below that which members generally experience in the United States” as designated by the Secretary of Defense.⁷⁰

69. *Ibid.*

70. Under Secretary of Defense for Personnel and Readiness, *Military Compensation Background Papers: Hardship Duty Pay*, Sixth Edition, 2005.

One could argue that the incorporation of undesirable deployment conditions into eligibility for Foreign Duty Pay substituted for combat pay's dual standard, but this line of reasoning is misplaced and historically inaccurate. With respect to legislative history, there is no evidence, either explicit or implied, that the changes in Foreign Duty Pay were related to the reauthorization of combat pay. The military favored wholesale elimination of Foreign Duty Pay, and the revised Foreign Duty Pay shared neither the intent, eligibility, nor objectives of the dual standard of combat pay. On a conceptual level, combat pay existed to *recognize* service under conditions of extreme hazard (and hardship); Foreign and Hardship Duty Pays compensated for the "greater-than-normal rigors" and substandard living conditions of designated deployments. The pays had distinct eligibility cohorts as well. Whereas the same level of combat pay was available to officers and enlisted personnel alike, only enlisted personnel received Foreign Duty Pay, which fluctuated in value by enlisted rank. Most importantly, the revised Foreign Duty Pay and the dual standard of combat pay did not reward the same service conditions. The former compensated for routine, localized inconveniences such as intemperate climates, isolated locations, and underdeveloped infrastructure and technology. The latter recognized the extreme hardships inherent only in combat duty including "constant exposure to extremes of temperature; going sleepless and sleeping in rain and mud; fighting for days without relaxation from strain or lightening of the monotony."⁷¹ Just as limited telephone access was not comparable to the crippling fear of enemy bombardment, the revised Foreign Duty Pay could not possibly substitute for the recognition of combat hardships provided by the dual standard of combat pay.

C. Policy Shift to Zonal Eligibility

The initial implementation of HFP followed the narrow precedent of its Korean War predecessor. In November of 1963, the Department released Department of Defense Instruction (DODI) 1340.6 which reprised the restrictive eligibility criteria of Combat Pay. As in the past, assignment to a designated "combat unit not larger than a brigade" determined eligibility for HFP. The six-day service requirement was also revived, as well. In deference to the recommendations of the Strauss and Gorham Commissions, the instruction relaxed some of the more onerous restrictions on eligibility for aircraft and naval vessels, especially minesweepers.⁷²

Initially, the Department kept to the narrow confines of DODI 1340.6. As an example, in May of 1964, the Department denied an eligibility claim from the U.S. Health Service for military surgical teams aiding the civilian population in South

71. H.R. Rep. No. 78-1700 (1944).

72. Department of Defense, *Instruction 1340.6*, November 21, 1963.

Vietnam. Despite the risks the surgical teams faced, the Department judged they were not “attached to or supporting combat units or assisting Vietnamese combat units.”⁷³ Likewise, the Department denied a July 1964 eligibility request by the Advanced Research Projects Agency (ARPA) for members overflying combat territory during ARPA operations. As a result of the Department’s narrow interpretation of the 1963 Combat Duty Pay Act, only approximately one quarter of U.S. forces stationed in Vietnam—roughly the same fraction predicted in congressional hearings—received HFP prior to 1965.⁷⁴

However, in May of 1965 the Department responded to a request from the Commander in Chief for the Pacific by deleting many of the restrictive provisions of DODI 1340.6. Under the new implementing instructions, which are excerpted below, the following three changes were made:

- (1) All personnel physically located in areas designated by the Secretary of Defense were eligible for Hostile Fire Pay with the stipulation that Unified Commanders concerned had the prerogative to further restrict the pay to specific locations within the area designated.
- (2) The six-day criterion was eliminated.
- (3) Any members killed, wounded, or injured by hostile fire, explosion of hostile mines, or any other hostile action any place in the world were granted Hostile Fire Pay regardless of whether or not the incident occurred in a previously designated area.⁷⁵

The first change revolutionized the official perspective and policy behind combat pay. Breaking with World War II and Korean War precedents, occupation and unit assignment were no longer elements in the eligibility process. No more would combat pay be reserved for the infantry or frontline soldier. In place of unit assignment, the instructions extended eligibility to “areas designated by the Secretary of Defense.” Zonal eligibility, the goal of combat pay critics since 1953, had been achieved. The empowerment of Unified Commanders to “further restrict the pay” within designated areas proved a feeble attempt to curtail pay expansion. Lacking incentive or inclination, rarely did Commanders in Vietnam or elsewhere impose more stringent standards upon the Secretary’s designations. With a simple revision, the number of recipients (and budgetary cost) of HFP quintupled to include all military personnel within Vietnam (see Figure 1).

73. Deputy Assistant Secretary of Defense for Military Personnel Policy, *Memorandum for the Assistant Surgeon General for Personnel, U.S. Public Health Service: Special Pay for Duty Subject to Hostile Fire*, August 20, 1964.

74. *Report of the 1971 QRMC: Hostile Fire Pay*, Second Edition, December 1971.

75. *Ibid.*

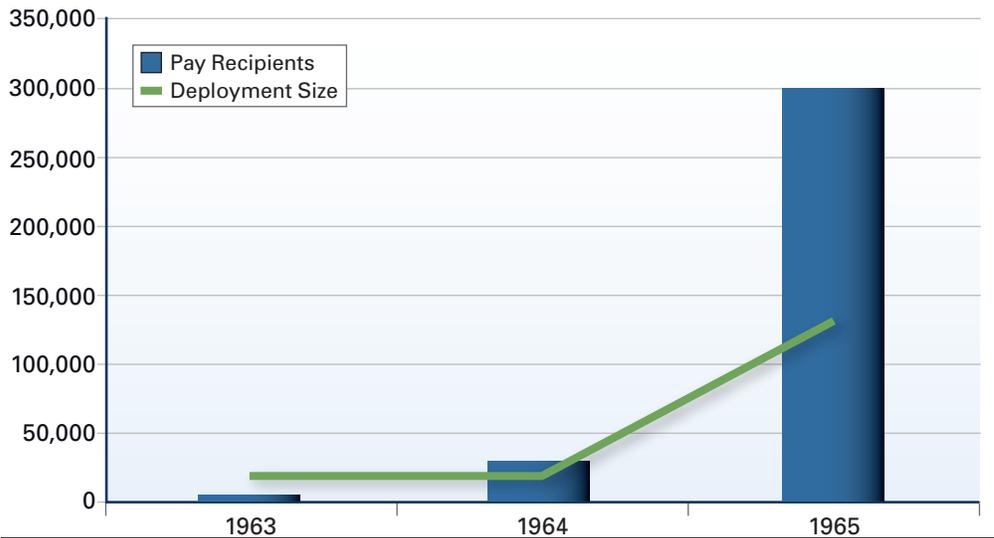


Figure 1. Hostile Fire Recipients Before and After Zonal Eligibility⁷⁶

D. Theories behind the Emergence of Zonal Eligibility

The reasons for such an abrupt policy reversal are not apparent. Previous studies fail to provide insight into the internal DoD decision-making process that resulted in the 1965 revision. Primary sources indicating the rationale for the switch to zonal eligibility are not available in the public domain or historical record. However, the 2nd QRMC, without citing a particular source, suggested that changes in the combat environment supplied the primary motivation for the policy reversal:

The rationale for the first provision [listed in section 4.C above] was essentially that the evolution of the war and the engulfment of more extensive land areas in Vietnam, coupled with increased United States participation and changing roles and missions, dictated a changed approach to insure [sic] an equitable basis upon which entitlement to Hostile Fire Pay could be based.⁷⁷

The QRMC's explanation is reasonable yet unsatisfying. Unarguably, Vietnam was different from Korea, and, as previously documented, these differences influenced policymaker perspectives on risk and recognition. However, even if risk conditions supply the underlying causes, the collective actions of individuals and organizations

76. Deployment size reflects the number of troops deployed to designated areas at a given time. Pay recipients reflects the number of troops receiving HFP in a given year. Because individual deployments do not necessarily coincide with calendar years, the annual number of recipients under zonal eligibility will always exceed the deployment size at a given time.

77. *Report of the 1971 QRMC: Hostile Fire Pay*, Second Edition, December 1971.

are required to effect policy change. Although the QRMC's identification of the root cause of zonal eligibility in the Vietnam risk environment is likely correct, the explanation excludes the historical and political process that yielded policy change.

Although the details of this epochal episode are unavailable, two theories may be offered as speculation: a scenario in which the Department itself pushed for administrative changes from the top down, and one in which concerted pressure from the Services prompted policy change from the bottom up. Under the first scenario, the Department enters Vietnam intending to administer HFP according to narrow historical precedent. Despite these intentions, when faced with the new combat environment—counterinsurgency—and a massive manpower buildup (from 15 thousand to 129 thousand troops), the Department faced overwhelming administrative challenges determining what qualified as a “combat unit.” As administrative burdens began to consume undue manpower, provoke challenges and complaints, and detract from the overall war effort, the Department, on its own, made the decision to abandon the cumbersome process for the more transparent policy of zonal eligibility. Such a theory derives its credibility from repeated congressional (and occasionally Departmental) criticism that determining “unit-based” eligibility was administratively taxing and a waste of Departmental resources.⁷⁸

However, there are many reasons to be skeptical of top-down, Departmental explanations. For one, most of the criticism cited in the historical record is attributable to opponents of narrow pay eligibility. When pressed, sympathetic members of the Congress and the Department itself repeatedly cited few problems with the administration of Combat Pay in the Korean War.

Sec. VANCE: I think we can clearly define those who should receive such pay. This is not administratively difficult, and it should be done.

Gen. WHEELER: As Secretary Vance mentioned, we have had our people check out possible administrative difficulties. We believe that we can handle this without undue strain.

78. A small sample of critiques of the “difficulty” of administering Korean War Combat Pay:

Rep. FORD: For every fighting outfit that goes into the field, for every ship that goes into combat waters, for every aircraft unit that sends a plane into combat, you are going to have to have more administrative officials trying to interpret these provisions than you have people in combat. You are going to have people determining whether or not a ship, a plane, a group, or an individual has been in combat under the definition of this amendment. . . Your combat units will be bogged down with red tape. (98th Cong. Rec. 9,434 (1952)).

Rep. VAN ZANDT: Obviously no records were maintained for the specific purpose of designating units that were actually fired on for certain days prior to the enactment of the Combat Pay Act, thus the administration of the act retroactively is expensive and difficult. (1953).

Rep. BENNETT: Combat pay or hostile fire pay has already been the law, with certain modifications, in World War II and the Korean war and no administrative difficulties were encountered in its administrations.⁷⁹

Admittedly, the fluid counterinsurgency in Vietnam presented a more complex administrative challenge than the stalemated frontlines of Korea, but these differences did not necessarily preclude the Department from drawing *any* distinction among the various hazards (and hardships) experienced by American forces in Vietnam. To say that headquarters personnel or offshore forces, for example, faced risk in no way implies that their expectation of hostile fire was comparable with infantry or Marines on jungle patrols. Wherever such crude demarcations failed to recognize actual hostile fire outcomes, pay for those killed, wounded, or exposed to enemy action arguably would remedy eligibility inequities. Furthermore, the Department's actions immediately following the release of the restrictive DODI 1340.6—the denial of eligibility for surgical teams and ARPA pilots in Vietnam—suggested that its resolve to restrict eligibility remained intact, at least as of August 1964.

The apparent absence of an internal deliberative process accompanying the policy change casts further doubt on top-down explanations. Admittedly, “unit-based” administration of combat pay in Vietnam likely was more challenging and burdensome in Vietnam than Korea, but, when measured against the historical record, it seems unlikely that the Department, on its own, reversed eligibility policy within two years. Administrative feasibility appears, at best, to be a secondary contributing factor to the emergence of zonal eligibility.

Concerted pressure from the Services, the scenario offered by the second theory, may be a more likely cause of policy change. On the side of narrow eligibility stood the Army, with members of the combat infantry as core supporters of “unit-based” recognition for the hazards *and* hardships of frontline combat. In opposition to precedent and policy, the Navy and Air Force backed zonal eligibility to extend and (from their perspective) equalize benefits for their own members who faced risk but were ineligible under present regulations. Two other players—the Congress and the Marine Corps—largely withdrew from the proceedings; the former delegated discretionary authority to the DoD, and the latter was unconvinced that combat pay was justified at all. Without these historical (Congress) and situational (the frontline Marines) potential allies, the Army stood alone before Departmental decision makers who, although sympathetic to narrow eligibility, on this theory declined to impose their will on legislative or administrative struggles.

79. *Hearings on H.R. 5555* (July 16–18, 1963).

Proponents of narrow eligibility had to defend existing prerogatives. The incumbent coalition had nothing to gain from the already favorable status quo and faced only intangible penalties to morale upon a loss. In contrast, challengers from the Navy and Air Force benefited little from existing policies but stood to gain considerably from zonal eligibility. Tasked with adjudicating the inter-Service debate, the senior officials in the OSD initially favored the Army from a philosophical and cost perspective, but preferred to minimize interagency conflict and alleviate administrative distractions from the war at hand.

The combat environment in Vietnam tipped the scales further. In a dynamic counterinsurgency, the historical linkage between frontline service, enemy hazards, and combat hardships was eroding. In the legislative record, support for the new perspective of recognition for risk increased, while support for the dual standard of “hazards and hardships” decreased. Even the Army, which had resisted past expansions, cautiously supported eligibility for “ground troops immediately to the rear of combat units [who] also live in discomfort and are exposed to danger.”⁸⁰

For a time, OSD held its ground, but given the balance and motivation of the Services and OSD’s desire to minimize conflict, expansion was inevitable. Unfortunately, no internal memos by the Army, Navy, Air Force, or the Office of the Secretary of Defense have been found that would confirm or refute this speculative account of the emergence of zonal eligibility. Although the historical record leaves much to be desired, in the author’s opinion it seems likely that the Navy and Air Force, backed by the perspective of recognition for risk, won the “inside” battle against the Army to achieve eligibility for HFP throughout the Vietnam combat zone.

E. Entrenchment of Zonal Eligibility

From this point forward, zonal eligibility proved impossible to contain. As early as 1965, OSD and external commissions introduced numerous proposals to rein in expanded eligibility, all of which failed. In 1965, the OSD supported H.R. 9075, which tied a raise in the rate of HFP to \$65 per month to tightened eligibility standards for members passing through the combat zone but not assigned to Vietnam. Anticipating the exclusion of bombers from the Strategic Air Command based in Guam from HFP, the Air Force immediately opposed the revision.⁸¹ In a memorandum to the Assistant Secretary of Defense for Manpower, the Air Force argued:

80. *Differential Pays for the Armed Services of the United States*.

81. *Report of the 1971 QRCM: Hostile Fire Pay*, Second Edition, December 1971.

The administration of Hostile Fire Pay on a simplified geographical basis is preferable to a system depending in part on determinations by individual judgments. Providing the degree of risk is sufficiently great to justify Hostile Fire Pay for other members in a designated area, all persons in or over the area should receive the pay.⁸²

The Air Force prevailed, and the Department's proposed changes were dropped from the legislation (but the pay raise was not), which passed on August 21, 1965. Subsequently, the Department expanded, not retracted, eligibility for members stationed outside designated Hostile Fire zones with a 1968 Directive granting pay "to all members of a group...ship...[or] airplane...when only one member may be killed or wounded by hostile fire...[or] when a hostile act occurs, but no one is wounded or killed."⁸³ Initiated by the Navy in response to the surprise attacks on the USS Liberty and USS Pueblo, no Air Force objections accompanied the directive.⁸⁴

As the war progressed, outside forces began to question the practice of zonal administration of HFP. The most authoritative of these critiques originated from the President's Commission on the All-Volunteer Force, commonly known as the Gates Commission. As part of President Nixon's efforts to transition to an all-volunteer military force, the Gates Commission reviewed all existing special and incentive pays in the 1970s. Despite combat pay's lack of a manpower justification, the Commission judged the purpose of recognition for combat risks to be justified "as a matter of equity."⁸⁵ The administration of HFP, however, needed work. Zonal eligibility, though intended to equalize recognition on the basis of risk, produced inequities of its own:

A small fraction of the military force is sometimes required to serve under conditions of risk to life and limb that are not only greater than those faced by most service personnel but exceptionally high even among those serving in a combat zone. As a matter of equity as well as to provide compensation flexibility in conflict situations, the Commission recommends that a new and higher maximum level of hostile fire pay of \$200/mo be enacted. Eligibility for this maximum level of hazardous duty pay should be restricted to those who in the course of their duties are regularly exposed to hostile fire and only for the period of such exposure. The current levels of hazardous duty pay should be provided to others in the combat zone who take higher than normal risks but are not regularly exposed to hostile fire.⁸⁶

82. Department of the Air Force, *Memorandum for the Assistant Secretary of Defense for Manpower: Revision of Hostile Fire Pay Directive*, October 8, 1965.

83. Department of Defense, *Directive 1340.6*, August 1, 1968.

84. *Report of the 1971 QRCM: Hostile Fire Pay*, Second Edition, December 1971.

85. President's Commission on an All-Volunteer Armed Force, *Report of the President's Commission on an All-Volunteer Armed Force*, February 1970.

86. *Ibid.*

In response to zonal eligibility, the Gates Commission recalled earlier historical justifications for combat pay. Conceding some role for recognizing the risks within a designated combat zone, the report argued that the wide distribution of risk within such zones awarded equal recognition for unequal risks. Exposure to the most extreme risks—those of frontline combat—was both predictable and worthy of higher recognition, the Commission argued. Lacking a distinction based on the degree of risk, the significance of the pay and its impact on military morale might diminish. Accordingly, the Gates Commission proposed a two-tiered pay that conveyed extra recognition for actual combat beyond the generalized hazards within a combat zone.⁸⁷ This formulation—though entirely reliant on the perspective of recognition for risk—represented a hybrid of the current policy of zonal eligibility and its predecessor, Combat Pay for frontline soldiers in the Korean War.

The recommendations of the Gates Commission were opposed by the Congress and the military. In June of 1971, Senator Mark Hatfield (R-OR) introduced a version of the Gates proposal as an amendment to H.R. 6531, a bill amending the Selective Service Act of 1967.⁸⁸ Despite preserving existing payment levels for zonal eligibility, the amendment immediately encountered skepticism and hostility. Leading the congressional opposition, Chairman of the Armed Services Committee John Stennis (D-MS) argued that the Commission's proposed changes to HFP would be inequitable and administratively infeasible:

The degree of exposure to combat is difficult to determine. The Vietnam War is a perfect example, as I have already indicated of this fact. Areas which under previous type combat operations would commonly be considered safe, in many cases are as dangerous as a military fire zone. A combat exposure role and a combat area are unpredictable and changeable. An amendment such as this amendment proposes would create gross inequities, even more so than in Korea where there was far more of a battleline, a battle area, and a hostile fire area.⁸⁹

After a short debate, Senator Hatfield's amendment was rejected by a margin of 27 to 47, with 26 members not voting.

The 2nd QRMC conducted a more thorough review of the proposed two-tiered HFP, but arrived at the same result as Chairman Stennis. On the whole, the 2nd QRMC was favorably disposed toward the current form of HFP. Reviewing the recent developments in the administration of HFP, the QRMC observed that "During the eight years which have elapsed since the enactment of Public Law 88-132, a broad and

87. *Ibid.*

88. *Report of the 1971 QRMC: Hostile Fire Pay*, Second Edition, December 1971.

89. 117th Cong. Rec. 59,581 (daily ed. June 21, 1971).

flexible policy has evolved” that “has proven to be responsive to Vietnam and other contingencies.” Zonal eligibility was preferable to the “numerous inequities” caused by “conservative application of the law” based on unit assignment. Judging the pay “valid,” “credible,” and “flexible,” the QRMC concluded there was little need for revision.⁹⁰

The 2nd QRMC feared that the Gates Commission’s proposal for a two-tiered pay would upset the carefully-crafted balance between risk, recognition, and equity that HFP had achieved. The QRMC surveyed the Services’ positions toward the proposal, with the following results. Unsurprisingly, the Army agreed that “the amount of HFP should vary on the basis of increasing degree of probability of exposure to hostile fire” and proposed three pay levels within designated combat zones. All the other Services opposed the creation of a multi-tiered HFP; the Navy judged such proposals inequitable, while the Marine Corps and Air Force cited its administrative infeasibility. In its report, the QRMC sided with the majority on grounds of equitability and administrative concerns. Like the “unit-based” pays before it, the QRMC feared that the administration of a two-tiered pay system was incapable of recognizing the “nature of the Vietnam conflict where no clear-cut battle lines exist and where ‘safe zones can be more dangerous than military fire zones.’”⁹¹

With respect to equity, the QRMC judged that a two-tiered pay would insufficiently recognize the hazards faced by mariners, aviators, and casualties of hostile action. With respect to combat casualties, it was inequitable that members killed, wounded, or missing in action were eligible for only one day of the higher pay rate, while unharmed members of their units continued to receive the increase for twenty days thereafter. A comparison of historical casualty rates for ground forces with Naval and Air Force personnel, the QRMC argued, also proved problematic for tiered compensation. While the Army in Vietnam experienced similar casualty rates in routine operations as in fixed battles, the Air Force and Navy in World War II suffered the overwhelming majority of combat deaths in short-lived engagements like the battle of Midway and the bombardment of Schweinfurt, Germany. “If the Gates recommendations were applied,” the QRMC warned, ground units “would have received the higher rate for much longer periods than those suffering greater casualties in more intense yet shorter clashes with the enemy.”⁹²

In addition to administrative and equity concerns, the Gates Commission’s report on the transition to an all-volunteer force provided an unfavorable context for the proposal for a two-tiered combat pay. The overriding purpose of the Gates Commission was to assess and propose policies that would meet military

90. *Report of the 1971 QRMC: Hostile Fire Pay*, Second Edition, December 1971.

91. *Ibid.*

92. *Ibid.*

manpower requirements in a zero draft environment.⁹³ Consequently, like the Hook Commission before it, the Gates Commission viewed special and incentive pays as tools to induce accession and retention in undersupplied skills or duties. Because the recommendation emerged from a context of manpower incentives, the tiered HFP proposal was received with skepticism by the QRMC. Despite assurances by the Gates Commission that the purpose of the higher tier was to *recognize* (not incentivize) exposure to extreme hazards, the QRMC feared that “a differential rate based on exposure has the connotation that the purpose of the pay is attraction and retention rather than special recognition as shown in this study.”⁹⁴ Reprising the positions of historical opponents to pay differentials (see discussion on Badge Pay under “Political Struggles over Authorization of Combat Pay,” page 16), the QRMC argued that “pay based on exposure equates risk with monetary compensation and implies that is possible to place a price tag on human life.” Both claims—that tiered pay incentivized risk or placed “a dollar value on human life”—were inconsistent with historical precedent and the plain language of the Commission’s proposal.⁹⁵ In Korea and the early stages of the Vietnam conflict, combat pays existed solely to recognize the extreme hazards (and hardships) that the proposed higher tiers targeted. However, the proposal’s context within the Gates Commission report may have proved too daunting to overcome.

Following the report of the 2nd QRMC and the drawdown of American troops in Southeast Asia, the issue of HFP receded from public consciousness. HFP recipients dropped from a peak of over 1.25 million in 1968 to a mere 4,612 by 1974.⁹⁶ Throughout the 1970s, designations for Vietnam and the surrounding areas remained active to continue payment of Hostile Fire benefits to prisoners of war and missing soldiers. New designations would not come until the Iranian Hostage Crisis at the end of the decade. With few recipients and greatly reduced expenditures, no further actions were proposed or taken on HFP until 1983. After repelling several challenges in the later stages of the Vietnam War, the status quo of HFP—the perspective of “recognition for risk” embodied in the policy of zonal eligibility—became a widely accepted and entrenched component of military compensation.

In summary, the Vietnam era featured sweeping changes to both policy and perspective on risk recognition that gave birth to the modern form of combat pay. As a result of the unprecedented combat environment in Southeast Asia and

93. A substantial, across-the-board increase in basic military pay was the Commission’s most prominent recommendation, and basic pay issues received the greatest analytical attention.

94. *Report of the 1971 QRMC: Hostile Fire Pay*, Second Edition, December 1971.

95. *Ibid.*

96. Statistical Information Analysis Division, *Military Personnel Historical Report 1968–74*, Department of Defense, 2011.

the advocacy of former opponents in the Services, the perspective demanding recognition for risk, regardless of degree, replaced the dual standard recognizing the extreme “hazards and hardships” of frontline combat. Despite intending to follow historical precedent, the Department, using its newly-authorized administrative discretion, reversed “unit-based” eligibility criteria in favor of broad zonal eligibility. Broadened eligibility, though more relevant to combat risks in Vietnam, quadrupled pay expenditures and sacrificed the narrow focus on frontline morale of previous combat pays. As a result of eligibility changes, HFP expanded dramatically from its early projections of two to three thousand recipients to well over one million beneficiaries by the end of the 1960s. The changes in policy and perspective proved durable, surviving numerous challenges during the Vietnam era and persisting, largely unchanged, to the present day.

5. Hostile Fire Pay/Imminent Danger Pay: Expansion of Risk Perspectives to Lower Hazard Thresholds

The Vietnam-era shifts in policy and perspective on risk recognition were carried to their logical conclusion in the decades that followed. Despite the lack of combat risks comparable to Vietnam, Korea, or World War II, combat compensation in the 1980s and 1990s grew more, not less, generous. In part due to changes in the nature of combat threats and military deployments, eligibility for combat pay expanded to lower-risk areas with the authorization of IDP in 1983. IDP embraced continuity rather than change with respect to prevailing perspectives on risk recognition. With the absence of large-scale, sustained conflicts and the rise of peacekeeping operations and terrorism threats in the decades following Vietnam, the political and philosophical foundations of combat compensation remained unchanged, and pay policy adjusted on the margins. Through continuity more than change, the modern form of combat pay has evolved.

A. “Recognition for Risk” and the Authorization of Imminent Danger Pay

The authorization of IDP represents the sole significant policy change to combat pay in the decades following Vietnam. The new entitlement resulted from the adaptation of the perspective of “recognition for risk” to the lesser hazards of low-intensity conflicts that characterized contemporary military deployments. After Vietnam, eligibility for HFP dwindled to only a handful of soldiers per year. From 1976 to 1982, an average of 506 soldiers per year received HFP, down from a peak of over 1.28 million in 1968.⁹⁷ Accompanying this precipitous decline, military deaths

97. Under Secretary of Defense for Personnel and Readiness, *Military Compensation Background Papers: Military Compensation Statistics Tables*, Sixth Edition, 2005.

from hostile actions hovered around zero for the entire period.⁹⁸ With few recipients and fewer casualties, HFP vanished from the political scene for nearly a decade.

The absence of eligibility, casualties, or political attention did not imply a similar absence of risks in military deployments. After Vietnam, the military shrunk its size but expanded its scope. Whereas thirty percent of the nearly two million members of the Armed Services were deployed to Southeast Asia in 1970, twenty-two percent of the Armed Services were scattered across 122 different nations in 1979.⁹⁹ In 1982, attachments of at least thirty troops were deployed to potentially dangerous countries including Korea, Somalia, Colombia, Sudan, Turkey, and El Salvador. Although none of these locations was eligible for HFP, the latent risks of domestic instability and hostile fire in these deployments would eventually be realized.

Following three years without a hostile military death, the terrorist bombing of the Marine Corps barracks in Beirut resulted in the deaths of 241 Marines. Months earlier, Lieutenant Commander Albert Schaufelberger was gunned down by Sandinista guerillas, who threatened further violence in San Salvador.¹⁰⁰ Both incidents drew public attention to the previously unacknowledged hazards of foreign deployments and sparked a political debate on combat compensation. That soldiers in both countries were ineligible for HFP prior to the unanticipated tragedies drew the attention of critics in the Congress and the military. Continued exclusion from combat pay, critics argued, was unacceptable from the perspective that risky deployments deserved recognition.

In response to the events in Lebanon and El Salvador, Representative Patricia Schroeder (D-CO) introduced an amendment to the Department of Defense Authorization Act of 1984 granting “HFP for members serving in areas threatening imminent danger.” In brief congressional testimony, Representative Schroeder argued that the existing system of determining eligibility for HFP on a “case-by-case basis” was inadequate for recognizing the risks faced by “an American soldier or sailor in Beirut or San Salvador.” It was “wrong,” Schroeder claimed, that the family of a member killed by hostile fire only “gets one month’s pay of \$65” for the death of their loved one. In place of event-based eligibility, Schroeder proposed extension of zonal eligibility to foreign areas where servicemembers were “subject to the threat

98. Statistical Information Analysis Division. *Military Casualty Information: Active Duty Military Deaths 1980–2010*, Department of Defense, 2011.

99. Statistical Information Analysis Division, *Military Personnel Historical Report 1979*, Department of Defense, 2011. After longstanding deployments in Germany (52.2% of overseas force) and Japan (10.1%), Korea at 8.5% of the overseas deployment represents the largest potentially-hostile deployment. The remainder of the top ten deployments are the United Kingdom (5.0%), the Philippines (3.1%), Italy (2.6%), Panama (2.1%), Spain (1.9%), Turkey (1.1%), and Greece (0.7%).

100. 129th Cong. Rec. 20,971 (1983).

of physical harm or imminent danger on the basis of civil insurrection, civil war, terrorism, or wartime conditions.” Under Schroeder’s proposal, soldiers deployed to designated dangerous areas such as Lebanon or El Salvador would receive IDP of \$65 per month even if not exposed to actual hostile fire.

Schroeder’s proposal received near-unanimous support within the executive and legislative branches. After removing retroactive eligibility for Lebanon and El Salvador at the urging of the administration, the amendment passed without dissent on the floor of the House of Representatives. With the passage of the Defense Authorization Act on September 13, 1983, IDP became law. Immediately upon implementation on October 1, the Secretary of Defense designated Lebanon and El Salvador for the newly authorized pay. Accompanying Operation Urgent Fury, Grenada and Carriacou were designated later in the month. As a result of these new designations, the number of recipients of the new HFP/IDP jumped from an all-time-low of 4 in 1982 to 3,646 in 1984. Following the drawdown of operations in Grenada, Lebanon, and El Salvador, the number of recipients dropped to approximately 300 for the next two years (see Figure 2).

Unlike previous policy changes, the authorization of IDP in 1983 did not result from a significant shift in perspectives on combat pay. Ever since the fundamental changes to HFP in 1965, the perspective of “recognition for risk” had guided the administration of combat pay. Historically, hostile risks were concentrated in areas where the United States was engaged in open warfare with a known adversary. In the

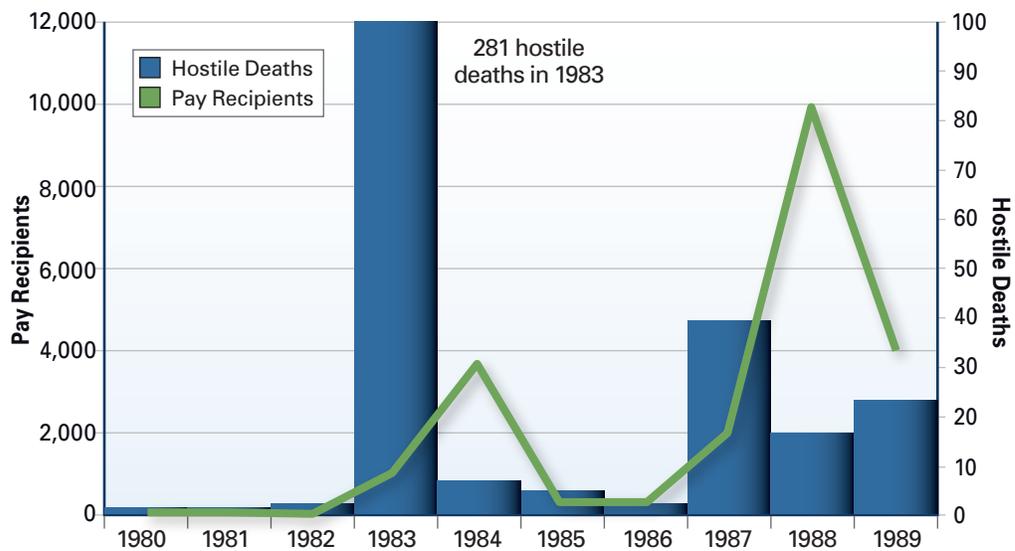


Figure 2. Pay Recipients and Hostile Deaths in the 1980s

absence of open warfare, the threat distribution devolved to lower-intensity conflicts where American forces lacked a defined enemy but were still exposed to hostile risks. From the perspective that risks—be they obvious or latent—deserved recognition, both circumstances merited recognition. The counterargument—that the extreme risks of wartime deserved greater recognition than the lesser hazards of peacetime—had already been rejected by the refusal to differentiate between risk experiences (either through “frontline” eligibility standards or multi-tiered HFP) within designated combat zones. IDP applied this logic of undifferentiated recognition *within* combat zones to a designation policy for recognition of risks *between* combat zones. If the risk of hostile fire, not its degree or its incidence, merited recognition, all hazardous deployments, from outright war to domestic instability, deserved eligibility for combat compensation.

IDP was intended to remedy the difficulties faced by HFP in dealing with the low-intensity hazardous deployments of the post-Vietnam era. The HFP standard for zonal designation—“duty in an area in which he was in imminent danger of being exposed to hostile fire...and in which, during the period he was on duty in that area, other members of the uniformed services were subject to hostile fire”—was effective in recognizing open war but less capable in responding to latent risks. Prior to 1983, the Department attempted to cope with the policy void through retroactive recognition of potential hazards. Retroactive designation typically followed combat casualties in the 1960s and 1970s. The deaths of 15 soldiers in the “brushfire conflict” of 1967 and 1968 led to the designation of a 75 square mile area surrounding the Korean Demilitarized Zone. Hostile fire on American aviators over Laos precipitated another designation in 1964.¹⁰¹ Finally, the capture of the American Embassy in Tehran brought HFP eligibility to Iran in 1979.¹⁰² In each of these episodes, the retroactive recognition of unacknowledged combat risks was a direct consequence of adapting the HFP policy to ostensibly peacetime deployments. The trend continued when potentially hazardous military deployments in Lebanon and El Salvador went undesignated prior to the outbreak of anti-American violence.

Changes in the threat environment from outright war to low-intensity deployments demanded a change in the eligibility standard for combat pay. Accommodating the new risk context, the Congress authorized IDP to resolve the inadequacy of HFP in recognizing hostile risks outside of war zones. The new authorization replaced the anachronistic wartime standard (“imminent danger of being exposed to hostile

101. *Report of the 1971 QRCM: Hostile Fire Pay*, Second Edition, December 1971.

102. DoD Financial Management Regulation, *Summary of Major Changes to DoD 7000.14-R, Vol. 7A, Ch. 10* “Special Pay-Duty Subject to Hostile Fire or Imminent Danger,” Volume 7A, Chapter 10, May 2009.

fire...[while] other members of the uniformed services were subject to hostile fire”¹⁰³ with criteria that were more relevant to the risks of peacetime operations. Under IDP, soldiers would be eligible while “on duty in a foreign area in which he was subject to the threat of physical harm or imminent danger on the basis of civil insurrection, civil war, terrorism, or wartime conditions.”¹⁰⁴ No longer was open war a prerequisite for risk recognition. By supplanting the outdated standard of warfare with “the threat of physical harm or imminent danger,” the new authorization reemphasized the fundamental purpose of combat pay: “recognition for risk.” As such, IDP embraced, rather than rejected, the consensus surrounding the prevailing policy and perspective on combat pay.

The absence of political resistance to IDP indicated its consistency with the prevailing perspective on risk recognition. When introduced as an amendment to the Defense Authorization Act of 1984, the proposal escaped criticism in the Congressional Record. With Chairman of the House Armed Services Subcommittee on Military Personnel, Les Aspin (D-WI) recommending immediate approval, the measure passed under unanimous consent by voice vote.¹⁰⁵ Neither the Department nor the Services commented on the proposal, indicating tacit approval of the new authorization. Unlike previous changes to HFP, all of the Services stood to benefit from the broader entitlement, and none made significant sacrifices to achieve the change. Because the new pay amounted to an adaptation of existing policy to new combat circumstances, it aroused little political controversy and carried less historical importance than previous revisions to combat pay.

B. The Fifth QRMC’s Challenge to Combat Pay

The only credible challenge to HFP/IDP during the post-Vietnam era originated from the 5th QRMC of 1984. The 5th QRMC, like the 2nd QRMC of 1971, was tasked with reviewing all military special and incentive pays.¹⁰⁶ With respect to HFP, the 5th QRMC, unlike its predecessor, questioned whether the expansion in zonal eligibility had gone too far. Hostile risks, the QRMC agreed, still deserved

103. Uniformed Services Pay Act of 1963, Pub. L. No. 88-132, 77 Stat. 210, 216 (1963).

104. S. Rep. No. 88-352 (1963).

105. 129th Cong. Rec. 20,971 (1983).

106. Although the review included HFP/IDP, its most influential recommendations concerned other hazardous duty incentive pays. Here, the QRMC broke with the precedent of the Gates and Hook Commissions and abandoned the purpose of manpower incentives as justification for special pay. Rather, the QRMC suggested that those assigned to dangerous duties should be compensated for the hazards they experience. Accordingly, the QRMC recommended that officer-enlisted pay differentials for various hazardous duty pays be eliminated, and the monthly rate for pays like parachute duty pay and flight deck duty pay be raised to \$110. Officer-enlisted special pay differentials were eliminated in the Department of Defense Authorization Act for 1986. This had an immediate impact on HFP/IDP when another QRMC proposal—linking HFP with the “lowest rate for hazardous duty incentive pay”—was enacted in the same bill.

recognition, but the distribution of such risks within and across designated combat zones was far too wide. Echoing the Army's historical reasoning, when minimal risks received the same recognition as "the heat of battle," combat pay's impact on military morale was diminished. To reverse the deterioration of combat pay effectiveness while upholding the purpose of risk recognition, tighter eligibility criteria were needed to distinguish between individuals with high and low risk exposures.¹⁰⁷ Due to the timing of the 5th QRMC, its report made no reference to the newly authorized IDP, which established an even lower risk threshold for combat pay eligibility.¹⁰⁸

The QRMC considered several policy alternatives to better align pay eligibility with risk exposure. All of the alternatives were firmly planted within the prevailing perspective of recognition for risk; none proposed reversion to historical criteria such as occupational eligibility or the dual standard of "hazards and hardships" of combat. The majority of the QRMC's recommendations represented tweaks to the existing policy of zonal eligibility in which the Secretary of Defense would issue distinct and independent designations for high and low risk Hostile Fire Areas within and among combat zones. High risk designations would cover "territories and/or water and air space where individuals are directly engaged with the enemy on a continuing basis." Low risk areas would consist of "territories and/or waters and air space where individuals are subject to a greater than normal risk on a continuing basis but are not regularly exposed to danger." To reflect risk differentials, either eligibility criteria or HFP levels would vary between high and low risk areas. In one alternative, the six-day eligibility criterion was reinstated for low risk areas but not for high risk areas. In another, a two-tiered pay of \$165 for high risk areas and \$110 for low risk areas was proposed.

When reviewing the QRMC's alternatives, the Services' policy evaluations corresponded to the expected costs and benefits from proposed policy changes. The Army strongly preferred the more restrictive alternatives, including differential eligibility standards and pay rates for high and low risk areas.¹⁰⁹ All of the other Services stood to gain little from high risk designations and unsurprisingly opposed the more restrictive proposals. The Navy, Air Force, and Joint Chiefs of Staff favored retaining the current system, fearing that more restrictive eligibility criteria would introduce undue complexity in administering eligibility for HFP.¹¹⁰

107. Office of the Secretary of Defense, *Fifth Quadrennial Review of Military Compensation: Special and Incentive Pays*, Volume 3, November 1983.

108. Although its report was released in November 1983, the deliberations behind the 5th QRMC occurred prior to the authorization of IDP in October 1983. Because of this timing issue, IDP was not examined in the report.

109. Strangely enough, the Coast Guard, which was not surveyed in 1971, was the only Service to back the Army in support of two-tiered designations, eligibility standards, and pay levels.

110. *Fifth Quadrennial Review of Military Compensation: Special and Incentive Pays*, Volume 3, November 1983.

The QRMC ultimately recommended only modest changes to HFP. More restrictive proposals featuring two-tiered pay levels or differential eligibility standards were rejected. In place of more sweeping changes, the QRMC recommended the Department tighten its own system for designating combat zones. Zonal eligibility should be “limited to only those territories and/or waters and air space where individuals are directly engaged with the enemy on a continuing basis.” “Boundaries of the area,” the QRMC advised, “should be drawn to exclude, to the maximum extent practicable, those fringe or support areas in which individuals will not be regularly exposed to danger on a daily basis, i.e. areas in which there is not a strong likelihood of direct, daily confrontation with the enemy.” To further restrict eligibility to those facing extreme risks, “efforts should be made...to strictly enforce the requirements of direct engagement with the enemy in conjunction with the six-day rule.”¹¹¹

Because proposals for a two-tiered pay were abandoned, no legislative changes were recommended to tighten eligibility criteria. Implementation of the QRMC’s recommendations was left to the DoD. There is little evidence to suggest that the Department seriously considered restructuring their designation practices or restricting pay eligibility within already-designated areas. Indeed, the Department’s tacit embrace of IDP implies the opposite. The proposal to revive the six-day eligibility criteria was also abandoned. Ultimately, the QRMC only succeeded in raising the level of HFP to “the lowest rate for hazardous duty incentive pay” when the Congress passed a raise to \$110 per month in the following year.¹¹² With the failure of the 5th QRMC’s attempt to tighten eligibility criteria, the last significant challenge to HFP/IDP had passed. Official policy on HFP/IDP has remained largely unchanged ever since.

C. Changes to the Administration of Hostile Fire Pay/Imminent Danger Pay

Following the relatively minor legislative changes of the mid-1980s, the administration of HFP/IDP continued without noticeable difference from the late 1970s. In 1985–86, the number of pay recipients dropped to around 300, as the number of hostile deaths retreated to single digits. In 1988, however, unanticipated casualties in Peru, Colombia, Panama, and Afghanistan led to new Imminent Danger Area designations, increasing the number of recipients to a high of nearly 10,000 in 1988. The increase was only temporary, and the number of recipients fell back to around 4,000 in the following year.

111. Ibid.

112. *Military Compensation Background Papers: Hostile Fire Pay*.

With military action in the Persian Gulf, eligibility for HFP/IDP reached levels not seen since the late days of the Vietnam War. In 1991, the number of HFP/IDP recipients soared from 33,000 to 327,333 as the Secretary designated Iraq, Kuwait, Saudi Arabia, Bahrain, Qatar, the Gulf of Aden, the Gulf of Oman, and the Arabian Sea for special pay.¹¹³ Unlike in Vietnam, where combat pay rolls emptied following the end of hostilities, the sustained deployments in the Middle East established a new baseline level of combat pay recipients.¹¹⁴ Despite the undesignation of Oman, Bahrain, Qatar, the United Arab Emirates, the Red Sea, and the Gulfs of Oman and Aden in August 1993, the number of HFP/IDP recipients averaged over 55,000 through the year 2000, boosted by a deployment of over 15,000 troops to Operation Joint Endeavor in the former Yugoslavia (see Figure 3).¹¹⁵

Behind this growth in the number of pay recipients was an explosion in the number and length of designations for HFP/IDP in the 1990s. Starting in 1990, the number of designated countries and bodies of water soared from 13 to 24, eventually peaking at 45 active designations in 1999. A significant number of these designations corresponded to major combat or peacekeeping operations in the Middle East

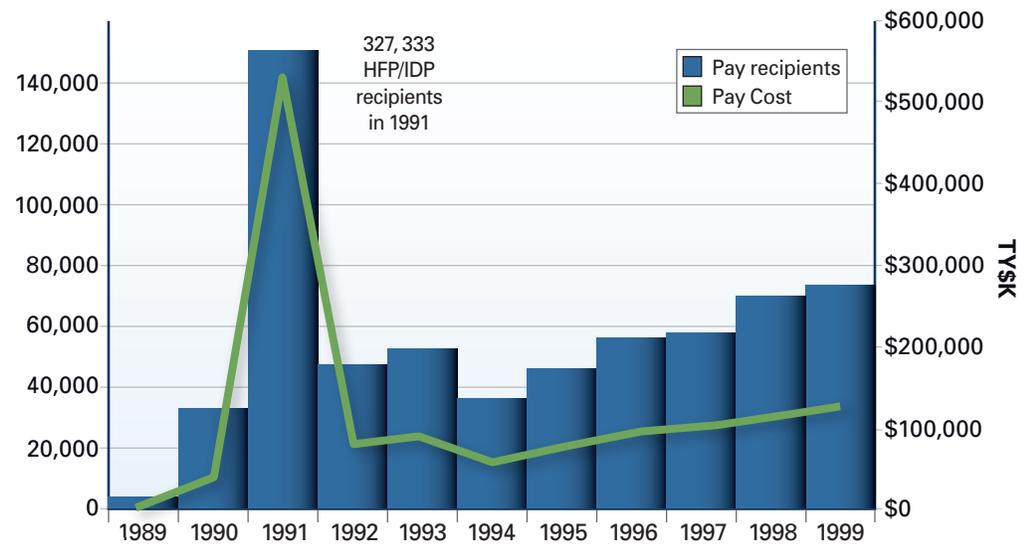


Figure 3. HFP/IDP Recipients in the 1990s

113. *Summary of Major Changes to DoD 7000.14-R.*

114. Statistical Information Analysis Division, *Military Personnel Historical Report 1992–1999*, Department of Defense, 2011. Following the conclusion of Operation Desert Storm, an average of 7,465 troops remained in designated areas throughout the remainder of the decade.

115. *Military Compensation Background Papers: Military Compensation Statistics Tables.*

(7 designations) and the Balkans (7 designations). However, designations for smaller military deployments proliferated in the 1990s as well (see Figure 4), including Liberia in 1990, parts of Turkey in 1991, Chad, Mozambique, and Somalia in 1992, Sudan and Haiti in 1993–94, and an additional 16 areas in the latter half of the decade.¹¹⁶

In addition to the increase in the number of designations, the length of those designations grew as well. From 1960 to 1980, only five nations—Vietnam, Laos, Cambodia, Korea, and Iran—received designations. In all of these locations except Korea, designations remained active long past combat operations, to either sustain benefits to Prisoner of War/Missing in Action (POW/MIA) soldiers (Southeast Asia) or reflect ongoing hostility towards the United States (Iran). As such, the average length of these designations was nearly 25 years, with three still active in the late 1990s.¹¹⁷ In the 1980s, the average length of the twelve designations stood at 10.14 years, with three active today.¹¹⁸ In the 1990s, with more than quadruple (51) the total number of designations, average designation length grew to 11.14 years, with more than half (26) remaining active today.¹¹⁹ The trend can be expected to continue, as 15 of the 16 designations in the past decade remain active today (see Figure 5).¹²⁰ The increase in the frequency and length of designations greatly magnified the cost of HFP/IDP. When a temporary raise in the level of payment to \$150 in 1991 was made permanent in 1992, the cost of combat pay doubled from \$43.6 million (1990, 33,000 recipients) to \$85 million (1992, 47,241 recipients). Total pay costs broke the \$100 million barrier in 1996 and have remained above ever since.

The proliferation and elongation of designations in the 1990s is understandable from the perspective of recognition for risk. Through IDP, risk recognition could be applied more generously to the latent, unpredictable hazards of low-intensity conflicts in addition to the overt risks of open war. Once designated, eligibility should remain intact if the potential for risk still existed. Only if hazards were retired would designations cease, as in the Balkans where designations were lifted in 2007. At the turn of the 21st century, HFP was provided for service in 45 designated areas, had 73,573 recipients, and cost \$124.5 million (see Figure 6).

116. *Summary of Major Changes to DoD 7000.14-R.*

117. The average is composed of the following four designations: Vietnam (32.12 years), Korea (5.42 years), Cambodia (30.83 years), and Iran (31.42 years, still active). The length of the designation for Laos could not be accurately determined and, if added to the sample, would lower the average designation length.

118. Designations from the 1980s for Lebanon, Colombia, and Afghanistan remain active today.

119. Active designations from the 1990s: Arabian Sea; Bahrain; Kuwait; Saudi Arabia; Liberia; Iraq; parts of Turkey; Chad; Kosovo; Montenegro; Somalia; Sudan; Haiti; Azerbaijan; Pakistan; Burundi; Democratic Republic of Congo; Egypt; Athens, Greece; Jordan; Tajikistan; Qatar; Rwanda; Yemen; Ethiopia; and East Timor.

120. Active designations from the 2000s: Uganda, Kyrgyzstan, Oman, United Arab Emirates, Uzbekistan, Indonesia, Malaysia, Philippines, Israel, Djibouti, Eritrea, Kenya, Cote d'Ivoire, Syria, and Cuba (Guantanamo).

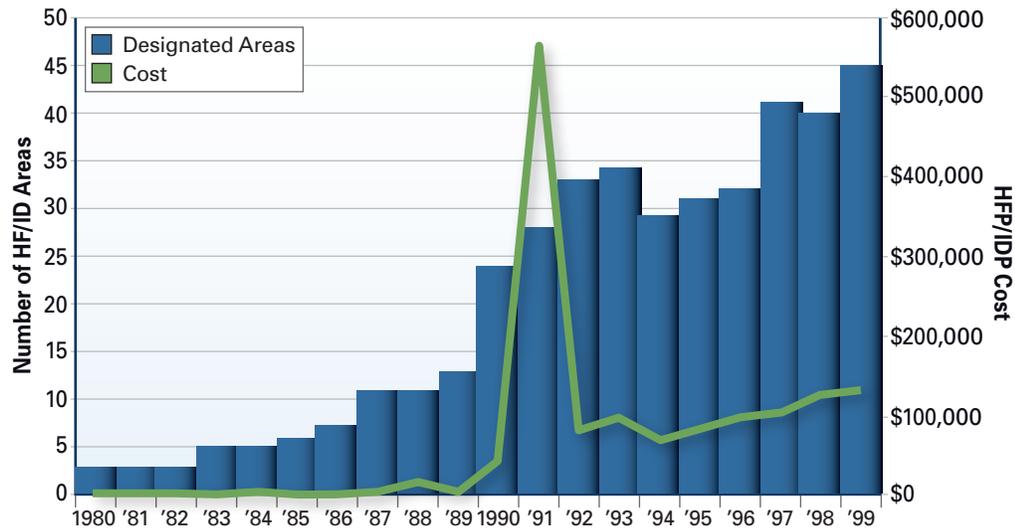


Figure 4. Number of Designated Hostile Fire/Imminent Danger Areas

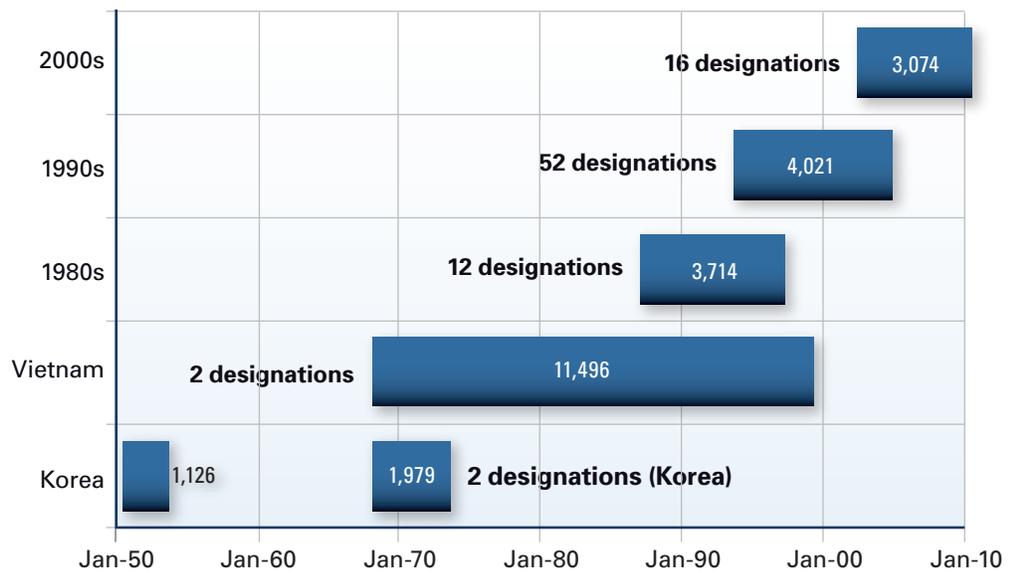


Figure 5. Average HFP/IDP Designation Length Across Time

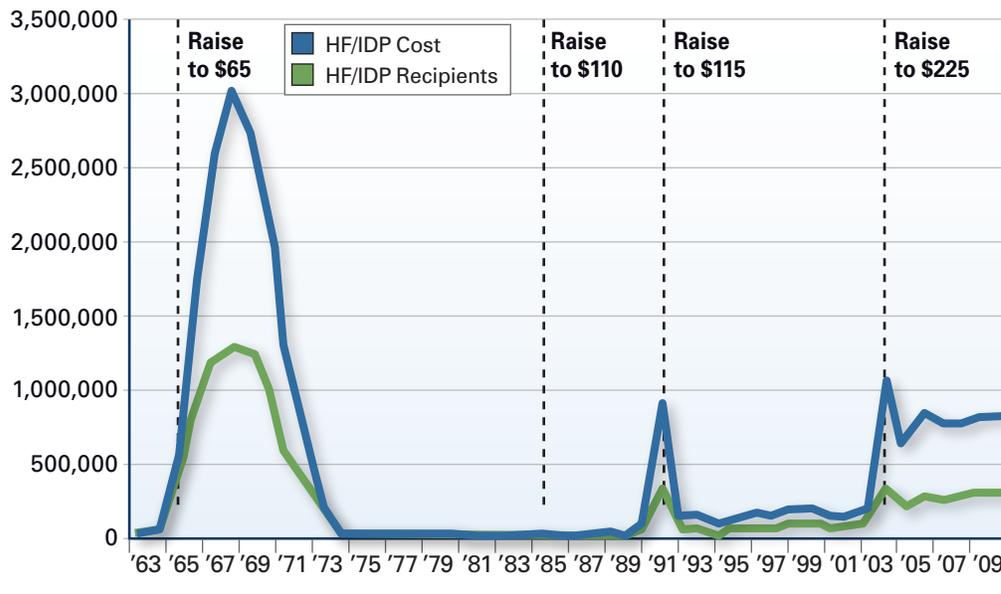


Figure 6. Normalized Historical Cost of HFP

D. Recognition for Risk in Iraq and Afghanistan

Although HFP/IDP has become highly relevant to the diverse hazards of modern military deployments, combat pay has lost touch with an important element of its historical justification: recognition for the frontline soldier. In the absence of open war in the 1980s and 1990s, this deficiency went unnoticed. Military casualties from hostile actions were minimal, and IDP equitably recognized the sustained presence of low-level risks across various foreign deployments. However, the onset of prolonged wars in Iraq and Afghanistan shattered this low-level homogeneity in risks and broadened the distribution of hazards among combat pay recipients. In 2003, hostile deaths jumped from 18 to 339, doubled again in the following year, and remain elevated to the present day. Designations for the Middle East and Central Asia immediately accompanied combat operations, but the advent of war posed an age-old problem. Clearly, hostile risks in Iraq and Afghanistan were far greater than the low-level hazards of the Balkans or sub-Saharan Africa, yet each deployment received equal recognition under HFP/IDP. The wide disparity in conditions between war zones, support areas, and low-intensity deployments almost certainly eroded the value of HFP to the morale of American forces in Iraq and Afghanistan.

Never before has combat pay recognized such a wide distribution of risk among designated areas and pay recipients. During the 1960s and 1970s, zonal eligibility recognized shared risks of counterinsurgency in Vietnam. During the 1980s and

1990s, IDP accommodated the latent hazards of low-intensity deployments in the absence of open war. After the invasions of Iraq and Afghanistan, however, the wartime risks of HFP coexisted with the low-intensity hazards of IDP. Two policies that had evolved from the same perspective to address different circumstances were, for the first time, applied simultaneously.

Superimposed across a wider distribution of risks, the equal eligibility criteria and monetary compensation of HFP and IDP failed to equitably recognize the dire risks of war zones in Iraq and Afghanistan relative to substantially less hazardous deployments elsewhere. In 2003, the Bush Administration recognized this disparity. In the Emergency Wartime Supplementary Appropriations Act for 2003, the Administration proposed a temporary increase to HFP/IDP to \$225 per month “to reward military personnel participating in Operation Enduring Freedom...and Operation Iraqi Freedom.”¹²¹ Putting aside the imprecise language of “reward,”¹²² the Administration may have judged that the greater hazards in Iraq and Afghanistan required a pay increase to recognize the new risk environment. This interpretation is supported by the Administration’s actions when the pay raise was set to expire in the following year.

Instead of allowing the raise to expire or extending the increase for all servicemembers, the Bush Administration proposed continuing the higher rates only for servicemembers in Iraq and Afghanistan. “If members in other areas received the same [raise],” the Administration argued, “an across-the-board increase in HFP had no meaning as a reward for service in Afghanistan and Iraq.” Although couched in the imprecise language of “rewarding” wartime service, the Administration’s proposal could be interpreted as an attempt to create two tiers of combat pay: one for the extreme wartime hazards and the other for sustained, low-level risks. If correct, this interpretation suggests that the perceived dissonance between HFP and IDP during a time of open warfare may have future policy consequences. That the policy originated from the President and was not opposed by the DoD indicates the potential for a political coalition behind risk differentiation in combat pays.

Like the more aggressive recommendations of the 5th QRMC, the Administration’s proposal for a “two-tier” form of combat pay with higher rates for Iraq and Afghanistan met opposition in the Congress. The House argued that failure to extend the new rates for all members would “constitute a pay cut for United States occupation forces at many locations in the world,” and the Senate

121. *Military Compensation Background Papers: Hostile Fire Pay.*

122. The concept of “rewards” for participants in OEF/OIF could be interpreted as an incentive for service in Iraq or Afghanistan. Because the purpose of combat pay is divorced from manpower incentives, it is assumed that incentives were not the intent of the raise.

devised a compromise in which the raise would be extended for one additional year to all members in a designated Hostile Fire or Imminent Danger Area. Ultimately, the compromise passed, and in the following year, the \$225 monthly rate was made permanent. Since the confrontation in 2003, no legislative or administrative changes have been proposed regarding HFP/IDP to date.

At present, the historical evolution of HFP/IDP is characterized by continuity, rather than change from the prevailing perspective and policy on risk recognition over the decades following the Vietnam War. When applied to the post-Vietnam hazard environment of low-intensity deployments with latent hostile risks, the perspective demanding recognition for risk produced the new policy of IDP. Sustained hazardous deployments, now recognized by IDP, led to growth in the number and length of designations and the overall cost of combat pay. However, the pre-Vietnam embrace of zonal eligibility and post-Vietnam lowering of risk thresholds abandoned specific recognition for the hazards and hardships of frontline service and diminished combat pay's impact on military morale in a time of war. Over the past four decades, HFP/IDP has become more relevant and responsive to the missions of the modern military, but, at the same time, less efficient and effective in achieving its original goal of recognizing the worst hazards and hardships of war.

6. Conclusion

Combat pay has been used in the United States to recognize the disproportionate sacrifices of servicemembers exposed to hostile risk. Historical debates over the intent of recognition, which is unique among all U.S. military special and incentive pays, has driven the evolution of modern perspectives and policies on combat pay. During World War II and the Korean War, combat pay narrowly focused on the morale of frontline soldiers who endured the most severe hazards and hardships of combat. Badge Pay in World War II singled out the infantry for special recognition to remedy perceived deficits in morale, pay, and service conditions. Combat Pay in the Korean War recognized frontline soldiers based upon the dual standard of the “hazards and hardships” of combat. The shift from occupational eligibility for the infantry to conditions-based recognition activated a potent political coalition within the Services that presaged pay expansion.

Drastic changes to the combat pay followed in the Vietnam War when a new perspective—“recognition for risk”—replaced the dual standard recognizing the “hazards and hardships” of frontline combat and eventually eliminated distinctions stemming from the degree of hazard within designated areas. Supported by the Services, broad zonal eligibility replaced unit-based administration of the newly-authorized HFP in a dynamic and unpredictable counterinsurgency risk environment.

Since Vietnam, these changes to combat pay have persisted and expanded through the authorization of IDP despite the absence of open war. With the expansion in the number and length of combat zone designations, all potential hostile risks now receive special recognition. However, as HFP/IDP became more relevant and responsive to the diverse hazards of modern military deployments, combat pay also lost touch with aspects of its historical intent. Prolonged conflicts in Iraq and Afghanistan have the potential to revive the historical focus on recognizing the hazards and hardships of wartime service while maintaining the relevance and flexibility of HFP/IDP to modern contexts.

Appendix A. Statutes

Combat Duty Pay Act of 1952

SEC. 701. This title may cited as the “Combat Duty Pay Act of 1952”.

SEC. 702. As used in this title—

(a) The terms “uniformed services”, “member”, “officer”, and “secretary” (except as hereinafter specifically provided) shall have the meaning prescribed for such terms by section 1-2 of the Career Compensation Act of 1949, and the terms “incentive pay” and “special pay” shall mean the pay authorized by section 203, 204, or 205 of such Act.

(b) The term “member”, when used in relation to any combat unit, means any member of the uniformed services serving and present with, or on board, such unit under competent orders.

(c) The term “combat unit” means

(1) any military unit, not larger than a regiment, while such unit is engaged in actual combat on land; or

(2) any element of, or detail of personnel from, any military unit not larger than a regiment, while such element or detail is subjected to hostile ground fire in the course of rendering aid or assistance (A) directly to a military unit, not larger than a battalion, which is engaged in actual combat on land, or (B) by fire to any military unit engaged in actual combat on land; or

(3) any military unit (not larger than a regiment) engaged in any amphibious or airborne operation, while subjected to hostile ground fire in the course of rendering aid or assistance, to a military unit which is engaged in actual combat on land by the performance of duties which require its employment at or near a beach or airhead; or

(4) any vessel while subjected to hostile fire or explosion in the course of any operation; or

- (5) any aircraft while subjected to hostile fire in the course of any operation.
- (d) the term “actual combat on land” means direct contact with and opposition to a hostile force by any military unit while such unit is subjected to hostile ground fire.
- (e) the term “military unit” means any unit of any of the uniformed services other than a vessel or aircraft.
- (f) the term “Korea” shall mean the geographical area specified for income tax exemption purposes by Executive Order 10195, approved December 20, 1950.

SEC. 703. Each member and former member of the uniformed services shall be entitled to receive combat pay in the amount of \$45 per month for each month beginning after May 31, 1950, for which such member was entitled to receive basic pay and during which he was a member of a combat unit in Korea on—

- (a) not less than six days of such month; or
- (b) one or more day of such month included within a period of not less than six consecutive days on which he was a member of a combat unit in Korea, if such period began in the next preceding month and he is not entitled to receive combat pay under this title for such preceding month.

SEC 704. Each member and former member of the uniformed services shall be entitled to receive combat pay in the amount of \$45 per month for each month beginning after May 31, 1950, for which he was entitled to receive basic pay and in which—

- (a) he was killed in action, injured in action, or wounded in action while serving as a member of a combat unit in Korea, and for not more than three months thereafter during which he was hospitalized for the treatment of an injury or wound received in action while so serving; or
- (b) he was captured or entered a missing-in-action status while serving as a member of a combat unit in Korea, and for not more than three months thereafter during which he occupied such status.

SEC. 705. No person shall be entitled to receive for any month—

- (a) more than one combat pay authorized by this title; or
- (b) combat pay under this title in addition to any incentive or special pay.

SEC. 706 (a) The Secretaries of the services concerned are authorized and directed to promulgate regulations for the administration of this title, which regulations shall be as uniform as practicable and in the case of the military departments shall be subject to the approval of the Secretary of Defense.

- (b) Such regulations may include appropriate provisions for the withholding of combat pay under section 703 of this title from any member or former member of the

uniformed services (or any class of such persons) for any period during which such persons or class of persons was not placed in substantial peril by the action of any hostile force, as determined in conformity with such regulations.

SEC. 707. (a) The Secretary of the Service concerned, or such subordinate as he may specify, may make such determination of fact as may be required for the administration of this Act, and any such determination shall be final.

(b) Appropriations currently available for pay and allowances of members of the uniformed services shall be available for the payment of combat pay under this title for any month prior to the date of the enactment of this title.

Special Pay for Duty Subject To Hostile Fire

SEC. 310. Special pay: duty subject to hostile fire

(a) Except in a time of war declared by Congress, and under regulations prescribed by the Secretary of Defense, a member of a uniformed service may be paid special pay at the rate of \$55 a month for any month in which he was entitled to basic pay and in which he—

(1) was subject to hostile fire or explosion of hostile mines;

(2) was on duty in an area in which he was in imminent danger of being exposed to hostile fire or explosion of hostile mines and in which, during the period he was on duty in that area, other members of the uniformed services were subject to hostile fire or explosion of hostile mines; or

(3) was killed, injured, or wounded by hostile fire, explosion of a hostile mine, or any other hostile action. A member covered by clause (3) who is hospitalized for the treatment of his injury or wound may be paid special pay under this section for not more than three additional months during which he is so hospitalized.

(b) A member may not be paid more than one special pay under this section for any month. A member may be paid special pay under this section in addition to any other pay and allowances to which he may be entitled.

(c) Any determination of fact that is made in administering this section is conclusive. Such a determination may not be reviewed by any other officer or agency of the United States unless there has been fraud or gross negligence. However the determination may be changed on the basis of new evidence or for other good cause.

(d) The Secretary of Defense shall report to Congress by March 1 of each year on the administration of this section during the preceding calendar year

(b) The Combat Duty Pay Act of 1952 (50 App. USC 2351 et seq.) is repealed.

References

- 90th Cong. Rec. 6,570 (daily ed. June 5, 1944).
- 98th Cong. Rec. 3,106 (1952).
- 98th Cong. Rec. 3,107 (1952).
- 98th Cong. Rec. 9,434 (1952).
- 99th Cong. Rec. Appendix A466 (daily ed. February 6, 1953).
- 109th Cong. Rec. 8,080 (1963).
- 117th Cong. Rec. 59,581 (daily ed. June 21, 1971).
- 129th Cong. Rec. 20,971 (1983).
- Combat Duty Pay Act of 1952. Pub. L. No. 82-488, 66 Stat. 517, 538-539 (1952).
- Commission on Incentive-Hazardous Duty and Special Pays. *Differential Pays for the Armed Services of the United States*. Volume 1. March 1953.
- Department of Defense. *Directive 1340.6*. August 1, 1968.
- Department of Defense. *Instruction 1340.6*. November 21, 1963.
- Department of the Air Force. *Memorandum for the Assistant Secretary of Defense for Manpower: Revision of Hostile Fire Pay Directive*. October 8, 1965.
- Deputy Assistant Secretary of Defense for Military Personnel Policy. *Memorandum for the Assistant Surgeon General for Personnel, U.S. Public Health Service: Special Pay for Duty Subject to Hostile Fire*. August 20, 1964.
- DoD Financial Management Regulation. *Summary of Major Changes to DoD 7000.14-R, Vol. 7A, Ch. 10 Special Pay-Duty Subject to Hostile Fire or Imminent Danger*." Volume 7A, Chapter 10. May 2009.
- H.R. Rep. No. 78-1700 (1944).
- H.R. Rep. No. 88-208 (1963).
- Hearings on S. 579, Before the Senate Committee on Armed Services* (June 16, 1951).
- Hearings on S. 579, Before the Senate Committee on Armed Services* (April 5, 1951).

Military Pay Increase: Hearings on H.R. 5555, Before the Senate Committee on Armed Services (August 5, 1963).

Military Pay Increase: Hearings on H.R. 5555, Before the Senate Committee on Armed Services (July 16–18, 1963).

Office of the Assistant Secretary of Defense for Manpower and Reserve Affairs. *Report of the 1971 Quadrennial Review of Military Compensation: Hostile Fire Pay*, Second Edition. December 1971.

Office of the Assistant Secretary of Defense for Manpower, *Revised Recommendations Relating to Pay and Allowances of Members of the Uniformed Services*. Volume 7. December 31, 1962.

Office of the Secretary of Defense, *Fifth Quadrennial Review of Military Compensation: Special and Incentive Pays*. Volume 3. November 1983.

Pay of Expert and Combat Infantrymen: Hearing on S. 1973 and S. 1787, Before the Senate Committee on Military Affairs. 78th Cong. (1944).

President's Commission on an All-Volunteer Armed Force. *Report of the President's Commission on an All-Volunteer Armed Force*. February 1970.

S. Rep. No. 88-352 (1963).

S. Rep. No. 88-387 (1963).

Secretary of the Navy, Memorandum to Secretary of Defense. *Proposed Amendment to the Career Compensation Act to Provide Special Pay for Combat Duty*. November 22, 1950.

Statistical Information Analysis Division. *Military Personnel Historical Report 1953*. Department of Defense. 2011.

Statistical Information Analysis Division. *Military Personnel Historical Report 1968–74*. Department of Defense. 2011.

Statistical Information Analysis Division. *Military Personnel Historical Report 1979*. Department of Defense. 2011.

Statistical Information Analysis Division. *Military Personnel Historical Report 1992–1999*. Department of Defense. 2011.

Statistical Information Analysis Division. *Military Casualty Information: Active Duty Military Deaths 1980-2010*. Department of Defense. 2011.

Under Secretary of Defense for Personnel and Readiness. *Military Compensation Background Papers: Hardship Duty Pay*, Sixth Edition. 2005.

Under Secretary of Defense for Personnel and Readiness. *Military Compensation Background Papers: Hostile Fire Pay*, Sixth Edition. 2005.

Under Secretary of Defense for Personnel and Readiness. *Military Compensation Background Papers: Military Compensation Statistics Tables*, Sixth Edition. 2005.

Uniformed Services Pay Act of 1963. Pub. L. No. 88-132, 77 Stat. 210, 216 (1963).