

# Issue Brief for Congress

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## **Military Pay and Benefits: Key Questions and Answers**

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Robert L. Goldich  
Foreign Affairs, Defense, and Trade Division

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## Military Pay and Benefits: Key Questions and Answers

### SUMMARY

Congress is most likely to be concerned about military pay and benefits when the military services are having problems with recruiting or retention, or military personnel are reportedly paid at a level that forces them and their families to live at a much lower standard of living than comparable civilians.

In the late 1990s, these concerns again came to the attention of Congress. Some of the factors believed to be responsible for recruiting and retention problems were the end of the Cold War, private-sector job opportunities due to the 1990s boom, increasing desire for and availability of a college education, rising living standards that put military housing and lifestyles at a disadvantage, and greater sensitivity among personnel to family separation and frequent overseas rotations.

In responding, Congress was mindful of the decreased recruit quality of the late 1970s, mostly because of low pay. Consequently, Congress responded with larger across-the-board pay raises, increased special pays and bonuses, more recruiting resources, and repeal of planned military retired pay reductions for future retirees. In the midst of these efforts, the terrorist attacks of September 11, 2001, took place, providing a sense of national unity and military purpose that a direct attack on the homeland can produce. Recruiting has improved substantially, and although career retention has been less responsive, it too appears to have turned a corner. It is, however, almost impossible to disaggregate the effects of each of these factors, especially the qualitative ones—and yet another “wild card”—the

effects of an anticipated or actual war with Iraq—has, in late 2002, entered the picture.

Still at issue are what additional pay and benefit increases are best suited for recruiting and retention purposes. Of particular interest is the balance between across-the-board pay raises and ones targeted by grade, years of service, and occupational skill; and between cash compensation on the one hand and improvements in benefits such as housing, health care, and installation services on the other.

The across-the-board increases in military pay discussed each year relate to military **basic pay**, which is the one element of military compensation that all military personnel in the same pay grade and with the same number of years of service receive. A key issue in determining the annual percentage increase is whether a “pay gap” exists between military and civilian pay that favors civilians. Comparing the two is difficult, because aspects of each cannot readily be compared to the other. Since the early 1990s, in addition to each year’s across-the-board raise, most changes in benefits have favored individual members. These include changes in the cash allowance received by personnel not living in military housing; a drastic overhaul of military health care; and repeal of military retired pay cuts first enacted in 1986. The FY2003 National Defense Authorization Act authorizes a military pay raise, effective January 1, 2003, of at least 4.1%, and as much as 6.5% for some personnel.

## MOST RECENT DEVELOPMENTS

*On December 2, 2002, President Bush signed the FY2003 National Defense Authorization Act (P.L. 107-314; 116 Stat. 2458) that authorizes an across-the-board military pay raise of a minimum 4.1%, and an average of 4.7%, to be effective January 1, 2003, with some career personnel receiving 5-6.5%.*

## BACKGROUND AND ANALYSIS

### **1. Why Did the Adequacy of Active Duty Military Pay Become a Major Issue Beginning in the Late 1990s?**

Since the end of the draft in 1972-1973, the “adequacy” of military pay has tended to become an issue for Congress for one or both of two reasons: if it appears that

- ! the military services are having trouble recruiting enough new personnel, or keeping sufficient career personnel, of requisite quality; or
- ! the standard of living of career personnel is perceived to be less fair or equitable than that which demographically comparable civilians (in terms of age, education, skills, responsibilities, and similar criteria) can maintain.

The first issue is an economic inevitability on at least some occasions. In the absence of a draft, the services must compete in the labor market for new enlistees, and — a fact often overlooked — have always had to compete in the labor market for more mature individuals to staff the career force. There are always occasions when unemployment is low, and hence recruiting is more difficult, and others when unemployment is high and military service a more attractive alternative. The second situation, while often triggered by the first, is frequently stated in moral or ethical terms. From that viewpoint, even if quantitative indexes of recruiting and retention appear to be satisfactory, it is argued that the crucial character of the military’s mission of national defense, and its acceptance of the professional ethic that places survival below mission accomplishment, demands certain levels of compensation.

The last time Congress dealt with inadequate active duty pay levels was in the early 1980s. Problems in recruiting sufficient new enlistees, and retaining enough career personnel of adequate quality, led to what most of those involved with the issue considered a real crisis. Congressional response over the next several years included back-to-back pay raises in 1980 (11.7%) and 1981 (14.3%) that increased basic pay by almost 28%, raised special pays and bonuses, and created (over DOD objections) the new, and immediately highly successful, Montgomery GI Bill. These factors, coupled with a rise in unemployment in the early 1980s, led to a complete turnaround in recruiting and retention. By the mid-1980s recruit quality was judged to be at unprecedented high levels, recruiters could be selective in taking young men and women, and career force shortages had vanished.

Beginning in the mid-1990s, several new factors caused recruiting and retention problems severe enough to force Congress to once again deal with this issue. Among the factors cited by analysts were: (1) a public impression that the end of the Cold War, meant that military service was no longer interesting, relevant, or even available as a career option; (2) the post-Cold War drawdown in active duty military manpower by 40% which greatly reduced real and perceived enlistment and career retention opportunities; (3) the 1990s economic expansion, which led to the explosive growth of actual and perceived civilian career options; (4) a rise in civilian consumer living standards against which military families measure their own economic success or failure; (5) concerns over increased family separation due to more operations and training away from home, whether “home” was in the United States or in foreign countries; and (6) a decreased propensity for military service among young people for other reasons, such as anti-military parents and educators; skepticism about new missions such as “operations other than war,” “peacekeeping,” or “peace enforcement”; and the availability of government educational assistance from other sources (“the GI Bill without the GI”).

## **2. What Effects Could the September 11, 2001 Terrorist Attacks on the United States, the U.S. Military Response to Them, and a Possible War with Iraq Have on Military Compensation and Benefits?**

It is not yet clear what effects the ongoing war against terrorism that began with the terrorist attacks of September 11, 2001 will have on military pay and benefits. Recruiting and career retention, especially the former, began to improve in FY2000 and have continued their upward trend in FY2001-FY2002. However, the war against terrorism makes it difficult to disaggregate the effects of recruiting and retention initiatives from other policies that have affected personnel strengths and quality, such as the invoking of “stop-loss” restrictions (authorized by 10 USC 12305, formerly 673c) that prevent military personnel in occupational specialties designated by DOD from separating or retiring from active duty; anticipation of future pay increases in addition to those that have actually taken effect, and the sense of national unity and military purpose that a direct attack on the homeland can produce.

A wide range of possible additional effects on military compensation of the current situation can therefore be postulated, many of them related to future combat operations. Continued popular support for the President, for the war against terrorism, and for the Armed Forces could continue to make recruiting easier and improve career retention, decreasing the requirement for special pays and bonuses and diminishing pressure to increase the annual comparability raise above what the permanent statutory formula provides each year. However, the requirement to pay active duty pay rates to the tens of thousands of reservists brought on active duty will push manpower costs up, as will large-scale overseas deployments. If it is decided that a permanent increase in active duty manpower strengths is required to support long-term anti-terrorism capabilities, then that too will increase total active duty pay costs.

The events of September 11 contributed to raising both actual and perceived unemployment--attitudes always good for recruiting, if bad for the country as a whole. Such

recruiting might be even more popular, in that psychologically, those who join the armed forces, or decide to stay in, would do so to strike at the cause of America's problems. These factors would reduce the need for spending on both bonuses and higher across-the-board pay increases, in terms of military pay being competitive. They would not, however, affect countervailing desires that might be felt to provide more liberal pay and benefit increases as a way of showing gratitude to the armed forces.

The effects of a possible war with Iraq on military pay and benefits can be expected to have broadly similar effects as the effects of the war on terrorism have actually had over the past year—Congress is always attentive to the personal and financial status and problems of military personnel in time of war. The length of the period preceding an actual war, and the length and progress of the conflict once joined, could have wildly varying effects on recruiting and retention. During Operations Desert Shield (the 7-month period from August 2, 1990, the Iraqi conquest of Kuwait, and the beginning of the war against Iraq that liberated Kuwait), and Desert Storm (the actual 42-day Persian Gulf War, January 17-February 28, 1991), enlistments dipped in the first few months of Desert Shield, then rose to roughly prewar levels—and shot up in the year or two following the victory in the war. Similar predictions for the potential conflict now being debated can thus be seen as very hard to do.

All of these factors may operate at the same time and in a crude sense may cancel each other out. A need to raise pay to attract recruits affected negatively by the prospect of combat could be counterbalanced by those attracted to service out of patriotism, anger, and likely adventure. Career personnel who stay in to fulfill their lifetime missions in a time of need – and because of liberal retention bonuses and special pays – could be balanced by those who feel ready to “pass the torch” to younger people and retire rather than face more combat or overseas deployments, regardless of how much money they were offered.

### **3. What Kinds of Increases in Military Pay and Benefits Have Been Considered or Used in the Past?**

Many military compensation analysts have strongly criticized across-the-board rather than selective pay raises. They argue that across-the-board increases fail to bring resources to bear where they are most needed. Percentage increases targeted on particular pay grades and number of years of service (often referred to as “pay table reform”) and special pays and bonuses targeted on particular occupational skills, they suggest, would maximize the recruiting and retention gains for the compensation dollars spent. Across-the-board increases also affect a variety of other costs; retired pay, for instance, is computed as a percentage of basic pay. (However, there have been proposals to include special pays and bonuses in retired pay calculations, precisely to provide an additional incentive for the recipients to stay in service.)

The services already do a great deal of such targeting, having maintained a large system of special pays and bonuses since the end of conscription almost 30 years ago. Personnel managers report no indication that such targeted compensation has had the deleterious effects on morale and cohesion that some had feared. Across-the-board pay increases, however, are believed by many to have the advantages of simplicity, visibility, and equity. If everyone gets a similar percentage increase, nobody feels, or can claim, that he or she has been left out. It also shows up immediately, in the person's next paycheck, rather than months or years

later when a particular individual is next eligible for a lump sum special pay or bonus (some special pays and bonuses are paid monthly or biweekly, as part of regular pay). It appears certain that, as in the past, overall increases in military cash compensation over the next several years will combine both across-the-board and targeted increases. Both of these increases, because of their broad appeal, may well be the most psychologically sound approach in improving recruiting and retention as much as possible. In addition, there is bipartisan support for major increases in Montgomery GI Bill benefits, although these tend to be among the most costly benefit increases being considered.

Recruiting and retention problems are not necessarily solved only by increasing military pay. Many components of the military compensation system that are important to recruiting and retention efforts, especially the latter, do not involve cash pay. These include health care; housing; permanent change of station (PCS) moving costs and policies; exchanges, commissaries, and other retail facilities; and recreational facilities. A wide range of views about existing military personnel management practices suggest that the services' requirements for both new enlistees and career people could be significantly reduced by changing often long-standing and inter-related assignment, promotion, career development, or retirement policies. Survey research also reveals that the sense of patriotism, public service, and *esprit de corps* found in capable and combat-ready armed forces is extremely significant to both new enlistees and career members.

Furthermore, there are always limits to what increased compensation, whether cash or in-kind, can do to help any organization cope with personnel difficulties. Job and career satisfaction; public and elite views of the importance and legitimacy of the military as an institution; unit morale; success in operational deployments and especially in combat – these may well be independent of compensation variables. High “scoring” in these intangibles, especially for a unique organization and culture like the Armed Forces, can and frequently does balance more tangible problems in compensation. However, few analysts believe that recruiting and retention rates can be brought up to service target levels without substantial increases in pay, so long as an economic expansion continues to generate higher-paying job opportunities in the civilian sector. Many long-time observers seem to feel that money alone cannot keep a person in the military for a full career if the person does not like the military culture; they assert that the lifestyle is too demanding and too arduous for most. At the same time, it is argued that people can be driven out of the military if their compensation and living standards are not at least somewhat close to those of their demographic and educational counterparts in civilian life.

#### 4. How Are Each Year's Increases in Military Pay Computed?

**Definitions.** The across-the-board increases in military pay discussed each year relate to military **basic pay**. Basic pay is the one element of military compensation that all military personnel in the same pay grade and with the same number of years of service receive. **Basic allowance for housing**, or **BAH**, is received by military personnel not living in military housing, either family housing or barracks). **Basic allowance for subsistence**, or **BAS**, is the cost of meals. All officers receive the same BAS; enlisted BAS varies, based on the type and place of assignment. A **federal income tax advantage** accrues because the BAH and BAS are not subject to federal income tax.

Basic pay, BAH, BAS, and the federal income tax advantage all comprise what is known as **Regular Military Compensation (RMC)**. RMC is that index of military pay which tends to be used most often in comparing military with civilian compensation; analyzing the standards of living of military personnel; and studying military compensation trends over time, or by service geographical area, or skill area. Basic pay is between 65 and 75% of RMC, depending on individual circumstances. RMC specifically *excludes* all special pays and bonuses, reimbursements, educational assistance, deferred compensation (i.e., an economic valuation of future retired pay), or any kind of attempt to estimate the cash value of non-monetary benefits such as health care or military retail stores.

### **Annual Percentage Increases in Military Basic Pay.**

***Military Basic Pay Raises Linked to Federal General Schedule (GS) Civil Service Pay Raises.*** Permanent law (37 USC 1009) provides that monthly basic pay is to be adjusted upward by the same “overall average percentage increase in the General Schedule [GS] rates of both basic pay and locality pay for [federal] civilian employees,” and is to “carry the same effective date.” The upward adjustment is based on the GS pay increase calculated in accordance with the permanent statutory GS pay raise formula, regardless of whether later statutes modify the actual GS raise paid in any particular year. It is not, however, as is noted below, identical to the percentage increase in GS pay.

***How GS Civil Service Pay Raises Are Computed.*** The GS formula employed here is that specified in 5 USC 5303(a). It is based on (but is not identical to, as will be discussed below) the increase in the Employment Cost Index (ECI) calculated by the Department of Labor’s Bureau of Labor Statistics. The ECI measures annual percentage increases in wages for all private-sector employees, although it can be subdivided to measure increases in specific categories of such employees. The precise ECI increase used for pay purposes is computed by comparing the ECI for the third quarter of the calendar year preceding that in which the pay increase is budgeted with the ECI for the third quarter of the year preceding the latter year. For example, assume the GS civilian pay raise for fiscal and calendar year 2005, under current law to be first paid on January 1, 2005, is being computed. The FY2005 federal budget that includes this pay raise will be debated and enacted in calendar year 2004, beginning with the transmittal of the Administration’s FY2005 budget to Congress in early 2004. This latter budget, however, was prepared beginning in the middle of 2003. The pay raise in this budget can only be based on the extent to which the ECI for the third quarter of 2003 had increased over that for the third quarter of 2002. There is thus a lag of approximately 6 months between the end of the ECI increase measuring period and the transmittal of the proposed pay raise based on it to Congress and a lag of 15 months between the end of the ECI measuring period and the actual percentage increase in civil service pay, and hence active duty military pay, on which it is based.

The actual percentage increase in GS pay is not the percentage increase in the ECI over the time frame described. The applicable statute [5 USC 5303(a)] provides that the overall increase in federal GS pay will be 0.5% **less** than the percentage increase in the ECI. The money thus saved is frequently cited as being available to provide larger pay raises to federal civilians in high-cost-of-living metropolitan areas within the United States, although there is no statutory requirement that the “saved” money be used for this purpose. For example, if there is a 5% increase in the ECI from the previous year, and the cost of raising all federal GS pay by 5% would be \$5 billion yearly, federal GS civil servants would actually be



guaranteed only a pay raise of 4.5%, costing a total of \$4.5 billion. The \$500 million thus saved could, if the executive branch and/or Congress so desired, be applied to pay for raises higher than 4.5% in high-cost-of-living areas. In this example, military personnel could thus get a 4.5% pay raise. This formula led to the actual pay raises received in 1993 (FY1994), 1994 (FY1995), 1995 (FY1996), 1997 (FY1998), and 1999 (FY2000). [The statute does allow the overall percentage increase to be allocated among the different pay grade and years-of-service categories, subject to various limitations, rather than giving all personnel identical percentage increases. This was in fact done in 2000. See 37 USC 1009(d).]

**Temporary Suspension of Permanent Law to Give the Military Higher Pay Raises.** In 1999, the FY2000 National Defense Authorization Act in effect temporarily suspended the above pay computation formula for the period FY2001-FY2006. Instead of the military basic pay increase being 0.5% less than the full ECI increase, the amending language provides that the annual raise will be the full ECI **plus** an additional 0.5% (i.e., a full percentage point above what the longstanding permanent formula provides). Thus, in the hypothetical example used in the above paragraph, under this 6-year suspension of the permanent formula, the annual pay raise that military personnel would receive would be 5.5% rather than 4.5%.

**Congress Usually Passes a Military Pay Raise Anyway, Despite the Permanent Formula.** Despite the existence of this statutory formula, which would operate each year without any further statutory intervention, Congress has severed the linkage between military and federal civil service pay raises every year since 1980, with the exception of 1982. The percentage increase in military pay has been identical to that granted GS civilians in all but three years since 1980 (1981, 1985, and 1994, when Congress provided a larger percentage increase in military pay). Even when the percentage increase has been identical, however, in most cases Congress has explicitly reiterated the increase in law rather than simply allowing the permanent statutory linkage to operate. Therefore, although Congress may legislate the pay raise percentage, until recently it was been a *pro forma* matter, and the operation of the permanent formula remains important in determining what the percentage will actually be.

**Annual Increases in Basic Allowances for Housing (BAH) and Subsistence (BAS).** Housing (37 USC 403) and subsistence (37 USC 402) allowances are paid to all personnel not living in military housing or eating in military facilities or using field rations. Monthly BAH varies by rank, by whether the person has dependents, and, most importantly, by location. Monthly BAS is uniform for all officers regardless of rank or dependents, but BAS for enlisted personnel is computed daily and varies by locations and the kind of eating facilities, military and civilian, deemed available. Annual increases in BAH and BAS are both based on surveys of local housing and national food costs respectively, and thus are not affected by the annual percentage increase in the ECI. (For many years BAH and its predecessors and BAS were subject to the annual percentage increase; this was not changed until the late 1990s.) There have been some proposals in recent weeks, mentioned in the defense trade press, that BAH housing costs be surveyed more frequently than once a year, due to rising housing costs generally. Particular emphasis is placed by supporters of more frequent surveys on fast-rising electricity costs, notably for heating and cooling, being faced by military personnel. In addition, the fact that BAS is a fairly small amount and has long since ceased to bear any real relationship to food and dining costs for individual servicemembers has led to some calls to merge BAS with basic pay and

reduce the complexity of military compensation and the need for BAS computations each year.

## **5. What Have Been the Annual Percentage Increases in Active Duty Military Basic Pay Since 1993 (FY1994)? What Were Each Year's Major Executive and Legislative Branch Proposals and Actions on the Annual Percentage Increase in Military Basic Pay?**

The following subsections itemize action on the active duty military basic pay increase going back to 1993 (the FY1994 budget). **Unless otherwise noted, all increases were proposed to be effective on January 1 of the fiscal year indicated. The same is true of discussions of future pay raises.**

### **2002 (FY2003).**

**Statutory Formula.** *4.1%.* In October 2001, a report from the Bureau of Labor Statistics stated that the Employment Cost Index (ECI) had risen 3.6% from the average for the third quarter of 2000 to the third quarter of 2001. If permanent law is not superseded, this means that the active duty military pay raise for FY2003, to be first applied to pay on January 1, 2003, will be 4.1%–3.6% plus the mandated additional 0.5%, described below in the subsection entitled “Suspension of Statutory Formula during FY2001-FY2006.”

**Administration Request.** *Minimum 4.1%; average 4.8%.* For the five top enlisted grades (mid-level and senior noncommissioned officers), the Administration proposes increases of 4.1%, 5.0%, 5.5%, 6.0%, or 6.5%. Some middle-grade warrant officers will receive 5.5% or 6%, and some middle-grade commissioned officers will get 5.5% to 6.5%. The cost is estimated at about \$2 billion in FY2003.

### **Congressional Action.**

**House Action.** On May 9, 2002, the House passed its version of the FY2003 defense authorization; it had been approved by the House Armed Services Committee on May 3. The House bill included an across-the-board pay raise identical to the above-described one proposed by the Administration.

**Senate Action.** The Senate Armed Services Committee reported its version of the FY2003 defense authorization on May 15 (S.Rept. 107-151); as was the case with the House bill, it endorsed the Administration's pay proposal. The Senate passed the bill on June 27.

**Public Law.** The conference report on the FY2003 defense authorization bill (H.Rept. 107-772, November 12, 2002), was approved by the House on November 12 and the Senate on November 13. The President signed it on December 2 (P.L. 107-314, 116 Stat. 2458). The law as enacted contains the same increases described above that the Administration proposed and the House and Senate both approved.

**2001 (FY2002).** *Statutory formula: 4.6%. Administration request: numerous figures for the “Administration request” were mentioned in the pay raise debate, depending on when*

and which agency produced the figures. In general, however, they all proposed increases of at least 5% and no more than 15% (the latter applying only to a very few individuals), depending on pay grade and years of service. *Final increase*: Eventually, the FY2002 National Defense Authorization Act (Sec. 601, P.L. 107-107, December 28, 2001) endorsed an “Administration request” of between 5 and 10%, depending on pay grade and years of service. These increases are the largest across-the-board percentage raises since that of FY1982, which took effect on October 1, 1981. The latter was a 14.3% across-the-board raise, which followed an 11.7% raise the previous year, FY1981, resulting in a 2-year raise of almost 28%. This was principally in response to the high inflation of the late 1970s.

**2000 (FY2001).** *Statutory formula*: 3.7% (based on the 1999/FY2000 legislation, above; the original statutory formula would have led to a proposed raise of 2.7%). *Administration request*: 3.7%. *Final increase*: The FY2001 National Defense Authorization Act (Section 601, P.L. 106-398, October 30, 2000; 114 Stat. 1654A-1 at A-143) approved the 3.7% figure. In addition, as was the case in the previous year, additional increases averaging 0.4% (based on the size of the across-the-board raise the amount of money used would have funded; the range of additional percentage raises was between 1.0 and 5.5%) were provided to middle-grade officer and enlisted personnel, to be effective July 1, 2001.

**1999 (FY2000).** *Statutory formula*: 4.8%. *Administration request*: 4.4% on January 1, 2000, but in addition, on July 1, 2000, a wide range of targeted increases averaging an additional 1.4% (again, based on the size of across-the-board raise the cost of the targeted increases would finance) in mid-level officer and enlisted grades’ pay levels. *Final increase*: The FY2000 National Defense Authorization Act (Section 601, P.L. 106-65; October 5, 1999) raised the January 1, 2000 increase to 4.8%, and accepted the July 1, 2000 targeted increases.

***Suspension of Statutory Formula during FY2001-FY2006.*** The FY2000 defense authorization contained a 6-year suspension of the existing statutory formula, which became effective in FY2001. In enacting this suspension, the House version would have required that the full ECI increase (not the ECI less 0.5%) be used in calculating the annual pay raise starting in FY2001 and thereafter. The Senate version would have required that the annual raise be the full ECI **plus** 0.5% (i.e., a full percentage point above what permanent law then read) during FY2001-FY2006. The Senate version prevailed in conference.

**1998 (FY1999).** *Statutory formula*: 3.1%. *Administration request*: 3.6%. The House approved 3.6%, or whatever percentage increase was approved for federal GS civilians, whichever was higher. The Senate approved 3.6%. *Final increase*: The FY1999 Strom Thurmond National Defense Authorization Act (Section 601, P.L. 105-261; October 17, 1998; 112 Stat. 1920 at 2036) approved the House alternative, which resulted in a 3.6% military increase, as GS civilians also received 3.6%.

**1997 (FY1998).** *Statutory formula*: 2.8%. *Administration request*: 2.8%. *Final increase*: FY1998 National Defense Authorization Act (Section 601, P.L. 105-85, November 18, 1997; 111 Stat. 1629 at 1771): 2.8%.

**1996 (FY1997).** *Statutory formula*: 2.3%. *Administration request*: 3.0%. *Final increase*: The House and Senate both approved the higher Administration request of 3.0%,

and it was therefore included in the FY1997 National Defense Authorization Act (Section 601, P.L. 104-201, September 23, 1996; 110 Stat. 2422 at 2539).

**1995 (FY1996).** *Statutory formula: 2.4%. Administration request: 2.4%. Final increase:* Congress also approved 2.4% in the FY1996 National Defense Authorization Act (Section 601, P.L. 104-106, February 10, 1996; 110 Stat. 186 at 356).

**1994 (FY1995).** *Statutory formula: 2.6%. Administration request: 1.6%; one percent less than the statutory formula. Final increase:* The FY1995 National Defense Authorization Act (Section 601, P.L. 103-337, October 5, 1994; 108 Stat. 2663 at 2779) authorized the statutory formula figure of 2.6%.

**1993 (FY1994).** *Statutory formula: 2.2%. Administration request: No increase;* military (and civil service) pay would have been frozen in FY1994. The Administration also proposed limiting future civil service – and hence active duty military – pay raises to one percentage point less than that provided by the existing statutory formula. None of these proposals was adopted. *Final increase:* The FY1994 National Defense Authorization Act (Section 601, P.L. 103-160, November 30, 1993, 107 Stat. 1547 at 1677) authorized 2.2%.

## **6. Is There a “Pay Gap” Between Military and Civilian Pay, So That Generally Military Pay Is Less than That of Comparable Civilians? If So, What Is the Extent of the “Gap”?**

The allegations of a military-civilian “pay gap” beg several questions:

- ! How can the existence of a gap be determined and the gap be measured?
- ! Is there a gap, with civilians or the military being paid more? If so, how much of a gap?
- ! If there is a gap, does that in itself require action?
- ! What are the effects of such a gap?

A wide range of studies over the past several decades have compared military and civilian (both federal civil service and private sector) compensation. In general, the markedly different ways in which civilian public and private sector compensation and benefit systems are structured, compared to that of the armed forces, makes it difficult to validate any across-the-board generalizations about whether there is a “gap” between military and civilian pay. Some advocates for federal civil servants suggest that federal civilian pay lags behind private sector pay, which in turn leads some people, given the linkage between civil service and military pay annual percentage increases, to infer that military pay lags behind private sector pay. However, because the current statistic used to measure private sector pay, the ECI, measures annual percentage increases and not dollar amounts, no such inference is really possible.

**Measuring and Confirming a “Gap”.** It is extremely difficult to find a common index or indicator to compare the dollar values of military and civilian compensation. First, military compensation is much more complicated and composed of many more different elements than is civilian compensation. Military cash pay include numerous separate

components; some are received by all military personnel and some, such as a wide range of special pays and bonuses, are paid to select groups. One aspect of military pay, the federal income tax advantage that accrues due to housing and meals allowances not being taxable, has a dollar amount that is entirely dependent on each military member's personal tax situation. Which of these should be included in a military-civilian pay comparison? How can some be included at all? Furthermore, total military compensation includes a wide range of non-monetary benefits: the extensive military health care facility network, military retail stores such as commissaries and exchanges; and military recreational facilities such as theaters, gymnasiums, hotels, and lodges. Few civilians work in organizations where analogous benefits are provided. Attempts to facilitate a comparison by assigning a cash value to non-cash benefits almost always founder on the large number of often arbitrary assumptions that must be made to generate such an estimate.

Second, it is also extremely difficult, for obvious reasons, to establish a solid comparison between military ranks and pay grades on the one hand, and civil service and private sector job titles and pay levels on the other. The range of knowledge and skills, degree of supervision, and scope of professional judgment required of military personnel and civilians performing similar duties in a standard peacetime industrial or office milieu may well be similar. When the same military member's likely job in the field, possibly in combat, is concerned, comparisons become difficult.

Third, generally speaking, with some exceptions, the conditions of military service are frequently much more arduous than those of civilian employment, even in peacetime, for families as well as military personnel themselves. This aspect of military service is sometimes cited as a rationale for military compensation being at a higher level than it otherwise might be. These conditions include frequent moves for which moving allowances never completely reimburse the military member; lengthy family separations, which are not confined to overseas deployments but also result from field training or service at sea even while stationed in the United States; and family disruption resulting from constant changes of occupations and schools by dependents. On the other hand, the military services all mention travel and adventure in exotic places as a positive reason for enlistment and/or a military career, so it may be misleading to automatically assume it is only a liability.

Fourth, comparisons between different sets of compensation statistics, and the use of these comparisons to determine what military pay should be, can yield very different results. Comparing *dollar amounts* of pay received by various military pay grades with the dollar amounts received by comparable federal civil service and private-sector positions (as noted above, in itself a difficult comparison to make) may lead to different conclusions than comparing the *annual increases* in pay for each position. The percentage increase in pay over different time periods – in particular, the percentages that result from picking different base years from which increases or decreases are computed – is more often than not very different. Different indexes with different components can be used to determine compensation changes. The yearly increase in the Consumer Price Index (CPI), which measures the cost of a fixed list of various goods and products at any one time, is used to compute the annual cost-of-living-adjustment (COLA) to military retired pay (and several other federal retirement payments to individuals). The annual Employment Cost Index (ECI) determines not pay levels, but percentage pay increases.

Finally, the level of specificity used in a pay comparison can lead to sharply differing results, especially when the comparison is between private sector and federal pay as a whole, both civil service and military. For instance, all Army colonels may, according to some indexes, be paid roughly as much as federal civil service GS-15s, or as much as private sector managers with certain responsibilities. Thus, those occupational specialties that are highly paid in the private sector – health care, information technology, some other scientific and engineering skills, are examples – are frequently paid considerably less in the military or in the civil service. Other common subcategories for comparison, in addition to occupational skill, include age, gender, years in the labor force, and educational levels.

**Estimates of a Military-Civilian Pay Gap.** Numerous comparisons of military and civilian compensation in recent years have been cited to illustrate a gap that favors civilian pay levels or refutes the existence of such a gap. Many of these reports lack precision in identifying what aspects of military pay were compared with civilian pay; what indexes were used to make the comparison, or the length of time covered by the comparison. Although it is difficult to generalize, it would appear that most of those estimates which assert that there is a pay gap in favor of higher civilian pay quote a percentage difference of between 7 and 15% in recent years. Most, if not all, of these estimates are across-the-board, comparing all military personnel with all civilian workers in a very broad category.

Some estimates have been made that question the existence of a gap favoring civilians. These tend to compare specific populations of military personnel with equally specific subcategories of civilians, using such criteria as age, occupational skill, and educational level. Analyses of this nature appear to be less common than the across-the-board comparisons, almost certainly because they are much more difficult to do in terms of time, cost, and availability of skilled analysts with the competence to perform them. In 1998, for instance, a Rand Corporation study that broke down military personnel and civilians along these lines asserted that when all of these differing factors were taken into account, there was no pay gap for all enlisted personnel except for senior enlisted members, where the gap was about 3%, and that for officers the gap favoring civilians was about 7%, with some officer subgroups making considerably more money than their civilian counterparts.

In April 2002, in testimony before the Manpower and Personnel Subcommittee of the Senate Armed Services Committee, General Accounting Office (GAO) analysts itemized the components of the military benefit package – i.e., military retirement, health care, Servicemember's Group Life Insurance; base recreational facilities, and the like – and compared them with the private sector. It found that the range of benefits available to military personnel was generally comparable to, and in some cases superior to, benefits available in the private sector. The GAO study did not appear to have made dollar-figure comparisons or compared in military non-cash benefits – such as health care, commissaries or exchanges, or annual leave – with similar benefits in the private sector, either by figuring out their dollar worth or by itemizing their exact provisions in great detail.

**If There Is a Pay Gap, Does It Necessarily Matter?** Some have suggested that the emphasis on the pay gap, whether real or imagined, or if real, how much, is unwarranted and not a good guide to arriving at sound policy. They argue that the key issue is, or should be, not *comparability* of military and civilian compensation, but the *competitiveness* of the former. Absent a draft, the armed forces must compete in the labor market for new enlisted and officer personnel. The career force by definition has always been a “volunteer force,”

and thus has always had to compete with civilian opportunities, real or perceived. Given these facts of life, it is asked what difference it makes whether military pay is much lower, the same, or higher than that of civilians? If the services are having recruiting difficulties, then pay increases may be required, even if the existing “gap” favors the military. Conversely, if military compensation is lower than equivalent civilian pay, and if the services are doing well in recruiting and retaining sufficient numbers of qualified personnel, then there may be no reason to raise military pay at all.

However, some believe that explicitly basing military compensation on “purely economic” competitiveness with civilian pay could have undesirable consequences: for instance, in a time of economic difficulty, the military might be receiving lower pay than most civilians but still recruiting satisfactorily due to high unemployment. This situation, last existed, to a degree, during the Great Depression of 1929-1941.

For further discussion of the “pay gap” issue, see Congressional Budget Office, *What Does the Military “Pay Gap” Mean?* June 1999; and Association of the U.S. Army, *Closing the Pay Gap*, Arlington, VA, October 2000.

## **7. What Recent Changes Have Been Made in Active Duty Military Pay and Benefits (Other Than the Annual Percentage Increase in Basic Pay)?**

**Recent Major Changes in Active Duty Pay and Benefits.** During the late 1990s, several structural changes in active duty military compensation took place, mostly to the benefit of the individual. Three of the most significant are listed below.

***Complete Restructuring of In-U.S. Housing Allowances.*** By 1997, DOD and Congress had completed combining several separate military housing allowances into one, so that all military personnel in the United States not living in military housing have an area-tailored housing allowance. This has greatly reduced out-of-pocket housing costs, as DOD continues to budget progressive decreases in those costs as it has over the past several years.

***Total Overhaul of Military Health Care Obtained from Civilian Sources.*** The post-Cold War reduction in the size of the Armed Forces and the closure of many military bases has greatly reduced the size of the military health care establishment and its ability to deliver health care to eligible beneficiaries, particularly military retirees and their families. This has led to large increases in military retiree health care costs and attempts to restrain such costs through administrative and managerial reforms. These initiatives have evolved into the new TRICARE program, which offers beneficiaries a wider range of health care insurance costs and benefits. It is too soon to know if any of these programs will save money or improve health care; as of now, the latter seems more likely than the former. For further information, see CRS Issue Brief IB93103, *Military Medical Care Services: Questions and Answers*, CRS Report 98-1006, *Military Health Care: the Issue of “Promised” Benefits*; CRS Report 96-207, *Military Medical Care and Medicare Subvention Funding*; and CRS Report 95-435, *Military Retiree Health Care: Base Closures and Realignments*.

**Repeal of the 1986 “Redux” Retirement Cuts.** In late 1999, Congress repealed the Military Retirement Reform Act of 1986 (P.L. 99-348; July 1, 1986), which had made compulsory cuts in the future retired pay of those military personnel who first entered military service on or after August 1, 1986. (These cuts have come to be called the “Redux” system.) Redux had represented a success for those who had argued that the pre-1986 military retirement system, established in the late 1940s, cost too much, had lavish benefits, and contributed to inefficient personnel management. Others had argued that the existing system – particularly, its central feature of allowing career personnel with 20 years of service to retire at any age – was essential to recruiting and maintaining sufficient high-quality career personnel. The 1999 repeal of Redux was thus a success for those who felt that Redux was a major factor in growing retention problems. (See CRS Issue Brief IB85159, *Military Retirement: Major Legislative Issues*.)

## **8. Congressional Action This Year–FY2003 Legislation–on Military Pay and Benefits (Other than the Across-the-Board Pay Raise)**

**FY2003 National Defense Authorization Act (P.L. 107-314, December 2, 2002; 116 Stat. 2458).** As enacted, the FY2003 defense authorization would:

- ! Begin implementing a new type of special compensation for certain military retirees with combat or combat-related disabilities (also defined as including disabilities resulting from various military training activities), essentially passed in lieu of authorizing concurrent receipt of military retired pay and VA disability compensation. For a full discussion of this controversial issue, important to many hundreds of thousands of military retirees, see CRS Issue Brief IB85159, *Military Retirement: Major Legislative Issues*, CRS Report RS21327, *Concurrent Receipt of Military Retirement and VA Disability Benefits: Budgetary Issues*; and CRS Report 95-469, *Military Retirement and Veterans’ Compensation: Concurrent Receipt Issues*.
- ! Continue DOD efforts to renovate old and build large amounts of new barracks and military family housing. This is part of DOD’s stated intention to remove all substandard housing in the inventory by FY2007.
- ! Authorize “assignment incentive pay” of up to \$1,500 monthly for servicemembers who are serving in areas widely felt to be undesirable. This appears to be driven primarily–but not exclusively–by widespread dislike among servicemembers for duty in Korea.
- ! Increase reserve enlistment bonuses for persons with prior military service.
- ! Extend from 10 to 14 years the maximum period after leaving military service that a reservist can wait before using Montgomery GI Bill educational benefits.
- ! Create several health care management initiatives related primarily to military retirees and their dependents.

**Foreign and Armed Services Tax Fairness Act of 2002 (H.R. 5063 and H.R. 5777/S. 2816).**

**Note.** Several versions of this bill, including the final version, contain provisions unrelated to military personnel issues.



**House Bill.** The House version of this bill (H.R. 5063; passed House July 9, 2002; no House report) contained two substantive provisions. It would have (1) exempted the full \$6,000 of the military death gratuity from income tax, rather than just \$3,000 of it; and (2) allowed military and foreign service personnel to not count periods spent outside the United States in claiming the \$250,000 (or \$500,000 per couple) capital gains tax exclusion from the sale of real estate; currently, such time spent abroad must be used in determining if the people involved have lived in the residence in question for at least 2 of the preceding 5 years.

**Senate Bill.** The Senate bill (passed as H.R. 5063, amended, October 3, 2002; S.Rept. 107-283, reported September 17 by Finance Committee; identical to S. 2816 as introduced in the Senate on July 29) contained both provisions of the House bill as noted above. In addition, it would (1) exclude from taxation payments made to military home sellers to compensate them for the lowered price of houses in an area where a base has been closed; (2) include contingency operations in the extended period for which a military member can postpone filing tax returns; currently, the member can postpone the filing only if he or she is in a combat zone; (3) liberalize the ability of reservists to claim various travel and lodging expenses as unreimbursed business expenses on their tax returns; and (4) clarify the treatment of certain child care costs for exclusion from taxable income.

**No Conference Action.** No conference held. Bill died when Congress adjourned sine die at the end of the 107<sup>th</sup> Congress. A compromise version that was drafted but not acted on, but that experts say apparently could be approved by both the House and the Senate early in the 108<sup>th</sup> Congress, could incorporate the following features from both the House and Senate bills: (1) exempt the full \$6,000 of the military death gratuity from income tax, rather than just \$3,000 of it; (2) allow military and foreign service personnel to not count periods spent outside the United States in claiming the \$250,000 (or \$500,000 per couple) capital gains tax exclusion from the sale of real estate; currently, such time spent abroad must be used in determining if the people involved have lived in the residence in question for at least 2 of the preceding 5 years; and (3) liberalize the ability of reservists to claim various travel and lodging expenses as unreimbursed business expenses on their tax returns. Items (1) and (2) were in both bills; item (3) was in the Senate bill only.

## FOR ADDITIONAL READING

*Army Times, Navy Times, Marine Times, Air Force Times*, weekly issues, dated Monday of each week.

Congressional Budget Office. *What Does the Military "Pay Gap" Mean?* June 1999.

CRS Issue Brief IB85159. *Military Retirement: Major Legislative Issues*.

CRS Issue Brief IB93103. *Military Medical Care Services: Questions and Answers*.

CRS Report 95-469. *Military Retirement and Veterans' Compensation: Concurrent Receipt Issues*. April 7, 1995.

Department of Defense. *Morale and Quality of Life Study Issues Document/Briefing Slides and Study Overview*. Located online at the DOD's Web site at [<http://www.defenselink.mil/news/Jun2001/d20010621qoli.pdf>].

*Uniformed Services Almanac. 2002 Edition*. Falls Church, VA, Uniformed Services Almanac, Inc., January 2002.