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Compensation for Combat Deaths
Policy Considerations

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Summary

This briefing summarizes a project performed by researchers at the RAND Institute for Civil Justice (ICJ) and the RAND National Defense Research Institute (NDRI). The goal of the project was to identify emerging policy questions related to compensation for U.S. military combat deaths and suggest opportunities for further research.

The question of how to compensate combat fatalities remains an important one: In recent years, the number of U.S. combat casualties has exceeded the number of commercial airline fatalities and the number of line-of-duty police deaths, and fatality rates for many military occupations are appreciably above those of even the riskiest civilian occupations. Combat casualties tend to be younger and have fewer dependents than fatalities occurring in many other contexts, patterns that may have implications for the desired compensation structure.

Existing Department of Defense (DoD) programs provide combat risk compensation in a variety of forms. Some forms of compensation, such as bonuses or hazardous duty pay, are ex ante in nature and are provided to a wide range of service members, whereas other programs, such as DoD’s Death Gratuity, are provided ex post only to survivors of those who have been killed in combat. DoD also provides a mix of both cash and in-kind compensation to families of those who have died in combat.

In considering the best way to structure compensation, DoD must confront a range of policy questions related to when, how, and how much service members and their families should be compensated for risk of combat death and its realization. Existing and potential future compensation systems can be assessed against a variety of goals, including social, national security, and efficiency criteria. There are also a range of additional initiatives and federal programs designed to provide compensation for premature death in other settings, such as the 9/11 Victims’ Compensation Fund and the Federal Employees Compensation Act, and examining how compensation is handled in these programs may provide useful lessons for DoD.