



DoD INSTRUCTION 1340.09

HAZARD PAY PROGRAM

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Purpose: In accordance with the authority in DoD Directive 5124.02, this issuance:

- Establishes policy, assigns responsibilities, and prescribes procedures governing the administration of the Hazard Pay (HzP) Program in accordance with Sections 351 and 374 of Title 37, United States Code (U.S.C.).
- Implements transition of the special and incentive pay authorities in Sections 301, 304, 305b, and 310 of Title 37, U.S.C., to the HzP and skill incentive pay authorities in Section 351 of Title 37, U.S.C.
- Identifies eligibility criteria and other requirements for the payment of HzP to Service members performing duty during a hostile fire event or in a designated imminent danger area or for performing duty that is considered inherently dangerous and risks physical injury under competent orders.

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SECTION 1: GENERAL ISSUANCE INFORMATION

1.1. APPLICABILITY. This issuance applies to OSD, the Military Departments, the Office of the Chairman of the Joint Chiefs of Staff and the Joint Staff, the Combatant Commands, the Office of Inspector General of the Department of Defense, the Defense Agencies, the DoD Field Activities, and all other organizational entities within the DoD.

1.2. POLICY. It is DoD policy to:

a. Use the HzP Program to provide monetary incentives to compensate Service members who:

(1) Perform duty in a hostile fire area and are exposed to a hostile fire event or are on duty during a month in an area in which a hostile fire event occurred, which placed the Service member in grave danger of physical injury;

(2) Perform duty in a foreign area designated as an area in which the Service member is subject to imminent danger of physical injury due to threat conditions; or

(3) Perform duty designated as hazardous duty based upon the inherent dangers of that duty and the risks of physical injury.

b. Administer HzP regulations and payments in accordance with Sections 351, 372, 373, 374, and 1007 of Title 37, U.S.C., this issuance, and Volume 7A of DoD 7000.14-R.

c. Periodically review imminent danger area locations to determine if the designation is still warranted.

d. Periodically review the duties identified as inherently dangerous to decide if policy or procedural changes are necessary for subsequent issuances.

e. Prohibit a Service member from simultaneously receiving an incentive payment pursuant to Subchapters I and II of Title 37, U.S.C., for the same activity, skill, or period of service, in accordance with Section 371 of Title 37, U.S.C.

1.3. SUMMARY OF CHANGE 1. The changes to this issuance:

a. In accordance with Section 351 of Title 37, U.S.C., incorporate the authority of the Secretary concerned to specifically designate hazardous duties that, when a Service member performs them in a month, the Service member will receive hazardous duty pay not to exceed the maximum amount of hazardous duty pay for the entire month, regardless of the duration of qualifying service.

b. Update organizational titles and references for accuracy.

SECTION 2: RESPONSIBILITIES

2.1. ASSISTANT SECRETARY OF DEFENSE FOR MANPOWER AND RESERVE AFFAIRS (ASD(M&RA)). Under the authority, direction, and control of the Under Secretary of Defense for Personnel and Readiness, the ASD(M&RA):

- a. Serves as the focal point for special pays related to hazardous duty matters.
- b. Establishes incentive amounts and provides overall guidance in administering the HzP Program.
- c. Reviews and adjudicates imminent danger area designation requests from the Joint Staff based on the threat assessment report from the relevant Combatant Commander with a physical area of responsibility and the Assistant Secretary of Defense for International Security Affairs' (ASD(ISA)) politico-military analysis.
- d. Prescribes guidance and procedures for periodic reviews of imminent danger area designations.
- e. Designates the period during which duty in an area will qualify the Service member for imminent danger pay (IDP) in accordance with Paragraph 3.3.(a).
- f. Establishes criteria for designating skills and duty positions as inherently dangerous for the purpose of offering hazardous duty incentive pay (HDIP).
- g. Conducts periodic reviews of the duties identified as inherently dangerous to determine necessary policy or procedural changes.
- h. Reviews and makes determinations on requests by the Secretaries of the Military Departments to offer HDIP for Service-specific military skills and duty positions.
- i. Reviews and makes determinations on requests for exceptions to policy by the Secretaries of the Military Departments regarding the policies and procedures within this issuance.
- j. Reviews and makes determinations on requests by the Secretaries for the Military Departments to extend the termination date in 6-month increments for Service members receiving continuation of pays during hospitalization and rehabilitation resulting from wounds, injury, or illness incurred while serving in a hostile fire area or while exposed to a hostile fire event.
- k. Reviews and makes determinations on requests by the Secretaries for the Military Departments to specifically designate a hazardous duty that, when performed by a Service member in a month, entitles the Service member to the full monthly rate of HDIP for the duty regardless of the duration of qualifying service during a month.

2.2. DEPUTY ASSISTANT SECRETARY OF DEFENSE FOR MILITARY

PERSONNEL POLICY. Under the authority, direction, and control of the ASD(M&RA), the Deputy Assistant Secretary of Defense for Military Personnel Policy:

- a. Reviews IDP areas in accordance with Paragraph 1.2.(c) at the request of the ASD(M&RA).
- b. Updates and transmits the list of locations identified as imminent danger areas to the Under Secretary of Defense (Comptroller)/Chief Financial Officer, Department of Defense (USD(C)/CFO) for inclusion in Volume 7A of DoD 7000.14-R.
- c. Reviews and makes recommendations to the ASD(M&RA) concerning requests by the Secretaries of the Military Departments for designation of military skills and duty positions deemed inherently dangerous for inclusion as duties eligible for HDIP.
- d. Reviews and makes recommendations to the ASD(M&RA) concerning requests from the Secretaries of the Military Departments to specifically designate a hazardous duty that, when performed by a Service member in a month, entitles the Service member to the full monthly rate of HDIP for the duty regardless of the duration of qualifying service during a month.
- e. Maintains a listing of hazardous duties specifically determined by the ASD(M&RA) to receive the full monthly rate of HDIP during the month in which the duty is performed, regardless of the duration of qualifying service during the month.

2.3. USD(C)/CFO. The USD(C)/CFO publishes regulations regarding military pay policy and procedures for payment of HzP in accordance with Section 351 of Title 37, U.S.C. and this issuance, and maintains the authoritative list of imminent danger area locations in Volume 7A of DoD 7000.14-R.

2.4. UNDER SECRETARY OF DEFENSE FOR POLICY. The Under Secretary of Defense for Policy:

- a. Provides politico-military analysis of the threat assessment of the Combatant Commander with a physical area of responsibility.
- b. Provides coordination regarding final parameters and effective date for commencement of the period during which IDP may be paid for duty performed in designated IDP area.

2.5. SECRETARIES OF THE MILITARY DEPARTMENTS. The Secretaries of the Military Departments:

- a. Implement the procedures in Section 3.

b. Publish HzP regulations for their respective Departments. Provide a copy of the Service regulations and any future updates to the Office of the Deputy Assistant Secretary of Defense for Military Personnel Policy before implementation.

c. Submit HDIP requests to the ASD(M&RA) for a hazardous duty designation for Service-specific military skills or duty positions that are inherently dangerous and carry the risk of physical injury. The requests will include a duty description and danger assessment associated with performing the duty.

d. Submit requests to the ASD(M&RA) to specifically designate hazardous duties that, when performed by a Service member in a month, entitles the Service member to the full monthly rate of HDIP for the duty regardless of the duration of qualifying service during a month.

e. Submit exceptions to policy requests regarding the policies and procedures within this issuance to the ASD(M&RA).

f. Publish information regarding the HzP Program so all eligible Service members are aware of the program.

2.6. DIRECTOR, JOINT STAFF. The Director, Joint Staff:

a. Evaluates, in coordination with the Secretaries of the Military Departments, all imminent danger area designation requests from Combatant Commanders with a physical area of responsibility.

b. Confirms Combatant Commanders with a physical area of responsibility submit the periodic ASD(M&RA)-requested imminent danger area assessments. Based on the assessments, makes appropriate recommendations to the ASD(M&RA) on the continuation, modification, or termination of such designations.

2.7. COMBATANT COMMANDERS WITH A PHYSICAL AREA OF RESPONSIBILITY. Through the Director, Joint Staff, the Combatant Commanders with a physical area of responsibility:

a. Submit requests for areas to be designated as imminent danger areas, supported by a written assessment of the dangers or threats to Service members and their dependents in these areas, to the ASD(M&RA).

b. Monitor the conditions within imminent danger areas to determine whether circumstances warrant continuation of imminent danger designations. Promptly forward written recommendations for modification or termination of such designations within their physical area of responsibility to the Director, Joint Staff.

c. In response to the periodic request of the ASD(M&RA), provide imminent danger area assessments of threat conditions that support continuing or terminating an imminent danger area designation.

SECTION 3: PROCEDURES

3.1. GENERAL. The Secretaries of the Military Departments may pay HzP in accordance with Section 351 of Title 37, U.S.C., to a Regular or Reserve Component (RC) Service member who is entitled to basic pay pursuant to Section 204 of Title 37, U.S.C., or compensation pursuant to Section 206 of Title 37, U.S.C., and who meets the eligibility criteria outlined in this section.

a. HzP Program.

(1) HzP provides a monthly monetary incentive to Service members in addition to any other pay and allowance, except as noted in Paragraph 3.1.b. HzP encompasses the following pays:

(a) Hostile fire pay (HFP) may be paid to a Service member of a uniformed service who:

1. Performs duty in a hostile fire area;
2. Is exposed to a hostile fire event;
3. Is on duty during a month in an area in which a hostile event occurred that placed the Service member in grave danger of physical injury; or
4. Is killed, injured, or wounded by a hostile fire event.

(b) IDP may be paid to a uniformed Service member who is subject to the threat of physical harm or imminent danger on the basis of civil insurrection, civil war, terrorism, or wartime conditions in a foreign area.

(c) HDIP may be paid to a Service member who performs duty, under competent orders, that is inherently dangerous or risks physical injury.

(2) A Service member may receive HFP or IDP, and HDIP in addition to any other pay and allowance, except as noted in Paragraph 3.1.b.

(3) A Service member who, in the line of duty, incurs a wound, injury, or illness while serving in a combat operation or a combat zone; while serving in a hostile fire area; or while exposed to a hostile fire event (regardless of location), and who is hospitalized for the treatment of such a wound, injury, or illness may continue to receive HzP in accordance with Section 372 of Title 37, U.S.C., and Chapter 13 of Volume 7A of DoD 7000.14-R. HzP payments may continue until the end of the first month beginning after the earliest of the following dates:

(a) The date on which the Service member is returned for assignment to other than a medical or patient unit for duty;

(b) The date on which the Service member is discharged, separated, or retired (including temporary disability retirement) from the uniformed services; or

(c) One year after the date on which the Service member is first hospitalized for the treatment of the wound, injury, or illness, except that the ASD(M&RA) may extend the termination date in 6-month increments under extraordinary circumstances.

b. Limitations and Restrictions.

(1) Pursuant to Section 371(b) of Title 37, U.S.C., a Service member may not simultaneously receive a bonus or incentive pay pursuant to Subchapter I and Subchapter II of Chapter 5 of Title 37, U.S.C., for the same activity, skill, or period of service.

(a) Service members may not receive incentive payments pursuant to Sections 301, 304, 305b or 310 of Title 37, U.S.C., and Section 351 of Title 37, U.S.C., for the same period of service.

(b) An officer receiving an incentive pay pursuant to Sections 301a, or 334, of Title 37, U.S.C., may not receive HDIP pursuant to Section 351(a)(2) of Title 37 for the same skill and period of service.

(c) After January 27, 2018, the Military Departments may not pay HDIP in accordance with Subchapter I of Chapter 5 of Title 37, U.S.C.

(2) Service members receiving a skill incentive pay pursuant to Section 353(a) of Title 37, U.S.C., may not receive HDIP pursuant to Section 351(a)(2) of Title 37, U.S.C., for the same period of service in the same career field or skill for which the payment is paid.

(3) Service members may be paid either HFP or IDP for any month while serving in an imminent danger area but not both.

(4) Service members must be on competent orders to serve in the area or to perform the hazardous duty to qualify for an incentive.

(5) To be eligible for select HDIP payments, a Service member must be in training, have successfully completed the qualifying training and technical qualification, or meet qualification requirements for the performance of the hazardous duty.

(6) Although a Service member may perform more than three hazardous duties in a month, a Service member may not receive simultaneous payments for more than three HDIP duties in a month.

c. Payment Methods and Amounts.

(1) DoD and Service regulations prescribed to administer HzP may not vary criteria or rates for payment of HzP for officers and enlisted members. HzP is a monthly payment pursuant to Section 351 of Title 37, U.S.C. Service members may receive the following amounts for HzP payments, unless otherwise updated by the ASD(M&RA) in accordance with Paragraph 2.1.b.

(a) HFP at a monthly rate of \$225 (may not receive simultaneously with IDP).

(b) IDP at a monthly rate of \$225 (may not receive simultaneously with HFP).

(c) HDIP is based on the type of hazardous duty performed. The monthly rates vary from \$150 to \$250. The monthly rate for each designated hazardous duty is listed in Paragraph 3.4.

(2) Prorating the monthly HzP is required for Service members who fail to satisfy the eligibility requirements for the pay for the entire month. The amount of HzP authorized for qualifying service during a day or portion of a day will be the amount equal to 1/30th of the monthly amount of HzP payable to a Service member in Paragraph 3.1.c.(1) with the following clarifications:

(a) In the case of a Service member who is exposed to a hostile fire event, the entire monthly amount of HFP is payable for the month in which the hostile event occurs.

(b) In the case of a Service member receiving IDP for serving in an IDP area or HDIP for performing a hazardous duty, the Secretary concerned will calculate the prorated payment amount using a daily rate, calculated by multiplying 1/30th of the monthly payment rate by the Service member's actual qualifying days of service during the month.

(c) In the case of a Service member who performs a hazardous duty specifically determined by the ASD(M&RA) in accordance with Paragraph 2.1.k., the Service member is entitled to the full monthly rate of HDIP for the duty in the month the duty is performed regardless of the duration of the Service member's qualifying service during the month.

(d) RC members entitled to compensation pursuant to Section 206 of Title 37, U.S.C., and who are eligible for HDIP may be paid a monthly amount of HDIP proportionate to the compensation received pursuant to Section 206 of Title 37, U.S.C., for inactive-duty training, unless the RC members perform a hazardous duty specifically designated by the ASD(M&RA) in Paragraph 3.1.c.(2)(c).

d. Repayment. An officer or enlisted member who receives an incentive pay in accordance with Paragraph 3.1.a., who fails to fulfill the eligibility requirements of this issuance or other conditions of service specified by the Secretary concerned, will be subject to repayment of any overpayment in accordance with Sections 373 and 1007 of Title 37, U.S.C., and Chapter 3 of Volume 16 of DoD 7000.14-R.

3.2. HFP.

a. Determination of HFP. A Service member may be paid HFP for any qualifying situation described in Paragraph 3.1.a.(1)(a). Service members may only receive one HFP payment per month in which a hostile fire event(s) occurred, provided the appropriate on-scene commander closest to the event certifies that the Service member has met the requirements for such pay.

b. Certification of Hostile Fire Event. For payment of HFP, the appropriate on-scene commander must certify that the Service member was subjected to hostile fire, explosion of hostile mines, or other hostile action during a specific period, and meets the other requirements

for HFP described in Paragraph 3.1.a.(1)(a). For example, a hostile fire event that impacts a single vessel, as described in Paragraph 3.1.a.(1)(a)2., may be certified by the commanding officer of that vessel who may be the closest on-scene commander; however, a hostile fire event that impacts two or more vessels in a hostile fire area, as described in Paragraph 3.1.a.(1)(a)1., may require the designation and certification of the fleet commander who may be the senior on-scene commander. A death certificate or incident report documenting a Service member's injury or wound from a hostile fire event may serve as a substitute for certification for purposes of HFP, as long as the document establishes that the cause of death, injury, or wound was due to a hostile fire event.

(1) Certification must include the name and appropriate payroll identification number of each Service member eligible to receive HFP, a short description of the incident, and when and where it occurred.

(2) The certification should be forwarded directly to the servicing financial support office via the Combatant Commander with a physical area of responsibility exercising operational control over the Service member(s) at the time of the hostile fire event.

(3) The Combatant Commander with a physical area of responsibility should retain the certification in order to respond to periodic requests from the ASD(M&RA) for summary data on HFP-related events and circumstances.

c. Determination of Fact. Any determination of fact that is made by the on-scene commander in connection with determining whether a triggering event has occurred for the provision of HFP in accordance with Subsection (a)(1) of Section 351 of Title 37, U.S.C., is conclusive. The 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 Secretary concerned may change the determination on the basis of new evidence or for other good cause.

3.3. IDP.

a. IDP Eligibility. Service members who perform duty in a designated imminent danger area, may be paid IDP for the duration of their qualifying service during the month. For IDP purposes, a Service member is considered to "perform duty" in a designated imminent danger area if the Service member is either permanently assigned to a designated area or performs assigned official duties in a designated imminent danger area under temporary duty orders requiring their presence in the designated area and the duty is specifically related to the IDP area. If a Service member is absent from the designated area for an entire calendar month, the Service member is not eligible for IDP for that month.

(1) A Service member performing duty in an IDP area may be eligible for IDP if the Service member is:

(a) Ordered to fly into an airspace specifically designated as an imminent danger area to perform a mission in that airspace and is not merely transiting through the imminent danger area. When airspace is not specifically designated, Service members who perform duty over the area are not entitled to IDP unless they land in the area.

(b) Performing duty in a vessel that is under operational orders that require conducting operations in designated imminent danger area waters, the operations relate to these waters, and the vessel is not merely transiting through these waters.

(2) A Service member not performing duty in a designated imminent danger area is ineligible for IDP if the Service member in the designated imminent danger area is:

- (a) On leave from a duty station outside the area;
- (b) Solely in the area for personal convenience; or
- (c) Transiting through the area.

(3) IDP payment amounts are prorated to reflect the duration of the Service member's actual qualifying service during a month.

b. Combatant Commander IDP Designation Requests.

(1) Imminent danger area designation requests will be submitted through the Director, Joint Staff, to the ASD(M&RA) and will include:

(a) The delineation of the scope of the area, limited to the smallest geographical area (e.g., portions of countries or seas) in which the danger or threat exists, and the most current IDP area assessment.

(b) The Director, Joint Staff's recommendation regarding the request, as coordinated with the Military Departments.

(2) The ASD(M&RA) will review the request and consider the threat assessment of the Combatant Commander with a physical area of responsibility and the politico-military analysis of the ASD(ISA), the Assistant Secretary of Defense for Homeland Defense and Hemispheric Affairs, or the Assistant Secretary of Defense for Asian and Pacific Security Affairs, as applicable, all of whom are under the authority, direction, and control of the Under Secretary of Defense for Policy. If the imminent danger area designation request is approved:

(a) The ASD(M&RA), in coordination with the Director, Joint Staff, and the ASD(ISA), the Assistant Secretary of Defense of Homeland Defense and Hemispheric Affairs, or the Assistant Secretary of Defense for Asian and Pacific Security Affairs, as applicable, will determine the final parameters and effective date of the designation.

(b) The effective date for commencement of the period during which IDP may be paid for duty performed in a designated imminent danger area may be the date occurring before, on, or after the actual date the ASD(M&RA) makes the designation. The effective date of new designations will normally be the date of the most current IDP area assessment of the Combatant Commander with a physical area of responsibility, unless a later date is otherwise requested. If the commencement date is before the date on which the ASD(M&RA) makes the designation, the payment of special pay in accordance with Section 351 of Title 37, U.S.C., for the period

between the commencement date and the date on which the designation is made will be subject to the availability of appropriated funds.

(3) An imminent danger area designation will be terminated by the ASD(M&RA) when circumstances no longer warrant continuation of such designation. Normally, a designation remains in effect until terminated either as a result of a ASD(M&RA)-requested periodic review or from the recommendation of the Combatant Commander with a physical area of responsibility or the Director, Joint Staff.

(4) ASD(M&RA) IDP designations are listed in Volume 7A of DoD 7000.14-R.

c. Review of Designated Imminent Danger Areas. Combatant Commanders with a physical area of responsibility will establish procedures for the review of designated imminent danger areas within their area of responsibility to ensure continued designation is warranted. If at any time a designation is no longer warranted, the Combatant Commander with a physical area of responsibility will advise the Director, Joint Staff, who will then forward the appropriate recommendation, in coordination with the Military Departments, to the ASD(M&RA). At the periodic request of the ASD(M&RA) through the Director, Joint Staff, Combatant Commanders with a physical area of responsibility will complete IDP area assessments (see Appendix 3A) for each designated imminent danger area in the Combatant Commander with a physical area of responsibility, which will be forwarded to the Director, Joint Staff for consideration.

3.4. HDIP.

a. General Procedures. HDIP provides a monetary incentive to Service members who volunteer to perform a duty designated as hazardous, based upon the inherent dangers of the duty and risks of physical injury. The duties listed in this issuance are designated as hazardous and the Secretary concerned may offer HDIP payments to eligible Service members required to perform these duties under competent orders. Periodically, a review of these duties will be conducted with the Services to determine necessary policy or procedural changes for subsequent issuance.

(1) Service members are first eligible for HDIP on the date they report for, and begin performing, a qualifying eligible duty in compliance with competent orders. HDIP ends on the effective date published in orders for termination of such duty or the date the Service member is detached from and is no longer required to perform the hazardous duty, whichever occurs first.

(a) When a Service member begins hazardous duty on a date other than the first day of a month, or terminates that duty prior to the last day of a month and otherwise meets the requirements of the pay for the month, the Service member is entitled to a prorated portion of HDIP for the month.

(b) The prorated monthly amount is calculated by multiplying 1/30th of the monthly rate of HDIP by the actual number of qualifying service days during the month. The prorated monthly amount for RC members entitled to compensation pursuant to Section 206 of Title 37, U.S.C., is calculated by multiplying 1/30th of the monthly rate of HDIP by the number of

qualifying drill periods performed in the month. The maximum incentive pay amount for a hazardous duty may not exceed the monthly HDIP rate for the specific hazardous duty.

(c) In the case of a Service member who performs a hazardous duty specifically determined by the ASD(M&RA) in accordance with Paragraph 2.1.k., the Service member is entitled to the full monthly rate of HDIP for the duty in the month the duty is performed regardless of the duration of the Service member's qualifying service during the month.

(2) Service members performing multiple hazardous duties may receive a maximum of three HDIP payments per month.

(3) Service members qualified for HDIP who are temporarily unable to perform a hazardous duty due to an injury or illness that is not the result of the Service member's own misconduct may continue to receive HDIP for up to 6 months.

(a) On a case-by-case basis, the Secretary concerned, or designee, may authorize an extension of HDIP payments for up to an additional 6-months, based on the recommendation of the appropriate medical authority. Under no circumstance may HDIP payments continue beyond 12 months from the date of injury or illness.

(b) HDIP will be terminated for Service members permanently disqualified or otherwise determined to be no longer eligible to perform hazardous duty by a competent medical authority.

(c) Service members reassigned to a new duty assignment or specialty not eligible for HDIP will have their HDIP payments terminated on the date of reassignment or reclassification.

(d) If the injury or illness occurred while serving in a combat zone, hostile fire area, or imminent danger area, Service members may continue to receive HDIP during their hospitalization and rehabilitation. Refer to Paragraph 3.1.a.(3) for additional details.

(4) Service members required by competent orders to perform HDIP duty will, upon compliance with requirements established herein and by the Secretary concerned, be eligible to receive HDIP during authorized periods of leave.

(5) The Secretaries of the Military Departments may submit a request to the ASD(M&RA) to designate a particular duty as hazardous for the purpose of offering a monthly HDIP. If approved, the hazardous duty will be added to future updates of this issuance and Volume 7A of DoD 7000.14-R. A request must be supported with an assessment of the inherent dangers and threats that place Service members at risk of physical injury while performing the duty and demonstrate:

(a) The measures the Service has taken (or will take) to mitigate the hazard(s).

(b) The requirements for initial training or to remain qualified to perform the duty.

(c) Service readiness requirements that mandate the frequency of the performance of the duty on a daily or monthly basis.

(6) All HDIPs are discretionary. The Military Departments are not required to offer payment for the duties listed in Paragraphs 3.4.c. through 3.4.o. However, if a Military Department does offer the incentive pay, the payment amount may not exceed the amount established in this issuance.

b. Eligibility. To receive HDIP, a Service member must meet the following eligibility criteria:

(1) Be entitled to basic pay or compensation pursuant to Section 204 or 206 of Title 37, U.S.C.

(2) Be serving under competent orders to perform the hazardous duty.

(3) Be in training, or have completed the qualifying training and meets eligibility criteria for the performance of the hazardous duties listed in Paragraphs 3.4.c. through 3.4.o.

c. Flying Duty HDIP. The Secretary concerned may pay HDIP to Service members required by competent orders to participate in frequent and regular aerial flights as an aircrew member or to non-aircrew members who otherwise meet the requirements for flying duty.

(1) To be eligible for flying duty HDIP, a Service member must be required by competent orders to participate frequently and regularly in sustained, powered, controlled aerial flights, and generally must complete 4 hours (or 2 hours for RC Service members) of aerial flight each month. Hours that are flown in excess of this requirement may be credited against this requirement for up to 5 subsequent, consecutive months. Additionally, a Service member who has a shortage of flying hours after crediting these excess hours may, under certain conditions established by the Military Departments, enter a 3-month grace period wherein hours flown in future months may be retroactively applied to earlier monthly requirements.

(2) Aerial flights are flights in military aircraft or spacecraft, as well as flights in nonmilitary aircraft when Service members are required by competent orders to fly in such aircraft. A flight begins when the aircraft or spacecraft takes off from rest at any point of support located on the surface of the Earth and terminates when it next comes to a complete stop at a point of support located on the surface of the Earth.

(3) Exceptions to the normal flight requirements may be made due to military operations or nonavailability of aircraft. Under the authority conferred by the Secretary concerned, the commanding officer may certify that a Service member is unable to meet normal flight requirements due to military operations (combat or otherwise) or the non-availability of aircraft. In order to complete the flying hour requirement, the Service member may comply with the minimum flight requirements by performing 24 hours (or 12 hours for RC Service members) of aerial flight over a period of 6 consecutive calendar months. The commanding officer will certify that only those conditions specified in this paragraph prevented completion of normal flight requirements. The 24-hour flight requirement may be met at any time during the 6-calendar-month period and in any combination of flights.

(4) Service members are eligible for flying duty HDIP beginning on the date they report for and enter on duty under competent orders, subject to meeting flight requirements. Service

members in a non-duty status (such as on annual leave) at the time flying status orders are issued are not eligible for flying duty HDIP for any period before they report for and enter on duty under such orders.

(5) Service members whose status changes from non-aircrew member to aircrew member (or vice versa) within a month or other qualifying period may not combine time flown in both categories for pay purposes. Service members are entitled to flying duty HDIP as a non-aircrew member for the period of time the Service member held that status if they met the pro rata requirements as a non-aircrew member. Service members are eligible for flying duty HDIP as an aircrew member for the time they held that status if they met the pro rata requirements as an aircrew member.

(6) Service members are not eligible for flying duty HDIP for any period while suspended from flying status. Service members are considered suspended on the effective date of suspension. Service members are considered to be in a flying status on the day that the suspension is removed or terminated. Payment for a period of suspension cannot be made in any case until the suspension has been removed or terminated.

(7) Officers, including aviation cadets, eligible for aviation incentive pay in accordance with Section 334 of Title 37, U.S.C., are not eligible for flying duty HDIP.

(8) Enlisted members receiving career enlisted flying pay pursuant to Section 353 of Title 37, U.S.C. are not eligible for flying duty HDIP for the same period of service.

(9) Rates:

(a) HDIP for aircrew members may not exceed \$250 per month, unless otherwise updated by the ASD(M&RA) in accordance with Paragraph 2.1.b.

(b) HDIP for non-aircrew members is \$150 per month, unless otherwise updated by the ASD(M&RA) in accordance with Paragraph 2.1.b.

(c) Service members who otherwise meet the eligibility criteria, but who do not participate in a full calendar month of flying duty, will receive a prorated HDIP payment in accordance with Paragraph 3.4.a.(1)(b), unless in accordance with Paragraph 2.1.k., the ASD(M&RA) determines the performance of this duty during the month entitles the Service member the full monthly rate of HDIP regardless of the duration of qualifying service during the month.

d. Parachute Duty HDIP. The Secretary concerned may pay HDIP to Service members required by competent orders to participate in duty involving parachute jumping from an aircraft while in flight.

(1) Qualified Service members are those who have received a designation as a parachutist, including those undergoing training for such designation; who are required by competent orders to engage in parachute jumping from an aircraft in aerial flight; and who meet the minimum performance requirements in Paragraph 3.4.d.(3).

(2) To qualify for military free fall duty, Service members must:

(a) Perform duty involving parachute jumping, as an essential part of their military duties, in military free fall operations where parachute deployment by the jumper occurs without the use of a static line.

(b) Meet minimum performance requirements in Paragraph 3.4.d.(3)(a) and satisfy the parachute jump requirements for a military freefall parachutist.

(3) To qualify for parachute duty pay for a 3-month period the Service member is required to jump at least once during the 3-month period. If a Service member is not able to perform at least one jump in a 3-month period due to reasons beyond the Service member's control, the Service member may jump twice during a 6-month period, including two jumps within the same month, to maintain pay eligibility for 2 consecutive 3-month periods. The following exceptions are waivers to the 3-month jump rule:

(a) Nonavailability of jump equipment or aircraft, attendance at military education or training of less than 179 days, or inclement weather. Commanding officers, in the pay grade of O-5 or above, may waive the jump requirement for one jump during a 12-month period. Service members must maintain their proficiency through refresher training in lieu of jumping to remain eligible for parachute duty pay during the waived period.

(b) The appropriate commander, grade O-7 or above, may waive the minimum jump requirement when a Service member is unable to perform a jump due combat operations or being operationally deployed. Upon returning from deployment, the Service member must complete airborne refresher training and jump within 3 months.

(c) Service members must maintain their eligibility for parachute pay through the actual performance of a parachute jump unless the minimum jump requirement is waived. If the Service member does not have a waiver and fails to meet the minimum jump requirement, the parachute duty pay will be discontinued and any overpayment or unearned portion of pay will be subject to repayment in accordance with Paragraph 3.1.d.

(4) The HDIP rates for parachute duty are:

(a) HDIP for static line parachute jumping is \$150 per month, unless otherwise updated by the ASD(M&RA) in accordance with Paragraph 2.1.b.

(b) HDIP for a military freefall parachutist is \$225 per month, unless otherwise updated by the ASD(M&RA) in accordance with Paragraph 2.1.b.

(c) HDIP for parachute duty may be paid, provided prescribed requirements are met, only from the date of reporting for duty or training. Service members who arrive after the first day of the month or depart prior to the last day of the month and are not on competent orders for a full calendar month will receive a prorated HDIP payment in accordance with Paragraphs 3.4.a.(1)(b) for these months, unless in accordance with Paragraph 2.1.k., the ASD(M&RA) determines the performance of this duty during the month entitles the Service member the full monthly rate of HDIP regardless of the duration of qualifying service during the month.

(d) Service members may only receive one HDIP for parachute duty (static line or freefall) in a month. When a Service member qualifies for both types of parachute duty, the higher rate of HDIP is authorized.

e. Demolition Duty HDIP. The Secretary concerned may offer HDIP to Service members who are required to perform duty involving the demolition of explosives, as prescribed by Service regulations, as a primary duty (including training for that duty). HDIP is payable for any full calendar month, provided the prescribed requirements are met at least one time during the calendar month, or is prorated in accordance with Paragraph 3.4.a.(1)(b) for any portion of a calendar month during which a Service member under competent orders performs demolition duty as described in Paragraph 3.4.e.(1), unless in accordance with Paragraph 2.1.k., the ASD(M&RA) determines the performance of this duty during the month entitles the Service member the full monthly rate of HDIP regardless of the duration of qualifying service during the month.

(1) Demolition duty is duty performed by Service members who engage in the following activities under competent orders and as a primary duty assignment (such as explosive ordnance disposal personnel assigned to an explosive ordnance disposal billet):

(a) Demolition using explosives objects, obstacles, or other explosives, or recovering and rendering harmless, by disarming or demolishing, explosives that have failed to function as intended or which have become a potential hazard;

(b) Participation as students or instructors in instructional training, including that in the field or fleet, for the duties described in Paragraph 3.4.e.(1)(a) provided that live explosives are used in such training;

(c) Participation in proficiency training, including that in the field or fleet, for the maintenance of skill in the duties described in Paragraph 3.4.e.(1)(a) provided that live explosives are used in such training; or

(d) Experimentation with or development of tools, equipment, or procedures for the demolition and rendering harmless of explosives, provided that live explosives are used.

(2) Service members who are assigned to demolition duty by competent orders and perform such duty during the month, may receive HDIP for that duty, provided live explosives are used. Service members failing to meet the monthly minimum requirements for demolition duty HDIP will have the pay discontinued and any overpayment or unearned portion of the pay will be subject to repayment in accordance with Paragraph 3.1.d.

(3) HDIP for demolition duty incentive pay is \$150 per month, unless otherwise updated by the ASD(M&RA) in accordance with Paragraph 2.1.b.

f. Experimental Stress Duty HDIP. The Secretary concerned may pay HDIP to a Service member on active duty that is required by competent orders to perform experimental stress duty under the conditions stated in this paragraph. HDIP is payable for any full month, or is prorated in accordance with Paragraph 3.4.a.(1)(b) for any portion of a calendar month, during which experimental stress duty is performed under competent orders, unless in accordance with

Paragraph 2.1.k., the ASD(M&RA) determines the performance of this duty during the month entitles the Service member the full monthly rate of HDIP regardless of the duration of qualifying service during the month.

(1) Experimental stress duties are limited to the following:

(a) **Human Acceleration or Deceleration Experimental Subject.** Duty performed as human acceleration or deceleration experimental subjects utilizing experimental acceleration or deceleration devices.

(b) **Thermal Stress Duty.** Duty performed as human thermal experimental subjects in thermal stress experiments.

(c) **Low-Pressure Chamber Duty.** Duty performed within a low-pressure (altitude) chamber at physiological facilities as human test subject, inside instructor-observer or inside observer-tender.

(d) **High-Pressure Chamber Duty.** Duty performed within a high-pressure (hyperbaric or recompression) chamber or hyperbaric complex as a:

1. Human test subject for approved protocols applicable to the research, development, testing and evaluation of diving, hyperbaric and underwater-related tools, systems, equipment and procedures.

2. Recompression chamber/hyperbaric complex inside instructor-observer or inside observer-tender during the conduct of protocols involving the use of human test subjects.

3. Recompression chamber/hyperbaric complex inside instructor-observer or inside observer-tender during the conduct of hyperbaric treatment or hyperbaric therapy procedures which include, but are not limited to, treatment of ailments incidental to diving and hyperbaric/hypobaric exposure.

(2) A Service member is only eligible for one HDIP payment for experimental stress duty during a month.

(3) A Service member is eligible to receive HDIP for experimental stress duty when assigned to that duty by competent orders and performs such duty during the month involved. Competent medical authorities of the Military Department concerned must determine if the Service member is engaged in one or more stress experiments involving risk of experimental hazard.

(4) HDIP for experimental stress duty is \$150 per month, unless otherwise updated by the ASD(M&RA) in accordance with Paragraph 2.1.b.

g. Flight Deck Hazardous Duty HDIP. The Secretary concerned may offer HDIP to Service members who under competent orders perform flight deck hazardous duty. Service members must be present, during flight operations, at an assigned duty station on the flight deck

of an aircraft carrier or a ship other than an aircraft from which aircraft are launched and recovered during flight operations.

(1) A Service member is eligible for flight deck HDIP (FDHDIP) when the Service member:

(a) Serves on the crew of an eligible air capable ship or in an aviation unit operating from such a ship, or on a fixed-wing aircraft carrier, or in an aviation unit operating from that type of carrier.

(b) Is ordered by competent authority to duty in a billet that requires frequent and regular participation in flight operations.

(c) Participates, within a calendar month, in 4 days of flight operations or their equivalent on the flight deck of aircraft carriers or other eligible air capable ships.

(2) The number of Service members authorized for FDHDIP is subject to the monthly quotas applicable to the aircraft carrier or other eligible air capable ships and type or combination of air units operating from such ships, as published in the Chief of Naval Operations Instruction 7220.4 series.

(3) Service members on temporary duty or temporary additional duty in the crew of an aircraft carrier or other eligible air capable ship or an aviation unit operating from such a ship may be ordered to flight deck hazardous duty (FDHD) billets. When so ordered, they are eligible for HDIP for the actual period specified in the orders, provided they meet the minimal participation requirements for an entire month (4 days of flight operations or their equivalent) within each calendar month.

(4) Service members receiving HDIP for any other type of hazardous duty are not eligible for FDHDIP for the same period of service.

(5) Eligibility for FDHDIP begins on the date a Service member is ordered to duty in a FDHD billet. Entitlement eligibility ends on the date the orders to such billet are revoked, or when a Service member is permanently detached from the aircraft carrier, other eligible air capable ship, or aviation unit, whichever occurs first. Orders may be terminated for other reasons but not for the sole purpose of providing FDHDIP for additional Service members.

(6) FDHDIP is \$150 per month, unless otherwise updated by the ASD(M&RA) in accordance with Paragraph.2.1.b. Service members who otherwise meet the eligibility criteria, but who do not participate in a full calendar month of flight deck operations, will receive a prorated FDHDIP payment in accordance with Paragraph 3.4.a(1)(b) for any portion of a calendar month, during which FDHD is performed under competent orders, unless in accordance with Paragraph 2.1.k., the ASD(M&RA) determines the performance of this duty during the month entitles the Service member the full monthly rate of HDIP regardless of the duration of qualifying service during the month.

h. HDIP for Duty Involving Exposure to Highly Toxic Pesticides. The Secretary concerned may pay an incentive pay to a Service member whose duty involves frequent and

regular exposure to highly toxic pesticides when the Service member is assigned by competent orders to the entomology, pest control, pest management, or preventive medicine functions of Uniformed service for a period of 30 consecutive days or more.

(1) Service members must perform fumigation duties during a calendar month to receive HDIP for the month. Duty under this paragraph covers any fumigation task that uses:

- (a) Phosphine, sulfuryl fluoride, hydrogen cyanide, methyl bromide; or
- (b) A fumigant of comparable high-acute toxicity and hazard potential.

(2) Using solid fumigant formulations such as aluminum phosphide, magnesium phosphide, and calcium cyanide in the outdoor control of burrowing animals does not qualify a Service member for incentive pay in accordance with this paragraph.

(3) HDIP for duty involving exposure to toxic pesticides is \$150 per month, unless otherwise updated by the ASD(M&RA) in accordance with Paragraph 2.1.b. Service members who otherwise meet the eligibility criteria, but who do not participate in a full calendar month of duty involving exposure to highly toxic pesticides, will receive a prorated HDIP payment in accordance with Paragraph 3.4.a.(1)(b), unless in accordance with Paragraph 2.1.k., the ASD(M&RA) determines the performance of this duty during the month entitles the Service member the full monthly rate of HDIP regardless of the duration of qualifying service during the month.

i. HDIP for Laboratory Duty Utilizing Live Dangerous Viruses or Bacteria. The Service Secretary concerned may pay HDIP to a Service member whose primary duty involves laboratory work that utilizes live dangerous viruses or bacteria.

(1) Eligibility. Service members are eligible for HDIP if their primary duty involves work that utilizes live and dangerous viruses or bacteria while assigned by competent orders for a period of 30 consecutive days or more to participate in or conduct applied or basic research that is characterized by a changing variety of techniques, procedures, equipment, and experiments. This duty requires Service members to work directly with microorganisms:

- (a) That cause diseases with a high potential for mortality and for which effective therapeutic procedures are not available.
- (b) For which no effective prophylactic immunization exists.

(2) Rate.

(a) HDIP for laboratory duty that uses live dangerous viruses or bacteria is \$150 per month, unless otherwise updated by the ASD(M&RA) in accordance with Paragraph 2.1.b.

(b) Service members who otherwise meet the eligibility criteria, but who do not participate in a full calendar month of laboratory duty utilizing live viruses or bacteria, will receive a prorated HDIP payment in accordance with Paragraph 3.4.a.(1)(b), unless in accordance with Paragraph 2.1.k., the ASD(M&RA) determines the performance of this duty

during the month entitles the Service member the full monthly rate of HDIP regardless of the duration of qualifying service during the month.

j. HDIP for Duty Involving Toxic Fuels and Propellants. The Secretary concerned may pay HDIP to Service members required by competent orders to participate in duty involving toxic fuels and propellants as their primary duty.

(1) A Service member is eligible to receive HDIP for duty involving the servicing of aircraft or missiles with highly toxic fuels or propellants when this duty is performed as a primary duty according to the requirements set forth in Paragraphs 3.4.j.(3)(a) through (d) and (g).

(2) A Service member is eligible to receive HDIP for duty involving the servicing of aircraft or missiles with highly toxic fuels or propellants for the testing of aircraft or missile systems (or components of such systems) during which highly toxic fuels are used when this duty is performed as a primary duty according to the requirements listed in Paragraph 3.4.j.(3).

(3) Primary duty requirements for this HDIP consist of:

(a) Removal, replacement, and servicing of the emergency power unit of an aircraft with H-70 propellant (30 percent water, 70 percent hydrazine);

(b) Participation by those personnel performing duties in Paragraph 3.4.j.(4)(a), who must also participate in an emergency response force, spill containment, or spill cleanup involving H-70 propellant (30 percent water, 70 percent hydrazine);

(c) Handling and maintaining the liquid propellants (liquid oxidizer-nitrogen tetroxide; unsymmetrical dimethylhydrazine) if such duty requires the qualification in the use of the rocket fuel handler's clothing outfit and involves:

1. Launch duct operations, including flow, pressurization, on-load, off-load, set-up, or tear down involving propellant transfer operations;

2. Set-up, installation, or tear down for fuel/oxidizer flow;

3. Decontamination of equipment, including, but not limited to, the rocket fuel handler's clothing outfit;

4. Venting or pressurizing missile fuel or oxidizer tanks;

5. Removing or replacing missile components while missile fuel and oxidizer tanks are loaded with such propellants;

6. Transferring propellants between commercial and military holding trailers, or between holding trailers and fuel/oxidizer pump rooms; or

7. Normal preventive maintenance activities including, but not limited to, seal changes.

(d) Handling and maintaining the propellants, unsymmetrical dimethylhydrazine and inhibited red-fuming nitric acid;

(e) Handling, transporting, or working with toxic fuels and propellants by Service members assigned to the Air Force Rocket Propulsion Lab who:

1. Directly manage and inspect the activities of crew members conducting operations involving experimental rocket propulsion systems and components;

2. Directly monitor and set up measurement instruments in operational areas where contamination is suspected or may be physically present;

3. Install and remove instrumentation devices from propulsion systems and components;

4. Perform final test preparation and immediate safety inspection duties around pressurized, active systems during pre-run and post-run test periods; or

5. Install and repair electrical systems;

(f) Handling, loading/unloading, and transporting toxic fuels and oxidizers at the precision sled track while working with the liquid rocket sled, which uses JP-X (a mixture of jet fuel (JP-4) and unsymmetrical dimethylhydrazine) and red-fuming nitric acid and a propulsion; or

(g) Involvement with other toxic substances contained in missile or aircraft weapon system fuels or propellants as determined by the Secretary concerned.

(4) HDIP for the handling of toxic fuels and propellants is \$150 per month, unless otherwise updated by the ASD(M&RA) in accordance with Paragraph 2.1.b. Service members who otherwise meet the eligibility criteria, but who do not participate in a full calendar month of duty involving toxic fuels and propellants, will receive a prorated HDIP payment in accordance with Paragraph 3.4.a.(1)(b), unless in accordance with Paragraph 2.1.k., the ASD(M&RA) determines the performance of this duty during the month entitles the Service member the full monthly rate of HDIP regardless of the duration of qualifying service during the month.

(5) Authorization of this pay is based upon the performance of this primary duty that has the potential for accidental or inadvertent exposure to highly toxic fuels or propellants or related substances and not upon actual quantifiable exposure to such substances. Therefore, neither this construction of the term nor the receipt of the pay provided for in Paragraph 3.4.j. may be construed as indicating that any Service member eligible to such pay has been actually exposed to highly toxic fuels or propellants or related substances contrary to the provisions of any statute, Executive order, rule, or regulation relating to health or safety which is applicable to the uniformed services.

k. HDIP for Duty Involving Handling Chemical Munitions. The Secretary concerned may pay HDIP to Service members required by competent orders to participate in duty involving handling chemical munitions as their primary duty.

(1) A Service member is eligible for HDIP for duty involving the handling of chemical munitions (or components of such munitions) as a primary duty.

(2) Primary duty for this HDIP requires direct physical handling of:

(a) Toxic chemical munitions incident to storage, maintenance, testing, surveillance, assembly, disassembly, demilitarization, or disposal of said munitions;

(b) Chemical surety material defined by the Secretary concerned, incident to manufacture, storage, testing, laboratory analysis, detoxification, or disposal of said material;

(c) Toxic chemical munitions incident to the technical escort of shipments of said munitions; or

(d) Chemical surety material, defined by the Secretary concerned, incident to technical escort of shipments of said material.

(3) The following duties are not eligible for HDIP:

(a) Handling of the individual components of binary chemical agents or munitions.

(b) User handling incident to loading, firing, or otherwise launching the toxic chemical munitions, or field storage operations during hostilities.

(c) Handling of research, development, testing, and evaluation dilute solutions of toxic chemicals as defined by the Secretary concerned.

(d) Handling of riot control agents, chemical defoliants and herbicides, smoke, flame and incendiaries, and industrial chemicals.

(4) HDIP for the handling of chemical munitions is \$150 per month, unless otherwise updated by the ASD(M&RA) in accordance with Paragraph 2.1.b. Service members who otherwise meet the eligibility criteria, but who do not participate in a full calendar month of duty handling chemical weapons, will receive a prorated HDIP payment in accordance with Paragraph 3.4.a.(1)(b), unless in accordance with Paragraph 2.1.k., the ASD(M&RA) determines the performance of this duty during the month entitles the Service member the full monthly rate of HDIP regardless of the duration of qualifying service during the month.

(5) The Secretary concerned is authorized to pay HDIP for the performance of this primary duty that has the potential for accidental exposure to chemical agents and not upon actual quantifiable exposure to such agents. Therefore, neither the construction of the term nor the receipt of pay provided for in Paragraph 3.4.k. may be construed as indicating that any person eligible to such pay actually has been exposed to chemical agents contrary to the provisions of any statute, Executive order, rule, or regulation relating to health and safety which is applicable to the uniformed services.

1. Maritime Visit, Board, Search, and Seizure (VBSS) Duty HDIP. The Secretary concerned may offer an incentive pay to Service members who under competent orders perform

duty in VBSS billets that require frequent and regular participation in VBSS operations aboard vessels in support of maritime interdiction operations. Service members are eligible for HDIP for VBSS operations and may be paid a full month's VBSS HDIP during any calendar month in which the Service member serves in such a billet and conducts the minimum number of boarding operations prescribed by this issuance or the Secretary concerned, if such number is greater.

(1) **Eligibility.** To qualify for maritime VBSS HDIP for any month, a Service member must:

(a) Be assigned for an entire month to a billet designated as requiring frequent and regular participation in VBSS operations.

(b) Be properly trained for the VBSS operations.

(c) Participate in a minimum of three boarding missions (excluding training exercises) during each month of qualification.

(2) **Rate.** HDIP for VBSS is a monthly rate of \$150, unless otherwise updated by the ASD(M&RA) in accordance with Paragraph 2.1.b. Service members who otherwise meet the eligibility criteria, but who do not participate in a full calendar month of VBSS duty, will receive a prorated HDIP payment in accordance with Paragraph 3.4.a.(1)(b), unless in accordance with Paragraph 2.1.k., the ASD(M&RA) determines the performance of this duty during the month entitles the Service member the full monthly rate of HDIP regardless of the duration of qualifying service during the month.

m. Polar Region Flight Operations Duty HDIP. The Secretary concerned may offer an incentive pay to Service members performing duty involving the use of ski-equipped aircraft on the ground in Antarctica or on the Arctic Ice-Pack.

(1) A Service member may be eligible in any calendar month during which that Service member participated in a take-off from or landing on the ground in Antarctica or the Arctic Ice-Pack, or the servicing or handling of cargo in connection with such aircraft on the ground in such a polar region. The appropriate commander will certify those Service members who under competent orders perform such duty in a calendar month.

(2) HDIP for polar region flight operations duty is \$150 per month, unless otherwise updated by the ASD(M&RA) in accordance with Paragraph 2.1.b. Service members who otherwise meet the eligibility criteria, but who do not participate in a full calendar month of polar region flight operations, will receive a prorated HDIP payment in accordance with Paragraph 3.4.a.(1)(b), unless in accordance with Paragraph 2.1.k., the ASD(M&RA) determines the performance of this duty during the month entitles the Service member the full monthly rate of HDIP regardless of the duration of qualifying service during the month.

n. Weapons of Mass Destruction Civil Support (WMDCS) Team HDIP. The Secretary concerned may pay HDIP to RC Service members assigned to WMDCS teams.

(1) In order to be eligible for WMDCS HDIP, a Service member must be:

- (a) Entitled to basic pay pursuant to Sections 204 of Title 37, U.S.C.
- (b) Assigned by competent orders to duty as a member of a WMDCS team.
- (c) Fully qualified for WMDCS team operations.
- (d) Serving on an approved active duty tour in excess of 139 days in a DoD designated and certified WMDCS team position.

(2) HDIP for RC Service members assigned to a WMDCS team is \$150 per month, unless otherwise updated by the ASD(M&RA) in accordance with Paragraph 2.1.b. Service members who otherwise meet the eligibility criteria, but who do not participate in a full calendar month as a WMDCS team member, will receive a prorated HDIP payment in accordance with Paragraph 3.4.a.(1)(b), unless in accordance with Paragraph 2.1.k., the ASD(M&RA) determines the performance of this duty during the month entitles the Service member the full monthly rate of HDIP regardless of the duration of qualifying service during the month.

o. Diving Duty HDIP. The Secretary concerned may pay HDIP to Service members required by competent orders to participate in diving duty as part of their primary duty.

(1) Service members entitled to basic pay may be eligible for an HDIP for diving duty for periods during which they are:

- (a) Assigned by competent orders to the duty of diving;
- (b) Required to maintain proficiency as a diver by frequent and regular dives; and
 - 1. Actually perform diving duty while serving in an assignment for which diving is a primary duty; or
 - 2. Meet the requirements to maintain proficiency as a diver by frequent and regular dives while serving in an assignment that includes diving other than as a primary duty.

(2) Additional conditions of service may be imposed by the Secretary concerned.

(3) No Service member is entitled to receive special pay for performing diving duty after diving qualifications have lapsed. Upon requalification, no payments will be made for the period of the lapsed qualification.

(4) HDIP for diving duty may not exceed \$240 per month, unless otherwise updated by the ASD(M&RA) in accordance with Paragraph 2.1.b. Service members who otherwise meet the eligibility criteria, but who do not participate in a full calendar month of diving duty, will receive a prorated HDIP payment in accordance with Paragraph 3.4.a.(1)(b), unless in accordance with Paragraph 2.1.k., the ASD(M&RA) determines the performance of this duty during the month entitles the Service member the full monthly rate of HDIP regardless of the duration of qualifying service during the month.

APPENDIX 3A: IDP AREA ASSESSMENT FORMAT

Figure 1. Sample of IDP Area Assessment

Instructions to Combatant Commanders with a physical area of responsibility:

In Section A, check the factors that pertain.

In Sections B through F, indicate the categories in each section that best describe current conditions in the area that reasonably are expected to continue or worsen in the future.

In Sections A through F that apply, provide statistics (demography, numbers of incidents) and supporting narratives (on separate sheets) for each section that applies to the area, explaining how the situation places U.S. military members (and their families) in imminent danger of physical harm. Sections B and C must be supported by a copy of the command's threat assessment for the area prepared in the standard DoD threat assessment format; the existence, capability, history, and intentions of groups targeting U.S. military members (and/or their families) are to be addressed. Provide additional comments or contributing factors in Section G.

All items in all sections must be completed. Mark "N/A" for those that do not apply.

NAME OF AREA (Country, Province, City, Place) _____, and if applicable, geographic delineation of designated imminent threat area. [Note: An area being requested for IDP designation must be limited in geographical delineation to include the smallest area (e.g., portions of countries or seas) that encompasses the danger or threat.]

DATE OF SUBMISSION: _____

APPROXIMATELY HOW MANY UNIFORMED SERVICE MEMBERS ARE PERMANENTLY ASSIGNED IN THE AREA CONCERNED? _____

APPROXIMATELY HOW MANY UNIFORMED SERVICE MEMBERS ARE DEPLOYED IN THE AREA CONCERNED? _____

SECTION A. ACTS OF VIOLENCE.

Are uniformed Service members in imminent danger of physical harm from acts of violence? If "yes," explain. Occurrences of the following acts of violence that are the apparent result of civil insurrection, civil war, terrorism, or wartime conditions in your geographic area of responsibility **WITHIN THE LAST CALENDAR YEAR** may be cited as illustrative of such danger if they are representative of current conditions that are reasonably expected to continue or worsen in the future.

Figure 1. Sample of IDP Area Assessment, Continued

1. Assassination. An individual or group targeted and intentionally caused the death(s) of member(s).
2. Homicide. An individual or group caused the death of member(s), but there is no evidence the victim(s) was targeted due to status as a member.
3. Sabotage. An individual or group damaged property used for the defense of a U.S. Government installation with the intent to impair the ability of the installation to defend itself.
4. Kidnapping. An individual or group restrained a member for ransom, for use as a shield or hostage, or to interfere with the performance of a government function.
5. Aggravated Battery. An individual or group intentionally caused serious bodily injury to a member.
6. Property Damage. An individual or group damaged a U.S. military facility by fire, explosion, or other means.
7. Terrorizing. An individual or group communicated a viable threat to engage in conduct dangerous to human life, thereby causing members to be continually fearful about their personal safety; the evacuation of a building; or other serious disruption to the U.S. Government installation.
8. Extortion. An individual or group obtained the property of a member by threatening, or placing the member in fear of, bodily injury or by kidnapping that member or another individual.
9. Rioting. Mob violence endangered the lives of members.
10. Commandeering a Vessel and/or Hijacking an Aircraft. An individual or group seized a vessel or an aircraft with members aboard.

SECTION B. INSURRECTION, WAR, OR WARTIME CONDITIONS.

1. Fighting is sufficiently close to uniformed Service members that:
 - a. There is a substantial probability of death or bodily injury to members.
 - b. Members have a reasonable and continuing fear for their safety.
 - c. There is danger to human life and/or property.
2. Fighting presently poses no threat to members, but the situation could change quickly.
3. Fighting presently poses no threat to members and is not reasonably expected to pose a threat in the foreseeable future.

Figure 1. Sample of IDP Area Assessment, Continued

SECTION C. UNIFORMED SERVICE MEMBERS AND TERRORISM CONDITIONS.

1. A terrorist organization exists that is able to cause bodily injury or death to members, but that has not actually communicated a threat or carried out an act of violence against a member.
2. A terrorist organization exists that, because of its philosophy or goals, might reasonably be expected to attempt to cause physical injury or death to members.
3. If the terrorist threat is assessed at a level other than “high,” applying DoD threat assessment factors, explain what makes the threat to members “imminent.”
4. Does the “imminent” danger pose a risk for members throughout the geographic area of the country, to include the navigable waterways and airspace? If the threat is confined to specific geographic areas, navigable waterways, or airspace, specify by longitude and latitude those specific areas in which members are subject to imminent danger. (Note: an IDP area designation will be limited to only an area where members are genuinely in imminent danger. Designations must be limited to a specific geographic area, navigable waterway, or airspace, with appropriate combinations, as applicable.)

SECTION D. SECURITY ENVIRONMENT.

1. What element(s) of the current security environment suggest that uniformed Service members are at risk in the area?
2. What security measures are currently in place to protect uniformed Service members? For example, have threat condition levels and security operational tempo increased?
3. Are there Combatant Commander or Component Commander restrictions on off-duty travel, leave, and rest and recuperation in the area?
4. What measures have the host nation government taken to protect members?

SECTION E. TRAVEL RESTRICTIONS.

1. Are uniformed Service members restricted to their duty stations or installations?
2. Are uniformed Service members restricted to defined sections of the area?
3. Must uniformed Service members and/or their dependents be accompanied by armed guards or travel in armored vehicles when moving outside the installation?

Figure 1. Sample of IDP Area Assessment, Continued

SECTION F. PRESENCE OF DEPENDENTS IN THE AREA.

1. Are command-sponsored dependents in the area? How many? Are only adult dependents allowed in the area? Are only certain ages of dependent children allowed in the area? Are accompanied tours authorized for key billets only?
2. If there are command-sponsored school children in the area, is there a DoD Dependents School in the area?
3. Is there evidence that dependents of members are targeted? If so, what extra security measures are employed to adequately protect the dependents against the risk to their safety, to include measures to protect children from the threat as they move to and from school?
4. Please note whether there is a restriction on dependent travel to the area at this time, and whether some or all dependents have been evacuated (or authorized departure) from the area.

SECTION G. OTHER FACTORS.

Describe any other conditions contributing to the imminent danger in the area.

SECTION H. POINTS OF CONTACT.

Combatant Command staff: _____ Position: _____

State Department Representative: _____ Position: _____

Notes:

1. The State Department Representative should be from the Office of Military Cooperation in the embassy of the country concerned.
2. Any comments the Ambassador's office officially provided in regard to the review of the area for IDP designation should be noted and forwarded along with the assessment.

SECTION I. AUTHORIZED SIGNATURE:

Combatant Commander with a physical area of responsibility

GLOSSARY

G.1. ACRONYMS.

ASD(ISA)	Assistant Secretary of Defense for International Security Affairs
ASD(M&RA)	Assistant Secretary of Defense for Manpower and Reserve Affairs
FDHD	flight deck hazardous duty
FDHDIP	flight deck hazardous duty incentive pay
HDIP	hazardous duty incentive pay
HFP	hostile fire pay
HzP	hazard pay
IDP	imminent danger pay
RC	Reserve Component
U.S.C.	United States Code
USD(C)/CFO	Under Secretary of Defense (Comptroller)/Chief Financial Officer, Department of Defense
VBSS	visit, board, search, and seizure
WMDCS	weapons of mass destruction civil support

G.2. DEFINITIONS. These terms and their definitions are for the purpose of this issuance.

aircrew member. A Service member assigned to an aircraft whose primary duty deals with the performance and operation of the aircraft.

appropriate commander.

The senior on-scene commander with delegated authority to designate the period during which duty in an area will qualify the member for HFP and who certifies the member met the requirements for such pay.

The on-scene commander closest to the hostile fire event who certifies the member has met the requirements for HFP and who certifies the member met the requirements for such event.

certification. A statement issued by the appropriate commander certifying a member was subject to hostile fire or explosion of hostile mines during a specific period and is eligible for HFP for that month.

combat operation. A military action that may involve carrying out a strategic, operational, or tactical mission against a hostile or unfriendly force, to include carrying on combat and any related movement, supply, attack, defense, and maneuvers needed to gain the objectives of a battle or campaign.

combat zone. An area the President of the United States designates by Executive order in accordance with Section 112 of Title 26, U.S.C., as an area in which U.S. Armed Forces are or have engaged in combat. In this context, the combat zone is generally designated in response to a national emergency and involves persistent, violent confrontations with hostile forces. Usually, an area becomes a combat zone or ceases to be a combat zone on the dates the President designates by Executive order.

hazardous duty. A duty or skill that is inherently dangerous and risks physical injury. Service members must volunteer for these duties, be on competent orders, and be fully trained and qualified to perform these duties. Duties considered hazardous are described in Paragraph 3.4.

hostile fire. A use of force against the United States, U.S. forces, or other designated persons by an enemy of the U.S., a foreign terrorist, or a person or group of people inspired or motivated by a foreign terrorist organization.

hostile fire areas. Areas designated by the Service Secretary concerned in which Service members are on duty and exposed to hostile fire event or is on duty during a month in an area in which a hostile event occurred, which placed the member in grave danger of physical injury, as determined by the senior on-scene commander.

hostile fire event. A situation in which a Service member is subjected to or considered to have been killed, injured, or wounded by hostile fire, explosion of hostile mines, or any other hostile action. Hostile action includes actions in proximity to the Service member such that the member is in imminent danger.

HFP. Special pay payable to a uniformed Service member under conditions described in Paragraph 1.2.a.(1).

IDP. Special pay payable to a uniformed Service member under conditions described in Paragraph 3.1.a.(1)(b)

IDP-designated areas. A foreign area designated by the ASD(M&RA) as an area in which the Service member is subject to imminent danger of physical injury due to threat conditions.

imminent danger. The threat of immediate, potential physical injury or death from hostile fire.

line of duty determination. A finding made after an investigation into the circumstances of a Service member's illness, injury, disease, or death. The investigation explores whether the member's illness, injury, disease, or death was incurred while absent from duty or as a result of the member's own misconduct.

military free fall. Qualifying members are those who have graduated from the United States Army Military Free Fall Course or a Military Department recognized equivalent course; have

received a designation as a military freefall parachutist, or are undergoing training for such designation; and are required by competent orders to engage in parachute jumping at high altitudes without use of a static line from an aircraft in aerial flight.

non-aircrew member. A uniformed Service member assigned to an aircraft whose primary duty is not associated with the operation of the aircraft. A passenger on an aircraft is not considered to be a non-aircrew member.

uniformed services. Army; Navy; Air Force; Marine Corps; Coast Guard; Space Force; the Commissioned Corps of the Public Health Service, Department of Health and Human Services; and the Commissioned Corps of the National Oceanic and Atmospheric Administration.

uniformed Service member subject to a hostile fire event. A uniformed Service member is subject to or considered to have been killed, injured, or wounded by hostile fire, explosion of a hostile explosive device, or any other hostile action (hostile fire event) when the trajectory, the point of impact, or the explosion of hostile devices (to include, but not limited to, use of an improvised explosive device or a chemical or biological weapon), or the effect of hostile actions was in such proximity to the member that the member was placed in danger of being wounded, injured, or killed.

REFERENCES

- DoD Directive 5124.02, “Under Secretary of Defense for Personnel and Readiness (USD(P&R)),” June 23, 2008
- DoD 7000.14-R, Volume 7A, “Department of Defense Financial Management Regulation: Military Pay Policy - Active Duty and Reserve Pay,” current edition
- DoD 7000.14-R, Volume 16, “Department of Defense Debt Management,” current edition
- Chief of Naval Operations Instruction 7220.4K, “Flight Deck Hazardous Duty Incentive Pay,” July 16, 2019
- United States Code, Title 26, Section 112
- United States Code, Title 37