

IN THE CASE OF: [REDACTED]

BOARD DATE: 26 September 2024

DOCKET NUMBER: AR20240000023

APPLICANT REQUESTS: payment of Tier 1 Cyber Assignment Incentive Pay (CAIP) from the appropriate effective date.

APPLICANT'S SUPPORTING DOCUMENT(S) CONSIDERED BY THE BOARD:

- DD Form 149 (Application for Correction of Military Record)
- U.S. Army Cyber Command Memorandum - Subject: Implementation Guidance for Fiscal Year (FY) 22 (FY22) Cyber Assignment Incentive Pay Program (CAIP), 4 November 2021
- DA Form 87 (Certificate of Training) - Remote Operator Basic Proficiency training, 11 October 2022
- U.S. Army Cyber Command - Subject: Implementation Guidance for the Fiscal Year 2023 (FY23) CAIP Program, 17 November 2022
- Email communication, 22 December 2022
- CAIP DA Form 4187 (Personnel Action) Bundle Cover Page
- DA Form 4187, 26 October 2022
- DA Form 4187, 27 October 2022
- DA Form 4187, 26 October 2025
- Email, 26 October 2023
- Commander, 780th Military Intelligence Brigade Memorandum - Subject: Basic Remote Operator Exception to Policy (ETP) Roster, 15 February 2023
- Commander, 780th Military Intelligence Brigade Memorandum - Subject: Request ETP for Processing CAIP outside the current FY, 15 February 2023
- Assumption of Command Memorandum, 15 February 2023
- Army Cyber Command (ARCYBER) CAIP Standard Operating Procedure (SOP) Policy, 20 January 2023

FACTS:

1. The applicant states:

a. He requests to be awarded Tier 1 CAIP. He met all the requirements defined in ARCYBER FY22 guidance for the implementation of CAIP. He completed the requisite training on 11 October 2022, and submitted a DA Form 4187 for approval on

27 October 2022. The DA Form 4187 was approved and signed by the 780th Military Intelligence Brigade (MI BDE) commander on 3 November 2022. FY23 ARCYBER CAIP implementation guidance was signed on 17 November 2022, but it was not disseminated until 22 December 2022. The packet was placed on indefinite hold until 26 October 2023. He reached out to ARCYBER G-1 to inquire about the status of CAIP packets (he was not the only service member affected).

b. The ARCYBER G-1 informed him that Headquarters, Department of the Army (HQDA), has declined all exceptions to policies regarding this issue, and the service member should submit an inquiry with the Army Review Boards Agency (ARBA). He believes that service members, including himself, should not be penalized for delays in higher headquarters' policy decisions and dissemination. All service members who trained and met all the requirements asked of them while the current guidance (FY22) was still in place and future guidance (FY23) did not exist should be awarded CAIP in accordance with the ETP signed by the 780th MI Battalion (MI BN) command team. Note that we [the applicant and U.S. Army] are in FY24, and ARCYBER CAIP Implementation Guidance has not been disseminated yet.

2. A review of the applicant's military service records show:

a. Having prior enlisted service in the Regular Army, a DA Form 71 (Oath of Office - Military Personnel) shows he was appointed as a Reserve Warrant Officer and executed his oath of office on 25 November 2020.

b. On 25 November 2020, the U.S. Army Installation Management Command, Headquarters U.S. Army Garrison, Fort Rucker, AL, published Orders Number 330-396-A-46, which ordered the applicant to active duty for 6 years, effective 20 November 2020.

c. On 11 June 2021, he completed the Cyber Operations Technician Warrant Officer Basic Course.

d. On 2 June 2022, DA Forms 4187 show:

(1) The applicant requested termination of his CAIP contract and to stop payment in the amount of \$300.00, due to certifying in higher proficiency level, from Basic Cyber Operator to Senior Cyber Operator per ARCYBER Assignment Incentive Pay (AIP) policy. He requested a termination date of 1 August 2022. The Brigade Commander signed the form on 1 August 2022.

(2) The applicant requested CAIP at the rate of \$600.00 per month for 36 months for Tier II, Senior level while he was assigned and performing duties as an Army Cyber Operator. He acknowledged that he was entering into a written agreement to serve in

an approved U.S. Cyber Command (USCYBERCOM) or ARCYBER Cyber Mission Force (CMF) Work Role. He understood the agreement started on the date of the Brigade Commander's signature. His current separation date was 20 November 2026. The Brigade Commander signed the DA Form 4187 on 1 August 2022.

e. On 29 December 2022, the Department of the Army published Order Number 0003819688.00, which promoted the applicant to rank/grade of chief warrant officer two/CW2, effective 25 November 2022.

3. In support of his case the applicant provides:

a. U.S. Army Cyber Command Memorandum - Subject: Implementation Guidance for FY22 CAIP Program, dated 4 November 2021, which:

(1) Serves as the written agreement for implementing the CAIP Program for the Cyber Workforce, to include those personnel that possess advanced training, unique qualifications, and highly perishable skills in support of cyberspace operations at the Service, Combatant Command, and National level. The workforce targeted for the CAIP Program includes Soldiers that are: 1) fully trained and certified in a USCYBERCOM or ARCYBER work role; and 2) assigned to a unit that has a valid cyberspace operations mission. The specific units the CAIP Program targets are: Cyber Mission Forces teams, Joint Mission Operations Centers, Support Division and Analytic Support Cells, Cyber Readiness Inspection Activity, Joint Special Operations Command, Intelligence, Information, Cyber, Electronic Warfare, and Space unit (I2CEWS)/ Multi-Domain Task Force (MDTF), 915th Cyber Warfare Battalion, and other cyber units directly executing cyberspace missions at the tactical and strategic level.

(2) As directed by Office of the Deputy Chief of Staff G-1, the Commander, ARCYBER serves as the Army's single Executive Agent for all Cyber Assignment Incentive Pay Programs to include cyber trained and certified work role professionals outside of ARCYBER organic units. Therefore, the Commanding General, U.S. Army Cyber Command delegated CAIP approval authority to the Deputy to the Commander, ARCYBER and the Deputy Commanding General for Operations, ARCYBER. This authorization may not be further delegated.

b. DA Form 87, showing he completed the training/course for "Remote Operator Basic Proficiency", effective 11 October 2022, with an expiration date of 9 October 2025.

c. U.S. Army Cyber Command - Subject: Implementation Guidance for the FY23 CAIP Program, dated 17 November 2022, which serves as the written agreement for implementing the CAIP Program for the Army Cyber Military Workforce across the Service, Combatant Command, and National level.

d. Email dated 22 December 2022 between the applicant's unit and chain of command discussing the FY23 CAIP Implementation Guidance and questions that may be generated.

e. CAIP DA Form 4187 Bundle Cover Page, which shows the applicant's pertinent information related to his CAIP request.

f. DA Form 4187 showing he requested termination of his CAIP contract and to stop payment in the amount of \$600.00, due to successful qualification to higher work role proficiency. He requested a termination date of 26 October 2022, and the Brigade Commander signed the form on that date.

g. DA Form 4187 dated 27 October 2022, which shows he requested FY22 CAIP at the rate of \$1,000.00 per month for 36 months for Tier I, Basic level while he was assigned and performing duties as a Basic Remote Operator (RO). He acknowledged he was entering into a written agreement to serve in an approved USCYBERCOM or ARCYBER CMF Work Role. The Brigade Commander signed the form on 27 October 2022.

h. DA Form 4187 dated 26 October 2025, showing he requested termination of his CAIP contract and to stop payment in the amount of \$1,000.00, due to expiration of contract. He requested a termination date of 26 October 2025.

i. Email dated 26 October 2023, between the applicant and U.S. Army Cyber Command Headquarters G-1, wherein the G-1 official stated all ETP packets were declined by HQDA, not ARCYBER. She provided the information to the applicant's BDE S-1.

j. Commander, 780th MI BDE Memorandum - Subject: Basic Remote Operator ETP Roster, dated 15 February 2023, which states, The following personnel completed Job Qualification Record (JQR) standards prior to the release of the FY23 ARCYBER CAIP Implementation Guidance on 17 November 2022. The applicant's name was listed.

k. Commander, 780th MI BDE Memorandum - Subject: Request ETP for Processing CAIP outside the current FY, dated 15 February 2023, which shows the BDE Commander submitted an ETP request to obtain Deputy Chief of Staff, G-1 approval for FY23 CAIP for 24 service members (including the applicant) who completed the JQR for Basic Remote Operator at TIER 1 for \$1,000.00 monthly. Background and justification were provided.

l. Assumption of Command Memorandum dated 15 February 2023, showing Lieutenant Colonel [REDACTED] assumed command of the 780th MI BDE, Fort Meade, MD, effective 15 - 16 February 2023.

m. ARCYBER CAIP SOP Policy dated 20 January 2023, which identifies and enrolls qualified military component I, II, and III Service Members in the CAIP program to retain talent and incentivize the continued education and proficiency growth of individuals to fill critical work roles.

4. On 5 August 2024, a Program Analyst in the Compensation and Entitlements Division (Pentagon), Office of the Deputy Chief of Staff, G-1, provided an advisory opinion for this case and recommended the Board disapprove the applicant's request for administrative relief. The advisory official stated:

a. After careful review this office recommends that the board disapprove the applicant's request for administrative relief.

b. We [the Office of the G-1] were advised by Army Cyber Command that work role of remote operator ended 30 September 2021. The work role was removed because the requirements for this work role no longer meet the training requirements for the program and at the pay level. The Soldiers in 780th who did not meet the deadline for submitting the action at the end of fiscal year 2021 are trying to get compensated for this obsolete work role.

5. On 14 August 2024, the applicant responded to the G-1 advisory opinion and stated:

a. He would like to submit a comment for reconsideration of opinion. The facts will show that ARCYBER did not in fact remove the work role on 30 September 2021. They signed CAIP guidance reflecting this change on 17 November 2022, and disseminated such guidance on 22 December 2022.

b. Furthermore, there is a cohort of basic remote operators who were granted CAIP pay for that work role during the FY22 (ARCYBER's records will reflect this), which further proves that the work role was not in-fact removed in September 2021. He requests that ARCYBER provide factual documentation that shows the work role was in fact removed on 30 September 2021. He formally requests reconsideration of the facts. Please see application correction information and attachments for his factual evidence supporting his claims.

#### BOARD DISCUSSION:

1. After reviewing the application, all supporting documents, and the evidence found within the military record, the Board found relief is warranted.

2. Notwithstanding the advisory official's recommendation to disapprove the applicant's request, the Board found the applicant's argument compelling. The Board determined

the applicant's record should be corrected to show his application for CAIP submitted on 27 October 2022 was approved. He should be paid any CAIP he is due as a result of this correction.

BOARD VOTE:

Mbr 1      Mbr 2      Mbr 3

■	■	■	GRANT FULL RELIEF
:	:	:	GRANT PARTIAL RELIEF
:	:	:	GRANT FORMAL HEARING
:	:	:	DENY APPLICATION

BOARD DETERMINATION/RECOMMENDATION:

The Board determined the evidence presented is sufficient to warrant a recommendation for relief. As a result, the Board recommends that all Department of the Army records of the individual concerned be corrected by showing his application for CAIP submitted on 27 October 2022 was approved. He should be paid any CAIP he is due as a result of this correction.

X

CHAIRPERSON

I certify that herein is recorded the true and complete record of the proceedings of the Army Board for Correction of Military Records in this case.

REFERENCES:

1. U.S. Army Cyber Command Memorandum - Subject: Implementation Guidance for Fiscal Year (FY) 22 (FY22) Cyber Assignment Incentive Pay Program (CAIP), dated 4 November 2021, in pertinent part:

a. Serves as the written agreement for implementing the CAIP Program for the Cyber Workforce, to include those personnel that possess advanced training, unique qualifications, and highly perishable skills in support of cyberspace operations at the Service, Combatant Command, and National level. The workforce targeted for the CAIP Program includes Soldiers that are: 1) fully trained and certified in a USCYBERCOM or ARCYBER work role; and 2) assigned to a unit that has a valid cyberspace operations mission. The specific units the CAIP Program targets are: Cyber Mission Forces teams, Joint Mission Operations Centers, Support Division and Analytic Support Cells, Cyber Readiness Inspection Activity, Joint Special Operations Command, Intelligence, Information, Cyber, Electronic Warfare, and Space unit (I2CEWS)/ Multi-Domain Task Force (MDTF), 915th Cyber Warfare Battalion, and other cyber units directly executing cyberspace missions at the tactical and strategic level.

b. As directed by Office of the Deputy Chief of Staff G-1, the Commander, ARCYBER serves as the Army's single Executive Agent for all Cyber Assignment Incentive Pay Programs to include cyber trained and certified work role professionals outside of ARCYBER organic units. Therefore, the Commanding General, U.S. Army Cyber Command delegated CAIP approval authority to the Deputy to the Commander, ARCYBER and the Deputy Commanding General for Operations, ARCYBER. This authorization may not be further delegated.

c. The designated approval authorities, as stated in paragraph 3 (above), will provide oversight for the management of the CAIP Program. The G-1 will assist the Executive Agent with oversight for the management of the program and serve as the ARCYBER Program Manager. Brigade Commanders will appoint CAIP Program Managers for their respective commands. Brigade CAIP Program Managers will be appointed on orders.

d. Soldiers (enlisted personnel, warrant officers, commissioned officers, Reserve Component and National Guard) must be fully certified in a USCYBERCOM or ARCYBER work role, assigned to a designated cyber organization, and executing cyberspace operations.

e. Paragraph 7 states, Tier I: Includes Officers, Warrant Officers, and Enlisted Soldiers fully certified in one of the following work roles: Cyberspace Capability Developer (CCD), Exploitation Analyst (EA), Remote Operator, Data Engineer(DE) and Analytical Support Officer (ASO). Officers and Warrant Officers certified as CCDs are only authorized CAIP after achieving Senior and Master proficiency levels. Basic CAIP for CCDs is reserved for Enlisted Soldiers only. A remote operator must have completed the NSA operator training program (i.e., RIOT, FORGE). Tier I includes those directly assigned to a Cyber Mission Force Team, those serving as an institutional or foundational training instructor, or those performing cyber operations in other organizations listed in Tier IV. Those Tier I personnel that are assigned as instructors or

in Tier IV units, to include the 915th Cyber Warfare Battalion, and those serving as an institutional or foundational training instructor, or those performing cyber operations in other organizations listed in Tier IV can only enter into a 12-month CAIP agreement. These Soldiers may receive a monthly CAIP stipend based on their level of proficiency in the amount indicated below (7a thru 7c).

- Basic proficiency level is \$1,000 (Excluding Warrant and Officer CCD work roles);
- Senior proficiency level is \$1,250;
- Master proficiency level is \$1,500.

f. Paragraph 8 states, Tier II: Includes Officers, Warrant Officers, and Enlisted Soldiers fully certified in one of the following work roles: Army Cyber Operator (ACO), Network Analyst (NA, Master proficiency level only), Network Technician (NT, Master Proficiency level only), and Host Analyst (HA, Senior and Master proficiency levels only). To be eligible the member must be directly assigned to a Cyber Mission Force Team, to include Soldiers assigned to the 915th Cyber Warfare Battalion. These Soldiers may receive a monthly CAIP stipend based on their level of proficiency in the amount indicated below (8a thru 8c).

- Basic proficiency level is \$300 (Excluding NA, NT, HA work roles within the CPB);
- Senior proficiency level is \$600 (Excluding NA, NT work roles within the CPB);
- Master proficiency level is \$800.

2. AR 637-1 (Army Compensation and Entitlements Policy) provides Department of the Army policies for entitlements and collections of pay and allowances for active duty Soldiers. It is used in conjunction with the Department of Defense Financial Management Regulation, Volume 7A. Chapter 9 (Assignment and Special Duty Pays):

a. Paragraph 9-1 (Entitlement provisions) states, assignment and special duty pays are awarded for the performance of duty in an assignment, location, or unit designated and under the conditions of service specified by the Secretary of the Army. Assignment and special duty pays include:

- Assignment incentive pay
- Special duty assignment pay
- Hardship duty pay
- Sea pay (see AR 600–88)

b. Paragraph 9-3a (Payment) states, in pertinent part, the Defense Joint Military Pay System will credit all assignment and special duty pays established on the Master



Military Pay Account each month until action is taken to stop the entitlement. Paragraph 9-3c states, Soldiers may receive multiple assignment and special duty pays; however, Soldiers will not receive multiple assignment and special duty pays for the same purpose and period of service and the combination of all assignment and special duty pays listed in paragraph 9-1 will not exceed a monthly average of \$3,500.

3. Army Regulation 15–185 (Army Board for Correction of Military Records) prescribes the policies and procedures for correction of military records by the Secretary of the Army, acting through the Army Board for Correction of Military Records (ABCMR). In pertinent part, it states that the ABCMR begins its consideration of each case with the presumption of administrative regularity. The applicant has the burden of proving an error or injustice by a preponderance of the evidence. The ABCMR will decide cases based on the evidence of record. It is not an investigative agency.

//NOTHING FOLLOWS//