

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 28 March 2025

DOCKET NUMBER: AR20240007341

APPLICANT REQUESTS:

- retroactive payment of U.S. Army Special Operations Command (USASOC) Assignment Incentive Pay (AIP) for the period of 7 March 2023 through 10 April 2024 at the rate of \$500.00 per month or a lump sum of \$6,666.67
- personal appearance before the Board

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

- DD Form 149 (Application for Correction of Military Record) dated 9 May 2024
- DD Form 149 (Application for Correction of Military Record) dated 20 May 2024
- Email Correspondence, 23 April 2024, from the 75th Regimental Special Troops Battalion's (RSTB) S1 staff referencing changes to the AIP for Fiscal Year 2024 (FY24) as of 17 November 2023) (7 pages)
- Screenshot of Approved AIP Orders
- Orders Number 315-002, 9 November 2023, awarding Master Sergeant A- J- the AIP at the amount of \$500.00 per month effective 4 January 2023
- Email Correspondence dated 15 June 2023 detailing a list of approved AIP packets from the RSTB S1 staff (2 pages)
- DA Form 4187 (Personnel Action), 7 March 2023, FY23 AIP request submitted by the applicant
- Email Correspondence, 11 April 2023, from RSTB's S1 reflecting the applicant's AIP request submitted for the battalion commanders' signature (2 pages)
- DA Form 4187, 11 October 2023, AIP request re-submitted by the applicant

FACTS:

1. The applicant states:

- there were multiple administrative failures and poor communication between USASOC and RSTB S1 for 13 months with processing his request for AIP
- he submitted the initial AIP request on 7 March 2023 under FY23 AIP program; USASOC changed policy on 1 October 2024 that all requests must be submitted

as a Personnel Action Request (PAR) on Integrated Personnel Pay System - Army (IPPS-A)

- during the changeover, his request was not carried over to IPPS-A and was erroneously marked on the USASOC AIP tracker as "Approved - Pending Submission to Post Finance"
- he believed for six months that his AIP was approved and due to this error, he has lost \$6,666.67 through no fault of his own

2. A review of the applicant's service record shows:

- On 6 May 2019, he enlisted in the Regular Army (RA)
- On 10 June 2020, he was assigned to the 75th Ranger Battalion, Fort Benning, GA, by Orders Number 20108-81 dated 17 April 2020
- His enlisted record brief dated 25 November 2022 shows he was assigned as a assistant gunner, mortar team leader, section leader in the 75th Ranger Battalion on 10 May 2022; his current assignment is overstrength in the 75th Ranger Battalion
- Order Number 0003435339 dated 26 July 2024 reflect his five previous pinpoint assignments as a member of 75th Ranger Battalion, Fort Benning (Fort Moore), GA effective 9 November 2022
- Order Number 0009274252 dated 12 September 2024 reflect his permanently change of station (PCS) with amendments to Headquarters and Headquarters Ranger Battalion, 75th Infantry Battalion, Joint Base Lewis-McChord, WA effective 8 September 2024
- the applicant remains on active duty in the RA

3. On 19 March 2025, in the processing of this case, the Office of the Deputy Chief of Staff G1, provided an advisory opinion regarding the applicant's request for AIP initially approved 11 October 2023.

a. After careful review this office recommends that the Board approve the applicants request for administrative relief.

b. Recommend AIP payment for 11 October 2023 thru 10 April 2024, at the rate of \$500.00 a month.

4. On 21 March 2025, the Army Review Boards Agency, Case Management Division, provided the applicant the advisory opinion for review and comment. On 27 March 2025, the applicant responded he had no remarks to add.

BOARD DISCUSSION:

1. After reviewing the application, all supporting documents, and the evidence found within the military record, the Board found that relief was warranted. The applicant's contentions, the military record, and regulatory guidance were carefully considered. The Board concurred with the Office of the Deputy Chief of Staff G1, who provided an advisory opinion regarding the applicant's request for AIP. G1 administrative relief and recommended that the applicant receive AIP payment for 11 October 2023 thru 10 April 2024, at the rate of \$500.00 a month. Therefore, the Board granted relief.
2. The applicant's request for a personal appearance hearing was carefully considered. In this case, the evidence of record was sufficient to render a fair and equitable decision. As a result, a personal appearance hearing is not necessary to serve the interest of equity and justice in this case.

BOARD VOTE:

<u>Mbr 1</u>	<u>Mbr 2</u>	<u>Mbr 3</u>	
XX	XX	XX	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 the applicant timely submitted the appropriate request/form for payment of AIP for the period of 11 October 2023 thru 10 April 2024, at the rate of \$500.00 a month
- Showing the appropriate office timely received his requests and authorized payment as a result of this correction

X //SIGNED//

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. Army Regulation (AR) 15-185 (Army Board for Correction of Military Records (ABCMR)) states, the ABCMR begins its consideration of each case with the presumption of administrative regularity. It will decide cases based on the evidence of record and it is not an investigative body. The applicant has the burden of proving an error or injustice by a preponderance of the evidence. Paragraph 2-11 states that applicants do not have a right to a hearing before the ABCMR. The Director or the ABCMR may grant a formal hearing whenever justice requires.

2. DoD Financial Management Regulation 7000.14-R, Volume 7A (Military Pay), chapter 15 (Special Pay – Assignment Incentive Pay), U.S. Army Special Operations Command (USASOC) AIP Eligibility, Soldier must:

- be permanently assigned to an authorized Major Force Protection-11 billet in the grade of E-5 and above
- be in good standing and not be under Uniform Code of Military Justice action at the time of approval
- remain in good standing throughout the AIP tour, and must have less than 35 years of active federal service in order to qualify for continued payment

The maximum monthly rate payable to any Soldier serving as a:

- basic under the USASOC AIP program will start at \$1,250 per month; The Commander determines the monthly entitlement rate based on the needs of the Army
- lump sum payments will not exceed the maximum monthly rate authorized by the commander, multiplied by the number of continuous months in the period for which the AIP will be paid, pursuant to the agreement. Lump sum payment will be paid on the approval of the AIP agreement

The USASOC AIP program is subject to annual budget constraints; therefore, unless reauthorized by HQDA, no agreement may be entered into after the termination date.

3. Title 37 United States Code (USC), section 307a, Special pay: assignment incentive pay), the Secretary concerned may pay incentive pay to a member of a uniformed service who performs service, while entitled to basic pay, in an assignment designated by the Secretary concerned. Incentive pay payable under this section may be paid on a monthly basis, in a lump sum, or in installments. (b) Written Agreement- the Secretary concerned may require a member performing service in an assignment designated under subsection (a) to enter into a written agreement with the Secretary in order to qualify for the payment of incentive pay on a monthly basis under this section. The

written agreement shall specify the period for which the incentive pay will be paid to the member and, subject to subsection (c), the monthly rate of the incentive pay.

4. Department of Defense (DoD) Instruction 1340.26 (Assignment and Special Duty Pays) establishes policies, assigns responsibilities, and prescribes procedures concerning eligibility and requirements for receipt of all assignment and special duty pays and transition policy for the transfer of assignment and special duty pay authorities:

a. Assignment incentive pay is designed to encourage Service members to volunteer for difficult-to-fill or less desirable assignments, locations, or units designated by, and under the conditions of service specified by the Secretary of the Military Department concerned.

b. Secretaries of the Military Departments concerned will establish eligibility criteria based on Service-specific needs, but personnel shortages and the ability of the unit to meet mission requirements should be given primary consideration.

c. Secretaries of the Military Departments concerned will establish payment levels to be either monthly payments, installments, or a lump sum amount, not to exceed a monthly average of \$1,500.00.

d. The Secretary of the Military Department concerned may increase, decrease, or abolish assignment incentive pay for any assignment, location, or unit at any time and will establish restrictions and limitations to the pay through Military Service regulations.

//NOTHING FOLLOWS//