

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 5 September 2025

DOCKET NUMBER: AR20240008838

APPLICANT REQUESTS: retroactive Assignment Incentive Pay (AIP) effective 10 October 2023.

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

- DD Form 149 (Application for Correction of Military Record)
- Office of the Deputy Chief of Staff G1 Memorandum, 2 October 2023, Subject: Fiscal Year 2024 (FY24) AIP for U.S. Army Special Operations Command (USASOC) states:
 - For Soldiers serving in Major Force Program 11 billets
 - Soldiers must be in good standing and not under Uniform Code of Military Justice
 - Soldiers must have less than 35-years of active federal service
 - AIP written agreements will not be antedated, date of approval will be the date the agreement was signed by the approval authority
 - Written agreement will not be terminated solely based on a change to the existing AIP policy
 - Soldiers receiving the maximum rate must be assigned and remained assigned to the SMU for the entire period of the AIP agreement
- Headquarters (HQs), USASOC Memorandum, 7 December 2023, Subject: USASOC AIP Implementation Plan for FY24 states:
 - All AIP agreements and payment made on or after 1 October 2023 must adhere to the instructions, eligibility criteria and restrictions in this guidance
 - Submit Integrated Personnel and Pay System AIP Personnel Action Request (PAR) based on qualification criteria
 - Incentive pay are based on assignment to an approved position
 - AIP requests will not be back dated and are not effective until the final authority approves and orders are published
- PAR shows:

- AIP for the applicant was requested to be effective 1 November 2023
 - AIP for paragraph and line number 032E-05
 - Payment of \$375.00 per month for each full month for the applicant's qualified period of assignment
 - AIP program for Career Management Field (CMF): 18 (Special Operations) First Sergeant (1SG)
 - On 10 January 2024, first recommended approval by the Human Resources (HR) Sergeant and company commander
 - On 22 March 2024, recommended approval by the battalion (BN) executive officer
 - On 4 April 2024, the approving authority approved the CMF 18 1SG AIP in the amount of \$375.00 per month for 12-months effective 4 April 2024
- Leave and Earnings Statement for the period of 1 through 30 April 2024 shows the applicant receives Special Duty Pay in the amount of \$450.00

FACTS:

1. The applicant states:

- CMF 18 1SG positions are authorized AIP in the amount of \$375.00 per month
- Due to a change in policy and the slow confusing processing his AIP was not approved until after he was in the position for approximately 6-months
- He was assigned to the 1SG position on 10 October 2023
- AIP packet was submitted for processing on 1 November 2023
- During the 6-months, his AIP packet was being processed, a policy was released which stated there would be no back pay for AIP
- However, his packet was already submitted for processing prior to the policy change
- In late February 2024, USASOC denied his request for back pay
- He had no control over the process not should the individual Soldier be punished for something out of his control
- He requests 6-months of back pay for AIP
- The approximate amount of back pay \$2,250.00
- The significant amount of back pay would negatively affect him financially if his request is not granted

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

- On 19 September 2006, he enlisted in the Regular Army and had continuous service through reenlistments

- On 16 February 2007, he was awarded the Parachutist Badge 18X1P (Special Forces (SF) Candidate, Parachutist qualified) by Permanent Orders Number 39-3203, 6 February 2007
- On 30 May 2008, he was awarded the SF Tab by Permanent Orders Number 140-94, 19 May 2008
- On 4 December 2015, he was awarded the Ranger Tab by Orders Number 15336-627, 2 December 2015
- On 1 October 2023, he was promoted to the rank of master sergeant (MSG) with the same date of rank/grade entry date by Orders Number 6158391, 30 September 2023
- On 10 October 2023, he was assigned to HQs Detachment 6th BN, 2nd Special Warfare Training Group (SWTG) as a SF Operations (Ops) Sergeant (SGT) with an end date of 30 September 2032 by Orders Number 6450185, 1 November 2023
- On 1 November 2023, he was assigned to Charlie Company 6th BN, 2nd SWTG as a SF Ops SGT with an end date of 30 September 2032 by Orders Number 6452800
- Orders Number 64550185.01 amended the original Orders to change the end date to 31 October 2023
- Orders Number 6452800.01 amended the original Orders to change the position title to 1SG
- On 1 November 2023, he was laterally appointed from MSG to 1SG by Orders Number 6638511, 22 November 2023
- DA Form 2166-9-2 (Noncommissioned Officer Evaluation Report) for the period of 3 October 2023 through 2 October 2024 shows he was rated as the Company 1SG for Charlie Company 6th BN, 2nd SWTG
- On 1 November 2023, he was laterally appointed from MSG to 1SG by Orders Number 21926628, 18 February 2025
- On 1 November 2023, he was laterally appointed from MSG to 1SG by Orders Number 22081779, 4 March 2025
- Soldier Management Services - WEB Portal (SMS WEB) shows he was assigned to Charlie Company 6th BN, 2nd SWTG, paragraph and line number and position 032E/05/4794 effective 1 November 2023

3. On 20 March 2025, in the processing of this case, the Office of the Deputy Chief of Staff G1 provided an advisory opinion regarding the applicant receiving back pay for AIP retroactive to 10 October 2023. The advisory official recommended disapproval of his request. The Army policy has never allowed an AIP contract to be annotated so there was not policy change. The applicant's AIP payment began on 4 April 2024 for \$375.00 per month, he is on track to receive the full 12-months of AIP entitlement.

4. On 23 May 2025, the Army Review Boards Agency Case Management Division provided the applicant the advisory opinion for review and comment. He did not respond.

BOARD DISCUSSION:

After reviewing the application, all supporting documents, and the evidence found within the military record, the Board found that relief was not warranted. The Board carefully considered the applicant's record of service, documents submitted in support of the petition and executed a comprehensive review based on law, policy, and regulation. The Board reviewed and concurred with the Deputy Chief of Staff G-1 advisory noting the Army policy has never allowed an AIP contract to be annotated so there was no policy change. The applicant's AIP payment began on 4 April 2024 for \$375.00 per month, he is on track to receive the full 12-months of AIP entitlement.

BOARD VOTE:

Mbr 1 Mbr 2 Mbr 3

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

BOARD DETERMINATION/RECOMMENDATION:

The evidence presented does not demonstrate the existence of a probable error or injustice. Therefore, the Board determined the overall merits of this case are insufficient as a basis for correction of the records of the individual concerned.

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. Department of Defense (DoD) Instruction 1340.26 (Assignment and Special Duty Pays), policies, assigns responsibilities, and prescribes procedures concerning eligibility and requirements for receipt of all assignment and special duty pays. Paragraph 4 (Assignment and Special Duty Pay), 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.

2. DoD Financial Management Regulation 7000.14-R, Volume 7A (Military Pay), chapter 15 (Special Pay – Assignment Incentive Pay), Paragraph 2.0 (Department of Defense (DoD) Assignment Incentive Pay (AIP)), DoD may give AIP to eligible active/Regular and Reserve component service members who are entitled to basic pay or compensation based on the service specific needs. Personnel shortages and the ability of a unit to meet mission requirements should be given primary consideration. Soldiers must:

- Enter into a written agreement to qualify for the AIP payment on a monthly basis, the agreement will specify the period for which the AIP will be paid and the monthly rate of the AIP
 - Payment of AIP in combination with other special duty pays may not exceed an average monthly amount of \$3,500.00 unless authorized
 - Member is not entitled to AIP during a period of terminal leave which ends upon discharge or release of the member from active duty
 - Service members are not authorized to received more than one AIP simultaneously for the same period of service

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.

//NOTHING FOLLOWS//