

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 4 November 2024

DOCKET NUMBER: AR20240002132

APPLICANT REQUESTS: correction of his record to show he was paid Assignment Incentive Pay (AIP) in the amount of \$1,500.00 for the period October – December 2023.

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

- DD Form 149 (Application for Correction of Military Record)
- Memorandum, Subject: Fiscal Year 2024 (FY24) AIP for U.S. Army Special Operations Command (USASOC), 2 October 2023
- Email Correspondence - Timeline by applicant, 2 October 2023
- USASOC G1 Guidance to Group Human Resources Teams, 7 November 2023
- Email Correspondence from Human Resources Tech, 9 January 2024
- Email Correspondence - Timeline of AIP, 1 February 2024

FACTS:

1. The applicant states in part:

a. He is missing his Warrant Officer AIP for October, November, and December 2023 at \$500.00 per month totaling to \$1,500.00. He submitted his claim for 180A (Special Forces Warrant Officer), AIP in accordance with (IAW) the USASOC policies and procedures in place in September 2023. However, his claim was not fully processed and approved before the U.S. Army G1 issued new guidance on the application mechanism for AIP. The change in policies resulted in the rejection of his original, on time submission, and a requirement of a new application for AIP through the Integrated Personnel and Pay System – Army (IPPS-A) which cost him 3 months of Warrant Officer AIP at \$500.00 per month.

b. Yet apparently the Soldiers would pay the price for this new system. He went to his Group Human Resource (HR) Tech for guidance and details on how this decision came to pass. According to his well-documented timeline, there was a significant communication delay from the Pentagon, through United States Southern Command (USSOCOM) to USASOC subordinate commands. There was no explanation offered for the delay, however the result was that it took nearly 2 months before Soldiers were

notified of the new policy and the requirement to resubmit their claims. He was initially frustrated but resubmitted his claim IAW to the new policy, but this did not solve his problem. After complying, and re-submitting his claim through IPPS-A, as directed, his claim then sat in his local HR office until after the new year. He confronted an S1 staff member to determine the reason his claim was not addressed in a timely fashion; her reasons were that the new IPPS-A system does not notify her when actions are in her inbox and that she has to actively look for them. The implication was that the onus was on the Soldier to follow up on the claim daily to see that their interests were represented in a timely fashion.

c. Soldiers cannot perform their daily duties with focus if they are consistently worried if their administrative needs are not being met, as his clearly was not on more than one occasion. Finally, to fully process his claim, now only eligible for 12 months in 2024 because of the "no backpay" policy. In January 2024, he sat in the Group's HR Tech's office to watch him bypass a routing chain to successfully submit his claim. His claim for 12 months in 2024 has since been approved and he is waiting to see the funds arrive via leave and earnings statement, however, he is seeking compensation for the time lost due to bureaucratic inefficiency and a poorly informed local S1 shop. This correction and all others like it should be made because these delays were at no fault of the Soldiers. The current policy of "no back pay issued" serves only to punish the Soldiers for what seems like normal delays associated with introducing new software, techniques, and procedures into a very large organization. This policy is, at best, irrational and at worst unjust.

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

a. On 23 September 2003, the applicant enlisted in the Regular Army (RA) for 5 years and continued service through reenlistments.

b. Orders Number 297-0254 dated 24 October 2013, issued by the U.S. Army Installation Management Command, Headquarters, U.S. Army Garrison, Fort Bragg, ordered the applicant to be discharged for the purpose of accepting a Warrant Officer Appointment, effective 28 October 2013.

c. DD Form 214 (Certificate of Release or Discharge from Active Duty) for the period ending 28 October 2013, shows the applicant was released from the active duty with a narrative reason to, "accept commission or warrant in the Army."

d. On 29 October 2013, the applicant completed his oath of office and was appointed a Reserve warrant officer in the rank of warrant officer one (WO1).

e. On 29 October 2015, Orders Number 01-13-A-0013 issued by the U.S. Army Human Resources Command, appointed the applicant to warrant officer in the RA in the rank/grade of Chief Warrant Officer Two in military occupational specialty 180A.

f. Officer Record Brief shows in Section III that the applicant was promoted to Chief Warrant Officer Three with a date of rank of 1 December 2020.

g. On 7 February 2023, Orders Number 0003204732.01 issued by the Department of the Army amended Orders Number 0003204732, which ordered the applicant to a permanent change of station to Detachment D, 10th Special Forces Group (SFG), 4th Battalion, with a report date of 10 June 2022. On 9 January 2024, Orders Number 0003204732.02 issued by the Department of the Army, amended the applicants position title to Company Operations Warrant Officer; the report date remained 10 June 2022.

h. The applicant is still currently serving on active duty.

3. The applicant provides:

a. Memorandum, Subject: FY24 AIP for USASOC, dated 2 October 2023, showing AIP was approved for the Soldiers serving in a Major Force Program (MFP) -11 billet and with a FY24 obligation authority ceiling of \$23,500,000 for AIP payments made on or after 1 October 2023. Eligibility includes that all Soldiers, including Reserve Component, must be permanently assigned to an MFP-11 billet in the grade of E-5 and above, Soldiers must be in good standing and not be under Uniform Code of Military Justice (UCMJ) action at time of approval and must remain in good standing throughout the AIP tour and Soldiers must have less than 35 years of active Federal service to qualify for continued payment. The maximum monthly rate payable to a Soldier assigned to USASOC under this AIP program is \$1,250.00 and the maximum monthly rate payable to a Soldier assigned to a Special Mission Unit (SMU) is \$1,500.00. Payment under this program may be made in lump sum or monthly payments. AIP written agreements will not be antedated. The date of the approval will be the date the agreement is signed by the approval authority. The USASOC AIP program is subject to annual budget constraints; therefore, no agreement will be entered into after 30 September 2024, without Headquarters Department of the Army reauthorization of the program.

b. Email correspondence between the applicant and the 10th SFG HR Technician dated 2 October 2023, that shows the communication and timeline details reference the submission difficulties from the applicant of his AIP request. Their communication started 18 September 2023 indicating the AIP request was missing information making it incomplete and details from the applicant about his attempts to submit a complete AIP request by the submission date.

c. Email correspondence dated 7 November 2023, from the USASOC G1 to the 10th SFG S1 Teams, that informed the teams that all AIP submissions are required to be initiated and processed as a Personnel Action Requests (PAR) via IPPS-A and any DA Forms 4187 (Personnel Action) that were initiated after 1 October 2023, will be returned without action from 1 SFC(A) and will require PAR submission – there is no back dating of pay is authorized.

d. Email correspondence dated 9 January 2024 from the 10th SFG HR Technician to an HR representative for assistance with processing the applicants AIP request. The HR Tech states the applicant submitted his AIP request on a DA Form 4187 back in October 2023, but things were formally rejected by G1 mid November 2023 after all the new program changes. He was advised to submit the PAR, but Battalion S1 had held it since December; the HR Tech terminated that old request and initiated a new PAR with him in my office. The HR Tech asked that the HR representative take a quick second to prioritize and review the action so it can be pushed to USASOC G1.

e. Email correspondence dated 1 February 2024 is a timeline summary from the HR Tech from 10th SFG that states to the applicant that his original AIP packet was submitted on 2 October 2023 and subsequently approved at the USASOC level on 19 January 2024 after a formal rejection and systems and processing dates issues.

4. On 24 September 2024, in the processing of this case, the Office of the Deputy Chief of Staff G-1, Chief, Compensation and Entitlements Division, provided an advisory opinion recommending disapproval of the applicants request for administrative relief stating, the applicant's correction of military records was submitted prior to the Defense Finance and Accounting Service (DFAS) receiving the PAR to initiate payment. USASOC is currently working with DFAS to correct the applicant's finance record for May 2022.

5. On 27 September 2004, the applicant was provided with a copy of the advisory opinion for comment or rebuttal. He did not respond.

6. On 31 October 2024, the Office of the Deputy Chief of Staff G-1, Chief, Compensation and Entitlements Division, provided an updated advisory opinion recommending disapproval of the applicants request for administrative relief stating, the applicant's correction of military records was submitted prior to DFAS receiving the PAR to initiate payment. USASOC is currently working with DFAS to correct the applicant's finance record for May 2022. He is not owed AIP for any other period based on his records.

BOARD DISCUSSION:

1. 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 and standard review based on law, policy and regulation. Upon reviewing the applicant's petition, military records, and the advisory opinion from the Office of the Deputy Chief of Staff – G-1, Compensation and Entitlements Division, the Board concurred with the advising official's recommendation to deny relief. It was determined that the applicant's request for correction of military records was submitted before the Defense Finance and Accounting Service (DFAS) received the Personnel Action Request (PAR) to initiate payment.

2. The opine noted that U.S. Army Special Operations Command (USASOC) is currently working with DFAS to rectify the applicant's financial record for May 2022. However, based on a review of the applicant's records, he is not entitled to Assignment Incentive Pay (AIP) for any other period. Considering the advisory opinion, the Board found insufficient evidence to support the applicant's claim that his records should reflect payment of AIP in the amount of \$1,500.00 for the period of October through December 2023. As a result, the Board denied relief.

BOARD VOTE:

Mbr 1 Mbr 2 Mbr 3

:	:	:	GRANT FULL RELIEF
:	:	:	GRANT PARTIAL RELIEF
:	:	:	GRANT FORMAL HEARING
XX	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.

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 Instruction 1340.26 (Assignment and Special Duty Pays) states, 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. Memorandum, Subject: Fiscal Year 2024 Assignment Incentive Pay (AIP) for U.S. Army Special Operations Command (USASOC):

a. Effective on or about 2 October 2024, the AIP for the Soldiers serving in a Major Force Program (MFP) -11 billet is approved with a FY24 obligation authority ceiling of \$23,500,000 for AIP payments made on or after 1 October 2023.

b. The Headquarters, Department of the Army Deputy Chief of Staff, G-1, Plans and Resources Directorate will provide policy guidance for the administration of the Army's AIP program, approve any changes to funding limits, approve any exceptions to the eligibility requirements, develop templates and specific requirements for AIP reports due from the program manager and monitor the program execution by means of periodic reporting and packet reviews, to ensure appropriate stewardship and discontinue any program abuses.

c. The maximum monthly rate payable to a Soldier assigned to USASOC under this AIP program is \$1,250.00 and the maximum monthly rate payable to a Soldier assigned

to a SMU is \$1,500.00. Payment under this program may be made in lump sum or monthly payments. Payment rates are determined by the commander based on the needs of the Army and may be different for Soldiers in similar positions at the same location but will not exceed the amount authorized. And lump sum payments will not exceed the maximum monthly rate authorized by the commander at the time the Soldier enters into the written agreement, multiplied by the number of continuous months in the period for which AIP will be paid, pursuant to the agreement and lump sum payments will be paid on the approval of the AIP agreement.

//NOTHING FOLLOWS//