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**UNITED STATES AIR FORCE
BOARD FOR CORRECTION OF MILITARY RECORDS**

RECORD OF PROCEEDINGS

IN THE MATTER OF:

DOCKET NUMBER: BC-2019-04186

Work-Product

COUNSEL: NONE

HEARING REQUESTED: NO

APPLICANT'S REQUEST

Award of the Nuclear Deterrence Operations Service Medal with one Bronze Oak Leaf Cluster.

APPLICANT'S CONTENTIONS

The Nuclear Deterrence Operations Service Medal was established by the Secretary of the Air Force on 27 May 14 to recognize Airmen who directly supported nuclear deterrence operations on or after 27 Dec 91. From 2005 to 2013 he provided direct support to the Nuclear Enterprise in two long-tour assignments working Cyber Transport specialty field (3D1X2) and a second assignment supporting the Nuclear Enterprise while stationed at Headquarters, Air Force Materiel Command, Wright Patterson Air Force Base.

The applicant's complete submission is at Exhibit A.

STATEMENT OF FACTS

The applicant is a retired Air Force master sergeant (E-7).

From Apr 05 thru Jul 09, according to documentation submitted by the applicant, he was assigned to the [REDACTED] *Work-Product*, as the assistant noncommissioned officer in charge (NCOIC) and NCOIC, Weapons Storage and Security systems (WS3) Special Maintenance Team /Theater Maintenance Team.

From Aug 09 to Mar 13, the applicant was assigned to the Directorate of Strategic Deterrence and Nuclear Integration, HQ Air Force Materiel Command, Wright-Patterson AFB, Ohio, as Manager, Command Cyber Transport Systems.

On 31 Mar 13, the applicant was relieved from active duty and retired effective 1 Apr 13. He was credited with 24 years and 14 days of active service.

For more information, see the excerpt of the applicant's record at Exhibit B and the advisory at Exhibit C.

[REDACTED]
[REDACTED]
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AIR FORCE EVALUATION

AFPC/DP3SP (Recognition Program) recommends denying the applicant's request for award of the Nuclear Deterrence Operations Service Medal with Bronze Oak Leaf Cluster. After a thorough review of the applicant's official military personnel record and the provided documentation, they were able to verify award of the Nuclear Deterrence Operations Service Medal, and will administratively correct his record. However, they were unable to verify award of the Bronze Oak Leaf Cluster.

In accordance with Air Force Manual (AFMAN) 36-2806, *Awards and Memorialization Program*, dated 10 Jun 19, paragraph A14.24.1.1., the Nuclear Deterrence Operations Service Medal was established by the Secretary of the Air Force on 27 May 14 to recognize Airmen who directly supported nuclear deterrence operations on or after 27 Dec 91. The Nuclear Deterrence Operations Service Medal (basic) may be awarded to Airmen who, while assigned, attached, deployed or mobilized to a unit (wing, center or below, and nuclear-certified controllers above wing level), provided support to the Nuclear Enterprise for 120 consecutive or 179 nonconsecutive days, and: the unit was subject to a Nuclear Inspection, or performed duties in nuclear operations to include nuclear weapon storage facilities, nuclear command, control, and communication, cyber surety, security, safety, transportation, maintenance, facility management and maintenance, explosive ordnance disposal, aircrew certified for support to nuclear operations, weapons loaders, warning and attack assessment, personnel reliability program management, or research, development and acquisition of nuclear systems.

An oak leaf cluster is worn to denote subsequent awards. Subsequent awards are only authorized when a permanent change of station to a qualifying unit has occurred. The applicant was assigned to the [REDACTED] *Work-Product* [REDACTED] from 13 Aug 09 to 12 Aug 13, which does not meet eligibility criteria for award of the Bronze Oak Leaf Cluster. To grant relief would be contrary to the criteria established by AFMAN 36-2806.

The complete advisory opinion is at Exhibit C.

APPLICANT'S REVIEW OF AIR FORCE EVALUATION

The Board sent a copy of the advisory opinion to the applicant on 19 Apr 23 for comment (Exhibit D) but has received no response.

The applicant's complete response is at Exhibit E.

FINDINGS AND CONCLUSION

1. The application was not timely filed.
2. The applicant exhausted all available non-judicial relief before applying to the Board.
3. After reviewing all Exhibits, the Board concludes the applicant is not the victim of an error or injustice. The Board concurs with the rationale and recommendation of AFPC/DP3SP and finds a preponderance of the evidence does not substantiate the applicant's contentions. The Board also notes the applicant did not file the application within three years of discovering the alleged error or injustice, as required by Section 1552 of Title 10, United States Code, and Department of the Air Force Instruction DAFI) 36-2603, *Air Force Board for Correction of Military Records (AFBCMR)*. While the applicant asserts a date of discovery within the three-year limit, the Board does not find the assertion supported by a preponderance of the evidence. The Board does not find

it in the interest of justice to waive the three-year filing requirement. Therefore, other than the administrative correction to his record, the Board finds the application untimely and recommends against correcting the applicant's records.

RECOMMENDATION

The Board recommends informing the applicant the application was not timely filed; it would not be in the interest of justice to excuse the delay; and the Board will reconsider the application only upon receipt of relevant evidence not already presented.

CERTIFICATION

The following quorum of the Board, as defined in DAFI 36-2603, paragraph 2.1, considered Docket Number BC-2019-04186 in Executive Session on 15 Jun 23:

Work-Product, Panel Chair
Work-Product, Panel Member
Work-Product, Panel Member

All members voted against correcting the record. The panel considered the following:

- Exhibit A: Application, DD Form 149, w/atchs, dated 21 Aug 19.
- Exhibit B: Documentary evidence, including relevant excerpts from official records.
- Exhibit C: Advisory Opinion, AFPC/DP3SP, dated 23 Dec 22.
- Exhibit D: Notification of Advisory, SAF/MRBC to Applicant, dated 19 Apr 23.

Taken together with all Exhibits, this document constitutes the true and complete Record of Proceedings, as required by DAFI 36-2603, paragraph 4.12.9.

10/5/2023

X **Work-Product**

Board Operations Manager, AFBCMR
Signed by: **Work-Product**