



considered your contention that you are entitled to the awards due to your squadron's participation in Operation Market Time.

As part of the Board's review, the Board considered the AO provided by NDBDM. The AO stated in pertinent part:

The fact that some members of the Petitioner's squadron may have qualified for the █ due to flights they participated in within the █ combat zone (a fact this office did NOT verify) would not in itself qualify the Petitioner - or any other member of the squadron - for the █. We have seen records of many similar cases in which only a few members of a certain squadron qualified, but not the whole squadron...If the Petitioner had actually qualified for the █ then we must presume his chain of command would have taken steps to enter that award into his official record. We must presume the absence of any such entry in his record is attributable to his not qualifying. The Petitioner submitted no evidence to overcome the presumption.

The AO concluded, "Petitioner is not entitled to the █ or █. Finding no evidence of material error or injustice."

After a detailed review of your record, the Board determined that your official military personnel file (OMPF) does not provide the necessary evidence to substantiate your request for the █ or █. In making this finding, the Board substantially concurred with the review conducted by NDBDM that documented the lack of supporting evidence in your record to grant your request. Accordingly, given the totality of the circumstances, the Board determined that your request does not merit relief.

The Board thanks you for your faithful and Honorable service to this country.

You are entitled to have the Board reconsider its decision upon submission of new matters, which will require you to complete and submit a new DD Form 149. New matters are those not previously presented to or considered by the Board. In this regard, it is important to keep in mind that a presumption of regularity attaches to all official records. Consequently, when applying for a correction of an official naval record, the burden is on the applicant to demonstrate the existence of probable material error or injustice.

Sincerely,

5/30/2024

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