



DEPARTMENT OF THE NAVY
BOARD FOR CORRECTION OF NAVAL RECORDS
701 S. COURTHOUSE ROAD, SUITE 1001
ARLINGTON, VA 22204-2490

█
Docket No. 9045-23

Ref: Signature Date

From: Chairman, Board for Correction of Naval Records
To: Secretary of the Navy

Subj: REVIEW OF NAVAL RECORD OF █
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Ref: (a) 10 U.S.C. §1552
(b) USECDEF Memo of 25 Jul 18 (Wilkie Memo)
(c) Bureau of Naval Personnel Manual, Ch. 20, B-2110, 12 June 1956

Encl: (1) DD Form 149 with attachments
(2) Case summary

1. Pursuant to the provisions of reference (a), Petitioner, a retired member of the Navy, filed enclosure (1) requesting his race be corrected on his Certificate of Release or Discharge from Active Duty (DD Form 214). Enclosures (1) and (2) apply.

2. The Board, consisting of █, reviewed Petitioner's allegations of error and injustice on 15 December 2023, and pursuant to its regulations, determined that the corrective action indicated below should be taken. Documentary material considered by the Board consisted of Petitioner's application together with all material submitted in support thereof, relevant portions of Petitioner's naval record, and applicable statutes, regulations, and policies, to include references (b) and (c).

3. The Board, having reviewed all the facts of record pertaining to Petitioner's allegations of error and injustice finds as follows:

a. Before applying to this Board, Petitioner exhausted all administrative remedies available under existing law and regulations within the Department of the Navy.

b. Although enclosure (1) was not filed in a timely manner, it is in the interest of justice to review the application on its merits.

c. Petitioner enlisted in the Navy, and began a period of active service on 16 August 1954. Following three consecutive immediate reenlistments, he retired from the Navy, with an Honorable discharge, on 24 August 1974.

Subj: REVIEW OF NAVAL RECORD OF [REDACTED]

d. Petitioner contends, his race was incorrectly recorded as Caucasian in his record since he is Native American. He states when he entered the Navy in 1954, Native Americans were discriminated against, and he was afraid of racially motivated acts if his race was listed as anything other than Caucasian. In support of his application, he submitted his birth certificate, a U.S. Department of the Interior Certified Degree of Indian Blood, a Letter from Deputy, Special Assistant for Legislative and Congressional Matters directing him to seek assistance from the Board, and a report from Ancestry.com listing him on the U.S. Indian Census Rolls.

e. Reference (c) provides, concerning “race entries on forms, records and reports concerning officer and enlisted personnel, (1) when entries regarding race are required on personnel forms, records and reports, only the five terms listed below will be used...d. Indian (American).”

CONCLUSION

Upon careful review and consideration of all of the evidence of record, the Board determined that Petitioner’s request warrants relief in the interests of justice, and recommends the following corrective action.

RECOMMENDATION

That Petitioner be issued a DD Form 215 for the period of service ending on 20 May 1959, indicating his race as, “Indian (American).”

That Petitioner be issued a DD Form 215 for the period of service ending on 15 August 1966, indicating his race as, “Indian (American).”

That no further changes be made to Petitioner’s record. (Petitioner’s subsequent two DD Form 214s do not include race, and therefore do not require correction).

That a copy of this report of proceedings be filed in Petitioner’s naval record.

4. It is certified that a quorum was present at the Board's review and deliberations, and that the foregoing is a true and complete record of the Board's proceedings in the above entitled matter.

5. Pursuant to the delegation of authority set out in Section 6(e) of the revised Procedures of the Board for Correction of Naval Records (32 Code of Federal Regulation, Section 723.6(e)) and having assured compliance with its provisions, it is hereby announced that the foregoing corrective action, taken under the authority of reference (a), has been approved by the Board on behalf of the Secretary of the Navy.

1/11/2024

