



DEPARTMENT OF THE NAVY
SECRETARY OF THE NAVY COUNCIL OF REVIEW BOARDS
720 KENNON STREET SE STE 309
WASHINGTON NAVY YARD, DC 20374-5023

IN REPLY REFER TO:
1850
CORB: 001
28 Oct 24

SECNAVCORB POLICY LETTER 2024-03

From: Director, Secretary of the Navy Council of Review Boards

Subj: PRESIDENT PHYSICAL EVALUATION BOARD DIRECTED INFORMAL
PHYSICAL EVALUATION BOARD RECONSIDERATIONS

Ref: (a) SECNAVINST 1850.4F
(b) SECNAV M-1850.1
(c) Title 10, United States Code

1. Purpose. To provide guidance on President Physical Evaluation Board (PPEB)-directed Informal Physical Evaluation Board (IPEB) reconsiderations to ensure fair, consistent, timely, and accurate Physical Evaluation Board (PEB) determinations.
2. Background. Reference (a) authorizes Director, Director, Secretary of the Navy Council of Review Boards (SECNAVCORB) to issue internal instructions to interpret and implement reference (a). Reference (a) authorizes the PPEB to supervise and direct the daily activities of the PEB; to ensure policies and procedures of the PEB are fairly and consistently implemented; to ensure the accuracy and consistency of PEB determinations; and to ensure that the PEB Legal Advisor is performing legal sufficiency reviews of PEB determinations. Chapter 4, paragraph 1.b.(3) of reference (b) provides that the PPEB “may direct an IPEB of new members to completely reconsider (with recorded votes) any case.”
3. Chapter 4, paragraph 1.b.(3) of reference (b) does not limit the PPEB’s directed IPEB reconsiderations to *sua sponte* actions. A Service member (or their legal representative) may make, and the PPEB may accept, a written request to the PPEB to direct reconsideration of their IPEB determination.
4. Policy. To direct reconsideration of an IPEB determination, the PPEB must have good reason. Good reason is information to suggest that the IPEB determination is incorrect. Should a Service member or their legal representative wish to request that the PPEB direct an IPEB reconsideration, they may do so by presenting good reason to the PPEB. Requests to the PPEB must be in writing and will state the Service member’s preferred PEB determinations (Fit or Unfit for a condition(s), stable or unstable unfitting condition(s), combat related/combat zone finding(s), recommended disposition, or the application of a Department of Veterans Affairs Schedule for Rating Disabilities code/rating (for IDES cases) and will provide evidentiary support¹ in favor of the preferred determinations. Any request to the PPEB to direct reconsideration pursuant to chapter 4, paragraph 1.b.(3) of reference (b) must also be signed

¹ Evidentiary support may consist of medical records, witness statements, military personnel records, or other information. Requests containing PII/HPI/CUI must be transmitted to the PEB using a secure method, either encrypted email or DoD SAFE (<https://safe.apps.mil>).

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(preferably an electronic CAC enabled signature) by either the Service member or their legal representative. For efficiency purposes a Service member will be limited to one request to the PPEB for a directed IPEB reconsideration.

5. Upon a PPEB finding of good reason to direct an IPEB reconsideration, the Service member's request will be forwarded to an IPEB consisting of new members to completely reconsider (with recorded votes) a previously adjudicated IPEB. The PEB Legal Advisor will regularly perform legal sufficiency reviews of reconsidered IPEB determinations.

6. PPEB may impose reasonable guidelines on Service members requesting a directed reconsideration pursuant to chapter 4, paragraph 1.b.(3) of reference (b). Reasonable guidelines may include the timing, format, and delivery of the request. A Service member may request a PPEB-directed IPEB reconsideration after their IPEB Elections of Options is submitted to a PEBLO electing an FPEB. PPEB will publish additional guidelines to request a PPEB directed reconsideration on the SECNAVCORB/PEB website with a copy to the Director, OJAG Disability Evaluation System Counsel Program (DESCP). The PPEB should summarily reject any Service member request for a directed IPEB reconsideration that does not comply with the directives outlined here, as well as PPEB guidelines. Rejections shall be in writing with a statement of reasons for the rejection.

7. A PPEB rejection of a request for a directed IPEB for lack of good reason or failure to follow administrative guidelines is not an appearance before the PEB and does not announce a decision of the board.

8. Formal PEB (FPEB) Hearings. FPEB hearings meet the statutory requirements of Section 1214 of reference (c). This section provides that "[n]o member of the armed forces may be retired or separated for physical disability without a full and fair hearing if he demands it." Should the PPEB reject a request for a directed IPEB, the Service member may proceed to a FPEB hearing. Under no circumstances may a Service member's request for a PPEB directed IPEB reconsideration serve as the basis to delay a FPEB hearing.

9. Except for legal sufficiency reviews, the PPEB may delegate any function outlined in this letter to qualified personnel assigned to the PEB.

10. This policy letter shall remain in effect until March 1, 2025, unless it is sooner revoked or superseded by a successor policy.

J. A. RIEHL

Copy to:
PPEB
SECNAVCORB Counsel
Office Administrator
Director, OJAG DESCP