

DEPARTMENT OF THE NAVY
Office of the Secretary
Washington, DC 20350-1000

SECNAVINST 5420.135D
NCPB
27 March 1992

SECNAV INSTRUCTION 5420.135D

From: Secretary of the Navy
To: All Ships and Stations

Subj: NAVAL COUNCIL OF PERSONNEL
BOARDS

Ref: (a) SECNAVINST 5430.7L (NOTAL)
(b) Chapter 61, Title 10, U.S. Code,
(Secs 1201-1221)
(c) SECNAVINST 1850.4C (NOTAL)
(d) Title 10, U.S. Code, Sec 1553
(e) SECNAVINST 5420.174C (NOTAL)
(f) SECNAVINST 5815.3G
(g) Title 10, U.S. Code, Secs 953, 954
(h) Title 10, U.S. Code, Sec 952

1. **Purpose.** To state the mission, duties and responsibilities of the Naval Council of Personnel Boards (NCPB).

2. **Cancellation.** SECNAVINST 5420.135C.

3. **Organization.** The NCPB is an administrative activity within the Department of the Navy (DON) assigned by reference (a) to the Assistant Secretary of the Navy (Manpower and Reserve Affairs) (ASN(M&RA)) for supervision and support. It is comprised of the Physical Evaluation Board, the Naval Discharge Review Board, the Naval Complaints Review Board and the Naval Clemency and Parole Board. The Director shall be a senior line/unrestricted officer (O6 or above) permanently assigned to the Council whose immediate office is designated a staff field office of the ASN(M&RA). The Director and

R) Deputy Director billets will be alternately, but not simultaneously, held by Navy and Marine Corps officers. The Director is responsible for all matters pertaining to the Council and its constituent elements, and shall be the direct channel between the ASN(M&RA) and the constituent elements. In the event of the absence or incapacity of the Director, the Deputy Director shall assume the duties and responsibilities of Director.

4. **Mission.** The mission of the NCPB shall be as follows: to administer and supervise assigned boards.

5. **Duties and Responsibilities.** The Director shall have the authority to detail to membership on component boards officers permanently assigned to the NCPB or otherwise made available, and to request necessary alternate officer membership, as required, from the DON. The Director is further authorized to establish an ad hoc board within the Council to review any case referred to the Council by the ASN (M&RA) which does not fall directly within the purview of any component boards comprising the NCPB. In brief, the boards function as follows:

a. **Physical Evaluation Board (PEB).** The PEB administers disability evaluations within the (R) DON under reference (b) and other applicable provisions of law and regulation. It is comprised of the Records Review Panels; Hearing Panels at Bethesda, MD and San Diego, CA; and the Disability Evaluation System Counselors located at selected major medical centers. The Panels of the PEB consider evidence concerning disabilities of personnel and, the President, PEB, acting for the ASN(M&RA), orders an appropriate disposition in each case. The PEB is governed and organized by reference (c).

b. **Naval Discharge Review Board (NDRB).** The NDRB, following references (d) and (e), reviews the characterization of service and reason for discharge or dismissal of former members of the Navy and Marine Corps (except those discharged by reason of sentence of general court-martial), and has the authority to change, correct or modify any discharge or dismissal. The Board has no authority to revoke a discharge or dismissal; reinstate a person in the military service subsequent to discharge or dismissal; recall a former member to active duty; conduct proceedings under procedures prescribing the conduct of administrative discharge boards; change reenlistment codes; make recommendations for reenlistment to permit entry in the naval service or any other



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branch of the Armed Forces; cancel or void enlistment contracts; change, correct, or modify any document other than discharge documents; change the reason for discharge from, or to, physical disability; or determine eligibility for veterans benefits.

c. Naval Complaints Review Board

(NCRB). The NCRB reviews those complaints, pertaining to NDRB decisions, properly referred A) by the Joint Services Review Activity. Additionally, the Board, by separate tasking, is responsible for ensuring compliance with the stipulation in reference (e) by providing oversight supervision in the preparation of decisional documents of the NDRB.

d. Naval Clemency and Parole Board

(NC&PB). The NC&PB reviews and grants or denies clemency in those Navy and Marine Corps cases referred to it for clemency review and, when requested, provides advisory opinions to the Commandant of the Coast Guard regarding the appropriateness of clemency as it pertains to Coast Guard personnel serving sentences of confinement in naval facilities as provided by references (f) and (g); reviews and grants or denies parole in those Navy, Marine Corps, and Coast Guard cases referred to it for parole review as provided by references (f) and (h); and reviews policy and procedures in clemency and parole matters for appropriate action by the Secretary of the Navy in accordance with reference (f).

6. Action. The Director shall issue such instructions as are necessary to further define and implement the organization and mission of the NCPB.

H. LAWRENCE GARRETT, III
Secretary of the Navy

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