



**DEPARTMENT OF THE ARMY**  
**UNITED STATES ARMY PHYSICAL DISABILITY AGENCY**  
**6900 GEORGIA AVENUE, NW**  
**BUILDING 7 WRAMC**  
**WASHINGTON DC 20307-5001**

AHRC-DZB

25 June 2010

MEMORANDUM FOR Presidents, U.S. Army Physical Evaluation Boards

SUBJECT: United States Army Physical Disability Agency (USAPDA) Guidance Documents and Rescindment of Issue and Guidance Memorandums

1. PURPOSE. The purpose of this Memorandum is to: 1. Clarify what constitutes USAPDA guidance; and 2. formally rescind the balance of Issue and Guidance Memorandums, i.e., Memos 2, 3, 7 and 9.

2. BACKGROUND.

a. Since approximately 2005, USAPDA had prepared "Issue and Guidance" documents to clarify regulations as these regulations relate to case adjudication. Since 2007, various Issue and Guidance documents were rescinded. In 2009, the remaining documents were removed from the USAPDA website.

b. The 14 OCT 2008 Directive Type Memorandum instructed that the Secretaries of the Military departments are to follow the VASRD, to include applicable interpretation of the VASRD by the United States Court of Appeals for Veterans Claims.<sup>1</sup>

c. In March 2010, the USAPDA distributed two documents. One is titled, "Compilation of PDA Guidance and Policies". The other is titled, "VASRD Overview". The purpose of these documents is to provide clarification of existing rules. They are not designed and not intended to alter or deviate from the VASRD. These documents have been sent to each PEB and the PEBs are to retain these documents on their Shared drive. The documents have been forwarded to the webmaster for posting on the PDA website and to Soldiers' Counsel. They will be updated from time to time. Each update will be forwarded to the PEBs; Soldiers' Counsel; and, the webmaster.

d. Those two documents, in conjunction with the 14 OCT 2008 Directive Type Memorandum and the 21 AUG 2009 Memo to PEB Presidents titled, "Physical Evaluation Board Proceedings: Standard for Findings and Recommendations" supplant the need for the remaining Issue and Guidance memorandums.

---

<sup>1</sup> The 14 OCT 2008 DTM also provided that "[t]he Secretary concerned may utilize in lieu of the VASRD such criteria as the Secretary of Defense and the Secretary of Veterans Affairs may jointly prescribe if utilization of such criteria will result in a greater percentage of disability than would be otherwise determined through the utilization of the schedule." No such criteria have yet been agreed upon for any particular condition(s).

AHRC-DZB

SUBJECT: United States Army Physical Disability Agency (USAPDA) Guidance Documents and Rescindment of Issue and Guidance Memorandums

3. GUIDANCE.

a. IAW 14 OCT 2008 DTM, each rating determination is based only on published rules and applicable interpretation of the VASRD by the United States Court of Appeals for Veterans Claims.

b. The information within "Compilation of PDA Guidance and Policies" and "VASRD Overview" is meant to clarify VASRD rules – not to create new rules. Where the PEB believes that [only] the guidance documents support the finding, the PEB must cite to, and include the relevant language from the document(s). If any Soldier or attorney requests a copy of either or both documents, the PEB is to provide the Soldier with the current version of the document(s), in their entirety, unless the documents are readily available through the PDA website.

CASSIDY, DANIEL LYONS, JR. 1022356004

DANIEL L. CASSIDY  
COL, IN  
Deputy Commander