



Assistant Secretary for Health and
Office of Public Health and Science
Washington, D.C. 20201

JUN 24 2004

TO: Surgeon General

FROM: Acting Assistant Secretary for Health

SUBJECT: **Commissioned Corps Personnel Policy Memorandum 04-001- Policy Guidance Regarding Activities Involving Personnel With Prior Active-Duty Military Service Seeking an Inter-Service Transfer or Appointment in the Corps - ACTION**

Section E.10 of Subchapter CC23.3, INSTRUCTION 4, "Appointment Standards and Appointment Boards," states that candidates with more than 8 years (8 years 00 months 00 days) of active-duty service in one of the Uniformed Services other than the Commissioned Corps of the U.S. Public Health Service (Corps) shall not generally be approved for appointment in the Corps. Nevertheless, the current INSTRUCTION states that the 8-year requirement may be waived by the Director, Division of Commissioned Personnel (DCP), if a candidate is found to be "exceptionally qualified" and the candidate meets all other requirements necessary for appointment to the Corps.

All personnel involved in Corps recruitment activities are to be reminded that the 8-year requirement set forth in Subchapter CC23.3, INSTRUCTION 4 remains current policy and that waivers of the 8-year requirement are expected to be only a rare exception. Recruitment personnel should ensure that this policy is communicated to all candidates seeking an inter-service transfer (IST) or appointment to the Corps. Effective immediately, the authority to grant waivers of the 8-year requirement set forth in Section E.10 of Subchapter CC23.3, INSTRUCTION 4, will no longer reside with the Director, DCP (now the Director, Office of Commissioned Corps Operations (OCCO)), as the INSTRUCTION currently provides. Instead, the waiver authority may only be exercised by the Surgeon General (SG) or, when acting in his/her absence, the Deputy SG.¹

To assist the Assistant Secretary for Health (ASH), through the Office of Commissioned Corps

¹When Subchapter CC23.3, INSTRUCTION 4, was issued on March 19, 2003, the SG had the general delegated authority to promulgate INSTRUCTIONS and to administer all aspects of the appointment process. In exercising those authorities, the SG provided a process in INSTRUCTION 4 for waiver of the 8-year requirement and designated the Director, DCP, to render decisions on any waiver requests. With the advent of the 2004 transformation of the Corps, authority to issue, amend, or rescind CCPM INSTRUCTIONS was reserved to the ASH. Through this Commissioned Corps Personnel Policy Memorandum 04-001, the Acting ASH is modifying that process by providing that only the SG may grant or deny waiver requests submitted under Section E.10 of INSTRUCTION 4.

Force Management (OCCFM), in tracking the application or waiver of the 8-year requirement, I request that a monthly report be submitted through the Office of the Executive Secretariat, Office of Public Health and Science, containing the following information: (1) The number of waiver requests by category and/or discipline, sub-specialty, and years of active-duty service submitted by recruiting personnel and/or applicants to the SG and/or OCCO each month; (2) The number of waiver requests by category and/or discipline, sub-specialty, and years of active-duty service granted by the SG each month; and (3) If any waiver(s) are granted in a given month, the justification for each waiver.

I also ask that recruitment personnel be advised that while ISTs of officers appointed in the Armed Forces to the Corps are permissible, ISTs may only be made within the Service's authorized strength limitations and subject to approval by the Corps (Subchapter CC23.3, INSTRUCTION 5, "Inter-Service Transfer of Commissioned Officers"). The authorized strength limitations (grade ceilings) for Regular Corps officers are extremely limited and the grade ceilings for Corps officers are currently under review by OCCFM. Therefore, effective immediately, all ISTs involving Regular Corps officers are prohibited unless approved by the ASH. (See Section D.4 and D.6 of Subchapter CC23.3, INSTRUCTION 5).

The policies contained in Commissioned Corps Personnel Policy Memorandum 04-001 will remain in effect for 36 months.

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