

SUBJECT: Amendment to Subchapter CC23.4, INSTRUCTION 2, "Temporary Grade Promotions."

1. **Purpose**

The purpose of this Manual Circular is to amend Subchapter CC23.4, INSTRUCTION 2, so that officers who were examined for temporary grade promotions by an Annual Temporary Promotion Board (ATPB) in promotion year (PY) 2003, but were not successful, are eligible to compete for temporary grade promotions starting in PY2004, irrespective of the Time-in-Service/Time-in-Grade provisions listed in Section D of Subchapter CC23.4, INSTRUCTION 2, and in accordance with the provisions below.

2. **Authorities**

Same as Subchapter CC23.4, INSTRUCTION 2, cited above.

3. **Background**

Section D. of Subchapter CC23.4, INSTRUCTION 2, dated December 18, 2003, sets forth the eligibility criteria to be considered for temporary grade promotions in the PHS Commissioned Corps. Sections F.1.b and F.1.c of the same INSTRUCTION state that officers who have been previously examined for temporary grade promotion, but were not selected and/or recommended for promotion and have not been continued in grade, will have their qualifications assessed by an ATPB. While it is implied that officers must meet the eligibility criteria in Section D in order to be reviewed by an ATPB, there has been confusion on the issue. This is particularly true with respect to officers who were examined by an ATPB in PY2003, were not successful, and now do not meet the new eligibility criteria listed in Section D. To clarify this policy, this Manual Circular amends Subchapter CC23.4, INSTRUCTION 2, so that the rules governing which officers are eligible to be examined by an ATPB for temporary grade promotion are explicit and unambiguous.

4. **Revisions**

A. **Sections F.1.b and F.1.c. are revised as follows:**

 "1. ATPBs shall assess the qualifications of the following:

 b. Officers who were eligible and examined for temporary promotion by an ATPB in the previous promotion year, but who were not promoted because of the lack of vacancies in grade and are not being continued in grade in accordance with Section F.3, below, provided:

 (1) Officers meet the eligibility criteria listed in Section D, above; or

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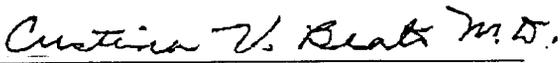
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- (2) Officers were examined for temporary promotion by the ATPB in PY2003, have been on continuous active duty, and do not elect to waive examination pursuant to Section F.5, below.
- c. Officers who were examined, but not recommended for promotion by an ATPB in the previous promotion year and are not being continued in grade in accordance with Section F.3, below provided:
- (1) Officers meet the eligibility criteria listed in Section D, above; or
 - (2) Officers were examined for temporary promotion in PY2003, have been on continuous active duty, and do not elect to waive examination pursuant to Section F.5, below.”

B. Section F.5 is revised to read as follows:

“Officers eligible for competitive temporary promotion during PY2004 may elect to waive examination for temporary promotion during PY2004 if the officer submits a notarized statement to the SG indicating that the officer voluntarily waives his/her right to be examined. Officers who elect to waive their examination for promotion during PY2004 will be examined for temporary promotion during the next promotion year in which they meet the eligibility criteria listed in Section D, above.

Note 1: Sections F.1.b.(2) and F.1.c.(2) allow officers who previously competed for temporary grade promotions at the PY2003 ATPB to be deemed promotion eligible for the same temporary grade for which they were considered by the PY2003 ATPB, notwithstanding the provisions of Section D of Subchapter CC23.4, INSTRUCTION 2 . All officers who are examined for promotion by the PY2004 ATPB are covered by the grade continuation provision of Section F.3 below. In addition, officers impacted by the amendments announced in this Manual Circular and are considered for promotion in 2004, will continue to be considered in subsequent promotion years until they receive a temporary promotion or are continued in grade pursuant to Section F.3. However, officers who elect to waive examination in PY2004 pursuant to Section F.5, below, will not be examined again for temporary promotion until they meet the eligibility criteria listed in Section D, above.

Note 2. Sections F.1.b.(2) and F.1.c.(2), above, do not apply to officers who were examined for exceptional capability promotions (ECP) in PY2003. Therefore, officers who were examined for an ECP (now referred to as “exceptional proficiency promotion (EPP)”) in PY2003 and do not meet the eligibility criteria listed in Section D, above, are not eligible to be examined by an ATPB in PY2004 unless nominated for an EPP.”


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