

DEPARTMENT OF HEALTH AND HUMAN SERVICES
Public Health Service

Chapter CC23 - Staffing
Subchapter CC23.4 - Promotion
Personnel INSTRUCTION 2 - Temporary Grade Promotions

CONTENTS

<u>Section</u>	<u>Subject</u>	<u>Page</u>
A.	Purpose and Scope	1
B.	Authorities	2
C.	Definitions	3
D.	Temporary Promotion Eligibility Criteria	3
E.	Noncompetitive Temporary Promotion Policy	4
F.	Competitive Temporary Promotion Policy	5
G.	Membership Policy and Procedures for ATPBs	7
H.	ATPB Operational Policy and Procedures	8
I.	Temporary Promotion Roster and Promotion Approval	9
J.	Retention of Temporary Promotion Upon Appointment In the Regular Corps	10
K.	Revocation of Temporary Promotions	11
L.	Exceptional Proficiency Promotions	11
M.	Cross References	13
N.	Historical Notes	13
O.	Privacy Act Provisions	14

Section A. Purpose and Scope

1. This INSTRUCTION sets forth the policies and procedures governing the temporary grade promotion program for Regular and Reserve Corps officers in the Commissioned Corps of the Public Health Service (PHS Commissioned Corps) who are serving on extended active duty.

2. This INSTRUCTION does not apply to the following:
 - a. Officers in the Inactive Reserve Corps (IRC) (See Subchapter CC23.5, INSTRUCTION 9, "Short Tours of Active Duty- Inactive Reserve Corps");
 - b. Officers called to active duty for short or intermittent tours as defined in Subchapter CC23.5, INSTRUCTION 9;
 - c. Officers appointed under the Junior or Senior Commissioned Officers Student Training and Extern Programs (See Subchapters CC25.2, INSTRUCTION 4, "Junior Commissioned Officer Student Training and Extern Program (COSTEP),"and CC25.2, INSTRUCTION 5, "Senior Commissioned Officer Student Training and Extern Program (Senior COSTEP),"respectively);
 - d. Officers assigned to the Uniformed Services University of the Health Sciences (USUHS) who are attending USUHS in order to obtain their qualifying degree (Subchapter CC45.2, INSTRUCTION 3, "Assignment of PHS Commissioned Officers to the USUHS");
 - e. Officers being examined for promotion to the Assistant Surgeon General grades (O-7 and above) (See Subchapter CC23.4, INSTRUCTION 7, "Flag Officer Selection and Assignment"); and
 - f. Officers being examined for special circumstances promotions.
3. This INSTRUCTION is effective as of the date signed by the Assistant Secretary for Health (ASH).

Section B. Authorities

1. Section 209 of Public Health Service Act (PHS) (42 U.S.C. 210b).
2. Section 210 of the PHS Act (42 U.S.C. 211).
3. Section 215 of the PHS Act (42 U.S.C. 216).
4. Executive Order 11140, dated January 30, 1964.
5. Reorganization Plan 3 of June 25, 1966.
6. Subchapter CC43.4, INSTRUCTION 1, "Promotion of Commissioned Officers in the Public Health Service."
7. The Secretary of Health and Human Services (HHS or Department) has delegated the authorities that are necessary to administer the PHS Commissioned Corps to the ASH including the authority to make or terminate temporary promotions of Regular or Reserve Corps officers (See 42 U.S.C. 211 and 53 FR 3457 dated February 5, 1988.)

Section C. Definitions

The following terms are defined in this INSTRUCTION as follows:

1. Annual Temporary Promotion Board (ATPB). A board convened under the authority of 42 U.S.C. 211 to consider for temporary promotion to the next higher grade, officers serving on extended active duty.
2. Commissioned Officer or Officer. Regular and Reserve Corps officers appointed to the PHS Commissioned Corps.
3. Extended Active Duty. A call or order to active duty for a period in excess of 120 days.
4. Promotion Year. A year in which an officer is eligible to be examined for temporary promotion and runs from July 1 through June of the following year.
5. Temporary Promotion. A promotion to any grade greater than the permanent grade held by the officer that takes place earlier than the date on which the officer would meet the eligibility requirements under the permanent promotion criteria established by 42 U.S.C. 211(d).
6. Time in Service. The total time in active-duty service as an officer in the PHS Commissioned Corps. Up to 3 years of service as a member in one of the Uniformed Services may be substituted for service in the PHS Commissioned Corps for determining eligibility for temporary grade O-5, and up to 6 years of service may be substituted for service in the PHS Commissioned Corps for determining eligibility for temporary grade O-6.
7. Time in Grade. The total time in grade since the last appointment to such grade that an officer has served on active duty during the officer's current tour with the PHS Commissioned Corps.
8. Training and Experience Date (TED) Credit. Education, training or work experience that is creditable for purposes of determining an officer's temporary grade after original appointment to the PHS Commissioned Corps (See Subchapter CC23.3, INSTRUCTION 4, "Appointment Standards and Appointment Boards.") .
9. Exceptional Proficiency Promotion (EPP). A temporary grade promotion to any grade earlier than the date on which the officer would meet the eligibility requirements set forth in this INSTRUCTION. EPP promotions are based on the possession of unusual levels of training and/or professional experience or unique qualifications required by the PHS Commissioned Corps.
10. Temporary Promotion Review Board (TPRB). A board of officers appointed and convened by the Surgeon General (SG) to make recommendations about whether an officer's temporary promotion should be revoked pursuant to Section K. (2)-(4), below.

Section D. Temporary Promotion Eligibility Criteria

1. The SG establishes which officers are eligible for examination for temporary promotion based on criteria established by the ASH. The table set forth below contains the current eligibility criteria for temporary promotion and includes an officer's:

- a. Years of TED credit established at the time of appointment in accordance with Subchapter CC23.3, INSTRUCTION 4, "Appointment Standards and Appointment Boards;"
- b. Total time in active-duty service as a commissioned officer; and
- c. Total time in grade that an officer has served on active duty during an officer's current tour with PHS.

Grade	TED Credit	Time in service requirement (See Sections D.2 and D.3)	Time in grade requirement during current PHS tour (See Section D.4)
O-2	4 years	None	None
O-3	8 years	None	None
O-4	12 years	6 months on current tour as officer in the PHS Commissioned Corps (as of March 1 st of the year reviewed by ATPB)	None
O-5	17 years	5 years (2 years must be as officer in the PHS Commissioned Corps)	2 years as O-4
O-6	24 years	9 years (3 years must be as officer in the PHS Commissioned Corps)	3 years as O-5

- 2. Active-duty service can be a combination of current and previous tours in the PHS Commissioned Corps unless otherwise noted in this INSTRUCTION.
- 3. The time in service requirement applies to all officers including both Inactive Reserve Corps (IRC) officers recalled to extended active duty and inter-service transfers from another Uniformed Service.
- 4. The time in grade requirement applies to all officers including both IRC officers recalled to extended active duty and inter-service transfers from another Uniformed Service.

Section E. Noncompetitive Temporary Promotion Policy

- 1. Officers that are eligible for temporary promotion to the Assistant (O-2) and Senior Assistant (O-3) grades or medical officers eligible for temporary promotion to the Full grade (O-4), may be promoted on the first day of the month following the date upon which the officer attains eligibility for promotion provided:
 - a. A current satisfactory Commissioned Officers' Effectiveness Report (COER) is in the officer's Official Personnel Folder (OPF);
 - b. The officer is in compliance with the licensure requirements listed in Subchapter CC26.1, INSTRUCTION 4, "Professional License/Certification/Registration Requirements for Commissioned Officers in the PHS;"

- c. The officer has met the basic level of readiness (this requirement does not apply until May 1, 2005; (See Subchapter CC26.1, INSTRUCTION 8, "PHS Readiness Standards"), and any other requirements as identified by the ASH;
 - d. For medical officers, a letter of recommendation to the SG from the officer's Agency/Operating Division (OPDIV) or Program Head to which the officer is assigned is received; and
 - e. There are no current or pending adverse or disciplinary actions.
2. If prior to the effective date of the temporary promotion, the SG determines that a category or group board should review the qualifications for promotion of an officer listed in Section E.1, above, the officer's records shall be forwarded to the next ATPB for evaluation. If the ATPB recommends that the officer be promoted, that recommendation is submitted to the SG who forwards it to the ASH for approval. Upon approval by the ASH, the effective date of the promotion will be July 1 of the promotion year or the first day of the month following the officer's date of eligibility, whichever is later.

Section F. Competitive Temporary Promotion Policy

1. ATPBs shall assess the qualifications of the following:
 - a. All officers, other than medical officers eligible for the Full (O-4) grade, who meet the eligibility requirements for temporary promotion to the Full grade (O-4), Senior grade (O-5), and Director grade (O-6), as set forth in Section D., above;
 - b. Officers who were eligible for temporary promotion 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;
 - 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;
 - d. Officers who are eligible for temporary promotion to the Assistant grade of (O-2), Senior Assistant grade (O-3), and medical officers who are eligible for temporary promotion to the Full grade (O-4), but are referred to an ATPB by the SG pursuant to E.2, above;
 - e. Officers who are referred to an ATPB as a result of an administrative process such as the Board for Corrections of PHS Commissioned Corps Records, a grievance, or an equal opportunity action;
 - f. Officers who are referred to an ATPB by the SG to remedy an administrative error in the promotion process; and
 - g. Officers who are nominated for a special circumstances promotion upon a call to active duty or an exceptional proficiency promotion.
2. ATPBs measure the capabilities and performances of officers for promotion to the next higher temporary grade using predetermined precepts and benchmarks. The precepts utilized by ATPBs are announced annually, but will include at least the following factors:
 - a. Performance Rating and Reviewing Official Statement;

- b. Education, training, and professional development (Professional Qualifications);
- c. Career progression and potential;
- d. Professional contributions and service to the PHS Commissioned Corps; and
- e. Response Readiness.

Note. For the Promotion Year (PY) 2004, boards will only assess that an officer meets the basic level of readiness based on information provided to the boards by the Commissioned Corps Readiness Force. For future boards (2005 promotion year and beyond), additional points will be awarded for isolated hardship assignments, response activities, and meeting readiness requirements beyond the basic level.

3. An officer who is examined by an ATPB and does not receive a temporary promotion to the next higher grade will be examined for temporary promotion during the next cycle for which the officer is eligible. However, if an officer is examined and does not receive a temporary promotion, i.e., "passed over," after three examinations for the same temporary grade, the officer shall be continued at the temporary grade at which the officer currently holds for the remainder of the officer's career conditioned on satisfactory performance. There are three exceptions to this policy as follows:
 - a. If the Head of an officer's OPDIV or Program endorses a request to have the officer examined for temporary promotion to the next higher temporary grade for which the officer has been previously passed over three times, and the officer concurs with the endorsement, an ATPB may examine an officer for temporary promotion for a fourth and final time. If unsuccessful, the officer shall be continued at the temporary grade at which the officer currently holds and is ineligible to be examined for future temporary promotion;
 - b. An officer's temporary grade is revoked in accordance with Section K. of this INSTRUCTION; and
 - c. An officer who has been passed over for promotion to the next higher grade prior to the 2004 promotion year, will not be considered as having been passed over for temporary promotion pursuant to Section F.5, below.

Note. Officers who are examined by an ATPB for an Exceptional Proficiency Promotion but do not receive a temporary promotion, will not be considered as having been passed over for temporary promotion under this Section (See Section L.7, below).

4. Officers who are examined for temporary promotion to the next higher grade during a promotion year when the ASH or his/her designee determines that there are no requirements for temporary promotion in such officer's category or group pursuant to 42 U.S.C. 211, will not be considered as having been passed over for promotion pursuant to Section F.3 above.
5. Officers eligible for temporary promotion during the 2004 promotion year may elect to waive examination for temporary promotion during the 2004 promotion year 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 the 2004 promotion year will be examined for temporary promotion during the next eligible promotion year.

6. For purposes of this INSTRUCTION, the following temporary promotion scenarios will be treated as having been passed over for promotion:
 - a. Not recommended;
 - b. Recommended, but with a ranked score that is below the promotion line;
 - c. Recommended, but failure to be promoted to the next higher temporary grade because of noncompliance with the Standards of Conduct, licensure requirement, the basic readiness standards (applicable in PY2005 and thereafter), or other PHS Commissioned Corps requirements;
 - d. Separation during an officer's eligibility period for temporary promotion, e.g., during an annual promotion year, where the officer was not ranked high enough on the promotion roster to be deemed eligible for temporary promotion had the officer remained on extended active duty;
 - e. All considerations for temporary promotion during previous tours of active duty on or after the 2004 promotion year, where the officer was passed over for promotion:
 - (1) Based on the temporary promotion scenarios listed in 6.a.-6.d of this Section; and
 - (2) For the same grade and category/group for which the officer is presently being examined.
 - f. All temporary grade revocations for the same grade and in the same category for which the officer is being examined for temporary promotion.
7. An officer who separates after serving on extended active duty and enters a nonextended active-duty Reserve status will revert to the highest permanent grade held on extended active duty.

Section G. Membership Policy and Procedures for ATPBs

1. The PHS Commissioned Corps utilizes ATPBs to assess the fitness and qualifications of Regular and Reserve Corps officers for temporary promotion to the next higher grade. ATPBs are responsible for ensuring that only the best qualified officers are recommended for temporary promotion.
2. At least once each calendar year, the SG will appoint one or more ATPBs for each professional category or group to consider the fitness and qualifications of officers appointed to the Regular and Reserve Corps. Such ATPBs will consist of three or more officers at the rank/grade of Director/(O-6) and a majority of the members will be appointed to the Regular Corps. Insofar as it is practicable, the majority of ATPB members will be of the same category or group as the officers to be examined for promotion.
3. The SG or his/her designee, shall make every effort to ensure that the selection process for ATPB members complies with the Department's rules, regulations, and policies against discrimination in the workplace. In addition, every effort will be made to ensure that ATPB membership is as representative as possible with respect to Agency/OPDIV and field representation.

4. Each ATPB will commence with the SG, or his/her designee, administering an oath of office to each member that will address issues such as the requirement to recuse oneself if there is a conflict of interest and the need for confidentiality.
5. ATPB members will be appointed via an official personnel order for inclusion in the officer's OPF.
6. When an ATPB is convened, the senior officer of the ATPB shall be designated as the "Chairperson." The Chairperson's duties consist of:
 - a. Calling the ATPB to order;
 - b. Governing the general conduct of the ATPB; and
 - c. Overseeing the duties of the Executive Secretary.
7. The SG or his/her designee, shall assign a non-voting Executive Secretary to each ATPB that is convened. The Executive Secretary's duties shall consist of:
 - a. Preparing the ATPB's recommendation(s) for submission through the SG to the ASH for approval; and
 - b. Performing other board-related duties as required by the Chairperson or the SG or his/her designee.
8. Subject to the provisions of the Privacy Act, all ATPB members are bound to hold in confidence all information concerning officers being examined by the ATPB, including:
 - a. Deliberations and recommendations of the ATPB;
 - b. Comments by any ATPB member;
 - c. Discussions with officers called as consultants to the ATPB; and
 - d. Evaluations and votes made by ATPB members.
9. All recommendations by an ATPB shall be based on a majority of votes of the ATPB members. All members of the ATPB shall have equal voting rights.

Section H. ATPB Operational Policy and Procedures

1. No officer may serve as a member of an ATPB for the same category or group more frequently than one time every 3 years.
2. ATPBs are appointed for each category or group and make recommendations for or against temporary promotion to the next higher grade. ATPB members score eligible officers individually by comparing the information available to the ATPB on each officer with the applicable precepts and benchmarks. Thereafter, the members' scores for each officer are averaged, and the officers for each temporary grade and category or group are ranked according to their scores.

3. For purposes of making recommendations regarding temporary promotion, ATPBs review documentation maintained in an officer's electronic OPF and do not review information maintained separately in an officer's adverse actions, medical, or compensation files.
4. After the ATPB has finalized its recommendations and ranking for each category and group, the results are submitted through the SG to the ASH for approval.

Section I. Temporary Promotion Roster and Promotion Approval

1. Temporary promotions to the Full grade (O-4), except for medical officers eligible for temporary promotions to the Full grade, Senior grade (O-5), and Director grade (O-6), will depend on the requirements of the PHS Commissioned Corps in each grade as determined by the SG in accordance with guidelines set by the ASH. Temporary promotions to these grades are competitive and are made from the promotion rosters on the basis of vacancies in grade and/or force requirement projections in each category or group. Each roster will include the names of all officers examined for temporary promotion. In cases of identical scores, ATPBs shall use the following order of precedence to establish an officer's placement on the promotion roster:
 - a. The Regular Corps officer has relative standing over the Reserve Corps officer;
 - b. The officer with a higher permanent grade has relative standing over the officer in a lower permanent grade;
 - c. The officer with the earlier seniority credit date has relative standing over the officer with a more recent seniority credit date;
 - d. The officer with more years of active service in the PHS Commissioned Corps has relative standing over the officer with fewer years of such service; and
 - e. The officer with more years of active service at any rank in the Uniformed Services has relative standing over the officer with fewer years of such service.
2. Officers are listed in rank order as recommended by the ATPB, through the SG, and approved by the ASH for each respective category or group. Temporary promotions will be effective following approval by the ASH. No promotion will be effective earlier than July 1 of the promotion year. Officers are promoted on the first day of the month following the date upon which the officer attains eligibility for promotion.
3. The SG will ensure that the final approval list for temporary promotions is complete after eliminating any officer from the approval list:
 - a. Who has not met the licensure requirement(s) and the basic level of readiness (the latter requirement does not apply to the 2004 promotion year) (See Subchapter CC26.1, INSTRUCTION 8);
 - b. Who has a missing or unsatisfactory COER;
 - c. Who has any outstanding adverse action(s). However, if allegations of misconduct or substandard performance are brought to the attention of the SG before the close of the promotion year, and the officer is otherwise eligible for temporary promotion, the SG may suspend the elimination process for a period not to exceed 180 days to allow sufficient time for the adjudication of the allegations, at which time, the SG will make a determination regarding the officer's promotion status; or

- d. Who, based on additional information available to the SG, is found either not qualified or not suitable for promotion to the next grade.
4. At the close of each promotion year, the ASH will direct:
 - a. The SG to prepare and issue orders, approved and signed by the ASH, that effect the promotions of those officers who will be promoted during the period of July 1 through June 30 of the promotion year based on the vacancies in grade and/or force requirement projections at that time; and
 - b. The SG will inform those officer's who were examined for temporary promotion, but did not receive such promotion.

Section J. Retention of Temporary Promotion
Upon Appointment in the Regular Corps

Reserve Corps officers who are appointed in the Regular Corps to any grade shall retain any temporary promotion to any higher grade which they then hold, or for which they have been recommended by an ATPB and approved by the ASH.

Section K. Revocation of Temporary Promotions

1. If an officer twice fails to be recommended by a promotion board for permanent promotion and the ASH concurs with the board's recommendation not to promote:
 - a. The temporary promotion shall be revoked; and
 - b. The revocation shall be effective as of the date the ASH approves the board's second recommendation not to promote (See Subchapter CC23.4, INSTRUCTION 5, "Failure of Permanent Promotion").

Once revoked, the officer will serve in his/her permanent grade. If the ASH does not concur with the board's recommendation, the officer will continue to serve in his/her temporary grade.

2. The ASH may revoke an officer's temporary promotion based on the recommendation of:
 - a. An Involuntary Termination Board, or Involuntary Retirement Board; and/or
 - b. A specially convened TPRB.
3. A TPRB may be appointed and convened by the SG to make recommendations about whether an officer should retain a temporary promotion based upon evidence that:
 - a. The officer's performance has deteriorated to an unsatisfactory level. However, an overall rating of "A" or "B" on an officer's COER will automatically initiate a review process;
 - b. The officer has engaged in misconduct;
 - c. The officer is functioning at more than one grade below his/her temporary grade;
 - d. The officer has failed to respond to progressive discipline; or

- e. The officer has failed to meet or maintain readiness standards, licensure requirements, and/or any other requirements set by the PHS Commissioned Corps.
4. A TPRB shall function under the procedures set forth below:
 - a. A TPRB shall consist of three or more officers at the rank/grade of Director/(O-6). Insofar as it is practicable, the majority of TPRB members will be Regular Corps officers and will be of the same category or group as the officer to be examined for temporary promotion grade revocation. TPRB members will be appointed via an official personnel order for inclusion in the member's OPF;
 - b. The SG will provide the officer being examined by a TPRB with at least 30 days notification before the TPRB is convened and a copy of all documents to be reviewed by the TPRB;
 - c. The TPRB will review the officer's OPF, the evidence relating to the officer's performance and/or misconduct as submitted by the officer's Agency/OPDIV, Program or the SG and any other information submitted by or on behalf of the officer prior to the convening of the TPRB. The officer is not entitled to appear personally before the TPRB, but the TPRB, by majority vote, may elect to grant a request by an officer to appear before the TPRB;
 - d. Based on the evidence presented, the TPRB will make a recommendation through the SG to the ASH about whether an officer's temporary promotion should be revoked. If the ASH concurs with the TPRB's recommendation, the officer shall be reduced one or more temporary promotion grades as recommended by the TPRB. However, the TPRB may not recommend the revocation of the officer's temporary grade below the officer's permanent promotion grade; and
 - e. If the TPRB's recommendation that an officer's temporary promotion grade be revoked is approved by the ASH, revocation shall be effective as of the date of approval and for a minimum duration of 1 year. Thereafter, when the officer meets the time in service, time in grade, and TED credit requirements of Section D., above, for such temporary grade, the officer's record will again be examined by an ATPB. However, any previous considerations by an ATPB that failed to result in the officer's promotion for such temporary grade will be counted towards the three opportunities for purposes of Section F.3, above.
 5. Notwithstanding Sections K.1 through K.4, above, an officer's temporary promotion may be terminated by the President or his/her designee pursuant to 42 U.S.C. 211(k)(l).

Section L. Exceptional Proficiency Promotions

1. For each temporary grade, an officer may be nominated one time for an exceptional proficiency promotion (EPP) based on the possession of unusual levels of training and/or professional experience or unique qualifications required by the PHS Commissioned Corps. The EPP process is specifically not intended as a reward for diligent or even exemplary service. The honor award system is the appropriate recognition for such service (See Subchapter CC27.I, INSTRUCTION 1, "Commissioned Officers' Awards Program," for information about the honor award system).

2. Nominations for EPPs may be made only if the officer meets all of the following:
 - a. Is not otherwise eligible for examination in the current promotion year based on requirements outlined in Section D, above;
 - b. Has held the current temporary grade for at least 1 year as of March 1st of the year in which the officer's record is to be reviewed by an ATPB;
 - c. Currently is in a billet that has a rating at or above the grade of the proposed promotion;
 - d. Meets Time In Grade requirements as outlined in this INSTRUCTION;
 - e. Is in compliance with the Standards of Conduct, licensure and COER requirements, the readiness standards pursuant to Subchapter CC26.1, INSTRUCTION 8, and any other PHS Commissioned Corps requirements; and
 - f. Is not continued in grade pursuant to Section F.3, above.

3. Officers may be nominated for an EPP by STAFFDIV Heads, Agency /OPDIV Heads, and Directors of non-HHS agencies to which officers may be detailed (e.g., Bureau of Prisons, Environmental Protection Agency, and U.S. Coast Guard). Nominations from lower level officials will not be processed.

Each Agency/OPDIV will be limited to nominating not more than 5 percent of the number of officers in their Agency/OPDIV who meet the eligibility requirements for an exceptional proficiency promotion. Nominations are not limited to a particular category or temporary grade. Each Agency/ODIV will be authorized at least one nomination regardless of the number of eligible officers they may have.

The nominating Agency/OPDIV will notify the officer that he/she has been nominated for an EPP in order for that officer to have the opportunity to make certain that his/her record is in order.

4. Officers who are recommended for an EPP will be reviewed and ranked by the categorical board along with all officers eligible for temporary promotion to the same grade pursuant to Section D of this INSTRUCTION, using the same precepts in accordance with Section F.2 of this INSTRUCTION. Therefore, information provided to the ATPB will be the same for all officers, regardless of whether they are recommended for an EPP or are eligible for temporary promotion pursuant to Section D of this INSTRUCTION.

The number of officers promoted is based on the number of vacancies in grades and/or force requirement projections. EPPs will be effective no earlier than a date specified by the ASH. A personnel order will be issued to reflect the approved promotion.

5. At the end of the annual promotion process, officers who did not receive a temporary promotion will have a memorandum placed in their OPF indicating the outcome of the EPP examination.
6. Officers who transfer out of the Agency/OPDIV or Program which nominated an officer for an EPP will be removed from consideration for an EPP unless the new agency continues to support the nomination.

7. Officers who are examined by an ATPB for an EPP but do not receive a temporary promotion, will not be considered as having been passed over for promotion pursuant to F.3, above.

Section M. Cross References

1. Subchapter CC43.4, INSTRUCTION 1, "Promotion of Commissioned Officers in the Public Health Service."
2. Subchapter CC45.2, INSTRUCTION 3, "Assignment of PHS Commissioned Officers to the USUHS."
3. Subchapter CC23.3, INSTRUCTION 4, "Appointment Standards and Appointment Boards."
4. Subchapter CC23.4, INSTRUCTION 1, "Permanent Grade Promotions."
5. Subchapter CC23.4, INSTRUCTION 5, "Failure of Permanent Promotion."
6. Subchapter CC23.4, INSTRUCTION 7, "Flag Officer Selection and Assignment."
7. Subchapter CC23.5, INSTRUCTION 9, "Short Tours of Active Duty- Inactive Reserve Corps."
8. Subchapter CC25.2, INSTRUCTION 4, "Junior Commissioned Officer Student Training and Extern Program (COSTEP)."
9. Subchapter CC25.2, INSTRUCTION 5, "Senior Commissioned Officer Student Training and Extern Program (Senior COSTEP)."
10. Subchapter CC26.1, INSTRUCTION 4, "Professional License/Certification/Registration/ Requirements for Commissioned Officers in the Public Health Service."
11. Subchapter CC26.1, INSTRUCTION 8, "PHS Readiness Standards."
12. Subchapter CC27.1, INSTRUCTION 1, "Commissioned Officers' Awards Program."

Section N. Historical Notes

1. PHS Transmittal 603 dated December 6, 1996. Revision of Subchapter CC23.4, INSTRUCTION 2, "Temporary Grade Promotions," which provided the policies and procedures governing the permanent grade promotion program that have been superseded by this INSTRUCTION.
2. PHS Transmittal 501 dated July 25, 1988. Revision of Subchapter CC23.4, INSTRUCTION 3, "Exceptional Capability Promotions."
3. PHS Transmittal 552 dated August 12, 1992. Revision of Subchapter CC23.4, INSTRUCTION 2, "Temporary Grade Promotions," which included authorization for Temporary Promotion Review Boards. The INSTRUCTION also rescinded Manual Circular No. 335 which addressed the promotion to Flag ranks- O-7 and O-8.
4. PHS Transmittal 425 dated April 6, 1984. Revision Subchapter CC23.4, INSTRUCTION 3, "Exceptional Capability Promotions," dated June 15, 1961.

5. PHS Transmittal 239 dated August 10, 1977. Revision of Subchapter CC23.4, INSTRUCTION 1, "Temporary Grade Promotions," which included major changes to temporary promotion process such as changing the years of creditable promotion credit.

Section O. Privacy Act Provisions

Personnel records are subject to the Privacy Act of 1974. The applicable systems of records are 09-40-0001, "PHS Commissioned Corps General Personnel Records," HHS/PSC/HRS, and 09-40-0003, "PHS Commissioned Corps Board Proceedings," HHS/PCS/HRS.