By Order of the Secretary of Health and Human Services:

Kathleen Sebelius

SUBJECT: Force Management

1. PURPOSE: This Directive prescribes regulations to manage the permanent grade distribution of Regular Corps officers in the Commissioned Corps of the U.S. Public Health Service (Corps).

2. APPLICABILITY: This Directive applies to accessions into the Regular Corps and dictates permanent grade promotions based on force management limitations imposed by the Secretary of Health and Human Services (Secretary).

3. AUTHORITIES:

3-1. 42 USC 207(d), “Grades, ranks, and titles of Commissioned Corps”

3-2. 42 USC 216, “Regulations”

3-3. Executive Order 11140 dated 30 January 1964

3-4. Reorganization Plan No. 3 of 1966

3-5. Public Law (PL) 111-148 Patient Protection and Affordable Care Act (ACA), Section 5209, “Elimination of Cap on Commissioned Corps”

4. PROPONENT: The proponent of this Directive is the Secretary.

5. SUMMARY OF REVISIONS AND UPDATES: This Directive establishes the permanent grade distribution for the Regular Corps to reflect the removal of the cap of the numbers of officers in the Regular Corps and the immediate assimilation of all active duty Reserve Corps officers as a result of Section 5210 of the ACA.

5-1. The distribution of grades has changed due to the larger influx of officers resulting from ACA.

5-2. The end strength and distribution are based on the number of officers on active duty in the Regular Corps at the beginning of the fiscal year plus five percent.

5-3. The revised regulation adds that officers will not be separated from active duty solely to meet the prescribed distribution.
6. POLICY: The Secretary retains the authority to promulgate regulations pertaining to the Corps, including the determination of the number of Regular Corps officers assigned to each permanent grade. This authority may not be redelegated. The ASH shall evaluate the force management distribution annually.

6-1. Force Management of Permanent Grade Distribution. The mission of the Corps is protecting, promoting, and advancing the health and safety of the Nation. As America’s uniformed service of public health professionals, the Corps achieves this mission through rapid and effective response to public health needs, leadership and excellence in public health practices, and the advancement of public health science.

   a. The Corps must ensure that Regular Corps officers with the appropriate training, education, and experience are available at all times to meet mission requirements and continue operations. The Secretary will establish the number of officers by grade in the Regular Corps annually in accordance with 42 USC 207(d).

   b. The ACA removed the statutory cap on the number of officers on active duty in the Regular Corps. The targeted personnel end strength of the Regular Corps shall be based on the active duty strength at the beginning of the fiscal plus five percent. The targeted permanent grade distribution percentages set forth below shall remain the same and apply regardless of whether the onboard strength changes from one fiscal year to the next. The authorized distribution of permanent grades is as follows:

   (1) Permanent (P) O-6  12%
   (2) Permanent (P) O-5  13%
   (3) Permanent (P) O-4  24%
   (4) Permanent (P) O-3  36%
   (5) Permanent (P) O-2  11%
   (6) Permanent (P) O-1  4%

   100.0%

6-2. The distribution shall be achieved through the management of appointments to and promotions within the Regular Corps. Officers may not be involuntarily separated solely to achieve or maintain the authorized grade distribution.

7. RESPONSIBILITIES: The authority to promulgate policies implementing this Directive shall reside with the ASH without further delegation.

8. HISTORICAL NOTES: This is the first Directive published on force management in the CCIS and replaces Commissioned Corps Personnel Manual (CCPM) CC43.4.2, “Force Management of Permanent Grade Distribution of Regular Corps Officers,” dated 7 March 2006.

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Secretary  Date