



CCI 375.01
EFFECTIVE DATE: 15 October 2024

By Order of the Assistant Secretary for Health:

ADM Rachel L. Levine, M.D.

SUBJECT: Recall of Retired Officers

1. PURPOSE: This Instruction sets forth the policy and procedures under which retired officers of the U.S. Public Health Service (USPHS) Commissioned Corps may be recalled.
2. APPLICABILITY: This Instruction applies to retired members of the Regular Corps, retired members of the Reserve Corps (as it existed prior to 23 March 2010), and retired members of the Ready Reserve Corps. This Instruction does not apply to officers who are on the Temporary Disability Retired List (TDRL) or the Permanent Disability Retirement List (PDRL).
3. AUTHORITY:
 - 3-1. 42 U.S.C. § 212, "Retirement of commissioned officers"
 - 3-2. 42 U.S.C. § 216, "Regulations"
 - 3-3. 42 U.S.C. § 213a, "Rights, benefits, privileges, and immunities for commissioned officers or beneficiaries; exercise of authority by Secretary or designee"
 - 3-4. 10 U.S.C. § 12735, "Inactive status list"
 - 3-5. Commissioned Corps Directive (CCD) [124.01](#), "Retirement"
4. PROPONENT: The proponent of this Instruction is the Assistant Secretary for Health (ASH). The Surgeon General (SG) is responsible for providing supervision of activities relating to the day-to-day operations of the USPHS Commissioned Corps. The Director, Commissioned Corps Headquarters (CCHQ), under the supervision and guidance of the Deputy Surgeon General (DSG), provides overall management of USPHS Commissioned Corps personnel operations and processes.
5. SUMMARY OF REVISIONS AND UPDATES: This Instruction replaces Commissioned Corps Personnel Manual (CCPM) CC23.5.3, "Recall of Retired Officers to Active Duty," dated 6 July 1981. These changes include:
 - 5-1. Clarifying that the SG (or as delegated to the DSG) is the approving authority for recalling officers who retired with 30 or more years of creditable service. (Section 6-1.)
 - 5-2. Adding a new section that outlines the circumstances when the USPHS Commissioned Corps may involuntarily recall an officer. (Section 6-2.)

- 5-3. Adding the authority to recall an officer for up to two years when there is a long-term HHS initiative. (Section 6-3.a.)
- 5-4. Clarifying extensions of a recall (Section 6-3.b.) and the total authorized length of a recall and subsequent extensions. (Section 6-3.c.)
- 5-5. Adding the circumstances when a retired officer may not be recalled. (Section 6-4.)
- 5-6. Clarifying that a recalled officer's retired pay and any Department of Veterans Affairs (VA) disability compensation must be suspended during all periods of a recall. (Section 6-5.)
- 5-7. Clarifying the conditions of service that a recalled officer must meet. (Section 6-6.)
- 5-8. Clarifying the grade(s) at which an officer is recalled and that a recalled officer is not eligible for promotion consideration. (Section 6-7.)
- 5-9. Clarifying the active duty pay and allowances and special pays that a recalled officer is eligible to receive. (Section 6-8.)
- 5-10. Clarifying the medical and dental coverage that a recalled officer, as well as their eligible dependents, may receive. (Section 6-9.)
- 5-11. Specifying the training that a recalled officer may receive (Section 6-10.), the applicability of other policies (Section 6-11.), and the category to which a recalled officer will be assigned (Section 6-12.).
- 5-12. Clarifying that CCHQ will recompute an officer's retired pay when the officer returns to a retired status as well as adjust the Survivor Benefit Plan (SBP) premiums. Also clarifies the restarting of other deductions and VA disability compensation. (Section 6-13.)
- 5-13. Clarifying that officers are covered by the rights outlined in the Uniformed Services Employment and Reemployment Rights Act (USERRA) and adding some basic information regarding USERRA. (Section 6-14.)

6. POLICY: Retired officers of the Regular Corps and retired officers of the Reserve Corps (as it existed prior to 23 March 2010) are recalled directly to active duty. Retired officers of the Ready Reserve Corps are recalled to either the Selected Ready Reserve (SELRES) or the Active Individual Ready Reserve (IRR) and may be subsequently (or immediately) ordered to active reserve duty. For the purposes of this Instruction, a recall and recalled officer includes when the length of a recall is extended.

6-1. Voluntary Recall.

- a. The Director, CCHQ, may recall a retired officer (except as prohibited in Section 6-4.), who retired with less than 30 years of creditable service for retirement, with their consent (consent of a retired Ready Reserve Corps officer is only required when the officer is receiving retired pay – see also Section 6-2.b.), when:
- (1) There is an essential need to carry forward a Health and Human Services (HHS) Operating Division (OPDIV), Staff Division (STAFFDIV), or non-HHS organization's program or task which has a defined time limitation; or
 - (2) The officer possesses qualifications, not readily available elsewhere in the USPHS Commissioned Corps, for the performance of special duties within the USPHS Commissioned Corps, OPDIV, STAFFDIV, or non-HHS organization to which officers are assigned.
- b. The SG or as delegated to the DSG (further delegations are not authorized) may recall a retired officer (except as prohibited in Section 6-4.), who retired with 30 or more years of creditable service for retirement, with their consent (consent of a retired Ready Reserve Corps officer is only required when the officer is receiving retired pay – see also Section 6-2.b.) under the conditions outlined in Section 6-1.a.(1) or (2). Such officers count against the limitation of officers who have more than 30 years of creditable service who are authorized to be on active duty as outlined in Commissioned Corps Instruction (CCI) [384.03](#), "Mandatory, Voluntary, and Involuntary Retirement."

6-2. Involuntary Recall.

- a. Militarization of the USPHS Commissioned Corps. The Director, CCHQ, may recall any retired officer (except as prohibited in Section 6-4.) of the Regular Corps, Reserve Corps (as it existed prior to 23 March 2010), and Ready Reserve Corps with or without their consent when the USPHS Commissioned Corps constitutes a branch of the land or naval military forces of the United States (see 42 U.S.C. §§ 212(c) and 217, as well as Section 7-2.a.).
- b. Ready Reserve Corps Officers Awaiting Pay. The Director, CCHQ, may recall a retired officer of the Ready Reserve Corps (except as prohibited in Section 6-4.) who is on an inactive status list while awaiting non-regular retired pay (e.g., under 60 years of age) with or without their consent when the USPHS Commissioned Corps requires the officer's services (see [10 U.S.C. § 12735](#), as well as Section 7-2.a.).
- c. Failure to Comply with Orders. The Director, CCHQ, may place an officer who fails to comply with orders issued under Section 6-2.a. or b. into an Absence Without Leave (AWOL) status and the SG, without further delegation, may terminate such officer's commission in accordance with [CCD 111.02](#), "Disciplinary Action." Furthermore, the officer may be subject to additional actions under the

Uniform Code of Military Justice (UCMJ) when the President has militarized the USPHS Commissioned Corps (see 42 U.S.C. § 217).

- 6-3. Length of a Recall. A recall of an officer must be at least six months and is limited to a period not to exceed one year except as follows:
- b. Two-Year Recall. The Director, CCHQ, (as authorized in Sections 6-1.a. and 6-2.) and SG (as authorized in Section 6-1.b.) may recall a retired officer for up to two years when there is a specific need related to a long-term HHS initiative that is unable to be fulfilled by the existing active force or Ready Reserve Corps of the USPHS Commissioned Corps or when the USPHS Commissioned Corps constitutes a branch of the land or naval military forces of the United States in accordance with 42 U.S.C. § 217.
 - b. Extensions. The Director, CCHQ, may extend the length of an officer's recall for more than one year (or more than two years when initially recalled for two years as authorized in Section 6-3.a.) if the needs of the USPHS Commissioned Corps, OPDIV, STAFFDIV, or non-HHS organization warrant such an extension (see also Section 8.) subject to the following:
 - (1) The length of an extension cannot exceed one year (subject to the limitations outlined in Section 6-3.c.).
 - (2) The Director, CCHQ, may approve multiple extensions, subject to the limitations in Section 6-3.c.
 - c. Total Length.
 - (1) Consecutive Recalls and Extensions. The total length of a recall and subsequent extensions may not exceed five consecutive years unless further extensions are approved by the SG or as delegated to the DSG (further delegations are not authorized). However, the ASH must approve an extension that will result in the officer exceeding 36 years of creditable service for retirement.
 - (2) Non-Consecutive Recalls and Extensions. The total length of non-consecutive recalls and extensions may not exceed six years unless further recalls or extensions are approved by the SG or as delegated to the DSG (further delegations are not authorized). However, the ASH must approve an extension that will result in the officer exceeding 36 years of creditable service for retirement.
- 6-4. Prohibitions on Recalls and Extensions.
- a. Officers Retired due to Failure of Promotion. The USPHS Commissioned Corps must not recall an officer from retirement if the officer was retired under the authority of 42 U.S.C. § 211(g)(3) because they twice failed promotion to the O-5 grade when that grade was not restricted (see 42 U.S.C. § 212(c)).
 - b. Medical Review.
 - (1) The U.S. Public Health Service Commissioned Corps must not approve a recall if the officer was placed on the PDRL in accordance with [CCI 393.01](#), "Medical Review Board," or [CCI 393.02](#), "Medical Appeals Board."

- (2) The U.S. Public Health Service Commissioned Corps must not approve a recall if the officer has a 100% disability rating from the Department of Veterans Affairs (VA) or if the officer is receiving the VA individual unemployability benefit.
 - (3) The U.S. Public Health Service Commissioned Corps must not approve a recall or extension of a recall unless the officer is physically qualified for active duty (see the Medical Retention Standards outlined in [CCI 221.02](#), "Medical Readiness"). However, the Director, CCHQ, or designee, may approve a recall under the following circumstances:
 - (a) Based on medical judgment and guidance in accordance with the medical retention standards, the Medical Affairs Branch (MAB) clinical reviewer may recommend that the Director, CCHQ, or designee, approve the waiver of a disqualifying condition(s).
 - (b) If the officer does not meet the retention weight standards, the U.S. Public Health Service Commissioned Corps may approve the recall or extend the length of a recall if the officer submits an acceptable Documented Weight Management Plan outlining how they will come into compliance with the Retention Weight Standards (see Personnel Operations Memorandum (POM) [821.66](#), "Retention Weight Standards").
 - (4) The MAB clinical reviewer may require the retired officer to submit such medical documentation, including VA records related to a disability determination, that the MAB clinical reviewer deems is needed to complete their review of the officer's medical conditions.
- c. **Background Investigation.** The U.S. Public Health Service Commissioned Corps may not approve a recall or an extension of a recall unless the officer has a favorably adjudicated national security background investigation in accordance with [CCI 231.04](#), "National Security and Suitability Background Investigations." However, a recall or extension may be approved if the officer has a provisional clearance. (Note: the OPDIV/STAFFDIV/non-HHS organization that is requesting a recall or extension is responsible for initiating and funding the background investigation as outlined in CCI 231.04.)
 - d. **Suitability.** The USPHS Commissioned Corps must not approve a recall if a review of the officer's previous tour(s) of duty reveals that the officer is not suitable for a recall to active duty. Information reviewed includes, but is not limited to, administrative or disciplinary actions; performance; licensure compliance; readiness compliance; and uniform wear compliance.
 - e. **Completion of an Agreement.** The USPHS Commissioned Corps must not approve a recall or an extension of a recall for the sole reason to enable an officer to complete a special pay, training agreement, or other agreement.
 - f. **Increase of Benefits and Retired Pay.** The USPHS Commissioned Corps must not approve a recall or an extension of a recall for the sole reason to increase an officer's benefits or retired pay.
- 6-5. **Retired Pay, Deductions, and VA Compensation.**
- a. **Retired Pay and Deductions.** An officer's retired pay, as well as any deductions from the officer's retired pay (e.g., Survivor Benefit Plan (SBP), TRICARE, Dental

Insurance, Vision Insurance, etc.), are suspended during all periods of a recall (see also Section 6-9.).

- b. VA Compensation. Any VA disability compensation must be suspended while an officer is recalled.
- 6-6. Conditions of Service. An officer who is recalled must meet the USPHS Commissioned Corps conditions of service in [CCD 111.03](#), "Conditions of Service," as follows:
- a. Performance.
 - (1) An officer must have satisfactory performance while recalled.
 - (2) The OPDIV, STAFFDIV, or non-HHS organization to which the recalled officer is assigned must complete a Commissioned Officers' Effectiveness Report (COER) as outlined in [CCI 351.01](#), "Commissioned Officers' Effectiveness Report (COER)." However, an officer must have at least one COER completed before they return to retired status. This requirement supersedes the provision in CCI 351.01 that officers do not have to complete a COER in the year in which they retire.
 - b. Conduct. An officer must adhere to the requirements of conduct established in statutes, regulations, and USPHS Commissioned Corps Directives, Instructions, and Personnel Operations Memoranda. In addition, an officer must adhere to job-related requirements established by the officer's supervisor or program.
 - c. Professional Competence. The recalled officer must comply with the license requirements on the date of recall and while recalled as outlined in [CCI 251.01](#), "Professional Licensure and Certification."
 - d. Deployment Readiness and Deployments.
 - (1) All recalled officers must maintain all required immunizations (see [CCI 221.02](#), "Medical Readiness").
 - (2) An officer recalled in a clinical position must meet the Basic Life Support (BLS) requirement.
 - (3) The Director, CCHQ, without further delegation, will (based on the reasons for the recall and the nature of the officer's assigned duties) determine the additional deployment readiness requirements that a recalled officer must meet (see [CCI 241.01](#), "Readiness and Duty Requirements"), and will determine the timeframe in which the officer must meet the requirements.
 - (4) The Director, CCHQ, without further delegation, and in consultation with the Medical Affairs Branch, may approve or disapprove the deployment of any recalled officer.
 - e. Security and Suitability. The recalled officer must maintain the background investigation requirements outlined in [CCI 231.04](#), "National Security and Suitability Background Investigations."
 - f. Health Standards. An officer who is recalled must submit a Periodic Health Update (PHU) as outlined in [POM 821.71](#), "Physical Examination Requirements," to MAB and must meet the Medical Retention Standards as outlined in Section 6-4.b.(3).

- g. Weight Standards. The officer must meet weight standards outlined in the Medical Retention Standards in [CCI 221.02](#), “Medical Readiness” (see also Section 6-4.b.(3)).
- 6-7. Promotion Eligibility and Grade.
- a. Recalled Grade.
 - (1) O-6 Grade Officers and Below. Officers are recalled at the grade(s) they held in retirement (i.e., recalls are at the permanent grade held as well as the temporary grade if the officer held a temporary grade).
 - (2) O-7 Grade Officers and Above.
 - (1) Will be recalled at the temporary O-6 grade, or at the permanent O-6 grade if they held that permanent grade, unless the ASH approves the position to which the officer is recalled as a Designated Flag Grade Position and the HHS Secretary approves their recall and assignment at a temporary flag grade (see [CCI 322.03](#), “Flag Grade Positions and Promotion”).
 - (2) If the Secretary approves an officer’s recall and assignment at a temporary flag grade, the officer:
 - (i) Must comply with the ethics reporting requirements as outlined in CCI 322.03, “Flag Grade Positions and Promotion.”
 - (ii) Will count, along with their position, toward the statutory limitations of authorized flag grade officers and positions unless the Secretary assigns the officer to a position that does not count towards these limitations.
 - b. Promotion Eligibility. An officer who is recalled is not eligible for promotion consideration under [CCI 331.01](#), “Permanent Promotions,” [CCI 322.03](#), “Flag Grade Positions and Promotion,” or [CCI 322.04](#), “Chief Professional Officer Nomination.”
- 6-8. Active Duty Pay.
- a. Pay Grade. The USPHS Commissioned Corps will pay an officer recalled from retirement the pay and allowances for the grade outlined in Section 6-7.a.
 - b. Special Pay.
 - (1) Health Professions Special Pays (HPSP). If they meet the eligibility criteria, a recalled officer may enter into a special pay agreement or receive a special pay (i.e., Incentive Pay (IP), Retention Bonus (RB), and Board Certified Incentive Pay (BCIP)) provided that the length of the approved recall or extension allows them to fulfill any associated obligation (e.g., an officer approved for a two year recall may enter a two-year RB agreement, but an officer approved for a one-year recall may only enter a one-year IP or BCIP agreement even if an extension is approved at a later date).

- (2) Assignment Pay (AP). CCHQ will pay AP to an officer, if they meet the AP eligibility criteria, who is recalled and assigned to a location and position (or has a specialty) that is designated for AP (see [POM 821.79](#), “Assignment Pay Locations, Rates, and Agreements”) without an AP agreement and regardless of the length of the recall or extension. CCHQ will pay AP to such eligible officers at the two-year rate (or at the appropriate rate established by the applicable Instruction(s)).
 - c. Other Pays and Allowances. Recalled officers may receive all other pays and allowances which they are eligible to receive based on their grade, category/profession, and eligibility criteria (e.g., hazardous duty and special duty pays).
- 6-9. Medical and Dental Coverage. While on active duty, an officer is automatically covered by SBP, as well as TRICARE and dental coverage (when ordered to active duty for more than 30 days), without any deduction from the officer’s active duty pay. Additionally, when an officer is ordered to active duty for more than 30 days:
- a. Their eligible dependents are covered by TRICARE without a deduction from the officer’s active duty pay
 - b. The officer may enroll their eligible dependents in the active-duty dental plan, which will result in a deduction from the officer’s active duty pay.
- 6-10. Training. The USPHS Commissioned Corps will not assign a recalled officer to long-term training. However, the USPHS Commissioned Corps, OPDIV, STAFFDIV, or non-HHS organization may assign such an officer to short-term training (e.g., one-week course) if such training is warranted.
- 6-11. Applicability of Other Policies. Except as specified within this Instruction, all USPHS Commissioned Corps Directives, Instructions, and POMs apply to officers who are recalled.
- 6-12. Category. The USPHS Commissioned Corps will, for tracking and pay purposes (e.g., special pays, assignment pay), recall an officer in the category and profession that qualified them for a commission (i.e., qualifying degree/profession) on their latest call to duty prior to their initial length of service (or age) retirement or, if they had a category change prior to the retirement, recall the officer in the changed category and profession. Officers are ineligible for a change of category or redesignation of their profession within a category after their recall.
- 6-13. Return to Retired Status. The Director, CCHQ, will return an officer to retired status when an approved recall or extension of a recall expires or if an officer fails to meet a condition of service as outlined in Section 6-6. However, the Director, CCHQ, may refer an officer to a Board of Inquiry (BOI) or Medical Review Board (MRB) if warranted (see [CCD 111.02](#), “Disciplinary Action,” and [CCI 393.01](#), “Medical Review Board”) and may retain the officer on active duty until the BOI or MRB process is completed (retaining an officer in an active status for these reasons is not constrained by the limitations in Section 6-3.).
- a. Retired Pay. When an officer is returned to a retired status, CCHQ will recompute the officer’s retired pay to include the additional time on active duty in accordance with 42 U.S.C. § 212, “Retirement of commissioned officers,” 10 U.S.C. Chapter 71, “Computation of Retired Pay,” and 10 U.S.C. Chapter 1223, “Retired Pay for Non-Regular Service,” as applicable (see also [CCI 661.01](#), “Computation of Retired Pay”). However, if the officer is retired under the authority of 10 U.S.C. Chapter 61, CCHQ will compute their retired pay in accordance with CCI 393.01, “Medical Review Board.”

- b. SBP Premiums. An officer's SPB election is not voided by a recall to active duty. Therefore, when an officer returns to a retired status, the SBP coverage will resume at the level it was prior to the officer's recall, but the amount of the reduction in retired pay (premiums) will be adjusted based on the officer's recomputed retired pay.
 - c. Other Deductions. An officer will need to restart other deductions from their retired pay (e.g., TRICARE, dental insurance, vision insurance, etc.) as they deem appropriate when they return to a retired status.
 - d. VA Disability Compensation. When an officer returns to a retired status, they must submit a request to the VA to reinstate their VA disability compensation. If applicable, the officer also would need to submit documentation of any newly acquired service-connected medical conditions for VA's determination.
- 6-14. Reemployment Rights. Public Health Service officers are covered by the rights outlined in the Uniformed Services Employment and Reemployment Rights Act (USERRA) in accordance with 38 U.S.C. Chapter 43.
- a. An officer who is recalled to active duty is covered by USERRA provided:
 - (1) The officer gives their employer advance written or verbal notice of the officer's recall to active duty.
 - (2) The cumulative length of the absence, and of all previous absences from a position of employment with that employer by reason of service in the uniformed services, does not exceed five years, unless the recall to active duty in the USPHS Commissioned Corps is:
 - (a) Because of a war or national emergency declared by the President or the Congress; or
 - (b) In support, as determined by the ASH in writing, of a critical mission or requirement of the USPHS Commissioned Corps.
 - (3) Upon their return to retired status the officer notifies their employer of the officer's intent to return to a position of employment with that employer. Such notification must be within the timeframes outlined in USERRA (see 38 U.S.C. § 4312).
 - (4) The employment is not related to:
 - (a) The foreign operations of an employer that is a foreign person not controlled by a United States employer; or
 - (b) An entity controlled by an employer with respect to employment in a workplace in a foreign country, if compliance with USERRA would cause such employer, or such entity controlled by the employer, to violate the law of the foreign country in which the workplace is located.
 - b. An officer's USERRA rights terminate if, in accordance with [CCD 111.02](#), "Disciplinary Action."

- (1) The officer's character of service is "under other than honorable conditions;"
- (2) The officer is "dismissed" from the USPHS Commissioned Corps; or
- (3) The officer's commission is terminated due to absence without leave (AWOL).

c. An officer forfeits certain rights if they knowingly provide written notice of their intent not to return to a position of employment after their recall to active duty.

7. RESPONSIBILITIES:

7-1. The SG is responsible for establishing Personnel Operations Memoranda (POM) and any additional guidance to implement this Instruction.

7-2. The Director, CCHQ, is responsible for managing the process of recalling officers from retirement, as well as the process of extending the length of a recall, and returning such officers to a retired status upon completion of an approved recall or extension.

a. The Director, CCHQ, is responsible for identifying retired officers who have the requisite qualifications required for periods when the USPHS Commissioned Corps constitutes a branch of the land or naval military forces of the United States in accordance with 42 U.S.C. § 217.

b. The Director, CCHQ, or designee, may approve a waiver of the medical retention standards based on a recommendation of the MAB clinical reviewer.

c. If requested, the Director, CCHQ, or designee, will assist an OPDIV, STAFFDIV, or non-HHS organization in identifying retired officers who have the requisite qualifications needed to carry forward a program or task or for the performance of special duties in the OPDIV/STAFFDIV/non-HHS organization.

7-3. OPDIV/STAFFDIV/non-HHS organizations are responsible for justifying an essential need to carry forward their program that warrants a recall (or extension of a recall) and for identifying retired officers who have the requisite qualifications that meet these needs.

8. PROCEDURES:

8-1. Request for Recall by an OPDIV/STAFFDIV/non-HHS Organization.

a. An OPDIV/STAFFDIV/non-HHS organization must submit to the Director, CCHQ, a memorandum justifying a recall of a retired officer along with a Form PHS-1662, "Request for Personnel Action – Commissioned Officer."

b. The written consent of the officer concerned, when that officer is receiving retired pay, must accompany the request for recall.

c. CCHQ must receive the memorandum, Form PHS-1662, and the officer's written consent (if required) at least 45 days before the requested effective date of the recall.

- 8-2. Extension of Recall Request from an OPDIV/STAFFDIV/non-HHS Organization.
 - a. An OPDIV/STAFFDIV/non-HHS organization must submit to the Director, CCHQ, a request for an extension of a recall at least 45 days before the effective date of the officer's return to retired status.
 - b. The request for extension of a recall must include a memorandum justifying the extension, a form PHS-1662, and the officer's written consent to the extension (only required if the officer was receiving retired pay when initially recalled or only if the officer is now eligible, on or before the effective date of the extension, to begin receiving retired pay).
 - c. CCHQ must receive the memorandum, Form PHS-1662, and the officer's written consent (if required) at least 45 days before the requested effective date of the extension.
 - d. Performance Evaluation. The OPDIV/STAFFDIV/non-HHS organization to which an officer is assigned must also submit a completed COER to CCHQ along with or up to three months prior to submitting an extension request (see also Section 6-6.a.).
9. HISTORICAL NOTES: This is the first issuance of this Instruction within the electronic Commissioned Corps Issuance System.
 - 9-1. Commissioned Corps Personnel Manual (CCPM) CC23.5.3, "Recall of Retired Officers to Active Duty," dated 6 July 1981.