

Manual: Personnel
Chapter Series CC--Commissioned Corps Personnel Manual
Part 2--Commissioned Corps Personnel Administration

DEPARTMENT OF HEALTH AND HUMAN SERVICES
Public Health Service

Chapter CC28--Personnel Records and Reports
Subchapter CC28.2--Reports
Personnel INSTRUCTION 1--Race and National Origin Data

CONTENTS

<u>Section</u>	<u>Subject</u>	<u>Page</u>
A.	Purpose and Scope.....	1
B.	Authority.....	1
C.	Background.....	2
D.	Procedures.....	2
E.	Responsibilities.....	5
F.	Race and National Origin Categories.....	6
Exhibit I	Form PHS-6177, "Race and National Origin Identification".....	8

Section A. Purpose and Scope

The purpose of this INSTRUCTION is to explain the procedures for the collection and maintenance of race and national origin data for the Commissioned Corps of the Public Health Service (PHS). The responsibilities of various officials in collecting and maintaining these data are also set forth.

Section B. Authority

As stated in Subchapter CC26.1, INSTRUCTION 6, "Equal Employment Opportunity: Discrimination Complaints Processing," of this Manual, it is PHS policy that there shall be no discrimination on the basis of race, color, religion, sex, or national origin in the administration of the PHS Commissioned Corps. To assure compliance with this policy, PHS is authorized to collect and maintain race/national origin data pursuant to its general statutory and regulatory

authority to administer the PHS Commissioned Corps personnel system (section 215 of the PHS Act (42 U.S.C. 216)).

Section C. Background

1. Implementation of Policy Directive 15. To assure equality of employment, an effective data base for positive equal opportunity program management and evaluation of programs is necessary. To assist in accomplishing this, the Department of Health and Human Services (DHHS) and PHS have issued instructions implementing the requirements of U.S. Department of Commerce Statistical Policy Directive 15, "Race and Ethnic Standards for Statistics and Administrative Reporting." The purpose of Policy Directive 15 is to standardize the definitions of race/national origin (ethnic) data which are collected and published by Federal agencies. In accordance with this directive, the race/national origin data designators for PHS commissioned officers in the PHS Commissioned Officer Personnel Data File (COPDF) and in the PHS Commissioned Officer Data System were converted to the race/national origin categories specified in Policy Directive 15 (see Section F., below).
2. Effective Date. The race/national origin codes and definitions specified in Policy Directive 15 are effective January 1, 1981. By agreement with the Department of Commerce, all existing reports must comply with the new standards by May 1, 1981.

Section D. Procedures

1. Active Duty Officers. Active duty PHS commissioned officers have the right to request review of their race/national origin designation under the Privacy Act of 1974 (5 U.S.C. 552a et seq.). If an officer determines that his/her designation is inaccurate, he/she may request that it be corrected. To facilitate a prompt response, officers should specify that they are seeking access to their race/national origin designation and, to ensure proper identification, they should include either their Social Security Numbers or PHS serial numbers. Officers should also state that this information is located in the PHS Commissioned Officer Personnel Data System (09-37-0002). Additional information concerning the release of information under the Privacy Act is contained in Subchapter CC26.1, INSTRUCTION 7, of this Manual. Officers who wish to obtain their race/national origin designations should submit their requests in writing to:

Director
Commissioned Personnel Operations Division
Office of Personnel Management
Office of Management, PHS
Room 4-35, Parklawn Building
5600 Fishers Lane
Rockville, Maryland 20857

2. Applicants. Individuals submitting applications for appointment to the PHS Commissioned Corps will be requested to identify their race/national origin. An appropriate form for providing this information will be included in the application packet. Upon completing the form, it should be forwarded to CPOD for processing, together with Form PHS-50, "Application for Appointment as a Commissioned Officer in the United States Public Health Service," at the address specified in the application packet. Applicants will be informed that the collection of race/national origin data is voluntary at this stage, however it is required when called to active duty (see Section D.3., below).

3. Officers Called to Active Duty. When called to active duty, PHS commissioned officers, including officers under the Commissioned Officer Student Training and Extern Program (COSTEP) and Senior COSTEP programs, will be provided a copy of Form PHS-6177, "Race and National Origin Identification" (see Exhibit I). The officer must be informed that the collection of these data is required and that if he/she declines to provide the data, even after being counseled by his/her immediate supervisor or authorized official on the matters described in Section D.3.d., below, the officer will be coded as deemed appropriate by his/her immediate supervisor/authorized official. The following procedures will be used in submitting Form PHS-6177:
 - a. The officer will submit Form PHS-6177 to his/her immediate supervisor/authorized official.

 - b. The officer's immediate supervisor/authorized official will determine, through visual observation, whether he/she agrees with the designation made by the officer.

 - c. If the officer's immediate supervisor/authorized official believes these data to be correct, he/she will forward the form in a confidential and secure manner (i.e., use an opaque envelope and state on the face of the envelope "Personal Data: LIMITED VIEWING--TO BE OPENED BY ADDRESSEE ONLY") to the following address:

Commissioned Personnel Operations Division
ATTN: EOB/TRANSACTIONS SECTION
Office of Personnel Management
Office of Management, PHS
Room 4-35, Parklawn Building
5600 Fishers Lane
Rockville, Maryland 20857

- d. In unusual circumstances where the officer's immediate supervisor/authorized official disagrees with the officer's race/national origin designation, or where the officer has declined to provide the data, the officer's immediate supervisor/authorized official will counsel the officer on the following:
- (1) Purpose for which these data are being collected;
 - (2) Need for data accuracy;
 - (3) PHS' recognition of the sensitivity of the these data; and
 - (4) Existence of procedures to prevent unauthorized access to these data.

If after counseling, the officer declines to change the designation, the officer's immediate supervisor/authorized official will accept the officer's designation (if provided) but will indicate on the form that in his/her judgment the designation made by the officer is inaccurate. Such indication made by the officer's immediate supervisor/authorized official will not be entered into the system of records. The form will then be forwarded in the manner and to the address specified in Section D.3.c., above.

In those instances where an officer declines to provide these data as requested, even after being counseled on the matters described in Section D.3.d., above, the officer's immediate supervisor/authorized official will complete a Form PHS-6177 for such officer. Such officer will be coded based on what the officer's immediate supervisor/authorized official visually perceives to be the officer's correct classification. The officer's immediate supervisor/authorized official will indicate on Form PHS-6177 that the officer declined to make a designation. Such indication made by the officer's immediate supervisor/authorized official will not be entered into the system of records. In such instances, the officer's immediate supervisor/authorized official will notify the officer of the category that was selected and recorded for him/her. After notifying the officer, the immediate supervisor/authorized official will forward Form PHS-6177 in the manner and to the address prescribed in Section D.3.c., above.

- e. If a completed Form PHS-6177 is not received on an officer within 30 days of his/her call to active duty date, the officer's PHS agency/program will be notified by the Staffing Services Branch, CPOD, of the need for these data and the requirement that it be submitted to the address specified in Section D.3.c., above.

Section E. Responsibilities

1. Deputy Assistant Secretary for Equal Employment Opportunity (EEO). The Deputy Assistant Secretary for EEO, Office of the Assistant Secretary for Personnel Administration (ASPER), has prime responsibility for the establishment, updating, and maintenance of the automated race/national origin identification file, including the release of any reports derived from it. Requests for all reports based on the race/national origin data must have the written approval of the Deputy Assistant Secretary for EEO, ASPER, or an individual in PHS assigned this responsibility.
2. Director, CPOD. The Director, CPOD, is responsible for the following:
 - a. Furnishing race/national origin data to the system of records.
 - b. Destroying Form PHS-6177 after these data have been entered into the appropriate system of records.
 - c. Ensuring that race/national origin data is collected on all officers called to active duty in the PHS Commissioned Corps.
 - d. Ensuring that all individually identifiable disclosures of race/national origin data from system of records 09-37-0002 are either in compliance with the specific routine uses established for that system and stated in the published system notice, or are in compliance with other disclosures expressly permitted by Section 3(b) of the Privacy Act of 1974.
3. Commissioned Officers Systems Branch (COSB). COSB, Division of Systems Research and Development, Employee Systems Center, ASPER, maintains the departmental automated statistics relating to commissioned officers. COSB is responsible for the following:
 - a. Providing race/national origin data on PHS commissioned officers in compliance with congressional, presidential, departmental, or other official directives or requests.
 - b. Maintaining these data in a secure and confidential manner.

- c. Releasing these data in aggregate form, for statistical purposes only, and insofar as possible, protecting against the statistical disclosure of information where an individual officer may be identified.
4. Immediate Supervisors/Authorized Officials. Immediate supervisors/authorized officials are responsible for the following:
- a. Determining whether they, through visual observation, agree with the race/national origin data submitted by officers.
 - b. Submission of race/national origin data on officers who decline to complete Form PHS-6177, and informing each officer of the designation assigned.
 - c. Forwarding Form PHS-6177, and where relevant, a statement of disagreement with an officer's self-identification, in a confidential and secure manner to the address prescribed in Section D.3.c., above.

Section F. Race and National Origin Categories

Although Policy Directive 15 requires that individuals employed in Puerto Rico, Guam, or Hawaii identify both their race and location of employment (i.e., Puerto Rico, Guam, or Hawaii), it will be unnecessary to collect this information directly from PHS commissioned officers because the PHS Commissioned Corps Personnel Data System will identify those officers on duty in such locations, match it with their race/national origin category, and convert it to the requirements of Policy Directive 15.

An officer's race/national origin will be identified by one of the following categories. The alphabetic code designation is located at the left margin. The name of the category is underscored and the category's definition follows the name of the category.

<u>Code</u>	<u>Category</u>
A	<u>American Indian or Alaskan Native.</u> A person having origins in any of the original peoples of North America and who maintain cultural identification through community recognition or tribal affiliation.
B	<u>Asian or Pacific Islander.</u> A person having origins in any of the original peoples of the Far East, Southeast Asia, the Indian subcontinent, or the Pacific Islands. This area includes, for example, China, India, Japan, Korea, the Philippine Islands, and Samoa.

<u>Code</u>	<u>Category</u>
C	<u>Black, not of Hispanic origin.</u> A person having origins in any of the black racial groups of Africa. Does not include persons of Mexican, Puerto Rican, Cuban, Central or South American, or other Spanish cultures or origins (see Hispanic).
D	<u>Hispanic.</u> A person of Mexican, Puerto Rican, Cuban, Central or South American, or other Spanish cultures or origins. Does not include persons of Portuguese culture or origin.
E	<u>White, not of Hispanic origin.</u> A person having origins in any of the original peoples of Europe, North Africa, or the Middle East. Does not include persons of Mexican, Puerto Rican, Cuban, Central or South American, or other Spanish cultures or origins (see Hispanic). Also includes persons not included in other categories.

EXHIBIT I

**RACE AND NATIONAL ORIGIN IDENTIFICATION
(For PHS Commissioned Corps Use)**

(Please read Privacy Act Statement on reverse and Instructions below before completing form.)

Name Social Security Number PHS Number

INSTRUCTIONS

The categories below are designed to identify your basic racial and national origin category. If you are of mixed racial and/or national origin, identify yourself by the category with which you most closely identify yourself. Please circle the letter next to the appropriate category. CIRCLE ONE CATEGORY ONLY.

NAME OF CATEGORY (Circle ONE Letter)	DEFINITION OF CATEGORY
A American Indian or Alaskan Native	A person having origins in any of the original peoples of North America and who maintains cultural identification through community recognition or tribal affiliation.
B Asian or Pacific Islander	A person having origins in any of the original peoples of the Far East, Southeast Asia, the Indian subcontinent, or the Pacific Islands. This area includes, for example, China, India, Japan, Korea, the Philippine Islands and Samoa.
C Black not of Hispanic Origin	A person having origins in any of the black racial groups of Africa. Does not include persons of Mexican, Puerto Rican, Cuban, Central or South American, or other Spanish cultures or origins (see Hispanic).
D Hispanic	A person of Mexican, Puerto Rican, Cuban, Central or South American, or other Spanish cultures or origins. Does not include persons of Portuguese culture or origin.
E White not of Hispanic origin	A person having origins in any of the original peoples of Europe, North Africa, or the Middle East. Does not include persons of Mexican, Puerto Rican, Cuban, Central or South American, or other Spanish cultures or origins (See Hispanic). Also includes persons not included in other categories.

Signature of Individual Named Above

Concur:

Signature of Immediate Supervisor/Authorized Official

- In my judgment designation made by individual named above is inaccurate.
- Individual has been counseled as to need for accuracy but has declined to change designation.
- Individual declined self identification and above data is based on supervisory observation.

Signature of Immediate Supervisor/Authorized Official

EXHIBIT I continued

PRIVACY ACT STATEMENT

Privacy Act Notice for Race and National Origin Identification for PHS Commissioned Corps Use PHS-6177 (11/80)

Records System: PHS Commissioned Officer Personnel Data System (09-37-0002)

Authority for Collection of Information: Solicitation of this information is authorized by the general statutory and regulatory authority to administer the Commissioned Corps 42 U.S.C. 216.

Purposes and Uses: This information will be used to determine compliance with PHS policy that there will be no discrimination on the basis of race, color, sex, or national origin in the administration of the Commissioned Corps personnel system.

Information Regarding Disclosure of Your Social Security Account Number: Under Executive Order 9397, "Numbering System for Federal Accounts Relating to Individual Persons," agencies are required to use the Social Security Number (SSN) as the means of identifying individuals in agency personnel information systems. Thus, solicitation of your SSN is authorized by this order so that agencies by being able to identify you, can ensure that the data furnished is accurately recorded for each employee in the personnel system. It will be used for this purpose only.

Effect of Nondisclosure: The furnishing of these data is voluntary. However, the furnishing of accurate individual data is essential to successful compliance with the above mandates. If you choose not to furnish these data, your agency is authorized to identify your race and national origin as that which the agency visually perceives to be your correct classification.