



CCD 122.02  
EFFECTIVE DATE: 10 February 2022

---

**By Order of the Secretary of Health and Human Services:**

**Xavier Becerra**

---

SUBJECT: Force Distribution and Management

1. PURPOSE: This Directive prescribes regulations to manage the grade distribution of Ready Reserve Corps and Regular Corps officers in the U.S. Public Health Service (USPHS) Commissioned Corps, establishes service obligations for members appointed to the USPHS Commissioned Corps, and dictates the number of USPHS Commissioned Corps promotions authorized by the force distribution limitations imposed by the Secretary of Health and Human Services (Secretary).
2. APPLICABILITY: This Directive applies to accessions into the Regular Corps and the Ready Reserve Corps.
3. AUTHORITIES:
  - 3-1. [42 U.S.C. § 207\(d\)](#), "Maximum number in grade for each fiscal year"
  - 3-2. [42 U.S.C. § 216](#), "Regulations"
  - 3-3. [Public Law \(PL\) 111-148](#), "Patient Protection and Affordable Care Act" (ACA), Section 5209, "Elimination of Cap on Commissioned Corps"
  - 3-4. [Executive Order 11140](#), "Delegating certain functions of the President relating to the Public Health Service," dated 30 January 1964
  - 3-5. Reorganization Plan No. 3 of 1966 (see note in [42 U.S.C. § 202](#))
4. PROPONENT: The proponent of this Directive is the Secretary.
5. SUMMARY OF REVISIONS AND UPDATES: This is the second issuance of this Directive in the electronic Commissioned Corps Issuance System (eCCIS) and replaces Commissioned Corps Directive (CCD) 122.02, "Force Management," dated 28 November 2012. This issuance:
  - 5-1. Changes the title of the Directive to clarify the regulation's intent and applicability.
  - 5-2. Adds force distribution percentages authorized for the Ready Reserve Corps and new percentages for the Regular Corps.

- 5-3. Establishes the maximum number of Regular Corps and Ready Reserve Corps officers authorized at the beginning of any fiscal year to be 8,000 and 3,000, respectively.
- 5-4. Combines the percentages for the O-1, O-2, and O-3 grades into a single grouping with one percentage to provide greater flexibility for the USPHS Commissioned Corps in managing the percentage of officers in these grades.
- 5-5. Authorizes the USPHS Commissioned Corps to “borrow” excess numbers in higher grades to cover inadequate numbers in lower grades.
- 5-6. Clarifies the force distribution limitations for temporary grades.
- 5-7. Establishes service obligations for all newly appointed officers to the USPHS Commissioned Corps.

6. POLICY:

6-1. General.

- a. The Secretary retains the authority to promulgate regulations pertaining to the USPHS Commissioned Corps, including those determining the number of Regular Corps and Ready Reserve Corps officers assigned to each permanent grade. The Assistant Secretary for Health (ASH) must evaluate the force management distribution annually.
- b. The mission of the USPHS Commissioned Corps is to protect, promote, and advance the health and safety of the Nation. As America’s uniformed service of public health professionals, the USPHS Commissioned Corps achieves this mission through serving underserved populations in hard-to-fill, hazardous duty, and isolated-hardship locations; providing rapid and effective response to public health needs; demonstrating leadership and excellence in public health practices; and advancing public health science.
- c. The USPHS Commissioned Corps must ensure that officers with the appropriate training, education, and experience are available at all times to meet mission requirements and continue operations. This Directive establishes minimum service obligations that individuals must agree to serve upon their appointment to the USPHS Commissioned Corps. It also establishes the maximum annual number of officers authorized by permanent and temporary grades in the Regular Corps in accordance with 42 U.S.C. § 207(d) and establishes the maximum annual number of officers authorized by permanent grade in the Ready Reserve Corps.

6-2. Force Management of Grade Distribution. The Secretary bases the targeted strength of the Regular Corps and Ready Reserve Corps on the ongoing health workforce needs of the Service.

- a. Regular Corps Permanent Grade Distribution. The ACA removed the statutory limit on the number of PHS officers in the Regular Corps. Subject to available appropriations, the strength of the Regular Corps shall not exceed 8,000 officers at the beginning of any fiscal year. The authorized distribution by permanent grade is based on the strength at the beginning of the fiscal year.
  - (1) Starting no later than 1 October 2023, the USPHS Commissioned Corps will no longer use temporary promotions, except as authorized in CCD 122.01, “Promotions” (see also Section 6-2.d.), and, subject to the Secretary’s annual fiscal year review, the authorized distribution must not exceed the following percentages for each of the following fiscal years (except as authorized in Section 6-2.c.):

Fiscal Year (FY)	Grade			
	O-1, O-2, O-3	O-4	O-5	O-6
FY 2021	14.79%	30.34%	30.91%	23.96%
FY 2022	17.49%	31.66%	29.55%	21.30%
FY 2023	18.88%	32.26%	28.71%	20.15%
FY 2024	20.33%	32.89%	27.83%	18.95%
FY 2025	21.86%	33.55%	26.90%	17.68%
FY 2026	23.46%	34.25%	25.93%	16.35%
FY 2027	25.00%	35.00%	25.00%	15.00%

- (2) Subject to the Secretary’s annual fiscal year review, beginning 1 October 2028 and for each fiscal year afterwards (unless modified further by the Secretary), the authorized distribution must not exceed the following percentages (except as authorized in Section 6-2.c.):
  - (a) Permanent O-6 15.0%
  - (b) Permanent O-5 25.0%
  - (c) Permanent O-4 35.0%
  - (d) Permanent O-1, O-2, and O-3 25.0%
  
- (3) The USPHS Commissioned Corps will, through accessions, losses, and promotions, manage the percentage of officers so that the authorized distribution does not exceed the percentages outlined in Sections 6-2.a.(1) and (2) (except as authorized in Section 6-2.c.).
  
- b. Ready Reserve Corps Permanent Grade Distribution. Subject to available appropriations, the strength of the Ready Reserve Corps may not exceed 3,000 officers at the beginning of any fiscal year. The authorized distribution by permanent grade is based on the strength at the beginning of the fiscal year and, subject to the Secretary’s annual fiscal year review, may not exceed the following percentages (except as authorized in Section 6-2.c.):
  - (1) Permanent O-6 10.0%
  - (2) Permanent O-5 15.0%
  - (3) Permanent O-4 25.0%
  - (4) Permanent O-1, O-2, and O-3 50.0%
  
- c. For the purposes of calculating the final percentages within a particular grade as outlined in Section 6-2.a. and b., the USPHS Commissioned Corps:
  - (1) May use excess numbers in higher grades to cover inadequate numbers in lower grades (e.g., if the number of Ready Reserve Corps officers at the O-6 grade is 8%, the USPHS Commissioned Corps may use the excess 2% to allow the percentage of O-4 officers to exceed 25%). However, the USPHS Commissioned Corps must not use excess numbers in lower grades to cover inadequate numbers in higher grades.
  - (2) May exclude officers who are in the Medical and Dental categories. However, the number of Medical and Dental officers excluded must not exceed 7 percentage points more than the authorized strengths in Section 6-2.a. and b.
  - (3) May exclude retired officers who are recalled to active duty during the period of a war or emergency declared by Congress or otherwise authorized by law, or when the President has declared the USPHS Commissioned Corps to be a military service. However, the number of such officers excluded must not exceed 7 percentage points more than the authorized strengths in Section 6-2.a. and b.

- d. Temporary Grade Distribution.
- (1) Regular Corps Temporary Grade Distribution (O-6 grade and below). The USPHS Commissioned Corps will not normally use temporary promotions for the O-6 grade and below; however, when such promotions are used, they must not result in the combined number of permanent grades and temporary grades exceeding the promotion allocation for any grade outlined in Section 6-2.a.
  - (2) Ready Reserve Corps Temporary Grade Distribution. Except as authorized in Section 6-2.d.(3), the USPHS Commissioned Corps may not promote Ready Reserve Corps officers to a temporary grade.
  - (3) Temporary Flag Grade Distribution (O-7 grade and above).
    - (a) The number of temporary flag grade promotions is limited to 1 percent of the highest number, during the ninety days preceding such day, of officers of the Regular Corps on active duty and officers of the Ready Reserve Corps on active duty for more than thirty days.
    - (b) The number of temporary flag grade promotions to the O-8 grade and above is limited to one-half the number of flag officers serving in the O-7 grade.
    - (c) The limitations outlined in Sections 6-2.d.(3)(a) and (b) do not apply to O-7, O-8, O-9, and O-10 grades when an officer is serving:
      - (i) As the Assistant Secretary for Health (ASH), Surgeon General (SG), Deputy Surgeon General (DSG), Chief Medical Officer (CMO) of the U.S. Coast Guard, Chief Dental Officer, Chief Engineering Officer, Chief Nurse Officer, and Chief Pharmacist Officer.
      - (ii) In policymaking positions in the Department of Defense (DoD). The HHS Secretary determines which positions qualify for this exclusion. No more than three positions may be included in this number.
- 6-3. The USPHS Commissioned Corps will achieve the distributions authorized in Section 6-2 through the management of appointments to and promotions within the Regular Corps and the Ready Reserve Corps. The USPHS Commissioned Corps may not involuntarily separate officers solely to achieve or maintain the authorized grade distribution.
- 6-4. Commissioned Service Obligation (CSO). Officers serve at the pleasure of the President and the USPHS Commissioned Corps. Prior to accepting an appointment in the USPHS Commissioned Corps, a candidate must agree to serve in the USPHS Commissioned Corps for a minimum period as follows:
- a. Regular Corps. Starting on 1 June 2022, an officer originally appointed and called to active duty in the Regular Corps must serve in the USPHS Commissioned Corps for a minimum of eight years (combined active and reserve duty). The USPHS Commissioned Corps expects an officer to serve on active duty for at least four years; however, it only requires two years of active-duty service. An officer who serves less than two years forfeits certain benefits specified by the ASH (i.e., travel

for the officer and/or the officer's dependents; transportation of household goods (HHG); and transfer of, use of, or lump sum payment of unused annual leave). An officer must serve any remaining portion of the eight-year CSO that was not served on active duty in the Selected Ready Reserve (SELRES) or, in accordance with the strategic direction of the SG, the Director, Commissioned Corps Headquarters (CCHQ), may assign the officer to the Individual Ready Reserve (IRR).

- b. Ready Reserve Corps. Members of the Ready Reserve Corps are normally former members of the Regular Corps and are subject to the CSO outlined in Section 6-4.a. However, a member originally appointed to the Ready Reserve Corps must serve a minimum CSO of six years. Such members may fulfill an unserved portion of the CSO on active duty in the Regular Corps if the President and USPHS Commissioned Corps approves the member's transfer and appointment.
- c. CSO of Less than the Required Period. The SG may authorize a CSO that is less than the periods outlined in Section 6-4.a. and b. for members in specialties that the SG has identified as a critically short health professional specialty. However, the SG must not authorize a CSO that is less than two years, or less than a training obligation or a special pay obligation that a member has incurred.
- d. Resignation of Commission. With the approval of the ASH, an officer may resign from the USPHS Commissioned Corps because of a personal hardship prior to completing the CSO when the ASH determines that the USPHS Commissioned Corps can relinquish the officer's services and/or it would be in the interests of the government to accept the resignation.
  - (1) The ASH can require such officers to repay the unearned portion of any bonus, incentive, or similar pays in accordance with [37 U.S.C. § 373](#).
  - (2) The ASH can require such officers to pay an amount equal to twice the total amount of tuition, fees, and other necessary expenses received by the officer during a period of training and twice the total amount of any compensation (to include but not limited to pay, allowances, special pays, travel, transportation and shipment of household goods) received by or paid on behalf of the officer during a period of training (see [42 U.S.C. § 218a](#)).
  - (3) An officer who the ASH requires to pay the government under Section 6-4.(d)(1) or (2), may be subject to the collection of an indebtedness under the procedures in [45 C.F.R. Part 30](#).

6-5. Initial Assignment Upon Appointment.

- a. Regular Corps. The SG, or designee, will determine the initial assignment of a Regular Corps officer upon the officer's call to active duty. The SG or designee will prioritize these assignments based on the mission priorities for the USPHS Commissioned Corps as outlined in CCD 121.08, "Position Management."
- b. Ready Reserve Corps. The Director, CCHQ, will generally assign members of the Ready Reserve Corps to the SELRES upon the officer's appointment to the USPHS Commissioned Corps. However, in accordance with the strategic direction of the SG, the Director, CCHQ, may directly assign an individual into the Standby IRR if the Director, CCHQ, determines that there are not enough qualified members of the SELRES and Active IRR available to meet the USPHS

Commissioned Corps' requirements, and the individual has training and skills that the USPHS Commissioned Corps may need for future missions.

7. RESPONSIBILITIES:

7-1. The authority to promulgate policy Instructions implementing this Directive resides with the ASH without further delegation.

7-2. The SG may issue Personnel Operations Memoranda (POM) in accordance with this Directive and policy Instructions issued by the ASH.

8. HISTORICAL NOTES: This is the second issuance of this Directive published in the eCCIS.

8-1. CCD 122.02, "Force Management," dated 28 November 2012.

8-2. Commissioned Corps Personnel Manual (CCPM) CC43.4.2, "Force Management of Permanent Grade Distribution of Regular Corps Officers," dated 7 March 2006.