

October 1996

FEDERAL PERSONNEL

Issues on the Need for NOAA's Commissioned Corps





General Government Division

B-270666

October 31, 1996

The Honorable Lamar Smith
House of Representatives

The Honorable John R. Kasich
House of Representatives

This report responds to your request that we review the operations of the National Oceanic and Atmospheric Administration's (NOAA) Commissioned Corps. NOAA's Commissioned Corps is a uniformed service whose officers are covered by a military-like compensation system in a manner similar to the Commissioned Corps of the Public Health Service (PHS). NOAA Corps officers carry out a variety of navigational and scientific functions, such as charting and oceanographic research.

You asked us to provide information on (1) issues surrounding whether there is a continuing need for the NOAA and PHS Corps as uniformed services with military-like pay, allowances, and benefits and (2) what the costs would be if federal civilian employees carried out the Corps' functions. In a May 7, 1996, report,¹ we presented the results of our review of the PHS Corps. This report presents the results of our review of the NOAA Corps. Like the report on the PHS Corps, this report provides answers to questions your designated representative agreed would provide the information you were seeking. In general, the questions addressed why the NOAA Corps exists; what the Corps officers' duties are; how the Corps is similar to and different from the military; and what savings, if any, might result from not using uniformed personnel to carry out current Corps functions. Our review did not examine whether the Corps' functions or the number of persons used to accomplish those functions were necessary or could be changed as the result of civilianization.

In developing the information for this report, we interviewed—and analyzed documents provided by—officials of NOAA, the NOAA Commissioned Corps, the Department of Defense (DOD), the Office of the Navy Oceanographer, the Office of Naval Research, the National Science Foundation, and other organizations that could provide insights into the Corps' functions, responsibilities, and costs. Appendix I describes in detail the objective, scope, and methodology of our review, which was done in accordance with generally accepted government auditing standards. We requested comments on a draft of this report from the Departments of

¹Federal Personnel: Issues on the Need for the Public Health Service's Commissioned Corps (GAO/GGD-96-55).

Commerce and Defense. The Department of Commerce provided written comments. Its letter is discussed at the end of this report and reprinted in appendix II. The Department of Defense had no comments on the report.

Results in Brief

Like the PHS Corps, the NOAA Corps carries out civilian, rather than military, functions. In contrast to the PHS Corps, NOAA Corps officers who serve at sea have few civilian employee counterparts in NOAA. However, other agencies use federal civilian employees or contractors to carry out duties similar to the functions NOAA assigns to the Corps.

NOAA Corps officers operate and manage NOAA's research and survey ships that collect the data needed to support fishery management plans, oceanographic and climate research, and hydrographic surveys. NOAA Corps officers also fly and manage NOAA's aircraft that are used to penetrate hurricanes for research and to carry out surveys for forecasting floods and mapping changing U.S. shorelines. Corps officials said officers can expect to serve one-third of their careers in each of the following work categories: (1) sea duty; (2) shore duty that involves responsibilities in marine centers, vessel support, geodetic surveys, or aircraft operations; and (3) shore duty that involves management and technical support in offices throughout NOAA.

NOAA Corps officers' entitlement to military ranks and military-like compensation, including retirement eligibility at any age after completing 20 years of service, was an outgrowth of their temporary assignments to the armed forces during World Wars I and II. The Corps has not been incorporated into the armed forces since World War II, and DOD's war mobilization plans envision no role for the Corps in the future. Generally, the Corps does not meet the criteria and principles cited in a DOD report as justification for the military compensation system. Corps officers are not subject to the Uniform Code of Military Justice that governs how military personnel are managed.

Actions are in process that could significantly change the Corps. A general downsizing in the Department of Commerce reduced the Corps from about 400 officers in October 1994 to 332 officers as of July 1, 1996, with an eventual goal of a complement of 285 by the year 2000. Further, in January 1996, NOAA's Administrator asked Corps management to develop a plan for civilianizing the Corps by the spring of 1997. At the time we prepared this report, the plan was being reviewed by the Secretary of Commerce, who has overall responsibility for NOAA.

Our estimates suggest that using civilian employees to carry out the Corps' current functions would result in limited savings. A comparative cost analysis showed that it would have cost an estimated \$573,000 more in personnel costs to employ civilian workers during the period July 1, 1994, through June 30, 1995, than the personnel costs paid to Corps officers. However, when the estimated federal income tax benefits of \$1,234,000 afforded to Corps officers from their nontaxable allowances are considered, the government would realize net savings of an estimated \$661,000 by employing civilian employees. If the Corps were to be converted to civilian employment, the actual net cost reduction could vary, depending on various factors, including the method by which the conversion was implemented, the applicability of 1994 through 1995 costs to future years, and the accuracy of the underlying assumptions about Corps and civilian personnel costs.

It must also be recognized that, because the Corps is now smaller than it was in the period in which we did our work and further reductions are anticipated, any savings available from civilianizing the Corps in the future would be reduced accordingly.

NOAA Corps History and Current Status

The organization that became NOAA was established in 1807, and in 1836 it officially became known as the Coast Survey. The Survey dispatched technical and scientific teams to survey the uncharted U.S. coastline and relied on the Army and the Navy to supply personnel to augment the organization's civilian employees. After the Civil War, the Army withdrew from the Survey's work; the Navy withdrew during the Spanish-American War, leaving the work to be done solely by the employees of the newly named Coast and Geodetic Survey. After the Army and the Navy withdrew their personnel, many of the Coast and Geodetic Survey's civilian employees working in the field continued (1) maintaining a military-like operation with distinct lines of authority, (2) wearing Navy uniforms, and (3) giving and taking orders.

At the outbreak of World War I, ships and men who were qualified to operate the ships were needed immediately to augment the military forces. The Coast and Geodetic Survey was the only federal civilian agency that could respond to these requirements. Accordingly, in 1917, Congress passed legislation authorizing the President to transfer the Survey's ships and men to the Navy and War Departments for the duration of the war and officially giving military rank to Coast and Geodetic Survey field officers when serving in the Army or Navy. The Joint Service Pay Act of 1920

extended the Navy's pay, allowances, and retirement system to the members of the Coast and Geodetic Survey who held ranks equivalent to Navy officers.

In World War II, about half of the commissioned officers and ships of the Coast and Geodetic Survey were temporarily transferred to the armed services. Officers' duties included training amphibious troops in seamanship and navigation, serving as battalion observation officers, and executing hydrographic surveys in advance of fleet operations in the Aleutian Islands and the Western Pacific. At the end of the war, all Survey ships and officers were returned to the Coast and Geodetic Survey and to civilian duties. However, the Corps continued to exist, and its officers retained their military ranks and compensation.

In 1965, the Coast and Geodetic Survey became the Environmental Science Services Administration (ESSA), and in 1970, ESSA became NOAA. NOAA is composed of five line offices—(1) the National Marine Fisheries Service; (2) the Office of Oceanic and Atmospheric Research; (3) the National Weather Service; (4) the National Ocean Service; and (5) the National Environmental Satellite, Data, and Information Service—and the Office of the Administrator. Corps officers are assigned to work in all component offices of NOAA. Table 1 provides Corps officers' assignments to NOAA's component offices in April 1995.

Table 1: NOAA Corps Assignments in NOAA Components, April 1995

NOAA Component Office	Total Corps Officers
National Marine Fisheries Service	35
Office of Oceanic and Atmospheric Research	31
National Weather Service	10
National Ocean Service	
charting	45
noncharting	36
National Environmental Satellite, Data, and Information Service	12
Office of the Administrator ^a	227
Total	396

^aIncludes NOAA Corps Operations, the Pacific and Atlantic Marine Centers, Corps Personnel Center, aircraft pilots, and ships' officers.

Source: Office of NOAA Corps Operations.

Corps officials said officers can expect to serve one-third of their careers in each of the following work categories: (1) sea duty; (2) shore duty that involves responsibilities in marine centers, vessel support, geodetic surveys, or aircraft operations; and (3) shore duty that involves management and technical support throughout NOAA.

In October 1994, the Corps had approximately 400 commissioned officers. As a result of general downsizing in the Department of Commerce, the Corps was reduced to 332 officers as of July 1, 1996. According to a Corps official, the ultimate downsizing goal was to reduce the number of officers to 285 by the year 2000.

NOAA has since expressed an interest in eliminating the Corps and using civilian employees to carry out the Corps' functions. In January 1996, NOAA's Administrator announced that the NOAA Corps would begin a transition to civilian status on October 1, 1996, and directed that the transition be completed within 6 months. He asked the Director of NOAA Corps operations to develop an implementation plan for civilianizing the Corps. NOAA officials said that plan was being reviewed by the Secretary of Commerce.

NOAA Corps' Similarity to and Differences From the Military

Corps members' entitlement to military ranks and military-like compensation, including eligibility for retirement at any age after 20 years of service, was an outgrowth of their temporary service with the armed forces during World Wars I and II. The NOAA Corps has not been incorporated into the armed forces since World War II, and DOD's war mobilization plans envision no role for the Corps in the future. Corps officers continue to receive virtually the same pay and benefits (including retirement) as the military.

A 1984 DOD report² provided a detailed discussion of the criteria and principles used to justify the military compensation system. According to the report, the main purpose of the military compensation system is to ensure the readiness and sustainability of the armed forces. Military personnel can be assigned at any time to any locations the services see fit, regardless of members' personal preferences or risks. In other words, the military compensation system is based on the premise that individual aspirations and preferences are subordinated to the good of the service. The NOAA Corps is not considered an armed service, and Corps officers are not subject to the Uniform Code of Military Justice, which underlies how

²The Fifth Quadrennial Review of Military Compensation, Department of Defense, January 1984.

military personnel are managed.³ Accordingly, NOAA cannot press criminal charges or pass sentence against an officer who disobeys orders, and Corps officers can quit the Corps without legal sanctions.

Corps officials said the essential functions of the uniformed Corps are to serve as deck officers aboard NOAA ships and to be a mobile cadre of professionals who can be assigned with little notice to any location and function where their services are necessary, often in hazardous or harsh conditions. We found that some Corps assignments are of this nature, but civilian employees in other agencies are often assigned to duties similar to those of the Corps. For example, the Environmental Protection Agency (EPA), the National Transportation Safety Board, and the Federal Emergency Management Agency use civilian employees to respond quickly to disasters and other emergency situations. Moreover, EPA and the Navy use ships operated by civilian employees or contractors in conducting their oceanic research. Officials from these agencies said they have experienced no problems in using civilian deck officers on the vessels. Also, NOAA ships have been operated on occasion by Wage Marine (civilian)⁴ deck officers, and NOAA officials termed this approach successful.

Potential Cost Reduction Resulting From Civilianizing the NOAA Corps

NOAA contracted with Arthur Andersen LLP to determine the comparative costs of using civilian employees rather than Corps officers to carry out the Corps' functions. The contractor's report⁵ was issued August 30, 1995. We examined the contractor's approach and methodology and generally found them to be similar to those we would have used. Thus, other than making an adjustment we believed was necessary for a more complete comparison, we accepted the contractor's estimates of the comparative costs of using Corps officers and civilian employees. On the basis of the contractor's report and the adjustment we made, we estimated that the cost to the government would have been about \$661,000 lower during the

³Under a 1917 statute, the President can incorporate the Corps into the military service in the event of national emergency. Since all military personnel are subject to the Uniform Code of Military Justice, Corps officers, after being incorporated into the military, would be subject to the code. This situation has not occurred since World War II.

⁴A Wage Marine is a type of prevailing-rate excepted service employee who serves as a master or mate on NOAA ships.

⁵National Oceanic and Atmospheric Administration Commissioned Officer Corps: Comparison of NOAA Corps versus Federal Employees, Arthur Andersen LLP, August 30, 1995.

year July 1994 through June 1995, if civilian employees had been used.⁶ If the Corps is downsized as intended, the estimated cost savings would be smaller in subsequent years.

Arthur Andersen LLP Cost Comparison Study

The Arthur Andersen LLP report concluded that civilianization of the Corps would increase government costs by \$573,000 a year. This estimate was based on actual costs incurred during the year ending June 30, 1995, and used a Corps strength of 384 officers. Table 2 shows the Arthur Andersen LLP estimates.

Table 2: Arthur Andersen LLP Comparison of Corps and Civilian Personnel Costs

Category	NOAA Corps Officers	Federal civilian employees	Difference
Base pay/salaries	\$15,795,000	\$20,869,000	\$(5,074,000)
Special pays, allowances, and bonuses	5,486,000	3,710,000	1,776,000
Benefits	8,427,000	5,702,000	2,725,000
Total	\$29,708,000	\$30,281,000	\$(573,000)

Source: Arthur Andersen LLP report.

Our Adjustment to the Contractor's Estimates

Arthur Andersen LLP did not include in its comparison the federal income tax advantage Corps officers receive from their housing and subsistence allowances. Like members of the military, NOAA Corps officers pay no federal income taxes on these allowances.⁷ As DOD explained, the "cost" to the government arising from this tax advantage comes in the form of a loss to the U.S. Treasury of the federal income taxes that would otherwise have been paid if the allowances were taxable.⁸ Federal civilian employees receive no such tax advantages; they must pay their living expenses from their fully taxable salaries.

⁶The actual net cost reduction would vary, depending on various factors, including the method by which any changes are implemented, the applicability of 1994 costs to future years, and the accuracy of the underlying assumptions concerning Corps and civilian personnel costs.

⁷A major component of military and Corps compensation is termed "Regular Military Compensation." This component includes basic pay, nontaxable housing and subsistence allowances, and the tax advantage accorded to members through the nontaxable allowances.

⁸As actually calculated by DOD, the tax advantage is the amount of additional income military (or Corps) personnel would need to retain their take-home pay if their allowances were taxable.

A DOD publication⁹ pointed out that the actual federal tax benefit that an individual member realizes is governed by many considerations. These considerations include (1) the aggregate amount of a member's (and his or her spouse's) income, both earned and unearned; (2) the amount of the member's housing and subsistence allowances; (3) the member's marital status and number of dependents; (4) whether the member takes the standard deduction or itemizes deductions for federal income tax purposes; and (5) whether the member is entitled to other types of tax exclusions. DOD developed a series of numerical estimates of the tax advantages to members using certain assumptions related to these factors. The publication noted that members do not actually receive the tax advantage in cash or in kind. Accordingly, it is not a cost item in DOD's budget, nor is it in NOAA's budget.

According to its report, Arthur Andersen LLP did not include Corps members' tax advantage as a cost of maintaining the Corps because it did not represent "costs incurred by the Federal Government." However, because the tax advantage represents a revenue loss to the government and is of considerable monetary value to Corps members, we believe it should be included in any cost comparison.

Since NOAA Corps officers receive the same base pay and housing and subsistence allowances as military officers at the same ranks, we used DOD's tax advantage estimates to estimate the tax advantage afforded to Corps members. We estimated that the annual tax advantage associated with the housing and subsistence allowance amounts used in the Arthur Andersen LLP study would be \$1,234,000 a year. Adjusting the Arthur Andersen LLP study results by the estimated tax advantage amount results in a total government cost for the Corps of \$30,942,000 for the year, compared with the estimated \$30,281,000 cost of using civilian employees—a difference of \$661,000.

If a decision were made to civilianize the NOAA Corps, whether there would be any actual cost reductions would depend, in large part, on the manner in which a transition to civilian employment would be carried out, including the period of time over which the transition would occur. Any decision to replace Corps officers with civilian employees could be implemented in a number of ways. The possibilities range from requiring all officers to immediately convert to civilian employment, to longer-range measures such as allowing all current officers to remain in place until

⁹Military Compensation Background Papers: Compensation Elements and Related Manpower Cost Items, Office of the Secretary of Defense, Department of Defense, November 1991.

retirement or other separation and requiring all new entrants to be civilian employees. Or, perhaps all officers with a specific number of years in the Corps could be allowed to continue in the Corps until retirement or other separation.

The amount of transition costs would also depend on how considerations such as the following were resolved.

(1) What retirement benefits or credits are given to officers for the time they spend in the Corps before converting to civilian employment and the civilian employee retirement system.

(2) What resources would be required to recruit, train, and retain civilian employees that might be needed to replace Corps officers who opt to leave federal service.

(3) The amount of additional resources, if any, that would be required to administer the civilian workforce at NOAA after civilianizing the Corps and its administrative personnel.

A plan of action that addresses each of the above factors and other possible considerations would be needed before estimates of the transition costs involved could be determined.

Agency Comments

The Department of Commerce provided written comments on a draft of this report. The comments and our responses are discussed below. The Department's comments are provided in their entirety in appendix II.

Although the Department expressed concerns about certain information in the report, it acknowledged that a legislative proposal (prepared by the Department) to "disestablish" the Corps was pending clearance within the administration.

The Department questioned the appropriateness of our applying DOD's criteria for military compensation to the NOAA Corps. It said the criteria focused exclusively on the military services, rather than on uniformed services in general. In our opinion, the criteria we used were appropriate. The Corps' compensation system, generally the same as the military compensation system, was legislatively established after some Corps officers were temporarily assigned to the military during World War I. Thus, in evaluating whether the Corps should continue to receive

military-like compensation, we believe the application of the criteria DOD used to justify the military compensation system is reasonable.

The Department noted that its goal for downsizing the Corps (if the proposal to “disestablish” the Corps is not accepted) is to have a Corps strength of 285 officers by the year 2000, rather than 280 as stated in the draft report. We changed the report to reflect this updated estimate.

According to the Department, the report’s discussion of the history of the Corps and how Corps officers came to receive ranks and compensation similar to the military should have included more detailed information. We included additional historical information consistent with the Department’s suggestions.

Similarly, the Department suggested that, to be more complete, the report should acknowledge that Corps officers are subject to the Uniform Code of Military Justice when serving with or assigned to the armed forces. We agree that this is the case. However, the report section cited by the Department already pointed out this exception to the general rule in a footnote. Accordingly, we did not believe a change was needed to address this comment.

The Department expressed an opinion that the report did not sufficiently address the ways in which service with the Corps is similar to military service. We disagree. The report discussed areas of similarity between Corps and military service mentioned by Corps officials during our review, but it also pointed out that civilian employees in other agencies were often subject to the same conditions of employment. Moreover, many of the similarities discussed in the Department’s comments exist because the Corps is compensated under a military-like system, not because the Corps has responsibilities like the military. It should also be noted that the criteria for military compensation articulated in the DOD report are based on the need for inducements and incentives to maintain a force necessary “to insure successful accomplishment of the United States national security objectives.” Corps officers have not been involved in meeting national security objectives since World War II.

We also provided a draft of the report to DOD. We were advised that, after reviewing the draft, DOD had no comments.

As agreed with your office, unless you publicly announce its contents earlier, we plan no further distribution of this report until 7 days from the date of this report. At that time, we will send copies to the Secretaries of Commerce and Defense and other interested parties. We will also make copies available to others upon request.

If you have questions concerning this report, please telephone me or Associate Director, Timothy P. Bowling, at (202) 512-8676. Major contributors to this report are listed in appendix III.

A handwritten signature in black ink that reads "L. Nye Stevens". The signature is written in a cursive style with a large initial "L" and a long horizontal stroke at the end.

L. Nye Stevens
Director, Federal Management
and Workforce Issues

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Abbreviations

DOD	Department of Defense
ESSA	Environmental Science Services Administration
EPA	Environmental Protection Agency
NOAA	National Oceanic and Atmospheric Administration
PHS	Public Health Service

Objective, Scope, and Methodology

The objective of this report is to provide information on the operations of the National Oceanic and Atmospheric Administration (NOAA) Commissioned Corps. We were asked to address why the NOAA Corps exists; what the Corps officers' duties are; how the Corps is similar to and different from the military; and what savings, if any, might result from not using uniformed personnel to carry out current Corps functions.

To gather the information on the continuing need for the Corps, we reviewed NOAA Corps historical material and interviewed and obtained documentation from officials of NOAA, including the Office of NOAA Corps Operations; the Department of Defense (DOD), including the Department of the Army and the Navy; Woods Hole Oceanographic Institute; the National Science Foundation; the National Transportation Safety Board; the Federal Emergency Management Agency; and the Environmental Protection Agency.

To compare the costs of using uniformed personnel or civilian employees to carry out Corps duties, we reviewed the findings in an August 1995 report¹ prepared by Arthur Andersen LLP under a contract with NOAA. We examined the contractor's approach and methodology and generally found them to be similar to those we would have used. Other than making an adjustment we believed was appropriate to reflect the estimated tax advantages Corps officers receive through their nontaxable housing and subsistence allowances, we accepted the contractor's findings as valid estimates of the comparative costs of using Corps officers and civilian employees.

It should be noted that we did not examine whether the Corps' functions or the number of persons used to accomplish those functions were necessary or could be changed as the result of civilianization. Thus, the report does not address issues such as whether civilianization of the Corps could present opportunities for possible savings through restructuring or consolidating NOAA operations. Neither did we examine the possibility of contracting with private companies, rather than using civilian employees, to carry out the Corps' current functions.

We did our work in Washington, D.C.; Narragansett, Rhode Island; and Woods Hole, Massachusetts, between November 1994 and January 1996. Our work was done in accordance with generally accepted government auditing standards.

¹National Oceanic and Atmospheric Administration Commissioned Officers Corps: Comparison of NOAA Corps versus Federal Employees, August 30, 1995.

Appendix I
Objective, Scope, and Methodology

The Department of Commerce provided written comments on a draft of this report. A copy of the letter is included as appendix II. The Department of Defense also reviewed a draft of the report and had no comments.

Comments From the Department of Commerce



THE SECRETARY OF COMMERCE

Washington, D.C. 20230

SEP 13 1996

Mr. L. Nye Stevens
Director, Federal Management and Workforce Issues
General Government Division
U.S. General Accounting Office
Washington, D.C. 20548

Dear Mr. Stevens:

Enclosed is a copy of the Department of Commerce's reply to the General Accounting Office draft report entitled "Federal Personnel: Issues on the Need for NOAA's Commissioned Corps."

These comments are prepared in accordance with the Office of Management and Budget Circular A-50.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael Kantor", written over a horizontal line.

Michael Kantor

Enclosure

Appendix II
Comments From the Department of
Commerce

U.S. DEPARTMENT OF COMMERCE
COMMENTS ON DRAFT GAO REPORT ENTITLED

FEDERAL PERSONNEL: ISSUES ON THE NEED FOR
NOAA'S COMMISSIONED CORPS

REPORT NO. GAO/GGD-96-180

AUGUST 27, 1996

Appendix II
Comments From the Department of
Commerce

COMMENTS:

1. Comments regarding Report section entitled "RESULTS IN BRIEF"

The General Accounting Office (GAO) states: "Generally, the Corps does not meet the criteria and principles cited in a Department of Defense (DOD) report as justification for military compensation."

The GAO Report cites Fifth Quadrennial Review of Military Compensation, DOD, January 1984, for this characterization. The GAO's exclusive reliance on this document is misplaced, since the volume focuses exclusively on *military* criteria, which is only a subset of the *uniformed services*, and it is upon the criteria and principles of the demands placed upon uniformed service members that all members of every service are paid equally. The Corps is paid under Title 37, U.S.C., Pay and Allowances of the Uniformed Services. Therein, Congress has defined the armed forces and uniformed services. The common thread among the uniformed services is properly stated by GAO in this Report, that "individual aspirations and preferences are subordinated to the good of the service."

Regarding page 3, the complement of Corps Officers by the year 2000 is 285, not 280.

2. Comments regarding Report section entitled "NOAA CORPS HISTORY AND CURRENT STATUS"

The Report section, "NOAA Corps History and Current Status," should be modified to present the rationale behind the Department's historical retention of the commissioned corps throughout the evolution from Coast and Geodetic Survey through the creation of the present National Oceanic and Atmospheric Administration (NOAA), in 1970.

The third paragraph is misleading, stating that, "[i]n 1942, all Corps officers were converted to military equivalent ranks ranging from ensign to admiral." In 1920, Congress provided that: pay and allowances of officers of the Navy be extended directly to officers of the Charting and Geodetic Services (C&GS) by rank; retirement laws relating to officers of the Navy were extended to officers of the C&GS; and service in the C&GS commissioned corps was defined as equal to service in the Navy, Army, Marine Corps, Coast Guard, and Public Health Service for purposes of computing longevity pay, "based on the total of all service in any or all of said services."

The Department suggests supplementing the existing history section with the history that was provided by the Congress in House Report No. 91-1633, November 25, 1970, which accompanied Public Law 91-621, December 31, 1970, Act to Clarify the Status and Benefits of Commissioned Officers of NOAA':

**Appendix II
Comments From the Department of
Commerce**

The Coast and Geodetic Survey Commissioned Officer Corps was established by the Act of May 22, 1917, to provide a highly-trained mobile, career-oriented group within the Coast and Geodetic Survey to engage in activities which since 1807 had been commanded by Army and Navy officers assigned to the Coast and Geodetic Survey. From 1900 to 1917, Army and Navy officers were not available to the Coast and Geodetic Survey because of military requirements and the need for such officers was sorely felt. The 1971[sic]¹ Act establishing the Corps recognized the utility of Coast and Geodetic Survey officers to the military departments and prescribed that such officers should be subject to transfer to the military departments during national emergencies. House Report No. 91-1633, November 25, 1970.

3. Comments regarding Report section entitled "NOAA CORPS' SIMILARITY TO AND DIFFERENCES FROM THE MILITARY"

The title of this section invites an assessment of similarities and differences from the military, as was requested by the Congressional originators of this Report. The Report, however, does not address any similarities to the military, but offers only differences. Similarities include:

- personnel can be assigned at any time to any location or duty regardless of a member's preference or the effect on his or her spouse and dependents,
- unaccompanied 2+ years tours of duty at sea,
- 'up or out' promotion system,
- ineligibility for overtime compensation,
- subject to call 24 hours a day,
- involuntary separations/retirements despite satisfactory performance,
- subject to transfer into the armed forces during war or national emergency and,
- relocation reimbursement under the UFTR's at one-third that authorized for civil service employees.

Service in the NOAA Corps involves all of these provisions whereunder individual aspirations and preferences are subordinated to the good of the service. See, 33 U.S.C. §851, et seq; and, NOAA Corps Regulations, U.S. Department of Commerce, 1996.

GAO states: Furthermore, Corps officers are not subject to the UCMJ that governs how military personnel are managed.

This statement is incomplete. NOAA Corps officers are subject to the UCMJ when serving with or assigned to the armed forces. 10 U.S.C. §802(a)(8); 33 U.S.C. §855; NOAA Corps Regulations, Chapt. 5, App. I.

¹Should read "1917" referring to the Act of May 22, 1917, creating the commissioned corps of the Coast and Geodetic Survey.

Major Contributors to This Report

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