

Committee on Resources

Witness Testimony

Testimony of

REAR ADMIRAL HARLEY D. NYGREN

Before the Subcommittee on Fisheries,

Wildlife, and Oceans

27 March 1996

Dear Mr. Chairman:

When the National Oceanic and Atmospheric Administration was formed in 1970 I was appointed as the first Director of the NOAA Commissioned Officer Corps. I served for ten years in that position, through two Administrations, and have followed the fate of this organization since I retired fifteen years ago. I am a Professional Engineer, a Certified Hydrographer, and a member of a number of Professional organizations. I have attached a brief biography to establish my credibility to comment on the several proposals to abolish the NOAA Corps.

I have no problem with the Government periodically reviewing what it does and the way it does it. This is necessary, but it is also imperative that good data be used in formulating new proposals, and that impeccable logic be used. The suggestions to abolish the NOAA Corps stem from several common roots and different motivations. It is not necessary to reconstruct these, except to identify the several fallacies which are common to all of them. Without a proper definition of the problem a reasonable solution is impossible.

The House Resource Committee has stated that because the government owned NOAA fleet may be phased out, the officers of the NOAA Corps will no longer be needed. The Administration quotes the National Policy Review as its rationale for destroying the Corps. The NPR is woefully short of data, and the President is very ignorant of the problem as he demonstrated in comments at a Rose Garden press conference where he discussed the NPR. A report of the National Academy of Engineering Marine Board has provided a mechanism for industry representatives to suggest the abolishment of the Corps, and the Inspector General of the Department of Commerce has listed a series of reports on contracting for marine services as a possible reason for abolishing the Corps.

All of these sources fail to note that the Mission of The NOAA Corps far transcends the management of the NOAA fleet. Should the NOAA fleet disappear tomorrow the need for project and program managers capable of carrying NOAA's projects to the field and to sea would still exist. This issue has been confused by the merging of the duties of the Director of The NOAA Corps and the head of the Office of NOAA Corps Operations. It is only in recent years that the Director of The NOAA Corps had any direct line responsibility for the overall management of the NOAA fleet. When NOAA was created we merged six small groups of vessels into one fleet. The utilization of the resources of this fleet was determined by a Fleet Allocation Council, which the Director of The NOAA Corps periodically chaired. The organization of the Office of NOAA Corps Operations blurred the difference between the duties of the fleet manager and the head of the personnel system which is the NOAA Corps.

The linking of these two functions, logical enough by one way of thinking, leads to the huge perceptual conclusion that the abolishment of the fleet means the abolishment of the Corps, when this does not at all follow, if you believe the official Mission Statement of The NOAA Corps, which I have attached. As a NOAA Corps project officer I have utilized NOAA vessels, Navy vessels, Coast Guard vessels, University vessels, foreign ships, rented boats, chartered ships, surplus equipment, and even stolen vessels, in a sense. Project accomplishment was the goal, and ships were merely tools to that end, not ends in themselves. The idea that the overall umbrella of "contracting" will obviate the need for the Corps is, therefore, spurious.

The government should contract for services and products as necessary to accomplish its mission. A proper mix of contracting and in-house capability is necessary, however, for the government to retain a capability to administer its responsibilities. If the contract is to be for products, for which the government assumes liability, the government must

have the capability to administer that contract in a way which protects itself. If the contract is for services, oversight of the provision of the services is required. Neither of these functions is outside of the mission of the NOAA Corps, and both will exist if the government owned fleet disappears tomorrow. The US Marine Corps operates a fleet of helicopters in the performance of its mission. Should that fleet disappear tomorrow because of obsolescence or a change in technology it would be unthinkable to suggest that the Marine Corps should be abolished, unless its mission was totally changed. So, too, with the NOAA Corps. Without reference to its Mission, any suggestions for abolishment hang on thin air.

Whenever Congress considers reorganizations it must ask about the costs and the benefits of the proposed plan. In this case this has not been done in a way with any integrity. The few cost studies that are available to the public tend to show two things. One, the costs of operating the NOAA ships and aircraft are comparable with those of other entities. This is an area fraught with difficulty because of the differing modes used. It should be sufficient to point out that the government does not pay taxes, does not insure its vessels or aircraft, and does not pay dividends to share holders. Other than that it deals with the same unions, pays its crews comparably, except for the officers, repairs in the same shipyards, and enjoys the same costs of consumables. Industry is free, to an extent, of government red tape in procurement, but must accomodate to the strict requirements of the U.S. Coast Guard. So I would suggest that inasmuch as contracting seems to be a priority of Congress, that it do this as matter of National Policy, and not lean too hard on tortured cost analyses. I would emphasize that the military based pay of NOAA Corps officers assigned aboard ship is in no way comparable to that of the marine industry. That this is so is regrettable. Aside from the vessel operating costs, the NOAA Corps personnel system can also stand a favorable comparison with the classified Civil Service, which is proposed to replace it. This was demonstrated by a study performed by the Arthur Andersen Co. which we have attempted to bring to the attention of the Congress and others. Unfortunately, the Inspector General of Commerce has produced a number of papers which he maintains prove otherwise, and these we have challenged without exception.

NOAA has prepared a transition plan to take effect should it be possible for it to proceed with the abolishment of the NOAA Corps. Under the circumstances this is a good plan, but it is predicated on both the abolishment of the Corps and the provision of additional legislation to make that possible. What NOAA envisions is a transition to a new personnel system which will embody most of the capabilities of the institution of the NOAA Corps, but which will inevitably cost more, on a per capita basis. It is well worth noting that the proposed presonnel system is comparable to what was in effect in 1917, before the commissioned corps structure was adopted. The 1997 budget already includes substantial costs for making the transition, as well as an indication of continued future costs. It is very difficult to make the case that an individual paid under the military pay scales is cheaper than a civil servant, unless you add in a number of illogical factors derived from DOD computations that do not necessarily apply to NOAA. Again I would press the Administration for a well defined computation of both costs and benefits of the abolishment of the Corps.

Those of us retired from the NOAA Corps have a legitimate interest in the preservation of our earned benefits. Should anyone doubt the basis for our concern I refer them to the original Chrysler Bill, which treated active duty officers very harshly, and which could be interpreted as affecting retired pay. Any tampering with legislation which has developed over eighty years is bound to be a risky business. The matter of entitlements is not one to treated lightly, becoming a constitutional issue if handled callously. I trust that in their zeal to destroy this institution the members of Congress will remember their responsibilities to those who have served out their contracts and are now in the twilight of their lives.

Finally, I would stress that the rights of the serving officers are deserving of consideration. These young folks are possibly seeing their chosen careers truncated or finished, because of a desire that is difficult for them to comprehend. They have seen their organization attacked from several fronts for reasons that run from ignorance to greed to animus, and they don't understand it. Certainly, as I hope I have shown, the reasons publicly espoused for doing away with the Corps do not stand up, when measured against the Official Mission of The NOAA Corps, which, after all, should receive far more consideration than it has thus far.

I would appreciate very much your making this a part of the official record. It is apparent that the forces dedicated to the destruction of the NOAA Corps have, to date, received far more prominence than those whose goal has been the maintenance of good government through superior service.

###

.