

## S 2388

National Oceanic and Atmospheric Administration Commissioned Officer Corps Amendments Act of 2012

**Congress:** 112 (2011–2013, Ended)

**Chamber:** Senate

**Policy Area:** Science, Technology, Communications

**Introduced:** Apr 26, 2012

**Current Status:** Held at the desk.

**Latest Action:** Held at the desk. (Dec 21, 2012)

**Official Text:** <https://www.congress.gov/bill/112th-congress/senate-bill/2388>

### Sponsor

**Name:** Sen. Begich, Mark [D-AK]

**Party:** Democratic • **State:** AK • **Chamber:** Senate

### Cosponsors (5 total)

Cosponsor	Party / State	Role	Date Joined
Sen. Inouye, Daniel K. [D-HI]	D · HI		Apr 26, 2012
Sen. Murkowski, Lisa [R-AK]	R · AK		Apr 26, 2012
Sen. Snowe, Olympia J. [R-ME]	R · ME		Apr 26, 2012
Sen. Whitehouse, Sheldon [D-RI]	D · RI		Apr 26, 2012
Sen. Rockefeller, John D., IV [D-WV]	D · WV		May 10, 2012

### Committee Activity

Committee	Chamber	Activity	Date
Commerce, Science, and Transportation Committee	Senate	Reported By	Nov 14, 2012

### Subjects & Policy Tags

#### Policy Area:

Science, Technology, Communications

### Related Bills

*No related bills are listed.*

National Oceanic and Atmospheric Administration Commissioned Officer Corps Amendments Act of 2012 - Reauthorizes and amends authorities relating to the National Oceanic and Atmospheric Administration's Commissioned Officer Corps (NOAA Corps).

(Sec. 2) Sets forth the commissioned grades of the NOAA Corps in relative rank with Navy officers, beginning with vice admiral, rear admiral, and rear admiral (lower half). Maintains the existing distribution percentages of officers on the lineal list in grades of captain, commander, and lieutenant commander.

Amends the National Oceanic and Atmospheric Administration Commissioned Officer Corps Act of 2002 to direct the Secretary of Commerce to prescribe distribution percentages applicable to grades of lieutenant, lieutenant (junior grade), and ensign.

Directs the Secretary to compute at least annually the number of officers on the lineal list authorized to serve in each grade.

(Sec. 3) Prohibits officers serving in positions of importance and responsibility and officers recalled from retired status from being counted in or against the Secretary's computation of authorized strengths or the total number of authorized commissioned officers on the lineal list.

(Sec. 4) Directs the Secretary to prescribe obligated service requirements for appointments, training, promotions, separations, continuations, and retirement of officers not otherwise covered by law.

(Sec. 5) Authorizes officer training programs and correspondence courses.

Requires the Secretary to ensure that officers maintain a physical state of readiness in preparation for functioning as a service in the Navy during times of war.

(Sec. 6) Revises original appointment and reappointment requirements. Authorizes the reappointment of individuals who previously served in the NOAA Corps to the grade the individual held prior to separation.

Permits reappointments to certain designated positions of importance and responsibility to be made only by the President.

Directs the Secretary to coordinate with the Secretary of Defense (DOD) and the Secretary of the Department in which the Coast Guard is operating to promote and streamline inter-service transfers, give preference to such inter-service transfers for recruitment purposes, and reappoint such inter-service transfers to the equivalent grade in the NOAA Corps.

(Sec. 7) Establishes membership criteria for personnel boards.

(Sec. 8) Modifies temporary appointment requirements. Permits temporary appointments in the grade of ensign, lieutenant junior grade, or lieutenant to be made by the President.

(Sec. 9) Directs the Secretary to determine the number of appointments of officer candidates and to prescribe regulations for such appointments. Establishes guidelines for the appointment, dismissal, and pay of officer candidate appointments.

Establishes a basic officer training program.

(Sec. 10) Permits deferment of a consenting officer's retirement or separation when evaluation of a medical condition requires hospitalization or observation that cannot be completed before the officer would otherwise be required to retire or be separated.

Prohibits such a deferment from extending for more than 30 days after completion of the evaluation requiring hospitalization or medical observation.

(Sec. 11) Excludes an officer discharged for twice failing selection for promotion to the next higher grade (if the officer expresses a desire not to be selected for promotion or requests removal from the list of selectees) from certain separation pay entitlements.

(Sec. 12) Applies specified rights and benefits of the Armed Forces to the NOAA Corps, including benefits and services for members being separated or recently separated, military family programs, advanced education assistance, active duty agreements, and reimbursement requirements.

(Sec. 13) Establishes an education loan repayment program in exchange for active duty service obligations of certain students enrolled at accredited educational institutions and other eligible persons.

(Sec. 14) Establishes a student loan interest payment program for specified loans under the Higher Education Act of 1965 to eligible active duty officers who have not completed more than three years of active duty service.

(Sec. 15) Establishes a pre-commissioning education assistance program for certain students enrolled at accredited educational institutions who agree to accept appointment as active duty officers.

(Sec. 16) Directs the Secretary to limit the amount expended for such educational assistance each fiscal year to a specified amount based on a formula relating to the total pay of officer candidates.

(Sec. 17) Expands various pay and allowances requirements of the Armed Forces to the NOAA Corps.

(Sec. 18) Extends the application of certain competitive service position consideration requirements to applicants honorably separated from the NOAA Corps.

(Sec. 19) Extends eligibility for the Legion of Merit award to all members of the uniformed services.

(Sec. 20) Applies uniformed service civilian employment and reemployment rights to the NOAA Corps.

(Sec. 21) Expands to the NOAA Corps certain laws protecting communications of members of the Armed Forces with Members of Congress and the Inspector General and prohibiting retaliatory personnel actions for specified communications.

(Sec. 22) Expands the criminal penalty for wearing a uniform without authority to include NOAA Corps uniforms.

(Sec. 24) Directs the Secretary to report to Congress on the current status and projected needs of the NOAA Corps (including attrition rates, recruitment, and areas of duplication) to operate sufficiently through FY2017.

(Sec. 25) Requires specified provisions of this Act to take effect 90 days after the Secretary submits such report to Congress.

## Actions Timeline

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- **Dec 21, 2012:** Message on Senate action sent to the House.
- **Dec 21, 2012:** Received in the House.
- **Dec 21, 2012:** Held at the desk.
- **Dec 20, 2012:** Measure laid before Senate by unanimous consent. (consideration: CR S8308-8318)
- **Dec 20, 2012:** The committee substitute as amended agreed to by Unanimous Consent. (text: CR S8309-8313)
- **Dec 20, 2012:** Passed/agreed to in Senate: Passed Senate with an amendment by Unanimous Consent.(text: CR S8313-8318)
- **Dec 20, 2012:** Passed Senate with an amendment by Unanimous Consent. (text: CR S8313-8318)
- **Dec 19, 2012:** By Senator Rockefeller from Committee on Commerce, Science, and Transportation filed written report. Report No. 112-256.
- **Nov 14, 2012:** Committee on Commerce, Science, and Transportation. Reported by Senator Rockefeller with an amendment in the nature of a substitute. Without written report.
- **Nov 14, 2012:** Placed on Senate Legislative Calendar under General Orders. Calendar No. 551.
- **Jul 31, 2012:** Committee on Commerce, Science, and Transportation. Ordered to be reported with an amendment in the nature of a substitute favorably.
- **Apr 26, 2012:** Introduced in Senate
- **Apr 26, 2012:** Read twice and referred to the Committee on Commerce, Science, and Transportation.