

# NOAA Commissioned Corps

## FACT SHEET



NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

• UNITED STATES DEPARTMENT OF COMMERCE

The Commissioned Corps (CPC) of the National Oceanic and Atmospheric Administration are not in the armed forces and therefore those employees are not considered veterans unless, he or she was previously a member of the armed forces and met the criteria for veteran's preference or were transferred to the armed forces under 33 USC 3061.

### Background

In September 2011, CPC received feedback from OPM stating NOAA Corps Officers are not eligible for appointment under the Veterans Employment Opportunities Act (VEOA). 5 USC 3304 (f)(1) states that preference eligibles or veterans who have been separated from the armed forces under honorable conditions after 3 years or more of active service may not be denied the opportunity to compete for vacant positions for which the agency making the announcement will accept applications from individuals outside its own workforce under merit promotion procedures.

This decision has not halted CPC's pursuit of alternatives regarding referral of officers for civilian employment. The Office of Marine and Aviation Operations is seeking a legal opinion on the issue of active duty NOAA Corps Officers interested in continuing service with NOAA and being given the opportunity for referral on the agency's civilian merit assignment plan certificates of eligible applicants. There are no guarantees regarding the outcome of the legal review. However, OMAO has continued to pursue this flexibility on the behalf of the officers.

### What is the definition of a veteran?

A veteran is a person discharged or released from active duty in the armed forces under honorable conditions performed:

- In a war, or,
- In a campaign or expedition for which a campaign badge has been authorized, or
- During the period beginning April 28, 1952 and ending July 1, 1955, or
- For more than 180 consecutive days, other than for training, any part of which occurred during the period beginning February 1, 1955 and ending October 14, 1976, or
- During the period beginning August 2, 1990 and ending January 2, 1992, or
- For more than 180 consecutive days, other than for training, any part of which occurred during the period beginning September 11, 2001 and ending on the date prescribed by Presidential proclamation or by law as the last day of Operation Iraqi Freedom
- A campaign medal holder or Gulf War veteran war originally enlisted after September 7, 1980, (or began active duty on or after October 14, 1982, and has not previously completed 24 months or the full period called or ordered to active duty. The 24-month service requirement does not apply to 10-point preference eligible separated for disability incurred or aggravated in the line of duty, or to veterans separated for hardship or other reasons under 10 U.S.C. 1171 or 1173.

### **What is a disabled veteran?**

A disabled veteran is a person discharged or released from active duty in the armed forces under honorable conditions performed at any time and who has established the present existence of a service-connected disability or is receiving compensation, disability retirement benefits, or pension because of a statute administered by the Department of Veterans Affairs (VA) or a military department. For disabled veterans, active duty includes training service in the Reserves or National Guard.

### **What is a preference eligible?**

Preferences eligible are veterans, spouses, widows/widowers, or mothers who meet the definition of “preference eligible” in 5 USC 2108. Preference eligible are entitled to priority referral (5 USC 3319) or have either 5 or 10 points added to their earned score on a civil service examination (5 USC 3309). They also have higher retention standing in the event of a reduction in force (5 USC 3502). Preference does not apply however, to in-service placement actions such as promotions.

### **Definitions**

- **Armed Forces** – the United States Army, Navy, Air Force, Marine Corps, and Coast Guard.
- **Uniformed Services** – the Armed Forces, the commissioned corps of the Public Health Service, and the commissioned corps of the National Oceanic and Atmospheric Administration.
- **Active Duty or Active Military** – full-time duty with military pay and allowances in the armed forces, except for training or for determining physical fitness and except for service in the Reserves or National Guard.
- **Discharged or released from active duty** – discharged or released under honorable conditions, that is with either an honorable or general discharge from active duty in the armed forces. The Department of Defense is responsible for administering and defining military discharges.

### **How can I learn more about veterans’ preference?**

- For more information on veterans preference, visit <https://www.opm.gov/policy-data-oversight/veterans-services/vet-guide/>