



## CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

June 29, 2016

### **S. 2206**

#### **National Oceanic and Atmospheric Administration Sexual Harassment and Assault Prevention Act**

*As ordered reported by the Senate Committee on Commerce, Science, and Transportation  
on November 18, 2015*

#### **SUMMARY**

S. 2206 would authorize the appropriation of \$183 million a year through 2020 for the National Oceanic and Atmospheric Administration (NOAA) to conduct certain hydrographic activities (the measurement and description of features that affect maritime navigation). The bill also would require NOAA to take actions aimed at reducing sexual harassment within the agency. Finally, the bill would modify personnel policies for the agency's commissioned officer corps.

Based on information provided by NOAA and assuming appropriation of the authorized and necessary amounts, CBO estimates that implementing S. 2206 would cost \$728 million over the 2017-2021 period and \$32 million after 2021.

Because enacting the legislation would affect direct spending and revenues, pay-as-you-go procedures apply; however, CBO estimates that any such effects would be insignificant. CBO estimates that enacting the legislation would not increase net direct spending or on-budget deficits in any of the four consecutive 10-year periods beginning in 2027.

The bill would impose intergovernmental and private-sector mandates as defined in the Unfunded Mandates Reform Act (UMRA). CBO estimates that the aggregate cost of complying with the mandates would fall below the annual thresholds established in UMRA for intergovernmental and private-sector mandates (\$77 million and \$154 million in 2016, respectively, adjusted annually for inflation).

#### **ESTIMATED COST TO THE FEDERAL GOVERNMENT**

The estimated budgetary effect of S. 2206 is shown in the following table. The costs of this legislation fall within budget function 300 (natural resources and environment).

	By Fiscal Year, in Millions of Dollars					2017-2021
	2017	2018	2019	2020	2021	
<b>INCREASES IN SPENDING SUBJECT TO APPROPRIATION</b>						
Hydrographic Activities						
Authorization Level	183	183	183	183	0	732
Estimated Outlays	119	156	178	183	64	700
Personnel Policies						
Estimated Authorization Level	6	6	6	6	6	30
Estimated Outlays	4	6	6	6	6	28
Total Increases						
Authorization Level	189	189	189	189	6	762
Estimated Outlays	123	162	184	189	70	728

## **BASIS OF ESTIMATE**

For this estimate, CBO assumes that the legislation will be enacted in 2016 and that the authorized and necessary amounts will be appropriated for each fiscal year.

### **Spending Subject to Appropriation**

CBO estimates that implementing S. 2206 would cost \$728 million over the 2017-2021 period, assuming appropriation of the authorized and necessary amounts, mostly for hydrographic activities authorized under the bill.

**Hydrographic Activities.** Title III would authorize the appropriation of \$183 million a year over the 2017-2021 period to carry out hydrographic activities, including nautical mapping and charting, collecting hydrographic data, maintaining a geodetic reference system, and measuring tides and currents. In 2015, NOAA allocated \$183 million to carry out similar activities. Assuming appropriation of the authorized amounts, CBO estimates that implementing title III would cost \$700 million over the 2017-2021 period.

**Personnel Policies.** Implementing the personnel policies in the bill would increase discretionary costs by a little less than \$30 million over the 2017-2021 period, CBO estimates.

*Sexual Harassment Policy.* Title I would require NOAA to develop a policy to prevent and respond to sexual harassment within the agency, and would require NOAA to designate people in 11 locations throughout the country to handle matters related to equal

employment opportunities and sexual harassment. The bill also would require the agency to place victims' advocates at each of those locations. CBO expects that the agency would fill up to 44 positions through a combination of training existing staff and hiring new employees. Based on information from NOAA about the level of expertise required and incorporating the related overhead costs, CBO estimates that each new hire for this work would cost about \$160,000 a year. Finally, the bill would require NOAA to staff a 24-hour hotline for victims of sexual assault, which CBO expects would require eight new employees. Based on information provided by NOAA regarding salary and training costs, CBO estimates that implementing title I would cost about \$25 million over the 2017-2021 period.

*Recruiting.* Title II would authorize NOAA to spend appropriated funds to recruit members for the commissioned officer corps. On average, the corps admits about 30 new members each year. Based on the cost of recruiting for the other uniformed services, CBO estimates that implementing this provision would cost less than \$500,000 a year.

Title II also would authorize NOAA to pay certain expenses related to higher education for people serving in the commissioned officer corps or those who commit to serve in the corps after completing a college degree. Based on information provided by the agency about the number of officers who would receive such assistance, CBO estimates that implementing this provision would cost less than \$200,000 a year.

### **Direct Spending and Revenues**

Title II would establish service requirements for people enlisting in NOAA's commissioned officer corps. Under the bill, any officer who fails to meet those requirements would be obligated to repay NOAA an amount equal to the costs incurred to train that officer. Based on information provided by NOAA regarding the cost of such training, CBO estimates that the total amount of payments to NOAA from officers who fail to meet their service obligations would be insignificant (such payments would be offsetting receipts, which are credits against direct spending).

Title II also would make it illegal for anyone to wear the uniform of NOAA's commissioned officer corps without proper authorization. Violators would be subject to criminal penalties, which are treated as revenues; however, CBO estimates that any amounts collected would be insignificant. Furthermore, those revenues would be available to be spent under current law so that the net effect on the deficit would be negligible.

### **PAY-AS-YOU-GO CONSIDERATIONS:**

The Statutory Pay-As-You-Go Act of 2010 establishes budget reporting and enforcement procedures for legislation affecting direct spending or revenues. CBO estimates that

enacting S. 2206 would increase revenues by an insignificant amount and would have an insignificant effect on direct spending.

## **INCREASE IN LONG-TERM DIRECT SPENDING AND DEFICITS**

CBO estimates that enacting S. 2206 would not increase net direct spending or on-budget deficits in any of the four consecutive 10-year periods beginning in 2027.

## **INTERGOVERNMENTAL AND PRIVATE-SECTOR IMPACT**

The bill would impose intergovernmental and private-sector mandates as defined in UMRA, but CBO estimates that the aggregate cost of complying with the mandates would fall below the annual thresholds established in UMRA (\$77 million and \$154 million in 2016, respectively, adjusted annually for inflation).

### **Mandates that Apply to Public and Private Entities**

The bill could increase the costs of complying with existing mandates by making personnel in the NOAA commissioned officer corps eligible for protections under the Uniformed Services Employment and Reemployment Rights Act (USERRA). Protections under that act require public and private employers to grant various allowances to members of the uniformed services. Because the increase in the number of servicemembers covered by USERRA would be so small (fewer than 400), CBO expects that the incremental cost of compliance also would be small.

### **Mandates that Apply to Public Entities Only**

The bill would exempt NOAA officers from an obligation to serve on juries if the service unreasonably conflicts with official duties or would adversely affect the readiness of a unit, command, or activity. By expanding this exemption to NOAA officers, the bill would preempt some state and local laws governing jury duty; however, that preemption would impose no duty on state or local governments that would result in additional spending or a loss of revenues.

### **Mandates that Apply to Private Entities Only**

The bill would prohibit individuals from wearing the uniform of the NOAA commissioned officer corps without authorization. CBO expects that the prohibition would affect few individuals. Consequently, the cost of the mandate would be minimal.

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