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VOICES ORAL HISTORY ARCHIVES

IN PARTNERSHIP WITH
NOAA HERITAGE AND THE NATIONAL WEATHER SERVICE

AN INTERVIEW WITH
JOHN K. CALLAHAN, JR.

FOR THE
NOAA 50TH ORAL HISTORY PROJECT

INTERVIEW CONDUCTED BY
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TRANSCRIPT BY
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Molly Graham: This begins an oral history interview with Captain John K. Callahan, Jr. for the NOAA 50th Oral History Project. The interview is taking place on July 29, 2021. It's a remote interview with Captain Callahan in Coupeville, Washington. The interviewer is Molly Graham, and I'm in Scarborough, Maine. I wanted to pick up with your time in law school at Catholic University. How was the curriculum different from Fordham University? Were you focusing on a certain type of law practice?

John Callahan: The curriculum, I think, was pretty much the same as it is in most law schools; you have certain courses that you have to take – criminal law, constitutional law, that kind of stuff. Then you had some electives. I would be doing courses like international law, environmental law, anything that was tangentially related to the job, the ESSA [Environmental Science Services Administration] job, and later the NOAA [National Oceanic and Atmospheric Administration] job. As a result of that, if I was taking courses that were related to my work, then the government would pay for the course and give me some time to go to class [during the day]. Other than that, I was going at night and paying for it myself. It was the GI Bill – not the VA [Veterans Administration] – that I was actually using with my salary to pay the rest of the fare. It was interesting going to the night school because everybody that was there really wanted to be there. How do I explain that? I found that a lot of the day students that I had come in contact with doing some courses during the day, as I just mentioned, had a different kind of attitude about their studies. Some of them had no real-world experience. They were not, what I would call, as focused as the students were in the night division. The night division was a nice place to be, in terms of you were in class with people that were working during the day. In fact, there were a lot of servicemen. I made very good friends with Coast Guard officers that were in my class, a couple of which I ended up running into in my career a number of times [RADM Paul Blaney and RADM Paul Versaw]. So, it was a nice group. We had a different mindset if you will. We [you and I] talked a little bit about some of the demonstrations that were going on regarding Vietnam, particularly in my experience as a recruiter in New York. There was also some stuff going on at the same time that I was in night school [at Catholic University]. A lot of times, we would go from work right to school. If I recall correctly, we wore uniforms three days out of the week; the idea was that you didn't wear a uniform every day because if all of the people that were stationed in Washington wore their uniforms every day, it would look like there'd been a takeover of Washington, DC. I think the policy was, at the time, that you didn't wear your uniform every day. At any rate, I can't remember the name of the course, but there was going to be a demonstration. We were told that the demonstrators were going to surround the school and convince people that they should not go to class. I think a lot of the day students were supportive, if you will, of this. They stayed away from classes. Some of them went. It was a mixed bag. But the night students were a totally different animal. Like I said, these people were all working, and although there were a lot of sympathizers to the bad stuff that was going on, nonetheless, we were paying for school, and we wanted to go to school without anybody trying to stop us. I remember that all of the uniformed guys decided to put our uniforms on to go to school that night, and we did. We went to this one particular course; the professor had walked out in support of this demonstration, whatever it [that course] was. So, we put up with that once. Then the second time it happened, we wrote a letter to the administration saying that "we were paying money for our courses, and you [CU] were supposed to supply a teacher. We don't care if they want to demonstrate, but make arrangements and provide a different professor or something." From that standpoint, it was kind of a unique circumstance to

be in going to law school. I found that my schedule was a little better than it was in New York to the extent that I was living in Hyattsville, Maryland, which was close to the law school, and working in Rockville, Maryland. I could go from work to home, which was about a twenty-minute to a thirty-minute drive, and then go down to the law school, complete my classes at around nine, 9:30, something like that, at night, and then drive back home again, which was about fifteen or twenty minutes away, eat my dinner, whatever it happened to be – pretty frequently, Chinese food. Then watch *Perry Mason* at eleven o'clock and bone up on my evidence. [laughter] Then, start off the next day, going to work and be there by eight o'clock in the morning. So that was actually a little better than the New York schedule. As I went on, and got more electives, and could actually connect more of them to the job that I was doing at NOAA, I got a little bit more time to go and [take] the day classes. Instead of one, maybe I got two classes. I guess I was a little dishonest in telling NOAA that I was going to school part-time, when in fact, I was taking a full-time load. When the school asked me if I was working, I told them I was working part-time, when in fact, I had a full-time job. I finished up in – I think it was a total of three and a half years. Was it three and a half or two and a half? No, it had to be three and a half years, and that was really good considering I was a night student.

MG: What was your day job at that point? Was that when you were working under John Bossler?

JC: No. I was working on the staff of the Coast Survey for Admiral [Don A.] Jones at the time. I might have done a little stint at the Marine Engineering office [Ship Facilities Group] , which was in the same building. But I think most of the time, I was assigned to Admiral Jones's office and did special projects.

MG: Were you in that office for the entirety of your Catholic University law school experience?

JC: No, no. Oh, yes. Actually, I was. Let me check something here. Yes. I was in the Ship Facility Group in Rockville and worked there for a while, and then went to Admiral Jones's office and worked on various issues for him and did special projects with the Office of General Counsel. I ghost wrote some papers for him on environmental issues, etc. From there, I went to sea after I graduated from law school. So yes, my entire law school stuff was in Rockville in those two offices.

MG: Can you tell me more about Admiral Jones and his role? Was he the director of the Coast Survey at that time?

JC: Yes. Don Jones, an old-time coast survey guy, really nice guy, was on the Commission that used to drive up and down the Mississippi River every year. In fact, my wife and I did a tour in that Civil War battlefield on the Mississippi, [where Ulysses S.] Grant had such a big victory during the Civil War, at the same time that Gettysburg was fought – Vicksburg. We were walking downtown, and saw they had a picture of this riverboat. They had a picture of all of these guys that were on this Commission that sailed up and down the Mississippi – the Mississippi River Commission. There he was, sitting in the picture. I said, "I used to work for that guy." He was just a nice guy. At that time, I was a very junior officer, so I did whatever I was told. Like I said, I ghost wrote at least one paper that got published under his name. The

guy that I was working directly for was his assistant, a guy named Mr. [Albert A,] Stanley, who was an old-time civilian. I remember one of the stories that he told was that when he joined the civil service, the three people that signed his incoming papers were [George S.] Patton, [Douglas] MacArthur, and [Dwight D.] Eisenhower, which I thought was pretty neat. [laughter] Between him and his son, another Stanley that worked at the Coast and Geodetic Survey, they were pretty much the historians of the Coast and Geodetic Survey. They kept all the records. The son,[Bill] as I recall, even started a room in that building [One] where they had little mementos of the Coast and Geodetic Survey. As far as the history of the organization was concerned, that's where it was. I got a lot of background information from Mr. Stanley about things that had happened and a lot of the old stories, etc. He was kind of like the civilian power behind the commissioned officer Director [C&GS].

MG: What were his feelings about the formation of NOAA around that time?

JC: He was very politically astute to the extent that he wouldn't comment on that kind of stuff. He was not very vocal about it. It was like, "This is what it is, and this is what we're dealing with." But every once in a while, you would get the impression that he thought that the old Coast and Geodetic Survey was much more of a premier organization. In other words, he was more wedded to that organization than he was the new [one], which was, by the way, was pretty much standard for those people that were of the old Coast and Geodetic Survey. A lot of them just didn't like the idea of being in a new organization.

MG: I wanted to ask you a couple more questions about your experience in law school. Being a night student, did you still have access to the clinics? I also know you were involved in Law Review, and so I was curious how you were selected and about that experience.

JC: How you got selected, I don't actually recall. I think you volunteered for – you had to get certain grades. Then, somebody would invite you. So I got invited and was on the Law Review. It was more like an editorial thing. I didn't author anything. I just took all these papers and proofread them and all sorts of stuff. We had access to a moot court. I think I played around with that a little bit. But the fact that I was working full-time kind of squelched my abilities – as well as the other night students – to do stuff like – right now, I know they're very interested in doing the pro bono work in Washington, DC. That was available to us at the time, but again, I didn't have that much time to do that kind of stuff. It was a little bit limiting to the extent that I was working full-time and going to school full time.

MG: Right. Did you have a specialization while at law school? I know there are a few different institutes with different focuses at Catholic.

JC: Not at the time. We didn't have those kinds of divisions, at least not that I recall. You just went to law school. The specialization that I got was through my elective courses, as I mentioned, environmental law, union [Labor] law. I did a whole course in union stuff. That was a real eye-opener because the guy who was the instructor was one of Jimmy Hoffa's lawyers. You were hearing it from the people who were actually there while it was going on. NOAA had a number of union agreements that they were involved in, particularly on the ships; we had at least three that you had to administer. So, there was a connection between learning about unions

in law school and what was going on at NOAA. My focus, if you would, was international boundaries and environmental issues.

MG: Did you ever want to change your plans during law school, or did you always know you would use this education to apply to your career in the Corps?

JC: I never even thought of doing anything other than that. This was going to be a benefit both to me and the organization. As I got into it, I could see clearly that there was a need for this, that a commissioned officer lawyer would be a really good deal for the organization and a good deal for me.

MG: You were the first commissioned officer to receive a law degree and serve in the Office of General Counsel. Did that become a wider practice later on? What was that like to be the first?

JC: [laughter] That was interesting. I got to work with some of the guys, particularly Hugh Dolan, before I finished law school. I mentioned, I think it was an investigation I got roped into as, what they call, a recorder, a person who did all the questioning and ferreted out the facts, if you will, and presented it to the board members who actually made the decisions. But when I finished law school, one of the big questions that came up was, does this guy now go back to sea? He's got a law degree, and we've been playing around with various odds and ends for him to do here. There's still this thing about [Aaron] Shalowitz and whether or not we want to continue to develop this international boundary expertise, have them redo those books, and all that kind of good stuff. Of course, there was a small percentage of people that were saying, "He should stick around and do this stuff. Why does everybody have to go to sea?" And a very large majority of people saying, "No, no. You're an officer. Go to sea." I was in that camp. I did my law school, and it was now time to go to sea. There had been people in the NOAA Corps at that time, or the ESSA Corps – actually, at that time, it might be – I'm trying to remember when the date was it switched over from ESSA to NOAA. It was Reorg [reorganization] plan number four, and it was in 1970. But at any rate, there were a number of officers that came in [to the Corps] , and they didn't want to go back to sea. They were petitioning the Director of the NOAA Corps at that time to not have to go back to sea. "Send me to the Weather Service," or "I want to go into Fisheries or work in a Marine Laboratory or something. There's no reason everybody has to go back to sea." I pretty much was resigned to the fact that I was going to go back to sea. So, that's what I did. I went to sea as the Executive Officer of the NOAA ship *Peirce*. I literally was a sea lawyer. [laughter] It's funny. I remember, as an Executive Officer, you had to do discipline at times with crew members. You also had to manage the three union agreements. That was interesting. I had a legal background now, and people knew I was a lawyer. I can remember a couple of guys coming in for disciplinary actions. I put my law books out on the table, [laughter] so when they came in, they were reminded that I knew what I was doing. Anyway, that was my sea lawyer thing. When I came back from being the Executive Officer of the *Peirce*, I went to the Office of General Counsel. That's when I started to actually do stuff that I think convinced a lot of people that, yes, having a commissioned officer lawyer was a really good thing. It's funny the way things work. I just had lunch two days ago with one of my former crew members. We were talking about – and I had realized I had forgotten that he had been on the *Discoverer* back in the day when the *Discoverer* first was operational. He was in NOAA. He just retired a couple of years ago [after] forty years-plus in NOAA. He was

mentioning the fact that when they moved the *Discoverer* from the East Coast to the West Coast, it was supposed to be temporary. A light went off in my head. Oh, my God, I remember that. What they did was they told everybody, "You're only going to be on the West Coast for five years," I think it was, or some smaller amount of time, "and then you're coming back to the East Coast. So, we're not permanently changing the station of the *Discoverer* to Seattle; itwill still be based in Miami, but we're going to temporarily base you guys out of Seattle for whatever the project was." Well, that created a problem. The problem was that because there was not a permanent change of station, you could not pay for these crew members to transport their families to Seattle. If they didn't ride the ship around, you couldn't pay them to take a plane and catch the ship in Seattle. I was in the General CounselCounsel's office at that time. We looked at this, and I ended up writing an appeal to the Comptroller General, who handles whether or not you can spend money like that. The Comptroller General, I found out later in my post-NOAA life –less than twenty percent of appeals get approved at the Comp. Gen. level. He's pretty much – "No, you're not going to do this stuff," right? Anyway, I wrote this memo and asked for an exception to the rule, and they granted it. These guys got their money, their travel expenses, and stuff like that. I was able to craft the argument based on my ability to verbalize what goes on on a ship. That was a real good example of – wow, a commissioned officer could do something here and have it benefit the organization. Then, later on, I remember getting a phone call. [laughter] This is really funny. When I look back at it, it was funny. The *Delaware II*, one of the Fisheries ships, was put into a shipyard [Newport, Rhode Island]. When they were relaunching the ship, it fell over on it's port side [August 1976, I got a call saying, "Get your butt up there. We got to find out what's going on." I got up there, and the ship was laying on its side. They had a salvor come in, and the guy was really interesting. I didn't look like he was doing any calculations and tests. It was more like, "All right. Pull there," and the ship came back upright again. There was damage, number one, to the ship, not a lot, but some. Then there was the question of – in the shipyard, the cradle that the ship was in was also damaged. What this was, was a marine railway. It's a little cradle that runs on a railroad track. You put the cradle in the water, put the ship in it, pull it out, do the work, [and] put it back in again. It was about halfway in, and it fell over. The shipyard sued us for 1.2 million dollars and said that obviously, there were some stability problems with the ship that we didn't tell them about, and that's why the ship fell over. I think for the next two to three years, I was involved. I was the principal lawyer for defending the agency and going after them for the damage to the ship. As I mentioned, it wasn't a lot of damage [to the ship] at all, actually. But I can remember sitting there one time – I had two insurance lawyers from New York City – this was in Rhode Island that this happened – and one guy, a lawyer from the shipyard. We were sitting across a table, trying to negotiate something. I just remember saying to myself, "I'm a Lieutenant Commander, and I'm getting paid X number of dollars a week. These three guys are getting paid tons of money. Something's wrong with this picture, right?" [laughter] So anyway, during that process, they had an expert come, and he testified. We had a hearing in front of an administrative law judge. The guy [the expert] came in, and the other team presented their case and said, "We did nothing wrong. It had to be the government's fault." By the way, initially, they just expected us to roll over. As soon as they filed the lawsuit, they figured they're going to get a settlement. I remember going to the Office of the General Counsel and being called in, and [they] said, "What happened?" I told them. he [the General Counsel] said, "Well, go ahead. Offer them forty-thousand dollars to get this thing settled. I said, "But we haven't done anything wrong." The General Counsel or his deputy at the time said, "That may be the case. But by the time we finish

paying you and the experts and everybody else that we're going to have to pay for the next two years, it's going to be well worth it to get it off our plate." So, I went and made the offer. "No, no [the shipyard said]. We're suing you for $1.2 million dollars." "Okay, fine." Which I liked because we weren't going to settle. During the trial, they had this expert come in, and he claimed that they'd done everything correctly. Meanwhile, I had gotten a guy that I worked with in the Marine Engineering area in Norfolk as an expert. We were really ticked off about the fact that they were making these claims. My guy, the engineer guy, found the original guy that designed the cradle for this marine railway, in fact, the whole marine railway system. Their guy was the renowned expert on marine railways for the entire East Coast. Well, [the guy we found] this was his teacher. [laughter] When we brought him into the courtroom that day, I remember one guy saying, "I thought you were dead." And he wasn't. He found a mistake in their experts calculations. Boy, I can remember that. It was the night before we were going to have their expert on the stand. My guy came in, and he said, "We found it. We found it." At the time, I was working with a – they had given me another lawyer from the Office of General Counsel who was an expert in evidence stuff. He was a former Attorney General, I think, for the state of California. He used to do all of these capital cases. He knew evidence like the back of his hand. they [the Office of General Counsel} wanted that kind of expertise on our team in case I needed any evidence arguments. But I remember talking to this guy, and in comes this engineer, John Eaton. He said, "Okay, we found this thing." So, the next day, the guy [their expert] testifies, and he tells everybody that they did everything right. Then we put him on the stand for cross-examination at 11 o'clock in the morning. I wanted four numbers to fill in this equation. I didn't want them to know where we were going. It'd be like, "Well, what's the general distance between rails on a marine railway," and he showed diagrams and [was] being a real 'professor' about it. Then I'd ask questions about something else and then come back to the formula numbers we needed. "By the way, what's the weight of such and such?" He would [respond]. Then, we'd ask questions about something else.. We came back from lunch, and we're getting ready to spring the trap and I asked him, "What is the formula you use for determining the safety factor of a marine railway?" He gets up there on a chalkboard in front of the judge, and he writes the formula out, and he explains in great detail about each of these things [formula numbers]. "You have to have a number [in the answer] that's less than 7.0." I said "Well, I'll tell you what. Thank you very much for that. How about we work the calculation on that formula for this marine railway?" He said, "Well, I don't have all of the data," at which point I was ready to jump in – "Oh, but we have it. You testified [to the numbers] this morning, right?" He said, "But wait, I have my notes." So he goes to his briefcase, pulls his notes out, and writes the numbers down. They were the numbers that he testified to. Then, he did a calculation, and he looked at his calculator, and he looked at the board. He went back, and he hit the calculator again, and he looked at the board again. Because we knew it was wrong. The number was 7.2. He exceeded the thing [safety factor limit of the marine railway]. By this time, that judge woke up. He's like, "What's going on here?" The expert finished. He said softly, "The answer is 7.2." I said, "Oh, so you exceeded the safety limit of the marine railway?" "Yes, we did." "Thank you." That was it. We got the decision later on. They found in our favor. They found for us on the money as well. So, they sued us for 1.2 million, and we got something like forty-thousand from the administrative law judge. At that point, by the way, I got assigned to my next sea assignment. I think it was the *Ferrel*. I was not around for the appeal. But it was appealed; it might have gone up to the district court. I forget the court that it went to but it came back, and we were sustained on appeal. They reduced the amount of money we got. We got twenty-

thousand dollars. That was the kind of stuff people said – in fact, the General Counsel thought it was a good deal to have somebody that knew something about ships and stuff. So, anything that had to do with ship repair contracts, and we had a lot of those, came on my plate, and anything basically having to do with seagoing stuff came to my plate. I enjoyed that. I enjoyed, I think, also being able to – I remember at one point defending the agency. In fact, I say this, and I don't mean this braggadocio, but I have not lost cases in my career at all, except two. Both of them were involved union issues, and I was defending the agency. [laughter] The General Counsel called me in and told me, "Well, we never win at the National Labor Relations Board anyway." But I felt bad that we lost. I learned a very important lesson, and that is: don't ask a question unless you know what the answer is. I had this witness. I just asked a question. He took the opportunity to lie. He actually lied. But I had nothing to disprove it. Anyway, I got to do that kind of stuff. That convinced a lot of people that having a commissioned officer lawyer with that kind of background helps.

MG: When was that trial?

JC: That would have been in '77, '78, somewhere in there.

MG: I have a note that around the time you graduated from law school, you presented a paper at a congressional meeting on surveying and mapping in Washington. It was the "Surveyor and Seaward Boundaries." Does that ring a bell?

JC: Yes, it does.

MG: Was this a law school paper or something you did as part of your work?

JC: That's a good question. I wrote it. It was work-related. I don't know that there was credit at the law school. It was work-related. Somebody thought it was a good idea that if I was going to be a lawyer that – again, because of the Shalowitz connection and what they thought I should be doing with Shalowitz's work, because he had retired, it would be a good introduction. American Surveyor Conference or something like that that I presented that paper?

MG: It was a 1971 congressional meeting on surveying and mapping in 1971.

JC: Yes. It was a professional thing, not a law school thing.

MG: Okay. What was the paper about? I'm curious about the various issues that were being tackled and discussed at the time in Washington and in the early years of NOAA.

JC: What was the title again?

MG: "The Surveyor and Seaward Boundaries."

JC: Right. What was going on was that under the law of the sea – wow, boy, that just brought a ton of memories back. I had gotten very involved with the law of the sea. One of the issues in the law of the sea was the two-hundred-mile [boundary] limit, the fifty-mile limit, and then, of

course, the twelve and three-mile limits that were more traditional. You had three and twelve mile boundaries that the maritime community was very familiar with in terms of a state claiming things within those boundaries. You had absolute sovereignty three miles in, and then there was a little bit less from three to twelve. Then from twelve to fifty, there were even some more regulations that could be done, but you're getting into the area of having international travel and ships, free passage, and that kind of stuff. Then we went to the two-hundred-mile limit to regulate fisheries. That caused a lot of consternation around the world about – are nations allowed to go out to two-hundred miles and regulate stuff? That was a big issue at the time. All of this starts with the surveying work that was done by surveyors to establish the low water line and the high-water lines. A lot of the Supreme Court cases that had dealt with boundary stuff went back to Coast and Geodetic Survey records from the 1800s, where these guys were drawing [lines] on boat sheets– they were drawing where mangrove forests were down in Florida and where they thought the low water line was. So, the question was, where are those lines on the ground, number one? Then you have to measure boundaries out various distances from the low water lines? Well, what happens when you come to a bay? If you're looking at a little circular bay, does the boundary line that you draw fifty miles out have that little circle in it, or do you connect the headlands of the bay, and then you have a straight line that you move out? At that time, there was a lot of discussion as to how you construct that baseline. I think Dr. Hodson [the U.S. State Department Geographer], one of the guys that was on that committee that I was involved in, came up with this mathematical rule regarding the headlands of a bay, so you could connect these things [the headlands] up. I don't recall the details of that paper, but that's what was going on at the time.

MG: Can you tell me now a little bit about your time on the *Peirce*? What were your responsibilities? Was it for nautical charting? What was the ship doing?

JC: Yes, this was hydrography. It was just straight-out hydrography. I was the Executive Officer. We had, let's see, six or seven officers. I had a Captain, XO [Executive Officer], Field Ops. [Officer] , and then we had at least four or five junior officers. They [the junior officers] would get out every morning at eight o'clock on the launches, two launches, and then go out and spend eight hours a day zipping up and down collecting data. Then at night, they would come in, and they would process the data, meaning that they would go through all of the recorded soundings and the locations and check them to make sure that they looked good, that they were – for example, if you had a very flat bottom, you could keep the spacing of lines at fifty meters. If it was a rugged bottom, with a lot of features, you would want to cut that down to something less than that, so you could pick up any rocks and stuff that might be down there. They would do that. They'd get up the next morning and do it over again. As the Executive Officer, I was supposed to keep the administrative side of the house going as well as the operations. We had an operations officer that would schedule what the operations would be. Then I'd get involved in scheduling personnel and tending to the logistics of running the ship. Theoretically, you're supposed to be being trained by the Captain to take over in the event that the Captain is incapacitated. Every once in a while, I would get out and actually get to go and do some hydrography on the launches. At that time, we did hydrography, inshore hydrography, by using sextants. It was very interesting. You'd have one guy on either end of a launch with the sextant turned in the horizontal plane. As the boat would either go into the beach or come out of the beach, the signals that you were using, -the marks that you would use for geographic positioning

would – if you can imagine, if you have two points, the closer you get to those two points, the angle gets wider and wider. We would establish these points [signals] on the beach, build these sixteen, sometimes thirty-two-foot teepees, and cover them in this orange material, so they could be seen from sea. Then, when you would be doing the inshore stuff, with the sextants, you would be, again, using these things to position yourself, which gets to be a real fun kind of a thing because you got to be really moving and very well-coordinated to get all the data down. Of course, nowadays, this is all electronic stuff. So, that was kind of fun. I got to do some hydrography. As I recall, when we were up in New Bedford– I picked up the ship in New England. We did a lot of work in New England that first year and then afterward, we moved down to the Delmarva Peninsula. We also did stuff from Georgia and the Carolinas and stuff. But while we were up in the north, I'm trying to think of the name of the island. It's right off the Cape Cod area. It's where there was an accident involving one of the Kennedys.

MG: Martha's Vineyard.

JC: Yes. We did a survey of Martha's Vineyard. As part of that, we had to send over a tide party to do some tide readings at that particular bridge that was part of the aftermath of that accident, trying to determine what tides, etc. were there. It was a fun time. The wardroom was great. They were all my age, or some of them were senior Vietnam vets that had been in the Army or Marines and then studied oceanography or something related to us and became commissioned officers. We had one guy who was a former helicopter pilot. He [had] two tours in Vietnam. I read his record; it was absolutely amazing the stuff that he did. Another guy was a former Marine, one of the first Marines to be stationed in Vietnam. It was a very senior wardroom, and it was fun. The guys were just an absolute stitch. We would go out on a Sunday night for pizza and beer. It was traditional, and then we'd have to get up at five o'clock in the morning and take the ship out. That first day, people were – at the end of the first day, people were very tired. Get up at five, get out onto the working grounds at Martha's Vineyard or wherever the work grounds were, and then the boats would go over, and these guys would be doing hydro for eight hours during the day. By the time they got back, everybody was tired. I'll give you an idea. I sat, as I recall – it was either the left or the right-hand side of the Captain at the [wardroom] table. I think it was the left, and the field operations officer sat directly across from me. The other officers were lined at the table by seniority on the left and the right. The Captain was – I think his degree was in geology. He loved to talk about rocks and stuff, right? Well, I don't know if you've ever been in a situation where, because you're really tired, stuff that is not that funny becomes riotously funny. So, we're sitting there, and the Captain is trying to converse intelligently about geology or something. As he turns to the right to talk to the Field Operations Officer, all the guys on the left are out of his field of vision. Likewise, when he turns to the left, the same happens. Well, when he did that, and he turned to me, and he's talking to me, I look across the table, and the junior officers have got their mouths open with food in them. Like this [opens mouth]. [laughter] I looked at that. I couldn't believe these guys are playing this game with their food. My face kind of lit up a little bit. So, he turned around to look at what was going on. They stopped, and they started eating regularly. The other guys on my side were doing the same thing. Every time he turns left or right, these guys are doing this thing with their food. I thought it was so funny. I started laughing. The more I laughed, the more I started laughing about laughing, to the point where I fell off my chair onto the wardroom floor holding my stomach, laughing uncontrollably while the Captain's looking down, going, "What's going

on with you?" [laughter] That was funny. So, a good group. To this day, I'm still very good friends with over half of them that I'm still in contact with – really, really nice guys. That's where I was supposed to be learning how to drive the ship. The Captain liked to do most of the ship handling himself. Finally, some of the junior officers were not complaining, but they were expressing – no, they were complaining. [laughter] They were complaining, "We never get a chance to drive the ship." Blah, blah, blah. I was taking this in and trying to be a buffer between the junior officers and the Captain. I remember being a little bit concerned myself. I had dinner with my parents somewhere in New England. I can't remember the name of the place we were based out of. Anyway, they came up and visited. I was discussing this with my dad. I remember my dad saying to me – I went through this thing, [saying], "And he doesn't really let the junior officers drive. He likes to do it himself." My dad says, "Whose ship is it?" I said, "Well, the United States government." He says, "No, no. Whose ship is it?" I said, "Well, it's his." He says, "Well, do what he says." [laughter] By adopting that attitude of doing exactly what he said, he gained some trust in me and then started listening to some of the stuff that I had to say. Eventually, we did get to have people get some training in [ship] driving. Of course, the first one up was me. I remember the first time he allowed me to take it out. We had a chief boatswain; the guy's name was Alfred Litz. He was on the original *Oceanographer*as a coal stoker. It was a sailing ship. So, he had thirty-something years when I went on there [the Peirce]. He and I became good friends. He was chief boatswain. A very good friend of mine gave me a piece of advice. He said, "When you go on the ship, and you walk onboard, the first person you want to seek out is the chief boatswain. Ask him who his "top royalman" is, which is the topmost sail. Alfred was there when I walked up the gangway. I said, "Chief, I'm John Callahan. Who's your "top royal man." I said it with a straight face. He goes, "cheese and rice.We don't have "top royal men" anymore. We don't have sails." [laughter] Anyway, after that, he and I were like this [crosses fingers]. So, he's on the forward deck; we're sitting at the Navy fueling pier on the way out of Norfolk. The current is pushing us against the pier. As I'm backing out – this is my first time, right? Alfred is on the bow. We always had the anchor out of its chock and hanging just a little bit in case you had to drop it very quickly. I didn't take enough of an angle. Instead of making a thirty or forty-degree angle on the bow, I only had five or ten degrees, figuring that I will just slowly pull away from the pier. Well, the current kept the ship right on the pier. As I started backing away, the anchor – it was low tide – caught on one of the bollards. It stretched out, then let go, came back, and slammed onto the side of the ship. *Twang.* Alfred just looks at me on the bridge. My eyes are like this big. He just looks at me and goes, "Nah." He just shakes his head. That was my first-time undocking.

MG: [laughter] How long were you on the *Peirce*?

JC: I think two, two and a half years, something like that. At one point, we were in Charleston. I had some shoulder problems [and] went to the Charleston Naval Hospital real early in the morning. I had been up with some of the crew members and officers the night before. They [the hospital] gave me an injection and told me ahead of time – I was told this was going to be very, very painful. They stuck me in a room with a bunch of people whose bones were being set because they didn't have any room anywhere else. A guy comes in; he says, "I'm going to give you the shot. It's going to be painful. I'm like this, waiting. He injected me and – nothing. I guess they put Novocain in first, and then they were going to do the other needle. When they put the Novocain in, I realized, "Oh, this is nothing, absolutely nothing." When that happened, my

mind just discharged, and I fainted. When I faint, I usually go straight out like this. The next thing I knew, some doctor who was not even in attendance came in and diagnosed me as having a seizure and put me in a hospital. I heard from the head nurse – because I was there for two or three days, or more - actually they were moving the hospital to a new facility. I was the only person in the officer's ward. So, I got to know everybody, and the nurse was telling me that the particular doctor that diagnosed me was a reservist, who apparently was not very happy about being called to active duty. She heard him say something along the line that he had taken two active-duty officers off active duty– he was proud of the fact that he had taken two active-duty officers out, me being one of them. To make a long story short, it ended up going to the Surgeon General of the United States to have my record reviewed. the review came back and said – you might have had a reaction to novacane drugs. From now on, if you're going to get a cainol drug, tell somebody to give you a sedative ahead of time. Now you can go back on active duty. But meanwhile, for six months or something like that, I was taken off the *Peirce* as the Executive Officer, and I was stationed in Norfolk while we were awaiting the results. They assigned me to the Marine Engineering Division and put me in charge of the *Discoverer*, which had just been laid up. With a crew of two people, I was responsible for maintaining the *Discoverer*. We also had people that were off ships, waiting for ships to come back and stuff. We put them to work cleaning the ship up because the crew – when they laid the *Discoverer* up, they gave personnel two hours to get off the ship. Why that happened? I don't know. But they literally walked off and left food on the table and everything else. The ship was not in good condition. We were trying to kind of put it back in some kind of condition. The guys I was working with, this boatswain and an electrician, were very happy with the fact that I could go down and light off the engine room. I said, "When was the last time the engines were run?" "They haven't been since we've been there." So, I said, "Well, let's do it." It was like, "Whoa. Look at this. The ship actually works." At some point, they decided to put the *Discoverer* back in service again. They were going to take it to a shipyard, and they were going to have a tug tow it over to the shipyard. I suggested to Admiral [Alfred C. "Bud"] Holmes at the time, "Why don't we just take it over? I'll run the engines. I just need somebody to drive on the bridge." Admiral Holmes actually volunteered to do that himself. We picked up a couple of people, like LCDR. Merritt Walter, who was the head of the Marine Engineering group, and some "deckies" from other ships to handle lines and stuff. We took the ship over from the ship's base to the shipyard that it was going to be repaired at in Norfolk. Holmes really liked that. He really liked that. Of course, he was not aware of the fact that – not that he wasn't aware, but we weren't aware of the fact that they had some protuberances hanging off the dry dock, and so we should have taken that little "hero" platform down on the bridgewing – instead of having it down, it should have been up. It got bunged up docking at the dry dock. But other than that, everything was fine. Where was I? Then I got back to the *Peirce*. From the Peirce, they got a new Captain, Joe Dropp, who was an exceptional ship handler. He was originally from Fort Schuyler, by the way, and he was really, really good. So, that was it. Then I got assigned back to shore, back to Rockville, Maryland.

MG: Well, I have a couple of follow-up questions, but I'm wondering if you mind if we take a quick two-minute bathroom break.

JC: Let's do that.

MG: Okay. All right. I'm just going to pause the recording, and I'll be right back.

JC: Okay, great.

[Tape paused.]

MG: I wanted to ask if, at this point in your career, were any women on board the NOAA ships yet?

JC: No. Not at that time. They came later. The first one was Pam Chelgren. I met her when I got off the *Ferrel*. Hold on one second. So that would have been 1979. Yes. Women came later. Women scientists, boy, that was hard too, come to think of it. Because in the beginning, I don't think there were women scientists onboard either. Admiral Stubblefield's wife Bonnie was one of the first people I think that came on as a woman scientist on a NOAA vessel.

MG: Maybe we're getting ahead of ourselves, but while we're talking about it, was that a big culture change or shock?

JC: Yes, it was a very big deal. In fact, when I was on the *Peirce*, they sent a lady and some assistant [from headquarters] down to do a survey. They had been talking about putting women on ships. To be politically correct, you should be in favor of that. This woman was coming down from personnel; I can't remember what her name was or anything. But [she] and her assistant came down, and they were going to interview us. When I say interview us, they were going to interview everybody on the ship as to what would it be like if we had women on board? What kind of problems would there be? The first one that she interviewed was the Captain, and he [said], "Not a problem. We can handle this and all that sort of stuff." Next was with me. I said, "Well, why don't you do everybody else first, and then we can talk. Here are all the officers." The officers were a little bit annoyed that they would be asking these kinds of questions because, as far as they were concerned, this was a non-issue; it really was a non-issue. You'd have to make some berthing arrangements, and you'd have to make some arrangements using the heads or something like that. But that was it. So why are they paying people to come down here and do this stupid thing? A couple of these guys [junior officers] got together, and it was really funny. [She said], "Do you see any kind of problem with women on board?" One guy says, "I got thrown out of Annapolis for failure to salute a woman officer. I wouldn't do that." Another one [said], "Well, they should have at least one woman for every male on board the ship." They were making these statements just to get these people annoyed. Some of the crew members, when they got the interview, were reluctant to talk because these people were from headquarters. As it turns out, the one comment that came out of that whole interview process – oh, and then they interviewed me at the end. I explained to the woman that a couple of those interviews were just jokes – bad taste. Of course, I heard out about that later. I said, "The only problems that I think you have are some physical problems with the ship itself. They have a common head and shower. You'd have to do some modifications to the ship to make sure that that works. Then you'd have to have – berthing is at a premium. We don't have any spare berths. So, it would be wise, for example, to have more than one woman on board so that in a two-person room, they could share the room. Otherwise, it might be a little difficult trying to put a man and a woman into the same room." I said, "That's the kind of stuff that would have to be – and that's going to cost a little money." The one comment that was actually relevant in this

whole issue – and I got involved in this issue in my career a number of times after we had women on board, and some stuff started happening. The thing that was the most – I'm trying to think of the comment. He [a crewmember] said to this woman, "My wife is not going to allow me to sail with women on board the ship." He said, "The wives and the girlfriends are not going to like this." It turned out that that was the most – in my observation anyway, that was the most telling comment and the thing that really got ignored. Yes, absolutely. It would stand to reason that if you're a man and your wife is going to sea, she's going to be stuck out with somebody of the opposite sex for three, four, five, six months at a clip. Somebody needs to pay attention to that, find out what the result is going to be.

MG: How did that turn out? Were there lots of on-ship romances?

JC: Yes, there were. They were kept – I don't want to say kept secret. People knew that other people were dating other people. But to my knowledge, there wasn't one of these things where people are running back and forth between rooms at night and stuff. Their socializing and their romantic stuff were kept off the ship. They handled their relationship when they were in port. They would go out, date, and do whatever they were going to do. In fact, I know a number of officers that ended up marrying crew members and vice versa. There were a couple of instances where romance between the crew and officers resulted in something that was – what do you call it? – detrimental. I don't want to identify the people, so I'm just going to say "this couple" – one was an officer and one was a crew person – were involved, and one of them broke off the relationship. The other one was very upset about it and started doing some very bad stuff to the ship's equipment and stuff. So, they had to be discharged from the ship. In fact, I got assigned after I had investigated that, to go to the training class up at Kings Point and give a lecture to all of the officers as to what their responsibilities were as officers and gentlepeople aboard the vessel. Basically, the lecture came down to Conduct Unbecoming and Officer which means you should not be fraternizing with people that are in the crew, and if you do, it should be off the ship and kept at an acceptable level. I did that for years, lecturing. Every training class that came through would have this lecture on the responsibilities of an officer. Basically, what it came down to was, "Don't be stupid." [laughter] It's not that much different from having a relationship at work, really. Keep it out of the workplace.

MG: Earlier, you mentioned the use of sextants, and I was curious if you could tell me about other earlier technologies and how they evolved on the ship.

JC: Can you repeat the question?

MG: You had brought up navigation and hydrography earlier and the tools you were using. So I was curious if you could tell me about other earlier technologies and how they evolved.

JC: Electronic technology essentially was – so, you had various nets set up by the United States Coast Guard for navigation, LORAN-A [long range navigation], LORAN-C, etc. Some were for inshore work close by the coast, and the others were real long-distance stuff. In fact, a good friend of mine was stationed – the Coast Guard used to assign people to Iwo Jima or Guam or something like that, maintaining the –I think it was a LORAN-C net. That was an electronic form of navigation. We didn't have satellites at the time. Other than that, you were pretty well – if

you're close to shore, you could use charts and landmarks to position yourself. Other than that, you were probably using either a sextant to do celestial navigation, where you position yourself by reference to where the stars are, where the moon is, or the sun is. Then dead reckoning was another way of navigating. You knew where you started and what the course you were on was and the speed and apparently what the current was doing, so you took your best guess every fifteen minutes or so, and you just charted yourself out until you got the next position. The next position would be either an electronic position from one of the LORAN nets or if you were going to do the celestial, then you'd get a celestial position. You could go back then on your dead reckoning track. You can see, "Well, I was off. I was saying we were going this way. Instead, the actual point A to point B shows us going a little bit differently. I'm going to adjust my next dead reckoning position by saying it's a little slower; it's a little bit more to the right, left, whatever." I think most accurate, obviously, is going to be positions taken off shore objects that are accurately chartered. Then, your sextant stuff, depending on how good you are with a sextant rather than with celestial navigation, that could be within half a mile or something if you were good, really good. On a good day, again, you're looking at an electronic positioning system, which is probably a little better accuracy than your celestial navigation but rather subject to atmospheric conditions. Tthey kept improving that. In fact, at one point, I'm trying to remember, they even had differential LORAN stuff, where [if] you were operating in a harbor, you knew what the LORAN said by the electronics' positioning, and you could match that up with your observations of landmarks. You could say, "Well, it's off by this much." They started feeding that [corrections] into the system so that you could – if you've got an electronic position, it would be a little bit more accurate. So, I don't know if that answered your question or not.

MG: Yes. It reminds me to ask another question. I think this note comes from an email you sent me before we started doing the interview. It had to do with early examples of citizen science. I think you mentioned you had these drift bottles. Does this ring a bell?

JC: Oh, yes. The way they used to do current surveys was to take one of these bottles that had a little Coast Survey emblem on it, and a little note inside that said, "If you find this, please note where you found it and mail it to" – they'd give you an address. They would take these bottles with a little cork in it and that little note, and they'd throw it off the ship at a particular location that they would mark. Then the ones that were found and mailed in, they would say, "Well, it got thrown off the ship at this position, and it was found over here." So obviously, the current took it from here over to there. That was one of the ways that they would measure what the flow or direction of the current was.

MG: Was that still being done early in your career?

JC: No. No, that stuff was going out, actually, as I came in. They had better instrumentation to determine currents. In fact, I ended up – they were throwing a bunch of those bottles out. I said, "Wait a minute, I'll take them." So, I had a case of those things. I just brought them down to the NOAA facility down in Oregon because I've been carrying these things around for thirty years or forty years and just didn't want to see them thrown out.

MG: I understand. When you returned to Rockville, what was your position there? What office were you in?

JC: I was in the Office of the Director of Charting and Geodetic Services. I spent about a year there. Then I moved over to the Office of General Counsel. I was studying various issues. When I first got back and went to the Office of Charting and Geodetic Services, that's when I was very much involved with the Director of the Coast and Geodetic Survey. I believe that was Don Jones at the time and the other guy that I mentioned. I might have the timeline and my service with them a little off, but when I came back, I was at that office for almost a year. Then, I went over to the Office of General Counsel. While I was there, I continued the work on the boundary issues at the Office of Charting and Geodetic Services. I also did studies on product liability for charts. We had some issues at that time; people were taking our charts and making napkins and blotters and stuff at restaurants. The question is – by the way, also our aeronautical stuff – other people were taking that data and converting it to their own formats and reselling it. The question is, what kind of liability did the government have for those things? What kind of liability did the charting people have, for example, when a ship, like the QE II [Queen Elizabeth II], whatever it was, ran over something up in New England? The question was, what is our government liability for that chart that we put out? I did some studies along those lines. At the time, I was surprised to find out – I started out doing the research and found out what the answer was. But in the beginning, I thought, "Wait a minute. This is our data. You just can't take our data and throw your name on it and sell it to the public. This is very important stuff." It turns out that Willard Scott, who used to be the McDonald's guy, whatever it was, was a weatherman at one point. He got involved in a lawsuit with the National Weather Service. The court found that he was just an entertainer, and he was not prohibited from putting out the weather information. We were like, "Wait a minute, you're putting this stuff out. Number one, we're not getting any credit for it. And number two, you're [publically] making all these warnings about various weather events." We said, "You shouldn't be doing that," but the court sided with him and said, "No, he's an entertainer. He's just reproducing the work, and he doesn't really have to give you credit." That led, later on, by the way, to some other legislation, I think, being passed, saying weather channels can't issue [some types of] hurricane warnings; it can only come from NOAA sources. Anyway, there was an issue with product liability. What is our responsibility for the data we're putting out? Essentially, the government can be held liable if they've done something erroneously and they put out bad information. Then, I went to the Office of General Counsel, and I spent the next few years there. I got involved in a whole bunch of stuff. I got qualified as a grievance examiner, so I got to play Judge Judy for a while. I did all the ship repair contracts that came through. As I mentioned, I had that one ship contract for the *Delaware II*. I got involved in union agreements and redrafting that kind of stuff. Let's see. What else did I get involved in? Again, the law of the sea stuff, any of the personnel issues that had to do with the NOAA Corps and ships. In fact, I was designated as Counsel for any of the NOAA Corps issues.

MG: Before I ask more about your time in the Office of General Counsel, I have in my notes that you were a contracting officer while you were serving as Commanding Officer and Executive Officer of research vessels. Where in the timeline did you serve as a contracting officer?

JC: Yes. When a ship departs and departs its home base if it needs to be repaired while you are not at your home base, then commanding officers will be given some contracting authority to

affect those kinds of repairs. I had that when I was a commanding officer of the *Oceanographer* and *Discoverer*. I would pull away from the dock – I think I had four or five-thousand-dollar contracting authority as Commanding Officer, but when I pulled away from the pier, my authority would be measurably upped to be able to actually get expensive stuff repaired if you were to pull into Tahiti and you needed some repairs. That was the contracting officer stuff.

MG: It seemed like contracts became your expertise for a while. You worked on labor dispute contracts, construction contracts. There was a contract with the State University of New York for automated marine systems and then teaching contracting at some point, too.

JC: Yes. When I got out of the NOAA Corps, a friend of mine suggested I start teaching, and they had an opening for a contract law person. I had some experience with contracts, so I started teaching. Actually, it was a very rewarding experience. I wish I had had the knowledge that I gained when I was teaching contracts when I was a commissioned officer because I really got into it and became very well-known throughout the country through various government agencies for teaching contract courses.

MG: Getting back to the Office of General Counsel, what did it look and function like then? Did it serve all of NOAA at the time?

JC: That's a really good question. The Office of General Counsel served all of NOAA, obviously. So, you had the General Counsel and the deputy down in the main Commerce building. They had a couple of lawyers working for them directly that were handling things like international agreements and that kind of stuff. Then you had the law officers that were primarily focused [on] the Weather Service, the National Ocean Service, and the National Marine Fisheries Service. The National Marine Fisheries Service guy was down in the – we had an office building for National Marine Fisheries in Georgetown, and we had another lawyer that was assigned to the National Weather Service, and his office was over in the Weather Service building in Silver Spring. Then you had a stable of lawyers that were in Building 5, the NOAA headquarters [Rockville, Md.], where Dr. [Robert] White offices or whoever the Administrators of NOAA were. It was in that office that the National Ocean Survey was serviced. That was one of the things I ended up doing. You also had contract litigation, which I obviously got involved in, and there was another guy named Jerry Walsh, who was specifically designated as the contracting lawyer. We had a couple of other people that handled union issues, equal employment opportunity, personnel issues. One of them, her name was Joan Bondareff; she became a Counsel to one of the committees in Congress when she got out of NOAA. So you had this stable of lawyers in Rockville that handled a lot of the administrative and personnel and that kind of stuff. You had a lawyer that was specifically designated for the Weather Service, and then you had one that was specifically designated for the National Marine Fisheries Service. At one point in my career, I ended up going down to assist the Fisheries guys in the implementation of the Marine Mammals Protection Act. Also, I did some debt collection for the National Marine Fisheries Service. That was the way NOAA lawyers were essentially set up. You had a bunch of them in Rockville. You had a couple down in main Commerce. Then, like I said, you had at least two guys that were primarily responsible for the Weather Service and Fisheries.

MG: You mentioned earlier that you were attempting to resolve some employee grievances. Can you give me some examples of what they would be?

JC: Yes. NOAA had a grievance procedure. So, if you had a grievance against the agency – a guy didn't get promoted, somebody was mistreating you somehow – you filed a grievance. Then you'd be assigned a grievance examiner. You could make your arguments to the grievance examiner, and they would make a decision based on the information they had. Then, if you didn't like that [the decision] , then you could go up to the next level and eventually go to court if you wanted to. It was kind of funny. A lot of these people were very much aggrieved. "I didn't get promoted. The reason I didn't get promoted was so-and-so." Or, "I've been disciplined, and there was no reason for it." They would hire lawyers to make their case in front of the grievance examiner. So, as a grievance examiner – these people are told by the grievance examiner, "You can be represented by your union people, by a lawyer, whatever." If they chose not to be, then you would just collect all the information and then try and make a decision. But if people were really, really incensed, they would hire lawyers. When that would happen, where they were going to be represented, then the Office of General Counsel would have to have a lawyer there to represent NOAA. A couple of different times, I remember I was a grievance examiner, and one of the guys that was working in the office for us in Rockville [the same office I was in] was representing the agency. [laughter] It was kind of funny. Anyway, I found out most of the time it was a miscommunication. A lot of it was miscommunication or people that were getting upset about stuff, being jerks. If you have a problem employee, you can have a discussion with them, you can point out things to them, you can use various management techniques to try and straighten them out and give them a better chance to succeed and all that, or you can be a real jerk, and just start screaming and yelling at them and threatening all sorts of stuff. That's usually when you'd see these grievances arise. People figure that they're not being treated fairly. There's some of them that maybe just wanted to file a grievance to show their displeasure about something, but like I say, most of the time, it was just bad communication.

MG: How did you feel about this aspect of the work?

JC: The NOAA grievance procedure was not used very frequently, actually, because the unions had their own grievance procedures. So, if I did one or two a year, that was a lot. So, it was not a big headache. To my way of thinking, it was actually very interesting because you had to get into the nitty-gritty of a rules and regulations, or whatever it was that was going on, the inner workings and hidden mechanisms of the organization. It gave you a much better appreciation for what to do, what not to do, and problems that can arise and did.

MG: You were also doing work around acquisitions and procurement. What did that entail? I'm not quite sure what the difference is between the two.

JC: Acquisitions and procurements – same thing. At one point, it was called acquisition law. At another point, it was called procurement law. In fact, [laughter] I remember one of the first assignments I got was that the head [Director] of the National Weather Service wanted to buy something. He wrote a letter to the General Counsel and [wrote], "Can I buy this?" It ended up on my desk. Hugh Dolan gave it to me and said, "Research this and draft an answer." So, I researched it. What I found out was he couldn't buy it; the regulations prohibited him from

buying it under whatever the authority was that he was quoting. I said, "Under this authority, you can't do that." I wrote this very scholarly memo, and I brought it to Hugh. I said, "Well, here's the answer. The answer is he can't do it under this authority." He looked at it, and he read it. He said, "This is really good research and all that sort of stuff. But you didn't answer his question." I said, "Yeah, I did." He said, "No, you didn't answer his underlying question. He wants to know how can I buy this? Not whether [he] can buy it under this authority. Go back and figure out a way to see whether or not he can buy this." I went back, and sure enough, I did find a way that there was some authority that did exist, and he could buy it under that authority. That was one of the biggest lessons that I ever had in my entire legal career in reviewing requests that came in about, "Can we buy stuff or can't we buy stuff?" It was, "What's the real question here? What is your client really asking?" So many lawyers just [say] no. It's easier to say no, than it is [to say], "Why don't you try this?" That's what you do. To my way of thinking, that's what you do as a lawyer. If the client wants to do something, and whatever they're trying to do is not the correct way, then the answer is – or, you can't do it this way. You got to go behind that and figure out, "Well, is there another way to do it if that's what you want to do?" That was a big lesson, a huge lesson. We would get questions from people in the procurement area. The contracting officers would send us questions, so I became a contracting officer's advisor if you would. I would write back to the contracting officer and say, "According to this, blah, blah, blah, that's what the research [says]." I became an advisor to contracting officers, procurement attorney advisor – "yes, you can." "No, you can't." "This is in accordance with the FAR [Federal Acquisition Regulations]. This is not in accordance with the FAR, etc." We got a lot of that stuff.

MG: I have in my notes that there was a contractor's suit against the Department of Commerce and that it set a precedent for ship repair contracts.

JC: That was the one I was just talking about, the *Delaware II* . The contract that they used was a master contract, a Navy master contract. That particular contract and the interpretation of that particular phraseology in that contract had not been tested before. The court's decision in our favor essentially said that our interpretation of that particular section of the mastership repair contract was correct and that we were not liable.

MG: Good. The other things I wanted to ask you about were an investigation on the grounding of the *Researcher* and the *Discoverer* and then the death of a diver. Were any of those events connected?

JC: Different events. The *Researcher* was the one I mentioned to you before, where the Captain had [said] in writing that they would do it exactly the way they did it before. The Deputy Administrator of NOAA went through the ceiling on that and required a big huge investigation to make sure that everything was okay. That was the *Researcher*. As I mentioned to you before, what we found out was that the Miami] turning basin had not been constructed the way the diagrams said it was supposed to be. They had shorted the turning basin; it should have been larger. The other grounding of the *Researcher* happened when it pulled away from the dock; it grounded a little bit. As I recall, it damaged a bow thruster underneath the water because it was too close to the edge of the ship's channel. That investigation entailed essentially – what was it that it grounded on? It was right at the edge of the channel. there was nothing spectacular about

that in terms of – there wasn't a lot of damage. There was no fault, per se. A very good friend of mine was the navigator, and they had the Notice to Mariners in the mailbox that would have given them a little bit more information, and they might have been able to avoid what it was that happened. But the mail never got opened, and they sailed three hours later or something. As a result of that [our investigation] , they said, "Well, from now on, you've got to make sure that all the mail gets [opened] when it comes immediately on board so that you can get information up to the bridge quickly," that kind of stuff, nothing Earth-shaking. Two diver incidents – actually, I can remember at least three other investigations; one having to do with Albatross IV, which near sank because they had a vent that wasn't closed in a storm, and it filled up with water in the aft steering flat. A box started floating and jammed into the rudder mechanism and didn't allow the ship to be able to steer in a storm, which is really bad news. The other one was an incident, where one of the crew members of – I think it was – the *Rude* and *Heck* went out with a buddy on a sailboat when the ship was docked in Norfolk, got caught in a storm, and ended up dying. One of the things that had to be investigated was whether or not there was anything that the NOAA people should have done, even though this occurred as a recreational pursuit. The question arose because it happened close to the ship and all sorts of stuff. The other one, though, was a real big deal, and that was the death of Joachim Wendler, who was a diver down in the habitat [Helgoland] that we were operating in the Gulf of Maine off Massachusetts somewhere near RockportMaine. On the way up from the habitat – this guy was a North Sea diver, by the way. He was experienced. I think he was German. On the way up, apparently, we discovered with all the testimony, that in all probability, he had – they had been down for a couple of weeks in this habitat. On the way up, there was a storm brewing. So you had waves and swells that were – I don't recall what the wave height was – four or five feet, something like that. At any rate, on the way up, he was supposed to be decompressing at various stages. He had a little ditty bag with him. What we put together was that when he was getting close to the surface, one of the last stages – it was the last stage, actually – he dropped the ditty bag. He went to grab it, and while he did that, he grabbed the line that he was supposed to be coming up on. You're not supposed to grab a line like that. You're supposed to have it there so you can maneuver yourself up or down a little bit, to go one way or the other. But you don't make yourself stationary. Apparently, when he grabbed that, as he went for this thing [the ditty bag], a wave went over his head, and that was enough of a change in pressure to actually force air from his lungs into his blood, and he died. He came up to the surface. He signaled there was a problem. They put him into a decompression chamber or something, but it was too late. The guys that were on that Board with me were – I was the Recorder, the guy who's the investigator guy, asking the questions. The other guy was the head of the NOAA Diving Program. I can't remember his name right now – a great guy. He was a PhD diver.

MG: Was it Dr. Wells?

JC: Yes. I can't remember his first name.

MG: Morgan.

JC: Morgan Wells. Yes. If you ever talk to Morgan, tell him I said hi. He'll remember me.

MG: I interviewed Dick Rutkowski about a year and a half ago, and he talked a lot about Morgan Wells.

JC: Yes, yes. Rutkowski was one of his proteges. In fact, when Morgan moved on, I think Dick took his place. I've worked with Dick Rutkowski on some stuff. At any rate, the other guy was a Navy doctor [Dr. George Bond, Capt. USN (Ret) the "Father of Saturation Diving"]. He was famous because he made, at the time, the longest free ascent from a submarine that anybody ever made. It was ridiculous, like three-hundred feet or some crap like that. I forget what it was. But he just took a good deep breath and exhaled all the way up. He did it himself because he didn't want to ask anybody else to do it. He did all the calculations and figured out this can be done, and he did it himself. He held the world's record for a while. Anyway, he was the doctor, and he was the guy that was there when they did the autopsy and figured out that he [had] oxygen coming out of his blood. So, that was an absolute tragedy. There was some other stuff that came out. There were a couple of people that wanted to blame people, like, "Why were they having a recovery operation in weather like that?" One of the things I found is that when something goes wrong, people a lot of times just look to find some kind of scapegoat, some reason why it happened. Sometimes, a lot of innocent people get besmirched, if you will, for no apparent reason other than they were there, and they had some responsibility. People have a tendency to think that people have to be perfect in what they do, and human beings are not that way.

MG: Was there anything else about your time at the Office of General Counsel that you wanted to talk about before we probably take a break for today?

JC: Let me look here for a second. Let me think. No. I think that I really enjoyed my time there. I got to operate on levels that I think a lot of people didn't. So, doing something for the Administrator of NOAA or working with the General Counsel on a particular issue that was high level – that's stuff that people don't get to do. It gives you an appreciation for what's going on at the top. I think, later on, we'll probably talk about some other assignments that I had that were legally related. Later on, I ended up Chairing a task force on User Fees for nautical charts. Learning about how things work at the top levels – very interesting, sometimes a little discouraging, but very interesting. [laughter] So, I can't think of anything right now.

MG: Good. We'll pick up next time with your time on the *Ferrel*.

JC: Cool.

MG: Yes, very cool. Well, I really appreciate all the time you spent with me today. Do you want to plan to do this at the same time next week?

JC: Certainly.

MG: Great. Well, I'll send you a calendar invite after we hang up, and I'll look forward to when we can talk again.

----------END OF INTERVIEW----------
Reviewed by Molly Graham 9/26/2021

Reviewed by John K. Callahan, Jr. 2/28/2022
Reviewed by Molly Graham 3/6/2022