

SUBCHAPTER J—MISCELLANEOUS

PART 350—SEAMEN'S SERVICE AWARDS

Sec.

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AUTHORITY: 46 App. U.S.C. 2001, *et seq.*; 49 CFR 1.66.

SOURCE: 60 FR 49804, Sept. 27, 1995, unless otherwise noted.

§ 350.1 Purpose.

The purpose of this part is to prescribe regulations to implement the Merchant Marine Decorations and Medals Act of 1988, 46 App. USC 2001, *et seq.*, to authorize the issue of decorations, medals, and other recognition for service in the U.S. merchant marine, and for other purposes, and to provide for the replacement of awards previously issued for service in the United States Merchant Marine under prior law.

§ 350.2 Special medals and awards.

The Secretary of Transportation, acting through the Maritime Administrator, may award decorations and medals of appropriate design for individual acts or service in the U.S. Merchant Marine.

(a) *Medals, awards.* The Secretary may award the Distinguished Service Medal, Meritorious Service Medal and Gallant Ship Unit Citation Award, as prescribed under sections 3 and 4 of Pub. L. 100-324.

(b) *Nominations.* Nominations for these awards shall be reviewed and submitted by the MARAD Merchant Marine Awards Committee to the Maritime Administrator for approval.

(c) *Inquiries.* Direct all inquiries concerning eligibility and procedures for the issuance of these medals to Chairperson, Merchant Marine Awards Committee, Office of Maritime Labor, Training and Safety, Maritime Administration, U.S. Department of Transportation, Washington, DC 20590.

§ 350.3 Other original recognition of service.

Under the provision of Pub. L. 100-324, the Administrator has the authority to review original applications for the following decorations:

(a) *World War II Service.* (1) *Merchant Marine Emblem*, awarded to merchant seamen for service during World War II from the period December 7, 1941 to July 25, 1947;

(2) *Victory Medal*, awarded to merchant seamen who served as members of the crews of ships for 30 days or more during the period December 7, 1941 to September 3, 1945;

(3) *Honorable Service Button*, awarded to merchant seamen who served as members of the crews of ships for 30 days or more during the period December 7, 1941 to September 3, 1945;

(4) *Mariner's Medal*, awarded to merchant seamen who, while serving on a ship from December 7, 1941 to July 25, 1947, were wounded or suffered physical injury as a result of an act of an enemy of the United States;

(5) *Merchant Marine Combat Bar*, awarded to merchant seamen who served on a ship which, at the time of such service, was attacked or damaged by an instrumentality of war, from December 7, 1941 to July 25, 1947. A star is attached if the seaman was forced to abandon ship. For each additional abandonment, a star is added;

(6) *Merchant Marine Defense Bar and Medal*, awarded to merchant seamen who served on merchant vessels between September 8, 1939 to December 7, 1941;

(7) *Atlantic War Zone Bar and Medal*, awarded to merchant seamen who served in the Atlantic War Zone, including the North Atlantic, South Atlantic, Gulf of Mexico, Caribbean, Barents Sea, and the Greenland Sea, between December 7, 1941 and November 8, 1945;

(8) *Mediterranean-Middle East War Zone Bar and Medal*, awarded to merchant seamen who served in the zone including the Mediterranean Sea, Red Sea, Arabian Sea, and Indian Ocean

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west of 80 degrees east longitude, between December 7, 1941 and November 8, 1945;

(9) *Pacific War Zone Bar and Medal*, awarded to merchant seamen who served in the Pacific War Zone, including the North Pacific, South Pacific, and the Indian Ocean east of 80 degrees east longitude, during the period December 7, 1941 to March 2, 1946;

(10) *Presidential Testimonial Letter*, signed by President Harry S Truman, to all active merchant seamen who sailed during World War II;

(11) *Philippine Defense Ribbon*, awarded to merchant seamen who served as members of crews of ships in Philippine waters, for not less than 30 days, from December 8, 1941 to June 15, 1942;

(12) *Philippine Liberation Ribbon*, awarded to merchant seamen who served as members of crews of ships in Philippine Waters for not less than 30 days from October 17, 1944 to September 3, 1945;

(b) *Korean Conflict Service*. Korean Service bar and medal for merchant seamen who served in waters adjacent to Korea during the Korean Conflict, between June 30, 1950 and September 30, 1953.

(c) *Service in the Vietnam Conflict*. Vietnam Service bar and medal awarded to merchant seamen who served in waters adjacent to Vietnam between July 4, 1965 and August 15, 1973.

(d) *Operations DESERT SHIELD AND DESERT STORM*. The Merchant Marine Expeditionary Award, authorized on May 22, 1991, to those American merchant seamen who directly participated from August 2, 1990 to December 31, 1991 in the war zone designated by Executive Order 12744 as "the Persian Gulf, Red Sea, Gulf of Oman, Gulf of Aden, and that portion of the Arabian Sea that lies north of 10 degrees north latitude and west of 68 degrees east longitude."

§ 350.4 Eligibility for awards.

(a) *World War II awards*. Submission of the original applications for World War II merchant marine service awards to the Maritime Administration shall include:

(1) A copy of seaman's DD Form 214, "Certificate of Release or Discharge from Active Duty" with continuation

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sheet, if provided. The DD Form 214 is required to verify merchant marine service on vessels during World War II. The application and instructions for applying for this document may be obtained from the Maritime Administration, Office of Maritime Labor, Training and Safety. If a seaman was not eligible for this discharge, the Maritime Administration will accept official documents, including ships' discharges;

(2) A summary of World War II sailing history to include—theater(s) of operation and ports of discharge; and

(3) Book number or United States Maritime Service (USMS) number and World War II home address.

(b) *Korean and Vietnam Awards*. Applicants for the Korean Service bar and medal, Vietnam Service bar and medal and the Merchant Marine Expeditionary Award shall provide copies of the ship(s) discharge(s) for the appropriate voyages. All awardees will be given an appropriate certification card or certificate for their awards.

(c) The information establishing eligibility, along with a written request, shall be directed to Office of Maritime Labor, Training & Safety, Maritime Administration, Washington, DC 20590, Attention: Merchant Marine Awards.

(d) MARAD has entered into agreements with vendors to supply the medals and decorations to eligible mariners at cost. After reviewing applications, MARAD will instruct eligible mariners to submit their orders for the medals and decorations to the following vendors.

OWNCO Marketing, 1705 SW. Taylor Street, Portland, OR 97205, (503) 226-3841
PIECES OF HISTORY, P.O. Box 4470, Cave Creek, AZ 85331, (602) 488-1377, (602) 488-1316 (FAX)

THE QUARTERMASTER UNIFORM COMPANY, P.O. Box 829, 750 Long Beach Blvd., Long Beach, CA 90801-0829, 800-444-8643 Toll Free 7:00 AM—7:00 PM

SHIP'S SERVICE STORE, United States Merchant Marine Academy, Kings Point, NY 11024, (516) 773-5000 ext. 5229

VANGUARD MILITARY EQUIPMENT CORP., 41-45 39th Street, Sunnyside, NY 11104, Toll Free 1-800-221-1264

VANGUARD INDUSTRIES WEST, 6155 Conte Del Cedro, Carlsbad, CA 92009, Toll Free 1-800-433-1334

PAST GLORY COMPANY, P.O. Box 4470, Alexandria, VA 22302, (703) 491-7544

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(e) Compliance with the procedure set forth in paragraph (a) of this section is required when purchasing a replacement. Certification cards need not be presented to the authorized vendors in order to purchase the bars. The possession or display, including the wearing of any Merchant Marine decoration by other than authorized personnel is prohibited by law and subject to fine and imprisonment.

§ 350.5 Replacement decorations.

The following decorations that have been previously issued may be replaced at cost upon written request made to the Office of Maritime Labor, Training and Safety:

- (a) Distinguished Service Medal.
- (b) Meritorious Service Medal.
- (c) Mariner's Medal.
- (d) Gallant Ship Unit Citation Bar.
- (e) Presidential Testimonial Letter (no cost for replacement).

§ 350.6 Unauthorized sale, manufacture, possession or display.

The sale, manufacture, possession or display of any Merchant Marine decoration, or colorable imitations thereof, by anyone other than an authorized vendor is prohibited by law and subject to fine and imprisonment.

§ 350.7 Special certificate of recognition.

The Maritime Administration is authorized to issue a special certificate of recognition of service to an individual, or the personal representative of an individual, whose service in the U.S. Merchant Marine has been determined to be active duty under an earlier Act of Congress (Pub. L. 95-202). The issuance of this certificate to any individual does not entitle that individual to any rights, privileges or benefits under any law of the United States.

PART 351—DEPOSITORYES**Sec.**

- 351.1 Purpose.
- 351.2 Qualification of depository.

AUTHORITY: Sec. 204, 49 Stat. 1987, as amended; 46 U.S.C. 1114.

§ 351.1 Purpose.

The purpose of this part is to set forth the criteria necessary for depositories of funds under all programs authorized by the Merchant Marine Act, 1936, as amended (46 U.S.C. 1101 *et seq.*) (Act).

[38 FR 8061, Mar. 28, 1973]

§ 351.2 Qualification of depository.

(a) *General qualification.* Any depository which is a member of the Federal Deposit Insurance Corporation will be approved for deposit of funds under the maritime programs authorized by the Act. With respect to the Capital Construction Fund program, any depository which is a member of the Securities Investor Protection Corporation, and is organized as a corporation under the laws of the United States, any State, territory, or possession thereof or the District of Columbia, will also be approved for the deposit of funds.

(b) *Limitation on amount of deposits.* No person making deposits under the programs authorized by the Act shall make or maintain deposits which exceed 5 percent of the depository's total deposits.

[38 FR 8061, Mar. 28, 1973, as amended at 63 FR 55039, Oct. 14, 1998]

PART 355—REQUIREMENTS FOR ESTABLISHING UNITED STATES CITIZENSHIP**Sec.**

- 355.1 General.
- 355.2 Requirements regarding evidence of U.S. citizenship; affidavit guide.
- 355.3 Criteria to be applied in support of stock data in affidavit.
- 355.4 Changes in citizenship data.
- 355.5 Additional material.

AUTHORITY: Secs. 2, 204, 39 Stat. 729, as amended, 49 Stat. 1987, as amended, 73 Stat. 597; 46 U.S.C. 802, 803, 1114, 11.

SOURCE: General Order 89, Rev., 35 FR 11558, July 18, 1970, unless otherwise noted.

§ 355.1 General.

(a) Under section 2, Shipping Act, 1916, as amended and section 905(c), Merchant Marine Act, 1936, as amended, no corporation is deemed to be a citizen of the United States unless: