

ence, upon request, toward credentialing requirements as a merchant mariner. It is further the policy of the United States to establish and maintain an effective merchant marine program by providing sufficient support and resources to active duty and separating service members who pursue or possess merchant mariner credentials.

A robust merchant marine is vital to the national and economic security of the United States. Credentialed United States merchant mariners support domestic and international trade, are critical for strategic defensive and offensive military sealift operations, and bring added expertise to Federal vessel operations. Unfortunately, the United States faces a shortage of qualified merchant mariners. As our strategic competitors expand their global footprint, the United States must retain its ability to project and sustain forces globally. This capability requires a sufficient corps of credentialed merchant mariners available to crew the necessary sealift fleet. Attracting additional trained and credentialed mariners, particularly from active duty service members and military veterans, will support United States national security requirements and provide meaningful, well-paying jobs to United States veterans.

**SEC. 2. Definition.** For the purposes of this order, the term “applicable service” includes any of the “armed forces,” as that term is defined in section 101(a)(4)(A) [sic] of title 10, United States Code.

**SEC. 3. Credentialing Support.** (a) To support merchant mariner credentialing and the maintenance of such credentials, the Secretary of Defense and the Secretary of Homeland Security, with respect to the applicable services in their respective departments, and in coordination with one another and with the United States Committee on the Marine Transportation System, shall, consistent with applicable law:

(i) Within 1 year from the date of this order [Mar. 4, 2019], identify all military training and experience within the applicable service that may qualify for merchant mariner credentialing, and submit a list of all identified military training and experience to the United States Coast Guard National Maritime Center for a determination of whether such training and experience counts for credentialing purposes;

(ii) With respect to National Maritime Center license evaluation, issuance, and examination, take all necessary and appropriate actions to provide for the waiver of fees for active duty service members, if a waiver is authorized and appropriate, and, if a waiver is not granted, take all necessary and appropriate actions to provide for the payment of fees for active duty service members by the applicable service to the fullest extent permitted by law;

(iii) Direct the applicable services to take all necessary and appropriate actions to pay for Transportation Worker Identification Credential cards for active duty service members pursuing or possessing a mariner credential;

(iv) Ensure that members of the applicable services who are to be discharged or released from active duty and who request certification or verification of sea service be provided such certification or verification no later than 1 month after discharge or release; and

(v) Ensure the applicable services have developed, or continue to operate, as appropriate, the online resource known as Credentialing Opportunities On-Line to support separating service members seeking information and assistance on merchant mariner credentialing.

(b) The United States Committee on the Marine Transportation System shall pursue innovative ways to support merchant mariner credentialing, including through continuation of the Military to Mariner Initiative as appropriate, and shall provide a yearly status report on its efforts under the provisions of this order to the President through the White House Office of Trade and Manufacturing Policy.

**SEC. 4. General Provisions.** (a) Nothing in this order shall be construed to impair or otherwise affect:

(i) the authority granted by law to an executive department or agency, or the head thereof; or

(ii) the functions of the Director of the Office of Management and Budget relating to budgetary, administrative, or legislative proposals.

(b) This order shall be implemented consistent with applicable law and subject to the availability of appropriations.

(c) This order is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the United States, its departments, agencies, or entities, its officers, employees, or agents, or any other person.

DONALD J. TRUMP.

**§ 2016. Undergraduate nurse training program: establishment through agreement with academic institution**

(a) **ESTABLISHMENT AUTHORIZED.**—(1) To increase the number of nurses in the armed forces, the Secretary of Defense may enter into an agreement with one or more academic institutions to establish and operate an undergraduate program (in this section referred to as a “undergraduate nurse training program”) under which participants will earn a bachelor of science degree in nursing and serve as a member of the armed forces.

(2) The Secretary of Defense may authorize the participation of members of the other uniformed services in the undergraduate nurse training program if the Secretary of Defense and the Secretary of Health and Human Services jointly determine the participation of such members in the program will facilitate an increase in the number of nurses in the other uniformed services.

(b) **GRADUATION RATES.**—An undergraduate nurse training program shall have the capacity to graduate 25 students with a bachelor of science degree in nursing in the first class of the program, 50 in the second class, and 100 annually thereafter.

(c) **ELEMENTS.**—An undergraduate nurse training program shall have the following elements:

(1) It shall involve an academic partnership with one or more academic institutions with existing accredited schools of nursing.

(2) It shall recruit as participants qualified individuals with at least two years of appropriate academic preparation, as determined by the Secretary of Defense.

(d) **LOCATION OF PROGRAMS.**—(1) An academic institution selected to operate an undergraduate nurse training program shall establish the program at or near a military installation that has a military treatment facility designated as a medical center with inpatient capability and multiple graduate medical education programs located on the installation or within reasonable proximity to the installation.

(2) Before approving a location as the site of an undergraduate nurse training program, the Secretary of Defense shall conduct an assessment to ensure that the establishment of the program at that location will not adversely impact or displace existing nurse training programs, either conducted by the Department of Defense or by a civilian entity, at the location.

(e) **LIMITATION ON FACULTY.**—An agreement entered into under subsection (a) shall not require members of the armed forces who are nurses to serve as faculty members for an undergraduate nurse training program.

(f) **MILITARY SERVICE COMMITMENT.**—The Secretary of Defense shall encourage members of the armed forces to apply to participate in an undergraduate nurse training program. Graduates of the program shall incur a military service obligation in a regular or reserve component, as determined by the Secretary.

(Added Pub. L. 111–84, div. A, title V, §525(b)(1), Oct. 28, 2009, 123 Stat. 2286; amended Pub. L. 111–383, div. A, title V, §551(a)–(c), Jan. 7, 2011, 124 Stat. 4219.)

### Editorial Notes

#### AMENDMENTS

2011—Subsec. (a)(1). Pub. L. 111–383, §551(a), substituted “a bachelor of science degree in nursing” for “a nursing degree”.

Subsec. (b). Pub. L. 111–383, §551(b), inserted “in nursing” after “bachelor of science degree”.

Subsec. (d). Pub. L. 111–383, §551(c), amended subsec. (d) generally. Prior to amendment, text read as follows: “An academic institution selected to operate an undergraduate nurse training program shall establish the program at or near a military installation. A military installation at or near which an undergraduate nurse training program is established must—

“(1) be one of the ten largest military installations in the United States, in terms of the number of active duty personnel assigned to the installation and family members residing on or in the vicinity of the installations; and

“(2) have a military treatment facility with inpatient capability designated as a medical center located on the installation or within 10 miles of the installation.”

### Statutory Notes and Related Subsidiaries

#### PLAN AND PILOT PROGRAM TO ESTABLISH UNDERGRADUATE NURSE TRAINING PROGRAM

Pub. L. 111–84, div. A, title V, §525(c)–(f), Oct. 28, 2009, 123 Stat. 2287, 2288, as amended by Pub. L. 111–383, div. A, title V, §551(d), Jan. 7, 2011, 124 Stat. 4219, provided that:

“(c) **UNDERGRADUATE NURSE TRAINING PROGRAM PLAN.**—Not later than 180 days after the date of the enactment of this Act [Oct. 28, 2009], the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and House of Representatives a plan to establish an undergraduate nurse training program in the Department of Defense in accordance with the authority provided by section 2169 of title 10, United States Code, as added by subsection (a), section 2016 of such title, as added by subsection (b), or any other authority available to the Secretary.

“(d) **PILOT PROGRAM.**—

“(1) **PILOT PROGRAM REQUIRED.**—The plan required by subsection (c) shall provide for the establishment of a pilot program to increase the number of nurses serving in the Armed Forces.

“(2) **IMPLEMENTATION AND DURATION.**—The pilot program shall begin not later than December 31, 2011, and be of not less than five years in duration.

“(3) **GRADUATION RATES.**—The goal of the pilot program is to achieve graduation rates at least equal to the rates required for the undergraduate nurse training programs authorized by section 2016 of title 10, United States Code, as added by subsection (b).

“(4) **IMPLEMENTATION REPORT.**—Not later than 270 days after the date of the enactment of this Act [Oct. 28, 2009], the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and House of Representatives a report on the pilot program, including a description of the program selected to be undertaken, the program’s goals, and any additional legal authorities that may be needed to undertake the program.

“(5) **PROGRESS REPORTS.**—Not later than 90 days after the end of each academic year of the pilot program, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and House of Representatives a report specifying the number of nurses accessed into the Armed Forces through the program and the number of students accepted for the upcoming academic year.

“(6) **FINAL REPORT.**—Not later than one year before the end of the pilot program, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and House of Representatives a report specifying the number of nurses accessed through the program, evaluating the overall effectiveness of the program, and containing the Secretary’s recommendations regarding whether the program should be extended.

“(e) **EFFECT ON OTHER NURSING PROGRAMS.**—Notwithstanding the development of undergraduate nurse training programs under the amendments made by this section [enacting this section and section 2169 of this title and repealing section 2117 of this title] and subsection (d), the Secretary of Defense shall ensure that graduate degree programs in nursing, including advanced practice nursing, continue.

“(f) **EFFECT ON OTHER RECRUITMENT EFFORTS.**—Nothing in this section shall be construed as limiting or terminating any current or future program of the Department of Defense related to the recruitment, accession, training, or retention of nurses.”

### § 2017. Limitation on establishment of postsecondary educational institutions pending notice to Congress

(a) **LIMITATION.**—The Secretary of Defense may not establish a postsecondary educational institution within the Department of Defense until a period of one year has elapsed following the date on which the Secretary notifies the congressional defense committees of the intent of the Secretary to establish the institution.

(b) **POSTSECONDARY EDUCATIONAL INSTITUTION DEFINED.**—In this section, the term “postsecondary educational institution” means a school or other educational institution that is intended to provide students with a course of instruction that is comparable, in length and academic rigor, to a course of instruction for which an associate’s, bachelor’s, or graduate degree may be awarded.

(Added Pub. L. 116–92, div. A, title V, §553(b)(1), Dec. 20, 2019, 133 Stat. 1387.)

### Statutory Notes and Related Subsidiaries

#### APPLICABILITY

Pub. L. 116–92, div. A, title V, §553(b)(3), Dec. 20, 2019, 133 Stat. 1387, provided that: “Section 2017 of title 10, United States Code, as added by paragraph (1), shall apply with respect to postsecondary educational institutions intended to be established by the Secretary of Defense on or after the date of the enactment of this Act [Dec. 20, 2019].”

### CHAPTER 102—JUNIOR RESERVE OFFICERS’ TRAINING CORPS

Sec.

2031.	Junior Reserve Officers’ Training Corps.
2032.	Responsibility of the Secretaries of the military departments to maximize enrollment and enhance efficiency.
2033.	Instructor qualifications.
2034.	Educational institutions not maintaining units of Junior Reserve Officers’ Training Corps: issuance of arms, tentage, and equipment.