

does not apply with respect to an agreement entered into under section 51306(a) of title 46, United States Code, before October 17, 2006.”

EFFECTIVE DATE OF 2006 AMENDMENT

Pub. L. 109-364, div. C, title XXXV, § 3505(b), Oct. 17, 2006, 120 Stat. 2517, which provided that par. (6) of section 1295b(e) of the former Appendix to this title from which this section was derived, applied only to an individual who enrolled as a cadet at the United States Merchant Marine Academy and signed an agreement under par. (1) of that section after Oct. 17, 2006, was repealed by Pub. L. 110-181, div. C, title XXXV, § 3526(g), Jan. 28, 2008, 122 Stat. 602.

Pub. L. 109-364, div. C, title XXXV, § 3506(b), Oct. 17, 2006, 120 Stat. 2517, which provided that the enactment of par. (7) of section 1295b(e) of the former Appendix to this title from which this section was derived, did not apply with respect to an agreement entered into under section 1295b(e) before Oct. 17, 2006, was repealed by Pub. L. 110-181, div. C, title XXXV, § 3526(g), Jan. 28, 2008, 122 Stat. 602.

§ 51307. Places of training

(a) **IN GENERAL.**—The Secretary of Transportation may provide for the training of cadets at the United States Merchant Marine Academy—

- (1) on vessels owned, subsidized by, or contracted with the United States Government;
- (2) on other documented vessels, with the permission of the owner;
- (3) in shipyards or plants and with industrial or educational organizations; and
- (4) on any other vessel considered by the Secretary to be necessary or appropriate or in the national interest.

(b) **SEA YEAR CADETS ON CERTAIN VESSELS.**—

(1) **REQUIREMENTS.**—The Secretary shall require an operator of a vessel participating in the Maritime Security Program under chapter 531 of this title, the Cable Security Fleet under chapter 532 of this title, or the Tanker Security Fleet under chapter 534 of this title to—

(A) carry on each Maritime Security Program vessel, Cable Security Fleet vessel, or Tanker Security Fleet vessel 2 United States Merchant Marine Academy cadets, if available, on each voyage; and

(B) implement and adhere to policies, programs, criteria, and requirements established pursuant to section 51322 of this title.

(2) **FAILURE TO IMPLEMENT OR ADHERE TO REQUIREMENTS.**—Failure to implement or adhere to the policies, programs, criteria, and requirements referred to in paragraph (1) may, as determined by the Maritime Administrator, constitute a violation of an operating agreement entered into under chapter 531, 532, or 534 of this title and the Maritime Administrator may—

(A) require the operator to take corrective actions; or

(B) withhold payment due to the operator until the violation, as determined by the Maritime Administrator, has been remedied.

(3) **WITHHELD PAYMENTS.**—Any payment withheld pursuant to paragraph (2)(B) may be paid, upon a determination by the Maritime Administrator that the operator is in compliance with the policies, programs, criteria, and requirements referred to in paragraph (1).

(c) **MILITARY SEALIFT COMMAND VESSELS.**—

(1) **IN GENERAL.**—Except as provided in paragraph (2), the Commander of the Military Sealift Command shall require an operator of a vessel in the United States Navy’s Military Sealift Command to carry on each such vessel 2 United States Merchant Marine Academy cadets, if available, on each voyage, if the vessel—

(A) is flagged in the United States; and

(B) is rated at 10,000 gross tons or higher.

(2) **WAIVER.**—The Commander of the Military Sealift Command may waive the requirement under paragraph (1) at any time if the Commander determines that carrying a cadet from the United States Merchant Marine Academy would place an undue burden on the vessel or the operator of the vessel.

(d) **DEFINITION OF OPERATOR.**—In this section, the term “operator” includes a government operator and a non-government operator.

(e) **SAVINGS CLAUSE.**—Nothing in this section may be construed as affecting—

(1) the discretion of the Secretary to determine whether to place a United States Merchant Marine Academy cadet on a vessel;

(2) the authority of the Coast Guard regarding a vessel security plan approved under section 70103; or

(3) the discretion of the master of the vessel to ensure the safety of all crew members.

(Pub. L. 109-304, § 8(b), Oct. 6, 2006, 120 Stat. 1574; Pub. L. 109-241, title III, § 307, July 11, 2006, 120 Stat. 528; Pub. L. 110-181, div. C, title XXXV, § 3525(a)(3), (b), Jan. 28, 2008, 122 Stat. 600, 601; Pub. L. 115-232, div. C, title XXXV, § 3512, Aug. 13, 2018, 132 Stat. 2311; Pub. L. 116-283, div. C, title XXXV, § 3506, Jan. 1, 2021, 134 Stat. 4405; Pub. L. 117-263, div. C, title XXXV, § 3517(a)(1), Dec. 23, 2022, 136 Stat. 3073.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
51307	46 App.:1295b(f).	June 29, 1936, ch. 858, title XIII, § 1303(f), as added Pub. L. 96-453, § 2, Oct. 15, 1980, 94 Stat. 2002.

In paragraph (2), the words “with the permission of the owner” are substituted for “if the owner . . . cooperates in such use” for clarity.

Editorial Notes

AMENDMENTS

2022—Subsec. (b). Pub. L. 117-263 amended subsec. (b) generally. Prior to amendment, text read as follows: “The Secretary shall require an operator of a vessel participating in the Maritime Security Program under chapter 531 of this title, the Cable Security Fleet under chapter 532 of this title, or the Tanker Security Fleet under chapter 534 of this title to carry on each Maritime Security Program vessel, Cable Security Fleet vessel, or Tanker Security Fleet vessel 2 United States Merchant Marine Academy cadets, if available, on each voyage.”

2021—Subsec. (b). Pub. L. 116-283 added subsec. (b) and struck out former subsec. (b). Prior to amendment, text read as follows: “The Secretary shall require an operator of a vessel participating in the Maritime Security Program under chapter 531 of this title to carry on each Maritime Security Program vessel 2 United States

Merchant Marine Academy cadets, if available, on each voyage.”

2018—Pub. L. 115-232, §3512(1), (3), designated existing provisions as subsec. (a), inserted heading, and added subsecs. (b) to (e).

Subsec. (a)(1). Pub. L. 115-232, §3512(2), substituted “owned, subsidized by, or contracted with” for “owned or subsidized by”.

2008—Pub. L. 110-181, §3525(b), repealed Pub. L. 109-241, §307. See 2006 Amendment note below.

Par. (4). Pub. L. 110-181, §3525(a)(3), incorporated the substance of the amendment by Pub. L. 109-241, §307, into this section by adding par. (4). See 2006 Amendment note below and section 18(a) of Pub. L. 109-304, set out as a Legislative Purpose and Construction note preceding section 101 of this title.

2006—Pub. L. 109-241, §307, which directed the amendment of section 1295b(f) of the former Appendix to this title from which this section was derived, was repealed by Pub. L. 110-181, §3525(b). See 2008 Amendment note for par. (4) and Historical and Revision notes above.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 2022 AMENDMENT

Pub. L. 117-263, div. C, title XXXV, §3517(a)(2), Dec. 23, 2022, 136 Stat. 3074, provided that: “Paragraph (2) of subsection (b) of section 51307, as amended by paragraph (1), shall apply with respect to any failure to implement or adhere to the policies, programs, criteria, and requirements referred to in paragraph (1)(B) of such subsection that occurs on or after the date that is one year after the date of the enactment of this Act [Dec. 23, 2022].”

§ 51308. Uniforms, textbooks, and transportation allowances

The Secretary of Transportation shall provide cadets at the United States Merchant Marine Academy—

- (1) all required uniforms and textbooks; and
- (2) allowances for transportation (including reimbursement of traveling expenses) when traveling under orders as a cadet.

(Pub. L. 109-304, §8(b), Oct. 6, 2006, 120 Stat. 1574.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
51308	46 App.:1295b(d).	June 29, 1936, ch. 858, title XIII, §1303(d), as added Pub. L. 96-453, §2, Oct. 15, 1980, 94 Stat. 2000.

§ 51309. Academic degree

(a) BACHELOR’S DEGREE.—

(1) IN GENERAL.—The Superintendent of the United States Merchant Marine Academy may confer the degree of bachelor of science on an individual who—

- (A) has met the conditions prescribed by the Secretary of Transportation; and
- (B) if a citizen of the United States, has passed the examination for a merchant marine officer’s license.

(2) EFFECT OF PHYSICAL OR PSYCHOLOGICAL DISQUALIFICATION.—An individual not able or allowed to take the examination for a merchant marine officer’s license solely due to a documented medical or psychological condition shall not be denied a degree for not taking the examination.

(b) MASTER’S DEGREE.—The Superintendent of the Academy may confer a master’s degree on

an individual who has met the conditions prescribed by the Secretary. A master’s degree program may be funded through non-appropriated funds. To maintain the appropriate academic standards, the program shall be accredited by the appropriate accreditation body. Non-appropriated funds received for this purpose shall be credited to the Maritime Administration’s Operations and Training appropriation, to remain available until expended, for those expenses directly related to the purpose of such receipts. The Superintendent shall maintain a separate and detailed accounting of non-appropriated fund receipts and all associated expenses. The Secretary may prescribe regulations necessary to administer such a program.

(c) GRADUATION NOT ENTITLEMENT TO HOLD LICENSE.—Graduation from the Academy does not entitle an individual to hold a license authorizing service on a merchant vessel.

(d) DEFINITION OF DOCUMENTED MEDICAL OR PSYCHOLOGICAL CONDITION.—In this section the term “documented medical or psychological condition” means, with respect to an individual, a physical disqualification or psychological condition, including a mental health condition arising from sexual assault or sexual harassment, for which the individual has been treated or is being treated by a medical or psychological provider.

(Pub. L. 109-304, §8(b), Oct. 6, 2006, 120 Stat. 1574; Pub. L. 111-84, div. C, title XXXV, §3514, Oct. 28, 2009, 123 Stat. 2724; Pub. L. 117-263, div. C, title XXXV, §3511, Dec. 23, 2022, 136 Stat. 3065.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
51309(a)	46 App.:1295b(g)(1).	June 29, 1936, ch. 858, title XIII, §1303(g), as added Pub. L. 96-453, §2, Oct. 15, 1980, 94 Stat. 2002; restated Pub. L. 108-136, title XXXV, §3515(c), Nov. 24, 2003, 117 Stat. 1794.
51309(b)	46 App.:1295b(g)(2).	June 29, 1936, ch. 858, title XIII, §1303(b)(8), as added Pub. L. 96-453, §2, Oct. 15, 1980, 94 Stat. 1997; Pub. L. 99-368, §5, Aug. 1, 1986, 100 Stat. 776.
51309(c)	46 App.:1295b(b)(8).	

Editorial Notes

AMENDMENTS

2022—Subsec. (a)(2). Pub. L. 117-263, §3511(1), in heading, inserted “or psychological” after “physical”, and, in text, inserted “able or” before “allowed” and substituted “solely due to a documented medical or psychological condition shall” for “only because of physical disqualification may”.

Subsec. (d). Pub. L. 117-263, §3511(2), added subsec. (d).

2009—Subsec. (b). Pub. L. 111-84 inserted before last sentence “Nonappropriated funds received for this purpose shall be credited to the Maritime Administration’s Operations and Training appropriation, to remain available until expended, for those expenses directly related to the purpose of such receipts. The Superintendent shall maintain a separate and detailed accounting of nonappropriated fund receipts and all associated expenses.”

§ 51310. Deferment of service obligation under cadet commitment agreements

The Secretary of Transportation may defer the service commitment of an individual under