

(A) is made by 1 or more persons in connection with a donation for the project of a total amount in cash or securities that the Maritime Administrator determines is sufficient to defray a substantial portion of the total cost of the project;

(B) is made to facilitate or expedite the completion of the project in reasonable anticipation that other donors will contribute sufficient funds or other resources in amounts sufficient to pay for completion of the project;

(C) is set forth as a written agreement providing that the donor will furnish in cash or securities, in addition to the donor's other gift or gifts for the project, any additional amount that may become necessary for paying the cost of completing the project by reason of a failure to obtain from other donors or sources funds or other resources in amounts sufficient to pay the cost of completing the project; and

(D) is accompanied by—

(i) an irrevocable and unconditional standby letter of credit for the benefit of the United States Merchant Marine Academy that is in the amount of the guarantee and is issued by a major United States commercial bank; or

(ii) a qualified account control agreement.

(5) **QUALIFIED ACCOUNT CONTROL AGREEMENT.**—The term “qualified account control agreement”, with respect to a guarantee of a donor, means an agreement among the donor, the Maritime Administrator, and a major United States investment management firm that—

(A) ensures the availability of sufficient funds or other financial resources to pay the amount guaranteed during the period of the guarantee;

(B) provides for the perfection of a security interest in the assets of the account for the United States for the benefit of the United States Merchant Marine Academy with the highest priority available for liens and security interests under applicable law;

(C) requires the donor to maintain in an account with the investment management firm assets having a total value that is not less than 130 percent of the amount guaranteed; and

(D) requires the investment management firm, whenever the value of the account is less than the value required to be maintained under subparagraph (C), to liquidate any noncash assets in the account and reinvest the proceeds in Treasury bills issued under section 3104 of title 31.

(b) **ACCEPTANCE AUTHORITY.**—Subject to subsection (d), the Maritime Administrator may accept a qualified guarantee from a donor or donors for the completion of a major project for the benefit of the United States Merchant Marine Academy.

(c) **OBLIGATION AUTHORITY.**—The amount of a qualified guarantee accepted under this section shall be considered as contract authority to provide obligation authority for purposes of Federal

fiscal and contractual requirements. Funds available for a project for which such a guarantee has been accepted may be obligated and expended for the project without regard to whether the total amount of funds and other resources available for the project (not taking into account the amount of the guarantee) is sufficient to pay for completion of the project.

(d) **NOTICE.**—The Maritime Administrator may not accept a qualified guarantee under this section for the completion of a major project until 30 days after the date on which a report of the facts concerning the proposed guarantee is submitted to Congress.

(e) **PROHIBITION ON COMMINGLING FUNDS.**—The Maritime Administrator may not enter into any contract or other transaction involving the use of a qualified guarantee and appropriated funds in the same contract or transaction.

(Added Pub. L. 115–91, div. C, title XXXV, §3510(a), Dec. 12, 2017, 131 Stat. 1916.)

§ 51321. Grants for scientific and educational research

(a) **DEFINED TERM.**—In this section, the term “qualifying research grant” is a grant that—

(1) is awarded on a competitive basis by the Federal Government (except for the Department of Transportation), a State, a corporation, a fund, a foundation, an educational institution, or a similar entity that is organized and operated primarily for scientific or educational purposes; and

(2) is to be used to carry out a research project with a scientific or educational purpose.

(b) **ACCEPTANCE OF QUALIFYING RESEARCH GRANTS.**—The United States Merchant Marine Academy may compete for and accept qualifying research grants if the work under the grant is to be carried out by a professor or instructor of the United States Merchant Marine Academy.

(c) **ADMINISTRATION OF GRANT FUNDS.**—

(1) **ESTABLISHMENT OF ACCOUNT.**—The Maritime Administrator shall establish a separate account for administering funds received from research grants under this section.

(2) **USE OF GRANT FUNDS.**—The Superintendent shall use grant funds deposited into the account established pursuant to paragraph (1) in accordance with applicable regulations and the terms and conditions of the respective grants.

(d) **RELATED EXPENSES.**—Subject to such limitations as may be provided in appropriations Acts, appropriations available for the United States Merchant Marine Academy may be used to pay expenses incurred by the Academy in applying for, and otherwise pursuing, a qualifying research grant.

(Added Pub. L. 115–91, div. C, title XXXV, §3512(a), Dec. 12, 2017, 131 Stat. 1918.)

§ 51322. Protection of cadets from sexual assault onboard vessels

(a) **SAFETY CRITERIA.**—The Maritime Administrator, after consulting with the Commandant of the Coast Guard, shall establish—

(1) criteria, to which an owner or operator of a vessel engaged in commercial service shall