

Editorial Notes

AMENDMENTS

1984—Subsec. (a)(1). Pub. L. 98-364 substituted “fishing, fish processing, fish tender vessels” for “decked fishing vessels”.

Statutory Notes and Related Subsidiaries

MERCHANT MARINE POST-SERVICE CAREER OPPORTUNITIES

Pub. L. 113-281, title III, §305(d), Dec. 18, 2014, 128 Stat. 3044, provided that: “Not later than 180 days after the date of enactment of this Act [Dec. 18, 2014], the Commandant of the Coast Guard shall take steps to promote better awareness, on an ongoing basis, among Coast Guard personnel regarding post-service use of Coast Guard training, education, and practical experience in satisfaction of requirements for merchant mariner credentials under section 11.213 of title 46, Code of Federal Regulations.”

§ 7302. Issuing merchant mariners’ documents and continuous discharge books

(a) The Secretary shall issue a merchant mariner’s document to an individual required to have that document under part F of this subtitle if the individual satisfies the requirements of this part. The document serves as a certificate of identification and as a certificate of service, specifying each rating in which the holder is qualified to serve on board vessels on which that document is required under part F.

(b) The Secretary also may issue a continuous discharge book to an individual issued a merchant mariner’s document if the individual requests.

(c) The Secretary may not issue a merchant mariner’s document under this chapter unless the individual applying for the document makes available to the Secretary, under section 30305(b)(5) of title 49, any information contained in the National Driver Register related to an offense described in section 30304(a)(3)(A) or (B) of title 49 committed by the individual.

(d) The Secretary may review the criminal record of an individual who applies for a merchant mariner’s document under this section.

(e) The Secretary shall require the testing of an individual applying for issuance or renewal of a merchant mariner’s document under this chapter for the use of a dangerous drug in violation of law or Federal regulation.

(f) PERIODS OF VALIDITY AND RENEWAL OF MERCHANT MARINERS’ DOCUMENTS.—

(1) IN GENERAL.—Except as provided in subsection (g), a merchant mariner’s document issued under this chapter is valid for a 5-year period and may be renewed for additional 5-year periods.

(2) ADVANCE RENEWALS.—A renewed merchant mariner’s document may be issued under this chapter up to 8 months in advance but is not effective until the date that the previously issued merchant mariner’s document expires or until the completion of any active suspension or revocation of that previously issued merchant mariner’s document, whichever is later.

(g)(1) The Secretary may, pending receipt and review of information required under subsections (c) and (d), immediately issue an in-

terim merchant mariner’s document valid for a period not to exceed 120 days, to—

(A) an individual to be employed as gaming personnel, entertainment personnel, wait staff, or other service personnel on board a passenger vessel not engaged in foreign service, with no duties, including emergency duties, related to the navigation of the vessel or the safety of the vessel, its crew, cargo or passengers; or

(B) an individual seeking renewal of, or qualifying for a supplemental endorsement to, a valid merchant mariner’s document issued under this section.

(2) No more than one interim document may be issued to an individual under paragraph (1)(A) of this subsection.

(Pub. L. 98-89, Aug. 26, 1983, 97 Stat. 542; Pub. L. 101-380, title IV, §§ 4101(b), 4102(c), Aug. 18, 1990, 104 Stat. 509; Pub. L. 107-295, title III, §324(a), Nov. 25, 2002, 116 Stat. 2104; Pub. L. 108-293, title VI, §609(1), Aug. 9, 2004, 118 Stat. 1058; Pub. L. 109-241, title IX, §901(h)(1), (2), July 11, 2006, 120 Stat. 564; Pub. L. 111-281, title VI, §614(a), Oct. 15, 2010, 124 Stat. 2970.)

HISTORICAL AND REVISION NOTES

Table with 2 columns: Revised section, Source section (U.S. Code). Row 1: 7302, 46:239a(c), 46:643(a), 46:643(c), 46:672(i)

Section 7302(a) requires the Secretary to issue a merchant mariner’s document to qualified individuals required to have that document as a prerequisite to employment on certain vessels of the United States. The purpose of the document is to serve as positive identification and to specify each rating in which the individual is qualified to serve on vessels.

Subsection (b) allows the Secretary to issue a continuous discharge book to an individual who requests a book.

Editorial Notes

AMENDMENTS

2010—Subsec. (f). Pub. L. 111-281 amended subsec. (f) generally. Prior to amendment, subsec. (f) read as follows: “Except as provided in subsection (g), a merchant mariner’s document issued under this chapter is valid for 5 years and may be renewed for additional 5-year periods.”

2006—Subsec. (c). Pub. L. 109-241, §901(h)(1), amended directory language of Pub. L. 108-293, §609(1). See 2004 Amendment note below.

Pub. L. 109-241, §901(h)(2), inserted “section” before “30305(b)(5)” and before “30304(a)(3)(A)”.

2004—Subsec. (c). Pub. L. 108-293, §609(1), as amended by Pub. L. 109-241, §901(h)(1), substituted “30305(b)(5) of title 49” for “section 206(b)(7) of the National Driver Register Act of 1982 (23 U.S.C. 401 note)” and “30304(a)(3)(A) or (B) of title 49” for “section 205(a)(3)(A) or (B) of that Act”.

2002—Subsec. (f). Pub. L. 107-295, §324(a)(1), substituted “Except as provided in subsection (g), a” for “A”.

Subsec. (g). Pub. L. 107-295, §324(a)(2), added subsec. (g).

1990—Subsecs. (c) to (e). Pub. L. 101-380, §4101(b), added subsecs. (c) to (e).

Subsec. (f). Pub. L. 101-380, §4102(c), added subsec. (f).

Statutory Notes and Related Subsidiaries**EFFECTIVE DATE OF 2006 AMENDMENT**

Pub. L. 109-241, title IX, § 901(h)(1), July 11, 2006, 120 Stat. 564, provided that the amendment made by section 901(h)(1) is effective Aug. 9, 2004.

EFFECTIVE DATE OF 1990 AMENDMENT

Amendment by Pub. L. 101-380 applicable to incidents occurring after Aug. 18, 1990, see section 1020 of Pub. L. 101-380, set out as an Effective Date note under section 2701 of Title 33, Navigation and Navigable Waters.

MILITARY TO MARINER

Pub. L. 117-263, div. K, title CXV, § 11514, Dec. 23, 2022, 136 Stat. 4139, provided that:

“(a) **SHORT TITLE.**—This section may be cited as the ‘Military to Mariners Act of 2022’.

“(b) **MODIFICATION OF SEA SERVICE REQUIREMENTS FOR MERCHANT MARINER CREDENTIALS FOR VETERANS AND MEMBERS OF THE UNIFORMED SERVICES.**—

“(1) **REVIEW AND REGULATIONS.**—Notwithstanding any other provision of law, not later than 2 years after the date of enactment of this Act [Dec. 23, 2022], the Secretary shall—

“(A) review and examine—

“(i) the timeframes and impediments for veterans and members of the uniformed services to receive a merchant mariner credential;

“(ii) the classifications of sea service acquired through training and service as a member of the Uniformed Services and level of equivalence such service has with respect to sea service on merchant vessels; and

“(iii) the amount of sea service, including percent of the total time onboard for purposes of equivalent underway service, that will be accepted as required experience for all endorsements for applicants for a merchant mariner credential who are veterans or members of the Uniformed Services; and

“(B) issue new regulations to—

“(i) streamline, ensure the accuracy of, and expedite the transfer, review and acceptance of information pertaining to training and sea time for applicants for a merchant mariner credential who are veterans or members of the Uniformed Services;

“(ii) increase the acceptable percentages of time equivalent to sea service for such applicants pursuant to findings of the review and examination conducted under subparagraph (A); and

“(iii) reduce burdens and create a means of alternative compliance to demonstrate instructor competency for Standards of Training, Certification and Watchkeeping for Seafarers courses.

“(2) **CONSULTATION.**—In carrying out paragraph (2) [probably should be “paragraph (1)”], the Secretary shall consult with the National Merchant Marine Personnel Advisory Committee and shall take into account the present and future needs of the United States Merchant Marine labor workforce.

“(3) **REPORT.**—Not later than 180 days after the date of enactment of this Act [Dec. 23, 2022], the United States Committee on the Marine Transportation System shall submit to the Committees on Commerce, Science, and Transportation and Armed Services of the Senate and the Committees on Transportation and Infrastructure and Armed Services of the House of Representatives, a report that contains an update on the activities carried out to implement—

“(A) the July 2020 report by the Committee on the Marine Transportation System to the White House Office of Trade and Manufacturing Policy on the implementation of Executive Order 13860 (84 Fed. Reg. 8407; relating to supporting the transition of active duty servicemembers and military veterans into the Merchant Marine); and

“(B) section 3511 of the National Defense Authorization Act for Fiscal Year 2020 (46 U.S.C. 3702 [7302] note).

“(c) **ASSESSMENT OF SKILLBRIDGE FOR EMPLOYMENT AS A MERCHANT MARINER.**—The Secretary, in collaboration with the Secretary of Defense, shall assess the use of the SkillBridge program of the Department of Defense as a means for transitioning active duty sea service personnel to employment as merchant mariners.”

[For definitions of terms used in section 11316 of Pub. L. 117-263, set out above, see section 11002 of Pub. L. 117-263, set out as a note under section 106 of Title 14, Coast Guard, and section 11515 of Pub. L. 117-263, set out below.]

Pub. L. 116-92, div. C, title XXXV, § 3511, Dec. 20, 2019, 133 Stat. 1978, provided that:

“(a) **CREDENTIALING SUPPORT.**—Not later than one year after the date of enactment of this title [Dec. 20, 2019], the Secretary of Defense, the Secretary of the Department in which the Coast Guard is operating when it is not operating as a service in the Department of the Navy, the Secretary of Commerce, and the Secretary of Health and Human Services, 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, and in consultation with the Merchant Marine Personnel Advisory Committee, shall, consistent with applicable law, identify all training and experience within the applicable service that may qualify for merchant mariner credentialing and submit a list of all identified 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.

“(b) **REVIEW OF APPLICABLE SERVICE.**—The United States Coast Guard Commandant shall make a determination of whether training and experience counts for credentialing purposes, as described in subsection (a), not later than 6 months after the date on which the United States Coast Guard National Maritime Center receives a submission under subsection (a) identifying a training or experience and requesting such a determination.

“(c) **FEES AND SERVICES.**—The Secretary of Defense, the Secretary of the Department in which the Coast Guard is operating when it is not operating as a service in the Department of the Navy, and the Secretary of Commerce, with respect to the applicable services in their respective departments, shall—

“(1) take all necessary and appropriate actions to provide for the waiver of fees through the National Maritime Center license evaluation, issuance, and examination for members of the uniformed services on active duty, 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 members of the uniformed services on active duty by the applicable service to the fullest extent permitted by law;

“(2) direct the applicable services to take all necessary and appropriate actions to provide for Transportation Worker Identification Credential cards for members of the uniformed services on active duty pursuing or possessing a mariner credential, such as implementation of an equal exchange process for members of the uniformed services on active duty at no or minimal cost;

“(3) 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 one month after discharge or release;

“(4) ensure the applicable services have developed, or continue to operate, as appropriate, the online resource known as Credentialing Opportunities On-Line to support separating members of the uniformed services who are seeking information and assistance on merchant mariner credentialing; and

“(5) not later than 1 year after the date of enactment of this section [Dec. 20, 2019], take all necessary and appropriate actions to review and implement service-related medical certifications to merchant mariner credential requirements.

“(d) ADVANCING MILITARY TO MARINER WITHIN THE EMPLOYER AGENCIES.—

“(1) IN GENERAL.—The Secretary of Defense, the Secretary of the Department in which the Coast Guard is operating when it is not operating as a service in the Department of the Navy, and the Secretary of Commerce shall have direct hiring authority to employ separated members of the uniformed services with valid merchant mariner licenses or sea service experience in support of United States national maritime needs, including the Army Corps of Engineers, U.S. Customs and Border Protection, and the National Oceanic and Atmospheric Administration.

“(2) APPOINTMENTS OF RETIRED MEMBERS OF THE ARMED FORCES.—Except in the case of positions in the Senior Executive Service, the requirements of section 3326(b) of title 5, United States Code, shall not apply with respect to the hiring of a separated member of the uniformed services under paragraph (1).

“(e) SEPARATED MEMBER OF THE UNIFORMED SERVICES.—In this section, the term ‘separated member of the uniformed services’ means an individual who—

“(1) is retiring or is retired as a member of the uniformed services;

“(2) is voluntarily separating or voluntarily separated from the uniformed services at the end of enlistment or service obligation; or

“(3) is administratively separating or has administratively separated from the uniformed services with an honorable or general discharge characterization.”

RADAR REFRESHER TRAINING

Pub. L. 115-282, title VIII, §829, Dec. 4, 2018, 132 Stat. 4314, provided that: “Not later than 60 days after the date of enactment of this Act [Dec. 4, 2018], the Secretary of the department in which the Coast Guard is operating shall prescribe a final rule eliminating the requirement that a mariner actively using the mariner’s credential complete an approved refresher or recertification course to maintain a radar observer endorsement. This rulemaking shall be exempt from chapters 5 and 6 of title 5, United States Code, and Executive Orders 12866 and 13563 [5 U.S.C. 601 notes].”

MERCHANT MARINER CREDENTIAL EXPIRATION HARMONIZATION

Pub. L. 114-120, title III, §304, Feb. 8, 2016, 130 Stat. 53, provided that:

“(a) IN GENERAL.—Except as provided in subsection (c) and not later than 1 year after the date of the enactment of this Act [Feb. 8, 2016], the Secretary of the department in which the Coast Guard is operating shall establish a process to harmonize the expiration dates of merchant mariner credentials, mariner medical certificates, and radar observer endorsements for individuals applying to the Secretary for a new merchant mariner credential or for renewal of an existing merchant mariner credential.

“(b) REQUIREMENTS.—The Secretary shall ensure that the process established under subsection (a)—

“(1) does not require an individual to renew a merchant mariner credential earlier than the date on which the individual’s current credential expires; and

“(2) results in harmonization of expiration dates for merchant mariner credentials, mariner medical certificates, and radar observer endorsements for all individuals by not later than 6 years after the date of the enactment of this Act [Feb. 8, 2016].

“(c) EXCEPTION.—The process established under subsection (a) does not apply to individuals—

“(1) holding a merchant mariner credential with—

“(A) an active Standards of Training, Certification, and Watchkeeping endorsement; or

“(B) Federal first-class pilot endorsement; or

“(2) who have been issued a time-restricted medical certificate.”

CREDITING OF UNITED STATES ARMED FORCES SERVICE, TRAINING, AND QUALIFICATIONS

Pub. L. 113-281, title III, §305(c), Dec. 18, 2014, 128 Stat. 3044, provided that:

“(1) MAXIMIZING CREDITABILITY.—The Secretary of the department in which the Coast Guard is operating, in implementing United States merchant mariner license, certification, and document laws and the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, 1978, shall maximize the extent to which United States Armed Forces service, training, and qualifications are creditable toward meeting the requirements of such laws and such Convention.

“(2) NOTIFICATION.—Not later than 90 days after the date of enactment of this Act [Dec. 18, 2014], the Secretary shall notify the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate on the steps taken to implement this subsection.”

MERCHANT MARINERS’ DOCUMENTS PILOT PROGRAM

Pub. L. 108-293, title VI, §611, Aug. 9, 2004, 118 Stat. 1058, provided that: “The Secretary of the department in which the Coast Guard is operating may conduct a pilot program to demonstrate methods to improve processes and procedures for issuing merchant mariners’ documents.”

TERMINATION OF EXISTING LICENSES, CERTIFICATES, AND DOCUMENTS; APPLICABILITY OF 1990 AMENDMENT

For provisions that a merchant mariner’s document issued before Aug. 18, 1990, terminates on the day it would have expired if the amendment to this section by section 4102(c) of Pub. L. 101-380 were in effect on date it was issued and was renewed at the end of each 5-year period under this section, see section 4102(d) of Pub. L. 101-380, set out as a note under section 7106 of this title.

DEFINITIONS

Pub. L. 117-263, div. K, title CXV, §11515, Dec. 23, 2022, 136 Stat. 4141, provided that:

“In this subtitle [subtitle B (§§11511–11515) of title CXV of Pub. L. 117-263, enacting provisions set out as notes under this section and section 7502 of this title]:

“(1) CREDENTIALLED MARINER.—The term ‘credentialled mariner’ means an individual with a merchant mariner credential.

“(2) MERCHANT MARINER CREDENTIAL.—The term ‘merchant mariner credential’ has the meaning given such term in section 7510(d) of title 46, United States Code.

“(3) UNIFORMED SERVICES.—The term ‘uniformed services’ has the meaning given the term ‘uniformed services’ in section 2101 of title 5, United States Code.”

§ 7303. Possession and description of merchant mariners’ documents

A merchant mariner’s document shall be retained by the individual to whom issued. The document shall contain the signature, notations of nationality, age, and physical description, the photograph, and the home address of the individual. In addition, the document shall specify the rate or ratings in which the individual is qualified to serve.

(Pub. L. 98-89, Aug. 26, 1983, 97 Stat. 542; Pub. L. 107-295, title IV, §421, Nov. 25, 2002, 116 Stat. 2125; Pub. L. 116-283, div. G, title LVXXXV [LXXXV], §8505(b)(3), Jan. 1, 2021, 134 Stat. 4751.)

HISTORICAL AND REVISION NOTES

Revised section	Source section (U.S. Code)
7303	46:643(a)

Section 7303 requires seamen to retain their merchant mariner’s documents. It also specifies the information that is to be contained in the document.