

“(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.

Editorial Notes

AMENDMENTS

2021—Pub. L. 116-283 substituted “individual” for “seaman” wherever appearing.
2002—Pub. L. 107-295 struck out “the thumbprint,” after “photograph.”

§ 7304. Citizenship notation on merchant mariners’ documents

An individual applying for a merchant mariner’s document shall provide satisfactory proof that the individual is a citizen of the United States before that notation is made on the document.

(Pub. L. 98-89, Aug. 26, 1983, 97 Stat. 542.)

HISTORICAL AND REVISION NOTES

Table with 2 columns: Revised section, Source section (U.S. Code). Row 7304 46:643(b)

Section 7304 specifies, that before a merchant mariner’s document is noted to specify that the individual is a U.S. citizen, the individual must provide satisfactory proof that he is a citizen. This does not impose a requirement of United States citizenship as a condition for issuance of a document.

§ 7305. Oaths for holders of merchant mariners’ documents

An applicant for a merchant mariner’s document shall take, before issuance of the document, an oath that the applicant will perform faithfully and honestly all the duties required by law, and will carry out the lawful orders of superior officers.

(Pub. L. 98-89, Aug. 26, 1983, 97 Stat. 542.)

HISTORICAL AND REVISION NOTES

Table with 2 columns: Revised section, Source section (U.S. Code). Row 7305

The requirement for an oath, drawn from a clause which had appeared in 46 U.S.C. 672(g), and administered by the Coast Guard to all applicants, was repealed in a 1980 amendment by section 4 of Public Law 96-378 (94 Stat. 1516). Since no specific comment was made regarding the elimination in 1980 and the agency has continued to administer an oath to all applicants, this provision is being reinstated. The Committee believes the oath will contribute to the discipline and order necessary in the merchant marine.

§ 7306. General requirements and classifications for able seamen

(a) To qualify for an endorsement as able seaman authorized by this section, an applicant must provide satisfactory proof that the applicant—

- (1) is at least 18 years of age;
(2) has the service required by the applicable section of this part;
(3) is qualified professionally as demonstrated by an applicable examination or educational requirements; and
(4) is qualified as to sight, hearing, and physical condition to perform the seaman’s duties.

(b) The classifications authorized for endorsement as able seaman are the following:

- (1) able seaman—unlimited.

- (2) able seaman—limited.
(3) able seaman—special.
(4) able seaman—offshore supply vessels.
(5) able seaman—sail.
(6) able seaman—fishing industry.

(Pub. L. 98-89, Aug. 26, 1983, 97 Stat. 542; Pub. L. 98-364, title IV, § 402(9)(C), July 17, 1984, 98 Stat. 448.)

HISTORICAL AND REVISION NOTES

Table with 2 columns: Revised section, Source section (U.S. Code). Row 7306 46:672(b)

Section 7306(a) establishes the minimum requirements an individual must meet before being issued a merchant mariner’s document endorsed for able seamen.

Subsection (b) establishes the classifications of able seamen—unlimited, able seamen—limited, able seamen—special, able seamen—offshore supply vessels, and able seamen—sail.

Editorial Notes

AMENDMENTS

1984—Subsec. (b)(6). Pub. L. 98-364 added par. (6).

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE

Provisions of this section (related to able seaman—sail) effective Apr. 15, 1984, see section 2(g)(1) of Pub. L. 98-89, set out as a note under section 3101 of this title.

ACCEPTANCE OF CERTAIN SERVICES TOWARD ENDORSEMENT AS ABLE SEAMAN

Pub. L. 101-595, title VI, § 602(e)(3), Nov. 16, 1990, 104 Stat. 2992, provided that: “For the purposes of chapter 73 of title 46, United States Code, the Secretary of Transportation shall accept the service used by an individual to qualify for an endorsement as able seaman—fishing industry as qualifying service toward an endorsement as an able seaman—

- “(A) under sections 7307 and 7309 of that title; or
“(B) if the service is on board a vessel of at least 100 gross tons, under section 7308 of that title.”

§ 7307. Able seamen—unlimited

The required service for the endorsement of able seaman—unlimited, qualified for unlimited service on a vessel on any waters, is at least 3 years’¹ service on deck on board vessels operating at sea or on the Great Lakes.

(Pub. L. 98-89, Aug. 26, 1983, 97 Stat. 543.)

HISTORICAL AND REVISION NOTES

Table with 2 columns: Revised section, Source section (U.S. Code). Row 7307 46:672(b)(1)

Section 7307 requires individuals to have at least 3 years service on deck on vessels operating at sea or on the Great Lakes before their merchant mariner’s documents can be endorsed as able seamen—unlimited.

Statutory Notes and Related Subsidiaries

TEMPORARY REDUCTION OF LENGTHS OF CERTAIN PERIODS OF SERVICE

Pub. L. 118-31, div. C, title XXXV, § 3534(j), Dec. 22, 2023, 137 Stat. 833, provided that: “For the 3-year period

¹ See Temporary Reduction of Lengths of Certain Periods of Service note below.