

(8) FORMAL EXAM REVIEW.—The Secretary shall ensure that the Coast Guard Performance Technology Center—

(A) prioritizes the review of examinations required for merchant mariner credentials; and

(B) not later than 3 years after the date of enactment of the Coast Guard Authorization Act of 2016, completes a formal review, including an appropriate analysis, of the topics and testing methodology employed by the National Maritime Center for merchant mariner licensing.

(9) CHAPTER 10 OF TITLE 5.—Chapter 10 of title 5 shall not apply to any working group created under this section to review the Coast Guard’s merchant mariner credentialing examinations.

(d) MERCHANT MARINER CREDENTIAL DEFINED.—In this section, the term “merchant mariner credential” means a merchant mariner license, certificate, or document that the Secretary is authorized to issue pursuant to this title.

(Added Pub. L. 114–120, title III, §315(a)(1), Feb. 8, 2016, 130 Stat. 60; amended Pub. L. 114–328, div. C, title XXXV, §3503(a), (b)(1), Dec. 23, 2016, 130 Stat. 2775; Pub. L. 115–232, div. C, title XXXV, §3541(b)(12), Aug. 13, 2018, 132 Stat. 2323; Pub. L. 115–282, title VI, §601(c)(3)(B), Dec. 4, 2018, 132 Stat. 4289; Pub. L. 116–283, div. G, title LVXXXV [LXXXV], §8505(b)(7), Jan. 1, 2021, 134 Stat. 4751; Pub. L. 117–286, §4(a)(290), Dec. 27, 2022, 136 Stat. 4337.)

Editorial Notes

REFERENCES IN TEXT

The date of the enactment of the Coast Guard Authorization Act of 2016, referred to in subsec. (c)(1), (4)(A), (8)(B), is the date of enactment of Pub. L. 114–120, which was approved Feb. 8, 2016.

AMENDMENTS

2022—Subsec. (c)(9). Pub. L. 117–286 substituted “Chapter 10 of title 5” for “FACA” in heading and “Chapter 10 of title 5” for “The Federal Advisory Committee Act (5 U.S.C. App.)” in text.

2021—Subsec. (c)(8)(B). Pub. L. 116–283, §8505(b)(7)(A), substituted “merchant mariner” for “merchant seaman”.

Subsec. (d). Pub. L. 116–283, §8505(b)(7)(B), substituted “merchant mariner license” for “merchant seaman license”.

2018—Subsec. (c)(1). Pub. L. 115–232 substituted “Commandant” for “Commandant of the Coast Guard” in introductory provisions.

Subsec. (c)(1)(C). Pub. L. 115–282 inserted “National” before “Merchant Marine”.

2016—Subsec. (c)(1). Pub. L. 114–328, §3503(a), in introductory provisions, substituted “Coast Guard Authorization Act of 2016” for “Coast Guard Authorization Act of 2015”.

Subsec. (c)(1)(D). Pub. L. 114–328, §3503(b)(1)(A), substituted “engineer” for “engine”.

Subsec. (c)(4)(A), (8)(B). Pub. L. 114–328, §3503(a), substituted “Coast Guard Authorization Act of 2016” for “Coast Guard Authorization Act of 2015”.

Subsec. (c)(9). Pub. L. 114–328, §3503(b)(1)(B), inserted a period after “App”.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 2016 AMENDMENT

Amendment by Pub. L. 114–328 effective as if included in the enactment of Pub. L. 114–120, see section 3503(e)

of Pub. L. 114–328, set out as a note under section 315 of Title 14, Coast Guard.

DISCLOSURE TO CONGRESS

Pub. L. 114–120, title III, §315(c), Feb. 8, 2016, 130 Stat. 62, provided that: “Nothing in this section [enacting this section and section 7116 of this title] may be construed to authorize the withholding of information from an appropriate inspector general, the Committee on Commerce, Science, and Transportation of the Senate, or the Committee on Transportation and Infrastructure of the House of Representatives.”

§ 7511. Convicted sex offender as grounds for denial

(a) SEXUAL ABUSE.—A license, certificate of registry, or merchant mariner’s document authorized to be issued under this part shall be denied to an individual who has been convicted of a sexual offense prohibited under—

(1) chapter 109A of title 18, except for subsection (b) of section 2244 of title 18; or

(2) a substantially similar offense under State, local, or Tribal law.

(b) ABUSIVE SEXUAL CONTACT.—A license, certificate of registry, or merchant mariner’s document authorized to be issued under this part may be denied to an individual who within 5 years before applying for the license, certificate, or document, has been convicted of a sexual offense prohibited under subsection (b) of section 2244 of title 18, or a substantially similar offense under State, local, or Tribal law.

(Added Pub. L. 117–263, div. K, title CXVI, §11602(a), Dec. 23, 2022, 136 Stat. 4147.)

CHAPTER 77—SUSPENSION AND REVOCATION

Sec.

7701.	General.
7702.	Administrative procedure.
7703.	Bases for suspension or revocation.
7704.	Dangerous drugs as grounds for revocation.
7704a.	Sexual harassment or sexual assault as grounds for suspension or revocation.
7705.	Subpenas and oaths.
7706.	Drug testing reporting.

Editorial Notes

AMENDMENTS

2022—Pub. L. 117–263, div. K, title CXVI, §11603(b), Dec. 23, 2022, 136 Stat. 4148, added item 7704a.

2004—Pub. L. 108–293, title IV, §414(b), Aug. 9, 2004, 118 Stat. 1047, added item 7706.

§ 7701. General

(a) The purpose of suspension and revocation proceedings is to promote safety at sea.

(b) Licenses, certificates of registry, and merchant mariners’ documents may be suspended or revoked for acts described in section 7703 of this title.

(c) When a license, certificate of registry, or merchant mariner’s document has been revoked under this chapter, the former holder may be issued a new license, certificate of registry, or merchant mariner’s document only after—

(1) the Secretary decides, under regulations prescribed by the Secretary, that the issuance is compatible with the requirement of good discipline and safety at sea; and