

2006, 119 Stat. 3236; Pub. L. 110-181, div. C, title XXXV, § 3523(a)(1), (b), Jan. 28, 2008, 122 Stat. 598, 600.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
51311(a)	46 App.:1295b(b) (3)(F).	June 29, 1936, ch. 858, title XIII, § 1303(b)(3)(F), (c), as added Pub. L. 96-453, § 2, Oct. 15, 1980, 94 Stat. 1999, 2000; Pub. L. 105-261, div. A, title V, § 568, Oct. 17, 1998, 112 Stat. 2031; Pub. L. 106-65, div. A, title X, § 1066(b)(5), Oct. 5, 1999, 113 Stat. 772.
51311(b)	46 App.:1295b(c).	

AMENDMENTS

2008—Pub. L. 110-181, § 3523(b), repealed Pub. L. 109-163, § 515(g)(2). See 2006 Amendment note below.

Subsecs. (a), (b)(1), (2). Pub. L. 110-181, § 3523(a)(1), incorporated the substance of the amendment by Pub. L. 109-163, § 515(g)(2), into this section by substituting “Navy Reserve” for “Naval Reserve” wherever appearing in section catchline and text. 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. 109-163, § 515(g)(2), which directed the amendment of section 1295b of the former Appendix to this title from which this section was derived, was repealed by Pub. L. 110-181, § 3523(b). See 2008 Amendment note for subsecs. (a), (b)(1), (2) and Historical and Revision notes above.

§ 51312. Board of Visitors

(a) IN GENERAL.—A Board of Visitors to the United States Merchant Marine Academy shall be established, for a term of 2 years commencing at the beginning of each Congress, to visit the Academy annually on a date determined by the Secretary of Transportation and to make recommendations on the operation of the Academy.

(b) APPOINTMENT.—

(1) IN GENERAL.—The Board shall be composed of—

(A) 2 Senators appointed by the chairman of the Committee on Commerce, Science, and Transportation of the Senate;

(B) 3 Members of the House of Representatives appointed by the chairman of the Committee on Armed Services of the House of Representatives;

(C) 1 Senator appointed by the Vice President;

(D) 2 Members of the House of Representatives appointed by the Speaker of the House of Representatives; and

(E) the chairmen of the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Armed Services of the House of Representatives, as ex officio members.

(2) SUBSTITUTE APPOINTMENT.—If an appointed member of the Board is unable to visit the Academy as provided in subsection (a), another individual may be appointed as a substitute in the manner provided in paragraph (1).

(c) STAFF.—The chairmen of the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Armed Services of

the House of Representatives may designate staff members of their committees to serve without reimbursement as staff for the Board.

(d) TRAVEL EXPENSES.—When serving away from home or regular place of business, a member of the Board or a staff member designated under subsection (c) shall be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5.

(Pub. L. 109-304, § 8(b), Oct. 6, 2006, 120 Stat. 1575.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
51312	46 App.:1295b(h).	June 29, 1936, ch. 858, title XIII, § 1303(h), as added Pub. L. 96-453, § 2, Oct. 15, 1980, 94 Stat. 2002; Pub. L. 97-35, title XVI, § 1607, Aug. 13, 1981, 95 Stat. 752; Pub. L. 101-595, title VII, § 703, Nov. 16, 1990, 104 Stat. 2994.

The words “Committee on Armed Services” are substituted for “Committee on Merchant Marine and Fisheries” to reflect changes in committee structure made by the 104th Congress.

§ 51313. Advisory Board

(a) IN GENERAL.—An Advisory Board to the United States Merchant Marine Academy shall be established to visit the Academy at least once during each academic year, for the purpose of examining the course of instruction and management of the Academy and advising the Maritime Administrator and the Superintendent of the Academy.

(b) APPOINTMENT AND TERMS.—The Board shall be composed of not more than 7 individuals appointed by the Secretary of Transportation. The individuals must be distinguished in education and other fields related to the Academy. Members of the Board shall be appointed for terms of not more than 3 years and may be reappointed. The Secretary shall designate one of the members as chairman.

(c) TRAVEL EXPENSES.—When serving away from home or regular place of business, a member of the Board shall be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5.

(d) RELATIONSHIP TO OTHER LAW.—The Federal Advisory Committee Act (5 App. U.S.C.) does not apply to the Board.

(Pub. L. 109-304, § 8(b), Oct. 6, 2006, 120 Stat. 1576.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
51313	46 App.:1295b(i).	June 29, 1936, ch. 858, title XIII, § 1303(i), as added Pub. L. 96-453, § 2, Oct. 15, 1980, 94 Stat. 2002; Pub. L. 97-31, § 12(14)(C), Aug. 6, 1981, 95 Stat. 166.

REFERENCES IN TEXT

The Federal Advisory Committee Act, referred to in subsec. (d), is Pub. L. 92-463, Oct. 6, 1972, 86 Stat. 770, which is set out in the Appendix to Title 5, Government Organization and Employees.

§ 51314. Limitation on charges and fees for attendance

(a) PROHIBITION.—Except as provided in subsection (b), no charge or fee for tuition, room, or board for attendance at the United States Merchant Marine Academy may be imposed unless the charge or fee is specifically authorized by a law enacted after October 5, 1994.

(b) EXCEPTION.—The prohibition specified in subsection (a) does not apply with respect to any item or service provided to cadets for which a charge or fee is imposed as of October 5, 1994, or for calculators, computers, personal and academic supplies, midshipman services such as barber, tailor, or laundry services, and Coast Guard license fees. The Secretary of Transportation shall notify Congress of any change made by the Academy in the amount of a charge or fee authorized under this subsection. Such fees shall be credited to the Maritime Administration's Operations and Training appropriation, to remain available until expended, for those expenses directly related to the purposes of the fees. Fees collected in excess of actual expenses may be refunded to the Midshipmen through a mechanism approved by the Secretary. The Academy shall maintain a separate and detailed accounting of fee revenue and all associated expenses.

(Pub. L. 109-304, §8(b), Oct. 6, 2006, 120 Stat. 1576; Pub. L. 111-84, div. C, title XXXV, §3510, Oct. 28, 2009, 123 Stat. 2722; Pub. L. 111-117, div. A, title I, §176, Dec. 16, 2009, 123 Stat. 3068.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
51314	46 App.:1295b(j).	June 29, 1936, ch. 858, title XIII, §1303(j), as added Pub. L. 108-375, Oct. 28, 2004, div. A, title V, §545(e), 118 Stat. 1909.

AMENDMENTS

2009—Subsec. (b). Pub. L. 111-117 inserted at end “Such fees shall be credited to the Maritime Administration's Operations and Training appropriation, to remain available until expended, for those expenses directly related to the purposes of the fees. Fees collected in excess of actual expenses may be refunded to the Midshipmen through a mechanism approved by the Secretary. The Academy shall maintain a separate and detailed accounting of fee revenue and all associated expenses.”

Pub. L. 111-84 substituted “1994, or for calculators, computers, personal and academic supplies, midshipman services such as barber, tailor, or laundry services, and Coast Guard license fees.” for “1994.”

§ 51315. Gifts to the Merchant Marine Academy

(a) IN GENERAL.—The Maritime Administrator may accept and use conditional or unconditional gifts of money or property for the benefit of the United States Merchant Marine Academy, including acceptance and use for non-appropriated fund instrumentalities of the Merchant Marine Academy. The Maritime Administrator may accept a gift of services in carrying out the Administrator's duties and powers. Property accepted under this section and proceeds from that property must be used, as nearly as possible, in accordance with the terms of the gift.

(b) ESTABLISHMENT OF ACADEMY GIFT FUND.—There is established in the Treasury a fund, to be known as the “Academy Gift Fund”. Disbursements from the Fund shall be made on order of the Maritime Administrator. Unless otherwise specified by the terms of the gift, the Maritime Administrator may use monies in the Fund for appropriated or non-appropriated purposes at the Academy. The Fund consists of—

- (1) gifts of money;
- (2) income from donated property accepted under this section;
- (3) proceeds from the sale of donated property; and
- (4) income from securities under subsection (c) of this section.

(c) INVESTMENT OF FUND BALANCES.—On request of the Maritime Administrator, the Secretary of the Treasury may invest and reinvest amounts in the Fund in securities of, or in securities the principal and interest of which is guaranteed by, the United States Government.

(d) DISBURSEMENT AUTHORITY.—There are hereby authorized to be disbursed from the Fund such sums as may be on deposit, to remain available until expended.

(e) DEDUCTIBILITY OF GIFTS.—Gifts accepted under this section are a gift to or for the use of the Government under the Internal Revenue Code of 1986.

(Added Pub. L. 110-417, div. C, title XXXV, §3506(g)(1), Oct. 14, 2008, 122 Stat. 4764.)

REFERENCES IN TEXT

The Internal Revenue Code of 1986, referred to in subsec. (e), is classified generally to Title 26, Internal Revenue Code.

§ 51316. Temporary appointments to the Academy

Notwithstanding any other provision of law, the Maritime Administrator may appoint any present employee of the United States Merchant Marine Academy non-appropriated fund instrumentality to a position on the General Schedule of comparable pay. Eligible personnel shall be engaged in work permissibly funded by annual appropriations, and such appointments to the Civil Service shall be without regard to competition, for a term not to exceed 2 years.

(Added Pub. L. 110-417, div. C, title XXXV, §3506(h)(1), Oct. 14, 2008, 122 Stat. 4765.)

REFERENCES IN TEXT

The General Schedule, referred to in text, is set out under section 5332 of Title 5, Government Organization and Employees.

§ 51317. Adjunct professors

(a) IN GENERAL.—The Maritime Administrator may establish a program for the purpose of contracting with individuals as personal services contractors to provide services as adjunct professors at the Academy, if the Maritime Administrator determines that there is a need for adjunct professors and the need is not of permanent duration.

(b) CONTRACT REQUIREMENTS.—Each contract under the program—