

sitions allocated under subsection (c) for each jurisdiction in the order of merit of the individuals nominated from that jurisdiction.

(3) REMAINING UNFILLED POSITIONS.—If positions remain unfilled after the appointments are made under paragraph (2), the Secretary shall appoint individuals to fill the positions in the order of merit of the remaining individuals nominated from all jurisdictions.

(Pub. L. 109–304, § 8(b), Oct. 6, 2006, 120 Stat. 1570; Pub. L. 111–383, div. C, title XXXV, § 3503, Jan. 7, 2011, 124 Stat. 4518.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
51302(a)	46 App.:1295b(b)(1)(A).	June 29, 1936, ch. 858, title XIII, § 1303(b)(1)–(3)(A), as added Pub. L. 96–453, § 2, Oct. 15, 1980, 94 Stat. 1999; Pub. L. 101–595, title VII, § 708(1), (2), Nov. 16, 1990, 104 Stat. 2995.
51302(b)	46 App.:1295b(b)(2)(A) (related to nominations). 46 App.:1295b(b)(1) (less cl. (A)). 46 App.:1295b(b)(3)(A)(ii) (related to who may be nominated).	
51302(c)	46 App.:1295b(b)(3)(A) (less (ii) (related to who may be nominated)).	
51302(d)	46 App.:1295b(b)(2)(A) (related to section), (B), (3)(B), (C).	

In subsection (b)(6)(A), the words “residents, or sons or daughters of residents, of an area or installation” are substituted for “a resident of the area or installation” in 46 App. U.S.C. 1295b(b)(1)(B) and “sons or daughters of residents of any area or installation” in 46 App. U.S.C. 1295b(b)(3)(A)(ii) to resolve an inconsistency in the source law and to conform to the probable intent of Congress. Although 46 App. U.S.C. 1295b(b)(1)(B) provides that a nominee must be a resident, 46 App. U.S.C. 1295b(b)(3)(A)(ii) allocates positions only for sons or daughters of residents.

AMENDMENTS

2011—Subsec. (b)(3). Pub. L. 111–383, § 3503(1), inserted “the Northern Mariana Islands,” after “Guam,”.

Subsec. (b)(5), (6). Pub. L. 111–383, § 3503(2), redesignated par. (6) as (5) and struck out former par. (5) which read as follows: “The Governor of the Northern Mariana Islands may nominate residents of the Northern Mariana Islands.”

§ 51303. Non-competitive appointments

The Secretary of Transportation may appoint each year without competition as cadets at the United States Merchant Marine Academy not more than 40 qualified individuals with qualities the Secretary considers to be of special value to the Academy. In making these appointments, the Secretary shall try to achieve a national demographic balance at the Academy.

(Pub. L. 109–304, § 8(b), Oct. 6, 2006, 120 Stat. 1572.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
51303	46 App.:1295b(b)(3)(D).	June 29, 1936, ch. 858, title XIII, § 1303(b)(3)(D), as added Pub. L. 96–453, § 2, Oct. 15, 1980, 94 Stat. 1999.

§ 51304. Additional appointments from particular areas

(a) OTHER COUNTRIES IN WESTERN HEMISPHERE.—The President may appoint individuals from countries in the Western Hemisphere other than the United States to receive instruction at the United States Merchant Marine Academy. Not more than 12 individuals may receive instruction under this subsection at the same time, and not more than 2 individuals from the same country may receive instruction under this subsection at the same time.

(b) OTHER COUNTRIES GENERALLY.—

(1) APPOINTMENT.—The Secretary of Transportation, with the approval of the Secretary of State, may appoint individuals from countries other than the United States to receive instruction at the Academy. Not more than 30 individuals may receive instruction under this subsection at the same time.

(2) REIMBURSEMENT.—The Secretary of Transportation shall ensure that the country from which an individual comes under this subsection will reimburse the Secretary for the cost (as determined by the Secretary) of the instruction and allowances received by the individual.

(c) PANAMA.—

(1) APPOINTMENT.—The Secretary of Transportation, with the approval of the Secretary of State, may appoint individuals from Panama to receive instruction at the Academy. Individuals appointed under this subsection are in addition to those appointed under any other provision of this chapter.

(2) REIMBURSEMENT.—The Secretary of Transportation shall be reimbursed for the cost (as determined by the Secretary) of the instruction and allowances received by an individual appointed under this subsection.

(d) ALLOWANCES AND REGULATIONS.—Individuals receiving instruction under this section are entitled to the same allowances and are subject to the same regulations on admission, attendance, discipline, resignation, discharge, dismissal, and graduation, as cadets at the Academy appointed from the United States.

(Pub. L. 109–304, § 8(b), Oct. 6, 2006, 120 Stat. 1572.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
51304(a)	46 App.:1295b(b)(5)(A), (B).	June 29, 1936, ch. 858, title XIII, § 1303(b)(5)–(7), as added Pub. L. 96–453, § 2, Oct. 15, 1980, 94 Stat. 1999; Pub. L. 99–368, § 5, Aug. 1, 1986, 100 Stat. 776; Pub. L. 101–595, title VII, § 708(3), Nov. 16, 1990, 104 Stat. 2995.
51304(b)	46 App.:1295b(b)(6)(A)–(C).	
51304(c)	46 App.:1295b(b)(7)(A), (B).	
51304(d)	46 App.:1295b(b)(5)(C), (6)(D), (7)(C).	

The word “appoint” is substituted for “designate” and “permit” for consistency in the chapter.

§ 51305. Prohibited basis for appointment

Preference may not be given to an individual for appointment as a cadet at the United States