

§ 51104. General authority of Secretary of the Navy

The Secretary of the Navy, in cooperation with the Maritime Administrator and the head of each State maritime academy, shall ensure that—

- (1) the training of future merchant marine officers at the United States Merchant Marine Academy and at State maritime academies includes programs for naval science training in the operation of merchant vessels as a naval and military auxiliary; and
- (2) naval officer training programs for future officers, insofar as possible, are maintained at designated maritime academies consistent with Navy standards and needs.

(Pub. L. 109–304, §8(b), Oct. 6, 2006, 120 Stat. 1570.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
51104	46 App.:1126-1(a) (last sentence), (b). 46 App.:1295 (last sentence cl. (2)).	Pub. L. 94-361, title VI, §603(a) (last sentence), (b), July 14, 1976, 90 Stat. 929; Pub. L. 97-31, §12(76), Aug. 6, 1981, 95 Stat. 160. June 29, 1936, ch. 858, title XIII, §1301 (last sentence cl. (2)), as added Pub. L. 96-453, §2, Oct. 15, 1980, 94 Stat. 1997; Pub. L. 97-31, §12(142)(B), Aug. 6, 1981, 95 Stat. 166.

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AMENDMENTS

- 2016—Pub. L. 114-328, div. C, title XXXV, §§3510(b), 3511(b), Dec. 23, 2016, 130 Stat. 2785, 2786, added items 51318 and 51319.
- 2011—Pub. L. 111-383, div. A, title X, §1075(d)(25), Jan. 7, 2011, 124 Stat. 4374, amended Pub. L. 111-84, §3503(b)(1). See 2009 Amendment note below.
- 2009—Pub. L. 111-84, div. C, title XXXV, §3503(b)(1), Oct. 28, 2009, 123 Stat. 2719, as amended by Pub. L. 111-383, div. A, title X, §1075(d)(25), Jan. 7, 2011, 124 Stat. 4374, added item 51317.
- 2008—Pub. L. 110-417, div. C, title XXXV, §3506(g)(2), (h)(2), Oct. 14, 2008, 122 Stat. 4765, added items 51315 and 51316.

Pub. L. 110-181, div. C, title XXXV, §3523(a)(1), Jan. 28, 2008, 122 Stat. 598, substituted “Navy Reserve” for “Naval Reserve” in item 51311.

§ 51301. Maintenance of the Academy

(a) IN GENERAL.—The Secretary of Transportation shall maintain the United States Merchant Marine Academy as an institution of higher education to provide instruction to individuals to prepare them for service in the merchant marine of the United States, to conduct research with respect to maritime-related matters, and to provide such other appropriate academic support, assistance, training, and activities in accordance with the provisions of this chapter as the Secretary may authorize.

(b) RECRUITMENT.—The Secretary of Transportation may, subject to the availability of appropriations, expend funds available for United States Merchant Marine Academy operating expenses for recruiting activities, including advertising, in order to obtain recruits for the Academy and cadet applicants.

(c) SUPERINTENDENT.—

(1) IN GENERAL.—The immediate command of the United States Merchant Marine Academy shall be in the Superintendent of the Academy, subject to the direction of the Maritime Administrator under the general supervision of the Secretary of Transportation.

(2) APPOINTMENT.—The Secretary of Transportation shall appoint as the Superintendent—

(A) an individual who has—

- (i) attained a general or flag officer rank in the Navy, Army, Air Force, Marine Corps, Coast Guard, or National Oceanic and Atmospheric Administration; and
- (ii) served at sea in any rank;

(B) an individual who has—

- (i)(I) served at sea in the Navy, Army, Air Force, Marine Corps, Coast Guard, or National Oceanic and Atmospheric Administration; or
- (II) held a valid Coast Guard merchant mariner credential; and
- (ii) demonstrated exemplary leadership in the education of individuals in the Armed Forces or United States merchant marine; or

(C) if a qualified individual described in subparagraph (A) or (B) does not apply for the position, an individual who has—

- (i) attained the grade of captain or above in the Navy, Coast Guard, or National Oceanic and Atmospheric Administration or colonel or above in the Army, Air Force, or Marine Corps; and
- (ii) served at sea in any grade.

(3) RULE OF CONSTRUCTION.—Notwithstanding paragraph (2), the Secretary of Transportation may appoint an individual who is the best qualified candidate, even if such individual does not fully meet the criteria described in paragraph (2).

(Pub. L. 109-304, §8(b), Oct. 6, 2006, 120 Stat. 1570; Pub. L. 111-383, div. C, title XXXV, §3504, Jan. 7, 2011, 124 Stat. 4518; Pub. L. 112-81, div. C, title XXXV, §3503, Dec. 31, 2011, 125 Stat. 1716; Pub. L.