

retary. However, deferment of service as a commissioned officer on active duty must be approved by the Secretary of the affected military department (or the Secretary of Commerce, for service with the National Oceanic and Atmospheric Administration).

(Pub. L. 109-304, §8(b), Oct. 6, 2006, 120 Stat. 1581.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
51510	46 App.:1295c(g)(7).	June 29, 1936, ch. 858, title XIII, §1304(g)(7), as added Pub. L. 96-453, §2, Oct. 15, 1980, 94 Stat. 2006; Pub. L. 97-31, §12(145)(B), Aug. 6, 1981, 95 Stat. 166; Pub. L. 108-136, title XXXV, §3515(d)(7), Nov. 24, 2003, 117 Stat. 1795.

The words “affected military department” are substituted for “military department . . . which has jurisdiction over such service” for clarity and to eliminate unnecessary words.

§ 51511. Midshipman status in the Navy Reserve

A citizen of the United States attending a State maritime academy may be appointed by the Secretary of the Navy as a midshipman in the Navy Reserve (including the Merchant Marine Reserve, Navy Reserve).

(Pub. L. 109-304, §8(b), Oct. 6, 2006, 120 Stat. 1582; Pub. L. 109-163, div. A, title V, §515(g)(2), Jan. 6, 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

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
51511	46 App.:1295c(h).	June 29, 1936, ch. 858, title XIII, §1304(h), as added Pub. L. 96-453, §2, Oct. 15, 1980, 94 Stat. 2006.

AMENDMENTS

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 L. 110-181, §3523(b), repealed Pub.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

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directed the amendment of section 1295c of the former Appendix to this title from which this section was derived, was repealed by Pub.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 notes and Historical and Revision notes above.

CHAPTER 517—OTHER SUPPORT FOR MERCHANT MARINE TRAINING

Sec.

- 51701. United States Maritime Service.
- 51702. Civilian nautical schools.
- 51703. Additional training.
- 51704. Training for maritime oil pollution prevention, response, and clean-up.
- 51705. Training program for use of force against piracy.¹

¹ So in original. Does not conform to section catchline.

Sec.

AMENDMENTS

2012—Pub. L. 112-213, title V, §502(c), Dec. 20, 2012, 126 Stat. 1575, added item 51705.

§ 51701. United States Maritime Service

(a) GENERAL AUTHORITY.—The Secretary of Transportation may establish and maintain a voluntary organization, to be known as the United States Maritime Service, for the training of citizens of the United States to serve on merchant vessels of the United States and to perform functions to assist the United States merchant marine, as determined necessary by the Secretary.

(b) SPECIFIC AUTHORITY.—The Secretary may—

- (1) determine the number of individuals to be enrolled for training and reserve purposes in the Service;
- (2) fix the rates of pay and allowances of the individuals without regard to chapter 51 or subchapter III of chapter 53 of title 5;
- (3) prescribe the course of study and the periods of training for the Service; and
- (4) prescribe the uniform of the Service and the rules on providing and wearing the uniform.

(c) RANKS, GRADES, AND RATINGS.—The ranks, grades, and ratings for personnel of the Service shall be the same as those prescribed for personnel of the Coast Guard.

(d) MEDALS AND AWARDS.—The Secretary may establish and maintain a medals and awards program to recognize distinguished service, superior achievement, professional performance, and other commendable achievement by personnel of the Service.

(Pub. L. 109-304, §8(b), Oct. 6, 2006, 120 Stat. 1582; Pub. L. 109-163, div. C, title XXXV, §3509, Jan. 6, 2006, 119 Stat. 3557; Pub. L. 109-364, div. C, title XXXV, §3510(d)(1), Oct. 17, 2006, 120 Stat. 2520; Pub. L. 110-181, div. C, title XXXV, §3523(a)(4), (b), Jan. 28, 2008, 122 Stat. 599, 600.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
51701	46 App.:1295e.	June 29, 1936, ch. 858, title XIII, §1306, as added Pub. L. 96-453, §2, Oct. 15, 1980, 94 Stat. 2006; Pub. L. 108-136, title XXXV, §3515(e), Nov. 24, 2003, 117 Stat. 1795.

AMENDMENTS

2008—Pub. L. 110-181, §3523(b), repealed Pub. L. 109-163, §3509. See 2006 Amendment note below.

Subsec. (a). Pub. L. 110-181, §3523(a)(4), incorporated the substance of the amendment by Pub. L. 109-163, §3509, into this section by substituting “of the United States and to perform functions to assist the United States merchant marine, as determined necessary by the Secretary.” for “of the United States.” 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, §3509, as amended by Pub. L. 109-364, §3510(d)(1), which directed the amendment of section 1295e(a) of the former Appendix to this title from which subsec. (a) of this section was derived, was repealed by Pub. L. 110-181, §3523(b). See 2008 Amend-

ment note for subsec. (a) and Historical and Revision notes above.

EFFECTIVE DATE OF 2006 AMENDMENT

Pub. L. 109-364, div. C, title XXXV, §3510(d)(2), Oct. 17, 2006, 120 Stat. 2521, provided that: “This subsection [amending section 3509 of Pub. L. 109-163 which had amended section 1295e(a) of the former Appendix to this title, from which subsec. (a) of this section is derived] shall be effective immediately after section 3509 of the National Defense Authorization Act for Fiscal Year 2006 (119 Stat. 3557) [Pub. L. 109-163] takes effect [Jan. 6, 2006].”

§ 51702. Civilian nautical schools

(a) DEFINITION.—In this section, the term “civilian nautical school” means a school operated in the United States (except the United States Merchant Marine Academy, a State maritime academy, or another school operated by the United States Government) that offers instruction to individuals quartered on a vessel primarily to train them for service in the merchant marine.

(b) INSPECTION.—Each civilian nautical school is subject to inspection by the Secretary of Transportation.

(c) RATING AND CERTIFICATION.—The Secretary may, under regulations the Secretary may prescribe, provide for the rating and certification of civilian nautical schools as to the adequacy of their course of instruction, the competence of their instructors, and the suitability of the equipment used in their course of instruction.

(Pub. L. 109-304, §8(b), Oct. 6, 2006, 120 Stat. 1582.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
51702	46 App.:1295f.	June 29, 1936, ch. 858, title XIII, §1307, as added Pub. L. 96-453, §2, Oct. 15, 1980, 94 Stat. 2007; Pub. L. 98-89, §4(b), Aug. 26, 1983, 97 Stat. 603.

The text of 46 App. U.S.C. 1295f(d) is omitted because it apparently was intended to apply to former 46 App. U.S.C. 1295f(c), which was repealed in 1983.

§ 51703. Additional training

(a) GENERAL AUTHORITY.—The Secretary of Transportation may provide additional training on maritime subjects to supplement other training opportunities and make the training available to the personnel of the merchant marine of the United States and individuals preparing for a career in the merchant marine of the United States.

(b) EQUIPMENT, SUPPLIES, AND CONTRACTS.—The Secretary may—

(1) prepare or buy equipment or supplies required for the additional training; and

(2) without regard to section 6101(b) to (d) of title 41, make contracts for services the Secretary considers necessary to prepare the equipment and supplies and to supervise and administer the additional training.

(Pub. L. 109-304, §8(b), Oct. 6, 2006, 120 Stat. 1583; Pub. L. 111-350, §5(n), Jan. 4, 2011, 124 Stat. 3853.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
51703	46 App.:1295d(a), (b).	June 29, 1936, ch. 858, title XIII, §1305(a), (b), as added Pub. L. 96-453, §2, Oct. 15, 1980, 94 Stat. 2006.

In subsection (a), before paragraph (1), the words “as the Secretary deems necessary” are omitted as unnecessary.

In subsection (b), the words “with any person, partnership, firm, association, or corporation” and “the performance of” are omitted as unnecessary.

AMENDMENTS

2011—Subsec. (b)(2). Pub. L. 111-350 substituted “section 6101(b) to (d) of title 41” for “section 3709 of the Revised Statutes (41 U.S.C. 5)”.

§ 51704. Training for maritime oil pollution prevention, response, and clean-up

(a) ASSISTANCE IN ESTABLISHING PROGRAM.—The Secretary of Transportation shall assist maritime training institutions approved by the Secretary in establishing a training program for maritime oil pollution prevention, response, and clean-up.

(b) PROVIDING TRAINING VESSELS.—Subject to subsection (c), the Secretary may provide, with title free of all liens, to maritime training institutions that have a program established under subsection (a), offshore supply vessels and tug/supply vessels that were built in the United States and are in the possession of the Maritime Administration because of a default on a loan guaranteed under chapter 537 of this title.

(c) REQUIREMENTS.—In addition to any other requirements the Secretary considers appropriate, the following requirements apply to vessels provided under this section:

(1) The vessel shall be offered to the institution at a location selected by the Secretary.

(2) The institution shall use the vessel to train students and appropriate maritime industry personnel in oil spill prevention, response, clean-up, and related skills.

(3) The institution shall make the vessel and qualified students available to appropriate Federal, State, and local oil spill response authorities when there is a maritime oil spill.

(4) The institution may not sell, trade, charter, donate, scrap, or in any way alter or dispose of the vessel without prior approval of the Secretary.

(5) The institution may not use the vessel in competition with a privately-owned vessel documented under chapter 121 of this title or titled under the law of a State, unless necessary to carry out this section.

(6) When the institution can no longer use the vessel for its training program, the institution shall return the vessel to the Secretary. The Secretary shall take possession at the institution and thereafter may provide the vessel to another institution under this section or dispose of the vessel.

(Pub. L. 109-304, §8(b), Oct. 6, 2006, 120 Stat. 1583.)