

(2) **COST OF EDUCATION PROVIDED.**—The term “cost of education provided” means the financial costs incurred by the United States Government for providing training or financial assistance to students at the Academy and the State maritime academies, including direct financial assistance, room, board, classroom academics, and other training activities.

(3) **MERCHANT MARINE OFFICER.**—The term “merchant marine officer” means an individual issued a license by the Coast Guard authorizing service as—

(A) a master, mate, or pilot on a documented vessel that—

(i) is of at least 1,000 gross tons as measured under section 14502 of this title or an alternate tonnage measured under section 14302 of this title as prescribed by the Secretary under section 14104 of this title; and

(ii) operates on the oceans or the Great Lakes; or

(B) an engineer officer on a documented vessel propelled by machinery of at least 4,000 horsepower.

(4) **STATE MARITIME ACADEMY.**—The term “State maritime academy” means—

(A) a State maritime academy or college sponsored by a State and assisted under chapter 515 of this title; and

(B) a regional maritime academy or college sponsored by a group of States and assisted under chapter 515 of this title.

(Pub. L. 109–304, §8(b), Oct. 6, 2006, 120 Stat. 1568.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
51102	46 App.:1295a.	June 29, 1936, ch. 858, title XIII, §1302, as added Pub. L. 96–453, §2, Oct. 15, 1980, 94 Stat. 1997; Pub. L. 97–31, §12(143), Aug. 6, 1981, 95 Stat. 166; Pub. L. 104–324, title VII, §708, Oct. 19, 1996, 110 Stat. 3934; Pub. L. 108–136, title XXXV, §3515(a), Nov. 24, 2003, 117 Stat. 1792.

The definition of “Secretary” is omitted as unnecessary because the full title is used the first time the term appears in each section.

In the definition of “merchant marine office”, the words “documented vessel” are substituted for “vessel . . . which is documented under the laws of the United States” because of the definition of “documented vessel” in 46 U.S.C. 2101, which is being moved to chapter 1 of the revised title.

In the definition of “State maritime academy”, the words “or territory of the United States” and “or territories of the United States” are omitted as unnecessary because of the definition of “State” in chapter 1 of the revised title.

§ 51103. General authority of Secretary of Transportation

(a) **EDUCATION AND TRAINING.**—The Secretary of Transportation may provide for the education and training of citizens of the United States for the safe and efficient operation of the merchant marine of the United States at all times, including operation as a naval and military auxiliary in time of war or national emergency.

(b) **PROPERTY FOR INSTRUCTIONAL PURPOSES.**—

(1) **IN GENERAL.**—The Secretary may cooperate with and assist the institutions named in paragraph (2) by making vessels, fuel, shipboard equipment, and other marine equipment, owned by the United States Government and determined by the entity having custody and control of such property to be excess or surplus, available to those institutions for instructional purposes, by gift, loan, sale, lease, or charter on terms and conditions the Secretary considers appropriate. The consent of the Secretary of the Navy shall be obtained with respect to any property from National Defense Reserve Fleet vessels, if such vessels are either Ready Reserve Force vessels or other National Defense Reserve Fleet vessels determined to be of sufficient value to the Navy to warrant their further preservation and retention.

(2) **INSTITUTIONS.**—The institutions referred to in paragraph (1) are—

(A) the United States Merchant Marine Academy;

(B) a State maritime academy; and

(C) a nonprofit training institution or a training institution that is an instrumentality of a State, the District of Columbia, a territory or possession of the United States, or a unit of local government thereof jointly approved by the Secretary of Transportation and the Secretary of the department in which the Coast Guard is operating as offering training courses that meet Federal regulations for maritime training.

(c) **ASSISTANCE FROM OTHER AGENCIES.**—

(1) **IN GENERAL.**—The Secretary of Transportation may secure directly from an agency, on a reimbursable basis, information, facilities, and equipment necessary to carry out this part.

(2) **DETAILING PERSONNEL.**—At the request of the Secretary, the head of an agency (including a military department) may detail, on a reimbursable basis, personnel from the agency to the Secretary to assist in carrying out this part.

(d) **ACADEMY PERSONNEL.**—To carry out this part, the Secretary may—

(1) employ an individual as a professor, lecturer, or instructor at the Academy, without regard to the provisions of title 5 governing appointments in the competitive service; and

(2) pay the individual without regard to chapter 51 and subchapter III of chapter 53 of title 5.

(e) **DONATION FOR HISTORICAL PURPOSES.**—

(1) **IN GENERAL.**—The Secretary may convey the right, title, and interest of the United States Government in any property administered by the Maritime Administration, except real estate or vessels, if—

(A) the Secretary determines that such property is not needed by the Maritime Administration; and

(B) the recipient—

(i) is a nonprofit organization, a State, or a political subdivision of a State;

(ii) agrees to hold the Government harmless for any claims arising from exposure to hazardous materials, including asbestos,

polychlorinated biphenyls, or lead paint, after conveyance of the property;

(iii) provides a description and explanation of the intended use of the property to the Secretary for approval;

(iv) has provided to the Secretary proof, as determined by the Secretary, of resources sufficient to accomplish the intended use provided under clause (iii) and to maintain the property;

(v) agrees that when the recipient no longer requires the property, the recipient shall—

(I) return the property to the Secretary, at the recipient's expense and in the same condition as received except for ordinary wear and tear; or

(II) subject to the approval of the Secretary, retain, sell, or otherwise dispose of the property in a manner consistent with applicable law; and

(vi) agrees to any additional terms the Secretary considers appropriate.

(2) REVERSION.—The Secretary shall include in any conveyance under this subsection terms under which all right, title, and interest conveyed by the Secretary shall revert to the Government if the Secretary determines the property has been used other than as approved by the Secretary under paragraph (1)(B)(iii).

(Pub. L. 109–304, § 8(b), Oct. 6, 2006, 120 Stat. 1569; Pub. L. 112–213, title IV, § 404, Dec. 20, 2012, 126 Stat. 1570; Pub. L. 113–281, title III, § 302, Dec. 18, 2014, 128 Stat. 3042.)

HISTORICAL AND REVISION NOTES

Table with 3 columns: Revised Section, Source (U.S. Code), Source (Statutes at Large). Rows include 51103(a), 51103(b), 51103(c), and 51103(d).

In subsection (c), the word “department” is omitted as unnecessary because of the definition of “agency” in chapter 1 of the revised title.

AMENDMENTS

2014—Subsec. (e). Pub. L. 113–281 added subsec. (e).
2012—Subsec. (b). Pub. L. 112–213, § 404(1), struck out “Surplus” before “Property” in heading.
Subsec. (b)(1). Pub. L. 112–213, § 404(2), amended par. (1) generally. Prior to amendment, text read as follows: “The Secretary may cooperate with and assist the institutions named in paragraph (2) by making vessels, shipboard equipment, and other marine equipment, owned by the United States Government and determined to be excess or surplus, available to those institutions for instructional purposes, by gift, loan, sale, lease, or charter on terms the Secretary considers appropriate.”
Subsec. (b)(2)(C). Pub. L. 112–213, § 404(3), inserted “or a training institution that is an instrumentality of a State, the District of Columbia, a territory or possession of the United States, or a unit of local government thereof” after “a nonprofit training institution”.

§ 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

Table with 3 columns: Revised Section, Source (U.S. Code), Source (Statutes at Large). Row includes 51104.

CHAPTER 513—UNITED STATES MERCHANT MARINE ACADEMY

- Sec. 51301. Maintenance of the Academy.
51302. Nomination and competitive appointment of cadets.
51303. Non-competitive appointments.
51304. Additional appointments from particular areas.
51305. Prohibited basis for appointment.
51306. Cadet commitment agreements.
51307. Places of training.
51308. Uniforms, textbooks, and transportation allowances.
51309. Academic degree.
51310. Deferment of service obligation under cadet commitment agreements.
51311. Midshipman status in the Navy Reserve.
51312. Board of Visitors.
51313. Advisory Board.
51314. Limitation on charges and fees for attendance.
51315. Gifts to the Merchant Marine Academy.
51316. Temporary appointments to the Academy.
51317. Adjunct professors.
51318. Policy on sexual harassment, dating violence, domestic violence, sexual assault, and stalking.
51319. Sexual assault response coordinators and sexual assault victim advocates.
51320. Acceptance of guarantees with gifts for major projects.
51321. Grants for scientific and educational research.
51322. Protection of cadets from sexual assault on-board vessels.

AMENDMENTS

2017—Pub. L. 115–91, div. C, title XXXV, §§ 3510(b), 3512(b), 3514(d)(2), 3516(b), Dec. 12, 2017, 131 Stat. 1918, 1919, 1923, 1928, added items 51318 and 51320 to 51322 and struck out former item 51318 “Policy on sexual harassment and sexual assault”.