

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

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
51103(a) .....	46 App.:1295 (last sentence cl. (1)).	June 29, 1936, ch. 858, title XIII, §1301 (last sentence cl. (1)), as added Pub. L. 96–453, § 2, Oct. 15, 1980, 94 Stat. 1997; Pub. L. 97–31, § 12(142)(A), Aug. 6, 1981, 95 Stat. 166.
51103(b) .....	46 App.:1295g(b).	June 29, 1936, ch. 858, title XIII, §1308(b)–(d), as added Pub. L. 96–453, § 2, Oct. 15, 1980, 94 Stat. 2007.
51103(c) .....	46 App.:1295g(c).	
51103(d) .....	46 App.:1295g(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

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.

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.
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- 51309. Academic degree.
- 51310. Deferment of service obligation under cadet commitment agreements.
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- 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”.

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. 112-239, div. A, title X, §1076(i), Jan. 2, 2013, 126 Stat. 1955; Pub. L. 114-328, div. C, title XXXV, §3506(a), Dec. 23, 2016, 130 Stat. 2777.)

**HISTORICAL AND REVISION NOTES**

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
51301 .....	46 App.:1295b(a).	June 29, 1936, ch. 858, title XIII, §1303(a), as added Pub. L. 96-453, §2, Oct. 15, 1980, 94 Stat. 1998.

**AMENDMENTS**

- 2016—Subsec. (c). Pub. L. 114-328 added subsec. (c).
- 2013—Subsec. (a). Pub. L. 112-239 substituted “IN GENERAL” for “IN GENERAL” in heading.
- 2011—Pub. L. 112-81 designated existing provisions as subsec. (a), inserted heading, and added subsec. (b).
- Pub. L. 111-383 inserted “as an institution of higher education” after “Academy” and substituted “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.” for “States.”

**SAVINGS CLAUSE**

Pub. L. 114-328, div. C, title XXXV, §3506(b), Dec. 23, 2016, 130 Stat. 2777, provided that: “Nothing in this section [amending this section] may be construed to require any change to the current leadership of the United States Merchant Marine Academy.”

**CLASS PROFILES**

Pub. L. 114-328, div. C, title XXXV, §3516(b), Dec. 23, 2016, 130 Stat. 2789, provided that:

- “(1) **IN GENERAL.**—Not later than August 31 of each year, the Superintendent of the United States Merchant Marine Academy shall post on the Academy’s public website a profile of each class at the Academy.
- “(2) **CONTENTS.**—Each profile posted under paragraph (1) shall include, for the incoming class of the Academy and for the 4 classes that preceded that class at the Academy, the number and percentage of students by—
  - “(A) State;
  - “(B) country;
  - “(C) gender;
  - “(D) race and ethnicity; and
  - “(E) prior military service.”

**§ 51302. Nomination and competitive appointment of cadets**

(a) **REQUIREMENTS.**—An individual may be nominated for a competitive appointment as a cadet at the United States Merchant Marine Academy only if the individual—

- (1) is a citizen or national of the United States; and
- (2) meets the minimum requirements that the Secretary of Transportation shall establish.

(b) **NOMINATORS.**—Nominations for competitive appointments for the positions allocated under subsection (c) may be made as follows: