

“(b) DEADLINES.—

“(1) SELECTION OF DESIGNATED FEDERAL OFFICER.—The Secretary of Transportation shall select a Designated Federal Officer under subsection (g)(2) of section 51312 of title 46, United States Code, as amended by this Act, by not later than 30 days after the date of the enactment of this Act [Dec. 19, 2014].

“(2) APPOINTMENT OF MEMBERS.—Appointments under subsection (b)(1) of such section shall be completed by not later than 60 days after the date of the enactment of this Act.

“(3) ORGANIZATION OF FIRST MEETING.—Such Designated Federal Officer shall organize a meeting of the Board under section (d)(2) of such section by not later than 60 days after the date of the enactment of this Act.

“(c) CONTINUATION OF SERVICE OF CURRENT MEMBERS.—Each member of the Board of Visitors serving as a member of the Board on the date of the enactment of this Act shall continue to serve on the Board for the remainder of such member’s term.”

§ 51313. Advisory Board

(a) IN GENERAL.—An Advisory Board to the United States Merchant Marine Academy shall be established to visit the Academy at least once during each academic year, for the purpose of examining the course of instruction and management of the Academy and advising the Maritime Administrator and the Superintendent of the Academy.

(b) APPOINTMENT AND TERMS.—The Board shall be composed of not more than 7 individuals appointed by the Secretary of Transportation. The individuals must be distinguished in education and other fields related to the Academy. Members of the Board shall be appointed for terms of not more than 3 years and may be reappointed. The Secretary shall designate one of the members as chairman.

(c) TRAVEL EXPENSES.—When serving away from home or regular place of business, a member of the Board shall be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5.

(d) RELATIONSHIP TO OTHER LAW.—The Federal Advisory Committee Act (5 App. U.S.C.) does not apply to the Board.

(Pub. L. 109–304, §8(b), Oct. 6, 2006, 120 Stat. 1576.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
51313	46 App.:1295b(i).	June 29, 1936, ch. 858, title XIII, §1303(i), as added Pub. L. 96–453, §2, Oct. 15, 1980, 94 Stat. 2002; Pub. L. 97–31, §12(144)(C), Aug. 6, 1981, 95 Stat. 166.

Editorial Notes

REFERENCES IN TEXT

The Federal Advisory Committee Act, referred to in subsec. (d), is Pub. L. 92–463, Oct. 6, 1972, 86 Stat. 770, which is set out in the Appendix to Title 5, Government Organization and Employees.

§ 51314. Limitation on charges and fees for attendance

(a) PROHIBITION.—Except as provided in subsection (b), no charge or fee for tuition, room, or board for attendance at the United States Merchant Marine Academy may be imposed unless

the charge or fee is specifically authorized by a law enacted after October 5, 1994.

(b) EXCEPTION.—The prohibition specified in subsection (a) does not apply with respect to any item or service provided to cadets for which a charge or fee is imposed as of October 5, 1994, or for calculators, computers, personal and academic supplies, midshipman services such as barber, tailor, or laundry services, and Coast Guard license fees. The Secretary of Transportation shall present at the next meeting of the Board of Visitors, and post on a publicly available website, any change made by the Academy in the amount of a charge or fee authorized under this subsection. Such fees shall be credited to the Maritime Administration’s Operations and Training appropriation, to remain available until expended, for those expenses directly related to the purposes of the fees. Fees collected in excess of actual expenses may be refunded to the Midshipmen through a mechanism approved by the Secretary. The Academy shall maintain a separate and detailed accounting of fee revenue and all associated expenses.

(Pub. L. 109–304, §8(b), Oct. 6, 2006, 120 Stat. 1576; Pub. L. 111–84, div. C, title XXXV, §3510, Oct. 28, 2009, 123 Stat. 2722; Pub. L. 111–117, div. A, title I, §176, Dec. 16, 2009, 123 Stat. 3068; Pub. L. 115–420, §2, Jan. 3, 2019, 132 Stat. 5444.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
51314	46 App.:1295b(j).	June 29, 1936, ch. 858, title XIII, §1303(j), as added Pub. L. 108–375, Oct. 28, 2004, div. A, title V, §545(e), 118 Stat. 1909.

Editorial Notes

AMENDMENTS

2019—Subsec. (b). Pub. L. 115–420 substituted “shall present at the next meeting of the Board of Visitors, and post on a publicly available website,” for “shall notify Congress of”.

2009—Subsec. (b). Pub. L. 111–117 inserted at end “Such fees shall be credited to the Maritime Administration’s Operations and Training appropriation, to remain available until expended, for those expenses directly related to the purposes of the fees. Fees collected in excess of actual expenses may be refunded to the Midshipmen through a mechanism approved by the Secretary. The Academy shall maintain a separate and detailed accounting of fee revenue and all associated expenses.”

Pub. L. 111–84 substituted “1994, or for calculators, computers, personal and academic supplies, midshipman services such as barber, tailor, or laundry services, and Coast Guard license fees.” for “1994.”

§ 51315. Gifts to the Merchant Marine Academy

(a) IN GENERAL.—The Maritime Administrator may accept and use conditional or unconditional gifts of money or property for the benefit of the United States Merchant Marine Academy, including acceptance and use for non-appropriated fund instrumentalities of the Merchant Marine Academy. The Maritime Administrator may accept a gift of services in carrying out the Administrator’s duties and powers. Property accepted under this section and proceeds from that property must be used, as nearly as possible, in accordance with the terms of the gift.

(b) ESTABLISHMENT OF ACADEMY GIFT FUND.—There is established in the Treasury a fund, to be known as the “Academy Gift Fund”. Disbursements from the Fund shall be made on order of the Maritime Administrator. Unless otherwise specified by the terms of the gift, the Maritime Administrator may use monies in the Fund for appropriated or non-appropriated purposes at the Academy. The Fund consists of—

- (1) gifts of money;
- (2) income from donated property accepted under this section;
- (3) proceeds from the sale of donated property; and
- (4) income from securities under subsection (c) of this section.

(c) INVESTMENT OF FUND BALANCES.—On request of the Maritime Administrator, the Secretary of the Treasury may invest and reinvest amounts in the Fund in securities of, or in securities the principal and interest of which is guaranteed by, the United States Government.

(d) DISBURSEMENT AUTHORITY.—There are hereby authorized to be disbursed from the Fund such sums as may be on deposit, to remain available until expended.

(e) DEDUCTIBILITY OF GIFTS.—Gifts accepted under this section are a gift to or for the use of the Government under the Internal Revenue Code of 1986.

(f) PAYMENT OF EXPENSES.—The Maritime Administrator may pay all necessary expenses in connection with the conveyance or transfer of a gift, devise, or bequest accepted under this section.

(Added Pub. L. 110–417, div. C, title XXXV, § 3506(g)(1), Oct. 14, 2008, 122 Stat. 4764; amended Pub. L. 115–91, div. C, title XXXV, § 3511, Dec. 12, 2017, 131 Stat. 1918.)

Editorial Notes

REFERENCES IN TEXT

The Internal Revenue Code of 1986, referred to in subsec. (e), is classified generally to Title 26, Internal Revenue Code.

AMENDMENTS

2017—Subsec. (f). Pub. L. 115–91 added subsec. (f).

§ 51316. Temporary appointments to the Academy

Notwithstanding any other provision of law, the Maritime Administrator may appoint any present employee of the United States Merchant Marine Academy non-appropriated fund instrumentality to a position on the General Schedule of comparable pay. Eligible personnel shall be engaged in work permissibly funded by annual appropriations, and such appointments to the Civil Service shall be without regard to competition, for a term not to exceed 2 years.

(Added Pub. L. 110–417, div. C, title XXXV, § 3506(h)(1), Oct. 14, 2008, 122 Stat. 4765.)

Editorial Notes

REFERENCES IN TEXT

The General Schedule, referred to in text, is set out under section 5332 of Title 5, Government Organization and Employees.

§ 51317. Adjunct professors

(a) IN GENERAL.—The Maritime Administrator may establish a program for the purpose of contracting with individuals as personal services contractors to provide services as adjunct professors at the Academy, if the Maritime Administrator determines that there is a need for adjunct professors and the need is not of permanent duration.

(b) CONTRACT REQUIREMENTS.—Each contract under the program—

- (1) must be approved by the Maritime Administrator;
- (2) shall be for a duration, including options, of not to exceed one year unless the Maritime Administrator finds that exceptional circumstances justify an extension of up to one additional year; and
- (3) shall be subject to the availability of appropriations.

(Added Pub. L. 111–84, div. C, title XXXV, § 3503(a), Oct. 28, 2009, 123 Stat. 2719; amended Pub. L. 115–91, div. C, title XXXV, § 3509, Dec. 12, 2017, 131 Stat. 1916.)

Editorial Notes

AMENDMENTS

2017—Subsec. (b)(1). Pub. L. 115–91, § 3509(1)(A), struck out “and” at end.

Subsec. (b)(2). Pub. L. 115–91, § 3509(1)(B), substituted “; and” for period at end.

Subsecs. (c), (d). Pub. L. 115–91, § 3509(2), struck out subsecs. (c) and (d) which related to limitation on number of contractors and reporting requirements, respectively.

§ 51318. Policy on sexual harassment, dating violence, domestic violence, sexual assault, and stalking

(a) REQUIRED POLICY.—

(1) IN GENERAL.—The Secretary of Transportation shall direct the Superintendent of the United States Merchant Marine Academy to prescribe a policy on sexual harassment, dating violence, domestic violence, sexual assault, and stalking applicable to the cadets and other personnel of the Academy.

(2) MATTERS TO BE SPECIFIED IN POLICY.—The policy on sexual harassment, dating violence, domestic violence, sexual assault, and stalking prescribed under this subsection shall include—

(A) a program to promote awareness and prevention of the incidence of rape, acquaintance rape, domestic violence, dating violence, stalking, and other sexual offenses of a criminal nature that involve cadets or other Academy personnel;

(B) procedures for documenting, tracking, and maintaining the data required to conduct the annual assessments to determine the effectiveness of the policies, procedures, and training program of the Academy with respect to sexual harassment, dating violence, domestic violence, sexual assault, and stalking involving cadets or other Academy personnel, as required by subsection (c);

(C) procedures that a cadet or other Academy personnel should follow in the case of an occurrence of sexual harassment, dating