

dustry 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.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
51704(a)	46 App.:1295d(c)(1).	June 29, 1936, ch. 858, title XIII, §1305(c), as added Pub. L. 101-595, title VII, §712, Nov. 16, 1990, 104 Stat. 2998.
51704(b)	46 App.:1295d(c) (2)(A), (4).	
51704(c)	46 App.:1295d(c) (2)(B), (3).	

In subsection (c)(5), the words “or titled under the law of a State” are substituted for “documented under the laws of . . . any State” for consistency with the terminology in 46 U.S.C. 2101(46) (which is being moved to chapter 1 of the revised title) and 46 U.S.C. ch. 125.

§ 51705. Training for use of force against piracy

The Secretary of Transportation, in consultation with the Secretary of Defense and the Secretary of the department in which the Coast Guard is operating, shall certify a training curriculum for United States mariners on the use of force against pirates. The curriculum shall include—

- (1) information on waters designated as high-risk waters by the Commandant of the Coast Guard;
- (2) information on current threats and patterns of attack by pirates;
- (3) tactics for defense of a vessel, including instruction on the types, use, and limitations of security equipment;
- (4) standard rules for the use of force for self-defense as developed by the Secretary of the department in which the Coast Guard is operating under section 912(c) of the Coast Guard Authorization Act of 2010 (Public Law 111-281; 46 U.S.C. 8107 note), including instruction on firearm safety for crewmembers of vessels carrying cargo under section 55305 of this title; and
- (5) procedures to follow to improve crew-member survivability if captured and taken hostage by pirates.

(Added Pub. L. 112-213, title V, §502(a), Dec. 20, 2012, 126 Stat. 1574.)

Statutory Notes and Related Subsidiaries

DEADLINE

Pub. L. 112-213, title V, §502(b), Dec. 20, 2012, 126 Stat. 1575, provided that: “The Secretary of Transportation shall certify the curriculum required under the amendment made by subsection (a) [enacting this section] not later than 270 days after the date of enactment of this Act [Dec. 20, 2012].”

§ 51706. Centers of excellence for domestic maritime workforce training and education

(a) DESIGNATION.—

(1) IN GENERAL.—The Secretary of Transportation, after consultation with the Coast Guard, may designate, for a 5-year period, as a center of excellence for domestic maritime workforce training and education an entity which is a covered training entity.

(2) WITHDRAWAL OF DESIGNATION.—The Secretary of Transportation may withdraw a designation as a center of excellence for domestic maritime workforce training and education of a covered training entity upon discovery of adverse information, including discovery of information that the covered training entity has engaged in fraudulent or unlawful activities, or has been subjected to disciplinary or adverse administrative action by Federal, State, or other regulatory bodies.

(b) GRANT PROGRAM.—

(1) IN GENERAL.—The Secretary may award a maritime career training grant to a center of excellence designated under subsection (a) for the purpose of developing, offering, or improving career and technical education or training programs related to the United States maritime industry for United States workers.

(2) GRANT PROPOSAL.—To be eligible to receive a grant under this subsection, a center of excellence designated under subsection (a) shall submit to the Secretary a grant proposal that includes a detailed description of—

- (A) the specific project proposed to be funded by the grant, including a description of the manner in which the grant will be used to develop, offer, or improve a career and technical education or training program that is suited to United States maritime industry workers;
- (B) the extent to which the project for which the grant proposal is submitted will meet the educational or career training needs of United States maritime industry workers;
- (C) any previous experience of the center of excellence in providing United States maritime industry career and technical education or training programs;
- (D) how the project proposed to be funded by the grant would address shortcomings in existing educational or career training opportunities available to United States maritime industry workers; and
- (E) the extent to which employers, including small and medium-sized firms, have demonstrated a commitment to employing United States maritime industry workers who would benefit from the project for which the grant proposal is submitted.

(3) CRITERIA FOR AWARD OF GRANTS.—Subject to the appropriation of funds to carry out this

section, the Secretary shall award grants under this subsection to centers of excellence based on—

(A) an determination of the merits of a grant proposal submitted under paragraph (2) to develop, offer, or improve career and technical education or training programs to be made available to United States maritime industry workers;

(B) an evaluation of the likely employment opportunities available to United States maritime industry workers who complete a maritime career and technical education or training program that a center proposes to develop, offer, or improve; and

(C) an evaluation of prior demand for training programs by workers served by centers of excellence designated under subsection (a), as well as the availability and capacity of existing maritime training programs to meet future demand for training programs.

(4) COMPETITIVE AWARDS.—

(A) IN GENERAL.—The Secretary shall award grants under this subsection to centers of excellence designated under subsection (a) on a competitive basis.

(B) TIMING OF GRANT NOTICE.—The Secretary shall post a Notice of Funding Opportunity regarding grants awarded under this subsection not more than 90 days after the date of the enactment of the appropriations Act for the fiscal year concerned.

(C) TIMING OF GRANTS.—The Secretary shall award grants under this subsection not later than 270 days after the date of the enactment of the appropriations Act for the fiscal year concerned.

(D) REUSE OF UNEXPENDED GRANT FUNDS.—Notwithstanding subparagraph (C), amounts awarded as a grant under this subsection that are not expended by the grantee shall remain available to the Secretary for use for grants under this subsection.

(E) ADMINISTRATIVE COSTS.—Not more than 3 percent of amounts made available to carry out this subsection may be used for the necessary costs of grant administration.

(F) PROHIBITED USE.—A center of excellence designated under subsection (a) that has received funds awarded under section 54101(a)(2) for training purposes for a fiscal year shall not be eligible for grants under this subsection during the same fiscal year.

(5) ELIGIBLE USES OF GRANT FUNDS.—A center of excellence receiving a grant under this subsection shall—

(A) carry out activities that are identified as priorities for the purpose of developing, offering, or improving educational or career training programs for the United States maritime industry workforce; and

(B) provide training to upgrade the skills of the United States maritime industry workforce, including training to acquire covered requirements as well as technical skills training for jobs in the United States maritime industry.

(c) DEFINITIONS.—In this section,

(1) COVERED TRAINING ENTITY.—The term “covered training entity” means an entity that—

(A) is located in a State that borders on the—

- (i) Gulf of Mexico;
- (ii) Atlantic Ocean;
- (iii) Long Island Sound;
- (iv) Pacific Ocean;
- (v) Great Lakes; or
- (vi) Mississippi River System;

(B) is—

(i) a postsecondary educational institution (as such term is defined in section 3(39) of the Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2302));

(ii) a postsecondary vocational institution (as such term is defined in section 102(c) of the Higher Education Act of 1965 (20 U.S.C. 1002(c));¹

(iii) a public or private nonprofit entity that offers one or more other structured experiential learning training programs for United States workers in the United States maritime industry, including a program that is offered by a labor organization or conducted in partnership with a nonprofit organization or one or more employers in the United States maritime industry;

(iv) an entity sponsoring an apprenticeship program registered with the Office of Apprenticeship of the Employment and Training Administration of the Department of Labor or a State apprenticeship agency recognized by the Office of Apprenticeship pursuant to the Act of August 16, 1937 (commonly known as the ‘National Apprenticeship Act’; 50 Stat. 664, chapter 663; 29 U.S.C. 50 et seq.); or

(v) a maritime training center designated prior to the date of enactment of the National Defense Authorization Act for Fiscal Year 2023;

(C) has a demonstrated record of success in maritime workforce training and education; and

(D) has—

(i) not been subject to a disciplinary or adverse administrative action by Federal, State, or other regulatory bodies;

(ii) no unresolved nonconformities from administrative audits by regulatory bodies; and

(iii) not been subject to any adverse criminal action by a Federal, State, or local law enforcement authority.

(2) ARCTIC.—The term “Arctic” has the meaning that term has under section 112 of the Arctic Research and Policy Act of 1984 (15 U.S.C. 4111).

(3) CAREER AND TECHNICAL EDUCATION.—The term “career and technical education” has the meaning given such term in section 3(5) of the Carl D. Perkins Career and Technical Education Act² (20 U.S.C. 2302).

¹ So in original. Another closing parenthesis probably should precede the semicolon.

² The words “of 2006” probably should appear. See subsec. (c)(1)(B)(i).

(4) **SECRETARY.**—The term “Secretary” means the Secretary of Transportation.

(5) **TRAINING PROGRAM.**—The term “training program” means a program that provides training services, as described in section 134(c)(3)(D) of the Workforce Innovation and Opportunity Act (Public Law 113–128; 29 U.S.C. 3174).

(6) **UNITED STATES MARITIME INDUSTRY.**—The term “United States maritime industry” means the design, construction, repair, operation, manning, and supply of vessels in all segments of the maritime transportation system of the United States, including—

- (A) the domestic and foreign trade;
- (B) the coastal, offshore, and inland trade;
- (C) non-commercial maritime activities, including—
 - (i) recreational boating; and
 - (ii) oceanographic and limnological research as described in section 2101(24).

(Added Pub. L. 115–91, div. C, title XXXV, § 3507(a), Dec. 12, 2017, 131 Stat. 1914, § 54102; renumbered § 51706, Pub. L. 116–283, div. C, title XXXV, § 3507(a), Jan. 1, 2021, 134 Stat. 4405; amended Pub. L. 117–263, div. C, title XXXV, § 3532(a), Dec. 23, 2022, 136 Stat. 3089; Pub. L. 118–31, div. C, title XXXV, § 3534(k), Dec. 22, 2023, 137 Stat. 834.)

Editorial Notes

REFERENCES IN TEXT

The date of enactment of the National Defense Authorization Act for Fiscal Year 2023, referred to in subsec. (c)(1)(B)(v), is the date of enactment of Pub. L. 117–263, also known as the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023, which was approved Dec. 23, 2022.

AMENDMENTS

2023—Subsec. (a). Pub. L. 118–31, § 3534(k)(1), designated existing provisions as par. (1) and inserted heading, inserted “,” after consultation with the Coast Guard,” after “Transportation” and “,” for a 5-year period,” after “designate”, and added par. (2).

2023—Subsec. (b)(5). Pub. L. 118–31, § 3534(k)(2), added par. (5).

Subsec. (c)(1)(D). Pub. L. 118–31, § 3534(k)(3), added subpar. (D).

2022—Subsec. (a). Pub. L. 117–263, § 3532(a)(1), added subsec. (a) and struck out former subsec. (a) which related to designation.

Subsec. (b). Pub. L. 117–263, § 3532(a)(2), added subsec. (b) and struck out former subsec. (b) which related to assistance.

Subsec. (c)(1). Pub. L. 117–263, § 3532(a)(3)(A), added par. (1) and struck out former par. (1) which defined “covered training entity” in this section.

Subsec. (c)(3) to (6). Pub. L. 117–263, § 3532(a)(3)(B), added pars. (3) to (6).

2021—Pub. L. 116–283 renumbered section 54102 of this title as this section.

Statutory Notes and Related Subsidiaries

GUIDELINES

Pub. L. 117–263, div. C, title XXXV, § 3532(c), Dec. 23, 2022, 136 Stat. 3092, provided that:

“Not later than one year after the date of enactment of this Act [Dec. 23, 2022], the Secretary of Transportation shall—

- “(1) prescribe guidelines for the submission of grant proposals under section 51706(b) of title 46, United States Code, as amended by subsection (a); and

“(2) publish and maintain such guidelines on the website of the Department of Transportation.”

§ 51707. Merchant mariner recruitment, training, and retention strategic plan

(a)¹ **STRATEGIC PLAN.**—

(1) **IN GENERAL.**—Not later than one year after the date of the enactment of this section, and at least once every five years thereafter until the termination date under paragraph (6), the Secretary of Transportation, acting through the Administrator of the Maritime Administration, shall publish in the Federal Register a plan to recruit, train, and retain merchant mariners for the five-year period following the date of publication of the most recently published plan under this paragraph.

(2) **CONTENTS.**—A plan published under paragraph (1) shall contain—

(A) a strategy to address merchant mariner recruitment, training, and retention issues in the United States; and

(B) demonstration and research priorities concerning merchant mariner recruitment, training, and retention.

(3) **FACTORS.**—In developing a plan under paragraph (1), the Secretary shall take into account, at a minimum—

(A) the availability of existing research (as of the date of publication of the plan); and

(B) the need to ensure results that have broad applicability for the United States merchant marine workforce development.

(4) **CONSULTATION.**—In developing a plan under paragraph (1), the Secretary shall consult with representatives of the maritime industry, labor organizations, including the Commander of the Transportation Command and the Commander of the Military Sealift Command, and other governmental entities and stakeholders in the maritime industry.

(5) **TRANSMITTAL TO CONGRESS.**—The Secretary shall transmit copies of any plan published under paragraph (1) to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate.

(6) **TERMINATION DATE.**—The requirement to publish a plan under this paragraph shall terminate on the date that the Administrator of the Maritime Administration determines that there is an adequate number of United States mariners for sustained strategic sealift.

(Added Pub. L. 116–283, div. C, title XXXV, § 3508(a), Jan. 1, 2021, 134 Stat. 4405.)

Editorial Notes

REFERENCES IN TEXT

The date of the enactment of this section, referred to in subsec. (a)(1), is the date of enactment of Pub. L. 116–283, which was approved Jan. 1, 2021.

CHAPTER 519—MERCHANT MARINE AWARDS

Sec.

51901. Awards for individual acts or service.
51902. Gallant Ship Award.

¹ So in original. No subsec. (b) has been enacted.