

f. Waivers Required for Employment Ashore:

Employment ashore may only be in a U.S. maritime-related industry, profession or marine science. A graduate may only accept such employment if a determination has been made by MARAD that no positions are available for you as a merchant marine officer on vessels documented under the laws of the United States or operated by the United States, a State, or territory of the United States. A graduate must present strong evidence to MARAD to demonstrate a need for approval of ashore employment.

VI. MAINTENANCE OF COAST GUARD LICENCE:

Graduates are required to maintain (or upgrade) their licenses as an officer in the U.S. merchant marine, including all endorsements held at graduation, for six (6) years following graduation.

VII. SERVICE AS A COMMISSIONED OFFICER IN THE RESERVES OF THE ARMED FORCES OF THE UNITED STATES:

Graduates, not enlisted in the Armed Forces of the United States, are required to apply for and accept, if tendered, an appointment as a commissioned officer in the reserves of the U.S. armed forces for at least six (6) years following the date of graduation. Graduates can serve in the U.S. Naval Reserve, the U.S. Coast Guard Reserve, or any other reserve unit of an armed force of the United States.

VIII. REPORT COMPLIANCE:

You are required to report to the USMMA or MARAD (See II) each year following graduation to inform us about your compliance with your service obligations. Regardless of the date of your graduation, each graduate must submit a service obligation report form between January 1st and March 1st starting the first January 1st after graduation and for at least an additional six (6) consecutive years thereafter. Graduates are required to file reports through to the last report that demonstrates that all obligations have been satisfied. If a graduate completes the service obligations within the six years following graduation, that graduate would only have to file a total of seven (7) reports in order to give information on all six (6) years of service obligations. Graduates are encouraged to report using the web-based Internet system at <https://mcs.marad.dot.gov>.

IX. REQUESTING A WAIVER:

The Federal Government realizes that there may be situations that prevent graduates from fulfilling the requirements of the service obligation contract. Waivers

may be granted in cases where there would be undue hardship in the performance of satisfactory maritime service or when it is impossible to perform satisfactory maritime service due to an accident, illness or other justifiable reason as determined by the Maritime Administrator. Waivers may also be granted in other situations.

Applications for waivers of all or a portion of the service obligations must be submitted to the Maritime Administration, Office of Maritime Workforce Development (MAR-740), address is in "item II".

X. REQUESTING A DEFERMENT OF THE SERVICE OBLIGATIONS:

The Maritime Administration may grant, upon request, a deferment for a period not to exceed 2 years of all or part of the service obligation contract. This deferment privilege exists only for graduates considered to have superior academic and conduct records while at the USMMA or a State maritime academy. Deferments are available only to individuals desiring to enter a marine or maritime-related course of study at an accredited graduate school or to accept a scholarship of national significance, as determined by the Maritime Administrator in a non-maritime related field.

Applications for deferment determinations shall first be made through the Office of the Superintendent/President of the maritime academy, which shall forward each application to the Maritime Administration for review and approval. The application shall be accompanied by the Superintendent or President's recommendation for approval or disapproval of graduate study and an evaluation of the applicant's academic/conduct records. Deferment request forms may be obtained from MARAD.

XI. BREACH OF SERVICE OBLIGATIONS AND RIGHT TO APPEAL:

Graduates who breach their service obligation contract may be ordered to active duty in the U.S. armed forces. In lieu of being ordered to active duty, graduates may be required to repay the cost of the education provided by the Federal Government. The Maritime Administration's Office of Business and Workforce Development will make a determination of whether a graduate has breached the service obligation. Such decisions may be appealed to the Maritime Administrator.



U.S. Department of Transportation
MARITIME ADMINISTRATION

YOUR MARITIME SERVICE OBLIGATIONS

Service Obligations of Federal and State
Maritime Academy Graduates



This pamphlet includes information on the following topics:

- I. Introduction
- II. Compliance Reporting Contact Information
- III. The Law
- IV. Service Obligations for Graduates
- V. Employment
- VI. Maintenance of US Coast Guard License
- VII. Service as a Commissioned Officer in the US Armed Forces Reserves
- VIII. Report Compliance
- IX. Requesting a Waiver
- X. Requesting a Deferment of the Service Obligation
- XI. Breach of Service Obligation and Right To Appeal

I. INTRODUCTION:

The contents of this pamphlet, "Your Maritime Service Obligations", are intended to give the general guidance you may need to properly carry out the provisions of your maritime service obligation. Keep the pamphlet handy and refer to it as needed. More detailed information is contained in your service obligation contract and in the Code of Federal Regulations. See 46 C.F.R. Part 310. For specific policy guidance or questions, use the contact information listed below.

II. TELEPHONE AND EMAIL CONTACTS FOR DETERMINATIONS, COMPLIANCE REPORTING, AND QUESTIONS:

Graduates of the United States Merchant Marine Academy (USMMA):

Contact: Department of Professional Development and Career Services, 516-773-5100;

careerservices@usmma.edu

Graduates of State Maritime Academies

Contact: Maritime Administration (MARAD), MAR-740 Second Floor, 1200 New Jersey Ave, SE, Washington, DC 20590. <https://mscs.marad.dot.gov>

We want to help you succeed in meeting your service obligations. If you need more information or if you have questions regarding these obligations, please contact MARAD at marad.graduate@dot.gov.

III. THE LAW:

Congress has imposed different, but similar mandatory service obligations for both USMMA and State Maritime Academy graduates. These obligations are outlined in this pamphlet. See 46 U.S.C. §51306 (USMMA) and §51509 (State Maritime Academies). Pursuant to the requirements of these laws, each of you was required to enter into a service obligation contract.

IV. SERVICE OBLIGATIONS FOR GRADUATES:

Service obligations for graduates cover four elements, (1) employment, (2) maintaining your U.S. Coast Guard license, (3) a commission in the reserve armed forces of the United States, and (4) reporting annually to the USMMA for USMMA graduates or to MARAD, if you are a State maritime academy graduate. Failure to fulfill all four elements means you are not compliant and can result in you being found in default in performing your obligations.

A summary of these obligations is set forth below. This is only a summary. Graduates must consult the relevant law

and regulations and contact the office listed in "item II", regarding the specific details of their service obligations.

V. EMPLOYMENT:

MARAD will accept the following as fulfillment of the employment portion of the service obligation:

a. Postgraduate Employment Time Required:

USMMA Graduates - five (5) years
State Academy Graduates - three (3) years

b. Types of Qualifying Employment:

Satisfactory employment involves the following employment:

- (1) Qualified Maritime Employment aboard a vessel in the U.S. fleet or, with a waiver from MARAD, aboard a foreign-flag vessel;
- (2) Service as a commissioned officer on active duty in the U.S. Armed Forces or the National Oceanic and Atmospheric Administration (NOAA) Corps;
- (3) with the Federal Government in a maritime-related position that serves the national interest;
- (4) if a determination has been made by MARAD that no positions are available for you as a merchant marine officer on vessels documented under the laws of the United States, employment ashore, in a U.S. maritime-related industry, profession or marine science; or
- (5) By combination of the services specified above.

c. Active Military Duty:

Active duty as a commissioned officer with the Navy or any other branch of the U.S. Armed Forces or the NOAA Corps is a way of satisfying the employment portion of the service obligation contract. Graduates of maritime academies have an understanding of naval procedures and operations that contribute to our national defense requirement for an adequate merchant marine, and can make a valuable contribution to the U.S. Armed Forces and NOAA.

Graduates serving five years of active duty in the U.S. Armed Forces are considered by MARAD to have fulfilled MARAD's employment, reserve, and Coast Guard licensing service obligations. Graduates must still report their compliance to the applicable offices.

d. Service with the Federal Government:

A graduate may fulfill the employment portion of the commitment by serving in a full time position with a Federal agency if that position serves the national security of the

United States in a maritime-related area. Positions with the Department of Homeland Security in the maritime sector are one example of acceptable Federal positions

e. Service Afloat:

(1) Vessels Satisfying Employment Obligations

Vessel employment that satisfies the employment obligation means Qualified Maritime Employment (as hereinafter defined) aboard deep sea vessels, coastal and inland carriers, tugs, towboats; passenger ships, offshore energy ships, floating oil platforms or drilling units, either U.S. or foreign flag, documented or undocumented. Individuals seeking employment on a foreign flag vessel must seek a waiver as set forth in the foreign flag waiver section.

(2) Employment as a Merchant Marine Officer or an Unlicensed Seaman Satisfies Employment Obligation:

MARAD has determined that it is in the best interests of the United Merchant Marine to accept Qualified Maritime Employment as fulfilling the employment obligations of graduates. Qualified Maritime Employment supports the government's objective of having fully trained and experienced personnel available to operate merchant vessels in peace, national emergency or war. Unless a graduate serves as a commissioned officer in the U.S. Armed Forces or in the NOAA Corps or in the Federal Government in a maritime security related position, the graduate must first seek Qualified Maritime Employment.

"Qualified Maritime Employment" is afloat employment in the deck or engine departments (or their functional equivalents aboard vessels without deck and engine departments) of vessels. Only licensed or unlicensed vessel operating positions can serve as Qualified Maritime Employment, i.e. mate, engineer, wiper, AB or ordinary seamen, etc. For service obligation purposes, a year of acceptable employment aboard a vessel is defined as working 120 days in a calendar year.

(3) Waivers Required for Foreign Flag Service:

Employment afloat in the U.S. Merchant Marine or on active duty in the U.S. Armed Forces or with the NOAA Corps are career paths that MARAD believes are excellent avenues for fulfilling your employment obligation. Only if you can demonstrate that you were unable to meet your service obligation aboard a U.S. vessel will you be eligible to receive a waiver determination from MARAD that you may engage in Qualified Maritime Employment on a foreign-flag vessel in order to be considered by MARAD to have satisfied your employment obligations.