

**U.S. Merchant Marine Academy
Kings Point, NY**

23 February 2001

SUPERINTENDENT'S INSTRUCTION 2001-03

SUBJECT: OBLIGATION AGREEMENTS OF MIDSHIPMEN OF THE
UNITED STATES MERCHANT MARINE ACADEMY

1. This instruction establishes the policies, responsibilities and procedures for administering the obligation agreements of Midshipmen at the United States Merchant Marine Academy (hereinafter "Academy") as pertains to their acceptance of employment offers to satisfy their Service Obligation Agreement prior to graduation.
2. This instruction supplements the legal authorities of Title 46 U.S.C. App. 1295b. and 46 CFR 310. Subpart C., memorandums and directives issued by the Department of Transportation and Maritime Administration, and replaces memoranda and letter opinions previously provided to the Academy concerning obligation satisfying service for graduates.
3. Individuals covered by this instruction include all students of the Academy who enter into a Service Obligation Agreement under the authority of the above legal references. This instruction specifically addresses the administrative procedures incident to the individual's obligation of service in the foreign or domestic commerce, or both, and the national defense of the United States for a period of five (5) years as specified in the Service Obligation Agreement.
4. Compliance with this five (5) year obligation may be satisfied in the merchant marine as an officer aboard U. S. merchant ships, or in shore side maritime or intermodal transportation industry positions if afloat employment is not obtainable; or on active duty in the U. S. Armed Forces or employment with the National Oceanic and Atmospheric Administration; or by a combination of these.
5. An individual who elects employment under authority of their U. S. Coast Guard License as a Merchant Marine Officer on vessels documented under the laws of the United States, or on vessels owned and operated by the United States, or by any State or territory of the United States, or who serves as a commissioned officer on active duty in the Armed Forces or NOAA Corps is not required to take any action to request prior approval of such employment as satisfying their obligation. Only those students who desire to satisfy their obligation by serving in maritime-related industry, profession or marine science need to request approval of such employment.

6. The legal references cited in paragraph 2. above, provide general guidance on the categories of employment meeting the service obligation agreements within the maritime-related industry, professions, or marine sciences. The Maritime Administrator has delegated authority from the Secretary of Transportation to determine acceptable employment meeting the obligation agreements. Paragraph 7, below, sets forth a list of qualifying areas of employment in maritime-related industries presently accepted by the Maritime Administrator as meeting the service obligation agreement when employment as a merchant marine officer is unavailable to a graduate.

7. The following qualifying areas of employment for entry level college graduates in maritime-related industries are accepted by the Maritime Administrator as meeting the Service Obligation Agreement when employment as a merchant marine officer is unavailable to a graduate:

- a) Federal and state agencies while employed in a position directly involved with Maritime Affairs – Maritime Administration; United States Merchant Marine Academy (Operations, Education and Training Only); State Maritime Academies (Operations, Education and Training Only); Maritime Unions (Operations, Education and Training Only); Federal Maritime Commission; Department of Defense (DOD); Department of Transportation (DOT); Department of Labor - Occupational Safety and Health Administration (OSHA); Environmental Protection Agency (EPA); US Army Corps of Engineers; National Oceanic and Atmospheric Administration (NOAA); Marine Pilots Associations and Harbor Mastery;
- b) Maritime Shipping Companies - Ship Owners, Ship Operators, Ship Charterers, Port Agencies
- c) Stevedoring Companies - Management and Operations; Labor relations; Safety Management; Freight loading supervision;
- d) Cargo and Terminal Operations – Maritime Transportation Management; Maritime Transportation Logistics; Maritime Logistics Engineering; Maritime Logistics Analysis; Maritime Cargo Handling Equipment and Systems; Terminal Operations; Port Traffic Management;
- e) Vessel Chartering and Brokerage (Vessel Services) – Vessel Chartering; Bunker Brokerage; Customs House Brokerage; Freight Forwarding; Marine Surveying; Classification Societies; Ocean Surveying; Marine Insurance; Marine Underwriting; Marine Claims Adjustment; Salvage Adjustment;
- f) Naval Architecture – Vessel Design; Offshore Oil Equipment (MODUs, etc.); Dredging Equipment
- g) Shipyards – Shipbuilding; Ship Repair; Ship Maintenance;
- h) Municipal and State Port Authorities;
- i) Port Development – Port and Terminal Design and Construction; Dredging; Marine Construction;
- j) Marine Engineering – Marine Cargo Handling Equipment and Systems; Shipboard Engineering and Design; Navigation Systems and Instrumentation;
- k) Tug and Barge Companies – Tug Owners; Tug Operators; Tug Charterers;
- l) Oil and Mineral Operations – Mobil Offshore Drilling Units (MODUs); Offshore Supply Vessels (OSVs);

The foregoing list is subject to change as directed by the Maritime Administrator. Midshipmen should direct inquiries concerning any changes to the Academy's Director, Professional Development and Career Services.

8. To assist individuals in satisfying the requirements of their Service Obligation Agreement, procedures to obtain a determination of the acceptability of proposed employment in maritime-related industries are set forth in paragraph 9. These procedures apply to students who prior to graduation, desire to accept employment ashore in a maritime-related industry, profession or marine science as well as to graduates who intend to claim employment in a U. S. maritime-related industry as meeting all or part of their Service Obligation Agreement.

9. Prior to graduation an individual who desires to accept employment ashore in a maritime-related industry, profession or marine science may do so only after receiving permission from the Maritime Administrator. The procedures for an individual to obtain such permission are as follows:

- a) Prepare an Action Memorandum requesting approval of employment in accordance with the Department of Transportation Correspondence Handbook, DOT H 1325.2C, addressed to the Maritime Administrator as:

To: Maritime Administrator (MAR-250)
U.S. Department of Transportation
400 Seventh Street, SW (Rm 7302)
Washington, DC 20590
THRU: Superintendent, U.S. Merchant Marine Academy

- b) Within the text the individual should identify the Academy; their perspective graduating class; the organization from whom they have received an offer of employment; and the position being offered. The individual should request approval of such position as being consistent with the Service Obligation Agreement and determinations of the Maritime Administrator as provided therein. The individual is then responsible for delivering the memorandum to the Academy's Director, Professional Development and Career Services.
- c) Within five (5) working days of receipt of the Action Memorandum, the Director, Professional Development and Career Services shall prepare an endorsement to the Memorandum and forward it to the Superintendent for review in forwarding the memorandum to Director, Office of Maritime Labor, Training and Safety (MAR-250).
- d) It is anticipated the Director, Office of Maritime, Labor, Training and Safety (MAR-250) will provide a responsive recommendation on all such requests to the Maritime Administrator.
- e) Upon receipt of the Action Memorandum with the Director's recommendation the Maritime Administrator will make findings in granting or disapproving the request.

10. The Maritime Administrator must approve any change from the approved employment during the period of the Service Obligation Agreement.