

A Report by a Panel of the  
NATIONAL ACADEMY OF PUBLIC ADMINISTRATION  
for the United States Merchant Marine Academy

# Organizational Assessment of the U.S. Merchant Marine Academy: A Path Forward



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November 2021

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**NATIONAL ACADEMY OF PUBLIC  
ADMINISTRATION**

for the United States Merchant Marine Academy

**Organizational Assessment of the  
U.S. Merchant Marine Academy:  
A Path Forward**

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The views expressed in this report are those of the Panel. They do not necessarily reflect the views of the Academy as an institution.

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## Foreword

Across the United States, the need to enhance critical systems and infrastructure has become a leading priority. As uncertainty grows in international security, vital defense assets play a larger role than before. The U.S. merchant marine serves as the key source of strategic sealift in times of war and support to the U.S. economy in times of peace. The U.S. Merchant Marine Academy (USMMA) is the federal service academy charged with educating and training the next generation of merchant mariners.

As written in the FY 2020 National Defense Authorization Act (NDAA), the Secretary of the Department of Transportation (DOT) entered into an agreement with the National Academy of Public Administration (NAPA) to conduct a comprehensive assessment of the U.S. Merchant Marine Academy (USMMA). NAPA was asked to assess the systems, training, facilities, infrastructure, information technology, and stakeholder engagement to identify the needs and opportunities for modernization.

The findings and recommendations of this report address longstanding issues that put the safety and health of the midshipmen and the entire USMMA community in peril. These recommendations provide the opportunity to modernize USMMA by improving both the current and future processes. The charge to address these changes is significant and will require meaningful leadership attention, strategic prioritization, and substantial resource commitments. The Panel recognizes that this is a considerable set of tasks that will take significant time and attention in an environment of many crucial imperatives. However, the risk of inaction is immense.

I deeply appreciate our Panel Members who contributed valuable insights and expertise throughout the project and the NAPA Study Team that delivered focused research and analysis. The collaborative engagement of DOT, the Maritime Administration (MARAD), and USMMA leaders has established a necessary foundation to chart the path forward. The engagement with comparable institutions of higher education was equally vital in identifying the promising practices that will support necessary improvements. They provided essential knowledge and context that informed this report.

This report guides the modernization of USMMA to continue educating and training the next generation of the mariner workforce. I trust this report will be helpful to the Department of Transportation as it continues to maintain and support a variety of essential programs related to securing a healthy and safe environment to develop 21<sup>st</sup>-century mariners.

Teresa W. Gerton

President and Chief Executive Officer

National Academy of Public Administration

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## Acronyms and Abbreviations

<b>Acronym or Abbreviation</b>	<b>Definition</b>
ABET	Accreditation Board for Engineering Technology
AY	Academic Year
BOV	Board of Visitors
Cal Tech	California Institute of Technology
Campus SaVE Act	Campus Sexual Violence Elimination Act
CEO	Chief Executive Officer
CFO	Chief Financial Officer
CIO	Chief Information Officer
CIP	Capital Improvement Program
Clery Act	Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act
DEI	Diversity, equity, and inclusion
DEIB	Diversity, equity, inclusion, and belonging
DoD	U.S. Department of Defense
DOT	U.S. Department of Transportation
DPW	Department of Public Works
EO	Executive Order
FERPA	Family Educational Rights and Privacy Act
FITARA	Federal Information Technology Acquisition Reform Act
FMRE	Facilities Maintenance and Report, Equipment
FTE	Full-time Equivalent
GAO	U.S. Government Accountability Office
GPRA	Government Performance Results Act
GS	General Schedule
GSA	General Services Administration
H&R Division	Health and Resilience Division
HMC	Harvey Mudd College

HR	Human Resources
HVAC	Heating, ventilation, and air conditioning
IESC	Institutional Effectiveness Steering Committee
ILO	Institutional Learning Outcome
IMO	International Maritime Organization
IPEDS	Integrated Postsecondary Education Data System
LMI	Logistics Management Institute
MAC	Midshipman Activity Center
MAO	Maritime Administrative Order
MARAD	U.S. Maritime Administration
MD	Management Directive
ME	Marine Engineering
MEO	Military Equal Opportunity
MES	Marine Engineering Systems
MESM	Marine Engineering and Shipyard Management
METERB	Maritime Education and Training Executive Review Board
MIT	Massachusetts Institute of Technology
MOU	Memorandum of Understanding
MSC	Military Sealift Command
MSCHE	Middle States Commission on Higher Education
MSP	Maritime Security Program
NAPA	National Academy of Public Administration
NAVFAC	Naval Facilities Engineering Systems Command
NCAA	National Collegiate Athletic Association
NCES	National Center for Education Statistics
NDAA	National Defense Authorization Act
NDRF	National Defense Reserve Fleet
OIG	Office of Inspector General
OMB	U.S. Office of Management and Budget

OPA	Office of People Analytics
OST	Office of the Secretary of Transportation
PLOC	Program Learning Outcomes Committees
POA&M	Plan of Action and Milestones
RFP	Request for Proposals
RRF	Ready Reserve Force
SAGR	Service Academy Gender Relations
SAPR Program	Sexual Assault Prevention and Response Program
SAPRO	Sexual Assault Prevention and Response Office
SARC	Sexual Assault Response Coordinator
SASH	Sexual Assault/Sexual Harassment
SCCT	Shipboard Climate Compliance Team
SILC	Shore Infrastructure Logistics Center
SMA	State Maritime Academies
SPWG	Strategic Planning Working Group
STCW	Standards of Training, Certification, and Watchkeeping
STEM	Science, Technology, Engineering, and Math
SUNY	State University of New York
UCMJ	Uniform Code of Military Justice
USACE	United States Army Corps of Engineers
USAFA	United States Air Force Academy
USCGA	U.S. Coast Guard Academy
USMA or West Point	United States Military Academy
USMMA	United States Merchant Marine Academy
USMS	United States Maritime Service
USNA	U.S. Naval Academy
USNR	U.S. Naval Reserve
USTRANSCOM	U.S. Transportation Command
VAWA	Violence Against Women Act
VISA	Voluntary Intermodal Sealift Agreement

Icons used to denote categories of recommendations:



## Executive Summary

As part of the Fiscal Year (FY) 2020 National Defense Authorization Act (NDAA),<sup>1</sup> Congress included a provision directing the Department of Transportation (DOT) to engage the National Academy of Public Administration (NAPA) in a study of the U.S. Merchant Marine Academy (USMMA). NAPA was to develop a strategy to address longstanding, specific, and systemic problems and put USMMA on a path to modernization. NAPA convened a Panel of experts in academic leadership, facilities planning, equal opportunity, and federal management systems to guide and oversee the work of a professional Study Team.

### **USMMA Must Surmount Key, Systematic Obstacles**

Fundamental weaknesses in internal and external governance systems and processes endanger USMMA's ability to fulfill its mission today and into the future. The most significant risk that USMMA faces today is doing nothing to remediate the breakdowns in governance that led to and perpetuate the substantial challenges and failures to act that have plagued it for years.

Based on the study of previous reports and NAPA team interviews, data analysis, benchmarking, and review of legislation, the Panel concluded that before USMMA can modernize, it must address longstanding systemic issues in the areas of education and training; facilities and campus planning; diversity, equity, inclusion, and belonging; support for students; health and safety; outreach to external stakeholders; performance measurement; use of information in decision making; formalization of internal processes; and external governance and oversight. Numerous studies previously made recommendations to resolve several of these issues. Yet, the systemic issues remain, largely because the root causes have not been addressed. These are discussed below.

### ***USMMA needs a strategic vision and strategy-driven internal governance***

Governance at USMMA has been reactive and risk-averse rather than strategy- or performance-driven. While USMMA is well into its second five-year strategic plan, it continues to struggle with instituting and assessing the effectiveness of that plan's objectives and implementation due to its lack of a performance measurement system or even standard operating procedures. Additionally, several of USMMA's key challenges, including improving facilities and infrastructure; transforming USMMA's culture related to diversity, equity, inclusion, belonging (DEIB); and preventing sexual assault and sexual harassment (SASH), will take far longer than five years to resolve. What is missing in its governance is an institution-wide consensus on what and where USMMA should be in 10, 15, or even 20 years—a shared strategic vision founded upon USMMA's mission and values and based upon a thorough understanding of the contemporary maritime domain. A strategic vision would provide direction and continuity as senior leaders change or leaders struggle with daily operations.

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<sup>1</sup> P.L. 116-92

## ***USMMA needs additional capacity and capability***

A key finding of this report is that institution-wide shortfalls in staffing and resourcing have undermined USMMA's mission and operations for a substantial period of time. As a result, USMMA has lacked the capacity and capabilities to prevent the challenges it faces today. Without enough leaders, managers, faculty, and staff with the needed knowledge, skills, and abilities, USMMA cannot address longstanding issues, much less modernize. USMMA is in the difficult position of not having sufficient capacity and capability to build its own capacity and capability. Administrators and staff are preoccupied with the daily tasks of running USMMA. They lack the time and know-how to design and implement efficiency-building management systems, arrange for and take training, implement technology, develop plans and strategies to pursue objectives, hire staff or outsource in a timely manner, monitor activities, or collect and use performance data to assess operational efficiency, effectiveness, and goal achievement.

To surmount this obstacle, USMMA must add capacity and capability across all operational and management areas identified in the FY 2020 NDAA and addressed in chapters 3-9 of this report. Recommendations to sustain USMMA into mid-century include added capacity and capabilities in facilities management, higher education administration, diversity, sexual assault and sexual harassment prevention, performance measurement and management, stakeholder engagement, and student support services.

## ***USMMA needs effective oversight and support***

USMMA has been operating without effective external guidance, oversight, and support, receiving disjointed input from several bodies that look only at specific aspects of the institution. The USMMA culture communicates a perception that external scrutiny and guidance endanger its operations and future. Up to the publication of this report, MARAD and DOT have not demonstrated the breadth and depth of capabilities in higher education administration to provide necessary support and guidance related to key operational needs such as academic building design or faculty hiring. By adopting a hands-off posture at times, MARAD and DOT allowed USMMA to operate as if it were a freestanding institution. USMMA is indeed part of MARAD and DOT, and they have a vital role in ensuring the success of USMMA.

## ***The greatest risk to USMMA is inaction***

The current leaders of USMMA, MARAD, and DOT did not put USMMA in this position. As detailed in this report, USMMA's challenges, gaps, and weaknesses today are the repercussions of ineffective and inefficient internal and external governance systems over decades. However, it is now incumbent upon the current leaders of these organizations to restore USMMA.

**Because of the magnitude and fundamental nature of the challenges USMMA faces, the greatest risk to USMMA's future is doing nothing to significantly address its challenges and the causes of those challenges.** Maintaining the status quo would be the riskiest course for USMMA because it is on an unsustainable path. It lacks long-term strategic vision, adequate financial resources, and sufficient personnel with needed skills and competencies. It also lacks effective oversight and support to ensure it addresses its challenges

and prepares for the future. All of these building blocks must be put in place for USMMA to be able to thrive.

USMMA and MARAD have at times shown that they embraced a “compliance culture,” taking the minimum steps to address challenges. The most recent example is MARAD’s response to NAPA’s 2017 report. In its audit of MARAD’s compliance with the recommendations, the DOT Office of Inspector General (OIG) reported that MARAD complied with existing statutory requirements. However, “compliance” is a minimal response.<sup>2</sup> As discussed in chapter 10, USMMA and MARAD could respond to this report as they have responded to previous assessments. They could technically address all the recommendations and still not achieve the changes in governance, management, and culture needed to eliminate the causes of its present state.

Current leaders at MARAD and DOT have indicated that they intend to address USMMA’s longstanding issues and put it on the path to modernization. Beginning in June 2021, MARAD and DOT officials have taken steps to identify and address the most urgent health and safety issues. Remediation is necessary, but it is not a substitute for the steps needed to modernize the institution.

The NAPA Panel recognizes that USMMA has already taken steps to prepare for success in the 21<sup>st</sup> century. These steps include developing a much-needed five-year strategic plan, creating specific plans for essential improvements in facilities and infrastructure, addressing the immediate concerns of academic accreditation bodies, and taking initial steps to promote a culture of diversity. But USMMA today lacks the resources, capacity, and capabilities to prioritize, implement, sustain, and assess the effectiveness of most plans and steps.

## **A Comprehensive Approach is Needed to Address Longstanding Challenges**

### ***The Secretary of Transportation should create a task force to address USMMA’s challenges***

The NAPA Panel strongly recommends that the Secretary of Transportation charter a *Task Force on USMMA Governance and Culture*, with direction to transform USMMA external and internal governance and Academy culture. The recommended mission, objectives, and composition of the task force are contained in Chapter 10. A task force is necessary because modernization requires a transformation in governance and in USMMA itself.

Today, neither USMMA, MARAD, nor DOT possess, alone or collectively, the capacity and capabilities to remedy USMMA’s governance and operational issues. The engagement of high-level MARAD and DOT officials will be critical to its success. The Task Force should also include senior leaders from the public and private sectors with demonstrated success in transforming organizations in government, higher education, and the maritime community. They should have backgrounds in change management; facilities and infrastructure recapitalization; diversification

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<sup>2</sup> ” U.S. Department of Transportation Office of Inspector General, “MARAD Has Made Progress in Addressing NAPA Recommendations Related to Mission Focus, Program Alignment, and Ability to Meet Objectives” July 7, 2021.

of faculty, staff, and students in undergraduate STEM colleges and universities; public sector financial management; federal practice and requirements; and the maritime transportation industry.

### ***The Task Force should oversee the transformation of USMMA's systems and processes***

USMMA also has systemic challenges in education, facilities and infrastructure, DEIB, SASH, and stakeholder engagement. Similar recommendations emerged within each of these functional areas. Many of these recommendations are in line with those contained in studies by GAO, DOT OIG, and other organizations that have been published in the last 10 years, based on many of the same findings. In other words, USMMA and MARAD have known about many of these issues for a period of years yet have made little, no, or slow progress towards addressing them. In some cases, USMMA appeared to take the recommended courses of action, but the issues remained or resurfaced because the root causes—often related to governance, resources, and organizational culture—were not fully addressed.

To address longstanding systemic and specific challenges and modernize the institution, USMMA, in conjunction with MARAD, DOT, and the Congress must:

#### **Improve external accountability through greater external guidance, support, and effective oversight**

*A Secretary's Task Force on USMMA Governance and Culture* would have the capabilities, resources, and authority to develop both strategies and specific recommendations to transform USMMA's culture and governance and thus address longstanding problems. This organizational transformation combined with regular congressional oversight will help ensure USMMA's modernization efforts are sustained going forward.

#### **Add capacity and capabilities in key function areas**

In some cases, additional capacity should be in the form of greater financial resources and additional leadership or staff positions. USMMA could also add capacity and capabilities through outsourcing, training, public-private partnerships, the implementation of technology, or divestment of some functions to MARAD. Improving management systems, reorganization, a clearer definition of roles, and realignment of responsibilities could also improve organizational effectiveness.

#### **Improve internal accountability through stronger internal management practices**

Clearly defining roles, formalizing procedures, and assigning ownership for critical function areas would reduce ad hoc decision making and allow leaders to set organization-wide priorities. These steps would also streamline operations and improve organizational efficiency, potentially easing pressure on managers.

## **Track performance and use information to improve operations**

Performance measurement would allow USMMA officials to track activity and monitor effectiveness. More detailed strategic assessments of the institutional culture and sexual assault prevention and response are needed to identify areas for improvement and help set priorities.

## **Better engage faculty, staff, students, and external stakeholders in decision making**

Many current and past members of the USMMA community have a high level of commitment to its success. Others in the maritime domain recognize its critical role in national security, defense, port management, maritime commerce, and transportation.

## **Create implementation plans for strategic initiatives, set priorities, organize resources, and coordinate efforts across units to pursue strategic objectives**

USMMA adopted a five-year strategic plan in 2018 but has made little progress in implementing it. The language of the strategic plan appears in many documents, framing activities as supporting various priorities. However, the strategic plan does not appear to shape decision making in a meaningful way. If adequate capacity were available, USMMA could make progress in most areas with improved planning, management, alignment, and assessment of all initiatives related to achieving its priorities in its present and future strategic plans, as recommended in this report.

## **A Systemic and Systematic Approach is Needed to Prepare USMMA for the Future**

The FY 2020 NDAA identified the need for a comprehensive assessment of the U.S. Merchant Marine Academy to prepare it to fulfill its mission into the future. This report contains that comprehensive assessment, including identifying existing challenges and their causes, recommending actions to remediate challenges, and providing an action plan with specific steps to modernize USMMA.

Overall, this report includes 67 actionable recommendations in chapters 3 through 10. Collectively, the recommendations, if implemented, provide a course of action for USMMA and its oversight agencies to meet the challenges USMMA presently faces. These challenges span education and training, facilities and infrastructure, diversity, institutional culture, SASH, planning for the future, stakeholder relations, institutional-level governance and management, and external governance, oversight, and accountability.

As importantly, this report charts a course for USMMA's future. Over decades, no matter how vital its mission to American security and prosperity, and no matter the level of dedication of the USMMA community to its mission, USMMA lost its way. USMMA's internal governance and management have been hampered by the lack of consistent vision, strategy, processes, and procedures. Its external governance bodies did not provide the guidance, resources, oversight, and accountability necessary for USMMA to redress its many challenges, risks, and weaknesses. Ultimately, USMMA is facing the repercussions of the lack of effective governance.

A comprehensive approach to modernizing USMMA will ensure that it is prepared to meet the needs of the U.S. merchant marine, the Marine Transportation System, maritime industries, and the military throughout the 21<sup>st</sup> century. By working together to redress the causes of USMMA's present challenges, as recommended in chapter 10, USMMA and its stakeholders can modernize USMMA to meet the Nation's present and future needs. Only a transformation in governance can right the USMMA ship and chart a clear course for the future.

# Chapter 1: Introduction and Overview

## 1.1 Introduction

The U.S. Merchant Marine Academy (USMMA), a federal service academy, serves a vital role in our Nation's national security, defense, and economic security. For almost 80 years, Academy Midshipmen and graduates have distinguished themselves as leaders in the U.S. merchant marine, maritime industry, and the Armed Forces and delivered vital supplies to victims of disasters and regional conflicts. In World War II, 142 Midshipmen gave their lives and served as beacons of USMMA's commitment to graduating the finest merchant mariners and leaders in the maritime industry.<sup>3</sup>

Midshipmen who graduate earn a unique combination of credentials, including:

- A highly regarded Bachelor of Science degree
- A U.S. Coast Guard-issued merchant marine officer license
- An officer's commission in the U.S. Armed Forces or reserve, the National Oceanic and Atmospheric Administration Commissioned Officer Corps, or the U.S. Public Health Services<sup>4</sup>

For this reason, Academy graduates are sought after as officers in the military and the merchant marine, embodying the spirit of the Kings Point motto, *Acta Non Verba* ("deeds not words").<sup>5</sup>

Graduates of USMMA bring critical capabilities to U.S.-flagged commercial vessels, the Military Sealift Command, and as active duty and reserve officers in the Armed Forces. In addition, the marine transportation system underpins American economic vitality."<sup>6</sup> In 2020, "by value, 90 percent of global trade traveled by sea," facilitating \$5.4 trillion of economic activity and supporting 31 million American jobs related to port activity."<sup>7</sup> Almost 10 years ago, DOT leaders recognized that the world in which USMMA operates has changed. "Since USMMA's founding, the maritime industry has changed dramatically. It has evolved from a system based on port-to-port navigation into a highly sophisticated, intermodal network that must quickly, safely, and efficiently transport cargo to all regions of the world. And with increasing international safety, environmental, regulatory, and technological requirements, the responsibilities of mariners are greater than ever."<sup>8</sup>

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<sup>3</sup> U.S. Merchant Marine Academy, "U.S. Merchant Marine Academy Strategic Plan 2012-2017," 3.

<sup>4</sup> 46 U.S. Code § 51306(e)(1); service in the National Guard is eligible to fulfill service requirements as long as it is acting on behalf of the federal government rather than a state.

<sup>5</sup> "About USMMA," USMMA website, accessed July 12<sup>th</sup>, 2021, <https://www.usmma.edu/about>.

<sup>6</sup> Chiefs of the U.S. Navy, Marine Corps, and Coast Guard, "U.S. Maritime Strategy: Advantage at Sea," December 2020, 3.

<sup>7</sup> *Ibid*, 10

<sup>8</sup> U.S. Merchant Marine Academy, "U.S. Merchant Marine Academy Strategic Plan 2012-2017." 2012, 3.

## 1.2 Origin of Report

To help advance the USMMA mission, Section 3513 of the National Defense Authorization Act (NDAA) for Fiscal Year (FY) 2020<sup>9</sup> directed the Secretary of Transportation to enter into an agreement with the National Academy of Public Administration (NAPA) to conduct an independent, comprehensive assessment of USMMA. The project included the following three key assessment objectives:

- Assess USMMA’s systems, training, facilities, infrastructure, information technology, and stakeholder engagement
- Identify needs and opportunities for USMMA to keep pace with more modern campuses
- Develop an action plan for USMMA to follow to keep up with modern campuses and systemic changes needed to achieve its mission of inspiring and educating the next generation of mariners for the long term

To assess systems, training, facilities, infrastructure, information technology, and stakeholder engagement, as laid out in the FY 2020 NDAA, NAPA agreed to (1) evaluate the current state of USMMA’s responsibilities and challenges; (2) examine options for a desired future state; (3) develop an actionable path to address challenges; and (4) provide actionable recommendations.

USMMA has experienced many difficulties in recent years. Numerous studies have explored accreditation and financial control issues, the deteriorating condition of USMMA’s physical infrastructure, and longstanding issues with diversity, institutional culture, and sexual assault/sexual harassment (SASH). This report acknowledges that USMMA has made progress in these areas. It then discusses the additional efforts needed to sustain and improve upon that progress, including necessary reforms in management and governance that are essential if USMMA is to become a more modern, accountable, and higher performing organization that can better fulfill its mission.

Relatedly, in 2017, the U.S. Maritime Administration (MARAD) requested that a NAPA Panel “conduct an independent review of its core functions, including an assessment of both its role within the Department of Transportation (DOT) and its contribution to the nation.”<sup>10</sup> The Panel carried out its work over six months and found that MARAD “struggles with its commercial industry-related work...[and] that [MARAD] must add further focus to these activities to align with a clearer mission that is more effectively communicated to stakeholders and the general public.”<sup>11</sup> That report included 27 recommendations intended to enhance further MARAD’s “commercial and national security-related program in support of the maritime transportation industry.”<sup>12</sup>

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<sup>9</sup> P.L. 116-92

<sup>10</sup> National Academy of Public Administration “Maritime Administration: Defining its Mission, Aligning its Programs, and Meeting its Objectives.”, 2017, Foreword, <https://napawash.org/academy-studies/marad-report>.

<sup>11</sup> Ibid. 2.

<sup>12</sup> Ibid. 3.

## 1.3 Scope

As a comprehensive assessment of USMMA, this report focuses on four key functional areas:

- Education and Training
- Facilities and Infrastructure
- Safe and Respectful Learning Environment
- Stakeholder Engagement

It also addresses several institution-wide issues, including strategic planning, performance measurement, internal and external organizational alignment, and external oversight and accountability mechanisms as critical components of any modernization effort. To address the underlying management issues, this report also addressed Internal Governance, External Governance and Oversight, and Transformation of Academy Governance and Culture.

## 1.4 Methodology

### *Study methodology*

The study was conducted from May 2020 through October 2021. The Study Team worked with a Panel comprised of five NAPA Fellows with expertise in educational leadership, facilities planning, diversity, Equal Employment Opportunity (EEO) requirements, U.S. Navy, U.S. Coast Guard, and marine transportation systems. Biographies of Panel members appear in Appendix A.

The Study Team reviewed documents and conducted structured interviews with federal officials and stakeholders. Panel members interviewed Academy representatives remotely and during a two-day site visit in May 2021. The initial phase of the study focused on refining the project scope, collecting information on existing operations, reviewing planning documents, examining performance metrics, and identifying the policy context that shapes decision making. Document reviews included internal and publicly available materials from USMMA, MARAD, the U.S. Government Accountability Office (GAO), other DOT units, and other external sources.

The Study Team conducted interviews with over 100 stakeholders (see Appendix C for a complete list of interviewees), including representatives from:

- Congressional staff
- MARAD
- USMMA
- DOT
- Architectural and engineering firms
- Current Midshipmen
- U.S. Shipping Industry Experts
- Benchmark Agencies:
  - U.S. Coast Guard Academy (USCGA)
  - U.S. Naval Academy (USNA)
  - Maine Maritime Academy
  - SUNY Maritime College

As detailed below, the global pandemic limited the Study Team's ability to visit the campus and meet with Midshipmen. However, in November 2020, one member of the Study Team made an initial campus visit, meeting with USMMA Superintendent and other USMMA officials. The remaining Study Team members participated by Zoom. The onsite Study Team member also received an escorted tour of the campus, documenting the condition of various Academy facilities and interviewing Academy personnel. Three Panel members and three Study Team members conducted a follow-up site visit May 3-4, 2021. They further documented the condition of the campus and interviewed USMMA officials.

## ***Benchmarking***

The benchmarking phase of the project assessed key USMMA measures relative to (1) available external performance standards and (2) selected comparable academic institutions. Benchmarking was used to identify areas in which USMMA is not on an equal footing with other institutions that educate and train maritime professionals to identify practices that can strengthen the organizational performance of USMMA.

The Study Team compared USMMA's organization to similar institutions of higher learning, including other federal service academies, maritime schools, and schools with marine engineering specialties. Organizations of similar size and delivering comparable maritime educations include USCGA, state maritime academies (SMAs), and aspects of the USNA. Schools of similar size provide the best comparison for factors like staffing numbers, student to faculty ratio, and funding levels compared to services offered. USMMA was also benchmarked against the other federal service academies, the United States Military Academy (USMA) and the United States Air Force Academy (USAFA). The Study Team also examined other institutions of higher learning with a Science, Technology, Engineering, and Math (STEM) focus, especially engineering. These included schools like the Massachusetts Institute of Technology (MIT), the California Institute of Technology, Harvey Mudd College, and others.

## ***Small group interviews with Midshipmen***

The Study Team organized small group interviews with all six of USMMA's regimental leaders and a random selection of Midshipmen representing different race, ethnic, and gender cohorts. The purpose of the sessions was to obtain the Midshipmen's candid views of USMMA's facilities and infrastructure, and how their condition might be affecting learning, recruiting, and other outcomes; the quality of support services such as career, physical, and mental health services; campus culture, including USMMA's commitment to addressing sexual assault and sexual harassment issues, as well as improving diversity, equity, and inclusion; and Sea Year. Because of the pandemic, the interviews were conducted remotely via Zoom.

In all, the Study Team conducted 14 sessions with a total of 35 students or around five percent of USMMA's 686 Midshipmen who identified with a specific race/ethnic category and were also U.S. citizens.<sup>13</sup> Although the results of the interviews cannot be generalized to the Midshipmen

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<sup>13</sup> Of USMMA's 728 resident Midshipmen, five identified as non-resident aliens, five declined to identify 32 identified as two or more unspecified race or ethnic categories.

population, they provide a critical Midshipman perspective of what is working, what is not, and what steps USMMA needs to take to improve each of the areas discussed.

## ***Limitations***

A substantial hindrance to this assessment was the national shutdown associated with the COVID-19 pandemic. Like so many organizations, the Study Team switched to Zoom and other online video-based meeting platforms to conduct meetings and interviews. This alternate format provided a reasonable substitute. The larger obstacle was the delay in scheduling a campus visit. Governors of New York (where Kings Point is located), Maryland, and Virginia, and the Mayor of Washington, DC (where Study Team members live), enacted travel restrictions and quarantine requirements throughout 2020. To allay concerns that NAPA would complete its report without visiting the campus, NAPA extended the end date for the project.

The research was also hindered in some areas because of USMMA's lack of documentation of most institutional processes and arrangements. Lack of documentation and lack of standard operating procedures (SOPs) are themselves findings of this report. Their combined effect was that some analyses were based on individuals' interpretations. All information obtained in interviews was cross-referenced with documentary evidence where available.

## **1.5 Report Organization**

The report is divided into ten chapters, as follows:

This chapter provides background information on the project and an overview of the report. The report originated with the FY 2020 National Defense Authorization Act (NDAA).<sup>14</sup> Congress asked for an assessment of USMMA's systems and recommendations to put it on the path to modernization.

Chapter 2 describes USMMA's mission and the policy context in which it operates. The Academy prepares Midshipmen to serve in the merchant marine, which supports national security, defense, port management, maritime commerce, and transportation. Many other institutions in the United States train and educate merchant mariners, but USMMA is the only one that requires all graduates to serve.

Education and training, which are the core functions of USMMA, are discussed in Chapter 4. Components include academics, athletics, Sea Year, and regimental life. Midshipmen take a rigorous four-year program that includes almost one full year at sea. The 11-month academic calendar leaves little downtime. In addition to receiving passing grades in their classes, Midshipmen must pass the Coast Guard license exam to graduate.

The next four chapters address the functions and operations needed to support education and training. Facilities and infrastructure (Chapter 4) provide an appropriate physical setting for education and training. Inadequate facilities and infrastructure can prevent USMMA from achieving its mission and pursuing its strategic priorities. Chapters 5 and 6 address conditions necessary to provide a safe and supportive learning environment, including institutional culture,

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<sup>14</sup> P.L. 116-92

diversity, equity, inclusion, belonging (DEIB), mental health support, and freedom from sexual assault and sexual harassment (SASH). USMMA has not taken the steps common among the leading institutions of higher education in the United States. How the Academy engages with stakeholders and claims its place in a larger context is covered in Chapter 7.

The final three chapters take on institutional-level issues. While the Superintendent must hold senior leaders accountable for achieving a high level of performance in education, facilities and infrastructure, institutional culture, DEIB, mental health support, and SASH, the Superintendent him- or herself must take the lead on ensuring that all of the parts fit together and move forward in tandem. The Superintendent is also responsible for ensuring that the Academy orients itself fully to the mission and strategic priorities. A critical element of supporting the mission is a rigorous performance measurement system. Without it, Academy officials have no way of knowing if their efforts have the intended effect.

Chapter 9 addresses the lack of external oversight and support. Several entities oversee USMMA, but they do not coordinate, and they miss some critical functions. By not holding USMMA accountable or providing meaningful support, they have allowed USMMA to act as if it was an independent institution.

Chapter 10 presents a strategy for USMMA to address its longstanding issues and move towards modernization. High-level engagement from MARAD and DOT will be necessary.

## Chapter 2: USMMA Background

This chapter offers a brief overview of the mission, curriculum, and organizational structure of USMMA. Also addressed is the broader marine transportation system in which merchant mariners serve.

### 2.1 Mission and Curriculum

USMMA is one of five federal service academies.<sup>15</sup> USMMA trains and educates professional mariners to serve both the national defense and the nation's economic needs. Most Academy graduates take positions in the maritime industry each year, while approximately 25 percent serve on active duty in the Armed Forces.

Courses of study at USMMA focus on nautical science, marine engineering, intermodal logistics, shipyard management, and a core curriculum necessary to award a Bachelor of Science degree. All graduates must complete the requirements for a Coast Guard unlimited tonnage license as a deck watch officer or ship's engineer and qualify for commissioning in an active or reserve component of the U.S. Armed Forces, the National Oceanic and Atmospheric Administration, or the U.S. Public Health Services.<sup>16</sup> Figure 2.1 lists USMMA's mission, vision, and values.

### 2.2 Organization Structure

USMMA is a unit within the Maritime Administration (MARAD) in the Department of Transportation (DOT). The Superintendent of USMMA reports to the Maritime Administrator. MARAD's mission is to foster, promote, and develop the maritime industry of the United States to meet the Nation's economic and security needs.

USMMA's leadership consists of the Superintendent, Deputy Superintendent, Academic Dean and Provost,<sup>17</sup> and Commandant of Midshipmen. Governance at USMMA is headed by the Superintendent, who is appointed by the Secretary of Transportation. A leadership team consisting of the Deputy Superintendent, the Commandant of Midshipmen, and the Academic Dean and Provost supports the Superintendent on day-to-day operational concerns. According to USMMA officials, the leadership team meets every morning and communicates during the day as necessary. The Superintendent's cabinet consists of the leadership team plus the Counsel to USMMA and the heads of Physical Education and Athletics, Academy Operations, Risk Management, Admissions, External Affairs, Institutional Assessment, SAPRO Program/Sexual Assault Response Coordinator (SARC), and Equal Employment Opportunity/Diversity. The cabinet meets periodically to discuss big-picture issues, such as changes to internal policy. During the pandemic, the Cabinet met irregularly but has resumed occasional meetings in recent weeks.

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<sup>15</sup> "The service academies include the U.S. Air Force Academy, the U.S. Coast Guard Academy, the U.S. Merchant Marine Academy, the U.S. Military Academy, and the U.S. Naval Academy." U.S. Government Accountability Office, *The Five Service Academies: A Follow up Report*, FPCD-77-78; November 25, 1977. <https://www.gao.gov/products/fpcd-77-78>.

<sup>16</sup> 46 U.S. Code § 51306(e)(1); service in the National Guard is eligible to fulfill service requirements as long as it is acting on behalf of the federal government rather than a state.

<sup>17</sup> The position of Dean was elevated to Provost/Dean in 2018.

<i>Figure 2-1. Mission, Vision, Values</i>	
Mission	To educate and graduate leaders of exemplary character who are inspired to serve the national security, marine transportation, and economic needs of the United States as licensed Merchant Marine Officers and commissioned officers in the Armed Forces.
Vision	To be a diverse and welcoming community of leaders, professionals, and scholars who are dedicated to collaboration inside and outside of Vickers Gate. To live and work in a place where everyone is inspired to give his or her best every day. To be known as a center of excellence for Midshipman development and maritime innovation.
Values	<p><u>Respect.</u> Promote an environment where inclusion, multiculturalism, and diversity are encouraged and valued. Communicate effectively and engage in healthy relationships. Maintain the highest level of professionalism as it relates to behavior and interpersonal skills.</p> <p><u>Honor.</u> Be honest and trustworthy and maintain the highest level of integrity. Take responsibility and accountability for your actions and for those you lead. Demonstrate courage and stand up for the honor of others.</p> <p><u>Service.</u> Generate the highest levels of trust, unity, and pride in all Academy undertakings. Consider the needs of others before your own self-interest. Engage in leadership opportunities that contribute to our Nation's maritime and military interests, and our community.</p>
<p><i>Source: USMMA Strategic Plan 2018-2023: Navigating Towards the Future Together and Strategic Plan Implementation Guidance for 2020-2021</i></p>	

Reporting to the Superintendent are the Academic Dean and Provost, Deputy Superintendent, and the Commandant of Midshipmen.<sup>18</sup> The Academic Dean and Provost oversees academic departments and support functions, including the Office of Professional Development and Career Services (in charge of Sea Year), Admissions, the Academic Center of Excellence, the Registrar, the Library, and Institutional Assessment.

The Deputy Superintendent develops, recommends, administers, and directs the support service functions of USMMA, including administration, facilities, institutional planning, and operations. The Director of Academy Operations reports to the Deputy Superintendent, overseeing public safety, information technology, maintenance, and administrative services.

The Commandant of Midshipmen has a wide range of responsibilities related to training. The Commandant leads the regiment, evaluates midshipman performance within the regiment, monitors the adequacy of student facilities, and provides social and recreational activities.

Additional information on the organizational structures of USMMA and MARAD can be found in Appendix D.

<sup>18</sup> The SAPR Director and Civil Rights Director also directly report to the Superintendent.

## 2.3 Strategic Plan

USMMA adopted its current strategic plan in 2018. It established six strategic priorities, shown in figure 2.2. Within each strategic priority are two to four specific goals, steps to achieve those goals, and metrics to assess progress towards goals. Strategic priorities, goals, and proposed performance measures appear in Appendix E. Development of the strategic plan is discussed in Appendix F.

*Figure 2-2. Strategic Priorities in the 2018 Strategic Plan*

**Strategic Priority 1: EDUCATIONAL PROGRAM:** Administer an integrated, enriching, and relevant Educational Program for Midshipmen that focuses on excellence in curriculum and delivery through seamless collaboration across academic, regimental, co-curricular, and extra-curricular Academy functions.

**Strategic Priority 2: INSTITUTIONAL CULTURE:** Cultivate an institutional culture in which every Academy community member is respected, valued, and can fulfill her or his maximum potential as a leader of exemplary character.

**Strategic Priority 3: INFRASTRUCTURE:** Engage in effective planning, management and utilization of Academy infrastructure that will enable Midshipman success, provide a safe, productive, and efficient work environment for Midshipmen and employees, and facilitate stewardship and sustainability of Academy resources.

**Strategic Priority 4: GOVERNANCE, LEADERSHIP, AND ADMINISTRATION:** Govern and lead USMMA in a manner that allows it to achieve its mission and goals in a way that benefits the institution, its Midshipmen, and the other constituencies it serves. Administer USMMA with appropriate autonomy as an institution of higher education and Federal Service Academy having education as its primary purpose.

**Strategic Priority 5: COMMUNICATIONS AND RELATIONSHIPS:** Establish and maintain a comprehensive communication program designed to enhance USMMA’s public image, facilitate stakeholder engagement, recruit, and retain the best-qualified faculty, staff, and Midshipmen, and ensure timely and transparent messaging that builds trust and instills confidence in the institution.

**Strategic Priority 6: ATHLETICS AND WATERFRONT ACTIVITIES:** Emphasize the role and value of athletics in Midshipmen development and recruiting and retaining the best and brightest Midshipmen for USMMA.

*Source: USMMA Strategic Plan 2018-2023: Navigating Towards the Future Together and Strategic Plan Implementation Guidance for 2020-2021*

## 2.4 The Maritime Domain

The United States is a maritime nation and has been since the Nation’s founding. In addition, the marine transportation system underpins American economic vitality.”<sup>19</sup> In 2020, “by value, 90 percent of global trade traveled by sea,” facilitating \$5.4 trillion of economic activity and

<sup>19</sup> “Advantage at Sea,” December 2020, 3.

supporting 31 million American jobs related to port activity.”<sup>20</sup> Its maritime law enforcement and regulatory agencies, primarily the U.S. Coast Guard (USCG), ensure the safety and legal operations of the marine transportation system, commercial vessels, U.S. ports, maritime workers, private boaters, and U.S. fisheries. The Transportation Security Agency (TSA) protects its security. The Military Sea Lift Command under the U.S. Transportation Command (USTRANSCOM) is authorized to activate U.S.-flagged commercial vessels enrolled in the Voluntary Intermodal Sealift Agreement (VISA) program and the merchant marine to support military operations. During times of war, the forward projection of U.S. combat power delivered by sea, strengthened by authorities to mobilize the USCG, the merchant marine, and U.S.-flagged vessels under military command, has contributed to America’s wartime power and successes in the maritime domain.

The longstanding importance of the maritime domain to the U.S. has led Congress to grant authority to multiple federal departments and agencies to govern different elements of the maritime domain. Today, those primary agencies include the Department of Defense (U.S. Navy, U.S. Marine Corps, Military Sealift Command, USTRANSCOM, The U.S. Army Corps of Engineers), the Department of Transportation (MARAD), the Department of Homeland Security (USCG, CBP, and TSA), the Federal Maritime Commission (FMC), and the Department of Commerce (National Oceanographic and Atmospheric Administration). As a result, no single executive branch authority is responsible for national maritime agencies, interests, and maritime policies, yet the key players recognize the interconnectedness. Similarly, Congressional authorization and oversight responsibilities for national maritime agencies and policies are fragmented across multiple authorization committees and subcommittees as well as appropriations subcommittees within both the House and Senate.

## ***National security***

USMMA contributes to national security objectives by preparing merchant mariners to support the Military Sealift Command through MARAD’s strategic sealift programs. The strategic sealift is a series of programs operated by MARAD to support national defense and security, as shown in figure 2-3.<sup>21</sup> In times of national emergency, government and U.S.-flagged commercial vessels provide sealift support to transport Department of Defense (DoD) assets. In times of war, the merchant marine provides sealift support to the battle force, shore-based facilities, and broader national defense missions.<sup>22</sup>

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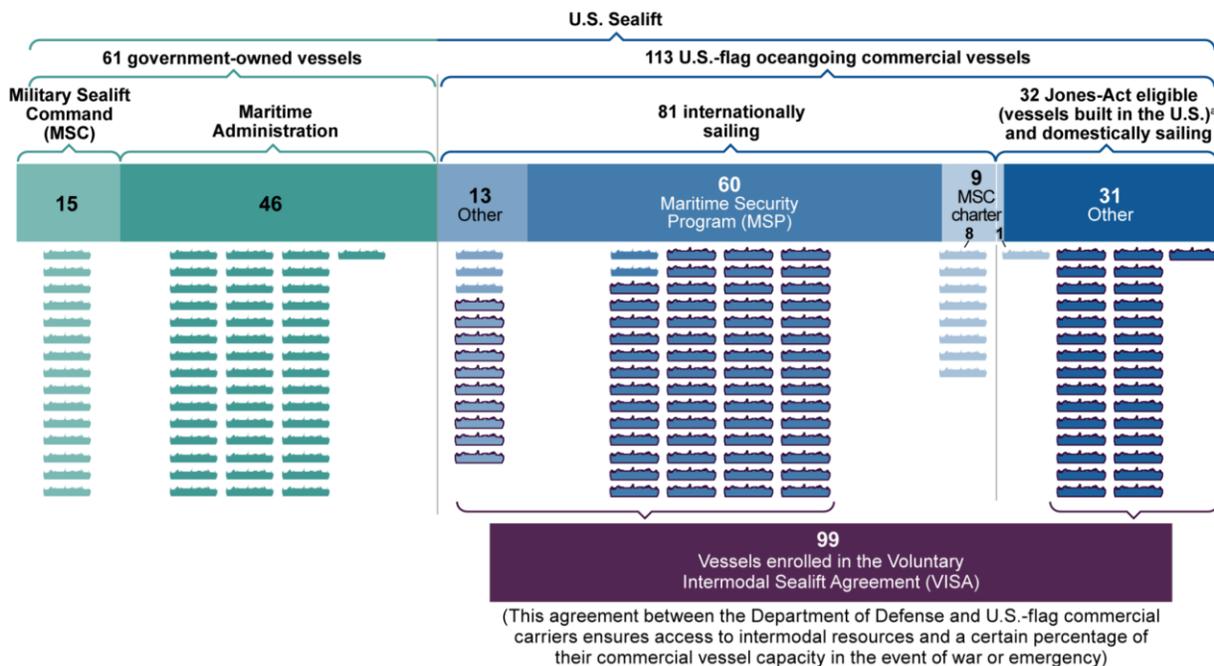
<sup>20</sup> Ibid, 10.

<sup>21</sup> “Strategic Sealift.” U.S. Maritime Administration, accessed June 21, 2021, <https://www.maritime.dot.gov/national-security/strategic-sealift/strategic-sealift>.

<sup>22</sup> Office of the Chief of Naval Operations, “Report to Congress on the Annual Long-Range Plan for Construction of Naval Vessels for Fiscal Year 2020.” March 2019, 24.

Figure 2-3. U.S. Sealift Capacity, as of March 2018

Figure 1: U.S. Sealift Capacity, as of March 2018



Source: GAO analysis of Maritime Administration data. | GAO-18-478

Source: GAO<sup>23</sup>

Mariners, including Academy graduates, have been commissioned in all of the uniformed services, including all of the sea services (U.S. Coast Guard, U.S. Marine Corps, NOAA Corps, and the Navy, including in the Navy’s Military Sealift Command (MSC), which is the Navy component of USTRANSCOM, one of the 11 Department of Defense (DoD) combatant commands);<sup>24</sup> see figure 2-4. The U.S. merchant marine is imperative for wartime logistics because U.S.-flagged ships offer greater security and reliability during war than non-U.S.-flagged ships. The U.S. must be prepared to respond to crises or security threats “unilaterally” as set forth by National Security Directive 28 (NSD 28).<sup>25</sup> Stability in the mariner workforce supports national security by bolstering the ability of the U.S. to respond to threats. As USTRANSCOM General Stephen R. Lyons emphasized in his 2019 State of the Command to the Senate Armed Services Committee,

<sup>23</sup> a Under the requirements of the Jones Act, only U.S.-built, U.S.- flag vessels may operate in domestic trade. There are 31 Jones-Act eligible oceangoing commercial vessels that are enrolled in VISA and available to meet emergency military operational needs and 1 Jones-Act eligible oceangoing commercial vessel that is under charter to MSC. These 32 vessels are considered part of the sealift fleet. In addition, there are 68 Jones-Act eligible oceangoing commercial vessels that employ mariners that are qualified to crew sealift vessels. U.S. Government Accountability Office, “Maritime Security DOT Needs to Expediently Finalize the Required National Maritime Strategy for Sustaining U.S.-Flag Fleet,” 2018, GAO-18-478.

<sup>24</sup> In addition to USTRANSCOM, part of MSC reports to an Assistant Secretary of the Navy and a third part reports to the Fleet Forces Command.

<sup>25</sup> National Security Directive 28, Oct. 5, 1989. accessed September 28, 2021, <https://www.hsdl.org/?abstract&did=458560>.

“sealift is USTRANSCOM’s number one readiness concern.”<sup>26</sup> Figure 2-5 displays an organization chart of government organizations responsible for the maritime logistics enterprise. The U.S. merchant marine and the entire commercial marine transportation system are crucial components of the Department of Transportation’s maritime logistics support.

*Figure 2-4. United States Combatant Commands*

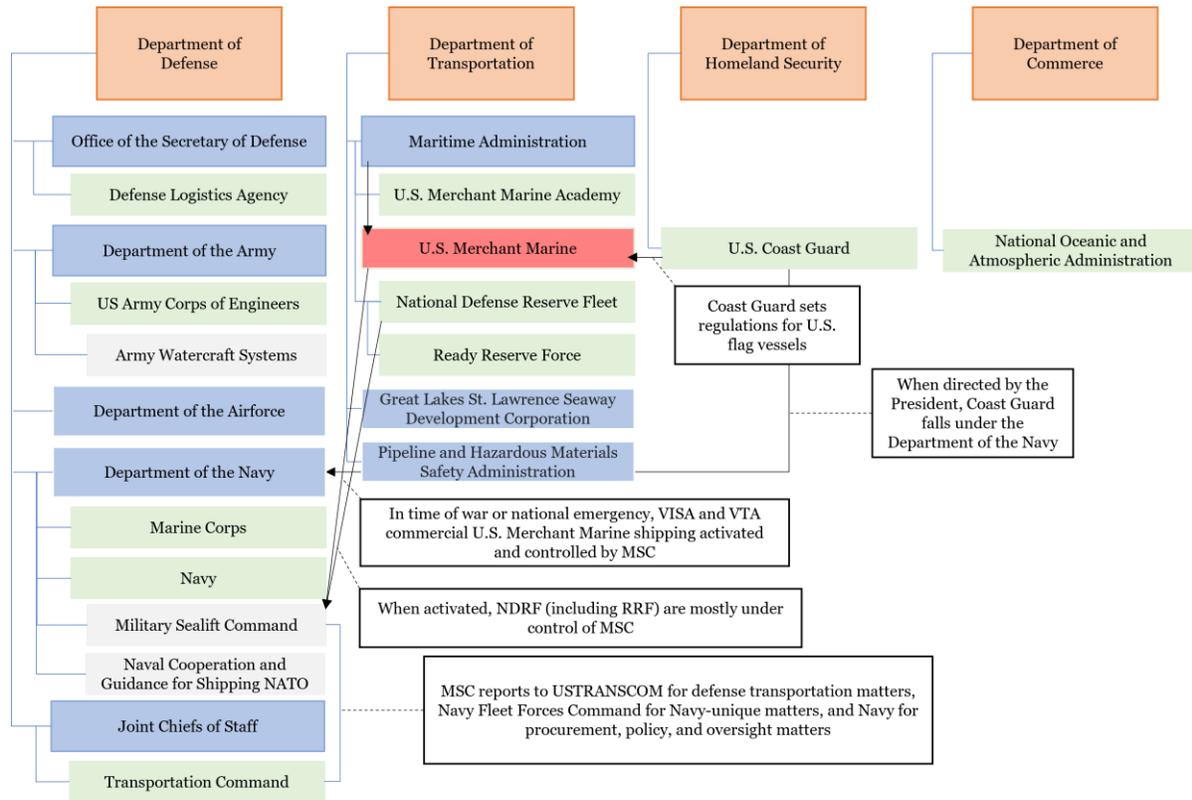


*Source: U.S. Department of Defense*<sup>27</sup>

<sup>26</sup> Statement of General Stephen R. Lyons, United States Army Commander, United States Transportation Command Before the Senate Armed Services Committee on the State of the Command March 5, 2019.

<sup>27</sup> "Combatant Commands," U.S. Department of Defense, accessed October 14, 2020, <https://www.defense.gov/Our-Story/Combatant-Commands/>.

Figure 2-5. Summary of U.S. Government Organizations Responsible for Maritime Logistics Enterprise for National Defense and National Security



Source: Center for Strategic and Budgetary Assessments and National Academy of Public Administration<sup>28</sup>

The DoD sealift transportation requirement is to transport approximately 90 percent of military cargo during wartime surge.<sup>29</sup> The high-mass cargo required for combat is predominantly shipped via the merchant marine due to water-based transportation efficiency compared to other forms of air or land-based transport, coupled with a policy from NSD 28 to operate only a “minimum number of (government-owned) sealift ships.”<sup>30</sup> The “Jones Act,” adopted as Section 27 of the Merchant Marine Act of 1920 (P.L. 66-261),<sup>31</sup> requires DoD to utilize U.S. commercial vessels to move supplies for military engagements and routine shipments of military goods to foreign bases

<sup>28</sup> The figure is a version from the Center for Strategic and Budgetary Assessments with updated information from MARAD. MARAD is the Type Commander (TYCOM) for the Ready Reserve Force (RRF) and will be the TYCOM for all reserve sealift vessels at the end of FY23, when MSC’s LMSR Surge Sealift fleet responsibility is transferred to MARAD. The Federal Motor Carrier Safety Administration (FMCSA) also has an impact on freight rates. Center for Strategic and Budgetary Assessments, “Sustaining the Fight Resilient Maritime Logistics for a New Era, 2019, 5, <https://csbaonline.org/research/publications/sustaining-the-fight-resilient-maritime-logistics-for-a-new-era>.

<sup>29</sup> Statement of General Stephen R. Lyons, United States Transportation Command, March 5, 2019.

<sup>30</sup> National Security Directive 28.

<sup>31</sup> John Frittelli, “Shipping Under the Jones Act: Legislative and Regulatory Background,” Congressional Research Service R45725, November 21, 2019, 1.

of operation around the world.<sup>32</sup> The Jones Act also requires vessels transporting cargo between points in the U.S. to be U.S.-built and owned and crewed by U.S. citizens.<sup>33</sup>

The fleet of ships available for the sealift includes both government and commercial vessels. MSC has 13 ships. MARAD has 41 Naval Defense Reserve Fleet (NDRF) ships assigned and maintained in 5-day readiness status in the Ready Reserve Force (RRF) fleet and is the Type Commander (TYCOM)<sup>34</sup> for the RRF. Recent direction by the Deputy Secretary of Defense indicates that MARAD will become the TYCOM for all reserve sealift by FY2023 when MSC completes the transfer of the remaining Surge Sealift Program Office (PM5) ships to MARAD.<sup>35</sup> If needed, USTRANSCOM/MSC would take operational control of those ships, increasing the total government-owned and operated ships for cargo to 54. In a time of distress, these would be the first ships to deploy.

For general shipping needs, DoD utilizes U.S.-flagged commercial vessels first. This cargo preference is extended to +/-100 ships of various sizes enrolled in the Voluntary Intermodal Sealift Agreement (VISA) program. Among the VISA ships, +/-60 participate in the Maritime Security Program (MSP), meaning that they also get an annual stipend, currently about \$5 million annually.<sup>36</sup> An additional (approximately) 30 ocean-going vessels of potential military interest engage in Jones Act trade (i.e., domestic trade between U.S. ports).<sup>37</sup>

Additionally, the Secretary of Transportation retains the authority to prioritize and allocate civil transportation capacity, including ports and intermodal support services, regardless of ownership, as detailed in the Defense Production Act (DPA) of 1950. Within this effort, MARAD supports the DoD by entry into voluntary agreements with strategic port operators through the National Port Readiness Network that supports DoD's Strategic Ports Program.

## ***Maritime industry***

In peacetime, merchant mariners work in the public and private sectors and state port authorities, including shipping companies, ports, shipyards, labor unions, ship disposal companies, and many

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<sup>32</sup> 10 U.S. Code § 2631(a): "Only vessels of the United States or belonging to the United States may be used in the transportation by sea of supplies bought for the Army, Navy, Air Force or Marine Corps."

<sup>33</sup> Frittelli, 1.

<sup>34</sup> In the U.S. Navy, Type Commands are in the Administrative chain of command, which is responsible for readiness in personnel, education, training, repairs and supply chains. Type Commands are "Units operating together for a specific task, perhaps the air defense units within a carrier strike group, would receive a separate task unit designation. The commanders of each of those coordinate to make sure resources and procedures are compatible so it's easier for sailors to transfer from coast to coast or command to command." U.S. Department of Defense, "Military Units: Navy" accessed October 5, 2021 at <https://www.defense.gov/Experience/Military-Units/Navy/#1046.1500244140625>.

<sup>35</sup> Deputy Secretary of Defense, Program Decision Memorandum (PDM); NOTAL.

<sup>36</sup> MARAD has proposed an annual stipend of \$5.3 million for FY22. U.S. Department of Transportation Maritime Administration Budget Estimates FY 2022; May 28, 2021.

<sup>37</sup> "Section 27 of the Merchant Marine Act of 1920, as amended, popularly known as the Jones Act, requires vessels that serve the U.S. domestic trades be: owned by a U.S. citizen or by companies controlled by individuals that are U.S. citizens with at least 75% of ownership; operated with crews that are all U.S. citizens in licensed positions and at least 75% U.S. citizens in unlicensed positions, built (or rebuilt, or seized) in the United States ; registered under the U.S. flag with a coastwise endorsement from the U.S. Coast Guard." U.S. Department of Transportation, "Goals and Objectives for a Stronger Maritime Nation: A Report to Congress," Washington, D.C., 2020, 8.

other maritime organizations. Mariners are responsible for operating vessels ranging in complexity from small inland tugboats to large deep-sea cargo ships. Inland waterways transport more than 60 percent of U.S. grain exports, about 22 percent of domestic petroleum products, and 20 percent of the coal used to generate electricity.<sup>38</sup> Approximately 41,000 vessels owned, operated, and built by U.S. citizens serve the domestic maritime transportation market.

To serve their national security interests, many other national governments invest in global maritime transportation.<sup>39</sup> The result is that U.S.-flagged shipping companies operate in a competitive global economic environment yet rely primarily on government support to maintain the infrastructure and sealift capacity required in military mobilization. In return, the U.S. commercial maritime industry maintains fleets and mariners that can mobilize when needed for strategic sealift. According to DOT's "Stronger Maritime Nation" report, the international water transportation market, as of August 2019, consisted of 81 large, privately owned self-propelled U.S.-flagged merchant type vessels.... Estimates using 2015 census foreign trade data indicate that 1.5 percent of waterborne imports and exports by tonnage move on (U.S.-flagged vessels, down from) close to 4 percent of ocean freight from 1977 until 1993."<sup>40</sup>

The following programs provide federal support to commercial or educational maritime entities:

- National Defense Reserve Fleet (NDRF)<sup>41</sup>
- Ready Reserve Force (RRF)<sup>42</sup>
- Public Nautical Training Ship Program<sup>43</sup>
- Ship Disposal Program<sup>44</sup>
- Maritime Security Program (MSP)<sup>45</sup>
- Voluntary Intermodal Sealift Agreement (VISA)<sup>46</sup>
- Cargo Preference Requirements<sup>47</sup>

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<sup>38</sup> U.S. Government Accountability Office, "U.S. Merchant Marine Maritime Administration Should Assess Potential Mariner-Training Needs," 2014, GAO-14-212.

<sup>39</sup> Blanchette, Hillman, McCalpin. "Hidden Harbors: China's State-backed Shipping Industry," CSIS Briefs, July 8, 2020. <https://www.csis.org/analysis/hidden-harbors-chinas-state-backed-shipping-industry>

<sup>40</sup> "Goals and Objectives for a Stronger Maritime Nation," 8.

<sup>41</sup> MARAD maintains approximately 100 inactive government-owned vessels that can be deployed to support national defense and emergencies. "National Defense Reserve Fleet," Maritime Administration, accessed July 20, 2021, <https://www.maritime.dot.gov/national-defense-reserve-fleet>.

<sup>42</sup> Forty-one ships in the NDRF are available for rapid deployment as well as additional "surge" shipping "The Ready Reserve Force," Maritime Administration, accessed July 20, 2021, <https://www.maritime.dot.gov/national-defense-reserve-fleet/ndrf/maritime-administration%E2%80%99s-ready-reserve-force>.

<sup>43</sup> 46 C.F.R. 37694, Part 310.4

<sup>44</sup> "Ship Disposal Program," Maritime Administration, accessed July 20, 2021, <https://www.maritime.dot.gov/ports/cargo-preference/cargo-preference>.

<sup>45</sup> "Maritime Security Program," Maritime Administration, accessed July 20, 2021, <https://www.maritime.dot.gov/national-security/strategic-sealift/maritime-security-program-msp>.

<sup>46</sup> "Voluntary Intermodal Sealift Agreement," Maritime Administration, accessed July 20, 2021, <https://www.maritime.dot.gov/national-security/strategic-sealift/voluntary-intermodal-sealift-agreement-visa>.

<sup>47</sup> "Cargo Preference," Maritime Administration, accessed July 20, 2021, <https://www.maritime.dot.gov/ports/cargo-preference/cargo-preference>.

- Federal Ship Financing Program (Title XI)<sup>48</sup>
- Small Shipyards Grants<sup>49</sup>

Commercial and government contract-operator merchant mariners face new or resurgent threats in cybersecurity, assured positioning, navigation and timing, electronic navigation, increased automation, and satellite communications connectivity that require increased skills. These functional and technical proficiencies are needed alongside traditional, required training to operate a modern, safe Marine Transportation System facing unparalleled growth from the globalization of trade.

## ***Maritime workforce***

One of MARAD’s responsibilities is to “train and educate the next generation of mariners to carry out and improve the quality of U.S. maritime operations at sea and ashore, everything from shipbuilding to port operations, to cybersecurity.”<sup>50</sup> Through the MARAD budget, the federal government provides full support for USMMA and partial support for the six state maritime academies.<sup>51</sup> Two MARAD programs seek to stabilize and support the mariner workforce:

- **Military to Mariner:** Recruits military veterans by streamlining the process to obtain U.S. merchant mariner credentials.<sup>52</sup> Mariners must navigate separate and time-consuming processes at the Departments of State, Transportation, Defense, and Homeland Security to get the required licenses, documents, passports, and training.<sup>53</sup>
- **Centers of Excellence for Domestic Maritime Workforce Training and Education (CoE):** In 2021, MARAD designated the first select programs as CoE. Twenty-seven eligible community colleges and maritime training centers in 16 states and one territory received this designation in the most recent round in May 2021. The designations will last for one year. The CoE program offers “cooperative agreements [with MARAD] to help advance recruitment of students and faculty, enhance facilities, award student credit for military service, and potentially receive assistance in the form of surplus equipment or temporary use of MARAD vessels.”<sup>54</sup>

In addition, MARAD provides partial support for the Women on the Water Conference. This annual conference offers professional development opportunities through presentations, workshops, individualized assistance, and camaraderie. “By providing our female cadets with the

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<sup>48</sup> “Federal Ship Financing Program (Title XI)” Maritime Administration, accessed August 31, 2021, <https://www.maritime.dot.gov/grants/title-xi/federal-ship-financing-program-title-xi>

<sup>49</sup> “Small Shipyards Grants”, Maritime Administration, accessed on August 31, 2021, <https://www.maritime.dot.gov/grants-finances/small-shipyard-grants>

<sup>50</sup> “Education,” U.S. Department of Transportation Maritime Administration, accessed September 28, 2021, <https://www.maritime.dot.gov/education>

<sup>51</sup> U.S. Department of Transportation Maritime Administration Budget Estimates FY 2021; February 10, 2020.

<sup>52</sup> 10 U.S. Code § 2015

<sup>53</sup> Geoffrey Brown, “Strategic Sealift’s Merchant Mariner Problem,” Center for International Maritime Security, July 1, 2021, <https://cimsec.org/strategic-sealifts-merchant-mariner-problem/>.

<sup>54</sup> “Centers of Excellence for Domestic Maritime Workforce Training and Education (CoE),” U.S. Department of Transportation Maritime Administration, accessed July 3, 2021, <https://www.maritime.dot.gov/education/maritime-centers-excellence>.

opportunity to learn from other female maritime industry leaders, we hope to inspire them to greater levels of achievement in their careers.” The 2020 conference was postponed due to the pandemic.<sup>55</sup>

MARAD estimates that in the 1940s, almost 225,000 individuals were part of the U.S. maritime workforce.<sup>56</sup> According to the Department of Labor, in 2019, the total number of all water transportation workers in the U.S. was 82,000.<sup>57</sup> Of those, MARAD estimates that around 12,000 mariners possess the needed licenses to operate the ships in the RRF. The mariner workforce would be sufficient for an initial surge but not a sustained operation. However, supporting the initial surge would require “the entire pool of qualified United States citizen mariners identified by the Maritime Workforce Working Group (MWWG) are available and willing to sail.”<sup>58</sup> Former Maritime Administrator RADM Mark Buzby, USN (Ret.), estimated that the merchant marine would need an additional 1,800 officers to support wartime operations in a contested environment for more than four to six months.<sup>59</sup>

Graduates of USMMA provide critical support to the RRF. They must maintain their licenses and serve in the U.S. Navy Reserve (USNR) or other military Reserve for eight years.<sup>60</sup> Graduates of state maritime academies who receive financial assistance through the Student Incentive Program (SIP) have a similar requirement.<sup>61</sup> In FY19, 200 Midshipmen graduating from USMMA earned the unlimited tonnage license. The state maritime academies graduated 922 unlimited tonnage license merchant mariners in FY2019.<sup>62</sup>

Many interviewees talked about the headwinds facing the mariner workforce. There is simultaneously a shortage of licensed mariners and a lack of job opportunities to allow Academy graduates to go to sea. The fleet of U.S.-flagged ships has declined, and some of those vessels are nearing the end of their useful lives. USTRANSCOM commander Army Gen. Stephen R. Lyons said in 2019 that, “[Our] sealift fleet is able to generate only 65 percent of our required capacity...

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<sup>55</sup> “Women on the Water Conference,” U.S. Department of Transportation Maritime Administration, accessed July 3, 2021, <https://www.maritime.dot.gov/education/11th-annual-women-water>.

<sup>56</sup> “Educating the Maritime Workforce,” U.S. Department of Transportation Maritime Administration, accessed June 29, 2021, <https://www.maritime.dot.gov/education>.

<sup>57</sup> U.S. Department of Labor, Employment projections data for water transportation workers, 2019-29. “Employment Projections Program,” U.S. Bureau of Labor Statistics, accessed June 28, 2021, [https://www.bls.gov/ooh/transportation-and-material-moving/water-transportation-occupations.htm?view\\_full#tab-6](https://www.bls.gov/ooh/transportation-and-material-moving/water-transportation-occupations.htm?view_full#tab-6)

<sup>58</sup> U.S. Maritime Transportation System National Advisory Committee (MTSNAC) and the MWWG in consultation with Coast Guard Merchant Marine Personnel Advisory Committee (MERPAC) and the Committee on Marine Transportation Systems (CMTS), Maritime Workforce Working Group Report, U.S. Department of Transportation Maritime Administration, 2017.

<sup>59</sup> Statement of Mark H. Buzby Administrator Maritime Administration, U.S. Department of Transportation, Before the Committee on Commerce, Science, and Transportation Subcommittee on Transportation and Merchant Marine Infrastructure, Safety and Security, United States Senate, April 24, 2018.

<sup>60</sup> 46 C.F.R. § 310.58

<sup>61</sup> 46 U.S. Code § 51509

<sup>62</sup> U.S. Department of Transportation Maritime Administration Budget Estimates FY 2021; February 10, 2020.

[65 percent] is not a passing grade.”<sup>63</sup> Fewer ships mean fewer jobs. At the same time, the average merchant mariner is 47 years of age.<sup>64</sup> Due to rapidly changing technology, their initial training is becoming increasingly obsolete. Without a pipeline, the workforce will dwindle.

Several emerging trends will shape training and education to support the merchant marine’s commercial and national security missions. At the 2020 Maritime Education, Training, Research and Innovation (METRI) Virtual Summit, members of the Transportation Research Board (TRB) of the National Academies of Science, Engineering, and Medicine (NASEM) discussed many of these trends. They noted the influences of emerging technology, changing workforce demographics, uncertain national security needs and emerging threats, requirements for environmental sustainability, shifting market forces, and new international and domestic regulation. Speakers predicted these trends would require proficiency with data science, machine learning, and cybersecurity; operations research, system optimization, programming agility; use of drones or autonomous vessels; and “soft skills” such as networking, mentoring, continuous learning, global understanding, and leadership.<sup>65</sup>

Shifting defense needs will also shape training requirements. In December 2020, the U.S. Navy, U.S. Coast Guard, and U.S. Marine Corps issued an updated naval forces strategy. Logistics and agility are two capabilities cited repeatedly throughout the document.

“The Naval Service will pursue an agile and aggressive approach to experimentation and force modernization. Our future hybrid fleet will combine existing platforms with new, smaller ships, lighter amphibious ships, modernized aircraft, expanded logistics, resilient space capabilities, and optionally manned and unmanned platforms.”<sup>66</sup>

Along the same lines, an analyst with USTRANSCOM’s J1 Manpower and Personnel Directorate recently wrote that,

“Merchant mariners would greatly benefit from training in damage control, secure communications, serpentine routes, avoiding mines (Q-routes), and joining a convoy before they arrive on sealift ships...Outside of the military training SSOs [Strategic Sealift Officers]<sup>67</sup> receive from the Navy, merchant mariners are missing vital skills that would help them survive and be effective in wartime. Undoubtedly, this means that the readiness

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<sup>63</sup> Terri Moon Cronk, “TRANSCOM Commander: Sealift Fleet Urgently Needs Recapitalization,” U.S. Department of Defense, March 8, 2019, <https://www.defense.gov/Explore/News/Article/Article/1779895/transcom-commander-sealift-fleet-urgently-needs-recapitalization/>.

<sup>64</sup> Brown, 2021.

<sup>65</sup> Maritime Education, Training, Research and Innovation (METRI) Virtual Summit: Future Implications for Education, Workforce Development and Training. Organized by the Marine Board of the National Academy of Sciences, Engineering and Medicine, in partnership with the U.S. Maritime Administration, November 9, 2020.

<sup>66</sup> “Advantage at Sea,” December 2020, 21.

<sup>67</sup> Strategic Sealift Officers (SSOs) are “commissioned officers in the U.S. Navy Reserve assigned to reserve U.S. Naval activities that support strategic sealift in times of national defense or emergency. The Strategic Sealift Officer Program provides the capability for emergency crewing and shore-side support of Military Sealift Command’s Surge Sealift Fleet and the Ready Reserve Force in times of national defense or emergency.” “Strategic Sealift Officer,” U.S. Merchant Marine Academy, accessed March 7, 2021, at <https://www.usmma.edu/academics/departments/strategic-sealift-officer>.

of merchant mariners for war is questionable. While some might argue they are noncombatants and do not need it, WW2 proves otherwise. The Merchant Marine suffered a higher death rate than any of the other service branches in WW2.”<sup>68</sup>

### ***The role of USMMA in the maritime domain***

USMMA supports the marine transportation system by educating and graduating “leaders of exemplary character who are inspired to serve the national security, marine transportation, and economic needs of the United States as licensed merchant marine officers and commissioned officers in the Armed Forces.”<sup>69</sup> Its mission, curriculum, programs, and the jobs and careers its graduates pursue cut across the maritime authorities and responsibilities of multiple federal agencies and include the maritime industries and port authorities. The only commonality is that all graduates must serve in an active or reserve capacity in the Armed Forces for eight years,<sup>70</sup> and all are required to obtain a USCG license before graduation.

### ***The U.S. merchant marine and USMMA are interrelated***

USMMA operates in a context of multiple, duplicative, and overlapping policy realms. The numerous national strategies impacting the maritime domain, fragmented federal authorities and oversight for the maritime domain, and the responsibility to prepare graduates for the military, private industry, and maritime roles in federal and state agencies collectively result in little clear strategic guidance from oversight agencies and stakeholders on the course USMMA should set for the future.

The mission of USMMA is tied to the condition of the U.S. merchant marine and national maritime strategies, especially those issued by DOT and MARAD regarding the marine transportation system. The continued decline of U.S. shipbuilding, U.S.-flagged shipping vessels, and the consequent decline of the merchant marine in the 1980s and 1990s was essentially unabated. It lacked a coordinated federal response to protect the capacity of the U.S. marine transportation system.<sup>71</sup> This decline in the industry reduced the demand for qualified merchant mariners, despite the continuing need for sealift capacity in the case of a national emergency. The lack of clear strategic guidance and direction from all federal and state agencies that employ USMMA graduates and depend upon the competencies of merchant mariners is among the root causes of USMMA's challenges today.

At the end of 2020, DoD issued “U.S. Maritime Strategy: Advantage at Sea” (TriService strategy), a major policy document addressing the roles, responsibilities, and capabilities of the U.S. Navy, U.S. Marine Corps, and U.S. Coast Guard (the naval forces) in the maritime domain.<sup>72</sup> It recognizes the critical roles of logistics, highlighting the need to train and educate naval forces to better meet new and future global maritime challenges. The strategy focuses on new technologies,

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<sup>68</sup> Brown, 2021.

<sup>69</sup> “Mission.” U.S. Merchant Marine Academy, accessed June 16, 2021, <https://www.usmma.edu/about/mission>.

<sup>70</sup> 46 U.S. CODE 51306(a)(4)

<sup>71</sup> Andrew Gibson and Arthur Donovan, *The Abandoned Ocean: A History of U.S. Maritime Policy*, University of South Carolina Press, 2001.

<sup>72</sup> “Advantage at Sea,” December 2020.

evolving strategic and operational changes in the global maritime domain, and interoperability across the services, including better aligning education and training foci and objectives.<sup>73</sup> It also emphasizes the vital importance of recapitalizing sealift capacity and improving sealift operations and resourcing.

The TriService strategy contrasts with two DOT policy documents that focus on current conditions without discussing emerging challenges. “National Strategy for the MTS: Channeling the Maritime Advantage, 2017-2022.” set priority areas for federal support of the marine transportation system, emphasizing the role of the MTS in supporting the military.<sup>74</sup> In 2020, the U.S. Committee on the Marine Transportation System (CMTS) released “Goals and Objectives for a Stronger Maritime Nation: A Report to Congress,” further developing the opportunities identified in the 2017 study that pertain to DOT.<sup>75</sup> The difference in approaches is relevant because 25% of USMMA graduates typically join the active-duty military and other graduates serve in the reserves.

Modernizing USMMA also requires identifying the capabilities, capacities, and competencies necessary to modernize the U.S. merchant marine. To align with the changing economy and global marine transportation operational environment, USMMA curriculum and training should be global, strategic, future-oriented, and involve critical thinking skills needed to assess and understand evolving changes in the maritime domain faced by the Naval Forces, the marine transportation system, and commercial maritime industries, and state and regional port authorities.

U.S. global logistics capability, of which Maritime plays a key role, is a strategic advantage against other countries. Since merchant mariners staff all seaborne logistics capability, there is a high priority to train officers within DOT and DoD to a much higher standard than only achieving a USCG license. The revitalization of USMMA would be incomplete without further integration of the merchant marine’s essential roles, responsibilities, and capabilities in national security and defense strategies.

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<sup>73</sup> Ibid.

<sup>74</sup> The U.S. Committee on the Marine Transportation System (CMTS) is an interagency coordinating body of more than 25 federal agencies, led by DOT. Its purpose is to, “assess the adequacy of the marine transportation system, promote the integration of the marine transportation system with other modes of transportation and other uses of the marine environment, and coordinate, improve the coordination of, and make recommendations with regard to Federal policies that impact the marine transportation system.” U.S. Committee on the MTS (October 2017), National Strategy for the MTS: Channeling the Maritime Advantage, 2017-2022. Washington, DC.

<sup>75</sup> “Goals and Objectives for a Stronger Maritime Nation”

## Chapter 3: Education

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<b>Overview</b>	<b>This chapter assesses the education and training programs at USMMA.</b> It assesses the changes planned by USMMA as well as the changes needed in its policies, processes, capacity, and capabilities that affect education and training to ensure that it continues to prepare the merchant mariner of today and the future.
<b>Path to Modernization</b>	<b>USMMA officials should prepare Midshipmen for careers as leaders, not simply their first job.</b> Education and training should prepare the whole person, rather than simply producing Coast Guard licensees.  <b>The curriculum should be reviewed holistically on a regular schedule to ensure it is keeping up with the needs of the Military Sealift Command, the marine transportation system, and industry.</b>  <b>The education and training program should fully implement learning assessments for all courses, academic majors, and training programs immediately.</b> Feedback on the teaching effectiveness will allow USMMA to refine approaches and demonstrate progress. Assessments should cover the full range of curricular, co-curricular, and extracurricular activities that contribute to learning outcomes.  <b>Policies, programs, and processes governing and supporting the academic faculty require modernization, including achieving parity with the other federal service academies.</b>
<b>Education and Training Challenges</b>	<b>USMMA is not fully delivering on the institutional learning outcomes established in 2018—leadership, professional expertise, lifelong learning, and global understanding—although it has begun to collect some evidence related to these learning outcomes.</b> Aside from the pass rate on the Coast Guard license, USMMA has a limited understanding of how well it is preparing Midshipmen or whether it is preparing them for the right things.  <b>USMMA’s accreditation through the Middle States Commission on Higher Education was jeopardized in the last review.</b> USMMA made enough commitments to remove the warning.
<b>Benefits of taking action</b>	<b>USMMA graduates more than 200 Midshipmen each year who have passed the Coast Guard licensing exam. Because of the changing security environment and evolving maritime domain workforce needs, modernization will prepare Midshipmen for maritime careers, not just meeting minimum requirements for their first jobs.</b>

### 3.1 Background

USMMA’s education program includes courses that lead to a Bachelor of Science degree. Some courses also prepare students for U.S. Coast Guard (USCG) licensing exams. Training activities primarily prepare students for the USCG licensing exams and military service and provide skills such as leadership and professionalism.

The educational program aims to develop the next generation of the mariner workforce to support commercial industry and national security. Approximately 70 percent of graduates work in the maritime sector each year, while about 25 percent choose to serve on active duty in the Armed Forces. The other 5 percent embark on other approved maritime-related careers.<sup>76</sup> Midshipmen who complete the program of study earn a Bachelor of Science degree and a U.S. Coast Guard (USCG) unlimited tonnage license.<sup>77</sup> Upon graduation, they also accept a commission in the U.S. Navy Reserve or another uniformed service. To fulfill their service requirements, they must maintain their licenses and serve in the USNR or other military Reserve for eight years, and either work in the marine transportation system or go on active duty as a commissioned officer in an Armed Force of the United States, the National Oceanic and Atmospheric Administration, the U.S. Public Health services.<sup>78</sup>

A strong, well-executed, well-designed education and training program is central to preparing the next generation of merchant mariners. Evolving technical and maritime operational environments demand regular curriculum updates. The merchant mariner of the future, and the merchant marine service itself, requires more than technical proficiency.

Programs of study prepare Midshipmen for roles in the merchant marine, national security, national defense, port management, maritime commerce, and transportation. The programs of study comply with the Standards of Training, Certification, and Watchkeeping (STCW) set by the International Maritime Organization (IMO), national standards and regulations developed by the USCG, and commissioning requirements set by the U.S. Navy. To graduate, Midshipmen must pass one of two examinations administered by the USCG. Marine Transportation majors and Maritime Logistics and Security majors sit for the third mate (deck officer) license examination. Midshipmen majoring in Marine Engineering, Marine Engineering Systems, and Marine Engineering and Shipyard Management take the third assistant engineer (engineering officer) license examination.

USMMA’s strategic plan lays out the direction for its educational program (Strategic Priority 1) and emphasizes integrating academic curricula, regimental training, other training programs, and extra-curricular opportunities. The strategic plan includes high-level strategies for developing “a culture of continuous assessment and improvement in educational effectiveness and Midshipman development.”

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<sup>76</sup> “USMMA Self Study for the Middle States Commission on Higher Education Accreditation Site Visit, 2016,” U.S. Merchant Marine Academy. USMMA does not have a detailed breakdown on career outcomes of graduates.

<sup>77</sup> The full name of this credential is “National Master of Self-Propelled Vessels of Unlimited Tonnage Upon Oceans or Near Coastal Waters.”

<sup>78</sup> 46 U.S. Code § 51306(e)(1); service in the National Guard is eligible to fulfill service requirements as long as it is acting on behalf of the federal government rather than a state.

## ***Institutional Learning Outcomes***

The foundation of the education and training program is Institutional Learning Outcomes (ILOs). ILOs were established for the first time in conjunction with the current Strategic Plan. The move was in response to a finding of the Middle States Commission on Higher Education (MSCHE) 2016 accreditation site visit report.<sup>79</sup> ILOs describe the general knowledge and skills that all students should develop during their programs of study. ILOs are interrelated with one another, with relevant educational experiences (particularly the Academic and Regimental systems, Sea Year and Athletics), and with the institution’s mission.

USMMA identifies four ILOs—Leadership, Professional Expertise, Lifelong Learning, and Global Understanding—as drivers of their educational program. Definitions of the ILOs are provided in Appendix G.

USMMA officials explained that ILOs are supposed to serve as the guiding principles, and it is critical to articulate the connection between ILOs and programs and courses. USMMA finished mapping program and courses to ILOs for its core curriculum in April 2021. The Academy was in the process of mapping electives and co-curricular activities to ILOs at the time this report was published in November 2021. As discussed in section 3.2, ILOs for the two ABET-accredited majors—Marine Engineering Systems and Marine Engineering and Shipyard Management—have been developed. Some interviewees pointed out that the ILOs did not have specific, measurable outcomes, which posed a challenge for assessment. USMMA is aware of this challenge and working to create more robust measures. ILOs for the other three majors—Marine Transportation, Marine Logistics and Security, and Marine Engineering—have not been developed.

Four pillars—Academics, Regiment, Athletics, and Sea Year—are how students achieve the ILOs. Conceptually, the connection between the pillars and the learning outcomes is complex, in part because each pillar supports more than one outcome. Figure 3.1 depicts the relationship between the mission, ILOs, and pillars. The rest of this subsection describes the four pillars.

### ***Academics***

#### **Governance**

The Dean oversees the Departments of Marine Engineering, Marine Transportation, Mathematics and Science, Humanities, Physical Education and Athletics<sup>80</sup>, the Academic Center of Excellence, the Office of Professional Development and Career Services (in charge of Sea Year), the Registrar’s

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<sup>79</sup> The Academy first signaled its intention to develop institutional learning outcomes alongside a strategic plan in its October 2017 response to the 2016 MSCHE site visit report. See Middle States Commission on Higher Education, “Report to the Faculty, Administration, Advisory Board, and Students of the U.S. Merchant Marine Academy, Prepared after study of the institution’s Self-Study Report and a visit to the campus on April 3-6, 2016.” June 2016.

<https://www.usmma.edu/sites/usmma.dot.gov/files/docs/2016%20Final%20MSCHE%20Team%20Report%20-%20USMMA.PDF>.

<sup>80</sup> The athletic director reports directly to the Superintendent for NCAA matters.



## Organization

The Departments of Marine Transportation and Marine Engineering offer USMMA’s five majors. See table 3-2 below. Midshipmen in Marine Transportation majors take the deck officer exam, while Midshipmen in the Marine Engineering majors take the engineering officer exam. Students in all majors take the core curriculum in Mathematics, Science, English, History, Naval Science, and Physical Education and participate in the Sea Year internship program.

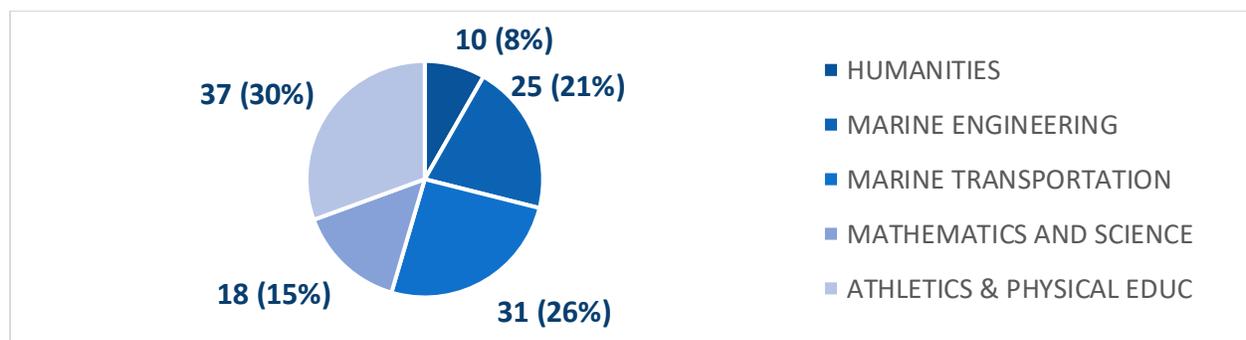
Table 3-2 USMMA Departments, Majors, and Licenses

<b>Departments</b>	
<b>Department of Marine Transportation</b>	<b>Department of Marine Engineering<sup>85</sup></b>
<b>Majors</b>	
<p><b>Marine Transportation:</b> nautical science and maritime business management</p> <p><b>Maritime Logistics &amp; Security:</b> nautical science and logistics and security management</p>	<p><b>Marine Engineering:</b> shipboard engineering operations</p> <p><b>Marine Engineering Systems:</b> systems design</p> <p><b>Marine Engineering and Shipyard Management:</b> marine engineering core and emphasizing the management of shipyards and other large engineering endeavors</p>
<b>License Examination</b>	
Third mate (deck officer)	Third assistant engineer (engineering officer)

Source: U.S. Merchant Marine Academy<sup>86</sup>

As of February 2020, USMMA had 127 faculty members. About half are in the Marine Engineering and Marine Transportation departments. Figure 3-2, below, displays the number and share of faculty in each department. Not shown are six additional faculty in the Naval Sciences Department, detailed from the Department of the Navy.<sup>87</sup>

Figure 3-2. Faculty by Department, December 2020



Source: National Academy of Public Administration

<sup>85</sup> Majors in the Department of Marine Engineering are accredited by ABET.

<sup>86</sup> “About the Curriculum,” U.S. Merchant Marine Academy, accessed July 19, 2021, <https://www.usmma.edu/academics/curriculum/about-curriculum>.

<sup>87</sup> “Naval Sciences Faculty and Staff,” U.S. Merchant Marine Academy, updated February 5, 2021, <https://www.usmma.edu/academics/faculty/naval-science-faculty-and-staff>.

## ***Regimental Life***

All students at USMMA participate in regimental life. Overseen by the Commandant of Midshipmen, the Regiment assigns responsibilities and duties to Midshipmen based on seniority and merit.

### **Governance**

The Commandant of Midshipmen has a wide range of responsibilities related to training. The Commandant leads the Regiment, evaluates midshipman performance within the Regiment, monitors the adequacy of student facilities, and provides social and recreational activities. The Department of Naval Science is under the Commandant, but the head of the department reports to the Dean on the naval science and leadership aspects of the curriculum.<sup>88</sup>

### **Organization and student experience**

The Regiment is organized into three Battalions and further subdivided into six Companies, with student leadership positions at each level. Regimental activities and policies are designed to provide Midshipmen with opportunities to experience “hands-on” leadership. They maintain good order and discipline in the student population and participate in day-to-day operations, including dormitory cleaning, food service, intramurals, and watchstanding. Under the direction of the Commandant’s staff, first class (senior) Midshipman officers run Indoctrination, a 17–20-day training period designed to orient plebe candidates to military and maritime culture. Throughout the year, they conduct regimental training periods, Company inspections, and Honor Boards. The Honor Board consists of five positions appointed by the Superintendent, with additional positions appointed by the Chair. During Indoctrination, Plebe candidates elect two representatives per Company. Honor Board decisions go to the Commandant of Midshipmen and Superintendent as recommendations.<sup>89</sup> When the sanction is disenrollment, the Midshipman may appeal to the Maritime Administrator.<sup>90</sup>

Several student-support functions are within this division, including the chaplain, commissary, Waterfront Operations and Training, the Department of Health Services, and a detailee<sup>91</sup> in the Sexual Assault Prevention and Response Office (SAPRO).

## ***Sea Year***

Sea Year is a cooperative educational program designed to familiarize students with the industry before graduation. Midshipmen in their sophomore and junior years go aboard a U.S. Naval Military Sealift Command vessel or commercial U.S.-flagged merchant ship for a total of 300 to

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<sup>88</sup> Naval science training qualifies graduates for the Strategic Sealift Officer (SSO) program, U.S. Navy Reserve (USNR). Ten student-serving offices report to the Commandant. These include Armed Forces liaison, leadership and ethics, music, chaplain, health services, commissary, Waterfront Operations and Training, student activities, midshipmen services, and health and wellness. Maritime Administrative Orders (MAO) 150-001, September 8, 2020.

<sup>89</sup> Final decisions are made by the Superintendent.

<sup>90</sup> U.S. Merchant Marine Academy, “USMMA Midshipman Honor Manual,” June 2015.

<sup>91</sup> A “detailee” is a federal employee (military or civilian) from a federal agency that is assigned to another federal agency for a specified period of time. The agency to which the employee is assigned reimburses the employee’s permanent agency for pay and other personnel costs.

330 days. Many interviewees talked about Sea Year as a distinguishing feature of USMMA and a significant contributor to the heavy course load. Students complete the four-year degree program with only three years in residence.

Interviewees described three objectives of Sea Year. First, Midshipmen must spend time at sea to be eligible for the Coast Guard licensing exam. All Midshipmen earn the unlimited tonnage U.S. Coast Guard license either as a third officer or third assistant engineer as a condition of graduation.<sup>92</sup> Second, USMMA relies upon Sea Year exposure to international crews and ports. Third, Sea Year exposes Midshipmen to life at sea, senior-subordinate relationships at sea, and opportunities to practice their technical skills at sea. USMMA emphasizes that students gain practical knowledge of the performance and operating characteristics of several classes of vessels, the operating requirements in different trade routes, and labor relations in the ocean shipping industry. Sea Year, the Humanities Sea Project, and multiple courses support the Global Understanding Institutional Learning Outcomes (ILO). However, USMMA does not measure or assess progress towards achieving Global Understanding,<sup>93</sup> so the effectiveness of Sea Year to support this ILO is unknown.

### **Governance and organization**

The Office of Shipboard Training in the Department of Professional Development and Career Services (under the Dean) administers Sea Year. Academy Training Representatives (ATRs) work with the shipping companies to find billets and assign students accordingly. The ATR plays a mentoring and monitoring role, preparing Midshipmen before they sail, remaining in contact during the voyage, and following up afterward.

In 2020, COVID-19 lockdown measures severely limited the number of billets. For a time, Maritime Security Program (MSP) vessels were unable to dock at foreign ports. Their crews were unable to access transport that would have allowed them to rotate home. Vessels remained at sea longer than expected.<sup>94</sup> Later, port congestion and shipping container shortages created delays on shipping routes that have not been resolved.<sup>95</sup> During this time, some Midshipmen have spent less time at sea. USMMA arranged for a waiver of some sea day requirements to minimize the effect on Midshipmen's schedules. While on Sea Year, many Midshipmen were restricted to the ships or faced quarantine. Scheduling continues to be a challenge.

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<sup>92</sup> 46 C.F.R. § 310.65; state maritime schools offer the unlimited tonnage license as an option for students in specific majors.

<sup>93</sup> The American Association of Colleges and Universities has compiled several institutions' "global learning outcomes."

<sup>94</sup> Memo to Committee on Transportation and Infrastructure, U.S. House of Representatives from Staff, Committee on Transportation and Infrastructure, re: Full Committee Hearing on "On the Front Lines: The Impacts of COVID-19 on Transportation Workers," June 9, 2020.

<sup>95</sup> Mikael Lind, Wolfgang Lehmacher, Jan Hoffmann, Lars Jensen, Theo Notteboom, Torbjörn Rydbergh, Peter Sand, Sandra Haraldson, Rachael White, Hanane Becha, and Patrik Berglund, "How Time Slot Management Could Help Resolve Port Congestion," *Maritime Executive*, June 29, 2021, <https://www.maritime-executive.com/editorials/how-time-slot-management-could-help-resolve-port-congestion>.

## Student experience

While afloat, Midshipmen work as part of the ship's crew. Sea Year is split into two terms. The first term is three months long, and the second term is eight months long. Midshipmen take numerous courses while at sea. The courses consist of a series of graded experiential learning assignments or "projects." Some courses also require a written exam to be taken within two weeks of return from a rotation.<sup>96</sup> Other courses require an oral exam to be taken within eight weeks of return. Courses taken vary by academic majors. Sea Year courses for the Marine Transportation major are listed below as an example.

- Marine Engine for Deck Project
- Humanities Sea Project
- Cargo Operations 1
- Integrated Navigation Systems 1
- Seamanship 1
- Ship Structure and Stability 1
- Navigation I
- Navigation Law 1
- Maritime Communications
- Cargo Operations 2
- Integrated Navigation Systems 2
- Seamanship 2
- Ship Structure and Stability 2
- Navigation II
- Navigation Law 2
- Maritime Business
- Integrated Navigation Systems 2
- Seamanship 2
- Ship Structure and Stability 2

Midshipmen are required to submit their completed Sea Year projects at the beginning of the next academic term after returning from their final rotation. Failure to complete Sea Year projects on time can delay sitting for the license exam and graduation. Midshipmen can be disenrolled for inadequate academic reports, failure to achieve technical competencies, or failed Sea Year projects. Interviewees said that a member of the crew evaluates the Midshipmen. Midshipmen also complete oral and written exams based on the knowledge, skills, and abilities they gained at sea.

The Midshipmen are generally positive about Sea Year. They appreciate the hands-on experience and the opportunity to go to sea on a commercial ship. Some of them found the sea projects to be a weak spot in the program, calling them "worthless" or "repetitive." Academy leaders are aware of this dissatisfaction and are working on improvements. Midshipmen who spoke with the Study Team had a range of experiences on Sea Year. Many considered it a matter of luck if they had a good experience because of the crew member who mentored them or the other Midshipman assigned to the voyage. One Midshipman said some ships had reputations for requiring excessive working hours. According to Academy officials, feedback from returning Midshipmen suggests that such experiences are not typical.

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<sup>96</sup> Department of Marine Transportation, U.S. Merchant Marine Academy, "Sea Project: Introduction and Instructions" Class of 2022; 29.

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*“I would definitely agree [that there are inconsistencies in the Sea Year experience]. I was really lucky with both ships I got on... The crew was more than willing to help me with the stuff I needed. I’ve heard horror stories where the crew hates cadets and hates Kings Pointers... I think it’s pretty difficult [ensuring that everyone has a positive Sea Year experience] because there’s a limited number of ships out there.” -Midshipman*

*“A good crew makes a big difference. You may have a great ship with a great reputation, but they could just have a bad crew at that point in time.” -Midshipman*

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Midshipmen’s safety during Sea Year is addressed in Chapter 6.

## **Athletics**

“Athletics and Waterfront Activities “is one of the six priorities of the 2018 strategic plan. The aim is to “Emphasize the role and value of athletics in contributing to Midshipman development and recruiting and retaining the best and brightest Midshipmen for USMMA.”

Athletics is valued at USMMA for several reasons. In addition to providing an outlet for Midshipmen, competitive and non-competitive sports help them maintain required fitness levels.<sup>97</sup> The program provides a leadership development opportunity as most Midshipmen participate. Recruiting for sports is also an avenue for flexibility in recruiting.

### **Governance and organization**

The Department of Physical Education and Athletics is under the Dean<sup>98</sup>. The director oversees coaches and trainers who support numerous sports programs. The Department has 40 full-time equivalent (FTE) positions, many split across part-time and seasonal positions.

### **Leadership development**

USMMA puts great emphasis on the connection between athletics and leadership development. The Year-end reports for 2019 indicated that the Athletics and Waterfront Department were developing “Excellence in Athletics,” focusing on leadership without profanity, taunting, or fighting in a competition.<sup>99</sup> By the end of 2020, this program was part of a greater effort where the Commandant of Midshipmen division had “convened a working group... to review and develop improvements for an enhanced whole-of-campus leader development program better integrating

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<sup>97</sup> 46 C.F.R. § 310.56

<sup>98</sup> The Athletic Director reports directly to the Superintendent for NCAA matters.

<sup>99</sup> Memorandum for the Superintendent, USMMA Strategic Plan FY 2019 Accomplishment and FY 2020 Goals, December 16, 2019.

the regimental, athletic and academic sub-components.”<sup>100</sup> Assessment of the Leadership Development Program is discussed in Appendix H.

### **Student experience**

Midshipmen receive academic credit for courses in PE&A that provide training required for STCW certification in swimming, lifesaving, first aid, and ship’s medicine. Early in their program of study, Midshipmen learn self-defense and emergency health care, including cardiopulmonary resuscitation (CPR). More advanced students take a ship’s medicine course.

USMMA fields 18 National Collegiate Athletic Association (NCAA) teams as a member of the Skyline Conference, including Baseball, Men’s and Women’s Basketball, Men’s and Women’s Cross Country, Men’s Football, Men’s and Women’s Lacrosse, Men’s Soccer, Men’s and Women’s Swimming & Diving, Men’s Tennis, Men’s and Women’s Track & Field (Indoor and Outdoor), Men’s Wrestling and Women’s Volleyball. Competitive club sports include rugby, ice hockey, and water polo.<sup>101</sup> Midshipmen do not receive academic credit for athletic participation.

Some interviewees expressed concern that intercollegiate athletics had become a priority at the expense of physical education and fitness, with the result that, in their opinions, Midshipmen not involved in intercollegiate athletics did not receive adequate physical education and fitness training. However, USMMA officials noted that Midshipmen must meet and maintain physical fitness standards throughout their time at USMMA. Three or more times each year, Midshipmen undergo a Physical Fitness Assessment (PFA). The standards demonstrate strength and endurance, calibrated by age and gender. Midshipmen unable to pass any part of the PFA are enrolled in the Physical Excellence Program (PEP), providing supplemental physical training and dietary/nutritional instruction.<sup>102</sup> Faculty members in the physical education and athletics department and Midshipmen leaders run PEP. In August 2021, 31 Midshipmen were enrolled.

### ***Coordination and accreditation***

In education and training, several entities have formal, distinct roles in oversight and coordination. USMMA works closely with the Coast Guard in the administration of the licensed-based portions of the curriculum.<sup>103</sup> The Navy provides professional development of Midshipmen as future commissioned officers in the Armed Forces through the Department of Naval Science. USMMA receives accreditation from two organizations. The Accreditation Board for Engineering Technology (ABET) evaluates the marine engineering systems (MES) major and the marine engineering and shipyard management (MESM) major. MSCHE accredits the institution as a whole. It is incumbent on USMMA to respond to the requirements of all of these bodies.

ABET’s most recent evaluation of the MESM and MES programs occurred in 2017-18. The accrediting team noted strengths related to the opportunity for students to go to sea, the diversity of the faculty, and the combination of theory and application in the classroom. The team also

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<sup>100</sup> Status Reports for the Institutional Effectiveness Steering Committee (IESC) Meeting, December 9, 2020, Strategic Priority 1.

<sup>101</sup> “Course Catalog 2019-2020,” U.S. Merchant Marine Academy, accessed July 20, 2021, <https://www.usmma.edu/sites/usmma.dot.gov/files/2019-12/USMMA-Catalog.pdf>.

<sup>102</sup> Ibid.

<sup>103</sup> The Coast Guard sets STCW standards, which are the basis of the end-of-program licensing exams.

concluded that both programs have unresolved weaknesses related to the adequacy and condition of classrooms and laboratories. The final report noted that the next review would focus on this weakness. The next comprehensive review will take place in 2023-2024.

MSCHE examines institutions through a much broader lens. Some of the key findings are discussed in later sections of this report. MSCHE conducted a site visit and evaluation in 2016. A June 2016 MSCHE report found that USMMA failed to meet five of 14 standards. Deficiencies were in “lack of institutional authority over human resources, finance, and procurement; linking resource allocation to planning as well as to goal and mission achievement; important administrative positions that remain vacant; and institutional response to sexual assault and harassment.”<sup>104</sup>

In February 2017, USMMA received a warning that its MSCHE accreditation status was in jeopardy.<sup>105</sup> MSCHE does not publish data on adverse actions over time, but a warning is unusual. MSCHE accredits 598 institutions of higher education. During the coming academic year, they plan to conduct site visits at 90 schools. At present, two institutions are under a non-compliance warning.

In response to the warning from MSCHE, Academy leaders took several steps to address the noted shortcomings in April 2017. Primarily, they committed to aligning spending with institutional goals, filling critical vacancies, implementing the Logistics Management Institute (LMI) Culture Audit recommendations, and developing performance measures related to safety and well-being.<sup>106</sup> Nonetheless, MSCHE kept the warning in place in a June 2017 follow-up, based on insufficient compliance with one requirement and one standard. They found that USMMA did not use “Institutional planning [to] integrate plans for academic, personnel, information resources and technologies, learning resources, and financial development.” USMMA also failed to meet the standard that “an institution conducts ongoing planning and resource allocation based on its mission and goals, develops objectives to achieve them, and utilizes the results of its assessment activities for institutional renewal. Implementation and subsequent evaluation of the strategic plan’s success and resource allocation support the development and change necessary to improve and maintain institutional quality.” In October 2017, the Superintendent reported developing the next five-year strategic plan and institutional learning outcomes.<sup>107</sup> Following additional responses from Academy leaders, MSCHE lifted the warning in November 2017.

MSCHE has signaled that it continues to monitor progress in problematic areas. In 2019, MSCHE asked USMMA to include further evidence of long-range planning and use of assessments in its monitoring reports.

USMMA recognized that it was not carrying out these activities in a meaningful way. In response, USMMA chartered an Institutional Learning Outcomes Committee with responsibility for

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<sup>104</sup> Middle States Commission on Higher Education, “Report to the Faculty, Administration, Advisory Board, and Students of the U.S. Merchant Marine Academy,” Prepared after study of the institution’s Self-Study Report and a visit to the campus on April 3-6, 2016. June 2016, <https://www.usmma.edu/sites/usmma.dot.gov/files/docs/2016%20Final%20MSCHE%20Team%20Report%20-%20USMMA.PDF>

<sup>105</sup> Ibid.

<sup>106</sup> USMMA letter to President, Middle States Commission on Higher Education, April 26, 2017.

<sup>107</sup> USMMA letter to President, Middle States Commission on Higher Education, October 17, 2017.

monitoring outcomes and improving assessments. A midpoint peer review will be scheduled for 2022. The next evaluation cycle is expected in 2024-2025.

### **3.2 The Educational Program Does Not Fully Align with ILOs**

In its Strategic Plan, USMMA developed ILOs and specific goals for its educational program. To achieve these ILOs, the strategic foci for the educational program emphasize seamless collaboration across academic, regimental, co-curricular, and extra-curricular Academy functions.

#### ***Emphasis on the Coast Guard license exam prepares Midshipmen for the first maritime job, while a more well-rounded education would prepare Midshipmen for careers as a leader***

A hallmark of the other federal service academies is their self-identity as elite institutions that produce junior officers who will eventually become the future leaders of their service and the Nation. External communications emphasize that their graduates are senior leaders in the nation's military, government, industry, and other sectors. Their educational and training programs thus are described as pursuing excellence in developing junior officers *and* future senior leaders. Even the Coast Guard Academy, which prides itself on graduating fleet-ready ensigns, also prides itself on producing “leaders of character who will serve as future leaders in the service and the Nation.”<sup>108</sup>

Some interviewees suggested that the educational program appears more geared toward “teaching to the test,” i.e., the USCG licensing examination and other tests of technical skills. USMMA officials highlighted that nearly 100 percent of graduates obtain well-paying employment upon graduation. However, such an approach focuses on preparing Midshipmen for their first jobs or assignments, not developing future mid-grade and senior leaders for the merchant marine, the military, and maritime commerce and industry. USMMA's focus, indeed, its mission, is to graduate merchant marine-ready junior officers, hence the emphasis on a Coast Guard license. Thus, while the other service academies also focus on preparing graduates for careers as leaders, USMMA's nearly exclusive focus in its academic curriculum and training focuses on the first job of its graduates, i.e., a short-term rather than a long-term focus.

Such a short-term focus contributes to the possibility that a strategic direction looking 10 or 20 years ahead in planning and decision making does not come naturally for USMMA community or is considered irrelevant to its mission. Its struggles to implement a strategic plan and its lack of internal assessment and measurement may signal cultural push-back on strategic thinking and decision making.

Balancing technical and general education is a point of ongoing discussion. An academic division document noted that “we are not here just to prepare the Midshipmen for the licensing examination.”<sup>109</sup> Past concerns about the reduction of general education courses are well

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<sup>108</sup> USMMA Strategic Plan for 2018-2023 , 3.

<sup>109</sup> Superintendent Notice 2018-07, Strategic Plan Priority 1 Working Group. August 30, 2018.

documented.<sup>110</sup> The strategic plan points USMMA towards a broader education as it highlights a multi-faceted educational approach that “provides balance for Midshipmen and focuses on the development of the whole person and a well-rounded educational experience.”<sup>111</sup>

### ***The curriculum does not cover the full range of ILOs***

The core curriculum and most majors’ curricula lack courses in the behavioral and social sciences. Yet, the foundations of USMMA’s Values (respect, honor, service) and its ILOs are socially based values and outcomes. The academic disciplines which provide the foundations for identifying, understanding, and respecting differences among people, organizations, and societies are missing from the Midshipmen’s educational experience and knowledge base. Some of the long-standing cultural challenges and issues at USMMA related to diversity, inclusion, and SASH that both affect Midshipmen and may be affected by Midshipmen may be reflective of a lack of understanding that study in the behavioral and social sciences could bridge. The USMMA curriculum focuses more on ship operations, maritime history, and to a minimal extent, maritime law than it does on the maritime domain within which all actors in the maritime sector operate daily.



**Recommendation 3.1: Review and revise the curriculum to ensure it focuses on a career as a leader and encompasses courses, knowledge, and critical thinking competencies supporting all ILOs.** The curriculum should prepare the whole person rather than simply teach to the test.

### ***USMMA has made little progress in implementing a learning assessment framework***

USMMA has taken some initial steps towards creating a learning assessment process. A framework describes an idealized approach, but the process is largely an empty shell without clear definitions. The first time USMMA collected any data to assess the ILOs was in the academic year (AY) 19, but it was very limited in scope, as discussed below.<sup>112</sup>

The implementation of learning assessments has progressed somewhat after being stalled. The Academic Review Board now reviews syllabi to ensure they include student learning outcomes and align with ILOs. Student learning outcomes for many co-curricular activities have not been developed. ILOs for the two ABET-accredited majors—Marine Engineering Systems and Marine Engineering and Shipyard Management—have been developed. ILOs for the other three majors—Marine Transportation, Marine Logistics and Security, and Marine Engineering—have not been developed. USMMA officials noted the assessment of ILOs is still in its infancy, and it will take several years (evaluation cycles) to implement and improve the learning outcome assessment framework. One of the ILO Committee’s two priorities for 2021 was “formalization of Sea Year program outcomes” in addition to “continued integration of the leadership development program across USMMA.”<sup>113</sup> Superintendent’s Instruction (SI) 2021-04 formalized the leadership program

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<sup>110</sup> Core Program Committee, “Final Report to the USMMA Policy Board,” May 8, 2011. 2014 Advisory Board Report to Secretary Foxx.

<sup>111</sup> USMMA Strategic Plan for 2018-2023, 4.

<sup>112</sup> “Program Learning Outcomes Committee Report,” 2019.

<sup>113</sup> “Institutional Learning Outcomes Committee Meeting Minutes,” U.S. Merchant Marine Academy, January 27, 2021.

and established six program learning outcomes. Appendix H describes how USMMA has begun to assess two ILOS—leadership and global understanding.

### **Lack of capacity creates obstacles to the implementation of a learning assessment system**

Implementation of a learning assessment system has met resistance from some faculty. Creating a systematic assessment process is time-consuming and requires substantial coordination across courses. It also requires aptitude that is different from subject matter expertise and the ability to teach. Some interviewees said that USMMA had not provided sufficient training and support to help faculty understand the importance and purpose of adopting a new assessment framework, identifying and building connections between ILOs and their courses, and developing course learning outcomes. Several interviewees noted that more training on assessment best practices would be helpful.

Another obstacle has been the inability to collect and share data. There has been an absence of an IT infrastructure that can effectively facilitate information collection and dissemination. USMMA does not have institution-wide data collection standards and guidelines to ensure data consistency and quality. For example, the Admissions office and the Registrar's office use different data collection methods with different data definitions and categories. The lack of consistency impedes the merging of data sets and presents challenges to analysis. Reliable data and analysis would provide a crucial foundation for effective performance assessment. However, USMMA recently awarded a contract for a central student information system. The system will allow officials to gather, store, and share student statistics and information (e.g., admission data, demographic data, course registration, performance, graduation rate, etc.) and provide real-time ability to monitor students' progress.

Without adequate capacity, capability, and supporting information systems, USMMA faces obstacles in implementing a learning assessment system.



#### **Recommendation 3.2: Develop an institution-wide assessment system aligned with strategic goals and ILOs, increasing staff support and training as needed.**



USMMA should build on its progress towards linking course learning outcomes and PLOs to the ILOs and confirm alignment regularly. Without a fully implemented and developed assessment process, USMMA does not have a feedback mechanism to target areas for improvement. USMMA should provide additional training, invest in information technology, realign responsibilities, add staff and external support for faculty.

### **The assessment framework is partially implemented**

As illustrated in figure 3-3, the assessment framework has three tiers -- assessment of course-level and student learning outcomes, program-level outcomes, and institutional-level outcomes.<sup>114</sup> The model provides that:

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<sup>114</sup> The full model, showing how learning assessments and implementation of the strategic plan contribute to the mission, appears as Appendix R.

- Assessment takes place at the course level. Course learning outcomes describe the meaningful, observable, and measurable knowledge, skills, and abilities students will gain from a specific course in the academic program.
- Student learning outcomes are the equivalent assessment tool for co-curricular learning to capture the effectiveness of activities in Sea Year, athletics, and regimental life.
- Each of the four program subcommittees (General Education, Leadership Development, Marine Engineering, and Marine Transportation) creates an annual report that maps course-level outcome data to program-level outcomes and summarizes results.<sup>115</sup>
- The Program Learning Outcomes Committee maps program-level outcome data to ILOs, providing the basis of the annual ILO assessment.

Implementation of the model process has been limited. One official estimated that in 2019, faculty had incorporated course learning outcomes in about one-fourth of course syllabi. The Dean stated that in 2021, all syllabi include learning outcomes. USMMA has begun to use Campus Labs Engage<sup>116</sup> to assess co-curricular activities. The PLOC has produced two annual reports (AY 19 and AY 20) that map course and student learning outcomes to program-level outcomes and then program-level outcomes to ILOs. The AY 19 report correctly noted the lack of data and the tenuous connection between the PLOs and the ILOs. To add more specificity, USMMA further defined its ILOs in its *Strategic Plan Implementation Guidance for 2020-2021*. The redefined ILOs are fairly high level and might not be specific enough to be measured and assessed. For example, ILOs refer to knowledge, critical thinking, and decision-making outcomes, but the types of critical thinking, decision making, knowledge, and skills deemed necessary for maritime and military professionals and leaders are not identified. USMMA has taken initial steps to design and implement a learning assessment program that itself should be assessed against best practices in STEM undergraduate programs and accrediting agency requirements.

Assessment is not only a good practice but also a requirement for accreditation. MSCHE requires accredited institutions to establish a systematic assessment process to evaluate “the extent of student achievement of institutional and degree/program goals.”<sup>117</sup> In its 2017 monitoring report, MSCHE found that MMA had not established “an institutional assessment process that is systematic, organized, and sustainable.”<sup>118</sup> While the Panel recognizes the process USMMA has made in addressing this recommendation, many aspects of the assessment process still require further development.

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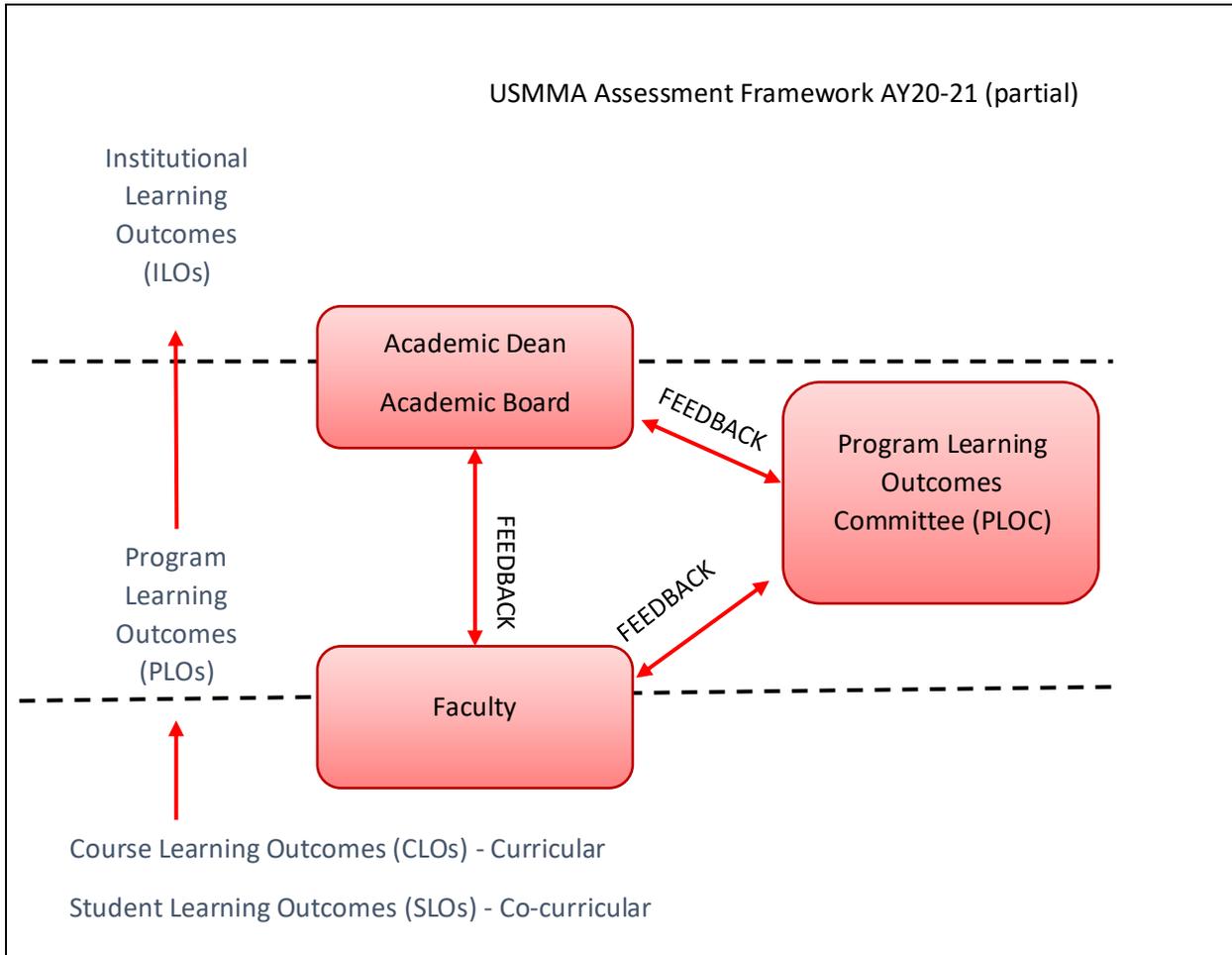
<sup>115</sup> “Institutional Learning Outcomes Committee Meeting Minutes,” U.S. Merchant Marine Academy, January 27, 2021.

<sup>116</sup> Campus Labs Engage (<https://www.campuslabs.com/campus-labs-platform/student-engagement/>) is an online platform for tracking student participation in activities.

<sup>117</sup> “Standards for Accreditation and Requirements of Affiliation,” MSCHE, accessed April 13, 2021, <https://www.msche.org/standards/>.

<sup>118</sup> “Monitoring Report,” MSCHE February 27, 2017, 28. A USMMA official noted that the IESC and SPWGs have completed assessments that led to Strategic Planning Guidance from the Superintendent, supported by Annual Fiscal Guidance. Those key improvements were noted as satisfying this requirement in our last Middle States visit in 2019.

Figure 3-3. USMMA Assessment Framework Academic Year 2020-2021



Source: U.S. Merchant Marine Academy



**Recommendation 3.3: Develop measurement criteria and processes to assess the effectiveness of the new assessment framework as it is implemented.**

**USMMA has some information on student outcomes following graduation**

USMMA has administered and made changes based upon a graduate exit survey. In previous years, MARAD has administered an alumni survey, most recently in 2016/2017. Officials also have access to license maintenance rates for mariners and continued schooling levels for active duty graduates (providing insight on lifelong learning). Promotion rates for mariners (3rd, 2nd, chief, master) and active duty graduates (O1-O6) inform professional expertise.

### **3.3 The 11-Month Academic Year Strains Midshipmen, Faculty, Facilities, and Operations**

#### ***Midshipmen face extraordinary demands on their time***

Midshipmen take demanding courses in a compressed timeframe. They must complete a heavy course load while in residence for only three years. They do not have conventional summer breaks where they might pursue other activities to enhance their education. The emphasis on passing the licensing exam has crowded out aspects of education that would develop a well-rounded professional. For example, some interviewees said that Midshipmen must fulfill the engineering coursework requirements of the USCG licensing exam, and some general education courses were eliminated over the years due to the USCG's increased requirements on credit hours of coursework. To address this concern, USMMA increased the number of general education courses in its last curriculum review. However, as discussed in Section 3.1, several interviewees raised the concern that USCG license requirements predominate the current curriculum. Many students and faculty still question the value of general education courses.

Many stakeholders highlighted that the academic calendar is demanding, creating substantial pressure on students and faculty alike. The academic year is divided into three 13-week trimesters spanning from late July to late June (11 months/40 instructional weeks). Midshipmen must take 163-177 credit hours in four years depending on the major to meet graduation requirements.<sup>119</sup> Additionally, Midshipmen need to complete four years of academic coursework in three years due to the one-year Sea Year training requirement.<sup>120</sup> Once enrolled, all Midshipmen are engaged in USMMA experience year-round, whether through Sea Year, regimental obligations, required internships, or summer school. Interviewees repeatedly noted that Midshipmen “have too much on their plate” and always live in “survival” mode. They do not have time to reflect on their learning and explore areas of particular interest.<sup>121</sup> Nonetheless, some interviewees argued that the overall stress of USMMA’s curriculum is healthy and matches the real-world environment.

The Panel has concerns about the length and timing of Sea Year, questioning whether the benefits to students outweigh the costs to students, faculty, and staff, especially considering that other arrangements are possible. Coast Guard licensing requirements govern time at sea, although there is some flexibility in how students accrue the required 360 days. All six state maritime academies offer an unlimited tonnage license track option. Their programs are structured differently, where

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<sup>119</sup> Students in the Marine Transportation major are required to take 164 credit hours; marine logistics security: 170 credits; marine engineering: 163 credits; marine engineering shipyard management: 177 credits; marine engineering systems: 174.5 credits. Required courses include vocational training, such as basic and advanced firefighting. See USMMA Course Catalog 2019-2020, <https://www.usmma.edu/sites/usmma.dot.gov/files/2019-12/USMMA-Catalog.pdf>.

<sup>120</sup> Each student works and learns on board merchant ships or approved military or other federal government vessels for 300 to 330 days, depending on their academic major.

<sup>121</sup> Most interviewees emphasized the lack of time is detrimental to students. Nonetheless, some interviewees said that the overall stress of USMMA’s curriculum is healthy and matches the real-world environment.

a multiplier applies to days spent on training ships provided by MARAD.<sup>122</sup> For instance, at Maritime College, State University of New York (SUNY Maritime), students wishing to earn the Coast Guard license participate in the Summer Sea Terms (aboard the school’s training vessel, the *Empire State VI*). Similarly, students at the Massachusetts Maritime Academy (Mass Maritime) complete four Sea Terms. Many students sail with a commercial vessel during the second Sea Term, with the others aboard the training ship (T.S.) *Kennedy*.<sup>123</sup>

The U.S. Military Academy (USMA or West Point) struggled with the intense demands on students’ time and the balance between education and training. In 1976, the Borman Commission released a report<sup>124</sup> following a major cheating scandal that resulted in more than 130 cadets being separated from the academy. In addition to evaluating the Honor Code and the failure of many cadets to uphold it, the report focused on the intense time demands placed on cadets. The Commission noted that the six required courses per semester, in addition to their physical fitness and training requirements, left cadets feeling chronically overscheduled. Seventy-five percent of students reported that they “[did] not believe that they [had] adequate time for academics.”<sup>125</sup>

“Many Academy officers and cadets do not believe that the cadet can obtain ‘a high quality, useful, and stimulating undergraduate education’ while simultaneously attempting to meet increased military training and cadet leadership responsibilities.”<sup>126</sup>

The Commission recommended USMA prioritize academics during non-summer months with military training focused from June through August. The report called upon West Point to change its mission statement to reflect the renewed focus on academics such that “everyone understands the importance of education to the mission of the academy.”<sup>127</sup> Today, West Point’s mission statement leads with a focus on education, “to educate, train, and inspire the Corps of Cadets so that each graduate is a commissioned leader of character committed to the values of Duty, Honor, Country and prepared for a career of professional excellence and service to the Nation as an officer in the United States Army.”<sup>128</sup>

The U.S. Coast Guard Academy (USCGA) employs another model to prepare students to earn credentials. All students take one required course in Maritime Studies each academic year. During the summer, cadets join operational Coast Guard units. They may serve aboard ships, at a Coast

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<sup>122</sup> An official at Mass Maritime explained that when students go out on their training ship, they work 12-hour days and are taking classes, so they earn 1.5 days for each calendar day sailed. Most students also choose to go on a commercial vessel, for which they receive calendar-day credit.

<sup>123</sup> “Sea Term: Learning Beyond the Classroom,” Massachusetts Maritime Academy, accessed October 12, 2021 at <https://www.maritime.edu/undergraduate-programs/marine-engineering/sea-term>.

<sup>124</sup> Special Commission on the U.S. Military Academy, Report to the Secretary of the Army, 1976.

<sup>125</sup> Ibid, 89.

<sup>126</sup> Ibid, 73.

<sup>127</sup> Ibid, 21.

<sup>128</sup> “About West Point,” U.S. Military Academy West Point, accessed June 27, 2021, <https://www.westpoint.edu/about>.

Guard Air Station, or in a specialized unit shoreside.<sup>129</sup> Students are then eligible to apply for a 100-ton license.<sup>130</sup>

### ***Faculty, facilities, and operations are also under pressure***

The academic calendar crowds out professional development for faculty and maintenance time for buildings and grounds. The 11-month academic calendar and heavy credit-hour teaching requirements burden faculty, limiting their ability to engage in professional development activities. Faculty usually use breaks between terms to stay up to date in their disciplines, which is essential to maintaining a curriculum that is current across disciplines. Time away from the classroom is also needed for faculty to be able to conduct research.<sup>131</sup> The demanding schedule likely hurts recruitment efforts, especially for junior faculty who do not already have a body of work.

Operationally, having Midshipmen on campus almost all year eliminates needed downtime to perform facilities maintenance, repair, and renovations. Many universities use the typically lightly attended summer sessions or complete cessation of classes to restore buildings and grounds.



**Recommendation 3.4: Under the auspices of the Secretary of Transportation’s Task Force on USMMA Governance and Culture, USMMA should revisit the length and structure of the academic year.**

USMMA should comprehensively identify and assess the costs and benefits of adding a half or full year to the program, reducing the number of days at sea during the four academic years, and returning to the two-semester academic calendar. Assessment should include the impact on Midshipmen, faculty, staff, facilities, and achievement of ILOs and educational and training outcomes.

## **3.4 Educational and Training Needs of Maritime Professionals Are Evolving**

Maritime commerce and the marine transportation system are constantly evolving, as are U.S. naval forces. As described in chapter 2, emerging trends will require new skills and knowledge, including proficiency with data science, machine learning, and cybersecurity; operations research, system optimization, and programming agility; use of drones or autonomous vessels; and personal skills such as networking, mentoring, continuous learning, global understanding, and leadership.<sup>132</sup>

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<sup>129</sup> “Summer in the Field.” Mission: Summer in the Field. U.S. Coast Guard Academy, accessed June 15, 2021, <https://www.uscga.edu/summer-in-the-field/>.

<sup>130</sup> “Maritime Studies Curriculum.” U.S. Coast Guard Academy, accessed June 15, 2021, <https://www.uscga.edu/maritime-studies-curriculum/>.

<sup>131</sup> Some interviewees stated that MMA is a professional/teaching school, so research is not a priority in faculty recruitment and development.

<sup>132</sup> METRI Summit, November 9, 2020.

## ***Without a formal outreach program, USMMA has limited contact with industry and other maritime stakeholders***

USMMA receives input and feedback on its program from many sources, but it does not have a proactive, systematized approach to collecting input on the knowledge, skills, and abilities that industry and other maritime stakeholders value and aligning USMMA's curriculum with emerging needs. USMMA's existence is predicated on the need to prepare future mariners for maritime commerce, national security, and national defense. Academy leaders acknowledged that the maritime industry is going through significant changes. To prepare the next generation of mariners, USMMA must understand and respond to the priorities and perspectives of the industry. Officials noted USMMA had established various processes—such as the IMO development process, the Advisory Board, the Maritime Academies Conference, specific IMO meetings, and Sea Fares—to receive stakeholder feedback on student accomplishments and industry developments, Ship Visits and Sea Year internships also allow the Academy to communicate with and collect input from the industry.

USMMA's contact with industry mostly takes place on an ad hoc basis.<sup>133</sup> In interviews, officials said they primarily relied on contact with alumni in industry or reports from Midshipmen returning from informal information channels (e.g., the Sea Year program and the Alumni Association). Some interviewees said they received industry information from reading industry journals. Some interviewees noted they did not know how to incorporate the information into the curriculum when they received it. In many cases, the feedback provided by industry stakeholders cannot be used directly. However, there is no formal system or assessment mechanism to assess the effectiveness of these processes.

At several state academies, academic departments conduct outreach. For instance, the Massachusetts Maritime Academy has several advisory boards. External advisory boards:

“Provide information to both academic and non-academic departments, making recommendations based on trends in industry and employment. Currently, such boards exist for undergraduate programs in Engineering (all three majors combined); Marine Science, Safety, and Environmental Protection; International Maritime Business; Emergency Management; and Career Services. These advisory boards also help to establish connections between the academic programs and the industries they serve, assisting with the procurement of student cooperative education opportunities and with job placement for graduates.”<sup>134</sup>

An official at the Maine Maritime Academy said that their department-level outreach was vital to the ABET accreditation. USMMA's stakeholder engagement is discussed in Chapter 7.

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<sup>133</sup> In 2012 and 2016, the MESM department hosted industry roundtables. Minutes from those meetings included several suggestions from industry participants. “ABET Self-Study Report for the Marine Engineering and Shipyard Management Program at USMMA, Volume II Appendices,” June 30, 2017.

<sup>134</sup> “Massachusetts Maritime Academy Institutional Self-Study, Submitted to the New England Commission on Higher Education,” February 2021.

[https://drive.google.com/file/d/1uaVBWHy\\_kdhXKXmOqj6qoTz9xB2-Lv6P/view](https://drive.google.com/file/d/1uaVBWHy_kdhXKXmOqj6qoTz9xB2-Lv6P/view)



**Recommendation 3.5: Develop and implement an institutionalized process for engaging industry and other maritime stakeholders and collecting input on the knowledge, skills, and abilities that industry, ports, and the Armed Forces value and aligning USMMA’s curriculum with emerging needs.** USMMA must engage stakeholders regularly at the institutional and department levels and reach out beyond existing contacts and alumni to cover the full range of employers of Academy graduates. USMMA must synthesize findings and determine at the department level how to incorporate them into the curriculum. An effective institutionalized process includes keeping records of meetings through note-taking, maintaining regular meetings, and periodic review by personal dedicated, in part, to curriculum review

### ***USMMA does not have a regular, comprehensive curriculum review cycle in place***

As part of its strategic plan implementation efforts, USMMA completed a curriculum review in 2020 to identify overlaps, redundancies, and gaps. Multiple USMMA officials emphasized that education and training are governed by the rules and standards set by various entities, including the International Maritime Organization (IMO), USCG, the U.S. Navy, and accreditation bodies. The primary purpose of this review was to ensure that MMA’s curriculum fulfills all the current requirements and standards. External stakeholders, such as the maritime industry and port authorities, were not involved in the curriculum review process.

USMMA does not have a regular curriculum review cycle in place. As several interviewees noted, in practice, USMMA reviews its curriculum every three or four years or “whenever the situation dictates.” Departments may also make minor tweaks to their courses as needed. USMMA officials noted that the Coast Guard and Navy regularly ensure that the curriculum meets their training and education requirements. This approach suggests incremental change rather than a comprehensive review. Many interviewees stressed that they have very limited flexibility to adjust the curriculum given the rules and standards they must follow. However, the curriculum should support the mission, not simply the requirements.

**Recommendation 3.6: Create a cycle for comprehensive curriculum review, reflecting input from stakeholders and assessing the cumulative effect of incremental adjustments since the previous comprehensive curriculum review and alignment of the curriculum with the ILOs.**

### **3.5 Faculty Have Limited Voice in Decision Making**

Achieving and sustaining a high-quality educational program and its goals (including the scope and delivery of its curriculum) may be further hampered by past and present administrative and management processes and decisions. Despite the goals of the Strategic Priority 4 (Governance, Leadership, and Administration) and some written policies that outline processes related to the

educational program and curriculum, interviewees suggest that few appear rigorously followed. Yet recent reaccreditation reviews flagged governance and administration as areas for immediate improvement.

USMMA does not have a Faculty Senate.<sup>135,136</sup> According to an interviewee, the faculty considered setting one up within the last five years, but they opted against doing so, citing the small size of the faculty body. Instead, all members of the faculty and many staff may attend monthly Faculty Forum meetings. The Faculty Forum is advisory only, communicating faculty concerns and making recommendations to Academy leaders. The body sets its own agenda, although the Superintendent or Dean may ask them to take up a specific topic on rare occasions. This request generally goes through a five-member executive committee that also brings topics to the administration, as needed.<sup>137</sup> In 2020, they started meeting monthly with the Superintendent and/or the Dean. The faculty also have a union that deals primarily with employment issues.

USMMA is the only one of the five federal service academies without a faculty senate. Among the six state maritime academies, all but the Massachusetts Maritime Academy and Great Lakes Maritime Academy have faculty senates.

Interviewees noted that the voice of the academic faculty—the educational experts—at USMMA is often not sought. Changes to the academic calendar, faculty teaching and service loads, and support for the academic and professional development of faculty and Midshipmen are areas where the lack of faculty influence was noted as affecting quality and morale in the educational program. A recent example is related to the current multi-million-dollar physical infrastructure improvement plans. Interviewees noted that the faculty in some academic disciplines had only limited opportunities for input. They could not participate in identifying the technology, laboratory, capstone, or other space and design needs necessary to improve the quality of curriculum delivery in their disciplines. Keeping current in their fields is a challenge for all faculty and all institutions of higher education.



**Recommendation 3.7: Utilize the faculty forum in a truly advisory capacity to engage faculty in USMMA’s decision-making process.**

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<sup>135</sup> A 2021 survey found that 89% of responding institutions had a faculty senate, up from 75% in 2001. The survey was sent to a random sample of 585 four-year institutions; the response rate was 68%. Hans-Joerg Tiede, “The 2021 AAUP Shared Governance Survey: Findings on Demographics of Senate Chairs and Governance Structures” American Association of University Professors. Fall 2021, <https://www.aaup.org/article/2021-aaup-shared-governance-survey-findings-demographics-senate-chairs-and-governance>.

<sup>136</sup> In 1966, the American Association of University Professors, the American Council on Education and the Association of Governing Boards of Universities and Colleges issued the “1966 Statement on Government of Colleges and Universities,” called institutional governance to be shared among governing boards, administrations, and faculties. American Association of University Professors, “Statement on Government of Colleges and Universities.” accessed July 2, 2021, <https://www.aaup.org/report/statement-government-colleges-and-universities>.

<sup>137</sup> Faculty Forum Charter, U.S. Merchant Marine Academy. February 27, 2020.

### **3.6 Faculty face limitations in professional development opportunities**

Faculty split their time among teaching, research, working with students, participating in departmental and institutional governance, and developing the curriculum. If hired into a tenure-track position, they can seek tenure after a period of service and face time limits to complete the process.<sup>138</sup> A record of professional development activities and work is part of the portfolio necessary for granting tenure. They are generally hired based on distinction in their fields and are expected to remain active through research and dissemination of their work.<sup>139</sup>

In 2021, \$93,000 was budgeted for professional development, but officials expect to use only a small portion of these funds because of travel restrictions and pandemic-related cancelations. USMMA provides some training and career development support to faculty members, generally one event per academic year.

The annual budget includes funding for faculty development, such as tuition assistance, conference expenses, and continued education and training for USCG license renewal. Academy leaders noted USMMA supports faculty to attend workshops and symposiums during every trimester. The Academy also offers course releases and sabbatical leave to facilitate faculty's professional development. The opportunities and levels of institutional support for Academy faculty professional development by USMMA, MARAD, and DOT are significantly less than the support and opportunities afforded civilian and military faculty at the four other federal service academies. While Academy faculty policies stress the importance of professional development to support the enrichment and improvement of USMMA, policies also note that faculty members have a personal responsibility to pursue it. While faculty are entitled to 8 hours of professional development each week, few opportunities are likely available during an 11-month academic year with teaching loads up to 32 contact hours per year. Appendix I compares faculty professional development opportunities at the federal service academies.

Additionally, Academy faculty are not able to receive external grants because administrative arrangements have not been made. Per 46 U.S. Code § 51321, faculty are allowed to receive grants for scientific and educational research. The obstacle is that to administer grant funds, MARAD must establish an account to manage the funds. Before MARAD sets up an account, USMMA must

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<sup>138</sup> Faculty members are appointed in two-year increments. At the end of the fourth year of service, they can go up for tenure. If they are not awarded tenure at that time, they can be appointed for a third two-year term. If not successful by the end of the sixth year of service, their position is terminated.

<sup>139</sup> Maritime Administrative Order 710-181.4.03 Research and professional development.

“Faculty members have a personal responsibility for continued professional growth which may be evidenced by such activities as advanced study, publication of results of research, consulting, productive activity in their professional area, and overall service to the Merchant Marine Academy. Faculty members are encouraged to make full use of available opportunities and facilities to conduct research; to write educational and professional articles and textbooks; and undertake other self-development, including attending and participating in conferences and educational activities. Faculty members are expected to keep abreast of developments in their specialized fields of education. The primary objective, as well as the governing factor of such research and professional activity during regular working hours, must be the resulting enrichment and improvement of the U.S. Merchant Marine Academy. Faculty members are encouraged to disseminate the results of their research through publication or other means, subject to applicable regulations specified in section 4.01.”

develop standard operating procedures (SOPs) to govern the use of funds. USMMA has not yet developed the SOPs. Faculty can use grants to support and enhance their research through activities such as hiring research assistants, traveling, collecting original data, purchasing materials, and attending conferences.

In comparison, for USMMA faculty, basic guidance, processes, and procedures to encourage, facilitate, fund, and disseminate research by faculty and Midshipmen alike are underdeveloped. In addition to advancing the professional development of faculty, these measures could enhance the recruitment of faculty and Midshipmen, help dispel the notion that USMMA simply “teaches to the USCG licensing exam”, and more generally elevate USMMA’s status as a school that is advancing theory and practice in the maritime domain.



**Recommendation 3.8: Actively promote, fund, recognize, and take other steps to incentivize faculty professional development, as well as joint faculty-student and advanced student research.** As a first step, USMMA should complete the guidance and SOPs governing faculty professional development, if necessary. At the individual level, this could involve encouraging faculty to draft individual professional development plans and exploring ways to balance professional development with teaching demands. Institution-level initiatives could address funding options for professional development and the use of official time for such activities. Subsequent steps could include highlighting faculty research on USMMA’s website and making arrangements to receive external grants.



**Recommendation 3.9: Develop standard operating procedures for a MARAD grant administration fund to enable Academy faculty to receive external grants.**

### ***Faculty do not control their copyrights***

Unlike other institutions of higher education, USMMA requires faculty to seek approval or follow specific processes to engage in some academic activities, such as institutional review of publications on selected topics. Some interviewees thought these requirements make USMMA less attractive to potential faculty recruits.

Interviewees explained that faculty do not control the copyrights for works they write in their official capacities as federal employees.<sup>140</sup> In academia, the right to intellectual property is a cherished value.<sup>141</sup> As part of the FY 2020 National Defense Authorization Act (NDAA),<sup>142</sup> Congress created a carve-out for civilian faculty of twelve Department of Defense (DoD) service academies, and other institutions of higher education, omitting the USMMA. It allows the federal government the option to require an unlimited, royalty-free license to the material. Academy

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<sup>140</sup> 17 U.S. Code § 105

<sup>141</sup> “Statement on Intellectual Property,” American Association of University Professors, accessed June 12, 2021, <https://www.aaup.org/report/statement-intellectual-property>.

<sup>142</sup> P. L. 116-92

leaders said they were working with officials at DOT to add USMMA to this list as part of the Fiscal Year 2022 appropriations cycle.



**Recommendation 3.10: Congress should amend 17 U.S. Code § 105(c)(2) to include the United States Merchant Marine Academy as a “covered institution,” hence allowing faculty to control their copyrights.**

### ***Faculty face some limitations on identifying themselves as affiliated with USMMA when engaging in outside activities***

Based on our interviews with USMMA officials, there appears to be a misconception surrounding the kinds of external employment and other activities that faculty are permitted to participate in and the procedures needed to obtain approval to engage in those activities. On the one hand, some believed that federal requirements excessively limited such activities or that obtaining permission is overly burdensome. Faculty must indeed adhere to the same government-wide ethical requirements as other federal employees. The approval procedures need not be particularly onerous.

A U.S. Office of Government Ethics (OGE) advisory states that “executive branch employees who are affiliated with outside organizations in their personal capacity must ensure that any references made to their official title, position, or agency are done in a manner that does not create the appearance that their agency or the government sanctions their personal activities or the activities of the outside organization. See 5 C.F.R. 2635.101(b)(9); 2635.701, et seq.”<sup>143</sup> The Code section referenced in this advisory further stipulates that “an employee shall not use his public office for [their] own private gain.”<sup>144</sup> In practice, faculty may identify their affiliation with USMMA as one of several attributes (e.g., part of their biography) rather than the sole or primary attribute.<sup>145</sup> When submitting a scholarly work for publication, faculty who wish to use their title or position must include “a reasonably prominent disclaimer satisfactory to the agency stating that the views expressed in the article do not necessarily represent the views of the agency or the United States.”<sup>146</sup>

A related limitation is that faculty at USMMA cannot receive stipends or compensation for research or other scholarly activities, such as writing a textbook, serving as a reviewer of academic work, or editing a scholarly journal without prior approval. This prohibition on unapproved outside employment applies to all federal employees, per 18 U.S. Code § 209. Faculty may apply for approval of such activities by following the policy and procedures set out in Dean’s Memorandum 308, *Faculty Consulting*.<sup>147</sup>

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<sup>143</sup> Office of Government Ethics, Legal Advisory: Reference to Official Title and Position by Employees Affiliated with Outside Organizations in Their Personal Capacity (LA14-08). Issued November 19, 2014.

<sup>144</sup> 5 C.F.R. § 2635.702

<sup>145</sup> 5 C.F.R. § 2635.807(b).

<sup>146</sup> 5 C.F.R. § 2635.807(b).

<sup>147</sup> Dean’s Memorandum. The United States Merchant Marine Academy. September 21, 2018.



**Recommendation 3.11: Clarify and better communicate to faculty and staff the ethical requirements for publishing books and articles, participating in conferences, and engaging in other forms of outside activities and employment.** USMMA should also ensure that implementation of requirements is not overly burdensome and does not discourage permissible activities. These steps should be part of a broader strategy to promote professional development.

### **3.7 Limitations hamper recruitment, especially of experienced and diverse faculty across academic disciplines, notably in the STEM arena**

Interviews with USMMA officials revealed a widely held view that it is difficult for USMMA to recruit faculty with needed skills and experience. They identified several recruitment challenges. For example, USMMA’s location presents challenges to faculty recruitment. It is difficult to attract qualified applicants due to the high cost of living in New York.<sup>148</sup> USMMA is not the only college in and around New York City,<sup>149</sup> nor is it the only college located in an area with high living costs. For instance, SUNY Maritime offers a comparable curriculum and faces the same labor-market conditions. “Spatial mismatch,” where workers can’t afford to live near available jobs, is a problem in many communities in the U.S.<sup>150</sup> To deal with this issue, Academy leaders have proposed on-campus housing to be rented at below-market rates. Improving housing options is one way that communities have dealt with this problem. According to an Academy official, USMMA offers public transportation assistance to mitigate the high cost of living.<sup>151</sup> Working with state and local governments to improve public transportation access to the campus could make living outside the immediate area more feasible for workers.<sup>152</sup>

#### ***Faculty pay, benefits, and workload differ from peer institutions***

As at the other service academies, USMMA’s faculty are federal employees. They are entitled to government health insurance, retirement savings plans, tuition assistance benefits, and flexible work arrangements. Faculty positions are in the excepted service, meaning that they are not subject to the appointment, pay, and classification rules in title 5, United States Code, but they are subject to veterans’ preference. It also has the flexibility to set its own qualification requirements within the parameters established by the Union contract.<sup>153</sup>

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<sup>148</sup> Human Capital Plan 2019-2023, 8.

<sup>149</sup> USMMA is in Nassau County, New York, which is home to twelve four-year colleges; see <https://www.nassaucountyny.gov/3333/Colleges-Universities-and-Other-Schools>.

<sup>150</sup> Christina Stacy, Terry-Ann Craigie, Brady Meixell, Graham MacDonald, Sihan Vivian Zheng, and Christopher Davis, “Too Far from Jobs: Spatial Mismatch and Hourly Workers,” The Urban Institute, February 21, 2019.

<sup>151</sup> Human Capital Plan 2020-2024.

<sup>152</sup> Ibid.

<sup>153</sup> “Entering Federal Service.” USAJobs, accessed June 12, 2021, <https://www.usajobs.gov/help/working-in-government/service/>.

USMMA faculty are on a federal government pay scale, but not the usual General Schedule (GS) scale. By agreement with the faculty union, USMMA's salary schedule matches the faculty salary schedule at the U.S. Naval Academy (USNA) except for the first six steps of the Professor Scale (Steps 25 to 30).<sup>154</sup> However, faculty at USMMA are not paid on par with faculty at USNA or USCGA. The salary scale, adjusted for the locale, is the same, but Academy instructional terms span 11 months while USNA and USCGA instructional terms span ten months.<sup>155</sup> In addition, faculty at USMMA have a heavy teaching course load. Each term, faculty can be assigned up to 11 "load hours" with up to three different course preparations.<sup>156</sup> These teaching workloads per term are consistent with requirements for full-time faculty at institutions of higher education in the U.S. but for two semesters each academic year, rather than three terms.<sup>157</sup> The annual cap for Academy faculty is 32 load hours. At the other service academies, the cap is 24 load hours per year. Because they do not have enough faculty to cover all the courses they need to offer each term, instructors sometimes must teach more than the trimester cap when an adjunct instructor cannot be found.

Pay and benefits are essential tools to attract top talent. Although USMMA offers higher salaries than other local institutions, some interviewees said it is difficult to attract highly qualified applicants in the marine transportation and engineering fields because the private sector offers more attractive options. USMMA officials believe they offer substantially lower salaries than the private sector for positions that require comparable skills and experiences. A 2017 Congressional Budget Office study found that when considering benefits, workers receive higher average compensation working for the federal government than in the private sector at all educational levels through a Master's degree. For workers with a doctoral degree, average compensation is higher in the private sector.<sup>158</sup> However, averages mask variation by locale and position type. It is plausible that USMMA has lost candidates due to an inability to match competing salary offers.<sup>159</sup> Research-based universities and those with graduate programs also can offer hiring packages that include laboratory space, research assistants and technicians, reduced teaching loads, and other research support that are not offered at USMMA.

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<sup>154</sup> Labor-Management Agreement between the U.S. Merchant Marine Academy and American Federation of Government Employees Local 3732. Article 13, section 1. The union contract also stipulates that, "faculty members on term or tenure appointments whose appointment and/or academic rank is based on the possession of a U.S. Coast Guard license as a merchant marine officer shall be appointed in the U.S. Maritime Service and be required to wear the USMS uniform when in a duty status." Article 14, section 1.

<sup>155</sup> "Academic Term Calendars." U.S. Naval Academy, accessed June 12, 2021, <https://www.usna.edu/Academics/Calendars-Events/index.php>.

<sup>156</sup> Maritime Administrative Order 710-181, part 903, as amended July 13, 1998. One load hour is defined as one scheduled 60-minute lecture period per week, with adjustments for lab sections.

<sup>157</sup> Ashley Greenberg and Sarah Moore, "Faculty Workload Policies at Public Universities." Education Advisory Board, February 2013.

<sup>158</sup> Congressional Budget Office, "Comparing the Compensation of Federal and Private-Sector Employees, 2011 to 2015," April 25, 2017, <https://www.cbo.gov/publication/52637>.

<sup>159</sup> Ibid.

## ***Passive recruiting and the length and timing of the hiring process put USMMA at a competitive disadvantage in the labor market***

USMMA is in a precarious position with respect to its faculty. Although turnover in recent years has been low, a substantial portion of the faculty is eligible for retirement. USMMA can expect to engage in more recruitment in the immediate future.

As a government agency, USMMA must follow federal hiring rules and requirements. USAJobs is the primary portal to post job announcements and receive job applications; however, as some interviewees noted, it does not always fit the needs of academic hiring. USMMA officials noted that MARAD screeners who check for minimum qualifications are not reliably familiar with the unique requirements for academic positions and, as a result, have not always forwarded qualified applicants. Academic departments can advertise job openings on other hiring portals based on their needs and budgetary resources. Senior leaders have recognized the importance of taking a proactive, strategic recruitment approach. However, according to interviewees, USMMA heavily relies on word-of-mouth referrals to find and attract potential candidates. But even if recruited through other means, all faculty applicants must apply through USAJobs. MARAD assesses their applications and then forwards a list of candidates to USMMA.

Further, USMMA takes a largely passive approach to recruiting rather than using methods that are strategic and targeted to support the mission. Word of mouth referrals, advertising job openings on various portals, attending career fairs, and USMMA's other recruitment methods are insufficient for developing a diverse talent pipeline because USMMA is seeking individuals with highly sought-after skills who may not be familiar with USMMA, its mission, federal careers, or the federal hiring process. In the tight labor market in which USMMA competes, USMMA needs to be proactive in "raising brand awareness" among potential applicants, developing long-term relationships with academic institutions and other sources of talent, and actively reaching out to prospective candidates and encouraging them to apply.

As one example, USMMA's web page offers little help to prospective applicants wishing to learn more about career opportunities. Although there is a "Working at USMMA" page on USMMA's website, it was last updated in December 2017 and needs a refresh to make Academy jobs more attractive to prospective applicants. The page has a link to current vacancies and includes some links to OPM containing information on federal salary and benefits. However, the salary information about the General Schedule is difficult to understand, and as noted above, USMMA faculty positions use a different federal pay system.

Moreover, little on the page would entice prospective applicants to pursue a job at USMMA. Instead, the page's main focus is a mission statement from USMMA's human resources office describing how it supports USMMA with timely and courteous service. Items and information that would motivate applicants to pursue a USMMA career might include, for example, photographs and videos that highlight the work of faculty, a description of the various academic departments and the work they do, information about a typical career trajectory, and testimonials from faculty on the benefits of teaching at USMMA and how faculty contribute to its important mission.

The speed of the hiring process, while improved, is still slow, generally taking USMMA 6-8 months to fill a vacancy.<sup>160</sup> It is also inevitably unaligned with the academic hiring cycle. Faculty hiring timelines typically vary by academic discipline. Universities typically post job announcements by the fall and may conduct recruiting interviews at discipline-specific annual conferences during the fall semester. In a highly competitive search, on-site interviews at the recruiting school may occur in January through March or even earlier. Offers go out shortly after that. Schools that make offers in April or later may miss the most competitive and diverse applicants. Schools that are on a different timeline are likely to access a very small pool.<sup>161</sup> USCGA worked closely with DHS to receive an exemption from the requirement to use *USAJobs* for job announcements and applications. Interviewees also noted that USCGA is exploring the opportunities to use direct hiring authorities in areas where it is difficult to attract talent (e.g., cybersecurity). USMMA officials are familiar with alternative hiring mechanisms and believe they could be beneficial to USMMA. According to some interviewees, Title 10 hiring authorities provide DoD service academies more flexibility in faculty recruitment and significantly enhance their ability to compete for top talent in the local labor market.



**Recommendation 3.12: Streamline the faculty hiring process and align faculty recruitment with the standard academic hiring cycle. Explore whether special hiring authority could improve recruitment and hiring of preferred candidates; if so, seek authority.**



**Recommendation 3.13: Develop active recruitment strategies to attract top academic talent.** More active efforts would help raise USMMA’s visibility and offset the inherent challenges of the cumbersome federal hiring process and competing for skilled faculty in a tight labor market. Specific actions could include, for example: (1) creating an employer value proposition that communicates to candidates the rewards of working for USMMA; (2) updating USMMA’s employment web page to make USMMA jobs more appealing and including a USMMA-specific tip sheet that demystifies federal jobs, the federal hiring process, and steps USMMA is taking to help employees reside in a high cost-of-living area; (3) targeting specific universities, professional organizations, and other talent sources based on their excellence in specific academic areas, demographic diversity, USMMA’s past successes with those entities, and other factors; and (4) identifying USMMA faculty and other leaders willing to serve as “ambassadors” to those entities and build USMMA’s name, promote its mission, and develop and implement outreach strategies on an ongoing and long-term basis.

Recruitment is handled primarily through USMMA’s academic division. The human resources office handles the processing of paperwork. Limited human resources (HR) capacity at USMMA has also affected their ability to attract and recruit top talent. The five-person HR office (an HR director and four staff members) manages HR-related programs and issues, including recruitment, position classification, processing personnel actions, compensation and benefits, training, and performance management. The HR office mostly plays a supporting role, ensuring

<sup>160</sup> USMMA HR office did not provide the average time to hire data when requested.

<sup>161</sup> Justin Zackal, “When is the Best Time for Open Positions in Higher Ed?” Higher Ed Jobs, March 5, 2014, <https://www.higheredjobs.com/articles/articleDisplay.cfm?ID=491>.

position descriptions, paperwork and documents are up to date and that processes meet the requirements of federal rules and regulations. USMMA HR officials noted that they could reach out to MARAD and DOT any time they have questions. The HR director reports directly to the Deputy Superintendent and has concurrent reporting responsibility to the MARAD HR Director.<sup>162</sup>

USMMA has used various tools to attract and recruit talent, such as government retirement and health care benefits, the tenure system,<sup>163</sup> career development opportunities, tuition assistance program, work-life balance, and flexible work arrangements. Interviewees said that most people choose to teach there because they believe in USMMA's mission or want to achieve a better work-life balance. Officials noted USMMA has the authority to offer recruitment incentives and has used some recruitment incentives—such as advance-in-hire, shipment of household goods, and Tuition Reimbursement incentives—over the past few years to attract talent. However, according to the HR office, USMMA does not often offer recruitment bonuses due to budget constraints but plans to expand these compensation incentives. Multiple interviewees said they were not aware of the authority to use recruitment bonuses.

### ***Turnover has been low, but many faculty are or will soon be eligible to retire***

Faculty retention does not appear to be an issue at USMMA. According to data provided by the human resources department, the USMMA turnover rate ranged from 5 percent to 12 percent (four to eight departures, including term appointed positions) for the past five years. Several Academy leaders noted that most faculty retire from USMMA, and in the past few years, only a few faculty left USMMA for new jobs.<sup>164</sup> USMMA faculty are eligible for tenure after four years instead of six years which is the norm in higher education, which might discourage them from seeking other positions. Some interviewees suggested that teaching demands prevented most faculty from developing a body of research and publications, which is generally needed to obtain a position at another institution.

The average age of the USMMA workforce is 51 years,<sup>165</sup> and 35 percent of faculty (29 individuals) are already eligible to retire. By 2026, more than half of the current faculty (46 individuals) will be retirement eligible.<sup>166</sup> Having a senior faculty is becoming increasingly common at universities in the U.S.<sup>167</sup> USMMA has taken several steps to prepare for the potential wave of faculty

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<sup>162</sup> Maritime Administrative Orders (MAO) 150-001, September 8, 2020.

<sup>163</sup> Interviewees told the Study Team that faculty are eligible to apply for tenure after 4 years. The Academy's tenure promotion process is less stringent than other service academies.

<sup>164</sup> During this period, 23 individuals retired, 10 resigned and three completed term assignments.

<sup>165</sup> "Human Capital Plan 2019-2023," U.S. Merchant Marine Academy, 2019.

<sup>166</sup> Calculation based on data provided by the USMMA Human Resources office.

<sup>167</sup> In 2018, 11% (81 individuals) of the faculty of Harvard University's Faculty of Arts and Sciences are over the age of 65. (Madeleine R. Nakada and Luke W. Xu, "No Room for New Blood: Harvard's Aging Faculty," *The Harvard Crimson*, May 23, 2018.) A nationwide survey in 2020 found that 13% of tenure-track faculty are over 65. (Jasper McChesney and Jacqueline Bichsel, "The Aging of Tenure-Track Faculty in Higher Education," College and University Professional Association for Human Resources, January 2020.)

retirements. For example, in 2019, they received the authority for overlap hires to start the hiring process three to six months in advance.<sup>168</sup>

Despite the coming wave of retirements, USMMA is not actively planning for the future of the academic departments as they adapt to an evolving set of knowledge, skills, and abilities that industry, ports, and the Armed Forces value. Department heads are responsible for reviewing the workload of faculty members and identifying hiring needs when necessary. Interviewees indicated that, in many cases, departments backfill faculty vacancies with people with identical qualities and skills rather than looking at overall institutional needs. This approach can leave the organization unprepared for the future. USMMA does not have a formal, strategic succession planning process to forecast future talent needs and create a strong pipeline of high-quality successors. Leading practices research suggests that some amount of retirement can be beneficial, as it provides opportunities to reshape an organization's workforce to meet the organizational needs moving forward. In its Human Capital Plan (2020-2024), USMMA acknowledges the importance of identifying future human capital needs (Goal 4: *Project Future Needs*) and lays out several high-level strategies to stay current with the maritime industry, curriculum changes, and changes in USMMA's organizational structure.<sup>169</sup> USMMA officials noted that the next step is to develop more detailed plans to implement these strategies.



**Recommendation 3.14: Develop and revisit a faculty succession plan annually where academic departments and the academic division plan to adapt to changing education and training needs.** USMMA can use curriculum updates as a starting point.

### 3.8 Conclusion

Education and training are central to the mission of USMMA. Every year, more than 200 graduates earn the credentials needed to join the ranks of the merchant marine. As long as Midshipmen continue to complete degree requirements and pass the Coast Guard license exam, why would USMMA do anything differently? Modernization is needed for several reasons.

- A wave of retirements will hit USMMA in the near future. USMMA will need to recruit faculty to take their places.
- Merchant mariners are operating in an increasingly complex operating environment. As discussed in Chapter 2, the maritime workforce of the future will need proficiency in data science, machine learning, and cybersecurity; operations research, system optimization, programming agility; use of drones or autonomous vessels; and personal skills such as networking, mentoring, continuous learning, global understanding, and leadership.<sup>170</sup>

Meeting the minimum requirement—graduating Midshipmen who can pass the Coast Guard license exam—may have been adequate up to now, but it will not be adequate in the future.

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<sup>168</sup> “Human Capital Plan 2019-2023,” U.S. Merchant Marine Academy, 2019.

<sup>169</sup> “Human Capital Plan 2020-2024,” U.S. Merchant Marine Academy, October 27, 2020, 11.

<sup>170</sup> METRI Summit, November 9, 2020.

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## Chapter 4: Facilities and Infrastructure

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**Overview** This chapter describes existing facilities and infrastructure conditions and past efforts to modernize. It identifies the barriers that limit effective planning and construction and offers recommendations to move USMMA forward.

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**Path to Modernization** USMMA officials must collaborate with MARAD and DOT to establish a full-fledged, modern facilities and infrastructure program that includes institution-wide planning. Whether in-house or outsourced, the program should create a long-term plan that supports the mission and strategic priorities. It should be led by an experienced facilities executive who will coordinate all functions related to physical infrastructure. MARAD and DOT or some other entity should provide effective oversight and support.

**All aspects of facilities and infrastructure programming must use standards and evidence to make decisions and set priorities.** Better-informed decision making will allow USMMA to reach its objectives more quickly and cost effectively. Performance measurement will allow USMMA to refine processes and demonstrate progress.

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**Facilities and Infrastructure Challenges** Facilities and infrastructure on the Kings Point campus are in poor condition. They are inadequate to serve the needs of today and will not support the institution into the future. Lack of effective F&I planning contributes to longstanding poor F&I conditions.

**USMMA lacks the capacity and capabilities for effective F&I planning, maintenance, repair, and recapitalization and has failed to meet its F&I needs.**

**Recapitalization will be a long and costly process.** It will require many years of coordinated, high-level decision making, effective oversight, and accountability by MARAD, DOT, and Congress.

**Failure to act will lead to further deterioration and increase risks to the health and safety of students, faculty, and staff.**

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**Benefits of Taking Action** Creating a modern facilities and infrastructure program puts USMMA on the path to dealing with longstanding issues and modernizing. The program would be equipped to conduct long-term F&I planning, support the mission and strategic priorities, improve the quality of decision making, build trust with stakeholders, and use taxpayer funds wisely.

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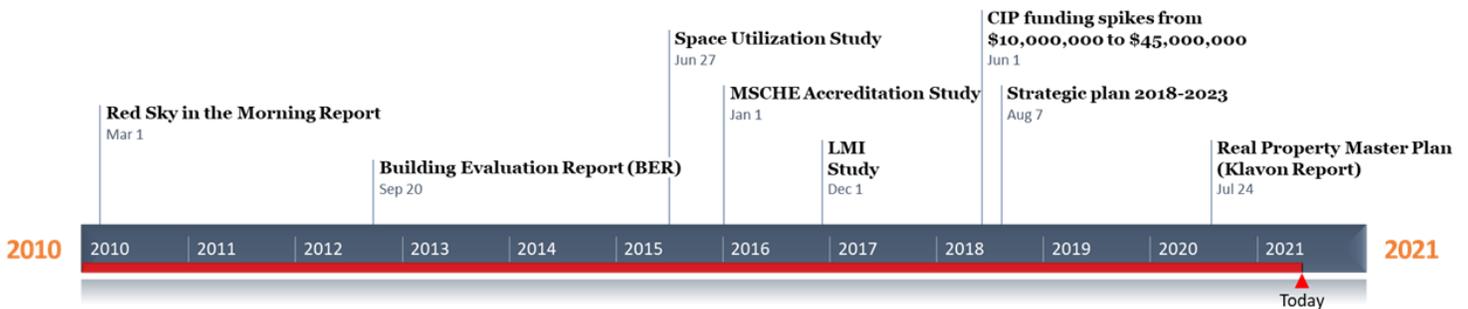
## 4.1 Background

USMMA campus consists of 82 acres in Nassau County, New York. Located on Long Island Sound, the site has a waterfront, 17 acres of outdoor athletic facilities, and 45 buildings of almost 900,000 gross square feet. Instructional space and academic offices occupy 125,000 net square feet. An additional 425,000 net square feet is devoted to other non-residential uses.<sup>171</sup>

The Kings Point campus was acquired in 1943, and most buildings were constructed within 18 months of the end of World War II. The most recent new construction on the campus was Bland Library in 1969, the Tombs Field House and Pressbox in 1977, and the Yocum Sailing Center in 1994. Some public works buildings and athletic facilities have been renovated.<sup>172</sup>

Figure 4-1 provides a timeline of key events surrounding facility planning since 2010. Many activities shown on the timeline are consistent with the DoD Real Property Master Planning process with Unified Facility Criteria.<sup>173</sup> The DoD method uses a rational, evidence-based approach to make decisions.<sup>174</sup>

Figure 4-1. Timeline of Key Events and Reports Since 2010



Source: National Academy of Public Administration

The Department of Transportation (DOT) became acutely aware of deteriorating conditions in 2009. The Secretary of Transportation directed MARAD to convene a Panel of five senior executives to assess and revise USMMA’s Capital Improvement Plan (CIP) and investment priorities. Their 2010 report, *Red Sky in the Morning* (Red Sky), addressed the suitability of USMMA’s facilities and facilities planning. The panel found severe deterioration among many USMMA buildings. They concluded that substantial and sustained programmatic reinvestment in F&I was critical to USMMA’s mission.

<sup>171</sup> SJH Engineering, PC., “Building Evaluation Report,” U.S. Merchant Marine Academy. Submitted to U.S. Department of Transportation, U.S. Maritime Administration, September 20, 2012.

<sup>172</sup> Ibid.

<sup>173</sup> Department of Defense, “Standard Practice Unified Facilities Criteria,” accessed June 23, 2021. <https://www.wbdg.org/FFC/FEDMIL/milstd3007g.pdf>

<sup>174</sup> The effectiveness of this planning process is only as good as the initial criteria supplied by the owner, in this case, USMMA. All the steps and the resulting reports are heavily influenced by the initial guidance. Typically, the highest priority discrepancies identified for resolution are those issues that are plainly visible.

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*“Over time, facilities typically become more expensive to operate and less capable of supporting the institution’s current mission. The best way to combat these performance trends is through proactive, programmatic investment. This includes dedicated resources to both sustain facilities during day-to-day operations, and to replace structures at the end of their useful life.” - Red Sky in the Morning, 2010*

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The Red Sky report determined that reinvestment would require not only sustained funding but also the creation of a facilities planning function<sup>175</sup> and “the addition of qualified staff to manage the maintenance of USMMA’s buildings and infrastructure, and a small engineering and planning staff to oversee new construction and renovation projects.” The Red Sky in the Morning study panel specifically urged the Maritime Administration to defer “any major capital improvement projects until USMMA had the qualified staff necessary to oversee planning and construction properly.<sup>176</sup> The complete set of recommendations from the Red Sky report appears in Appendix J.

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*“The condition of USMMA’s physical plant has reached a tipping point. Many facilities, including several that house and feed Midshipmen, are in such poor condition that they are no longer capable of meeting the needs of the regiment. Others have reached the end of their useful life and are in urgent need of extensive refurbishment or replacement. Current maintenance and capital funding are not sufficient to reverse this decline. Failure to improve the maintenance of USMMA’s facilities and to aggressively invest in more suitable and modern facilities, including engineering laboratories and marine simulators, will result in the decline of the institution and risks the eventual loss of the school’s accreditation.”  
- Red Sky in the Morning, 2010*

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Two additional studies built on the foundation of the *Red Sky* report. The 2012 *Building Evaluation Report* (BER)<sup>177</sup> assessed the conditions of all buildings on the Kings Point campus. The report detailed deficiencies throughout the campus and characterized them as critical or needed within either 1-2, 3-5, or 6-10 years. The report included Facility Condition Index (FCI)

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<sup>175</sup> A planning function would look at the campus F&I needs comprehensively—phasing, sequencing, and integrating projects to use space and taxpayer dollars efficiently and provide for long term needs and ensure that investments align with the mission and strategic priorities.

<sup>176</sup> U.S. Merchant Marine Academy Capital Improvements Advisory Panel, “Red Sky in the Morning,” U.S. Department of Transportation, U.S. Maritime Administration, March 2010.

<sup>177</sup> “Building Evaluation Report,” 2012.

scores for all buildings on campus. The FCI compares rehabilitation costs to total replacement costs, creating a score that USMMA officials could use to inform priorities.

Next, the 2015 *Space Utilization Study* (SUS) inventoried building usage by function to create a needs assessment. The study echoed one of the main findings of the Red Sky report that the lack of planning staff was problematic. It concluded that building conditions and accessibility notwithstanding, the campus had more than enough space to conduct operations.<sup>178</sup>

Around this time, the Capital Improvements Program (CIP) established a three-phase plan to implement the recommendations of the *Red Sky* report, the BER, and the SUS. Phase I focused on quality of life for Midshipmen and included renovation of the living spaces, dining facilities, and one pier. From 2012 to 2014, USMMA renovated two dormitories (Rogers Hall and Cleveland Hall) and the dining facility (Delano Hall). During phases II and III, the plan was to renovate four academic buildings and then the administrative buildings. Renovation of the first academic building, Samuels Hall, began in Fall 2020 after several years of delay to accommodate multiple redesigns. For much of 2021, the Samuels Hall project was under a stop-work order due to inadequate pre-project planning and coordination.<sup>179</sup> Renovations of additional academic and administrative buildings are planned for future years.

During this period, USMMA also carried out some needed utility improvements. These include electric grid upgrades (completed in February 2013 and March 2017), a three-phase water main replacement (completed in April 2016), and the replacement of a sewer pump (December 2015). Upgrades to the campus fiber optic network and renovation of the admissions building are in the planning stage and are currently unfunded.

## ***Recent developments***

In June 2021, DOT and MARAD launched an effort to investigate current facilities and infrastructure concerns. They dispatched teams of professionals in building management, contract management, and environmental health, security, and safety. Specialists from the General Services Administration (GSA), Federal Aviation Administration (FAA), and Federal Highways Administration (FHWA) have also been participating.<sup>180</sup> A comprehensive campus-wide infrastructure evaluation report, a review of management practices, the development of work plans, and timely reporting to Congress are planned. DOT and MARAD developed 30- and 60-day working plans from July 2021, and some progress has been achieved. GSA and FAA continue to assist with the development of capital and maintenance plans.

## ***Capital Improvements Program***

As shown in figure 4-2, funding for capital improvements has been between approximately \$10 - \$15 million annually since 2001, except that in FY18, USMMA received a one-time allocation of

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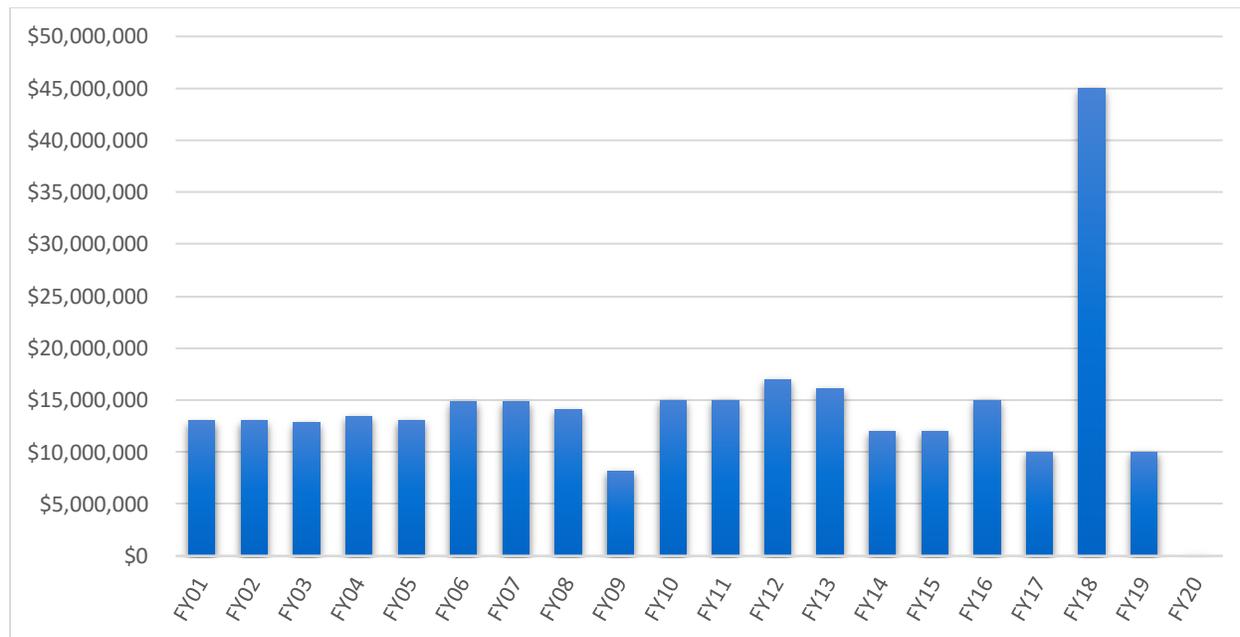
<sup>178</sup> Ernest Bland Associates, PC., “Space Utilization Study,” U.S. Merchant Marine Academy, 2015, appendix C, APP-389.

<sup>179</sup> By mid-September 2021, resolution had been reached, allowing data center redesign to proceed.

<sup>180</sup> U.S. Congress, House, Committee on Transportation and Infrastructure, *Review of Fiscal Year 2022 Budget for the Coast Guard and Maritime Transportation Programs*, hearing before the Subcommittee on Coast Guard and Maritime Transportation, 117<sup>th</sup> Cong. (2021) (testimony of Lucinda Lessley).

\$45 million. In FY20, no additional funding was provided due to concerns with USMMA’s slow pace in carrying out capital projects. At the time of publication of this report, the FY22 budget process was underway. The President’s budget proposal once again proposed zeroing out CIP funding for USMMA.<sup>181</sup> USMMA submitted a plan to spend unobligated funds that has been under review throughout the study period.

*Figure 4-1. Annual USMMA CIP Funding FY2001-2020*



*Source: National Academy of Public Administration<sup>182</sup>*

## **Governance and organization**

Facilities engineering—the management of facilities and infrastructure—is divided across two groups, the Capital Improvement Program (CIP) Office and the Department of Public Works (DPW). The head of the CIP Office reports to the Deputy Superintendent and coordinates with the MARAD Office of Management and Administrative Services, as appropriate.<sup>183</sup> The CIP Office provides engineering expertise in developing and implementing capital projects. The CIP office oversees the design and construction process by managing third-party architecture and engineering (A/E) and construction management services.

DPW is responsible for the maintenance and repair of existing F&I. The office receives notifications of deficiencies and works to remedy problems using existing tradesmen capacity or

<sup>181</sup> The annual budget deliberation process begins with the release of the President’s budget, which is due to Congress by the first Monday in February. Traditionally, the President’s budget has been taken as a starting point for Congressional deliberations. Congress is not bound to honor the President’s priorities or spending proposals. For more information, see Congressional Research Service, “Introduction to the Federal Budget Process,” # 98-721, December 3, 2012.

<sup>182</sup> Information from publicly available Capital Improvement Program Annual Reports 2012-2019 and the Facilities Master Plan.

<sup>183</sup> “Maritime Administrative Orders (MAO) 150-001-0,” Maritime Administration, September 8, 2020.

contracting out for specialized support. The head of Public Works reports to the Director of Academy Operations, who reports to the Deputy Superintendent. The Deputy Superintendent performs some oversight and management.

## **4.2 The Conditions of F&I Undermine USMMA’s Mission to Educate and Train the Next Generation of Merchant Mariners**

Poor physical conditions on campus interfere with learning and the student experience. Nearly all Midshipman that talked to the Study Team discussed how poor conditions created distractions in the learning environment, caused safety concerns, and deterred would-be applicants. Examples include dripping water pipes in classrooms, climate control issues, recurring plumbing problems in dormitory showers, and mold in dorm rooms.

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*“A lot of times, the AC units don’t work, and it could be 100 degrees in a classroom. The best way I could describe the classrooms for me would just be pretty disgusting and not an environment where it facilitates good learning at all. It’s a little bit distracting if you’re dripping sweat because there’s no AC or water is dripping on you from the ceiling.” -Midshipman*

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NAPA Study Team and Panel observed conditions during site visits.<sup>184</sup> Renovation needs identified in the CIP and observed by the Panel and Study Team are very basic, leading one Panel member to question how they had been missed or ignored by the staff for so long. Many of the F&I had deficiencies that would be relatively simple to address, such as power washing the façade of many of the halls and classrooms and repointing masonry but remain only partially completed. Some of the conditions described in past reports are still present, including:

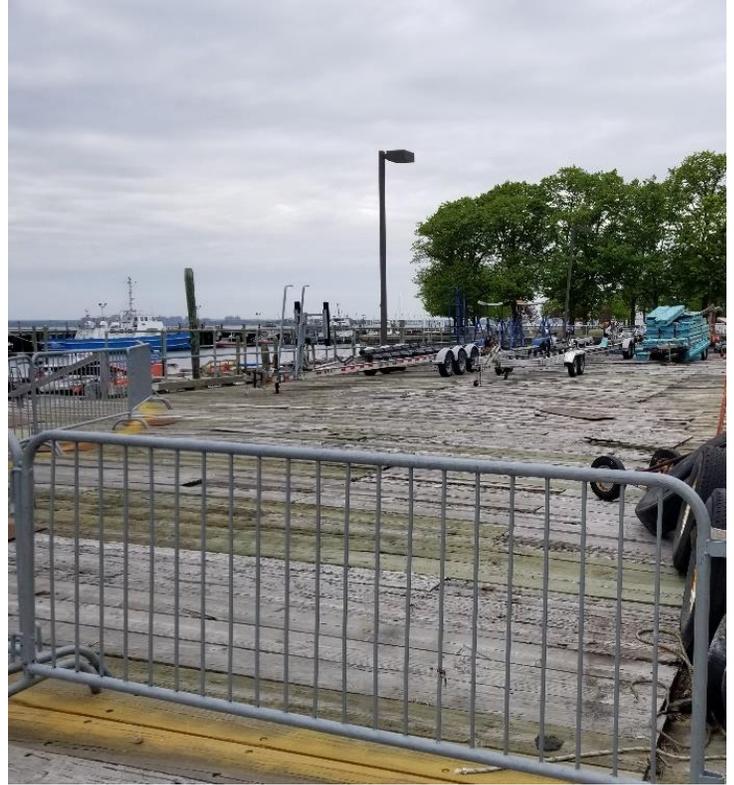
- Crumbling concrete, drywall, and paint
- Leaking pipes and water damage
- Mold present in rooms and hallways

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<sup>184</sup> “Building Evaluation Report,” 2012, 1.10.



(Clockwise from leftmost: Wall damage in pool equipment room; chipped paint and mold in Melville Hall; chipped trim in hallway. Photos taken by NAPA Study Team)



(Clockwise from upper left: Ceiling damage; Cressy Pier damage; chipped concrete outside student hall; chipped paint in pool equipment area. Photos taken by NAPA Study Team)

Asset availability is essential to mission accomplishment. Facility Engineering is a continuum:

- Daily operations are performed through maintenance.
- Periodic refresh is conducted by repairs.
- Addressing lifecycles and obsolescence is handled through recapitalization.

### 4.3 Longstanding Maintenance Issues Have Contributed to Current Conditions on Campus

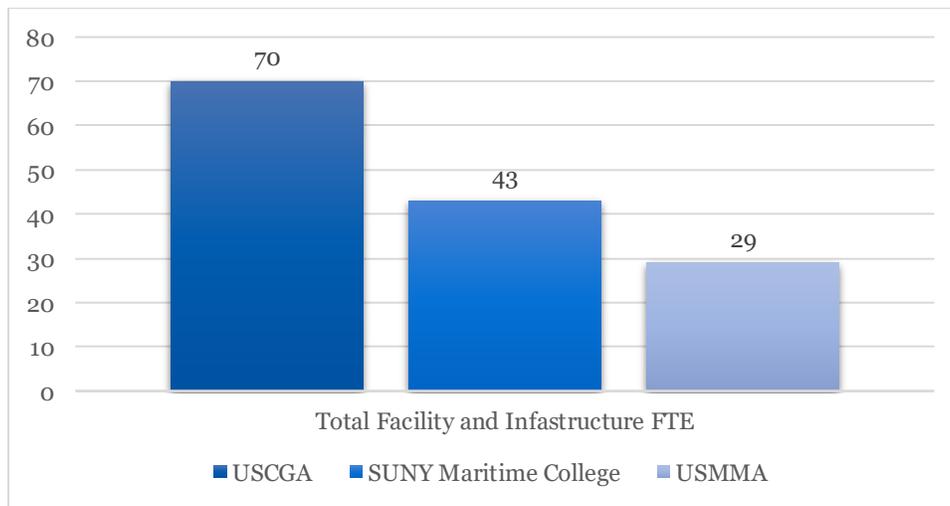
Conditions on campus today are the result of years of inadequate maintenance. According to staff, lack of capacity to perform preventive maintenance has accelerated deterioration. Systems are breaking down prematurely due to years of deferred maintenance. Maintenance needs are heightened because many facilities are old, outdated, and deteriorating. Components deteriorate, and repairs can be more complex when multiple components are failing. Replacement parts can be hard to obtain, along with technicians who have the skills needed to carry out those repairs.

#### ***Inadequate maintenance is the result of insufficient capacity***

Understaffing and the lack of information systems have limited USMMA’s ability to conduct needed maintenance. The Panel was told that the Academy has been unsuccessful at hiring enough staff to address the maintenance needs due to a lengthy and cumbersome hiring process. Finding qualified people to take the positions is a challenge because tradespeople can earn more working outside government. USMMA was not able to provide hiring data to confirm these statements.

In 2010, the Red Sky report found that USMMA maintenance and engineering staffs are smaller than associated staffs at USCGA. Benchmarking for both USCGA and SUNY Maritime finds similar results. See figure 4-3 for a comparison of facilities and infrastructure staffing at comparable institutions.

Figure 4-3. Facility and Infrastructure Staffing Among Comparable Institutions 2021



Source: National Academy of Public Administration<sup>185</sup>

<sup>185</sup> Staffing counts are determined using documentation provided by USMMA, USCGA, and SUNY Maritime College. All facilities and infrastructure staff in this count include public works maintenance, public safety, engineering resources, directors, and planning staff. Not included are janitorial services, motor pool maintenance, administrative services, and contracted services including HVAC and grounds maintenance.

To compensate, USMMA relies on outside contractors. USMMA does not compile and analyze data on the use of outside contractors to determine if this is the most cost-effective approach to serving maintenance needs. However, officials are aware that this is a needed step.<sup>186</sup>

COVID-19 put an additional strain on maintenance staff. DPW could not safely work in the dormitories during student outbreaks, creating backlogs. Because DPW staff work in proximity, a positive covid test for any DPW staff member required coworkers to self-quarantine for a period of time.

USMMA is exploring a maintenance contract to address the backlog, improve overall maintenance levels, and engage in preventive maintenance. It would establish a campus maintenance contract to oversee multiple contracting services. USMMA officials expect this contract to be more costly than covering maintenance needs entirely in-house, but experience has shown that they cannot create adequate in-house capacity. USMMA does not have the data to assess whether a campus maintenance contract is the best option. However, the need to address campus maintenance is urgent. Continued delay will hasten deterioration and further jeopardize the health, safety, and well-being of all members of the USMMA community. Moreover, USMMA officials have experience with a campus maintenance contract arrangement at other institutions and have found it effective.<sup>187</sup>

USMMA has recently hired a Director of Academy Operations to oversee maintenance, public safety, compliance with environmental regulations, and other physical aspects of the campus. Having this position filled should help with high-level coordination.



**Recommendation 4.1: Accelerate expansion of maintenance capacity by adopting a campus maintenance contract or another staffing arrangement.**

A mix of organizational entities, employees, and contractors may perform these seemingly distinct functions. Yet, they are essential parts of a whole that needs to be managed by one professional position. Facilities engineering processes and programs are most effective and efficient when integrating all three elements and operating in a stable environment. Scheduled maintenance, repairs, and a well-planned and documented recapitalization program contribute to a robust asset management program that fulfills strategic planning intent. Conversely, unscheduled

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<sup>186</sup> Failure to compile data on the use of outside contractors may be inconsistent with the FAIR Act. “The FAIR Act requires executive agencies to make an annual accounting of the commercial activities performed by federal employees and submit them to the Office of Management and Budget (OMB). The OMB A-76 Circular requires that agencies also account for inherently governmental activities performed by federal employees. The agency lists that result from this are referred to as ‘FAIR Act Inventories.’ After OMB reviews and approves an agency’s inventory, the agency must post it on its public web site.” National Institutes of Health “Frequently Asked Questions: OMB Circular A-76” accessed October 5, 2021 at <https://oma.od.nih.gov/forms/A76-fair/Documents/A-76%20FAQ.pdf>.

<sup>187</sup> Federal policies governing the contract process include the Federal Activities Inventory Reform (FAIR) Act of 1998 and Office of Management and Budget (OMB) Circular No. A-76. For additional information on inherently governmental functions, see Kate Manuel, “Definitions of ‘Inherently Governmental Function’ in Federal Procurement Law and Guidance,” Congressional Research Service, accessed September 28, 2021. <https://sgp.fas.org/crs/misc/R42325.pdf>.

maintenance and repair consume resources in lost availability, money, and facilities engineering personnel time. In and of itself, it compromises the mission due to the impact on asset availability.

Lack of coordination between CIP and operations creates additional maintenance needs. CIP and DPW disagree on the appropriate level of involvement of DPW in the design and completion of capital projects. Hand-offs have been an issue when a CIP project ends with construction deficiencies. One problem is that in the past, DPW has not participated sufficiently in the design stage of CIP projects. As a result, CIP cannot incorporate its requirements into decision making. Then, either because of the lack of planning or poor project execution by a contractor, DPW may be left to remediate or repair deficiencies, or it may have an ongoing maintenance problem. Section 4.5 discusses broader coordination issues.

### ***USMMA has insufficient information to determine the appropriate level of spending on maintenance***

The FY21 budget allocation for Facilities, Maintenance, and Real Estate (FMRE) was \$5.9 million.<sup>188</sup> Based on the 2012 current replacement value (CRV) of \$424 million, this allocation is inadequate to address facility deficiencies.<sup>189</sup> USMMA keeps detailed records on spending, but it does not compile those records in a way that could inform planning or decision making. USMMA does not assess whether the FMRE allocation is adequate. It also does not have targets for each spending category or a decision-making framework to balance maintenance, renovation, and replacement.

USMMA does not have systems to track expenditures, use of equipment, maintenance records, or other operational indicators. Without this information, managers are unable to plan or get pre-approvals for routine activities. They are also left to assess needs and weigh options based on their intuition. DPW is transitioning to MAPS (Maritime Accountability Property System) for inventory control. One interviewee said that it should be a “game-changer when it is up and running.”<sup>190</sup> USMMA cannot afford to delay tracking. An additional recommendation related to the use of standards to inform decision making appears in section 4.7.

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<sup>188</sup> “FY 22 Budget Estimate: Maritime Administration,” U.S. Department of Transportation, 2021, 29.

<sup>189</sup> The Red Sky report recommended that annual maintenance allocations should be 2.5% of plant replacement value. Several federal agencies use the National Resource Council guideline, that facilities and maintenance spending should be 2-4% of CRV. *Key Performance Indicators for Federal Facilities Portfolios*, Federal Facilities Council Technical Report Number 147 (2005).

<sup>190</sup> DPW currently uses limited task order tracking systems and other areas like inventory tracking do not incorporate data collection. The task order management system, Net facilities, is underutilized. SUNY Maritime College for instance makes use of a program to digitize the task order management process. This results in easier planning, more time for DPW personnel, and better reporting. See <https://www.dudesolutions.com/>. DPW also makes limited use of space efficiencies and planning for inventory systems. Electronic inventory management systems are not currently in use to catalogue the availability to repair supplies across the campus. This leads to the inability to collect accurate inventory information and plan strategically for future orders. Other institutions like SUNY Maritime College use digital barcode technology to catalogue available supplies and assign specific warehouses and closets for personnel to use.



**Recommendation 4.2: Fully and immediately implement maintenance spending and activities tracking, investing in information technology as necessary.** USMMA does not collect, compile, analyze or use any performance metrics in decision making. DPW does not collect metrics on project completion, fully utilize the task order system Net Facilities, or keep a systematic inventory of equipment and supplies. Other essential tasks cannot be accomplished until this recommendation is implemented.



**Recommendation 4.3: Adopt, collect, report, and use performance metrics to monitor the effectiveness of USMMA’s maintenance program and improve decision making. Develop and use standards to set priorities for maintenance activities. Collect metrics in a central database, reportable to leaders and oversight entities.** The lack of performance metrics reduces USMMA’s ability to invest strategically in important F&I areas. Managers should write the effective use of metrics into performance reviews. Metrics should value reliability, efficiency, users' productivity, and attainment of outcomes.<sup>191</sup>

#### **4.4 USMMA Has Made Little Progress in Carrying Out Capital Projects**

USMMA has completed some capital improvement projects despite underlying issues that have led to outdated and deteriorating facilities and infrastructure. Several reports over ten years have identified the same underlying problems, that (1) USMMA does not have the capacity to carry out F&I projects on the needed scale, and (2) it also does not have the systems in place to support rational, evidence-based decision making. Neither MARAD nor DOT has provided adequate support and oversight of either function.

##### ***Inconsistent CIP reporting reduces accountability***

Although required annually, CIP reporting is inconsistent and does not provide a longitudinal perspective on facilities programming. In fact, inconsistent and delayed CIP reports conceal the lack of progress. The most recent published CIP was FY19, released in September 2019, although a long-range plan containing some CIP report information has been under review since mid-2020. Since at least 2012, the Senate Appropriations Committee has directed the MARAD Administrator to provide an annual report on USMMA’s Capital Improvements Program status.

“The delivery of this report in a timely manner is essential to the Committee's oversight and funding determinations for the future fiscal years. The report should include: a list of all projects that have received funding and all proposed projects that USMMA intends to

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<sup>191</sup> Examples of potential metrics include: percentage of funds obligated within one, two, and three years of allocation; number of redesigns; customer satisfaction; adaptation based on customer input; relative utility costs; reactive maintenance, i.e., in response to failures such as loss of power, internet, heating, cooling, water leakage; ratio of reactive to preventive maintenance; time to complete a service request.

initiate within the next 5 years; cost overruns and cost savings for each active project; specific target dates for project completion; delays and the cause of delays; schedule changes; up-to-date cost projections for each project; and any other deviations from the previous year's CIP. The Committee encourages USMMA to consider its ability to sequence and manage contracts as it establishes its capital priorities.”<sup>192</sup>

Year-to-year CIP reporting only reflects a point in time. Aside from acknowledging the difference between previous and updated project estimates, historical CIP reports do not fully account for or justify shifts over time. Not asserting a rational basis for the changes implies that there is indeed no rational basis for the shifts.

Analysis of CIP reports from FY14 – FY19 reveals that USMMA has a poor track record of accurately estimating the cost and timing of CIP projects. Since 2012, cost and timing figures in the annual CIP report have proven to be accurate on only six out of 16 projects. Six were completed on time (within several months of the estimate) and within budget (no more than 10 percent above estimate).<sup>193</sup> CIP reports also show project funding was sometimes supplemented by cost savings from other CIP projects. A detailed analysis appears in Appendix K.

The Samuels Hall and Crowninshield / Cressy Pier projects are two examples of inaccurate cost and timing estimates. In the case of Samuels Hall, the estimate for renovation grew from \$6 million to \$16 million. Initially, the project was only slated to include the renovation of the Humanities Department. Then the project's scope was expanded to the entire building to include a new simulation center. The Crowninshield/Cressy Pier project grew from \$3 million to \$5.6 million in FY17 and then to \$15.6 million in FY19. Requirements expanded as an additional building was added to the pier project.



**Recommendation 4.4: Congress should require improved CIP reporting.**



- **USMMA should produce a CIP report for FY20 and FY21 that includes project updates, complete with all data elements as directed by the Senate Appropriations Committee.**
- **USMMA should provide more substantial justification for individual projects and priorities and account for changes going back several years.** USMMA officials should justify projects based on protecting the safety and health of the academy community, supporting education and training, addressing documented shortfalls, and demonstrating that the planned approach for the project is the best option.
- **In each annual report, USMMA should include a rigorous assessment of program progress and performance.** Rigorous assessment entails developing performance metrics that align with strategic

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<sup>192</sup> FY 2020 S. Report 116-109.

<sup>193</sup> Information from publicly available Capital Improvement Program Annual Reports 2012-2019.

priorities and the mission, collecting and analyzing data for those metrics, and making adjustments accordingly.

### ***USMMA does not have a standard for moving forward with projects in a timely manner***

One reason for the lack of progress is that USMMA is under no financial pressure to act quickly. Recent Congressional CIP allocations have come in the form of non-expiring funds. These allocations have exceeded USMMA’s ability to carry out capital projects in 2016-2020; details appear in Appendix K. Over these five years, USMMA received allocations of \$80 million. During this period, they spent \$18 million (23 percent of allocated funds) and obligated an additional \$24 million (29 percent of allocated funds). At one time, USMMA had a surplus of approximately \$110 million in non-expiring funds. The issue is not that USMMA is receiving too much money. On the contrary, the problem is that there is no time pressure to obligate the funds, compounded by an inability to execute planned projects promptly.

USMMA has been receiving CIP funds in round figures, irrespective of funding needs, to move forward with planned projects. While a steady stream of funding for F&I can allow for multi-year planning, it is incumbent on USMMA to adopt internal deadlines for spending allocated funds.



**Recommendation 4.5: Adopt an internal target timeframe to obligate allocated CIP funds for justified and scheduled capital projects.** The timeline should be linked to project plans and budgets, to ensure that funds are expended in support of the capital plan in a timely manner.

### ***Physical and logistical constraints limit the pace of development***

Three significant physical and logistical constraints limit the pace. First, the campus only has the physical capacity to take one academic building offline at a time.<sup>194</sup> More efficient space utilization could add some flexibility; interviewees shared that faculty regularly overbook classroom space, leading to vacant rooms and the opportunity for increased repair and maintenance times. Second, the campus has little limited swing space and staging areas available for contractor lay-down and operations.<sup>195</sup> Third, the academic year is 11 months, requiring a significantly phased project timeline to avoid class scheduling impact.

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<sup>194</sup> “Capital Improvement Program Annual Report and FY2018-2023 Plan,” U.S. Merchant Marine Academy, 3.

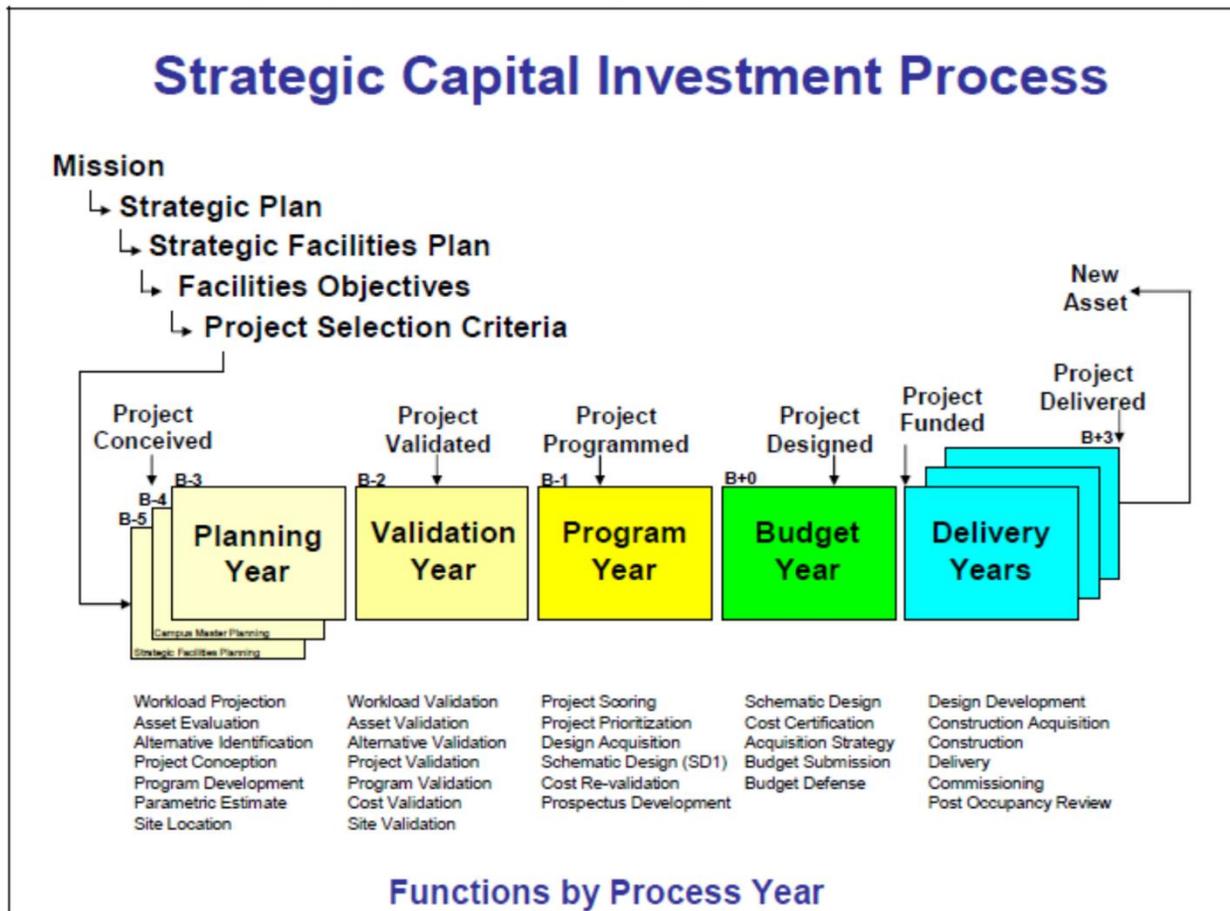
<sup>195</sup> During construction, crews need a staging area to hold large equipment not in use, receive and store materials, and assemble equipment or supplies. The construction site should also accommodate a management office and bathroom and other convenience facilities.

## 4.5 The Facilities Programming Process and Decision-making Framework Are Not Sufficiently Grounded in the Strategic Plan

Recapitalization efforts should build on input from both maintenance and repair records and strategic planning guidance for the future. The recapitalization process takes time to plan and execute adequately. Recapitalization projects are large-expense items that are typically viewed as generational commitments. Failing to articulate and coordinate the phasing of construction planning, design, execution, and commissioning can jeopardize individual projects.

The Red Sky report proposed a rigorous, evidence-based process that uses standards to set priorities and “validate capital investments through the repeated and thoughtful review of proposed projects... A single major capital investment project should move through multi-year planning, validation, programming, budgeting, and delivery process. Such a process has not been the practice at Kings Point.”<sup>196</sup> The Red Sky report included an illustrative strategic capital investment process below in figure 4-4.

Figure 4-4. Illustrative Strategic Capital Investment Process



Source: Red Sky Report

<sup>196</sup> “Red Sky in the Morning,” 2010, 16.

The model process makes the mission the starting point and the foundation for F&I planning. The mission establishes why the institution exists, and the strategic plan articulates how the institution will pursue the mission. The strategic plan guides the organization's focus on the future and near-term operations. Then a strategic facilities plan describes the facilities needed to support the strategic plan. Because USMMA's mission is to educate and train the next generation of merchant mariners, facilities and infrastructure exist to support education and training. This principle should guide the development of an F&I program. F&I needs may evolve, but they should always be an evidence-based function of changing education and training needs.

The strategic plan creates the need for a project as part of a program. Asset managers then translate the overall strategic plan into their asset strategies to ensure operational success over time, operating for today while proactively preparing for tomorrow. Those asset managers are responsible for the predictable availability of assets in the near term and the future. A stable facility engineering process provides F&I in the near term. A well-developed and thorough recapitalization process predicts and then plans for appropriate F&I for the future. Predictability, stability, and consistency over time are hallmarks of success. The NAPA Panel sees the reliability of the asset as a major responsibility of the facilities engineering function to support the mission. Lack of asset availability will impact mission success along any timeline.

The current strategic plan is an improvement over the previous (first) strategic plan because it captures many institutional values. It has also played an essential conceptual role in creating a path towards improved operations. However, it does not provide a long-term vision on which facilities decisions can be based. Given resource constraints, the strategic plan can guide priorities for resource allocation. Chapter 8 discusses the need for long-term planning.

### ***Implementation of the strategic plan has not advanced sufficiently to provide a decision-making framework for the CIP***

The concepts of the strategic plan appear in reporting and decision-making documents, but the actual implementation is minimal. No action plans or performance metrics have been developed. As a result, the CIP is only loosely connected to the strategic plan. Project justifications in the CIP emphasize remediation and the provision of basic facilities, with the occasional mention of ILOs, rather than orienting to the mission and the strategic plan. Moreover, the adoption of the strategic plan in 2018 seems to have had little to no impact on F&I decision making. Most of the projects in the FY19 CIP—the only one published since the adoption of the strategic plan—had already been identified as priorities.

USMMA's as-yet-unreleased Long Range Plan (LRP)<sup>197</sup> is a step in the right direction for F&I planning, having some of the elements of a strategic facilities plan. However, its value as a decision-making tool is limited because the implementation of the strategic plan is limited. The strategic plan's action/implementation plans should guide the assembly of requirements, prioritization, and timing of action items in a strategic facilities plan.

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<sup>197</sup> In 2020, USMMA also produced an unpublished Real Property Master Plan (RPMP) that has an even broader scope. The LRP proposes a timeline for the development proposed in the RPMP.

The LRP marks significant progress for USMMA F&I program in planning, coordination among F&I stakeholders, and clear, consistent communication. However, it proposes several major new projects without adequate justification.

Development of the LRP did not begin with an updated needs assessment. The most recent needs assessment is the 2015 Space Utilization Survey (SUS).<sup>198</sup> It was the culmination of a year-long examination of department space needs across the campus using a systematic, objective method over the course of a year.<sup>199</sup> In the formulation of the CIP priorities, USMMA officials did not refer to the SUS. Instead, LRP priorities were established over a period of five days of visioning exercises, the development and assessment of alternatives, and one 90-minute site analysis.<sup>200</sup> Evaluation of alternatives entailed assessing each of five alternatives against 13 design principles. The design principles loosely relate to institutional learning outcomes and emphasize aesthetic value.

The LRP process lowered the priorities of projects designed to address the immediate needs of students, such as reliable Wi-Fi, electricity, and HVAC systems. Projects newly identified during the LRP process took their place.<sup>201</sup>

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*USMMA clearly needs recapitalization, but the disrupted programmatic approach, the shifting of project priorities, and the failure to support immediate Midshipman needs continue to compromise progress.*

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Chapter 8 discusses the need for a long-term vision for USMMA that will provide a basis for the five-year Strategic Plan. The long-term vision should also provide a basis for long-term facilities planning.



**Recommendation 4.6: Develop a strategic facilities plan based on a long-term vision for USMMA.** A strategic facilities plan should:

- support the mission, goals, and objectives of the strategic plan and identify how priorities support MARAD and DOT strategic plans
- identify the facilities needed to support the goals and objectives of the strategic plan, which in turn advance the mission
- establish criteria for decision making and prioritization of facilities decisions that align with the strategic plan
- guide investment and provide a blueprint for programming of maintenance, repair, and capital improvements

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<sup>198</sup> Ernest Bland Associates, PC., “Space Utilization Study,” 10.

<sup>199</sup> Ibid., 11. The SUS verified existing space use, room sizes, current staff, reviewed facility condition and the CIP, and took into consideration the future space needs.

<sup>200</sup> “Real Property Master Plan,” U.S. Merchant Marine Academy, 120-121.

<sup>201</sup> “Long Range Planning Strategy,” U.S. Merchant Marine Academy, 19-20. Multiple projects scoped to design and refurbish academic halls and address campus Wi-Fi systems were placed lower in priority compared to the Midshipman Activities Center.

- recognize natural and manufactured constraints (as detailed in the RPMP and LRP)
- balance stewardship of resources with site needs (as described in the RPMP and LRP)
- culminate in a list of priorities, each supporting the mission, to include new buildings, renovations, maintenance, and other site-related activities
- maximize the use of financial resources, which can mean making decisions that favor the long term

#### **4.6 USMMA Does Not Assess and Verify Needs to Set Facilities Program Priorities**

USMMA lacks the information, criteria, and processes needed to develop an evidence-based facilities program—an up-to-date needs inventory, clearly defined standards, and a verification process. It also lacks a planning function to determine campus needs comprehensively.

##### ***USMMA does not have an up-to-date inventory of facilities and infrastructure conditions***

Assessment of facilities’ condition and adequacy provides a starting point for prioritizing maintenance and recapitalization resources. The 2012 Building Evaluation Report and 2015 Space Utilization Study provided a baseline inventory of existing capital assets. Although both reports are several years old, they can provide the foundation for the next needs assessment. Routine, comprehensive data collection and reporting are necessary to justify future investments and evaluate the success of ongoing maintenance efforts. It also allows for planning and needs-based decision making.

##### ***USMMA does not have clearly defined standards, based on the Strategic Plan, to assess facilities and infrastructure and identify deficiencies***

One missing element for USMMA is a set of standards to identify deficiencies. Without standards, “deficiency” is a subjective judgment. Standards should align with the strategic plan as operationalized through action plans and performance metrics to create a clear, evidence-based justification for the program. The customary approach is for decision makers to articulate priorities and confront how those priorities play out in facilities decision making. Stating the criteria gives stakeholders access to the process to question either the criteria or their application. Criteria might include return on investment, improvement to mission effectiveness in a specific area, life safety code compliance, preservation of historical or traditional characteristics, or environmental stewardship. Then deficiencies are the gap between existing conditions and preferred conditions as articulated through standards.

##### ***No entity external to USMMA verifies deficiencies***

A second missing element is an entity or process to verify standards and deficiencies and confirm that the standards serve the mission. USMMA’s mission is to educate and train individuals to

“serve the national security, marine transportation, and economic needs of the United States.” The critical question is whether USMMA’s facilities and infrastructure are necessary and sufficient to provide the education and training individuals need to serve the national interest. The next question is how to prioritize investments. At a non-federal university, a Board of Trustees would make these decisions.<sup>202</sup>

MARAD and DOT must participate in the verification of deficiencies because facilities decisions have an impact on the budget and spending decisions. MARAD and DOT review has been insufficient because neither has expertise in facilities planning in general, much less expertise concerning the facilities needs of an institution of higher education. In addition, MARAD’s involvement in workforce preparation is at the agency/strategic level rather than at the operational level.



**Recommendation 4.7: Improve the evidence basis for facilities programming.**

- **Update the Building Evaluation Report and/or Space Utilization Study to provide a baseline.**
- **Develop a matrix of facility conditions and corresponding impacts on student experience and learning outcomes.** The F&I condition inventory and tracking of maintenance needs should be coordinated or combined to ensure that all needs are monitored, prioritized, and addressed.
- **Create a schedule and mechanism for updating the inventory frequently or on an ongoing basis.**
- **Through the implementation of the strategic plan, develop and use facilities standards to identify deficiencies.**
- **Establish criteria for elevating projects from the strategic facilities plan to the five-year CIP.**

***Facilities and infrastructure planning is missing from the programming process***

As observed in the 2010 Red Sky report and the 2015 Space Utilization the Study (SUS), USMMA has no dedicated planning staff.<sup>203</sup> The SUS served a planning function, but it was based on the unvalidated needs identified at the time. A planning function would look at the campus F&I needs holistically—phasing, sequencing, and integrating projects to efficiently use space and taxpayer dollars and provide for long-term needs. Planning and programming will be critical before USMMA attempts major new construction projects. Planning capacity could be added through a new FTE or contractual arrangement. Because of the long-term nature of planning decision making, a contractual arrangement should likewise be long-term and comprehensive.

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<sup>202</sup> As discussed in chapter 8, a Board of Trustees is the top-level governing body of colleges and universities outside of the federal system. They are responsible for institutional performance, finances, risk management, strategy, and external relations.

<sup>203</sup> “Red Sky in the Morning,” 2010, 18.



**Recommendation 4.8: Add capacity and capability for facilities and infrastructure planning.** Program management and other certifications can be used as an indicator of sufficient training to execute projects.

## 4.7 USMMA Does Not Adequately Justify Projects and Define Requirements

### *Project justification is not based on evidence and standards*

Project justifications should be based on fulfilling facilities objectives and demonstrating that the chosen approach is better than the alternatives. Facilities objectives justify a project by connecting it to a specific education and training need. USMMA’s facilities programming does not make this connection. Objectives in the CIP refer to supporting education and training needs generically. Without specifics, it is impossible to differentiate a nice-to-have from a need-to-have project.

An example illustrates the difference between program development based on judgment and program development based on standards. The FY19 CIP proposed a new multi-purpose athletic

<p align="center"><b>Standards-Based Program Development Process:</b></p>	<p align="center"><b>Actual Program Development Process:</b></p>
<p>Need is determined by training requirements: IMO STCW 2010 Standards of competence in personal survival techniques require demonstrated competence in <i>survival at sea in case of ship abandonment</i>. Must be able to demonstrate the ability to <i>safely jump from a height into the water</i>.<sup>204</sup></p> <p align="center"></p> <p>Program requirement to provide this training:</p> <ul style="list-style-type: none"> <li>• Pool of specific depth</li> <li>• Diving board of specific height</li> <li>• Wave generation of a specific height</li> <li>• Capacity for a specific number of hours of training per year (# of Midshipmen who must take this training each year times the number of hours required for each Midshipman)</li> <li>• Additional facilities to support this use, such as a locker room and training office</li> </ul>	<p>Need is determined by stakeholder <u>judgment</u> of facilities required to serve the mission</p> <p align="center"></p> <p align="center">Wave Pool</p>

<sup>204</sup> EduMaritime, “STCW Code Table A-VI/1-1,” International Maritime Organization (IMO) standards, accessed June 22, 2021, <https://www.edumaritime.net/images/docs/stcw-table-a-vi-1-1.pdf>

facility, including a “state-of-the-art pool with a wave tank and platform [that] would provide an optimal teaching/learning experience for STCW required courses.”<sup>205</sup> The wave pool was again identified during a five-day, stakeholder-engaged planning process. To develop the program, participants “were asked to define requirements for meeting current and future Academy mission objectives, vision, and goals.” In other words, one or more stakeholders said that they need a wave pool for training. A standards-based approach might instead weave in the training requirements to the justification. In this case, the justification for the wave pool arises from an actual Coast Guard licensing requirement. Then the specifications of the wave pool would combine the set of characteristics it must have to serve the program with capacity requirements.

A project justification as part of a program could address GAO standards for facilities decision making.<sup>206</sup> Examination of alternatives would consider whether existing assets could be repurposed to serve the requirement and whether the asset's remaining useful life justified the investment.

- In the example given above, the questions would be whether an existing pool could be adapted to serve the purpose and whether spending money to renovate makes sense considering the condition of the facility.
- Another line of inquiry is whether the organization can manage and maintain the facility. Does existing staff have the skills needed to operate and repair a wave pool? If not, can services be contracted out?
- It might also consider whether leasing or renting a facility to meet the requirement is desirable. Could USMMA arrange to use a nearby pool in Nassau County or at another athletic facility?
- Yet another option could be to pursue a partnership with the private sector, allowing a developer to build the facility and then entering into a lease arrangement for the use of the facility. If it could be done in a way to maintain the security of the campus, the developer could recoup some of the cost of building the facility (thereby reducing the cost to the government) by collecting fees from members of the public to use it.

### ***Pre-design at USMMA does not include a complete collection and assessment of requirements***

Once USMMA has decided to move forward with a project, programming the facility—defining requirements—should be the next step in the predesign process. Many stakeholders at USMMA, including faculty users of academic buildings, reported that they were not consulted or not adequately consulted during the predesign phase of facilities projects. USMMA officials report there is insufficient coordination when defining requirements. CIP personnel noted that they do not restrict attendance to predesign meetings. It is unknown whether the CIP office did not ask,

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<sup>205</sup> “Capital Improvement Program Annual Report and FY2019-2024 Plan,” U.S. Merchant Marine Academy, 19.

<sup>206</sup> U.S. Government Accountability Office, Accounting and Information Management Division, “Executive Guide: Leading Practices in Capital Decision Making,” GAO/AIMD-99-32. December 1998.

did not ask effectively, or chose to leave out some requirements identified at the meeting, and whether they either did not inform stakeholders at all or did not inform them with clarity. Nonetheless, the Study Team heard several examples of the results of inadequate programming that could or should have been identified during the facilities programming process.

Standard practice for predesign would bring a wide range of stakeholders to the table to identify their space needs and present other design considerations. The output is an inventory of needs and space computations and a roadmap to guide and potentially anticipate subsequent steps in project execution. The process can also manage expectations among stakeholders. APPA, the association of educational facilities professionals (formerly, the Association of Physical Plant Administrators), describes the importance of programming:

“Programming provides a university the opportunity to verify, to change, and to add or reduce the space needs scope of a proposed project before design begins. As such, programming helps identify where campus resources (money, space, land) should be allocated. It also assists in analyzing, evaluating, and looking for conflicts among needs. In addition to identifying conflicts, programming is useful in prioritizing needs so that the project stays within the budget. Thus, the building committee and university executives will understand that the result may not have everything as originally anticipated.

“Because it is a stepwise process, programming can promote agreement about the major project parameters before design alternatives are produced. In this way, potential areas of disagreement are identified, addressed, and resolved. Upon completion, the program can become part of the “contract” between campus and its outside architects and design professionals.”<sup>207</sup>

### ***Late project redesigns have increased cost and delayed schedules***

Changing requirements have caused delays and increased design costs after a project has entered the design process or construction. The number of changes, length of the delay, and changes in cost are not documented, nor are the reasons for the changes documented. Lack of documented, evidence-based justification calls into question whether the changes were based on evidence, reflected a shift in priorities, or incorporated previously unavailable information. Absent any time pressure to obligate funds (discussed in section 4.4), there is no guardrail to prevent more changes.

Several interviewees noted the same examples. The most notable is the Samuels Hall project. After at least seven redesigns, it is currently stopped due to a failure to communicate between the IT department, CIP, leaders, and MARAD over the location of the IT data center.

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<sup>207</sup> “Programming,” Body of Knowledge, Planning Design Construction, APPA, accessed July 6, 2021, <https://www.appa.org/bok/programming/>.

## ***Current project management arrangements would be inadequate to implement a more extensive capital improvements program***

The CIP office has a staff of three and has approval to hire a fourth staff member. As additional project management capacity is needed, the work is outsourced. The rationale for keeping a small in-house team is that the need for project management is not steady or substantial enough to warrant any additional FTEs.

However, outsourcing can reduce accountability. It can also present challenges for oversight and decision making. A construction manager under contract takes the requirements given by the contract manager. They have neither the responsibility nor the opportunity to confirm that the contract manager has delivered a set of requirements that accurately reflect need. A non-staff construction manager also does not participate in setting priorities.

Outsourcing can also create a management issue. Several interviewees suggested that lack of capacity at the contracting officer's representative (COR) level has meant that contractors are not held accountable to fulfill the statement of work to a high standard. More than one person suggested that a COR should be situated at USMMA to observe work firsthand and reduce processing time for contract initialization.

Professional program management will be needed if a substantial recapitalization effort is undertaken. A full-scale program (as opposed to a few projects) could be underway for a decade or more, requiring extensive internal and external coordination to succeed.

USMMA has two viable options for professional project management. A much larger and established team could carry it out within USMMA. The timing and pace of program implementation would guide the phasing in of staff.

The other alternative is to arrange external support through DoD (NAVFAC or USACE), GSA, or similar. If executing an extensive program, a more robust program management team will be essential. USMMA has used external support on a minimal basis. USMMA officials questioned whether the outcome was worth the additional expense. The site limitations discussed in section 4.4 may make an extensive program infeasible. NAPA Panel members agreed that external assistance is unlikely necessary for one or two renovation or small construction projects each year.

Peer institutions have external support. At USCGA, projects over \$4 million are automatically assigned to a Shore Infrastructure Logistics Center (SILC). SILC is responsible for executing the Coast Guard's F&I program, including planning, design, construction, contracting, environmental, real property, and facility management.<sup>208</sup> SILC helps ensure civil and facility engineering processes and logistics are integrated, consistent, and reliable across the Coast Guard enterprise. Likewise, SUNY Maritime has the support of SUNY system facilities planners and engineers.

MARAD and DOT must participate in USMMA's needs assessment because it impacts the Department's budget and spending decisions. However, at present, neither MARAD nor DOT has

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<sup>208</sup> "Facilities Engineering Management Guide," SILC, 2018, 6.

expertise in facilities needs assessment or the assessment of needs for an institution of higher education.



**Recommendation 4.9: Improve management, coordination, communication, and use of information in facilities decision making.**

- **Building on recommendation 4.7 to enhance the evidence basis for facilities decision making, develop an asset management strategy to reconcile objectives, budgets, and program execution, and develop an asset management system to establish policies, doctrine, organizational structure, systems, and procedures.** The asset management strategy is the foundation of the F&I operation, maintenance, repair, and renewal strategy. An asset management system ensures that decision making and activities follow a predictable, data-supported path.
- **Establish a regular charrette or similar process and set formal review periods to engage all stakeholders in pre-design discussions for new projects, clearly distinguishing roles and responsibilities of the Superintendent, facility executive, CIP, DPW, and end-users.** Inadequate pre-design discussion for new projects has led to a lack of clarity on project scope and costly miscommunication of roles in project execution.
- **Conduct pre-design analysis to develop a project program before issuing an RFP for design.** A program defines the problem to be solved, analyzes existing and projected data, provides an outline of space needs, and identifies the essential assumptions relative to mission and vision that significantly influence project goals.
- **Clarify roles and responsibilities between departments, contractors, and career employees, and resolve disputes.**
- **Develop standard operating procedures to institutionalize roles and responsibilities of program management.**
- **MARAD and DOT must provide oversight on the assessment of needs.** USMMA determines needs without review or verification by any external body. Academy leaders alone judge whether investments serve the educational needs of Midshipmen and whether specific investments are the best way to serve those needs. They make decisions based on subjective judgment. Without a role in assessing needs, DOT cannot determine whether those investments align with departmental objectives. Without external accountability, Academy leaders do not have to justify changing priorities.

## 4.8 Oversight of Facilities Engineering Is Inadequate

It would be possible for USMMA to respond to all the preceding recommendations related to facilities and infrastructure and still have a program that does not derive from the mission, a future-oriented vision, the strategic plan, or the need. Simply complying with the recommendations would create an even worse situation because USMMA would expend resources to change its processes and give the outward appearance of reform while still failing to create a capital plan that enhances the mission.

USMMA needs an F&I executive who can lead the process and be held responsible for the outcomes. Leading F&I cannot be outsourced. It requires an individual who will be accountable to Academy leaders and who will have the authority to take the steps described in this chapter. In coordination with Academy leaders, this individual could determine whether USMMA would be better served by having an entire in-house program management staff or a core program management team responsible for coordinating with an external program management entity such as NAVFAC, USACE, or GSA. Either way, the executive and their staff would have the bottom-line responsibility for maintenance, facilities, and infrastructure functions and outcomes at USMMA.

This arrangement—having one position in charge of maintenance, facilities, and infrastructure functions—is standard practice. SUNY Maritime and USCGA both have this structure in place, as does Harvey Mudd College.



**Recommendation 4.10: Hire a professional facility executive and assign them to direct and coordinate all F&I aspects for a consistent, ongoing facility engineering program, including maintenance, repair, and capital improvements.** This individual would be responsible for integrating all needs from F&I users and presenting the needs-based justification for projects to the Superintendent. The facility executive can then fill capacity needs identified in this report, especially those related to facility and maintenance planning positions that have been vacant or recently filled.

## 4.9 Information Technology

Information technology (IT) includes services and equipment to handle data, such as software, computers, peripherals, routers, storage, network equipment, and the services to support them. USMMA’s vision for IT services is to “Provide an educational environment where technology serves as a tool to support education and leader development that prepares our Midshipmen to work in a volatile, uncertain, complex and ambiguous strategic environment in an era of great power competition.”<sup>209</sup>

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<sup>209</sup> IT Strategic Plan Vision, U.S. Merchant Marine Academy.

Per the Federal Information Technology Acquisition Reform Act of 2017 (FITARA),<sup>210</sup> the DOT Chief Information Officer (OCIO) has responsibility for all information technology projects and expenses of units with the department. Under DOT's IT shared services model, OCIO approves the IT budget, spend and acquisition plans, and IT hiring.<sup>211</sup> According to USMMA officials, the arrangement allows them to plan for their own IT needs. However, another interviewee shared that "we can't buy a mouse without getting approval from headquarters." Academy and MARAD officials have been working together to build more flexibility into the spend plan so that this level of review for customary purchases is not necessary.

The leading IT challenge is to provide adequate internet connectivity. During the COVID-19 pandemic, frequent Wi-Fi and power outages added to the challenge of virtual learning and the isolation of social distancing requirements.<sup>212</sup> Several Midshipmen said that they did not have cell phone service in their dorm rooms and that Wi-Fi connectivity was inconsistent. USMMA has undertaken several investments to improve Wi-Fi access in the dormitories and classrooms. With a few additional installations, USMMA officials expect to have Wi-Fi set up in all interior spaces on campus. An upgrade to the campus fiber optic network has been identified as a need since the FY18 CIP report, to occur in a future (unspecified) year. Because they are not federal employees, Midshipmen have limited access to the federal government network. USMMA has set up a parallel network for Midshipmen using the same physical infrastructure.

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*"There's no cell service across campus unless you have [a specific provider]. There's no public Wi-Fi other than the government Wi-Fi that we can only log onto on our laptops. So, if there's any extra-curricular activities... you can't really do that on campus because we can't download on our computers." -Midshipman*

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USMMA is in the final stages of selecting a new Student Information System targeted for implementation next year. If implemented and sustained, this new system will be cloud-based and replace some of the custom software developed at USMMA.

A high priority is to move USMMA to a ".edu" domain in addition to the ".gov" domain it currently uses as part of DOT. A significant advantage would be access to lower pricing available to institutions of higher education. However, moving any part of the network off the .gov domain would also eliminate some of the controls and safeguards that come with being on a federal network.

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<sup>210</sup> P.L. 115 – 88; OMB implementation guidance, OMB Memorandum M-15-14: Management and Oversight of Federal Information Technology; <https://www.whitehouse.gov/sites/default/files/omb/memoranda/2015/m-15-14.pdf>.

<sup>211</sup> Unpublished IT planning document provided by USMMA.

<sup>212</sup> The Study Team can attest to the frequency of power and internet outages on the Kings Point campus. During the first few months of this project, USMMA officials had to reschedule interviews due to loss of power or internet connectivity on six different occasions.



**Recommendation 4.11: Accelerate investment in IT that supports the mission; conduct a technology needs assessment as necessary.** IT improvements should weigh the rapid improvement of essential student experience services over valuable but more long-term investments in emerging technologies. Wi-Fi connectivity and consistent electricity are critical elements of modern campuses and must be addressed immediately. The planned Student Information System should be put in place as soon as practical.

## 4.10 Conclusion

USMMA needs substantial investment in F&I. This investment would be an important component of modernizing the Academy and putting it on an equal footing with comparable institutions. These improvements are also critical to pursuing the mission. However, reinvestment in the Academy is only one aspect of modernization.

The biggest obstacle to modernization is that F&I decision making is only loosely based on the mission, a future-oriented vision, the strategic plan, and need. The Academy's mission is to educate and train the next generation of merchant mariners. F&I at the Academy exist to support education and training, and this principle should guide the development of an F&I program. F&I needs may evolve, but only as an evidence-based function of evolving education and training needs.

The Academy does not have an F&I program in place that can oversee the needed reinvestment. While progress has been made in a few select areas, despite minimal staffing and budget compared to peer organizations, fundamental organizational improvements are required to stabilize basic operations and deliver capital improvement and maintenance projects in a timely and cost-effective manner.

These issues all point to the need for a major overhaul of facilities engineering (F&I functions, including maintenance). Recent involvement by MARAD and DOT is a promising development, at least to deal with the most pressing matters. A sustained effort and reorganization will be necessary to achieve modernization.

## Chapter 5: Institutional Culture and Supportive Learning Environment

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**Overview** This chapter focuses on institutional culture, diversity, equity, inclusion, belonging (DEIB), and mental health support. An institutional culture that is diverse, respectful, equitable, and inclusive is vital to USMMA’s overall organizational health. It is also foundational to creating a safe learning environment where all students thrive and learn, regardless of their differences.

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**Path to Modernization** USMMA must undertake a comprehensive assessment of its institutional culture encompassing all community members. This is a crucial first step to recognizing and addressing barriers that limit the optimal learning outcomes for all Midshipmen.

Commitment to creating a diverse, equitable, and inclusive culture where all feel a sense of belonging must be explicit and led by the Superintendent and senior leaders. A statement of commitment should be the centerpiece of a strategic DEIB plan.

The health, safety, and welfare of Midshipmen must be a top priority. USMMA must improve its capacity and capabilities to support the well-being and mental health of all Midshipmen and community members.

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**Institutional Culture and Learning Environment Challenges** USMMA has made little progress in achieving diversity among faculty, staff, and students. USMMA does not have a concrete diversity, equity, inclusion, and belonging plan and adequate capacity and capabilities to meet the cultural needs of its learning community.

**Lack of concerted effort is a major contributor.** USMMA has limited staff capacity and resources to address institutional culture and DEIB.

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**Benefits of taking action** As USMMA focuses on modernization, a diverse, respectful, equitable, and inclusive institutional culture that supports all members of USMMA’s learning community will improve student outcomes.

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## 5.1 Background

USMMA has a compelling mission; a noble history of national service; and a long line of dedicated leaders, faculty, staff, and alumni committed to the service academy's success. Many members of the community expressed a personal commitment to the mission of USMMA. Yet USMMA faces internal and external pressure to preserve a culture that centers on students who fit longstanding norms of USMMA and the maritime industry, i.e., white and male. This pressure remains and shapes the institutional culture, despite USMMA being a national institution and a federal agency with expectations that its population will "reflect America."

Institutional culture is the binding component within an organization. It can be defined as "the deeply embedded patterns of organizational behavior and the shared values, assumptions, beliefs, or ideologies that members have about their organization or its work."<sup>213</sup> In simpler terms, it is "a commonly arrived-at sense of reality."<sup>214</sup> Because culture touches all areas of an organization, the impact of institutional culture on an institution's effectiveness is substantial; it helps or hinders the implementation of decisions, especially decisions related to change. Within the organization, institutional culture can be deeply embedded, and shared values may have influence that is hard to define and harder to change. Culture change "can be an emotional process, one that demands sensitivity to what has gone before and to what may happen in the future."<sup>215</sup>

Within higher education, institutional culture is the foundation for student learning and for supporting and retaining students. Students from non-traditional or underrepresented groups may have to work harder to gain a sense of belonging or navigate the institutional rules, culture, and power relationships created by a long-standing majority group. These barriers influence whether students from underrepresented groups have the same opportunities and experiences as students from other backgrounds.

"Structural barriers may range from exclusionary discourse in the classroom, to inflexible enrollment and assessment policies, to privileging particular communication styles. Structural inequality is the converse of traditional deficit and cultural resources' models of student support: rather than asking how students can acquire missing skills needed to leverage success within an institution, it asks what institutions can do to make themselves more or less inclusive and navigable for all students. The responsibility for change is therefore shifted from students... to all actors within the institution."<sup>216</sup>

Understanding that institutional culture plays an essential role in achieving its mission, USMMA's leaders are acutely aware of the need for cultural transformation. Studies from or initiated by various entities such as Congress (through the LMI Study), GAO, and DoD's Office of People Analytics provide substantial evidence that culture change is needed at USMMA. The

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<sup>213</sup> Marvin Peterson and Melinda Spencer (1991). "Understanding academic culture and climate." In M. Peterson (Ed.), *ASHE reader on organization and governance* (pp. 140-155). Needham Heights, MA: Simon & Schuster.

<sup>214</sup> George B. Vaughan (1994). In A.M. Cohen, F.B. Brawer and Associates. *Managing Community Colleges*, San Francisco, CA: Jossey-Bass, Inc.

<sup>215</sup> *Ibid.*, 64-65.

<sup>216</sup> Ryan Naylor and Nathan Mifsud, "Structural Inequality in Higher Education: Creating Institutional Cultures that Enable All Students," La Trobe University, 2019, nscehe.edu.au

Superintendent indicated that he considers cultural transformation and a more diverse, equitable, and inclusive environment two of the most urgent and vital issues for USMMA.

USMMA incorporated Institutional Culture as one of its top priorities in 2018. Priority 2 of USMMA’s strategic plan commits to “cultivate an institutional culture in which every Academy community member is respected, valued, and can fulfill his or her maximum potential as a leader of exemplary character.”<sup>217</sup> These goals align with USMMA’s core values—Respect, Honor, and Service.

#### Strategic Priority 2

The four goals under Institutional Culture are:

Goal 1: An Academy community that embodies the institution’s Core Values as the guiding principles that define who we are.

Goal 2: A supportive campus community that is welcoming and rich with diversity.

Goal 3: A culture of trust and respect where new and creative ideas are cultivated.

Goal 4: An Academy community that demonstrates cultural competence grounded in the understanding that diversity adds value to the campus environment and the Midshipmen’s educational experience.

Many USMMA leaders, faculty, staff, and Midshipmen are willing and eager to undertake cultural and organizational change. Yet, some expressed frustration that the organization has been speaking on culture change for several years without noticeable progress. Some interviewees talked about feeling discouraged and burned out from the lack of progress or success in addressing issues ranging from increasing faculty and staff diversity to ongoing sexual harassment and sexual assault incidents. However, while there is not an integrated strategic approach towards an institutional culture change to be more diverse, equitable, and inclusive, there are some pockets of positive change as some faculty and staff have attempted to make a difference within their departments. For example, the athletics department has created a diversity and inclusion initiative to promote leadership. They prepare athletes to have difficult discussions on diversity. Academy leaders have expressed interest in extending the program to all Midshipmen. This initiative is further discussed in Section 5.2.

USMMA culturally also tends to take just enough action to give the appearance of addressing needed change. This tendency extends to cultural transformation itself, as some interviewees said they thought that efforts to change the culture at USMMA were intended to demonstrate compliance rather than true transformation. As a result, the efforts, while adroit, are relatively superficial. Chapter 10 expands on this theme.

Midshipmen also live with aspects of institutional culture that inhibit their psychological well-being and educational outcomes. Section 5.4 discusses their reluctance to seek support because they believe it would be taken as a sign of weakness that could dim their professional prospects.

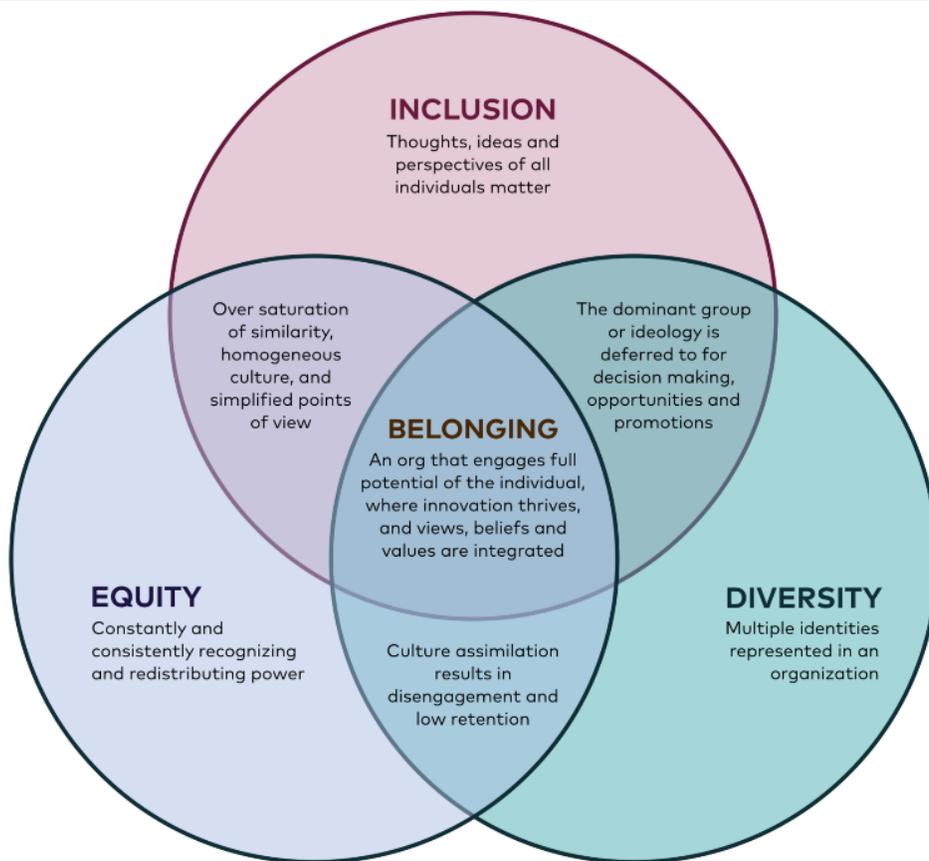
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<sup>217</sup>USMMA Strategic Plan for 2018-2023, 2018

Creating an institutional culture that is diverse, respectful, equitable, and inclusive is challenging yet critically vital to the organization's overall health. To ensure a culture that promotes a psychologically safe and culturally competent organization will require sustained effort from leaders and buy-in from members of the USMMA community. The following sections further detail the current state of institutional culture, including the many challenges USMMA faces, and propose a path to cultural transformation.

## 5.2 USMMA Continues to Face Challenges in Achieving Diversity, Equity, Inclusion, and Belonging

Diversifying the learning community is an essential component of building a robust institutional culture and safe learning environment. However, to create an institutional culture that accepts and promotes all individuals, USMMA must incorporate equity, inclusion, and belonging into all aspects of its operations. USMMA officials and interviewees recognize the importance of diversity and their lack of progress in achieving it. Diversity brings different cultures and backgrounds to USMMA, while inclusion, equity, and belonging provide a learning environment that fully engages the potential of the individuals. The diagram below highlights the importance of having diversity, equity, and inclusion which together produce a sense of belonging.



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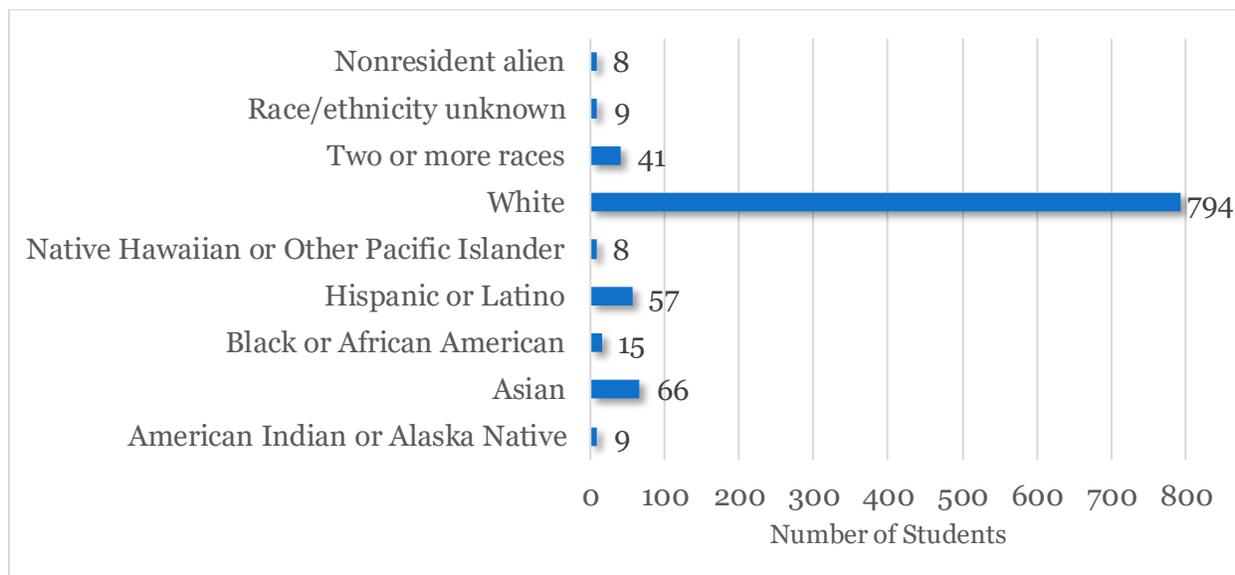
<sup>218</sup> Krys Burnette, "Belonging: A Conversation about Equity, Diversity, and Inclusion," LinkedIn, January 22, 2019, <https://www.linkedin.com/pulse/its-2019-were-still-talking-equity-diversity-krys-burnette>.

## ***Midshipmen diversity continues to be a challenge***

### **The Midshipman population is disproportionately white**

Academy leaders recognize the importance of DEIB, but they have made little progress. As of Fall 2019, Midshipmen populations at USMMA continue to be largely white and male. Figure 5-1 shows the Fall 2019 Midshipmen population by race and ethnicity. Of 1,007 students, 794 (79 percent) identified as white.<sup>219</sup> By comparison, 54 percent of the college-age population (ages 18 to 24) in the United States in 2019 identified as white. While there are fluctuations in the demographic percentages, as shown in figure 5-2, the percentage of white Midshipmen declined slightly from 2015 to 2016 but rose from 2016 to 2019.

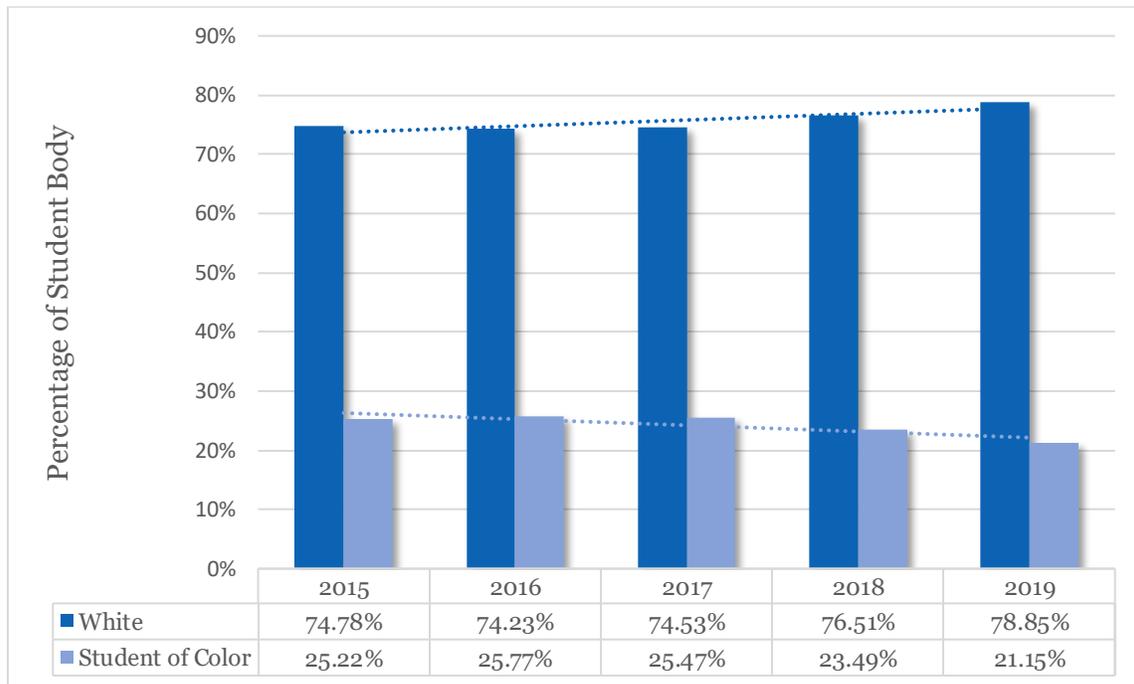
*Figure 5-1. USMMA Fall 2019 Undergraduate Race/Ethnicity*



*Source: National Center for Educational Statistics*

<sup>219</sup> In 2019, eight Midshipmen—six men and two women—identified as “nonresident aliens.” These Midshipmen, comprising 0.8% of the Midshipman population, are included in the calculations in this section, even when comparing the Midshipmen population to the U.S. population as a whole. 46 C.F.R. § 310.66 allows students from other countries to seek admission to USMMA. It also makes special provision for students from Panama, the Northern Mariana Islands, and other Pacific islands.

Figure 5-2. Undergraduate Enrollment Trends of USMMA Midshipmen by Ethnicity and Race (2015-2019)



Source: Integrated Postsecondary Education Data System (IPEDS)

Lack of diversity in science, technology, engineering, and mathematics (STEM) fields is a longstanding and recognized problem in the United States. Nationwide, the demographic picture has been improving over the last ten years. Still, the share of students of color in science and engineering does not come close to matching the demographic profile of the United States. According to the National Center for Science and Engineering Statistics (NCSES; part of the National Science Foundation), in 2018, nationwide, Hispanic / Latino, American Indian / Alaska Native (AIAN), and black or African American students were underrepresented among students receiving a bachelor’s degree in science or engineering.<sup>220</sup> As shown in table 5-1, the share of Hispanic or black students at USMMA does not match the demographic composition of either the U.S. college-age population or undergraduates completing engineering degrees in 2018.<sup>221</sup> USMMA is also less diverse than the other federal service academies and two of the four state maritime academies for which demographic data are available. Recommendations to improve the diversity of the study body appear in Section 5.3.

<sup>220</sup> “Women, Minorities, and Persons with Disabilities in Science and Engineering, Field of Degree: Minorities,” National Center for Science and Engineering Statistics (NCSES), Directorate for Social, Behavioral and Economic Sciences, National Science Foundation, accessed July 7, 2021, <https://nces.nsf.gov/pubs/nsf21321/report/field-of-degree-minorities>

<sup>221</sup> Nationwide in 2019, 0.8% of the college-aged population identified as American Indian / Alaska Native. With nine students—two women and seven men—USMMA achieved a slight over-representation of this group. However, it should be noted that this over-representation is a matter of one student.

Table 5-1: Representation of Racial and Ethnic Groups Age 18-24 in the U.S. Population, earning a bachelor's degree in Science and Engineering in the U.S., and attending each of the federal service academies

	U.S. population age 18-24, 2018 <sup>222</sup>	U.S. bachelor's degrees, science and engineering earned 2018 <sup>223</sup>	Enrollment as a percentage of the student population, 2019								
			Federal service academies					State maritime academies			
			USMMA	USAFA	USCGA	USMA	USNA	California	Maine	Massachusetts	New York
Hispanic / Latino	22.4%	15.1%	7.4%	10.6%	7.6%	10.2%	11.5%	19.4%	3.2%	4.3%	14.5%
Black or African American	14.1%	8.5%	2.3%	6.3%	6.3%	12.3%	6.7%	2.6%	1.3%	1.4%	5.2%
American Indian / Alaska Native	0.8%	0.4%	1.1%	0.4%	0.7%	0.9%	0.2%	0.3%	0.5%	0.2%	0.1%
Asian	5.7%	-	7.3%	5.7%	4.4%	8.2%	7.1%	10.1%	1.3%	1.5%	4.4%
Two or more / NI	3.2%	-	4.0%	13.4%	4.0%	5.7%	11.3%	19.2%	7.9%	8.4%	9.2%
Native Hawaiian/PI	0.2%	-	0.8%	0.6%	0.3%	0.3%	0.6%	1.1%	0.2%	0.0%	0.0%
<b>White</b>	53.6%	-	77.2%	76.8%	76.8%	62.5%	62.6%	47.3%	85.5%	84.3%	66.6%

Source: National Center for Science and Engineering Statistics (NCSES); Integrated Postsecondary Education Data System (IPEDS); U.S. Census

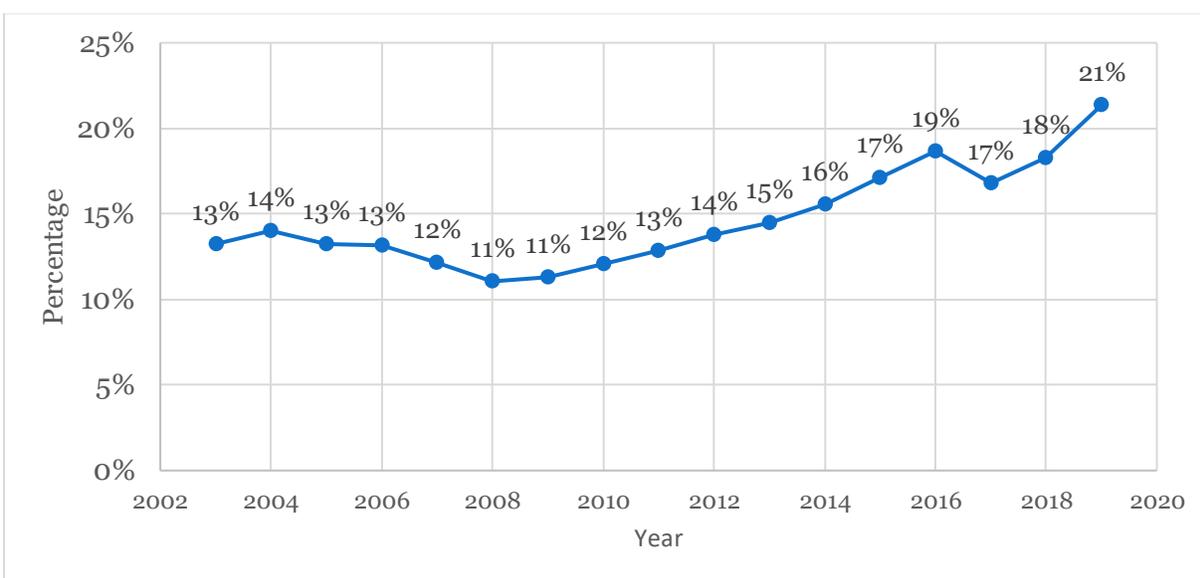
<sup>222</sup> “Annual Estimates of the Resident Population by Sex, Age, Race, and Hispanic Origin for the United States: April 1, 2010 to July 1, 2019 (NC-EST2019-ASR6H),” U.S. Census Bureau, Population Division, June 2020.

<sup>223</sup> Women, Minorities, and Persons with Disabilities in Science and Engineering, Field of Degree: Minorities, NCES.

## The Midshipmen population is disproportionately male

To increase diversity, USMMA has focused on increasing female enrollment. Academy leaders would like to reach the point where 25 percent<sup>224</sup> of the Midshipmen population is female. In 2019, 792 Midshipmen (79 percent) identified as male, and 215 (21 percent) identified as female; nationwide, 51 percent of the college-aged population identified as male, and 49 percent identified as female. As shown in figure 5-3, the percentage of female Midshipmen has generally increased since 2003, except for a two percentage point decline in 2017. Nationwide, in 2018, 22.2 percent of Engineering degrees were earned by women<sup>225</sup> even though they made up 49 percent of the population.<sup>226</sup> See table 5-1.

Figure 5-3. Percentage of Undergraduate Female Enrollment at USMMA (2003-2019)



Source: Integrated Postsecondary Education Data System (IPEDS)

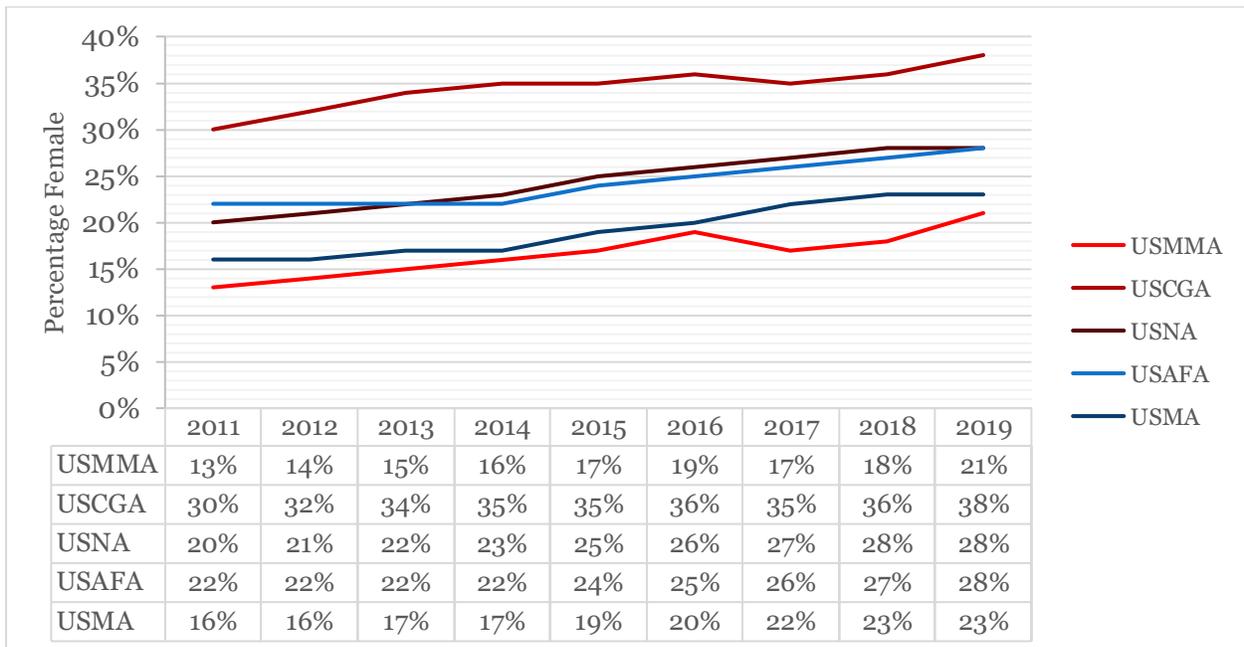
Over this period, USMMA lagged the other federal service academies in enrollment of women. See figures 5-4 and 5-5, below, and Appendix L for more on student demographic data.

<sup>224</sup> Several USMMA officials said they believed that 25% is a good tipping point, where there are enough women on campus to be able to influence the culture. A USCGA official said that they perceived the tipping point to be at 40%. Research suggests that “somewhere between 20% and 30%, something called critical mass is attained and suddenly women’s voices are heard.” Many factors influence the point of “critical mass” in specific contexts. “Being heard” is a very low threshold. Jay Newton-Small, “Critical Mass: What Happens When Women Start to Rule the World,” Harvard Kennedy School Institute of Politics, accessed August 10, 2021, <https://iop.harvard.edu/get-involved/study-groups/critical-mass-what-happens-when-women-start-rule-world-led-jay-newton>

<sup>225</sup> “Women, Minorities, and Persons with Disabilities in Science and Engineering, Field of Degree: Women,” National Center for Science and Engineering Statistics (NCSES), Directorate for Social, Behavioral and Economic Sciences, National Science Foundation, accessed July 7, 2021, <https://nces.gov/pubs/nsf21321/report/field-of-degree-women#engineering>

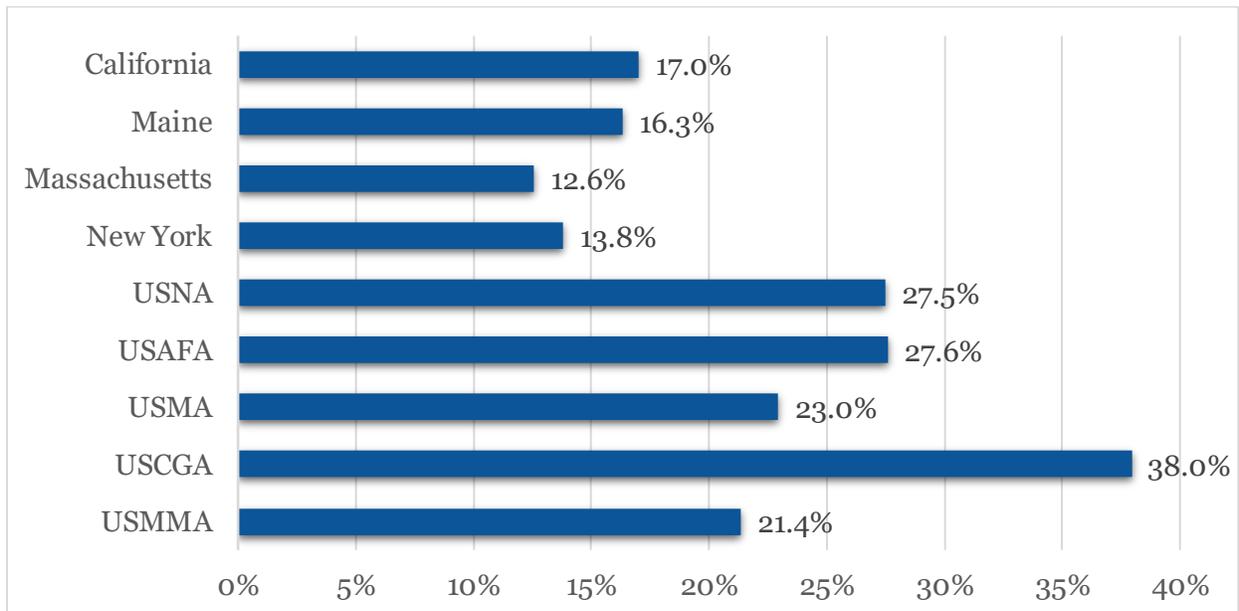
<sup>226</sup> “Annual Estimates of the Resident Population by Sex, Age, Race, and Hispanic Origin for the United States: April 1, 2010 to July 1, 2019 (NC-EST2019-ASR6H),” U.S. Census Bureau, Population Division, June 2020.

Figure 5-4. Percentage of Undergraduate Female Enrollment at Federal Service Academies, 2011-2019



Source: Integrated Postsecondary Education Data System (IPEDS)

Figure 5-5. Percentage of Undergraduate Female Enrollment at USMMA, Selected State Maritime Academies and Federal Service Academies, 2019

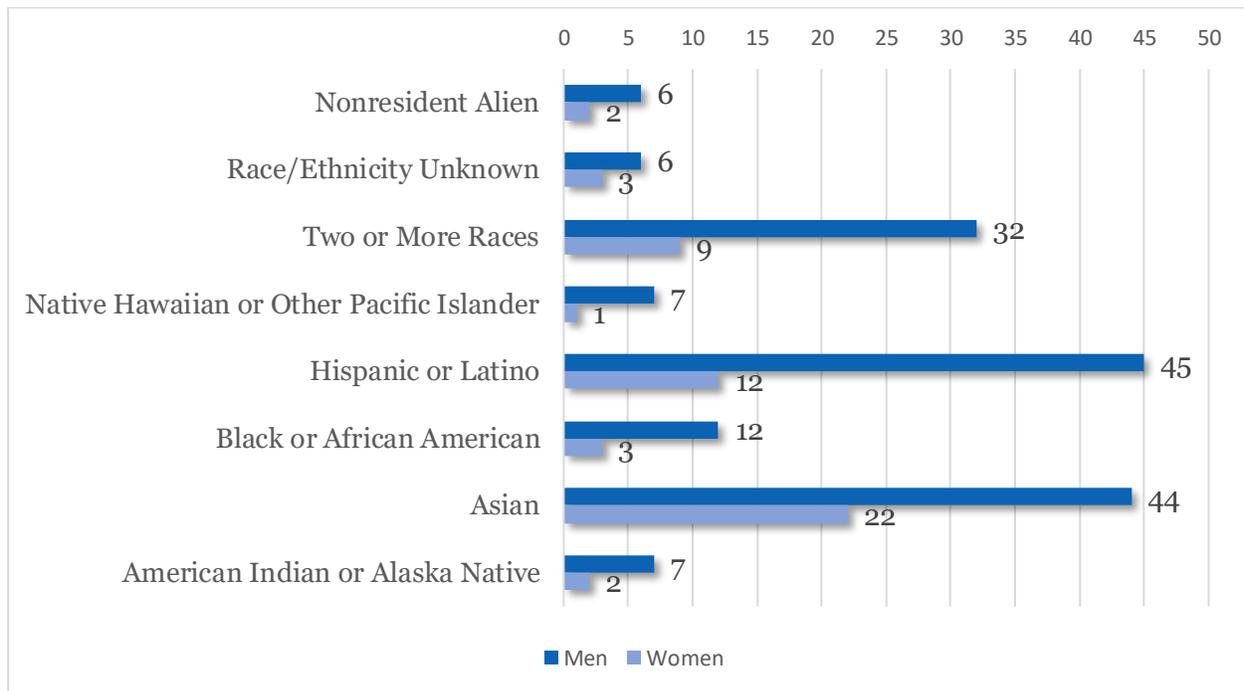


Source: Integrated Postsecondary Education Data System (IPEDS)

## In 2019, women were under-represented in all racial and ethnic groups at USMMA

Nationwide in 2019, 27 percent of the college-aged population identified as white and male,<sup>227</sup> while 633 Midshipmen (63 percent) identified as white males. White females comprised 26 percent of the college-aged population in the United States, but only 16 percent of the Midshipman population.

Figure 5-6. USMMA Fall 2019 Undergraduate Enrollment by Gender and Race Ethnicity



Source: Integrated Postsecondary Education Data System (IPEDS)

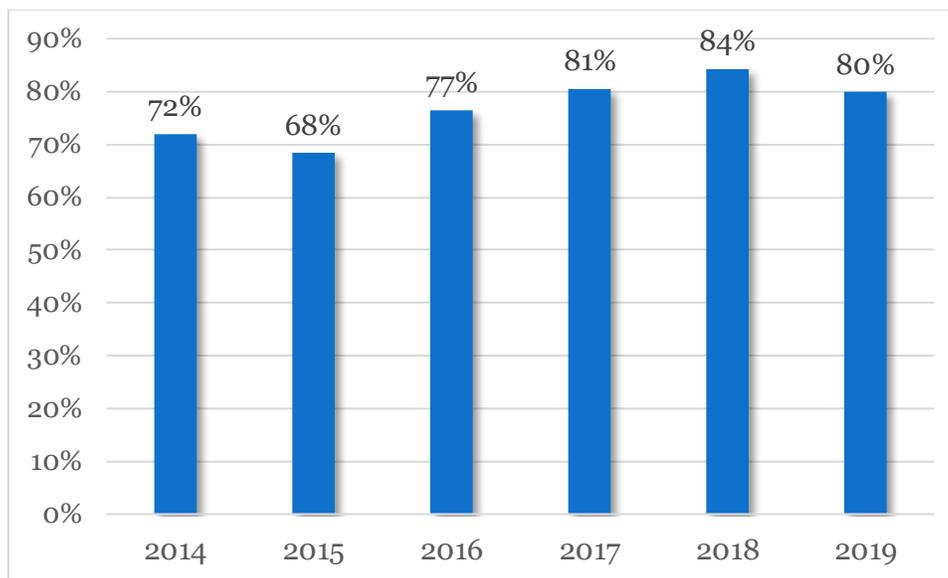
## Student retention rates differ by demographic groups

Increasing the enrollment rates among Midshipmen of color is a challenge, but once Midshipmen of color arrive on campus, they are less likely to complete the program. From 2014 to 2019, USMMA’s overall graduation rate ranged from 68.3 percent to 84.3 percent. See figure 5-7.

Overall, Midshipmen of color have a lower retention rate, but the rates vary across groups and years. Graduation rates for Black or African American Midshipmen are consistently below the overall graduation rate, although the difference is slight in some years. Women graduated at higher rates than men in most years; see figure 5-8 and Appendix L. However, comparing rates year after year can be misleading because the number of students in all non-white-male groups is small. A difference of one or two graduates could appear as a notable percentage point change.

<sup>227</sup> “Annual Estimates of the Resident Population by Sex, Age, Race, and Hispanic Origin for the United States: April 1, 2010 to July 1, 2019 (NC-EST2019-ASR6H),” U.S. Census Bureau, Population Division, June 2020.

Figure 5-7. USMMA Total Undergraduate Graduation Rates within Six Years, 2014 - 2019



Source: Integrated Postsecondary Education Data System (IPEDS)

### **Affinity clubs can support DEIB**

Affinity clubs and student resource groups can foster a sense of belonging and provide a setting for students to share both concerns and interests. According to the American Association for the Advancement of Science (AAAS), “affinity groups serve a social and networking function primarily, providing a source of support and community for participating students and faculty. In many cases, they also raise awareness of diversity issues on campus and help with the recruitment and retention of underrepresented group students and faculty.” The Human-Centered Design and Engineering Department at the University of Washington values student-led resource groups because they “play an important role in building community, internal networks, and advocacy—connecting students to resources across the department, campus, and community.”<sup>228</sup>

USMMA’s website, last updated in June 2016, lists several student groups whose names suggest they are diversity-oriented. Religious groups include the Christian Fellowship Club, Fellowship of Christian Athletes, Jewish Midshipman Club, and Newman Club.<sup>229</sup> Another page on the website refers to an LGBTQ event held by the Kings Point Open Seas Club in April 2021. Women on the Water<sup>230</sup> is a national organization with chapters at USMMA and each of the State Maritime Academies (SMAs);<sup>231</sup> the USMMA chapter’s Facebook page was last updated at the end of

<sup>228</sup> “Student Resource Groups,” University of Washington Human Centered Design and Engineering, accessed July 30, 2021, <https://www.hcde.washington.edu/diversity/student-resource-groups>.

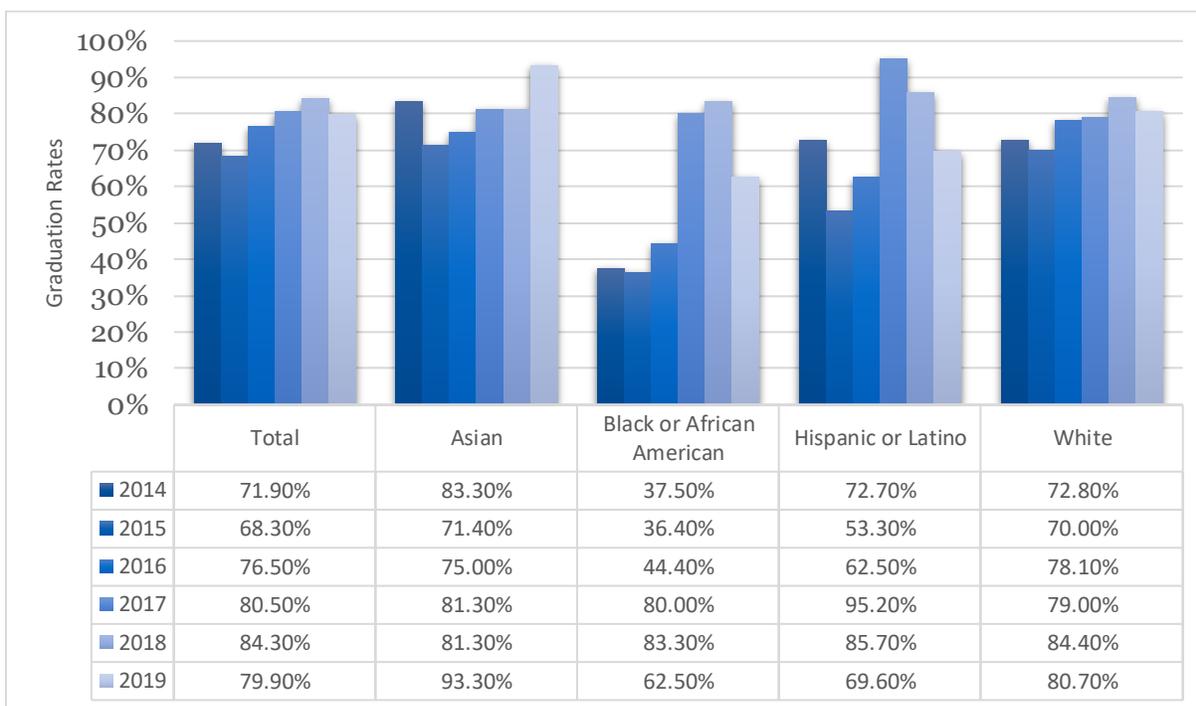
<sup>229</sup> “Religious / Spiritual,” U.S. Merchant Marine Academy, accessed July 22, 2021, <https://www.usmma.edu/academy-life/activitieservices/religiouspiritual>.

<sup>230</sup> “Academic / Professional Organizations,” U.S. Merchant Marine Academy, accessed July 22, 2021, <https://www.usmma.edu/academy-life/activitieservices/academic-professional-organizations>

<sup>231</sup> “Women on the Water,” Texas A&M at Galveston, accessed July 30, 2021, <https://tamug.campuslabs.com/engage/organization/WOW>.

2018.<sup>232</sup> Academy officials indicated that they also have a Cultural Diversity Club, an Asian-Pacific Islander Club, and a Black Students' Association. SUNY Maritime and the other federal service academies offer a wider array of options. Appendix M describes affinity groups at the state maritime academies and the other federal service academies.

Figure 5-8. Graduation Rates of Midshipmen by Race and Ethnicity (2014-2019)



Source: Integrated Postsecondary Education Data System (IPEDS)<sup>233</sup>



**Recommendation 5.1: Promote, support, and provide resources and meeting spaces for student affinity groups,** and consider including leadership of affinity groups as a Midshipmen leadership position or experience. USMMA should update and maintain the webpage that lists these groups so that they are more visible to prospective members.

### Programming could improve retention

USMMA tracks the circumstances of departure by demographic groups, for instance, whether they choose to leave or are disenrolled for academics or other reasons. The data are aggregated by cohort. Additional information could provide crucial insight on the types and timing of support needed to improve retention. For instance, more detailed recordkeeping could reveal that performance (or remediation) in specific classes is associated with completion. Patterns of

<sup>232</sup> “USMMA Women on the Water” Facebook page, accessed July 30, 2021, <https://www.facebook.com/USMMAWOMENONTHEWATER>.

<sup>233</sup> Figures for American Indian / Alaska Native, Native Hawaiian, or Other Pacific Islander, and two or more races are not shown due to the small numbers.

performance could vary with family circumstances that leave a student better or worse equipped to complete the program—and where remediation could reverse the pattern. Other patterns that could reveal opportunities for intervention include academic preparation, overall academic performance, discipline, physical or mental health, and the learning environment.

An initiative within the athletics department aims to improve DEIB, which in turn could improve retention. They have created a Diversity and Inclusion Initiative (DII) that pairs Athletics Department staff members with two Midshipmen (ambassadors) from each athletic team, chosen by the team members.

“Ambassadors meet with the Athletic Staff who provide leadership and guidance to help them facilitate conversations on the team level. The ambassadors then report back to the Staff during monthly meetings where the various teams share their stories and take away meaningful messages that can be carried back to their teams. The initiative has facilitated engaging and meaningful conversations around difficult topics. The feedback from Midshipmen has been that this is a worthwhile endeavor that brings value to how they interact with each other.”<sup>234</sup>

Interviewees indicated that these conversations have been well received, although USMMA does not collect any data to provide evidence. The approach is like a “mentoring circle,” which is a technique sometimes recommended to improve inclusivity.<sup>235</sup> The Superintendent’s Strategic Plan Implementation Guidance Memo (December 2020) sets it as a priority to “incorporate the framework from the Diversity and Inclusion Initiative and utilize those strategies to generate improvements in our campus culture. [USMMA] will also build on the success generated by the Diversity and Inclusion Initiative by training additional staff members to guide Midshipmen leading these types of discussions.”

Many universities/colleges have taken steps to improve inclusivity and promote a welcoming environment for underrepresented students and staff. For example, the University of Maryland at Baltimore County (UMBC) has made notable progress attracting students of color to STEM fields. In the late 1980s, school leaders collaborated with faculty and students to find the measures that worked. They implemented a combination of “encouraging group study; strengthening tutorial centers; having faculty give students feedback early in the semester; raising admission standards; helping students appreciate how much time and effort are required to be successful; and enhancing the first-year experience by, for example, improving orientation and explaining how to succeed as students.”<sup>236</sup> In the program's early days, they discovered that white students

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<sup>234</sup> “Status Reports for Institutional Effectiveness Steering Committee,” U.S. Merchant Marine Academy, December 2020.

<sup>235</sup> A mentoring circle is a “peer-to-peer format that enables employees to find co-workers who have different backgrounds than themselves and share experiences as a group to gain better understanding of interactions within the organization... Mentoring circles are great ways to remove barriers, confront bias, and build more empathetic relationships across an organization.” Amanda Schnieders, “Four Ways Mentoring Can Empower Your Diversity and Inclusion Initiatives,” Association for Talent Development, August 18, 2020, <https://www.td.org/insights/use-mentoring-circles-to-build-greater-gender-inclusion>

<sup>236</sup> USMMA officials noted that they already offer this type of assistance. “During Indoctrination, Plebes receive an orientation... [that] covers topics critical to early academic success in college such as Study Skills, Time Management and Test Taking Strategies. These topics and others are covered in the first

experienced many of the same obstacles, so they expanded the program to help all students succeed.<sup>237</sup> This kind of programming can make a difference because STEM departments tend to have norms and values that are both unique and opaque to students. Opportunities for students to engage with faculty and peers open the door to engaging with the culture and developing a sense of belonging.<sup>238</sup>

Another example is Harvey Mudd College (HMC)'s efforts to develop a supportive learning environment. HMC is a private, top-tier institution of higher education in California with a highly ranked engineering program. With an enrollment of 895 students, it is slightly smaller than USMMA. The Office of Institutional Diversity (OID) mission is to “develop, promote, and support a welcoming environment for underrepresented students, faculty, and staff in STEM by providing transformative and educational learning experiences.” They host a summer institute for underrepresented STEM students focused on leadership development and personal/academic success.<sup>239</sup> HMC has been recognized as a “First-gen Forward Institution, a national honor that recognizes institutions of higher education that have demonstrated a commitment to improving experiences and advancing outcomes of first-generation college students.”<sup>240</sup> The school also has seven OID-sponsored student organizations for Asian Pacific Islander, black, pan-Asian, feminist, LGBT, Latino, and queer interests.<sup>241</sup>

A National Academies of Science, Engineering, and Medicine (NASEM) study identified fundamental instructional techniques, among many other strategies, that an institution of higher education can use to increase retention in STEM fields. Methods include active learning strategies and evidence-based instruction, which provides for “making lectures more interactive, having students work in groups, providing formative feedback, and incorporating authentic problems and activities.” Several studies show that these techniques help all students, including students of color.



**Recommendation 5.2: Identify and longitudinally assess patterns, timings, and reasons for Midshipmen departures. If indicated, adjust curriculum delivery and develop and staff additional academic and other support programs to meet the needs of all Midshipmen.**

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trimester during the Academic Dean's Hour run by the Academic Center for Excellence Staff. There is also a period set aside each week for academic support activities such as mentoring, common meeting time, and Superintendent's or Provost All Hand's Call." "Midshipmen Preparation, U.S. Merchant Marine Academy, December 16, 2019, accessed Sept, 27 2021, <https://www.usmma.edu/academics/midshipmen-preparation>.

<sup>237</sup> Freeman A. Hrabowski, III, and Kenneth I. Maton, "Change Institutional Culture, and You Change Who Goes into Science," American Association of University Professors, *Academe*, May-June 2009.

<sup>238</sup> Kimberly A. Griffin, "Addressing STEM Culture and Climate to Increase Diversity in STEM Disciplines," *Higher Education Today*, April 23, 2018.

<sup>239</sup> "Institutional Diversity," Harvey Mudd College, accessed June 19, 2021, <https://www.hmc.edu/diversity/>.

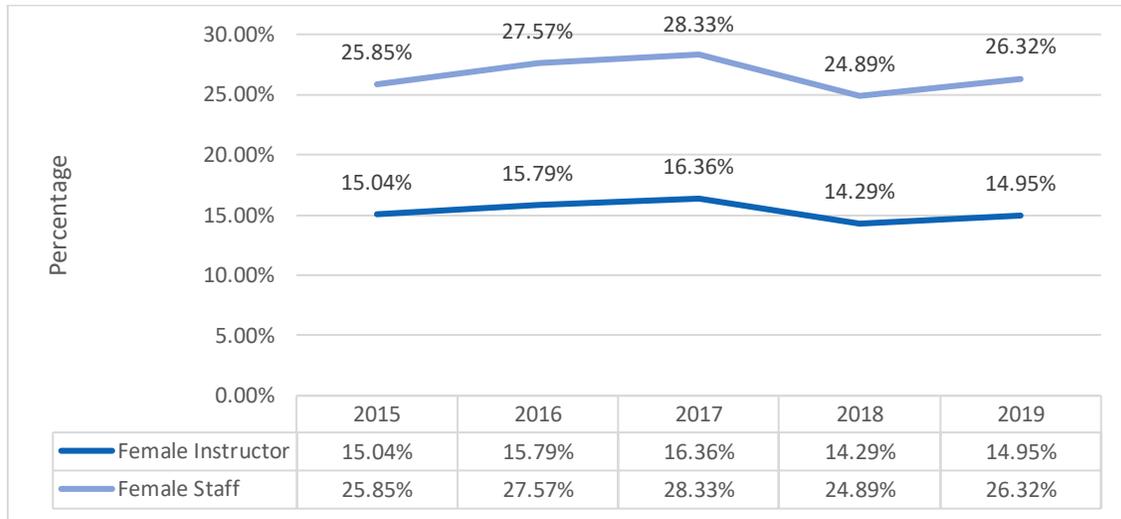
<sup>240</sup> "Harvey Mudd Selected as First-gen Forward Institution," Harvey Mudd College, March 5, 2021. <https://www.hmc.edu/about-hmc/2021/03/05/harvey-mudd-selected-as-first-gen-forward-institution/>

<sup>241</sup> "OID-Supported Student Organizations," Harvey Mudd College, accessed June 19, 2021, <https://www.hmc.edu/diversity/oid-supported-student-organizations/>.

## ***Faculty and staff are not very diverse***

According to interviewees, USMMA has made a concerted effort to increase female staff and instructors. Nonetheless, the percentage of female staff and instructors has remained relatively constant over the past five years. The total female staff population is small compared to other degree-granting institutions in the U.S. (15 percent compared to 56 percent in 2019).<sup>242</sup> Figure 5-9 shows the percentage of female faculty and staff over time.

*Figure 5-9. Percentage of Total Female Staff and Total Female Instructors at USMMA (2015-2019)*



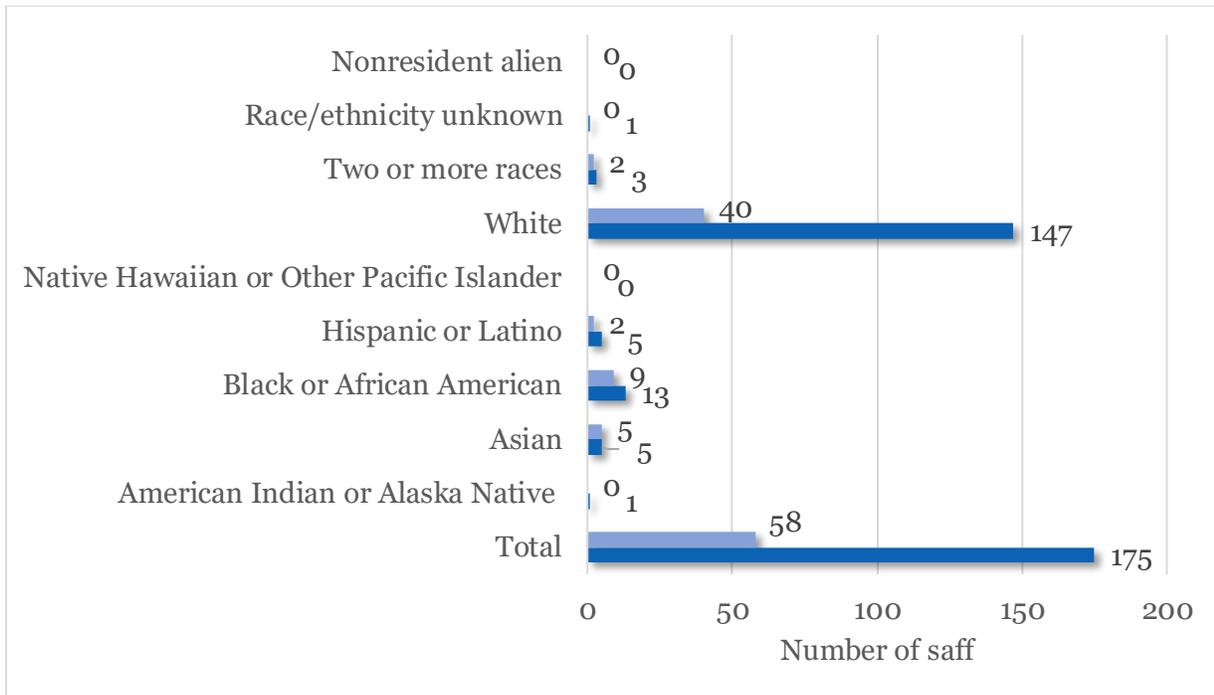
Source: Integrated Postsecondary Education Data System (IPEDS)<sup>243</sup>

Most employees at USMMA (80 percent) are white. Most employees who hold instructional, leadership, and technically specialized jobs are white males. Half of the black staff is in administrative support roles at USMMA, and most of these roles are held by women. See figure 5-10.

<sup>242</sup> “Full-time staff by race/ethnicity and occupational category: Fall 2019,” National Center for Education Statistics, accessed July 22, 2021, [https://nces.ed.gov/ipeds/SummaryTables/report/410?templateId=4101&year=2019&expand\\_by=1&tt=aggregate&instType=1](https://nces.ed.gov/ipeds/SummaryTables/report/410?templateId=4101&year=2019&expand_by=1&tt=aggregate&instType=1)

<sup>243</sup> “Use the Data,” National Center for Education Statistics, Integrated Postsecondary Education Data System,” accessed November 20, 2021, <https://nces.ed.gov/ipeds/datacenter/SummaryTable.aspx?templateId=4100&tableYear=2015>

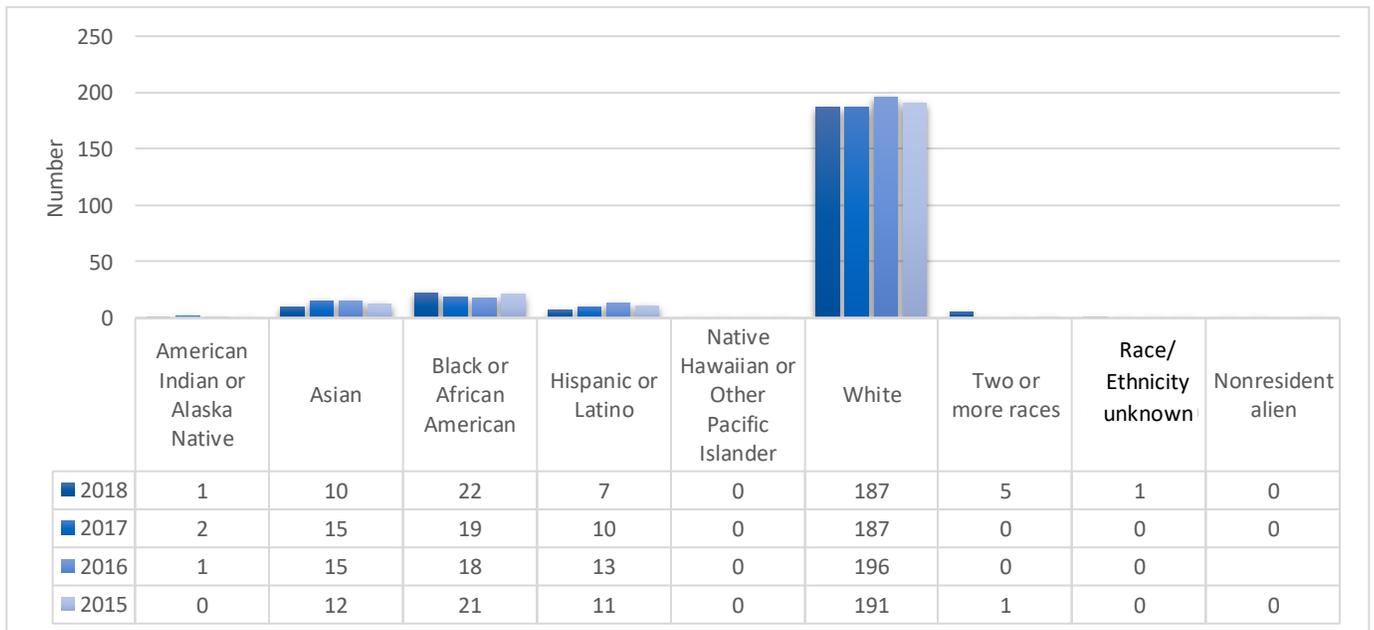
Figure 5-10. USMMA Full-time staff by race/ethnicity/gender 2018



Source: Integrated Postsecondary Education Data System (IPEDS)

Figure 5-11 below shows the demographic breakdown of the staff population from 2015-2018 sourced from data from the National Center for Education Statistics.

Figure 5-11. USMMA Full-time Faculty and Staff by Race and Ethnicity, 2015-2018



Source: Integrated Postsecondary Education Data System (IPEDS)



**Recommendation 5.3: Actively recruit to diversify USMMA’s faculty and staff.** USMMA should identify, reach out to, and recruit staff through affinity groups, professional associations of underrepresented groups, Historically Black Colleges (HBCUs), and Hispanic Serving Institutions (HSIs).

### **5.3 USMMA Does Not Have Sufficient Capacity and Capability for Cultural Transformation**

USMMA officials have recognized the need for cultural transformation for some time, but they lack the requisite capacity, expertise, and resources to achieve it. When an organization is under-resourced, personnel at all levels of the organization naturally shift to the most concrete, urgent tasks. Most if not all members of the USMMA community operate in an environment where there is too much to do, too few staff, and too little time. As discussed in Chapter 3, Midshipmen experience a demanding 11-month academic calendar year, with only a one-month break during the year. The 163-177 credit-hour academic curriculum is packed into a three-year timeframe because Midshipmen spend 300 – 330 days of their four-year education at sea. The daily schedule of a Midshipman is fully packed with academic, regimental (drilling, campus-wide meetings, and community-building events), and programming (seminars and hands-on training opportunities) activities. The heavy focus on preparation for the USCG licensing exam has priority over other aspects of Midshipmen's development.

Culture change requires coordinated action on multiple fronts over a long period. It will require clear and consistent messaging from fully committed leaders. USMMA must also develop a shared understanding of the goals of transformation, built on a deep understanding of where it is now.

#### ***Diversity strengthens an organization***

In education, “diversity brings with it a number of educational benefits, including improved racial and cultural awareness, enhanced critical thinking, higher levels of service to the community, and a more educated citizenry.”<sup>244</sup> For students, attending a more diverse academic institution is correlated with higher income, diversity of friends, and other positive socio-economic benefits.<sup>245</sup> Diverse and safe learning environments help students sharpen their critical thinking and analytical skills; prepare students to succeed in an increasingly diverse and interconnected world; break down stereotypes and reduce bias; and enable schools to fulfill their role in opening doors for students of all backgrounds.<sup>246</sup> These environments improve learning outcomes, engagement,

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<sup>244</sup> Taffye Benson Clayton, “Refocusing on Diversity, Equity, and Inclusion During the Pandemic and Beyond: Lessons from a Community of Practice,” January 13, 2021, <https://www.higheredtoday.org/2021/01/13/refocusing-diversity-equity-inclusion-pandemic-beyond-lessons-community-practice/>

<sup>245</sup> Barbara Wolfe, Jason Fletcher, “Estimating Benefits From University-Level Diversity,” February 2013, [https://www.nber.org/system/files/working\\_papers/w18812/w18812.pdf](https://www.nber.org/system/files/working_papers/w18812/w18812.pdf)

<sup>246</sup> U.S. Department of Education, “Advancing Diversity and Inclusion in Higher Education,” Office of Planning, Evaluation, and Policy Development, November 2016, <https://www2.ed.gov/rschstat/research/pubs/advancing-diversity-inclusion.pdf>.

motivation, and intellectual and academic skills. Students value these skills after they leave college.<sup>247</sup>

Research confirms the value of diversity. There is substantial evidence that more diverse organizations are more successful, outperforming less diverse organizations. McKinsey & Company conducted a longitudinal study of more than 1,000 large companies in 15 countries. They found that companies that prioritized representation and fostered an inclusive environment regularly outperformed their less diverse counterparts.<sup>248</sup>

A deep understanding of cultural diversity and sensitivity has implications for Midshipmen's professional development and success. Life at sea can entail operating in a global market and visiting international ports. When supporting the Military Sealift Command, mariners can expect to work closely with U.S. military and civilian partners with a wide range of cultural backgrounds. Although engineering continues to be male-dominated, the percentage of women in the field is growing.<sup>249</sup> The military services in which graduates will serve and lead as active or reserve officers are increasingly diverse, especially within the enlisted ranks they will lead.<sup>250</sup> The global marine and marine transportation sectors are becoming increasingly diverse as more nations develop maritime industries and marine transportation systems. To prepare merchant mariners for the future, USMMA must prepare its graduates to enter and lead increasingly diverse teams, workplaces, and organizations.<sup>251</sup>

## ***USMMA has not defined diversity, equity, inclusion, nor belonging***

Neither USMMA nor MARAD has adopted institutionalized definitions of diversity, equity, inclusion, and belonging against which to measure strengths and weaknesses or mark progress. As a result, faculty, staff, and students use their own concepts of these terms.

To establish a common reference point, this report uses the following definitions:<sup>252</sup>

**Diversity:** The general definition of diversity includes a mix of different races and ethnicities, genders and gender identities, sexual orientation, socioeconomic status, languages, cultures,

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<sup>247</sup> Dnika J Travis, Jennifer Thorpe-Moscon, and Emily Shaffer. "New Report: Getting Real About Inclusive Leadership." Catalyst, November 21, 2019, <https://www.catalyst.org/research/inclusive-leadership-report/>

<sup>248</sup> "Diversity wins: How inclusion matters," McKinsey & Company, May 19, 2020, <https://www.mckinsey.com/featured-insights/diversity-and-inclusion/diversity-wins-how-inclusion-matters>

<sup>249</sup> "Women in the Labor Force," U.S. Department of Labor, accessed June 16, 2021, <https://www.dol.gov/agencies/wb/data/facts-over-time/women-in-the-labor-force>

<sup>250</sup> Department of Defense, "Department of Defense Board on Diversity and Inclusion Report: Recommendations to Improve Racial and Ethnic Diversity and Inclusion in the U.S. Military," 2020, <https://media.defense.gov/2020/Dec/18/2002554852/-1/-1/o/dod-diversity-and-inclusion-final-board-report.pdf>.

<sup>251</sup> USMMA is also subject to the January 2021 Executive Order directing the advancement of racial equity and support for underserved communities in the federal government.

<sup>252</sup> "Defining DEI: Diversity, Equity & Inclusion: University of Michigan." University of Michigan Diversity, Equity & Inclusion, accessed May 21, 2021, <https://diversity.umich.edu/about/defining-dei/>

national origins, religious commitments, ages, disabilities, and political perspectives. Diversity is an understanding that each student brings unique experiences, strengths, and ideas to a classroom based on their different backgrounds and experiences. Exploring these differences enriches classroom learning.<sup>253</sup>

**Equity:** Equity is having a policy of equal opportunity that does not discriminate based on race, color, national origin, age, marital status, sex, sexual orientation, gender identity, gender expression, disability, religion, height, weight, or veteran status. Institutions must actively be responding to and challenging bias, harassment, and discrimination.

The University of Michigan offers the following distinctions among diversity, equity, and inclusion:

**Diversity** is where everyone is invited to the party.

**Equity** means everyone gets to contribute to the playlist.

**Inclusion** means everyone has the opportunity to dance.

**Inclusion:** Inclusion means that people’s differences on campus are welcomed and valued, and people feel a sense of belonging. Students are more likely to reap the benefits of diversity in an inclusive environment.<sup>254</sup> Instructors should be aware of students’ diversity to create a safe and collaborative learning environment where every student has an equal opportunity to learn and develop. Instructors should use multiple methods to deliver course content and provide students with options to share what they know. Inclusion also allows people to connect with the ongoing active engagement with the curriculum and intellectual, social, cultural, and geographic communities.<sup>255</sup> According to Catalyst, these are the five hallmarks of inclusion:<sup>256</sup>

- *Valued:* You are appreciated and respected for your unique perspectives and talents.
- *Trusted:* You make meaningful contributions and are influential in decision making.
- *Authentic:* You can bring your full self to work and express aspects of yourself that may be different from your peers.
- *Psychological Safety – Latitude:* You feel free to hold differing views and make mistakes without being penalized.
- *Psychological Safety – Risk-taking:* You feel secure enough to address challenging issues or take risks.

**Belonging:** With a sense of belonging, “students perceived social support on campus, a feeling or sensation of connectedness, the experience of mattering or feeling cared about, accepted, respected, and valued by the group (e.g., campus community) or others on campus (e.g., faculty, peers).”<sup>257</sup> A perception of faculty and peer support on campus also contributes to a sense of belongingness.<sup>258</sup>

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<sup>253</sup> “Teaching,” Office for the Advancement of Teaching and Learning, University of Rhode Island, accessed May 21, 2021, <https://web.uri.edu/teach/multicultural/>

<sup>254</sup> Ibid.

<sup>255</sup> “Diversity and Inclusion Defined,” George Washington University, accessed May 21, 2021, <https://diversity.gwu.edu/diversity-and-inclusion-defined>

<sup>256</sup> Travis, et al., 2019.

<sup>257</sup> Hoffman, M., Richmond, J., Morrow, J., & Salomone, K. (2002). Investigating “sense of belonging” in first-year college students. *Journal of College Student Retention*, 4(3), 227–256

<sup>258</sup> Ibid.

## ***USMMA has made only general statements of commitment to DEIB and does not have a plan***

USMMA has several general statements of support for DEIB, acknowledging its importance to the institution. As a starting point, these statements can provide a foundation for developing a plan. References to diversity appear in several places on USMMA’s webpage; see Appendix N.

To convert these words into actions, USMMA needs to develop a plan that articulates how DEIB supports the mission and establishes a common vocabulary. Because stakeholder buy-in is critical, a clear vision and common vocabulary are essential to making DEIB plans feel accessible and personal. A plan would create the road map to implement USMMA’s commitment concretely, giving Midshipmen, faculty members, coaches, staff, and USMMA officials a shared understanding of the principles and describing how USMMA expects them to act in support. A clear vision is essential to making DEIB feel achievable.



**Recommendation 5.4: DOT and Academy leaders should strongly and clearly communicate the value of and their commitment to DEIB at USMMA and DEIB’s linkages to Academy values.** Every new Superintendent should issue a clear statement committing to their DEIB goals. Visits by the DOT leaders (especially the Secretary), Board of Visitors, Advisory Board, and METERB should include strong and clear support for DEIB throughout the USMMA community.



**Recommendation 5.5: Develop and implement an Academy-wide DEIB plan aligned with the Strategic Plan, with DEIB goals, objectives, metrics, databases, and assessment tools.** A vital component will be to create institutional definitions for Diversity, Equity, Inclusion, and Belonging. The development of a plan will also support institution-level strategic planning and performance measurement.

## ***USMMA has limited staffing to support DEIB***

Many functions touch and influence DEIB, but USMMA has a single position devoted to diversity matters. That individual is responsible for EEO compliance and any school-sponsored initiatives or activities that involve diversity. During this study, USMMA experienced extended vacancies in essential positions that would focus on aspects of DEIB, including a Civil Rights Officer, EEO Officer, and Admissions Officer for Diversity Recruitment. An EEO Officer was hired in late 2020. “While a commitment to diversity should, in fact, be everyone’s responsibility, scholars assert that institutions of higher education must appoint a single senior-level administrator who is charged with enacting institutional change toward a more diverse and welcoming campus. The specific role of that person is to motivate and galvanize the institutional community toward shared diversity-centered goals and missions. A senior leader tasked with helping the institution achieve those goals and adhere to the mission is essential.”<sup>259</sup>

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<sup>259</sup> Eugene T. Parker III, “Do Colleges Need a Chief Diversity Officer?,” August 20, 2020, <https://www.insidehighered.com/views/2020/08/20/chief-diversity-officers-play-vital-role-if-appropriately-positioned-and-supported>.



### **Recommendation 5.6: Increase institutional capacity to build diversity, equity, inclusion, and belonging.**

- **Create a DEIB Office staffed with individuals experienced in DEIB in undergraduate institutions of higher education, preferably with a STEM focus.** This position must have the power and authority to reach across the institution, build collaboration, and ensure follow-through. This position should have experience in institutional culture programs at a college or university in the U.S.
- **Create a Chief Diversity Officer position that is part of the senior leadership team to inform decisions, policies, programs, and procedures.**

### ***Student recruitment practices are not achieving diversity***

Like USNA, USMA, and USAFA, most applicants enter the pool by way of Congressional nominations.<sup>260</sup> Each Senator, Representative, Delegate, and the Resident Commissioner from Puerto Rico may nominate 10 candidates per vacancy.<sup>261</sup> In 2019, 224 appointments were available to the fifty states and territories.<sup>262</sup>

The Secretary of Transportation may appoint up to 50 applicants each year through a non-competitive process.<sup>263</sup> These Secretarial appointments are used to “increase gender and racial/ethnic diversity” and “achieve a national demographic balance.”<sup>264</sup> USMMA can request Secretarial appointments to recruit students directly to play on sports teams. According to USMMA officials, athletic recruiting is essential to attract and recruit diverse talent. Interviewees noted that coaches work hard to identify and build relationships with high school students who might be interested in USMMA’s athletic programs.

The Office of Admissions manages student recruitment, assisted by a network of volunteers, including alumni, parents, and others who support USMMA’s mission. The Office of Admissions holds on-campus recruitment events and regularly participates in college fairs, Senatorial and Congressional Academy Day presentations, High School presentations, and other events across the country to provide general information about USMMA and its admission process to prospective students.<sup>265</sup> Many USMMA officials recognize the importance of proactive outreach to potential applicants, especially those from traditionally underrepresented communities.

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<sup>260</sup> Recent data show that USMMA has a higher admission rate than the other federal service academies. In 2019, USMMA admitted one in four applicants. USCGA admitted one in five. USAFA and USMA each admitted one in eight, and USNA admitted one in 12.

<sup>261</sup> The Secretary of Transportation, the appointment authority for USMMA, determines the total number of seats for each entering class. Each state’s seat allocation is proportional to its representation in Congress.

<sup>262</sup> “Congressional Nominations to U.S. Service Academies: An Overview and Resources for Outreach and Management,” Congressional Research Service, December 2019.

[https://www.everycrsreport.com/reports/RL33213.html#\\_Ref434932540](https://www.everycrsreport.com/reports/RL33213.html#_Ref434932540)

<sup>263</sup> 46 C.F.R. 51303

<sup>264</sup> U.S. Merchant Marine Academy Self-study Report. 2016, 43.

<sup>265</sup> Ibid.

However, USMMA has limited outreach programs and recruitment efforts to attract a more diverse pool of applicants. USMMA is currently trying to hire an admissions officer who will focus on diversity issues.

Increasing diversity is the top priority for recruitment. Tactics emphasize actively following up on inquiries from potential applicants who would increase the diversity of the student body and building relationships with target high schools. Additional efforts could prove fruitful.

Many colleges and universities have developed plans and programs to create a more diverse student body through targeted recruitment and retention efforts. USMMA may be able to adapt some of their approaches. For example, the University of North Carolina – Charlotte (UNCC) list several best practices in its campus diversity plan, such as offering programs that bring members of the surrounding community to campus, hosting workshops and orientations for middle and high school students, developing relationships with community colleges that serve diverse student populations, and involving the full USMMA community—faculty, staff, and current students—in recruitment.<sup>266</sup> Most students apply to USMMA as a result of a Congressional nomination. USMMA officials also noted that some members of Congress are more active in making nominations that support the Academy’s commitment to diversity.



**Recommendation 5.7: Expand efforts to recruit applicants who would add to the diversity of the student body.** For instance, USMMA could reach out to guidance counselors in underrepresented group areas and develop an outreach strategy to Junior Naval Reserve Officer Training Corps (JNROTC) and the United States Naval Sea Cadet Corps (Sea Cadet) programs nationwide. These high school programs tend to have larger underrepresented group representation, students with higher interest levels in serving in a military organization, and students in need of financial assistance for college, and participants are frequently high-performing students.



**Recommendation 5.8: Continue to communicate demographic and diversity goals to nominating officials to emphasize USMMA’s commitment to more diverse admissions and encourage members of Congress to intentionally consider students of color, women, and other underrepresented groups in their District/State for admissions nominations.**

### ***Comprehensive efforts can make a difference***

Institutions can assess their campus climate related to diversity to identify areas for improvement by asking how various students perceive discrimination on campus. Many climate survey tools are available to federal agencies and institutions of higher education. Institutions can also implement training to increase the cultural competency of leaders, faculty, and staff. For example, Cultural Competency Training teaches cultural differences and ways to engage respectfully with people of other cultures and provides implicit bias training. Students could receive cultural competency

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<sup>266</sup> University of North Carolina – Charlotte, “Campus Diversity Plan,” Appendix A, Strategies for Student Recruitment and Success,” accessed October 6, 2021, <https://diversity.uncc.edu/sites/diversity.uncc.edu/files/media/CampusDiversityPlanAppendices.pdf>.

training during the indoctrination week and before both Sea Year assignments.<sup>267</sup> This training could boost institutional cultural competence.

Diversity can also be coupled with larger initiatives related to professional development. Institutions can support discrete components of student government, such as a diversity affairs council, that promote diversity and inclusion. Many institutions engage students in the decision-making process on matters involving diversity and efforts to improve campus climate. Examples from non-federal universities appear in Appendix O. The Department of Defense Board on Diversity and Inclusion recommends establishing a Diversity and Inclusion Center for Excellence with training and courses and a similar curriculum for ROTC and military academies.<sup>268</sup>

USMA established its Office of Diversity, Inclusion, and Equal Opportunity (ODIEO) in 2014 and adopted a diversity plan for the first time in 2019. Diversity matters to USMA because “The Armed Forces represent the nation it defends, including by reflecting our nation’s diversity.... An Army not representative of the nation risks becoming illegitimate in the eyes of the people. It is imperative that we leverage all aspects of the nation’s diversity to include gender, ethnicity, religion, education, thought, sexual orientation, and cultural background to create and sustain an inclusive organization that attracts the best the Nation has to offer.”<sup>269</sup> USMA programming promotes awareness among all students and targeted support for students from underrepresented groups, including mentorship and academic support. The plan concludes that, “we support the Army’s overall readiness by developing leaders of character who are committed to the values of both USMA and the Army.”<sup>270</sup>

USCGA has a five-person Office of Inclusion and Diversity. They do not have a standalone diversity, equity, and inclusion plan, but the 2017 “Vital Signs” cultural assessment and scorecard created a baseline and provided recommendations. USCGA officials described a student information system that allows them to track student performance individually and by demographic group. This information will enable them to identify early warning signs—for all cadets. The admissions team works closely with the diversity office on recruitment. The Academy Minority Outreach Team (AMOT) is a group of recent graduates available to talk to prospective students about life at the academy and in the Coast Guard. USCGA also offers targeted campus

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<sup>267</sup> “Research suggests that, for faculty to develop cultural competencies, it may be helpful for training to include an orientation, as well as an ongoing and developmentally sequenced curriculum such as Cultural Competency Training (CCT). CCT is designed not only to teach learners about cultural differences and ways in which to engage respectfully with persons of other cultures, but also to provide implicit bias training to increase learners’ awareness of the unconscious and subtle associations made between groups of people and stereotypes attributed to the group. Some institutions offer this training and provide certificates and recognition to faculty and staff upon completion. Cultural competency is a life-long learning endeavor; thus, earning a certificate does not constitute mastery of the subject, but rather demonstrates a willingness to learn.” “Advancing Diversity and Inclusion In Higher Education,” U.S. Department of Education, November, 2016, <https://www2.ed.gov/rschstat/research/pubs/advancing-diversity-inclusion.pdf>, p41.

<sup>268</sup> DoD Diversity and Inclusion Report2020.

<sup>269</sup> “Office of Diversity, Inclusion, and Equal Opportunity,” U.S. Military Academy, accessed August 1, 2021, <https://www.westpoint.edu/about/west-point-staff/office-of-diversity>.

<sup>270</sup> “Diversity Inclusion Plan,” USMA, December 2019, 14.

visit programs to help prospective and admitted students learn more about the school.<sup>271</sup> Like the Coast Guard,<sup>272</sup> USCGA has affinity councils that are open to all students.

USNA's strategic imperative number one is "To recruit, admit, and graduate a diverse and talented Brigade of Midshipmen."<sup>273</sup> The mission of the Office of Diversity, Equity, and Inclusion (ODEI) supports this priority by committing "To support, foster, and leverage the unique and diverse talents of faculty, staff, and future Navy and Marine Corps officers through an inclusive Naval Academy campus and community environment free from discrimination or harassment of any kind." USNA's Diversity and Inclusion Strategic Plan, created in 2020, does not reference the Department of the Navy Diversity and Inclusion Policy Statement. Still, it does embrace the school's role in preparing future Navy and Marine Corps leaders "that are resilient, innovative, and equipped to lead in a highly diverse, socially complex, and multi-generational workforce."<sup>274</sup>

### ***Limited progress has been made towards achieving strategic priorities related to an inclusive institutional culture***

Many functions touch and influence culture, but without a comprehensive plan and a champion to lead change, the development of an inclusive culture is likely to remain elusive. The Superintendent's 2019 year-end report noted that the Strategic Plan Working Group (SPWG) assigned to lead the implementation of institutional culture strategic priorities "has had numerous engaging ideas but [they] have struggled to memorialize formal doctrine that can be utilized throughout the campus."<sup>275</sup> To close the gap, the SPWG planned to seek external assistance to develop an action plan.<sup>276</sup> Despite the extraordinary challenges of 2020, the group made some progress. Working with Midshipmen, the group noted discussions around the "Acta Non Verba Movement" (centered on the school's motto, "Actions Not Words"), the Cultural Diversity Club, "Excellence in Athletics," and the "Diversity and Inclusion Initiative." However, the group has not defined metrics or collected data.

Other faculty and staff have limited capacity to focus on culture because they already have multiple formal and informal roles in athletics, the Sexual Assault Prevention and Response Office (SAPRO), admissions, and Academy leaders. Vacancies in critical positions further limit capacity to address institutional culture issues. For example, the one Equal Employment Opportunity (EEO) Officer / Director of Civil Rights position remained vacant during the first several months of this study, including the early months of the most recent academic year.

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<sup>271</sup> "Outreach Team," U.S. Coast Guard Academy, accessed August 1, 2021, <https://www.uscga.edu/outreach-team/>

<sup>272</sup> The U.S. Coast Guard has 11 affinity groups to promote inclusive and diverse work environments. See <https://www.dcms.uscg.mil/Our-Organization/Assistant-Commandant-for-Human-Resources-CG-1/Civilian-Human-Resources-Diversity-and-Leadership-Directorate-CG-12/Diversity-and-Inclusion/Affinity-Groups/>

<sup>273</sup> "Office of Diversity, Equity, and Inclusion," U.S. Naval Academy, accessed August 1, 2021, <https://www.usna.edu/Diversity/index.php>.

<sup>274</sup> U.S. Naval Academy Diversity and Inclusion Strategic Plan, U.S. Naval Academy, accessed August 1, 2021, [https://www.usna.edu/Diversity/files/documents/D\\_I\\_PLAN](https://www.usna.edu/Diversity/files/documents/D_I_PLAN).

<sup>275</sup> Memorandum for the Superintendent, December 16, 2019.

<sup>276</sup> Ibid.



**Recommendation 5.9: Develop and implement DEIB assessments, policies, and programs.** Focused efforts and ownership are required to promote, implement, and track the necessary cultural transformation at USMMA. These activities should be within the purview of the Chief Diversity Officer noted in recommendation 5.6.

### ***Academy leaders do not have or do not use data on institutional culture***

USMMA leaders aspire to boost DEIB for Midshipmen, staff, and faculty. To implement and track progress, they need reliable data to reduce ambiguity and inform decision making. Like institutional culture data, USMMA collects and uses very little data related to diversity and, as a result, does not have a deep understanding of it. USMMA officials engage in activities that they hope will improve diversity, but they do not track those activities or know if they are making any progress.

Reliable performance data collection and analysis would provide critical insight to Academy leaders in several important ways. First, it would allow them to track operations, monitor progress, and detect trends. Second, they could better understand whether they are effectively addressing workforce challenges such as sexual harassment and disparate impact issues.<sup>277</sup> Third, using the data as a fundamental tool, they could develop strategies to identify and eliminate barriers and disparities, encourage workforce diversity, and better target training activities.

### **USMMA does not sufficiently collect and collate data on the full student life cycle**

Data on admissions, student performance, retention, and graduation rates are collected, stored, and analyzed in different departments, including the Office of Admissions, the Registrar's Office, and HR. Integrating these data has proven difficult or impossible. Demographic data on faculty and staff is limited. With only rudimentary data, surveys, and interviews, the lack of information limits USMMA's ability to identify and close its DEIB gaps. USMMA officials said they have been working on acquiring a student information system to address some of these needs.

Without complete, accurate, and reliable data, USMMA cannot detect and determine the magnitude of its DEIB issues. For example, Academy leaders have observed that the retention rate among students of color is substantially lower than for white students, but they do not know how large the gap is. Individual faculty members and other interviewees expressed opinions about early warning signs, but they do not know if their impressions are valid. Faculty and staff know that they are engaging in activities to support DEIB, but they do not know whether their efforts

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<sup>277</sup> According to the Society for Human Resource Management, disparate impact is when "policies, practices, rules or other systems that appear to be neutral result in a disproportionate impact on a protected group. For example, testing all applicants and using results from that test that will unintentionally eliminate certain minority applicants disproportionately is disparate impact." "What are disparate impact and disparate treatment?" Society for Human Resource Management, accessed July 19, 2021, <https://www.shrm.org/resourcesandtools/tools-and-samples/hr-qa/pages/disparateimpactdisparatetreatment.aspx>.

are effective. Lack of reliable data also undermines accountability because the outcomes are perceived rather than measured.

### **USMMA does not compile and review hiring and workplace DEIB metrics**

Collecting and analyzing performance data to track USMMA's diversity and inclusion efforts could provide insight into the effectiveness of those efforts. For example, Penn State established employment goals based on targets obtained from the Affirmative Action Office and numerous performance indicators. They also disaggregate data across demographics to identify potential areas of disparities.<sup>278</sup> The Department of Defense Board on Diversity and Inclusion recommends monitoring and evaluating demographic trends in performance evaluations to inform career development processes and identify potential biases in supervisor/rater populations. To assess the fairness of these evaluations, the report recommends that departments analyze trends in ratings, referred reports, and administrative errors.<sup>279</sup>

The Equal Employment Opportunity Commission's (EEOC) policy guidance document, Management Directive 715 (MD-715), is used by federal agencies to establish and maintain effective equal employment opportunity programs under Section 717 of Title VII of the Civil Rights Act of 1964. EEOC's guidance does not require USMMA to submit an annual MD-715 report; instead, USMMA's information is incorporated into MARAD's report, which in turn is incorporated into DOT's report. The 2020 DOT MD-715 report makes no mention of USMMA.<sup>280</sup> Year-end 2020 information that MARAD provided for this report made very little mention of USMMA.

Whether EEOC requires an annual report or not, all federal entities are responsible under MD-715 to perform a Model EEO self-assessment and analysis to identify barriers and execute plans for eliminating them throughout its workforce. They also have a responsibility to maintain an effective, agency-wide special recruitment program that establishes specific goals for the employment and advancement of individuals with targeted disabilities.<sup>281</sup>

An MD-715 assessment would enable USMMA to identify barriers to effective recruitment, staffing, advancement, development, diversity, and inclusion and provide a roadmap for implementing corrective actions. Conducting an MD-715 self-assessment can be a significant undertaking. Given the current staffing level at USMMA, it may require support from MARAD or DOT EEO officials, EEOC, or other outside experts. The long-term benefits should outweigh the short-term investment of time and resources as the goal of the assessment is to eliminate barriers to a safe learning environment, develop a workforce attractive to recruits, and demonstrate leaders' commitment to a fair and equitable working environment for all students, faculty, and staff. Sharing the results with DOT will give department officials a comprehensive picture of equal

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<sup>278</sup> "Best Practices and Potential Best Practices," Penn State's Office of the Vice Provost for Educational Equity, accessed May 21, 2021, <http://equity.psu.edu/updates/analysis/best-practices>.

<sup>279</sup> DoDDiversity and Inclusion Report

<sup>280</sup> U.S. Department of Transportation, "Fiscal Year 2020 Annual Report to Congress on the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002," accessed July 22, 2021, <https://www.transportation.gov/sites/dot.gov/files/2021-05/FY%202020%20No%20FEAR%20Report.pdf>.

<sup>281</sup> Instructions for completing a MD-715 self-assessment can be found on the EEOC website; see <http://www.eeoc.gov/federal/715instruct/section3.html>.

employment opportunity throughout the department. The input provided by USMMA into a department-wide assessment may also generate actions and resources that will benefit USMMA.



**Recommendation 5.10: Undertake a Model EEO (MD-715) self-assessment and conduct a comprehensive barrier analysis of the workforce.** USMMA should share the results of the MD-715 assessment with MARAD and DOT for incorporation into a Department-wide assessment.

### **USMMA does not collect and review data related to institutional culture, including DEIB**

USMMA collects, maintains, analyzes, and uses very little data related to institutional culture and, as a result, does not have a deep understanding of it. USMMA has five or fewer years of reliable and accessible data in key areas such as student information.<sup>282</sup> The strategic plan proposed performance metrics (see Table 5-3), but many have not been validated or operationalized. In addition, the metrics for institutional culture goals in the strategic plan measure inputs and outputs, but not outcomes related to achieving those goals.

Externally conducted surveys could provide valuable insight, but USMMA does not use them effectively. For instance, the Federal Employee Viewpoint Survey (FEVS) conducted by the Office of Personnel Management (OPM) provides annual data on a wide range of management and human capital indicators.<sup>283</sup> USMMA's results do not come directly to USMMA, and USMMA officials do not request them as a matter of course.<sup>284</sup> Academy officials said they “use” National Survey of Student Engagement (NSSE) data annually, but the use of these survey results is not documented. Annual NSSE data provide a snapshot of conditions at a point in time, but without trend analysis or benchmarking, the data are hard to interpret and provide limited value. Similarly, graduate survey results are “considered” annually, but the consideration is not documented, and annual review does not reveal trends or performance relative to targets.

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<sup>282</sup> The Academy does not compile and consult comprehensive data on student performance, retention, and potential correlates such as academic and personal background, demographic characteristics, and activities.

<sup>283</sup> “Federal Employee Viewpoint Survey,” Office of Personnel Management, accessed July 20, 2021, <https://www.opm.gov/fevs/>.

<sup>284</sup> For this report, the Study Team requested and received FY19 FEVS results from MARAD. The Chief Human Capital Officers Council, whose members include human capital leaders across the federal government, published guidelines for the use and interpretation of FEVS data. “Implementation Guidelines: Using Your Work Unit FEVS Results to Improve Employee Engagement,” Chief Human Capital Officers Council, accessed July 20, 2021, <https://www.chcoc.gov/content/president%E2%80%99s-management-agenda-cross-agency-priority-goal-3-improve-performance-management>

Table 5-3. Status of Metrics Proposed in the Strategic Plan for Strategic Priority 2: Institutional Culture

<b>Suggested Institutional Culture Metrics</b>		
<b>Metrics</b>	<b>Data Host</b>	<b>Status</b>
<b>Surveys</b> <b>1. National Survey of Student Engagement (NSSE)</b> <b>2. Graduate</b> <b>3. Alumni<sup>285</sup></b> <b>4. Federal Employee Viewpoint Survey (FEVS)</b> <b>5. Service Academy Gender Relations (SAGR)</b>	1. Office of the Academic Dean/Provost and Institutional Assessment 2. Office of the Academic Dean/Provost and Institutional Assessment 3. Office of the Academic Dean/Provost and Institutional Assessment 4. EEO/Civil Rights USMMA/MARAD, HR USMMA/MARAD 5. SAPRO	1. Results are reviewed 2. Results are reviewed 3. Not Measured 4. Not Utilized 5. Utilized
<b>Number of Equal Employment Opportunity (EEO) complaints and number substantiated</b>	EEO/Civil Rights USMMA/MARAD	Status Unknown
<b>Midshipman participation in extra-curricular activities</b>	Commandant/Assessment Officer (collected in RLEAP system-Regimental Leadership Evaluation and Assessment Program)	Not actively measured
<b>Percentage of minorities and women among Midshipmen</b>	Registrar's Office	Partial Data (Missing years, measurement inconsistency)
<b>Percentage of minorities and women among faculty, staff, and administrators</b>	Registrar's Office/ USMMA/MARAD HR	Partial Data (Missing years, measurement inconsistency)
<b>Retention and graduation rates (overall, minorities, and women)</b>	Registrar's Office	Measured (yes, not actively and measurement inconsistency)
<b>Assessment of Leadership and Global Understanding ILOS</b>	Program Learning Outcomes Committee, Institutional Learning Outcomes Committee, Leadership Committee, General Education Committee; NSSE survey has a section on global understanding	Partially measured, missing documentation
<b>Availability/participation in professional development opportunities for faculty and staff</b>	USMMA/MARAD HR	Not actively measured
<b>Availability/participation in diversity-related educational opportunities for Midshipmen</b>	EEO/Civil Rights Office/Commandant/Diversity Committee	Not actively measured
<b>Availability/participation in SASH-related educational opportunities for Midshipmen, faculty, and staff</b>	SAPR Office	Measured, missing documentation

Source: The U.S. Merchant Marine Academy

<sup>285</sup> Academy officials have requested authorization for the alumni survey annually, but it has not been authorized since 2018.

Among the metrics USMMA does collect, data reliability is an issue. Some departments collect data, but it is not integrated to create useful information. USMMA officials engage in activities that they hope will improve the culture, but they do not track the activity level or whether it is having any effect. Instead, they rely on their observations. This approach is not very useful because individuals have a natural tendency to place greater weight on observations that align with their pre-existing narratives.

The development of the next generation of leaders requires developing the whole person. This includes “cultivating students’ social, emotional, physical, and ethical development to foster creativity, promote a positive psychological well-being, stimulate a rich and thoughtful interior life, explore core beliefs, encourage social engagement, and cultivate empathy and an ethic of service.”<sup>286</sup> Faculty and staff must be held accountable as positive institutional agents.



**Recommendation 5.11: Develop and implement an Academy-wide data collection and performance measurement system related to institutional culture, using external resources as needed to provide data analytical capabilities.**



- **Define, collect, analyze, and use performance metrics that assess outcomes and inform decision making.** The strategic plan proposed metrics as a starting point, but USMMA must verify that these metrics accurately capture activities that support institutional goals. As needed, USMMA should identify alternate metrics that better match their priorities. Metrics should include student characteristics and experiences to identify factors that correlate with success.
- **Develop performance metrics for staff and faculty that include advising and mentorship and incorporate advising and mentorship into annual performance reviews.**

Collecting performance data is the starting point to understand the effectiveness of efforts, but a climate assessment would give USMMA officials insight on strengths and areas for improvement. The LMI study provided insight into factors contributing to SASH, but SASH is only one aspect of institutional culture. DEIB, mental health, and other factors contributing to a safe learning environment have many additional influences.

The other four service academies have identified and begun to address inequities in the educational outcomes of their students and the environment that support these outcomes. For example, USCGA commissioned an independent assessment in 2017 to create an equity scorecard.<sup>287</sup> Going through the process allowed USCGA to develop a shared understanding and mobilized the community to act. Recommendations suggested more robust data collection, adjustments to curriculum and training, and increased capacity and programming for diversity, equity, and inclusion. At USMA, the Superintendent, Dean, and Commandant conduct the

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<sup>286</sup> Steven Mintz, “Educating the Whole Person | Inside Higher Ed,” Inside Higher Ed, October 27, 2014, <https://www.insidehighered.com/blogs/higher-ed-gamma/educating-whole-person>.

<sup>287</sup> Hanson, D. & Bensimon, E. M. (2017). “The U. S. Coast Guard Academy 2017 Vital Signs Report.” Los Angeles, CA: The Center for Urban Education, Rossier School of Education, University of Southern California.

Defense Equal Opportunity Climate Survey every year. It includes questions about organizational effectiveness, equal opportunity, equal employment opportunity, fair treatment, and sexual assault prevention and response.<sup>288</sup>



**Recommendation 5.12: Undertake an independent, comprehensive examination of educational outcomes among Midshipmen of different racial, ethnic, religious, gender, and affinity groups.** To make progress on institutional culture, USMMA must know the factors that drive the educational outcomes of Midshipmen. An independent, comprehensive examination would signal that USMMA officials recognize that equity in educational outcomes is vital to the mission of USMMA and the merchant marine.



**Recommendation 5.13: Train and budget for professional development opportunities for administrators, faculty, and staff to collaboratively identify and reduce race- and ethnicity-based inequities impacting institutional culture.** Training provides a way to reduce the cultural mismatches that result whenever Midshipmen, staff, and leaders do not share a subculture and mutual understanding of each other's beliefs within the learning community. Staff may be culturally competent in serving members of the community that are like themselves but not in serving others. The impact of training for staff is to reduce conscious and unconscious bias in all areas of USMMA, ranging from culturally inclusive pedagogic practices to creating unbiased data.

## 5.4 Midshipmen Need Better Mental Health Support

Midshipmen at USMMA live and learn within a high-stress environment due to the design of the educational and training programs at USMMA, as discussed in chapter 3. Because of the intensity of year-round Academy programs, with limited time for leave, Midshipmen have less access to time off and direct support from their families and communities at home than most undergraduate students. This lack of connection to outside support networks can contribute to high stress levels and mental health issues experienced by Midshipmen, especially plebes (freshmen) who are newly away from home.

The pandemic increased the prevalence of depression, anxiety, and other mental health issues among college students across the United States, which were already found to have doubled over the past decade.<sup>289, 290</sup> Growing evidence has shown that students who struggle with such

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<sup>288</sup> "Diversity Inclusion Plan," USMA, December 2019.

<sup>289</sup> Xiaomei Wang, Sudeep Hegde, Changwon Son, Bruce Keller, Alec Smith, and Farzan Sasangohar, "Investigating Mental Health of U.S. College Students During the COVID-19 Pandemic: Cross-Sectional Survey Study," *Journal of Medical Internet Research*, Vol 22, No 9 (2020): September, <https://www.jmir.org/2020/9/e22817/>

<sup>290</sup> Jungmin Lee, Hyun Ju Jeong, Sujin Kim, "Stress, Anxiety, and Depression Among Undergraduate Students during the COVID-19 Pandemic and their Use of Mental Health Services," April 23, 2021, <https://link.springer.com/article/10.1007/s10755-021-09552-y>

disorders have lower grades, take longer to earn their degrees, and drop out at higher rates.<sup>291</sup> Midshipmen at USMMA are no exception to this problem. According to an Academy official, since the onset of the pandemic, Midshipmen have shown increased signs of anxiety, depression, and, more concerning, an increase in suicidal ideation and suicidal attempts. Many Midshipmen said that the mental health and emotional safety of their fellow Midshipmen are a significant concern.<sup>292</sup>

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*“The mental health situation on campus is a lot more serious than our administration understands it is.” –Midshipman*

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At a November 2020 Maritime Education, Training, Research and Innovation virtual conference held during the COVID-19 pandemic and shutdown, the Superintendent said that the physical and emotional well-being of the Midshipmen was first and foremost in his mind. Leaders’ commitment is important; however, USMMA lacks adequate resources (people, foundational structure, and training) to support Midshipmen’s mental health and well-being. The lack of mental health resources also taxes members of the broader Academy community (faculty and staff) who take on the responsibility of supporting Midshipmen’s mental health beyond their already strained capacity.

Mental and behavioral health services are provided at Patten Hall. Patten provides general health services (such as urgent care) and interventional counseling for mental health issues experienced by Midshipmen, faculty, and staff. Patten Hall falls under the Office of Health Services, staffed by one full-time employee (a Health System Administrator). USMMA recently contracted with two full-time mental health therapists that work a typical day-time schedule.

USMMA also has a counseling center whose director provides counseling directly to Midshipmen and is supported by substance abuse counselors and the campus chaplain.<sup>293</sup> The number of counselors available to Midshipmen is unclear. The campus chaplain is an active-duty officer in the Navy’s chaplain corps. In recent years, the chaplain has been a certified counselor who typically engaged in 500 to 1,000 counseling sessions per year.

### ***Midshipmen navigate multiple sources to access mental health services***

Midshipmen may not know whom to call in times of mental hardship or crisis, especially in situations when the response does not require police, fire, or emergency medical technicians. A rotating command duty officer from the Commandant’s office is on duty twenty-four hours a day

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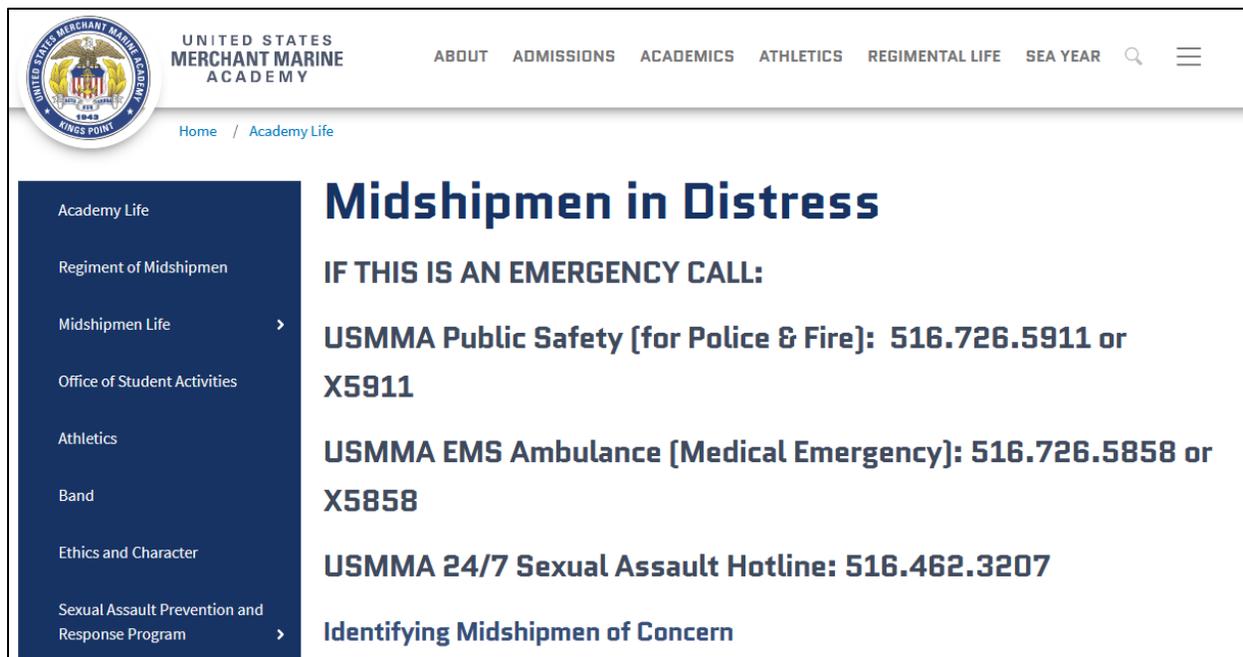
<sup>291</sup> Daniel Eisenberg, Sarah Lipson, Justin Heinze, “The Healthy Minds Study Fall 2020 Data Report,” accessed October 13, 2021, <https://healthymindsnetwork.org/wp-content/uploads/2021/02/HMS-Fall-2020-National-Data-Report.pdf>

<sup>292</sup> Unless otherwise noted, student perspectives were gleaned from a series of discussion groups conducted with midshipmen over three months.

<sup>293</sup> “Activities and Services: Counseling,” Higher Education, The United States Merchant Marine Academy, February 11, 2013, <https://www.usmma.edu/academy-life/activitieservices/counseling>.

and is reportedly on call to students, but their telephone number is not listed on the Midshipmen in Distress webpage of USMMA’s website (see figure 5-12), which was last updated in June 2016. The expectation is that Midshipmen should escalate to 911 if they are experiencing a mental health crisis after hours. A Midshipman being trained as a victim advocate said there is “not enough communication of what numbers to call [for mental health services]... we don’t know who to call for a licensed professional.”<sup>294</sup> Other Midshipmen made similar comments, adding that an around-the-clock mental health professional to call after hours to assist in a crisis would be helpful.

Figure 5-12. Midshipmen in Distress Webpage



Source: U.S. Merchant Marine Academy website<sup>295</sup>

Other mental health support programs on campus are ad hoc and not part of a larger program to promote emotional health and wellness. For example, USMMA holds regimental training on mental health and implemented wellness days to focus on mental health. However, according to discussion groups with Midshipmen, wellness days are not coordinated with the academic side of USMMA, meaning some students have exams or papers due on wellness days.

Another program on campus that focuses on the health and safety of Midshipmen is the Kings Point Campus Assessment, Response, and Education Support (KP CARES) Team. KP CARES aims to allow Midshipmen to “thrive in a safe educational environment where individuals are able

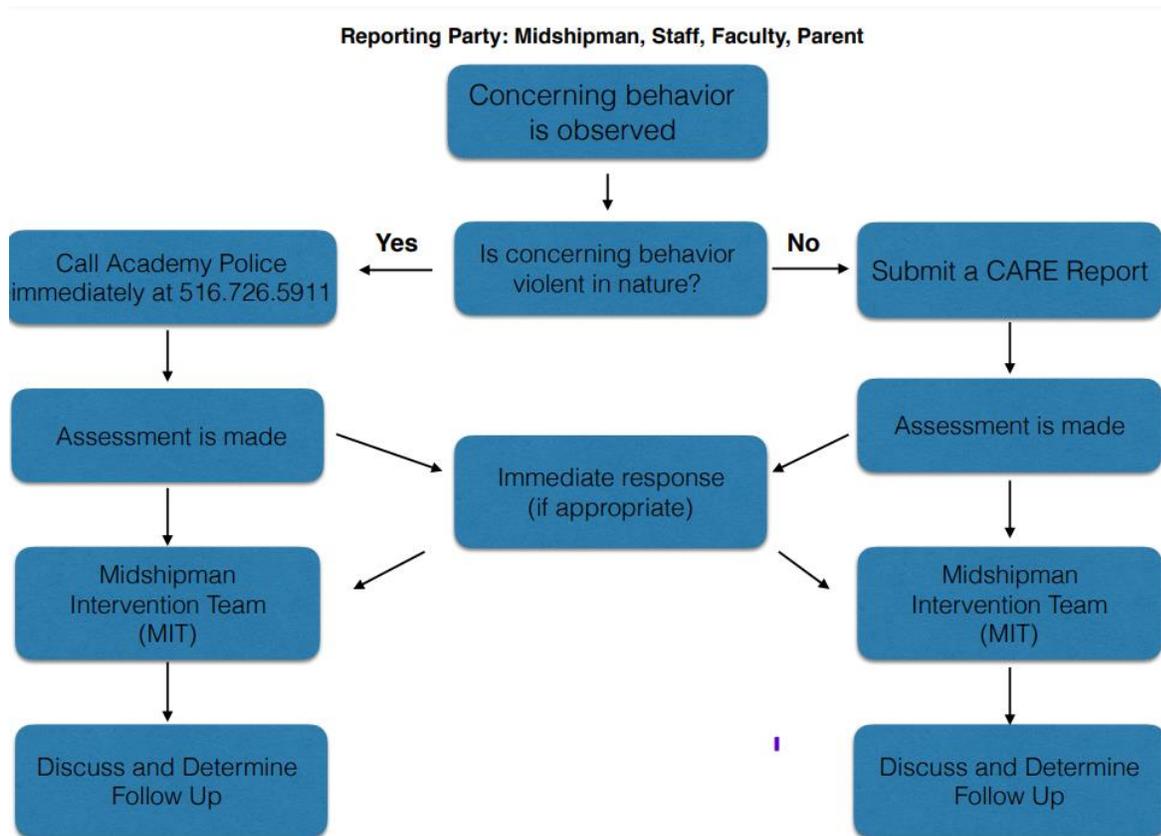
<sup>294</sup> The Victim Advocate Program is discussed in more detail in Section 5.4, Freedom from Sexual Harassment and Sexual Assault.

<sup>295</sup> “Midshipmen in Distress | U.S. Merchant Marine Academy,” Higher Education, The United States Merchant Marine Academy, June 7, 2016, <https://www.usmma.edu/osa/midshipmen-distress>.

to freely work, learn and teach.” The KP CARES Team provides support and care for Midshipmen at risk across the regimental, academic, and social aspects of Academy life.<sup>296</sup>

A flow chart (See figure 5-13) is intended to guide Midshipman, faculty, and staff response if they observe a concerning behavior.<sup>297</sup> The flowchart is complicated and not clear about which Academy staff member should be contacted. Additionally, it is unclear how “concerning behavior” is defined, what follow-up steps are necessary, and who should be informed.

Figure 5-13. Midshipmen Intervention Team Flowchart



Source: U.S. Merchant Marine Academy<sup>298</sup>

There is little publicly available information on mental health support presented on USMMA’s website.

Midshipmen are primarily responsible for providing mental health support to one another after Patten and the counseling center close. A common theme that arose during discussion groups with Midshipmen is that they do not feel they are adequately taught how to deal with a fellow Midshipman struggling with mental health or going through a mental health crisis. USMMA has

<sup>296</sup> “Related Resources,” U.S. Merchant Marine Academy, accessed September 27, 2021, <https://www.usmma.edu/academics/related-resources>

<sup>297</sup> “Midshipman Intervention Team Flow Chart,” Higher Education, U.S. Merchant Marine Academy, November 1, 2019, <https://www.usmma.edu/osa/midshipman-intervention-team-flow-chart>.

<sup>298</sup> “Midshipman Intervention Team Flow Chart.”

begun training a small group of Midshipmen in crisis interventions, which is a promising step. However, this places a tremendous amount of responsibility on the trained Midshipmen.

Poor Wi-Fi and cell phone connectivity contribute to a greater sense of isolation and make it hard for a Midshipman to connect with someone in distress, which is especially troublesome in the middle of the night. There is an on-call rotating command duty officer, but that person is not located on campus and, therefore, not immediately available in a time of crisis. This places quite a bit of responsibility and decision-making authority with Midshipmen who are generally untrained to deal with such a crisis. This also impacts the ability of Midshipmen to learn because they are essentially on call regardless of their workloads.

While some Midshipmen mentioned access to some faculty, staff, and coaches, it is generally after a rapport is built. Midshipmen said they greatly appreciated accessibility to faculty, staff, and coaches, but it was rare. Midshipmen discussed appreciating when a professor told a class that they were a victim advocate and welcomed being approached by students in need.



**Recommendation 5.14: Create and staff or contract with a 24-hour mental health support line, staffed by a qualified mental health professional(s), for both crisis and non-crisis situations.** Having a line available to Midshipmen (and faculty and staff) to call 24/7 to speak with a qualified mental health professional will help respond to those who want or need mental health care. USMMA should also consider making teletherapy available to students, especially to Midshipmen during Sea Year.

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*“Most of us here are afraid of actually going to Patten for any type of mental health support because we’re scared it will keep us from commissioning in the future. There are some mental disorders that are disqualifying for the military. So instead of getting help like we should, we don’t.” – Midshipman*

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### ***Midshipmen fear repercussions from seeking assistance***

Additionally, some Midshipmen are reluctant to seek mental health services because they fear that it could prohibit them from commissioning as a military officer, receiving their USCG tonnage certification, and graduating from USMMA. Unlike the cadets in the other service academies, Midshipmen at USMMA are not considered employees. Cadets at other academies are members of the service, and the goal is to make them whole, to ensure they can be commissioned and serve. They are part of a larger community with resources, such as major military hospitals and counseling services. In addition, when Midshipmen and cadets of the other academies have training outside of their academies, they typically are part of crews or military units that have mental health support services in place. By contrast, USMMA focuses on Midshipmen’s ability to complete the program, get their license, and graduate. Midshipmen that participated in focus groups talked about rumors that Midshipmen are kicked out for mental health reasons. The

messages begin their Plebe year when upperclassmen instruct them not to visit Patten because Patten “is out to get you.” USMMA officials noted that the KP CARES Team already carries out some of the reviews suggested in recommendation 5.15. The Team may need to take additional steps to assess the information they have and identify the information they need to reduce obstacles to mental health services.



**Recommendation 5.15: Appoint an internal “Counseling Assessment Team” to review present conditions and policies related to access to mental health services and identify and implement measures to improve access to mental health services.** Elements under review should include access to mental health services during non-weekday hours; confidentiality requirements and limitations of different mental health providers and resources, Commandant of Midshipmen staff, Regimental leaders and staff, faculty, and chaplains; workloads of current mental health and counseling providers; Midshipmen attitudes toward seeking mental health and counseling support; and training and education programs for new Midshipmen on mental health and counseling at USMMA, and make recommendations to the Superintendent on improving the efficiency, effectiveness, timeliness, and access to mental health and counseling services for the Regiment of Midshipmen.



**Recommendation 5.16: Create campus and Sea Year physical and mental health action plans, with accountability measures by the Patten Health Center team with appropriate internal and external stakeholder input.** The plan should designate contacts at USMMA or contracted by USMMA for assessing the risk of suicide or harm, who are required to listen without judgment, give reassurance and information, provide reference to appropriate professional help, and encourage self-help and other support strategies, if appropriate.

The plan should be publicly available and circulated to Midshipmen on campus and before departing for Sea Year terms to understand the services available and whom to contact. The accountability measures should demonstrate that Midshipmen, faculty, and staff receive adequate care. It should demonstrate that the care provided is high quality and meets the needs of those receiving it.

### ***The confidentiality of mental health services is unclear***

USMMA does not provide a written statement of confidentiality to inform Midshipmen of the level of privacy they can expect when accessing mental health support from different mental health providers and interventions at USMMA. The ambiguity may contribute to Midshipmen’s hesitancy to seek help. Several Midshipmen and USMMA officials described a sometimes-toxic rumor mill among Midshipmen that may further discourage them from reaching out. USMMA officials noted that the Superintendent has already taken some steps to communicate these messages. A sustained effort will be necessary to reduce the misperceptions.



**Recommendation 5.17:** The Superintendent should lead a communications campaign that mitigates Midshipmen's fear and reluctance when seeking mental health support by dispelling rumors and communicating with Midshipmen about the scope of their rights to privacy when seeking mental health services from different types of counseling and mental health providers. Communications should focus on dispelling rumors and encouraging Midshipmen to seek out mental health services early and often. This should begin with the introduction of Plebes to USMMA.



**Recommendation 5.18:** Create and distribute an annual written statement of confidentiality. USMMA should describe all support options available to Midshipmen and the current confidentiality provisions associated with each, especially during the summer training for new Midshipmen as they enter USMMA. State an expectation of respect for privacy among all Midshipmen.

## 5.5 Conclusion

An institutional culture that is diverse, respectful, equitable, and inclusive is challenging yet vital to the organization's overall health. USMMA strives to create an environment with all these characteristics yet struggles to do so due to a lack of capacity, resources, internal and external pressures, and nonuniform standards and processes. As a result, USMMA struggles to shift its current narrative towards modernization. An institutional culture that supports all Midshipmen will support their success, increase retention, and fulfill USMMA's mission and institutional goals.

This chapter's recommendations focus on needed changes in Academy policies, programs, staffing, roles, and responsibilities to create a safe learning environment where all students thrive and learn, regardless of their differences, and have access to the support they need. Ultimately, only the transparent and forceful leadership of the Superintendent, other senior leaders, and the permanent faculty and staff collectively can create and sustain the inclusive and safe learning environment that Midshipmen deserve, which will prepare them to be leaders in an increasingly diverse and global maritime community.

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## Chapter 6: Freedom from Sexual Assault and Sexual Harassment (SASH)

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**Overview** This chapter focuses on the current state, progress made and recommends additional actions to improve SASH prevention and improve processes and capabilities related to SASH. Sexual assault and harassment (SASH) concerns and the adequacy of processes to create a safe learning environment at USMMA have drawn attention for over a decade.

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**Path to Modernization** USMMA needs a better understanding of its SASH climate at the Academy and during Sea Year. A strategic assessment would allow the Academy to assess its progress since the culture audit in 2016.

The continued gap between reporting and incidents recounted in the biennial survey must be closed. USMMA must address Midshipmen’s reluctance to report, including the fear of retaliation.

MARAD and DOT must provide better oversight, support, and expertise on SASH prevention, programs, and response.

SASH legal and policy protections, processes, and accountability must be strengthened, including during Sea Year.

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**SASH Challenges** USMMA and MARAD lack sufficient capacities and capabilities in policies, programs, and legal frameworks to provide adequate SASH prevention, remediation, and treatment for Midshipmen.

Progress has been made in developing those policies, programs, and legal structures, but their effectiveness in preventing and remediating SASH has not been assessed. More work remains to be done.

Little to no performance measurement is taking place. USMMA collects and publishes information on reports and survey results, but it does not track steps taken to reduce or respond to incidents, determine whether those steps are effective, or make necessary adjustments based on the analysis.

Midshipmen report many fewer incidents than they experience.

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**Benefits of taking action** Strengthening SASH prevention, policies, and processes aligns directly with USMMA values and Institutional Learning Outcomes. Fostering an inclusive environment for all and creating a cultural “zero tolerance” for SASH will strengthen the Academy’s overall cultural and learning environment.

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## 6.1 Background

USMMA has long struggled to manage sexual assault and sexual harassment (SASH) issues. USMMA started its SASH program in 2012. As discussed below, the Academy is not subject to legal frameworks used to address SASH at most institutions of higher education in the United States. As a result, USMMA has had to write policies and procedures, develop a training regimen, and establish a disciplinary system independently. As Academy officials noted, there is no blueprint for running a freestanding Sexual Assault Prevention and Response (SAPR) program. They also noted that the Centers for Disease Control (CDC) has recommendations and best practices, but these do not provide a complete solution. By comparison, the federal military service academies rely upon policies and training provided by a centralized SAPR program run from the Pentagon. Without these support structures, USMMA must arrange for external resources to support their program and write Congressional reports.

Over time, USMMA has increased its efforts to foster a safe environment where Midshipmen, faculty, and staff can thrive. Several audits and annual surveys attempt to hold the Academy accountable. These include reports by the Logistics Management Institute (LMI), Department of Transportation Office of Inspector General (DOT OIG), and DoD's Office of People Analytics Service Academy Gender Relations (OPA SAGR) Surveys.<sup>299</sup>

Further, DOT, Congress, and USMMA have taken steps to address SASH, such as establishing the Shipboard Climate Compliance Team (SCCT) and DOT Sea Year Eligibility Criteria for commercial ships, creating a satellite phone system, expanding the Sexual Assault Prevention and Response Program Office (SAPRO), and expanding a Victim Advocate program.<sup>300</sup> Midshipmen have said that the crew and staff aboard ships have a greater awareness of Academy and MARAD SASH policies and procedures. More than 30 Midshipmen now serve as Victim Advocates. However, USMMA lacks adequate access to resources to build, sustain, and assess its SASH programs and progress.

The FY 2019 National Defense Authorization Act<sup>301</sup> directed DOT to seek concurrent criminal jurisdiction over the USMMA campus, allowing local law enforcement to prosecute sexual assault incidents on the USMMA campus. As noted in a July 2021 House Appropriations Committee report, the arrangement is not yet in place. The Committee instructed MARAD to “brief House and Senate Committees on Appropriations on its progress on a quarterly basis until the Department files a notice of jurisdictional relinquishment.”<sup>302</sup>

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<sup>299</sup> USMMA officials noted that they have addressed recommendations made in these studies but questioned whether those actions decreased SASH incidents on campus significantly.

<sup>300</sup> The “Excellence in Athletics” program aims to influence cultural change in the Academy’s Midshipmen athletes and the regiment as a whole. More than 30 Midshipmen have completed victim advocate training and are certified Victim Advocates. Another 30 Midshipmen have volunteered to participate in the Victim Advocate program. USMMA officials interpret their participation as demonstrating that Midshipmen do want to be engaged in addressing SASH on campus and that they believe they can make a difference.

<sup>301</sup> P.L. 115–232

<sup>302</sup> U.S. Congress, House, Committee on Appropriations, Departments of Transportation, and Housing and Urban Development, and Related Agencies Appropriations Bill, 2022: Report (to accompany HR 4550), 117th Cong., 1st sess. 2021, H. Rep. 117-99, 90 – 92, accessed November 8, 2021 at <https://www.congress.gov/117/crpt/hrpt99/CRPT-117hrpt99.pdf>.

## ***SASH reporting policies allow Midshipmen to decide whether they want an investigation***

Victims of sexual assault, sexual or gender-based harassment, relationship violence, stalking, and retaliation can choose whether to make a “restricted” or “unrestricted” report. An unrestricted report triggers an administrative investigation by the USMMA Department of Public Safety and, if requested, a criminal investigation conducted by federal law enforcement. Per Academy policy, only a report made to the SARC or a qualified Victim Advocate is considered restricted, meaning the victim can receive medical treatment and counseling without triggering an official investigation.<sup>303</sup> A report made to mandatory reporters, aside from the chaplain, mental health professionals, medical professionals, SAPR staff, including Victim Advocates, is automatically unrestricted. The chaplain can talk to Midshipmen on a fully confidential basis and refer them to support services, but the chaplain cannot disclose a report. An individual making either type of report has access to medical, legal, and counseling services.

## **6.2 USMMA Does Not Have Enough Information to Monitor and Improve SASH and SAPR Activities**

The true incidence of SASH is unknown, largely because not all incidents are reported. The number of filed reports suggests far fewer incidents than indicated in Biennial OPA Surveys. USMMA does not effectively track activities intended to reduce SASH or collect performance data that could be used to assess the impact and effectiveness of those activities. While officials have continued to develop the SAPR program, they have also not assessed program and policy alignment with best practices in higher education and military communities.

### ***Raw data on incidents provides conflicting information***

Every year, USMMA is required to publish an annual report on SASH and SAPR.<sup>304</sup> The report includes the number of reported incidents and whether they are restricted or unrestricted. The report is also required to include the policy, procedure, and process response to those incidents and the SAPRO’s action plan for the coming year. Every other year, the annual report includes the biennial Service Academy Gender Relations (SAGR) Survey results. The SAGR survey is conducted by the Health and Resilience (H&R) Division of the Office of People Analytics (OPA) at the Department of Defense (DoD). The survey measures, analyzes, and reports estimated prevalence rates of sexual assault and rates of sex-based military equal opportunity (MEO) violations (sexual harassment and gender discrimination).<sup>305</sup>

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<sup>303</sup> USMMA Superintendent Instruction 2018-05

<sup>304</sup> The Duncan Hunter National Defense Authorization Act (NDAA) for Fiscal Year 2009 (P.L. 110-417) requires USMMA to conduct an annual assessment “to determine the effectiveness of the policies, training, and procedures of the Academy with respect to sexual harassment and sexual violence involving Academy personnel.” USMMA has posted the six most recent annual reports, linked from a web about the SAPR program, <https://www.usmma.edu/academy-life/sexual-assault-prevention/sexual-assault-prevention-and-response-program>.

<sup>305</sup> Office of People Analytics, “2018 U.S. Merchant Marine Service Academy Gender Relations Survey: Overview Report,” April 2020. <https://apps.dtic.mil/sti/pdfs/AD1100614.pdf> pg1

## Annual reports on SASH and SAPR reveal that Midshipmen report only a fraction of SASH incidents

For over a decade, comparing SASH data reported by USMMA and data collected through student surveys reveals divergent views of the SASH climate on campus. In the survey, Midshipmen identified many more SASH complaints on and off-campus (including Sea Year) than reflected in official reports. These findings indicate that Midshipmen report far fewer incidents than they experience.

Figure 6-1. Biennial Survey and Report on SASH vs. Report on SASH at the USMMA, 2008-2019



Source: USMMA annual reports and biennial surveys and reports on SASH<sup>306</sup>

The 2018 SAGR survey<sup>307</sup> found that 10.6 percent of women reported experiencing unwanted sexual contact, down from 18.4 percent in 2016. The DoD Office of People Analytics (OPA), who conducted the survey, warned against interpreting the results as indicating a true decline. They noted that junior and senior Midshipmen experienced the 2016 Sea Year Stand Down and may have self-censored. The Sea Year Stand Down was a temporary halt to the Sea Year program for Midshipmen because of bullying, coercion, sexual harassment, and assault; see discussion in Section 6.3. Among 2018 respondents, 46 percent said the incidents occurred off-campus (33 percent in 2016), and 54 percent said the incident occurred after duty hours or over the weekend (35 percent in 2016). By contrast, as shown in Figure 6-1, only four incidents of sexual assault were reported each in 2015-16 and 2018-19.

Midshipmen report relatively few SASH incidents for many of the same reasons they are reluctant to seek mental health support (discussed in Chapter 5). Several Midshipmen talked about the lack of privacy, confidentiality, an understanding of the SASH reporting process, and the long process

<sup>306</sup> U.S. Merchant Marine Academy, “2008–2009 Academic Year Annual Report and 2009–2010 Academic Year Biennial Survey and Report on Sexual Harassment and Sexual Assault at the United States Merchant Marine Academy” November 4, 2011, <http://kingspointsenry.com/documents/2008-09%20AR%20and%202009-10%20biennial%20survey.pdf>.

<sup>307</sup> U.S. Merchant Marine Academy, “2018-2019 Academic Program Year Annual Report to Congress on Sexual Harassment and Sexual Assault at the U.S. Merchant Marine Academy,” transmitted to MARAD on September 2, 2020. section 3.

for adjudication. One told the Study Team, “We call it the Kings Point rumor mill. People are bored and will take the slightest information and turn it into something that it’s not.” Another Midshipman said that “Even if the people involved sign non-disclosure agreements, we still hear about it at some point. It makes us think twice about reporting it because we don’t want people gossiping about it.”

A related concern is the fear of retaliation. One Midshipman noted that “I think that once someone says something, they tend to be ostracized... The way people are groomed over the 3-4 years they’re here, it becomes a way of life.” USMMA is supposed to take steps to reduce retaliation. The 2018 NDAA<sup>308</sup> required USMMA to “implement and maintain a plan to combat retaliation against cadets at USMMA and other Academy personnel who report sexual harassment, dating violence, domestic violence, sexual assault, or stalking.”<sup>309</sup> USMMA developed a plan to combat retaliation among Midshipmen,<sup>310</sup> committing to create a four-year training program. According to the most recent annual SASH report, training called for in the 2018 policies had not been offered “consistently” due to position vacancies. The COVID-19 pandemic further delayed implementation. During the 2020-2021 academic year, fourth-class students (freshmen) received retaliation training.

Another obstacle is the perception that filing a report is not worth the effort; “Not a lot of people want to report. They see it as more of a burden that they know a lot more work will be required once they start a report process.” When alcohol is involved, students may not want to risk disciplinary action. One Midshipman said, “There’s a drinking culture on campus. People are afraid of reporting and getting in trouble for underage or prohibited drinking. This keeps them from accessing resources.” Academy policy allows that if, for example, a Midshipman was underage drinking and was sexually assaulted, discipline for the underage drinking is not pursued. The rationale is that it is more important to the Academy to report the sexual assault and receive help.

Victim-blaming has had a chilling effect; “I know numerous females who have reported their stories, whether on campus or out at sea, and most of the time they are swept under the rug. They always ask them what you were doing or wearing. They try to make the victim responsible for what happened to them when they aren’t responsible for what happened to them.” During the May 2021 site visit, one Academy official suggested that some Midshipmen can’t tell the difference between harassment, bullying, and the hierarchy on a ship, and perhaps they need to toughen up.

This input from Midshipmen is consistent with the most recent published results of the SAGR survey, as summarized in the FY 2018-2019 annual report.<sup>311</sup> Roughly half of the Midshipmen

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<sup>308</sup> P.L. 115-91

<sup>309</sup> 46 U.S. Code § 51318(b)(2)

<sup>310</sup> USMMA responded with Superintendent Instruction 2018-06 (Reporting, Investigating, and Resolving Complaints of Retaliation Against Midshipmen (May 31, 2018)), establishing a five-part plan to promote cultural change, education, and continual evaluation of leadership and overall efforts to combat retaliation at USMMA.” The first four parts of the plan are procedural, related to messaging, availability of related 2018 policies (Superintendent Instruction 2018-04, Sexual Assault, Sexual or Gender-Based Harassment, Relationship Violence, Stalking, and Retaliation Policy (May 31, 2018),) and procedures, and a commitment to update the plan as necessary. Part 5 directs the SAPRO to develop, implement and assess the effectiveness of a four-year training program for Midshipmen.

<sup>311</sup> USMMA, 2018-2019 Annual SASH Report to Congress.

enrolled at USMMA at the time of the FY 2018-19 SAGR survey were still at USMMA during the study period of this report.



**Recommendation 6.1: Implement and assess the effectiveness of the Academy’s four-year training program to combat retaliation among Midshipmen and make necessary adjustments.**

### ***The effectiveness of programming is unknown***

A culture audit was conducted by LMI and released in December 2016. This audit provided a snapshot of where USMMA was at the time. To the extent that the Academy has made any progress, that report is out of date.

Collecting and presenting data is a necessary first step, but assessment would use the data to create insight on effectiveness and the drivers of outcomes. Despite the requirement for annual “assessment” of the SAPR program,<sup>312</sup> USMMA does little more than report survey data and list activities. For instance, the most recent annual report listed several offerings of “Bystander Intervention,” each with estimated participation figures. A count of attendees was not taken, and no attempt was made to ensure that all students attended the required sessions. The report does not describe any assessment of learning that could help officials understand if the program was effective in teaching Midshipmen the desired behaviors.

An immediate evaluation of the SAPR program would benefit the program, program staff, and the USMMA community. These benefits include:

- Measuring the progress of prevention initiatives that are created to reduce sexual violence in USMMA’s learning community
- Evaluating how well the program’s interventions are working and which areas can be improved upon
- Through evaluation, developing a common language and narrative to help tell the story of the initiatives to Academy stakeholders
- Creating an accountability mechanism for all members of USMMA’s learning community and its stakeholders
- Building an evidence base on SASH and programs to address SASH<sup>313</sup>
- Providing insight on faculty, staff, and student understanding of issues

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<sup>312</sup> As noted above, the FY 2009 NDAA requires USMMA to conduct an annual assessment “to determine the effectiveness of the policies, training, and procedures of the Academy with respect to sexual harassment and sexual violence involving Academy personnel.”

<sup>313</sup> “While the field collectively develops an evidence-base for primary prevention of sexual violence, the best way to contribute to this effort is to design and evaluate theoretically sound programming. Having program planning and evaluation skills will assist you in participating in that process of building an evidence-base that is informed by the practice on the ground.” National Sexual Violence Resource Center, Evaluation Overview, accessed October 13, 2021, <https://www.nsvrc.org/prevention/evaluation-toolkit/s2>

Given the uniqueness of USMMA, however, both under federal law and as an undergraduate institution, the next phase of SAPR roll-out should include a culturally-based assessment of the range of SASH programs and practices available that are best suited to Academy culture and uniqueness. That assessment should be Academy-wide and include best practices for faculty, staff, leaders, and Midshipmen.

A 2018 DOT OIG audit assessed USMMA’s SAPR program alignment with Centers for Disease Control and Prevention (CDC) strategies for effective sexual violence prevention efforts on college campuses. The audit concluded that while some progress had been made, the current policies, procedures, and staffing are inadequate. The report further noted that in 2016 and 2017, seven reports were released that included SAPR-related recommendations. At the time, USMMA had addressed fewer than half of the recommendations and had missed target deadlines.<sup>314</sup>



**Recommendation 6.2: Arrange for external resources to update the comprehensive assessment of institution-wide SASH policies, programs, and performance, develop improvement plans, and create and implement a performance assessment framework.** The assessment should include an evaluation of the SAPR Program. As needed, improvement plans should be developed to align internal policies, incorporate new SASH requirements, and identify and align best practice SASH programs and practices with the values, mission, and culture of USMMA, including appropriate assessment and accountability measures. Use external resources.



### **6.3 The Policies and Legal Framework Protecting Midshipmen Are Minimal**

USMMA is exempt from Title IX and is also not subject to the Uniform Code of Military Justice (UCMJ), and DOT does not have a SAPRO or SAPR Program. Although USMMA is required to adopt and implement policies equivalent to Title IX, it uses its own procedures.

In 2012, the Academy hired a SARC who was instrumental in setting up a SAPR program with substantial management input. The SAPR program was substantially reorganized in 2017. The SARC position has been vacant periodically and often for extended periods. USMMA’s efforts to effectively address SASH and create a safe learning environment for all community members are evolving. DOT OIG audits initiated in 2013 and 2017 (released in 2014 and 2018) recommended measures to close gaps in policy and implementation.

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<sup>314</sup> The seven reports contained 138 recommendations (some duplicates), including some necessary to maintain its accreditation. At that time, USMMA had addressed 62 (45 percent) of those recommendations. Among the uncompleted recommendations were 40 that had target completion dates that had passed. Department of Transportation Office of Inspector General, “Gaps in USMMA’s Sexual Assault Prevention and Response Program Limit Its Effectiveness,” no. ST2018039 (March 28, 2018): 39.

## ***USMMA does not receive adequate oversight and support from MARAD***

Neither MARAD nor DOT has structures in place to provide adequate oversight and support of USMMA SASH operations. As the highest-ranking SASH official at MARAD and DOT, the SARC functions in isolation, subject to little oversight or accountability. This lack of operational oversight presents a problem as the regulatory policies and procedures for USMMA related to SASH are complex and difficult to navigate. Without ongoing and continuous guidance and accountability for SASH programs, USMMA lacks the necessary safety nets, protections, and accountability measures to ensure a safe learning and training environment for Midshipmen.

A MARAD official said they only get involved in USMMA's SASH operations when a legal issue arises. According to MARAD documents, the SARC reports to the Superintendent, with concurrent reporting responsibility to the MARAD Executive Director "on matters relating to MARAD and Department-level Sexual Assault Prevention and Response Office (SAPRO) policy and improper management and conflicts of interest by Academy leadership on SAPRO matters." The SARC also "coordinate[s] with the MARAD Office of Civil Rights as an expert on all sexual harassment prevention matters to ensure consistency with MARAD and Department of Transportation policies and procedures."<sup>315</sup> In practice, there is a minimal reporting or coordinating relationship between SAPRO and the MARAD OCR. As discussed in Chapter 9, the responsibility for MARAD counterparts to provide support, oversight, or guidance is not spelled out. The situation described in a 2014 OIG report seems little changed:

"A lack of clear oversight authority and responsibility undermine USMMA's efforts to address sexual assault and harassment. To date, OST [the Office of the Secretary of Transportation] has not designated authority or assigned responsibility for overseeing USMMA's SAPR program and for ensuring compliance with legislative requirements. Specifically, it has not delineated the SAPR program elements that are to be managed at the Department level and those that are to be managed by MARAD or USMMA. In addition, MARAD has not established clear lines of reporting or training requirements for key positions related to USMMA's sexual assault and harassment prevention programs. Ultimately, there is no clear accountability for addressing and correcting program weaknesses."<sup>316</sup>

USMMA staff has little access to external guidance, support, input on best practices, or resources. MARAD does not take an active role in ensuring the success of the program. Moreover, while the DoD SAPRO provides guidance on policy and training to the three DoD service academies, DOT does not have an equivalent office or support services.<sup>317</sup>

Yet, guidance, oversight, and accountability from a parent organization informed by best practices are critical to the success of a SAPR program. The larger body ensures that the institutional policies that govern the organization's program are up to date on best practices. When

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<sup>315</sup> Maritime Administrative Orders (MAO) 150-001-0 (September 8, 2020)

<sup>316</sup> "Better Program Management and Oversight are Required for USMMA's Efforts to Address Sexual Assault and Harassment," October 23, 2014.

<sup>317</sup> DOT OIG, 2018, 8.

coordinators at the academic institution need guidance, require additional support or resources, or require additional training, the parent organization should be an available resource to assist the coordinator, student, leaders, and the greater program. Further, the parent organization also creates accountability mechanisms to maintain the efficacy of SASH programs. This important relationship between policy and practice does not exist between MARAD, DOT, and USMMA, creating a critical gap in USMMA's SAPR program.



**Recommendation 6.3: DOT should actively oversee, support, and take responsibility for the effectiveness of the USMMA SAPRO policies and programs.**

### ***The Sexual Assault Prevention and Response (SAPR) program does not have adequate capacity***

The SAPR program lacks the capacity to develop, implement, operate, and assess its policies and programs.

The experience of the SAPRO staff and Academy leaders with SASH policies and procedures aligns more closely with those of the military and UCMJ than an undergraduate institution of higher education. However, USMMA is a civilian federal agency, and the Midshipmen are not federal employees. USMMA is exempt from Title IX, aligning more closely with the regulations of federal agencies than the other federal academies. Before joining USMMA, SAPRO staff and leaders typically have had minimal to no previous experience working with college students or within a higher education environment.

Although USMMA and its SAPR program would benefit from having SASH officials with knowledge and experience in a higher education environment, USMMA officials noted that government practices could make hiring candidates with such backgrounds difficult. For example, a veteran with experience designing and implementing a SASH program would have priority in the hiring process over a non-veteran with legitimate experience running a SASH program at an institution of higher education.

While giving preference to veterans is a matter of public policy and must be followed, the federal hiring process also has flexibilities that can be used under certain circumstances to help agencies further veterans' preference and other important public policy goals while hiring highly qualified applicants. Depending on the position, they include, for example: strategic, creative, and focused recruitment efforts; and, with appropriate approval, developing unique qualification standards or modifying existing Office of Personnel Management standards to meet agency-specific needs, and using hiring authorities and other mechanisms available to help agencies hire for hard-to-fill positions. Agencies must also use effective assessment practices to screen candidates and screening officials who understand the position's requirements. As noted above in Chapter 3, screening officials may not be familiar with the unique requirements of the position.



**Recommendation 6.4: Increase the capacity of the SAPRO office by adding a staff member with significant experience in designing and implementing SASH programs at an undergraduate institution of higher education.** To help improve USMMA’s ability to hire candidates with such backgrounds, USMMA, in conjunction with MARAD, should, as appropriate, use innovative and aggressive recruiting strategies and vacancy announcements; effective candidate assessment methods, and screening officials who understand the position requirements; as well as explore the use of existing hiring flexibilities including unique qualification standards, Direct Hire Authority (for competitive service positions), special pay rates, and other mechanisms as appropriate.

***Federal policies provide inadequate guidance and authority for SASH program requirements and enforcement at USMMA***

Many SASH policies apply to USMMA, but two key provisions—Title IX and UCMJ—do not. Table 6-1 summarizes these laws.

*Table 6-1. Policies related to SASH at USMMA*

<b>Policy</b>	<b>Description</b>	<b>Applicable to USMMA</b>
<b>Title IX</b>	Title IX is a federal civil rights law that prohibits sex-based discrimination in any school or other education program that receives federal money.	Not Applicable
<b>Uniform Code of Military Justice</b>	The Uniform Code of Military Justice, or UCMJ, is the legal framework that governs all members of the United States military.	Not Applicable
<b>Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act</b>	The Clery Act provides transparency around campus crime policy and statistics.	Applicable
<b>Campus SaVE Act</b>	An amendment to the Clery Act requires campuses to provide annual statistics on incidents of campus crimes, including sexual assaults occurring on campus and reported to campus authorities or local police.	Applicable
<b>National Collegiate Athletic Association (NCAA) Policy on Campus Sexual Violence</b>	NCAA Board of Governors, the Association’s top governing body, established policies for NCAA member schools to address sexual violence on their campuses.	Applicable
<b>Family Educational Rights and Privacy Act (FERPA)</b>	FERPA protects the privacy of student education records. The law applies to all schools that receive funds under an applicable program of the U.S. Department of Education.	Applicable
<b>Executive Order 13160</b>	Nondiscrimination on the Basis of Race, Sex, Color, National Origin, Disability, Religion, Age, Sexual Orientation, and Status as a Parent in Federally Conducted Education and Training Programs.	Applicable

*Source: National Academy of Public Administration*

## **Title IX and the Uniform Code of Military Justice**

Like the other four service academies, USMMA is exempt<sup>318</sup> from the federal civil rights law that bans gender discrimination, including sexual violence, in schools that receive federal funding, often referred to as Title IX.<sup>319</sup> In 2017, U.S. Senator Kirsten Gillibrand and U.S. Representative Tom Suozzi introduced a bill to make USMMA subject to Title IX.<sup>320</sup> The FY 2018 NDAA<sup>321</sup> required USMMA to adopt policies similar to those required by Title IX but did not make USMMA subject to Title IX. To implement the FY 2018 NDAA requirements, USMMA issued an updated Superintendent Instruction (2018-04) *Sexual Assault, Sexual or Gender-based Harassment, Relationship Violence, Stalking, and Retaliation Policy* and Superintendent Instruction 2018-07 *Midshipman Regulations*.

Unlike the other four federal service academies, USMMA is also not subject to the UCMJ.<sup>322</sup> The FY19 NDAA<sup>323</sup> required MARAD to study impediments to making USMMA subject to the UCMJ. The report concluded that under current law, “for the UCMJ to apply to USMMA Midshipmen and employees, Congress would need to require them to be in an active-duty status while attending or working at the USMMA, and Congress would need to assimilate the USMMA into the Armed Forces with a military command structure..., including pay and benefits attached to such status, and would require changes to be made to the USMMA’s operation and control. Making such changes could have far-reaching effects on the administration, nature, and character of the USMMA, and long-held and accepted conceptions of the U.S. Merchant Marine.”<sup>324</sup>

## **Executive Order 13160: Nondiscrimination on the Basis of Race, Sex, Color, National Origin, Disability, Religion, Age, Sexual Orientation, and Status as a Parent in Federally Conducted Education and Training Programs**

Executive Order (EO) 13160, issued in 2000, requires the inclusion of sex as a basis of non-discrimination in federally conducted education and training programs. This is a key feature of Title IX, but the EO does not confer a private right of action to enforce the order.<sup>325</sup>

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<sup>318</sup> 20 U.S. Code § 1681(a)(4)

<sup>319</sup> Title IX of the Education Amendments Act of 1972 is a federal law that states: “No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance.”

<sup>320</sup> “Gillibrand, Suozzi Introduce New Legislation to Legally Require U.S. Merchant Marine Academy to Address Sexual Assault of Midshipmen,” July 6, 2017, <https://www.gillibrand.senate.gov/news/press/release/gillibrand-suozzi-introduce-new-legislation-to-legally-require-us-merchant-marine-academy-to-address-sexual-assault-of-midshipmen>

<sup>321</sup> P.L. 115-91

<sup>322</sup> The UCMJ is a set of federal rules defining the military’s justice system and criminal offenses under military law. Midshipmen and cadets at the federal military academies are subject to UCMJ by statute, 10 U.S. Code § 802(a)(1).

<sup>323</sup> P.L. 115-232

<sup>324</sup> “Impediments to the Application of the Uniform Code of Military Justice at the United States Merchant Marine Academy,” U.S. Department of Transportation, Maritime Administration, March 2020.

<sup>325</sup> “Executive Order 13160 of June 18, 2001, Nondiscrimination on the Basis of Race, Sex, Color, National Origin, Disability, Religion, Age, Sexual Orientation, and Status as a Parent in Federally Conducted Education and Training Programs,” Code of Federal Regulations, 66 FR 5397 (2000): 5397-5410,

Compliance with this EO is multi-faceted.

- Midshipman Regulations prohibit Midshipmen from engaging in discrimination on or off-campus, including Sea Year.
- Midshipmen facing discrimination or harassment from faculty or staff have several options. Even though they are not employees, they can report it to the Equal Employment Opportunity (EEO) Director and receive recourse through the EEO system.<sup>326</sup>
- Midshipmen who are victims of sexual assault, sexual or gender-based harassment, relationship violence, stalking, or retaliation can make a restricted or unrestricted report (see Section 6.1) regardless of the perpetrator's status, i.e., faculty, staff, or student. A Midshipman making a restricted report can receive services without triggering an investigation. If a Midshipman makes an unrestricted report, the SAPRO should refer it to the proper office, which may be EEO or HR, depending on the nature of the complaint. The student is still able to receive services from SAPRO.
- Faculty or staff who engage in prohibited activities—sexual assault, sexual or gender-based harassment, relationship violence, stalking, sexual exploitation, failure to obtain consent, retaliation, or ostracism—are subject to disciplinary action, up to and including termination.<sup>327</sup> Like all federal employees, Academy faculty and staff are protected from discrimination through EEO regulations.

### **The Jeanne Clery Disclosure of Campus Security and Campus Crime Statistics Act**

USMMA must comply with the Clery Act<sup>328</sup>, which requires universities and colleges to publicly disclose incidents of sexual violence, including a daily campus crime log, an annual report of campus crime statistics, and a record of timely issuance of warnings. Amendments in 2013<sup>329</sup> added statistics of dating violence, stalking, harassment, and hazing. USMMA prepares an annual report to comply with this law.

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<https://www.federalregister.gov/documents/2001/01/18/01-1494/executive-order-13160-guidance-document-ensuring-equal-opportunity-in-federally-conducted-education>

<sup>326</sup> A 2016 culture audit came to the opposite conclusion, stating that Midshipmen are not protected from the discriminatory actions of faculty or staff and have no formal recourse through federal civil rights channels “Department of Transportation U.S. Merchant Marine Academy Culture Audit: Deliverable 4,” LMI (December 2016), 3-29.

<sup>327</sup> Superintendent’s Instruction 2018-04.

<sup>328</sup> The Jeanne Clery Disclosure of Campus Security and Campus Crime Statistics Act (now known as the “Clery Act”) was enacted in 1990 after ineffective campus security policies led to the rape and murder of a young female student at Lehigh University in Bethlehem, Pennsylvania. The Clery Act requires universities and colleges to publicly disclose incidents of sexual violence, including a daily campus crime log, an annual report of campus crime statistics, and a record of timely issuance of warnings. Public Law 101-542, <https://repository.law.umich.edu/cgi/viewcontent.cgi?article=1213&context=mjgl>

<sup>329</sup> The Clery Act was expanded in the Campus SaVE (Sexual Violence Elimination) Act in 2013 (a reauthorization of the Violence Against Women Act (VAWA)); Public Law 113-4.

## **Family Educational Rights and Privacy Act**

Further, USMMA falls under the Family Educational Rights and Privacy Act (FERPA).<sup>330</sup> Under FERPA, there are limits to disclosing student information, including disclosing discipline imposed against a student. For example, USMMA could not provide a list to the student body of students who have violated SASH policies and the disciplines imposed as a method of deterrence. In addition, using a pseudonym instead of a student's name is not sufficient to avoid liability if other information is provided that would allow one to discern the student's identity.

## **NCAA Policy on Campus Sexual Violence**

USMMA participates in the National Collegiate Athletic Association (NCAA) Division III sports. The NCAA Board of Governors passed the Policy on Campus Sexual Violence in August 2017. To participate in NCAA sports, schools must attest to compliance annually.<sup>331</sup> The policy requires the athletics department to adopt the school's policies for sexual violence prevention, training for staff and athletes, and disclosure of any proceedings or convictions of athletes for "sexual, interpersonal or other acts of violence."<sup>332</sup>

Unlike the other federal service academies, USMMA must comply with NCAA laws, regulations, and protocols. Like many previous policies and regulations, they apply to USMMA's Midshipmen because Midshipmen are eligible to receive federal financial aid. Students at the other federal service academies are salaried employees and ineligible for federal financial aid.

## **Applicability to Sea Year**

When Midshipmen go on Sea Year, they are considered "employees" of the shipping company and are governed by the shipping companies' policies. Otherwise, all other Midshipmen regulations are applicable during Sea Year. Midshipmen Regulations prohibit harassment, retaliation, sexual assault, sexual or gender-based harassment, relationship violence, stalking, or sexual exploitation. FERPA and NCAA rules also apply.

## ***Sea Year protections are limited***

As discussed in Chapter 3, Sea Year is considered the unique and crucial component of the education and training at USMMA by Academy leaders and alumni. Midshipmen learn on-the-job skills in a marine environment under normal work conditions, guided by practical and academic requirements. Most significantly, Sea Year provides the substantial time at sea necessary for Midshipmen to be eligible for a USCG license, a hallmark of the USMMA program. Contrary to its name, Sea Year is not a single year-long experience, but two terms at sea, one during the Midshipmen's second year at USMMA and the other during their third year. Once aboard a ship, Midshipmen function as employees of the merchant company providing the billet

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<sup>330</sup> 20 U.S. Code § 1232g; 34 C.F.R. Part 99

<sup>331</sup> "NCAA Board of Governors Policy on Campus Sexual Violence," National Collegiate Athletic Association, Revised April 27, 2021.

<sup>332</sup> Ibid.

and are subject to their employers' SASH policies. The 2018-2019 Biennial Report noted that 22 companies and the U.S. Navy hosted Sea Year Midshipmen on their ships.<sup>333</sup>

### **Several initiatives were taken in response to the 2016 Sea Year Stand Down**

In 2016, USMMA instituted a "Sea Year Stand Down," a temporary halt to the Sea Year program for Midshipmen, because "incidents of bullying, coercion, sexual harassment, and assault continued despite consistent efforts by the Department of Transportation, the Maritime Administration, and the [school] to address these issues."<sup>334</sup> In follow-up, DOT ordered an independent study of SASH issues at USMMA. "By bringing in outside experts experienced in examining and assessing an organization and its culture to look at USMMA, [the Secretary of Transportation] intends to find a way forward to correct these serious issues."<sup>335</sup> A culture audit was prepared by LMI and released in December 2016. It noted the findings of the 2013-14 SAGR survey that

"63 percent of women respondents indicated experiencing sexual harassment or similar behaviors, and 17 percent of women respondents indicated that they had experienced sexual assault in the previous year. These numbers for sexual harassment are almost one-third higher than the military service academies' average of the same statistic, 48 percent, and these numbers for sexual assault are double the 8 percent military service academies' average proportion. In addition, 11 of 162 interviewees indicated they had experienced sexual assault or sexual harassment while at USMMA or during Sea Year.

"Although USMMA has taken actions to address sexual assault and sexual harassment, the underlying climate contributing to these issues remains. This climate has been shaped by the strong cultural influences of the military and the maritime industry. While these dual influences have helped to enable an Academy culture focused on service, self-sacrifice, self-reliance, discipline, and teamwork, they also have caused a split identity at USMMA. As a result, Midshipmen straddle between the regiment and limited oversight at sea."<sup>336</sup>

After the Sea Year Stand Down, policies were created to foster a safer experience at sea. USMMA developed a Sea Year training program and provided all Midshipmen at sea with personal satellite communication devices. The satellite communication devices are intended to provide a reliable mechanism to monitor the welfare of Midshipmen at sea and, if the need arises, to quickly remove a Midshipman from a ship.

Another policy initiative was the establishment of a vetting process for ships and shipping companies. Working with the shipping companies and with the advice of the Civil Rights Office, attorneys, and a SASH consultant, MARAD and DOT leaders developed a process in 2016 that later became the Shipboard Climate Compliance Team (SCCT) Sea Year Eligibility (SYE)

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<sup>333</sup> USMMA, 2018-2019 Annual SASH Report.

<sup>334</sup> At the time this report was being finalized in November 2021, Sea Year was again put on "pause" while officials respond to allegations of additional sexual assaults on Midshipmen while afloat.

<sup>335</sup> Michael Novak, DOT spokesperson, as quoted in Lisa Rein, "'Transformational change' needed to address sexual misconduct at Merchant Marine academy, Obama official Says." Washington Post, September 2, 2016.

<sup>336</sup> U.S. Merchant Marine Academy Culture Audit: Deliverable 4, LMI, 2016, iv.

Requirements.<sup>337</sup> MARAD updates SYE requirements periodically to reflect changes made by Congress, address USMMA suggestions to clarify language and streamline the process, and respond to concerns of maritime labor unions in terms of assigning responsibilities outside of the collective bargaining agreements. The current version was issued in March 2020.<sup>338</sup>

The overall message of these requirements is that while the company and ship must ensure that its crew is aware of company policies and procedures on SASH, Midshipmen while on that ship are subject only to the protections and processes afforded and enforced by the company. The SCCT requirements do not offer legal protections, but they require the shipping companies to provide transparency on their internal and external policies and procedures.<sup>339</sup> To establish eligibility, companies certify compliance with requirements, and MARAD reviews company policies.<sup>340</sup> They are required to submit all relevant company policies, such as reporting and investigation procedures and policies governing confidentiality, anti-retaliation, and enforcement. They also must ensure that SASH policies and procedures are part of their training for the crew in preparation for receiving Midshipmen.

Another requirement is for ships to designate an officer as the primary point of contact whom cadets could approach with any SASH issues. An earlier version of the SCCT requirements stipulated that this point of contact certify that they do not have any past or pending sexual harassment complaints and prior sexual assault violations. According to MARAD, this self-attestation was removed because it was assumed that no one would admit to failing this criterion, hence providing a false sense of security.

Ships are also required to designate an on-board supervisor for each Midshipman. Originally, the requirement was for a “mentor.” Objections focused on the lack of training for ships’ officers as mentors. Instead, Midshipmen can use satellite communication devices to maintain contact with their campus mentors while at sea. However, some Midshipmen said they were strongly discouraged from using the devices, having been told to reserve them for extreme situations.

SCCT requirements also provide that “at least once every two years Academy Training Representatives (ATR)s or MARAD will visit not less than 10 percent of all commercial ships”<sup>341</sup> to see if requirements are implemented. At this rate, assuming no change in participating ships, it would take 20 years for ATRs to visit all ships. A MARAD official noted that the requirements do not preclude additional visits. In any two-year cycle, the requirement does not specify if ships must be from different companies, leaving the decision to the ATR and MARAD.

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<sup>337</sup> The FY 2017 National Defense Authorization Act (P.L. 114-328) subsequently mandated creation of the SCCT requirements.

<sup>338</sup> Maritime Administration, “Shipboard Climate Compliance Team Sea Year Eligibility Requirements,” version 4, March 16, 2020.

<sup>339</sup> Interviewees said some that shipping companies had declined to participate in Sea Year because of the heightened requirements. All ships receiving a stipend through the Maritime Security Program (MSP) are required by statute to take two USMMA Midshipmen, if available, on each voyage. According to MARAD officials, all MSP ships are meeting this requirement at present.

<sup>340</sup> “Summary of Sea Year Criteria,” U.S. Maritime Administration, accessed October 13, 2021, <https://www.maritime.dot.gov/outreach/summary-sea-year-criteria>

<sup>341</sup> According to USMMA, ATRs were able to visit two ships from a single company in February 2020. The COVID-19 pandemic disrupted the program and as of August 2021, visits have not yet resumed.

## **Sea Year Eligibility requirements might not be an adequate mechanism to protect Midshipmen**

SCCT requirements do not offer key legal protections. For example, requirements do not address

- confidentiality for SASH victims
- medical treatment, if needed
- assignment of an advocate or representative for a SASH victim
- right to due process
- victim's choice whether to initiate an investigation
- reporting SASH incidents to MARAD
- victim's ability to leave the ship as soon as possible

Further, SYE requirements do not establish minimum standards for any of the policies and procedures that shipping companies must submit. A MARAD official explained that the administration cannot set minimum standards because it does not have regulatory authority. If it is true that the SCCT eligibility requirements are as rigorous as MARAD's regulatory authority will allow, then a substantial gap exists in legal protections for Midshipmen, and another mechanism to ensure their safety must be created.

One major shortcoming of the current regime is that shipping companies are not required to ensure Midshipmen are informed of and fully understand their policies and procedures and how they might differ from USMMA policies and procedures. Midshipmen are also not informed of their rights and protections under company policies and procedures before boarding the ship. In fact, USMMA encourages Sea Year Midshipmen to look up the ship company's SASH policies and processes independently. USMMA created a database of company policies that is available to the Midshipmen.<sup>342</sup>

### **Greater protections exist for SASH victims on passenger vessels**

MARAD's efforts to certify the eligibility of both commercial maritime companies and U.S. government-owned ships based upon their SASH policies, procedures, and training is a step in the right direction. However, the eligibility requirements that the SCCT established are inconsistent with federal statutory requirements for other types of maritime companies, especially related to requirements to ensure safety, security, and health at sea.

While cargo and shipping vessels are not subject to this law, there is precedent for better protections and care for SASH victims at sea in 46 U.S. Code §3507: Passenger Vessel Security and Safety Requirements. The USCG enforces this statute for passenger vessels, such as cruise ships. Among other requirements, it requires confidentiality for sexual assault victims and a requirement that confidentiality can only be waived through the victim's written consent. The exception is for authorized investigations of a SASH incident. It also requires that all such ships have the verifiable capabilities to respond to the injuries or the consequences of sexual assault, e.g., to provide initial medical support, and to ensure that victims have access to rape examinations in a timely manner if they wish to report an assault to law enforcement. This

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<sup>342</sup> USMMA, 2018-2019 Annual SASH Report.

includes when the ships are in international waters since it is about vessel security and safety.<sup>343</sup> Appendix P contains the provisions on SASH in 46 U.S. Code §3507.

Midshipmen are also not afforded the statutory and regulatory protections afforded military students by the UCMJ and other DoD policies. Different mechanisms may be possible to bridge those gaps, such as Memoranda of Agreements or Understanding, or formal education and training partnerships in which the terms and requirements can be defined.



**Recommendation 6.5: Under the auspices of the Secretary of Transportation’s Task Force on USMMA Governance and Culture, USMMA and MARAD should jointly assess the feasibility of other models and mechanisms for delivering Sea Year in which minimum standards for Midshipmen’s security, safety, and well-being are required, including public-private partnerships and memoranda of agreements with commercial maritime companies.**



**Recommendation 6.6: MARAD, in conjunction with the U.S. Coast Guard, should undertake an immediate review of legal, statutory, regulatory, and licensing authorities governing or protecting the safety and security of students at sea serving on U.S.-flagged vessels under the auspices of a federally funded program.** The review should encompass vessels in U.S. territorial waters, international waters, and other nations' territorial waters and ports. It also should include determining the statutory, regulatory, licensing, and legal remedies available to: students injured, assaulted, bullied, or harassed; the sponsoring federal or state agency; and federal maritime law enforcement and regulatory agencies. Recommendations also should be made on improving the transparency of existing legal, statutory, regulatory, and licensing authorities; remediating gaps in existing authorities; identifying options for enhancing and expanding the statutory, legal, and regulatory protections of U.S. students at sea on U.S.-flagged vessels under a federally funded program; and options for improving the oversight and accountability of federally funded students at sea programs.

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<sup>343</sup> In a 2014, GAO reported that although cruise lines had made progress in complying with these requirements, enacted as part of the 2010 Cruise Vessel Security and Safety Act (CVSSA), crime reporting was limited in three important ways. “Completeness: Not all allegations are reported, such as those where investigations are not opened. Timeliness: Crime data posted on the website may represent incidents that occurred months or years in the past because of the lag between the time an alleged crime is reported and the time a case is closed. Relevance: Data posted on the website lack context that could help the public compare cruise vessel crime rates to land-based crime rates.” Moreover, no independent law enforcement agency has jurisdiction in international waters. Cruise ship employees carry out investigations. Moreover, in administrative and technical matters, cruise ships are bound to the jurisdiction of the country under which it is flagged. U.S. Government Accountability Office, “Passenger Security and Safety on Cruise Ships,” Accessed October 15, 2021 at <https://www.gao.gov/blog/2014/01/21/passenger-security-and-safety-on-cruise-ships>.

## 6.3 Information on SASH Is Not Readily Available on the USMMA Website

USMMA has SASH-related information on its website, but it is not easy to find.

The single page for the Sexual Assault Prevention and Response (SAPR) Program<sup>344</sup> is not linked from the home page. Instead, it is linked from the Regimental Life page. The page contains an overview and brief subsections on prevention training, resources, commitment, and a hotline. It also provides links to key SASH documents; figure 6-2 is a screenshot of the lower-left navigation bar.

USMMA is required by statute to make its policy on sexual harassment, dating violence, domestic violence, sexual assault, and stalking available to faculty, staff, Midshipmen, and the public.<sup>345</sup> The policy is posted on the website, but it is not easy to find, and it is not user-friendly. The first link on the lower-left navigation bar goes to another page with a link to “SI 2018-04 SAPR Policy” and the SAPR hotline phone number. The policy describes USMMA’s compliance with requirements, but it is not a useful guide for Midshipmen. For instance, it refers to restricted and unrestricted reporting on page 2 in the context of the SAPRO Director / SARC’s responsibility to ensure victims know they have a choice. The policy does not explain the options or tell Midshipmen who can take a report.<sup>346</sup> For instance, the chaplain can speak to any Midshipman confidentially, but the chaplain cannot take a report.<sup>347</sup>

The same navigation bar contains links to seven Congressionally required SASH reports. Each report in the series has a different name, and no explanation

*Figure 6-2. USMMA Links to Annual Required SASH Reports with Multiple Names*

### Related Links

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- [Sexual Assault, Dating Violence, Domestic Violence, Stalking, Prevention educat...](#)
- [Preliminary 2017-2018 USMMA SASH Report](#)
- [Final 2015-2016 Academic Year Biennial Survey and Report on Sexual Harassment a...](#)
- [2016-2017 Academic Program Year Annual Report on Sexual Harassment and Sexual A...](#)
- [Alcohol Policy](#)
- [Final 2013- 2014 Sexual Assault and Sexual Harassment Report to Congress](#)
- [Final Signed 2018-2019 Sexual Harassment Report](#)

### Related Documents

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- [Final 2014–2015Academic Program Year Annual Report on Sexual Harassment and Sexual Assault at the United States Merchant Marine Academy](#)

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<sup>344</sup>, “Sexual Assault Prevention and Response Program,” U.S. Merchant Marine Academy accessed September 3, 2021, <https://www.usmma.edu/academy-life/sexual-assault-prevention/sexual-assault-prevention-and-response-program>.

<sup>345</sup> 46 U.S. Code § 51318(a)(4).

<sup>346</sup> Superintendent’s Instruction 2018-04, May 31, 2018.

<sup>347</sup> USMMA officials advised that SASH standard operating procedures (SOPs) appear in 12 separate internal documents and are not organized in a user-friendly fashion. Some Midshipmen shared that they were aware of policies because they were trained as Victim Advocates. Others said that because they had a relationship with SAPRO officers, they were comfortable reaching out with questions. Not all Midshipmen have this level of access.

or context is given. Technically, these reports are publicly available, but a visitor to the website would have to know where to look.

The Clery Act requires colleges and universities to provide information on security policies and procedures, statistics on criminal incidents, arrests, and disciplinary referrals to students and employees. They are also required to make the information and statistics available to prospective students and employees upon request. According to a campus official, the campus community is notified each year when the new Annual Security & Fire Safety Report is available and is given the web address at which the report can be accessed and read.<sup>348</sup> Although the report is posted, it can only be found on the USMMA website by searching for the title or following several links. From the home page, a user must go to the “About” page, then “Leadership,” then “Deputy Superintendent,” then “Public Safety.”



**Recommendation 6.7: Centralize, update, align, and communicate Academy-wide all SASH-related policies and procedures regularly.**

- **Train all Midshipmen, faculty, and staff in SASH policies and procedures.**
- **Communicate SASH updates and progress with the USMMA community and other stakeholders, especially at the beginning of every academic year.**
- **Continuously maintain and communicate senior leaders’ commitment to zero tolerance of SASH and other forms of discrimination and violence inconsistent with USMMA values and professionalism which undermine a safe and effective learning environment.**

## **6.4 Conclusion**

USMMA and MARAD implemented new policies, procedures, and programs in recent years, including during Sea Year, to address SASH. However, their effectiveness in reducing SASH incidents and protecting and treating SASH victims has not been measured. That progress must be considered only the first step in preventing and addressing SASH at USMMA.

Results of the annual SAGR survey show that many incidents are not reported. SASH programs and Academy-wide training are still under development, and effectiveness is unknown. The Academy community as a whole has yet to embrace the idea that zero tolerance of SASH within the community is and should be a reachable goal. As evidenced during the site visit by Panel and

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<sup>348</sup> The Clery Act is a federal law that requires colleges to report crimes that occur “on campus” and school safety policies which also includes the Campus Sexual Assault Victim’s Bill of Rights, which requires colleges to disclose educational programming, campus disciplinary process, and victim rights regarding sexual violence complaints. The Clery Act was expanded in 2013 by the Campus SaVE Act, which broadened Clery requirements to address all incidents of sexual violence (sexual assault, domestic violence, dating violence and stalking. The Clery Act also requires institutions with on-campus housing to publish an annual fire report and submit crime data directly to the Department of Education.

Study Team members, even the differences between SASH, bullying, and “boys will be boys” behaviors are inconsistently understood.

USMMA's values of Respect, Honor, and Service are the foundations for effectively addressing SASH on its campus. The recommendations in this chapter are designed to move USMMA from compliance to a collective understanding of how SASH undermines its values and in which there is zero tolerance of SASH.

## Chapter 7: External Stakeholder Engagement

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### Overview

**This chapter focuses on key practices that USMMA can adopt to better align stakeholder engagement for effective outcomes.** Engagement with external stakeholders plays a critical role in USMMA's relationship with the Marine Transportation System, maritime industries, and the military.

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### Steps to Modernization

**USMMA needs to strengthen its ongoing stakeholder engagement efforts to achieve its mission more effectively in the future.**

**USMMA needs to systematize and institutionalize its approach to external stakeholder relations and create a formal robust stakeholder engagement plan.** Adopting and implementing the nine key practices in stakeholder engagement is essential for effective stakeholder engagement.

**USMMA and MARAD require greater coordination and a stronger relationship.** Improved formal two-way communication will provide greater efficacy, engagement, and support for USMMA.

**USMMA should build a repository of information from engagement with stakeholders.** Documentation of engagement would allow USMMA to learn more about their target stakeholders and better inform decision making over the short and long term.

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### External Stakeholders Challenges

**USMMA has a broad range of stakeholders but no process to systematically approach engagement.** USMMA has a diverse set of active stakeholders across 11 independent groups, and the lack of coordination creates uncertainty.

**Relationships with stakeholders are largely personal rather than institutional.** While personal interactions are useful, without a strategic engagement plan, the engagements are anecdotal.

**Insufficient funding and resources for stakeholder engagement is a major contributor to insufficient engagement.** In addition to informal engagement, USMMA has limited staff capacity to address strategic issues.

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### Benefits of taking action

**Effective engagement with external stakeholders is critical to achieving USMMA's mission-critical results.** Strategic and coordinated stakeholder engagement efforts will create critical pathways, relationships, and information to inform decision making in both the short and long term at USMMA.

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## 7.1 Background

Achieving USMMA’s mission-critical results requires the coordinated efforts of multiple agencies, and often one or more levels of government, as well as the private and non-profit sectors. The maritime domain in which USMMA graduates serve is fragmented across different federal and state agencies and multiple maritime industries. The extent to which USMMA prepares its graduates for service in the maritime domain immediately upon graduation and in the future as senior leaders depends directly on its ongoing relationships with its stakeholders. Maritime stakeholders provide critical information on the evolving maritime domain and technologies and the knowledge and skills essential for leaders within that domain, whether in the maritime industry or federal and state agencies.

Effective engagement with external stakeholders (i.e., entities interested in or impacted by a project or initiative) delivers more public value than when agencies act alone. The multiple perspectives, breadth of experience, and access to resources obtained by actively involving stakeholders can help USMMA to:

- Strengthen decision making by drawing on a broader array of information and perspectives
- Reduce potentially duplicative, overlapping, and fragmented efforts by sharing management expertise
- Improve risk management by helping USMMA officials weigh potential benefits and costs when making decisions
- Operate more efficiently by providing a big-picture perspective and the benefits of experience with program implementation, oversight and monitoring, information sharing, communication, and organizational capacity
- Continuously improve and refine educational and training offerings to meet the needs of the multiple stakeholders of the marine transportation system, the maritime industry, and the Armed Forces
- Understand the operating environment by taking the pulse of the private sector, public agencies, and other entities it serves and works with, identify their wants and needs and use that information to improve the institution and move it into the future

Additionally, engaged stakeholders can become “force multipliers,” helping convey important information about campus operations to outside parties and tell USMMA’s story. In short, effective stakeholder engagement is necessary for successful USMMA governance.

As one example, stakeholders could play an essential role in the facilities and infrastructure planning process. They could help USMMA better identify the industry’s current and future needs and emerging trends so that its facilities and education, training, and other efforts are relevant to and fully aligned with its multiple stakeholders’ workforce requirements.

Likewise, the military is a vital stakeholder because, as noted earlier, many USMMA graduates become active or reserve officers for the Armed Forces and provide strategic sealift capacity for military operations in times of national conflict. Effective engagement between USMMA and the military better ensures the nation has enough mariners with appropriate experience and credentials to support sustained operations during a war-time emergency.

Importantly, effective stakeholder engagement does not happen automatically. Cultivating stakeholder relationships requires formal, strategic, and intentional planning and collaboration because different organizations and sectors have varying requirements, agendas, cultures, budgets, timeframes, expectations, operating environments, and other characteristics that all need to be aligned.

## **7.2 USMMA Acknowledges the Importance of Stakeholder Engagement**

USMMA recognizes the vital role that external stakeholder engagement plays in helping it achieve its mission. The strategic plan identifies “active engagement with external entities and constituencies and successful integration of resulting input into decision making” as a critical goal under Strategic Priority 4, “Governance, Leadership, and Administration.” This includes (1) consistent implementation of a communication plan for regular, honest, and transparent engagement with external constituents and (2) the collection and integration of constituent input into USMMA’s decision-making processes. Stakeholder engagement is also mentioned in Strategic Priority 5, “Communications and Relationships,” where a key goal is to “facilitate continuous engagement with the campus community and external stakeholders necessary to achieve USMMA’s mission and goals.”

USMMA also uses stakeholder engagement to better communicate to outside groups, including local government and community groups, alumni, parents, and others, information on ongoing USMMA operations and events, student life, and other items of interest. Such communications can also help develop external advocates for USMMA’s mission and assist with its fundraising and recruiting efforts.

USMMA’s Office of External and Government Affairs is responsible for the institutional stakeholder engagement efforts. Organizationally, it is located within the immediate office of the Superintendent and is authorized three full-time equivalent positions. The Office of External and Government Affairs is also the liaison with the communication office at MARAD and DOT.

## **7.3 USMMA Collaborates with Numerous External Entities**

Because of USMMA’s unique mission and activities, its collaborative efforts are multifaceted. USMMA works with multiple organizations, reflecting its various roles and responsibilities. As a federal government unit, it needs to be responsive to its parent agency, Congress, and non-federal government entities. As a service academy, it prepares Midshipmen for a national defense role. As an institution of higher learning, it graduates students with Bachelor of Science degrees. As a training provider, it must meet the requirements of an evolving maritime domain. As such, USMMA benefits from engaging with a broad range of stakeholders.

USMMA has identified the following categories of stakeholders:

- Parents, families, friends
- Alumni
- Potential recruits and their families
- Educators

- Media
- Congress/Boards
- Affinity groups
- Midshipmen
- Organizations/Industry
- Local communities

For each category of stakeholder, USMMA has identified specific entities for outreach. For example, USMMA has included 11 parties it collaborates with for recruitment, including faculty, staff, parents, alumni, Midshipmen, admissions, Congress, and guidance counselors, among others.

USMMA has also identified the various modes of communication for each stakeholder group and its frequency with each entity. The methods of communication include, for example, text, video, social media, email, conferences, and in-person visits, while the frequency of contact varies from multiple times per week, in the case of parents, families, and friends, to annual meetings.

As an example of the extent and nature of USMMA’s outreach efforts, from November 2018 through mid-December 2019 (before the pandemic disrupted USMMA’s activities), records show that USMMA officials participated in 120 different events and activities, including 30 with professional organizations, 30 with various chapters of the National Parents Association and the USMMA Alumni Association and Foundation, 14 with Congress and various oversight boards, and 14 community outreach activities.

Compared to other federal service academies, USMMA needs to be especially rigorous in developing and leveraging its external stakeholder relationships. This is because the other academies are better resourced, have a less diverse set of stakeholders, and can also turn to their parent organizations to help them identify stakeholders, determine their needs, and act on the information provided. In concept, USMMA’s approach to external engagement possesses several key ingredients of effective collaborative governance. They include (1) identifying stakeholder engagement as a strategic priority in the current strategic plan; (2) attempting to incorporate stakeholder input into decision making; and (3) positioning the office responsible for USMMA’s stakeholder engagement within the Superintendent’s office.

In practice, however, USMMA’s current stakeholder engagement efforts do not align with its aspirations. As a result, USMMA is missing opportunities to strategically engage and benefit from its stakeholders’ perspectives, resources, and expertise in such critical operational areas as capital planning and improvements, education, training, recruiting, and external communications.

## **7.4 Stakeholders’ Satisfaction with USMMA’s Engagement Efforts Vary**

Stakeholders give USMMA mixed reviews for its outreach efforts. While some variation is expected given the number and variety of stakeholders, it also highlights unmet needs and expectations among USMMA’s key stakeholders. It underscores where USMMA needs to improve.

Several stakeholders, particularly representatives of alumni groups, said in interviews they were either very or somewhat satisfied with USMMA’s primary method of outreach and engagement, the results their organization is achieving through its collaborative efforts with USMMA, the availability/accessibility of USMMA leaders, and the ability to share their organization’s resources with USMMA or contribute in-kind products and services. As one stakeholder noted, “The current USMMA Administration continues to maintain a close working relationship with [organization], and their efforts are greatly appreciated. All involved understand the roles we each play, and the relationship is based on respect and cooperation.”

One area where several stakeholders were either somewhat or very dissatisfied included their organization’s ability to impact USMMA’s management and operations (excluding the curriculum). This is significant because USMMA’s strategic plan includes incorporating stakeholders’ input into decision making as the desired outcome. Another area where several stakeholders were either somewhat or very dissatisfied concerned the level of resources USMMA has available to conduct its outreach and engagement efforts. And several commented on the need for the Superintendent to have greater control over resources and governance. This area will be discussed in greater detail below and in Chapter 8.

USMMA seems to have stronger relationships with alumni groups and the National Parents Association than with industry, the Armed Forces, state port authorities, and other groups. As one example, the Superintendent and other USMMA leaders have a call scheduled with the National Parents Association every two weeks. The Superintendent says a few words and then answers questions. Another official said that the Alumni Association is constantly “pinging” USMMA. According to this official, they are not setting USMMA’s agenda but are helping with emerging issues.

In contrast, industry representatives tended to be more critical of the frequency, quality, and other aspects of USMMA’s outreach efforts. For example, one industry representative said they would like to have a “seat at the table” shaping USMMA’s students. While the representative said his company would be willing to put in the time to create a relevant training program that would better meet the needs of the shipping industry, unless there is a problem, he does not hear from anyone at USMMA.

Another industry representative explained that “Kings Point has become more isolated over time” and that USMMA should take advantage of the fact that people and graduates want to be involved with the school. This same interviewee noted that industry leaders are no longer invited to attend graduation and that USMMA could benefit from having an industry liaison. Several interviewees expressed interest in having a relationship with USMMA, but USMMA officials had never reached out.

USMMA officials generally acknowledged the need to strengthen the frequency and mode of their collaborative efforts with industry—industry should provide input on how to better meet the maritime sector's needs. But according to one USMMA official, there is nothing other than a few phone calls and conferences.

Although the pandemic disrupted USMMA’s outreach efforts in 2020 and 2021, improvements were needed before then. According to one official, USMMA has regular calls with parents and

Congress, but this approach is insufficient for engaging industry, federal, and state stakeholders. Initiatives that had shown promise, such as a USMMA/Industry roundtable focused on industry needs, were one-time events and not continued. The bottom line is that USMMA is not as well connected with industry, the Military Sealift Command, and state port authorities as it should be.

## **7.5 USMMA Has Not Fully Adopted a Communications Plan and Other Key Practices Essential for Effective Stakeholder Engagement**

A review of documents and other literature issued by the U.S. Government Accountability Office, U.S. Office of Management and Budget, and *Harvard Business Review*, among other sources, identified nine key practices for effective strategic stakeholder engagement.<sup>349</sup>

As shown in table 7-1, four USMMA officials that offered input had a range of opinions as to whether USMMA had adopted these key practices, if at all. To the extent it has partially adopted them, USMMA is implementing the practices informally. By fully and formally adopting these practices, USMMA would be better positioned to target its resources, get the most out of its stakeholder relationships, and be more likely to achieve desired mission outcomes.

According to USMMA officials, while they agreed with the benefits of many of these practices, the lack of resources is a barrier to implementing them.

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<sup>349</sup> See for example: U.S. Government Accountability Office, *Managing for Results: Key Considerations for Implementing Interagency Collaborative Mechanisms*, GAO-12-1022 (Wash., D.C.: Sept. 27, 2012); U.S. Government Accountability Office, *Results-Oriented Government: Practices That Can Help Enhance and Sustain Collaboration Among Federal Agencies*, GAO-06-15 (Wash., D.C.: Oct. 21, 2005); Jack Springman, "Implementing a Stakeholder Strategy," U.S. Office of Management and Budget, *Improving the Management of Federal Programs and Projects Through Implementing the Program Management Improvement Accountability Act (PMIAA)*, OMB M-18-19, (Wash., D.C.: June 25, 2018), 8 ; Harvard Business Review, July 28, 2011, *Implementing a Stakeholder Strategy* (hbr.org); Lean-Six Sigma Stakeholder Analysis Matrix, *Stakeholder-Analysis.png* (1564×954) (goleansixsigma.com); Allison Hendricks, "Stakeholder Engagement Best Practice Guide," *Simply Stakeholders*, Aug. 12 2019, *Stakeholder engagement - best practice guide* (simplystakeholders.com).

*Table 7-1. USMMA officials' Views on the Extent to Which Kings Point Has Adopted Key Practices for Effective Stakeholder Engagement*

Key Engagement Practice	Not Yet Adopted			Level of Adoption	
	Do not anticipate adopting	No Decision Made/Not in Use	Will Adopt	Partially adopted	Fully adopted
<b>To What Extent, if at all, Has USMMA Adopted the Following Collaborative Practice?</b>					
1. Develop a stakeholder engagement plan that outlines who USMMA's stakeholders are, why they should be engaged, and how they will be engaged.				X X X X	
2. Prioritize stakeholders and engagement efforts based on impact level, level of support, etc.		X	X	X	
3. Clarify roles and responsibilities of stakeholders			X	X X	
4. Define and articulate common outcomes, i.e., wins for the group to accomplish	X		X X	X	
5. Develop a communication plan to share information among stakeholders			X X	X X	
6. Identify accountability mechanisms, e.g., a way to monitor, evaluate, and report on results	X		X X	X	
7. Reinforce/incentivize individual accountability for collaborative efforts through performance management systems, rewards/recognition, etc.		X		X X	
8. Determine resources needed to meet the engagement outcomes with each stakeholder			X	X X	
9. Use different types of collaborative mechanisms such as communities of practice, interagency groups, inter-entity memoranda of understanding, etc.	X			X X	

Note: The responses reflect those of four USMMA officials. All four did not respond to all the questions. These practices were derived from a literature review of reports and other documents issued by the U.S. Government Accountability Office, U.S. Office of Management and Budget, and Harvard Business Review, among other sources.

Assessment of USMMA’s current external engagement resulted in the following findings and observations:

### ***Key Practice #1: Develop a robust stakeholder engagement plan***

An effective stakeholder engagement plan typically identifies the various people, groups, companies, and other entities affected by or who influence a project or organization’s mission. The plan should also include why each entity should be engaged, the mechanisms and frequency of that engagement, and the outcomes desired from the relationship.

Although USMMA has a document it identifies as an engagement plan titled “USMMA Communications—Strategic Outreach” (dated Nov. 24th, 2020), additional elements are needed to make it more comprehensive, proactive, and strategic, and thus a more useful navigation chart to guide USMMA’s collaborative efforts and further the school’s mission.

One major omission was that USMMA did not include a list of its stakeholders and only developed one after requested. Moreover, USMMA’s plan identifies broad categories of stakeholders such as alumni and industry, but not specific entities or points of contact within those entities. And, while the plan describes the mode and frequency of communication with different stakeholders, it only includes a very narrow statement as to why they should be engaged.

According to the plan, the goal of USMMA’s engagement efforts is “dispelling the notion that the U.S. Merchant Marine Academy is the best-kept secret among the federal service academies.” Another document included the goal of “Increase yearly applications.” A more effective engagement plan would have included information on how USMMA expected each entity to contribute to accomplishing these efforts and how USMMA could benefit from the relationship. For example, the specific role shipping companies would play in advancing USMMA’s “dispelling the notion” goal is not immediately clear.

Further, while “dispelling the notion” and “increasing yearly applications” are important in their own right, they represent a narrow portion of USMMA’s mission and the challenges USMMA faces in executing it. A better plan would reflect how various stakeholders could contribute to USMMA’s strategic priorities, such as strengthening its educational and athletic programs, improving its institutional culture, and modernizing its infrastructure. It could also address how stakeholders could help address the management challenges USMMA faces, such as recruiting a more diverse applicant pool. Moreover, a more intentional, strategic approach to linking specific stakeholders to desired organizational priorities could lead to the inclusion of additional stakeholders such as the state port authorities that hire many of USMMA’s graduates. They were not specifically included in USMMA’s November 2020 Communications Plan.

Importantly, not all relationships need active involvement from stakeholders. With some constituents, the relationship could simply involve one-way communication to provide an update on campus activities or maintain a relationship. Regardless, the plan should reflect what USMMA hopes to achieve through its efforts.

The need for a more structured approach to planning was reflected in some of the comments made by industry representatives. As one noted, USMMA needs a structure for stakeholder engagement that is more than simply having the Superintendent call up [a shipping line].

USMMA officials acknowledged the importance of developing a stakeholder engagement plan but noted that the lack of staff to create such a plan is an obstacle. As one official explained, because so much time is taken up with the day-to-day transactional tasks of managing USMMA, there's not enough capacity for long-term planning.

### ***Key Practice #2: Prioritize stakeholders***

Related to developing a comprehensive plan for stakeholder engagement is prioritizing how USMMA should engage stakeholders. USMMA appears to have been very inclusive in defining its list of stakeholders in that it identified 10 broad categories of external parties with whom to engage. However, as each category includes numerous constituents, USMMA cannot realistically interact with all of them deeply and substantively. Moreover, not all stakeholders require the same degree of engagement. Consequently, prioritizing stakeholders is important for helping USMMA rate and rank the importance of outside parties to target its limited resources.

USMMA noted that while it has no formalized program to prioritize stakeholders, it does so informally. However, by using a more structured (but not necessarily burdensome or time-consuming process), USMMA could better use its limited resources and focus on engaging those stakeholders who can best support USMMA in achieving its desired outcomes.

There are various methods for prioritizing stakeholders, and they use different terminology, but they typically include such considerations as:<sup>350</sup>

- Level of impact: to what extent is the stakeholder impacted by USMMA's activities and vice-versa?
- Power: how much influence does each stakeholder have to advance, stop, or modify a USMMA activity?
- Support: is the stakeholder in favor of or resistant to a particular activity?
- Importance: how necessary is the activity to the overall goals or mission of USMMA?

Using a rating scale such as low, medium, or high for each consideration, USMMA could then make more informed decisions on whether, how, and how often to engage each entity. For example, USMMA could consider whether to keep a particular stakeholder informed of a particular activity, consult with them on it, or fully partner with them.<sup>351</sup>

### ***Key Practice #3: Clarify the roles and responsibilities of stakeholders***

To help ensure the success of USMMA's collaborative efforts when working with different stakeholders to achieve a joint outcome, the various entities need to clarify who will do what,

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<sup>350</sup> See for example, Lynda Bourne, "Targeted Communication: The Key to Effective Stakeholder Engagement," *Procedia Social and Behavioral Sciences*, Vol. 226, July 14, 1016, 431-438, and Lean Six-Sigma.

<sup>351</sup> International Association for Public Participation, "Spectrum of Public Participation," [https://iap2.org.au/wp-content/uploads/2020/01/2018\\_IAP2\\_Spectrum.pdf](https://iap2.org.au/wp-content/uploads/2020/01/2018_IAP2_Spectrum.pdf)

organize their joint and individual efforts, and decide on leadership roles. In other words, each party should know what is expected of them and when it is expected.

According to USMMA officials, this practice has at best been partially adopted. Adopting it more formally with stakeholders will ensure that each party follows through with their commitments and that agreed-upon initiatives will more likely maintain momentum.

#### ***Key Practice #4: Define and articulate desired outcomes with stakeholders***

When working with its stakeholders, it will be important for USMMA to define the short-term and long-term outcomes both parties expect to achieve more formally through the relationship. Defining outcomes gives engagement activities a purpose so that meetings are not merely for the sake of casual chats, but they are instead a means to a pre-specified outcome.

Beginning with USMMA’s principal stakeholders and gradually broadening to others, USMMA should consider such efforts as reaching out to stakeholders to recognize shared interests, identify early wins for the parties to achieve, develop outcomes that represent the collective interests, and revisit the outcomes as needed.

#### ***Key Practice #5: Develop a two-way communication plan***

According to USMMA officials, the school’s communication plan—essentially its stakeholder engagement plan—was not developed until November 2020. According to USMMA, its communications team “reaches out regularly via multiple methods (Web, social media, email, video, etc.) to share information about ongoing USMMA operations and events, student life, and other items of interest, strategic and otherwise.” Moreover, as noted above, USMMA’s messaging is driven by a commitment to “dispelling the notion that the U.S. Merchant Marine Academy is the best-kept secret among the federal service academies.”

The communication plan is noteworthy for its inclusiveness, as it identifies 10 different constituent groups such as parents, families, friends, alumni, and educators. The plan also identifies the mode and frequency of communication with each group.

Effective communications possess such attributes as being two-way, early, and often providing opportunities for exchanging information, dialog, and posing questions.<sup>352</sup> USMMA officials describe frequent—reportedly multiple times per week—outreach to parents via text, video, social media, email, and the Web, along with their regular meetings with USMMA officials, is generally consistent with these attributes. Such extensive outreach, so valuable during normal times, took on greater urgency during the pandemic.

However, there is room for improvement with industry, the Armed Forces, and perhaps other groups. First, elements of USMMA’s website are outdated and need to be refreshed. For example, the website provides a link to where one can subscribe to the USMMA newsletter. However, the last issue of the newsletter that is included in the online archives is dated December 2016. Additionally, the material promoting the newsletter refers to a statement by a previous

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<sup>352</sup> Hendricks, 2019.

Superintendent as if he were the current Superintendent. Clicking on the link takes the user to the DOT website. Once there, visitors can subscribe to a range of DOT products, but there is no option to sign up for the newsletter.

Moreover, on at least one page, the link to the National Parents Association was inactive. On USMMA's Alumni Information page, the Margins of Excellence Needs List (which identifies USMMA's donation priorities for the coming year) refers to USMMA's 2013 Strategic Plan. At first glance, it appears that the needs list is eight years old.

While a few broken links and outdated web pages are not fatal flaws by any means, they make it difficult for external parties to find desired information and perhaps make donations. An outdated website also does not help enhance USMMA's brand.

Additionally, as acknowledged by USMMA, some of the communication modes are passive. This might be appropriate for "pushing" a message to an external group but can limit options for 2-way communication flows and the ability for outside groups to provide input on USMMA decision making. As one official noted, it's important to have a feedback loop from industry on their specific requirements.

### ***Key Practice #6: Track progress with outcome-oriented metrics***

It is important to develop metrics tied to shared outcomes to track progress on USMMA's stakeholder engagement efforts. Such metrics help inform whether USMMA is on track to meet engagement goals, and they also add a measure of transparency to its efforts.

According to the strategic plan, USMMA has identified several metrics for its outreach efforts. Still, in some cases, the metrics are not good indicators of this function. In all cases, it does not appear that USMMA is using the metrics to assess and improve its engagement activities.

For example, several metrics are input measures, counting the number of participants or events without indicating whether desired outcomes were achieved, whether stakeholders were satisfied, or how best to improve. Input measures without targets make it difficult to determine sufficiency. For example, it is not clear whether participation in 30 events is better than 20 events or whether USMMA should devote additional resources to participate in more events. The input measures USMMA uses generally do not inform those questions on their own.

Finally, input measures such as counting the number of activities or stakeholders could lead to perverse incentives as more is not necessarily better and could lead to inefficient use of USMMA's resources.

### ***Key Practice #7: Incentivize good collaboration practices among employees***

Given that stakeholder engagement is a USMMA strategic priority, as appropriate for certain categories of employees, USMMA should reinforce and incentivize individual accountability for collaborative efforts through its performance management system and its rewards and recognition efforts. However, according to USMMA officials, this practice has yet to be fully adopted.

Linking individual employee performance management to desired organizational outcomes establishes clear expectations and creates a mechanism for feedback. Ideally, USMMA should link personal accountability to stakeholder collaboration by adding a collaboration-related competency or performance standard against which individual performance can be evaluated.

However, according to a USMMA official, any changes to the performance management system for certain employees are governed by agreements with its labor union. For the time being, USMMA could still incentivize and reward employees' collaborative efforts through oral and written feedback and other forms of recognition. There may be more flexibility in the performance agreements USMMA has with its senior leaders.

### ***Key Practice #8: Identify resources needed to meet the engagement outcomes with each stakeholder***

Initiating, monitoring, and sustaining collaborative efforts with outside groups require time and other resources. Accordingly, USMMA must work with stakeholders to determine how each engagement effort will be funded and staffed and ensure the availability of proper technology and other resources.

According to USMMA officials, this practice has only been partially adopted. As with some of the other practices, one official said that a formal approach is aspirational and would require professional staff that USMMA currently lacks. By working with stakeholders to identify the resources each will contribute to a particular effort, USMMA will be better positioned to achieve desired results.

### ***Key Practice #9: Consider a broad range of collaborative mechanisms***

As noted above, although USMMA uses various mechanisms to engage stakeholders, many of them are communications-related, e.g., video, social media, texts, emails, direct mail, and mainstream media. While these approaches can be effective for such important activities as conveying information, creating transparency, building rapport and trust, and developing a "brand," other mechanisms may be more effective for leveraging the perspective and expertise of stakeholders to inform USMMA decision making and collaborating on addressing shared interests.

These mechanisms include inter-organizational groups such as task forces, working groups, councils, and committees. They may also include inter-organizational liaisons. A USMMA employee might be tasked with maintaining a relationship with an outside entity and vice-versa; personnel details; and interagency agreements and memoranda of understanding (MOU).

Although USMMA already participates in various in-person mechanisms appropriate for specific purposes, these additional mechanisms--which should be driven by what USMMA wants to accomplish, among other factors--are more formal and tend to produce deeper, more enduring, and more results-oriented partnerships.

USMMA reported it already has MOUs and interagency agreements with the U.S. Navy, U.S. Army Corps of Engineers, and other groups. Of these, only the Navy was identified as a stakeholder.

USMMA should consider these additional arrangements with its designated stakeholders—especially industry—to better leverage their resources. USMMA may also find it useful to consider private-public partnerships (as suggested by one industry stakeholder) or pooling resources on shared interests with state maritime academies.



**Recommendation 7.1: Expand the role of the Office of External and Government Affairs and ensure that it has adequate capacity to function as an Office of Strategic External Liaison or similar title.** The office would continue to communicate matters of interest to outside parties. Additionally, it would maintain institutional relationships with USMMA’s stakeholders. As such, it would actively collaborate with stakeholders to (1) determine their wants and needs; (2) identify emerging trends, risks, and challenges facing the maritime sector and how USMMA and stakeholders could work to address them; and (3) better leverage stakeholders’ resources and expertise to support USMMA in meeting its mission.



**Recommendation 7.2: Fully and formally adopt the nine key practices essential for effective stakeholder engagement.** Doing so would help USMMA take a more continuous, structured, and strategic approach to engage external stakeholders and likely lead to more successful outcomes. The practices include:



- Develop a stakeholder engagement plan that identifies stakeholders, why they should be engaged, and how they will be engaged.
- Prioritize stakeholders and engagement efforts based on impact level, level of support, and other factors.
- Clarify roles and responsibilities of stakeholders.
- Define and articulate common outcomes and “wins” for the group to accomplish.
- Develop a communication plan to share information among stakeholders.
- Identify accountability mechanisms to monitor, evaluate, and report on the results of collaborative efforts.
- Regularly reinforce and incentivize individual accountability for collaborative efforts through performance management systems, rewards, and recognition.
- Determine resources needed to meet the engagement outcomes with each stakeholder.
- Consider different types of collaborative mechanisms appropriate to sustain relationships with external stakeholders over the long term, such as communities of practice, interagency groups, inter-entity memoranda of understanding, and knowledge-sharing networks to exchange lessons learned and promising practices.

## 7.6 USMMA’s Engagement Efforts Lack Effective Internal and External Coordination

Aspects of USMMA’s stakeholder outreach efforts appear to be fragmented or overlapping/duplicative with other outreach efforts. For example, USMMA’s November 2020 stakeholder engagement plan does not include separate categories for “Athletics” or “Minorities,” while a different list USMMA provided includes those two stakeholder groups. For the category of Athletics, USMMA included high school coaches and the NCAA, among others. Likewise, for Minorities, this same document included outreach to various underrepresented group organizations, among other groups, but the November 2020 plan did not include these same groups.

In contrast, the November 2020 stakeholder engagement plan included a category for “Local Communities.” While the other document had a category for “Community Relations,” the specific groups were omitted.

This is not to say that USMMA is not reaching out to these groups; rather, the disconnects reflect the need for better coordination and a single set of documentation. If the November 2020 document serves as the navigation chart for USMMA’s outreach and engagement activities, it needs to be up to date and comprehensive.

The respective engagement efforts of MARAD and USMMA also need to be better coordinated. MARAD informed the Study Team that it identifies stakeholders internally and externally. According to MARAD, it is their responsibility to guide USMMA in this regard.

However, MARAD told the Study Team that it had not seen a specific outreach plan. Moreover, MARAD reported it tracks a long list of stakeholders, including port authorities, universities, the shipping industry, labor unions, among others. MARAD had held numerous town hall meetings, and 60-70 stakeholders attended each meeting. However, a senior USMMA leader was not familiar with these meetings, and it is unclear how, if at all, the results of these meetings were formally conveyed to USMMA. While MARAD and USMMA may have different objectives for their stakeholder engagement efforts, greater coordination would benefit both organizations in the future.



**Recommendation 7.3: USMMA and MARAD should designate a point of contact within their respective agencies to coordinate their engagement efforts better, collaborate as appropriate, and develop formal, two-way channels of communication to better share information and determine respective roles and responsibilities.** This arrangement would help reduce fragmentation, overlap, and duplication and better ensure the information obtained from stakeholders flows to where it is needed in both organizations.

## 7.7 USMMA Lacks Formal Mechanisms for Capturing and Disseminating Stakeholder Input

For the engagement efforts to inform the school's decision making, USMMA needs to have formal mechanisms for capturing, archiving, and sharing stakeholder input with the school's internal customers. However, USMMA lacks such formal mechanisms.

According to a USMMA official, typically, when USMMA meets with external entities such as industry, the senior staff is later debriefed on the results. Although that approach might work for the near term, the information has a limited shelf-life and may not be available to inform future decision making because the information is not archived in a centrally located system available to other USMMA staff

Moreover, according to a USMMA official, the school does not produce detailed, timely meeting minutes. The timeliness of those minutes is also problematic. As of early August 2021, USMMA was still transcribing the minutes of a meeting of USMMA's Board of Visitors that took place in September 2020.



**Recommendation 7.4: Develop an internal online repository for the information USMMA obtains from stakeholders and develop other formal mechanisms to disseminate this information among faculty and staff.** Better archiving and sharing of stakeholder input would help ensure the information would inform USMMA decision making over the short and long terms, including decision making on the academic curriculum and training regimes.

## 7.8 Relationships with Stakeholders Are Largely Personal Rather Than Institutional

Stakeholders were generally complimentary of the Superintendent's outreach efforts. Further, the variety of events in which he participated in 2019, ranging from in-person presentations to community activities, speaks to the great lengths the Superintendent and USMMA go through to build relationships with outside parties.

Cordial personal interactions with outside parties are critical for effective relationships, but they are not substitutes for a carefully crafted, formal, strategic engagement plan. Further, they are unsustainable over the long term.

Additionally, such relationships are difficult to sustain over time. They are time-consuming, and because personnel changes occur over time, the personal relationships disappear with the departing Superintendent or their counterpart in the stakeholder entity.

Going forward, it will be necessary for USMMA to make these relationships institutional as much as personal. Among other actions, USMMA could make more frequent use of formal agreements, including task forces, committees, and other mechanisms noted above, to better cement collaborative relationships.

Likewise, delegating engagement activities to appropriate USMMA personnel (with internal coordination) could, as mentioned earlier, distribute the workload more evenly and produce better results, as USMMA's subject matter experts would lead the relationships in their respective fields. For example, facilities personnel at USMMA could engage their counterparts in other sectors; department chairs could lead formal engagement efforts with industry; SAPRO officials could meet with their counterparts at other service academies and institutions of higher learning. This type of arrangement would also make USMMA's outreach less sensitive to the turnover of any one individual.



**Recommendation 7.5: As appropriate, make greater use of written guidance and agreements to document collaborative stakeholder efforts and monitor and update them as needed.** The agreements should cover such details as leadership, accountability, roles and responsibilities, resources, timeframes, and desired outcomes. Specific mechanisms might include interagency groups, liaison positions, MOUs, etc. More formal collaborative mechanisms would better sustain relationships with external stakeholders over time and ensure desired outcomes regardless of the individuals involved.



**Recommendation 7.6: USMMA's department chairs should take the lead in engaging stakeholders in the maritime industry and port authorities to better ensure USMMA's curriculum is up to date and reflects where the industry is headed.** As appropriate and consistent with USMMA's engagement plan, other USMMA staff should also be encouraged to engage their counterparts in other sectors, such as the Military Sea Lift Command, to address issues of mutual concern.

## 7.9 USMMA Lacks Sufficient Resources for Effective Stakeholder Engagement

USMMA officials contacted by the Study Team cited the lack of sufficient staff, money, and adequate meeting facilities as factors hampering USMMA's ability to plan more formally and implement the key engagement practices we identified and other outreach activities. Concerning staff, as one official said, "It is a question of bandwidth between running USMMA and having the time with stakeholders."

The planning, implementation, and assessment of engagement activities requires mid-level employees that USMMA currently lacks. At the same time, USMMA could better use faculty department chairs and tenured faculty to distribute the stakeholder engagement workload more evenly and likely produce better outcomes. Indeed, USMMA officials indicated that senior faculty should be doing more outreach to industry. As one official noted, connecting with industry should be the purview of the academic departments because they should be planning a curriculum that best prepares the future of the young mariner.

Likewise, another official cited the need for a formal mechanism to connect academic departments and industry better. These closer relationships could help ensure that USMMA's curriculum better reflects the current and emerging needs of the industry. Although these contacts

between faculty and industry are happening informally, a USMMA official said they need to be conducted more formally and regularly.

Planning, coordination, implementation, and assessment of engagement activities require mid-level employees and funding that USMMA currently lacks. USMMA can take several steps within its existing resources to improve its stakeholder engagement activities. However, USMMA's outreach, especially with industry, will not be as effective until the broader resource gaps are addressed.

USMMA officials identified the lack of funding to pay for certain engagement activities as an impediment to its engagement efforts. They lack discretionary funds to represent USMMA in an official capacity, host conferences and related meetings, and pay for food for participants. According to USMMA, the school is not on an equal footing with other service academies with discretionary funds available to spend on these activities. Various explanations were offered for funding issues, including cultural disconnects between MARAD and USMMA. There also appears to be a lack of effective communication between USMMA and MARAD on the kinds of activities that can be paid for with appropriated funds, the functions the Superintendent and others can attend in an official capacity, and the need to comply with specific rules and process to receive the funds. For example, according to the U.S. Government Accountability Office's (GAO) Principles of Appropriations Law, "Congress has long recognized that many agencies have a legitimate need for items that would be prohibited as entertainment and has responded by making limited amounts available for official entertainment to those agencies which can justify the need."<sup>353</sup> Details are provided in Appendix Q.



**Recommendation 7.7: Host annual roundtables or similar events with senior officials from industry and other external parties to create synergy among external stakeholders and have a recurring, formal mechanism for obtaining input from them.** The roundtables could be held on-campus with opportunities for stakeholders to participate remotely and timed to coincide with graduation day at USMMA. This annual event could kick off an annual engagement cycle, and subsequent meetings could be held throughout the remainder of the cycle with subgroups of stakeholders to target collaborative efforts toward specific constituents and issues better.



**Recommendation 7.8: Work with MARAD and Congress as appropriate and justify and seek reasonable appropriations for official reception and representation activities to better support USMMA's outreach and engagement efforts with external stakeholders.**

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<sup>353</sup> U.S. Government Accountability Office, *Principles of Appropriations Law, Chapter 3: Availability of Appropriations: Purpose*, 4th ed., GAO-17-797SP (Wash., D.C.: Sept. 14, 2017).

## **7.10 Conclusion**

USMMA recognizes the essential role that effective stakeholder engagement plays in helping it to accomplish its mission. Stakeholder engagement is a priority in its current strategic plan. USMMA tries to incorporate stakeholder input into its decision making. The office responsible for USMMA's stakeholder engagement activities is within the Superintendent's office, thus giving it high-level leaders' attention. Moreover, USMMA collaborates with several external parties, including parents, alumni, and industry, and the Superintendent is often personally involved.

Nevertheless, USMMA's efforts are not strategic, institutional, or structured, and various stakeholders have given USMMA's outreach efforts mixed reviews. As a result, USMMA is not fully benefitting from its stakeholders' insights, resources, and expertise in such operational areas as capital planning and improvements, education, and training, which could adversely impact USMMA's ability to modernize and meet the needs of an evolving maritime sector. The recommendations in this chapter are designed to strengthen USMMA's stakeholder engagement efforts through improved collaborative practices, coordination, tools, and resources.

## Chapter 8: Institution-level Management

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### Overview

**This chapter focuses on the challenges of keeping the different parts of the organization moving in tandem.** USMMA has not fully adapted to a changing operational environment and rising expectations for government performance.

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### Steps to Modernization

**USMMA must track the progress towards achieving strategic priorities and give leaders the information to make course corrections along the way.** The use of metrics is a crucial aspect of assessing performance and ensuring that activities support priorities. Sharing performance data can demonstrate to stakeholders that the institution is operating well.

**A long-term, strategic vision must be developed to guide long-range planning and decision making.** A five-year strategic plan would then set targets and milestones to support the vision. Evidence and standards must weigh into decision making

**USMMA needs to assess and develop a plan for human resources that addresses the needs of the future.** The addition of leadership positions with key aptitudes would strengthen the senior leadership and management team.

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### Institution-level Management Challenges

**USMMA has not been able to create the processes and administrative arrangements it needs to thrive.** The demands of day-to-day operations preclude long-term planning and strategy development. Decision making is not guided by the strategic plan, evidence, or standards. Performance measurement is very limited.

**The USMMA senior leadership and management team does not have sufficiently broad skills, capacity, and diversity, especially related to undergraduate institutions of higher education.**

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### Benefits of Taking Action

**Effective institution-level management would ensure that the sum of the operational parts adds up to the desired whole and that the parts work together in a mutually reinforcing manner.** USMMA would be able to operate to achieve its mission effectively and efficiently.

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## **8.1 Background**

Previous assessments have identified many of the management challenges discussed in this report. They include lack of capacity, lack of critical management capacity and capabilities, poorly defined roles and responsibilities, lack of consistent strategic vision, and inadequate performance measurement and metrics. These challenges are symptomatic of an organization that has not adapted as the operational environment and expectations for government performance have evolved.

As identified earlier in this report, these challenges collectively pose significant risks for USMMA, its faculty, staff, and especially its Midshipmen. These include risks to accreditation, the educational program, the health and safety of the USMMA community, and USMMA's ability to fulfill its mission into the future. A system of sound management practices is necessary but not sufficient for organizational success. It is also a prerequisite to modernization.

Each function described in previous chapters has management and related operational issues—leadership, accountability, clear and well-defined processes, transparency, participatory decision making, communication, and the ability to achieve outcomes. Institution-level management adds an overlay of responsibility for coordination and scope. That is, successful management at the institutional level ensures that the sum of the functional parts adds up to the desired whole and that the parts work together in a mutually reinforcing system to support the mission.

The Panel identified critical areas in which USMMA must improve institution-level management before it can make progress.

## **8.2 USMMA Does Not Have Adequate Capacity and Diversity among Its Leaders**

If USMMA were “only” an institution of higher learning, operating it day-to-day and leading it into the future would be a daunting challenge given its curriculum's technical focus, small undergraduate student body, and location in a high-cost area. But USMMA is also a federal service academy that interacts with numerous stakeholders. It functions within a large federal bureaucracy and is thus subject to specific statutes, rules, regulations, and policies that, while applicable to many federal agencies, may not necessarily be relevant or helpful for an institution of higher education. It receives its funding from and is accountable to the U.S. Congress, with all the complexity of the legislative process. Aspects of these different roles, such as the cumbersome federal hiring process and the need to onboard faculty at specific points in time, are sometimes at odds with one another and USMMA's different roles.

While the other federal service academies face similar management challenges as undergraduate institutions within the federal government, their challenges in some respects are not as daunting as those of USMMA. They are part of armed services that possess greater capacity and broader capabilities than USMMA and MARAD within the Department of Transportation, ranging from human resources to facilities and infrastructure capacity and capabilities. In addition, the other Armed Forces, and the Department of Defense overall, manage other accredited programs and institutions of higher education beyond their service academies.

USMMA functions as a stand-alone institution within MARAD and DOT. It prepares its graduates to serve primarily in the private sector or the Armed Forces, not MARAD or DOT. While MARAD and DOT can provide some capabilities needed for all federal agencies, they lack other capabilities specific to institutions of higher education and the needs of other federal agencies and the private sector. USMMA, MARAD, and DOT lack sufficient expertise in designing and leading change, modernization, and cultural transformation in an institution as unique as USMMA.

USMMA needs a leadership and management team—senior leaders, their deputies, and first-level program managers—that collectively possess and feel empowered to deploy diverse knowledge, skills, abilities, competencies, styles, and personal backgrounds to successfully achieve results and drive continuous improvement in a highly complex and dynamic operating environment. This statement is not a reflection on the shortcomings of any current USMMA leaders.<sup>354</sup> Rather, it is recognition that modernization of any organization is itself a challenging and ongoing process, and effectively operating a performance-driven organization is a difficult undertaking. Two specific challenges are addressed below.

### ***USMMA’s leadership and management team does not possess sufficiently broad skills or diversity***

It is also important for USMMA’s administrators to be diverse and inclusive in race, ethnicity, gender, sexual orientation, professional experience, socio-economic background, and other attributes. Research has consistently shown that diverse teams are more successful. They are more likely to question assumptions, re-evaluate “facts,” identify organizational blind spots, and develop creative solutions to old problems.<sup>355</sup> GAO notes that when “similarities and differences of individuals are valued... all can reach their potential and maximize their contributions to an organization’s strategic goals and objectives.” Inclusivity also makes good business sense because it fosters productivity and innovation and can help organizations reduce costs by lowering turnover, improving retention rates across demographic groups, and improving morale.<sup>356</sup>

According to GAO, a key diversity management practice is succession planning, described as an “ongoing strategic process that provides for forecasting an organization’s senior leadership needs; identifying and developing candidates who have the potential to be future leaders; and selecting individuals from among a diverse pool of qualified candidates to meet executive resource needs.”<sup>357</sup> Expected attrition of USMMA’s administrators, senior faculty, and other employees’ turnover because of retirement, resignation, and other factors provides an opportunity to increase the diversity of USMMA’s administrative cadre.

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<sup>354</sup> The Study Team did not assess the skill sets of the Academy’s current leadership and management team. A skills assessment was beyond the scope of the Study, and it would have also been inappropriate for NAPA to opine on prior personnel decisions.

<sup>355</sup> David Rock and Heidi Smart, “Why Diverse Teams are Smarter.” Harvard Business Review, November 4, 2016. <https://hbr.org/2016/11/why-diverse-teams-are-smarter>.

<sup>356</sup> U.S. Government Accountability Office, “Diversity Management: Expert-Identified Leading Practices and Agency Examples,” GAO-05-90 (Washington, D.C.: Jan. 14, 2005), 1, 9-10.

<sup>357</sup> GAO-05-90, 15.

As a group, USMMA’s administrators need to be skilled at navigating all the domains in which USMMA must operate. For a federal agency, this means collaborative and result-oriented decision making in key management areas, including:<sup>358</sup>

- Acquisitions
- Finance
- Human capital
- Information and technology
- Real property

Concerning USMMA’s role as an institution of higher education, the needed skillsets for administrators are equally varied, although several overlap with those required of successful federal leaders. Current college presidents see that today’s challenges in higher education require “multidimensional leaders who can build and navigate academic disciplines, institutions, and outside partnerships.”<sup>359</sup> The skills most needed by college and university presidents when they assume office include:

- Strategic thinking
- Communications and storytelling
- Fundraising
- Collaboration
- Financial and operational acumen
- Academic and intellectual leadership<sup>360</sup>



**Recommendation 8.1: Develop a strategic human capital plan to guide the Superintendent’s future recruitment of senior leaders and managers.** It should comprehensively identify the range of knowledge, skills, experience, competencies, and other attributes needed by administrators to lead USMMA into the future and successfully function in the various domains in which USMMA operates and linked to USMMA’s strategic goals and objectives. The plan should also consider ongoing management challenges such as the skills needed to transform USMMA into a more results-oriented organization. As appropriate, these attributes should be written into the position descriptions of administrators and used as selection criteria when hiring them. The human capital plan should also include a gap analysis that includes talent management strategies tailored to address any skills/competency gaps, as well as succession planning informed by attrition trends, strategies for recruiting, developing, and hiring administrators with needed skill sets, and how future turnover can also enhance the diversity of administrators.

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<sup>358</sup> U.S. Government Accountability Office, “Confirmation of Political Appointees: Eliciting Nominees’ Views on Management Challenges Within and Across Agencies,” GAO-09-194 (Washington, D.C.: Nov. 17, 2008), 2.

<sup>359</sup> Cole Clark, “Pathways to the University Presidency: The Future of Higher Education Leadership.” Deloitte Insights, April 18, 2017. <https://www2.deloitte.com/us/en/insights/industry/public-sector/college-presidency-higher-education-leadership.html>

<sup>360</sup> Ibid.

## ***USMMA’s leadership and management team does not have adequate capacity***

USMMA leaders must have the capacity to assume responsibility for addressing USMMA’s management challenges and transforming its culture. Capacity here includes capabilities, bandwidth, resources, and staffing. The Panel observed two key gaps. First, none of USMMA’s leaders seem to be responsible for addressing USMMA’s management challenges and transforming its culture. Due to understaffing at administrative levels, they are too engaged in attending to the daily transactional issues of operating the school to assume this important leadership role or to define the parameters of modernization and cultural transformation that are needed. Improved management systems would reduce the pressure on some administrative leaders. Reorganization, a clearer definition of roles, and realignment of responsibilities could reduce the pressure on other administrators. In some cases, however, outsourcing or increased staffing is the only viable option.



**Recommendation 8.2: Arrange for external resources to conduct a human resource and organizational study to identify opportunities to reorganize, realign, and add administrative capacity, especially regarding the modernization of management practices and cultural transformation; implement recommendations.**

A related issue is that only senior leaders are empowered to effect change. The human resources study should uncover missed opportunities to allow and encourage managers and staff below the senior leader level to innovate and lead change. At a minimum, USMMA needs an individual capable of “owning” modernization and change management. According to the McKinsey Center for Government, most efforts to transform government fail. Success requires a leadership team to manage several moving parts at once—a clear vision, focus on a small number of priorities at a time, coordination of efforts, and regular communication that keeps the organization informed and rowing in the same direction.<sup>361</sup> Without these steps, change efforts can become meaningless, compliance-driven exercises instead of being woven into the daily activities of an organization.

Moreover, GAO has noted that federal agencies benefit from a senior leader who acts as a chief operating officer or chief management officer to address long-standing management issues and “bring strong focus to the integration and business transformation of [an] agency.” The specifics of this role would vary depending on the size and nature of the organization, the complexity of its mission and management issues, the degree of change needed, and other factors.<sup>362</sup>

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<sup>361</sup> This article goes on to explain that organizations that succeed at transformation have some key capabilities, including operational management and delivery, project and change management, digital and analytical skills, and communications and public relations. Tera Allas, Martin Checinski, Roland Dillon, and Richard Dobbs, “Elements of a Successful Government Transformation,” McKinsey and Company, 2018.

<sup>362</sup> U.S. Government Accountability Office, “Organizational Transformation: Implementing Chief Operating Officer/Chief Management Officer Positions in Federal Agencies,” GAO-08-322T (Wash., D.C.: Dec. 13, 2007).



**Recommendation 8.3: Create or redesignate a senior management position to provide long-term attention, focus, and direction on the modernization of management practices and transformational change.** This position would report to the Superintendent, be a term appointment of at least 5 to 7 years, and include a performance agreement to help ensure accountability. Examples of critical responsibilities and functions include:

- Institutionalizing accountability for addressing management issues and leading transformational change, both within the academy and between the Academy and its external chain of command and legislatively mandated oversight agencies and bodies
- Elevating attention on management practices and transformational change
- Integrating various management and transformation efforts and serving as a single point-of-contact with the authority, perspective, and responsibility to ensure the successful implementation of internal management practices and transformational change efforts

### **8.3 USMMA Engages in Inadequate Strategic Planning**

Strategic plans are short-term implementation plans for longer-term institutional strategies and visions. Higher education institutions require longer-term institutional strategies for resource planning given their forward-looking missions and lengthy authorization, appropriations, hiring, and contracting cycles, among others. While USMMA is currently implementing its second five-year strategic plan, it has yet to develop a longer-term institutional strategy or vision.

#### ***USMMA does not have a long-term strategic plan***

USMMA's strategic planning cycle is conducted in five-year increments. While this time frame is not uncommon for some federal agencies, the Panel believes that this is too short for an institution of higher learning. It needs to be supplemented with a strategic vision and long-term strategic goals that look 10, 15, and 20 years into the future. Without a long-term strategic vision, USMMA will be more reactive to events and less prepared to meet the evolving needs of students and the maritime domain. USMMA needs a long-term strategic vision because its operating context is on a long trajectory, and change in that context comes slowly.

#### **Higher education and the maritime sector are changing**

USMMA needs to consider the impact of such trends as (1) the direction of higher education and leading instructional practices; (2) the needs and expectations of future students; (3) current and newly emerging issues in the maritime sector; and (4) global trends in national security and commerce.

Longer-term planning would allow USMMA to address these evolving conditions better and to accelerate changes to its external environment by periodically re-examining what it does, how it does it, and whether any changes are needed going forward. A reexamination exercise is a formal process to ensure an agency's mission, operations, business practices, and operations align with future demands. According to GAO, a periodic reexamination allows agencies to eliminate

programs and policies that are outdated or ineffective while also updating those initiatives that remain relevant.<sup>363</sup>

USMMA also needs to consider how best to align its faculty and curriculum with the dynamic environment in which it operates. For example, changes in the maritime industry could require changes to specific courses, which in turn could require faculty with different skill sets. Changes to the curriculum and developing a staffing plan for new faculty is a multi-year endeavor.

### **Short-term planning does not serve systems that alter course infrequently**

Improvements to F&I need long lead times to address identified trends and needs for change. It can take years for USMMA to plan, design, obtain necessary funds, and ultimately complete needed improvements. Additional time is needed to address challenges such as the need for swing space.

### **Long-Term, Visionary Strategic Planning Requires Organizational Alignment**

A strategic vision, strategic plan, annual implementation planning, and performance measurement are the key tools needed to plot USMMA's course into the future. A long-term strategic vision looks to the future and sets goals for the organization for 10, 15, and even 20 years over the horizon. Strategic visioning combines an understanding of the organization's strengths and weaknesses with its opportunities and constraints. It sets a course for the organization to forge its role in a larger context and future. For USMMA, the larger context is the marine transportation system, maritime commerce, ports management, and national security, defense, and economic needs.

By contrast, a strategic plan is typically a shorter-term navigation chart for five to six years. It sets targets for progress to be made towards the strategic vision for the foreseeable future. The value of a strategic plan for high-performing organizations is twofold. First, its strategic goals and priorities for five-six years are specific enough that progress and failures in meeting those goals are measurable. Second, it enables and fuels course corrections in response to unpredicted changes in the operating environment.

Annual implementation planning identifies the steps needed for the organization to reach its targets within the five-year planning horizon. Performance measurement tracks progress towards the targets and gives leaders the information they need to make for course corrections along the way. To thrive, USMMA needs all these pieces in place and aligned.



**Recommendation 8.4: Under the auspices of the Secretary of Transportation's Task Force on USMMA Governance and Culture, USMMA should supplement its 5-year strategic plan with a longer-term vision plan that would cover as much as a 20-year time horizon.** The plan should consider emerging trends in academia, the maritime sector, and other domains and use that forecasting to inform considerations of capital

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<sup>363</sup> U.S. Government Accountability Office, "21<sup>st</sup> Century Challenges: Reexamining the Base of the Federal Government," GAO-05-325SP (Washington, D.C.).

improvements, resources, policies, and practices needed to address these changes. USMMA should also use this information to reexamine periodically what it does and how it does it to ensure all its efforts are relevant and necessary to carry out its mission in an evolving operating environment. A more strategic, visionary approach to planning will help USMMA anticipate and respond to changes rather than simply react to them. It will also help ensure a broad measure of continuity in planning and avoid major swings in decision making as USMMA transitions from one Superintendent to the next in the years ahead.

### ***Implementation of the Current Strategic Plan Is Limited***

Planning to support strategic priorities and the mission entails deploying staff, assigning responsibilities, creating deadlines, setting priorities, measuring progress, and establishing standards for completion. The strategic plan provides a framework for identifying and sequencing activities. However, at USMMA, few steps have been taken to incorporate the strategic plan into institutional decision making.

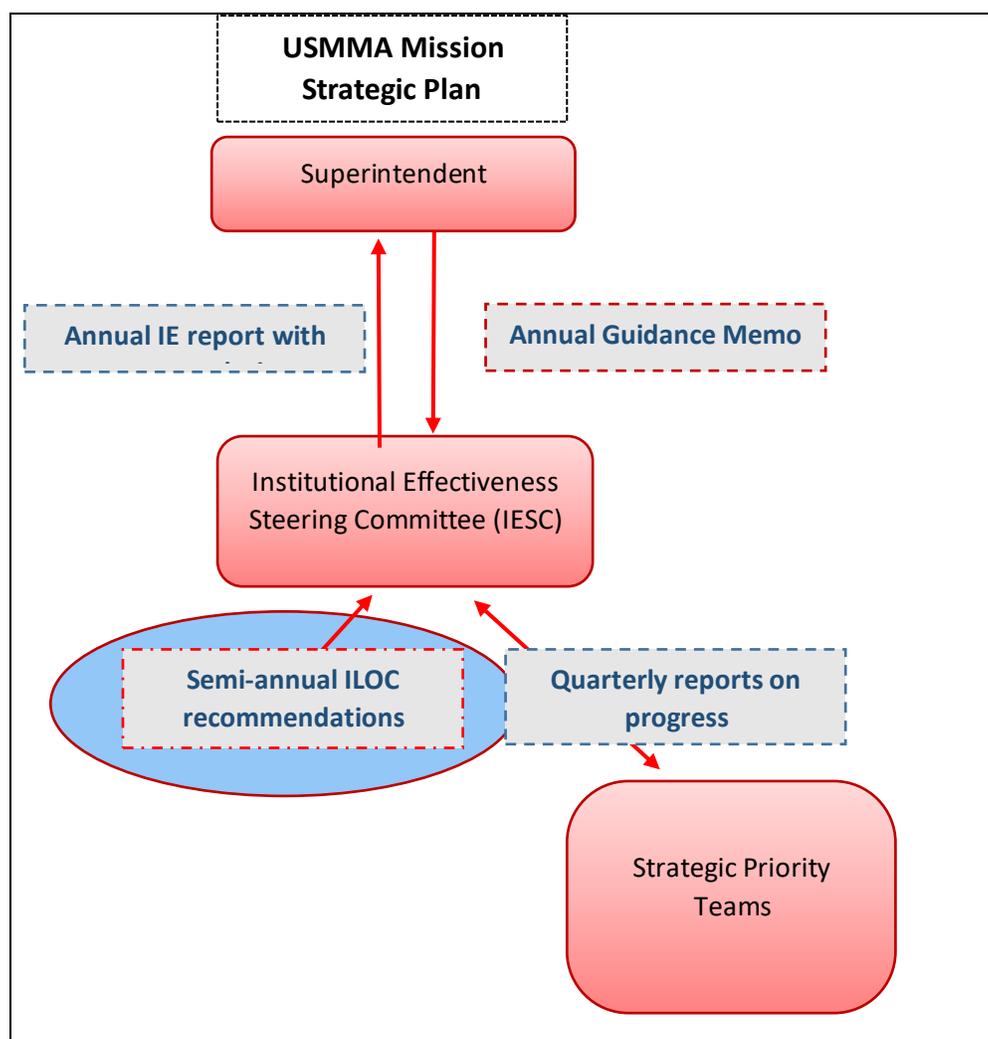
Following the adoption of the current strategic plan in August 2018, USMMA developed a process where Strategic Plan Working Groups (SPWGs) were assigned to each strategic priority. The chairs of those groups were assigned to develop action plans and implement performance measurement. The Institutional Effectiveness Steering Committee (IESC) was intended to meet quarterly to receive updates from each of the SPWGs, promote coordination, and establish accountability. Figure 8-1 illustrates the information flow through the IESC to the Superintendent, as currently conceived. The full assessment framework appears in Appendix R.

This model is partially in place. The IESC does meet but less frequently than quarterly. At those meetings, the “owners” of each of the strategic priorities (SPWG chairs) describe recent accomplishments and planned activities generally in line with strategic priorities. At year-end, the IESC compiles those accomplishments to create the annual “Institutional Effectiveness Report” (Annual IE Report) for the Superintendent, with a subjective assessment of progress towards strategic priorities. The Annual IE Report informs the Superintendent’s Annual Strategic Plan Implementation Guidance Memo, setting the priorities for the coming year. Established in Superintendent’s Instructions 21-02, the model process describes a more collaborative and integrated process. Details of the model and actual strategic plan implementation processes appear in Appendix S.



**Recommendation 8.5 Execute the full assessment framework as modeled and as described in Superintendent’s Instructions.** USMMA should schedule and convene standing quarterly meetings of the Institutional Effectiveness Steering Committee (IESC) to direct the implementation of the strategic plan. Academy leaders should redesignate owners of each strategic priority and hold them accountable for creating action plans that would enable USMMA to meet the goals of the Strategic Plan in five years.

Figure 8-1. Partial Diagram of the Academic Year 2020-2021 Assessment Framework



Source: U.S. Merchant Marine Academy

## 8.4 Routine Use of Performance Measurement Is Not in Place

A crucial aspect of institutional management is performance measurement. Performance measurement tracks progress towards achieving strategic priorities and gives leaders the information to make course corrections along the way. As long as the metrics capture the organization’s objectives, the identification, collection, reporting, and performance metrics are evidence of sound management.

Aside from education,<sup>364</sup> USMMA has made limited progress in a key aspect of strategic plan implementation: creating a comprehensive performance measurement system to assess progress toward strategic goals and the effectiveness and efficiency of specific actions taken in meeting goals. Without a performance measurement system in place, decision making is informed by a

<sup>364</sup> Progress towards achievement of education goals and institutional learning outcomes is measured through learning assessments. The assessment process is discussed in the Chapter 3.

subjective understanding of performance. Units within USMMA engage in activities that are generally in line with the strategic priorities, but the extent and effectiveness of those activities are rarely measured or documented. The Superintendent sets priorities for the coming year regarding accomplishments of the preceding year, both with little detail.

For example, accomplishments reported at the end of 2020 include a list of repairs (related to Strategic Priority 3, infrastructure), meetings held (in support of Strategic Priority, 4, governance, leadership, and administration), social media hits (Strategic Priority 5, communication and relationships), and participation in athletics (Strategic Priority 6). Some groups report having looked at external survey results and statistics, such as National Survey of Student Engagement (NSSE) data, data developed by the Program Learning Outcomes Committee, and input from the Sea Year Subcommittee. However, they did not include key findings or implications in their year-end status reports. They did not describe the input or how it shaped their decision making. A more detailed summary of 2020 year-end reports appears in Appendix T.

A fully developed Academy performance measurement system would collect data on activities, outputs, and outcomes on a frequent or continual basis. Regular analysis of these key performance indicators would provide insight into the effectiveness of activities to support the mission and strategic goals and allow USMMA to track progress toward achieving those goals. Leaders would use that insight to inform decision making for the next period, recognize and reward performance, and identify and share effective approaches.

As an example of how this might be implemented at USMMA in working with external stakeholders, instead of only counting the number of different groups it works with (as USMMA does now), USMMA would also focus on the results of its relationships with those groups. Did they result in better learning outcomes, achieve a mutual result with industry, or create a more diverse applicant pool? Likewise, for each of the desired results USMMA wants to achieve with stakeholders, an effective performance measurement system would be more intentional about aligning those results with the resources, people, and practices needed to achieve them.

A performance measurement system using key performance indicators would give USMMA the tools to align decision making with its own strategic goals and track measurable progress towards attaining those goals. It would also allow USMMA to align its activities and decision making with MARAD and DOT goals, objectives, and performance metrics. The Government Performance Results Act (GPRA) requires federal agencies to set long-term goals and objectives and near-term objectives. Agencies are also required to collect performance data using solid metrics to demonstrate progress. Compliance with GPRA occurs at the department level. DOT's strategic plan<sup>365</sup> and performance plan<sup>366</sup> establish strategic goals and performance indicators. Likewise,

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<sup>365</sup> The U.S. Department of Transportation Strategic Plan for FY 2018-2022 establishes strategic goals in the areas of safety, infrastructure, innovation, and accountability. Strategic objectives reflect the outcomes DOT is trying to achieve within each of the goal areas. Strategies describe the steps DOT plans to make to achieve the strategic objectives. U.S. Department of Transportation, Strategic Plan for FY 2018-2022, February 2018, <https://www.transportation.gov/dot-strategic-plan>

<sup>366</sup> For each strategic objective, DOT's Annual Performance Plan establishes performance goals and corresponding performance indicators. U.S. Department of Transportation, 2018-19 Annual Performance Plan – 2017 Annual Performance Report, accessed October 14, 2021, <https://www.transportation.gov/sites/dot.gov/files/docs/mission/budget/317341/dot-fy-2018-2019-annual-performance-planfy-2017-annual-performance-reportfinal.pdf>

MARAD has a five-year strategic plan,<sup>367</sup> setting goals and objectives supporting DOT-level goals and objectives.

Performance measurement evaluates the progress towards meeting the organization's mission by specifying direction, distance, steps to get there, and resources needed to make the journey. This clarity comes through several mechanisms. The establishment of metrics creates a shared, concrete understanding of the direction by naming specific activities and tying them to desired outcomes. In the process of naming activities and outcomes, leaders can set priorities. Specificity allows staff and faculty to organize their work to support those priorities. With a periodic review of progress, leaders can make course corrections, as needed, to make sure that the organization continues to make progress. In addition, regular reporting on credible performance metrics communicates real-time results to MARAD, DOT, and other stakeholders.

To establish a performance measurement system, USMMA must first agree on the appropriate indicators and then agree on how to measure them. The 2018 strategic plan gave performance measurement a head-start by suggesting metrics for each strategic priority. As the IESC has directed several times, the first step is to validate the metrics, adding or dropping metrics as necessary to reflect activities accurately. Suitable performance measures capture *outcomes* related to the mission and strategic plan goals<sup>368</sup>—not just the *outputs*. For example, the number of times that Academy leaders met with stakeholders would be an output measure. Revisions to the curriculum in response to stakeholder input would be an outcome measure. Another example of an output-oriented performance measure would be the number of repairs completed by category. An outcome-oriented performance measure would be customer satisfaction with maintenance or operational availability of the facility.

### ***USMMA has faced multiple obstacles to establishing performance measurement***

Lack of effective performance measurement at USMMA suggests that a change in approach is needed. Interviews indicated that several obstacles are limiting progress, such as:

- **Lack of firm deadlines:** Although it is a five-year strategic plan, the plan itself did not establish a timeline for implementation. A separate schedule with target dates for the

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<sup>367</sup> U.S. Maritime Administration, “The Maritime Administration Strategic Plan: Navigating the Future, 2017-2021,” accessed October 14, 2021, <https://www.maritime.dot.gov/sites/marad.dot.gov/files/docs/resources/3606/marad-strategic-plan-2017-2021-20170119-final-signed.pdf>

<sup>368</sup> Many sources on the development of high-quality performance metrics are available. Poister suggests five criteria. (1) Meaningful and understandable: Leaders and users alike should be able to recognize how measures reflect and relate to their work and decision making. (2) Balanced and comprehensive: Measures should cover operations holistically, including, for instance, financial and non-financial, short term and long term, internal and external. (3) Timely and actionable: Data can be collected in a timeframe that leaders can respond and related to activities that they can influence. (4) Aligned with goals and objectives: Strong performance in any function area should not come at the cost of performance in other functions areas. Strong performance in all function areas should advance the strategic priorities. (5) Practical and cost effective: Difficulty of collecting data and the ability to accurately measure progress may reduce the frequency of collection or may necessitate substitution. Theodore H. Poister “Performance Measurement: Monitoring Program Outcomes” chapter 5 in Kathryn E. Newcomer, Harry P. Hatry, and Joseph S. Wholey (eds) *Handbook of Practical Program Evaluation*, Fourth Edition.

overall implementation was not created. Subsequent efforts to set interim deadlines have been met with limited success.

- Pandemic response: The COVID-19 pandemic has slowed progress as the administration rightly shifted its attention to urgent matters of the health and well-being of members of the USMMA community while creating alternate modes of operation.
- Lack of capacity and capability to set up the system: Many individuals at USMMA cited lack of time as their most significant challenge in many areas of operations. Short staffing in critical functional areas means that some individuals are overloaded, and some functions are delayed or skipped. Under these circumstances, even individuals with a solid background in performance measurement would struggle to create valid measures; collect, analyze, and present the data; and use the information to inform decision making. While the Office of Institutional Assessment at USMMA could lead and coordinate the effort, managers throughout USMMA must be involved in developing and implementing a performance measurement system that spans all Academy functions. An effective performance measurement system also needs appropriate IT platforms to track, analyze, and integrate performance data. USMMA lacks such technology.
- Skepticism: Individuals throughout the organization do not see the value in measuring performance. It is seen as a distraction from “real” work. In addition, individuals think that leaders will use the information as a proxy for individual performance evaluation, where they could unwittingly present themselves as contributing to a poorly performing unit.
- Weak signaling from leaders: Both culture change and pursuit of long-term strategies and vision within an organization require strong and consistent commitment from leaders. Commitment cannot exist in a vacuum; it is only as good as communicated and implemented. Leaders can demonstrate commitment by developing a plan of action, holding individuals accountable for implementing the plan, and clear, consistent, and persistent messaging.

Several of these obstacles can be resolved through communication. Without information, individuals perpetuate the status quo by using old narratives to interpret new situations.

Some development of managers’ capabilities to collect, compile, and interpret data will be necessary. USMMA can develop detailed instructions and rules but, implementation will require managers to make judgment calls and interpret how general guidance applies to the activities carried out by their units. Managers’ decisions should be informed by a solid foundation in the underlying principles. At present, managers have demonstrated that they do not have the capacity and capabilities to set up a performance measurement system themselves.



**Recommendation 8.6: Add capacity and capabilities as needed to develop and implement performance metrics and a performance measurement system that demonstrates USMMA’s progress towards its own goals and objectives, including the following:**



- **Conduct training sessions with all staff and faculty to achieve a baseline understanding of performance measurement for all staff and faculty. Provide training to managers and department heads who will take the lead on implementation.**



- **Develop and distribute a multi-year schedule that lays out a timeline for performance measurement system implementation.**
- **Invest in information technology to support performance measurement**
- **Realign responsibilities to free up capacity for performance measurement**
- **Add staff and contractual support for faculty, including the capability to analyze data.**
- **As the institution becomes more adept at performance measurement, incorporate higher-level measurement techniques, such as learning agendas and logic models.**

USMMA can boost transparency by posting performance metrics using dashboards and other visualization methods, publishing annual reports, and proactively sharing progress on performance metrics directly with stakeholders. Transparency provides numerous benefits that amplify the management systems. It allows individuals and external stakeholders to monitor progress and develop a shared understanding of the strategic direction. It improves accountability as the organization demonstrates to external stakeholders that it is achieving its mission. It also provides a context for the organization to establish external alignment, demonstrating that it is on the same page as its stakeholders. In USMMA’s case, this means that it supports the mission of the Maritime Administration and Department of Transportation and the Marine Transportation System (MTS), USTRANSCOM, and possibly other DoD entities.



**Recommendation 8.7: Publish annual performance data that show USMMA’s progress towards its own goals and objectives.** USMMA should crosswalk its performance metrics to DOT performance metrics to demonstrate USMMA’s contributions to DOT’s performance. To promote transparency, USMMA should post annual performance data on its web page and, as appropriate, share it with stakeholders. Performance dashboards should connect Academy activities and performance metrics to the accomplishment of goals and objectives.

## ***Individual performance management is underutilized as a tool to effect change***

To help ensure leaders use performance data to inform their management decisions and progress toward organizational goals and outcomes, an accountability loop should explicitly link individual performance to organizational success. According to GAO, “To transform their cultures, high-performing organizations have recognized that an effective performance management system can be a strategic tool to drive internal change and achieve desired results. Effective performance management systems... are used to achieve results, accelerate change, and facilitate two-way communication throughout the year so that discussions about individual and organizational performance are integrated and ongoing.”<sup>369</sup> Such systems link an individual’s performance and their contributions toward organizational results. This linkage, in turn, factors into employees’ rewards, recognition, promotions, bonuses, salary increases, etc.



**Recommendation 8.8: Use the individual performance management system to drive change and achieve organizational results.** At all levels of the organization, the individual performance management system should be used to plan work and set personal performance expectations linked to USMMA’s strategic goals, monitor performance throughout the year through ongoing feedback, and rate and reward individual performance. By taking actions to help leaders, managers, supervisors, and other employees see how their daily activities contribute to organizational results, USMMA can accelerate progress towards its own goals and objectives and create a more results-oriented culture.

### **8.5 Many Processes and Procedures are Informal**

A standard operating procedure (SOP) is a set of steps needed to carry out routine tasks. It can take the form of a checklist, flow diagram, decision tree, chart, or narrative. The purpose of an SOP is to standardize procedures across individuals, time, and circumstances to make sure that everyone involved carries out their responsibilities consistently. It can create a shared understanding of a process and the role of each step. It can help units improve over time as they adjust. It can also help individuals work more efficiently if they can spend less time figuring out how to carry out each task before them. It also facilitates the pursuit of longer-term goals and objectives by institutionalizing consistency in processes even when senior leaders change.

Most units within USMMA do not have written SOPs, which is problematic for the effective management of USMMA. Without formal guidelines, decision making is more likely to be ad hoc and inconsistent, and different employees may make other decisions in identical circumstances because little is documented. As one example, the lack of SOPs presented a challenge for this report as the Study Team had to rely heavily on information obtained by interviews. Interviewees gave varying explanations of several processes, suggesting that they have different understandings. This kind of flexibility can be beneficial if, as a result, individuals innovate better

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<sup>369</sup> U.S. Government Accountability Office, “Results-Oriented Cultures: Creating a Clear Linkage Between Individual Performance and Organizational Success,” GAO-03-488 (Wash., D.C.: March 14, 2003), 1.

ways to accomplish objectives. It can be detrimental if individuals adapt work processes to align with their preferences, intuition, or opinion.

USMMA has a set of Superintendent's Instructions (SIs) and abides by Maritime Administrative Orders (MAOs). As a series of separate pdfs, the documents are not readily searchable, although a manually updated Excel spreadsheet does allow search by topic. USMMA has been updating SIs to reflect current policies and procedures. Nonetheless, several interviewees said some of the updated SIs are aspirational rather than reflective of actual operations.

Standardizing and documenting procedures can be valuable to assuring quality and providing a foundation for improving operations.



**Recommendation 8.9: Develop and execute a plan to create SOPs.** Designate a leader who will have sufficient authority and resources to ensure that SOPs are created and utilized. Set deadlines and hold units accountable for meeting those deadlines.

## 8.6 Conclusion

USMMA has not updated its management systems and practices in response to a changing operational environment and rising expectations (and requirements) for government performance.

- Standard operating procedures can go a long way to adding predictability. They can also be an important tool as new faculty, staff, and leaders come on board.
- Implementing the strategic plan can be a constructive guide for decision making if used to set priorities rather than retroactively justify them.
- USMMA needs a long-term vision to guide its path to modernization. The next five-year plan will be vital to keep the Academy on that path.
- Performance measurement can give leaders needed information about the effectiveness of efforts to pursue objectives and provide an evidence basis for making course corrections.

The transition to more formal approaches to operations will be time-consuming and resource-intensive. As USMMA is already short of time and resources, setting up and implementing new systems and practices will be challenging. But adding predictability will allow day-to-day operations to run more smoothly, and staff will be able to spend less time trying to understand or create new processes to do their work.

## Chapter 9: External Oversight and Support

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### Overview

**This chapter describes USMMA’s oversight bodies and related reporting and compliance requirements. It then assesses the effectiveness and efficiency of that oversight.** Inadequate support, oversight, and accountability over a period of years has contributed to longstanding issues and lack of modernization at USMMA. Without support and guidance, USMMA has relied on its own capacity and capability to set and implement policy and manage operations. Growing challenges and a changing environment have outpaced Academy officials’ ability to keep up.

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### Steps to Modernization

**Congress must take a more active and consistent role in oversight. MARAD and DOT must take an active role in addressing USMMA’s longstanding challenges and institutional gaps and put it on a path to modernization.**

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### External Oversight Challenges

**No single entity provides comprehensive oversight and support for USMMA.**

**USMMA, MARAD, and DOT have disagreed on the appropriate level of autonomy for the Academy.** In addition, over time, MARAD and DOT engagement in Academy operations has waxed and waned.

**Addressing today’s challenges will take a coordinated effort among numerous entities beyond USMMA.**

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### Benefits of taking action

**The greatest risk that USMMA faces today is doing nothing to remediate the breakdowns in governance.** Without action, the breakdowns in governance will continue to perpetuate the significant challenges and failures that have plagued USMMA for years.

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## 9.1 Background

As a federal agency with a unique mission, USMMA has numerous oversight bodies.<sup>370</sup> NAPA's 2017 MARAD report suggested that the bodies providing oversight to USMMA were duplicative.<sup>371</sup> Upon further investigation, this report finds that oversight is fragmented and generally not coordinated.

Several entities outside of USMMA participate in its governance and decision making:

- The Office of the Secretary of Transportation (OST), through MARAD, prepares and submits the budget and appoints the Superintendent.<sup>372</sup>
- MARAD officials work with their counterparts at USMMA to ensure compliance with MARAD and DOT policies and rules.
- The Maritime Education and Training Executive Review Board (METERB) consists of individuals in leadership positions in MARAD. It was formed in 2016 to provide governance, oversight, strategic direction, and advocacy for USMMA.
- Statute provides for two appointed bodies to advise the Superintendent and the Maritime Administrator. The Board of Visitors and Advisory Board receive updates from USMMA and offer guidance on operational matters.
- Congress exercises its oversight role directly and also through the DOT Office of Inspector General (OIG) and GAO.

With almost no coordination among USMMA oversight bodies, their activities create the appearance of oversight and the reality of substantial reporting requirements that produce little in the way of true oversight, guidance, support, or accountability. Despite many entities watching over USMMA, some of the most critical strategic issues are not being addressed.

## 9.2 Congressional Oversight

Oversight is one of the most important responsibilities of Congress. According to the U.S. Congressional Research Service (CRS), Congress conducts oversight to improve the efficiency,

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<sup>370</sup> External oversight is typically performed by a body created to monitor an organization without becoming involved in the day-to-day operations. Oversight entails ensuring that policies, plans, projects, and programs achieve desired outcomes, use taxpayer funds wisely, and comply with laws, regulations, policies, and other standards. The same body that provides oversight can also serve a support function to ensure that the organization has the wherewithal to perform well. Some oversight bodies also serve a strategic visioning function, conceptualizing a preferred future state and the steps required to achieve it.

<sup>371</sup> Recommendations from NAPA's 2017 MARAD report, "Maritime Administration: Defining its Mission, Aligning its Programs, and Meeting its Objectives," appear in Appendix U.

<sup>372</sup> The Office of the Secretary of Transportation (OST), through MARAD, provides the budget for the USMMA. The annual budget process begins with USMMA's submission to MARAD. MARAD incorporates USMMA budget request into its request to OST. MARAD has the discretion to alter the USMMA portion of its request. Likewise, OST has the discretion to alter the MARAD and/or Academy portion of the DOT request that goes to OMB. OMB and the President can alter the DOT request, including alterations to the MARAD request and the USMMA request. The President's budget is the starting point for Congressional appropriations deliberations. Congress has the discretion to take, ignore, or modify the President's budget as they see fit.

economy, and effectiveness of government operations; ensure government programs are achieving their intended results; review the ability of agencies to manage and implement federal programs; and raise public awareness of various issues.<sup>373</sup> Although Congress has reviewed specific USMMA activities in recent years, its oversight efforts have not covered the full range of operational and management problems it faces. The oversight was not sustained over time, and there was little if any effective follow-up to ensure USMMA was held accountable for making progress.

### ***Congress has used multiple mechanisms to exercise oversight***

Congress has a range of mechanisms and thus numerous carrots and sticks it can use to oversee federal agencies and hold them accountable for results,<sup>374</sup> including but not limited to: formal committee hearings with agency officials; letters, meetings, and other informal outreach to agency officials; the legislative process including the authorization and appropriation processes; and studies by congressional support agencies such as the U.S. Government Accountability Office (GAO), CRS, and agency offices of inspector general.<sup>375</sup> Appendix V provides more information on the use of these proceedings.

Congress has used several of these mechanisms to exercise oversight of USMMA on topics of special interest, primarily sexual assault and sexual harassment (SASH) issues and facilities and infrastructure.

- Since at least 2012, the Senate Appropriations Committee has directed the MARAD Administrator to submit an annual Capital Improvements Program report on USMMA’s behalf.
- At an FY 22 budget review hearing on July 21, 2021, the House Subcommittee on Coast Guard and Maritime Transportation (Committee on Transportation and Infrastructure) received the testimony of the MARAD Acting Administrator. In her written statement, she described her recent visit to USMMA and expressed concern about the state of older Kings Point facilities and the lack of adequate maintenance. She also identified several steps that MARAD intends to take to address the problems she identified.<sup>376</sup>
- As discussed in chapter 6, USMMA is required to report regularly on SASH issues.
- On April 17, 2017, the Senate Subcommittee on Transportation, Housing and Urban Development, and Related Agencies (Committee on Appropriations) held a hearing titled, “Preventing Sexual Assault & Sexual Harassment at the U.S. Merchant Marine Academy.”

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<sup>373</sup> U.S. Congressional Research Service (CRS), “Congressional Oversight Manual” RL 30240, updated March 31, 2021, pp. 3 – 5.

<sup>374</sup> Importantly, effective congressional oversight is not always about heavy-handed oversight or fault-finding. On the contrary, agencies can use constructive engagement with Congress to make their case for necessary financial resources, flexibilities, and authorities, and as needed, legislative relief to help them carry out their missions more effectively.

<sup>375</sup> CRS RL30240, and 28.

<sup>376</sup> U.S. Congress, House, Committee on Transportation and Infrastructure, “Review of Fiscal Year 2022 Budget for the Coast Guard and Maritime Transportation Programs,” hearing before the Subcommittee on Coast Guard and Maritime Transportation, 117<sup>th</sup> Cong. (2021) (testimony of Acting Administrator Maritime Administration Lucinda Lessley).

Witnesses included the MARAD Executive Director, USMMA Superintendent, and the DOT Inspector General.<sup>377</sup>

- In July 2021, the House Appropriations Committee FY 22 DOT budget markup report stipulated that (1) SASH continues to be a concern; (2) USMMA and MARAD should submit the mandated 2020-2021 SASH report in a timely manner; (3) USMMA should continue to fully staff the Sexual Assault/Sexual Harassment Prevention and Response Office; and (4) MARAD and USMMA will be required to obtain the Committee’s approval before reprogramming any of the approximately \$73 million in prior-year unobligated balances.<sup>378</sup>

Congress has also exercised oversight of USMMA by requesting studies by GAO and the DOT OIG.<sup>379</sup> Congressional committees or subcommittees of jurisdiction can request these studies in legislation or a committee or conference report. GAO can also initiate studies on its own. Since 2009, GAO has conducted two studies of USMMA, both related to internal controls.<sup>380</sup> The DOT OIG conducts audits and investigations at the behest of Congress, and it also has the authority to initiate studies as it sees fit. Recent DOT OIG studies focused on the Sexual Assault Prevention and Response (SAPR) program,<sup>381</sup> network security,<sup>382</sup> and acquisitions.<sup>383</sup> OIG letters and testimony further address these topics. In addition to studies that focus on USMMA specifically, several OIG studies on MARAD and DOT also touch on operations at USMMA.

### ***Congressional oversight has been inconsistent***

While there has been no shortage of congressional oversight of USMMA in recent years, it has not been commensurate with the full scope and severity of USMMA’s challenges. Indeed, most of the oversight has focused on SASH and infrastructure issues. While these are critical issues, less attention has been paid to other urgent problems such as diversity, inclusion, and belonging;

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<sup>377</sup> U.S. Congress, Senate, Committee on Appropriations, Preventing Sexual Assault & Sexual Harassment at the U.S. Merchant Marine Academy, hearing before the Subcommittee on Transportation, Housing and Urban Development, and Related Agencies, 115<sup>th</sup> Cong., 1<sup>st</sup> sess., April 17, 2017.

<sup>378</sup> U.S. Congress, House, Committee on Appropriations, Departments of Transportation, and Housing and Urban Development, and Related Agencies Appropriations Bill, 2022: Report (to accompany HR 4550), 117<sup>th</sup> Cong., 1<sup>st</sup> sess. 2021, H. Rep. 117-99, 90 – 92, accessed November 8, 2021 at <https://www.congress.gov/117/crpt/hrpt99/CRPT-117hrpt99.pdf>.

<sup>379</sup> The Office of Management and Budget (OMB) also oversees executive branch agencies on behalf of the President. OMB has many statutory duties, centering on ensuring alignment of agency decisions with the President’s policies and agenda. In 2020, OMB reviewed USMMA’s long-range plan and returned comments to DOT.

<sup>380</sup> U.S. Government Accountability Office, “Internal Control Weaknesses Resulted in Improper Sources and Uses of Funds; Some Corrective Actions Are Under Way,” GAO 09-635; August 2009 and “Additional Actions Needed to Establish Effective Internal Control,” GAO 12-369; July 2012.

<sup>381</sup> Office of the Inspector General, Department of Transportation, “Gaps in USMMA’s Sexual Assault Prevention and Response Program Limit Its Effectiveness,” March 28, 2018, and “Better Program Management and Oversight are Required for USMMA’s Efforts to Address Sexual Assault and Harassment,” October 23, 2014.

<sup>382</sup> Office of the Inspector General, Department of Transportation, “The U.S. Merchant Marine Academy’s Security Controls Were Not Sufficient to Protect Sensitive Data from Unauthorized Access,” May 30, 2012.

<sup>383</sup> On November 28, 2019, DOT OIG announced its intention to assess contract award and administration policies, procedures, and practices for MARAD’s USMMA acquisitions, accessed October 3, 2020, <https://www.oig.dot.gov/library-item/37597>.

USMMA's challenges in recruiting faculty, especially as almost half of the faculty are nearing retirement; and more generally, USMMA's need to modernize and transform its culture.

Moreover, the oversight has not been sustained over time to ensure USMMA maintains momentum and is held accountable for making progress in resolving the challenges it faces. For example, although MARAD and USMMA officials have been called to testify on SASH issues, the hearings have been sporadic. Likewise, congressional follow-up on its oversight efforts has been limited. For example, while Congress has mandated various reports from USMMA, and numerous studies have identified management and operational issues, it is unclear how Congress uses that information to press USMMA on how it is acting on the results of these reports or the steps it is taking in response to the studies. Sustaining steady progress on USMMA's modernization efforts will be challenging without regular accountability and follow-up activities to augment congressional oversight.



**Recommendation 9.1: Congress should more actively and consistently oversee USMMA and hold DOT, MARAD, and USMMA accountable for results.** Congress can use several mechanisms to carry out more active and sustained oversight. These mechanisms include regular formal hearings (including one or more field hearings at Kings Point), periodic meetings with MARAD and Academy leaders, and more active use of the authorization and appropriations processes. Using these tools would better ensure USMMA is held accountable for results, provide Congress with timely information on USMMA's progress and the extent to which any additional support is needed, and make USMMA's improvement efforts more transparent. In addition, more assertive use of the authorization and appropriations process, such as eliminating inefficient programs, and eliminating, reducing, or increasing funding as required, would better incentivize progress and provide needed support.

Reports prepared by DOT OIG and GAO become public record. Both organizations post their reports online. Their websites are indexed and easily searchable. In addition, DOT OIG tracks all units' responses to their findings, noting which ones have been closed. Reporting ordered by Congress may technically be public record but is, in fact, hard or impossible to find online. USMMA's annual CIP reports are not posted anywhere online, nor are they required to be. As noted in Chapter 6, SASH reporting is posted on USMMA's website, on a single page devoted to the Sexual Assault Prevention and Response Program. Seven reports are posted, as required, but with varying names and no context.



**Recommendation 9.2: Congress should require USMMA to post all Congressionally directed studies prominently on their website.** To help promote greater transparency, USMMA should post prominently on the website the reports Congress has directed them to produce, providing context and describing progress made, if any, in addressing recommendations.

### 9.3 Oversight of USMMA is Fragmented

Two statutory bodies and a MARAD workgroup —the Board of Visitors (BoV), the Advisory Board, and the Maritime Education and Training Executive Review Board (METERB)— provide input to Academy leaders. Implementing USMMA’s strategic plan is a central topic for all three groups, and they also have their niches.

Their activities create the appearance of oversight and the reality of substantial reporting requirements. Their respective roles are not clearly defined, and their agendas seem to vary with participants’ preferences. With minimal or no coordination and fragmentation, overlap, and duplication in their functions, these three bodies do not provide comprehensive oversight, guidance, or support. Some of the most critical strategic issues are not addressed. It is unclear how their work improves USMMA’s performance, oversight, or accountability.

Table 9-1 provides an overview of the groups’ memberships and purpose. A more detailed discussion follows.

*Table 9-1. Overview of Governance Bodies’ Members and Purpose.*

	<b>Board of Visitors</b>	<b>Advisory Board</b>	<b>METERB</b>
Members	19 members, including 8 members of the House and Senate, 5 Presidential appointees, and 6 ex officio members	7 individuals distinguished in education and other fields related to USMMA; predominantly alumni	10 leaders within MARAD
Purpose, per charter	Advise and make recommendations on matters related to the state of morale and discipline, curriculum, instruction, physical equipment, fiscal affairs, academic methods of USMMA, and any other issues relating to USMMA that the Board decides to consider	Examine the course of instruction and management; report to Secretary of Transportation	Provide governance, oversight, strategic direction, and advocacy

*Source: National Academy of Public Administration<sup>384</sup>*

#### ***Board of Visitors***

The Board of Visitors (BoV) is advisory only. It has no decision-making authority, nor is it required to take any action beyond providing guidance. The statute provides that the BoV *may* issue an annual report, although records do not indicate that annual reports have ever been issued. Having a BoV is advantageous to USMMA as it provides a critical connection to elected

<sup>384</sup>46 U.S. Code §51312; 46 U.S. Code §51313; USMMA Advisory Board Charter (DOT 1120.45A); Maritime Education and Training Executive Review Board Charter (May 29, 2021)

officials. Members of Congress who serve on the BoV gain an understanding of Academy issues through direct discussion with its leaders.<sup>385</sup> Membership includes eight members of the Senate and House of Representatives and five Presidential appointees. The Presidential appointees *may* include an officer of flag-rank from the Coast Guard, the National Oceanic and Atmospheric Administration, or any military services that commission graduates of USMMA. With this provision, the BoV is the only one of the three advisory bodies that can include military officials, although it is not required. In addition, *ex officio* members include the Commander of the Military Sealift Command and the Deputy Commandant for Operations of the Coast Guard.

The BoV generally meets twice a year, with one of the meetings at the Kings Point campus.<sup>386</sup> The typical format of the meetings includes Academy leaders providing updates on initiatives, with time allowed for questions and discussion of additional concerns. The topics discussed at recent BoV meetings include developing a leadership program, SASH on campus and at sea, student body diversity, the Superintendent's autonomy, accreditation, strategic planning, capital improvements, and industry participation in Sea Year.

## ***Advisory Board***

The Advisory Board advises the Superintendent and Maritime Administrator, primarily on instruction and management. A previous Secretary of Transportation described their purview as including innovation in the maritime industry, emerging trends in shipping and maritime operations, and activities to support DOT's goals of safety, infrastructure, innovation, and accountability.<sup>387</sup> By statute, the Advisory Board consists of up to seven individuals distinguished in education and other fields related to USMMA. Five of the seven current members are graduates of USMMA.

From 2014 to 2017, the Advisory Board produced four annual reports that described USMMA's progress towards implementing its 2012-2017 strategic plan and the Secretary's directives related to the quality of life, academic experience, and external relations. The Board collected information through interviews, surveys, and focus groups with faculty, staff, students, and stakeholders and reviewed academic departments' self-assessments.<sup>388</sup> They made recommendations to improve operations and pursuit of the mission based on their expertise and understanding of best practices, emerging trends, and issues in higher education and the maritime industry.<sup>389</sup>

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<sup>385</sup> Direct discussion between USMMA and members of the BoV who are also members of Congress are limited because communication between USMMA and Congress is supposed to go through MARAD's Congressional relations office.

<sup>386</sup> 46 U.S. Code § 51312. Despite the statutory requirement, the Board of Visitors did not meet in 2019.

<sup>387</sup> Statement made by previous Secretary of Transportation Elaine Chao, "U.S. Transportation Secretary Announces New Members of U.S. Merchant Marine Academy Advisory Board," Thursday, August 29, 2019. Accessed 3-21-21, <https://www.maritime.dot.gov/newsroom/press-releases/us-transportation-secretary-announces-new-members-us-merchant-marine-academy>.

<sup>388</sup> The opinions and narratives presented in Advisory Board reports are valuable as consensus points of view rather than evidence-based findings. The Study Team faced a similar challenge, finding a lack of documentation for many initiatives, processes, and procedures.

<sup>389</sup> The most recent (2017) Advisory Board report included recommendations related to several issues identified by the Panel during the current study. Advisory Board reports are yet another set of documents that recognize longstanding and recurrent issues and develop recommendations to address those issues.

The Secretary of Transportation appointed a new Advisory Board in 2019. They submitted a draft report to the Secretary in 2020 that has not yet been made available. The Study Team asked two current members to offer their insight on the role of the Advisory Board and USMMA. Because the draft report had not been released, they both declined to participate.<sup>390</sup>

## ***Maritime Education and Training Executive Review Board (METERB)***

### **Origins and structure**

The Maritime Administrator established the Maritime Education and Training Executive Review Board (METERB) in 2016 to provide governance, oversight, strategic direction, and advocacy for USMMA. It consists of 10 members, including:

- Deputy Maritime Administrator
- Chief Counsel
- Associate Administrator for Budget and Programs
- Associate Administrator for Administration
- Associate Administrator for Strategic Sealift
- Associate Administrator for Ports and Waterways
- Associate Administrator for Business and Finance Development
- Associate Administrator for Environment and Compliance
- Deputy Associate Administrator, National Coordinator for Maritime Education and Training
- Director, Office of Civil Rights

The Superintendent is an ex officio member. Other Academy officials often attend meetings.

The breadth of METERB's mandate creates both flexibility and uncertainty. It does not have authority over USMMA, per se. It does not approve any proposals, decisions, or activities at USMMA, nor does it review performance. The Superintendent does not report to any individuals on METERB; rather, he reports directly to the Administrator. On the other hand, METERB's charge is to advise the Administrator on matters related to USMMA. The findings of METERB are likely to weigh on the Administrator's decision making.

Multiple interviewees who are familiar with METERB said that it was an unusual group. Board members and the Superintendent have wide latitude to propose agenda items, subject to the approval of the chair (the MARAD deputy administrator). In the early years of operation, it had no standing agenda or specific assignments, and its function depended on the topics that participants chose to bring to the table.

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Topics include the need to attract qualified, diverse faculty, appoint an industry advisory entity, work with DOT to improve hiring processes, establish performance indicators related to SASH, and assess adequacy of staffing and budget to maintain facilities and grounds.

<sup>390</sup> By statute (46 U.S. Code §51313(d)), the Advisory Board is exempt from the Federal Advisory Committee Act (FACA; 5 U.S. Code App.) and is therefore not required to release the annual report.

## Recent developments

Subsequent changes clarified the role of METERB. In May 2020, changes to the METERB charter (see Appendix W) appeared to broaden its scope and bring structure to its operations. With these changes, it could provide more comprehensive oversight and support. Its effectiveness will hinge on the execution.

With the change in Administration in January 2021, a new Acting Administrator was named, bringing new attention to USMMA. Under her leadership, in June 2021, METERB created three working groups to address (1) diversity, equity, and inclusion, (2) environment, and (3) budgeting and resources. In each area, the working groups were asked to identify issues, help prioritize the order to address them, and guide the Academy toward meeting established milestones to resolve the problems.

Later in June 2021, the Acting Administrator visited Kings Point. During testimony before the House Subcommittee on Coast Guard and Marine Transportation in July 2021,<sup>391</sup> she described the findings of her visit:

“On June 19, 2021, I visited the U.S. Merchant Marine Academy to attend its 2021 graduation ceremony and tour the Academy’s facilities. Although I was pleased to tour several new facilities built by the Academy in recent years, I was concerned by what I saw in some of the older facilities on the campus. I observed several instances of disrepair and what appeared to be either deferred maintenance or poorly performed attempts at maintenance. In light of the age of some of the buildings, a regular maintenance framework is essential for the health and safety of Academy staff and students. Therefore, in the wake of my visit, the Department and MARAD have acted immediately to begin to investigate these concerns, including dispatching teams consisting of building management professionals, contracting management professionals, and environmental health and safety professionals to conduct reviews of the campus. We are seeking professional assistance from the General Services Administration, and putting in place plans to undertake a comprehensive Building Evaluation Report. The Department has initiated a thorough, top-to-bottom review of the physical infrastructure and management practices, and will keep Congress informed of our findings in a timely manner. We are also developing 30-day, 60-day, and long-term work plans to address the most urgent issues.<sup>392</sup>

The working groups have begun to develop plans for their work. They have also begun to work with “tiger” teams<sup>393</sup> assembled by OST. Since these recent developments are still in their infancy, their potential effectiveness and benefit in remediating years of insufficient oversight and support are still unknown.

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<sup>391</sup> Lessley testimony, July 21, 2021.

<sup>392</sup> Ibid, p2-3.

<sup>393</sup> Originating in the fields of information technology and security, a “tiger team” is “a cross-functional team pulled together for a period of time to address a critical issue. They are often formed when ... the most likely solutions have already been tried without success.... The team schedules a series of meetings to work through an issue until a root cause is determined and a solution is implemented.” “GSA Tech Guides: Running Tiger Teams” General Services Administration, accessed September 25, 2021, [https://tech.gsa.gov/guides/Tiger\\_teams/](https://tech.gsa.gov/guides/Tiger_teams/).

## ***Alternative models of external oversight and support***

Other institutions of higher education in the U.S. have comprehensive and coordinated oversight and support. These models are not available to USMMA, but they illustrate the disadvantages of its current arrangements.

Non-federal colleges and universities have unique governance structures arising from the circumstances of their founding and the contexts in which they operate. The primary governing body is typically a Board of Trustees that performs five critical governance functions:<sup>394</sup>

- **Strategy:** In collaboration with university leaders, develop strategy, monitor execution, and make decisions that help define, support, and protect its mission.
- **Performance:** Assess the performance of university leaders and provide oversight over university performance on success factors.
- **Financial:** Review and approve annual operating budgets and major capital expenditures; oversee university financial management, including fundraising and investment.
- **Risk:** Ensure that the university fully complies with all its legal obligations; review institutional audits and provide guidance on corrective actions; plan for crisis and emergency responses; preserve and protect its reputation.
- **External relations:** Promote and guide partnerships and external engagement; act as the university's ambassador to the community.

Appendix X describes how Boards of Trustees operate at a private university (Harvey Mudd College) and a single campus of a state university system (SUNY Maritime). It also describes the unified governance in place at the other four federal service academies. By contrast, table 9.2 illustrates that separate bodies carry out these five governance functions for USMMA with little to no coordination. MARAD comes closest to providing comprehensive governance, but its strategic guidance is internally focused; it does not assess the performance of USMMA, and its participation in external relations is limited to liaison with Congress.

Recommendations to address comprehensive oversight appear in Chapter 10.

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<sup>394</sup> Adapted from Frankki Bevins, Jonathan Law, Saurabh Sanghvi, and Rachel Valentino, "Shaping university boards for 21st century higher education in the US." November 12, 2020, accessed June 1, 2021, <https://www.mckinsey.com/industries/public-and-social-sector/our-insights/shaping-university-boards-for-21st-century-higher-education-in-the-us>.

Table 9.2 USMMA Governance Bodies' Function

	Strategy	Performance	Financial	Risk	External Relations
<b>MARAD/DOT</b>	METERB advises USMMA on DOT and MARAD internal operational matters; Secretary may set agency-wide policy	Hires and manages the performance of Superintendent; does not assess the performance of Academy	Creates the annual budget request, in consultation with Academy leaders; oversees spending	Sets internal control standards	Acts as the official liaison to Congress.
<b>Board of Visitors</b>	Receives updates, raises issues	-	-	-	May address external partnerships
<b>Advisory Board</b>	Assess progress towards implementation of the strategic plan	-	-	-	-
<b>Congress</b>	-	Requires reporting on matters of interest; directs OIG to conduct audits; directed NAPA to conduct this study	Makes direct allocations related to matters of interest	-	-
<b>Other</b>	Superintendent receives input through regular contact with individuals in industry, other academy Superintendents, and other stakeholders	Middle States Commission on Higher Education accredits USMMA; Accreditation Board for Engineering and Technology accredits two engineering programs	Alumni and parents' groups engage in fundraising	The risk assessment officer at USMMA leads this function; the external relations officer manages external communication	Individual faculty members and Academy leaders represent the institution at external events

## **9.4 The Relationship between MARAD and USMMA Has Presented Obstacles and Does Not Provide Needed Support**

Structurally, the relationship between USMMA and MARAD / DOT is unambiguous. Federal law provides that DOT operates USMMA, with the Secretary of Transportation delegating responsibility to the Maritime Administrator. MARAD publishes Maritime Administrative Orders (MAOs) that define USMMA's reporting requirements and decision-making processes. The Code of Federal Regulations states that "the Superintendent of USMMA is delegated authority to issue all regulations necessary for the accomplishment of USMMA's mission."<sup>395</sup> The Superintendent reports to the Maritime Administrator.

Beyond these basic arrangements, the governance<sup>396</sup> of USMMA by MARAD and DOT is problematic. Interviewees within MARAD, USMMA, and external stakeholders almost universally described the relationship between MARAD and USMMA as challenging and sometimes fraught. However, they disagree on the cause and nature of the problems, with widely varying opinions on what is needed to resolve those problems.

The Panel sees the longstanding dysfunctional relationship as a significant factor in limiting Academy progress in meeting the challenges discussed in this report. The path to the modernization of USMMA will require MARAD, DOT, and USMMA to make clear decisions on some matters and work together to find common ground on others. Clarification of the relationship is a necessity.

### ***Friction centers on the appropriate level of autonomy of USMMA***

Statute does not address USMMA's autonomy. The level of MARAD's and DOT's involvement in USMMA has varied from year to year. Review of documents alone suggests that a flurry of activity was launched in 2009 when then-Secretary of Transportation Ray LaHood visited the Kings Point campus. He was sufficiently concerned about physical conditions that he convened a panel to develop what would become the seminal report on facilities and infrastructure planning at USMMA: the Red Sky in the Morning report. While preparing this report, the Study Team and Panel heard many different points of view on the appropriate level of autonomy. This section airs those points of view and attempts to assess their validity.

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<sup>395</sup> 46 C.F.R. 310.67

<sup>396</sup> Governance refers to "how an organization works with its partners, stakeholders, and networks to influence outcomes." The governance of a public organization focuses on enterprise-wide performance and the achievement of mission objectives. Governance requires demonstrable, *internal* alignment of decisions and activities to the mission. It also requires *external* alignment, situating itself in a larger context, as a contributor to outcomes beyond the narrow confines of the organization. (See Tony Bovaird and Elke Löffler, Editors. *Public Management and Governance*. Second Edition. New York: Routledge, 2009; 6. A seminal study on public governance by a leading scholar is Donald F. Kettl, *The Transformation of Governance: Public Administration for 21<sup>st</sup> Century America* (Baltimore, MD: Johns Hopkins University Press, 2002)

## **The Middle State Commission on Higher Education recommended greater autonomy, but their standards are a poor fit for some aspects of USMMA**

Although support for more autonomy originated an indeterminate number of years ago, Academy autonomy resurfaced after the (Middle State Commission on Higher Education) MSCHE 2016 accreditation report. The MSCHE site visit team issued a warning to USMMA, saying it had to take immediate steps to preserve its accreditation. The site visit team raised many critical governance issues,<sup>397</sup> concluding in part that “the Superintendent as the CEO of the institution does not in practice currently have the means, authority, and responsibility, assigned or delegated, to enable effective and efficient accomplishment of USMMA’s mission,” including “lack of institutional authority over human resources, finance, and procurement.”<sup>398</sup> USMMA subsequently received additional autonomy in all three areas, but some interviewees said that this move did not lead to unambiguous improvement.<sup>399</sup>

It should be noted that MSCHE standards were developed for public and private institutions of higher education, not for the unique missions of the federal service academies.<sup>400</sup> Those standards miss several essential characteristics of USMMA’s operations. The standards do not consider that as a unit of the federal government, USMMA is also governed by federal statutes and regulations that are far greater in number and scope than other institutions of higher education. While some authorities could be (and were) partially shifted to USMMA following the MSCHE report, retaining limitations on some authority was necessary to align with federal requirements and processes.

Beyond the scope of the MSCHE reaccreditation review was whether USMMA had adequate processes, capabilities, and capacities to identify and remediate its own operational and cultural

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<sup>397</sup> One such issue was the inadequacy of long-term planning. This finding motivated the more ambitious process behind development of the 2018 Strategic Plan. Additional deficiencies related to “linking resource allocation to planning as well as to goal and mission achievement; important administrative positions that remain vacant; and institutional response to sexual assault and harassment.”

<sup>398</sup> Middle States Commission on Higher Education, Team Report to the Faculty, Administration, Advisory Board, and Students of the U.S. Merchant Marine Academy, Prepared after study of the institution’s Self-Study Report and a visit to the campus on April 3-6, 2016. June 2016.

<sup>399</sup> Following the MSCHE report, USMMA gained greater autonomy in human resources, finance, and procurement. In human resources, more functionality was created at USMMA, but as described in chapter 3, the length and complexity of the faculty hiring process continues to hamper recruitment and especially the hiring of both diverse and top-ranked academic faculty. Sufficient concerns persist for the DOT OIG to have announced an audit of MARAD’s Academy Acquisitions in November 2019, noting that “Previous audits by the U.S. Government Accountability Office (GAO) and Department of Transportation Office of Inspector General (OIG) have identified weaknesses in MARAD’s and USMMA’s acquisition policies and practices. Furthermore, in 2017, two USMMA employees were found guilty of steering contracts to preferred vendors in exchange for kickbacks. Due to concerns highlighted by the past criminal activity, and GAO and OIG reports, we are initiating an audit of USMMA’s acquisition function. Our objective will be to assess contract award and administration policies, procedures, and practices for MARAD’s USMMA acquisitions.” Department of Transportation, Office of Inspector General. Audit Initiated of MARAD’s U.S. Merchant Marine Academy Acquisitions; November 18, 2019. Accessed 10.27.20 at <https://www.oig.dot.gov/library-item/37597>.

<sup>400</sup> Middle States Commission on Higher Education, “Standards of Accreditation and Requirements for Affiliation,” Accessed 06.27.21 at <https://www.msche.org/standards/>

weaknesses. A prime example is that the 2016 self-study report<sup>401</sup> described the many issues USMMA had faced concerning sexual assault and sexual harassment (SASH) and the resulting oversight from Congress and DOT OIG. The MSCHE final report concluded that USMMA had taken and planned to take substantial steps to address these issues.<sup>402</sup> Yet Congress has continued to express concerns regarding SASH, and reports of SASH incidents continue.

### **Some aspects of operating a federal facility could be considered non-core functions and therefore not appropriate for managing on-site**

A related issue is that the core function of USMMA is providing education and training. Operating and staffing a government facility—the USMMA campus—is a non-core function. Aside from the Federal Information Technology Acquisition Reform Act (FITARA) and the Chief Financial Officers (CFO) Act of 1990, the use of shared services or consolidation of services is not required. Still, federal regulations require some functions to be handled at the Department level. For instance, the FITARA<sup>403</sup> provides that the agency-level Chief Information Officer (CIO) has responsibility for all information technology projects and expenses. Similarly, the CFO Act centralized financial management functions at the agency level. USMMA uses DOT guidelines for acquisition, but they can plan for their own needs.

Several criteria can be used to determine whether a function should be carried out on-site at Kings Point. For instance, functions that require direct observation and contact, an understanding of how operations vary with changing conditions, and an understanding of the culture should be performed locally. Functions that require a high level of expertise, are needed intermittently, or involve the institution’s fit into a larger context should be performed centrally or outsourced. Functions that have a mix of these characteristics require a high level of coordination and cooperation.

### **USMMA does not have the same level of support afforded the other Federal Service Academies**

The perceived unequal footing between USMMA and the other federal service academies crosses several areas, most notably arrangements for faculty, facilities decision making, and the discretionary use of funds.

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<sup>401</sup> Self-study is the first step in an accreditation review. USMMA Comprehensive Self Study Report: Submitted for Reaccreditation by the Middle States Commission on Higher Education, Spring 2016.

<sup>402</sup> This report noted the following requirement: “The pervasiveness of sexual harassment on campus must be addressed as a pressing and substantial concern that has fostered a hostile environment for many cohorts of midshipmen. The institution must implement specific steps to build a climate of mutual respect and trust among midshipmen, faculty, and staff with respect to sexual assault and sexual harassment.” Report to the Faculty, Administration, Advisory Board, and Students of the USMMA by a Team Representing the Middle States Commission on Higher Education, Prepared after study of the institution’s Monitoring Report and a visit to the campus on March 29-31, 2017.

<sup>403</sup> P.L. 115 - 88 - FITARA Enhancement Act of 2017; <https://www.congress.gov/113/plaws/publ291/PLAW-113publ291.pdf#page=148%5D>. OMB implementation guidance, OMB Memorandum M-15-14: Management and Oversight of Federal Information Technology; <https://www.whitehouse.gov/sites/default/files/omb/memoranda/2015/m-15-14.pdf>.

Chapter 3 described several ways that conditions for USMMA faculty are unlike conditions for faculty at the other federal service academies. Most notable are faculty hiring, pay, governance, ability to accept grants, and ownership of copyrights.

Decisions about facilities maintenance and modernization at USMMA proceed differently from facilities decisions at the other four service academies. As discussed in chapter 4, neither MARAD nor DOT has a facilities and infrastructure planning unit. As a result, they do not have the expertise needed to assess USMMA's Capital Improvement Program (CIP). Indeed, the review of facilities planning is conducted from an annual budget perspective.

Leaders at the other service academies do not have the authority to make facilities decisions, either. Still, they do have substantial support structures and coordination requirements to ensure an orderly, evidence-based process. For example, USCGA is a USCG facility.<sup>404</sup> As one interviewee described the relationship, USCGA is just a "tenant" on Coast Guard property. USCGA leaders have input into the priorities, but decision making occurs at a higher level, in the context of all other needs across the system. The USCGA strategic plan identifies the knowledge, skills, and abilities that students need to graduate and succeed. The Facilities Master Plan connects training and education needs to facilities. USCGA has an inventory of facilities and infrastructure conditions. They conduct periodic needs assessments to make sure that the inventory is up to date. Applying Coast Guard administrative space standards, they can quantify and present their needs. The Coast Guard's Shore Infrastructure Logistics Center (SILC) generates all USCG facilities planning and project development documents for review and approval by the Commandant. DOT does not have any equivalent to the Coast Guard facilities planning and review process. It does not have facilities standards or facilities review processes. DOT also lacks mechanisms to assess facilities needs, especially for instructional spaces and technologies, intercollegiate athletics, and Midshipmen training

The other area in which USMMA is not on an equal footing with the other service academies is the availability of "R&R" (reception and representation) funds. Interviewees told the Study Team that the superintendents of the other federal service academies have substantial R&R funds. The Study Team was not able to verify the amounts or allowable uses. R&R funds may be used to host events. The Superintendent can request funds from the Secretary of Transportation, but those funds are limited, and requests must be submitted in advance. Chapter 7 discusses this issue in more detail.

## ***The relationship between MARAD and USMMA is poorly delineated, leaving gaps and areas of dispute***

### **Reporting relationships are vague**

Reporting to the Maritime Administrator, the Superintendent is responsible for managing day-to-day operations, governing, administering, and leading the institution. Many functions at USMMA have concurrent reporting or are required to coordinate with their counterparts at

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<sup>404</sup> Information on the USCGA process comes from interviews with USCGA officials and review of publicly available Coast Guard documents, including the Civil Engineering Manual (May 2014), and the Facilities Engineering Management Guide (August 7, 2018). Also reviewed was the USCGA Facilities Master Plan.

MARAD.<sup>405</sup> Maritime Administrative Order (MAO) 150-001-0 describes these relationships in broad terms. The descriptions imply that managers on the USMMA side are to take the initiative in these relationships. The responsibility for MARAD counterparts to provide support, oversight, or guidance is not spelled out. Poorly defined relationships can undermine transparency, accountability, and coordination, even while providing flexibility. Interviews with officials at USMMA and MARAD provided some clarity, but in some cases, corresponding staff at USMMA and MARAD described the nature of the relationship somewhat differently. Neither side was aware of the discrepancy. The vagueness of the arrangement can allow relationships to vary with individuals' interpretations of their roles.



**Recommendation 9.3: MARAD and USMMA must clarify concurrent reporting and coordination responsibilities for functions at USMMA and internal processes by developing Standard Operating Procedures (SOPs).** Clarification should include spelling out the delegation of authority to the Superintendent

### **MARAD and USMMA do not cooperate or collaborate well in some areas**

Friction between MARAD and USMMA is primarily about strategic issues, mostly centering on the Superintendent's authority to take steps he deems necessary to run the institution well. In short, the demands of federal procedures and the reality of college operations sometimes do not fit in some cases. USMMA has a responsibility to care for its students. Some of the needs can be anticipated, some cannot, and some bear little resemblance to anything that MARAD typically handles.

While USMMA might not navigate the federal bureaucracy as well as it should, the proper application of rules does not appear to be in dispute. Rather, the lack of effort to abide by, adapt, or change the rules may be the irritant. As previously highlighted:

- USMMA has not been able to make progress with DOT to make more advantageous arrangements for IT networks. USMMA's IT networks are on the ".gov" domain. One network is in use by faculty and staff. A parallel network is for Midshipmen. USMMA is

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<sup>405</sup> Maritime Administrative Orders (MAO) 150-001-0 (September 8, 2020), establishes the relationship between USMMA and MARAD. MAO 150 provides that the Superintendent supervises, plans, and directs USMMA while also reporting to the Maritime Administrator. It characterizes functional reporting relationships between USMMA and MARAD as "concurrent" or "coordinating," although neither term is defined. Concurrent reporting usually means parallel lines of supervision. At USMMA, this would mean that the head of the function at USMMA reports equally to an official within MARAD in addition to the Superintendent. Coordinating suggests communication to promote collaboration, alignment of activities, and consistency of Academy actions with MARAD and DOT policies and procedures. According to MAO 150, Procurement, Academy Financial Management, the SAPRO (on matters of policy, management, and conflicts of interest), Civil Rights / EEO, and Human Resources report concurrently to counterparts within MARAD. Function areas that MAO 150 describes as coordinating are the Capital Improvements Program, Administrative Services, Public Safety and Security, Information Technology, and the SAPRO (coordinating "with the MARAD Office of Civil Rights as an expert on all sexual harassment prevention matters to ensure consistency with MARAD and DOT policies and procedures.").

unable to enjoy the benefits of being on a “.edu” domain, which includes significantly lower pricing available to institutions of higher education.

- USMMA and DOT have not been able to adapt the federal hiring process to the realities of the academic hiring cycle. Academic hiring is a cyclical activity. Colleges and universities compete for the best-qualified applicants during a specific time of year. Failing to make job offers in timely fashion handicaps USMMA. This problem is especially acute concerning the small pool of engineering and technical faculty on the job market in any given year and the even smaller pool of faculty on the job market in any given year who would add to the institution's diversity.
- USMMA officials do not consistently justify facilities and infrastructure projects or initiatives in a way that comports with MARAD procedures. Training requires specialized facilities that are not familiar to MARAD officials. Students must receive training before going out to sea. Students must go out to sea to be eligible for the Coast Guard license exam. Students must earn a Coast Guard license to graduate. Therefore, having inadequate training facilities prevents USMMA from fulfilling its mission. Moreover, federal facilities planning is not well served by the annual budget process.<sup>406</sup>

Contributing to this friction is a deep-seated dissatisfaction among some external stakeholders that few of the MARAD officials involved with USMMA have any direct experience in the maritime domain or higher education. Many made this point as they talked about their passion for the industry or their commitment to serve national security. Several went further to make the case that only someone who had graduated from USMMA or had gone to sea would understand and share this passion and commitment. They expressed a perspective that putting USMMA in the hands of anyone who did not share this passion and commitment would be disrespectful to the institution, its community, and its heritage. In other words, they saw it as an existential threat.

### **USMMA’s poor record in many aspects of operations undermines confidence that it could thrive with more autonomy**

USMMA has not been able to thrive in aspects of operations where it has some autonomy. It has a poor record of managing maintenance, facilities and infrastructure, SASH, internal controls, and information technology. USMMA and MARAD have taken some steps to improve these specific areas, but issues persist.

#### ***Maintenance, facilities, and infrastructure***

As described in Chapter 4, USMMA has not established a solid basis of facilities and infrastructure planning to justify and complete maintenance, repair, recapitalization, and modernization projects. Multiple reports going back to Red Sky indicate that the Facility Engineering group is

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<sup>406</sup> A 2020 study for the IBM Center for The Business of Government explained the "large perceived budget process barrier to appropriations for federal capital projects, such as construction or purchase of facilities, is the requirement that budget authority for the full cost of such projects be appropriated before the project can begin. The barrier is that the budget process does not provide a direct way of recognizing an investment's potential benefits," Steve Redburn, Kenneth J. Buck, G. Edward DeSeve, "Mobilizing Capital Investment to Modernize Government," The IBM Center for The Business of Government.

understaffed, underfunded, and lacking appropriate bandwidth and expertise. Couple that with Academy training operations that continue across virtually the entire calendar year, further impacting scheduled maintenance and repair. This has led to a fractured facilities approach focused only on breakdown maintenance and repair, resulting in continued deterioration of buildings and infrastructure on the campus. Unscheduled maintenance and repair consumes resources through both excessive costs and facilities engineering personnel time. And perhaps of even greater concern, it directly impacts the USMMA training mission due to the unexpected loss of the facility's availability.

### **SASH**

A 2009 USMMA survey found that “less than half of the population of female upperclassmen, faculty, and staff...believe that the senior leadership has created a climate that is intolerant of sexual harassment and sexual assault.”<sup>407</sup> The Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 “required the Secretary of Transportation to direct USMMA to prescribe policies for addressing sexual assault and harassment and to conduct annual assessments of the program's effectiveness, develop action plans, and report to Congress on its progress.”<sup>408</sup> To do so, USMMA developed an action plan to address sexual assault and harassment (SASH). At the request of Congress in 2013, the DOT OIG conducted a one-year assessment of USMMA's action plan.<sup>409</sup> OIG found USMMA had made little progress on the action plan's nine goals. The “significant shortcomings” included failure to establish a SAPR program, overdue release of academic program year reports, and a lack of effective oversight and responsibility for SASH matters at USMMA.

USMMA created another action plan covering the years 2014-2015, and OIG reviewed their follow-up plan at the request of Congress. OIG found “that USMMA had completed 29 of the 44 action items (about 66 percent)” and that “leaders in the Department, MARAD, and USMMA appear to be focused seriously on addressing the myriad of issues related to sexual assault and harassment.”<sup>410</sup> The incomplete action items, however, “were intended to address the very issues that USMMA continues to identify, including incident reporting, enhanced midshipman and staff awareness, Sea Year preparation, engagement between USMMA and the maritime industry, and engagement of USMMA leadership.”<sup>411</sup> Ultimately, OIG concluded in 2018 that that “USMMA's

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<sup>407</sup> U.S. Department of Transportation Office of Inspector General, Memorandum: Audit Announcement—Review of the United States Merchant Marine Academy's Progress in Addressing Sexual Harassment and Sexual Assault, Project No. 13C3004C000. July 13, 2013.

<https://www.oig.dot.gov/sites/default/files/USMMA%20Announcement%20Letter.pdf>

<sup>408</sup> U.S. Department of Transportation Office of Inspector General, “Statement: USMMA's Efforts to Address Sexual Assault and Sexual Harassment, Statement before the Committee on Appropriations Subcommittee on Transportation, Housing and Urban Development, and Related Agencies, United States Senate,” April 5, 2017.

<https://www.oig.dot.gov/sites/default/files/USMMA%20Statement%20Hearing%20Statement%5E4-5-17.pdf>

<sup>409</sup> Ibid.

<sup>410</sup> U.S. Department of Transportation Office of Inspector General, Letter to Congress Regarding USMMA's Actions to Address Sexual Assault and Harassment, August 11, 2016, P.2 & P.6,

<https://www.oig.dot.gov/library-item/33595>

<sup>411</sup> Ibid.

lack of full compliance with its procedures, particularly for sexual harassment, limits its ability to respond to incidents and report to Congress.”<sup>412</sup>

The lack of progress on SASH matters put USMMA’s accreditation at risk. The Middle States Commission on Higher Education (MSCHE) made a strong statement that, within two years, USMMA needed to take demonstrable steps to address the ongoing sexual assault and harassment problem or risk losing its accreditation as an institute of higher education.<sup>413</sup> At that time, the then-Secretary of Transportation “directed USMMA to stand down the Sea Year Program,” which was later resumed in 2017 after additional steps were taken to address sexual assault and harassment.<sup>414</sup> Public reports of ongoing SASH incidents during Sea Year led to a second Sea Year pause in fall 2021.

### ***Internal Controls***

In 2009, the Government Accountability Office (GAO) “found that a weak overall control environment and the flawed design and implementation of internal controls were root causes of USMMA’s inability to prevent or effectively detect numerous instances of improper and questionable sources and uses of funds.”<sup>415</sup> A subsequent GAO report, released in 2012, found that both MARAD and USMMA made significant progress on GAO’s 2009 report recommendations, but “had not yet identified the cause of related internal control deficiencies, a critical step for designing effective controls.”<sup>416</sup> There were some concerns that MARAD, too, had trouble with internal controls. In 2013, DOT OIG conducted an audit of MARAD and “found that MARAD did not follow federal and departmental acquisition requirements or effectively manage its port project contracts.”<sup>417</sup> In 2017, DOT’s OIG brought criminal charges against two USMMA officials who were subsequently found guilty of accepting bribes and favoring certain contractors for kickbacks and influence.<sup>418</sup> These events led DOT OIG to conclude that USMMA’s internal controls are weak, and it is currently auditing the acquisition program to identify waste, fraud, and abuse.<sup>419</sup>

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<sup>412</sup> Ibid.

<sup>413</sup> “Report to the Faculty, Administration, Advisory Board, and Students of the USMMA by A Team Representing the Middle States Commission on Higher Education, Prepared after study of the institution’s Monitoring Report and a visit to the campus on March 29-31, 2017” <https://www.usmma.edu/sites/usmma.dot.gov/files/docs/academics/8746/usmma-final-report-17-april-2017.pdf>

<sup>414</sup> U.S. Department of Transportation Office of Inspector General Statement, April 5, 2017.

<sup>415</sup> GAO 09-635

<sup>416</sup> GAO 12-369

<sup>417</sup> U.S. Department of Transportation Office of Inspector, “Audit Report,” August 2, 2013, <https://www.oig.dot.gov/sites/default/files/MARAD%20Oversight%20of%20Port%20Infrastructure%20Development%20Projects%5E8-2-13.pdf>

<sup>418</sup> U.S. Department of Transportation Office of Inspector General, “Investigations,” November 17, 2017, <https://www.oig.dot.gov/library-item/36122>; U.S. Department of Transportation Office of Inspector General, “Investigations,” January 20, 2017 <https://www.oig.dot.gov/library-item/35470>

<sup>419</sup> U.S. Department of Transportation Office of Inspector General, “New Audit Announcements,” November 18, 2019, <https://www.oig.dot.gov/library-item/37597>

## ***Information Technology***

In 2012, DOT OIG conducted an audit of security vulnerabilities in USMMA’s network. The audit was initiated in response to weaknesses identified during the FY 2010 information security audit required by the Federal Information Security Management Act of 2002 (FISMA). They found that “USMMA’s security controls were not sufficient to protect its Website and LAN from compromise, as USMMA had not implemented security controls required by National Institute of Standards and Technology’s (NIST) guidance and DOT policy.” This meant that the personally identifiable information of students was vulnerable. OIG also found “missing software update patches; ineffective security management tools; excessive account privileges; unnecessary accounts; insecure system configurations; ineffective contractor oversight; and the use of an internet connection that did not comply with the Trusted Internet Connection (TIC) requirement—put the entire system at risk for compromise.”<sup>420</sup> USMMA responded that the vulnerabilities existed because of “insufficient resources and contractors’ lack of knowledge about federal information security requirements.”<sup>421</sup>

## **9.5 Mission Alignment Is Vital**

USMMA’s 2018 strategic plan focuses on aligning its activities to its mission over a five-year period. It makes little mention of the role of USMMA as part of MARAD and DOT or its contributions to the maritime domain. The inward focus was likely driven by preceding events, including the Sea Year stand-down and release of the Logistics Management Institute (LMI) culture study, describing a fragmented and sometimes toxic culture.

As part of the long-term strategic planning process, discussed in Chapter 8, USMMA can present itself as a key player in national defense, security, and commerce. By aligning its planning with the planning in these larger domains, it will convey the criticality of its mission and make the case that it must be adequately resourced and effectively operated for those other missions to be successful. As described in Chapter 2, the marine transportation system (MTS) supports 26 percent of the U.S. economy<sup>422</sup> and 90 percent of the military’s transport needs.<sup>423</sup> Numerous policy documents lay out strategies for the U.S. to maintain its military advantage and support the MTS.<sup>424</sup>

USMMA can also claim its role as an integral part of MARAD and DOT and critical to their missions. MARAD and DOT planning documents already identify the importance of education and training. The current DOT strategic plan talks about it as supportive of national defense.<sup>425</sup> The MARAD strategic plan provides ample support for the role of education and training.<sup>426</sup> The

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<sup>420</sup> U.S. Department of Transportation Office of Inspector General, “Audit Report,” May 30, 2021, <https://www.oig.dot.gov/sites/default/files/US%20Merchant%20Marine%20Academy%20Network%20Security%20Controls%20Report%5E5-30-12.pdf>

<sup>421</sup> Ibid.

<sup>422</sup> “New U.S. Port Economic Impacts Report Released,” 2019

<sup>423</sup> “National Strategy for the MTS: Channeling the Maritime Advantage, 2017-2022,” 2017

<sup>424</sup> For example, see “National Strategy for the MTS: Channeling the Maritime Advantage, 2017-2022,” 2017 and “U.S. Maritime Strategy: Advantage at Sea,” December 2020.

<sup>425</sup> The U.S. Department of Transportation Strategic Plan for FY 2018-2022.

<sup>426</sup> The Maritime Administration Strategic Plan: Navigating the Future, 2017-2021

example below illustrates how USMMA can position itself as supporting MARAD and DOT strategic plans.

Table 9.3: Illustration of Potential USMMA Support for MARAD and DOT Goals

DOT goal (actual)	<b>Safety</b> – Improve public health and safety by reducing transportation-related fatalities and injuries for all users working toward no fatalities across all modes of travel.	
MARAD goals to support DOT goal (actual)	<b>Support U.S. Maritime Capabilities</b> - strengthen safe, secure, and efficient maritime capabilities that are essential to economic and national security.	<b>Maritime workforce</b> – inspire, educate, and expand opportunities for the next generation of mariners, including maximizing the potential of the USMMA.
USMMA support of MARAD and DOT goals (potential)	<ul style="list-style-type: none"> <li>• Support U.S. maritime capabilities by preparing Midshipmen to serve in the U.S. merchant marine or another uniformed service.               <ul style="list-style-type: none"> <li>○ Strengthen maritime safety and security by...</li> <li>○ Strengthen maritime efficiency by...</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• Support the U.S. maritime workforce by preparing Midshipmen to work in industry.               <ul style="list-style-type: none"> <li>○ Prepare Midshipmen to sail immediately upon graduation as a third mate or third assistant engineer.</li> </ul> </li> </ul>

Source: DOT Strategic Plan, MARAD Strategic Plan



**Recommendation 9.4: Under the auspices of the Secretary of Transportation’s Task Force on USMMA Governance and Culture, during the long-term strategic planning process, address how USMMA’s goals and objectives support MARAD and DOT strategic plans. Connect the role of USMMA to national defense and national and economic security.**

## 9.6 Conclusion

Lack of consistent and comprehensive oversight and support did not create the conditions at USMMA, but it might have prevented the Academy from getting to this point. A high level of collaboration and coordination will be needed to address longstanding issues and put USMMA on a path to modernization.

Table 9.4 presents a timeline of actions taken through August 2021 to address current challenges at USMMA and put it on a sustainable path for the future.

Table 9.4 Chronology of 2021 Events and Planning Activities

June 2021	METERB created three working groups to address (1) diversity, equity, and inclusion, (2) environmental, health, and safety, and (3) budgeting and resources. <sup>427</sup>
	The Acting Administrator visited Kings Point and observed building conditions.
	DOT and MARAD began an investigation into current facilities and infrastructure concerns, dispatching teams of professionals in building management, contract management, and environmental health, security, and safety. Specialists from the General Services Administration (GSA), Federal Aviation Administration (FAA), and Federal Highways Administration (FHWA) participated. <sup>428</sup>
	MARAD developed a set of 30-day and 60-day targets to address urgent, quick turnaround maintenance issues affecting health and safety and to make arrangements to deal with larger-scale issues. <sup>429</sup>
July 2021	The METERB Environmental, Health, and Safety Working Group accompanied a team on a site visit and campus assessment. The site visit report identified many issues, including lack of ownership and an inability to get beyond the most urgent needs on campus. <sup>430</sup>
	The METERB Diversity, Equity, and Inclusion Working Group met and developed a plan to address issues at USMMA. <sup>431</sup>
	The MARAD CFO developed a plan to link budgeting to performance measurement as part of the upcoming Fiscal Year 2023 budget cycle. <sup>432</sup>
August 2021	DOT Deputy Secretary, Acting MARAD Administrator, FAA Administrator, and other senior DOT/MARAD officials visited Kings Point.

*National Academy of Public Administration compiled information from multiple sources*

<sup>427</sup> Maritime Education and Training Executive Review Board (METERB) Meeting Minutes, June 4, 2021. The working groups were asked to identify and prioritize issues, set milestones, and provide support to the Academy.

<sup>428</sup> U.S. Congress, House, Committee on Transportation and Infrastructure, Review of Fiscal Year 2022 Budget for the Coast Guard and Maritime Transportation Programs, hearing before the Subcommittee on Coast Guard and Maritime Transportation, 117<sup>th</sup> Cong. (2021) (testimony of Lucinda Lessley).

<sup>429</sup> “30 and 60-Day Targets for USMMA Efforts,” provided by MARAD on August 24, 2021. Short-term priorities focussed on addressing issues related to the health and safety of Midshipmen and compliance with environmental requirements, such as replacing light bulbs, installing temporary air conditioning units, and cleaning rooms affected by mold. Longer-term priorities included developing management systems, standard operating procedures, and planning for National Environmental Policy Act (NEPA) training.

<sup>430</sup> Federal Highways Administration (FHWA) Resource Center, “U.S. Merchant Marine Academy Site Observations Summary Report,” July 20, 2021.

<sup>431</sup> “USMMA Diversity, Equity, and Inclusion Working Group,” provided by MARAD on August 24, 2021. The group anticipated three phases, focusing first on student recruiting and retention, then faculty hiring and retention, and finally staff hiring and retention. Their study was expected to include interviews with current and past students, faculty, and staff and a strategic assessment conducted by an external group.

<sup>432</sup> Interview with MARAD official, September 24, 2021. The budget process would have five stages—planning, programming, budgeting, execution, and accountability.

It is too early to measure progress or predict the impact of these steps. If sustained, they could begin to address some of the longstanding issues. If not, they could prove to be a false start, giving the appearance of genuine action. This series of events reinforces the recommendations of the report are so crucial to the success of the Academy. Chapter 10 presents a comprehensive approach to modernization.

## Chapter 10: Transforming USMMA to a More Modern, Performance- and Strategy-Driven Institution

USMMA has a compelling mission; a noble history of national service; and a long line of dedicated leaders, faculty, staff, and alumni committed to the school's success. Yet more than 75 years after USMMA was first established, the institution now finds itself in the center of an intensifying storm. Its facilities and physical infrastructure are obsolete and decaying; the maritime domain that USMMA was created to serve is in flux; approximately a third of its faculty are eligible for retirement; and the college-age population in the U.S. is increasingly diverse, with different expectations and needs compared to prior generations.

USMMA is facing dual challenges—to address longstanding issues and take the additional steps needed to modernize. These challenges underlie the original directive to conduct this study:

- Assess USMMA's systems, training, facilities, infrastructure, information technology, and stakeholder engagement.
- Identify needs and opportunities for USMMA to keep pace with more modern campuses.
- Develop an action plan for USMMA to follow to keep up with modern campuses and systemic changes needed to achieve its mission of inspiring and educating the next generation of mariners for the long term.

This chapter synthesizes the main challenges described in this report. It proposes a path forward—for the future of USMMA and its ability to fulfill its mission into the future.

### 10.1 Substantial Reform is Needed to Secure USMMA's Future

USMMA of today is still shaped by decisions made decades ago, many of which were made when maritime commerce was a different industry and the maritime domain posed other challenges for national security, economic security, and national defense. Now, the key challenge facing USMMA is how best to retain those traditions that preserve the school's rich history and core values, honor its achievements, and build a sense of esprit-de-corps among its alumni while adapting to the modern demands of the maritime industry it supports and the expectations of today's university students it will train. This historical institution needs to become sufficiently nimble to continually meet the demands of an ever-changing maritime domain, student population, and world-at-large. Given the breadth and significance of the findings in this report, the Panel concludes that only a transformation in Academy governance and culture will ensure that USMMA is positioned to fulfill its mission by mid-century.

According to GAO, driving organizational transformation first requires a change in mindset and culture, including: (1) shifting the focus of organizational performance and accountability away from a preoccupation with activities, (2) focusing on the results or outcomes of those activities, and (3) systematically integrating the results the government intends to achieve with

organizational structures, budgets, program and service delivery strategies, the use of technology, and human capital strategies and practices.<sup>433</sup>

### ***USMMA is facing several obstacles***

Without question, one issue at USMMA has been the inadequacy of financial and staff resources over an extended period to meet USMMA's operational needs while also preparing and positioning it for the future. Chapters 1-8 substantiate that additional capacity and capability are needed in all areas examined by this report—education, facilities engineering, diversity, equity, inclusion, and belonging (DEIB), sexual assault and sexual harassment (SASH), stakeholder engagement, institutional management, and external governance. In most areas, USMMA is understaffed and needs additional staff positions. Some capacity and capability gaps could be addressed through outsourcing, reorganization, and realignment of functions, training, public-private partnerships, or technology implementation.

A second issue is that neither external governance nor internal management mechanisms and processes are in place to provide sustained attention, accountability, and support for necessary reform and remediation initiatives. Chapter 9 describes the fragmented oversight and support that USMMA receives from Congress, the Advisory Board, Board of Visitors, MARAD/METERB, DOT OIG, GAO, and accrediting bodies. Recommendations in that chapter suggest adjustments to current arrangements, but a new comprehensive and integrated approach is needed. This chapter returns to the need for a holistic approach below.

The third obstacle is the longstanding resistance to change within USMMA's culture, evident in the lack of progress in addressing long-standing problems. In response to multiple studies and reports over the years, USMMA officials, and officials in the MARAD and DOT organizations, appear not to have acknowledged that USMMA lacked the capacity, capabilities, processes, and culture to institute significant organizational change, even when they acknowledged that change was needed. On the contrary, their responses often gave the illusion of transformation. They either:

- denied or tried to conceal the problem's existence;
- emphasized the actions they had taken (regardless of the lack of evidence that those actions had any effect);
- took the minimum action needed to comply;
- started an initiative and did not sustain it; or
- repeatedly reported that plans were being developed and implementation would occur soon.

In the various management and operational functions assessed in this report, it became evident that progress is being undermined by an organizational culture that focuses on:

- outputs rather than results and outcomes;
- organizational silos rather than a shared sense of purpose and direction;

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<sup>433</sup> U.S. Government Accountability Office, "Confirmation of Political Appointees: Eliciting Nominees' Views on Leadership and Management Issues," GAO/GGD-00-174 (Washington, D.C.: Aug. 11, 2000), 4.

- reactive rather than proactive behavior;
- risk avoidance rather than risk management;
- top-down, command and control leadership rather than employee empowerment;
- avoiding rather than embracing data and external input to inform decision making; and
- accepting the subjective change of direction.

Interviews also provided evidence of resistance to change. Interviewees acknowledged internal and external pressure to preserve the status quo and protect the existing culture that centers on students who fit longstanding norms of USMMA and the maritime industry. They also said they felt that efforts to change the institutional culture at USMMA were a compliance exercise rather than genuine attempts at institutional transformation. Some stakeholders emphasized the value of tradition, noting that the education and training they received at USMMA was pivotal to their current careers. A few implied that four years at USMMA is a rite of passage that today's students should experience. In the extreme, some stakeholders rejected the premise of studying USMMA systems and operations, viewing it as an existential threat. Rather than participate, they focused on their notion of risk to USMMA's future and a perceived looming threat of closure.

Resistance to change, the failure to confront weaknesses, and an unwillingness to modernize processes have allowed problems to fester. These approaches have contributed to most, if not all, of the present deficiencies. Its outdated governance and management processes drew the attention of multiple oversight and accreditation bodies and threatened its full academic reaccreditation, as discussed in Chapter 3. While USMMA is working to remediate some of those gaps and weaknesses in response to external pressure, they are not addressing the governance culture that contributed to them and fostered them.

Reactive behavior and risk avoidance have prevented USMMA from developing a performance-oriented and strategic culture. USMMA is not anticipating or sufficiently seeking to identify future needs and thus is not taking steps to prepare or plan for them in a timely manner. In some cases, such as with facilities and infrastructure discussed in Chapter 4 and SASH in Chapter 6, USMMA has known about critical needs for a decade or more but has not taken adequate actions to redress them substantially.

**Maintaining the status quo is the riskiest course for USMMA because, as noted throughout this report, USMMA is on an unsustainable path. It lacks a long-term strategic vision, adequate financial resources, and sufficient personnel with needed skills and competencies. USMMA has also lacked sufficient oversight and support to ensure it makes progress on its transformation efforts. All these building blocks must be put in place for USMMA to be able to thrive.**

USMMA acting alone has some ability to make improvements in all these areas. The USMMA community and its alumni are deeply committed to USMMA and its mission. However, substantial support from DOT, Congress, and other entities will be needed to resolve strategy, capability, capacity, policy, oversight, support, resourcing, and related "big-picture" questions and provide ongoing monitoring and oversight.

## ***A holistic approach is needed to modernize USMMA***

It would be possible, and perhaps likely, for USMMA to respond to this report in a fashion like previous assessments. USMMA—and MARAD—could technically take some actions to address all of this report’s recommendations and still not achieve the changes in governance, management, and culture necessary to eliminate the causes of its present state. The modernization of USMMA to enable it to fulfill its mission throughout the 21<sup>st</sup> century requires its transformation. The greatest risk to USMMA’s future today is doing nothing to address its fundamental challenges.

Remediating the problems, gaps, and weaknesses USMMA is experiencing today, as discussed throughout this report, and ensuring that such conditions do not arise again in the future necessitates a transformation in Academy culture, moving from a compliance-focused to performance-driven institution.

However, the very shortcomings that contributed to USMMA’s current, compliance-focused state hamper its ability to bring about needed cultural reforms on its own. Moreover, as noted in chapters 8 and 9, USMMA’s lack of performance-driven culture is compounded by other governance issues, such as ineffective internal governance processes, advisory bodies that do not provide comprehensive advice or support, and a fraught relationship between MARAD and USMMA. In fact, they often hamper USMMA’s abilities to institute change, remediate weaknesses, and be prepared to educate future generations of merchant mariners and military officers.

The challenges facing USMMA are so fundamental and deeply ingrained that traditional approaches to improving organizational performance, such as the effective use of leading practices, reskilling, and top leaders' support while necessary, are insufficient. Similarly, MARAD lacks the authority, resources, and capabilities to institute and oversee the required transformational change.

For these reasons, the Panel strongly believes that creating a channel whereby the Secretary of Transportation, in consultation with external Academy stakeholders, would exercise direct oversight over reforms would be the most efficient and effective means to effect and sustain the magnitude of changes needed at USMMA in the short, medium, and long terms. The effort must also be driven by people with the right skill sets and significant experience across various domains who are not wedded to USMMA’s past ways of doing business.



**Recommendation 10.1: The Secretary of Transportation should create a Secretary of Transportation Task Force on USMMA Governance and Culture**, chartered to assess and, as needed, recommend changes to transform USMMA external and internal governance and Academy culture.

**Task Force Mission:** The Task Force’s mission should be three-pronged. **First**, in conjunction with DOT leadership, the Task Force should recommend and review *immediate* Academy actions necessary to address Academy-wide risks to the safety, health, and well-being of members of the USMMA community.

Related to facilities and infrastructure (F&I), the acting MARAD administrator's recent actions to identify and address the most egregious facility deficiencies validate the need for immediate action on the most basic level, protecting the safety and health of all in the USMMA community. The importance of an updated facilities and infrastructure assessment to focus maintenance and repair priorities is a step in the right direction. But these immediate steps do not address the deficiencies in F&I capacity, capabilities, and resources at USMMA to remediate even immediate risks. They alone will not prevent new ones from quickly arising. Other immediate dangers to safety, health, and well-being exist at USMMA, including SASH and Sea Year policies and understaffing of student support services, such as SAPR and counseling. The Task Force's urgent attention should focus on the breadth and depth of all immediate risks to safety and health posed by understaffing and under-resourcing Academy-wide. These risks to safety, health, and well-being are documented throughout this report.

In conjunction with DOT leaders, the Task Force should also review and recommend *immediate* remediation of under-resourcing in mission-critical areas to USMMA's educational program that could pose risks to its accreditation in the near term. Such areas could include faculty hiring processes that impede efficient and timely faculty hiring, especially if USMMA experiences a wave of faculty retirements or replacing deteriorating or broken laboratory equipment and simulators essential to USMMA's technical majors. Mission-critical risks to the educational program are discussed in Chapters 3 and 4 of this report.

**Second**, the Task Force should assess, and as needed, recommend strategies and changes to transform USMMA external and internal governance and Academy culture. The goal is two-fold: to recommend changes that will position USMMA to resolve its present governance challenges in the near term and transform its governance and culture to ensure that such challenges do not arise again in the future. Specific challenges in governance are addressed in Chapters 3-7 of this report, and systemic challenges in governance in Chapters 8-10.

**Third**, the Task Force should develop and recommend strategies for implementing its governance and cultural transformation recommendations. Such strategies could include prioritization of recommended changes, responsible parties and stakeholders for implementation, oversight and accountability mechanisms for implementation, and resource implications for any recommendations regarding physical and personnel infrastructure and the resource implications of transformation itself.

**Task Force Composition:** The Task Force should be comprised of senior leaders from the public and private sectors with demonstrated success in

transforming organizations in government, higher education, and the maritime community. The Task Force could include five to six senior transformational leaders with backgrounds in change management; facilities and infrastructure recapitalization; diversification of undergraduate STEM colleges and universities; public sector financial management; federal practice and requirements; the maritime transportation industry, etc. The DOT General Counsel and Chief Financial Officer should serve as ex officio members.

The high-level nature of the Task Force and the authority and experience of its members would help ensure that the recommendations and initiatives it develops will have credibility with DOT, Congress, the maritime domain, and other stakeholders.

**Task Force Added Value:** A high-level Secretary of Transportation Taskforce on U.S. Merchant Marine Academy Governance and Culture is necessary, but it is also appealing because it could create a safe space to study and make recommendations concerning several culturally and politically sensitive but highly important questions.

- Is the current organizational reporting arrangement in which USMMA reports to MARAD and DOT the best fit for USMMA, or would a different structure—including merging with another federal agency or service academy better serve USMMA’s mission?
- What statutory, budgetary, procedural, and other actions are needed to address under-resourcing, understaffing, misalignment with the requirements of higher education accreditation bodies, and parity with the other federal academies related to education and training programs, physical infrastructure, personnel, and student support services?
- What recurring mechanisms such as the reauthorization, appropriations, and budget processes can be used to facilitate ongoing oversight and accountability to ensure progress on the recommendations made by the proposed Task Force, this report, and prior assessments of USMMA?

**Task Force Timeline:** The Task Force would likely be temporary, with a mandate to issue its final recommendations within a pre-defined period determined as necessary and sufficient by the Secretary and senior DOT leaders, no longer than two years. The Secretary should ask the Task Force to set dates for key milestones and submit a progress report at the end of the first year.

Although a Task Force would have the authority to recommend changes, actions, strategies, and needed resources to transform Academy governance

and culture, the timeline for Academy transformation and its implementation lies outside of the Task Force’s authorities. In part, effective and efficient transformation depends on the adequacy of enforcement and accountability mechanisms. Ultimately, transformations in Academy governance and culture depend upon the extent to which Congress, DOT, and stakeholders agree on the need for action, even if their roles and responsibilities in Academy governance and culture are themselves the subjects of transformation.

## 10.2 Conclusion

Throughout its long history, the U.S Merchant Marine Academy has educated and graduated generations of leaders of exemplary character dedicated to serving the Nation in the merchant marine, the military, government, and maritime industries. Their personal stories of commitment and sacrifice are unknown among most Americans. But their stories are the inspiration for today’s—and tomorrow’s—Midshipmen to undertake the tremendous educational and training challenges that the USMMA program entails.

In 2020, Congress directed the National Academy of Public Administration (NAPA) to assess several specific elements at USMMA and make recommendations for improvement, as needed. Congress also directed NAPA to make specific recommendations for “systemic changes needed to help the United States Merchant Marine Academy achieve its mission of inspiring and educating the next generation of the mariner workforce on a long-term basis.”

In developing this report, the Panel and Study Team were also inspired by the legacies of past and present generations of Academy graduates. This report and its specific and systemic recommendations chart a course for USMMA’s future that will better position it to educate and graduate new generations of merchant mariners well into the future.

A reasonable question is why USMMA, MARAD, DOT, or Congress should take any steps to modernize USMMA. After all, 46 C.F.R. § 310.52 states that completing the USMMA program requires passing the USCG license examination, fulfilling the Bachelor of Science degree requirements, and accepting a commission as a reserve officer in the Armed Forces.<sup>434</sup> Each year, USMMA does meet these minimum statutory requirements by graduating approximately 200 Midshipmen. But meeting these basic standards is no longer enough.

**The Nation’s national and economic security increasingly require merchant mariners to possess more than technical skills.** The maritime domain within which merchant mariners serve has always been a critical component of American security and

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<sup>434</sup> MARAD has affirmed that USMMA’s mission is nothing more than meeting these statutory requirements. In its 2017 study of MARAD, the National Academy of Public Administration recommended that Maritime Administration “agree on the long-term mission focus of the U.S. Merchant Marine Academy. The Maritime Administration’s leaders should determine whether the institution has essentially a function that results in U.S. Coast Guard credentialing, or if it should have a broader scope that accommodates other subjects.” A DOT OIG audit of MARAD response to recommendations of this study validated MARAD’s position, “reaffirming USMMA’s Strategic Plan 2018–2023 that USMMA’s primary function is to graduate leaders as licensed Merchant Mariners and commissioned officers in the Armed Forces.”

prosperity. Our founding as a nation directly depended upon inland and coastal waterways and the high seas to transport goods and armaments, uniting colonies and peoples together and connecting America and its allies. But the maritime domain has also posed some of the greatest threats to the nation's security. Pirates roamed our coastlines, the greatest navies in the world attacked our ports and transported the soldiers and armaments of war, foreign poachers depleted our fishing banks, and smugglers illegally smuggled goods and migrants to our shores. These benefits and risks to our nation within the maritime domain have not lessened over the centuries; they have only grown more complex and unpredictable. The advent of undreamed-of technologies spurred the rapid pace of globalization, coupled with the figurative shrinking of the oceans and seas as maritime vessels developed capabilities to travel farther and faster and transport ever greater and more diverse cargos. New nation-state maritime powers, such as China and Russia, emerged. Well-financed and technologically sophisticated transnational non-state syndicates, criminal organizations, and violent extremist organizations now patrol the oceans and seas. The earth itself contributed to the new complexities of the maritime domain, as rising ocean temperatures fueled superstorms born at sea.<sup>435</sup>

Academy Midshipmen, upon graduation, have the technical preparation for their first job in the maritime domain of today. In this complex and dynamic maritime domain, present and future generations of merchant mariners will serve as officers. Their effective leadership depends as much upon their understanding of the maritime domain—its diverse actors, challenges, trends, threats, dangers, opportunities, technologies, and governance—as it does upon learning to fight a fire at sea, stand watch, or diagnose and repair equipment. Newly graduated Midshipmen may not have the education or understanding to serve as future leaders in the maritime domain. A critical gap in Academy education and training is its inadequate progress on preparing Midshipmen with the technical skills to be lifelong learners and the basic leadership skills to succeed in their initial assignments. USMMA's self-assessments acknowledge this fact related to its aspirational institutional learning objectives (ILOs). But these aspirational objectives have yet to be translated into educational and training programs that provide Midshipmen with the broad, foundational knowledge of the maritime domain and the critical thinking skills necessary to understand the maritime domain's complexity and be future leaders within it.

**While USMMA is producing licensed merchant mariners, it is not meeting many other requirements and expectations for a federal agency and federal service academy.** It is the least diverse of the federal service academies. Its physical campus does not fully comply with federal regulatory requirements and poses health and safety risks to the USMMA community. Its governance and lack of strategic direction have threatened its reaccreditation, a rare event in higher education. It lacks management capacity and capabilities for assessing its performance or defining its standard operating procedures. It lacks adequate student support services for a student body of its size. It is understaffed and under-resourced. It lacks the capacity and capabilities to implement change, or even major initiatives, on its own. Ultimately, it lacks effective external guidance, oversight, and accountability.

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<sup>435</sup> Sarah Peach, "Warmer oceans, stronger hurricanes," Yale Climate Connections, August 3, 2016. <https://yaleclimateconnections.org/2016/08/warmer-oceans-stronger-hurricanes/>

**USMMA is not adequately planning for the future**, but it must. Should USMMA become unable to execute its mission in the years ahead due to the risks it faces, federal, state, and private institutions would have to fill the gaps left behind. The Nation needs the junior officers in the merchant marine and the Armed Forces that USMMA graduates annually.

The current Academy leaders did not put USMMA in this position. USMMA's challenges, gaps, and weaknesses today are the repercussions of ineffective and inefficient internal and external governance systems over decades, including operating at a "minimum required" level. The Academy has many longstanding issues to address before it can take on the vital work of planning for the future. The USMMA culture, too, works against undertaking strategic or significant change.

As a result, the USMMA community, and its stakeholders, lack a common understanding of the maritime domain and the merchant marine of today and the role of USMMA within them. They similarly lack a shared vision of USMMA's future direction and needs and a common and inclusive strategy for getting there.

Over decades, no matter how vital its mission is to American security and prosperity, and no matter the level of dedication of the USMMA community to its mission, USMMA has lost its way. USMMA's internal governance and management have been hampered by inconsistent vision, strategy, processes, and procedures. Its external governance bodies did not provide the guidance, resources, oversight, and accountability necessary for USMMA to redress its many challenges, risks, and weaknesses.

Ultimately, USMMA is facing the repercussions of the lack of effective governance. Only a transformation in governance can right the USMMA ship.

## **Appendix A: Panel and Study Team Member Biographies**

### ***Panel of Academy Fellows***

**Judith Youngman** Professor Emeritus of the U.S. Coast Academy, Distinguished Professor of Political Science at the U.S. Coast Guard Academy and Associate Professor of Social Sciences at the U.S. Military Academy; Vice President, Public Affairs at Rhone-Poulenc Rorer (now Sanofi Aventis); Executive Director, Public Issues Management at Merck & Co., Inc.; Director, International Affairs, Pfizer Inc.; Former Chair of the Department of Defense Advisory Committee on Women in the Services; Development Committee of the Business-Industry Advisory Committee to the Organization of Economic and Development (OECD); member of the U.S. Coast Guard's Strategic Transformation Team; member of the Chairman of the Joint Chiefs of Staff's Comprehensive Review Working Group; inaugural Director of the U.S. Coast Guard Academy's Center for Maritime Policy and Strategy.

**Sandra Archibald**, Emeritus Dean and Professor, Evans School of Public Affairs, University of Washington. Former positions with Humphrey Institute of Public Affairs, University of Minnesota: Deputy Associate Dean; Interim Dean; Associate Dean for Academic Affairs and Research Programs; Associate Vice Provost for Faculty Development; Professor; Associate Professor; Adjunct Associate Professor; Associate Dean and Director of Graduate Studies. Former Assistant Professor of Applied Economics, Food Research Institute, Stanford University.

**Lewis Crenshaw**, President and Founder, Crenshaw Consulting Associates LLC; Managing Director, HJ Steininger, PLLC; Chairman, Navy Safe Harbor Foundation. Former Principal, Grant Thornton LLP; Executive Director, Defense and Intelligence, Global Public Sector, Grant Thornton LLP. Former positions with the U.S. Navy: Deputy Chief of Naval Operations for Resources, Requirements and Analysis (N8); Commander, Navy Region Europe; Deputy Commander, U.S. Naval Forces Europe; Director, Assessment Division (N81), Navy Staff, The Pentagon.

**Thelma Harris**, President & CEO, Hite Consulting, Inc; Business Development Consultant, Marketing, McKing Consulting Corporation; Director, EEO & Diversity Field Services, Agency-Wide Shared Services, IRS; Design Team Member & Leader, Organizational Redesign, IRS; Sr. Program Manager, Human Capital, IRS; Supervisory Program Manager, Executive Training, IRS; Human Resources Advisor, Inspector General, Housing & Urban Development; Supervisory Systems Consultant, Quality Improvement, IRS; Quality Coordinator, Quality Improvement, IRS; Supervisory Employment Development Specialist, Training & Development, IRS; Director, Affirmative Employment, EEO & Diversity, OPM; Personnel Management Specialist, Human Capital, OPM; Personnel Classification Specialist, Human Capital, IRS; Intern & Personnel Management Specialist, Human Capital, IRS

**Peter Marshall**, Independent Management Consulting. Former Vice President, Dewberry; Client Services Corporate Coordinator for Navy Programs, Projects and Activities, Dewberry. Former Vice President of Operations, Burns and Roe; Senior Vice President, Parsons Brinkerhoff. Former positions with U.S. Navy: Chief Operating Officer and Vice Commander, Naval Facilities Engineering Command, Washington, D.C.; Commander, Pacific Division, Naval Facilities Engineering Command, Honolulu, Hawaii; Commander, 22nd Naval Construction Regiment,

Norfolk, Virginia; Fleet Civil Engineer, Naval Forces Europe; Commanding Officer, Navy Public Works Center, San Francisco; Assistant Facilities Manager, Mare Island Shipyard, Vallejo, California.

## **Study Team**

**Brenna Isman**, *Director of Academy Studies*, Ms. Isman has worked at the Academy since 2008. She oversees Academy studies, providing strategic leadership, project oversight, and subject matter expertise to the project study teams. Before this, she was a Project Director managing projects focused on organizational governance and management, strategic planning, and change management. Her research engagements have included working with the National Aeronautics and Space Administration, the Environmental Protection Agency, the Social Security Administration, the Department of Veterans Affairs, and multiple regulatory and Inspector General offices. Before joining the Academy, Ms. Isman was a Senior Consultant for the Ambit Group and a Consultant with Mercer Human Resource Consulting. Ms. Isman holds a Master of Business Administration (MBA) from American University and a Bachelor of Science (BS) in Human Resource Management from the University of Delaware.

**Dr. Nancy Augustine**, *Project Director*, joined the Academy in January 2019 and was named *Director, Center for Intergovernmental Partnership*, in July 2021. Dr. Augustine has led projects for the Legislative Branch, Department of Commerce Office of Inspector General, and the U.S. Merchant Marine Academy (DOT). She specializes in intergovernmental relations, public management, policy assessment, environmental and cultural resources protection, comprehensive and strategic planning, state and local fiscal issues, and planning for investments in facilities and infrastructure. She has conducted research for the Department of Housing and Urban Development, Department of Labor, District of Columbia Auditor, and the Pew Charitable Trusts. Topics include affordable housing, housing finance policy, housing market trends, and state-level social support programs. She also worked in local government for ten years, in long-range planning and policy development. Dr. Augustine has a Ph.D. in Public Policy and Public Administration from the George Washington University and has taught at the Trachtenberg School (George Washington University) since 2006. She also has an M.A. in Economics from Georgetown University and a Master of Urban and Environmental Planning from the University of Virginia.

**Joseph P. Mitchell, III**, *Director of Strategic Initiatives & International Programs*. Dr. Mitchell leads the Academy's Grand Challenges in Public Administration initiative, which is working to address the most challenging issues facing government over the next decade. He leads the Agile Government Center along with Academy Fellows from the IBM Center for the Business of Government, advances cutting edge thought leadership, and develops partnerships with other good government groups, American universities, and universities in other countries. Most recently, he was at the General Services Administration to help stand up its Office of Shared Solutions and Performance Improvement, building and leading a team to manage multi-functional and cross-agency projects and initiatives in support of the President's Management Agenda. Previously, he led and managed the Academy's organizational studies program, overseeing all congressionally-directed and agency-requested reviews and consulting engagements. He has directed work for a variety of public agencies, including for the Bureau of

Transportation Statistics, Government Publishing Office, Council of Europe, the U.S. Senate Sergeant at Arms, the U.S. Agency for International Development, the National Park Service's Natural Resource Stewardship and Science Directorate, and the Natural Resources Conservation Service at the U.S. Department of Agriculture. He serves on the National Science Foundation's Business and Operations Advisory Committee. He is a member of Phi Kappa Phi, the national academic honor society; Pi Alpha Alpha, the national honor society for public affairs and administration; and the American Society for Public Administration. He holds a Ph.D. from the Virginia Polytechnic Institute and State University, a Master of International Public Policy from the Johns Hopkins University School of Advanced International Studies, a Master of Public Administration from the University of North Carolina at Charlotte, and a B.A. in History from the University of North Carolina at Wilmington.

**Robert Goldenkoff**, *Senior Advisor*, Mr. Goldenkoff joined the Academy in April 2020. He has supported other Academy work including a study of improving the cultural competence of the U.S. Coast Guard Academy, and a project focused on strengthening core management functions at the U.S. Department of Homeland Security's Office of Inspector General. Mr. Goldenkoff has over 30 years of experience in federal program evaluation and organizational transformation with the U.S. Government Accountability Office. He retired from GAO in January 2020 as a Director on GAO's Strategic Issues team where he led a portfolio of work focused on strengthening federal human capital management and improving the cost-effectiveness of the federal statistical system. His work resulted in tens of millions of dollars in financial savings, and dozens of program improvements. Mr. Goldenkoff was also an adjunct faculty member at GAO's Learning Center where he taught classes on congressional testimony, congressional relations, and performance auditing. Mr. Goldenkoff received his B.A. (political science) and Master of Public Administration degrees from the George Washington University.

**Yang (Chloe) Yang**, *Senior Analyst*, Ms. Yang is a Senior Research Analyst at the Academy. Since joining the Academy in 2009, she has worked on projects with a range of federal and state agencies, including the Office of Personnel Management, the National Oceanic and Atmospheric Administration, the State Chamber of Oklahoma, and the Bureau of Transportation Statistics. Before joining the Academy, Ms. Yang was the research intern at the Foundation Environmental Security and Sustainability. She has also worked as an intern at the Woodrow Wilson Center for Scholars and a research assistant at George Mason University (GMU). Ms. Yang graduated from GMU with a Master's in Public Administration. She also holds a bachelor's degree in Financial Management from the Renmin University of China.

**Sharon Yoo**, *Research Analyst*, Ms. Yoo has had extensive research experience in various topics, including international development, energy, education, and technology. She has interned and worked with organizations such as the United Nations Development Fund and the Massachusetts Institute of Technology Media Lab. Her most recent research project was completed while working as a Graduate Researcher at Johns Hopkins. She and a team of researchers evaluated Pakistan's energy crisis. Ms. Yoo focused on the finance component, studying supply chain, natural resources, and evaluated years of previous research. Her team was able to visit Pakistan and to speak with 30 stakeholders to create a proposal for submission to Pakistan and the U.S. government. She holds a dual degree master's from The Johns Hopkins

University – School of Advanced International Studies and Harvard Graduate School of Education.

**Adam Darr**, Senior *Research Analyst*, Mr. Darr joined the Academy in 2015 as a Research Associate having previously interned in the summer of 2013. He has served on numerous Academy projects, including work for the National Science Foundation, Farm Service Agency, U.S. Secret Service, Federal Aviation Administration, and National Nuclear Security Administration. His areas of emphasis have been governance and management reform, organizational change, human capital, project and acquisition management, customer service best practices, and strategic planning. Mr. Darr is currently pursuing a Master's in Public Administration at The George Washington University and holds a Bachelor of Arts in Political Science and Homeland Security/Emergency Management from Virginia Commonwealth University.

**Allen Harris**, Senior Research Associate, Mr. Harris joined the Academy in October 2019 as a Research Associate. He has served on Academy projects including work for the National Park Service Design and Construction Program, Department of Energy, Office of Technology Transfer, Department of Agriculture, Agricultural Research Service, and the National Association of Counties. He has experience in assisting agencies with infrastructure design and construction assessment, strategic plan development, and best practice benchmarking. Before joining the Academy, Mr. Harris had numerous internships, including working at the Brookings Institute and the U.S.– Japan Bridging Foundation. He graduated from the University of St Andrews, Scotland, in 2018, earning an MA, Honors in International Relations and Modern History.

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## **Appendix C: List of Interviewees**

### Congress

**Alexis Rudd**, Professional Staff Member, Committee on Commerce, Science, and Transportation, Senate Majority

**Nicole Teutschel**, Professional Staff Member, Committee on Commerce, Science, and Transportation, Senate Minority

**Jimmy Bromley**, Professional Staff Member, Committee on Commerce, Science, and Transportation, Senate Minority

**Eric Vryheid**, Coast Guard Fellow, Committee on Commerce, Science, and Transportation, Senate Minority

**Conor Walsh**, Legislative Director/Tax Counsel, Office of Representative Tom Suozzi

**Dave Jansen**, Staff Director, Subcommittee on Coast Guard and Maritime Transportation, Committee on Transportation and Infrastructure, House Majority

**John Rayfield**, Staff Director, Subcommittee on Coast Guard and Maritime Transportation, Committee on Transportation and Infrastructure, House Minority

**Jerome Bost**, Veterans Caseworker, Suozzi Huntington Office

**Dani Hupper**, Legislative Assistant/Legislative Correspondent, Suozzi Office

**Diane Shust**, Deputy Chief of Staff, Suozzi Office

**Cindy Rodgers**, District Director, Suozzi Office

**Thomas Suozzi**, U.S. Congressman, New York 3<sup>rd</sup> District

### U.S. Merchant Marine Academy

**VMDL Joachim Buono**, Superintendent, U.S. Merchant Marine Academy

**RMDL Susan Dunlap**, Deputy Superintendent, U.S. Merchant Marine Academy

**RMDL John Ballard**, Academic Dean and Provost, U.S. Merchant Marine Academy

**George Rhynedance**, Director, Office of External Relations & Congressional Affairs, U.S. Merchant Marine Academy

**Andrew McCarthy**, Director of Student Life, U.S. Merchant Marine Academy

**Don Cantwell**, Director, Department of Information Technology, U.S. Merchant Marine Academy

**Lori Townsend**, Director, Institutional Assessment, U.S. Merchant Marine Academy

**CAPT Mikel Stroud**, Commandant of Midshipman, U.S. Merchant Marine Academy

**Kristofer Schnatz**, Director of Physical Education and Athletics, U.S. Merchant Marine Academy

**CAPT Preston DeJean**, Associate Dean for Faculty, U.S. Merchant Marine Academy

**Dianne Taha**, Assistant Dean for Academic Affairs, U.S. Merchant Marine Academy

**Kelly Butruch**, Risk Management Officer, U.S. Merchant Marine Academy

**Eric Alleyne**, Director, SAPRO (Sexual Assault Prevention Response Office), U.S. Merchant Marine Academy

**Lori Townsend**, Ed.D, Director of Institutional Assessment, U.S. Merchant Marine Academy

**Cicel Anderson**, Human Resource Office, U.S. Merchant Marine Academy

**Vivian Baierwalter**, Human Resource Office, U.S. Merchant Marine Academy

**Tricia Lafontant**, Human Resource Office, U.S. Merchant Marine Academy

**Dante Dorival**, Human Resource Office, U.S. Merchant Marine Academy

**CAPT Ian Jones**, Department Head, Shipboard Training Department, U.S. Merchant Marine Academy

**LCDR Keith Watson**, Admission Officer, Admission Office, U.S. Merchant Marine Academy

**David Socolof**, Director, Resource Management, U.S. Merchant Marine Academy

**Robert Ditroia**, Civil Engineer, Capital Improvement Program, U.S. Merchant Marine Academy

**CAPT Theodore Dogonniuck**, Director, Capital Improvement Program, U.S. Merchant Marine Academy

**CAPT William Caliendo**, Engineering Department Head, U.S. Merchant Marine Academy

**CAPT Michael Murphy**, Marine Transportation Department Head, U.S. Merchant Marine Academy

**CAPT Daniel Straub**, Director of Naval Science, U.S. Merchant Marine Academy

**Maria Kozdroy**, Civil Engineering, Capital Improvement Program, U.S. Merchant Marine Academy

**Mark Hogan**, Math and Science Department Head, U.S. Merchant Marine Academy

**Susan Comilang**, Humanities Department Head, U.S. Merchant Marine Academy

**Shawn Shutts**, Director of Academy Operations, U.S. Merchant Marine Academy

**Steve Flanagan**, Academy Carpenter, Department of Public Works, U.S. Merchant Marine Academy

**Edward Kaja**, Mechanical Engineer, Department of Public Works, U.S. Merchant Marine Academy

**Sophia Soler**, Equal Employment Opportunity Officer, U.S. Merchant Marine Academy

**Anne Jennings**, Cultural Resource Specialist, U.S. Merchant Marine Academy

**Lt. Andrew Baransky**, Sea Year Liaison, U.S. Merchant Marine Academy

**Sean Tedesco**, Head Coach, U.S. Merchant Marine Academy

**John Clune**, Humanities Department Head, U.S. Merchant Marine Academy

**John Curn**, Director of Administrative Services, U.S. Merchant Marine Academy

**Robert Pryor**, Men's Basketball Coach, U.S. Merchant Marine Academy

**Jeff Thomas**, Head of Safety, U.S. Merchant Marine Academy

Maritime Administration

**RMDL Mark H. Buzby**, USN, Ret., former Administrator, Maritime Administration

**Douglas Burnett**, Chief Counsel, Maritime Administration

**Lydia Moschkin**, former Associate Administrator for Budget and Programs/CFO, Maritime Administration

**Cameron Humphrey**, Government Affairs Officer, Maritime Administration

**Ilene Kreitzer**, Counsel for USMMA, Maritime Administration

**Shashi Kumar**, Deputy Associate Administrator and National Coordinator for Maritime Education & Training, Maritime Administration

**Denise Krepp**, former Chief Counsel, Maritime Administration

**Delia Davis**, Associate Administrator for Administration, Maritime Administration

**Bob Ellington**, Deputy Associate Administrator for Administration, Maritime Administration

**Daryl Hart**, Director, Office of Civil Rights, Maritime Administration

**Rand Pixa**, Deputy Chief Counsel, Office of the Chief Counsel, Maritime Administration

**Lucinda Lessley**, Acting Administrator, Maritime Administration

**Corey Beckett**, Chief Financial Officer, Maritime Administration

**Michael Carter**, Associate Administrator, Office of Environment, Maritime Administration

**Brett Scrum**, Deputy Associate Administrator for Administration, Maritime Administration

**Stephen Ng**, Deputy Chief Financial Officer

Department of Transportation

**Polly Trottenberg**, Deputy Secretary, Office of the Secretary

**Aurora Fleming**, USCG detailee, Office of the Secretary

**Claire Garvin**, International Policy Advisor, National Highway Traffic Safety Administration

**Keith Washington**, Deputy Assistant Secretary for Administration, Office of the Secretary

**Lana Hurdle**, Deputy Assistant Secretary for Budget and Programs, Office of the Secretary

**Judy Kaleta**, Deputy General Counsel, Office of the Secretary

U.S. Merchant Marine Academy Alumni Association and Foundation

**Jim Tobin**, President, USMMA Alumni Association and Foundation

**Marilyn Livi**, Senior Vice President, USMMA Alumni Association and Foundation

**James Hamilton**, Board Chairman, USMMA Alumni Association and Foundation

USMMA Maritime Security Infrastructure Council

**John Arntzen**, Board of Directors, USMMA Alumni Association and Foundation

**Lloyd Caldwell**, (Ret.) U.S. Army Corps of Engineers

**William Grisoli**, Assistant Professor, United States Military Academy

**John Cameron**, Board of Directors, USMMA Alumni Association and Foundation

Maritime Industry

**Stephen Carmel**, Senior Vice President, Maersk Line, Limited

**Edward Hanley**, Vice President, Labor Relations and Marine Standards, Maersk Line, Limited

**Eric Mensing**, President & CEO, American President Lines, Ltd.

**Jennifer Carpenter**, President & CEO, American Waterways

**Dan Sheehan**, Consultant, IMO Working Group

**Raymond Fitzgerald**, COO, Crowley Maritime

**William Kenwell**, retired MAERSK

**Eric Ebeling**, President & CEO, American Roll-on Roll-off Carrier

**Ally Cedeno**, Founder, Women Offshore

**Donald Marcus**, President, International Organization of Masters, Mates, & Pilots

**Anthony Poplowski**, President, Marine Firemen's Union

**Christian Spain**, Vice President, Government Relations, American Maritime Officers

U.S. Coast Guard Academy

**CAPT Richard Wester**, Commandant of Cadets, U.S. Coast Guard Academy

**Shane O'Connor**, U.S. Coast Guard Academy

**Kurt Colella**, Dean of Academics, U.S. Coast Guard Academy

**Cesar Acosta**, Facilities Engineering, U.S. Coast Guard Academy

**Aram deKoven**, Chief Diversity Officer, U.S. Coast Guard Academy

**Shannon Norenberg**, Sexual Assault Response Coordinator, U.S. Coast Guard Academy

**CAPT Michael Fredie**, Director of Admissions, U.S. Coast Guard Academy

SUNY Maritime College

**Jason Vega**, Health and Safety Officer, SUNY Maritime College

**William Rueger**, Director of Physical Plant/Facilities, SUNY Maritime College

**Joe Tedesco**, Site Construction Coordinator, SUNY Maritime College

U.S. Coast Guard

**Nicholas DeLaura**, Civil Engineer, Head of Facility Maintenance, Shore Infrastructure Logistics Center, U.S. Coast Guard

Other Stakeholders

**Carl Delo**, Chair of Engineering, SUNY Maritime College

**Catherine Strez**, Vice Chair of Engineering, SUNY Maritime College

**Mary Zottoli**, Title IX Coordinator, Student Affairs, SUNY Maritime College

**Keith Williamson**, Provost, Maine Maritime Academy

**Kathryn Newcomer**, Professor of Public Policy and Public Administration, George Washington University

**J. Ryan Melogy**, Founder and Chief Legal Officer, Maritime Legal Aid & Advocacy

**Paul Calabrese**, Vice President, Matrix New World Engineering

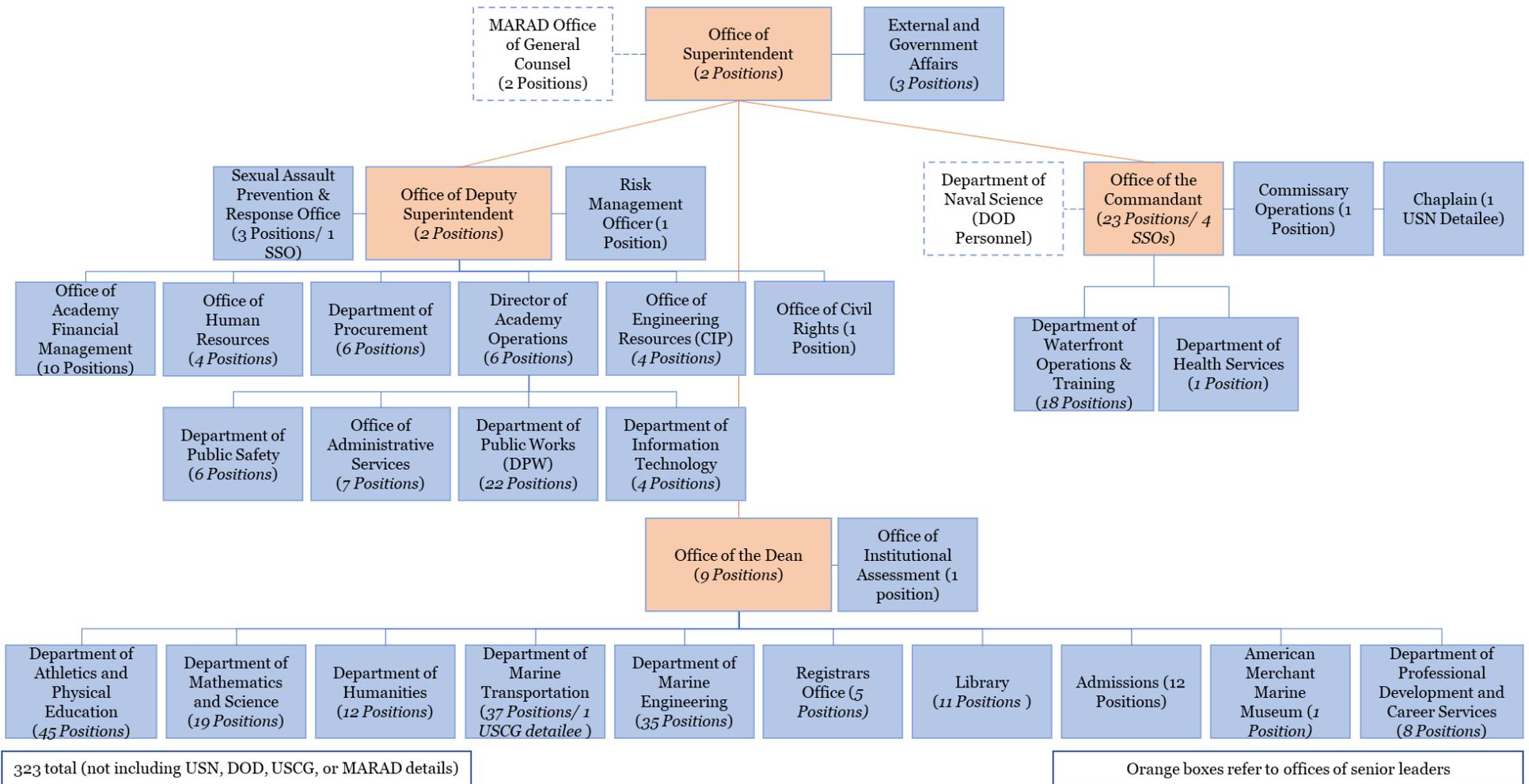
**Nicholas DeCotiis**, Senior Engineer, Matrix New World Engineering

**Eduardo Guzman**, President and Managing Member, DCM

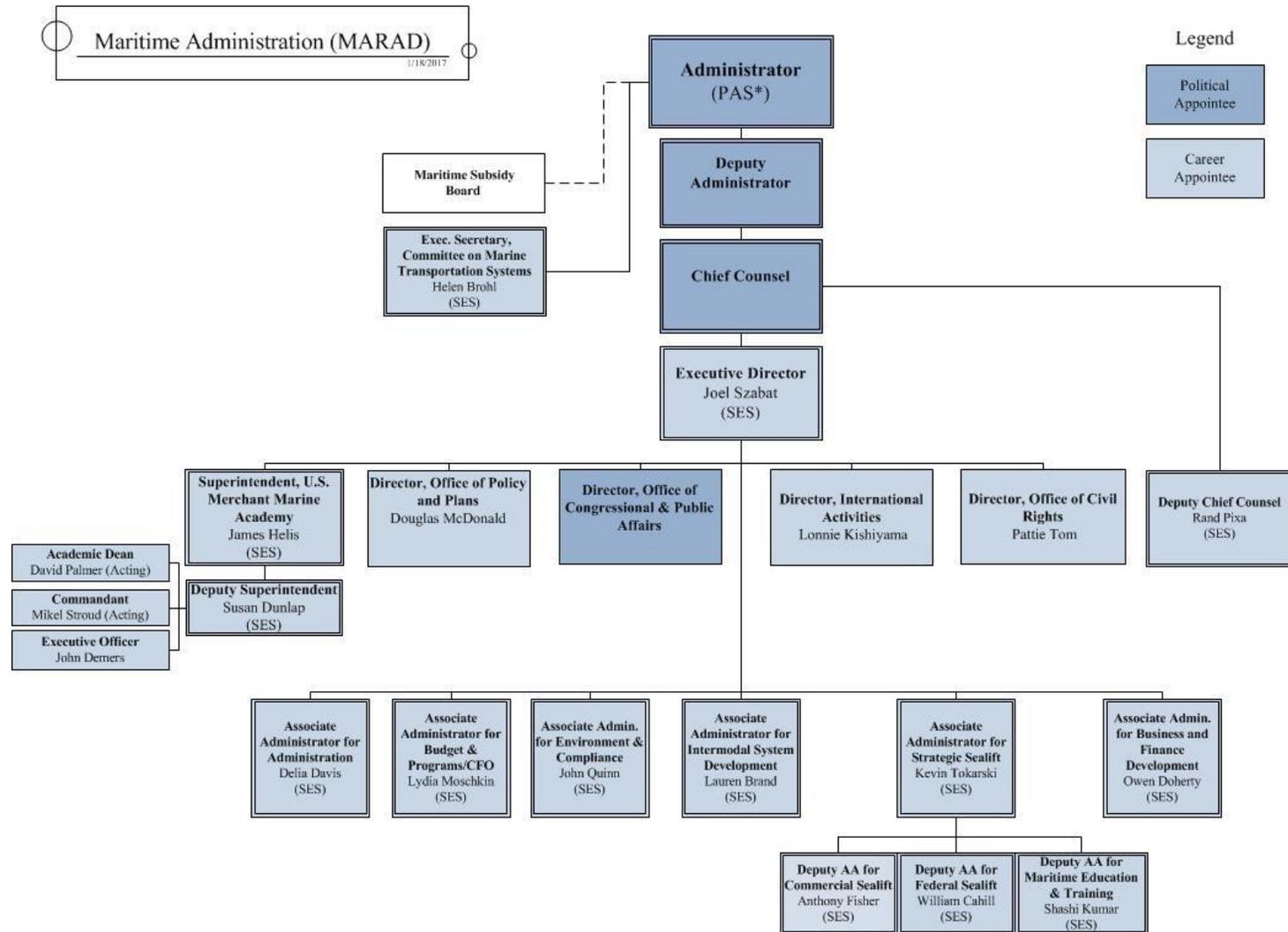
\*Academy Fellow

# Appendix D: Organizational Charts

## USMMA



**MARAD 2017:**



\* Presidential Appointment with Senate Confirmation

## Appendix E: Strategic Priorities, Goals, Performance Measures

The table lists the six priorities, goals within each priority, and the metrics listed in the strategic plan to measure progress within each goal.

<p><b>Strategic Priority 1: EDUCATIONAL PROGRAM:</b> Administer an integrated, enriching, and relevant Educational Program for Midshipmen that focuses on excellence in curriculum and delivery through seamless collaboration across academic, regimental, co-curricular, and extra-curricular Academy functions.</p>	
<p><b>Goals:</b></p> <ol style="list-style-type: none"> <li>1. A Midshipman Educational Program that fulfills the mission of USMMA and provides the foundation for life-long professional growth for graduates</li> <li>2. A culture of continuous assessment and improvement in educational effectiveness and Midshipman development</li> </ol>	<p><b>Metrics:</b></p> <ul style="list-style-type: none"> <li>• Academic performance (GPAs, academic honors, deficiency rates, summer school attendance)</li> <li>• Success rate for Midshipmen on academic alerts; retention and graduation rates (overall, by gender, ethnicity, and major)</li> <li>• Assessment of Institutional and Program Learning Outcomes</li> <li>• USCG license pass rates</li> <li>• Survey results (Graduate, Alumni, National Survey of Student Engagement, Student Ratings of Instruction)</li> </ul>
<p><b>Strategic Priority 2: INSTITUTIONAL CULTURE:</b> Cultivate an institutional culture in which every Academy community member is respected, valued, and can fulfill her or his maximum potential as a leader of exemplary character.</p>	
<p><b>Goals:</b></p> <ol style="list-style-type: none"> <li>1. An Academy community that embodies the institution's Core Values as the guiding principles that define who we are</li> <li>2. A supportive campus community that is welcoming and rich with diversity</li> <li>3. A culture of trust and respect where new and creative ideas are cultivated</li> <li>4. An Academy community that demonstrates cultural competence grounded in the understanding that diversity adds value to the campus environment and the Midshipmen's educational experience</li> </ol>	<p><b>Metrics:</b></p> <ul style="list-style-type: none"> <li>• Survey results (National Survey of Student Engagement [NSSE], Graduates, Alumni, Federal Employee Viewpoint Survey [FEVS], Service Academy Gender Relations (SAGR))</li> <li>• Number of Equal Employment Opportunity (EEO) complaints and number substantiated</li> <li>• Midshipman participation in extra-curricular activities</li> <li>• Percentage of minorities and women among Midshipmen</li> <li>• Percentage of minorities and women among faculty, staff, and administrators</li> <li>• Retention and graduation rates (overall, minorities, and women)</li> <li>• Learning outcomes assessment on the Leadership and Global Understanding Institutional Learning Outcomes</li> <li>• Availability/participation in professional development opportunities for faculty and staff</li> <li>• Availability/participation in diversity-related educational opportunities for Midshipmen</li> <li>• Availability/participation in SASH-related educational opportunities for Midshipmen, faculty, and staff</li> </ul>

**Strategic Priority 3: INFRASTRUCTURE:** Engage in effective planning, management and utilization of Academy infrastructure that will enable Midshipman success, provide a safe, productive, and efficient work environment for Midshipmen and employees, and facilitate stewardship and sustainability of Academy resources.

**Goals:**

1. Campus buildings, grounds, utilities, vessels, and equipment that are safe, in a good state of repair, and in full compliance with applicable standards and regulations
2. A comprehensive, unified plan to ensure the availability of modern technology infrastructure to support USMMA’s mission and goals

**Metrics:**

- Time to deliver Capital Improvement Program projects
- Progress to reduce the deferred maintenance backlog
- Compliance with federal and other regulatory standards (facilities and IT)
- Time to act on service tickets (facilities and IT)
- First-time ticket resolution (facilities and IT)
- Reliability of access to information systems and technology
- Customer satisfaction surveys

**Strategic Priority 4: GOVERNANCE, LEADERSHIP, AND ADMINISTRATION:** Govern and lead USMMA in a manner that allows it to achieve its mission and goals in a way that benefits the institution, its Midshipmen, and the other constituencies it serves. Administer USMMA with appropriate autonomy as an institution of higher education and Federal Service Academy having education as its primary purpose.

**Goals:**

1. Transparent alignment of Academy resources – money, people, and development opportunities – to the mission
2. Shared organizational decision-making processes and structures
3. Active engagement with external entities and constituencies and successful integration of resulting input into decision making
4. Effective leadership at all levels, creating an environment of mutual respect, trust, and confidence among all stakeholders

**Metrics:**

- Compliance with federal regulations and requirements, accreditation requirements (MSCHE and ABET), and licensing requirements (STCW), and commissioning requirements.
- Survey results (Federal Employee Viewpoint Survey (FEVS), National Survey of Student Engagement (NSSE), Alumni, Graduate, Service Academy Gender Relations (SAGR), Defense Equal Opportunity Management Institute (DEOMI) Climate Survey, etc.)
- Timely dissemination of administrative information that shows the link between strategic priorities and resource allocation (budgets, hiring priorities, status of infrastructure projects, accreditation reports, assessment data)
- Availability of and participation in professional development opportunities for faculty, staff, and administration
- Leadership engagements with the internal community and external stakeholders

**Strategic Priority 5: COMMUNICATIONS AND RELATIONSHIPS:** Establish and maintain a comprehensive communication program designed to enhance USMMA’s public image, facilitate stakeholder engagement, recruit, and retain the best-qualified faculty, staff, and Midshipmen, and ensure timely and transparent messaging that builds trust and instills confidence in the institution.

- Goals:**
1. Increased public awareness and recognition of USMMA through proactive and positive public relations, branding, and outreach
  2. A comprehensive communication plan to strengthen relationships, build trust, and instill confidence among all stakeholders

- Metrics:**
- Positive news items, media postings, announcements, updates, and other publications
  - Website visits and prospective student and employee inquiries
  - Posts/likes/followers on social media
  - Engagements with external stakeholders
  - Leadership visibility at events outside USMMA
  - Federal Employee Viewpoint Survey (FEVS)
  - Midshipman surveys (Graduate, Alumni, National Survey of Student Engagement, etc.)

**Strategic Priority 6: Athletics:** Emphasize the role and value of athletics in Midshipmen development and recruiting and retaining the best and brightest Midshipmen for USMMA.

- Goals:**
1. Physical education and athletic programs that are environments of inclusivity and community, a laboratory for leadership development, and a means of instilling the importance of lifelong health and wellness
  2. Competitive athletic programs with winning teams and student-athletes who demonstrate exemplary leadership and achieve success both on and off the field

- Metrics:**
- Percentage of Midshipmen involved in NCAA, varsity, club, and intramural sports
  - Percentage of Midshipmen who meet the Physical Fitness Assessment (PFA) standards
  - Percentage of Midshipmen with physical restrictions due to injury
  - Percentage of student-athletes from underrepresented groups
  - Academic performance of student-athletes (GPAs, academic honors, deficiency rates, summer school attendance)
  - Retention and graduation rates of student-athletes
  - Number of conference championships and participation in post-season tournaments

## Appendix F: Origins of the Strategic Plan

USMMA is in the fourth year of its five-year (2018-2023) Strategic Plan. USMMA's previous strategic plan (2012-2017) was its first. MARAD and DOT took the lead on developing it.<sup>436</sup> The need for a strategic plan emerged in response to a high-level concern about the condition of the facilities on campus. In 2010, MARAD published the *Red Sky in the Morning* report, prepared by a Capital Improvements Advisory Panel. That panel said that a strategic plan would provide a much-needed foundation for facilities planning and create a shared vision for USMMA.

As USMMA contemplated a plan update, two factors weighed heavily in the development of a process. The original plan did not have significant buy-in from leaders, faculty, and staff. Interviewees told the Study Team that the first plan served its purpose, but it did not capture enough of the unique character of USMMA. In addition, leaders, faculty, and staff did not have an opportunity to participate meaningfully in its development. Around the same time, a Middle States Commission on Higher Education (MSCHE) accreditation report (2016) found planning, in general, to be insufficient.

Development of the 2018 strategic plan began with the hiring of a contractor in May 2017. The contractor started work in June 2017 with training sessions to create a strategic plan core team. A three-month period of direct engagement with stakeholders began in October 2017. During this time, the core team conducted strategic collaboration capacity-building sessions and online interviews with stakeholders. USMMA administrators have over 700 Midshipmen, faculty, staff, and stakeholders, including industry, the military, parents, and alumni. USMMA conducted an off-site two-day summit with over 160 participants.

USMMA also conducted a two-day, off-site planning summit with more than 160 participants.<sup>437</sup> From this meeting, the six Strategic Priorities emerged. USMMA conducted sessions for team building and systems of approach for the workstreams in June and July of 2018. In August 2018, the five-year strategic plan was launched.

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<sup>436</sup>The strategic planning process was designed by the Organizational Performance Division, John A. Volpe National Transportation Systems Center, Research and Innovative Technology Administration, U.S. Department of Transportation (March 2012). The Volpe Center team collected initial stakeholder feedback on critical issues facing USMMA. As part of the present study, interviewees raised some of the same issues raised then, including the need for better integration into MARAD and DOT, strategic communication with internal and external stakeholders, and expanded organizational capacity.

<sup>437</sup>The Academy used an Appreciative Inquiry approach developed by Case Western University, incorporating substantial participation from faculty, staff, students in collaboration with THE ACADEMY's governing body. According to the 2017 USMMA Advisory Board Annual Report (<https://www.usmma.edu/sites/usmma.dot.gov/files/docs/about/communications/9116/20170828080809995.pdf>), the previous 2012-2017 plan, developed by DOT and MARAD, incorporated the voices of many fewer stakeholders. As a result, it missed some essential aspects of USMMA and lacked support from those who became responsible for making it operational.

Figure F-1. USMMA 2018-2023 Strategic Plan Development Timeline



## Appendix G: Institutional Learning Outcomes

USMMA identifies four ILOs—Leadership, Professional Expertise, Lifelong Learning, and Global Understanding—as drivers of their educational program. The ILOs were created to add more specificity. USMMA further defined its ILOs in its *Strategic Plan Implementation Guidance for 2020-2021*.

Table 3-1. Original and Modified Institutional Learning Outcomes (ILOs)

Institutional Learning Outcomes		
	Original Definition	Modified Definition
Leadership	Leaders of exemplary character are mentally strong, physically tough, and morally sound, especially under pressure. Graduates must be capable decision makers, communicators, and critical thinkers who reflect on and embrace the challenges of leadership and service.	Upon graduation, USMMA students will be critical thinkers, who reflect on and embrace the challenges of leadership and service, and are capable of effectively communicating ideas and making decisions in their career field
Professional Expertise	Professionals are inspired to continuously develop and advance to increased levels of responsibility. Graduates must possess the knowledge and skills to perform junior officer duties in the Merchant Marine and Armed Forces.	Upon graduation, USMMA students will possess the knowledge and skills needed to perform junior officer duties effectively in the Merchant Marine and the Armed Forces, and they will continuously develop and advance their knowledge and skills to meet increased levels of responsibility throughout their careers.
Lifelong Learning	Leadership and professional development are lifelong undertakings. Graduates must be able to acquire and apply new knowledge and skills through self-directed learning, so they can be lifelong leaders for the Nation.	Upon graduation, USMMA students will continue leadership and professional development activities as lifelong undertakings and will be capable of acquiring and applying new knowledge and professional skills through self-directed learning for the duration of their careers.
Global Understanding	Officers in the Merchant Marine and the Armed Forces operate in a global environment. Graduates must possess the knowledge, skills, and attitudes to analyze and understand a global, multicultural society.	Upon graduation, USMMA students will be capable of operating effectively in a global environment, with the knowledge, skills, and attitudes needed to analyze and appreciate a global, multicultural society.

Source: USMMA Strategic Plan 2018-2023: Navigating Towards the Future Together and Strategic Plan Implementation Guidance for 2020-2021

## Appendix H: Leadership and Global Understanding have recently begun to be assessed

USMMA has made progress towards implementing the ILOs established in the 2018 strategic plan. During interviews conducted primarily in 2020, several interviewees described Leadership and Global Understanding as incomplete.

**Global Understanding:** Most interviewees acknowledged the importance of global understanding, but there was no consensus on how to adequately assess Midshipmen’s ability to understand a global, multicultural society. Interviewees suggested that the ILO “Global Understanding” was taught during Sea Year when Midshipmen visit foreign ports and work with international crews. But Midshipmen receive no prior education or training to provide a contextual framework for identifying or understanding what global understanding encompasses and requires and their experiences. The Dean noted that recent changes to the curriculum better address Global Understanding, but those changes will not bear measurable evidence for a few more years. USMMA is enhancing the assessment of global understanding through developing Sea Year program learning outcomes and incorporating global understanding into the design of Sea Projects.<sup>438</sup>

**Leadership Development:** Recognizing that “leadership development has gone largely undefined,” Physical Education & Athletics (PE&A) faculty developed six leadership development program learning outcomes (LDPLOs) that map directly to USMMA’s ILOs.<sup>439</sup> The LDPLOs describe leadership aptitudes that Midshipmen should develop. The work of the Physical Education & Athletics faculty ultimately led to Superintendent Instruction 2021-04, Midshipmen Leadership Development Program, adopted in May 2021. The directive codifies USMMA’s leadership development program across USMMA’s four pillars – regiment, academics, athletics, and Sea Year.<sup>440</sup> This effort is led by the Director of Leadership and Ethics Development. The Director is responsible for working with “professors/instructors/curriculum developers, academic department heads, Academy assessment experts, and other Program Learning Outcomes Committee (PLOC) members to ensure LDPLOs are resident in appropriate courses and are appropriately assessed.”<sup>441</sup> Thirteen classes now support one or more LDPLOs. In interviews prior to the adoption of this SI, many interviewees had cited the lack of clear connections between leadership development and courses as a significant challenge. Many leadership development activities occur outside of the classroom. In addition to developing metrics to measure progress towards achieving the LDPLOs, officials will have to record participation levels in these activities.

Leadership development activities described in SI 2021-04 include:

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<sup>438</sup> “Institutional Learning Outcomes Committee Meeting Minutes,” U.S. Merchant Marine Academy, January 27, 2021.

<sup>439</sup> USMMA Superintendent’s Instruction 2021-04, *Midshipmen Leadership Development Program*, May 2021, 1. SI 2021-04 supersedes SI 2007-01, Ethics and Leadership Across the Curriculum, and SI 2008-02, Ethics and Leadership Program, both of which were described in SI 2021-04 as “largely aspirational, and were never properly resourced or fully executed.”

<sup>440</sup> Ibid, 2.

<sup>441</sup> Ibid, 3.

- Leadership Development Program;
- Regimental training; the Commandant’s office issued the Midshipman Leadership Development Guide in October 2020, specifying each class year’s leadership development performance requirements.
- Academics
- Sea Year; experiential learning provides opportunities for Midshipmen to observe leadership in action.
- Athletics; USMMA highlights the value of the athletic programs as “a laboratory for leadership development”<sup>442</sup> and has developed a leadership rubric to evaluate Midshipmen’s leadership performance in athletic activities.<sup>443</sup> Interviewees told the Study Team that the near-total cancelation of team sports during 2020 delayed its implementation.

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<sup>442</sup> “The U.S. Merchant Marine Academy Strategic Plan for 2018-2023,” 2018.

<sup>443</sup> “Report on Strategic Plan Implementation,” Strategic Plan Working Group #6 (Athletics and Waterfront,) U.S. Merchant Marine Academy, March 2019.

## **Appendix I: Faculty Research**

The opportunities and levels of institutional support for Academy faculty professional development by USMMA, MARAD, and DOT are significantly less than the support and opportunities afforded civilian and military faculty at the four other federal service academies. While Academy faculty policies stress the importance of professional development to support the enrichment and improvement of USMMA, policies also note that faculty members have a personal responsibility to pursue it. Few opportunities are likely available during an 11-month academic year with teaching loads up to 32 contact hours per year. Interviewees pointed out that the Academy is a teaching college. Among current faculty, the desire for more time for research is unclear.

In contrast, the other four federal service academies have positioned research by faculty and students alike as central to their missions and the education, professional development, and leadership development of future officers. In addition, the academies, their services, and their federal departments actively promote, provide, and facilitate opportunities, facilities, and funding for faculty research, professional development, joint faculty-student research, and advanced student research. The other academies also house multiple research centers for faculty and student research. These centers, policies, and programs encourage research collaborations with other research centers and institutions of higher education; pursuit of outside grants and funding (especially from other federal agencies); and publication or presentation of research results in peer-reviewed publications and conferences. The other academies have also obtained necessary authorities for the institution and faculty to accept grants from non-federal sources. For example, USNA's authority is established in 10 U.S. Code § 8477.

All four of the other federal service academies have a research division or center located under their academic division. USMA has an Academic Research Division, USNA an Office of Academic Research, USAFA and Office of Research, and even USCGA, which approximates the size of USMMA, has a long-standing Center for Advanced Studies. The research centers facilitate and assist faculty members in obtaining and processing funding from their academy, their service or departments, or other federal agencies and grants external to the federal government. Each academy also houses specialized research centers or programs in research areas related to their services' or departments' missions and operational needs. For example, the USCGA Center for Arctic Study and Policy (CASP) draws federal and university scholars together to focus on the impacts of climate change on the Arctic and its implications for national and economic security and indigenous peoples. USAFA has 24 special research centers. USMA's specialized centers range from a focus on oral history to combatting terrorism. All other academies also foster research on pedagogy and teaching excellence through centers on teaching excellence. USMA's Center for Teaching Excellence focuses on research, in-house training, and instruction on pedagogy for both military and civilian faculty.

The academies also provide and solicit funding for faculty and student research and dissemination of their research from their research centers, appropriated funds, alumni association funding programs, research grant funds, or other funding sources within their services and federal departments. For example, USNA and the Office of Naval Research provide full summer research support for junior faculty during their first three summers at USNA to enable them to initiate their

research agendas. USAFA sponsors both a Cadet Summer Research Program and a Summer Faculty Fellowship Program. The Coast Guard Foundation, as well as the USCG and DoD (especially the Africa Command (AFRICOM)), have provided annual funding support for student capstone (senior year) year-long research projects supervised by a faculty member or teams of faculty in technical and social science disciplines for many years. USAFA proudly displays the academy's institutional support of faculty and cadet research on its website, including patent searches and other services.

Research is considered so essential to the education of academy graduates at other academies that they have developed, supported, and funded the dissemination of student research in addition to faculty research. Some academies encourage student research on leadership and professional ethics with research shared at the peer-reviewed annual JSCOPE (Joint Service Conference on Professional Ethics). USAFA hosts an annual CSURF conference (Colorado Springs Undergraduate Research Forum) coupled with the publication of the *USAFA CSURF Book of Abstracts*. USCGA in the past decade launched the *Journal of Cadet Research* produced by a faculty editorial board comprised of representatives from every academic major.

## **Appendix J: Recommendations of the 2010 *Red Sky in the Morning* Report**

Recommendation 1: The Academy and the Maritime Administration should jointly and promptly develop a Strategic Plan that links industry and U.S. national defense needs to Academy capital improvements. This plan should be supported by a thorough analysis of the future demand for merchant mariners, and a detailed facility needs assessment.

Recommendation 2: The Academy should hire qualified staff to conduct facilities planning, oversee the Facilities Master Plan, and manage the construction of future capital improvement projects. This staff should be consistent with the size and age of the facilities. If the USMMA is unable to develop this capability internally, USMMA needs to enter into a long-term relationship with another federal organization that has robust facilities management capability. One obvious potential long-term partner would be the Naval Facilities Engineering Command, which specializes in sustainment of waterfront and campus facilities. High-level contact between the Maritime Administration and the Department of the Navy could establish this strategic partnership supported by a long-term reimbursable financial relationship.

Recommendation 3: The Maritime Administration should not initiate any major capital improvement projects until USMMA has hired the qualified staff necessary to properly oversee planning and construction.

Recommendation 4: Using a Strategic Capital Investment Process as a guide, the Maritime Administration should establish and oversee a formal process governing the development of USMMA's Capital Improvement Plan. Capital improvement projects forwarded by USMMA for funding should be consistent with the institution's approved Strategic Plan and have sufficient initial design work accomplished to enable the preparation of valid cost estimates.

Recommendation 5: The Academy should hire sufficient qualified staff to conduct routine facilities maintenance. This staff should be consistent with the size and age of the facilities.

Recommendation 6: Consistent with the sustainment, restoration and modernization approach to life-cycle facility management Merchant Marine Academy funding should be restructured to provide for three separate funding streams: facilities maintenance, equipment, and capital improvements.

Recommendation 7: The USMMA requires significant capital investment to renovate existing structures and replace those that no longer meet the needs of a modern educational institution. These investments should be consistent with a Strategic Plan, and funding should be provided only after USMMA has hired sufficient staff to properly oversee construction.

Recommendation 8: The USMMA requires significant additional funding to support facility maintenance and prevent further degradation of the condition of the campus. To support this additional funding, USMMA should accurately identify the Plant Replacement Value (PRV) of all the facilities on the campus.

Recommendation 9: The USMMA requires additional equipment funding to replace existing maritime simulators and other electronic teaching aids, which are critical to maintaining USMMA's level of educational excellence.

Recommendation 10: USMMA's strategic plan should aggressively leverage new, cost-effective learning technologies such as desktop simulators and engineering laboratory electronic troubleshooting replicators to improve the quality of instruction and minimize cost.

Recommendation 11: The Maritime Administration and the Department of Transportation should revise the proposed capital improvement program to provide for sustained and substantially increased phased investment over the next ten to fifteen years.

## Appendix K: CIP Cost and Time Estimates

Since 2012, the cost and timing figures in the annual CIP report have proven to be accurate on six out of 16 projects.

The USMMA CIP has delivered some projects on schedule and within budget. Of 16 projects completed between 2012-2019, six were completed on time (within two months of the estimate) and within budget (no more than 10 percent over estimate), including:<sup>444</sup>

- **Rogers Hall renovation (dorm) – July 2013**
- **Mallory Pier Replacement – April 2014**
- **Cleveland Hall renovation (dorm) – October 2014**
- **Safety Issues Barracks/Facilities – August 2015**
- **Museum Restrooms – December 2015**
- **Sewer Pump Replacement – December 2015**

The approach to presenting CIP progress and plans shifted over time. During 2012-2016, reports reflected timely project completion and updated schedule estimates in the case of delay. Starting in 2016, reports did not include schedule estimates for future projects. Another important development was the expansion of the scopes of two projects in FY17. The estimate for the **Samuels Hall** renovation grew from \$6 million to \$16 million. The **Crowninshield/Cressy Pier** project grew from \$3 million to \$5.6 million in FY17 and then to \$15.6 million in FY19.

As discussed in a previous GAO report, CIP implementation has experienced schedule delays and cost overruns.<sup>445</sup> As shown in table H.1, 50 percent of small projects below \$5 million were completed on time, and 30 percent of large projects over \$5 million were completed on time.

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<sup>444</sup> Information from publicly available Capital Improvement Program Annual Reports 2012-2019.

<sup>445</sup> “GAO also found that USMMA and MARAD have taken steps to improve Capital Improvement Program (CIP) oversight. For example, USMMA filled a new Assistant Superintendent position responsible for oversight of USMMA’s capital improvements and facilities maintenance. However, USMMA did not yet have an up-to-date, comprehensive plan for capital improvements to provide a basis for oversight. Specifically, USMMA did not have a capital improvement plan that identified long term capital improvement needs aligned with USMMA’s strategic objectives, reliable cost estimates for planned improvements, and a phased implementation approach for prioritizing capital improvement needs. Such plan elements are consistent with Office of Management and Budget guidance and GAO-identified leading practices.” GAO-12-369

Table H-1. Timely Completion Rate for Small and Large Projects<sup>446</sup>

<b>Timely Completion Rate for Small Projects</b>		
Small Projects \$0-\$5 million	Initial Estimate	Completion Date
Water Main Replacement phases 1, 2, 3	Estimated May 2015	April 2016
Safety Issues Barracks/Facilities	Estimated Aug 2015	Aug 2015
Seawall Replacement	Estimated July 2016	Aug 2019
Grenwolde Loop	Estimated Oct 2015	Estimated Nov 2018
Museum Restrooms	Estimated Dec 2015	Completed December 2015
Sewer Pump Replacement	Estimated June 2015	Completed Dec 2015
Fifty percent of small projects were completed on time.		
<b>Timely Completion Rate for Large Projects</b>		
Large Projects \$5 million-\$16 million	Initial Estimate	Completion date
Cleveland Hall renovation (dorm)	Estimated Sept 2014	October 2014
Mallory Pier Replacement	Estimated Mar 2014	April 2014
Rogers Hall renovation (dorm)	Estimated July 2013	July 2013
Delano Hall renovation (dining)	Estimated Oct 2013	November 2014
Samuels Hall	Estimated July 2016	TBD
Electric Grid phases 1 2 3	Estimated Nov 2015	Estimated Dec 2019
Zero Deck	Estimated Jan 2016	FY2020
Crowninshield Pier/Cressy Pier	TBD	Estimated Oct 2019
Bowditch Hall Design	Estimated June 2017	TBD
Gibbs Hall Renovation	TBD	TBD
Thirty percent of large projects were completed on time.		

Source: National Academy of Public Administration<sup>447</sup>

## Cost Overruns

<sup>446</sup> Projects include those estimated to be completed before FY20, and or received initial appropriated funding before FY18. On time completion defined as a completion date on the estimated Month/Year or within 1-6 months of the estimate.

<sup>447</sup> Completion rate determined using publicly available CIP reports from 2012 to 2019 and review from Academy CIP.

CIP plans from FY12-FY19 demonstrate major cost overruns in four projects (**Seawall, Crowninshield/Cressy Pier, Samuels Hall, and the Electric Grid**) and major schedule delays (9/16 projects listed finished more than a year after initial estimate).

- **Seawall:** \$0.5 million to \$1.2 million
- **Crowninshield Pier/Cressy Pier:** \$3 million to \$5.6 million to \$15,6 million
- **Samuels Hall:** \$7 million to \$16 million
- **Electric Grid:** \$6.8 million to \$8.8 million

Annual CIP reports also show that cost savings from some projects supplemented funding for other projects. This practice may create a negative incentive to eliminate the typical cost buffer for projects (+/- 10 to 50 percent, depending on the stage of the estimate), leading to cost overruns and project delay. Examples of using cost savings to fund projects include:

- **Bowditch Hall** \$2 million of \$13 million from cost savings.
- **Cressy Pier** \$2,600,000 in cost savings.
- **Zero Deck** \$3 million from other projects.

### ***Annual CIP Allocations Have Exceeded USMMA’s Ability to Carry out Projects***

Annual CIP allocations have exceeded USMMA’s ability to carry out capital projects in each year 2016-2020, as is demonstrated in Table H-1. The issue is not that USMMA is receiving too much money. On the contrary, the issue is an inability to execute planned projects in a timeframe that aligns with allocations.

*Table H-1. CIP Program Funding Allocation versus Obligation*

CIP Program – All Funds	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020	Total
Obligations (4801+4901+4902)	\$7,046,105	\$656,636	\$4,845,091	\$6,139,694	\$23,295,533	\$41,983,059
Outlays (4901+4902)	\$2,746,380	\$5,153,923	\$607,227	\$4,034,322	\$5,887,266	\$18,429,118
Allocations	\$15,000,000	\$10,000,000	\$45,000,000	\$10,000,000	\$0	\$80,000,000
Percentage of Allocated Funds Obligated (Obligation / Allocation)	47%	7%	11%	61%	n/a	52%
Percentage of Allocated Funds Spent (Outlay / Allocation)	18%	52%	1%	40%	n/a	23%

*Source: National Academy of Public Administration*

Over this five-year period, USMMA received allocations of \$80 million. During this period, they spent \$18 million (23 percent of allocated funds) and obligated another \$24 million (29 percent of allocated funds). Because facilities planning and project execution are multi-year processes, spending or committing funds in the same year in which they are allocated is not realistic. On the other hand, accumulating a positive balance over a period of years is not sound planning. USMMA does not have a target timeframe for obligating funds.

## Appendix L: Student Demographic Data

### Distribution of Seats Available for Congressional Nomination to USMMA, by State

State	Seats	State	Seats	State	Seats
Alabama	4	Kentucky	2	Ohio	8
Alaska	1	Louisiana	4	Oklahoma	2
American Samoa	1	Maine	2	Oregon	3
Arizona	3	Maryland	5	Pennsylvania	10
Arkansas	2	Massachusetts	5	Puerto Rico	1
California	19	Michigan	7	Rhode Island	2
Colorado	4	Minnesota	3	South Carolina	4
Connecticut	4	Mississippi	3	South Dakota	1
Delaware	1	Missouri	3	Tennessee	4
District of Columbia	4	Montana	2	Texas	13
Florida	10	Nebraska	2	Utah	2
Georgia	5	Nevada	2	Vermont	1
Guam	1	New Hampshire	2	U.S. Virgin Islands	1
Hawaii	2	New Jersey	6	Virginia	5
Idaho	2	New Mexico	2	Washington	5
Illinois	9	New York	15	West Virginia	2
Indiana	3	North Carolina	6	Wisconsin	4
Iowa	4	North Dakota	1	Wyoming	1
Kansas	3	Northern Mariana Islands	1		

*Basic Statistical Analysis of USMMA Enrollment Data*

According to the National Center for Education Statistics, 1007 undergraduate students were enrolled in Fall 2019. White male students were 63 percent of the entire student population.<sup>448</sup>

The lack of diversity is similar for male and female students.<sup>449</sup> Among male students, 77 percent are white, and 72 percent of all female students are white.

Further, there is a significant variation of student retention rates by ethnicity at USMMA. The Native American, Asian, and White student populations have a high graduation rate of 100, 93, and 81 percent. The Black and Hispanic student populations have 63 and 70 percent graduation

<sup>448</sup> National Center for Education Statistics, United States Merchant Marine Academy, accessed October 14, 2021, <https://nces.ed.gov/collegenavigator/?q=united+states+merchant+marine+academy&s=all&id=197027#enrolmt>

<sup>449</sup> “Other” is consolidated from American Indian, Native Hawaiian, ethnicity unknown/undisclosed, and non-resident alien.

rates, which is 17 and 10 percentage points lower than all students at USMMA. However, it is noted that compared to comparable institutions such as Maine Maritime Academy and California Maritime Academy, MMA's retention rate for Black students is significantly lower. At the same time, it is comparable for Hispanic student populations.

*USMMA 6-Year Graduation Rate by Race/Ethnicity for Students Pursuing Bachelor's Degrees*

<b>School</b>	<b>Total</b>	<b>American Indian</b>	<b>Asian</b>	<b>Black</b>	<b>Hispanic</b>	<b>White</b>	<b>Bi-Racial</b>	<b>Non-resident alien</b>
<i>Merchant Marine Academy</i>	80	100	93	63	70	81	0	0
<i>Maine Maritime Academy</i>	71	100	67	100	25	71	0	0
<i>Massachusetts Maritime Academy</i>	76	73	56	80	0	77	0	100
<i>SUNY Maritime College</i>	75	0	64	75	65	77	57	67
<i>California State University Maritime Academy</i>	67	73	58	50	71	68	71	0
<i>MIT</i>	95	75	97	98	92	95	100	98

Source: National Center for Education Statistics

### Graduation Rates of Midshipmen by Race, Ethnicity, and Gender (2014-2019)

Year	Gender	Total	American Indian or Alaska Native	Asian	Black or African American	Hispanic or Latino	Native Hawaiian or Other Pacific Islander	White	Two or more races	Race/ethnicity unknown	Nonresident alien
<b>2019</b>	Total	79.9%	100.0%	93.3%	62.5%	69.6%	0	80.7%	0	100.0%	0
	Men	77.5%	100.0%	90.9%	57.1%	73.7%	0	77.7%	0	100.0%	0
	Women	91.7%	0	100.0%	100.0%	50.0%	0	96.3%	0	0	0
<b>2018</b>	Total	84.3%	50.0%	81.3%	83.3%	85.7%	0	84.4%	0	100.0%	100.0%
	Men	84.6%	50.0%	84.6%	83.3%	83.3%	0	85.0%	0	100.0%	100.0%
	Women	82.4%	0	66.7%	0	100.0%	0	81.5%	0	0	100.0%
<b>2017</b>	Total	80.5%	66.7%	81.3%	80.0%	95.2%	0	79.0%	0	83.3%	100.0%
	Men	81.4%	66.7%	90.9%	100.0%	94.4%	0	79.4%	0	80.0%	100.0%
	Women	75.6%	0	60.0%	50.0%	100.0%	0	76.7%	0	100.0%	0
<b>2016</b>	Total	76.5%	50.0%	75.0%	44.4%	62.5%	0	78.1%	0	100.0%	100.0%
	Men	75.6%	50.0%	75.0%	42.9%	60.0%	0	77.2%	0	100.0%	100.0%
	Women	83.3%	0	0	50.0%	100.0%	0	84.4%	0	0	100.0%
<b>2015</b>	Total	68.3%	0	71.4%	36.4%	53.3%	0	70.0%	0	0	100.0%
	Men	66.5%	0	66.7%	30.0%	46.2%	0	68.8%	0	0	100.0%
	Women	84.6%	0	100.0%	100.0%	100.0%	0	81.8%	0	0	0
<b>2014</b>	Total	71.9%	50.0%	83.3%	37.5%	72.7%	0	72.8%	0	0	80.0%
	Men	70.4%	50.0%	83.3%	42.9%	87.5%	0	70.1%	0	0	87.5%
	Women	81.6%	0	0	0	33.3%	0	90.6%	0	0	50.0%

Source: Integrated Postsecondary Education Data System (IPEDS)

## Appendix M: Affinity Groups at the State Maritime Academies and Federal Service Academies

Most state maritime academies list few or no affinity clubs on their websites. In close geographical proximity to USMMA, SUNY Maritime has a student enrollment of 1674,<sup>450</sup> about two-thirds larger than USMMA's. The school has 14 organizations whose names suggest focusing on race, ethnic, national, and gender identities, sexual orientation, or religious affiliation.<sup>451</sup> However, the availability of these groups does not appear to be a part of the diversity, equity, and inclusion strategy.<sup>452</sup>

The other four federal service academies have historically sponsored multiple diversity clubs. USCGA recognizes eight cultural organizations and six faith-based groups, serving various interests, identities, affiliations, and orientations.<sup>453</sup> For example, USCGA's Genesis Council was founded in 1973 for underrepresented group students. Today, the Genesis Council assists the USCGA Admissions Office by sponsoring a "Genesis Invitational" weekend for underrepresented high school students and parents every fall. By contrast, the USMA Diversity Inclusion Plan identifies support for "diversity clubs" as a key strategy to "develop leaders of character and cultivate a culture of character growth."<sup>454</sup> The Corbin Women's Leadership Forum at USMA brings discussions of gender diversity to the full Corps of Cadets.<sup>455</sup>

USAFA offers a "Way of Life" club, among other affinity groups, focused on cultural consciousness and improving the social climate at USAFA. USNA is the only federal academy with Chinese Culture and Filipino-American clubs. The other federal service academies have Spectrum clubs to support LGBTQ students and build awareness of LGBTQ issues. Today, USMA offers 14 diversity clubs, USNA 11 affinity clubs<sup>456</sup>, USAFA 9 affinity clubs, and USCGA 8 cultural organizations.

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<sup>450</sup> "SUNY Maritime College," U.S. News and World Report Education, accessed July 30, 2021 at <https://www.usnews.com/best-colleges/suny-maritime-2853>.

<sup>451</sup> "Organizations," SUNY Maritime College, accessed July 30, 2021 at <https://sunymaritime.campuslabs.com/engage/organizations>.

<sup>452</sup> "Diversity, Equity, and Inclusion," SUNY Maritime College, accessed July 30, 2021 at <https://www.sunymaritime.edu/about/diversity-equity-and-inclusion>.

<sup>453</sup> "Diversity and Fellowship," U.S. Coast Guard Academy, accessed August 1, 2021 at <https://www.uscga.edu/diversity-and-fellowship/>.

<sup>454</sup> "Diversity and Inclusion Plan (2020-2025)," U.S. Military Academy, adopted December 2019.

<sup>455</sup> The Corbin Forum was formed by class of 1980 women cadets, the first class with women in USMA history. The Forum is named after Margaret Corbin, a Revolutionary War heroine who was the first known woman to engage in battle, at Fort Washington, NY. Corbin was buried with full military honors in the West Point Cemetery. More recently, the Corbin Forum sponsored a cross-academy 30th anniversary conference celebrating the first federal academy classes with women. "Corbin Woman's Leadership Forum," U.S. Military Academy, accessed August 5, 2021, <https://www.westpoint.edu/leadership-center/corbin-forum>.

<sup>456</sup> "Office of Diversity, Equity, and Inclusion: USNA Affinity Clubs," U.S. Naval Academy, accessed August 1, 2021, <https://www.usna.edu/Diversity/Clubs/index.php>.

## Appendix N: Support for Diversity on USMMA’s Website

<p><b>USMMA Website, Page on Diversity</b> (<a href="https://www.usmma.edu/diversity">https://www.usmma.edu/diversity</a>)</p>	<p>“Dynamic Campus Culture: Create a vibrant, diverse, and inclusive culture to attract and educate best-in-class maritime leaders.</p> <p>“To enhance the overall quality of life of Midshipmen, we will foster a community of common values, mutual respect, and an appreciation of the contributions of each individual. We take pride in establishing a welcoming and diverse campus that reflects our values of excellence, service, and honor. The Academy is committed to cultivating a vibrant campus environment where students can enjoy and share their cultural, spiritual, and recreational experiences.”</p>
<p><b>Academy Values</b> (<a href="https://www.usmma.edu/about/strategic-plan">https://www.usmma.edu/about/strategic-plan</a>)</p>	<p>Respect: “Promote an environment where inclusion, multiculturalism, and diversity are encouraged and valued.”</p>
<p><b>Strategic Plan</b> (<a href="https://www.usmma.edu/about/strategic-plan">https://www.usmma.edu/about/strategic-plan</a>)</p>	<p>Priority 2 (Institutional Culture): “A supportive campus community that is welcoming and rich with diversity.”</p> <p>“An Academy community that demonstrates cultural competence grounded in the understanding that diversity adds value to the campus environment and the Midshipmen’s educational experience.”</p> <p>“Integrate elements of diversity, equality, and inclusion into the Educational Program for Midshipmen (Strategic Priority #1).”</p> <p>Priority 4 (Governance, Leadership, And Administration): “Promote and reinforce Academy-wide focus on issues of diversity, equality, and inclusion through integration into human resources practices and professional development programs (Strategic Priority #2).”</p>
<p><b>Student Organizations; most pages were last updated in 2016</b><sup>457</sup></p>	<p>Organization names suggest that the following are diversity-oriented:</p> <ul style="list-style-type: none"> <li>• Women on the Water (academic – professional organization)<sup>458</sup></li> <li>• Christian Fellowship Club, Fellowship of Christian Athletes, Jewish Midshipman Club, Newman Club (religious/spiritual)<sup>459</sup></li> </ul>
<p><b>Course Catalog, Admissions</b><sup>460</sup></p>	<p>“The Academy encourages diversity and recognizes the value of a Regiment of Midshipmen representing all races, colors, creeds, and ethnic backgrounds found in this nation. Students from underrepresented groups are strongly encouraged to apply for admission.”</p>

<sup>457</sup> The Academy does not have any standing clubs; each club continues as long as Midshipmen are interested and able to keep it going. Midshipmen can start their own club by enlisting at least eight students and an advisor, and submitting an application, roster, and constitution for approval. “Start Your Own,” U.S. Merchant Marine Academy, accessed July 22, 2021, <https://www.usmma.edu/academy-life/activitieservices/start-your-own>

<sup>458</sup> “Academic / Professional Organizations,” U.S. Merchant Marine Academy, accessed July 22, 2021, <https://www.usmma.edu/academy-life/activitieservices/academic-professional-organizations>

<sup>459</sup> “Religious / Spiritual,” U.S. Merchant Marine Academy, accessed October 14, 2021, <https://www.usmma.edu/academy-life/activitieservices/religiouspiritual>.

<sup>460</sup>

“Admissions,” U.S. Merchant Marine Academy, accessed October 14, 2021, <https://catalog.usmma.edu/content.php?catoid=2&navoid=58>.

## **Appendix O: Non-Federal Universities' Initiatives to Promote Diversity as Part of Larger Initiatives**

The Multicultural Programming Council at Georgia State University functions as the advisory board to the Multicultural Center and its programs. The Council is comprised of student leaders of multicultural groups, which provide input on events and initiatives developed and supported by the Multicultural Center, as well as workshops, advisement, and funding to student groups.

The University at Albany Office of Intercultural Student Engagement sponsors activities and events that increase the cultural competency of students, faculty, and staff. The Multicultural Resource Center features the Asian Heritage Suite and the African Heritage Suite, affinity group spaces that provide opportunities for dialogue about the history, culture, obstacles, and achievements of people of African or Asian descent. The C.H.A.R.G.E Peer Educator Program provides the opportunity for students seeking leadership experiences related to diversity and inclusion to receive training to facilitate cultural competency discussions. Peer educators assist students in residence halls to create an environment where faculty, staff, and students understand, embrace, and model respect for diversity.<sup>461</sup>

Penn State has also made efforts to create a welcoming campus climate by making it well known that diversity is a goal of the institution and providing more diversity resources to students. They have created a diversity website that lists the campus' diversity mission and vision and the members of the Diversity Affairs Committee. It also provides information on expanded academic and co-curricular offerings addressing diversity and the implementation of campus-wide service-learning projects. They have diversity councils, initiatives, book clubs, and conferences. They also established a Students, Allies, Friends, and Educators (SAFE) Club to support the LGBT community.<sup>462</sup>

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<sup>461</sup> "Advancing Diversity and Inclusion in Higher Education." U.S. Department of Education, November 2016.

<sup>462</sup> "Best Practices and Potential Best Practices." Penn State's Office of the Vice Provost for Educational Equity, accessed May 21, 2021, <http://equity.psu.edu/updates/analysis/best-practices>.

## **Appendix P: 46 U.S. Code § 3507 - Passenger vessel security and safety requirements**

(d) Sexual Assault.—The owner of a vessel to which this section applies shall—

(1) maintain on the vessel adequate, in-date supplies of anti-retroviral medications and other medications designed to prevent sexually transmitted diseases after a sexual assault;

(2) maintain on the vessel equipment and materials for performing a medical examination in sexual assault cases to evaluate the patient for trauma, provide medical care, and preserve relevant medical evidence;

(3) make available on the vessel at all times medical staff who have undergone a credentialing process to verify that he or she—

(A) possesses a current physician's or registered nurse's license and—

(i) has at least 3 years of post-graduate or post-registration clinical practice in general and emergency medicine; or

(ii) holds board certification in emergency medicine, family practice medicine, or internal medicine;

(B) is able to provide assistance in the event of an alleged sexual assault, has received training in conducting forensic sexual assault examination, and is able to promptly perform such an examination upon request and provide proper medical treatment of a victim, including administration of anti-retroviral medications and other medications that may prevent the transmission of human immunodeficiency virus and other sexually transmitted diseases; and

(C) meets guidelines established by the American College of Emergency Physicians relating to the treatment and care of victims of sexual assault;

(4) prepare, provide to the patient, and maintain written documentation of the findings of such examination that is signed by the patient; and

(5) provide the patient free and immediate access to—

(A) contact information for local law enforcement, the Federal Bureau of Investigation, the United States Coast Guard, the nearest United States consulate or embassy, and the National Sexual Assault Hotline program or other third party victim advocacy hotline service; and

(B) a private telephone line and Internet-accessible computer terminal by which the individual may confidentially access law enforcement officials, an attorney, and the information and support services available through the National Sexual Assault Hotline program or other third party victim advocacy hotline service.

(e) Confidentiality of Sexual Assault Examination and Support Information.—The master or other individual in charge of a vessel to which this section applies shall—

(1) treat all information concerning an examination under subsection (d) confidential, so that no medical information may be released to the cruise line or other [owner](#) of the vessel or any legal representative thereof without the prior knowledge and approval in writing of the patient, or, if the patient is unable to provide written authorization, the patient's next-of-kin, except that nothing in this paragraph prohibits the release of—

(A) information, other than medical findings, necessary for the [owner](#) or master of the vessel to comply with the provisions of subsection (g) or other applicable incident reporting laws;

(B) information to secure the safety of passengers or crew on board the vessel; or

(C) any information to law enforcement officials performing official duties in the course and scope of an investigation; and

(2) treat any information derived from, or obtained in connection with, post-assault counseling or other supportive services as confidential, so no such information may be released to the cruise line or any legal representative thereof without the prior knowledge and approval in writing of the patient, or, if the patient is unable to provide written authorization, the patient's next-of-kin.

## Appendix Q: Use of Reception and Representation Funds

Federal ethics and appropriations law govern the spending of taxpayer dollars for such activities as attending and hosting conferences and other functions, as well as paying for food. While some activities that might be allowable in the private sector are expressly prohibited in the federal government, federal agencies have some leeway in other cases, with some restrictions and appropriate approval.

According to GAO, these funds, commonly referred to as “official reception and representation (R&R)” money, “have traditionally been sought, justified, and granted in the context of an agency’s need to interact with various nongovernment individuals or organizations.”<sup>463</sup> GAO notes that an agency has broad discretion in the use of its R&R appropriation. Specifically, “official agency events, typically characterized by a mixed ceremonial, social and/or business purpose, and hosted in a formal sense by high-level agency officials” and related to the function of an agency will “not be questioned.”<sup>464</sup> Moreover, according to GAO, appropriations are available to pay the cost of an employee’s attendance at a meeting if the employee is carrying out an official duty. Additionally, the meeting must (1) be part of an authorized training function; (2) be concerned with the functions or activities for which the appropriation is made; or (3) contribute to improved conduct, supervision, or management of the functions or activities.<sup>465</sup> Likewise, according to GAO, when an agency hosts a formal conference that meets certain criteria, it may provide food to its employees, employees of other agencies, and nonfederal personnel.

The bottom line is that, as with all federal agencies, there is no prohibition on these activities. Obtaining funds for attending and hosting conferences, paying for food, and other R&R activities does require some up-front planning and an approval process. Thus, going forward, it will be important for USMMA to develop the appropriate justifications and work through the necessary approval processes to request the appropriations it needs to better connect with its stakeholders.<sup>466</sup>

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<sup>463</sup> GAO-17-797SP, p. 3-100.

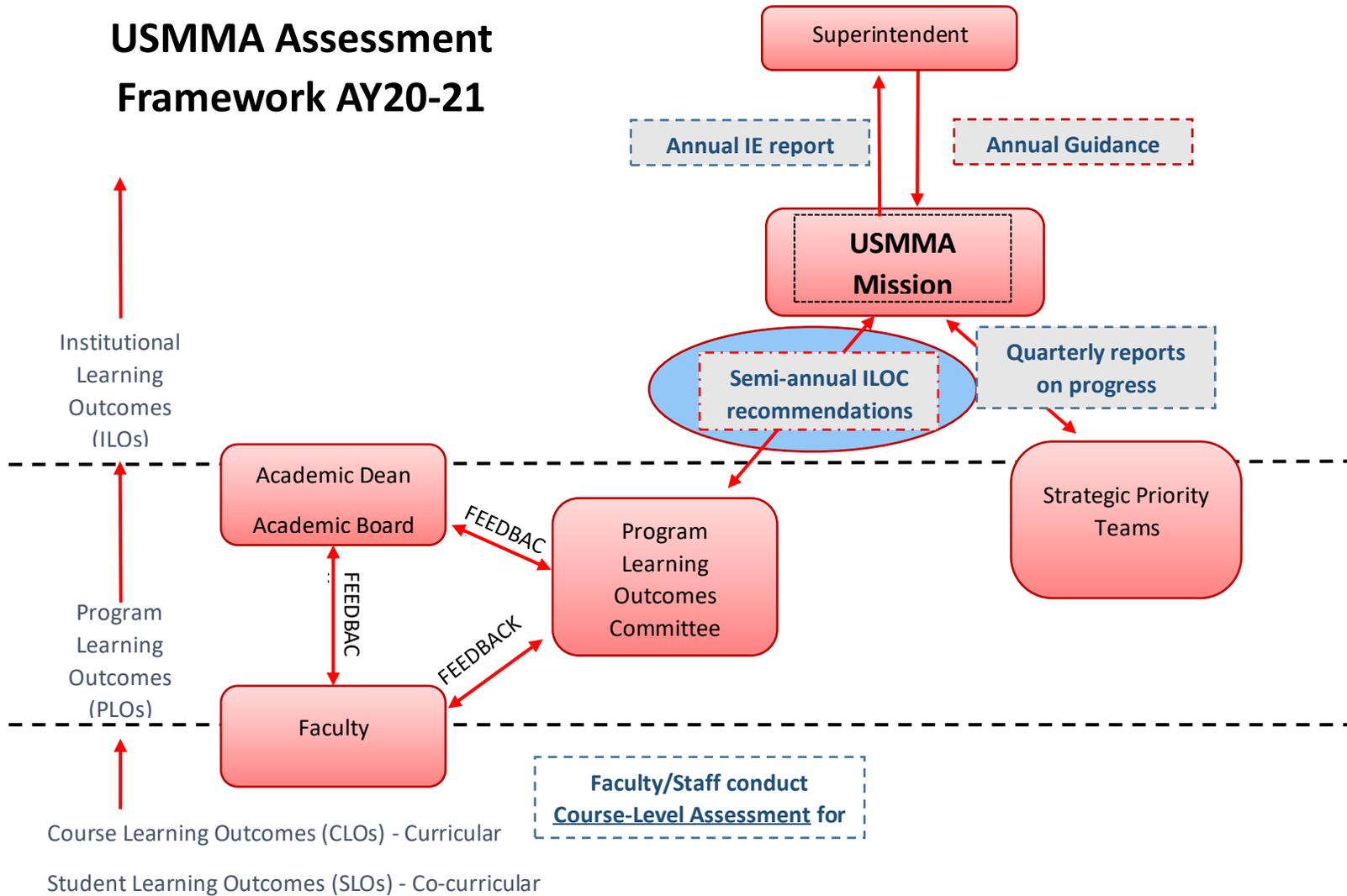
<sup>464</sup> GAO-17-797SP, p. 3-100.

<sup>465</sup> GAO-17-797SP, pp. 3-161 - 3-162.

<sup>466</sup> GAO determined that the Academy could use “gift funds held in a trust fund for personal expenses, such as food, if the agency can demonstrate that the expenses are incident to the purposes of the trust... The Academy's unrestricted gift funds are available to purchase working lunches for attendees, so long as the lunches will facilitate participation and efficiency.” “U.S. Maritime Administration—Gift Funds for Food, GAO, accessed July 23, 2021, <https://www.gao.gov/products/b-330494>.

## Appendix R: USMMA Assessment Framework

### USMMA Assessment Framework AY20-21



## Appendix S: Annual Planning to Implement Strategic Priorities

Idealized Process <sup>467</sup>	Actual Process by the End of 2020 <sup>468</sup>
Academy departments and programs develop their own goals and desired outcomes based on the institutional mission and goals.	<i>Not implemented.</i>
Each department and program develops an assessment plan with strategies and metrics to measure the previous year’s progress toward achieving departmental and institutional goals.	<i>Partially implemented.</i> In place of departments and programs, six Strategic Planning Working Groups (SPWGs) were charged with developing performance metrics and action plans to achieve goals and advance strategic priorities. SPWG 1 (education) has developed some learning assessments. The other SPWGs have not developed any performance metrics. SPWGs do not have goals any more specific than the institutional goals.
The IESC meets quarterly to receive progress reports.	<i>Partially implemented.</i> The IESC meets but on an irregular schedule. Meeting minutes show that “progress reports” usually amount to an update on activities. <sup>469</sup>  The IESC directed SPWGs to review and update strategic plan metrics and develop a Plan of Action and Milestones (POA&M) for a twelve-month timeframe. To date, the only SPWGs to develop metrics, plans, or milestones is the group assigned to Strategic Priority 1, Education.
Departments and programs submit assessment data to the IESC for evaluation and possible adjustment.	At the end of 2020, none of the six SPWGs submitted assessment data. Instead, they all submitted a list of the previous year’s activities and accomplishments and described planned activities for the coming year. Some groups referenced external survey results and statistics, but year-end status reports do not

<sup>467</sup> Superintendent Instructions 2017-07 (with revisions enacted as SI 2021-02)

<sup>468</sup> USMMA, “Status Reports for Institutional Effectiveness Steering Committee,” December 2020.

<sup>469</sup> Including the first meeting in December 2018, the IESC has met eight times, but not quarterly. Five meetings took place in 2019 and two meetings occurred in 2020. Meeting dates do not appear to follow a pattern, suggesting that the meetings are scheduled as needed, rather than being standing meetings.

	<p>discuss the key findings or actions to respond to those findings. Minutes do not reflect the IESC evaluation of submissions.</p>
<p>The IESC uses these submissions to develop an annual Institutional Effectiveness Report. This report captures assessment data, guides departments and programs on institutional priorities for planning and budgeting, and makes recommendations for strategic resource allocation priorities. It informs the Superintendent's Annual Guidance memorandum.</p>	<p>The IESC compiled SPWGs' lists of accomplishments and plans for the coming year. The Superintendent's memo referred to these accomplishments and plans. It also set priorities for the coming year but without targets and without addressing progress towards the five-year goals.</p>

## **Appendix T: Summary of 2020 Activities to Support the Strategic Plan**

Reports submitted by SPWG chairs for the December 2020 meeting provide a window into progress towards implementing the strategic plan and establishing a performance measurement system. All groups reported activities that are generally consistent with strategic priorities, but very little collection and use of data is evident.<sup>470</sup>

**Strategic Priority 1: EDUCATIONAL PROGRAM:** Course assessments take place every year. Course assessment data to support Program Learning Outcomes (PLOCs) is collected on a rotating basis with the expectation that courses assess all of the outcomes during the five-year assessment cycle. The connection between course learning outcomes, PLOCs, and Institutional Learning Outcomes (ILOCs) is still a work in progress. This group reported that it considered “NSSE [National Survey of Student Engagement] and NSSE pulse data, some additional data developed by our PLOC colleagues and useful input compiled by our Sea Year Subcommittee.”

**Strategic Priority 2: INSTITUTIONAL CULTURE:** Working with Midshipmen, the group noted discussions around the “Acta Non Verba Movement” (centered on the school’s motto, “Actions Not Words”), the Cultural Diversity Club, “Excellence in Athletics,” and the “Diversity and Inclusion Initiative.” The group has not defined metrics or collected data.

**Strategic Priority 3: INFRASTRUCTURE:** Several facilities and maintenance projects were carried out during 2020, including the Klavon Real Property Master Plan and two spinoff documents, the USMMA Facilities Master Plan and the USMMA Plan Range Planning Strategy, all submitted for review. This group has not defined metrics or collected data.

**Strategic Priority 4: GOVERNANCE, LEADERSHIP, AND ADMINISTRATION:** The Academy conducted meetings and submitted required reports. Some of the documents contain data that could be used to measure performance.

**Strategic Priority 5: COMMUNICATIONS AND RELATIONSHIPS:** Facebook followers and the number of posts constitute metrics and data collected.

**Strategic Priority 6: ATHLETICS AND WATERFRONT:** Accomplishments during 2020 include Midshipmen leadership and diversity and inclusion initiatives, development of remote fitness programming, improvement of hiring and position description documents, facilities improvements, and teaching innovations.

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<sup>470</sup> “Status Reports for Institutional Effectiveness Steering Committee (IESC) Meeting, December 9, 2020.

## Appendix U: 2017 NAPA MARAD Report

In 2017, MARAD requested that a NAPA Panel “conduct an independent review of its core functions, including an assessment of both its role within the Department of Transportation and its contribution to the nation.”<sup>471</sup> The Panel carried out its work in six months and found that MARAD “struggles with its commercial industry-related work...[and] that [MARAD] must add further focus to these activities to align with a clearer mission that is more effectively communicated to stakeholders and to the general public.”<sup>472</sup> The report includes 27 recommendations intended to further enhance MARAD’s “commercial and national security-related program in support of the maritime transportation industry.”<sup>473</sup>

The Panel examined USMMA in the context of “MARAD’s training mission to provide an adequate number of qualified mariners to support both the maritime industry and to meet MARAD’s national defense mission.”<sup>474</sup> Because the Panel focused on MARAD during a six-month period, the Panel cautioned that its analysis on USMMA was limited and suggested that USMMA could benefit from a separate, independent review.

With that caution in mind, the Panel examined MARAD’s actions to address high-profile incidents and challenges at USMMA. They found that MARAD carried out “concrete steps to improve USMMA management and ultimately believes that the Maritime Administration is, on balance, best suited to continue operating USMMA.” The Panel went on to agree with then-Secretary of Transportation Elaine Chao’s statement that “the U.S. Merchant Marine Academy must be a priority for addressing challenges and driving continuous improvement.”<sup>475</sup> However, the Panel noted that the Department of Transportation and MARAD headquarters do not have “the requisite experience and adequate monetary and other resources to support USMMA to the degree that the Navy, Air Force, Army, and USCG offer to their respective academies.”<sup>476</sup> In conclusion, the Panel warned that “if MARAD is unable to make the required course corrections within a reasonable period of time, it should explore, through further study, whether there is another organization that should operate the USMMA (other possible candidates might be the Navy or USCG).”<sup>477</sup>

The Panel issued five recommendations that are specific to USMMA.

- Recommendation 3-6 called on MARAD to inform stakeholders of important developments proactively and promptly at USMMA.
- Recommendation 3-7 instructed MARAD to ensure that the leadership team of USMMA has “the requisite skills and experience required to lead an institution of higher learning

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<sup>471</sup> Foreword, “Maritime Administration: Defining its Mission, Aligning its Programs, and Meeting its Objectives.” Panel of National Academy of Public Administration Fellows, 2017, <https://napawash.org/academy-studies/marad-report>.

<sup>472</sup> Ibid, p.2

<sup>473</sup> Ibid, p. 3

<sup>474</sup> Ibid, p. 4

<sup>475</sup> Ibid, p. 3

<sup>476</sup> Ibid, p. 50

<sup>477</sup> Ibid

and to train mariners.”<sup>478</sup> In response to recommendation 3-7, Congress passed legislation requiring that the Superintendent have sea experience and/or senior military experience.<sup>479</sup>

- Recommendation 3-8 instructed MARAD to review all USMMA policies and issue corrective follow-up action within one year of the review.
- Recommendation 3-9 called for MARAD to “examine the appropriate division of decision making and authorities of the U.S. Merchant Marine Academy’s management between the Superintendent and the Maritime Administration’s headquarters.”<sup>480</sup>
- Recommendation 3-10 called on MARAD to reconsider whether the Maritime Education and Training Executive Review Board is needed because it can “confuse lines of authority and can short-circuit effective leadership in the U.S. Merchant Marine Academy.”<sup>481</sup>

The National Defense Authorization Act for Fiscal Year 2020<sup>482</sup> directed the DOT OIG “to audit MARAD’s actions to address 16 of NAPA’s 27 recommendations related to the Agency’s mariner education and training mission and other issues.”<sup>483</sup> The audit began in February 2020 and was completed in July 2021.<sup>484</sup> OIG concluded that MARAD had addressed or partially addressed all these recommendations. These findings reinforce that compliance is a low bar and that expectations for MARAD and USMMA do not position USMMA for modernization.

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<sup>478</sup> Ibid.

<sup>479</sup> <https://www.law.cornell.edu/uscode/text/46/51301>

<sup>480</sup> Maritime Administration, Panel of National Academy of Public Administration Fellows, 2017

<sup>481</sup> Ibid.

<sup>482</sup> P.L. 115-91

<sup>483</sup> 46 U.S. Code § 51301 - Maintenance of the Academy, accessed October 14, 2021,

<https://www.oig.dot.gov/sites/default/files/MARAD%20NAPA%20Recs%20Audit%20Announcement.pdf>

<sup>484</sup> “MARAD Has Made Progress in Addressing NAPA Recommendations Related to Mission Focus, Program Alignment, and Ability to Meet Objectives” U.S. Department of Transportation Office of Inspector General, July 7, 2021.

## Appendix V: Congressional Oversight Methods

Congress has a range of mechanisms and thus numerous carrots and sticks it can use to oversee federal agencies and hold them accountable for results,<sup>485</sup> including but not limited to: formal committee hearings with agency officials; letters, meetings, and other informal outreach to agency officials; the legislative process including the authorization and appropriation processes; and studies by congressional support agencies such as the U.S. Government Accountability Office (GAO), and CRS, and agency offices of inspector general.<sup>486</sup>

Several types of proceedings allow Congress to obtain information and question agency officials about operations and management.

**Confirmation hearings** allow Senators to learn about and discuss policies and programs the nominee intends to pursue, set expectations for the nominee, and obtain commitments on future actions. Following confirmation, oversight includes follow-up to ensure the nominee delivers on the commitments made at the hearing. This option applies to certain MARAD and DOT officials as the Senate confirms no officials at USMMA.<sup>487</sup>

The **authorization process** allows for but does not guarantee funding for an agency. It provides opportunities to examine agency activities and operations and eliminate or reduce underperforming or outmoded programs. Congress can also authorize increased funding to agencies where needed. Non-statutory language in committee reports, hearings, letters to agency heads, and other forms of communication gives congressional direction to agencies. Although not legally binding, non-complying agencies risk losing funding and other consequences.<sup>488</sup>

Under the **appropriations process**, Congress executes oversight through several statutory channels, including specifying the purpose, level, and time limits of providing funding and detailing how funds may be shifted from one program to another. Moreover, as with the authorization process, nonstatutory language can communicate guidance, direction, and expectations to an agency.<sup>489</sup>

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<sup>485</sup> Importantly, effective congressional oversight is not always about heavy-handed oversight or fault-finding. On the contrary, agencies can use constructive engagement with Congress to make their case for necessary financial resources, flexibilities, and authorities, and as needed, legislative relief to help them carry out their missions more effectively.

<sup>486</sup> RL30240, and 28, CRS, accessed October 14, 2021, <https://crsreports.congress.gov/product/details?prodcode=RL30240>

<sup>487</sup> Ibid.

<sup>488</sup> Ibid, 5 and 25.

<sup>489</sup> Ibid, 26.

## **Appendix W: Maritime Education and Training Executive Review Board (METERB) charter - excerpts**

### **Preamble**

The Maritime Administrator, as the executive agent for federal maritime education, will establish the Maritime Education and Training Executive Review Board (METERB or Board) to provide governance, oversight, strategic direction, and advocacy for the United States Merchant Marine Academy (USMMA or Academy). The METERB will maintain a good working relationship with the Superintendent who serves as the Chief Executive Officer of the Academy for accreditation purposes. The responsibilities of the METERB include, but are not limited to, the following:

1. Support and advocacy for USMMA's mission within the Department of Transportation, the Federal Government, and other stakeholders, in consultation with the Superintendent and other responsible parties as the Board shall determine
2. Assess periodically USMMA's overall performance as it relates to its public mission and goals
3. Ensure that there is adequate institution-wide short-term and long-term planning to attain USMMA's goals, and monitor and support its implementation
4. Review and approve major changes in the educational program consistent with USMMA's public mission
5. Review and recommend suitable candidates for appointment as USMMA Superintendent, provide guidance to the Superintendent selected by the Administrator, assess the Superintendent's performance annually based on stated institutional goals, plans, and outcomes, and recommend appropriate terms of employment
6. Provide oversight and make recommendations on USMMA's annual budget request and hiring plan
7. Ensure there is a coordinated Academy Capital Improvement Plan, and monitor its timely execution
8. Provide an annual summary of the Board's key contributions toward institutional governance for each fiscal year

### **Article IV. Board Liaisons, Committees, and Work Groups**

To assist the work of the Board, Liaisons between the Board and USMMA are identified below. The Board may also establish committees or work groups as necessary to carry out its functions. Each Liaison, Committee or Work Group will report its activities, findings, and recommendations to the Board for adoption or action, as appropriate. At any time, the Board may select a different Liaison.

Liaisons:

1. Academic Issues Liaison: All matters related to the USMMA academic offerings, including post-graduate and auxiliary non-credit-bearing offerings that shall include, but not limited to, curriculum; academic calendar; faculty hiring, retention, and welfare; sea year; simulators; and regional and programmatic accreditation.
2. Midshipman Affairs Liaison: All matters related to Midshipman morale and welfare that shall include, but not limited to, regimental policies and procedures; recruitment and retention; SA/SH policies and results; athletics and intramurals; and campus climate.
3. Budget and Finance Liaison: All matters related to the USMMA budgeting and finance, including but not limited to physical plant improvements, maintenance and repairs.
4. Administrative Management Liaison: All matters related to the USMMA general administration, including but not limited to, hiring policies and priorities; information technology; procurement-related issues; and safety, security, personal property, records and quarters management.

## **Appendix X: Governance of Private, Public, and Federal Institutions of Higher Education**

### ***Non-federal institutions of higher education***

Non-federal institutions of higher education generally have a Board of Trustees that carry out the five key governance functions—strategy, performance, finance, risk management, and external relations.

#### **Harvey Mudd College**

Harvey Mudd College (HMC) illustrates private college governance concentrated in a single governing body. Located in Claremont, California, it was founded in 1955 and has an undergraduate enrollment of 895 students. The suburban campus is 33 acres. It is a top-tier liberal arts college<sup>490</sup> with a highly ranked undergraduate engineering program.<sup>491</sup>

As the primary governing body, the HMC Board of Trustees is responsible for making financial, operational, and strategic decisions that advance the school's mission and provide for the institution's future. Because the board is a single governing body, they can coordinate those decisions. Even if all board members have differing understandings of the mission or disparate visions for the institution's future, their meetings provide a forum to work through their differences. The board sets broad operating policies, approves operating plans, hires and oversees the president's performance, and grants academic degrees. The board also approves faculty hiring and tenure awards. Individually, board members are expected to provide financial support through giving.<sup>492</sup>

#### **SUNY Maritime**

Public colleges and universities have similar operating arrangements with an overlay of oversight from state elected officials. If part of a larger university system, some governance functions may be centralized at a level above the campus. As the name implies, Maritime College, State University of New York (SUNY Maritime) is one of 64 campuses in the State University of New York (SUNY) system.<sup>493</sup> The SUNY system has a Board of Trustees. Fifteen of the 18 board members are appointed by the Governor with the concurrence of the State Senate.<sup>494</sup> Like the HMC Board of Trustees, the SUNY Board of Trustees approves policies, long-range plans, educational programs, and the annual budget, monitors progress towards achieving the mission and performance metrics, and appoints and provides oversight to the Chancellor. One important difference is its responsibility to ensure external institutional alignment with its state government

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<sup>490</sup> U.S. News and World Report, Harvey Mudd College profile, accessed June 13, 2021, <https://www.usnews.com/best-colleges/harvey-mudd-college-1171>.

<sup>491</sup> Harvey Mudd College, Fast Facts, accessed June 13, 2021, <https://www.hmc.edu/about-hmc/fast-facts/>.

<sup>492</sup> Harvey Mudd College, College Governance, accessed June 13, 2021, <https://www.hmc.edu/about-hmc/college-governance/>.

<sup>493</sup> SUNY Campuses, The State University of New York, accessed June 13, 2021, <https://www.suny.edu/attend/find-a-suny-campus/>.

<sup>494</sup> State University of New York, About the Board of Trustees, accessed June 13, 2021, <https://www.suny.edu/about/leadership/board-of-trustees/>.

parent agency; the board is responsible to “Clarify the mission of the University within the constraints of State policy and approve programs necessary to fulfill the mission.”<sup>495</sup>

As provided for in New York State law and SUNY Board of Trustees policies, SUNY Maritime has its own College Council. The Governor appoints nine members. The elected student government president serves as a tenth member. The College Council is advisory, with duties that include “reviewing all major college plans, its budgets, administration of physical plant and grounds, rules governing student behavior and conduct, the naming of buildings and grounds, and recommending candidates for appointment as president of the college.”

### ***Federal service academies***

The other four federal service academies provide another model of institutional governance. One of the biggest differences is that they are each a unit of their respective uniformed services. This arrangement creates full alignment of decision making between the academies and the services. Moreover, all four Superintendents and many other individuals in leadership positions are high-ranking current service members. The Superintendent position is regarded as a prestigious post. The current Superintendents of USMA,<sup>496</sup> USNA,<sup>497</sup> and USAFA<sup>498</sup> must retire from active service after serving as Superintendent. The requirement is increasingly seen as a formality, and the Secretary of Defense often grants waivers. The Superintendents for the military, naval, and air force academies are all appointed by the President. The Commandant of the Coast Guard appoints the Superintendent of the Coast Guard Academy.<sup>499</sup>

USMA and USNA are overseen by a Board of Visitors that “shall inquire into the state of morale and discipline, the curriculum, instruction, physical equipment, fiscal affairs, academic methods, and other matters relating to USMMA that the Board decides to consider.”<sup>500</sup> The Air Force Academy is also overseen by a Board of Visitors with a similar mandate but also includes “social climate.”<sup>501</sup> The makeup of all three boards is very similar, including members of Congress, the service, and five to six members appointed by the President.

A 19-member Board of Trustees primarily oversees USCGA.<sup>502</sup> Membership includes many active and retired Coast Guard admirals, the chief human capital officer of the Department of Homeland Security, the director of the Office of Personnel Management’s Federal Executive Institute, and two civilian leaders. The Board of Trustees provides “advice to the Superintendent, oversight to USMMA and recommendations to the Superintendent, [Deputy Commandant for Mission

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<sup>495</sup> SUNY Board of Trustees – General Information. July 2012.

<sup>496</sup> 10 U.S. Code § 7321

<sup>497</sup> 10 U.S. Code § 8371

<sup>498</sup> 10 U.S. Code § 9321

<sup>499</sup> 14 U.S. Code § 1901

<sup>500</sup> Military Academy Board of Visitors: 46 U.S. Code § 51312 ; Naval Academy Board of Visitors: 10 U.S. Code § 8468

<sup>501</sup> 10 U.S. Code § 9455

<sup>502</sup> U.S. Coast Guard Academy, “Governance,” accessed October 14, 2021, <https://www.uscga.edu/governance/>

Support], Vice Commandant, and Commandant.”<sup>503</sup> USCGA also has a Board of Visitors, similar in composition to the Boards of Visitors of the other academies.<sup>504</sup>

USMA, USAFA, and USCGA have additional governance and advisory bodies that are more focused on the operations of the academies. USMA’s policy board is made up of a series of feeder boards that include academy schedule, real property planning, institutional effectiveness, IT strategy, faculty council, and others.<sup>505</sup> USNA has a similar arrangement. USAFA utilizes a “corporate structure” consisting of an academy board and an academy group that operates below the Board of Visitors. The Board’s role includes “determining requirements, approving program starts and stops, advocating for and allocating resources, providing guidance, and determining policies.” An academy group conducts research and makes recommendations to Board. USCGA’s Management Advisory Council (MAC) brings together USCG officials to advise on the emerging management needs of the service.<sup>506</sup>

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<sup>503</sup> U.S. Coast Guard Academy, Deputy Commandant for Mission Support Instruction 5400.2, April, 12, 2018, [https://media.defense.gov/2018/Apr/16/2001904176/-1/-1/0/DCMSINST\\_5400\\_2.PDF](https://media.defense.gov/2018/Apr/16/2001904176/-1/-1/0/DCMSINST_5400_2.PDF)

<sup>504</sup> 14 U.S. Code § 1903

<sup>505</sup> U.S. Military Academy, USMA Governance Structure, accessed October 14, 2021, <https://www.westpoint.edu/sites/default/files/pdfs/ABOUT/USMA%20Governance%20Structure.pdf>

<sup>506</sup> U.S. Coast Guard Academy, USCGA Catalog of Courses 2020-21, p. 9.