INSTRUCTIONS FOR PREPARATION OF APPLICATION

1. The application must be submitted in both hard copy and electronically. Hard copy applications must be addressed to the Tanker Security Program, Maritime Administration, U.S. Department of Transportation, 1200 New Jersey Avenue, SE, Washington, D.C. 20590. Electronic submissions must be submitted to sealiftsupport@dot.gov.

2. The Applicant shall furnish one original and two copies and should be executed and verified by one of the Applicant's principal officers. Applications shall be printed or prepared in some manner so as to ensure legibility of all copies. Applications should be indexed and, if practicable, the pages should be approximately 8-1/2 by 11 inches in size.

3. Each application shall be complete. If any information called for by an applicable item is not furnished, an explanation of the omission shall be given. The Applicant may furnish any other relevant information as it may desire in addition to that specified in this form.

4. Any additional information requested by the Maritime Administration from time to time shall be furnished as an amendment or amendments to the application. Each amendment shall be filed in original and two copies.

5. Records must be kept for not less than three years after the last date the Tanker Security Program (TSP) Operating Agreement is in effect.

OMB Control No. 2133-0554
Expiration Date: XX/XX/XXXX

U.S. DEPARTMENT OF TRANSPORTATION
MARITIME ADMINISTRATION

APPLICATION

FOR PARTICIPATION UNDER SUBTITLE B OF TITLE XXXV OF THE NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2021, THE TANKER SECURITY PROGRAM

Paperwork Reduction Act Statement

A federal agency may not conduct or sponsor, and a person is not required to respond to, nor shall a person be subject to a penalty for failure to comply with a collection of information subject to the requirements of the Paperwork Reduction Act unless that collection of information displays a current valid OMB Control Number. The OMB Control Number for this information collection is 2133-0554. Public reporting for this collection of information is estimated to be approximately 6 hours per response, including the time for reviewing instructions, completing, and reviewing the collection of information. All responses to this collection of information are voluntary. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden to: Information Collection Clearance Officer, Maritime Administration, MAR-390, 1200 New Jersey Avenue, SE, Washington, DC 20590.

For consideration in the Tanker Security Program (TSP), please provide the following as it pertains to product tank vessel(s), either existing or to be constructed or acquired and then documented under the U.S. flag, that you intend to include in the program:

A. Applicant's citizenship and maritime related affiliations

1. Exact name of Applicant.

2. An Affidavit of Section 50501 citizenship that comports with the requirements of 46 CFR Part 355, if applying as a Section 50501 citizen. Otherwise, an affidavit which demonstrates that the applicant is qualified to document a vessel under chapter 121 of title 46, United States Code. If the applicant is a vessel operator and proposes to employ a vessel manager, then the applicant must supply an affidavit for the vessel manager that meets the same U.S. citizenship requirements as the applicant.

3. Copy of the Certification of Incorporation of the Applicant or other organization papers, including all amendments thereto presently in effect.

4. Copy of corporate by-laws or other governing instruments of the Applicant, including all amendments thereto presently in effect.

5. Form or type of organization, i.e., individual, partnership, corporation, etc.

6. Federal, State, or other laws under which the applicant is organized or incorporated, and the date of organization or incorporation.

7. Address of principal executive offices, and of important branch offices, if any.

8. Description of domestic and international and corporate affiliations, including (but not limited to) parent companies, subsidiary companies, and other related companies within its corporate structure, along with a description of the nature of the business transacted with each affiliated corporation.

9. Concerning each officer and director of the Applicant, provide name, address, nationality of, number of shares owned and specify type of share whether voting or non-voting.

10. For each individual or entity that owns 5 percent or more of the outstanding capital shares of any class of stock of the applicant, include the name, address, nationality, and number of capital shares owned and specify type of shares whether voting or non-voting.

11. A brief statement of the general effect of each voting agreement, voting trust, or other arrangement whereby the voting rights of 5 percent or more of the outstanding shares of the Applicant are owned, controlled or exercised by any person not the holder of legal title to such shares. Give the name, address, nationality, and business of any such person, and if not an individual, the form of organization.

12. Maritime related affiliations, outside of the applicant's corporate structure, including other carriers or alliances with which the applicant maintains an ongoing relationship.

13. Ongoing business relationships with any refineries, terminals, distributors, or other entities engaged in refined petroleum production and distribution, whether in the United States or in a foreign state, both at the time of application and, if applicable, projected to be established within the five years following the date of application.

B. Financial Matters

1. Provide Applicant's or your parent company's audited financial statement including vessel operating cost data or a completed MARAD Form-172 dated within 120 days after the close of the most recent fiscal period.

2. For any application, furnish a forecast of maritime operations for the next five years following the date of the latest balance sheet required by Item #1 above. Said forecast of operations should show estimated financial results of operations on an annual basis. Said forecast of operations should show separately all items of revenue and expense included in Item #1 above, and should include explanations of any significant increase or decrease in any such item of revenue or expense.

C. Diversity of Trading Patterns

1. List of countries and trade routes serviced or trades in which the product tank vessel is to be operated, whether the vessel is to be operated on a voyage charter, or time charter and any specific tanker pools the vessel is associated with.

2. Describe any current relationship(s) with carriers, other than those described in A. 8.

D. Applicant's record of owning and/or operating product tank vessels

1. Provide the number, type, and size of product tank vessels owned and/or operated in the last ten years, specifying whether owned or operated, flag(s) of the individual vessels, trades involved, number of employees in your ship operations department, including the number of employees directly employed in U.S-flag operations. In addition, provide information pertaining to the following:

    a. Operating experience with product tank vessels in international trade;
    b. Demonstration of reliability and breadth of services and experience;
    c. Experience in delivering services in accordance with government contracts or in relation to the carriage of Department of Defense (DOD) or other government sponsored cargoes;
    d. Vessels owned by the applicant and chartered by other persons;
    e. Vessels chartered by the applicant from other persons – provide vessel name, flag of registry, period of charter, name of charterer or owner (as applicable) and area of operation;
    f. Vessel or ship managers utilized in the operation of your vessels, and
    g. Any other information you believe to be relevant to your record of owning or operating vessels.

E. Product Tank Vessel(s) Details and Operational Standards

Provide the following:

1. Vessel must be a party to the Oil Companies International Marine Forum's Ship Inspection Report (SIRE) System and applicant must provide date of last SIRE report.

2. Applicant must confirm acceptances received and/or retained by the vessel since the last SIRE report.

3. Applicant must confirm that the vessel has not been rejected or refused by any Charterer since the inspections leading to the said SIRE report.

4. Applicant must provide a current Intertanko Standard Tanker Chartering Questionnaire 88 (Q-88) (no more than 60 days old).

5. Applicant must confirm vessel has vetting approval from at least two oil majors providing date of vetting and name of oil major, at least one vetting approval must be less than 6 months old at time of application.

6. Applicant must provide a copy of vessel's current Class Society issued Safety Management Certificate.

7. Applicant must provide a copy of vessel's current Flag State issued International Ship Security Certificate.

8. Applicant must confirm vessel's ability to carry one complete undecanted tank washing in dedicated slop tanks.

9. Applicant must submit a General Arrangement Plan, trim and stability booklet, and a set of the ship's capacity and stowage plans. This is to include cargo piping. Applicants are to provide narrative descriptions to accompany the drawings indicating proposed locations of all required spaces and compartments listed in the military requirements.

10. Applicant must provide evidence of the vessel's most recent U.S. Coast Guard (USCG) and American Bureau of Shipping (ABS) or other classification society accepted by the Commandant of the Coast Guard, inspections conducted within 12 months of the application.

11. Applicant must warrant vessel meets, or will meet before the start of a TSP Operating Agreement, the requirements of a Quality Management System (QMS). If an applicant does not currently have the required systems in place it will provide a narrative describing how it will have these required systems in place.

12. Provide an assessment of the utility of the product tank vessel(s) to DOD fuel transportation requirements including any specific national defense sealift features. Provide characteristics that indicate the utility of the product tank vessel(s) to DOD including items of specific value.

13. Applicant must provide an assessment of the vessel's ability to install CONSOL and the proposed locations for installation. CONSOL details may be found on the Maritime Administration's Tanker Security Program website at: https://www.maritime.dot.gov/national-security/tanker-security-program.

14. Owner must confirm vessel's ability to sustain warranted speed of 14 knots, fully laden, in moderate weather (Force 4 on the Beaufort Scale).

15. Provide number and location of available berths for additional personnel beyond the ship crew.

16. Provide an assessment of the commercial viability of your proposed product tank vessel(s).

17. Provide a replacement product tank vessel plan if applicable, if your product tank vessel is a Participating Fleet Vessel over 10 years of age. The replacement product tank vessel plan must include:

    a. The vessel's characteristics as applicable in Item E. 1-15. above;
    b. A letter of intent or other document indicating agreement for purchase of product tank vessel; and
    c. A forecast of operations for five years for the replacement product tank vessel.

F. Provide any charters or management agreements that would govern the operation of the vessel if selected (pro forma copies are acceptable), including (but not limited to):
    a. Demise or Bareboat charter;
    b. Vessel Management Agreement; and
    c. Crewing Agreement

G. If applicable, provide a copy of Applicant's Special Security Agreement.

H. Exhibits

Provide the following exhibits with original filing:

Exhibit I – *Certification* from the documentation citizen demise charterer of the proposed TSP vessel (if applicable). A letter addressed to the Maritime Administrator and the Commander, U.S. Transportation Command, from the Chief Executive Officer, or equivalent, of a documentation citizen that is the proposed Contractor of a TSP Operating Agreement certifying that there are no treaties, statutes, regulations, or other laws of the foreign country(ies) of the documentation citizen's parent that would prohibit the proposed Contractor from performing its obligations under a TSP Operating Agreement. The certification must be substantially in the following format:

"I, _____Chief Executive Officer of _____, certify to you that there are no treaties, statutes, regulations, or other laws of the foreign country(ies) of _____'s ultimate foreign parent or intermediate parents that would prohibit _____from performing its obligations under an Operating Agreement with the Maritime Administration pursuant to 46 U.S.C. chapter 534."

Exhibit II – *Agreement* from the ultimate foreign parent of the documentation citizen demise charterer of the proposed TSP vessel. An Agreement addressed to the Maritime Administrator and the

Commander, U.S. Transportation Command, from the Chief Executive Officer, or equivalent, of the ultimate foreign parent of a documentation citizen demise charterer of the proposed TSP vessel, agreeing not to influence the operation of the TSP vessel in a manner that will adversely affect the interests of the United States. The Agreement must be substantially in the following format:

"I,_____, am the Chief Executive Officer [or equivalent] of _____, the ultimate foreign parent of _____, a documentation citizen of the United States that is applying for a TSP Operating Agreement. I agree on behalf of the "foreign parent" that neither _____ (the ultimate foreign parent) nor any representative of _____(the ultimate foreign parent) will in any way influence the operation of the TSP vessel in a manner that will adversely affect the interests of the United States."

Other Exhibits – You may provide any other financial statements, copies of contracts, schedules, and other data which you desire to attach as exhibits instead of incorporating in the body of the Application.

Dated: _____

_____
Name of Applicant

By _____
Name and Title

_____
Signature

Attest:
Secretary_____

I, _____, do certify that

I am the _____of_____
Title Name of Applicant

the Applicant on whose behalf I have executed the foregoing application; this application is made for the purpose of inducing the United States of America to award a Tanker Security Program Operating Agreement pursuant to the provisions of Subtitle B, Title XXXV of the National Defense Authorization Act for Fiscal Year 2021. I have carefully examined the application and all documents submitted in connection therewith, and, to the best of my knowledge, information and belief, the statements and representations contained in said application and related documents are full, complete, accurate and true.

_____
Print Name

_____
Signature

NOTE: The U.S. Criminal Code makes it a criminal offense for any person to knowingly make a false statement or representation or to conceal or cover up a material fact from any department or agency of the United States as to any matter within its jurisdiction (18 U.S.C. 1001).

OMB Control No. 2133-0554
Expiration Date: XX/XX/XXXX

***Example* - Exhibit I**

[Company Letterhead]

To: Maritime Administrator
Commander, U.S. Transportation Command

I, _____Chief Executive Officer [or equivalent] of _____, certify to you that there are no treaties, statutes, regulations, or other laws of the foreign country(ies) of _____'s ultimate foreign parent or intermediate parents that would prohibit _____from performing its obligations under an Operating Agreement with the Maritime Administration pursuant to 46 U.S.C. chapter 534.

Attest:

_____ _____

Secretary Corporate Name

_____

Name, please print

By: _____

Signature and Date

_____ _____

Corporate Seal Position Title, please print

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***Example* - Exhibit II**

[Company Letterhead]

To: Maritime Administrator
Commander, U.S. Transportation Command

I,_____, am the Chief Executive Officer [or equivalent] of _____, the ultimate foreign parent of _____, a documentation citizen of the United States that is applying for a TSP Operating Agreement. I agree on behalf of the "foreign parent" that neither _____ (the ultimate foreign parent) nor any representative of _____(the ultimate foreign parent) will in any way influence the operation of the TSP vessel in a manner that will adversely affect the interests of the United States.

Attest:

_____ _____

Secretary Corporate Name

_____

Name, please print

By: _____

Signature and Date

_____ _____

Corporate Seal Position Title, please print

Privacy Act Statement

The following information is provided pursuant to Section 3 of the Privacy Act of 1974 *(5 U.S.C. § 552a(b)93)):*

1. **Authority:** Solicitation of this information is made pursuant to 46 U.S.C. §§ 12113, 53402(c), and 50501, and 46 C.F.R. §§ 294.5, 294.9, 294.11, and 294.15(b)(3).
2. **Purpose:** This information collection is to determine (1) eligibility of applicants to participate in the Tanker Security Program, (2) ability of TSP applicants to register a product tanker under United States law if such vessel is not under U.S. registry at time of application, and (3) establish TSP applicant selection priority.
3. **Routine Uses:** The collected information will be used by MARAD to make a determination as set forth in the Purpose section of this Privacy Act Statement. The collected information is included in the SORN DOT/MARAD 014 - Citizenship Statements and Affidavits, 65 FR 19539 (Apr. 11, 2000), and is subject to all the published routine uses of the system of records. The information may be disclosed to other Federal agencies, including the Department of Defense and United States Coast Guard, on a need-to-know basis subject to a non-disclosure agreement.
4. **Disclosure:** Disclosure of this information is voluntary.
5. **Effects of Not Supplying the Requested Information:** Failure to disclose the information will result in MARAD not awarding a TSP Operating Agreement to an applicant. TSP statutory authority at 46 U.S.C. § 53402(c) stipulates that citizenship determination is a requirement for eligibility of consideration for award of a TSP Operating Agreement.