OMB No. 2133-0525
Expiration Date: 07/31/2018

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 2133-0525. Public reporting for this collection of information is estimated to be approximately 14 hour 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.

INSTRUCTIONS FOR PREPARATION OF APPLICATION

1. The application shall be made in one original, 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. The Applicant shall furnish one original and two copies of the application to the Secretary, Maritime Administration, U.S. Department of Transportation, 1200 New Jersey Avenue, S.E., W24-219, MAR-225, Washington, DC 20950.

2. Each application shall be complete, items or parts of items which are not applicable, may, however, be omitted.

3. If any information called for by an applicable item is not furnished, an explanation of the omission shall be given. The Applicant may furnish such relevant information as it may desire in addition to that specified in the 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 MSP Operating Agreement is in effect.

OMB Control No. 2133-0525
Expiration Date: 12/31/2014

U.S. DEPARTMENT OF TRANSPORTATION
MARITIME ADMINISTRATION

APPLICATION

FOR PARTICIPATION UNDER SUBTITLE C, TITLE XXXV OF THE NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2004, THE MARITIME SECURITY ACT OF 2003

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 2133-0525. Public reporting for this collection of information is estimated to be approximately 14 hour 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.

A. Applicant's citizenship and maritime related affiliations

1. Exact name of Applicant.

2. Affidavit of U.S. citizenship that comports with the requirements of 46 CFR Part 355, if applying as a Section 2 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 proposes to employ a vessel manager, then an affidavit of U.S. citizenship is required from the vessel manager.

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

4. Copy of 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 organized or incorporated, and the date of organization or incorporation.

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

8. A list of all maritime related (a) subsidiaries, (b) parent companies, and (c) affiliated companies of the Applicant, together with an indication of the nature of the business transacted with each.

9. Concerning each officer and director of the Applicant, provide name, address, nationality of, number of shares owned, and affiliations.

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. If applicable, a copy of your Special Security Agreement

B. Applicant's record of owning and/or operating vessels

13. Provide the number of ships 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, vessel or ship managers utilized in the operation of your vessels, and any other information relevant to your record of owning or operating vessels. In addition, provide information pertaining to the following: (a) operating experience with ship in international trade; (b) demonstration of reliability and breadth of services and experience; and (c) experience in delivering services in accordance with government contract or in relation to the carriage of DOD or other government sponsored cargoes.

C. Diversity of Trading Patterns

14. With respect to operations provide: (a) for liner services, a statement of the estimated number of annual sailings, the types and volumes of cargo to be carried and the countries and trade routes to be served; and (b) for bulk cargo carrying services, a brief description of the Applicant's intended operations, including (if known) the services or trades in which the vessel is to be operated, whether the vessel is to be operated on a voyage charter, time charter, or contract basis.

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

D. Vessel and Intermodal Network Information

16. Provide the following as it pertains to 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) name; (b) type; (c) month and year built and rebuilt, if applicable; (d) shipyard where built and rebuilt, if applicable; (e) registry; (f)

anticipated date U.S.-flag documented vessel will begin operation in program; (g) gross, net and deadweight tonnage; (h) bale, tank and refrigerator cargo capacities; (i) sustained sea speed at designated load draft; (j) type of propulsion; (k) horsepower; (l) number of crew.

17. Provide a replacement vessel plan if your vessel is a Participating Fleet Vessel over 15 years of age. The replacement vessel plan shall include (1) the vessel's characteristics as applicable in item 16 above, (2) a letter of intent or other document indicating agreement for purchase of vessel, and (3) a forecast of operations for five years for the replacement vessel.

18. Provide an age waiver request if you would like an age waiver for your existing vessel(s) over the age of 15 years. Your request should include an assessment of how your vessel is (1) in the national interest, (2) appropriate to allow the maintenance of the economic viability of the vessel and any associated operating network, and (3) is necessary due to the lack of availability of other vessels and operators that comply with the requirements of the MSA 2003.

19. Provide an assessment of the value of the vessel(s) to DOD sealift requirements, including any specific national defense sealift features. Provide characteristics that indicate the value of the vessel(s) to DOD including items of specific value. For RO/RO vessels, indicate minimum square feet, deck height, deck strength in pounds per square foot, and ramp strengths. For containerships, show capacity of ship by number of containers, and weight and cubic capacity inside containers, plus any cargo capacity other than inside containers. For LASH vessels, show capacity of ship by number of barges, and weight and cubic capacity inside barges, plus any cargo carrying capacity other than inside barges. For tankers provide deadweight tons of existing tankers and projected deadweight tons for tankers to be constructed.

20. Provide an assessment of the commercial viability of your proposed vessel(s).

21. Provide a capacity plan, a general arrangement drawing, and trim and stability booklet for each MSP applicant vessel, or class of vessels. If available, this information should also be supplied for proposed replacement vessels.

22. List all vessels: (a) owned by the Applicant and chartered by it to other persons, and (b) chartered by the Applicant from other persons, showing vessel name, flag of registry, period of charter, name of charterer or owner (as applicable), and area of operation.

23. Provide a statement describing interactive assets including number of vessels, container stocks, trucks, railcars, terminal facilities, and systems used to link such assets together.

24. Provide an inventory of containers and chassis (separated as to owned and leased) as specified in Exhibit III.

E. Financial Matters

25. Provide your most recent audited financial statement including vessel operating cost data or your most recent completed Form MA-172.

26. For any application, furnish a forecast of operations for five years following the date of the latest balance sheet required by Item 25. 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 25, and should include explanations of any significant increase or decrease in any such item of revenue or expense.

F. Exhibits

27. A list of exhibits, properly identified, which shall include, at the time of original filing, the following:

Exhibit I – A Certification from the Chief Executive Officer, or equivalent, of a documentation citizen who is the demise charterer of an MSP vessel, stating that there are no treaties, statutes, regulations, or other laws of the foreign country of documentation citizen's ultimate foreign parent or intermediate parents, that would prohibit the proposed Contractor from performing its obligations under an MSP Operating Agreement. The Certification should be addressed to the Maritime Administrator and the Commander, U.S. Transportation Command, and should be substantially in the format that follows.

Exhibit II– An Agreement, from the Chief Executive Officer, or equivalent, of the ultimate foreign parent of a documentation citizen demise chartering an existing MSP vessel, agreeing not to influence the operation of an MSP vessel in a manner that will adversely affect the interests of the United States. The Agreement must be signed and submitted at the time of application, and should be substantially in the format that follows.

Exhibit III - An inventory of containers and chassis (separated as to owned and leased) as specified in the following table.

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 Maritime Security Program Operating Agreement pursuant to the provisions of Subtitle C, Title XXXV of the National Defense Authorization Act for Fiscal Year 2004, the Maritime Security Act of 2003. 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).

EXHIBIT I

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 the Maritime Security Act of 2003.

Attest:

_____ (Secretary)

_____ (Corporate Name)

_____ (Name, please print)

By: _____ (Signature)

_____ (Corporate Seal)

_____ (Position Title, please print)

EXHIBIT II

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 an MSP Operating Agreement. I agree that neither _____ (the ultimate foreign parent) nor any representative of _____ (the ultimate foreign parent) will in any way influence the operation of the MSP vessel in a manner that will adversely affect the interests of the United States.

Attest:

_____ (Secretary)

_____ (Corporate Name)

_____ (Name, please print)

By: _____ (Signature)

_____ (Corporate Seal)

_____ (Position Title, please print)

EXHIBIT III

Owned and Leased Containers

Box Size	**No. of Units Owned**	**Total TEUs**	**No. of Units Leased**	**Total TEUs**
20 Foot				
40 Foot				
40 Foot High Cube				
20 Foot Flat Racks				
40 Foot Flat Racks				
20 Foot Reefers				
40 Foot Reefers				
20 Foot Tank				
40 Foot Tank				
All Other Containers 45, 48, 53 Foot				

Owned and Leased Chassis

Chassis Size	**No. of Units Owned**	**No. of Units Leased**
20 Foot		
40 Foot Straight Frame		
40 Foot Gooseneck		
40 Foot Extendable		
45, 48, 53 Foot		
All Other Chassis		
Generator Sets		