



Guidance Document

Use of Research Vessels Outside the U.S Academic Research Fleet (non-UNOLS vessels)

Introduction. The University-National Oceanographic Laboratory System (UNOLS), as the central coordinating organization for U.S. Federally funded sea-going oceanographic research, strongly encourages the U.S. research community to use UNOLS designated research vessels for funded oceanographic research field programs. The Academic Research Fleet (ARF) is comprised of UNOLS-designated vessels that are operated in accordance with explicit safety standards published in the UNOLS Research Vessel Safety Standards (RVSS), and as U.S. flagged vessels comply with applicable U.S. laws and regulations, undergo regular, recognized ship inspection programs, are scheduled by established UNOLS procedures, and meet cruise reporting, cruise assessment, cost accounting and performance standards according to Uniform Guidance (Office of Management and Budget's (OMB) *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards*).

ARF vessels and National Oceanographic Facilities (see Annex II to the UNOLS Charter - <https://www.unols.org/what-unols/unols-charter>) are also available to users outside of the Federal/State funded regime provided that the vessel's owner concurs, the proposed work is in accordance with any terms and conditions of any contracts/awards with the cognizant Federal agencies, and funding is available from the research sponsor.

Use of non-ARF vessels. There may be requirements when the use of non-ARF vessels for U.S research will be necessary, due to scheduling efficiencies, ARF vessel availability, or the project's requirements are not conducive for accomplishment on an ARF vessel. Whether this involves use of an institution's vessel resources that are not formally part of UNOLS (non-ARF vessel), or the charter of a commercial vessel of any type, it is UNOLS policy that the overriding priority of any underway research is the safety of embarked personnel. To this end, institutions shall ensure that non-ARF vessels follow UNOLS procedures and safety standards to the fullest extent as may be practicable. Deviation from UNOLS practice should be carefully considered by institutions and Principal Investigators (PIs) in the context of a risk management approach.

General guidance. Non-ARF vessels should in all cases:

- Comply with U.S. laws and regulations when subject to U.S. jurisdiction. Figure 1 provides a decision process for determining requirements for a legal charter in the U.S., based on NOAA's charter policy.
- Be evaluated as fit for the intended purpose either by an accredited local marine surveyor or someone with extensive knowledge of U.S. Coast Guard requirements. Marine Surveyors shall be NAMS (National Association of Marine Surveyors) and/or SAMS (Society of Accredited Marine Surveyors) certified as appropriate for the vessel proposed to be utilized for the science cruise.

See <https://www.markelinsurance.com/resources/marine/marine-surveyor> and <https://www.boatus.com/expert-advice/expert-advice-archive/2019/april/marine-surveyors> for more information regarding surveyors.

- Adhere to requirements in the RVSS as closely as possible. The RVSS addresses science and personnel policies not otherwise enforced by the Coast Guard or other authorities. See: (https://www.unols.org/sites/default/files/RVSS_10_Jan_2019.pdf)

Specific recommendations. The following actions are required for research projects conducted on any non-ARF vessels, whether they are commercially or institutionally owned, registered in the U.S. or abroad:

- **Charter agreement** - Vessel charters shall be covered by a time charter agreement or contract between the vessel owner and the institution and signed by an appropriate entity of the institution (e.g., Marine Superintendent, Business Office, General Counsel, Risk Management staff). Presentation of documentation and licenses shall be required as appropriate.
- **Insurance** - Charter vessel operators shall carry insurance that is customary and reasonable for the duration and area of operation of the charter to indemnify and hold harmless the institution in case of any damage or loss occurring either directly or indirectly as a result of the charter. Insurance shall cover the vessel crew and scientific complement. Institution standards will dictate the type of vessel insurance (such as Hull, Protection & Indemnity and Collision Liability insurance or Protection & Indemnity) and limits of liability of such policies. Charter vessel operators shall provide an insurance certificate that shows they meet the institution's standards at the time of execution of the charter.
- **Medical** - All embarked science party personnel shall meet basic medical standards of the institution, appropriate to the length of underway time. The PI and the institution must ensure each science party member completes a basic medical form, to be kept in a secure place with the PI or Chief Scientist on the chartered vessel, and available in case of an emergency.
- **Permits and regulations** - All operations that will occur during the charter shall meet applicable Federal, State and local regulations. It is the responsibility of the PI and the institution to ensure all the necessary permits, regulations, and/or institutional approvals are in place.
- **Designated Official Contact (DOC)** – The institution shall designate an office or person to serve as the point of contact during the vessel charter. The DOC shall be land-based and available at all times during the charter. It is the PI's responsibility to disseminate the DOC's contact information to all science participants aboard the charter as well as the chartered vessel's Captain and the vessel's owner.
- **Cruise plan** - The PI, Chief Scientist or vessel Captain shall prepare a detailed plan for the cruise, to include data collection planned, equipment to be used, a time line from departure through return to port, and planned areas of operation. The plan shall have names and emergency contact information for all science party participants and information on the vessel and its communication and emergency equipment. The cruise plan shall be in the hands of the DOC before departure.
- **Vessel reporting** - The vessel captain shall report to the DOC all vessel departures and arrivals from port and notice of a change in cruise plan if the vessel is to be more than two hours late.

Charters in locations not subject to U.S. regulations. U.S. law pertaining to vessels carrying passengers for hire, inspected vessels, oceanographic vessels, etc., provides a framework for safe and effective marine operations. However, charters in areas not subject to U.S. Federal law (such as foreign countries) are problematic and must be carefully evaluated. In general, non-U.S. charters shall meet standards of safety for the vessel and persons onboard comparable to U.S. requirements. Institutions contracting for charters of non-U.S. vessels for agency and institutional funded science shall consider the following in evaluating the suitability of such vessels for conducting oceanographic research:

- Chartered vessels and their operators shall be in compliance with local laws and regulations.
- In the event that local regulations are non-existent or do not provide standards equivalent to those in U.S. law, careful evaluation and documentation of the suitability of the candidate vessel is required.
- The U.S. Uninspected Passenger Vessel Safety Examination may be used as a guideline to help evaluate whether a candidate foreign vessel meets basic requirements. See: http://wow.uscgaux.info/Uploads_wowII/P-DEPT/UPV_GUIDEBOOK_under100GT_CGD11_rev052017.pdf
- An on-site visit to the vessel may be necessary to properly evaluate it. The evaluation visit shall be performed by a contracted qualified inspector or an accredited marine surveyor. Such an inspector and/or surveyor shall be accredited to standards similar to those required for NAMS and/or SAMS accredited U.S. Marine Surveyors. The cost of such an evaluation shall be included in the PI's proposal to the funding agency.
- Those vessels proposed for science cruises, that are not subject to U.S. regulations and undergo regular safety inspections similar to those conducted for the U.S. ARF vessels, may be utilized for U.S. Federally funded sea-going oceanographic research provided:
 - The proposed cruise falls within the normal inspection cycle (i.e. within 2-3 years of the previous inspection),
 - The results of the previous inspection are provided to the chartering institution, and
 - An update to the status of issues identified during the previous inspection is also provided to the chartering institution.

Funding agency. The agency providing funding for research has the responsibility for ensuring that research is carried out effectively and safely. That responsibility is conveyed to the institution contracting for the non-U.S. Academic Research Fleet charter in the grant award. The funding agency may place vessel requirements that go beyond the basic procedures presented in this document in the terms and conditions of the grant award. For example, the funding agency may require, as a condition of the funding award, that a qualified, licensed marine surveyor conduct an inspection of a candidate charter vessel to determine that it is fit for the intended purpose and meets applicable regulatory requirements.

Attachment.

Figure 1: Charter Vessel Flowchart for U.S. Vessels Outside the U.S. Academic Research Fleet

