



U.S. Department of Transportation
Maritime Administration

DECLARATION OF CITIZENSHIP FOR VESSEL RECORDATION PURPOSES

(Section 40, Shipping Act, 1916, as amended,
46 U.S.C. 838, 40 Stat. 902, as amended)

I. VESSEL^{1/}

A. NAME:

B. OFFICIAL NUMBER:

II. ENTITY ON BEHALF OF WHICH DECLARATION IS MADE

A. NAME:

B. ADDRESS:

C. STATE WHERE INCORPORATED, ORGANIZED, CHARTERED, OR RESIDING:

D. LEGAL NATURE (*check appropriate entry*)

Individual

Association

Corporation

Mutual Savings Bank/Insurance Co.

Partnership/Joint venture

Other (*specify*)

E. CAPACITY (*check appropriate entry*)

Purchaser/Transferee

Mortgagee

Trustee-mortgagee

III. DECLARATION:

I hereby declare that I am legally authorized to make this declaration on behalf of the entity named above, and that this transaction does not violate the provisions of 46 U.S.C. 808 and 835 (*if applicable*) because said entity meets the applicable criteria set forth on the reverse of this form and is therefore a citizen of the United States within the meaning of 46 U.S.C. 802.

SIGNATURE

DATE

NAME OF PERSON SIGNING(*Print*): _____

PENALTY FOR FALSE STATEMENT: Any person who knowingly makes a false statement of a material fact in this declaration shall be guilty of a misdemeanor and subject to a fine of not more than \$5,000 or to imprisonment for not more than five years, or both (46 U.S.C. 838).

^{1/} If two or more vessels are involved, attach schedule of vessel names and official numbers.

DECLARATION OF CITIZENSHIP - CITIZENSHIP CRITERIA

A. INDIVIDUAL. An individual is a citizen by virtue of birth in the United States, birth abroad of U.S. citizen parents, by naturalization during minority through the naturalization of a parent, by marriage (if a woman) to a U.S. citizen prior to September 22, 1922, naturalized, or as otherwise authorized by law.

B. CORPORATION. A corporation is a citizen if (a) it is incorporated under the laws of the United States or of a state, territory, district or possession thereof; (b) its president or other chief executive officer and its chairman of the board are United States citizens; (c) no more of its directors than a minority of the number necessary to constitute a quorum are non-citizens; and (d) the controlling interest in the corporation is owned by United States citizens or, if the vessel is documented for coastwise trade, at least 75 percent of the interest in the corporation is owned and controlled by U.S. citizens.

NOTE: (1) The controlling interest in a corporation is owned and controlled by United States citizens only if (i) title to at least a majority of the stock is vested in United States citizens free of any trust or fiduciary obligation in favor of any person who is not a United States citizen; (ii) at least the majority of the voting power is vested in United States citizens; (iii) there is no contract or understanding through which it is arranged that the majority of the voting power may be exercised directly or indirectly on behalf of any person who is not a United States citizen; and (iv) there are no other means whatsoever by which control of the corporation is conferred upon or permitted to be exercised by any person who is not a United States citizen.

(2) Seventy-five percent of the interest in a corporation is owned and controlled by United States citizens only if (i) the title to at least 75 percent of the stock of said Corporation is vested in citizens of the United States free from any trust or fiduciary obligation in favor of any person not a citizen of the United States; (ii) that such proportion of the voting power of said Corporation is vested in citizens of the United States; (iii) that through no contract or understanding is it so arranged that more than 25 percent of the voting power of said Corporation may be exercised, directly or indirectly, in behalf of any person who is not a citizen of the United States; and (iv) that by no means whatsoever, is any interest in said Corporation in excess of 25 percent conferred upon or permitted to be exercised by any person who is not a citizen of the United States.

C. PARTNERSHIP/JOINT VENTURE. A partnership or a joint venture is a citizen of the United States if requisite ownership and control is vested in United States citizens pursuant to 46 U.S.C. 802.

D. ASSOCIATION. An association is a citizen if the requisite ownership is vested in United States citizens pursuant to 46 U.S.C. 802.

E. MUTUAL SAVINGS BANK/INSURANCE COMPANY. A mutual savings bank or mutual insurance company is one which has no directors, the duties of the directors being exercised by the trustees, and which is not authorized to issue stock. Such an entity is a citizen if (a) its president or other chief executive officer and the chairman of its board of trustees are United States citizens; (b) no more of the trustees than a minority of the number necessary to constitute a quorum are non-citizens; (c) at least the majority of the voting power and control in the entity is vested in the board of trustees free from any trust or fiduciary obligation whatsoever by which control of the corporation is conferred upon or permitted to be exercised by any person who is not a United States citizen.

F. TRUSTEE-MORTGAGEE. A trustee-mortgagee is a citizen if it is approved under the provisions of 46 U.S.C. 808 and 835.

G. If you check "Other" please submit full details of the legal arrangement or character with supporting documents attached. Direct contact with the Maritime Administration at an early date is recommended.

NOTE: Questions concerning the construction and interpretation of the above criteria should be directed to the Maritime Administration.