

ATTACHMENT J-20

NOTICE OF PROHIBITION ON LIENS
PUBLIC VESSEL

This Notice is being faxed to you as a provider or potential provider of supplies or services to the:

Name of Public Vessel

The above vessel is a “public vessel” owned by the United States Department of Transportation, Maritime Administration (“MARAD/Owner”). The vessel is managed by a Ship Manager:

Name of Ship Manager

The Maritime Commercial Instruments and Lien Act (MCILA) specifically prohibits maritime liens against public vessels. 46 USC § 31342. In addition, the contract between the above Ship Manager and MARAD contains a “Prohibition on Liens” clause which prohibits liens against the above vessel in the event of the Ship Manager or another’s failure to pay.

You are hereby notified that neither the Ship Manager nor the Master nor any other person has the power or authority to order supplies or services on the credit of the above public vessel or to create any liens on said vessel. You must look only to the credit of the entity requesting the supplies or services for payment, not to the credit of the above vessel or its Owner. You are on notice that your provision of supplies or performance of services for the above vessel at the request of the Ship Manager, the Master, or any other person cannot result in a lien against the vessel, *in rem*, or a claim against the Owner, the United States, *in personam*, in the event of the Ship Manager or another’s failure to pay for same. If you bring suit against the United States contrary to the provisions of this notice, you shall be required to indemnify the United States for all costs associated with defending such action, including but not limited to attorney’s fees.

Further, you are required to fax this notice to any lower-tier subcontractors or providers from whom you obtain supplies or services for the vessel. Failure to properly notify such persons of this “Notice of Prohibition on Liens” shall NOT result in a lien against the vessel but instead will result in your being required to indemnify the United States for all costs associated with defending an action brought *in rem* against the vessel or *in personam* against the vessel’s Owner by any such lower-tier subcontractor or provider.