



DEPARTMENT OF THE NAVY
COMMANDER MILITARY SEALIFT COMMAND
WASHINGTON NAVY YARD BLDG 210
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WASHINGTON DC 20398-5540

COMSCINST 4700.15A
N7
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COMSC INSTRUCTION 4700.15A

Subj: ACCOMPLISHING SHIP REPAIR IN FOREIGN SHIPYARDS

1. Purpose. To establish Commander, Military Sealift Command (*COMSC*) policy and responsibility for ship repair in foreign shipyards.
2. Cancellation. COMSCINST 4700.15.
3. Applicability. The requirements of this instruction apply to all Military Sealift Command (*MSC*) owned and bareboat chartered ships, whether Civilian Mariner (*CIVMAR*) or contractor operated. Compliance with this instruction shall be required in all ship operating contracts awarded after the date of this instruction.
4. Discussion. Title 10 U.S. Code, Section 7310(a) restricts repairs accomplished overseas on U.S. naval ships. This law states that a naval vessel (*or any other vessel under the jurisdiction of the Secretary of the Navy*) homeported in the United States may not be overhauled, repaired or maintained by a shipyard located outside of the United States or Guam, other than in the case of voyage repairs. For determining compliance with this law, the following definitions apply:
 - a. Voyage Repair. Voyage repairs include:
 - (1) Corrective maintenance on mission or safety essential items necessary for a ship to deploy, to continue on its deployment or comply with regulatory requirements.
 - (2) Scheduled maintenance, only to the extent that said maintenance is absolutely necessary to ensure machinery and equipment operational reliability (*e.g., diesel top end overhaul*) or comply with regulatory requirements.

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Voyage repairs do not include corrective maintenance actions that may be deferred until the next scheduled regular overhaul and drydocking availability in the United States or Guam without degrading operational readiness, habitability standards or personnel safety or adversely impacting regulatory compliance.

b. Homeport. Since MSC does not designate homeports for ships, the Assistant Secretary of the Navy (ASN) for Research, Development and Acquisition (RD&A) has established that ships deployed overseas which do not regularly return to the United States (*i.e., remain overseas for periods exceeding 2 years*) shall be considered homeported overseas. All other ships shall be regarded as homeported in the United States.

c. Foreign Ship Repair Source. A foreign ship repair source is any facility that repairs vessels and is located outside the states of the United States or Guam. Overseas ship industrial assistance facilities, including Naval Ship Repair Facilities (SRFs), are foreign ship repair sources including those located in U.S. territories or possessions. . USN tenders are not regarded as foreign ship repair sources regardless of their geographic location.

d. Vessel Under the Jurisdiction of the Secretary of the Navy. Vessels under the jurisdiction of the Secretary of the Navy include USNS ships and ships which are bareboat chartered. MARAD's Ready Reserve Force (RRF) vessels, MSC time chartered ships (*such as Maritime Prepositioning ships*) and voyage chartered ships are not considered to be under the jurisdiction of the Secretary of the Navy and therefore are not required to comply with the provisions of Title 10 U.S. Code, Section 7310(a).

R) 5. Policy

a. All MSC ships shall be maintained in a safe material condition, adequate to accomplish assigned missions.

b. Overseas homeported ships

(1) Ships shall only be considered homeported overseas for the purpose of accomplishing maintenance and repair when specifically approved as such by ASN (RD&A).

(2) All maintenance and repair may be accomplished by foreign ship repair sources.

(3) Repair of ships being prepared for, or returning from overseas homeporting shall be scheduled to maximize the use of the industrial capacity of the United States. Repairs needed to restore material condition on safety or mission essential equipment or to maintain regulatory compliance shall not be deferred until return from overseas assignment, but shall be accomplished at the earliest opportunity.

(4) Any availability which is planned to exceed 6 months in duration and is scheduled for accomplishment within 15 months of a ship's scheduled return date to the United States, shall be accomplished in the United States.

(5) If an overseas homeported ship returns to the United States at any time during its overseas assignment, the policy governing U.S. homeported ships will apply, and the homeport status will be reevaluated.

c. U.S. homeported ships

(1) Only voyage repairs as defined in paragraph 4a may be performed by foreign ship repair sources on U.S. homeported ships.

(2) When a ship is planned for future assignment overseas, maintenance and repair planning shall not defer work for accomplishment overseas.

6. Action

a. COMSC shall monitor adherence to the policy requiring that overseas maintenance and repair of U.S. homeported USNS ships be limited to voyage repairs as defined in paragraph 4a above.

b. COMSC shall request ASN (*RD&A*) approval for an overseas homeport designation. COMSC shall maintain the list of ships approved as homeported overseas and shall update the list as required to reflect fleet requirements.

c. If a change in the homeport status is necessary, such as naval fleet auxiliary and combat logistics force ships rotating to or from forward deployed status or, a change in a ship's mission that will require extended operations in a different geographical area, COMSC shall evaluate the ships' proposed operating profile and submit a request to ASN (*RD&A*) to change the ship's homeport status.

d. If a ship returns to the United States for a brief period, such as to perform casualty repairs, to conduct a major availability, or to accomplish a single operational requirement, COMSC shall evaluate the ship's homeport designation based on the criteria in paragraph 4b. If a change in homeport designation is determined to be necessary,

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COMSC shall advise ASN (*RD&A*) of the change in homeport status. If the ship's operational period in the United States is complete and the ship returns to overseas deployment for a period anticipated to be longer than 2 years, COMSC shall request that ASN (*RD&A*) redesignate the ship as homeported overseas.

e. For those ships homeported in the U.S., COMSC N8 shall submit a report to CNO on a quarterly basis within 60 days after the end of each quarter (***First quarter: October through December; Second quarter: January through March; Third quarter: April through June; Fourth quarter: July through September***) documenting all ship maintenance and repair work procured through foreign commercial sources for that quarter.

f. For overseas availabilities, the Program Managers and cognizant COMSC representative shall evaluate voyage repair requests, service orders and all work packages for application of Title 10 U.S. Code, Section 7310(a) restrictions.

/S/

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Distribution:

COMSCINST 5000.19

List I (*Case A, B, C*)

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