



DEPARTMENT OF THE NAVY
OFFICE OF THE CHIEF OF NAVAL OPERATIONS
2000 NAVY PENTAGON
WASHINGTON, DC 20350-2000

OPNAVINST 3120.46
DNS
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OPNAV INSTRUCTION 3120.46

Subj: UNITED STATES SHIP CONSTITUTION COMMAND RELATIONSHIPS AND
EMPLOYMENT

Ref: (a) FY 2012 National Defense Authorization Act
(b) Public Law 83-523 (NOTAL)
(c) USS Constitution Required Operational Capability and
Mission of 4 July 2006 (NOTAL)
(d) OPNAVNOTE 5400 Ser DNS-33/12U102020 of 1 March 2012
(Canc: March 2013)
(e) U.S. Navy Regulations 1990
(f) BUPERSINST 1610.10C
(g) USS Constitution Strategic Plan 2007-2020 (NOTAL)
(h) Adjudication of Final Ship Manpower Document (SMD)
for USS Constitution of 22 December 2006 (NOTAL)
(i) OPNAVINST 5720.2M

1. Purpose. To provide guidance and direction to U.S. Navy activities directly involved with historic United States Ship (USS) Constitution commissioned vessel. This directive incorporates higher level guidance enacted by the U.S. Congress, as well as direction issued by the Secretary of the Navy and the Chief of Naval Operations.

2. Background. USS Constitution is a living symbol of America's rich maritime history and is the centerpiece of a robust effort to promote longstanding relationships with the public. It does so through public access to the ship; active participation in public events and education of the nation's youth; through its continued status as a commissioned U.S. Navy vessel; and its unique status as the world's only 18th century warship (commissioned in 1797) still capable of limited sail. In aggregate, these efforts project a powerful message of America's deep affection for its maritime heritage and to this particular ship, appropriately nicknamed "Old Ironsides."

3. Objectives

a. Promote awareness of the unique nature of USS Constitution through public access and outreach efforts.

b. Assign responsibility and accountability to supporting commands for USS Constitution and her associated facilities.

c. Establish interagency support requirements for USS Constitution.

d. Enable and facilitate the utilization of USS Constitution in her capacity as America's Ship of State by authorized agencies as directed by reference (a).

e. Properly maintain USS Constitution, the oldest commissioned warship afloat in the world.

4. Assumptions

a. USS Constitution will remain in commission, not for active service.

b. USS Constitution will retain the capability of limited underway sailing demonstrations.

c. USS Constitution will retain her saluting batteries and therefore the designation as a saluting ship.

d. Active duty U.S. Navy personnel will continue to serve in USS Constitution as her primary crew.

e. Boston, Massachusetts will be the ship's homeport as directed by reference (b).

5. Discussion. USS Constitution's unique status necessitates uncommon interservice and interagency cooperation. While the commanding officer is ultimately responsible for his or her command, a wide variety of supporting commands and partners are needed to ensure that the commanding officer is able to maintain the capabilities as outlined in reference (c) and successfully accomplish his or her mission.

6. Responsibilities and Relationships

a. Director, Navy Staff (DNS)

(1) Per references (d) and (e), serve as the immediate superior in command for USS Constitution and be responsible for

all matters pertaining to the ship and associated support facilities as defined by public laws, regulations and policies.

(2) Act as the resource sponsor for the ship.

(3) Serve as the commanding officer's reporting senior and submit fitness reports per reference (f).

(4) Provide appropriate supervision and oversight of the following USS Constitution programs:

(a) Command career counselor and career development programs

(b) Sailor of the Year

(c) Public Affairs

(d) Urinalysis Program

(e) Physical Readiness Program

(f) Sexual Assault and Prevention Response Program

(g) Individual Medical Readiness Program

(h) Sponsor Program

(i) Voter Assistance Program

(j) Command Managed Equal Opportunity Program

(j) Other Sailor and family programs as appropriate

(5) Provide legal support as required.

(6) Approve all requests for utilization of USS Constitution in her capacity as America's Ship of State.

(7) Primary review and approval authority for personal and command level awards that exceed the authority of the commanding officer.

(8) Act as USS Constitution's manpower control authority.

b. Director, Field Support Activity (FSA)

(1) Act as the budget submitting office (BSO) and principal administering office for the ship. USS Constitution's budget is within the FSA and BSO 11 authorization.

(2) Provide USS Constitution's annual operating target and consumable funding directly to the command.

c. Director, Naval History and Heritage Command

(1) Liaison with and provide historical and period support and oversight to ensure all work and restoration projects maintain the ship in as close to her 1812 configuration as practicable per reference (b).

(2) Retain the right to approve or deny work execution methods, if they do not follow the legal configuration as defined by public law.

(3) Review and provide recommendations to DNS for approval of changes to the 1813 uniforms worn by the crew to ensure historical accuracy.

d. Commander, Naval Sea Systems Command (NAVSEASYSCOM)

(1) Provide oversight of the maintenance and repair actions performed by their assigned echelon 2 administrative agent - Portsmouth Naval Shipyard.

(2) Technical and engineering oversight of USS Constitution for routine and dry-docking maintenance and repair evolutions through other NAVSEASYSCOM organizations as required.

(3) Adhere to the Base Realignment and Closure Act of 2005 legal requirements as pertain to the planning yard function for USS Constitution.

e. Director Detachment Boston

(1) Perform the duties of ship maintenance officer with administrative oversight provided by Portsmouth Naval Shipyard.

(2) Manage the Detachment Boston civilian personnel assigned to USS Constitution, ensuring a staff of skilled artisans is perpetually maintained to accomplish required work.

(3) Ensure all work on USS Constitution is executed following standards and appropriate technical oversight and legal authorities. Liaison with Naval History and Heritage Command to ensure all restoration projects maintain the ship as close to her 1812 configuration as practicable per reference (b).

(4) Provide proposed budgets and ship's maintenance plans with supporting justifications to DNS via NAVSEASYSKOM.

(5) Develop estimates and plans for USS Constitution's workforce size, facilities, capabilities, credit card, and planned capital equipment purchases and provide to DNS via NAVSEASYSKOM.

(6) Act as acquisition agent for approved minor property and industrial plant equipment per Federal law, and with DNS and NAVSEASYSKOM approvals as required.

(7) Retain responsibility for environmental and hazardous waste permits, where the permit relates to the industrial mission of USS Constitution and the operations are under complete control of Detachment Boston.

(8) Maintain appropriate Navy occupational safety and hazard functions for Detachment Boston employees.

(9) In consultation with the commanding officer, develop and submit an annual ship's maintenance plan developed in conjunction with the ship's employment plan not later than 31 January to DNS. At a minimum, the plan shall address:

(a) Summary of the previous year's activities.

(b) Unresolved issues.

(c) Budget and manpower shortfalls affecting repair and upkeep of USS Constitution.

(d) Proposed maintenance schedule for the coming year.

f. Commander, Navy Installations Command (CNIC)

(1) Through Commander, Navy Region Mid-Atlantic, provide shore installation support to include shore-side antiterrorism/force protection, utilities, enlisted berthing, ashore galley and facilities maintenance.

(2) Maintain an interagency support agreement with the National Park Service to outline the conditions for access, use and reimbursement for facilities and services required to maintain and operate USS Constitution as required by references (a) through (c) and reference (g). These services include, but are not limited to: office space, enlisted berthing, repair and work spaces, and pier and berth locations.

g. Commander, Naval Health Clinic New England. Provide oversight of USS Constitution's Medical Department and independent duty corpsman.

h. Commanding Officer, USS Constitution

(1) In coordination with the appropriate agencies, establish memorandum of agreement and intragovernmental support agreements with Department of the Navy (DON) and non-DON agencies as required for conduct of mission. If funding is involved, the appropriate DON command shall be the final approval authority of any such agreement. Agreements currently required are (but are not limited to):

(a) Naval Health Clinic New England

(b) National Park Service

(c) U.S. Coast Guard Base, Boston

(d) USS Constitution Museum

(2) At a minimum, schedule the following inspections:

(a) Supply Management Inspection

1. Ney award

2. Galley safety

(b) External morale, welfare, and recreation audit

(c) Medical readiness

(d) Command career counselor

(e) Safety survey

(f) Industrial hygiene survey

(3) Submit an annual ship's employment plan to DNS, developed in conjunction with the NAVSEASYSCOM Ship's Maintenance Plan not later than 31 January of each year. At a minimum, the plan shall address:

(a) Summary of the previous year's activities

(b) Unresolved issues

(c) Budget and manpower shortfalls

(d) Proposed operational schedule for the coming year

(4) Provide DNS annually with requirements for determination of funding levels for future years.

(5) Provide recommendations to DNS for the conduct of potential Ship of State events.

(6) Schedule, approve or disapprove and facilitate external agency requests for utilization of USS Constitution and her crew.

(7) Maintain crew manning levels per reference (h).

(8) Support the Navy Office of Community Outreach through participation in Navy Weeks as practicable.

7. Partnerships. USS Constitution's berth in the Charlestown Navy Yard of the Boston National Historic Park presents several unique challenges. With the exception of the ship, all areas occupied by the command are leased from the National Park Service. This requires USS Constitution to establish and maintain formal relationships with several non-Department of Defense agencies. These include:

- a. National Park Service
- b. U.S. Coast Guard
- c. Massachusetts State Police
- d. Boston Police Department
- e. Boston Fire Department
- f. USS Constitution Museum

8. Ceremonies Authorized Aboard USS Constitution. The following official ceremonies may be conducted aboard USS Constitution:

a. Ship of State Events. Reference (b) authorizes the President, Vice President, Executive Branch officials and Members of Congress to use USS Constitution as a platform for the conduct of pertinent matters of state. These include hosting visiting heads of state, signing legislation relating to the Armed Forces of the United States, and signing maritime related treaties.

b. Flag Officer or General Officer Official Visits. All ceremonies normally conducted by a flagship relative to the embarked flag officer, his or her office and his or her staff. On rare occasions, the ship may be secured from general visiting in support of official DON events.

c. Commissioning and Reenlistment Ceremonies. Since reenlistment ceremonies are normally of short duration, require minimal support and consequently present minimal interference

with public access to the ship, these may be conducted aboard on a not-to-interfere basis with ship's routine and general visiting. Re-enlistments will not normally be conducted aloft (with the exception of the assigned crew.)

d. Commemorative Ceremonies. These ceremonies (e.g., military reunion) may be conducted aboard on a first-come, first-served basis as approved by the commanding officer. Commemorative ceremonies organized by USS Constitution take precedence over those organized by outside organizations unless directed by higher authority.

e. Retirement Ceremonies. May be conducted aboard on a first-come, first-served basis.

f. Religious Services. May be conducted aboard on a first-come, first-served basis.

g. Receptions. All requests for receptions (either aboard ship or within the secure perimeter) shall be forwarded to the Commanding Officer, USS Constitution for approval. All reception planning shall remain under the cognizance of the commanding officer.

9. Underway Demonstrations. Per the annual ship's employment plan, the Commanding Officer, USS Constitution shall conduct underway sail demonstrations for the public. As far as practicable, these unique events shall be conducted in such a manner as to maximize participation for the general public and to further promote USS Constitution's singular role in the history of the U.S. Navy and the nation. Reference (i) establishes guidelines for embarkation of civilian visitors for this purpose. Furthermore, conditions permitting, two underway demonstrations shall be conducted in conjunction with the annual Chief Petty Officer Heritage Training Weeks. Due to the nature of this training, participation in these underway demonstrations shall be primarily restricted to military personnel only.

10. Restricted and Prohibited Events

a. Overnight Events. Overnight events shall only be approved by the commanding officer.

b. Commercial or Promotional Photography Aboard the Ship. Any photography taken aboard intended for other than personal use must be approved by the commanding officer. Depending on the desired use of the photographic products, approval may also be required by the Office of the U.S. Chief of Navy Information. Photography taken from the pier is a matter under the cognizance of the National Park Service.

c. Fundraising. Fundraising of any nature, other than Combined Federal Campaign and Navy and Marine Corps Relief Society is prohibited.

11. State Level and Flag and General Officer Sponsored Dinners. These functions require significant resources and are, therefore, significantly limited. Sponsoring organizations shall cover all costs associated with catering, transportation, invitations, entertainment and all other costs not associated with USS Constitution's normal operations. USS Constitution will provide tables and seating for dinners up to 18 persons and ship tours if desired. Per reference (a), an appropriate fee or reimbursement structure for non-DON entities using USS Constitution for Ship of State purposes will be developed.

12. Review. This instruction shall be reviewed and updated as conditions dictate but not later than 3 years from the date of issue and triennially thereafter.

13. Records Management. Records created as a result of this instruction, regardless of media and format, shall be managed per Secretary of the Navy Manual 5210.1 of January 2012.



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