

DEPARTMENT OF THE NAVY
MILITARY SEA TRANSPORTATION SERVICE, PACIFIC
NSC, OAKLAND, CALIFORNIA 94625

MSTSPAC 3170.2A
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MSTSPAC INSTRUCTION 3170.2A

From: Commander, Military Sea Transportation Service, Pacific
To: Distribution List

Subj: Pilots for MSTSPAC vessels when entering U. S. ports;
discretionary employment of

Ref: (a) COMSTSINST P3120.2C, Subj: Administrative and operating
procedures for MSTS ships (less contract-operated tankers)
Art 1-5-7
(b) MSTSPACINST 3121.1C, Logistics Requirements Report *

1. Purpose. The purpose of this instruction is to amplify reference
(a) and provide guidance to masters of ships under the administrative
and operational control of COMSTSPAC regarding pilotage for public
vessels of the United States.

2. Cancellation. MSTSPACINST 3170.2 is superseded. *

3. Background. There was indication in the past that some masters
had interpreted the policy of COMSTSPAC to be that they would not
take a bar pilot on arrival or departure from United States west coast
ports. More recently a ship master interpreted his approach orders
as a directive to accept both bar and harbor (docking) pilots for
entrance into a west coast port. Since neither interpretation is in
accordance with COMSTSPAC policy, it is considered clarification is
necessary.

4. Policy. The basic requirement is found in reference (a), which
states in part that the master "may employ pilots when he deems it
necessary", and "the master shall be guided by his own judgment in
the employment of pilots, when such employment is not required by
applicable laws or regulations." Compulsory pilotage laws of the
various states are not applicable to public vessels of the United
States. This is confirmed by the following statement of an Attorney
General of the United States: "The public vessels of the Government

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have the right of entering ports and harbors of the United States without employment of pilots" ... and ... "This exemption extends to all ships belonging to the United States and employed in the public service....." Despite this legal exemption, the regulations of most government terminals however require the master to utilize the services of a harbor pilot for the purpose of docking at the terminal. COMSTSPAC will not question the master's decision, but will leave each master free to exercise fully his prerogative with regard to taking a bar pilot.

5. Directive. Masters shall be guided in the exercise of their prerogative in taking bar pilots by the following considerations:

a. Masters and their subordinates are at all times answerable for the safe navigation of the ship, with or without a pilot on board.

b. Masters, although technically qualified for a given port, may desire to take a bar pilot to ensure current information is available to them.

* c. Masters desiring the services of a bar pilot in addition to a harbor pilot shall so specify in item BRAVO of the LOGREQ required by reference (b). The approach order responding to the LOGREQ will in this instance confirm the availability of both bar and harbor pilots.



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