



MLCLANTINST 5890.3A

MAR 27 1993

MAINTENANCE AND LOGISTICS COMMAND ATLANTIC INSTRUCTION 5890.3A

Subj: AUXILIARY CLAIMS PROCEDURES

Ref. (a) CG Claims and Litigation Manual, COMDTINST M5890.9 (series)

1. PURPOSE. This instruction provides practical guidance to all persons connected with the USCG Auxiliary claims process.
2. ACTION. Directors of Auxiliary are encouraged to distribute this instruction and attached enclosure to all USCG Auxiliarists and to each unit served by the USCG Auxiliary.
3. DIRECTIVES EFFECTIVE. MLCLANTINST 5890.3 is canceled.
4. DISCUSSION. Enclosure (1) provides step-by-step guidance to the Auxiliarist, investigating officer, operational commander, and Director of Auxiliary in the submission and processing of claims for damage to Auxiliary facilities or equipment operating under Coast Guard orders.

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Encl (1) Auxiliary Claims Handbook

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# AUXILIARY CLAIMS HANDBOOK

## AUXILIARY CLAIMS HANDBOOK

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## **AUXILIARY CLAIMS HANDBOOK**

### **INTRODUCTION:**

The Auxiliary Claims process involves settlement of claims for damage to Auxiliary facilities and equipment that occurs while operating under patrol orders and traceable to a patrol cause. This enclosure provides practical, easy-to-follow instructions on filing and processing Auxiliary Claims for all levels of the chain of command. (See Auxiliary Claim Process, Appendix 6)

The procedures outlined in this enclosure do not apply to claims for personal property damage (i.e., damage to property that is neither a facility nor its equipment). An Auxiliarist wishing to file a claim for personal property damaged or lost while operating under patrol orders should follow the procedures outlined in Chapter 6, Coast Guard Claims and Litigation Manual, COMDTINST M5890.9 (series) for active duty Coast Guard members and civilian employees.

### **I. AUXILIARIST RESPONSIBILITIES.**

- A. **NOTIFICATION.** An Auxiliarist whose equipment or facility was damaged while on an Auxiliary patrol under reimbursable or non-reimbursable patrol orders issued by competent Coast Guard authority should notify the operational commander of such damage within **twenty-four hours** of its occurrence. (The “operational commander” is the Coast Guard order-issuing authority.) The Auxiliarist should also notify the appropriate Director of Auxiliary (DIRAUX) within **forty-eight hours** of the loss or damage. The Coast Guard operational commander will mail a damage claims package to the Auxiliarist after the Auxiliarist notifies the operational commander of the damage.
- B. **VISUAL INSPECTION.** The Auxiliarist should make the damaged facility or equipment available for visual inspection by the operational commander or an assigned investigator. The operational commander or investigator will contact the Auxiliarist as soon as possible after receiving notice of the damage to schedule the inspection.
- C. **START OF REPAIRS OR REIMBURSEMENT.** The Auxiliarist should **NOT** start repairs to the equipment or facility or submit patrol orders for reimbursement until authorized by the operational commander or the Director of Auxiliary (DIRAUX).
- D. **ESTIMATES OR APPRAISALS.**
  - 1. **General.** It is the Auxiliarist’s responsibility to provide documentation to establish the amount of the loss or damage. This amount is the lesser of either the depreciated replacement value of the item (less salvage value, if any) or the reasonable cost of repair. The required documentation depends upon the amount claimed for each item.

- I. D. 2. **Reimbursement for Cost of Estimates.** The cost of obtaining estimates may be reimbursed if paid separately and not deducted from the cost of the repair. If a fee is charged for an appraisal or estimate, the appraisal or estimate should specifically indicate if the fee will be or has been deducted from the cost of replacement or repair. If the estimate does not include such a statement, it will be presumed that the cost of the estimate was deducted from the repair price and no separate reimbursement will be allowed.

**3. Format and Content of Written Estimates:**

- a. General. Estimates or price quotes should be from a repair facility or retailer in the business of repairing or selling the particular item claimed. Estimates should be in writing and on company letterhead. If an item is to be replaced, newspaper ads or catalogue excerpts, including a copy of the cover of the catalogue to identify the source, are acceptable.
- b. Itemization. The estimate should separately list the cost to repair or replace each item claimed. The estimate should separately indicate the price of materials and the price of labor, if any. The cost of materials is subject to depreciation while the cost of labor is not. If separate prices for materials and labor are not provided, the Claim Settlement Officer (CSO) may depreciate the entire repair cost. If the cost of materials is 10% or less of the total cost of the repairs, the repair facility may indicate a single repair price and include the statement that "The cost of materials is 10% or less of the total cost of the repairs."

**4. Number of Estimates:**

- a. Loss or Damage of \$200.00 or less. If the loss or damage is \$200.00 or less, the Auxiliarist should submit at least one written estimate or price quote.
- b. Loss or Damage of over \$200.00. If the loss or damage is more than \$200.00, the Auxiliarist should submit at least two written estimates or price quotes, even if the small claims procedure is used. In those rare situations where a second estimate cannot be reasonably obtained, the Auxiliarist may contact DIRAUX or MLCLANT (1c) for a waiver of the second estimate/price quote requirement.

I. E. **Miscellaneous.**

1. **“Imperfect” repairs.** If the repair diminishes the appearance or aesthetic value of the item or facility but makes it fully functional, the cost of replacing the entire item or facility will generally not be allowed. For example, the entire cost of replacing a radio will generally not be allowed just because the repair facility could not match the original control knobs. In most cases, the amount allowed will be the cost of repair plus an additional allowance, if substantiated, to compensate for the loss in value of the repaired item.
2. **Special Circumstances.** If an Auxiliarist believes that special circumstance exist that justify a higher than normal replacement or repair cost, the claim should be appropriately documented. It should be remembered that the CSO responsible for settling the claim has probably seen similar claims for damage and loss. A demand that appears unusually high will probably be partially denied or delayed while the CSO waits for additional documentation justifying the higher amount.

F. **SUBMIT CLAIMS PACKAGE.** The completed claims package, with accompanying documentation, should be submitted to the operational commander within 6 months of the date of the loss or damage. Failure to do so may result in denial of the claim unless there is good cause for a delay.

G. **REPORT COMPLETED REPAIRS.** After repairs are authorized by the operational commander or DIRAUX, the Auxiliarist should forward a Report of Completion of Repairs and invoice marked “PAID” to the operational commander.

II. **OPERATIONAL COMMANDER RESPONSIBILITIES**

A. **INITIAL RESPONSE.** When notified of loss or damage to an Auxiliary facility or equipment, a Coast Guard operational commander should take the following actions:

1. **Reimbursement.** Direct the Auxiliarist not to file the patrol orders for reimbursement or start repairs to the facility until authorized by the operational commander or DIRAUX.
2. **Damage Claim "Package."** Mail the Auxiliarist a damage claim package containing the following materials:
  - a. Operational Commander’s Acknowledgment of Auxiliary Damage Claim. (See sample letter on Appendix 2.)
  - b. Claim Worksheet for Loss or Damage to an Auxiliary Facility. (See worksheet on Appendix 1, pages 1-6.)
  - c. Sample letter report of repair completion (See sample letter on Appendix 3)
  - d. 11 X 13 inch pre-addressed envelope.
  - e. Business-size pre-addressed envelope.

- II. A. 3. **Visual Inspection.** Arrange for a visual inspection of the damage. The inspection may be, but does not have to be, conducted by the assigned investigating officer. This inspection should take place **within 24 hours** of receiving notice of the loss or damage. An inspection is **mandatory** and may only be waived in unusual circumstances by DIRAUX or MLCLANT (lc). This waiver authority is nondelegable. If a visual inspection is waived, DIRAUX or the CSO, as applicable, should include an explanation in the claim package. Failure to conduct a visual inspection may result in denial of the claim.

**B. ASSIGNMENT OF AN INVESTIGATING OFFICER (IO).**

1. **Selection of IO.** The operational commander assigns an IO to conduct the investigation. The IO should be a reliable officer or petty officer with experience in dealing with Auxiliary matters. The IO may be, but does not have to be, the individual who initially inspected the damage.
2. **Assignment of an Auxiliarist as IO.** An Auxiliarist should be assigned as IO only if it is not practical to assign an active-duty Coast Guard member due to the distance between the Coast Guard command and the location of the facility. An Auxiliarist may be assigned as IO verbally or in writing.

- C. FORM OF INVESTIGATION.** All Auxiliary damage claims must be investigated in accordance with the Claims and Litigation Manual (COMDTINST M5890.9 (series)). The form and extent of the investigation is generally dependent upon the amount claimed. However, there may be occasions when the circumstances surrounding the incident require a more detailed investigation. Operational commanders should also review section 6-J of the Administrative Investigation Manual (COMDTINST M5830.1 (series)). In general, the types of investigations normally conducted for an Auxiliary claim are:

1. **Small Claims Investigation.** Chapter 4 of the Coast Guard Claims and Litigation Manual (COMDTINST M5890.9(series)) details the process for conducting a small claims investigation. A small claims investigation is generally sufficient if the amount recommended for payment is less than \$750.00 and the claimant agrees with the recommended payment. A small claims investigation also satisfies the operational commander's requirement to investigate claims of \$200.00 or less that are settled by Replacement-In-Kind (RIK). The sample forms and letters contained in this guide, when fully completed and attached to the required supporting documentation, satisfy the small claims investigation requirements.

II. C. 2. **Regular Claims Investigation.** Chapter 2, Coast Guard Claims and Litigation Manual (COMDTINST M5890.9 (series)), details the process for conducting a regular claims investigation. A regular claims investigation is required when the claim is for more than \$750.00; if Coast Guard liability, or amount of liability, is unclear; or if a small claims investigation is otherwise not appropriate. In almost all such cases, a Letter Incident Report (LIR) is sufficient. (See enclosure 6 to the Administrative Investigation Manual for a sample LIR.) The sample letters and forms contained in this guide should be attached as enclosures to the LIR. Such an investigation can be convened orally or in writing. The Administrative Investigation Manual contains a sample convening order; see enclosure 3, page 1.

D. **RECEIPT OF CLAIM.** The operational commander should stamp or mark the date that the completed claims package is received from the Auxiliarist.

E. **ACTION ON THE CLAIM.** The operational commander should review the claim and report of investigation. If satisfied that all required information is included and that the investigation adequately identifies the cause of the loss or damage, the Coast Guard's liability, and the amount of the loss or damage, the operational commander takes one of the following actions on the claim.

1. **For claims of \$200 or less.** If the claim is for \$200 or less, the operational commander may:
  - a. Authorize Replacement-in-Kind (RIK). The lost or damaged item may be replaced from unit supplies. If RIK is used, the operational commander should notify DIRAUX. No further action is necessary.
  - b. Pay the claim from unit funds. Under chapter 2, paragraph D.2 of the Auxiliary Operations Policy Manual (COMDTINST M16798.3 (series)), the operational commander may approve a minor claim of \$200 or less and pay it immediately from unit funds. Funds may not be paid directly to a third-party (e.g., may not make direct payment to the boatyard that completed the repairs).
  - c. Forward the claim as discussed below. If RIK or payment from unit funds is not used, the operational commander should annotate the claim to indicate why not and forward the claim to MLCLANT(lc) via DIRAUX.
2. **For claims of over \$200.** If the claim is for over \$200, or less than \$200 but RIK or payment from unit funds is not appropriate, the operational commander should take the following actions:
  - a. Authorize payment of reimbursable patrol expenses. The operational commander should authorize payment of reimbursable patrol expenses (fuel, food, trailering, etc.) by endorsement on the original patrol order. The original patrol order should be forwarded through regular channels, and a copy attached to the claim. It is not necessary to delay reimbursement of patrol expenses until the investigation is completed or the claim settled.

- II. E. 2. b Forward the claim. The operational commander should endorse and forward the claim and report of investigation to MLCLANT(lc) via DIRAUX. A copy of the forwarding letter should be included in the unit's file.
- c. Notify the Auxiliarist. The Auxiliarist should be notified that the claim has been forwarded. He or she should also be advised that repairs may be made, but that final approval of the claim and determination of the amount will be made by MLCLANT(lc). If the operational commander recommends other than payment of the full amount claimed, a written explanation must be provided to the Auxiliarist in accordance with Chapter 2, paragraph D.2 of the Auxiliary Operations Policy Manual (COMDTINST M16798.3 (series)). A copy of the explanation must also be sent to DIRAUX. In most cases, providing the Auxiliarist a copy of the command's endorsement forwarding the claim satisfies this requirement. The Auxiliarist then has 15 days to provide additional information to substantiate why the claim should be paid in full.
- d. Forward the Report of Completion of Repairs. When the Report of Completion of Repairs and the paid repair invoice are received from the Auxiliarist, the operational commander forwards the originals to MLCLANT(lc) via DIRAUX and retains copies for the unit file. The unit file may then be closed.

### III. INVESTIGATING OFFICER'S DUTIES.

- A. **GENERAL.** The IO should review this enclosure and its appendices, Chapter 2, paragraph D, of the Coast Guard Auxiliary Operations Policy Manual (COMDTINST M16798.3 (series)), and the Coast Guard Claims and Litigation Manual (COMDTINST M5890.9 (series)). The IO should also contact the MLCLANT Claims and Litigation Branch for assistance if he or she has any questions.
- B. **REVIEW DOCUMENTATION WITH THE AUXILIARIST.** The IO should confirm that the Auxiliarist received a damage claim "package" (see paragraph II. A. 2. above). He or she should review the package with the Auxiliarist and answer any questions.
- C. **INSPECT AND PHOTOGRAPH THE DAMAGE.** The IO should visually inspect and photograph the damage. If the IO did not perform the initial visual inspection of the damage (see paragraph I. B. above), he or she should also review the report of that inspection.
- D. **COLLECT, DATE STAMP AND REVIEW THE DOCUMENTATION.** The IO should collect the necessary information, including the Auxiliary Damage Claim Worksheet (Appendix 1, pages 1-6) and all applicable attachments, from the Auxiliarist and stamp or note the date that it was received. He or she should review the information to ensure that it is complete and correct.

- III. E. **PREPARE A REPORT.** The IO should prepare a report of the investigation. The report should, at a minimum, identify the facility or equipment, the cause of the loss or damage, and the estimated cost of replacement or repair. For claims of less than \$750.00, the report may consist of the letters and worksheets contained in Appendices 1 through 4. For claims of more than \$750.00, a Letter Incident Report should be prepared.
- F. **DETERMINE COAST GUARD LIABILITY.** Under 14 U.S.C. §830, the Coast Guard may reimburse an Auxiliarist for loss or damage to a facility or its equipment if the loss or damage is related to an identifiable patrol cause. It is not enough that the loss or damage occurred while the facility was engaged in Coast Guard activities at the time. The IO should consider the following factors in determining whether the Coast Guard is liable for the damage or loss.
1. **Normal wear and tear.** The Coast Guard may not reimburse an Auxiliarist for damage or loss due to normal wear. For example, the Coast Guard generally cannot pay for broken belts, hoses or steering cables. Additional damage that results from the failure of these or similar “normal maintenance” items is also not compensable.
  2. **Lack of proper maintenance.** Damage or loss arising from the failure of the Auxiliarist to properly maintain the facility or equipment is not payable. The fact that routine maintenance has been conducted does not always indicate that the maintenance was conducted properly. For example, performing routine oil changes is not sufficient unless the manufacturer’s recommended oil weight was used in the engine. The IO should review logs or records to determine if regular maintenance was properly performed.
  3. **Identifiable cause.** The damage or loss, to be compensable, must be due to an identifiable cause in the operation engaged in by the Auxiliarist when the damage occurred. The fact that the Auxiliarist was under Coast Guard orders at the time of the damage does not provide a legal basis to pay the claim. If the damage or loss cannot be attributed to a specific identifiable cause, it must be presumed that it arose from normal wear and tear, a defect in the facility, or failure to maintain the facility or equipment, and is, therefore, not payable.
- G. **DETERMINE THE AMOUNT OF COAST GUARD LIABILITY.** If the IO determines that the loss or damage is traceable to an identifiable patrol cause, he or she must also determine the amount to which the claimant is entitled. This amount is the lesser of either the depreciated replacement value of the item (less salvage value, if any) or the reasonable cost of repair. This determination is based upon the estimates and/or appraisals submitted by the Auxiliarist.
- H. **FORWARD THE COMPLETED INVESTIGATION.** The IO should forward the claim and completed investigation to the operational commander.

#### IV. ACTION OF DIRAUX

- A. **VERIFY FACILITY INFORMATION.** The Director of Auxiliary should verify that the facility information on the Auxiliary Damage Claim Worksheet matches that contained in the Facility Inspection and Offer of Use Report (Form CG-2736) and attach a copy of the CG-2736 to the Damage Claim Worksheet.
- B. **VERIFY QUALIFICATION STATUS.** The Director of Auxiliary (DIRAUX) should verify the Auxiliary member's qualification status at the time the loss or damage occurred.
- C. **REVIEW WHETHER REPLACEMENT-IN-KIND IS APPROPRIATE.** If the claim is for \$200.00 or less, DIRAUX should review the claim to determine if repair or RIK is appropriate. If so, the file should be returned to the operational commander with instructions to settle the claim accordingly.
- D. **ENDORSE THE CLAIM.** DIRAUX should endorse the claim in the format provided in Appendix 5 of this enclosure and forward it to MLCLANT (1c).

**AUXILIARY FACILITY LOSS OR DAMAGE  
CLAIM WORKSHEET**

**PART I - INSTRUCTIONS:**

- |   |
|---|
| 1. Report Damage or Loss to your <b>Operational Commander within 24 hours.</b>  |
| 2. Report Damage to <b>Director of Auxiliary Office within 48 hours.</b>  |
| 3. <b>Review</b> Damage Claim Procedures in enclosure (1) to MLCLANTINST 5890.3A (Auxiliary Claims Handbook).   |
| 4. <b>Print or Type</b> all required information (use additional sheets as necessary)   |
| 5. Read <b>Privacy Act Statement</b> in PART XI before completing this worksheet.   |
| 6. Submit this form along with all supporting documents to DIRAUX via your Operational Commander (claim should be submitted within <b>6 months</b> from date of damage unless good cause is shown for delay). |

**PART II - CLAIMANT AND FACILITY INFORMATION:**

NAME:		SSN:	
STREET:		MEMBER NUMBER:	
CITY:	STATE:	ZIP:	
FACILITY NAME:		TELEPHONE:	
ARE YOU CURRENTLY ENROLLED IN DIRECT DEPOSIT?		YES _____	NO _____
IF NOT ENROLLED IN DIRECT DEPOSIT, PLEASE ATTACH A COPY OF A CHECK MARKED "VOID".			

**PART III - TIME AND PLACE OF LOSS:**

DATE:	TIME:	PATROL AREA:	GROUP:
LOCATION (latitude/longitude or distance from nearest point of land or light)			
COURSE (TRUE)	SPEED (KNOTS)	APPROX TIME SINCE LAST COURSE CHANGE:	

**PART IV - WEATHER CONDITIONS:**

CLEAR _____	RAIN _____	PARTLY CLOUDY _____	OVERCAST _____	FOG _____
LIGHTING CONDITIONS:	DAYLIGHT _____	NIGHT _____	DUSK/DAWN _____	
SEAS (feet):	WIND (knots):	VISIBILITY (miles):	TIME OF LAST HIGH TIDE:	
WERE SMALL CRAFT WARNINGS IN EFFECT?	YES _____	NO _____	UNKNOWN _____	

**PART V - DAMAGE TO AUXILIARY FACILITY**

TYPE OF LOSS OR DAMAGE ("X" ONE)	<b>DAMAGE</b> to Facility _____	<b>DAMAGE</b> to Equipment _____
	<b>LOSS</b> of Facility _____	<b>LOSS</b> of Equipment _____

DESCRIBE INCIDENT IN DETAIL, INCLUDING ACTION TAKEN BY CREW MEMBERS OF FACILITIES INVOLVED AND THE SPECIFIC IDENTIFIABLE PATROL CAUSE THAT CAUSED THE LOSS OR DAMAGE (USE SEPARATE SHEET OR ATTACH DIAGRAM TO SHOW DETAILS IF NEEDED):

DESCRIBE LOSS OR DAMAGE IN DETAIL:

DESCRIBE ANY TEMPORARY REPAIRS MADE TO FACILITY:

IF CLAIM IS FOR LOSS OF EQUIPMENT, DESCRIBE HOW THE EQUIPMENT WAS USED DURING THE ASSIGNED PATROL:

**PART VI - DAMAGE TO OTHER FACILITIES/PROPERTY:**

WERE OTHER AUXILIARY FACILITIES DAMAGED?		YES ____	NO ____
If yes: NAME OF FACILITY OWNER		ADDRESS (street, city, state, zip)	
FACILITY NAME/NUMBER:			
WAS OTHER PROPERTY DAMAGED (other vessel, wharf, bridge, etc.)?		YES ____	NO ____
IF YES: NAME OF OWNER:		ADDRESS (street, city, state, zip)	
DESCRIBE TYPE OF PROPERTY AND DAMAGE:			

**PART VII - WITNESSES (other facilities/persons on scene):**

CREW MEMBERS PRESENT AT TIME OF LOSS OR DAMAGE:		
NAME:	ADDRESS (street, city, state, zip)	AUXILIARY MEMBER NO.
NAME:	ADDRESS (street, city, state, zip)	AUXILIARY MEMBER NO.
NAME:	ADDRESS (street, city, state, zip)	AUXILIARY MEMBER NO.
NAME:	ADDRESS (street, city, state, zip)	AUXILIARY MEMBER NO.

**PART VII - WITNESSES (continued):**

OTHER WITNESSES (attach additional sheets if needed):		
NAME:	ADDRESS (street, city, state, zip)	AUXILIARY MEMBER NO.
NAME:	ADDRESS (street, city, state, zip)	AUXILIARY MEMBER NO.
NAME:	ADDRESS (street, city, state, zip)	AUXILIARY MEMBER NO.

**PART VIII - INSURANCE:**

NAME AND ADDRESS OF INSURANCE COMPANY (STREET, CITY, STATE, ZIP):			
POLICY NUMBER:	TYPE OF COVERAGE:	POLICY LIMITS:	DEDUCTIBLE:
HAVE YOU FILED A CLAIM WITH YOUR INSURER?		YES _____	NO _____
AMOUNT CLAIMED: \$	AMOUNT PAID: \$	PRESENT STATUS OF CLAIM:	

**PART IX - INSPECTION OF DAMAGE BY COAST GUARD**

WAS LOSS/DAMAGE REPORTED TO ORDER ISSUING AUTHORITY?	YES _____	NO _____
TIME AND DATE OF REPORT :		
WAS A PHYSICAL INSPECTION MADE?	YES _____	NO _____
INSPECTED BY (Name, Title, Unit, Telephone)		
DATE OF INSPECTION:		

**PART IX - INSPECTION OF DAMAGE BY COAST GUARD (continued)**

DESCRIPTION OF DAMAGE:
SIGNED:

**PART X - SUBSTANTIATION OF CLAIM:**

<b>AMOUNT CLAIMED:</b> (Normally amount of lower estimate; if not, give reasons on separate page)	
\$ _____	
ESTIMATE NO. 1: \$ _____	ESTIMATE NO. 2 \$ _____
1. ATTACHED ITEMIZED AND SIGNED ESTIMATES OF REPAIR OR REPLACEMENT COST. <b>NOTE:</b> IF THE AMOUNT CLAIMED IS OVER \$200, TWO ESTIMATES SHOULD BE PROVIDED. IF TWO ESTIMATES COULD NOT BE OBTAINED, GIVE THE REASON(S) WHY IN THE SPACE BELOW.	
2. IF CLAIM IS FOR TOTAL LOSS OF FACILITY/EQUIPMENT OR ESTIMATED REPAIR COST EXCEEDS THE FAR MARKET VALUE BEFORE DAMAGE LESS SALVAGE VALUE, ATTACH COPY OF ORIGINAL SALES DOCUMENTS AND ESTIMATE OF SALVAGE VALUE	
REASON WHY TWO ESTIMATES WERE NOT OBTAINED:	

<b>IF I RECEIVE PAYMENT FROM AN INSURANCE CARRIER FOR ANY DAMAGE CLAIMED HEREIN AFTER THIS CLAIM IS SUBMITTED, I AGREE TO PROMPTLY NOTIFY MLC ATLANTIC (LC).</b>	_____ (Initials)
--	------------------

<b>I FURTHER AGREE THAT ANY AMOUNT I RECEIVE FROM AN INSURANCE CARRIER MAY BE DEDUCTED FROM MY CLAIM AND, IF I HAVE RECEIVED PAYMENT FROM THE UNITED STATES, I AGREE TO IMMEDIATELY PAY TO THE UNITED STATES ANY AMOUNTS THAT EXCEED THE AMOUNT DEDUCTED FROM THE CLAIM BY THE UNITED STATES FOR INSURANCE PROCEEDS.</b>	_____ (Initials)
--	------------------

SIGNATURE OF AUXILIARIST:	DATE:
SIGNATURE OF FACILITY OWNER: (IF OTHER THAN AUXILIARIST)	DATE:

<b>TITLE 18 UNITED STATE CODE SECTION 287 PROVIDES FOR A MAXIMUM FINE OF \$10,000 OR IMPRISONMENT OF FIVE YEARS OR BOTH TO PERSONS MAKING FRAUDULENT CLAIM OR FALSE STATEMENTS</b>
--

**NOTE: Remember to attach a copy of your Operational Orders, estimate(s) or copies of original sales documents, and other supporting documents.**

**PART XI - PRIVACY ACT STATEMENT**

**IN ACCORDANCE WITH 5 USC 552a(e)(3), THE FOLLOWING INFORMATION IS PROVIDED TO YOU WHEN SUPPLYING PERSONAL INFORMATION TO THE U.S. COAST GUARD IN CONNECTION WITH THIS CLAIM:**

1. Authority which authorized the solicitation of the information: 14 USC § 830
2. Principal purpose(s) for which information is intended to be used: To process a claim against the government for loss or damage to Auxiliary facility or equipment.:
3. The routine uses which may be made of the information: Information is used in the adjudication and payment of claims.
4. Whether or not disclosure of such information is mandatory or voluntary (required by law or optional) and effects on the individual, if any, of not providing all or any part of the requested information: Disclosure of the information is voluntary, but failure to provide any or all of the information may result in nonpayment of the claim.

5890  
(date)

From: [Order Issuing Authority - Operational Commander]  
To: [Auxiliarist's full name and member number], USCGAUX

Subj: ACKNOWLEDGMENT OF AUXILIARY DAMAGE CLAIM

1. Initial notification of damage to your facility on (date) while executing patrol order number \_\_\_\_\_, issued by this command, is acknowledged. The Coast Guard desires that all auxiliary operational facilities be returned to service as soon as possible; however, before the repair process can begin, the Coast Guard should be provided the opportunity to visually inspect the damage and you should provide certain factual information concerning the accident.
2. I have assigned \_\_\_\_\_ as Investigating Officer for your claim. He [or she] will contact you in the very near future to arrange an inspection of the damage to your facility. Additionally, if you have any questions or require assistance, please contact him/her at ( ) \_\_-\_\_.
3. Complete the Claim for Loss or Damage to an Auxiliary Facility Form (enclosure (1)) in detail. Sign and date where indicated on the last page of the form. **ATTACH ALL DOCUMENTATION REQUIRED BY THE FORM.** When you have completed the form, return it and your original patrol orders to this command in the enclosed pre-addressed 11x13 inch envelope.
4. Please **DO NOT** begin repairs to your facility until authorized to do so. Failure to heed this advice could jeopardize your entitlement to Coast Guard reimbursement for damages.
5. Once repairs are authorized, they should be completed as expeditiously as possible. When repairs are completed, prepare the Report of Completion of Repairs (enclosure (2)) and return it to this command in the attached pre-addressed business-size envelope with the original repair invoice or receipt marked "PAID". Your damage claim file cannot be closed until this action has been completed.

\_\_\_\_\_  
NAME  
RANK, U. S. Coast Guard  
TITLE

Encl: (1) Auxiliary Damage Claim Form  
(2) Report of Completion of Repairs (form letter)  
(3) Pre-addressed envelope (large)  
(4) Pre-addressed envelope (small)

Copy: CGD \_\_\_\_ ( ) DIRAUX

5890  
(date)

From: \_\_\_\_\_, USCGAUX  
[Auxiliarist's full name and member number]

To:  
[Order issuing Authority - Operational Commander]

Subj: REPORT OF COMPLETION OF REPAIRS

1. All damage, described in my damage claim dated \_\_\_\_\_, has been satisfactorily repaired. Attached is the repair invoice (receipt), marked "PAID," received from the repair facility.

\_\_\_\_\_  
(Signature of Auxiliarist)

Encl: (1) "PAID" Repair Invoice (receipt) in the amount of \$\_\_\_\_.\_\_\_\_

5890  
(date)

From: [Order Issuing Authority]  
To: Commander, \_\_\_\_\_ Coast Guard District (\_\_\_\_)  
[Via: Director of Auxiliary, \_\_\_\_\_ Region]

Subj: REPORT OF CLAIM FOR LOSS OR DAMAGE TO U.S. COAST GUARD  
AUXILIARY FACILITY \_\_[Facility Name]\_\_ ON \_\_[Date]  
OWNED BY \_\_[Auxiliarist's Name]

1. The following information is provided in connection with subject damage claim:

YES \_ NO \_ a. A physical inspection of the damage was conducted by the Coast Guard and a copy of the written report is attached (enclosure (1)).

YES \_ NO \_ b. A claim for Loss or Damage to an Auxiliary Facility Form, with supporting documentation, has been completed and is attached (enclosure (1)).

YES \_ NO \_ c. At the time the loss or damage was sustained, the facility was being operated within the scope of Coast Guard Patrol Authorization number (TONO) (enclosure (1)).

2. The following items concerning the necessity of a claims investigation apply as indicated:

YES \_ NO \_ a. The damage is typical for that type of operation.

YES \_ NO \_ b. The total amount of the damage claim is NOT more than \$750.00.

YES \_ NO \_ c. Coast Guard responsibility is clear.

YES \_ NO \_ d. There is no indication of third party involvement.

YES \_ NO \_ e. There is no indication of gross negligence on the part of the auxiliary owner/operator.

YES \_ NO \_ f. Necessary routine maintenance has been properly performed in a timely manner.

YES \_ NO \_ g. An investigation of this claim is required. (NOTE: A claim investigation is required if the answer to any of the above is "NO".)

5890  
(date)

Subj: REPORT OF CLAIM FOR LOSS OR DAMAGE TO U.S. COAST GUARD  
AUXILIARY FACILITY \_\_[Facility Name]\_\_ ON \_\_[Date]\_\_\_\_\_ OWNED  
BY \_\_[Auxiliarist's Name]

3. The following information, concerning my action on this claim, applies as indicated:

YES \_ NO \_ a. I have approved payment of reimbursable patrol expenses by appropriate endorsement on the original Auxiliary Patrol Authorization, and forwarded same for payment.

YES \_ NO \_ b. I have informed the Auxiliarist that he is authorized to commence repairs and that while repairs may be undertaken, final approval of the claim and the amount of reimbursement will be settled by the MLCLANT (lc) settlement officer.

4. I concur with the investigating officer and recommend that the portion of the claim extending to loss or damage be denied/approved in the amount of \$ \_\_\_\_.\_.

**[NOTE:** This paragraph is only a guide and should be modified as necessary to conform with your view of the Preliminary Inquiry Report/Report of Investigation. If your views are different from those of the PIO/IO, so state. This paragraph is mandatory, a recommendation must be made.]

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NAME  
RANK, U. S. Coast Guard  
TITLE

Encl: (1) (Letter Incident Report or ROI)

5890  
(date)

FIRST ENDORSEMENT ON \_\_\_\_\_ ltr 5890 of \_\_\_\_\_

From: Commander, \_\_\_\_\_ Coast Guard District (\_\_\_\_\_)  
To: Commander, Maintenance & Logistics Command Atlantic (lc)

Subj: REPORT OF CLAIM FOR LOSS OR DAMAGE TO U.S. COAST GUARD  
AUXILIARY FACILITY \_\_\_\_ [Facility Name] \_\_\_\_ ON \_\_\_\_ [Date] \_\_\_\_\_ OWNED  
BY \_\_\_\_\_ [Auxiliarist's Name] \_\_\_\_\_

1. A copy of the orders, endorsements thereto, and claims file concerning the above referenced claim are forwarded for your action.
2. A Facility Inspection and Offer of Use Report, Form CG-2736, has been executed and is on file in the District's Office. A copy is attached as enclosure (2).
3. The facility has been currently inspected on the date involved.
4. The operator of the facility at the time of this incident was qualified, in accordance with applicable directives, to receive official Auxiliary Patrol Orders from competent Coast Guard authority.
5. I concur with the recommendation of \_\_\_\_\_ for payment of the claim in the amount of \$ \_\_\_\_.

\_\_\_\_\_  
By direction

Encl: (1) Letter Incident Report  
(2) Facility Inspection and Offer of Use Report, Form CG-2736

## **AUXILIARY CLAIM PROCESS**

### **AUXILIARY CLAIMANT**

1. On patrol under orders and facility is damaged.
2. Notifies operational commander of damage (**within 24 hours** of occurrence).
3. **DOES NOT** file orders for reimbursement or commence repairs.

### **OPERATIONAL COMMANDER**

1. Acknowledges report of damage and tells Auxiliarist the name of the investigating officer.
2. Forwards auxiliary claim package to claimant.
3. Upon notification, assess, photograph, and document the damage to the facility. If this cannot be done immediately, arranges for inspection at earliest possible date.

### **AUXILIARY CLAIMANT**

1. Fills out claim form, signing last page.
2. Attaches patrol orders, required estimates, and all supporting documentation.
3. Returns the completed Auxiliary claim package to the operational commander.

### **OPERATIONAL COMMANDER**

1. Receives and date stamps Auxiliary claim package.
2. Reviews Auxiliary claim package and determines how claim will be processed. If the operational commander determines a LIR is required, appoints an IO to complete one at this time.
3. Authorizes payment of reimbursable patrol expenses and forwards orders for payment.
4. Upon completion of ROI or LIR (if required), determines if claim is in accordance with all applicable directives.
5. Authorizes repairs or executes RIK, if claim is \$200.00 or less.
6. Forwards the completed auxiliary claim package to DIRAUX.
7. If the claim is to be denied in whole or in part, send days advance Notice to the Auxiliarist to provide the opportunity for additional explanation.

**AUXILIARY CLAIM PROCESS (CONTINUED)**

**AUXILIARY CLAIMANT**

1. Repairs facility.
2. Submits Report of Completion of Repairs to operational commander.

**DIRECTOR OF AUXILIARY**

1. Endorses Auxiliary claims package and forwards to MLCLANT (lc) for settlement action.