



Chapter 5 Regulations and Policies

Introduction This chapter provides regulations and policies related to certain Auxiliary functions.

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Section A. Public Law Excerpts

Introduction The Auxiliary is a non-military organization established by Congress and administered by the Coast Guard. Auxiliarists must be aware of the organizational responsibilities and limitations intended by Congress. From these basic laws come the Commandant’s authority to promulgate pertinent instructions and regulations to properly administer the Auxiliary within the Coast Guard framework.

A.1. Authority The following partial excerpts are from 14 U.S.C. – Coast Guard, and provide the basis for the Auxiliary.

**A.2. Sec. 639 -
Penalty For
Unauthorized
Use of Words
“Coast Guard”**

No individual, association, partnership or corporation shall, without authority of the Commandant, use the combination of the letters “USCG” or “USCGR,” the words “Coast Guard,” “United States Coast Guard,” “Coast Guard Reserve,” “United States Coast Guard Reserve,” “Coast Guard Auxiliary,” “United States Coast Guard Auxiliary,” “Lighthouse Service,” “Life Saving Service,” or any combination or variation of such letters or words alone or with other letters or words, as the name under which he or it shall do business for the purpose of trade, or by way of advertisement to induce the effect of leading the public to believe that any such individual, association, partnership or corporation has any connection with the Coast Guard. No individual, association, partnership or corporation shall falsely advertise, or otherwise represent falsely by any device whatsoever, that any project or business in which he or it is engaged, or product which he or it manufactures, deals in, or sells, has been in any way endorsed, authorized, or approved by the Coast Guard. Every person violating this section shall be fined not more than \$1,000, or imprisoned not more than one (1) year, or both.

Note: Any items of clothing or any other paraphernalia which may be perceived by members of the general public to establish an official relationship with the Coast Guard or the Coast Guard Auxiliary in a commercial context are prohibited. Any member who acts contrary to this provision may be subject to disciplinary action if the actual intent of the wearing or display is to advance falsely an endorsement. Actual intent may be established upon a showing of prior conduct contrary to this provision.



**A.3. Sec. 821 -
Administration
of the Coast
Guard
Auxiliary**

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- (a) *The Coast Guard Auxiliary is a non-military organization administered by the Commandant under the direction of the Secretary. For command, control, and administrative purposes, the Auxiliary shall include such organizational elements and units as are approved by the Commandant, including but not limited to, a national board and staff (to be known as the 'Auxiliary headquarters unit'), districts, regions, divisions, flotillas, and other organizational elements and units. The Auxiliary organization and its officers shall have such rights, privileges, powers, and duties as may be granted to them by the Commandant, consistent with this title and other applicable provisions of law. The Commandant may delegate to officers of the Auxiliary the authority vested in the Commandant by this section, in the manner and to the extent the Commandant considers necessary or appropriate for the functioning, organization, and internal administration of the Auxiliary.*
- (b) *Each organizational element or unit of the Coast Guard Auxiliary organization (but excluding any corporation formed by an organizational element or unit of the Auxiliary under subsection (c) of this section), shall, except when acting outside the scope of section 822, at all times be deemed to be an instrumentality of the United States, for purposes of the following:*
- (1) *Chapter 26 of title 28 (popularly known as the Federal Tort Claims Act).*
 - (2) *Section 2733 of title 10 (popularly known as the Military Claims Act).*
 - (3) *Section 30101 of title 46 (popularly known as the Admiralty Extension Act).*
 - (4) *Chapter 309 of title 46 (known as the Suits in Admiralty Act).*
 - (5) *Chapter 311 of title 46 (known as the Public Vessels Act).*
 - (6) *Other matters related to non-contractual civil liability.*
- (c) *The National Board of the Auxiliary, and any Coast Guard Auxiliary district or region, may form a corporation under State law in accordance with policies established by the Commandant.*
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(d)

- (1) *Except as provided in paragraph (2), personal property of the Auxiliary shall not be considered property of the United States.*
- (2) *The Secretary may treat personal property of the Auxiliary as property of the United States –*
 - (A) *for the purposes of*
 - (i) *The statutes and matters referred to in paragraphs (1) through (6) of subsection (b); and*
 - (ii) *Section 641 of this title; and*
 - (B) *as otherwise provided in this chapter.*
- (3) *The Secretary may reimburse the Auxiliary, and each organizational element and unit of the Auxiliary, for necessary expenses of operation, maintenance, and repair or replacement of personal property of the Auxiliary.*
- (4) *In this subsection, the term “personal property of the Auxiliary” means motor boats, yachts, aircraft, radio stations, motorized vehicles, trailers, or other equipment that is under the administrative jurisdiction of the Coast Guard Auxiliary or an organizational element or unit of the Auxiliary and that is used solely for the purpose described in this subsection.*

A.4. Sec. 822 - Purpose of the Coast Guard Auxiliary

The purpose of the Auxiliary is to assist the Coast Guard as authorized by the Commandant, in performing any Coast Guard function, power, duty, role, mission, or operation authorized by law.

A.5. Sec. 823 - Eligibility, Enrollments

The Auxiliary shall be composed of citizens of the United States and its territories and possessions, who are owners, sole or part, of motorboats, yachts, aircraft, or radio stations, or who by reason of their special training or experience are deemed by the Commandant to be qualified for duty in the Auxiliary, and who may be enrolled therein pursuant to applicable regulations.



**A.6. Sec. 823a -
Members of the
Auxiliary;
Status**

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- (a) *Except as otherwise provided in this chapter, a member of the Coast Guard Auxiliary shall not be considered to be a Federal employee and shall not be subject to the provisions of law relating to Federal employment, including those relating to hours of work, rates of compensation, leave, unemployment compensation, Federal employee benefits, ethics, conflicts of interest, and other similar criminal or civil statutes and regulations governing the conduct of Federal employees. However, nothing in this subsection shall constrain the Commandant from prescribing standards for the conduct and behavior of members of the Auxiliary.*
- (b) *A member of the Auxiliary while assigned to duty shall be deemed to be a Federal employee only for the purposes of the following:*
- (1) *Chapter 26 of title 28 (popularly known as the Federal Tort Claims Act).*
 - (2) *Section 2733 of title 10 (popularly known as the Military Claims Act).*
 - (3) *The Act of March 3, 1925 (46 App. U.S.C. § 781-790; popularly known as the Public Vessels Act).*
 - (4) *The Act of March 9, 1920 (46 App. U.S.C. § 741-752; popularly known as the Suits in Admiralty Act).*
 - (5) *The Act of June 19, 1948 (46 App. U.S.C. § 740; popularly known as the Admiralty Extension Act).*
 - (6) *Other matters related to non-contractual civil liability.*
 - (7) *Compensation for work injuries under Chapter 81 of title 5.*
 - (8) *The resolution of claims relating to damage to or loss of personal property of the member incident to service under the Military Personnel and Civilian Employees' Claims Act of 1964 (31 U.S.C. § 3721).*
 - (9) *On or after January 1, 2001, Section 651 of Public Law 104-208.*
- (c) *A member of the Auxiliary, while assigned to duty, shall be deemed to be a person acting under an officer of the United States or an agency thereof for purposes of section 1442(a)(1) of title 28.*
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**A.7. Sec. 824 -
Disenrollment**

Members of the Auxiliary may be disenrolled pursuant to applicable regulations.



**A.8. Sec. 825 -
Membership in
Other
Organizations**

Members of the Auxiliary may be appointed or enlisted in the Reserve, pursuant to applicable regulations, and membership in the Auxiliary shall not be a bar to membership in any other naval or military organization.

**A.9. Sec. 826 -
Use of
Member's
Facilities**

The Coast Guard may utilize for any purpose incident to carrying out its functions and duties as authorized by the Secretary any motorboat, yacht, aircraft, or radio station placed at its disposition for any of such purposes by any member of the Auxiliary, by any corporation, partnership, or association, or by any State or political subdivision thereof.

**A.10. Sec. 827 -
Vessel Deemed
Public Vessel**

While assigned to authorized Coast Guard duty, any motorboat or yacht shall be deemed to be a public vessel of the United States and a vessel of the Coast Guard within the meaning of sections 646 and 647 of this title and other applicable provisions of law.

**A.11. Sec. 828 -
Aircraft
Deemed Public
Aircraft**

While assigned to authorized Coast Guard duty, any aircraft shall be deemed to be a Coast Guard aircraft, a public vessel of the United States, and a vessel of the Coast Guard within the meaning of sections 646 and 647 of this title and other applicable provisions of law. Subject to the provisions of sections 823a and 831 of this title, while assigned to duty, qualified Auxiliary pilots shall be deemed to be Coast Guard pilots.

**A.12. Sec. 829 -
Radio Station
Deemed
Government
Station**

Any radio station, while assigned to authorized Coast Guard duty, shall be deemed to be a radio station of the Coast Guard and a "government station."



**A.13. Sec. 830 -
Availability of
Appropriations**

- (a) *Appropriations of the Coast Guard shall be available for the payment of actual necessary traveling expense and subsistence, or commutation of ration allowance in lieu of subsistence, of members of the Auxiliary assigned to authorized duties and for actual necessary expenses of operation of any motorboat, yacht, aircraft, or radio station when assigned to Coast Guard duty, but shall not be available for the payment of compensation for personal services, incident to such operation, other than to personnel of the Coast Guard or the Reserve. The term “actual necessary expenses of operation” as used in this section, shall include payment for fuel, oil, power, water, supplies, provisions, replacement or repair of equipment, repair of any damaged motorboat, yacht, aircraft, or radio station and for the constructive or actual loss of any motorboat, yacht, aircraft, or radio station where it is determined, under applicable regulations, that responsibility for the loss or damage necessitating such replacement or repair of equipment, or for the damage or loss, constructive or actual, of such motorboat, yacht, aircraft, or radio station rests with the Coast Guard.*

**A.14. Sec. 831 -
Assignment and
Performance of
Duties**

No member of the Auxiliary solely by reason of such membership, shall be vested with, or exercise, any right, privilege, power, or duty vested in or imposed upon the personnel of the Coast Guard or the Reserve, except that any such member may, under applicable regulations, be assigned duties, which, after appropriate training and examination, [the Auxiliarist] has been found competent to perform, to effectuate the purposes of the Auxiliary. No member of the Auxiliary shall be placed in charge of a motorboat, yacht, aircraft, or radio station assigned to Coast Guard duty unless [the member] has been designated by authority of the Commandant to perform such duty. When any member of the Auxiliary is assigned to such duty [that member] may, pursuant to regulations issued by the Secretary, be paid actual necessary traveling expense, including per diem allowance in conformity with standardized Government Travel Regulations in lieu of subsistence, while traveling and while on duty away from home. No per diem shall be paid for any period during which quarters and subsistence in kind are furnished by the Government, and no per diem shall be paid for any period while such member is performing duty on a vessel.



**A.15. Sec. 832 -
Injury or Death
in Line of Duty**

When any member of the Auxiliary is physically injured or dies as a result of physical injury incurred while performing any duty to which the member is assigned by competent Coast Guard authority, such member or beneficiary shall be entitled to the same benefits provided for temporary members of the Reserve who suffer physical injury or death resulting from physical injury incurred incident to service. Members of the Auxiliary who incur physical injury or contract sickness or disease while performing any duty to which they have been assigned by competent Coast Guard authority shall be entitled to the same hospital treatment afforded members of the Coast Guard. The performance of a duty as the term is used in this section includes time engaged in traveling back and forth between the place of assigned duty and the permanent residence of a member of the Auxiliary.

**A.16. Sec. 892 -
Penalty**

Whoever, without proper authority, flies from any building, aircraft, motorboat, yacht, or other vessel, any flag or pennant or displays any identifying insignia or wears any uniform or insignia of the Auxiliary shall be fined not more than \$500.





Section B. Communications With Other Government Agencies and Industry

Introduction	This section describes the policies under which Auxiliarists may communicate with other Government agencies and may conduct industry relations.
B.1. Communication With Other Government Agencies	Auxiliarists shall not communicate with officials of other Government agencies or members of Congress in the name of the Auxiliary unless the Chief Director determines the recommendations or requests are consistent with the Coast Guard and Auxiliary policy and grants the Auxiliarist specific permission in advance of the communication.
B.1.a. State Liaison Officers	Auxiliarists appointed as Auxiliary SLOs or as staff officers in the Auxiliary Department of Boating are authorized to communicate with their designated State boating law organization and the State BLA. (see Chapter 2 of this Manual)
B.1.b. Legislative Liaison Officers	Auxiliarists appointed as Legislative Liaison officers and those serving on the National LLC are authorized to communicate with members of the State Legislature and their staff for the purpose of obtaining information of proposed, pending, and passed legislation concerning RBS matters.
B.1.c. National Safe Boating Week Proclamations	Proclamations by State and/or local government officials that recognize National Safe Boating Week help constructively promote the spirit and purpose of this event in support of recreational boating safety. Auxiliarists appointed as Legislative Liaison officers and as National Safe Boating Week coordinators are authorized to communicate with members of State and local governmental leaders and their staff for the purpose of requesting such proclamations and coordinating associated ceremonial participation.



B.2. Private Citizens

The right of Auxiliarists to communicate directly with elected and appointed Government officials and agencies as private citizens is not restricted. Neither official stationery nor Auxiliary titles shall be used in such communications. Although nothing precludes communicating with government officials in one's capacity as a private citizen, the following are factors that should be considered before taking such action:

- a. The Chief, Office of Auxiliary and Boating Safety (CG-542) serves as the programmatic focal point for responses to correspondence that was sent to various government officials including the President, members of Congress, Cabinet Secretaries, Governors, and the Commandant. In most cases, the information that an individual seeks can be readily gained from the Auxiliary web site (www.cgaux.org), the Chief Director's web site (www.uscg.mil/hq/cg3/cg3pcx/), or from the Auxiliary chain of leadership without seeking the aid of senior governmental officials. Additionally, by the time such correspondence is routed through official channels and is received in Commandant (CG-542), it has been in the system for some time, and quick response deadlines hinder many other staff efforts for considerable amounts of time in order to generate replies.
 - b. A letter routed "up" the Auxiliary chain of leadership allows for more flexibility and research time than one that is routed "down" from a government official for immediate action. If a letter routed up the chain to Commandant (CG-542) requires research that will take more than a few days, Commandant (CG-542) will notify the originator of receipt and inform them how soon they should expect a complete reply.
 - c. A common factor shared by many letters written to government officials answered by Commandant (CG-542) is that they contain incomplete or inaccurate information. As a result, an issue may be distorted enough that if a government official took the contents at face value, they might not get a proper picture of the concern or might think the Coast Guard unworthy of their support. Even well-intentioned letters to government officials can have such inadvertent yet adverse effects.
 - d. Communicating directly with elected and appointed Government officials as private citizens is not discouraged. Auxiliarists should, however, consider and fully utilize the Auxiliary chain of leadership to get answers to questions and address concerns for any Auxiliary-related matter. When given all due opportunity, the Auxiliary chain of leadership will take appropriate action to meet the needs of its members and support the best interests of the organization. This includes communicating directly with the NACO and/or Chief Director if all other Auxiliary chain of leadership avenues have been exhausted.
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B.3. Industry Relations

No undertaking may be made in the name of the Auxiliary for any manufacturer, product, or service by which an endorsement by the Coast Guard or the Auxiliary is stated, implied, or inferred. Organizations, however, may offer to help the safe boating mission by producing pamphlets, films, etc. Organizations providing such help may take a credit line. For example, "Printed Courtesy of XYZ Company." It must be clear that no Auxiliary or Coast Guard endorsement is given.

B.4. Cooperative Programs

To facilitate and support the Coast Guard's RBS mission, cooperative programs with commercial enterprises that involve the distribution of coupons for the purchase of boating safety equipment and/or services or promotions distributed in recognition of the actual observance of safe boating practices are authorized. Commercial enterprises will not be denied an opportunity to participate in a similar program, except that the District Commanders or the Chief Director may deny cooperative programs not consistent with Coast Guard and Coast Guard Auxiliary missions. Such cooperative programs shall be first formalized by a Memorandum of Agreement (MOA) between the commercial enterprise, the Auxiliary, and the Coast Guard. NACO shall sign the MOA for the Auxiliary and the Chief Director shall sign for the Coast Guard.

The Coast Guard and/or Auxiliary may distribute coupons, pamphlets, videos, and other materials provided by corporations to Auxiliary units using official business mail once the cooperative program has been formalized by MOA.





Section C. Public Appearances for Political Affairs

Introduction	Political and legislative activity affecting the Coast Guard may be of interest to Auxiliarists.
C.1. Public Appearances	Auxiliarists may appear and testify as private citizens at legislative hearings or political meetings without Coast Guard approval. If Auxiliarists appear and/or testify as a private citizen on a matter related to the Coast Guard or the Auxiliary, they must provide the Chief Director and the local Director with advance notification. If Auxiliarists appear and/or testify in a private capacity, they may not wear the uniform, use an Auxiliary title, or otherwise indicate that they represent the Coast Guard or the Auxiliary.
C.2. Authority for Official Appearances	As Chief of the Executive Branch of Government, the President, through the Office of Management and Budget (OMB), has prescribed regulations controlling official communications to the Congress. Appearances of DHS witnesses (which includes Coast Guard Auxiliarists) fall within these rules.
C.2.a. Federal Legislative Hearings	<p>For official appearances at Federal legislative hearings, or at other politically sensitive functions, the Chief Director will review requests for Auxiliarists' attendance and uniform wear.</p> <p>Clearance is required by OMB of witness statements, as well as all responses to questions arising at the hearing, and for which the witness is responsible for later submission of written answers. Before transmission to OMB of these draft statements and follow-up responses, clearance by Headquarters and DHS must be obtained.</p> <p>The Chief, Office of Congressional Affairs (CG-0921) closely monitors all process phases and helps in orchestrating Coast Guard participation. All requests received by Auxiliarists for testifying as witnesses should be relayed directly to the Chief Director by the most expeditious means.</p>
C.2.b. State and Legislative Hearings Dealing with RBS	Auxiliarists may appear and testify in an official capacity (i.e., assigned to duty, in uniform and using their Auxiliary title) at State or local legislative hearings on matters relating directly and strictly to RBS when determined to be in the best interest of the Department of Homeland Security and the Coast Guard. Legislative testimony will normally be limited to appearances before legislative bodies with jurisdiction over boating safety matters when official testimony will help educate the legislators on factual matters. Policy and Procedures for Approving the Participation and Testimony of Coast Guard Employees Before Non-Federal Executive or Legislative Proceedings, COMDTINST 5730.4, provides additional information and guidance.



C.2.b.(1)
Processing and
Approval of
Requests for
Official
Testimony

Immediately upon receipt of such a request, an Auxiliarist shall notify the appropriate District Commodore (DCO) via the Auxiliary State Legislative Liaison Officer (SLLO). The DCO shall expeditiously review, endorse, and forward the request to the Director. A positive endorsement shall include the recommendation of a knowledgeable Auxiliarist to testify. The Auxiliarist identified to testify should be a resident of the state in which the testimony will occur.

The Director shall expeditiously consult with the District RBS Specialist and the District Legal Officer to determine whether the hearing relates directly and strictly to RBS and if Auxiliary participation will be in the best interest of the Department of Homeland Security and the Coast Guard. To assist all parties in making such determinations, due consideration shall be given to paragraph A.3 of Chapter 2 and the Auxiliary cornerstone mission of improving the knowledge, safety skills, and operating environment of recreational boaters. Consideration shall also be given to the potential impacts of such an appearance on other regional matters involving the Coast Guard or department that may be subject of recently completed, ongoing, or anticipated review by the individual or committee that is conducting the hearing.

If time is of the essence due to short advance notice of invitation to testify, then the Director shall contact the District Duty Legal Officer for a timely determination. The Director shall also inform the District Governmental Affairs Officer. The District RBS Specialist shall inform the Boating Safety Division (CG-5422), and shall assist the SLLO and Auxiliary National Legislative Liaison Committee (NLLC) to prepare the Auxiliarist to testify.

In all circumstances, the Director shall obtain prior approval by the District Commander, or their designated representative, after obtaining the concurrence of the District Legal Officer, or duty attorney after normal working hours.

C.2.b.(2)
Content of
Official
Testimony

If determined to be in the best interest of the Department of Homeland Security and the Coast Guard, then any such testimony shall be strictly limited to the RBS subjects described in the initial request. Appearances to testify at State or local legislative hearings shall not be viewed as partisan opportunities to promote or seek defeat of legislation but rather as opportunities to educate others and identify and articulate the potential impacts of legislative proposals. The offering of opinions, conjecture, or speculation, whether requested or not, shall be strictly avoided. Moreover, Auxiliarists who testify under these circumstances shall specifically refrain from addressing questions or requests for commentary on the following subjects:



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- (a) Federal legislative change proposals.
 - (b) Federal homeland security missions and activities.
 - (c) Budgetary or resource proposals.
 - (d) Non-RBS missions, activities, or legislative initiatives.

Requests for testimony on these subjects shall be replied to by indicating that queries and comments about them are most appropriately addressed by pertinent Federal offices and authorities.

C.2.b.(3)
Reports

Following the hearing, the testifying Auxiliarist shall provide the DCO, Auxiliary State Legislative Liaison Officer (SLLO), and the Director a copy of their complete testimony and all questions and associated responses made during their appearance. The Director shall forward a copy to Commandant (CG-54222).

C.2.c.
Additional
Limitations

This section is not applicable to litigation or State and local legislative hearings on topics other than recreational boating safety matters. If an Auxiliarist receives a request for an official appearance and testimony at any venue for litigation, or at a State or local legislative hearing that pertains to a matter other than RBS, then the Auxiliarist shall immediately notify the Director who shall notify the District Legal Officer, District Governmental Affairs Officer, and Commandant (CG-5421) for further guidance. Review and approval of any proposed testimony by appropriate Headquarters program managers, and possibly by the Department of Homeland Security, should be anticipated.





Section D. Marketing and Public Affairs

Introduction	There is a need to develop public understanding and appreciation of the Auxiliary's role and a need to help the Coast Guard in maintaining and carrying out its public information program.
D.1. Goal	Auxiliarists participating in the Auxiliary Marketing and Public Affairs Program shall direct their efforts toward publicizing the Auxiliary's aims, purposes, and activities.
D.2. Publicity	Staff officers for public affairs and publications at the district, division, and flotilla levels perform many activities that stimulate interest for and within the Auxiliary. They also present the aims of the Coast Guard and the Auxiliary to the general public.
D.2.a. Pending Activity	Since the Auxiliary is a working part of the Coast Guard, the Director should clear, before release, publicity releases concerning pending activities. The Director may delegate this responsibility to the DSO-PA/ADSO-PA, SO-PA, or FSO-PA. Routine Auxiliary items such as write-ups of meetings, cruises, elections, PE courses, and other local activities do not require prior clearance. Clippings of the published items shall be forwarded to the Director.
D.2.b. Newsworthy Activities	Timely release of noteworthy and newsworthy activities is essential. To prevent untimely delay in the submission of the information in this case, an abbreviated approval procedure is authorized. This method includes approval by telephone or electronic mail. This exception is only for releases discussing Auxiliarists' actions, including those performed in direct support of a Coast Guard operation. This action does not authorize the Auxiliary to release articles discussing actual Coast Guard operations, casualty information, or speculation of fault/cause of an incident. If in doubt, err on the side of caution. Concerted and coordinated efforts with the Coast Guard Public Affairs Program are encouraged. Clippings of the published items shall be sent to the Director.



D.2.c. Articles Mentioning Auxiliary Leader	<p>When writing articles mentioning Auxiliary leaders, use of an office title before names is proper only for current or past District Commodores (DCOs) and above. Use of a title like Commodore Lucy Jones is proper for a current or past national leader (e.g., National Commodore, National Chief of Staff, Past National Directorate Commodore) or DCO. For DCOSs or DCAPTs and division or flotilla leader, the name is followed by the office title. For example, Mr. Sam Rosenberg, District Captain or Mr. Xing Hueng, Flotilla Commander. These guidelines are also the proper form of address when speaking to or about, writing to or about, or introducing Auxiliary elected and appointed leaders.</p>
D.2.d. Videotapes of Electronic Media	<p>The production of videotapes or other electronic releases to the media are governed by the same review provisions as written material to include web site and Internet operations.</p>
D.2.e. Additional Information Resources	<p>The Coast Guard Auxiliary Public Affairs Officer's Guide, COMDTINST M5728.3 (series), and the Coast Guard Public Affairs web site (see Appendix I) contain additional useful information regarding marketing and public affairs.</p>
D.3. Entertainment Media Ventures	<p>The Coast Guard and the Auxiliary must be depicted in an acceptable, accurate, and dignified manner in the final product and promotional segments of any type of entertainment media venture, including theatrical, motion picture, and television. Accordingly, Auxiliarists shall closely abide by provisions of the Coast Guard Public Affairs Manual, COMDTINST M5728.2 (series).</p> <p>Any Auxiliarist who is contacted by an entertainment media representative soliciting Auxiliary cooperation in an entertainment media venture (e.g., involvement with a scene in a television series, or participating as an Auxiliary contestant on a game show), shall immediately notify the Auxiliary public affairs program chain and also refer the representative to the Director. The Director shall review the detail of any such solicitation with the representative and notify the Chief Director, the District Public Affairs Officer, and the Coast Guard Motion Picture Liaison Office (MOPIC) of such contact (MOPIC is the principal advisor for the handling and conduct of such matters). Even in cases where a production company seeks Auxiliary operational support not involving service on camera (e.g., a safety zone request for scene filming), the Chief Director, District Public Affairs Officer, and MOPIC shall be notified.</p>



Auxiliarists are prohibited from using their membership in the Auxiliary in any way to be selected to participate in a game show, contest, or other entertainment media venture. Additionally, Auxiliarists are prohibited from receiving any compensation for duties rendered incident to officially supported productions (e.g., boat crews, air crews).

These provisions are not meant to alter or hinder Auxiliary activities that are characterized by frequent and routine interaction with local media. For example, an invitation by a local radio or television station for an Auxiliarist to discuss boating safety programs warrants only appropriate regional level notifications (i.e., the Auxiliary public affairs program chain, the Director, and the District Public Affairs Officer).





Section E. Privacy and Freedom of Information Acts, Personally Identifiable Information, Auxiliary Correspondence, and Network Security

Introduction Records maintained by the Coast Guard and by the Coast Guard Auxiliary may be subject to the provisions of the Freedom of Information Act and the Privacy Act of 1974.

The treatment and handling of Auxiliary Personally Identifiable Information (PII) and Auxiliary correspondence shall be in accordance with these provisions and pertinent Coast Guard directives. Personally Identifiable Information is defined as data that can be used to distinguish or trace a person's identity, or any other personal information that can be linked to a specific individual. Examples of PII include: name, date of birth, home mailing address, telephone number, social security number, mother's maiden name, home e-mail address, ZIP code, account numbers, certificate/license numbers, vehicle identifiers (including license plates), Uniform Resource Locators (URL), internet protocol addresses, biometric identifiers (e.g., fingerprints), photographic facial images, any unique identifying number or characteristic, and other information where it is reasonably foreseeable that the information will be linked with other personal identifiers of the individual.

Auxiliary correspondence encompasses all forms of written communication generated by or bound for Auxiliarists in connection with their authorized activities. It includes letters, memos, forms, manuals, publications, ID cards, associated electronic transmissions, and e-mail. All such correspondence serves as a critical resource for the development, training, and operation of the Auxiliary in support of the Coast Guard.

Coast Guard computer networks are part of the Department of Defense (DoD) Global Information Grid (GIG). The ever-evolving threat environment requires sustained high standards for the Coast Guard's cyber security posture. Accordingly, essential tasks and training as defined by the Assistant Commandant for Command, Control, Communications, Computers, and Information Technology (CG-6) must be performed by all Auxiliarists who are authorized access to Coast Guard information systems.



E.1. Privacy Act of 1974 and the Freedom of Information Act

The Privacy Act of 1974 was created in response to concerns about collection, use, and accuracy of sensitive/personal data pertaining to individuals, such as PII. With certain exceptions, it prohibits disclosure of personal information about an individual, like PII, from Coast Guard or Auxiliary records. Requests for this kind of information from other than the Coast Guard or Auxiliary shall immediately be referred to the Director without taking any action upon the request. Violation of this requirement may result in administrative action as well as civilian criminal action including a fine of up to \$5,000.

Initiatives by the Auxiliary to collect and store information as well as respond to requests for information shall be referred to the appropriate Director to ensure compliance with the Coast Guard Freedom of Information Act (FOIA) and Privacy Act Manual, COMDTINST M5260.3 (series). Directors should seek assistance in these matters, as needed, from their District legal staff.

E.2. Treatment and Handling of Auxiliary Correspondence and PII

Virtually all Auxiliary correspondence is unclassified in terms of its relationship to national security. If Auxiliary correspondence ever needs to be classified, it shall be treated and handled in accordance with pertinent Coast Guard directives including the Coast Guard Classified Information Management Program Manual, COMDTINST M5510.23 (series).

Auxiliary correspondence, as an official form of correspondence that often contains elements of PII, must be treated and handled with due attention that time, resources, and nature of the information allow. It, and any associated PII, must also be used solely for the purpose for which it was generated. Auxiliary correspondence and PII are expected to be protected from unauthorized or improper disclosure, alteration, loss, or destruction because of possible damage to personnel or property. Improper treatment and handling of Auxiliary correspondence and PII include but are not limited to posting of incorrect addresses, use of incorrect mailing labels, forwarding such to individuals who do not have a need to know the information, and inappropriately posting such to the internet (e.g., Fred's Place, Military.com, blogs). Auxiliarists should expect to be held accountable for deviation from these provisions within the allowances of Chapter 3 of this Manual.



E.2.a. General Principles

The following principles apply to all Auxiliarists and form the basis for their expected treatment and handling of Auxiliary correspondence and PII as they relate to the performance of their authorized Auxiliary activities and the image of the Coast Guard:

- (1) Auxiliarists shall ensure their Auxiliary correspondence supports Coast Guard and Coast Guard Auxiliary mission objectives.
 - (2) Proper treatment and handling of Auxiliary correspondence is the responsibility of the individual(s) who has access to the information at any and every point along its path of process and retention.
 - (3) Auxiliary correspondence other than electronic correspondence (e.g., letters, memos, forms) shall normally be transmitted by the United States Postal Service even though it may contain PII (e.g., Auxiliary enrollment forms shall be transmitted by conventional postal systems). Certified, registered, and express mail systems may be used only as circumstances may warrant for the transmission of Auxiliary correspondence other than electronic correspondence (e.g., if time is of the essence for the transmission of such correspondence). If an Auxiliarist or Auxiliary unit desires additional protection and accountability that may be afforded by using other than the United States Postal Service (e.g., commercial express carriers like FedEx, UPS), registered/certified mail), then the time and cost associated with the use of those systems shall be the responsibility of the Auxiliarist or the Auxiliary unit.
 - (4) Auxiliary correspondence transmitted through the conventional federal postal system shall be treated and handled in accordance with guidelines contained in the Coast Guard Postal Manual, COMDTINST M5110.1 (series). Notably, the following provisions are strongly encouraged:
 - (a) Ensure the envelope/packing material is adequate for the volume/weight of the item being mailed.
 - (b) Reinforce seams of envelopes with clear packing tape.
 - (c) Reinforce packages with additional packing material to avoid the contents from shifting within the container, and use additional packing tape.
 - (d) Ensure the to/from addresses are clear and can be properly read from a distance of 30 inches.
 - (e) When possible, place the to/from addresses directly on the mail piece. If using a mailing label, place an identical mailing label inside the item being mailed. Since the original label may become detached, this reduces the likelihood of lost mail and receipt by the appropriate addressees.
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- (f) Track any shipment using express mail services in a timely manner.
 - (g) When making a shipment containing PII using a commercial express carrier (e.g., FedEx, UPS), follow procedures outlined in the Coast Guard Express and Ground Services for Non-Freight Shipments Instruction, COMDTINST M5110.9 (series).
- (5) Auxiliarists who desire to use, send, or transmit Auxiliary correspondence to any individual, organization, or venue other than for the purpose or for whom it was originally generated shall first seek approval to do so from the originator. For example, a DCO who receives an e-mail transmission of an ALAUX message issued by the Chief Director may relay it directly to all Auxiliarists within the region because that falls within the purpose of the e-mail. However, a DCO may not post an e-mail from the District Commander regarding attendance at an upcoming conference to all Auxiliarists within the region because that does not fall within the purpose of the e-mail.
- (6) Auxiliarists shall respect and adhere to any specified disclosure or handling instructions in Auxiliary correspondence. For example, if an e-mail has, "Do not forward." at its opening or closing, then it shall not be forwarded. This does not preclude an Auxiliarist from checking with the originator if further distribution is deemed necessary or appropriate. Nor does it excuse an Auxiliarist from exercising reasonable and appropriate judgment in the treatment and handling of Auxiliary correspondence, particularly e-mail, in the absence of specific disclosure or handling instructions. Additional examples of typical disclosure and handling instructions follow:
- (a) "For Your Information (FYI) only; do not distribute unless otherwise specified."
 - (b) "This is for Auxiliary use only; it is not for public viewing or distribution without consent of the originator."
 - (c) "This communication and its attachments are restricted to the Coast Guard, the Coast Guard Auxiliary program, and the addressed recipients. If you have therefore received this e-mail in error, please advise the sender immediately and delete the entire message together with its attachments. All recipients are hereby notified that any use, distribution, copying, or other action regarding this e-mail is strictly prohibited unless permission is received from the originator."
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- (7) Posting of Auxiliary correspondence to the internet or other public forums shall always be considered as unauthorized unless the originator grants advance approval to do so.
 - (8) Auxiliary correspondence associated with the formulation of policies and procedures, operational and administrative plans and activities, budgets, and resource management shall be treated and handled as pre-decisional information. It should therefore be constrained to the awareness of those individuals who have a bonafide need to know in order to complete such formulation. Under no circumstance shall such Auxiliary correspondence be disclosed to any element external to the Coast Guard or Coast Guard Auxiliary without the express authorization of the appropriate policy, planning, budget, and/or resource management approval authority.
 - (9) Auxiliarists' addresses, electronic or otherwise, as used in Auxiliary correspondence shall be treated and handled as official information. Auxiliarists should not use such address information for the purpose of transmitting personal or unofficial correspondence without the Auxiliarist's permission. For example, an Auxiliarist's e-mail address that is derived from Auxiliary correspondence should not then be used by another Auxiliarist for the purpose of sending a joke, political satire, advertisement, or any other material that has no relevant relationship to official Auxiliary business without first obtaining the approval of the Auxiliarist for whom it is destined.
 - (10) Auxiliarists shall immediately report to their chain of leadership and the Director any privacy incident involving the suspected or confirmed loss of control, breach, compromise, unauthorized or unintended disclosure/acquisition/access, or any similar term referring to situations in which unauthorized users have access or potential access to PII in usable form, either physical or electronic, including within Auxiliary correspondence. In these circumstances, the Director shall facilitate their collective implementation of the provisions of the Coast Guard Privacy Incident Response, Notification, and Reporting Procedures for PII Instruction, COMDTINST 5260.5 (series).
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E.3. Mailing Lists

As a policy matter, rosters of Auxiliarist names, home addresses, home telephone numbers, and any other PII associated with mailing lists shall not be made available to any external person or organization, nor used for any non-Auxiliary purpose. Privacy of all rosters shall be maintained. The Auxiliary shall maintain its voluntary non-commercial position. Privacy of mailing lists prevents membership from being divulged with advertising literature. Coast Guard Auxiliary Association, Inc. (CGAuxA, Inc.) shall also ensure that its actions and policies make all due provision for the protection of its members' privacy, particularly with respect to membership rosters.



E.4. Telephone Directories

Information included in Auxiliary telephone directories published by the Director or other Coast Guard components are covered by the Privacy Act of 1974. Accordingly, the following statement must appear in the directory's letter of promulgation or some other prominent place:

“CONFIDENTIALITY NOTICE - PRIVACY ACT OF 1974: The disclosure of this material is subject to the provisions contained in the Privacy Act of 1974. This Act, with certain exceptions, prohibits the disclosure, distribution, dissemination, or copying of any material containing such information as the home address, home telephone number, spouse's names, and social security numbers except for official business. Violations may result in disciplinary action by the Coast Guard and/or civilian criminal sanctions.”

E.5. Auxiliary Database (AUXDATA)

AUXDATA is a Privacy Act System of Records maintained by the U.S. Coast Guard. Disclosures of any information contained in this database shall not be made outside the Coast Guard or Coast Guard Auxiliary except as permitted under provisions above. Intra-Coast Guard or intra-Auxiliary disclosures of information retrieved from AUXDATA shall be marked with the following statement:

“The information contained in this document is subject to the provisions of the Privacy Act of 1974, and may only be used for the official business of the Coast Guard or the Coast Guard Auxiliary.”

E.6. Authorized Disclosure

Auxiliarists may authorize (verbal authorization is acceptable) disclosure of certain PII about themselves for dissemination to the public. Most noteworthy and likely examples include PA, PE, and VE Auxiliarists. Such permission shall be clearly obtained well in advance of disclosure, particularly when disclosure includes the posting of PII on an Auxiliary web site, pamphlet, form, or advertisement.

In addition to the general seeking and authorization of disclosure between Auxiliarists in support of the performance of their authorized activities, elected officers shall advise the leader in the next higher level of their chain of their authorization to disclose such information for dissemination to the public by the day they assume office. Appointed officers shall similarly advise the leader in the next higher level of their program as well as the elected leader at their organizational level (e.g., SO-PE shall advise the DCDR and the DSO-PE). Appointed officers at national level need only advise the leader in the next higher level of their program (e.g., DVC shall advise the DIR).



E.7. Network Security

Network security is the responsibility of all Auxiliary users who are authorized access to Coast Guard information systems that are part of the DoD GIG. This does not include open web-based usage of Coast Guard applications that are available to the general public (e.g., AUXINFO). It is incumbent upon all such users to maintain that security and practice good Operational Security (OPSEC). In cyberspace, a tactical failure can have strategic consequences. Coast Guard policies established to ensure the safe and proper use and handling of Coast Guard information systems, including those pertaining to removable media, must be followed. It is therefore imperative that all users maintain a high level of situational awareness and network security practices to ensure the security of Coast Guard networks and prevent disclosure of operational information.

Coast Guard commands that authorized Auxiliarists' access to Coast Guard information systems are responsible for ensuring such Auxiliarists are properly trained and aware of network security accountability policies and expectations. This includes proper completion and submission of the Automated Information System (AIS) User Acknowledgement Form (CG-5500 series). Correspondingly, Auxiliarists shall abide by these associated principles:

- a. Failure to complete this form whenever so required to do so may result in suspension and/or termination of access to Coast Guard information systems.
- b. Continued or willful failure to complete the form, or violation of the terms of use contained in the form, may result in administrative disciplinary action and/or termination of access to Coast Guard information systems.

E.8. Record Disposition

The Information and Life Cycle Management Manual, COMDTINST M5212.12 (series) provides policies and procedures for administering the Coast Guard records, forms, and reports program as they relate to the life cycle management of both paper and electronic documents/data. It serves as the principal reference for Auxiliary program record handling, including the provision of descriptions of Auxiliary records (e.g., copies of meeting minutes, personnel service files, training records, unit rosters), corresponding retention schedules, and their associated disposition instructions.





Section F. Official Business Mail

Introduction This section describes the Congressional authority and Coast Guard guidelines/policy for use of official business mail by the Auxiliary.

F.1. Authority The U.S. Coast Guard Postal Manual, COMDTINST M5110.1 (series), authorizes the Coast Guard the privilege of official business mail for mailing of Federal Government mail. Such mail is defined as official mail relating exclusively to the business of the U.S. Government. The Commandant extends this privilege to the Auxiliary. Regionally, the Director may grant the capability for use of official business mail to the Auxiliary leadership. Further, the Director's authority may be delegated by Auxiliary leadership to individual Auxiliarists. Auxiliary unit leaders are responsible for controlling the use of all official business mail materials. The U.S. Coast Guard Postal Manual, COMDTINST M5110.1 (series), provides detailed guidance for official business mailing procedures.

F.2. Official Versus Unofficial In determining official mail versus unofficial mail, Auxiliarists shall use the following criteria for guidance. These are not exhaustive listings, but provide illustrative examples.

F.2.a. Official Mail Auxiliarists may send the following as official mail:

- (1) Auxiliary information and forms.
 - (2) Notices of Auxiliary meetings, including changes of watch.
 - (3) Official Auxiliary program statistics.
 - (4) Correspondence to the Director and any Coast Guard unit, including invitations to Auxiliary meetings and changes of watch.
 - (5) Auxiliary texts and workbooks.
 - (6) Auxiliary unit publications, if Director approved.
 - (7) Requests and payments for lodging reservations and conference registration for official Auxiliary meetings.
 - (8) Official travel patrol, damage, and inquiry claim correspondence.
 - (9) Dues, solicitations, and payments.
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F.2.b. Unofficial Mail Unofficial mail, not authorized for the official business mail privilege, includes:

- (1) Mail to State Government officials or agencies unless approved by the District Commander, or from Auxiliary SLO, Legislative Liaison officers, or members of the Auxiliary Department of Boating.
 - (2) Orders for, and shipment of, Auxiliary uniforms and insignia from any commercial source.
 - (3) Requests for information concerning uniforms and insignia from any source other than Coast Guard or Coast Guard Auxiliary sources.
 - (4) Personal information between Auxiliarists.
 - (5) Any Auxiliary newspaper, magazine, newsletter, or other publication containing advertising.
 - (6) Brochures, pamphlets, or other related materials that bear corporate logos and lack Coast Guard or Coast Guard Auxiliary emblems or program logos.
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F.3. Charges and Penalties

Official business mail is not free. The Coast Guard pays for every mailing by Coast Guard and Auxiliary personnel. The ANSC uses Government funds to purchase envelopes, postal cards, mailing labels, and official Government-paid mail stamps for use by Auxiliarists. Cost consciousness is essential for Auxiliarists who may also be personally liable and assessed a wide range of penalties for private or unauthorized use of official business mail materials. In addition, any such unauthorized use could result in loss of this privilege.

F.4. Postage Due Fees

Although official mail is marked "Forwarding and Return Postage Guaranteed," there have been occasions when postal employees have required the Auxiliarist recipient to pay postage due fees on official Government mail. If such fees are requested, the recipient has three choices:

- a. Refuse the mail delivery.
 - b. Use Government postage for due fees, as use of Government stamps is authorized for this purpose.
 - c. Use personal funds at one's own expense with no reimbursement.
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F.5. Use of the Bulk Mail Permit

The Coast Guard Auxiliary Mailing Guide, COMDTPUB P16794.49 (series), describes the use of the bulk mail permit. This permit should be used for any major mailing, as it saves considerable money over the use of Government stamps. Authority to use this permit is obtained from the U.S. Coast Guard Postal Mail Manager via the Director. Permit fees to the Postal Service are borne by the Coast Guard.



Section G. Taxes

Introduction This section presents information on taxes purely for guidance and is not authority for any tax actions. The IRS has determined the Auxiliary and all of its units (not including any corporations) are an integral part of the Federal Government. Auxiliary units are not required to file State or Federal income tax returns.

G.1. Tax Liability for Auxiliary Units In addition to the exemption from filing Federal and State income tax returns and paying Federal and State income taxes, Auxiliary units may also be exempt from payment of State sales and use taxes on items the Auxiliary unit purchases. The granting of State sales and use tax exemptions varies from State-to-State, and generally requires the issuance of a State Sales Tax Exemption number. The exemption, if granted, may only be used for the purchase of Auxiliary unit property, which is paid for with unit funds, and is not available for individual purchases by Auxiliarists. In some cases, the exemption is only available if the purchase is made with a Government purchase order and paid for by Government check or credit card. Generally, the sales tax exemption for each state has been applied for by the Auxiliary National Legal Directorate or appropriate DSO-LP, who maintains records of the sales tax exemption status for each state. In addition, the appropriate DSO-LP will be able to provide information and guidance to Auxiliary unit leaders.

G.2. Sale of Items to Others Auxiliary units that sell items to others may be required to collect, report, and remit State sales tax on such sales. Requirements vary from State-to-State. Specific guidance must be sought from the DSO-LP.

G.3. General Tax Information Federal income tax regulations allow deductions for certain unreimbursed expenses. No deduction is allowable for a contribution of services or for expenses to the extent reimbursed by the Coast Guard or Auxiliary. To help determine if the expense is deductible, Auxiliarists should keep accurate records of unreimbursed expenditures. Remember, the IRS will not allow deductions for unreasonable expenditures.

G.3.a. Authorized Coast Guard or Auxiliary Activities Out-of-pocket expenses incurred in the performance of authorized Coast Guard or Auxiliary activities to the extent not reimbursed, may be deductible as a charitable contribution for Federal income tax purposes.

G.3.b. Dues and Donations The payment of dues and donations of money or property to the Auxiliary are also deductible.



G.3.c. Meals and Lodging	Reasonable expenditures for meals and lodging incurred, while away from home on Coast Guard or Auxiliary business, may also be deductible in accordance with current IRS regulations.
G.3.d. Automobile Gas, Parking, and Tolls	Unreimbursed expenditures for gas, oil, etc. and for operating an automobile may be deductible. A pro rata portion of general repair, maintenance, depreciation, and insurance expenses is not. If you do not deduct your actual expenses, you may use the current cent-per-mile rate to determine your contribution. Parking fees and tolls may be deductible in addition to the mileage computation.
G.3.e. Uniform Costs	Auxiliarists may also deduct uniform costs and upkeep which have no general utility and which they are required to purchase in order to perform authorized activities. The dress uniform would qualify for such a deduction. In addition, since Auxiliarists are prohibited by Coast Guard regulations from wearing portions of their uniforms as civilian clothing, the cost and upkeep of these uniforms, including insignia, should also qualify for a deduction.
G.3.f. Use of Facilities	Unreimbursed out-of-pocket transportation expenses incurred in the use of facilities in the performance of Coast Guard and Auxiliary missions may be deductible. Such operation, maintenance, and repair costs may be deductible only when they are directly attributable to Auxiliary services. A pro rata share of general maintenance and repairs of a facility is not deductible. The rental value of a facility while engaged in Auxiliary services is not deductible.
G.3.g. Transfer of Property	If any Auxiliarist transfers property, either real or personal, to the Auxiliary, the IRS may allow a deduction for the fair market value of the property at the time of the contribution.
G.3.h. Disclaimer	The above information is provided for general guidance and is subject to the specific provisions of the Internal Revenue Code, as amended, and IRS regulations published there under.
G.4. Qualified Tax Advisor	Auxiliarists must not rely upon the information contained in this Manual when making tax decisions. Because information set forth in this section may conflict with subsequent IRS regulations or tax rulings, Auxiliarists must consult a qualified tax advisor before making any specific decisions regarding the potential deductibility of Auxiliary related expenses.



Section H. Solicitations, Gifts, and Donations

Introduction The Coast Guard Auxiliary, in accordance with The Coast Guard Authorization Act of 1996, will operate and do business in accordance with policies and procedures that reflect a high sense of propriety and ethics. The Auxiliary exists to enhance the safety and environmental quality of America's waterways and to support the Coast Guard as authorized by the Commandant. The Coast Guard provides some of the support needed to fulfill these purposes. Operation and administration of the Auxiliary requires additional resources in order to support expanding Auxiliary missions and activities. 14 U.S.C. § 821(c) permits the Auxiliary National Board, and any Coast Guard Auxiliary District or Region, to form a corporation under State law in accordance with policies established by the Commandant. Under this authority, the Commandant, by issuance of this Manual, recognizes Coast Guard Auxiliary Association, Inc. (CGAuxA, Inc.) as the entity established by the National Board and hereby authorized to manage all fiscal matters and fundraising efforts in support of Auxiliary activities not funded by the Coast Guard. Coast Guard Auxiliary Association Inc. resources may be augmented through revenues, grants, gifts, and donations received from outside sources, both public and private. Further guidance regarding the formation of District and regional corporations is set forth in section M of this chapter.

H.1. Policy CGAuxA, Inc. is the vehicle for all national, regional, or broad fundraising initiatives that may benefit the Auxiliary, its units, and its programs. This private, not for profit, domestic corporation, chartered under the laws of the District of Columbia, shall be limited in its efforts only to the extent that 501(c)3 corporations are limited under applicable law. No fundraising or solicitation of monetary (or in-kind) support by any Auxiliary unit or Auxiliarist, from any outside organization or persons, is permitted except as specifically defined and authorized below. This includes prohibition for any Auxiliarist, in their capacity as an Auxiliarist, to perform a solicitation or fundraising activity in support of any other charity, organization, or program unless specifically approved by the Chief Director.

H.1.a. CGAuxA, Inc. Officers and Agents CGAuxA, Inc. has appointed certain officers and agents who will be responsible for the coordination of all CGAuxA, Inc. based fundraising programs on behalf of the Auxiliary. Auxiliary DCOs who are ex officio directors of CGAuxA, Inc. shall be appointed agents for CGAuxA, Inc. for some fundraising programs. CGAuxA, Inc. directors shall always seek written approval and coordinate efforts with the President and Director of Development of CGAuxA, Inc. in advance of any active solicitation or implementation of fundraising initiatives or acceptance of gifts of money (or in-kind) in the name of CGAuxA, Inc.



H.1.b.
CGAuxA, Inc.
Representation

CGAuxA, Inc., as a private non-profit 501(c)3 corporation, shall conduct its fundraising affairs with the utmost sense of propriety and ethics. Representatives of CGAuxA, Inc. shall not present themselves as representing any organization other than CGAuxA, Inc. and shall not conduct any activities on behalf of CGAuxA, Inc. in the uniform authorized for wear by Auxiliarists. Gifts offered to CGAuxA, Inc. (rather than directly to the Coast Guard) for support of Auxiliary programs may be accepted by the corporation without prior Coast Guard review and approval.

H.1.c. Solicited
Gifts

All Auxiliarists, including all district corporation members, when acting in their capacity as Auxiliarists, are prohibited from soliciting any gift of any type from any federal or non-federal source for themselves, any family member, any private organization, any commercial entity, or any other federal or non-federal entity except as described below. Approved District corporations shall be permitted for those limited purposes described in section M of this chapter. Non-federal source means any person, and any entity of any kind, that is not part of the U.S. federal government.

All Auxiliarists, including all district corporation members when acting in that capacity, are prohibited from soliciting any gift of any type from any federal or non-federal source for any Auxiliary unit or district corporation, except in accordance with the following circumstances:

- (1) Any solicitation must be for the support of an authorized Auxiliary program(s) and from which an Auxiliary unit will receive benefit.
- (2) Any solicited gift source must be within the soliciting unit's area of responsibility.
- (3) The market value of each solicited and accepted gift (e.g., funds, personal property – real property is specifically excluded) cannot exceed \$2,500. The aggregate market value of all gifts solicited and accepted from any particular gift source cannot exceed \$5,000 per calendar year.

Solicitation may be exercised at the district, division, or flotilla organizational level. However, neither solicitation nor subsequent acceptance may occur unless and until the DCO and the Director both give advance written permission (e-mail is acceptable). Such permission shall not be given without first obtaining written advice and guidance (e-mail is acceptable) from the DSO-LP, who shall also perform a prohibited source determination with respect to the proposed solicitation in accordance with Appendix E. Just because a gift source may be determined to be a prohibited source, that does not, by itself, mean that soliciting and accepting from that source is precluded. However, the DSO-LP, the DCO, and the Director must thoroughly review all Appendix E factors and considerations before permitting solicitation in such circumstances.



The DCO shall serve as the Auxiliary gift acceptance authority, accepting gifts on behalf of the Auxiliary, for solicited gifts. The source of any solicited and accepted gift shall be acknowledged (with thanks) by the appropriate Auxiliary elected leader (see paragraph H.1.j of this chapter).

Participation by divisions and flotillas in the annual local United Way Campaign is authorized.

H.1.d.
Unsolicited Gifts

An unsolicited gift offer is a gift offer from a non-federal source that was not requested by any Auxiliarist or Coast Guard member acting in their capacity as such. Non-federal source means any person, and any entity of any kind, that is not part of the U.S. federal government.

No Auxiliarist, and no one in the Coast Guard except the Commandant, the Vice Commandant, and CG-8, has any authority to accept any unsolicited offer of real property.

In order to be considered for approval, all unsolicited gift offers to any member or organizational unit of the Auxiliary must be in writing from the gift source (e-mail is acceptable) and include:

- (1) A description of the offered gift.
- (2) The estimated market value of the gift.
- (3) Any conditions the gift source places on the gift (e.g., that the gift must be used for a specific purpose or by a specific Auxiliary element).

An Auxiliarist who receives an unsolicited gift offer must obtain the required information in writing and forward the offer, with an acceptance recommendation, through their respective chain of leadership to the appropriate gift acceptance authority.

The NACO shall act as the Auxiliary gift acceptance authority, accepting gifts on behalf of the Auxiliary, for unsolicited gift offers made at the national Auxiliary level. The NACO may refer such offers to a DCO if deemed more appropriate to be processed at the district level. Acceptance of such offers shall not be made without first notifying the Chief Director, and obtaining written advice and guidance (e-mail is acceptable) from the ANACO-CC, who shall also perform a prohibited source determination in accordance with Appendix E. Just because a gift source may be determined to be a prohibited source, that does not, by itself, mean that accepting from that source is precluded. However, the ANACO-CC, the NACO, and the Chief Director must thoroughly review all Appendix E factors and considerations before acceptance in such circumstances.



The DCO shall act as the Auxiliary gift acceptance authority, accepting gifts on behalf of the Auxiliary, for unsolicited gift offers at the district, division, or flotilla level, and if the market value of the offered gift does not exceed \$5,000. Acceptance of such offers shall not be made without first notifying the Director, and obtaining written advice and guidance (e-mail is acceptable) from the DSO-LP, who shall also perform a prohibited source determination in accordance with Appendix E. Just because a gift source may be determined to be a prohibited source, that does not, by itself, mean that accepting from that source is precluded. However, the DSO-LP, the DCO, and the Director must thoroughly review all Appendix E factors and considerations before acceptance in such circumstances.

For unsolicited gift offers having a market value in excess of \$5,000 but no greater than \$50,000, the DCO shall forward the gift offer (e-mail is acceptable), with an acceptance recommendation, the advice and guidance of the DSO-LP, and the prohibited source analysis, to the Director. The Director shall determine whether or not to authorize the DCO to accept this type of gift offer, and will so notify the DCO. If the Director determines that the DCO is not the appropriate Auxiliary gift acceptance authority, then the Director shall forward the package to the Chief Director for processing by the NACO as the Auxiliary gift acceptance authority as described above. Unsolicited gift offers whose market value is in excess of \$50,000 shall be forwarded to the NACO for processing as the Auxiliary gift acceptance authority.

Neither the NACO nor the DCO may accept any gift offer if the intended Auxiliary unit cannot safely operate the gift or if it cannot properly maintain and store the gift (this includes insurance considerations) over time. Further, neither the NACO nor the DCO may accept a gift offer if it comes with unacceptable conditions.

Exception to the above provisions may be exercised in the event an Auxiliary unit is approached by a non-federal entity with an unsolicited gift of funds (cash or check) not exceeding \$100. In such circumstances and if the DCO is not present, the Auxiliary unit leader may represent the DCO for the purpose of acknowledging and accepting the gift. In the event the Auxiliary unit leader is not present, then any Auxiliarist belonging to the unit may further accept the gift on the unit leader's behalf.



The Coast Guard's statutory gift acceptance authority includes the authority to accept testamentary gifts. The Coast Guard has accepted testamentary gifts, and the Auxiliary may accept them (e.g., a boat that an individual plans to bequeath to a flotilla) pursuant to the above provisions. If time allows, a conditional acceptance decision must be made in advance. All pertinent considerations, facts, and circumstances must be presented so that the determination can be made if the intended Auxiliary unit cannot safely operate the gift or if it cannot properly maintain and store the gift (this includes insurance considerations) over time. Further, the Auxiliary gift acceptance authority may not accept such a testamentary gift offer if it comes with unacceptable conditions.

The source of any unsolicited gift shall be acknowledged (with thanks), whether accepted or not, by the appropriate Auxiliary elected leader (see paragraph H.1.j of this chapter).

H.1.e. Free
Space,
Advertising, and
Other Services

These provisions pertain to Auxiliary units that solicit and/or accept free space, free advertising, or any other free service, all within the accepting unit's area of responsibility, in order to conduct or support authorized Auxiliary activities. They fall outside the gift solicitation and/or acceptance provisions described in paragraphs H.1.c and H.1.d of this chapter that apply to gifts of funds, personal property, and real property. Contract renewals for free space, advertising, and other services are not considered solicitations.

Auxiliary units are permitted to solicit and/or accept free space for Auxiliary needs (e.g., flotilla meetings, storage space, a permanent unit office), free advertising, and other free services regardless of the market value of the space, advertising, or other services, from any public or governmental organization (e.g., schools, military bases, Federal/State/local governmental agencies), without the need for a prohibited source analysis or determination, nor the need to obtain advance written permission from the DCO or the Director.

Auxiliary units are permitted to solicit and/or accept free space for Auxiliary events, free advertising, and other free services regardless of the market value of the space, advertising, or other services, from any semi-public organizations (e.g., homeowners associations, volunteer organizations, churches), commercial firms (e.g., restaurants, retail stores, businesses), private individuals/organizations, or prohibited source, only after the DCO and the Director both give advance written permission (e-mail is acceptable). Such permission shall not be given without first obtaining written advice and guidance (e-mail is acceptable) from the DSO-LP, who shall also perform a prohibited source determination in accordance with Appendix E.



The source of any accepted free space, advertising, or other services shall be acknowledged (with thanks) by the appropriate Auxiliary elected leader (see paragraph H.1.j of this chapter).

H.1.f. Raffles, Lotteries, and Door Prizes

All raffles and lotteries are forms of gambling activity because those activities require a participant to pay money, or other valuable consideration, to obtain a chance to win a cash or non-cash prize.

No Auxiliary unit is permitted to conduct any raffle, lottery, or any other form of gambling activity on any Coast Guard owned or leased property.

Auxiliary units may be permitted to conduct raffles, lotteries, or any other form of gambling activity in other locations subject to advance review and written approval (e-mail is acceptable) by the Director. An Auxiliary unit leader shall first consult with the DSO-LP (e-mail is acceptable) to determine whether a desired raffle, lottery, or other gambling activity is prohibited or regulated by State and/or local law. This determination shall be included with the request to the Director.

Auxiliary units are permitted to provide door prizes at Auxiliary events or activities without any need to obtain the Director's consent.

Provisions of this section may be satisfied by blanket authorization in regional Auxiliary policy manuals or annual blanket authorization by the Director. If ever in doubt or in question about any circumstances regarding the conduct of such activities or the clarity of any associated blanket authorization, the Auxiliary unit leader (e.g., FC or DCDR) shall advise and seek guidance from the DSO-LP.

H.1.g. Employer – Sponsored Gifts

Individual Auxiliarists whose employers sponsor gift or matching gift benefit programs to which the Coast Guard Auxiliary may be an eligible recipient, are permitted to make application for these benefits in their name for the benefit of the Auxiliary. An Auxiliarist who receives such gifts shall tender the gift to the unit elected leader on behalf of the Auxiliary. The senior elected leader of the receiving unit shall appropriately acknowledge (with thanks) receipt all gifts thus received and accepted.

H.1.h. Unit Ownership Consideration Factors

Before permitting any Auxiliary unit to solicit and/or accept a gift other than funds, the Auxiliary gift acceptance authority in concert with the Director and/or the Chief Director, as appropriate, shall consider the following factors in making such determination:

- (1) The gift supports an authorized Auxiliary program(s) and from which the Auxiliary unit will receive timely benefit.
-



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- (2) The Auxiliary unit can safely operate the gift over time.
 - (3) The Auxiliary unit can properly maintain and store the gift (this includes insurance considerations) over time.
 - (4) The gift is appropriate in terms of the Coast Guard's core values. Inappropriate gifts shall be refused.
-

**H.1.i. Written
Gift
Acknowledgement**

As required by applicable IRS regulations regarding gifts, every Auxiliary unit that receives any gift of market value of \$250 or more must, after consultation with the DCO and DSO-LP, provide written acknowledgement (with thanks) of the gift to the source. Such written acknowledgement shall include mention of the gift's description, its value, and the receiving Auxiliary unit. Notwithstanding this requirement, such written acknowledgement (with thanks) should be provided the source of any gift, regardless of value.

**H.2. Return of
Donation**

Funds, property, or services solicited or received without compliance with established procedures must be returned. They may, however, be retained if an Auxiliary unit pays the donor the fair market value (FMV).

**H.3. Sale of
Items**

No Auxiliarist has any authority to sell any Coast Guard property.

Auxiliarists are permitted to sell certain items, including Auxiliary property, to raise funds to support authorized Auxiliary programs. Funds raised by the sale of such items are not limited, and shall be in addition to funds raised through the gift processes described in paragraphs H.1.c and H.1.d of this chapter. These provisions do not include student course materials for public education courses.

Auxiliary sale of items cannot occur unless and until the DCO and the Director both give advance written permission (e-mail is acceptable). Such permission shall not be given without first obtaining written advice and guidance (e-mail is acceptable) from the DSO-LP. The DSO-LP, the DCO, and the Director must consider, among other factors, the propriety of the items and any applicable local laws and ordinances.

Purchase of items for resale shall be from the AUXCEN operated by the CGAuxA, Inc. unless the items are not reasonably available from the AUXCEN. The DSO-LP, the DCO, and the Director shall develop appropriate guidelines regarding the purchase of property by Auxiliary elements for the purpose of subsequent sale.

Auxiliary units that conduct the sale of items are responsible for compliance with all applicable laws and ordinances, including those pertaining to the collection and payment of sales tax.



After a donation is accepted by the Auxiliary, the Auxiliary unit may, at some point, desire to dispose of the property by selling the item and retaining the proceeds with the Auxiliary unit. The following sections must be adhered to in preparation for such sale.

The practice of Auxiliarists purchasing previously donated property for sale can raise serious questions of impropriety. If Auxiliarists desire to participate in such sales, they must do so in a manner which will not create doubt as to their integrity or that of the Auxiliary.

**H.3.a. Fair
Market Value**

Auxiliary units desiring to sell donated property shall determine the fair market value (FMV) of the property through reasonable, unbiased means (e.g., marine surveyor for vessels). They shall advertise the property for sale with the FMV in a local newspaper or trade journal for a period of no less than one week. If the Auxiliary unit chooses to sell the property by auction, the auction must be advertised in the same manner. The highest legitimate offer to purchase will be accepted.

**H.3.b. Closed
Sale**

A closed sale (within the Auxiliary unit or corporation, or only for Auxiliarists or Coast Guard personnel) is strictly prohibited.

**H.3.c.
Documentation**

Documentation of the method used to determine FMV, the advertisement, and the bids received and accepted shall be maintained at the Auxiliary unit for a period of three years. A copy of these documents shall be forwarded to the Director for inclusion in the unit files.

**H.3.d. IRS
Provisions**

Auxiliary units and corporations controlled by Auxiliarists should be familiar with IRS Code provisions pertaining to the disposition of gifts within two years after receipt and the requirement for filing IRS Form-8282 in certain circumstances.

**H.3.e.
Conditional Gifts**

Conditional gifts to the Auxiliary may not be resold without the express prior written approval of the donor. Prior to any sale of such items, the Auxiliary unit proposing sale must obtain the written approval of the Coast Guard gift acceptance authority.

**H.4. Contract
Review**

The DSO-LP shall review and counsel on any and all regional Auxiliary contracts. If ever in doubt or in question about contract provisions or a prohibited source determination analysis, the DSO-LP shall advise and seek guidance from the DCO and the Director to achieve resolution. Auxiliary contract approval authority shall reside with the DCO or appropriate elected leader or staff officer.



Section I. Publications

Introduction	An individual serving as an Auxiliarist is prohibited from receiving any compensation for articles related to the Coast Guard or the Auxiliary which are produced as a result of such service. Any article written for Auxiliary publications becomes the sole property of such entity that publishes such work unless intellectual property rights are reserved in writing.
I.1. National Publications	Feature articles on Auxiliary topics prepared by Auxiliarists for commercial periodicals, articles for organization's publications, or Coast Guard internal publications are encouraged.
I.1.a. Approval	The DIR-GP, or a DVC specifically appointed for that purpose, must approve the article before publication. Before printing any national Auxiliary publication, all articles and photographs shall be submitted to the Chief Director and NACO for approval.
I.1.b. Distribution	The Chief Director may authorize official business mail privilege, for mailing a national Auxiliary publication when the contents of the publication meet the criteria discussed in section F of this chapter.
I.2. District, Division, and Flotilla Publications	Each district, division, and flotilla should develop some means of keeping Auxiliarists informed of activities and changes in programs and policy. An Auxiliary unit newsletter or other publication is an effective instrument for this purpose.
I.2.a. Approval	Before printing and distributing any district, division, or flotilla Auxiliary publication to Auxiliarists, the Director shall approve all articles and photographs. The Director may delegate this approval authority to the DSO-PB, ADSO-PB, or any other Auxiliarist.
I.2.b. Distribution	The Director may authorize official business mail privilege for district, division, or flotilla publications, unless these publications contain commercial advertising. A copy of each district publication shall be sent to the Chief Director, NEXCOM members, national department chiefs, DCOs, and Directors of other districts for their information.



I.3. Web Sites

Where practical, Auxiliary units are encouraged to create and maintain web sites to promote Auxiliary missions and services to the public, and provide program information to Auxiliarists. Likewise, Directors are encouraged to create sites that assist their Auxiliarists and provide program information to Coast Guard units on how to use and obtain Auxiliary resources within the AOR. Auxiliarists are encouraged to visit the Auxiliary Internet Resources Site (AIRS), via the Auxiliary National web site, and seek formal training at a “C” school which is intended to provide Auxiliary webmasters and site maintenance personnel with the information to register and create sites. Directors should refer to the policy on Coast Guard Use of Internet/World Wide Web for Guidance, COMDTINST 5230.56 (series).

I.3.a. Training

The Auxiliary has class “C” schools that provide instruction in web site development and training in preparing course materials for on-line instruction. The courses are open to Auxiliarists and personnel assigned to the Directors’ staffs. Course descriptions and schedules are posted on the Training Quota Center (TQC) web site. (see Appendix I) New schedules are posted each fall for the fiscal year’s courses.

I.3.b. Posting Official Statements

Statements of policy or procedure provided by members of the Chief Director’s office, National elected leaders or Directorate Chiefs that are posted on the “What’s New” web page, National Departments’ web pages, News from the Bridge web page, Forms and Manuals web site, or other portions identified as containing official statements on the Auxiliary’s national web site, should be regarded as official statements and guidance. Only specified leaders may have their announcements posted on these pages. The purpose of these announcements on the web site is to speed up the dissemination of information to the membership. They are not meant to replace the communication that flows down the chain of leadership and management (elected leaders) and the chain of communications (appointed leaders) via written and electronic means.

I.4. Commercial Advertising

Any Auxiliary newspaper, magazine, newsletter, or other publication containing advertising cannot be accorded official business mail privileges. The publishing Auxiliary unit must pay the postage.



I.4.a. Approval for Accepting Advertising	Any Auxiliary unit publishing a newspaper, magazine, newsletter, or other media, and is willing to relinquish its approved official business mail privilege to accept paid commercial advertising, shall submit all proposed advertising, in copy form, to the Director for approval before accepting the advertising. Similarly, the Director must approve any proposal to publish an Auxiliary unit advertisement or notification in a commercial newspaper, where such advertisement or notification is to be paid, either partially or in full, by persons or concerns other than the Auxiliary unit. Any proposed advertising must include an explicit statement to the effect that no endorsement of the product or service is made or implied by the Auxiliary, the Coast Guard, or DHS.
I.4.b. Approval for Publishing	Before publishing, the Director shall approve all Coast Guard Auxiliary district, division, and flotilla newspapers, magazines, newsletters, and other media which contain commercial advertising. The Director may delegate this approval authority to any Auxiliarist, normally the DSO-PB or ADSO-PB.
I.5. Coast Guard Auxiliary Emblem and Official Seal	The Auxiliary emblem and official seal are separate in design and purpose.
I.5.a. Auxiliary Emblem	<p>The Coast Guard Auxiliary emblem (see Figure 5-1) may be used on publications or in association with authorized articles regarding the Auxiliary. Use of the Auxiliary official seal is strictly prohibited.</p> <p>The Coast Guard Auxiliary emblem is derived from the Coast Guard emblem, and has multiple uses. Besides use in print, the emblem is used on Auxiliary insignia such as the member collar device, cap device, Auxiliary aviator insignia, coxswain insignia, AUXOP device, and many other items. The emblem is designed for wide use within the Auxiliary for official and quasi-official purposes. Before the emblem can be used by CGAuxA, Inc. or any other commercial concerns for jewelry, stationery, clothing, pennants, flags, burgees, ensigns, or similar articles, such use must be approved by the Chief Director, via the NACO or the NACO's designated representative.</p>



**Figure 5-1
Coast Guard Auxiliary Emblem (color and black-and-white)**

I.5.b. Auxiliary Seal

The Coast Guard Auxiliary official seal (see Figure 5-2), either lever-type or wax impression type, is authorized for use on official Coast Guard Auxiliary documents requiring signature under seal. It is authorized for official invitations, Auxiliary official stationery, programs, certificates, diplomas, and for display on Coast Guard Auxiliary exhibits. It may not be used on Auxiliary web sites or in any other electronic venues that may facilitate its unauthorized duplication.

The official seal may not be reproduced for any other purposes without approval by the Chief Director via the NACO or the NACO’s designated representative. If approval for use is granted and an electronic version is needed, then such version shall be obtained from the Director of the Government and Public Affairs Department (DIR-GP). The official seal shall not be included within the design of any other seal, emblem, coat-of-arms, or escutcheon.



**Figure 5-2
Coast Guard Auxiliary Official Seal (color and black-and-white)**



Section J. Assignment to Duty

Introduction The Commandant employs the services of qualified Auxiliarists in support of various Coast Guard programs. To this end, specific Auxiliary activities are authorized in support of Auxiliary programs or Coast Guard units. An Auxiliarist performing such duties is considered to have been assigned to duty within the meaning of 14 U.S.C. § 831 and 823a, when these activities have been authorized and clearly communicated verbally and/or in writing by appropriate authority. The Commandant has specifically delegated the authority to assign qualified Auxiliarists to duty for authorized activities as outlined below. Additionally, in many circumstances, an Auxiliarist's assignment to duty may be constituted by the Auxiliarist's actual performance of an authorized activity or mission, understanding that the Auxiliarist was properly qualified for such duty and acted within the scope of employment as described further in the provisions of this chapter. This policy promotes valued volunteer support and provides Auxiliarists the benefits and protections allowed by law.

J.1. Injury or Death

An Auxiliarist who is physically injured or dies while performing assigned duties may be entitled to statutorily prescribed medical treatment and/or death or disability compensation. The Department of Labor (DOL) will make a final determination as to whether an Auxiliarist was acting as an employee within the scope of employment when performing assigned Coast Guard duties as a Federal employee for purposes of 14 U.S.C. § 823 and 14 U.S.C. § 832.

DOL policy and criteria for determining injury/death compensation for Federal employees are described in publication CA-810. It defines the criteria used by DOL and the Coast Guard to determine the conditions of coverage, including considerations such as time of injury or death, employee status, nature and circumstance of injury or death, and performance of duty.

A member of the Auxiliary may be entitled to benefits when he/she is injured or dies while performing duties assigned by competent Coast Guard authority. An Auxiliarist's performance of duty is defined in 14 U.S.C. § 832 to include time engaged in traveling back and forth between the place of assigned duty and the Auxiliarist's permanent residence. The question is whether the Auxiliarist is traveling to an assigned duty location to, "perform duties assigned by competent Coast Guard authority."



Other than certain specific exceptions defined in CA-810, Federal employees do not have the protection of the Federal Employee Compensation Act (FECA) when injured en route between the home and place of work. Auxiliarists do not gain the protection of FECA when traveling from their home to their regular flotilla meeting, or vice versa. Attendance at a regular flotilla meeting is not the performance of duty assigned by competent Coast Guard authority at an assigned place of duty.

J.2. Third Party Claims

The Auxiliarist may be exonerated from liability to injured parties or damage to property, but this action depends on facts and circumstances surrounding the Auxiliarist's involvement in the incident. Third party claims against Auxiliarists will be treated in the same manner as claims against other Coast Guard personnel under similar circumstances. The Department of Justice (DOJ) will make a final determination in certifying the Auxiliarist as an employee within the scope of their employment conducting authorized Coast Guard duties as a Federal employee in accordance with 14 U.S.C. § 823a(b). This determination will be based on the recommendation from the Office of Claims and Litigation (CG-0945).

J.3. Determining Assignment to Duty

The protections discussed above are contingent upon a favorable determination that the Auxiliarist was acting within the scope of employment as a Federal employee. Two outside agencies, the DOL and DOJ, make that determination under Federal law. The Auxiliarist's assignment to duty is a requirement before any statutory protections are available. If the Auxiliarist is not assigned to duty, then the Auxiliarist cannot be characterized as a Federal employee and therefore cannot be acting within the scope of employment.



To have the best possible chance of a favorable determination, the Auxiliarist should be prepared to document assignment to duty. The greater the quality and quantity of evidence that the Auxiliarist is able to produce to demonstrate assignment to duty, the greater the likelihood that the DOL or DOJ will make a favorable determination. The strongest possible evidence is that which demonstrates assignment to duty made prior to the incident in question. Examples may include verbal orders issued by an appropriate Coast Guard Order Issuing Authority (OIA) and documented by e-mail or unit logs prior to mission execution, or written orders issued by an appropriate Coast Guard OIA and received and acknowledged by an Auxiliarist prior to mission execution. Similarly, verbal authorizations from appropriate Auxiliary elected and/or appointed officers that are documented via telephone log, e-mail, or other means, as well as written Auxiliary orders or duty rosters for authorized activities (see Table 5-1) that are received and acknowledged by an Auxiliarist prior to mission execution, help constitute the strongest possible evidence of assignment to duty prior to an incident in question. Post-incident evidence is less persuasive, but may include affidavits and orders or duty rosters reduced to writing after the incident. The Auxiliarist ultimately bears the burden of producing evidence sufficient to support the claim that the Auxiliarist has the status of a Federal employee.

Incumbent Auxiliary officers, elected and appointed, are authorized to perform such activities required for the proper supervision and administration of their respective offices. These duties include, but are not limited to, the responsibilities of Auxiliary staff officers and elected and appointed leaders as described in Chapter 4 of this Manual and in any associated letter of appointment. Auxiliarists performing such duties and activities shall be considered to be assigned to duty within the definition of 14 U.S.C. § 832.

Operators of Auxiliary vessels, aircraft, and radio facilities are authorized to schedule Auxiliarists to duty as crew, air observers, watchstanders, or trainees aboard their facilities. The scheduling shall constitute assignment to duty under the provisions of 14 U.S.C. § 832a(b).



Table 5-1
Authorized Activities (Not All-Inclusive)

ACTIVITY TYPES	APPROPRIATE STAFF OFFICER ASSIGNMENT
<ul style="list-style-type: none"> • AtoN Verification and Discrepancy Reporting • Chart Updating Activities • Federal Aids Program 	Navigation Systems (NS)
<ul style="list-style-type: none"> • Aircraft Patrols • Aircraft Facility Inspection 	Aviation (AV)
<ul style="list-style-type: none"> • Communications Watchstanding 	Communications (CM)
<ul style="list-style-type: none"> • Communications Facility Inspection • Webmaster/Webwatcher 	Communications Services (CS)
<ul style="list-style-type: none"> • Auditing, Bill Paying, Authorized Solicitation, and Procurement Activities 	Finance (FN)
<ul style="list-style-type: none"> • Collecting, Collating, Input, and Dissemination of Auxiliary Activity Data and Internet 	Information Services (IS)
<ul style="list-style-type: none"> • Obtaining, Storing, and Transporting Materials 	Materials (MA)
<ul style="list-style-type: none"> • Government Supply Agent Contact • Recreational Boating Safety Visitation Program 	Program Visitor (PV)
<ul style="list-style-type: none"> • Member Recruiting and Retention Activities • Academy Admissions Partner Program • AUXCHEF Program • Health Care Services • Diversity Programs 	Human Resources (HR)/ Diversity (DV)
<ul style="list-style-type: none"> • Member Training Activities 	Member Training (MT)
<ul style="list-style-type: none"> • Marine Safety Activities • Commercial Fishing Vessel Examiner • Uninspected Passenger Vessel and Towing Vessel Examiner • Regional Examination Center Support 	Marine Safety (MS)
<ul style="list-style-type: none"> • Vessel and Aircraft Patrols • Coast Guard and State Operational Support • Interpreter and Watchstation Support • Maritime Observation Mission (MOM) 	Operations (OP)
<ul style="list-style-type: none"> • Establishing and Serving in Boating Safety Booths • General Activities Publicizing the Auxiliary • Coastie Program Outreach 	Public Affairs (PA)
<ul style="list-style-type: none"> • Producing and Delivering Unit Publications 	Publications (PB)



Table 5-1
Authorized Activities (Not All-Inclusive) - Continued

ACTIVITY TYPES	APPROPRIATE STAFF OFFICER ASSIGNMENT
<ul style="list-style-type: none"> • Public Education Activities 	Public Education (PE)
<ul style="list-style-type: none"> • Vessel Safety Checks • Recreational Boating Safety Visits • Vessel Facility Inspections 	Vessel Examiner (VE)
<ul style="list-style-type: none"> • Obtaining and Providing Legal Opinions and Advice • Conducting Investigations or Hearings 	Legal/Parliamentarian (LP)
<ul style="list-style-type: none"> • Participating, Observing, and Contributing 	Auxiliarist

**J.4. Order
Issuing
Authority (OIA)**

An OIA is a Coast Guard command authority that oversees or directs Auxiliary operations and activities (see section A.1 of Chapter 2 of the Auxiliary Operations Policy Manual, COMDTINST M16798.3 (series)). An OIA issues Coast Guard orders in accordance with the provisions of section 2.A of the Auxiliary Operations Policy Manual, COMDTINST M16798.3 (series), to Auxiliarists who agree to assignment to duty in order to perform activities in support of Coast Guard missions. For example, a Coast Guard Sector, as a Coast Guard OIA, will issue patrol orders to Auxiliary boat crews that perform missions to support the Sector; the Coast Guard Training Quota Management Center (TQC), as a Coast Guard OIA, will issue travel orders to Auxiliarists who attend Coast Guard C-schools; and the Director, as a Coast Guard OIA, will issue travel orders to designated elected and appointed staff officers who attend regional conferences.

**J.4.a. Issuance
of Orders**

Coast Guard orders shall be issued to an Auxiliarist as far in advance of a mission or activity as practicable. If circumstances do not allow issuance of written orders prior to a mission or activity as prescribed, then the Auxiliarist may perform the mission or activity upon receipt of advance verbal tasking or if specifically identified and tasked to do so by the OIA as part of a written contingency plan. In either case, the provision of written orders as soon thereafter as possible shall be understood and expected by both the Auxiliarist and the OIA.



J.4.b. Blanket Orders

To promote administrative efficiency, an OIA may issue an Auxiliarist orders designed to authorize and address the recurring conduct of specific missions or activities in support of it. Such orders normally cover specified periods of time that should not be longer than three months duration within a fiscal year unless circumstances warrant. Under no circumstance shall the period exceed one year. For example, an Auxiliarist who provides administrative support two days each week at a Coast Guard unit may be issued blanket orders by the unit for a three month period to facilitate the Auxiliarist's reimbursement for travel expenses to and from the unit. Similarly, a Director may issue blanket orders for a three month period to the DCO to facilitate reimbursement of authorized travel expenses during a period of frequent travel rather than issue individual orders for each trip.

J.4.c. Contingency Orders

Contingency orders are a form of blanket orders in that they are effective for a specific time period. An OIA may issue contingency orders in accordance with criteria established in section 2.A.8 of the Auxiliary Operations Policy Manual, COMDTINST M16798.3 (series).

J.4.d. Non-receipt of Orders

Inasmuch as it is the responsibility of the OIA to provide written orders to an Auxiliarist in advance of an assignment to duty, it is equally incumbent upon the Auxiliarist to contact the OIA if such orders have not been received in advance of the mission. Failure to do so will jeopardize the Auxiliarist's ability to properly prepare for the assignment, make necessary travel arrangements, and/or receive appropriate reimbursements upon completion of the assignment.



**J.5. Requests
for Assistance
by Other
Agencies**

On some occasions, the cognizant Coast Guard command for a region or a local Auxiliary unit may receive a request for assistance from another agency (e.g., another Federal agency or a State government). If the Coast Guard agrees to respond and assist to such request, and Auxiliarists are part of the response and assistance plan, then they shall be recognized as Auxiliarists and their efforts may be captured accordingly in AUXDATA. For example, if a state formally requests recreational boating safety public education support from the Coast Guard for a remote region, and the cognizant Coast Guard command for the region agrees to provide such service by identifying local Auxiliary resources as the most appropriate service delivery mechanism, then those Auxiliarists who provide the support shall be recognized as Auxiliarists assigned to duty for purposes of the Coast Guard's response and assistance. Whenever such requests for assistance are directed to an Auxiliarist instead of the cognizant Coast Guard command, the Auxiliarist must forward the request along with their plan to address it to the cognizant Coast Guard command or the Director, as appropriate, in order to ensure Coast Guard awareness. In all cases except those covered by provisions of a standing MOA/MOU between the other agency and the Coast Guard or Coast Guard Auxiliary, a written request must be received even in follow-up to a verbal request for assistance. Written requests must be signed or e-mailed by an appropriate agency authority.

If an Auxiliarist independently acts upon the request of or accepts orders for an assignment directly from an agency other than the Coast Guard, then performance of such an assignment shall not be recognized as being in support of the Coast Guard. Neither the Auxiliarist nor the assignment shall be subject to provisions of this or any other Coast Guard directive or policy. Further, the individual shall not be afforded protections as an Auxiliarist who has been assigned to duty by an appropriate Coast Guard OIA and who has acted within the appropriate scope of employment. For example, an Auxiliarist who requests, receives, and/or agrees to execute orders issued by the Federal Emergency Management Agency (FEMA) to perform FEMA-specific tasking shall be recognized as a volunteer or employee for FEMA only, not as an Auxiliarist. Performance data and information associated with such FEMA assignment shall not be captured within AUXDATA nor credited to the Auxiliary or the individual in their capacity as an Auxiliarist.



J.6. Implicit Assignment to Duty

Due to the diverse range and volunteer nature of authorized Auxiliary activities, the significant volume of Auxiliary participation in these activities, and the broad geographic distribution of Auxiliarists, it is neither administratively practical nor pragmatic to expect Coast Guard orders to be issued for the performance of every Auxiliary activity. Auxiliarists must therefore be considered implicitly assigned to duty when they perform many authorized activities for which they may claim Auxiliary activity hours without Coast Guard orders. Such activities include, but are not limited to:

- a. Attending Auxiliary meetings.
- b. Performing training ashore.
- c. Performing administrative functions at home or in a residence.
- d. Performing Vessel Safety Checks (VSCs).
- e. Teaching an Auxiliary boating safety course.
- f. Manning a public affairs booth at a boat show.
- g. Meeting with other agency counterparts to coordinate boating safety efforts.

It must be equally understood that implicit assignment to duty does not constitute a guarantee of any liability coverage by the Coast Guard if the circumstances of a claim, as determined by appropriate investigation, do not warrant such coverage.

J.6.a. Unit-level Awareness

For the performance of many kinds of authorized Auxiliary activities, Auxiliary unit-level awareness is appropriate to properly satisfy assignment to duty concerns as well as provide for the safety and security of the Auxiliarists who perform them. In general, authorized Auxiliary activities that do not require actual programmatic engagement or travel outside an Auxiliarist's home or residence (e.g., making telephone calls, computer work, other administrative functions) do not warrant Auxiliary unit-level awareness.

Although formal verbal or written orders do not have to be issued by a Coast Guard OIA to authorize the conduct of many authorized Auxiliary activities, Auxiliarists who perform them should keep their Auxiliary unit leader informed of their plans and should, as a minimum, attempt to advise their immediate Auxiliary program manager, in advance, of their intent to do so (an advance verbal or e-mail notice of intent, even if not acknowledged, is sufficient). For example, a PV who intends to visit several marine stores the following weekend should attempt to advise the FSO-PV in advance (it would be best to advise both FSO-PV and FC). Advance publication and distribution, either on paper or electronically, of a schedule of Auxiliary program activity to members of an Auxiliary unit or program network that identifies individual Auxiliarists for scheduled activities constitutes Auxiliary unit level awareness for this purpose.



J.6.b. Short Notice	A last-minute decision to participate in a mission, or participation in response to a short-notice request for assistance, does not relieve an Auxiliarist from attempting to make advance notification. For example, a VE who plans to respond to a web-based request for a VSC the following day should still, as a minimum, attempt to advise the FSO-VE in advance. Advance verbal or e-mail notice of intent, even if not acknowledged, constitutes Auxiliary unit level awareness for this purpose.
J.6.c. Failure to Notify	Failure to attempt to appropriately attain unit-level awareness in accordance with these provisions may jeopardize an Auxiliarist's recognition as having been properly assigned to duty, implicitly or otherwise, and may place an Auxiliarist at considerable risk in terms of subsequent reimbursements, scope of employment determinations, and liability coverage.
J.7. Use of Private Motor Vehicles	Auxiliarists are authorized to use private motor vehicles for authorized Auxiliary activities without Coast Guard orders unless they plan to seek reimbursement for expenses. In addition to routine travel to and from authorized activities, private motor vehicles may be used in the performance of other authorized activities such as participation in parades (i.e., towing a boat or a float), performing a chart updating mission, or conducting environmental activities. Coast Guard orders are required if a motor vehicle is being used as a land mobile radio or radio direction finding facility or in the performance of AtoN or shoreside harbor patrol missions. Appropriate orders and contingency (pocket) orders may be issued to operators of fixed land and land mobile radio and radio direction finding facilities.
J.8. Trailering Government Property	Trailering of government property by Auxiliary unit-owned vehicles and/or trailers which are personal property of the Auxiliary or owned by members of the Auxiliary, which have been offered and accepted for use, and which are under orders is authorized. The Auxiliary may continue to tow Coast Guard owned vessels using government owned vehicles and trailers.



The Auxiliary Vehicle Offer-for-Use form (ANSC-7065) shall be submitted by Auxiliarists to ensure the Coast Guard is aware of the suitability of their vehicles for expected use described above. It should not be submitted if there is no expectation of such use. The form provides the means by which Auxiliarists acknowledge the offer of their vehicles for such purposes and that their vehicles are properly insured, licensed, registered, inspected, and rated to tow anticipated loads. The form must be signed by each owner of the vehicle. If titled in the name of both spouses, then both spouses must sign. In cases in which the vehicle may be titled in the name of a bank due to its holding of a lien, the Coast Guard recognizes that circumstance as a “security interest” on the part of the bank, not an “ownership interest.” Therefore, the Auxiliarist may sign and submit the form as the owner. If the Auxiliarist’s vehicle contract has specific provisions that do not authorize towing, then the Auxiliarist should consult with the lien holder if they desire to offer the vehicle for use. The form must be submitted on an annual basis (the offer is valid for one year from the date of acceptance for use as reflected by the Director’s signature approval). If any of the information provided on the form changes during the course of the year, then the offer-for-use becomes invalid, and a new form with updated information must be submitted.

J.9. Claiming Assignment to Duty

The quantified compilation of each Auxiliarist’s activity is vital to the Coast Guard’s ability to measure program effectiveness, articulate value, and assess return on investment. Moreover, the volunteer nature of Auxiliary service places a premium on recognition of activity. It is, therefore, critical that Auxiliarists ensure the timely and accurate reporting of any Auxiliary activity.

When an Auxiliarist is assigned to duty, whether implicitly or under orders, and is engaged in an authorized activity that supports Coast Guard missions, including member training, administrative, travel, and preparatory activities, the Auxiliarist may claim such effort to the nearest whole hour using appropriate forms and mechanisms designed to capture such information in AUXDATA.



With respect to Temporary Additional Duty (TAD) assignments (e.g., travel under orders to Auxiliary meetings, conferences, schools), the assignment to duty period effectively begins upon departure from the Auxiliarist's home and ends upon return presuming no diversions for leave or personal business. As a simplified example, an Auxiliarist who lives in Orlando, Florida and travels to Petaluma, California to attend an Auxiliary C-school, may claim all activity hours from the time they depart their home in Orlando, travel directly to the airport for their flight, fly directly to Petaluma, attend school, fly directly back to the airport, and travel directly back to their home. Hours spent sleeping and neither in class nor studying may still be claimed because the nature of their activity requires their presence away from home and is part of their defined TAD period.

Unless in uniform and in the presence of their facility, Auxiliary unit, or Coast Guard unit, Auxiliarists who make themselves available to recall by an OIA may not claim the time they are awaiting a potential call. For example, an Auxiliarist who has informed an OIA that they will respond to a call-out during a heightened period of readiness (e.g., a period of hurricane preparedness) but who may otherwise go about their personal business, may not claim the hours awaiting call-out. If called to respond, Auxiliarists may claim the hours from the time they proceed to respond, are engaged in the mission, and until they resume their personal business.





Section K. Claims, Injury, or Death While Assigned to Duty

Introduction This section provides general policies and procedures for claims, injury, or death while assigned to duty. All accidents involving Auxiliarists who are assigned to duty must be evaluated in accordance with provisions of the Coast Guard Safety and Environmental Health Manual, COMDTINST M5100.47 (series) to determine if a mishap report regarding the accident is required.

K.1. Injury 14 U.S.C. § 832 states in part as follows, “*Members of the Auxiliary who incur physical injury or contract sickness or disease while performing any duty to which they have been assigned by competent Coast Guard authority shall be entitled to the same medical treatment afforded members of the Coast Guard.*”

This section provides amplifying guidance for Auxiliarists who are injured while assigned to duty. Persons who are not Auxiliarists who are killed or injured on board an Auxiliary facility are not covered by these provisions.

K.2. Preventive Care - Immunizations Due to the nature of some Coast Guard missions for which Auxiliarists may be assigned to duty (e.g., disaster response in regions characterized by considerable health risk, temporary overseas assignments, etc.), Auxiliarists may receive requisite immunizations through the Coast Guard in advance of the execution of such missions. Recommendations for immunizations must be made by Coast Guard preventive medical authority as coordinated with the cognizant Coast Guard Order Issuing Authority (OIA). Such immunizations shall be provided at no cost to the Auxiliarist.

K.3. Emergency Care Auxiliarists who are injured while assigned to duty and who require immediate attention should obtain emergency care from the nearest medical treatment facility. Due consideration must be made that Auxiliarists are generally not direct members of military services and are, therefore, not included in the Defense Enrollment Eligibility Reporting System (DEERS) nor authorized medical coverage under the military’s Tricare medical services. Such consideration may, therefore, warrant an Auxiliarist to obtain care from the nearest civilian medical treatment facility of their choosing in lieu of proceeding to the local Coast Guard unit’s contract provider, military hospital, or U.S. Public Health Service facility.



K.3.a. Payment
of Bills

A civilian contract provider will bill the Auxiliarist directly for treatment of any injury. The Auxiliarist may pay the bill and seek reimbursement or submit the bill directly to the Government for payment. Any delays in processing payment could impact the Auxiliarist's credit rating, so Auxiliarists are encouraged to pay the bill and then apply for reimbursement, or give the medical provider their private insurance information which subsequently may seek reimbursement from the Government.

The Auxiliarist should forward emergency medical bills to the DOL, via their Director, for payment. Once eligibility is determined, the DOL will pay for the Auxiliarist's medical care. The DOL will also reimburse an Auxiliarist for medical care obtained from a non-contract provider if immediate care was provided.

K.3.b.
Information
Required for
Reimbursements

Auxiliarists who are filing for reimbursement for emergency care must provide a Report of Traumatic Injury Form (DOL form CA-1) as soon as possible to the Director. The Director will verify the claim and electronically submit the completed Report of Traumatic Injury Form (CA-1) to the DOL. Once the DOL receives the electronic submission, it will provide an electronic receipt and case file number. The Director shall ensure the Auxiliarist's and Chief Director's awareness of the DOL case number. DOL claim forms are available on the DOL web site (www.dol.gov) and Coast Guard forms are available on the Coast Guard web site (www.uscg.mil/forms).

The Auxiliarist must also provide the following information to the Director within thirty days of the injury:

- (1) An original itemized bill, together with the Health Insurance Claim Form (normally the OWCP/HFCA-1500). The Auxiliarist must inform the health care provider to send this bill directly to him/her, not to the Coast Guard.
- (2) Section A of the Report of Non-Federal Health Care Certification Form (CG-5534).
- (3) Report of Potential Third Party Liability Form (CG-4899).
- (4) Claim for Reimbursement for Expenditures on Official Business (SF-1164).
- (5) A copy of the orders from the day of the injury. If the Auxiliarist was assigned to duty without orders, a letter certifying the Auxiliarist was assigned to duty at the time of the injury must be provided from the competent Coast Guard authority or Auxiliary leadership.
- (6) All paid receipts for care received.
- (7) For every invoice (bill) received, a medical report should be included (ambulance, EMT/paramedic, emergency room, follow-up care, etc.).



The Director will mail all additional documentation, including subsequent claim and billing information, to the DOL office in Cleveland, OH (attention to the case number) at the following address:

DOL Department of Labor
 Office of Workers' Compensation Program
 ATTN: Case Number XXXXXXXX
 1240 East 9th Street, Room 851
 Cleveland, OH 44199-2001

All doctor reports and findings should be submitted to the DOL office in London, KY (attention to the case number) at the following address:

DOL Department of Labor
 DFEC Central Mailroom
 ATTN: Case Number XXXXXXXX
 P.O. Box 8300
 London, KY 40742-8300

**K.4. Follow-Up
 (Non-
 Emergency)
 Care**

Follow-up care for an injury or illness that occurred while assigned to duty is referred to the DOL Office of Workers' Compensation via the Director. The DOL must have approved this claim before payment can be made to treating physicians for follow-up care.

**K.4.a. Physician
 Acceptance
 Rates**

Prior to seeking follow-up care from a physician, the Auxiliarist must ensure the treating physician is willing to accept the prescribed DOL rates for medical services rendered. This issue must be specifically addressed with the physician to prevent misunderstandings. Auxiliarists may also use their personal medical insurance coverage for payment of medical services, in which case, the insurance provider will probably seek reimbursement from the Government.

**K.4.b. Report of
 Traumatic Injury**

The Auxiliarist must obtain a Report of Traumatic Injury Form (CA-1), complete the first part of the form, and attach a copy of the applicable orders and a narrative medical report. The Director will then complete the second part of Form CA-1. A case file will be established and kept in the Director's office in case of future need.

**K.4.c. Payment
 of Bills**

Payment of bills for follow-up care to the DOL shall be submitted via the Director in the following manner:

- (1) The Auxiliarist must obtain and complete the DOL's Attending Physician's Report Form (CA-20). This form along with other related worker's compensation forms are available through the Director or the local Coast Guard Civilian Personnel Office.
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- (2) The Auxiliarist must take a copy of Form CA-20 to the attending physician. The attending physician can complete Part B of Form CA-20 or provide sufficient medical documentation in a narrative report and send to the Director. For payment, the attending physician must submit an OWCP/HFCA-1500 to the Director. The Director will review the forms for completeness and make copies for the case file. Originals of Forms CA-1, CA-20, or the narrative medical report, and the OWCP/HFCA-1500 Form will be forwarded to the DOL by the Director.
 - (3) If further treatment is required, the physician should complete a narrative medical report or Form CA-20, (reverse side of Form CA-16). Forms should be submitted by the attending physician to the Director who will review for completeness, make copies, and send to the DOL.
 - (4) The completed forms should be mailed to: Department of Labor Special Claims Examiner, 800 North Capital Street, Room 800, Washington, DC 20211.

The DOL and Coast Guard forms are available from the Director or the local Coast Guard Civilian Personnel Office.

K.5. Dental Care

Emergency dental care is only authorized due to direct trauma or injury while performing Coast Guard authorized duties.

K.6. Claims for Disability

Auxiliarists may be entitled to Federal Employee's Compensation Act benefits for a disability incurred while assigned to duty.

K.6.a. Basis

Compensation is based upon a percentage of the base pay for grade GS-9 (Step 1) of the General Schedule in effect on the date of the injury. Specific entitlement depends on the nature of the disability (total or partial) and the familial status of the member (single, married, married with dependents [14 U.S.C. § 832]).

K.6.b. Required Forms

The Auxiliarist must complete the DOL Report of Traumatic Injury Form (CA-1) and Claim for Compensation of Account of Traumatic Injury Form (CA-7). The attending physician must complete the DOL Attending Physician's Report (CA-20). All completed forms shall be sent to the Director, who will verify the claim, make a case file copy, and forward to DOL.

K.7. Death of an Auxiliarist While Assigned to Duty

The Federal Employee's Compensation Act (FECA) provides benefits to an Auxiliarist's spouse and dependent children if the Auxiliarist dies while assigned to duty or from physical injuries incurred while assigned to duty (14 U.S.C. § 832).



K.7.a. Determining Compensation	For purposes of determining compensation entitlement, an Auxiliarist is considered to have Federal General Schedule GS-9 (Step 1) monthly basic pay on the incurred injury date. Depending on the deceased Auxiliarist's marital status, the surviving spouse and dependent children may each receive a monthly percentage of that GS rate (14 U.S.C. § 707).
K.7.b. Notification Responsibilities	Upon the death of an Auxiliarist, notification must be made to the Coast Guard Command Center in Washington, DC as soon as possible. The 24-hour phone number is (202) 372-2100. Coast Guard field units shall report via the chain of command. Auxiliarists should report via their Coast Guard OIA or a local Coast Guard command.
K.7.c. Death Related Expenses	Surviving spouse and children are also entitled to limited payment for the deceased's funeral and burial expenses and a death gratuity. The maximum burial and funeral expense allotment is \$800 (5 U.S.C. § 8134). A death gratuity of up to \$10,000 for line of duty death is permitted in accordance with Section 651 of P.L. 104-208.
K.8. Investigations	<p>When any Auxiliarist is physically injured or dies as a result of physical injury incurred while performing any authorized duty assigned by competent Coast Guard authority or Auxiliary leadership in accordance with provisions of this Manual, an investigation will be conducted as set forth in Chapter 5 of the Administrative Investigations Manual, COMDTINST M5830.1 (series). The Director should ensure the investigating Coast Guard active duty personnel or Auxiliarist performing the line of duty investigation, is aware of the requirement to determine the causal connection between the Auxiliarist's injury or death and the duty being performed by the Auxiliarist. This action is particularly important in situations involving pre-existing medical conditions, such as heart problems.</p> <p>When any such investigation has also had a corresponding DOL case established, it shall be forwarded to the Chief Director via the Coast Guard Legal Services Command (LSC). The Chief Director shall review the investigation with the Coast Guard Office of Claims and Litigation (CG-0945). The Chief Director shall then forward the investigation to DOL under cover of a final action memo that summarizes the Coast Guard's findings and recommendations.</p> <p>An investigation must be conducted by the Coast Guard OIA to determine if the Safety and Environmental Health Manual, COMDTINST M5100.47 (series), requires a Coast Guard Mishap Report. Mishap thresholds are established in that manual.</p>



K.9. Reporting of Accident or Incidents

For any accident or incident that occurs while assigned to duty, notification of the facts and circumstances must be made to the Director, the Coast Guard OIA, the DSO-LP and the Auxiliarist's personal insurance company as soon as possible.

K.9.a. Personally Owned Vehicle (POV) Third Party Liability

The Auxiliarist must submit a completed report of potential Third Party Liability Form (CG-4899), with appropriate attachments, as soon as possible to the Director. Copies must also be sent to the Coast Guard OIA, the DSO-LP, the Coast Guard Human Resources Financial Management Division (CG-1012), and the Auxiliarist's personal insurance company. The Director will further distribute the report to other Coast Guard addressees as appropriate.

K.9.b. Report of Accident

An Auxiliarist who drove a GOV (including a rental vehicle or a POV being used in the performance of official duties) involved in an accident shall complete an Operator's Report of Motor Vehicle Accident (SF-91). This form is necessary for the Director, in the capacity as the Auxiliarist's supervisor, to validate proper assignment to duty and scope of employment. A copy of this form shall be filed with the Director, and the original forwarded to the Coast Guard OIA within 48 hours of the accident.

K.10. Investigation of Accidents or Incidents

Auxiliarists shall refer to the Coast Guard Claims and Litigation Manual, COMDTINST M5890.9 (series), and the following points regarding investigations of accidents or incidents:

- a. Each incident which results in, or is likely to result in, a third party claim shall be promptly investigated. Any evidence necessary to prosecute an affirmative claim by the U.S. or defend a claim against the U.S. must be preserved.
 - b. A prompt investigation is the most important phase of the claims process. The investigation provides the basis for every step in the administrative settlement of a claim and the preparation for the defense or prosecution of a lawsuit. Without timely and thorough investigation, a Coast Guard settlement authority cannot decide who is liable and to what extent.
 - c. Promptness is the key. With the passage of time, physical appearances change and witnesses may become forgetful. People may develop a biased view of the facts, or become reluctant to give statements or may even become unavailable because they can no longer be located.
 - d. The sole purpose of a claims investigation is to find out the facts needed to properly settle a claim or defend or prosecute a lawsuit. Evidence should be gathered and recorded without regard to whether it may prove adverse or favorable to the U.S.
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- e. Copies of the State Boating Accident Report, Coast Guard Boating Accident Report Form (CG-3865), police report, and motor vehicle or other Government accident reports should be included.
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**K.11. Public
Release of
Names of
Auxiliary
Personnel
Casualties**

Casualty status exists when an Auxiliarist is lost to the Coast Guard because the individual is ill, injured, wounded, captured, missing, or dead. Names of Auxiliary personnel casualties will not be confirmed or released to the media or public until 24 hours after official notification of next-of-kin is completed. For a personnel casualty that was missing and then confirmed dead, or after identification of repatriated remains, or for any return of partial remains, the latest notification shall begin a new 24-hour period. These provisions apply at all times and for any personnel casualty status to Auxiliarists when assigned to duty. Additional detailed guidance is contained in the Coast Guard Personnel Manual, COMDTINST M1000.6 (series), and the Coast Guard Public Affairs Manual, COMDTINST M5728.2 (series).





Section L. Public Education Course Fees

Introduction	The conduct of the Auxiliary's PE program allows for the collection of certain fees to provide funding for certain Auxiliary programs. Fee types and their uses may include but are not limited to those listed in this section.
L.1. Custodial Fees	Some PE courses are conducted in buildings whose management charges the Auxiliary custodial or rental fees. If the building owners do not provide anyone to collect fees, Auxiliarists may do it for them. In collecting these fees, Auxiliarists must inform students that the Auxiliary is not charging for instructing the course. Such fees should be properly labeled as, "custodial fees." The fees must be kept separate, both for accounting purposes and physically, from any collections for texts and other materials. When custodial fees become too costly, flotillas should make every effort to re-locate to a classroom site with little or no cost.
L.2. Course Material Fees	When conduct of a PE course involves texts or training aids that become student property, the purchase of these materials must not be mandatory. The purchase of course materials must not be a condition of class attendance. Attending class without purchasing materials must not be termed auditing, nor will course completion certificates earned by students through satisfactory class attendance, homework preparation, and passing of an exam, as may be required of the class, be withheld for not purchasing materials, but an examination and certificate fee may be charged. Course texts, aids, and related items may be sold to students at fair market driven prices.
L.3. Administrative Fees	Administrative fees are used to support various authorized Auxiliary programs and may be added to textbook costs. These fees support purchase of teaching aids such as pencils, paper, projectors, bulbs, screens, and miscellaneous audio-visual or operational equipment. The collected fees shall not be used for any flotilla social function.
L.4. Registration Fees	Some classes are conducted as part of organized adult education programs which require the collection of registration fees. This fact must be amply advertised in the advance course publicity. The Flotilla Staff Officer - Finance (FSO-FN) shall collect and deposit these fees to the flotilla treasury for furtherance of Auxiliary programs. Such funds shall not be used for flotilla social activities. Some programs are established where payment must be given to course sponsors or instructors as wages. In this case, the Auxiliary will arrange for the institution to keep the payment as an Auxiliary donation.



L.5. Remuneration

Auxiliary instructors serve as volunteers, therefore, they and their units are prohibited from collecting or receiving any compensation for their services performed as Auxiliarists.

L.6. Course Surcharges

In some instances, units are adding surcharges to the costs of PE materials in addition to the administrative fee to support other Auxiliary programs. Such surcharges should be added to the administrative fee and not separately advertised. A small, general increase to the course materials costs is the preferred method of supporting other programs.

L.7. Prohibited Use of Fees

Funds collected from the sale of public education materials may not be used for social activities. Funds may be used to support all other authorized activities conducted independent of the course.



Section M. Incorporation

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|------------------------|---|
| Introduction | This section describes the need for, purpose of, and provisions for having incorporated groups support Auxiliary activities. |
| M.1. National | The Commandant has approved the organization of only one corporation to support Auxiliary activities, the CGAuxA, Inc. The National Board requires a legal entity to conduct certain fiscal affairs peculiar to the National Board. CGAuxA, Inc. is the authorized entity to conduct the fiscal and business management responsibilities for the National Board. |
| M.1.a.
Organization | <p>The CGAuxA, Inc. organization shall be as prescribed by its Articles of Incorporation and By-laws. The organization and operations of the CGAuxA, Inc. are set out in its Articles of Incorporation and By-laws, as amended from time to time.</p> <p>CGAuxA, Inc. has multiple classes of membership including all members of the Auxiliary except honorary and retired members. Membership in CGAuxA, Inc. is directly linked to Auxiliary membership. As long as an individual is a member of the Auxiliary, they must be a member of CGAuxA, Inc. An individual cannot retain their Auxiliary membership if they desire to terminate their CGAuxA, Inc. membership.</p> <p>Individuals and/or groups/corporations desiring to support the civil missions of the U.S. Coast Guard Auxiliary may become Associate Members of CGAuxA, Inc. based on their level of financial contributions. Auxiliary members who desire may also become Associate members under the same terms, conditions, and categories of Associate memberships as non-Auxiliarists.</p> |
| M.1.b. Support | CGAuxA, Inc. is the only corporation authorized to conduct fundraising activities to support Auxiliary programs. It shall serve as the conduit for receiving donations to the Auxiliary as a 501(c)3 non-profit corporation as well as for receiving boating safety or other grants and funds, and accepting other items for appropriate purposes. CGAuxA, Inc. may transfer title of property (e.g., boats, trailers, administrative support equipment, etc.) to Auxiliary units that seek ownership of such property without having to undergo a prohibited source determination process nor having to gain District Commander or Commandant approval. CGAuxA, Inc. is authorized to receive excess to Coast Guard property in accordance with the provisions of 14 U.S.C. § 641. In addition, the Coast Guard may contract with CGAuxA, Inc. to procure required goods and services. |
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M.2. District/Regional	<p>The Commandant recognizes that Coast Guard Auxiliary districts or regions may have a need to hold title to property through a corporation. The authority to approve the formation of a district/region corporation has been delegated by the Commandant to the Chief Director upon the recommendation of the DCO and the Director. In general, corporations are not encouraged and are to be approved only when necessary. Reasons for approving requests for incorporation are:</p>
	<ol style="list-style-type: none"> a. To hold title to real and personal property appropriate for use by the Auxiliary in the performance of its missions, which cannot be owned directly by Auxiliary units. b. To accept State grants and funding which cannot be given directly to Auxiliary units. c. To obtain and hold copyrights, patents, trademarks, and service marks. d. To provide for the ownership of motor vehicles, aircraft, vessels, motors, and trailers (vessel, storage, communications, etc).
M.2.a. District Board	<p>The district/region corporation shall be the mirror image of the Coast Guard Auxiliary district in which the district leaders shall be the officers of the corporation and the members of the District Board. The Director shall serve as an ex officio member. All other members of the district shall be non-voting members of the corporation and the corporation shall be entitled to use the name, "Coast Guard Auxiliary (Number) District Board, Inc."</p>
M.2.b. Donations/Property	<p>The district/region corporation shall be permitted to accept donations of money on behalf of specific divisions and flotillas and to turn over those funds designated for use by a particular division or flotilla. The district corporation shall be authorized to hold title to property and, pursuant to the terms of a written exclusive use agreement, permit the exclusive use by the intended division or flotilla (see paragraph H.1 of this chapter).</p>
M.2.c. Prohibitions	<p>No divisions or flotillas shall be permitted to incorporate. Any other corporations or entities other than those expressly authorized herein, whether formed in whole or in part by Auxiliarists, are not affiliated or a part of the Coast Guard or Auxiliary. The members of those corporations are acting solely in a private or individual capacity and not as Auxiliarists or as leaders, agents, or employees of the U.S. There must be a clear distinction between the official statutory activities of the Coast Guard and the Auxiliary, as opposed to the private and separate activities of such an entity. Those organizations may receive no financial or other support from the Coast Guard or the Auxiliary.</p>



Neither the Coast Guard nor the Auxiliary will assume any responsibility for the administration of the activities of such corporations before third parties or tribunals. Auxiliary flotillas, divisions, and districts may be permitted by the Director to use any real or personal property offered to them by such corporations for the purpose of supporting Auxiliary activities and programs.

M.2.d. Legal Services

Before initiating any effort to create a district/region corporation, the DCO should seek the advice of the DSO-LP to determine whether forming such a corporation is necessary. If it is determined that a valid reason exists to form a district corporation, approval shall be sought from the Chief Director via the Director. The DSO-LP, when directed, is authorized to incorporate approved district corporations, to seek tax-exempt status, and to provide other necessary legal services, on behalf of such corporation as an Auxiliarist. A copy of the corporate charter and by-laws shall be forwarded to the Director's office for approval, filing, and record purposes.

M.2.e. Requirements

Specific details with respect to the formation, organization, and operation of district corporations shall be issued from time to time. These guidelines will contain specific requirements for the carrying of liability and other insurance, legal and fiscal policy, and Coast Guard oversight. DCOs, as presidents of their district corporations, are responsible for ensuring the corporation adheres to these specific details (see Appendix E).

M.3. Title

No corporation or other organization other than the CGAuxA, Inc. and authorized and approved district corporations may use the words, "Coast Guard Auxiliary." No other organization may contain any name that contains any reference to the Coast Guard or the Auxiliary or any words, contractions, or acronyms tending to imply any association with the Coast Guard or the Auxiliary.





Section N. Finances

Introduction The Commandant considers financial management to be necessary to establish certain guidelines to avoid the chance of embarrassment to either the Auxiliary or the Coast Guard. The Coast Guard has a responsibility to ensure proper financial procedures and accountability are observed at each level for all monies received. This accounting includes monies received from such sources as dues, PE courses, and gifts. Expenditure of such funds shall only be in support of authorized Auxiliary activities.

N.1. Financial Reporting DCDRs and FCs of every unit receiving and disbursing funds in the unit's name must submit to the Director an annual financial report on the form entitled Financial Reporting of an Auxiliary Unit (ANSC-7025). No other form is authorized for this purpose. Funds are defined as monies received or disbursed as dues, course registration fees, sale of publications, etc. FCs are responsible for forwarding copies of the report to the DCDR on or before 31 January. The DCDR will review the reports and forward them, together with the division report, to the DCO on or before 20 February. The DCO, or their designates (such as DSO-FN), will review the reports and forward them to the Director on or before 1 March. Any irregularities revealed by the financial report shall be reported to the DCO and Director. If an Auxiliary unit fails to comply with these procedures, the DCO may authorize an audit. The DCO, after an audit review, may recommend other action deemed appropriate. In addition, corporate entities must follow all other State or Federal financial reporting requirements.

N.2. Deposits All Auxiliary unit funds shall be promptly deposited to accounts containing the appropriate unit designation and the words, "U.S. Coast Guard Auxiliary." The proper Federal taxpayer identification number issued by the IRS for all units of the Auxiliary is 52-1500576, which should be used on all unit accounts.

N.3. Disbursements and Expenses Disbursement of funds must always be used to further the general purpose of the Auxiliary. In general, funds should not be accumulated without some definite goal in mind for future disbursement intended to promote authorized activities.

Auxiliary unit funds may only be spent or committed with the concurrence of an appropriate majority of the voting members of that unit unless specific provisions authorizing the expenditure or commitment are in the Auxiliary unit's Standing Rules. Auxiliary unit funds may be disbursed with the signature of the unit finance officer and/or a unit elected officer, as authorized in the unit's Standing Rules.



N.4. Bonding

If funds more than \$5,000 are involved, bonding of the custodian may be advisable. Bonding is optional at all Auxiliary levels.

N.5. District Corporations

DCOs, as the Presidents of their respective district corporations, shall ensure their respective corporations function in a manner discussed in section M of this chapter. The treasurer of each respective district corporation shall ensure an annual accounting or financial report of its activities is submitted to the Director for review. The annual accounting will not be prepared by a Coast Guard employee or Auxiliarist, but must be prepared by an independent certified public accountant, as specified in the by-laws of the district corporation. Guidelines for district corporations are contained in Appendix E.



Section O. Auxiliary Identification Means

Introduction This section provides information and guidance regarding the issuance of identification (ID) cards and vehicle decals to Auxiliarists.

O.1. Auxiliary Identification Card When an Auxiliarist in Approval Pending (AP) status receives a Favorable PSI determination, the Director shall issue the Auxiliary ID card. Only the Auxiliary ID card displayed in Figure 5-3 shall be issued for this purpose. Auxiliary ID cards shall conform to the following guidelines:

- a. Be of a hard-backed, plastic nature, similar to Common Access Cards vice laminated retiree ID cards.
 - b. Be fabricated using only authorized Coast Guard equipment and software.
 - c. Be issued and signed by the Director, or the Director's designated representative, in accordance with established regional policy.
 - d. Utilize a full facial photograph of the Auxiliarist (image of the recipient should occupy 80 percent of the photo field). The photo field should extend from slightly above the top of the head to no lower than collar tabs, uncovered (i.e., no hat or other head gear of any type), in uniform (i.e., Tropical Blue, Service Dress Blue, Working Blue, Operational Dress Uniform, or Auxiliary Blazer outfit) in front of a solid red background.
 - e. Display the Auxiliarist's full first name, middle initial, last name, and any name-related qualifiers (Jr., II, III, etc.), without any precursory or subsequent titles (e.g., Mr., COL, Dr., PhD) immediately below the Auxiliarist's photograph.
 - f. Display only one of two possible entries in the "Status" block - "Member" or "Commodore", the latter of which shall only apply to those duly elected or appointed as District Commodore, Assistant National Commodore, Deputy National Commodore, Vice National Commodore, or National Commodore or sustaining any of those titles in a Past capacity.
 - g. Display only one of three possible entries in the "Qualification" block - "IQ," "BQ," or "AUXOP," as appropriate.
 - h. Display only the Auxiliarist's 7-digit Employee ID number in the "EMPLID #" block.
 - i. Display the Auxiliarist's date of birth (full year, 3-letter month abbreviation, 2-digit date) in the "Date of Birth" block.
 - j. Display the Auxiliarist's weight, in pounds, in the "Weight" block.
 - k. Display the Auxiliarist's height, in inches, in the "Height" block.
 - l. Display the Auxiliarist's hair color (black, white, grey, brown, blonde, red) in the "Hair Color" block.
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- m. Display the Auxiliarist's eye color in the "Eye Color" block;
 - n. Display the date of the ID card's signature in the "Date of Issue" block.
 - o. Display the date that is five years from the last day of the month in which the ID card is issued (if projected to fall on the last day of February in a leap year, then the date shall be Mar 01 of that year) in the "Exp. Date" block.
 - p. Display the Auxiliarist's blood type, RH factor inclusive (e.g., A+, O-), in the "Blood Type" block. This block may be left blank or be filled with "UNK" if the recipient does not know their blood type.
 - q. Display Geneva Convention Category IV (which is equivalent to an O-4 to O-6 military officer, GS-12 to GS-15 civilian, or USO staff officer position for the purposes of treatment of Prisoners of War) in the "Geneva Conv. Category" block.

Auxiliary ID cards carry substantial resource costs to process and fabricate. It is the sole responsibility of each and every Auxiliarist to ensure their Auxiliary ID card is kept secure, and that it reflects accurate information. Generally, a new ID card should only be issued when:

- a. The Auxiliarist changes names.
- b. The Auxiliarist attains the title of "Commodore".
- c. The Auxiliarist's status changes (e.g., from IQ to BQ or AUXOP).
- d. The Auxiliarist's physical appearance changes significantly and permanently.

Each Auxiliarist is also responsible for ensuring that application is properly submitted for a new ID card well in advance of the current card's expiration date. Directors are authorized to prescribe new ID card request procedures and timelines. Further, the Director is authorized to deny or delay, subject to investigation of circumstances, an Auxiliarist's request for a new ID card under questionable circumstances (e.g., multiple losses of ID cards in a short period of time).

With the exception of death, all Auxiliarists shall return their ID card to the Director upon separation, disenrollment, or retirement from the Auxiliary.



DEPARTMENT OF HOMELAND SECURITY
UNITED STATES COAST GUARD AUXILIARY

PHOTO WITH
RED
BACKGROUND
HERE

RICHARD H. JONES, JR.

STATUS MEMBER	QUAL BQ	EMPLID # 1234567
ISSUED BY: _____ <small>U.S. COAST GUARD - CIVIL SERVICE</small>		

DATE OF BIRTH	WEIGHT	HEIGHT	HAIR COLOR	EYE COLOR				
1960SEP30	175	73	BROWN	BROWN				
AUTHORIZED PATRONAGE		1	2	3	4	5	6	7
COAST GUARD EXCHANGE/MWR		[Barcode]						
DATE OF ISSUE	EXP. DATE	BLOOD TYPE	GENEVA CONV. CATEGORY					
2008NOV07	2013NOV30	UNK	IV					

This card is the property of the United States Coast Guard, and is issued for official purposes and for identification only. Improper use, possession, or alteration is subject to the penalties under Title 18, USC 499, 506 and 701. If found, return to:
United States Coast Guard Commandant (CG-5421)
Washington, DC 20593-0000
Return Postage Guaranteed

COAST GUARD AUXILIARY performs essential duties for the Federal Government in support roles to the UNITED STATES COAST GUARD in non-law enforcement and non-combat roles as search and rescue missions, boating education, vessel safety checks, environmental protection missions and aids to navigation. Please provide any assistance necessary to the bearer of this card in reaching his/her duty assignment. Authorized medical care while under competent orders.

GENEVA CONVENTIONS IDENTIFICATION CARD - FORM 2650A

NON-MILITARY ID

DEPARTMENT OF HOMELAND SECURITY
UNITED STATES COAST GUARD AUXILIARY

PHOTO WITH
RED
BACKGROUND
HERE

JANE H. SMITH

STATUS COMMODORE	QUAL AUXOP	EMPLID # 1234567
ISSUED BY: _____ <small>U.S. COAST GUARD - CIVIL SERVICE</small>		

DATE OF BIRTH	WEIGHT	HEIGHT	HAIR COLOR	EYE COLOR				
1929JAN05	250	72	GRAY	BLUE				
AUTHORIZED PATRONAGE		1	2	3	4	5	6	7
COAST GUARD EXCHANGE/MWR		[Barcode]						
DATE OF ISSUE	EXP. DATE	BLOOD TYPE	GENEVA CONV. CATEGORY					
2008OCT08	2013OCT31	A+	IV					

This card is the property of the United States Coast Guard, and is issued for official purposes and for identification only. Improper use, possession, or alteration is subject to the penalties under Title 18, USC 499, 506 and 701. If found, return to:
United States Coast Guard Commandant (CG-5421)
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GENEVA CONVENTIONS IDENTIFICATION CARD - FORM 2650A

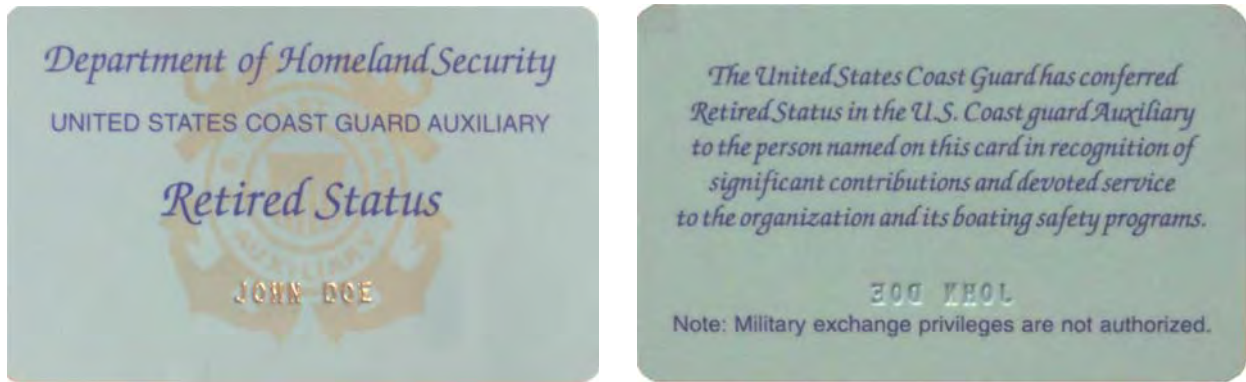
NON-MILITARY ID

Figure 5-3
Auxiliary Identification Card



O.2. Retired Status Card

When an Auxiliarist submits a request for retired status, a permanent, plastic Retired Status card (see Figure 5-4) with the retired Auxiliarist’s name on it will be provided to the Auxiliarist. Directors will, upon receipt of the Auxiliarist’s Auxiliary Identification Card, provide the Auxiliarist with the Retired Status Certificate. They will also send the full name and mailing address of the Auxiliarist to the commercial vendor holding the current Coast Guard contract for preparing the card. The Coast Guard will mail the Retired Status card to the Auxiliarist. The retired status longevity pin (see Figure 5-5) is available for purchase from the AUXCEN.



**Figure 5-4
Retired Status Card**



**Figure 5-5
Retired Status Pin**



O.3. Coast Guard Decals – Personally Owned Vehicle for Auxiliaries

Auxiliarists are issued Coast Guard vehicle decals (see Figure 5-6) on a limited basis only. Access to a Coast Guard facility is at the discretion of the Commanding officer exercising Coast Guard command authority over that facility. Therefore, Commanding officers of such facilities are the final authority for determining whether or not an individual has a frequent, demonstrated need to have on-base driving privileges. The POV decal will consist of a DHS/Coast Guard decal with a silver Auxiliary expiration tab. For additional information, refer to the Physical Security and Force Protection Manual, COMDTINST M5530.1 (series).



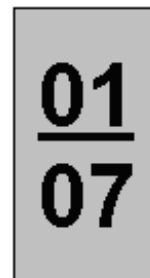
Officer



Enlisted



Civilian



Auxiliary



Contractor

**Figure 5-6
Coast Guard Decal – Personally Owned Vehicle**



O.3.a. Terms of Use	<p>Under no circumstances will the POV Decal be expected to constitute the sole means to determine a POV or POV operator's authorization to enter a Coast Guard facility. Additionally, the requirements listed are mandated for vehicular access to Coast Guard facilities utilizing the POV Registration Program. Auxiliary personnel require a valid Auxiliary identification card or locally authorized photo identification facility pass. POV access to, and operation on, Government facilities is a privilege and not the inherent right of any individual. The POV Decal shall be used to identify vehicles eligible for operation aboard a Coast Guard facility.</p> <p>The POV Decal is not a pass. The decal, which is the property of the U.S. Government, shall be permanently affixed to the vehicle to which it is issued in accordance with applicable directives at all times. It shall be surrendered when required by appropriate authority. Mail order registration of the POV Decal is not authorized. The unauthorized removal, sale, transfer to another vehicle, or mutilation of a Coast Guard decal or temporary pass is prohibited. The following may subject a user to disciplinary action or criminal prosecution under 18 U.S.C. § 499, 506, 701, or 1002:</p> <ol style="list-style-type: none"> (1) Alteration of decal or the date tab. (2) Possession of more than one decal or date tab for the same vehicle. (3) Possession of unauthorized decal or date tab. (4) Possession of fraudulently obtained decal or date tab. (5) Possession of decal or date tab when not currently an Auxiliarist authorized under the provisions of this instruction.
O.3.b. Registration Objectives	<p>POV registration objectives are as follows:</p> <ol style="list-style-type: none"> (1) Provide safeguards against financially irresponsible or careless drivers. (2) Follow local and State requirements for motor vehicle operation (e.g., vehicle safety inspections, insurance, and other forms of financial responsibility and licensing of motor vehicle operators). (3) Define conditions under which vehicle access may be granted and revoked.
O.3.c. Eligibility	<p>Auxiliarists are eligible for POV registration provided there is a frequent demonstrated need, as determined by Coast Guard command authority, for access to a Coast Guard unit that requires the POV Decal for vehicular access. Auxiliarists will be eligible for POV registration to provide staff-like access to Coast Guard facilities for duty in support of Coast Guard missions.</p>
O.3.c.(1) Vehicle Eligibility	<p>Privately owned, motorized, wheeled vehicles that may legally operate on public roads or highways may be registered, provided that all other eligibility requirements are met. Auxiliary unit owned, motorized, wheeled vehicles that are personal property of the Auxiliary that may legally operate on public roads or highways may also be so registered.</p>



O.3.c.(2)
Vehicle
Ineligibility

The following vehicles shall not be registered:

- (a) Official local, State, and Federal vehicles.
 - (b) Commercial use vehicles owned by eligible personnel if the vehicle is registered in the name of a company, corporation, or partnership.
 - (c) Vehicles designed exclusively for construction and material handling.
 - (d) Vehicles used solely off the road.
 - (e) Bicycles with fractional horsepower engines.
 - (f) POVs registered with another armed force displaying a DoD decal.
 - (g) POVs operated by a visitor requiring a temporary visitor vehicle pass.
-

O.3.d.
Requirements

Individuals who request POV registration (including recertification), must demonstrate a need to the cognizant Coast Guard command authority for vehicular access to the facility and shall provide the following documents:

- (1) Valid Federal Government identification card.
 - (2) Valid State motor vehicle drivers license for the type of vehicle being registered.
 - (3) Valid State certificate of vehicle registration in the name of the individual registering the vehicle. POVs with a temporary registration (e.g., cardboard, plastic, paper, etc.) are not eligible for POV registration until a permanent State registration is presented to the unit. In such cases, temporary visitor vehicle passes are authorized.
 - (4) Proof of compliance with minimum requirements of the financial responsibility, compulsory insurance, or no fault insurance laws of the state in which the vehicle is registered, or of the state in which the unit is located if no financial responsibility is required by the state of registry.
 - (5) Proof of satisfactory completion of a safety and mechanical vehicle inspection by the state or jurisdiction in which the vehicle is registered. This requirement is waived for units in areas not requiring a vehicle safety inspection or where out-of-state vehicles are not required to be inspected; however, states can require that all vehicles, regardless of state of registry, be inspected and meet safety and pollution control standards. Furthermore, Commanding officers may establish minimum vehicle safety standards as a condition of registration. The intent is to ensure that the Coast Guard complies with all State and local requirements.
-



All persons issued Coast Guard decals or passes shall continuously comply with the requirements for driver's license, State registration, safety inspections, and insurance upon which the decal or pass was initially issued. If there is a change in status on the part of the registrant regarding the compliance with those requirements (e.g., loss of insurance, revocation of driver's license), the registrant will immediately notify the unit registering the vehicle, and the vehicle is no longer authorized to operate on Coast Guard facilities.

O.3.e. Decal Display

The POV Decal and expiration tabs must be readily visible to security forces in accordance with the following:

- (1) Unless prohibited by State or local law, the decal shall be permanently affixed, on the outside, top center of the windshield, above the rear-view mirror, so as not to obstruct the driver's view. Motorcyclists may mount the decal lengthwise on the vehicle where it may be easily seen from the front of the vehicle.
 - (2) Mounting the POV Decal and date tab on removable placards is prohibited. Decals not permanently affixed to the vehicle for which they are issued are subject to confiscation. Additionally, POV registration may be terminated, and the Auxiliarist may be subject to disciplinary action or criminal prosecution.
 - (3) The expiration tab shall be affixed parallel with, and adjacent to, the left edge of the decal. The tabs are available for January and July only.
 - (4) Optional rank tabs shall not be permanently affixed to the POV, and must be mounted on a removable placard. For the purpose of operational security (OPSEC), these placards must be stored in a secure location when not in use (e.g., locked glove compartment).
-

O.3.f. Termination of Access

Commanding officers may revoke access privileges at any time, or under any of the following conditions:

- (1) The owner fails to comply with or maintain State or Coast Guard registration and/or licensing requirements.
 - (2) The registrant's service with the Coast Guard or Coast Guard Auxiliary is terminated.
 - (3) The owner uses or permits the use of the POV in connection with illegal activities.
 - (4) The owner's driving privilege is revoked on any Coast Guard facility.
 - (5) The owner's eligibility or registration is terminated.
 - (6) The owner has been barred from a Coast Guard or any other Federal facility.
-



-
- (7) The owner has sold or otherwise disposed of a registered vehicle without providing adequate proof of the decal being removed. Normally, adequate proof shall consist of the remains of the decal, or having the Commanding officer or a designated representative witness the destruction of the decal. It is not the intent of this provision to limit the number of vehicles that may be registered to a person, but simply to ensure that all decals are accounted for.
 - (8) The current decal becomes effaced, illegible, or incomplete (just cause for re-issuing the decal).
 - (9) The owner is no longer entitled access to Coast Guard units.
 - (10) Decals may be seized for just cause by any Commanding officer, designated representative, or by any security organization of the Armed Forces.
-

**O.4. Auxiliary
Logical Access
Credential
(ALAC)**

Based upon the nature of the support that they provide to Coast Guard units, some Auxiliarists may require access to Coast Guard Standard Work Stations (SWS) and/or networks (i.e., the dot mil domain). The Auxiliary Logical Access Credential (ALAC) may be provided such Auxiliarists for the sole purpose of gaining such access. An ALAC is not a Common Access Card (CAC). It shall not display a photograph, shall not convey benefits, entitlements, or privileges, and shall not be used for physical access. Physical access of Auxiliarists to Coast Guard and DoD facilities shall remain predicated upon presentation of the Auxiliary ID card.

The ALAC has Coast Guard Public Key Infrastructure (PKI) certificates to allow access to government computers and networks. These credentials will be verified through the Contactor Verification System (CVS), processed through the Defense Enrollment Eligibility Reporting System (DEERS), and issued by a Real-time Automated Personnel Identification System (RAPIDS) ID card issuance facility. Logical access is defined as that access which necessitates a Coast Guard SWS account to input, review, manipulate, and extract data. It includes the need to access web sites, information systems, and software applications within the dot-mil domain.

ALAC issuance shall only occur pursuant to procedural guidelines established by the Chief Director.





Section P. Accommodation of Individuals with Physical and Mental Disabilities

Introduction This section describes the provisions for accommodating individuals, whether they are enrolled in the Auxiliary or they are members of the public enrolled in boating safety classes offered by the Auxiliary, who have physical or mental disabilities.

Auxiliary units may receive requests to accommodate physically or mentally challenged individuals. The Auxiliary is not subject to requirements of covered entities as defined in the Rehabilitation Act of 1973 nor the Americans with Disabilities Act (ADA). However, the Auxiliary may take reasonable steps to accommodate individuals with physical or mental disabilities who desire to participate in Auxiliary events, programs, activities, and PE classes.

**P.1.
Accommodation
for PE Classes**

To accommodate individuals with physical or mental disabilities who desire to take an Auxiliary PE class, Auxiliary units may, when available, try to obtain suitable services through non-profit agencies or through local/State governments. Contacts with these agencies should be initiated and nurtured by all units who conduct PE classes. To the greatest extent possible, units should also attempt to identify Auxiliarists who can also provide such services.

The actions to accommodate individuals with physical or mental disabilities should be taken in a reasonable period of time, which does not necessarily mean immediately. The individual should provide reasonable notice of their disability(ies) so that the Auxiliary unit can attempt to arrange suitable accommodations. If suitable accommodations cannot be arranged for a pending class, the individual's participation may be delayed to a future class when/if accommodations are available. Once accommodations have been arranged for a course, units should notify the Director and aggressively advertise the availability of the course with its accommodations in order to attract the maximum number of individuals who would benefit from such.



P.2.
Accommodation
for Auxiliarists

As indicated in Chapter 7 of this Manual, the Auxiliary is guided by diversity policies of the Commandant of the Coast Guard, and no person shall be subject to discrimination in the Auxiliary or its programs because of disability. An individual's physical or mental disability(ies) shall therefore not be sufficient grounds in and of itself for denial of enrollment in the Auxiliary. However, it should be communicated with the individual well in advance of the submission of an enrollment package that the Auxiliary is not subject to requirements of covered entities as defined in the Rehabilitation Act of 1973 nor the Americans with Disabilities Act (ADA). Moreover, that the Auxiliary may take reasonable steps to accommodate individuals with physical or mental disabilities who desire to participate in its events, programs, activities. In effect, an individual's degree of involvement in the Auxiliary would be limited by the individual's disability(ies) and the constraints of the Auxiliary. Clear understanding of these provisions are necessary for the individual to make an informed decision as to whether or not Auxiliary membership is appropriate for them, and it should also be incorporated into any membership acceptance correspondence from the Director to the individual.

Contacts with non-profit agencies or local/State governments for the purpose of addressing the needs of Auxiliarists with physical or mental disabilities should be initiated and nurtured by Auxiliary elected leaders. To the greatest extent possible, units should also attempt to identify Auxiliarists who can also provide such services.

As a minimum, Auxiliarist with physical or mental disabilities should communicate any special needs or concerns as far in advance as possible to appropriate individuals as follows:

- a. Directly to the Auxiliary event coordinator if an event or program is slated to occur at an Auxiliary function or venue.
 - b. Directly to the Coast Guard unit's event coordinator if an event or program is slated to occur at a Coast Guard unit.
 - c. Directly to the designated lead instructor or course coordinator if dealing with a formal training event (e.g., C-school attendance).
-



Section Q. Weapons

Introduction Weapons are defined as any type of sword, bayonet, firearm, or any related law enforcement equipment (e.g., pepper spray, handcuffs, taser).

Q.1. Weapons Carriage Weapons, except those worn by certified law enforcement officers in accordance with Federal, State, and local laws and regulations and required by their agency policy, may not be worn, carried, or held by any Auxiliarist or guest of the Auxiliary while attending an approved Auxiliary function or participating in an authorized Auxiliary activity, including regularly scheduled detachment, flotilla, or division meetings. This prohibition extends to those who have concealed weapons permits and those who may otherwise be authorized, but not required to wear weapons when not performing law enforcement duties (i.e., off-duty law enforcement officers). This prohibition also extends to periods immediately preceding and following Auxiliary functions (e.g., during fellowship periods).

Weapons are excluded at all times from Government facilities, buildings, property, and military installations. This means certified law enforcement officers who are required by their agency policy to carry a weapon(s) shall be subject to the policy of the facility they are entering and may be required to check the weapon(s) or be denied entry.

Weapons, except those worn by certified law enforcement officers in accordance with Federal, State, and local laws and regulations and required by their agency policy, may not be worn, carried, or held by any Auxiliarist or guest of the Auxiliary while aboard any Auxiliary surface, air, or mobile radio facility while under orders. This includes the exclusion of weapons even though they may be able to be locked up or secured on the facility. If a surface facility is an Auxiliarist's primary residence upon which a personal weapon(s) is normally secured and stored, then a request for waiver of this exclusion may be submitted to the Director.

Q.2. Ceremonial Weapons The above prohibitions do not apply to de-militarized ceremonial weapons that have been deliberately and completely rendered incapable of loading and firing and that are specifically intended just for ceremonial purposes. Auxiliarists may handle such weapons for their ceremonial purposes. However, Auxiliarists are specifically prohibited from handling and discharging any ceremonial firearms that are capable of being discharged.

Bayonets may not be fixed upon ceremonial weapons nor carried upon individuals handling such. Auxiliarists may not carry swords.





Section R. Social Media

Introduction

This section describes provisions for the use of social media by individuals in their capacity as Auxiliarists. Social media is the evolution and integration of information technology and social interaction through various media including blogs (web logs), Wikis, social networks, Really Simple Syndication (RSS) feeds, social bookmarking, and podcasts. Sustaining a flexible and change-centric organization requires basic understanding of and interaction with social media. Unfortunately, it is impossible to ensure that information passed via social media is complete and accurate, thus its readers have to assume responsibility for judging the validity of the information. Moreover, it is incumbent upon Auxiliarists who seek to post information through social media to ensure all due accuracy and propriety of such information, particularly when their capacity as an Auxiliarist may be linked to the information they post within that social media.

Auxiliarists in a personal capacity, while not assigned to duty, are authorized to make internet posts on Coast Guard-related topics as outlined in these provisions. The Auxiliary performs valuable services throughout the Coast Guard every day, and nobody is in a better position to tell the story than Auxiliarists. Accordingly, Auxiliarists are expected to responsibly engage in internet postings in accordance with the following provisions. They are designed to protect the Coast Guard and its members from any harm associated with a potential unauthorized release of protected or non-public information, and concurrently ensure the Auxiliary image is in keeping with the Coast Guard's core values and ethos. These objectives cannot be overstated. Auxiliarists are therefore expected to ensure that their use of social media neither inadvertently nor deliberately connects or associates, or projects an image of connection or association with, inappropriate material that is not consistent with the Coast Guard's core values and ethos.

Auxiliarists, whether assigned to duty or while acting in a personal capacity, shall not use social media as a mechanism for change or the advancement of positions or policies related to Coast Guard matters. Use of the chain of leadership is most appropriate and expected in such cases. Failure to abide by this tenet may subject an Auxiliarist to the provisions of Chapter 3 of this Manual, up to and including disenrollment.

Auxiliarists must also be aware that some individuals and groups use public networking forums to gain information that will advance their causes. Auxiliarists can help protect the Coast Guard from this threat through due compliance with these provisions.



For the purposes of this section, Coast Guard includes all aspects of the Auxiliary.

R.1. Official Internet Posts

Official internet posts on blogs, forums, comments to news articles, social networking sites, etc. provide new opportunities to inform and collaborate with the public in many ways. The Coast Guard's approach to online content is similar to its general public affairs policy: to be aware of posts relevant to service missions, policies, and people, and to provide information at the right level and the right time to ensure informed discussions to the extent that resources allow. Accordingly, a measured approach to Auxiliary engagement in official internet posts shall be taken as time, circumstances, and resources allow.

R.1.a. Guidelines

Auxiliary national leadership and staff, districts, regions, divisions, and flotillas are authorized to provide information and respond to internet discussion on matters that are within their purview as outlined in the Coast Guard Public Affairs Manual, COMDTINST M5728.2 (series) to ensure the virtual public record has accurate and properly characterized information. Auxiliary units are therefore encouraged to contribute to online content through official internet posts to further public information, discussion, and understanding of Coast Guard Auxiliary roles and missions up to and including their organizational levels (e.g., a flotilla's contributions should stay within the context of its own geographical area and scope of its own activities). Auxiliary public affairs staff officers will facilitate and support Auxiliary units in these endeavors. If required, Coast Guard district and area public affairs staffs will consult on Coast Guard issues that go beyond the Auxiliary district level. The Coast Guard's Office of Public Affairs (CG-0922) will provide the same support at the Auxiliary national level.

Any such official internet post content must first be reviewed and approved by the appropriate Auxiliary unit elected leader (e.g., the contribution of a division staff officer shall be reviewed and approved by the DCDR (e-mail is acceptable)). If there is any question or apprehension about the content, then it shall be forwarded to the Auxiliary leader at the next higher organizational level. Coast Guard issues that go beyond the Auxiliary shall be forwarded to the Director who shall submit them to the appropriate Coast Guard public affairs office (i.e., district for regional matters and Commandant (CG-0922) for national matters) for comment and approval, with a copy to the Chief Director for national matters.



The guidelines for release of information outlined in the Coast Guard Public Affairs Manual, COMDTINST M5728.2 (series) apply equally to all modes of public engagement, including official posts to internet sites. Further, the requirements for protecting information outlined in the Coast Guard Freedom of Information (FOIA) and Privacy Acts Manual, COMDTINST M5260.3 (series) must also be followed where they apply.

Formats for responses shall be informal, plain language as outlined in the Coast Guard Public Affairs Manual, COMDTINST M5728.2 (series), and may reflect a first person tone if deemed appropriate. These responses shall focus on factual information and not include defensive or argumentative wording, nor conjecture or speculation. Official responses should include the Auxiliary title and unit of the Auxiliarist making the post.

A disclaimer to ensure neither Coast Guard nor Coast Guard Auxiliary endorsement of the web site is not implied shall be used in all cases when posting content on non-Coast Guard sites. The disclaimer to use is as follows:

“This is an official United States Coast Guard and United States Coast Guard Auxiliary posting for the public’s information. Our posting does not endorse this site or anything on it, including links to other sites, and we disclaim responsibility and liability for the site and its content.”

R.2. Unofficial Internet Posts

Unofficial internet posts refer to Auxiliarists who express their Coast Guard-related thoughts, ideas, knowledge, experience, and opinions by posting any Coast Guard-related information to any Coast Guard or other internet site. An unofficial internet post is a personal expression developed and released by an Auxiliarist in a personal capacity, while not assigned to duty, and that is not initiated by any part of the Coast Guard organization nor reviewed within any official Coast Guard approval process.

Auxiliarists who post content on the internet about the Coast Guard bear a responsibility for ensuring information disclosed, including personal comments, is accurate and appropriate. Moreover, Auxiliarists are expected to remember the Coast Guard’s core values and Guardian Ethos, and keep in mind how their posts will reflect upon themselves and the Coast Guard. Unauthorized disclosure of protected information or deviation from the following guidelines may result in disciplinary action, including disenrollment.



R.2.a.
Guidelines

Identifying oneself by Auxiliary title, position, authority, skill set, or status is authorized. Auxiliarists engaged in unofficial internet posting, however, shall take steps to avoid giving the perception of posting in an official capacity.

Release of Coast Guard e-mail addresses, telephone numbers, or fax numbers not already publicly released, including the poster's work contact information, is not authorized.

The posting or disclosure of internal Coast Guard documents or information, including personalized recaps of such information, that the Coast Guard has not officially released to the public is not authorized. This applies no matter how a poster comes into possession of a document. Examples include but are not limited to memos, e-mails, meeting notes, message traffic, articles for Coast Guard publications, white papers, Peloruses, public affairs guidance, and all pre-decisional materials. Additionally, For Official Use Only (FOUO) and Personal Identifiable Information (PII) shall not be released in unofficial internet posts. If there is any question, the poster shall contact the source of the information for guidance and discuss the concern.

Auxiliarists are responsible for adhering to Coast Guard regulations and policies regarding Operations Security (OPSEC), Information Security (INFOSEC), and the Privacy Act as in all other forums of communication. The Coast Guard Operations Security Program, COMDTINST 5510.24 (series), covers the specifics of the OPSEC program.

The release of Coast Guard information that is prohibited from release by the Coast Guard Public Affairs Manual, COMDTINST M5728.2 (series) and the Coast Guard Freedom of Information (FOIA) and Privacy Acts Manual, COMDTINST M5260.3 (series) is not authorized. As a general rule, releasing your personal or medical information, although not recommended, is authorized. However, releasing another Coast Guard member's information, as well as classified, operational, proprietary, or investigatory information, is not authorized.



A photo, video, or sound recording taken at a Coast Guard unit by Coast Guard personnel in any duty status is considered official Coast Guard media, as well as media taken by personnel engaged in a mission away from the home unit. All media that is releasable per the Coast Guard Public Affairs Manual, COMDTINST M5728.2 (series) may be posted unofficially by Auxiliarists. Newsworthy media should be released officially to news organizations in conjunction with or copied to a unit's servicing Public Affairs Office before posting unofficially. All Auxiliary public affairs program personnel are reminded to prohibit the unofficial posting of official Coast Guard media that is not releasable per the Coast Guard Public Affairs Manual, COMDTINST M5728.2 (series), such as law enforcement sensitive, investigation-related, and media that is in poor taste and/or not in keeping with security, accuracy, policy, and propriety. Coast Guard-related media taken while Auxiliary personnel are in a personal capacity, not assigned to duty, from public areas (e.g., a photo of a cutter taken from a public pier) is considered private imagery and is not subject to these provisions.

Use of protected Coast Guard words, emblems, or seals must be approved by appropriate Coast Guard authority, including the Chief Director and/or Commandant (CG-0922) where required to prevent the impression of official or implied endorsements.

Use of Coast Guard office equipment which includes, but is not limited to, government computers, fax machines, copiers, telephones, e-mail systems, and internet access to make unofficial internet posts is authorized as allowed by the instruction Limited Personal Use of Government Office Equipment, COMDTINST 5375.1 (series).

As with other forums of personal public engagement, Auxiliarists shall avoid behavior while acting in a personal capacity, not assigned to duty, that negatively impacts or conflicts with their ability to perform their functions when assigned to duty such as the prohibited personal conduct described in the instruction Standards of Conduct, Lobbying Activities, COMDTINST 5370.7 (series). Auxiliarists should consult their servicing Coast Guard legal office for an ethics determination prior to engaging in internet activity that could violate these standards of conduct.





Section S. Standards of Ethical Conduct

Introduction As is true for all other members of the Coast Guard, Auxiliarists are expected to uniformly and consistently uphold and practice the highest standards of ethical conduct in the course of their Auxiliary activities and in the course of their personal lives so as to never discredit the United States Coast Guard nor the United States Coast Guard Auxiliary. Accordingly, all Auxiliarists are expected to adhere to the Coast Guard's standards of ethical conduct, and, moreover, should expect to be held accountable for deviation from such within the allowances of Chapter 3 of this Manual. Additional information about ethics in the Coast Guard is available through the Auxiliary Mandated Training (MT) discussed in section 8.E of this Manual.

S.1. General Principles

The following principles apply to all Auxiliarists and form the basis for their expected ethical conduct as it may relate to the image of the Coast Guard and the performance of their authorized Auxiliary activities. They shall be applied in any and all circumstances to determine whether or not an Auxiliarist's conduct is proper.

- a. Public service is a public trust, requiring Auxiliarists to place loyalty to the Constitution, ethical principles, the laws, the governing policies established by the Commandant of the Coast Guard above private gain.
 - b. Auxiliarists should not hold financial interests that conflict with the conscientious performance of their authorized Auxiliary activities.
 - c. Auxiliarists shall not engage in financial transactions using non-public Government information or allow the improper use of such information to further any private interest.
 - d. Auxiliarists shall not, except as allowed by the provisions of section H of Chapter 5, solicit or accept any gift or other item of monetary value from any person or entity seeking official action from, doing business with, or conducting activities regulated by the Coast Guard, or whose interests may be substantially affected by the performance or non-performance of Auxiliarist's authorized activities. This provision is applicable only when serving in the role of an Auxiliarist.
 - e. Auxiliarists shall put forth effort in the performance of their authorized activities without attempt to deceive.
 - f. Auxiliarists shall not knowingly make unauthorized commitments or promises of any kind purporting to bind the Government.
 - g. Auxiliarists shall not use elected or appointed office, nor any other aspect of their association with the Coast Guard, for private gain.
 - h. Auxiliarists shall act impartially and not give preferential treatment to any Governmental entity, private organization, or individual.
-



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- i. Auxiliarists shall protect and conserve Federal property and shall not use it for other than authorized activities.
 - j. Auxiliarists should not engage in outside employment or activities, including seeking or negotiating for employment, that conflict with official Auxiliary activities.
 - k. Auxiliarists shall disclose waste, fraud, abuse, and corruption pursuant to their Auxiliary activities to appropriate Coast Guard authorities.
 - l. Auxiliarists shall satisfy in good faith their obligations as citizens, including all just financial obligations, especially those such as Federal, State, or local taxes, that are imposed by law.
 - m. Auxiliarists shall adhere to all laws and regulations that provide equal opportunity for all Americans regardless of race, color, religion, sex, national origin, age, or handicap.
 - n. Auxiliarists shall endeavor to avoid any actions creating the appearance that they are violating the law or the ethical standards set forth herein. Whether particular circumstances create an appearance that the law or those standards have been violated shall be determined from the perspective of a reasonable person with knowledge of the relevant facts.
 - o. Auxiliarists shall refrain from comments among service members and media that unreasonably criticize, attack, or disparage the service.
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