

stripe. The Coast Guard emblem, as described in §23.10(b), is centered within the confines of the broad red diagonal stripe.

(b) The Coast Guard identifying insignia is intended primarily for the identification of Coast Guard vessels, aircraft, vehicles, and shore units. It may also be reproduced for use on Coast Guard publications, stationery, jewelry, and similar items.

(c) Any person who desires to reproduce the Coast Guard identifying insignia for non-Coast Guard use must first obtain approval from the Commandant, U.S. Coast Guard, Washington, D.C. 20593.

(Sec. 6(b)(1), 80 Stat. 937; 49 U.S.C. 1655(b)(1); 49 CFR 1.46(b))

[CGFR 70-95, 35 FR 12541, Aug. 6, 1970]

### §23.15 Coast Guard ensign.

The Coast Guard ensign has sixteen perpendicular stripes alternate red and white, beginning with the red at the hoist. In the upper quarter, next to the hoist, is the union, being the Coat of Arms of the United States, in dark blue on a white field, half of the length of the flag, and extending down the hoist halfway. The distinctive emblem of the Coast Guard in blue and white is placed with its center on a line with the lower edge of the union and over the center of the seventh vertical red stripe from the hoist of the flag, the emblem covering a horizontal space of three stripes.

[CGFR 57-35, 22 FR 6765, Aug. 22, 1957]

### §23.20 Coast Guard commission pennant.

The Coast Guard commission pennant shall have the union part composed of thirteen blue stars in a horizontal line on a white field, one-fourth the length of the pennant; the remaining three-fourths shall consist of sixteen vertical stripes of equal width, alternate red and white, beginning with the red, and a tail piece of red about one-fifth the entire length of the pennant, ending in a swallow tail.

[CGFR 57-35, 22 FR 6765, Aug. 22, 1957, as amended by CGFR 71-75, 36 FR 13268, July 17, 1971]

### §23.30 Penalty.

Section 638(b) of Title 14 U.S.C. (63 Stat. 546) reads as follows:

No vessel or aircraft without authority shall carry, hoist or display any ensign, pennant or other identifying insignia prescribed for, or intended to resemble, any ensign, pennant or other identifying insignia prescribed for Coast Guard vessels or aircraft. Each person violating this provision shall be fined not more than \$5,000, or imprisoned for not more than two years, or both.

[CGFR 57-35, 22 FR 6765, Aug. 22, 1957]

## PART 25—CLAIMS

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AUTHORITY: 14 U.S.C. 633; 49 CFR 1.45(a); 49 CFR 1.45(b); 49 CFR 1.46(b), unless otherwise noted.

SOURCE: CGD 80-033, 46 FR 27109, May 18, 1981, unless otherwise noted.

**Subpart A—General**

**§ 25.101 Purpose.**

This subpart prescribes the requirements for the administrative settlement of claims against the United States, other than claims against the Oil Spill Liability Trust Fund under part 136 of this chapter and contract claims, but including claims arising from acts or omissions of employees of non-appropriated fund activities within the United States, its territories, and possessions.

[USCG-2001-9286, 66 FR 33639, June 25, 2001]

**§ 25.103 Information and assistance.**

Any person who desires to file a claim against the United States Coast Guard arising out of the activities of the Coast Guard may obtain information and assistance from the Coast Guard Maintenance and Logistics Command Atlantic (lc), located at 300 East

Main Street, Suite 965, Norfolk, VA 23510-9113 or from the Coast Guard Maintenance and Logistics Command Pacific (lc), located at Coast Guard Island, Alameda, California, 94501, or from Commandant (G-LCL), U.S. Coast Guard, Washington, DC 20593, or from the Commander of any Coast Guard District listed in 33 CFR Part 3.

[CGD 87-008b, 52 FR 25217, July 6, 1987, as amended by CGD 97-023, 62 FR 33362, June 19, 1997; USCG-2001-9286, 66 FR 33639, June 25, 2001]

**§ 25.105 Definitions.**

*Accrual date.* The day on which the alleged wrongful act or omission results in injury or damage for which a claim is made or when the claimant discovers, or in the exercise of reasonable diligence should have discovered, the alleged wrongful act or omission.

*Claim.* A written notification of an incident accompanied by demand for the payment of a sum certain of money, other than for ordinary obligations incurred for services, supplies, or equipment.

*Settle.* To consider, ascertain, adjust, determine, compromise (when specifically authorized by law), and dispose of a claim by disapproval or approval, in whole or in part.

*Settlement authority.* A person authorized to settle a claim.

[CGD 80-033, 46 FR 27109, May 18, 1981; 46 FR 29933, June 4, 1981]

**§ 25.107 Who may present claims.**

(a) General rules:

(1) A claim for property loss or damage may be presented by anyone having an interest in the property, including an insurer or other subrogee, unless the interest is barred under § 25.109(a).

(2) A claim for personal injury may be presented by the person injured.

(3) A claim based on death may be presented by the executor or administrator of the decedent's estate, or any other person legally entitled to assert such a claim under local law. The claimant's status must be stated in the claim.

(4) A claim for medical, hospital, or burial expenses may be presented by any person who by reason of family relationship has, in fact, incurred the expenses.