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IN REPLY REFER TO:
CNLSC 3440-TFNF

JUL - 8 2014

From: Commander, Naval Legal Service Command
To: Distribution

Subj: COMMANDER, NAVAL LEGAL SERVICE COMMAND SUPPORTING PLAN TO
TASK FORCE NAVY FAMILY (TFNF) FUNCTIONAL PLAN

Ref: (a) TFNF Functional Plan 3440-N46: Support Recovery of the Navy Family Following a
Catastrophic Event

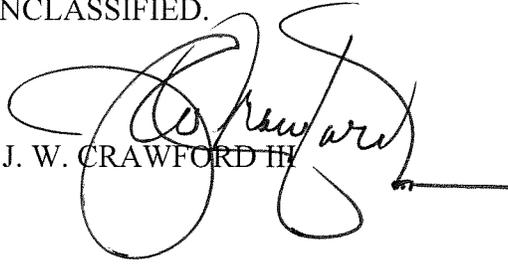
1. Background. In the immediate aftermath of Hurricane Katrina, the Chief of Naval Operations (CNO), recognizing the profound impact Katrina had on the Navy community in that region, established a task force to help Navy personnel and their families recover from the devastation. Over the ensuing months, Task Force Navy Family (TFNF), with the help of many other Navy organizations including the Office of the Judge Advocate General (OJAG) and Naval Legal Service Command (NLSC), assisted thousands of Navy families. In May 2006, CNO promulgated a Functional Plan, reference (a), which would be executed if it became necessary to reestablish TFNF, and CNLSC implemented the first Supporting Plan to support recovery efforts. Since that time, while neither the Functional Plan nor the Supporting Plan has been implemented, the Supporting Plan has provided the framework for OJAG/NLSC response efforts following natural or man-made catastrophic events such as hurricanes, flooding, wildfires and plane crashes. Those experiences and the lessons we have learned have given us a better understanding into how OJAG/NLSC assets can best provide support following catastrophic events and are reflected in this updated plan.
2. Purpose. To provide support in response to a catastrophic event if reference (a) is executed. In such an event, CNLSC will be a Supporting Commander to CTFNF and this plan describes how CNLSC will support CTFNF. This Supporting Plan also assigns responsibilities and describes legal support to be provided to local installation commanders and impacted personnel if a catastrophic event occurs and reference (a) is not executed but OJAG/CLNSC support is required.
3. Plan Description. Reference (a) follows the Joint Operations Planning and Execution System format. The Supporting Plan applies a similar format, with some adaptations to enhance readability and execution by NLSC personnel. This Supporting Plan consists of a Basic Plan and five enclosures.
4. Action. In the event the CNO or his designee executes reference (a), the Supporting Plan will take effect immediately without further action. If a catastrophic event occurs and reference (a) is not executed but OJAG/NLSC support is required to respond to the event, the Supporting Plan shall be used as the basis for providing legal support to the local installation and impacted personnel and their families. All Region Legal Service Offices, Defense Service Offices, and OJAG divisions shall review and be familiar with the requirements of this Supporting Plan.
5. Review. This Supporting Plan should be updated annually.

Subj: COMMANDER, NAVAL LEGAL SERVICE COMMAND SUPPORTING PLAN TO
TASK FORCE NAVY FAMILY (TFNF) FUNCTIONAL PLAN

JUL -8 2014

6. Classification. This Supporting Plan is UNCLASSIFIED.

J. W. CRAWFORD III

A handwritten signature in black ink, appearing to read "J. W. Crawford III", is written over the printed name. The signature is stylized with large loops and a horizontal line at the end.

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All RLSOs

All DSOs

CNLSC SUPPORTING PLAN (BASIC PLAN) TO TFNF FUNCPLAN 3440-N46
SUPPORT RECOVERY OF THE NAVY FAMILY FOLLOWING A CATASTROPHIC
EVENT

- References:
- (a) Task Force Navy Family Functional (TFNF) Plan 3440-N46
 - (b) COMNAVLEGSCCOMINST 5450.1 (series) (Subj: Mission, Functions and Tasks of Naval Legal Service Command Offices)
 - (c) JAGINST 5800.7 series, JAG Manual
 - (d) JAGINST 5801.2 series (Subj: Navy-Marine Corps Legal Assistance Program)
 - (e) JAGINST 5890.1A (Subj: Administrative Processing and Consideration of Claims On Behalf Of and Against the United States)
 - (f) Commander, Navy Installation Command (CNIC) Supporting Plan to TFNF FUNCPLAN 3440-N46

- Enclosures:
- (1) Provision of Legal Assistance Services
 - (2) Provision of Claims Services
 - (3) Lessons Learned
 - (4) Standard Operating Procedures for Coordination with Fleet and Family Service Centers and Community Support Centers
 - (5) Standard Operating Procedures for Case Management and/or Needs Assessment Tools and Databases

1. Situation. Per reference (a), Commander, Naval Legal Service Command (CNLSC) will be a Supporting Commander to Commander, Task Force Navy Family (CTFNF) in the event that TFNF is established to respond to a catastrophic event. Enclosures (1) and (2) have been developed consistent with the requirements of reference (a) and outline how legal assistance and claims services will be provided in support of CTFNF or when the Functional Plan is not executed but OJAG/NLSC legal support is required to respond to the event. Enclosure (3) contains Lessons Learned prepared by Code 15, Naval Legal Service Office (NLSO) Central and NLSO Southeast following various response efforts since 2005. Enclosures (4) and (5) set forth procedures applicable to specific TFNF operations.

a. General.

(1) A catastrophic event, either natural or man-made, has the potential to damage or destroy multiple Navy installations and the communities around those installations. The event could produce mass casualties and displace members of the "Navy Family" (see paragraph 1c(1)), below for a definition of "Navy Family" for purposes of reference (a) and this Supporting

Plan). Damage to local transportation, communication systems, and other critical infrastructure will impact Navy Families both on and off base.

(2) Members of the affected Navy Family could require legal services immediately following the event, and at different stages during disaster recovery, to address disaster related legal assistance and claims matters resulting from the catastrophic event such as loss of personal property incident to government service, insurance coverage, contractor issues, and maintaining multiple households or residences.

(3) The organizational and support requirements discussed in this plan may also be applied when CNLSC directs a response to a catastrophic event when Functional Plan has not been executed but legal support is required.

b. Areas Defined.

(1) Area of Responsibility (AOR). Per reference (a), the Chief of Naval Operations shall designate the AOR. At a minimum, the AOR shall encompass the region affected by the catastrophic event and may be inside or outside the Continental United States. CNLSC is comprised of Region Legal Service Offices (RLSO), and Defense Service Offices (DSO), each assigned primary responsibility for the provision of specified legal services in their specific geographic AOR. CNLSC, through the RLSOs and DSOs, has worldwide geographic coverage. See reference (b) for the geographic and regional responsibility for each RLSO and DSO. The designated AOR will determine which NLSC assets have primary responsibility for legal services in the event of a catastrophe.

(2) Area of Interest (AI). The AI will be determined by CTFNF and will generally include the area where the catastrophic event occurred and could be expanded depending upon the deployment and possible relocation of the affected Navy Family.

(3) Area of Operations (AO). The AO, on the other hand, will cover the applicable AI as well as those areas outside the AI where units and organizations supporting disaster relief are located and operating. Accordingly, RLSOs located outside the AOR and the AI may be assigned responsibilities depending upon the needs of the particular relief effort and affected Navy Family.

c. Forces.

(1) Definition of "Navy Family". Reference (a) defines the "Navy Family" as:

(a) Navy service members (active and reserve);

(b) Civilian Employees of the Department of the Navy (both civil service and Non-Appropriated Fund (NAF));

(c) Eligible family members and same-sex domestic partners of (a) and (b) above; and

(d) Other personnel designated by the Chief of Naval Operations (e.g., other service members assigned to Navy commands or tenants on Navy installations; Navy retirees and their families; members of the Individual Ready Reserve (IRR) and their families). In the case of deceased, injured or missing Navy service members or civilians, the definition may include certain extended family members (e.g., parents, parents-in-law, guardians, brothers, sisters, brothers-in-law, sisters-in-law).

(2) Center of Gravity (CoG). Unless otherwise directed, the RLSO in the affected area (AI) will be the responsible RLSO. The responsible RLSO, OJAG Claims and Tort Litigation Division's Personnel Claims Unit (PCU), and the judge advocates assigned to CTFNF by CNLSC will form the core of the legal services team and will ensure the provision of legal services to all eligible members of the Navy Family, consistent with this Supporting Plan.

(3) Supporting Units.

(a) RLSOs in unaffected areas will be prepared to provide surge capacity and augment manpower and resource capability for the responsible RLSO, consistent with mission requirements.

(b) Naval Reserve Region Legal Service Office (NR RLSO) units will support CNLSC and the responsible RLSO consistent with unit and COMNAVRESFOR mission requirements.

(c) Subject matter experts from the Office of the Judge Advocate General (OJAG) (e.g., Administrative Law (Code 13), Claims and Tort Litigation (Code 15) and Legal Assistance (Code 16)) will be prepared to provide support on matters involving statutory, regulatory and policy issues associated with specialized disaster relief legal services.

(d) CNLSC will coordinate with DSO COs to arrange for DSO support of the responsible RLSO, if necessary.

(e) CNLSC, the responsible RLSO and others on the legal services team should also coordinate with State and local Bar Associations, and identified legal service contractors, to arrange for referral of Navy Family members to approved *Pro Bono Publico* or public interest legal service providers that typically provide reduced-rates for initial consultations and/or services.

d. Assumptions. Federal and State laws and regulations governing the availability of legal assistance and claims services to military and civilian employees within the Navy Family will apply during disaster relief and recovery operations.

e. Legal Considerations. See reference (a).

f. Immediate Challenges. The following may affect the timing of the response and the ability to provide legal services, and should be considered in any pre-planned or crisis response plan:

- (1) Destruction of NLSC facilities and offices
- (2) Relocation of RLSO personnel and/or their family members
- (3) Extended Safe Haven for RLSO unit personnel
- (4) Closure of military installations
- (5) Closure of roads, cities and geographic areas by civil authority
- (6) Multiple or overlapping events in the same or different AI/AO
- (7) Lack of access to AI/AO (e.g., quarantine, curfew, martial law)
- (8) Lack of communications in the AI/AO (e.g., internet and cell/land-line telephone connectivity)
- (9) Lack of transportation in the AI/AO (e.g., commercial air/ground)
- (10) Lack of infrastructure in the AI/AO (e.g., power, lodging, messing/berthing)
- (11) Lack of supplies in the AI/AO (e.g., fuel, water, food)

2. Mission. NLSC will provide necessary legal services to eligible members of the Navy Family affected by a catastrophic event to help them recover from the event as expeditiously as possible.

3. Execution.

a. Concept of Operations.

(1) Intent. The need for legal services may exist throughout the AI/AO, and the responsible RLSO will coordinate the legal services response through CTFNF, CNLSC, OJAG, and the PCU, as necessary. Under the

direction of CNLSC, the responsible RLSO will meet the immediate and long-term legal needs of Navy Family members eligible to receive legal services. The desired end state is for affected members of the Navy Family to achieve initial recovery and general reconstitution of their lives through access to legal services and resolution of identified legal needs.

(2) General. Unless otherwise directed, the RLSO in the AI for a given catastrophic event will be the “responsible RLSO” and will assume responsibility as the primary legal services provider in support of CTFNF. With the ordered execution of reference (a), the responsible RLSO will begin providing legal services to affected members of the Navy Family without further order or execution of this Plan.

(a) The “Phase” Concept. As set forth in reference (a), CTFNF operations will proceed in predefined “Phases.” These Phases, described in detail in reference (a), are numbered 0 through 5, each referring to a particular functional component of the overall recovery effort. Phases are generally sequential, but not event-driven; they may occur concurrently. [For example, Phase 3 does not need to end before Phase 4 begins; in fact, Phase 4 will likely commence in Phase 1 or 2 of the recovery effort.] The CNLSC functions that will be performed during each Phase are described generally as follows:

i. Phase 0: Stand up and deploy TFNF. Per reference (a), Phase 0 begins with the CNO’s direction for TFNF to respond to the crisis. CTFNF will then establish a headquarters, conduct staff estimates and release a Planning Order (PLANORD) to Supporting Commanders. Phase 0 ends when CTFNF issues the Operations Order (OPORD). During this Phase, CNLSC will assign a Staff Judge Advocate (SJA)/Subject Matter Expert (SME) and Liaison Officer (LNO) to CTFNF and set up liaison with the responsible RLSO, DSOs and other RLSOs that may be called upon to assist, and various experts from the Office of the Judge Advocate General (OJAG) such as Administrative Law (Code 13), Claims (Code 15) and Legal Assistance (Code 16), as appropriate. See paragraph 4.d.(1) below for more detail on the roles of these assigned personnel. CNLSC personnel engaged in CTFNF disaster response efforts shall review Lessons Learned at Enclosure (3) to this Supporting Plan.

ii. Phase 1: Conduct damage assessments. Per reference (a), Phase 1 begins with the assessment of the AI and ends with the identification of all affected commands and Navy Families. During this Phase, the NLSC LNO assigned to CTFNF will work with the responsible RLSO to assess the situation and begin to organize resources and assets, including possible Reserve legal support, necessary to provide the appropriate response

to the anticipated need. The responsible RLSO will coordinate and provide legal services to eligible affected members of the Navy Family as warranted.

iii. Phase 2: Full accounting and assessment. Per reference (a), Phase 2 begins with the full accounting of all Navy and civilian members in the AI and involves the assessment of all members of the affected Navy Family and the registration of their needs in an appropriate authoritative database. Phase 2 ends with the completion of full accounting and assessment of all affected Navy Family members. During this Phase, the responsible RLSO will coordinate and provide immediate legal services to eligible affected members of the Navy Family in the AI/AO, and will refer them to Internet-based Case Management or Needs Assessment tools, as appropriate. The LNO will coordinate with the responsible RLSO on the technical requirements and use of Internet-based Case Management or Needs Assessment tools.

iv. Phase 3: Address all severe needs for the defined support areas. Per reference (a), Phase 3 begins when the most severe issues, categorized as Severity Levels 3 and 4, are identified, and ends when these issues have been mitigated to Severity Level 0, 1 or 2. See paragraph 3a(2)(b) below for an explanation of “severity levels.” During this Phase, the responsible RLSO will coordinate and provide immediate legal services to eligible affected members of the Navy Family in the AI/AO. The responsible RLSO, with the assistance of other RLSOs as necessary, will contact and assist members of the Navy Family with legal needs assessed at Severity Levels 3 or 4 in the web-based Case Management or Needs Assessment tools. Also during this phase, legal service providers will begin assisting affected members with Severity Levels 1 and 2.

v. Phase 4: Identify policy changes and legislative actions required to resolve obstacles and enhance assistance to the Navy Family. Per reference (a), Phase 4 begins with a plan to address broader issues affecting the Navy Family and ends with plans and policies being either changed or identified for further action. During this Phase, the SJA/SME, with assistance from the responsible RLSO and experts from OJAG, will help identify statutory, regulatory, and policy changes related to legal services that may be beneficial to affected members of the Navy Family.

vi. Phase 5: Transition Task Force responsibilities and stand-down TFNF. Per reference (a), Phase 5 begins with the identification and transfer of responsibility for remaining TFNF issues to an appropriate existing command and ends with CTFNF staff personnel reconstituted in their parent commands. During this Phase, the responsible RLSO, with the assistance of other RLSOs as necessary, will coordinate remaining legal

services through the case managers assigned to either the Fleet and Family Service Center (FFSC) or the Community Support Center (CSC), as appropriate. The responsible RLSO will continue to provide legal services to all eligible, affected members of the Navy Family during TFNF transition operations and after stand-down of TFNF. With the stand-down of TFNF, the SJA/SME and LNO will return to his/her normal duties and the responsible RLSO will continue to provide legal services to the affected Navy Family members as needed.

(b) “Severity Levels”. In addition to the Phases described above, the TFNF Functional Plan (reference (a)) also relies on “severity levels” to assess the relative needs of the affected members of the Navy Family. Each service provider (e.g., housing, medical, financial assistance, etc.) has defined its respective severity levels that will help inform and prioritize its response. These severity levels will also form the basis for measures of effectiveness and reports to Navy leadership. For legal services, needs will be assessed using the following severity levels (see Annex C of reference (a) for severity level descriptions for all service providers):

- Level 0 – No legal needs, legal needs resolved, RLSO plan of action progressing to the satisfaction of the member, or affected member of Navy Family has been directed to a resource outside of RLSO and/or Navy.
- Level 1 – Legal needs being addressed by or referred to a RLSO.
- Level 2 – Non-immediate legal needs awaiting assessment.
- Level 3 – Immediate legal needs with limited assistance available.
- Level 4 – Critical and immediate legal needs and no assistance available.

(3) Deployment. Legal services will be provided from established NLSC facilities, as practicable, and temporary locations as necessary, to assist Navy Family Members with emergent legal needs. The responsible RLSO in an affected area will coordinate directly with local Installation Commanding Officers for temporary facilities or alternate locations from which to provide legal services in support of CTFNF. Alternatives to be considered include installation Emergency Operations Centers, civilian shelters, Navy Reserve component facilities (e.g., Reserve Centers or Navy Operational Support Centers), and other RLSOs. The responsible RLSO should also coordinate with the local Fleet and Family Service Center (FFSC), and Community Support Center (CSC) if established. See reference (a), the TFNF Functional Plan, and reference (f), the CNIC Supporting Plan, for a discussion and description of CSCs.

(4) Employment. See enclosures (1) and (2) of this Supporting Plan for specific details on the provision of legal assistance and claims services to eligible members of the affected Navy Family.

b. Tasks.

(1) CNLSC:

(a) Provide resources to deliver legal services in support of CTFNF.

(b) Assign to CTFNF one or more judge advocates to serve as SJA/SME and as NLSC LNO.

(c) Appoint other judge advocates or civilians attorneys to the CTFNF staff as necessary.

(2) Commanding Officers of responsible RLSOs:

(a) See enclosures (1) and (2) to this Supporting Plan for time-phased tasks and objectives for providing legal services in support of CTFNF.

(b) Coordinate legal services support with the FFSCs and/or CSCs, as appropriate. See references (a) and (f) for discussion and description of CSCs.

(c) Provide periodic situation reports (SITREPS) to CNLSC via whatever means possible (e.g., telephone, fax, email) and lessons learned upon stand down of TFNF. See enclosure (3) for sample SITREP and lessons learned formats.

c. Coordinating Instructions. RLSOs and DSOs not located in the disaster affected area have manpower and other assets that may be useful and necessary to support disaster recovery efforts. Also, depending on the severity and affects of the catastrophic event, the responsible RLSO may not be able to respond per this Supporting Plan. Accordingly, CNLSC will coordinate with DSOs and other RLSOs, and with CNIC for Regional Commander assistance as necessary, to ensure adequate legal resources are available to support CTFNF.

4. Administration and Logistics.

a. Concept of Support. Generally, the responsible RLSO will use existing organic resources to meet all immediate legal needs resulting from a catastrophic event. If additional resources are required, the CO of the

responsible RLSO will advise CNLSC and/or the CTFNF Legal LNO as appropriate. CNLSC will collaborate with other RLSOs, DSOs, Regional Commanders, CTFNF, OJAG and other organizations as necessary to ensure the responsible RLSO has adequate resources. The responsible RLSO will use command equipment, supplies and personnel to provide support to eligible affected members of the Navy Family. Any additional equipment, supplies, and personnel will be provided by CNLSC or coordinated by the CTFNF SJA/SME as appropriate.

b. Administrative Considerations. CTFNF may provide funding for legal SMEs with specialized expertise (e.g., insurance law) to travel to the affected area to provide informational briefings to eligible Navy Family members.

c. Logistics. See reference (a). Generally, NLSC personnel will use available government and commercial transportation to meet mission objectives, and upon approval may use privately-owned conveyances (i.e., POVs) to travel in accordance with travel regulations.

d. Personnel. CNLSC will support CTFNF by providing legal support to the CTFNF staff and by providing legal services to the affected members of the Navy Family.

(1) TFNF Legal Personnel. In support of the CTFNF staff, CNLSC will determine the number of judge advocates necessary to function as the SJA/SME and as the NLSC LNO. The SJA/SME will advise CTFNF and the TFNF staff on legal matters while the NLSC LNO will coordinate with CNLSC, the responsible RLSO and other organizations to ensure the timely provision of legal services to the affected Navy Family. Normally, the assignment of two judge advocates (paygrade 0-5 and 0-4, respectively) to CTFNF will be sufficient to cover the SJA/SME and LNO functions. However, additional attorneys, including qualified government civilian attorneys, may be assigned as circumstances dictate. Reserve judge advocates with subject matter expertise in areas that might be helpful, such as insurance law, will be identified and their availability determined. Assigned personnel will maintain close liaison and coordination with CNLSC and with SJAs of the other Supporting Commanders, in order to resolve all legal problems affecting the conduct of TFNF operations.

(2) CNLSC personnel. Legal services support for TFNF will require unified action between various personnel within NLSC assigned to RLSOs and the CNLSC staff.

(a) The responsible RLSO will provide primary personnel support for legal services in support of CTFNF to meet the mission and operations delineated in enclosures (1) and (2). This includes primary responsibility for coordinating necessary Naval Reserve Law Program support and coordination with the PCU for personnel claims support.

(b) In the event the responsible RLSO is unable to provide personnel support or otherwise perform the coordination functions, CNLSC will designate an alternate RLSO to cover the primary legal services functions and to coordinate with other service providers, as necessary, to support to the requirements of reference (a) and this Supporting Plan.

(c) DSOs may also be called upon to support the responsible RLSO in the provision of legal services to affected members of the Navy Family. In that event, CNLSC will coordinate with the DSO CO and Regional Commander, as appropriate.

5. Command and Control.

a. Command.

(1) Command Relationships.

(a) Per reference (a), CNLSC is a Supporting Commander to CTFNF.

(b) The OJAG divisions with subject matter expertise in relevant functional areas of law (e.g., Administrative Law (Code 13), Claims and Tort Litigation (Code 15) and Legal Assistance (Code 16)) will provide support to CNLSC, the responsible RLSO, the judge advocates assigned to CTFNF, and other personnel assigned to provide services in accordance with the Supporting Plan.

(c) RLSO Commanding Officers in affected areas will:

i. Provide first response and primary legal service support for affected areas at established RLSO locations in support of TFNF operations, including on-scene legal services support at remote locations as necessary, unless the CO determines that the responsible RLSO is unable to respond, in which case, CNLSC will designate an alternate RLSO.

ii. Coordinate with OJAG Codes 15 and 16 to ensure sufficient claims and legal assistance services for the affected area.

iii. Provide Command and Control for all assigned and allocated NLSC/OJAG assets involved in disaster response legal services.

iv. Liaise with each CSC in the affected area to identify and meet CSC support and operational requirements, consistent with references (a) and (f).

(d) DSO Commanding Officers in affected areas will be prepared to:

i. Provide secondary legal services support in affected areas and other designated locations under the direction of primary legal service providers, as coordinated by CNLSC and the responsible RLSO.

ii. Provide material and resource support as coordinated by and between CNLSC, the responsible RLSO CO and the Regional Commander, as appropriate.

(2) Specific Guidance. All active duty and Reserve personnel operating with the responsible RLSO in support of CTFNF will report to the responsible RLSO for mission tasking and operational matters, but will continue reporting to their regular chain of command for administrative matters.

(3) Command Posts.

(a) CNLSC is located at OJAG, Building 33, Washington Navy Yard, Washington, D.C.

(b) OJAG Administrative Law (Code 13) Division is located in the Pentagon, Washington, D.C.

(c) OJAG Claims and Tort Litigation (Code 15) and Legal Assistance (Code 16) Divisions are located at OJAG, Building 33, Washington Navy Yard, Washington, DC.

(d) OJAG Personnel Claims Unit is located in Norfolk, VA.

(e) Headquarters for the nine RLSOs are located in Naples, Italy; Washington, DC; Norfolk, VA; Jacksonville, FL; Great Lakes, IL; San Diego, CA; Bremerton, WA; Pearl Harbor, HI; and Yokosuka, Japan.

(4) Succession of Command. Not applicable.

b. Command, Control, Communications, and Computer (C4). (See Annex K to reference (a)).

(1) Information Assurance. The CTFNF SJA/SME and LNO and designated RLSO legal service providers will use the TFNF Case Management or Needs Assessment Tools, and other Internet-based collaboration tools, established to support affected members of the Navy Family and CTFNF. When legal services are provided in response to internet or web-based Needs Assessment or Collaboration tools, any documentation on those sources will contain sufficient information/data to assist non-legal Case Managers without compromising the privacy of individual Navy Family members or violating applicable ethics rules protecting client confidentiality.

(2) The SJA/SME will ensure designated RLSO legal services providers have access to the Disaster Assistance and Assessment System (DAAS) or other web-based Case Management tools and follow applicable information assurance guidelines.

ENCLOSURE (1) TO CNLSC SUPPORTING PLAN 3440-TFNF
PROVISION OF LEGAL ASSISTANCE SERVICES

1. Situation: Refer to Basic Plan.

a. General.

(1) Following a catastrophic event and throughout recovery, individuals and entire communities on and off military installations will encounter legal issues that may require legal assistance (LA) from military or civilian legal services providers. Legal issues common to most catastrophic events result from:

- (a) Total or partial loss of homes
- (b) Breach of contract for home repairs
- (c) Responsibility for multiple leases during evacuation to Safe Haven areas;
- (d) Damage to motor vehicles
- (e) Increased financial burdens
- (f) Assistance with claims/loans under the Federal Emergency Management Agency (FEMA);
- (g) Financial distress (e.g., Bankruptcy)
- (h) High risk loans from predatory lenders
- (i) Assistance with Personnel Claims Act (PCA) claims (review for completeness only);
- (j) Insurance (e.g., delays in damage assessments, inadequate or lapsed coverage, and preparing claims and appeals).

(2) The responsible Region Legal Service Office (RLSO) will provide legal services to eligible members of the Navy Family consistent with applicable statutes, and regulations at references (b) through (e) of the Basic Plan. Anticipated services will include preparation of documents such as powers of attorney, Notary services under references (c) and (d) and applicable regulations, and representation in civilian courts for certain military personnel under the Expanded Legal Assistance Program (ELAP). See references (c) and (d), and JAG Manual Chapter VII (JAGINST 5800.7D). The responsible RLSO will provide all members of the Navy Family information on civilian legal service resources and general information on recovery related matters at publicly attended briefings.

(3) In addition to individual legal assistance, legal service providers (LSPs) should deliver Preventive Law outreach (both before and after a disaster occurs) to educate all members of the Navy Family on disaster-related legal

matters, applicable laws affecting disaster recovery, and federal, state and local disaster relief legislative and regulatory initiatives.

b. Severity levels. Needs for legal assistance services will be assessed according to the following legal case severity levels (see paragraph 3a(2)(b) of the Basic Plan for a more detailed explanation of “severity levels”):

- (1) 0 – No legal needs, legal needs resolved, RLSO plan of action progressing to the satisfaction of the member, or affected member of Navy Family has been directed to a resource outside of RLSO and/or Navy.
- (2) 1 – Legal needs being addressed by or referred to a RLSO.
- (3) 2 – Non-immediate legal needs awaiting assessment.
- (4) 3 – Immediate legal needs with limited assistance available.
- (5) 4 – Critical and immediate legal needs and no assistance available.

c. Applicability. Even if the Functional Plan is not executed, the organizational and support requirements discussed in this enclosure may be applied to respond to catastrophic events whenever and wherever eligible members of the Navy Family require legal assistance services.

2. Mission.

a. All eligible members of the Navy Family will be provided legal assistance services in accordance with references (b) through (e).

b. Commander, Naval Legal Service Command (CNLSC) has cognizance over routine legal services and disaster-related legal services in affected Areas of Interest (AI) and Areas of Operations (AO). The Office of the Judge Advocate General (OJAG) Legal Assistance Division (Code 16) is responsible for policy and guidance on military legal assistance services.

c. RLSOs located in the AI/AO are responsible for providing primary legal assistance services, and may be supported by other RLSOs, the Navy Reserve Law component, and Defense Service Offices (DSOs), as coordinated through CNLSC, the Navy Reserve Law Program leadership, Commander, Navy Installations Command, and Regional Commanders. Legal services will be provided from existing CNLSC facilities and at temporary locations immediately following a catastrophic event when necessary to assist Navy Family members with emergent legal needs. The responsible RLSO will also coordinate legal assistance services with the Fleet and Family Service Center (FFSC) and/or Community Support Center (CSC). For details on FFSC and CSC operations, see reference (f), the Commander, Navy Installations Command (CNIC) Supporting Plan.

3. Execution.

a. Intent. The responsible RLSO will deliver legal assistance services to eligible members of the Navy Family affected by a catastrophic event, subject to statutory and regulatory restrictions at references (a), (b) and (e). On-scene legal assistance services will be available at existing RLSO locations as soon as possible, depending on available logistical and infrastructure support. The responsible RLSO will coordinate with Installation Commanding Officers to provide additional or alternate locations for legal services operations as necessary. Following a catastrophic event, the responsible RLSO should not await direction to execute this plan, but instead shall begin providing legal services as soon as possible.

b. Concept of Operations. CNLSC, through the responsible RLSO, will respond by providing legal assistance services immediately following a catastrophic event, or where possible, before the catastrophic event, and will also support CTFNF, if and when established.

c. Tasks. Once CTFNF is established, the following specified legal assistance tasks will align with the CTFNF Phases (see paragraph 3a(2)(a) of the Basic Plan for an explanation of "Phases"):

(1) Phase 0. Stand up and deploy TFNF.

(a) The responsible RLSO will plan for providing crisis response legal assistance services with available resources within their area of responsibility. The RLSO will provide briefs to area commands as part of preventive law efforts and will coordinate with FFSCs and CSCs to support recovery operations.

(b) OJAG Code 16 will update and immediately distribute to LSPs any catastrophic event-related legal assistance materials from prior events.

(2) Phase 1. Conduct damage assessments.

(a) The responsible RLSO will assess legal assistance demands. Legal assistance teams will begin assisting individuals and commands as soon as possible following the catastrophic event. RLSO personnel will begin calling affected Navy Family members with legal needs in Severity Levels 3 and 4 as identified on the CTFNF internet-based case management or needs assessment tool.

(b) The CTFNF Staff Judge Advocate (SJA)/Subject Matter Expert (SME) and designated NLSC Liaison Officer (LNO) will coordinate between CNLSC, CTFNF, the responsible RLSO and other RLSOs as appropriate, to determine CTFNF legal requirements. The SJA/SME and NLSC LNO will collaborate with CTFNF and Public Affairs personnel to execute event-specific communications plans as warranted.

(c) OJAG Code 16 will continue to provide updated materials to the responsible RLSO and other RLSOs as appropriate, and develop additional legal assistance materials as necessary.

(3) Phase 2. Full accounting and assessment.

(a) The responsible RLSO and other LSPs designated by CNLSC will continue providing legal assistance to affected individuals. Legal assistance teams will be augmented and deployed as necessary to support CTFNF and to maximize coverage and access to legal services in the AI/AO. This phase will involve coordination of OJAG Code 15 Personnel Claims Unit (PCU) operations in conjunction with RLSO legal assistance teams. See enclosure (2) to this Supporting Plan for detailed discussion of PCU operations.

(b) During this phase, legal service teams from the responsible RLSO or elsewhere, as coordinated by CTFNF SJA and CNLSC, will provide group presentations on disaster-related legal assistance topics to commands in the AI/AO and in the Safe Haven areas where Navy Family members are located.

(c) OJAG Code 16 will continue to provide updated event-related materials to the responsible RLSO and other LSPs.

(4) Phase 3. Address all severe needs for the defined support areas.

(a) The responsible RLSO and other legal services providers designated by CNLSC will continue providing legal services to affected individuals and contacting affected Navy Family members with Severity Levels 3 and 4 issues as identified in the CTFNF needs assessment database. Phase 3 will end once all affected Family Members with Severity Level 3 or 4 needs have been contacted and their needs reduced to Severity Levels 0, 1 or 2.

(b) The responsible RLSO, in coordination with CTFNF SJA and the NLSC LNO, will begin Transition Planning for stand-down of immediate response efforts and resumption of normal legal service operations. This phase will involve coordination for stand-down of PCU operations working in conjunction with RLSO legal assistance teams.

(c) Also during this phase, the responsible RLSO and other LSPs will work Severity Levels 1 and 2 issues, as time and resources permit.

(5) Phase 4. Identify policy changes and legislative actions required to resolve obstacles and enhance assistance to the Navy Family. The CTFNF SJA/SME, with assistance from the responsible RLSO and experts from OJAG Code 16, will help identify statutory, regulatory, and policy changes related to legal assistance that may be beneficial to affected members of the Navy Family.

(6) Phase 5. Transition Task Force responsibilities and stand down TFNF.

(a) The CTFNF SJA/SME and NLSC LNO will begin to execute the transition of legal functions back to existing organizations.

(b) The responsible RLSO will coordinate with any other LSPs on the transition of legal assistance functions as appropriate, consistent with CTFNF transition and stand-down. With the stand-down of TFNF, legal assistance services will return to normal operations. However, the responsible RLSO will continue contacting personnel with Severity Levels 1 through 4 issues until all matters are addressed.

d. Coordinating Instructions. RLSOs and DSOs not in the AI will have manpower and other assets that may be useful and necessary to support recovery efforts. Also, depending on the severity and affects of the catastrophic event, the responsible RLSO may not be able to respond in accordance with this Supporting Plan. Accordingly, CNLSC will coordinate with other RLSOs, DSOs and Regional Commanders as necessary to ensure adequate resources are available to support CTFNF.

4. Admin and Logistics.

a. Concept of Support. The responsible RLSO will provide primary response and legal assistance services to support CTFNF and eligible members of the affected Navy Family. Existing NLSC resources at the RLSO will provide primary C4, facility and resource needs for LSPs.

b. Administrative Considerations. The responsible RLSO is tasked with providing full range legal services to affected members of the Navy Family using organization equipment, supplies and personnel. Depending on the effects of a particular catastrophic event or CTFNF requirements, CNLSC may direct support from other RLSOs and DSOs.

5. Command and Control.

a. Command.

(1) Command Relationships. CNLSC will be a Supporting Commander to CTFNF. The RLSO in the affected area will be the primary legal assistance provider. CNLSC will coordinate support for the responsible RLSO from DSOs and other RLSOs after coordination with CNIC and Regional Commanders, as necessary.

(2) Command Posts. See Basic Plan, paragraph 5a(3).

b. Command, Control, Communications, and Computer (C4) Systems.

(1) IT support. On-scene NLSC LSPs will provide telecommunications infrastructure and Technical Support for legal services operations (active NMCI drops, NMCI printers, telephones, fax machines and copiers) as applicable.

(2) Information Assurance. See Basic Plan, paragraph 5b(1).

ENCLOSURE (2) TO CNLSC SUPPORTING PLAN 3440-TFNF
PROVISION OF CLAIMS SERVICES

1. Situation: Refer to Basic Plan.

a. General. Natural and man-made catastrophic events have the potential to result in claims filed against the Navy. This enclosure pertains to claims arising when the event damages or destroys personal property of eligible members of the Navy Family located in residences provided by the government, work spaces or other authorized areas and the loss or damage was not the fault of the Navy Family member. Such loss or damage may qualify for gratuitous payment under the Military Personnel and Civilian Employees' Claims Act (PCA) as a loss incident to service. The PCA is not a substitute for private insurance and is secondary to any insurance coverage the claimant may have.

b. Severity levels. The need for claims services should be assessed according to the following legal case severity levels (see paragraph 3a(2)(b) of the Basic Plan for an explanation of "severity levels"):

- (1) 0 – No legal needs, legal needs resolved, Region Legal Service Office (RLSO) plan of action progressing to the satisfaction of the member, or affected member of Navy Family has been directed to a resource outside of RLSO and/or Navy.
- (2) 1 – Legal needs being addressed by or referred to a RLSO.
- (3) 2 – Non-immediate legal needs awaiting assessment.
- (4) 3 – Immediate legal needs with limited assistance available.
- (5) 4 – Critical and immediate legal needs and no assistance available.

c. Applicability. Even if the Functional Plan is not executed, the organizational and support requirements discussed in this enclosure may be applied to respond to catastrophic events whenever and wherever eligible members of the Navy Family require claims support. Further, although this plan contemplates support to Navy Families, these requirements may also be applied to respond to catastrophic events that impact the local civilian population. Claims arising from these incidents would likely be filed under the Federal Tort Claims Act, Military Claims Act or Foreign Claims Act, and shall be immediately forwarded to the Tort Claims Unit in Norfolk, VA. (See attachment 1)

d. Emergency/Advance Payments. Personnel may require emergency or advance payment of personal property claims to defray the costs of obtaining

replacements for essential items in the initial stages of disaster recovery. Even if a claimant has private insurance, an emergency partial payment may be made with the understanding that the claimant will be required to reimburse the Government for any payment made if an insurance company pays them for the same item.

2. Mission.

a. All eligible members of the Navy Family will be provided PCA claims assistance in accordance with references (b) through (e) of the Basic Plan.

b. The Office of the Judge Advocate General (OJAG) Claims and Tort Litigation Division (Code 15), through the Personnel Claims Unit (PCU), is responsible for providing rear echelon and on-scene claims support.

c. RLSOs, and Defense Service Offices (DSOs) when required, in Areas of Operation (AO) will augment and supplement PCA claims efforts to further CTFNF mission requirements and to provide essential services to affected Navy Family members in immediate need.

3. Execution.

a. Intent. On-scene PCA claims assistance must be available as soon as practicable following a catastrophic event. This may be frustrated by partial or total destruction of critical infrastructure, communication nodes and local transportation. Leveraging local CNLSC assets from the responsible RLSO, or the DSO when required, in conjunction with close coordination with OJAG Code 15 Headquarters and the PCU, will ensure timely and responsive claims capability until PCU resources are available through the deployment of a designated Claims Response Team (CRT). Local CNLSC assets, referred to as legal services providers (LSPs), may review PCA claims for completeness, but cannot adjudicate or pay claims without specific authorization from OJAG Code 15. Also, LSPs may not represent individual Navy Family members in their PCA claim.

b. Concept of Operations. OJAG Code 15 Headquarters and the PCU will provide rear echelon and on-scene claims support.

c. Standing Pre-Catastrophic Event Preparation. Because support under this plan frequently cannot be anticipated, it is essential that the PCU and every RLSO and DSO have the ability to respond immediately, whenever and

wherever the need arises. Advance planning and organization will ensure that each RLSO and DSO is ready to respond when called upon.

(1) Standing Response Teams. Each RLSO will establish a standing response team of LSPs for supporting catastrophic event response efforts, and appoint one officer as the designated Point of Contact (POC) for each installation within their area of responsibility (AOR). A full roster of POCs with office and cell phones will be provided to the PCU by 1 May annually.

(2) Emergency Response Kit. Each RLSO will prepare an emergency response kit. The kit should contain, at a minimum, the following items:

(a) Copies of standard claims packages, "Property Claims for Loss Due to Fire, Flood, Theft, Vandalism and other Personal Property Losses" (attachment 2).

(b) Copies of the Emergency Payment Procedures (attachment 3) and Emergency Partial Payment Packages (attachment 4).

Note: attachment 7 contains a complete set of forms contained in attachments 2, 3 and 4 that may be copied for use. These forms may also be found at <http://www.jag.navy.mil/>.

(c) Standard office supplies such as paper, pencils, pens, ruler, staplers, note pads, battery operated calculators, etc.

(d) Log book for tracking claims information.

(e) DD Form 1841 (Government Inspection Report) (attachment 5).

(f) Maps of installation and special areas that depict the location of housing units, both Government and PPV.

(3) Logistics Support. Each RLSO must have the capability to provide copier, fax, cell phone and photography support to the CRT. *Note:* It is imperative that RLSOs have immediate access to a camera to document damaged or destroyed items following a catastrophic event prior to the arrival of the CRT.

(4) Local Coordination Requirements. Each RLSO will contact and brief the following local offices on this Plan and the level of support required to

ensure its successful execution should a catastrophic event occur. A roster of these contacts with phone numbers shall be maintained by the RLSO and a copy provided to the PCU.

(a) The Installation Emergency Management Office to coordinate execution of claims response efforts and installation emergency response plans, as well as CRT/RLSO logistic requirements for space at local response center.

(b) The Public Affairs Office (PAOs) to discuss a communications plan, including best methods for prompt promulgation of claims information.

(c) The Installation Housing Program Officer and local Public Private Venture (PPV) Property Manager to discuss types of housing (Government or PPV), number of units, and the need to expeditiously provide information on impacted on-base housing units, i.e., address, name and service of resident, and number of dependents.

(d) The local Personnel Support Detachment (PSD) to determine if it has the capability to issue emergency payment checks. Normally claims payments are made by DFAS via electronic fund transfers but in unusual circumstances, the need may arise to cut checks locally.

(5) DSO Support Requirements. Each DSO will be prepared to provide support to RLSO efforts at those installations where DSO personnel are co-located with a RLSO should additional personnel be required.

(6) Training. Each RLSO and DSO will conduct annual training on the catastrophic event response procedures and the requirements of this instruction.

(7) PCU Responsibilities. The PCU is responsible for:

(a) Providing a list of installation housing facilities and appropriate points of contact and telephone numbers, updated annually, within each RLSO AOR. The list will identify which units, if any, are Navy owned and operated and which are contractor operated under the PPV program.

(b) Maintaining both legacy and NMCI computer equipment (e.g., laptop computers, printers for legacy computers, cell phones, and calculators).

(c) Establishing contacts and protocols at Defense Finance and Accounting System (DFAS) offices to receive and expedite catastrophic event-related PCA claims.

(d) Providing each RLSO annually with a PCU “points of contact” roster for response to catastrophic events.

(e) In conjunction with each RLSO, developing a template Claims Communication Flier to disseminate information to claimants in their respective geographic areas. (See attachments 6 a-c)

d. Tasks. Once CTFNF Functional Plan is executed, the following specified claims tasks will align with the CTFNF Phases (see paragraph 3a(2)(a) of the Basic Plan for an explanation of “Phases”):

(1) Phase 0. Stand up and deploy TFNF.

(a) The responsible RLSO will coordinate with the PCU and provide an initial assessment of the Area of Interest (AI), and possible claims response requirements. For events impacting installation housing, including PPV housing, an assessment on the number of units impacted, nature of damage, and details on the occupants of the impacted units (name, service, address and number of dependents) is essential. Phase 0 will include delineation of responsibilities for reporting claims efforts and productivity.

(b) OJAG Code 15 Headquarters and/or the PCU will issue preliminary claims support and procedural policy guidance to the responsible RLSO.

(2) Phase 1. Conduct damage assessments.

(a) The responsible RLSO and the PCU will continue to assess the claims requirements and discuss COAs to meet immediate support requirements for impacted families. If additional LSP support may be required, the RLSO shall coordinate with the DSO for additional personnel.

(b) The responsible RLSO will determine the Community Support Center (CSC) location or installation response center and ensure sufficient space is reserved for the claims response efforts, and ascertain available lodging sites should the CRT deploy.

(c) The responsible RLSO is responsible for all immediate claims support requirements pending arrival of the CRT, including:

(1) Representation at installation Emergency Operations Center (EOC) briefings and/or scheduled town halls to disseminate information concerning claims response efforts and collecting damage assessments.

(2) Coordination with Installation Housing Program Director and local Public Private Venture (PPV) Property Manager to ensure that claims information is included in any direct communications with impacted residents.

(3) Setting up a designated claims site at the CSC or other installation response center and manning it during hours of operation. CRT operations will be co-located with RLSO LSPs providing Legal Assistance services to the maximum extent practicable, but if that is not possible, the selected site must have sufficient logistics and IT resource capability to support the CRT.

(4) Ensuring claims information materials, including claims packets, are available for distribution. Responsible RLSO personnel will distribute claims packets (attachments 2 and 4) as required.

(5) Prior to the arrival of the CRT, and if OJAG Code 15 grants authority to make emergency payments, execute payment protocol in accordance with attachments 3 and 4. If authority is not granted, RLSO LSPs will accept claims packages and email or fax them daily to the PCU to ensure proper adjudication, payment and tracking of claims. RLSO LSPs will document when each claim was received and how it was transferred to the PCU. NOTE: PCU has a standing exception to prohibitions on faxing personally identifiable information (PII) during responses to catastrophic events.

(d) Given the possibility of degraded or disabled telecommunications, Phase 1 may require OJAG Code 15 granting interim authority to OJAG/CNLSC assets (e.g., RLSO Commanding Officers or personnel with claims experience) to make emergency payments up to specified dollar amounts for the most severely affected Navy Family members.

(e) The PCU will coordinate with the responsible RLSO and CTFNF SJA/SME and CTFNF Public Affairs to execute event-specific communications plans as warranted.

(f) The PCU will coordinate with Surface Deployment and Distribution Command (SDDC) and local Transportation Offices regarding potential claims for total or partial loss to household-goods shipments in-transit or in storage in the affected areas.

(3) Phase 2. Full accounting and assessment.

(a) The PCU will deploy the CRT to the affected area for on-scene resolution of claims, as supported by the responsible RLSO.

(b) Upon arrival at the AI, the CRT will assume primary claims support and provide on-scene claims assistance to individuals, and will participate in claims briefs to groups in both affected and unaffected areas. RLSO legal service providers will continue to support the CRT on an as-required basis.

(c) If the CRT is delayed or does not deploy, LSPs will continue to perform the functions and requirements as set forth in Phase 1. Additionally, LSPs will:

(1) In direct coordination with the PCU, collect completed claims packages and formally record receipt in a log book.

(2) Fax claims packages from Navy service members and their families to the PCU the same day as received.

(3) Recognizing that catastrophic events may also impact service members and family members assigned to the Marine Corps and sister services who live or work on Navy installations, LSPs shall be prepared to collect claims packages from those individuals as well. In such cases, the PCU will provide separate guidance/POCs for transmitting those claims packages.

(4) Ensure that the installation and region chain of command are kept apprised of ongoing efforts to provide claims support to impacted personnel.

(4) Phase 3. Address all severe needs for the defined support areas.

(a) The CRT will continue on-scene claims assistance for eligible, affected Navy Family members.

(b) OJAG Code 15 and the PCU will coordinate with the CTFNF NLSC LNO and the responsible RLSO on a Transition Plan for the CRT to return to the PCU. This will include identification of appropriate offices for filing event-related claims in the AI, and any training necessary to ensure on-scene legal services providers understand claims procedures and can assess claims for completeness, if necessary.

(c) Phase 3 will end once all potential claimants have been identified, claims packets provided, and those requiring emergency payments have been paid or are awaiting payment.

(5) Phase 4. Identify policy changes and legislative actions required to resolve obstacles and enhance assistance to the Navy Family. The CTFNF SJA/SME, with assistance from experts from OJAG Code 15, will help identify statutory, regulatory, and policy changes related to personnel claims that may be beneficial to affected members of the Navy Family.

(6) Phase 5. Transition Task Force responsibilities and stand down TFNF.

(a) OJAG Code 15 and the PCU will execute the Transition Plan and coordinate with the responsible RLSO for continued local claims services, as necessary.

(b) RLSO LSPs will continue event-related PCA claims assistance and continue forwarding such claims to the PCU until stand-down of TFNF.

(c) The responsible RLSO shall prepare lessons learned and submit to OJAG Code 15.

(d) With the TFNF stand-down, claims services will return to normal operations and all future claimants will be directed to submit claims directly to the PCU. The responsible RLSO will coordinate with TFNF PAO to ensure widest dissemination of notice to all potential claimants that the claims process has changed.

e. Coordinating Instructions. The PCU shall provide periodic situation reports (SITREPs) to OJAG Code 15 Headquarters for further forwarding to CNLSC.

4. Admin and Logistics.

a. Concept of Support. OJAG Code 15 will provide primary claims response through the PCU and on-scene claims assistance via the PCU CRT. Existing CNLSC resources at the responsible RLSO, and other RLSOs as designated by CNLSC, will provide primary facility and telecommunications resource needs for the PCU CRT such as active Navy Marine Corps Intranet (NMCI) drops, NMCI printers, telephones, fax machines and copiers. The PCU CRT will provide transportable NMCI and/or legacy information technology (IT) capability. The responsible RLSO will provide primary IT resource needs for other CNLSC personnel augmenting the claims response.

b. Administrative Considerations. The responsible RLSO will provide the full range of legal assistance services to affected members of the Navy Family utilizing organization equipment, supplies and personnel. The PCU and the CRT must be prepared to provide additional equipment, supplies, and personnel necessary to operate claims services to affected Navy Families without impacting their routine PCA services. OJAG will provide travel and funding for CRT members to/from and in/around the AI as necessary to meet the claims and claims training/information needs of eligible Navy Family members.

5. Command and Control.

a. Command.

(1) Command Relationships. CNLSC will be a Supporting Commander to CTFNF. OJAG Code 15 will provide information and assistance to meet CNLSC legal service support requirements to CTFNF, as needed. The responsible RLSO will help identify the need for claims services and provide on-scene support to OJAG Code 15 and the CRT as required.

(2) Command Posts. See Basic Plan, paragraph 5a(3).

b. Command, Control, Communications, and Computer (C4) Systems. The responsible RLSO will provide telecommunications infrastructure and technical support for the PCU CRT (active NMCI drops, NMCI printers, telephones, fax machines and copiers) as applicable. In the event the responsible RLSO is unable to provide such support, CNLSC will coordinate with CNIC for support from other local resources. The CRT will provide transportable NMCI and/or legacy IT capability. When required, the PCU and CRT will use the TFNF needs assessment tool and other internet-based collaboration tools established to support TFNF and affected Navy Family members. When legal services are

provided in response to internet or web-based assessment or collaboration tools, any documentation on those sources will contain sufficient information/data to assist non-legal Case Managers without compromising the privacy of individual Navy Family members or violating applicable ethics rules protecting client confidentiality.

Attachments:

- 1 – Points of Contact for submitting claims
- 2 – Personal Property Claims Packets
- 3 – Emergency Partial Payment Procedures
- 4 – Emergency Partial Payment Package
- 5 – Government Inspection Report
- 6 – Draft Fliers
- 7 – Ready to Use Packets and Forms

ATTACHMENT 1 TO ENCLOSURE (2) TO THE CNLSC BASIC PLAN
POINTS OF CONTACT FOR SUBMITTING CLAIMS

- All PCA claims shall be sent to the Personnel Claims Unit Norfolk, 9053 First Street, Suite 102, Norfolk, VA 23511-3605, telephone (757) 440-6315 or DSN 564-3310 or toll free (888) 897-8217, or FAX commercial (757) 440-6316 or FAX toll free 1-866-782-7297. The PCU Claims Help Line at (757) 440-6315 (press "5" to speak with a customer service representative) is available to take calls from 7:30 am to 7:00 pm, Eastern Standard Time, Monday through Friday, except for Federal holidays.

- All claims filed under statutes other than PCA shall be sent to the Tort Claims Unit in Norfolk at 9620 Maryland Avenue, Suite 205, Norfolk, VA 23511-2949, telephone (757) 341-4583, DSN 341-4583 or FAX (757) 341-4562.

ATTACHMENT 2 TO ENCLOSURE (2) TO THE CNLSC BASIC PLAN
INSTRUCTIONS ON FILING A PCA CLAIM

**FILING A CLAIM FOR PERSONAL PROPERTY LOSS DUE
TO FIRE, FLOOD, THEFT, VANDALISM AND OTHER
PERSONAL PROPERTY LOSSES**

1. GENERAL.

These instructions are designed to provide specific guidance to DON personnel who want to file a claim with the government for damage or loss sustained to your personal property incident to service and caused by fire, flood, theft, vandalism, natural disaster or other unusual occurrence. You should file your claim at the Personnel Claims Unit (PCU) at:

Personnel Claims Unit Norfolk
9053 First Street Suite 102
Norfolk, VA 23511-3605
Toll Free (888) 897-8217/Fax (866) 782-7297
Commercial (757) 440-6315
DSN 564-3310/FAX DSN 564-3337
Email: norfolkclaims@navy.mil

Read these instructions carefully and answer all questions in order to ensure the most expeditious processing of your claim. Failure to complete the forms properly or to provide all required documents and substantiation will result in delay or even denial of your claim. **Keep copies of all documents submitted.**

Remember, it's your claim. You, the claimant, are in the best position to provide the specific information necessary for the fast and fair adjudication of your claim. The claim will be adjudicated pursuant to the Military Personnel and Civilian Employees Claims Act (PCA) (31 U.S.C. § 3721). The PCA is a gratuitous payment statute and is not intended to replace insurance. The PCA only allows payment up to the fair market value (FMV) (depreciated value) of lost or destroyed items.

2. DEADLINES FOR FILING YOUR CLAIM. Federal law requires that you deliver your claim with the PCU within two years after it accrues. The claim

accrues on the date the incident occurred that gave rise to your claim. This requirement is statutory and cannot be waived.

3. WHO MAY FILE A CLAIM?

a. Proper Claimant. The Military Personnel and Civilian Employees Claims Act (PCA) covers all active duty members and reservists on active duty for training under federal law. The PCA also applies to Department of the Navy (DON) Federal employees. Reservists or retired members may only claim for damages under the PCA if loss or damage to their personal property occurred while they were on active duty.

b. Power of Attorney (POA). A legal representative who has been designated as your legal representative by a POA in order to communicate with the PCU. Payment will be made to the claimant's account, not to the agent's, unless the POA specifically authorizes the agent to both file the claim and receive payment. If an agent is filing a claim on your behalf, the agent must include a copy of the POA. Your agent must have either a General POA granting the agent the power to do everything the claimant could do, or a Specific POA, granting the agent the authority to file your claim. Many Region Legal Service Offices (RLSOs) provide POA on a walk-in basis. The prospective claimant must be present to grant a POA. Remember, the POA must be effective on the date the claim is submitted.

4. WHAT FORMS WILL I NEED TO FILE?

The two forms you need to file your PCA claim are the **DD Form 1842, Claim for Loss of or Damage to Personal Property Incident to Service**, and the **DD Form 1844, List of Property and Claims Analysis Chart**. Forms, and this package, can be found on-line through the Navy's Office of the Judge Advocate General website, www.jag.navy.mil (by selecting "Claims" on the screen) or the Navy Knowledge Online website, www.nko.navy.mil (by going into your "Personal Development" page in NKO and selecting the claims page in your "Personal Legal Affairs" portal). When preparing your claim, please read and follow the attached check-off list. Make sure that you completely fill in the information required on each form and on the check-off list and attach all supporting documentation listed on the check-off list before you file your claim.

Be sure that your claim is completed, as described in this package, and signed before filing your claim. If you are e-mailing the claim, remember to sign the DD Form 1842 before scanning your documents. Please make sure that if you

are e-mailing your claim all scanned documents are legible and in one of the following formats: ADOBE, PDF, JPG File, TIFF Document, GIF File, or Bitmap Image. Claims examiners will then adjudicate your completed claim and determine the amount of compensation you are entitled to receive based on the information you provide. You will be provided a written explanation of the adjudication of your claim.

5. PRIVATE INSURANCE.

You are required to file a claim against private insurance (home owners, renters, vehicles, etc.). You do not have to wait for your private insurance company to settle your claim before filing a claim with the government. However, we will not be able to finalize your claim until we receive a copy of the insurance settlement package.

6. HOW DO I GET PAID?

Your claim will be adjudicated pursuant to the Military Personnel and Civilian Employees Claims Act (PCA) (31 U.S.C. § 3721). The PCA is a gratuitous payment statute and is not intended to replace insurance. The PCA only allows payment up to the fair market value (FMV) (depreciated value) of lost or destroyed items.

Claims payments by the PCU are processed through the Defense Finance and Accounting Service (DFAS). DFAS electronically deposits payments directly into your account. If you do not have a DFAS pay account (i.e., you are no longer in the military or work for any Department of Defense agency), you will need to fill out the attached Electronic Funds Transfer (EFT) Data sheet. If you are a non-appropriated fund (NAF) employee, your claim will be submitted to your activity for payment from NAF funds.

A checklist is attached to this package to assist you in completing your claim. Failure to comply with this checklist will delay processing of your claim.

CHECKLIST FOR LOSS OR DAMAGE TO PERSONAL PROPERTY DUE TO FIRE, FLOOD, THEFT, VANDALISM AND OTHER PERSONAL PROPERTY LOSSES

I understand that my claim must contain the following information and documentation. I have included one copy of each document and I have kept a copy of each document for my own records. My initials on each line mean I have included a copy of the requested document in this file.

I MUST BE SURE THE PCU RECEIVES MY CLAIM WITHIN TWO YEARS FROM THE DATE OF THE INCIDENT FOR WHICH I AM MAKING THIS CLAIM. I UNDERSTAND THAT SIMPLY MAILING THE CLAIM WITHIN THE TWO YEARS IS INSUFFICIENT; THE PCU MUST RECEIVE THE CLAIM WITHIN TWO YEARS.

1. ____ This checklist.
2. ____ DD Form 1842 (Claim for Loss of or Damage to Personal Property Incident to Service). I have completed every section of the DD Form 1842, **including Block 9, Amount Claimed, and Block 10, Circumstance of Loss or Damage, and Block 17, Signature.**
3. ____ I have private homeowner's insurance, renter's insurance, or vehicle insurance. I understand I must submit a demand against the insurer for payment at the same time I submit my claim with the government, and I understand that I will not be paid by the government until my claim is adjudicated by my private insurer. For claims for damage to POV's, the declarations page from my policy, showing types and limits on coverage, is attached. I have included a copy of any correspondence from my insurance company.
4. ____ If I have authorized someone else to file my claim or to receive payment, I have included a **POWER OF ATTORNEY. (A SIGNED STATEMENT IS NOT SUFFICIENT).**
5. ____ DD Form 1844, (List of Property and Claims Analysis Chart). I have completed each section of the DD Form 1844 including all applicable information in Blocks 1 and 2. I have provided detailed descriptions of damage to each item claimed, original cost, month and year of purchase (date of

manufacture if I acquired the item used), and repair cost or replacement cost (Blocks 5-11).

6. ____ One repair estimate or if the item is missing or destroyed, a replacement cost estimate for any and all articles over \$100.00. **If the cost of the estimate will be over \$75, I will contact the PCU before I obligate myself to pay that estimate fee.**

a. ____ **REPLACEMENT COST.** I have verified a claimed replacement cost of \$100.00 or more by clippings from catalogs, newspaper advertisements, etc., which show pictures and prices of identical or comparable items or written quotes from a firm which sells identical or comparable items.

b. ____ **REPAIR COST.** If I am claiming the cost to repair an item exceeds \$100.00, I have provided an estimate from a firm that is in the business of repairing such items (e.g., washer/dryer from an appliance repair firm, furniture from a furniture repair or re-upholstery shop). If the item is damaged beyond economical repair, the estimate must state this and I have submitted evidence to prove the replacement price of the item as described above. **The estimate must clearly state the specific area on the item and damages to the item that are being repaired. An estimate that simply shows "repair" or "refinish" is not acceptable.**

c. ____ **ELECTRICAL/ELECTRONIC ITEMS.** For each electrical/electronic item (such as TV's, stereos, computers, refrigerators, etc.) with a value over \$100 that I am claiming a repair cost over \$100.00, I submitted one of the attached electrical/electronic repair forms completed by a person in the business of repairing such items. (You can copy the form.)

d. ____ **Re-upholstery.** The estimate must state that:

- 1) the materials used are of comparable quality to the original material;
- 2) patching, reweaving, using material from a different part of the item or any less expensive method of repair is not possible; and
- 3) must list cost of material and labor separately.

e. ____ **PHOTOGRAPHS.** If I have pictures of visible damages to the items being claimed, I have included them with my claim. I placed the item's line number, from the DD Form 1844, on the picture. I understand I will not be reimbursed for the cost of the pictures.

ALL ESTIMATES MUST BE IN ENGLISH OR HAVE AN ENGLISH TRANSLATION ATTACHED.

7. ____ I understand the claims examiner may require further information or additional repair estimates or proof of replacement costs for any item listed on the DD Form 1844 while in the process of adjudicating the claim or if the repair or replacement cost submitted is excessive for average repairs or replacement of like items in the area. For instance, I may be asked to provide proof that I owned the type and quality of item I have claimed.

8. ____ Military or civilian police or fire report (if available) is attached.

9. ____ For POV claims, copy of current registration for vehicle.

10. ____ I have completed the Electronic Fund Transfer (EFT) Data sheet. (Only necessary if you do not have a current pay account through the Defense Finance and Accounting Service [DFAS], such as personnel who have left military service without retiring).

If any information is missing, my claim will be adjudicated with the information provided and may result in items being paid for lesser amounts than claimed or denied for failure to substantiate the claim.

(CLAIMANT SIGNATURE) (Date)

(EMAIL ADDRESS)

ELECTRICAL/ELECTRONIC REPAIR FORM

_____ Date

To the Estimator:

We must determine if damage to this item is as a result of some other cause rather than a manufacturer's defect or the result of normal wear and tear by age. Please complete this form to document your evaluation, or attach your firm/company documentation as appropriate, as long as the same type of information is provided.

Firm Name & Address: _____

Firm Telephone Number: _____

Firm Contact Representative: _____

ITEM ESTIMATED: _____

(Include Make/Model/Description) Estimated Age: _____

1. There (was) (was not) external damage to the item.

2. I (was) (was not) able to determine the cause of the damage. To the best of my knowledge, I have determined the nature and extent of damage as follows:

3. I summarize the cost of repairs as follows:

(parts) _____ \$ _____

(parts) _____ \$ _____

(parts) _____ \$ _____

(parts) _____ \$ _____

(labor) _____ \$ _____

Totals: Parts/Labor: \$ _____ Overall Total: _____

Tax: \$ _____

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4. I (have) (have not) determined that the item damaged as described above (is) (is not) beyond economical repair. I estimate a similar or comparable replacement item to be valued at \$_____

DD FORM 1842 (CLAIM FOR LOSS OR DAMAGE TO PERSONAL PROPERTY INCIDENT TO SERVICE)

CLAIM FOR LOSS OF OR DAMAGE TO PERSONAL PROPERTY INCIDENT TO SERVICE			
PART I - TO BE COMPLETED BY CLAIMANT (See back for Privacy Act Statement and Instructions.)			
1. NAME OF CLAIMANT (Last, First, Middle Initial)	2. BRANCH OF SERVICE	3. RANK OR GRADE	4. SOCIAL SECURITY NUMBER
5. HOME ADDRESS (Street, City, State and Zip Code)		6. CURRENT MILITARY DUTY ADDRESS (if applicable) (Street, City, State and Zip Code)	
7. HOME TELEPHONE NO. (Include area code)	8. DUTY TELEPHONE NO. (Include area code)	9. AMOUNT CLAIMED	
10. CIRCUMSTANCES OF LOSS OR DAMAGE (Explain in detail. Include date, place, and all relevant facts. Use additional sheets if necessary.) I estimate the total value of my loss will be \$ _____. I understand that any amount advanced to me will be in partial payment of my claim and will not constitute final settlement of the claim. I acknowledge my responsibility to file an itemized claim for all my damages as soon as possible. I also acknowledge my understanding that if the amount advanced exceeds the amount allowed following the final adjudication of my itemized claim, I will be required to pay the difference to the United States, either voluntarily or involuntarily through checkage of my pay. I acknowledge that payment is only for the damage and/or loss of personal property and that any inconveniences arising from the loss are not payable under the Military Personnel and Civilian Employees Claims Act.			
11. DID YOU HAVE PRIVATE INSURANCE COVERING YOUR PROPERTY? (E.g., say "Yes" on a shipment or quarters claim if you had transit, renter's or homeowner's insurance; say "Yes" on a vehicle claim if you had vehicle insurance. Attach a copy of your policy.)			YES NO
12. HAVE YOU MADE A CLAIM AGAINST YOUR PRIVATE INSURER? (If "Yes," attach a copy of your correspondence. If you have insurance covering your loss, you must submit a demand before you submit a claim against the Government.)			
13. HAS A CARRIER OR WAREHOUSE FIRM INVOLVED PAID YOU OR REPAIRED ANY OF YOUR PROPERTY? (If "Yes," attach a copy of your correspondence with the carrier or warehouse firm.)			
14. DID ANY OF THE CLAIMED ITEMS BELONG TO THE GOVERNMENT OR TO SOMEONE OTHER THAN YOU OR YOUR FAMILY MEMBER? (If "Yes," indicate this on your "List of Property and Claims Analysis Chart," DD Form 1844.)			
15. WERE ANY OF THE CLAIMED ITEMS ACQUIRED OR HELD FOR SALE, OR ACQUIRED OR USED IN A PRIVATE PROFESSION OR BUSINESS? (If "Yes," indicate this on your "List of Property and Claims Analysis Chart," DD Form 1844.)			
16. UNDER PENALTY OF LAW, I DECLARE THE FOLLOWING AS PART OF SUBMITTING MY CLAIM: If any missing items for which I am claiming are recovered, I will notify the office paying this claim. (For shipment claims.) Missing items were packed by the carrier; they were owned prior to shipment but not delivered at destination; after my property was packed, I/my agent checked all rooms in my dwelling to make sure nothing was left behind. I assign to the United States any right or interest I have against a carrier, insurer, or other person for the incident for which I am claiming; I authorize my insurance company to release information concerning my insurance coverage. I authorize the United States to withhold from my pay or accounts for any payments made to me by a carrier, insurer, or other person to the extent I am paid on this claim, and for any payment made on this claim in reliance on information which is determined to be incorrect or untrue. I have not made any other claim against the United States for the incident for which I am claiming. I understand that if any information I provide as part of my claim is false, I can be prosecuted.			
17. SIGNATURE OF CLAIMANT (or designated agent)			18. DATE SIGNED (YYYYMMDD)
PART II - CLAIMS APPROVAL (To be completed by Claims Office)			
19. PROCEDURE (X one) <input type="checkbox"/> a. SMALL CLAIMS <input type="checkbox"/> b. REGULAR CLAIMS		20. AMOUNT AWARDED. The claim is cognizable and meritorious under 31 U.S.C. 3721; the claimant is a proper claimant; the property is reasonable and useful; the loss has been verified in accordance with applicable procedures as prescribed by the controlling departmental regulation; and the following award is substantiated: \$ _____	
21. SIGNATURES (Signatures at a and c not required if small claims procedure is utilized)			
a. CLAIMS EXAMINER	b. DATE SIGNED (YYYYMMDD)	c. REVIEWING AUTHORITY	d. DATE SIGNED (YYYYMMDD)
e. TYPED NAME AND GRADE OF APPROVING AUTHORITY		f. SIGNATURE OF APPROVING AUTHORITY	g. DATE SIGNED (YYYYMMDD)

PRIVACY ACT STATEMENT			
<p>AUTHORITY: 31 U.S.C. 3721, and EO 9397, November 1943 (SSN).</p> <p>PRINCIPAL PURPOSE(S): Filing, investigation, processing and settlement of claims for losses incident to service.</p> <p>ROUTINE USES:</p> <p>a. Information is principally used to provide a legal basis for the administrative payment of claims against the Government. Information is also used in connection with:</p> <ul style="list-style-type: none"> (1) Recovery from common carriers, warehouse firms, insurers and other third parties. (2) Collection from claimants of improper payments or overpayments. (3) Investigation of possible fraudulent claims. (4) Possible criminal prosecution by the Department of Justice or other agencies if fraud is established. <p>b. Social Security Numbers are used to assure correct identification of claimants in order to assure payment to the proper claimant and avoid duplication of claims.</p> <p>DISCLOSURE: Voluntary; however, failure to supply information will cause delay in settlement and may result in denial of a portion or all of the claim.</p>			
INSTRUCTIONS TO CLAIMANTS			
<p>1. You must submit your claim in writing within two years of the date of the incident giving rise to the claim. This two year time limitation may not be waived.</p> <p>2. The claimant or an authorized agent must complete and sign Part I of this form, answering all questions. If the claim is signed by an agent (<i>such as a spouse</i>) or a survivor of a deceased proper claimant, that person must have a document showing his or her authority to present the claim, such as a power of attorney, etc.</p> <p>3. If the claim is for property lost or damaged while being shipped or stored pursuant to travel orders, submit copies of your orders and all shipping documents, including your inventory and your "Joint Statement of Loss or Damage at Delivery/Notice of Loss or Damage," DD Forms 1840/1840R. If you notice damage after delivery, you must complete the DD Form 1840R and get it to the Claims Office <u>within 70 days after delivery.</u></p> <p>4. You may obtain further information from a Claims Office.</p>	<p>5. You are entitled to claim the following:</p> <p>a. Reasonable local repair cost, if an item can be economically repaired. (<i>You may claim small amounts without an estimate. Otherwise, submit an estimate of repair from a repair firm or, if repairs have been completed, your receipt. The claims office may waive this in appropriate cases.</i>)</p> <p>b. Reasonable local replacement cost if an item is missing, destroyed, or not economic to repair. (<i>Replacement costs may be obtained from commercial catalogs or a military exchange. If you cannot find the item in a catalog or the exchange and the cost is more than \$100.00, obtain a statement from a commercial firm for the cost of a similar item. If you have purchase receipts, bring these to the Claims Office as well.</i>)</p> <p>c. Reasonable cost of obtaining local estimates of repair, if the cost of such estimates will not be credited if repair work is done. (<i>Normally, you may not claim appraisal fees.</i>)</p>		
PART III - DENIAL OR SUPPLEMENTAL PAYMENT (<i>To be completed by Claims Office</i>)			
<p>23. DENIAL (<i>X if applicable</i>)</p> <p>The claim is not cognizable or meritorious under 31 U.S.C. 3721 and the applicable provisions of the controlling departmental regulation, and is denied.</p>	<p>24. SUPPLEMENTAL PAYMENT (<i>X and complete if applicable</i>)</p> <p>The claim is cognizable and meritorious under 31 U.S.C. 3721, and the following additional award is substantiated: \$</p>		
25. SIGNATURES			
a. CLAIMS EXAMINER	b. DATE SIGNED (YYYYMMDD)	c. REVIEWING AUTHORITY	d. DATE SIGNED (YYYYMMDD)
25. APPROVING/SETTLEMENT AUTHORITY (<i>Settlement Authority is required for denial.</i>)			
a. TYPED NAME	b. GRADE	b. SIGNATURE	c. DATE SIGNED (YYYYMMDD)

DIRECTIONS FOR COMPLETING THE DD FORM 1842 (CLAIM FOR LOSS OR DAMAGE TO PERSONAL PROPERTY INCIDENT TO SERVICE)

BLOCK 1: Must have the name of the military member or U.S. Government civilian employee.

BLOCK 2: Self-explanatory.

BLOCK 3: Enter military rank or civilian pay grade.

BLOCK 4: Self-explanatory.

BLOCK 5: Current place of residence.

BLOCK 6: Current military mailing address. If overseas, include complete command name, PSC and Box numbers and FPO/APO Zip Code.

BLOCK 7: Local home telephone number (if applicable).

BLOCK 8: Duty telephone number; DSN and Commercial.

BLOCK 9: Total amount claimed; including all repair estimates and/or replacement costs entered on the DD Form 1844. This amount should match the amount entered in Block 13 of the DD Form 1844.

BLOCK 10: Provide a detailed description of how your loss happened. Include names of any agency that you may have contacted to assist you or to make a report of loss, such as police or fire departments. Use additional sheets if necessary.

BLOCKS 11–15: Check appropriate boxes.

BLOCK 17: Must be signed by claimant. If signed by a designated agent, a copy of the valid power of attorney must be attached.

BLOCK 18: Self-explanatory.

NOTE: If more than one page is used on the following form, indicate the page number in the space provided in the lower right corner of the form (e.g., Page 2 of 5 Pages).

DD FORM 1844 (LIST OF PROPERTY AND CLAIMS ANALYSIS CHART)

1. NAME OF CLAIMANT (Last, First, Middle Initial)		3. PICK-UP DATE (YYYYMMDD)		LIST OF PROPERTY AND CLAIMS ANALYSIS CHART (Items 14 through 31 to be filled out by Claims Office)												
2. CLAIMANT'S INSURANCE COMPANY (if applicable)		4. DELIVERY DATE (YYYYMMDD)		14. ORIGIN CONTRACTOR	17. 2ND CONTRACTOR	21. CLAIM NUMBER		22. NET WT/MAX CAR								
a. NAME		b. POLICY NO.		15. INVENTORY DATE (YYYYMMDD)		18. EXCEPTION SHEET DATE (YYYYMMDD)		23. GBL NUMBER		24. LOT NUMBER						
5. LINE NO.	6. QTY	7. LOST OR DAMAGED ITEMS <i>(Describe the item fully, including brand name, model and size. List the nature and extent of damage. If missing, state "MISSING.")</i>		8. INV NO.	9. ORIGINAL COST	11. AMOUNT CLAIMED a. Repair Cost (or) b. Replacement Cost		16. EXCEPTIONS	19. INV NO.	20. EXCEPTIONS	25. AMOUNT ALLOWED	26. ADJUDICATOR'S REMARKS	27. ITEM WT	28. HOUSE LIABILITY	29. CARRIER LIABILITY	
12. REMARKS				13. TOTAL		\$					30. TOTAL AMOUNT ALLOWED	\$	31. THIRD PARTY LIABILITY		\$	\$

DIRECTIONS FOR COMPLETING THE DD FORM 1844 (LIST OF PROPERTY AND CLAIMS ANALYSIS CHART)

BLOCK 1: Must be the same name entered in Block 1 of DD Form 1842.

BLOCK 2: Self explanatory.

BLOCK 3: Leave blank.

BLOCK 4: Leave Blank.

BLOCK 5: Assign a line number, beginning with 1, for each lost/damaged item. Continue the number sequence on subsequent DD Form 1844 if needed.

BLOCK 6: Quantity of items claimed on that line. (e.g., 1 Table, 4 Chairs, etc.)

BLOCK 7: Fully describe the item being claimed and provide specific descriptions of the damages, to include exact location and type of damage. Be very specific and do not use general terms such as "damaged."

BLOCK 8: Leave blank.

BLOCK 9: Enter the amount you paid for the item. If a gift, state "gift."

BLOCK 10: Enter the month and year the item was purchased or acquired. If you got the item "used", provide the manufactured date, such as a 1998 Sony Stereo purchased in August 2001.

BLOCK 11: Enter either the repair cost or the replacement cost. Enter both if it would cost more to repair than to replace the item.

BLOCK 12: Enter any remarks that are pertinent to this form, such as unusual abbreviations used.

BLOCK 13: Enter the total (on the last page only) of the amount claimed. This is the total of your repair estimates and/or replacement costs. **Enter this amount in Block 9 of your DD Form 1842 as the amount claimed.**

BLOCKS 14-31: Do not write in these spaces.

ATTACHMENT 3 TO ENCLOSURE (2) TO THE CNLSC BASIC PLAN
EMERGENCY PARTIAL PAYMENT PROCEDURES

In the event that the Legal Service Providers (LSPs) in the affected areas are required to provide emergency Military Personnel and Civilian Employees Claims Act (PCA) claims processing, their role will be limited to assisting claimants with obtaining claims packages and assisting those claimants that request emergency advance partial payments with obtaining those payments from the PCU. In CONUS, an emergency partial payment is appropriate when a claimant residing in Government assigned quarters or Public Private Venture (PPV) housing located within the perimeter of the installation has suffered a significant, compensable loss of items that are needed for daily living, and can demonstrate a need for immediate funds to replace some of those items (eg., food, clothes, baby items). For OCONUS, all quarters, wherever situated, are covered except when the claimant is considered a local inhabitant. A local inhabitant is defined as a civilian employee who is not a United States citizen or a United States citizen who is hired as a civilian employee while residing abroad or after moving abroad to reside with a foreign spouse or relative. The following procedures will be used to provide an emergency partial payment to eligible claimants.

Forms to Fill Out for Emergency Partial Payment

The Emergency Partial Payment Packet (part of your emergency response kit), contains a preprinted DD Form 1842 that must be used when making an emergency partial payment. There is no requirement that a DD Form 1844 (List of Property and Claims Analysis Chart) be completed by the claimant at this stage.

LSPs will ensure the DD Form 1842 is completed by the proper claimant or his/her agent and that blocks 1 – 18 are completed. Please ensure the claimant describes the extent of the loss in block 10. For example, “The first floor of my housing complex was completely flooded with six feet of water. The first floor consisted of a kitchen, living room, and my 3 year-old son’s bedroom”. The claimant must also estimate the total amount of his loss.

If the service member is deployed and his/ her agent says they have a Power Of Attorney (POA), but they do not have the POA in their possession for whatever reason, the LSP should make best efforts to contact the military member to verify a valid POA exists and provide additional assistance to obtain a valid POA to complete the emergency partial payment. If the member or command

responds that a valid POA exists, attach the confirmatory email, fax or message traffic to the DD Form 1842. If the member has not given the agent a valid POA, but the command responds that they are in the process of drafting one for the member to authorize the agent to act on his/her behalf, attach a copy of the confirmatory document to the DD Form 1842. If the member or command responds that no POA exists and the member will not authorize anyone to act on his behalf, the person cannot file a claim or request an advance payment. However, LSPs should specifically ask the member if he/she would like to fax a completed Emergency Partial Payment Packet so that it can be processed and an emergency partial payment deposited into the member's pay account.

How Much Will Be Advanced?

Initially, the claimant may be paid an emergency partial payment of an amount up to 50% of the amount of the estimated loss, not to exceed \$5,000. If you feel an amount in excess of \$5,000 is needed at that time, the LSP should call the disaster POCs at the PCU.

LSPs Will Fax the Completed DD Form 1842 to the PCU

LSPs will explain to the claimant that the request for payment will be faxed to the PCU. The fax numbers for the PCU are DSN 564-3337 and toll free 866-782-7297. The PCU will immediately generate a payment voucher and fax it to DFAS. The emergency partial payment will be deposited by DFAS electronically into the account where the claimant receives his/her military pay.

If No Emergency Partial Payment Requested

For those claimants who do not desire an emergency partial payment, LSPs will provide them the standard claims package "Property Claims for Loss Due to Fire, Flood, Theft, Vandalism and Other Personal Property Losses" to complete. The standard claims package is contained in your emergency response kit and can also be obtained at www.jag.navy.mil by simply clicking on the claims icon and selecting this packet. (See special rules for food spoilage claims.)

If Emergency Partial Payment Requested

In addition to the Emergency Partial Payment Packet, LSPs will provide the standard claims package described above. The claimant must be informed that he must file a supplemental claim within three months after receiving the payment and must substantiate the emergency payment and any supplemental

claims. Claimants who believe they need more than three months to file a supplemental claim must call the PCU for an extension. The LSP should inform claimants that failure to submit a supplemental claim will result in the Government recouping the entire emergency partial payment amount.

Special Rules For Claims for Food Spoilage

In disaster situations, the most common claim is for loss of perishables when electricity goes out and the food in the refrigerator or freezer spoils. Food will not spoil unless the power is out longer than 24 hours for refrigerators and 48 hours for freezers. For these types of losses, LSPs should use the estimates listed below that set the value of the basic types and amounts of perishable foodstuffs normally contained in refrigerators/freezers.

In such cases, LSPs will inform the claimants that they can file a claim for food spoilage, and if they accept the amount the PCU has determined to be the average for a family of that size, there is no need to itemize the lost food and no need to file a supplemental claim. In effect, that emergency partial payment will be the final payment on the claim.

Size of family	Losses up to this amount need not be itemized
2	\$200.00
3 - 4	\$300.00
5 or more	\$450.00

Record Keeping

Maintain a complete log of all requests for emergency partial payments and all claims received, date faxed to the PCU and any amount advanced by the PCU.

Payment Problems

If a claimant reports back to the LSPs that they have not received payment within three working days, they will be referred to the PCU. The telephone numbers for the PCU are toll free 888-897-8217, commercial 757-440-6315 and DSN 564-3310. PCU will verify via DFAS data base how (check or EFT) and when claimant was paid. If a payment processing is confirmed, the

claimant will be given the requisition number from their voucher and will be directed to call DFAS customer service at 800-756-4571 and select option 2, then option 4, to inquire as to the status of payment.

ADDITIONAL ADVANCE PAYMENT PROCEDURES FOR GUAM, EUROPE AND SW ASIA

In the event the CRT is unable to quickly respond to a disaster site overseas, LSPs are authorized to process emergency advance partial payments themselves and utilize the local PSD/PSA for payment. RLSOs must ensure there are standing procedures in place with the local PSD/PSA before any disaster occurs. The following guidance is provided:

1. DEVELOP STANDARD OPERATING PROCEDURES (SOP) WITH THE LOCAL PSD/PSA. The SOP should address:

- designation and qualification of certifying officials (RLSO/DSO employees) for vouchers. *
- preparation and use of handwritten vouchers.
- dedication of PSD/PSA staff to process payments.
- PSD/PSA's ability to process payments in the absence of electric power.

2. AUTHORIZING ADVANCE PAYMENTS.

- LSPs shall familiarize themselves with enclosure (4) (Emergency Payment Procedures) to ensure payments are made only for personal property that is lost, damaged or destroyed incident to service and that only proper claimants are paid.
- LSPs shall also review enclosure (4) to ensure claimants correctly complete the claims forms for the advance.
- LSPs will complete blocks 20 – 21(g) of the DD Form 1842.

3. PREPARING VOUCHERS.

- It is recommended that a separate log be maintained identifying voucher numbers assigned, name of claimant and amount paid. Attached is a sample SF1034 (Public Voucher for Purchases and Services other than Personal). The individual blocks on the SF 1034 are not numbered. LSPs will complete:

- Voucher No. Insert the three digit number you assign to the voucher

into the block next to the alphabetic code. LSPs will assign numbers beginning with 001 and should pre-number all vouchers to ensure there are no duplicate numbers given.

- U.S. Department, Bureau or Establishment and Location. Enter your command address here.

- Date Voucher Prepared. Use ddmmyy format.

- Payee's Name and Address. Enter the claimant's information (must be a service member or civilian employee) as you would address a standard envelope. Insert the claimant's SSN next to his/her name.

- Amount. Enter the amount to be paid.

- Total. Enter the amount to be paid.

- Payment. Check if payment is complete or partial. An example of a complete payment is a claim for food spoilage where the claimant agrees to accept the pre-set amount, as outlined in enclosure (4). An example of a partial payment is a claim for an advance payment of a sum of money that represents a portion of a larger claim for significant loss of personal property.

- Line of Accounting. LSPs will be provided a special line of accounting (LOA) prior to the disaster.

- Pursuant to the authority vested in me, I certify that this voucher is correct and proper for payment. Enter date in ddmmyy format. Clearly print certifying officer's name and phone number above "Authorized Certifying Officer" and clearly print certifying officer's title. The certifying officer* will sign above his/her name in this area prior to voucher being sent to PSD.

- Accounting Classification. Enter voucher number and amount paid at the end of the classification code.

4. FOLLOW UP ACTION.

- Once advance payment is made by the PSD/PSA, LSPs from Europe and Southwest Asia AOR will fax a copy of the DD Form 1842 and the voucher to the PCU at commercial 757.440.6316 or DSN 564.3337. The PCU will:

- Enter the claim into JES-2 and assign a claim number.
- Obligate money in JES-2.
- If full payment was made (food spoilage as described in enclosure (4)), review the claim for proper claimant and proper payment, then close the claim.
- If partial payment made, PCU will review the claim and hold it open pending receipt of supplemental claim. If the supplemental claim is not submitted within 3 months, the PCU will initiate recovery of the emergency advance payment.

* The certifying officer is responsible for certifying payment vouchers. Chapter 33, Volume 5, of the DOD Financial Management Regulations provides a description of the certifying official's responsibilities, accountability and duties as a certifying official. The identified LSP acting as a certifying official should complete DD Form 577 and turn it into the PSD/PSA. The PSD/PSA will not accept the voucher without an identified certifying official. DD Form 577 is attached.

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CNLSC SUPLAN 3440-TFNF
8 Jul 2014

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Standard Form 1034 Revised October 1987 Department of the Treasury		PUBLIC VOUCHER FOR PURCHASES AND SERVICES OTHER THAN PERSONAL				VOUCHER #
U.S. DEPARTMENT, BUREAU, OR ESTABLISHMENT AND LOCATION			DATE VOUCHER PREPARED		SCHEDULE #	
			CONTRACT # AND DATE		PAID BY	
PAYEE'S NAME AND ADDRESS			REQUISITION # AND DATE			DATE INVOICE RECEIVED
					DISCOUNT TERMS	
					PAYEE'S ACCOUNT #	
SHIPPED FROM			TO	WEIGHT	GOVT B/L #	
NUMER AND DATE OF ORDER	DATE OF DELIVERY OR SERVICE	ARTICLES OR SERVICES <small>(Enter description, item number of contract or Federal supply schedule, and other information deemed necessary.)</small>	QTY	UNIT PRICE		AMOUNT <small>'1'</small>
				COST	PER	
(Use continuation sheet(s) if necessary) (Payee must NOT use the space below)					TOTAL	
PAYMENT:		APPROVED FOR	EXCHANGE RATE	DIFFERENCES-----		
<input type="checkbox"/> PROVISIONAL		= \$	= \$1			
<input type="checkbox"/> COMPLETE	BY '2'					
<input type="checkbox"/> PARTIAL			Amount verified: correct for			
<input type="checkbox"/> FINAL			(Signature or initials)			
<input type="checkbox"/> PROGRESS	TITLE					
<input type="checkbox"/> ADVANCE						
Pursuant to authority vested in me, I certify that this voucher is correct and proper for payment.						
		(Date)		(Authorized Certifying Officer) *2*		(Title)
ACCOUNTING CLASSIFICATION						
PAID BY	CHECK NUMBER	ON ACCOUNT OF U.S. TREASURY	CHECK NUMBER	ON (Name of Bank)		
	CASH	DATE	PAYEE '3'			
				PER		
				TITLE		

Previous edition usable.

NSN 7540-00-900-2234

PRIVACY ACT STATEMENT

The information requested on this form is required under the provisions of 31 U.S.C. 82b and 82c, for the purpose of disbursing Federal Money.

The information requested is to identify the particular creditor and the amounts to be paid. Failure to furnish this information will hinder discharge of the payment obligation.

APPOINTMENT / TERMINATION RECORD - AUTHORIZED SIGNATURE (Read Privacy Act Statement and Instructions before completing form.)		
PRIVACY ACT STATEMENT		
AUTHORITY: E.O. 9397, 31 U.S.C. §§ 3325, 3528, DoD Financial Management Regulation, Vol 5, Chapter 33, and DoDD 7000.15, DoD Accountable Officials and Certifying Officers. PRINCIPAL PURPOSE(S): To maintain a record of certifying and accountable officers' appointments, and termination of those appointments. The information will also be used for identification purposes associated with certification of documents and/or liability of public records and funds. ROUTINE USE(S): The information on this form may be disclosed as generally permitted under 5 U.S.C § 552a(b) of the Privacy Act of 1974, as amended. It may also be disclosed outside of the Department of Defense (DoD) to the Federal Reserve banks to verify authority of the accountable individual to issue Treasury checks. In addition, other Federal, State and local government agencies, which have identified a need to know, may obtain this information for purpose(s) identified in the DoD Blanket Routine Uses published in the Federal Register. DISCLOSURE: Voluntary; however, failure to provide the requested information may preclude appointment		
SECTION I - FROM: COMMANDER / APPOINTING AUTHORITY		
1. NAME (First, Middle Initial, Last)	2. TITLE	3. DoD COMPONENT / ORGANIZATION
4. DATE (YYYYMMDD)	5. SIGNATURE	
SECTION II - TO: APPOINTEE		
6. NAME (First, Middle Initial, Last)	7. SS#	8. TITLE
9. DoD COMPONENT / ORGANIZATION	10. ADDRESS (Include ZIP Code)	
11. TELEPHONE # (Include Area Code)	12. EFFECTIVE DATE OF APPOINTMENT (YYYYMMDD)	
13. POSITION TO WHICH APPOINTED (X one) <input type="checkbox"/> CERTIFYING OFFICER <input type="checkbox"/> ACCOUNTABLE OFFICIAL <input type="checkbox"/> OTHER (specify)		
14. YOU ARE HEREBY APPOINTED TO SERVE IN THE CAPACITY SHOWN ABOVE. YOUR RESPONSIBILITIES WILL INCLUDE:		
15. YOU ARE ADVISED TO REVIEW AND ADHERE TO THE FOLLOWING REGULATION(S) NEEDED TO ADEQUATELY PERFORM THE DUTIES TO WHICH YOU HAVE BEEN ASSIGNED: DoD FMR, Vol 5, Chap 33;		
SECTION III - ACKNOWLEDGEMENT OF APPOINTMENT		
I acknowledge and accept the position and responsibilities defined above. I understand that I am strictly liable to the United States for all public funds under my control. I have been counseled on my pecuniary liability and have been given written operating instruction. I certify that my official signature is shown in the box below.		
16. PRINTED NAME (First, Middle Initial, Last)	17. SIGNATURE	
SECTION IV - TERMINATION OF APPOINTMENT		
<input type="checkbox"/> The appointment of the individual named above is hereby revoked.	18. EFFECTIVE DATE (YYYYMMDD)	19. APPOINTEE INITIALS
20. NAME OF COMMANDER / APPOINTING AUTHORITY	21. TITLE	22. SIGNATURE

ATTACHMENT 4 TO ENCLOSURE (2) TO THE CNLSC BASIC PLAN
INSTRUCTIONS ON FILING A CLAIM FOR EMERGENCY PARTIAL PAYMENT

EMERGENCY PARTIAL PAYMENT PACKET

1. GENERAL.

These instructions are designed to provide specific guidance to DON personnel who want to file a claim with the government for an emergency partial payment because they have suffered a loss from a disaster. An emergency partial payment is appropriate when a claimant residing in Government assigned quarters, Public Private Venture (PPV) housing located within the perimeter of the installation (CONUS) or for OCONUS, all quarters wherever situated (except when the claimant is considered a local inhabitant), has suffered a significant loss of personal property and need immediate funds to replace those items needed for daily living (e.g., food, clothes, baby items, etc.). These instructions are designed to answer your questions regarding who can file, where to file and how to file a request for an emergency partial payment of a claim with the government.

You can turn your request for emergency partial payment in to your local Legal Service Provider (LSP), usually located within the local Region Legal Service Office (RLSO) or Staff Judge Advocate's office. Upon receipt of this package, the LSP will provide you with a standard claims package which must be submitted within 3 months from the date of the disaster. Your request for an emergency partial payment and/or your claim will be forwarded and processed at the Personnel Claims Unit (PCU) at:

Personnel Claims Unit Norfolk
9053 First Street Suite 102
Norfolk, VA 23511-3605
Toll Free (888) 897-8217/Fax (866) 78207297
Commercial (757)440-6315
DSN 564-3310/FAX DSN 564-3337
Email: norfolkclaims@navy.mil

Read these instructions carefully and answer all questions in order to ensure the most expeditious processing of your claim. Failure to complete

the forms properly or to provide all required documents and substantiation will result in delay or even denial of your claim. **Keep copies of all documents submitted.**

Remember, it's your claim. You, the claimant, are in the best position to provide the specific information necessary for fast and fair adjudication of your claim. The claim will be adjudicated pursuant to the Military Personnel and Civilian Employees Claims Act (PCA) (31 U.S.C. § 3721). The PCA is a gratuitous payment statute and is not intended to replace insurance. The PCA only allows payment up to the fair market value (FMV) (depreciated value) of lost or destroyed items.

2. WHO MAY FILE A REQUEST FOR AN EMERGENCY PARTIAL PAYMENT?

a. Proper Claimant. The PCA covers all active duty members and reservists on active duty for training under federal law. The PCA also applies to Department of the Navy (DON) Federal civilian employees. Reservists or retired members may only claim for damages under the PCA if loss or damage to their personal property occurred while they were on active duty.

b. Power of Attorney (POA). A legal representative who has been designated as your legal representative by a POA in order to communicate with the PCU. Payment will be made to the claimant's account, not to the agent's, unless the POA specifically authorizes the agent to both file the claim and receive payment. If an agent is filing a claim on your behalf, the agent must include a copy of the POA. Your agent must have either a General POA granting the agent the power to everything the claimant could do, or a Special Power of Attorney, granting the agent the authority to file your claim. Many RLSOs prepare POAs on a walk-in basis. The prospective claimant must be present to execute a POA. Remember, the POA must be effective on the date the claim is submitted.

3. WHAT FORMS WILL I NEED TO FILE?

Requests for an emergency partial payment of a claim for damages caused by a disaster are filed using the specialized **DD Form 1842, Claim for Loss of or Damage to Personal Property Incident to Service**. A copy is attached to this instruction.

When completing this form, ensure blocks 1 – 18 are completed. Describe the extent of the damages in the space available in block 10 or on an additional piece of paper. Please ensure your SSN number is entered correctly and legibly. The SSN is used to deposit funds into your military pay account.

4. DOCUMENTING DAMAGES.

In circumstances where damage is severe, such as flooding, you may be granted limited access to your quarters and it may be difficult for you to document damages. However, when granted access, it is important that you take every opportunity possible to document your loss in cases where the disaster destroyed property in your assigned quarters. It is recommended that you photograph the damage to the property in your quarters. When photographing valuable items, photographing the brand name will assist in substantiating your claim. For example, it is not unusual to find a stereo system in the average home, however if you owned an expensive Bose stereo system you should photograph the item and ensure the Bose label is present in the photograph. The same concept is true for furniture. For example, a photograph of a sofa doesn't necessarily show the brand, so whenever possible photograph the manufacturer's tag as well.

5. WHAT IF I HAVE PRIVATE INSURANCE?

You are required to file a claim against private insurance (home owners, renters, vehicle, etc.). If you are filing for an emergency partial payment while you wait for your insurance company to respond, you will be required to provide a final accounting of what your insurance company paid for your loss. You will be required to reimburse the Government for any payments made that are later covered by your insurance company. Include a copy of any correspondence you have had with your insurance company when you file your claim after you have received an emergency partial payment.

6. WHAT IF I DON'T FILE THE FOLLOW UP CLAIM?

If you file a claim for an emergency advance payment for your loss, you must file the standard claims package within 3 months from the date of the emergency payment. Any amount advanced will be deducted from the total adjudicated value of your loss in your final claim.

If you feel you need more than 3 months to file your claim, you must consult with the PCU. If you do not file your supplemental claim within 3 months, and you do not receive an extension of time from the PCU, the emergency partial payment will be recouped from your pay.

The only exception to this rule is when the emergency partial payment request is for food loss only. If you agree to accept the amount established by the PCU for your family size, you need not submit a supplemental claim.

7. HOW DO I GET PAID?

Claims payments by the PCU, including emergency partial payments, are processed through the Defense Finance and Accounting Service (DFAS). DFAS electronically deposits payment directly into your account. To avoid delays in payment you must ensure the banking information you have stored in your My Pay account is accurate. You can access your My Pay account at <https://mypay.dfas.mil/mypay.aspx>.

CLAIM FOR LOSS OF OR DAMAGE TO PERSONAL PROPERTY INCIDENT TO SERVICE			
PART I - TO BE COMPLETED BY CLAIMANT (See back for Privacy Act Statement and Instructions.)			
1. NAME OF CLAIMANT (Last, First, Middle Initial)	2. BRANCH OF SERVICE	3. RANK OR GRADE	4. SOCIAL SECURITY NUMBER
5. HOME ADDRESS (Street, City, State and Zip Code)		6. CURRENT MILITARY DUTY ADDRESS (If applicable) (Street, City, State and Zip Code)	
7. HOME TELEPHONE NO. (Include area code)	8. DUTY TELEPHONE NO. (Include area code)	9. AMOUNT CLAIMED	
10. CIRCUMSTANCES OF LOSS OR DAMAGE (Explain in detail. Include date, place, and all relevant facts. Use additional sheets if necessary.) I estimate the total value of my loss will be \$ _____. I understand that any amount advanced to me will be in partial payment of my claim and will not constitute final settlement of the claim. I acknowledge my responsibility to file an itemized claim for all my damages as soon as possible. I also acknowledge my understanding that if the amount advanced exceeds the amount allowed following the final adjudication of my itemized claim, I will be required to pay the difference to the United States, either voluntarily or involuntarily through checkage of my pay. I acknowledge that payment is only for the damage and/or loss of personal property and that any inconveniences arising from the loss are not payable under the Military Personnel and Civilian Employees Claims Act.			
11. DID YOU HAVE PRIVATE INSURANCE COVERING YOUR PROPERTY? (E.g., say "Yes" on a shipment or quarters claim if you had transit, renter's or homeowner's insurance; say "Yes" on a vehicle claim if you had vehicle insurance. Attach a copy of your policy.)			YES NO
12. HAVE YOU MADE A CLAIM AGAINST YOUR PRIVATE INSURER? (If "Yes," attach a copy of your correspondence. If you have insurance covering your loss, you must submit a demand before you submit a claim against the Government.)			
13. HAS A CARRIER OR WAREHOUSE FIRM INVOLVED PAID YOU OR REPAIRED ANY OF YOUR PROPERTY? (If "Yes," attach a copy of your correspondence with the carrier or warehouse firm.)			
14. DID ANY OF THE CLAIMED ITEMS BELONG TO THE GOVERNMENT OR TO SOMEONE OTHER THAN YOU OR YOUR FAMILY MEMBER? (If "Yes," indicate this on your "List of Property and Claims Analysis Chart," DD Form 1844.)			
15. WERE ANY OF THE CLAIMED ITEMS ACQUIRED OR HELD FOR SALE, OR ACQUIRED OR USED IN A PRIVATE PROFESSION OR BUSINESS? (If "Yes," indicate this on your "List of Property and Claims Analysis Chart," DD Form 1844.)			
16. UNDER PENALTY OF LAW, I DECLARE THE FOLLOWING AS PART OF SUBMITTING MY CLAIM: If any missing items for which I am claiming are recovered, I will notify the office paying this claim. (For shipment claims.) Missing items were packed by the carrier; they were owned prior to shipment but not delivered at destination; after my property was packed, I/my agent checked all rooms in my dwelling to make sure nothing was left behind. I assign to the United States any right or interest I have against a carrier, insurer, or other person for the incident for which I am claiming; I authorize my insurance company to release information concerning my insurance coverage. I authorize the United States to withhold from my pay or accounts for any payments made to me by a carrier, insurer, or other person to the extent I am paid on this claim, and for any payment made on this claim in reliance on information which is determined to be incorrect or untrue. I have not made any other claim against the United States for the incident for which I am claiming. I understand that if any information I provide as part of my claim is false, I can be prosecuted.			
17. SIGNATURE OF CLAIMANT (or designated agent)			18. DATE SIGNED (YYYYMMDD)
PART II - CLAIMS APPROVAL (To be completed by Claims Office)			
19. PROCEDURE (X one) <input type="checkbox"/> a. SMALL CLAIMS <input type="checkbox"/> b. REGULAR CLAIMS		20. AMOUNT AWARDED. The claim is cognizable and meritorious under 31 U.S.C. 3721; the claimant is a proper claimant; the property is reasonable and useful; the loss has been verified in accordance with applicable procedures as prescribed by the controlling departmental regulation; and the following award is substantiated:	\$
21. SIGNATURES (Signatures at a and c not required if small claims procedure is utilized)			
a. CLAIMS EXAMINER	b. DATE SIGNED (YYYYMMDD)	c. REVIEWING AUTHORITY	d. DATE SIGNED (YYYYMMDD)
e. TYPED NAME AND GRADE OF APPROVING AUTHORITY		f. SIGNATURE OF APPROVING AUTHORITY	g. DATE SIGNED (YYYYMMDD)

PRIVACY ACT STATEMENT

AUTHORITY: 31 U.S.C. 3721, and EO 9397, November 1943 (SSN).

PRINCIPAL PURPOSE(S): Filing, investigation, processing and settlement of claims for losses incident to service.

ROUTINE USES:

a. Information is principally used to provide a legal basis for the administrative payment of claims against the Government. Information is also used in connection with:

- (1) Recovery from common carriers, warehouse firms, insurers and other third parties.
- (2) Collection from claimants of improper payments or overpayments.
- (3) Investigation of possible fraudulent claims.
- (4) Possible criminal prosecution by the Department of Justice or other agencies if fraud is established.

b. Social Security Numbers are used to assure correct identification of claimants in order to assure payment to the proper claimant and avoid duplication of claims.

DISCLOSURE: Voluntary; however, failure to supply information will cause delay in settlement and may result in denial of a portion or all of the claim.

INSTRUCTIONS TO CLAIMANTS

- 1. You must submit your claim in writing within two years of the date of the incident giving rise to the claim. This two year time limitation may not be waived.
- 2. The claimant or an authorized agent must complete and sign Part I of this form, answering all questions. If the claim is signed by an agent (*such as a spouse*) or a survivor of a deceased proper claimant, that person must have a document showing his or her authority to present the claim, such as a power of attorney, etc.
- 3. If the claim is for property lost or damaged while being shipped or stored pursuant to travel orders, submit copies of your orders and all shipping documents, including your inventory and your "Joint Statement of Loss or Damage at Delivery/Notice of Loss or Damage," DD Forms 1840/1840R. If you notice damage after delivery, you must complete the DD Form 1840R and get it to the Claims Office within 70 days after delivery.
- 4. You may obtain further information from a Claims Office.

- 5. You are entitled to claim the following:
 - a. Reasonable local repair cost, if an item can be economically repaired. (*You may claim small amounts without an estimate. Otherwise, submit an estimate of repair from a repair firm or, if repairs have been completed, your receipt. The claims office may waive this in appropriate cases.*)
 - b. Reasonable local replacement cost if an item is missing, destroyed, or not economic to repair. (*Replacement costs may be obtained from commercial catalogs or a military exchange. If you cannot find the item in a catalog or the exchange and the cost is more than \$100.00, obtain a statement from a commercial firm for the cost of a similar item. If you have purchase receipts, bring these to the Claims Office as well.*)
 - c. Reasonable cost of obtaining local estimates of repair, if the cost of such estimates will not be credited if repair work is done. (*Normally, you may not claim appraisal fees.*)

PART III - DENIAL OR SUPPLEMENTAL PAYMENT (*To be completed by Claims Office*)

<p>23. DENIAL (<i>X If applicable</i>) The claim is not cognizable or meritorious under 31 U.S.C. 3721 and the applicable provisions of the controlling departmental regulation, and is denied.</p>	<p>24. SUPPLEMENTAL PAYMENT (<i>X and complete if applicable</i>) The claim is cognizable and meritorious under 31 U.S.C. 3721, and the following additional award is substantiated: \$</p>		
25. SIGNATURES			
a. CLAIMS EXAMINER	b. DATE SIGNED (YYYYMMDD)	c. REVIEWING AUTHORITY	d. DATE SIGNED (YYYYMMDD)
25. APPROVING/SETTLEMENT AUTHORITY (<i>Settlement Authority is required for denial.</i>)			
a. TYPED NAME	b. GRADE	b. SIGNATURE	c. DATE SIGNED (YYYYMMDD)

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CNLSC SUPLAN 3440-TFNF
8 Jul 2014

ATTACHMENT 5 TO ENCLOSURE (2) TO THE CNLSC BASIC PLAN
DD FORM 1841 0- GOVERNMENT INSPECTION REPORT

GOVERNMENT INSPECTION REPORT		1. PREPARING INSTALLATION	
2. NAME OF PROPERTY OWNER		3. DESTINATION ADDRESS (Street, City, State and ZIP Code)	
4. MODE OF SHIPMENT			
5. PROPERTY SHIPPED		6. DATE OF DELIVERY TO OWNER (YYYYMMDD)	
a. FROM (Include ZIP Code)	b. TO (Include ZIP Code)	c. WEIGHT OF SHIPMENT	d. NUMBER OF PIECES
e. NAME AND ADDRESS OF GOVERNMENT BILL OF LADING CARRIER (Include ZIP Code)		f. GBL NUMBER	
		g. AIRWAY BILL NUMBER	
		h. CARRIER'S BILL OF LADING NUMBER	
i. NAME AND ADDRESS OF WAREHOUSE (If shipment from nontemporary storage) (Include ZIP Code)		j. LOT NUMBER	
		k. SERVICE ORDER NUMBER	
l. NAME AND ADDRESS OF DELIVERING CARRIER (If not agent of Government Bill of Lading carrier) (Include ZIP Code)		m. CONTRACT NUMBER	
7. DISCREPANCIES NOTED BY INSPECTOR (Use supplemental sheets if necessary)			
CARRIER'S INVENTORY NUMBER (Carton No. if packed item) a.	ARTICLE b.	DESCRIBE LOCATION, NATURE AND EXTENT OF NEW DAMAGE AND APPARENT CAUSE OF DAMAGE (State "MISSING" if applicable) c.	WEIGHT (Lbs) OF ARTICLE OR CARTON IF PACKED ITEM d.

8. INVENTORY NUMBERS OF CARTONS OR CONTAINERS WITH VISIBLE EXTERNAL DAMAGE <i>(Describe damage to each and apparent cause of damage)</i>			
9. PACKING VIOLATIONS NOTED <i>(Describe in detail) (See MIL-STD-212c)</i>			
10. CERTIFICATE OF INSPECTOR I personally made the above inspection on the date shown and certify that the conditions as shown on this report of _____ pages accurately reflect the loss and/or damage incurred during shipment and/or storage.			
a. DATE OF INSPECTION <i>(YYYYMMDD)</i>	b. TYPED NAME OF INSPECTOR <i>(Last, First, Middle Initial)</i>	c. GRADE	d. SIGNATURE
11. CERTIFICATE OF PROPERTY OWNER I have examined this report of _____ pages and the conditions shown accurately and completely set forth the entire loss and/or damage to my property incurred during shipment and/or storage.			
a. DATE <i>(YYYYMMDD)</i>	b. SIGNATURE		
12. CERTIFICATE OF TRANSPORTATION OFFICER I certify that the information on this report of _____ pages is accurate and complete to the best of my knowledge.			
13. "NOTICE OF LOSS OR DAMAGE" DISPATCHED			
a. DATE <i>(YYYYMMDD)</i>	b. ADDRESSEE		
c. DATE <i>(YYYYMMDD)</i>	d. ADDRESSEE		
e. DATE OF REPORT <i>(YYYYMMDD)</i>	f. TYPED NAME OF INSTALLATION TRANSPORTATION OFFICER <i>(Last, First, Middle Initial)</i>	g. SIGNATURE	

DD FORM 1841 (BACK), SEP 1998

Reset

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CNLSC SUPLAN 3440-TFNF
8 Jul 2014

ATTACHMENT 6 TO ENCLOSURE (2) TO THE CNLSC BASIC PLAN
DRAFT FLIERS

FILING A CLAIM WITH THE NAVY
FOR PERSONAL PROPERTY DAMAGE CAUSED BY (insert event name)
(CONUS)

1. If you suffered loss or damaged to your personal property due to *(insert event name)*, you can file a claim if:

- A. The property was located on base or in your Government assigned quarters when it was damaged. Government assigned quarters is defined as housing provided in kind by the Government or PPV housing located within the perimeter of the installation.
- B. You are a proper claimant under the Personnel Claims Act. A proper claimant is an active duty member, a reservist on active duty, or a civilian employee of the Department of the Navy.

2. Claims packets for filing your claim may be obtained from *(identify either the CSC, other designated response site that you will man, or your office)*. They may also be found on-line at <http://www.jag.navy.mil>. Click on “claims” under “For Sailors and families” then select “packets and forms” on the right side of the screen or by contacting the Personnel Claims Unit, Norfolk, VA.

PCU contact information

- The phone numbers are toll free (888) 897-8217, commercial (757) 440-6315/6317, DSN 564-3310
- The fax numbers are (757) 440-6316 and 444-3337, DSN 564-3337
- The email address is norfolkclaims@navy.mil.

3. If you have private insurance covering your loss, you must first make a demand against your private insurance carrier and include a copy of the insurance settlement and submit it with your claim package. If the damages total an amount less than your deductible, you simply need to attach a current copy of your declaration page showing the deductible.

Questions? Claims Help Line: (888) 897-8217

The help line is manned from 0700 – 1900, Eastern Time.

**FILING A CLAIM WITH THE NAVY FOR
PERSONAL PROPERTY DAMAGE CAUSED BY (insert event name)
(OCONUS)**

1. If you suffered loss or damaged to your personal property due to *(insert event name)*, you can file a claim if:

- A. The property was located on base.
- B. The property was located in your private quarters and you are not considered a local inhabitant).
- C. You are a proper claimant under the Personnel Claims Act. A proper claimant is an active duty member, a reservist on active duty, or a civilian employee of the Department of the Navy.

2. Claims packets for filing your claim can be obtained from *(identify either the CSC, other designated response site that you will man, or your office)*. They may also be found on-line at <http://www.jag.navy.mil>. Click on “claims” under “For Sailors and families” then select “packets and forms” on the right side of the screen or by contacting the Personnel Claims Unit, Norfolk, VA.

PCU contact information

- The phone numbers are toll free (888) 897-8217, commercial (757) 440-6315/6317, DSN 564-3310
- The fax numbers are (757) 440-6316 and 444-3337, DSN 564-3337
- The email address is norfolkclaims@navy.mil.

3. If you have private insurance covering your loss, you must make a demand against your private insurance carrier and include a copy of the insurance settlement and submit it with your claim package. If the damages total an amount less than your deductible, you simply need to attach a current copy of your declaration page showing the deductible. You can request an emergency advance in the amount of your insurance policy deductible. You must provide a copy of the claim you filed with your private insurance carrier.

Questions? Claims Help Line: (888) 897-8217

The help line is manned from 0700 – 1900, Eastern Time.

FILING A CLAIM FOR
PERSONAL PROPERTY DAMAGE CAUSED
BY (insert event name)
(USE ON JOINT BASE)

1. If you suffered loss or damage to your personal property due to (*insert name of event*), you can file a claim if:

- A. The property was located on base or in your Government assigned quarters when it was damaged. Government assigned quarters is defined as housing provided in kind by the Government or Public Private Venture (PPV) housing located on or off the installation.
- B. You are a proper claimant under the Personnel Claims Act. A proper claimant is an active duty member, a reservist on active duty, or a civilian employee of the Army, Navy, Air Force, Marines, and Coast Guard. NOTE: Claims rules differ between the Services. Your claim must be filed with your designated service claims office; please contact your military claims office noted in paragraph 3 below.

2. General Instructions:

A. If you have private insurance covering your loss, you normally must make a demand against your private insurance carrier and include a copy of the insurance settlement and submit it with your claim package. Residents of privatized housing are provided with renter's insurance through a contract with the housing contractor and must file their claim initially against that insurance. Instructions for submission of a claim with may be obtained from the local privatized housing office.

B. If the damages total an amount less than your deductible, you simply need to attach a current copy of your declaration page showing the deductible. You can request an emergency advance in the amount of your insurance policy deductible. You must provide a copy of the claim you filed with your private insurance carrier.

3. Military Claims Office (MCO) Information:

A. Army: You may file your claim with Army either by paper or electronically via PCLAIMS, the Army's on-line filing program. The URL for PCLAIMS is:

<http://www.jagcnet4.army.mil/pclaims>. You must possess an AKO username and password to access the system. You may file your claim at anytime in PCLAIMS. Filing a claim consists of 2 steps: 1) creating or updating your personal profile and 2) filing a notice of loss or claim. In PCLAIMS you may not only file a notice of loss or claim but also track or view the status of your previous claims. The PCLAIMS Homepage also provides useful quick links and a Claims Office Directory where you can find the Army MCO of your choice, normally the one closest to your location. Army MCOs also provide assistance should you need to file your claim in paper form. The US Army Claims Service may be contacted by email at: USARCSFRVclaims@conus.army.mil.

B. Navy: Claims packets for filing your claim with the Navy can be found on-line at <http://www.jag.navy.mil>. Click on “claims” under “For Sailors and families” then select “packets and forms” on the right side of the screen. You may also obtain packages from the Office of the OJAG Personnel Claims Unit Norfolk (PCUN). The phone number is toll free (888) 897-8217, commercial (757) 440-6315. The toll free help line is manned from 0700-1900, Eastern Time. The fax numbers are (757) 440-6316 and 444-3337. The email address is norfolkclaims@navy.mil.

C. Air Force: Claims instructions for filing your claim with the Air Force can be found on-line at <https://claims.jag.af.mil>. The phone numbers for the Air Force Claims Center are toll free (877) 754-1212, commercial (937) 656-8044, DSN 986-8044. The fax numbers are commercial (937) 656-8307, DSN 986-8307. The email address is AFCSC.JA@wpafb.af.mil.

D. Marines: The web site for the Marine Corps Claims Office is https://www.manpower.usmc.mil/portal/page/portal/M_RA_HOME/MF/C_PERSONNEL/Property. The phone number for the Marine Corps Claims Office is commercial (703) 784-9533, DSN 278-9533. The fax number is (703) 784-9827. The email address is hqmc.claims@usmc.mil.

E. Coast Guard: Claims instructions and contact information for filing your claim with the Coast Guard can be found on-line at http://uscg.mil/lsc/branch_claims_and_litigation.asp. The phone number for Coast Guard Claims is (757) 628-4212.

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CNLSC SUPLAN 3440-TFNF
8 Jul 2014

ATTACHMENT 7 TO ENCLOSURE (2) TO THE CNLSC BASIC PLAN
READY TO USE FORMS

FILING A CLAIM FOR PERSONAL PROPERTY LOSS DUE TO FIRE, FLOOD, THEFT, VANDALISM AND OTHER PERSONAL PROPERTY LOSSES

1. GENERAL.

These instructions are designed to provide specific guidance to DON personnel who want to file a claim with the government for damage or loss sustained to your personal property incident to service and caused by fire, flood, theft, vandalism, natural disaster or other unusual occurrence. You should file your claim at the Personnel Claims Unit (PCU) at:

Personnel Claims Unit Norfolk
9053 First Street Suite 102
Norfolk, VA 23511-3605
Toll Free (888) 897-8217/Fax (866) 782-7297
Commercial (757) 440-6315
DSN 564-3310/FAX DSN 564-3337
Email: norfolkclaims@navy.mil

Read these instructions carefully and answer all questions in order to ensure the most expeditious processing of your claim. Failure to complete the forms properly or to provide all required documents and substantiation will result in delay or even denial of your claim. **Keep copies of all documents submitted.**

Remember, it's your claim. You, the claimant, are in the best position to provide the specific information necessary for the fast and fair adjudication of your claim. The claim will be adjudicated pursuant to the Military Personnel and Civilian Employees Claims Act (PCA) (31 U.S.C. § 3721). The PCA is a gratuitous payment statute and is not intended to replace insurance. The PCA only allows payment up to the fair market value (FMV) (depreciated value) of lost or destroyed items.

2. DEADLINES FOR FILING YOUR CLAIM.

Federal law requires that you deliver your claim with the PCU within two years after it accrues. The claim accrues on the date the incident occurred that gave rise to your claim. This requirement is statutory and cannot be waived.

3. WHO MAY FILE A CLAIM?

a. Proper Claimant. The Military Personnel and Civilian Employees' Act (PCA) covers all active duty members and reservists on active duty for training under federal law. The PCA also applies to Department of the Navy (DON) Federal employees. Reservists or retired members may only claim for damages under the PCA if loss or damage to their personal property occurred while they were on active duty.

b. Power of Attorney (POA). A legal representative who has been designated as your legal representative by a POA in order to communicate with the PCU. Payment will be made to the claimant's account, not to the agent's, unless the POA specifically authorizes the agent to both file the claim and receive payment. If an agent is filing a claim on your behalf, the agent must include a copy of the POA. Your agent must have either a General POA granting the agent the power to do everything the claimant could do, or a Specific Power of Attorney, granting the agent the authority to file your claim. Many Region Legal Service Offices (RLSOs) provide POA on a walk-in basis. The prospective claimant must be present to grant a POA. Remember, the POA must be effective on the date the claim is submitted.

4. WHAT FORMS WILL I NEED TO FILE?

The two forms you need to file your PCA claim are the **DD Form 1842, *Claim for Loss of or Damage to Personal Property Incident to Service***, and the **DD Form 1844, *List of Property and Claims Analysis Chart***. Forms, and this package, can be found online through the Navy's Office of the Judge Advocate General website, www.jag.navy.mil (by selecting "Claims" on the screen) or the Navy Knowledge Online website, wwwa.nko.navy.mil (by going into your "Personal Development" page in NKO and selecting the claims page in your "Personal Legal Affairs" portal). When preparing your claim, please read and follow the attached check-off list. Make sure that you completely fill in the information required on each form and on the check-off list and attach all supporting documentation listed on the check-off list before you file your claim.

Be sure that your claim is completed, as described in this package, and signed before filing your claim. If you are e-mailing the claim, remember to sign the DD Form 1842 before scanning your documents. Please make sure that if you are e-mailing your claim all scanned documents are legible and in one of the following formats: ADOBE, PDF, JPG File, TIFF Document, GIF File, or Bitmap Image. Claims examiners will then adjudicate your completed claim and determine the amount of compensation you are entitled to receive based on the information you provide. You will be provided a written explanation of the adjudication of your claim.

5. PRIVATE INSURANCE.

You are required to file a claim against private insurance (home owners, renters, vehicles etc.). You do not have to wait for your private insurance company to settle your claim before filing a claim with the government. However, we will not be able to finalize your claim until we receive a copy of the insurance settlement package.

6. HOW DO I GET PAID?

Your claim will be adjudicated pursuant to the Military Personnel and Civilian Employees Claims Act (PCA) (31 U.S.C. § 3721). The PCA is a gratuitous payment statute and is not intended to replace insurance. The PCA only allows payment up to the fair market value (FMV) (depreciated value) of lost or destroyed items.

Claims Payments by the PCU are processed through the Defense Finance and Accounting Service (DFAS). DFAS electronically deposits payments directly into your account. If you do not have a DFAS pay account (i.e., you are no longer in the military or work for any Department of Defense agency), you will need to fill out the attached Electronic Funds Transfer (EFT) Data sheet. If you are a nonappropriated fund (NAF) employee, your claim will be submitted to your activity for payment from NAF funds.

A checklist is attached to this package to assist you in completing your claim. Failure to comply with this checklist will delay processing of your claim.

CLAIMS PACKET

CHECKLIST FOR LOSS OR DAMAGE TO PERSONAL PROPERTY DUE TO FIRE, FLOOD, THEFT, VANDALISM AND OTHER PERSONAL PROPERTY LOSSES

I understand that my claim must contain the following information and documentation. I have included one copy of each document and I have kept a copy of each document for my own records. My initials on each line mean I have included a copy of the requested document in this file.

I MUST BE SURE THE PCU RECEIVES MY CLAIM WITHIN TWO YEARS FROM THE DATE OF THE INCIDENT FOR WHICH I AM MAKING THIS CLAIM. I UNDERSTAND THAT SIMPLY MAILING THE CLAIM WITHIN THE TWO YEARS IS INSUFFICIENT; THE PCU MUST RECEIVE THE CLAIM WITHIN TWO YEARS.

1. _____ This checklist.
2. _____ DD Form 1842 (Claim for Loss of or Damage to Personal Property Incident to Service). I have completed every section of the DD Form 1842, **including Block 9, Amount Claimed, and Block 10, Circumstance of Loss or Damage, and Block 17, Signature.**
3. _____ I have private homeowner's insurance, renter's insurance, or vehicle insurance. I understand I must submit a demand against the insurer for payment at the same time I submit my claim with the government, and I understand that I will not be paid by the government until my claim is adjudicated by my private insurer. For claims for damage to POV's, the declarations page from my policy, showing types and limits on coverage, is attached. I have included a copy of any correspondence from my insurance company.
4. _____ If I have authorized someone else to file my claim or to receive payment, I have included a **POWER OF ATTORNEY. (A SIGNED STATEMENT IS NOT SUFFICIENT).**
5. _____ DD Form 1844, (List of Property and Claims Analysis Chart). I have completed each section of the DD Form 1844 including all applicable information in Blocks 1 and 2. I have provided detailed descriptions of damage to each item claimed, original cost, month and year of purchase (date of manufacture if I acquired the item used), and repair cost or replacement cost (Blocks 5-11).
6. _____ One repair estimate or if the item is missing or destroyed, a replacement cost estimate for any and all articles over \$100.00. **If the cost of the estimate will be over \$75, I will contact the PCU before I obligate myself to pay that estimate fee.**
 - a. _____ **REPLACEMENT COST.** I have verified a claimed replacement cost of \$100.00 or more by clippings from catalogs, newspaper advertisements, etc., which show pictures and prices of identical or comparable items or written quotes from a firm which sells identical or comparable items.

b. _____ **REPAIR COST.** If I am claiming the cost to repair an item exceeds \$100.00, I have provided an estimate from a firm that is in the business of repairing such items (e.g., washer/dryer from an appliance repair firm, furniture from a furniture repair or re-upholstery shop). If the item is damaged beyond economical repair, the estimate must state this and I have submitted evidence to prove the replacement price of the item as described above. **The estimate must clearly state the specific area on the item and damages to the item that are being repaired. An estimate that simply shows "repair" or "refinish" is not acceptable.**

c. _____ **ELECTRICAL/ELECTRONIC ITEMS.** For each electrical/ electronic item (such as TV's, stereos, computers, refrigerators, etc.) with a value over \$100 that I am claiming a repair cost over \$100.00, I submitted one of the attached electrical/electronic repair forms completed by a person in the business of repairing such items. (You can copy the form.)

d. _____ **Re-upholstery.** The estimate must state that:

- 1) the materials used are of comparable quality to the original material;
- 2) patching, reweaving, using material from a different part of the item or any less expensive method of repair is not possible; and
- 3) must list cost of material and labor separately.

e. _____ **PHOTOGRAPHS.** If I have pictures of visible damages to the items being claimed, I have included them with my claim. I placed the item's line number, from the DD Form 1844, on the picture. I understand I will not be reimbursed for the cost of the pictures.

ALL ESTIMATES MUST BE IN ENGLISH OR HAVE AN ENGLISH TRANSLATION ATTACHED.

7. _____ I understand the claims examiner may require further information or additional repair estimates or proof of replacement costs for any item listed on the DD Form 1844 while in the process of adjudicating the claim or if the repair or replacement cost submitted is excessive for average repairs or replacement of like items in the area. For instance, I may be asked to provide proof that I owned the type and quality of item I have claimed.

8. _____ Military or civilian police or fire report (if available) is attached.

9. _____ For POV claims, copy of current registration for vehicle.

10. _____ I have completed the Electronic Fund Transfer (EFT) Data sheet. (Only necessary if you do not have a current pay account through the Defense Finance and Accounting Service [DFAS], such as personnel who have left military service without retiring).

If any information is missing, my claim will be adjudicated with the information provided and may result in items being paid for lesser amounts than claimed or denied for failure to substantiate the claim.

(CLAIMANT SIGNATURE) (Date)

(EMAIL ADDRESS)

ELECTRICAL/ELECTRONIC REPAIR FORM

Date

To the Estimator:

We must determine if damage to this item is as a result of some other cause rather than a manufacturer's defect or the result of normal wear and tear by age. Please complete this form to document your evaluation, or attach your firm/company documentation as appropriate, as long as the same type of information is provided.

Firm Name & Address: _____

Firm Telephone Number: _____

Firm Contact Representative: _____

ITEM ESTIMATED: _____

(Include Make/Model/Description) Estimated Age: _____

1. There (was) (was not) external damage to the item.

2. I (was) (was not) able to determine the cause of the damage. To the best of my knowledge, I have determined the nature and extent of damage as follows:

3. I summarize the cost of repairs as follows:

(parts) _____	\$ _____
(labor) _____	\$ _____

Totals: Parts/Labor: \$ _____ Overall Total: _____

Tax: \$ _____

4. I (have) (have not) determined that the item damaged as described above (is) (is not) beyond economical repair. I estimate a similar or comparable replacement item to be valued at \$ _____

1. NAME OF CLAIMANT (Last, First, Middle Initial)			3. PICK-UP DATE (YYYYMMDD)		LIST OF PROPERTY AND CLAIMS ANALYSIS CHART (Items 14 through 31 to be filled out by Claims Office)											
2. CLAIMANT'S INSURANCE COMPANY (If applicable)				4. DELIVERY DATE (YYYYMMDD)		14. ORIGIN CONTRACTOR		17. 2ND CONTRACTOR		21. CLAIM NUMBER		22. NET WT/MAX CAR				
a. NAME			b. POLICY NO.													
5. LINE NO.	6. QTY	7. LOST OR DAMAGED ITEMS <i>(Describe the item fully, including brand name, model and size. List the nature and extent of damage. If missing, state "MISSING.")</i>		8. INV NO.	9. ORIGINAL COST	11. AMOUNT CLAIMED a. Repair Cost b. Replacement Cost		15. INVENTORY DATE (YYYYMMDD)	18. EXCEPTION SHEET DATE (YYYYMMDD)		23. GBL NUMBER		24. LOT NUMBER			
					10. MM/YYYY PURCHASED			16. EXCEPTIONS	19. INV NO.	20. EXCEPTIONS	25. AMOUNT ALLOWED	26. ADJUDICATOR'S REMARKS	27. ITEM WT	28. HOUSE LIABILITY	29. CARRIER LIABILITY	
12. REMARKS				13. TOTAL		\$					30. TOTAL AMOUNT ALLOWED	\$	31. THIRD PARTY LIABILITY		\$	\$

CLAIM FOR LOSS OF OR DAMAGE TO PERSONAL PROPERTY INCIDENT TO SERVICE

PART I - TO BE COMPLETED BY CLAIMANT *(See back for Privacy Act Statement and Instructions.)*

1. NAME OF CLAIMANT <i>(Last, First, Middle Initial)</i>	2. BRANCH OF SERVICE	3. RANK OR GRADE	4. SOCIAL SECURITY NUMBER
5. HOME ADDRESS <i>(Street, City, State and Zip Code)</i>		6. CURRENT MILITARY DUTY ADDRESS <i>(If applicable) (Street, City, State and Zip Code)</i>	
7. HOME TELEPHONE NO. <i>(Include area code)</i>	8. DUTY TELEPHONE NO. <i>(Include area code)</i>	9. AMOUNT CLAIMED	
10. CIRCUMSTANCES OF LOSS OR DAMAGE <i>(Explain in detail. Include date, place, and all relevant facts. Use additional sheets if necessary.)</i>			

11. DID YOU HAVE PRIVATE INSURANCE COVERING YOUR PROPERTY? <i>(E.g., say "Yes" on a shipment or quarters claim if you had transit, renter's or homeowner's insurance; say "Yes" on a vehicle claim if you had vehicle insurance. Attach a copy of your policy.)</i>	YES	NO
12. HAVE YOU MADE A CLAIM AGAINST YOUR PRIVATE INSURER? <i>(If "Yes," attach a copy of your correspondence. If you have insurance covering your loss, you must submit a demand before you submit a claim against the Government.)</i>		
13. HAS A CARRIER OR WAREHOUSE FIRM INVOLVED PAID YOU OR REPAIRED ANY OF YOUR PROPERTY? <i>(If "Yes," attach a copy of your correspondence with the carrier or warehouse firm.)</i>		
14. DID ANY OF THE CLAIMED ITEMS BELONG TO THE GOVERNMENT OR TO SOMEONE OTHER THAN YOU OR YOUR FAMILY MEMBER? <i>(If "Yes," indicate this on your "List of Property and Claims Analysis Chart," DD Form 1844.)</i>		
15. WERE ANY OF THE CLAIMED ITEMS ACQUIRED OR HELD FOR SALE, OR ACQUIRED OR USED IN A PRIVATE PROFESSION OR BUSINESS? <i>(If "Yes," indicate this on your "List of Property and Claims Analysis Chart," DD Form 1844.)</i>		

16. UNDER PENALTY OF LAW, I DECLARE THE FOLLOWING AS PART OF SUBMITTING MY CLAIM:

If any missing items for which I am claiming are recovered, I will notify the office paying this claim. (For shipment claims.) Missing items were packed by the carrier; they were owned prior to shipment but not delivered at destination; after my property was packed, I/my agent checked all rooms in my dwelling to make sure nothing was left behind.

I assign to the United States any right or interest I have against a carrier, insurer, or other person for the incident for which I am claiming; I authorize my insurance company to release information concerning my insurance coverage.

I authorize the United States to withhold from my pay or accounts for any payments made to me by a carrier, insurer, or other person to the extent I am paid on this claim, and for any payment made on this claim in reliance on information which is determined to be incorrect or untrue. I have not made any other claim against the United States for the incident for which I am claiming. I understand that if any information I provide as part of my claim is false, I can be prosecuted.

17. SIGNATURE OF CLAIMANT <i>(or designated agent)</i>	18. DATE SIGNED <i>(YYYYMMDD)</i>
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PART II - CLAIMS APPROVAL *(To be completed by Claims Office)*

19. PROCEDURE <i>(X one)</i>	20. AMOUNT AWARDED. The claim is cognizable and meritorious under 31 U.S.C. 3721; the claimant is a proper claimant; the property is reasonable and useful; the loss has been verified in accordance with applicable procedures as prescribed by the controlling departmental regulation; and the following award is substantiated:	\$
<input type="checkbox"/> a. SMALL CLAIMS <input type="checkbox"/> b. REGULAR CLAIMS		
21. SIGNATURES <i>(Signatures at a and c not required if small claims procedure is utilized)</i>		
a. CLAIMS EXAMINER	b. DATE SIGNED <i>(YYYYMMDD)</i>	c. REVIEWING AUTHORITY
e. TYPED NAME AND GRADE OF APPROVING AUTHORITY	f. SIGNATURE OF APPROVING AUTHORITY	d. DATE SIGNED <i>(YYYYMMDD)</i>
		g. DATE SIGNED <i>(YYYYMMDD)</i>

PRIVACY ACT STATEMENT

AUTHORITY: 31 U.S.C. 3721, and EO 9397, November 1943 (SSN).

PRINCIPAL PURPOSE(S): Filing, investigation, processing and settlement of claims for losses incident to service.

ROUTINE USES:

a. Information is principally used to provide a legal basis for the administrative payment of claims against the Government. Information is also used in connection with:

- (1) Recovery from common carriers, warehouse firms, insurers and other third parties.
- (2) Collection from claimants of improper payments or overpayments.
- (3) Investigation of possible fraudulent claims.
- (4) Possible criminal prosecution by the Department of Justice or other agencies if fraud is established.

b. Social Security Numbers are used to assure correct identification of claimants in order to assure payment to the proper claimant and avoid duplication of claims.

DISCLOSURE: Voluntary; however, failure to supply information will cause delay in settlement and may result in denial of a portion or all of the claim.

INSTRUCTIONS TO CLAIMANTS

1. You must submit your claim in writing within two years of the date of the incident giving rise to the claim. This two year time limitation may not be waived.

2. The claimant or an authorized agent must complete and sign Part I of this form, answering all questions. If the claim is signed by an agent (*such as a spouse*) or a survivor of a deceased proper claimant, that person must have a document showing his or her authority to present the claim, such as a power of attorney, etc.

3. If the claim is for property lost or damaged while being shipped or stored pursuant to travel orders, submit copies of your orders and all shipping documents, including your inventory and your "Joint Statement of Loss or Damage at Delivery/Notice of Loss or Damage," DD Forms 1840/1840R. If you notice damage after delivery, you must complete the DD Form 1840R and get it to the Claims Office within 70 days after delivery.

4. You may obtain further information from a Claims Office.

5. You are entitled to claim the following:

a. Reasonable local repair cost, if an item can be economically repaired. (*You may claim small amounts without an estimate. Otherwise, submit an estimate of repair from a repair firm or, if repairs have been completed, your receipt. The claims office may waive this in appropriate cases.*)

b. Reasonable local replacement cost if an item is missing, destroyed, or not economic to repair. (*Replacement costs may be obtained from commercial catalogs or a military exchange. If you cannot find the item in a catalog or the exchange and the cost is more than \$100.00, obtain a statement from a commercial firm for the cost of a similar item. If you have purchase receipts, bring these to the Claims Office as well.*)

c. Reasonable cost of obtaining local estimates of repair, if the cost of such estimates will not be credited if repair work is done. (*Normally, you may not claim appraisal fees.*)

PART III - DENIAL OR SUPPLEMENTAL PAYMENT *(To be completed by Claims Office)*

<p>23. DENIAL <i>(X if applicable)</i></p> <p>The claim is not cognizable or meritorious under 31 U.S.C. 3721 and the applicable provisions of the controlling departmental regulation, and is denied.</p>	<p>24. SUPPLEMENTAL PAYMENT <i>(X and complete if applicable)</i></p> <p>The claim is cognizable and meritorious under 31 U.S.C. 3721, and the following additional award is substantiated: \$</p>
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25. SIGNATURES			
a. CLAIMS EXAMINER	b. DATE SIGNED <i>(YYYYMMDD)</i>	c. REVIEWING AUTHORITY	d. DATE SIGNED <i>(YYYYMMDD)</i>

26. APPROVING/SETTLEMENT AUTHORITY <i>(Settlement Authority is required for denial.)</i>			
a. TYPED NAME	b. GRADE	b. SIGNATURE	c. DATE SIGNED <i>(YYYYMMDD)</i>

EMERGENCY PARTIAL PAYMENT PACKET

1. GENERAL.

These instructions are designed to provide specific guidance to DON personnel who want to file a claim with the government for an emergency partial payment because they have suffered a loss from a disaster. An emergency partial payment is appropriate when a claimant residing in Government assigned quarters, Public Private Venture (PPV) housing located within the perimeter of the installation (CONUS) or for OCONUS, all quarters wherever situated (except when the claimant is considered a local inhabitant), has suffered a significant loss of personal property and need immediate of funds to replace items needed for daily living (e.g., food, clothes, baby items, etc.). These instructions are designed to answer your questions regarding who can file, where to file and how to file a request for an emergency partial payment of a claim with the government.

You can turn your request for emergency partial payment in to your local Legal Service Provider, usually located within the local Regional Legal Service Office (RLSO) or Staff Judge Advocate's office. Upon receipt of this package, the Legal Service Provider will provide you with a standard claims package which must be submitted within 3 months from the date of the disaster. Your request for an emergency partial payment and your claim will be forwarded and processed at the Personnel Claims Unit (PCU) at:

Personnel Claims Unit Norfolk
9053 First Street Suite 102
Norfolk, VA 23511-3605
Toll Free (888) 897-8217/ Fax (866) 782-7297
Commercial (757) 440-6315
DSN 564-3310/FAX DSN 564-3337
Email: norfolkclaims@navy.mil

Read these instructions carefully and answer all questions in order to ensure the most expeditious processing of your claim. Failure to complete the forms properly or to provide all required documents and substantiation will result in delay or even denial of your claim. **Keep copies of all documents submitted.**

Remember, it's your claim. You, the claimant, are in the best position to provide the specific information necessary for fast and fair adjudication of your claim. The claim will be adjudicated pursuant to the Military Personnel and Civilian Employees Claims Act (PCA)(31 U.S.C.§ 3721). The PCA is a gratuitous payment statute and is not intended to replace insurance. The PCA only allows payment up to the fair market value (FMV)(depreciated value) of lost or destroyed items.

2. WHO MAY FILE A REQUEST FOR AN EMERGENCY PARTIAL PAYMENT?

a. **Proper Claimant.** The PCA covers all active duty members and reservists on active duty for training under federal law. The PCA also applies to Department of the Navy (DON) Federal civilian employees. Reservists or retired members may only claim for damages under the PCA if loss or damage to their personal property occurred while they were on active duty.

b. **Power of Attorney (POA).** A legal representative who has been designated as your legal representative by a POA in order to communicate with the PCU. Payment will be made to the claimant's account, not to the agent's, unless the POA specifically authorizes the agent to both file the claim and receive payment. If an agent is filing a claim on your behalf, the agent must include a copy of the POA. Your agent must have either a General POA granting the agent the power to everything the claimant could do, or a Specific Power of Attorney, granting the agent the authority to file your claim. Many RLSOs provide POA on a walk-in basis. The prospective claimant must be present to grant a POA. Remember, the power of attorney must be effective on the date the claim is submitted.

3. WHAT FORMS WILL I NEED TO FILE?

Requests for an emergency partial payment of a claim for damages caused by a disaster are filed using the specialized **DD Form 1842, *Claim for Loss of or Damage to Personal Property Incident to Service***. A copy is attached to this instruction.

When completing this form, ensure blocks 1 – 18 are completed. Describe the extent of the damages in the space available in block 10 or on an additional piece of paper. Please ensure your SSN number is entered correctly and legibly. The SSN is used to deposit funds into your military pay account.

4. DOCUMENTING DAMAGES.

In circumstances where damage is severe, such as flooding, you may be granted limited access to your quarters and it may be difficult for you to document damages. However, when granted access, it is important that you take every opportunity possible to document your loss in cases where the disaster destroyed property in your assigned quarters. It is recommended that you photograph the damage to the property in your quarters. When photographing valuable items, photographing the brand name will assist in substantiating your claim. For example, it is not unusual to find a stereo system in the average home, however if you owned an expensive Bose stereo system you should photograph the item and ensure the Bose label is present in the

photograph. The same concept is true for furniture. For example, a photograph of a sofa doesn't necessarily show the brand, so whenever possible photograph the manufacturer's tag as well.

5. WHAT IF I HAVE PRIVATE INSURANCE?

You are required to file a claim against private insurance (home owners, renters, vehicle, etc.). If you are filing for an emergency partial payment while you wait for your insurance company to respond, you will be required to provide a final accounting of what your insurance company paid for your loss. You will be required to reimburse the Government for any payments made that are later covered by your insurance company. Include a copy of any correspondence you have had with your insurance company when you file your claim after you have received an emergency partial payment.

6. WHAT IF I DON'T FILE THE FOLLOW UP CLAIM?

If you file a claim for an emergency advance payment for your loss, you must file the standard claims package within 3 months from the date of the emergency payment. Any amount advanced will be deducted from the total adjudicated value of your loss in your final claim.

If you feel you need more than 3 months to file your claim, you must consult with the PCU. If you do not file your supplemental claim within 3 months, and you do not receive an extension of time from the PCU, the emergency partial payment will be recouped from your pay.

The only exception to this rule is when the emergency partial payment request is for food loss only. If you agree to accept the amount established by the PCU for your family size, you need not submit a supplemental claim.

7. HOW DO I GET PAID?

Claims payments by the PCU, including emergency partial payments, are processed through the Defense Finance and Accounting Service (DFAS). DFAS electronically deposits payment directly into your military pay account. To avoid delays in payment you must ensure the banking information you have stored in your My Pay account is accurate. You can access your My Pay account at <https://mypay.dfas.mil/mypay.aspx>.

CLAIM FOR LOSS OF OR DAMAGE TO PERSONAL PROPERTY INCIDENT TO SERVICE

PART I - TO BE COMPLETED BY CLAIMANT *(See back for Privacy Act Statement and Instructions.)*

1. NAME OF CLAIMANT <i>(Last, First, Middle Initial)</i>	2. BRANCH OF SERVICE	3. RANK OR GRADE	4. SOCIAL SECURITY NUMBER
5. HOME ADDRESS <i>(Street, City, State and Zip Code)</i>		6. CURRENT MILITARY DUTY ADDRESS <i>(If applicable) (Street, City, State and Zip Code)</i>	
7. HOME TELEPHONE NO. <i>(Include area code)</i>	8. DUTY TELEPHONE NO. <i>(Include area code)</i>	9. AMOUNT CLAIMED	
10. CIRCUMSTANCES OF LOSS OR DAMAGE <i>(Explain in detail. Include date, place, and all relevant facts. Use additional sheets if necessary.)</i>			

11. DID YOU HAVE PRIVATE INSURANCE COVERING YOUR PROPERTY? <i>(E.g., say "Yes" on a shipment or quarters claim if you had transit, renter's or homeowner's insurance; say "Yes" on a vehicle claim if you had vehicle insurance. Attach a copy of your policy.)</i>	YES	NO
12. HAVE YOU MADE A CLAIM AGAINST YOUR PRIVATE INSURER? <i>(If "Yes," attach a copy of your correspondence. If you have insurance covering your loss, you must submit a demand before you submit a claim against the Government.)</i>		
13. HAS A CARRIER OR WAREHOUSE FIRM INVOLVED PAID YOU OR REPAIRED ANY OF YOUR PROPERTY? <i>(If "Yes," attach a copy of your correspondence with the carrier or warehouse firm.)</i>		
14. DID ANY OF THE CLAIMED ITEMS BELONG TO THE GOVERNMENT OR TO SOMEONE OTHER THAN YOU OR YOUR FAMILY MEMBER? <i>(If "Yes," indicate this on your "List of Property and Claims Analysis Chart," DD Form 1844.)</i>		
15. WERE ANY OF THE CLAIMED ITEMS ACQUIRED OR HELD FOR SALE, OR ACQUIRED OR USED IN A PRIVATE PROFESSION OR BUSINESS? <i>(If "Yes," indicate this on your "List of Property and Claims Analysis Chart," DD Form 1844.)</i>		

16. UNDER PENALTY OF LAW, I DECLARE THE FOLLOWING AS PART OF SUBMITTING MY CLAIM:

If any missing items for which I am claiming are recovered, I will notify the office paying this claim. (For shipment claims.) Missing items were packed by the carrier; they were owned prior to shipment but not delivered at destination; after my property was packed, I/my agent checked all rooms in my dwelling to make sure nothing was left behind.

I assign to the United States any right or interest I have against a carrier, insurer, or other person for the incident for which I am claiming; I authorize my insurance company to release information concerning my insurance coverage.

I authorize the United States to withhold from my pay or accounts for any payments made to me by a carrier, insurer, or other person to the extent I am paid on this claim, and for any payment made on this claim in reliance on information which is determined to be incorrect or untrue. I have not made any other claim against the United States for the incident for which I am claiming. I understand that if any information I provide as part of my claim is false, I can be prosecuted.

17. SIGNATURE OF CLAIMANT <i>(or designated agent)</i>	18. DATE SIGNED <i>(YYYYMMDD)</i>
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PART II - CLAIMS APPROVAL *(To be completed by Claims Office)*

19. PROCEDURE <i>(X one)</i>	20. AMOUNT AWARDED. The claim is cognizable and meritorious under 31 U.S.C. 3721; the claimant is a proper claimant; the property is reasonable and useful; the loss has been verified in accordance with applicable procedures as prescribed by the controlling departmental regulation; and the following award is substantiated:	\$
<input type="checkbox"/> a. SMALL CLAIMS		
<input type="checkbox"/> b. REGULAR CLAIMS		
21. SIGNATURES <i>(Signatures at a and c not required if small claims procedure is utilized)</i>		
a. CLAIMS EXAMINER	b. DATE SIGNED <i>(YYYYMMDD)</i>	c. REVIEWING AUTHORITY
		d. DATE SIGNED <i>(YYYYMMDD)</i>
e. TYPED NAME AND GRADE OF APPROVING AUTHORITY		f. SIGNATURE OF APPROVING AUTHORITY
		g. DATE SIGNED <i>(YYYYMMDD)</i>

PRIVACY ACT STATEMENT

AUTHORITY: 31 U.S.C. 3721, and EO 9397, November 1943 (SSN).

PRINCIPAL PURPOSE(S): Filing, investigation, processing and settlement of claims for losses incident to service.

ROUTINE USES:

a. Information is principally used to provide a legal basis for the administrative payment of claims against the Government. Information is also used in connection with:

- (1) Recovery from common carriers, warehouse firms, insurers and other third parties.
- (2) Collection from claimants of improper payments or overpayments.
- (3) Investigation of possible fraudulent claims.
- (4) Possible criminal prosecution by the Department of Justice or other agencies if fraud is established.

b. Social Security Numbers are used to assure correct identification of claimants in order to assure payment to the proper claimant and avoid duplication of claims.

DISCLOSURE: Voluntary; however, failure to supply information will cause delay in settlement and may result in denial of a portion or all of the claim.

INSTRUCTIONS TO CLAIMANTS

1. You must submit your claim in writing within two years of the date of the incident giving rise to the claim. This two year time limitation may not be waived.

2. The claimant or an authorized agent must complete and sign Part I of this form, answering all questions. If the claim is signed by an agent (*such as a spouse*) or a survivor of a deceased proper claimant, that person must have a document showing his or her authority to present the claim, such as a power of attorney, etc.

3. If the claim is for property lost or damaged while being shipped or stored pursuant to travel orders, submit copies of your orders and all shipping documents, including your inventory and your "Joint Statement of Loss or Damage at Delivery/Notice of Loss or Damage," DD Forms 1840/1840R. If you notice damage after delivery, you must complete the DD Form 1840R and get it to the Claims Office within 70 days after delivery.

4. You may obtain further information from a Claims Office.

5. You are entitled to claim the following:

a. Reasonable local repair cost, if an item can be economically repaired. (*You may claim small amounts without an estimate. Otherwise, submit an estimate of repair from a repair firm or, if repairs have been completed, your receipt. The claims office may waive this in appropriate cases.*)

b. Reasonable local replacement cost if an item is missing, destroyed, or not economic to repair. (*Replacement costs may be obtained from commercial catalogs or a military exchange. If you cannot find the item in a catalog or the exchange and the cost is more than \$100.00, obtain a statement from a commercial firm for the cost of a similar item. If you have purchase receipts, bring these to the Claims Office as well.*)

c. Reasonable cost of obtaining local estimates of repair, if the cost of such estimates will not be credited if repair work is done. (*Normally, you may not claim appraisal fees.*)

PART III - DENIAL OR SUPPLEMENTAL PAYMENT (*To be completed by Claims Office*)

<p>23. DENIAL (<i>X if applicable</i>)</p> <p>The claim is not cognizable or meritorious under 31 U.S.C. 3721 and the applicable provisions of the controlling departmental regulation, and is denied.</p>	<p>24. SUPPLEMENTAL PAYMENT (<i>X and complete if applicable</i>)</p> <p>The claim is cognizable and meritorious under 31 U.S.C. 3721, and the following additional award is substantiated:</p> <p align="right">\$</p>
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25. SIGNATURES			
a. CLAIMS EXAMINER	b. DATE SIGNED (YYYYMMDD)	c. REVIEWING AUTHORITY	d. DATE SIGNED (YYYYMMDD)

25. APPROVING/SETTLEMENT AUTHORITY (<i>Settlement Authority is required for denial.</i>)			
a. TYPED NAME	b. GRADE	b. SIGNATURE	c. DATE SIGNED (YYYYMMDD)

ENCLOSURE (3) TO CNLSC SUPPORTING PLAN 3440-TFNF
CNLSC TFNF KATRINA LESSONS LEARNED

1. Purpose. This enclosure serves as a repository for Lessons Learned and sample reports from 2005/6 - 2014. It captures both CNLSC and Code 15 input and is intended to assist personnel who are subsequently tasked as part of a TFNF or other disaster relief/recovery effort following a future catastrophic event.

Attachments:

- 1 – OJAG Code 15 Lessons Learned of 2010 Millington Flood
- 2 – OJAG Code 15 Lessons Learned of 2012 Pensacola Flood
- 3 – OJAG Code 15 Lessons Learned of 2014 Pensacola Flood/California Wildfires
- 4 – Naval Legal Service Office Central Lessons Learned of 14 Mar 06
- 5 – Naval Legal Service Office Southeast Lessons Learned of 14 Mar 06
- 6– Sample Reports from NLSO Central
- 7– Sample NLSO Central Unit Situation Report

ATTACHMENT 1 TO ENCLOSURE (3) TO CNLSC BASIC PLAN
CODE 15 2010 MILLINGTON FLOODING LESSONS LEARNED

1. Issue. Immediate and effective set-up of a centralized support center and on-scene coordination with Installation Leadership ensures timely and efficient provision of claims support to affected personnel.

2. Discussion. Following the Millington flooding of base housing, Base Leadership immediately established an Installation Response Center in the local gymnasium for all support services, claims, legal assistance, housing, navy relief, red cross, local relief agencies, etc., and promulgated this information to all hands through their local facebook site.
 - a. Co-locating all support services enabled one-stop service for those impacted. Each service was set-up with a service table that was identified with easily identifiable signs above the tables which allowed personnel requiring services to easily navigate the large facility. Tables for legal assistance services and the claims response team were set-up at adjacent tables which facilitated hand-offs for those who needed support outside the cognizance of the claims response team. It also allowed the legal assistance staff to support the claims response team when the legal assistance demand was not great, thereby reducing the requirement on the NLSO to provide support to the CRT.

 - b. Use of the Installation Response Center facilitated town hall meetings. The base commander did an excellent job of using the available center to discuss issues that were relevant to affected personnel. By publicizing meeting notices and claims information early via the chain of command, posting fliers and using facebook, the commander clearly conveyed the importance he placed on ensuring the needs to the base population were met. As importantly, through effective coordination, we ensured that the CRT was able to make presentations at each gathering to ensure our information was being relayed and done so correctly. Finally, because of the close coordination, the CRT was able to meet and discuss procedures and claims expectations with each group before they were allowed back in their residence.

 - c. Co-location facilitated early discussions with Installation Housing and Leadership on issues of remediation. Almost immediately it became apparent that one of the biggest issues faced in remediation was the removal and cleaning of clothing from flooded housing. Because the CRT and Housing was co-located, a close working relationship was established, allowing a plan to be quickly implemented where residents supported by volunteers quickly removed items from housing to air them out and photograph them, determine which items were

destroyed and tag those that could be repaired. The installation provided necessary materials (gloves, masks etc,) for response teams to enter homes and involved MWR to provide provisions for the relief workers at the response center due to the very long hours demanded of the response teams. Additionally, the command was able to identify a reputable local contractor who was willing to quickly retrieve wet clothing, bedding, curtain, etc., clean them, and return them to a centralized location. The installation was able to obtain these services at a bulk discount which saved money on claims presented.

d. The close coordination between the CRT and base housing also enabled the CRT to get an immediate understanding of the military population residing in housing and revealed that all branches of the service resided in housing. This was particularly important as it pertains to the Coast Guard as their claims procedures differ from those of the other services. While the other services routinely rely upon the CRT to notify their respective military claims offices and collect and forward claims, the Coast Guard uses activated reservists to handle disaster response. Once we notified the Coast Guard, they sent two reservists to the site to work directly with any Coast Guard claimant.

3. Recommendation. Each RLSO should ensure the local Emergency Response Officer has a similar plan for a centralized support center, and if disaster strikes, the responsible RLSO should ensure Installation Leadership is aware of the benefits of an immediate, coordinated effort.

ATTACHMENT 2 TO ENCLOSURE (3) TO CNLSC BASIC PLAN
CODE 15 2012 PENSACOLA FLOODING LESSONS LEARNED

1. Issue. Coordination with Installation Leadership on support following a disaster is critical to claims response efforts.

2. Discussion. In Pensacola, despite previous guidance being promulgated, and a command that was very receptive to any suggestion made by the CRT, it appeared we were re-inventing the wheel as we went along.

a. A centralized response center was never set-up by the installation. This was somewhat understandable given that the flooding occurred at one of the last Navy-run off-base housing units. The lack of a centralized response area made communication with the different entities involved in remediation much more difficult. Additionally, it took a while to get the base to hold a town hall meeting and during the meeting questions raised by residents that specifically addressed a lack of security were left for the Head PCU to address despite her efforts to refer the question to leadership in attendance.

b. Default leadership for recovery fell to the Housing Office. This resulted in what appeared to be a disjointed remediation effort when all interests were not being considered. Initially, there was no command support site established, no community meetings set-up, nor a link established on the command's facebook site to inform impacted residents about claims response efforts; information was passed intermittently via notes at the Unit's office. Housing's primary concern was to get houses back into working order and didn't consider how that would impact claims efforts. Accordingly, they initially told residents to take damaged areas on the curb outside their homes. This had a number of ramifications:

i. There were items stacked outside homes that was soon discovered by non-residents. Because there was no security measures implemented following the flooding and evacuation of families from their homes, this led to reports of vandalism. The CRT and Housing Office were inappropriately left to deal with lack of security and found themselves in confrontations with personnel that did not live in housing who were entering housing to take items from the curb. Despite best efforts by the Housing Office and CRT, non-residents returned and sometimes became belligerent. Upset residents then set up their own neighborhood watches until security was directed to provide roving patrols.

ii. Residents were not adequately briefed on coverage under the PCA. Residents were informed to place damaged items on the curb to be retrieved by

local waste management services without any assessment or pictures taken which made valuation of the damage impossible.

c. Local Safety Office did not appear to be aware of the flooding. Despite a local effort to get volunteers to assist, no one from Base Safety was aware of this effort nor available to provide basic support to the volunteers, i.e., face masks, plastic gloves and bags, water, etc.

3. Recommendation. Develop local plan to ensure a preplanned coordinated effort to provide support to those impacted by a disaster.

ATTACHMENT 3 TO ENCLOSURE (3) TO CNLSC BASIC PLAN
CODE 15 2014 PENSACOLA FLOODING/CALIFORNIA WILDFIRES LESSONS
LEARNED

1. Lesson 1.

- a. Issue. Pre-coordination with Base Housing and PPV Housing Management is essential for successful claims response effort.
- b. Discussion. Despite previous claims response experience in both locations, during the timeframe immediately following both of these events, Code 15 and local service providers had difficulty in obtaining information from the Housing Offices and the PPV Housing Management Offices at both locations. In each instance, we found that the local points of contact were reluctant to provide background information on the residents impacted so that response efforts could be implemented.

- (1) It is essential the CRT is provided background information on the number of units impacted, nature of the damage, the name of the service member, the service member's branch of service, contact information, and the address of the residence so that the CRT can formulate the response effort, notify other military claims offices that we may be forwarding PCA claims (or provide them an opportunity to send a response team), evaluate necessary fiscal requirements to fund response efforts, and ensure that if a claim is filed, payments are only made to eligible recipients.
- (2) Initial efforts by the SJA to obtain information from PPV management were initially denied because management deemed Code 15 was not authorized to receive privacy protected information. After a series of explanatory emails were exchanged providing justification, PPV management still failed to provide the information. Requests for support from Housing were ignored. It was only after one week and an email from the SJA to the CO/XO, that Code 15 was provided this essential information.
- (3) In both locations, the PPV Management insisted on passing out the information related to PCA claims. In one location, the information was passed out individually to residents and was incorrect. It was only after Code 15 became involved with the local command and arranged consultation with the regional NAVFAC office, did the command get the correct information, which it was then able to distribute to residents.

Without the CRT involved in the process from the outset, there is no way to ensure that residents are getting the information they need.

- c. Recommendation. RLSOs need to ensure/verify that each base within their AOR has a base response plan that incorporates the claims response efforts. Additionally, it is important that senior leadership at each installation is aware and understands that OJAG has a standing plan that is designed to supplement local plans. Finally, it is important for successful execution that each RLSO pre-coordinates with local Housing/PPV Management Offices on response efforts and necessary information that is required to ensure a successful effort.

2. Lesson 2.

- a. Issue: Communication between NFAAS and Legal Assistance
- b. Background: Service members created approximately 90 total NFAAS cases seeking assistance after the flood. Of the total, approximately 10 service members indicated needs for legal assistance. NAS Pensacola legal assistance providers met with service members concerning flood-related legal assistance needs but could not guarantee all personnel indicating needs in NFAAS were contacted due to the lack of communication between the NFAAS database and legal assistance providers.
- c. Recommendation: As part of annual disaster preparedness coordination, as well as following a catastrophic event, RLSOs should discuss with both local and regional NFAAS representatives methods and processes to ensure requests for assistance in LA matters, along with contact information for service members, are promptly passed to the responsible legal assistance providers.

3. Lesson 3.

- a. Issue: Displaced Personnel Tracking
- b. Background: NAS Pensacola created a tracker of all personnel displaced from housing both on base and off. Several reports were received after the fact through NFAAS, email, and word of mouth that multiple personnel were not accounted for on this tracker. NAS Pensacola continued to pulse tenant

commands for inputs of displaced personnel throughout the flood recovery process.

- c. Recommendation: One single point of contact should be created to gather and collate information to ensure accurate and complete data for displaced DoN personnel and their families. In turn, claims and legal assistance personnel should proactively seek out displaced individuals to provide applicable services via posted notices and computer generated postings. In some cases where notice is received via NFAAS or other means that a service is required, LSPs may need to contact affected personnel directly. This may be particularly important in severe natural disaster situations as computer access to NFAAS may be restricted.

ATTACHMENT 4 TO ENCLOSURE (3) TO CNLSC BASIC PLAN
NLSO CENTRAL KATRINA LESSONS LEARNED

1. NLSOC Lesson 1.

a. Issue. Expansion of legal assistance (LA) services to include matters like FEMA and insurance claims/appeals came late in the process.

b. Discussion. Trends from NLSOC Branch Office (BROFF) clients and direct calls with clients via the BUPERS On-Line Case Management tool indicated need for enhanced assistance on the basics of Federal Emergency Management Agency (FEMA) and insurance claims and how to draft such claims to increase chances of success. These areas of practice were unfamiliar to most attorneys. However, NLSOC attorneys coordinated through weekly roundtable LA teleconferences and devised ways to assist most clients.

c. Recommendations. As soon as possible following a disaster, the responsible NLSO should contact OJAG Code 16 and begin to prepare to assist affected Navy Family members with issues associated with FEMA and insurance claims.

2. NLSOC Lesson 2.

a. Issue. Disaster-related Landlord-Tenant issues (e.g., constructive eviction during repair stages or prolonged evacuation, landlord liability for removal of belongings during repairs, rent abatement during repairs, and termination of leases at evacuation areas once permanent housing became habitable).

b. Discussion. Specific Landlord-Tenant issues and trends were spotted and researched by local NLSOC counsel, and OJAG Code 16 was proactive in reviewing memoranda generated by NLSOC on state-specific laws. OJAG Code 16's 48-hour turn around of vital information got it quickly to the legal service providers in the field and increased awareness of Best Practices for all attorneys.

c. Recommendation. NLSO Preventive Law initiatives and Fleet and Family Service Centers (FFSCs) should educate personnel on the importance of getting Servicemember's Civil Relief Act (SCRA) clauses in short-term leases to ensure early lease termination once Safe Haven is stopped.

3. NLSOC Lesson 3.

a. Issue. Landlord-Tenant issues involving privately-owned civilian housing complexes were successfully resolved using a "global" approach for multiple, similarly situated clients residing in apartment complexes, but this approach did not work with Military Housing Privatization Initiative (MHPI) housing, also known as Public/Private Venture (PPV) housing.

b. Discussion. NLSOC counsel had success negotiating with private housing complex managers on behalf of several individual clients, but efforts to work a "global" approach with particular government PPV Housing complexes were not successful.

c. Recommendations.

(1) Each NLSO should coordinate with local Navy Housing officials before a catastrophic event to identify PPV housing areas in their regions, and review applicable PPV leases and insurance provisions for possible legal assistance issues;

(2) Following a disaster (or before, when possible), the responsible NLSO should work closely with local Navy Housing officials, and with Commander, Navy Installations Command (CNIC) via the CNLSC LNO to Task Force Navy Family to efficiently resolve disaster-related issues common to similarly affected PPV residents, such as disaster-related rent and repair under *force majeure* lease provisions, credit for military allotment payments on inhabitable units, and arrangements for custody and bailment of personal property in disaster-affected units;

(3) The responsible NLSO should develop a list of PPV Landlords/complexes that were helpful in resolving disaster-related landlord-tenant matters, and a list of those that were not helpful, for coordination with local Navy Housing officials, and CNIC as appropriate, to enhance future provisions in PPV Housing contracts with PPV Housing management companies;

(4) The responsible NLSO should develop a list of commercial, non-governmental landlords/complexes that were helpful in resolving disaster-related landlord-tenant matters, as well as a list that were helpful, for review by local Navy Housing officials.

4. NLSOC Lesson 4.

a. Issue. Insurance adjustors co-located at FFSCs and available on bases.

b. Discussion. Car insurance company agents occupied space at the courtroom in Gulfport and received on-demand referrals from FFSC Case Managers (CMs) and NLSOC. This is a real time and stress saver for victims.

c. Recommendation. Encourage local installation COs and CSC representatives to allow installation/base access to insurance company representatives post-disaster.

5. NLSOC Lesson 5.

a. Issue. Insurance Law Subject Matter Expert (SME) "Road Shows" sponsored by Task Force Navy Family (TFNF).

b. Discussion. TFNF covered travel expenses for two Selective Reserve (SELRES) insurance experts to perform a two-week AT, delivering briefs to all-comers in multiple locations across the Gulf Coast. The first round of briefs was held in December 2005, and the second round was held mid-March 2006, to capture personnel returning to the area from Safe Haven.

c. Recommendation. As soon as possible following a disaster (or before, when possible), identify and arrange for Navy Reserve Law program experts in insurance law to travel to the affected area to educate affected Navy Family members on insurance related matters.

6. NLSOC Lesson 6.

a. Issue: Clients without car insurance, car-loan "gap" insurance, renter's insurance and homeowner's wind/flood/storm riders.

b. Discussion. Too many clients were left without recovery for damages because they did not understand about different types of insurance, and because many servicemembers failed to obtain and maintain the proper amount of insurance. Lapses due to deployment, failure to pay premiums, and inadequate coverage were prevalent. Clients had contact with insurance companies but many were unable to establish coverage at the time of loss.

c. Recommendation. NLSO Preventive Law initiatives, as well as FFSCs and unit Command Financial Specialists programs, should educate personnel on the importance of homeowner's/renter's and car insurance, gap insurance to cover the difference between fair market value (FMV) and the amount of the loan, and preventing lapse of homeowner policies.

7. NLSOC Lesson 7.

a. Issue. Many disaster victims were unaware of how to contract for housing repairs and resolve disputes with contractors, and were unfamiliar with available remedies.

b. Discussion. Fly-by-night contractors are a recurring problem for victims recovering from a hurricane because many are drawn from out-of-town with little connection to the State and no intention of remaining in the community. Exacerbating the problem are unscrupulous contractors and the unavailability of building materials, often resulting in contractors beginning work without the ability to finish the project. In some cases, customers paid for the repairs up-front, only to be left with a blue plastic tarp roof and a combative contractor threatening a lien on the house if full payment is not completed. Worse yet, some fell prey to verbal contracts that are difficult to enforce and included the added aggravation of hiring a replacement contractor to complete the work or to mitigate damages.

c. Recommendations.

(1) NLSO Preventive Law initiatives, as well as FFSCs and Unit Command Financial Specialists programs, should educate personnel on the best approach to selecting and managing a contractor.

(2) The responsible NLSO should develop a contractor SME brief akin to the insurance SME brief (discussed in paragraph 5, above) and present it to Navy Family members across the affected area.

8. NLSOC Lesson 8:

a. Issue. Communications between resource providers (NLSOs, FFSCs and Community Support Centers (CSCs):

b. Discussion. Despite availability of press releases from Navy and national sources, and daily information sharing among NLSOC offices, clients would benefit from improved Navy Region and FFSC dissemination of disaster-related information and special benefits. For example, service members could have used the Disaster Food Stamp program in New Orleans, but frequently clients learned of the program well after the closure date.

c. Recommendation. Better coordination between the responsible NLSO and the various other Navy service providers, and better collection and timely dissemination of disaster assistance information at all levels.

9. NLSOC Lesson 9.

a. Issue. Availability and timeliness of outside resources (OJAG SMEs, State Bar Associations, State District Attorneys, and local SELRES JAG attorneys).

b. Discussion. On several occasions, OJAG Codes 15 and 16 provided immediate review and turn-around on legal assistance and claims issues. OJAG Code 15 quickly approved claims FAQs and claims forms to be posted on various websites, and OJAG Code 16 immediately endorsed legal memoranda on rent obligations and Landlord-Tenant laws for affected States. On other occasions, local and State resources provided timely feeder reports on pending Federal and state tax disaster relief legislation, including detailed information on pending State Class Actions against insurance companies. Through direct contact with local District Attorney's and Bar Associations, NLSOC attorneys identified State Bar Association military committees with volunteers willing to take referrals or provide Pro Bono legal services. The SELRES legal community also played a vital role at each BROFF as an additional resource for manning and subject matter expertise.

c. Recommendations.

(1) NLSO Legal Assistance Department Heads should establish and maintain solid business relationships with local Bar Associations, District Attorneys and other local legal professionals that may be available to assist Navy members following a disaster.

(2) OJAG Codes 15 and 16 are outstanding resources for NLSOs. Establish open lines of communication with these Codes as soon as possible following a catastrophic event or even before, when possible.

10. NLSOC Lesson 10.

a. Issue. Claims consolidation means that, in the future, claims will be processed outside disaster-affected areas.

b. Discussion.

(1) Following Katrina, claims were couriered from New Orleans, Gulfport and Pascagoula to Pensacola via an informal "Pony Express." Each day

brought more claims and more contact with customers as local communications nodes were repaired. Efficiencies were gained as a small, experienced team of two claims examiners adjudicated hundreds of claims. They developed common business rules for disaster claims, which saved time when total loss household goods (HHG) and vehicle claims began to arrive. They were able to travel to installations in disaster areas for claims outreach. Familiarity with commonly claimed items led to innovations, like costing schedules for those items (i.e., uniforms), and modifications to claims forms to make them more user-friendly and to expedite payment.

(2) On-scene and local adjudication of claims was a critical personal service to hurricane victims, and an important CNLSC success throughout the disaster relief operations. Efficient business practices and forward-staged claims assets streamlined payments, which improved personnel readiness and helped Navy Families recover.

c. Recommendation. NLSO personnel should be familiar with the PCA claims process so that they can provide general claims information in the immediate aftermath of a natural disaster, and augment Personnel Claims Unit Claims Response Teams that deploy to the affected area, if necessary.

11. NLSOC Lesson 11.

a. Issue. Lack of standard business practices between the NLSO legal services providers and non-legal case managers at FFSCs and/or CSCs regarding handling and resolution of cases on the BUPERS On-Line (BOL) Case Management Tool.

b. Discussion. Occasionally, there were conflicting business practices between the NLSO providers and FFSC/CSC case managers, due in part to the large number of contract case managers, brought after the hurricane hit, with little Navy experience trying to resolve disaster victim's needs. Case managers would sometimes assess legal cases to be of the highest severity level (category 3 or 4) without knowledge of the applicable severity definitions or the eligibility of persons for military legal assistance. Additionally, case managers would elevate previously resolved cases to higher severity levels without contacting the disaster victim, without notifying the NLSO, and sometimes without reading the NLSO providers BOL notes. Clients were left with unrealistic expectations about the scope and type of legal services available to them, particularly with respect to their status as active duty or civilian employee. Clients were also frustrated when they were called sometimes 4 or 5 times after resolving the case with the NLSO provider when there had been no material change in their circumstances.

c. Recommendation. NLSO legal services providers must work closely with the FFSC/CSC case managers to ensure they understand the CNLSC Supporting Plan concepts and practices, such as severity classifications, client hand-offs and eligibility criteria for legal services, to help avoid confusion and false expectations about the actual scope of available assistance.

12. NLSOC Lesson 12.

a. Issue. Impact of disasters on business operations and realistic expectations for Command, Control, Communications, Computers and Information (C4I) and logistics for sustained legal assistance and claims functions.

b. Discussion.

(1) In the wake of a major natural disaster, there may be no electricity, potable water, sewage or telephones, including cell phones, for some period of time. As a result, there may be no internet or telephone connectivity or any reliable means to communicate beyond the local area. Fuel may be limited or unavailable, and it could be severely rationed on military installations, going to First Responders or Critical & Essential personnel. Rental car fleets will likely be tapped-out by first responders such as FEMA, volunteer Non-Governmental Organizations (NGOs) and insurance adjustors even before a storm hits. Also, regional and major airports may be closed or inaccessible.

(2) NLSO operations depend on installation and local infrastructure, which may require shifting business operations to alternate sites (e.g., BROFF Gulfport hosted NLSOC Headquarters after Ivan in September 2004 and hosted BROFF New Orleans after Katrina in August 2005). NLSO personnel who do not evacuate may require significant personal time to reconstitute their lives before they can begin helping others with their legal issues. On-base billeting will likely be non-existent or severely limited and no vacancies in off-base hotels should be expected for weeks if not months due the affects of the disaster and the occupancy by first responders.

(3) Maintaining legal assistance operations may require generator power, tents, 100% "Legacy" (i.e. non Navy-Marine Corps Intranet) computer systems equipped with printers, and liberal use of personal cell phones. It may be impossible to accommodate a claims response team on the site for several days or even weeks due to airport closures, limited ground transportation and lack of lodging.

c. Recommendations.

(1) NLSO personnel should be familiar with the PCA claims process so that they can conduct on-scene legal services in the immediate aftermath of a natural disaster, and be prepared to augment Personnel Claims Unit Claims Response Teams when they arrive.

(2) Allow sufficient lead time to re-establish communications, and in the interim, expect to provide voice report (VOICEREPS) vice written Situation Reports (SITREPS), until reliable power and connectivity are restored.

End NLSO Central Lessons Learned

ATTACHMENT 5 TO ENCLOSURE (3) TO CNLSC BASIC PLAN
NLSO SOUTHEAST WILMA LESSONS LEARNED

1. NLSOSE Lesson 1.

(a) Issue. Lack of representatives for all the services to handle the Personnel Claims Act (PCA) claims for Army, Coast Guard and Air Force personnel stationed in Key West, FL.

(b) Discussion. PCA personnel were approached by personnel from other services and were only able to provide limited assistance, i.e., providing forms and points of contact. We were unable to adjudicate their claims.

(c) Recommendation. Consider the possible need to include representatives from other services in the claims response teams mobilized to the affected region.

2. NLSOSE Lesson 2.

(a) Issue. Lack of effective technical and Information Technology (IT) support early in the response process.

(b) Discussion. The Disaster Center did not have sufficient technical support such as fax, computer and cellular phone service when initially opened. Adequate technical support services were not available until later in the week.

(c) Recommendation. Ensure there are adequate technical and IT services available to support a disaster response team.

3. NLSOSE Lesson 3.

(a) Issue. Personnel relying on inaccurate information regarding the PCA claims process.

(b) Discussion. Personnel were given misinformation in the preparation of their PCA claims. For example, word was passed that damaged property should be thrown away before making the claim. However, to adequately prove a claim for damaged property, claimants must have documented damage to property.

(c) Recommendation. As soon as possible for the disaster (or before, when possible), the responsible NLSO, with the assistance of the cognizant PCU, should disseminate information via FFSC/CSCs and government housing officials advising

affected Navy Family members about actions to take to ensure they maintain the proof necessary to make a PCA claim.

4. NLSOSE Lesson 4.

(a) Issue. Personnel not having renter's insurance if they lived on base.

(b) Discussion. Personnel found out that the Navy's PCA claims procedures often would not fully cover or more expansively cover damages incurred. Personnel would have had a better chance to have full coverage for damages had they invested in renter's insurance.

(c) Recommendation. As a preventative law and LA outreach matter, NLSOs should encourage personnel to consider renter's insurance even if they live in base housing.

5. NLSOSE Lesson 5.

(a) Issue. Personnel did not have comprehensive insurance coverage for their vehicles.

(b) Discussion. Our claims personnel estimate that 95% of military members did not have comprehensive insurance coverage for their vehicles. Generally, under the PCA, the Navy pays up to \$3,000.00 for damage to a vehicle.

(c) Recommendation. As a preventative law outreach matter, communicate to military personnel the limitations of the PCA, and the importance of having comprehensive insurance coverage for their vehicles.

6. NLSOSE Lesson 6.

(a) Issue. There were delays in the delivery of claims to NLSOSE using Certified Mail.

(b) Discussion. PCA claims forwarded to NLSOSE from Key West were sent using Certified Mail Return Receipt Requested. There was a delay in the U.S. Postal system in forwarding certified mail, taking an average 15 days to receive certified mail.

(c) Recommendation. Consider using means other than the U.S. mail (e.g., overnight deliver services or emailing scanned documents) to forward claims, which may be more expensive, but will help claimants in getting their claims processed faster.

7. NLSOSE Lesson 7.

(a) Issue. There were delays in getting funding to pay the claimants.

(b) Discussion. Due to budget constraints, there was not enough money to immediately pay claimants for their damages. Money was disbursed sporadically and the money disbursed was often not enough to pay all pending claims.

(c) Recommendation. Work closely with Code 15 and the PCU on availability of claims funds to pay claims as quickly as possible.

8. NLSOSE Lesson 8.

(a) Issue. Misunderstanding by personnel of the proper process for terminating a lease.

(b) Discussion. Many military personnel did not understand the proper method for terminating a lease under Florida Statutes. They were simply walking away from tenancies without identifying damages and without providing proper written notices or using other appropriate methods to terminate a lease under the Florida Statutes or the Servicemember's Civil Relief Act (SCRA). This resulted in these personnel having to pay for an extra month's rent they would not have had to pay if they properly terminated the lease.

(c) Recommendation. Educate military members in disaster-affected areas to communicate with legal officers before taking any action to rescind, terminate or revoke a lease. LA outreach efforts, such as handouts at NLSOs and FFSCs/CSCs, would help with this.

9. NLSOSE Lesson 9.

(a) Issue. Personnel were not following up with their landlords to account for their security deposit.

(b) Discussion. Many landlords were incorrectly withholding servicemembers' security deposits claiming that they were entitled to take the security deposits to compensate them for storm damage. This is not the purpose of a security deposit in Florida and a security deposit may not be kept by the landlord to compensate a landlord for storm damage that is not the tenant's fault.

(c) Recommendation. Educate military members in disaster-affected areas to communicate with legal officers before taking any action to make a proper claim for an improperly withheld security deposit. LA outreach efforts, such as handouts at NLSOs and FFSCs/CSCs, would help with this. Also, NLSOs should consider referring landlords who engage in such practices to the Armed Forces Disciplinary Control and Review Board, though placing such housing off-limits may be difficult in areas like Key West where off-base housing is very limited and servicemembers often have few choices for affordable rental housing.

10. NLSOSE Lesson 10.

(a) Issue. Personnel made uneducated decisions about buying new automobiles to replace vehicles damaged by the hurricane.

(b) Discussion. Many personnel tried to quickly replace damaged vehicles by purchasing new vehicles with little or no research and preparation. Some even purchased flood-damaged cars without knowing that the vehicle that was bought had been damaged by hurricane floodwaters.

(c) Recommendation. Educate military members about how to properly research and purchase a new or used car. LA outreach efforts, such as handouts at NLSOs and FFSCs/CSCs, would help with this.

11. NLSOSE Lesson 11.

(a) Issue. Personnel were confused about what tax related benefits they would be entitled to as hurricane victims.

(b) Discussion. Many personnel were unsure of what benefits, if any, they would be eligible for under the tax code relating to damages they had suffered because of the hurricane. Also, special disaster relief legislation, enacted following a disaster, may offer tax advantages to affected taxpayers.

(c) Recommendation. Coordinate with OJAG Code 16 to better educate servicemembers in hurricane-affected regions about the various benefits available under the tax code.

End NLSO Southeast Lessons Learned

ATTACHMENT 6 TO ENCLOSURE (3) TO CNLSC BASIC PLAN
SAMPLE REPORTS FROM NLSC CENTRAL

1. SAMPLE LEGAL ASSISTANCE REPORT FORMAT:

EVENT NAME [e.g. HURRICANE MAX]
LEGAL ASSISTANCE DAILY SUMMARY
NAVAL LEGAL SERVICE OFFICE XXXX (All Locations)

11 Mar CY - 16 Mar CY

TOTALS

CLIENTS SEEN: 4/844 * CLAIMS PACKS DSTRBTD: 0/687
DOCUMENTS PREPARED: 4/376** BRIEFS: 7/51

	Clients Seen	DOCUMENTS				COMMON MATTERS/ ADVICE PROVIDED				
		GPOA	SPOA	WILLS	NOTARY (inclds Wills)	LANDLORD/ TENANT	FEMA/ INSRNC E	DOMESTI C	CLAIMS	CLAIMS PACKS
HQ	0/261	0/68	0/43	0/29	0/255	0/4	0/15	0/7	0/6	0/0
BROFF 1	0/211	0/30	0/82	0/3	0/65	0/69	0/59	0/6	0/6	0/191
BROFF 2	3/172	0/9	1/16	0/6	3/92	0/56	0/40	0/12	0/4	0/37
BROFF 3	0/101	0/22	0/16	0/12	0/70	0/27	0/6	0/13	0/1	0/204
DET A	0/14	0/0	0/0	0/0	0/2	0/0	0/1	0/3	0/9	0/3
DET B	1/85	0/18	0/13	0/6	0/47	0/21	0/19	0/8	0/11	0/252
Total	4/844	0/147	1/170	0/56	3/531	0/177	0/140	0/49	0/37	0/687

	NON-NAVY CLIENTS SEEN			
	USMC	USAF	USA	USCG
HQ	0/0	0/0	0/0	0/0
BROFF 1	0/1	0/2	0/2	0/0
BROFF 2	0/31	0/2	0/10	0/2
BROFF 3	0/8	0/0	0/1	0/1
DET A	0/0	0/0	0/0	0/0
DET B	0/0	0/1	0/10	0/0
Total	0/40	0/5	0/23	0/3

BRIEFS & OTHER SERVICES PERFORMED
Date; LOC/Unit; Number Attending; BROFF
3 SEP CY / WAREHOUSE 20/ 25 / BROFF 1
4 SEP CY / WAREHOUSE 20/ 25 / BROFF 1
5 SEP CY / CHAPEL GUAM (CLAIMS & LA) / 50 / DET A

UNCLASSIFIED

CNLSC SUPLAN 3440-TFNF
8 Jul 2014

6 SEP CY / STENNIS SP. CNTR./ 50 / BROFF 2
22 SEP CY / CNRFC AT MILLINGTON / 130 / BROFF 3
22 SEP CY / USS JOHN HALL (HAWAII) / 50 / HQ
22 SEP CY / TOWN HALL AT NAVFAC SW DIV / 10 / DET B
23 SEP CY / MARFORRES / 200 / BROFF 2
28 OCT CY / NLSO Case Manager Brief to FFSC Case Managers / 10 / HQ

* clients receiving advice, though some with multiple "matters" (includes wills and POAs)(excludes claims packs)

** includes wills, living wills, POA'a, and other non-estate planning documents

TASK FORCE NAVY FAMILY INITIATIVES

Date / Briefing / LOC / # Attending / Unit Providing
--

6 DEC CY / TFNF Cmmnty Mtng Hawaii (Legal segment) / 200 / HQ
6 DEC CY / TFNF Cmmnty Mtng Sasebo (Legal segment)/ 25 / BROFF 1
8 DEC CY / TFNF Cmmnty Mtng Memphis (Leg segment) / 100 / DET B
10 DEC CY / Insurance SME Brief / NAS-JRB NOLA / 15 / BROFF 3
11 DEC CY / Insurance SME Brief / CLF Compound / 300 / HQ
12 DEC CY / Insurance SME Brief / NASP FFSC-CSC / 30 / DET B
12 DEC CY / Insurance SME Brief / NSA NOLA Base Theater / 12
13 DEC CY / Contractor SME Brief / NSA PSCGLA FFSC-CSC / 200 / DET B
14 DEC CY / Preventive Law SME Brief / NAS Whidbey / 50 / BROFF 2
14 DEC CY / Insurance SME Brief / NCBC Gulfport Base Theater / 15

2. Sample Claims Report Format:

**EVENT NAME [e.g. HURRICANE MAX] CLAIMS
NAVAL LEGAL SERVICE OFFICE XXXX
DAILY/WEEKLY SUMMARY
13 - 17 Mar CY**

CLAIMS RECEIVED FROM*

PNS	PASG	GPT	KAFB	USS FORREST SHERMAN (PASG)	USS MESA VERDE (PASG)	USS STEPHEN GROVES (PASG)	USS JOHN HALL (PASG)	USS SAN ANTONIO (PASG)	USS KIDD (PASG)	NOLA	MER	Total
0/6	1/78	0/149	1/34	2/177	0/37	0/94	0/53	0/34	0/10	1/48	0/22	5/742

CLAIMS FORWARDED TO*

USMC	USAF	USA	USCG	NETSAFA	TOTAL
0/9	0/9	0/17	0/0	0/0	0/35

DAMAGE CATEGORIES CLAIMED*

FOOD	POV (DEDUCTIBLE ONLY)	POV (LIAB INS ONLY)	UNIFORMS	PERS PROP	HOUSEHOLD GOODS (HHG) SHIPMENT
1/122	1/260	0/136	1/267	2/442	3/20

TOTAL CLAIMS RECEIVED: 5/777 TOTAL # CLAIMS PAID: 2/668

TOTAL \$ AMT CLAIMED: \$2,977,556.17 TOTAL AMT PAID TO DATE: \$1,486,316.24

TOTAL CLAIMS NOT PERFECTED: 16 TOTAL # EMRGY ADV REQUESTED: 6

TOTAL CLAIMS AWAITING ADJ: 15 TOTAL # EMERGENCY ADV PAID: 6

TOTAL FWD'D TO OTHER SVCS: 35

TOTAL CLAIMS DENIED: 26 (no substantiation) AVG PROCESSING TIME (PERFECTED-VOUCHER): 3 DAYS

- 4 (no insurance coverage)
- 4 (not in gov't quarters)
- 3 (not proper claimant)
- 1 (no gap insurance)
- 2 (NEX cleaners)
- 1 (MWR lot agreement)

UNCLASSIFIED

CNLSC SUPLAN 3440-TFNF
8 Jul 2014

2 (insufficient loss of power)

HIGHEST CLAIM: \$165,998.21 (HHG)
LOWEST CLAIM: \$41.00 (food)
AVERAGE AMT CLAIMED: \$2,500 – 3,000

MULTIPLE CATEGORY CLAIMS: 409

SINGLE CATEGORY CLAIMS: 368

* Statistics represent "daily" and cumulative/to-date totals in this format: " 2 / 25"

ATTACHMENT 7 TO ENCLOSURE (3) TO CNLSC BASIC PLAN
SAMPLE NLSO CENTRAL UNIT SITUATION REPORT**Naval Legal Service Office Central**
Pensacola, FL
HURRICANE KATRINA SITREP #022
4 Nov 2005

1. Situation. HQ and all five BROFFs are open.
2. Admin Note. NSTR.
3. Updates:
 - USCG District EIGHT staff moved out of temporary spaces adjacent to NLSO BROFF New Orleans (NOLA). This includes the NLSO BROFF library, which was used by their Chaplain. They have returned to their original spaces on the East Bank.
 - Navy Band (approximately 35 personnel) returned to New Orleans this week. LT Rosso met w/their Senior Chief and offered to brief the entire group so that all band members understand what legal services are available at BROFF NLSO.
 - Navy Operational Support Center (NOSC) is scheduled to return to NSA New Orleans between 14 and 25 Nov. NOSC has approximately 50 sailors.
 - Met w/CAPT Twining and CAPT Bengtson during my trip to BROFF Memphis and learned that two of their personnel (one civilian and one YN2) are returning to New Orleans the first two weeks of December. Both CAPTs expressed their appreciation for the outstanding support provided by LT Shook and his team during their extended stay.
 - This week, LT Rosso only saw one service member at the Community Support Center (CSC), for a legal issue unrelated to Katrina. Business was slow across the board, not just for Legal. (Note: Right now, the CSC is open every Tuesday morning. However, the Director is looking to expand or change the hours as more personnel return to New Orleans.) The CSC is open tomorrow to address the needs of Reservists drilling on board JRB. LT Rosso will be there.
 - CAPT Murphy, a local JAG Reservist, is halfway through a two week AT period at BROFF NOLA. In addition, next week a second JAG Reservist, CDR Rung, will be onboard. This allowed LT Rosso to conduct two previously scheduled JAG recruiting visits to LA law schools, and she will travel to Pensacola next week for an uncontested SPCM.
4. Services Performed: This week's Claims and Legal Assistance Summaries are attached.
5. BROFF NOLA Status: NSA New Orleans remediation of the USMC Attorney's office will end November 2005.
6. Intentions: NSTR.
7. JAG HQ Assistance: NSTR.
8. POC:

		<u>Phone (DSN 922)</u>	<u>Email</u>
CO	CAPT Crandall	850-xxx-xxxx Cell 850-xxx-xxxx Home 850-xxx-xxxx	xxxx
XO	CDR Jaeger	850-xxx-xxxx Cell 850-xxx-xxxx	xxxx
Claims/ LA/Def	LCDR Miller LCDR Divins	850-xxx-xxxx 850-xxx-xxxx	xxxx xxxx

//s/
D. E. CRANDALL

ENCLOSURE (4) TO CNLSC SUPPORTING PLAN 3440-TFNF
STANDARD OPERATING PROCEDURES (SOP) FOR COORDINATING
WITH FLEET AND FAMILY SERVICE CENTERS (FFSC) / COMMUNITY
SUPPORT CENTERS (CSC)

1. Situation: Refer to reference (a) (the TFNF FUNCPLAN), Annex J, Appendix 2 "Community Support Center", and paragraphs 3a(2)(a)vi and 3b(2) and enclosure (1) to this CNLSC Supporting Plan (Legal Assistance).

a. General.

(1) In response to a disaster, and throughout disaster recovery, Commander, Navy Installations Command (CNIC) will organize the Fleet and Family Service Centers (FFSC) and other functional components into Community Support Centers (CSCs) that will provide a centralized delivery location for services and support to affected Navy Family members. See references (a) and (f) for more detailed discussion of CSCs.

(2) CSCs normally house case managers who will be assigned to affected members of the Navy Family. CSCs also rely on Subject Matter Experts (SMEs) from each supporting organization, such as representatives from the responsible RLSO, Personnel Support Detachments, Housing Offices, Child Care Centers, Chaplain offices, and various other support services organizations.

b. Severity levels. See Basic Plan.

2. Mission. See Basic Plan.

3. Execution.

a. Intent. Consistent with mission requirements, the responsible RLSO will be prepared to deliver on-scene legal assistance services through the FFSC/CSC to eligible members of the Navy Family affected by a disaster or catastrophic event, subject to statutory and regulatory restrictions.

(1) Concept of Operations. The responsible RLSO will coordinate the delivery of legal services with the FFSC/CSC throughout all Phases of disaster response and recovery efforts, based on service demands and consistent with NLSC mission requirements.

(2) Tasks. Unless otherwise directed, the responsible RLSO will take the lead on coordinating with the FFSC/CSC in the affected area. If other RLSOs or other legal services providers become involved in the recovery effort, they will liaise with the responsible RLSO on matters relating to support of the FFSC/CSC. The responsible RLSO will:

(a) coordinate with the FFSC and plan for the delivery of legal services at the CSC as required to support their operations.

(b) coordinate with CTFNF through the CTFNF SJA/SME and/or NLSC Liaison Officer (LNO) as appropriate and provide direct liaison with CSC case managers to resolve as expeditiously as possible the legal matters of affected Navy Family members.

(c) ensure cases referred to legal service providers by CSC case managers providers are successfully "handed-off" by contacting the referring CSC case manager, the affected Navy Family member, and any other applicable RLSO, so that all the parties concerned understand which RLSO legal services provider has the matter for action.

(d) annotate case progress in applicable CTFNF Case Management or Needs Assessment databases to the extent necessary to inform interested CSC case managers and other service providers of potential non-legal support that may be required, and to ensure non-legal case managers are informed that all legal matters are being effectively resolved under the appropriate categories.

(e) comply with Privacy Act and client confidentiality requirements found at references (b) through (e) and enclosure (5) of this Supporting Plan.

4. Admin and Logistics.

a. Concept of Support. The responsible RLSO will provide primary response and legal services to support the FFSC/CSC. Existing CNLSC resources at RLSOs in affected and unaffected areas will provide primary C4 facility and resource needs for other personnel augmented for the FFSC/CSC response.

b. Administrative Considerations. RLSOs in affected and unaffected areas will provide equipment, supplies, and personnel necessary to provide direct legal service support to CSCs, as appropriate, consistent with RLSO mission requirements.

5. Command and Control.

a. Command.

(1) Command Relationships. See Basic Plan and enclosure (1) to the Basic Plan.

(2) Command Posts. See Basic Plan, paragraph 5a(3).

b. Command, Control, Communications, and Computer (C4) Systems.

(1) IT support. Not Applicable.

(2) Information Assurance. See Basic Plan, paragraph 5b(1).

ENCLOSURE (5) TO CNLSC SUPPORTING PLAN 3440-TFNF
STANDARD OPERATING PROCEDURES (SOP) FOR WORKING ON
INTERNET-BASED NEEDS ASSESSMENT AND CASE MANAGEMENT
TOOLS

1. Situation: Refer to reference (a) (the TFNF FUNCPLAN), Annex J, Appendix 2 "Community Support Center", and paragraphs 3a(2)(a)iii and vi and enclosure (1) (Legal Assistance) and enclosure (4) (SOP for Coordinating with Fleet and Family Service Center (FFSC) and Community Support Centers (CSC)) to this CNLSC Supporting Plan.

a. General.

(1) After a disaster, mustering and personnel accounting is accomplished through the Navy Family Accountability and Assessment System (NFAAS), a standardized method for the Navy to account, assess, manage, and monitor the recovery process for personnel and their families affected and/or geographically dispersed by a wide-spread catastrophic event. As part of the needs assessment portion of this program, Disaster Accounting and Assessment System (DAAS) acts as the mechanism to provide follow-on family assessment, command assessment and case management for those most severely affected.

(2) The goal of NFAAS/DAAS is to provide valuable information to all levels of the Navy chain of command allowing Navy leaders to make strategic, operational and tactical decisions that will facilitate stability for Navy Family Members and a return to fully-capable status for Navy assets.

(3) As set forth in this Supporting Plan, RLSO personnel will provide legal services to eligible members of the affected Navy Family through their established office locations, FFSC/CSC locations, and telephonically in response to personnel with immediate legal needs who are registered on DAAS or other Internet-based Needs Assessment or Case Management databases, consistent with references (b) through (e) to the Basic Plan.

b. Severity Levels. See Basic Plan and enclosure (1) to the Basic Plan.

2. Mission. See Basic Plan.

3. Execution.

a. Intent. Because of many of the people affected by a disaster may have trouble visiting a RLSO for assistance, NLSC will deliver basic telephonic legal services to eligible members of the Navy Family affected by a disaster or catastrophic event, subject to statutory and regulatory restrictions. Members not entitled to legal services may be interviewed and provided general or publicly available information regarding civilian resources and the assistance available from other government service providers.

b. Concept of Operations. See Basic Plan, paragraph 3a.

(1) RLSO legal services providers will deliver services to eligible members of the affected Navy Family throughout all Phases of disaster response and recovery efforts based on service demands.

(2) Initial efforts will concentrate on contacting members with Severity Level 3 and 4 legal needs with eventual focus shifting to Severity Level 1 and 2 needs until the legal needs for all affected Navy Family members registered on DAAS or other needs assessment or case management databases are resolved. See the Basic Plan and enclosures (1) and (2) of the Basic Plan for a detailed description of "severity levels."

c. Database/Record Entry Content. Subject to considerations of client confidentiality, entries made by RLSO personnel into DAAS or any other TFNF Case Management tool will:

(1) provide sufficient detail both to notify other service providers of actions taken to resolve legal matters and alert FFSC/CSC Case Managers or other service providers of potential matters affecting on-going, non-legal services that would be of interest to other service providers (e.g., noting that the member has applied for homeowner's insurance or has been denied FEMA benefits may affect resolution determinations for Housing and Financial Counseling).

(2) contain sufficient information to identify the name, phone number and email of the attorney making the data entry, their RLSO, and the date and time of the entry.

(3) include sufficient information to identify availability of existing area military or civilian legal resources, explanation of case severity levels to the member, justification for considering the matter resolved or reduced to a less case severity level, and other relevant courses of action

(e.g., member prefers not to be called, member referred to appropriate RLSO, etc.).

(4) Sample entries.

(a) Example 1: Reducing a Severity Level 3 legal need to Level 0 (i.e., resolved) for Navy civilian employee, not a military retiree, and not entitled to RLSO legal assistance:

RLSOSE 13Dec05 (1827cst) [attorney initials, ex. MBA]: call to mbr home - disconnected; (1827) call to mbr cell - left vox to ret-c wrk this evening or Tuesday morning. RLSOSE 13Dec05 (1700cst) MBA: call to mbr cell (eml: John.doe@navy.mil) - mbr GS-5 civ empee - FEMA denied trailer so placed on ship - mbr house and wind but no flood ins - denied SBA loan - waiting ins co to deny claim to trigger FEMA bennies - mbr rqstd info on (storm name) law suits - informed several Class Actions in play but mbr should be cautious before joining, and have indep. atty review plcy to see if mbr ins plcy falls in criteria for plaintiff's class - mbr felt leg questions were ansurd and has plan for finding civ atty (provided LA Bar assoc referral numbers) - leg issues must be addressed with outside civ atty assistance - legal status CAT 0 Resolved.

(b) Example 2: Reducing a Severity Level 4 legal need to Level 0 (i.e., resolved) for recalled enlisted Reservist entitled to RLSO legal assistance:

RLSOSE 9Dec (1103cst) MBA: Mbr recalled SELRES on 145 day orders - rented home in MS - house and all contents destroyed by (storm name)- no renters insurance - FEMA denied bennies since already evacuated on orders - NMCRS denied bennies. (1544cst) spoke w/CM at CSC - she will call mbr. Explained and mbr concurs on severity categories. Resolved CAT 0.

(c) Example 3: Reducing a Severity Level 1 or 2 legal need to Level 0, since there is no further action on the matter:

28Mar06 (1709cst) MBA: call to mbr - no change in legal needs status since last entry (DATE) - explnd needs categories - mbr has access to lgl svcs - concurs all matters resolved. Legal case severity CAT 0 Resolved. Non-legal CMs requested contact the Legal CM LT MBA before changing legal status. LT MBA, RLSOSE (WWW) XXX-YYYY.

4. Admin and Logistics. See Basic Plan.

5. Command and Control. See Basic Plan.

a. Command.

(1) Command Relationships.

(a) The responsible RLSO will support the CTFNF SJA/SME via the NLSC LNO and will ensure direct liaison with CTFNF and FFSC/CSC points of contact regarding needs assessment or case management database coordination.

(b) The responsible RLSO will be the primary legal services provider with cognizance over contact with members identified on CTFNF websites or other databases.

(c) Unless otherwise directed, RLSOs in unaffected areas providing remote legal services and/or telephonic assistance to affected Navy Family members on matters involving DAAS or any other CTFNF needs assessment database will pass the necessary information (e.g., action taken on a given case) to the responsible RLSO who will, in turn, update the member case file in the database.

(2) Command Posts. See Basic Plan, paragraph 5a(3).

b. Command, Control, Communications, and Computer (C4) Systems.

(1) IT support. See Basic Plan.

(2) Information Assurance. See Basic Plan, paragraph 5b(1).