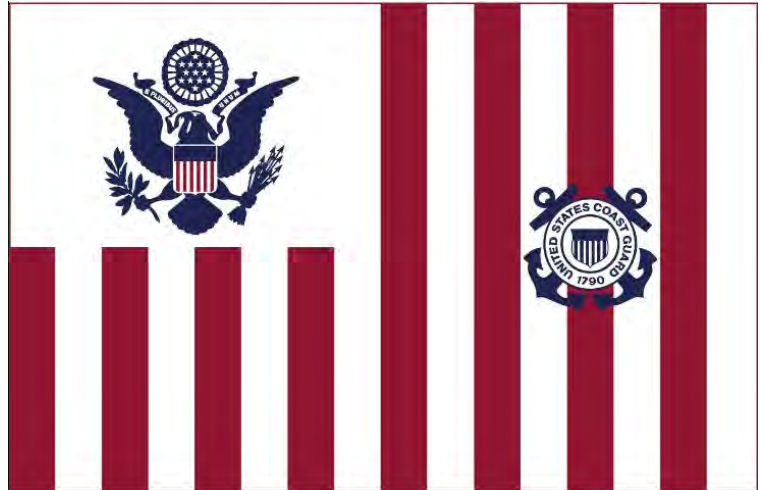




The USCG Ensign CO/OIC's Night Orders Category: History

When Alexander Hamilton established the “system of cutters” in 1790, the fleet was charged with enforcement of U.S. Customs laws, requiring cutters to stop ships and board them. However, Hamilton’s revenue cutters needed a way to identify themselves as federal vessels. Congress failed to appropriate funds for uniforms, so the cutters adopted a unique flag to signify their authority and dispel the notion that they were pirates. By 1798, America’s Quasi War with France had begun and some revenue cutters served under U.S. Naval control. With several of these revenue cutters at war in the Caribbean and others performing law enforcement missions at home, Congress passed the Customs Administration Act on March 2, 1799. Section #102 of the act states the following:



“That the Cutter and boats, employed in the service of the Revenue, shall be distinguished from other vessels by an ensign and pennant, with such marks thereon as shall be prescribed and directed by the President of the United States; and in case any ship or vessel, liable to seizure or examination, shall not bring to, on being required, or being chased by any Cutter or boat, having displayed the pennant and ensign prescribed for vessels in the Revenue Service, it shall be lawful for the Captain or Master, or other person having command, to fire at, or into, such vessel, which shall not bring to, after such pennant and ensign shall be hoisted and a gun fired by such Revenue Cutter as a signal; and such Captain, Master, or other person, and all persons acting by or under his directions, shall be indemnified from any penalties or actions for damages, for so doing; and if any person shall be killed or wounded by such firing, and the Captain, Master, other persons, shall be prosecuted, or arrested therefor, the Captain, Master, or other person shall forthwith be admitted to bail.”

That same year, an unknown designer drew-up an ensign design for the Treasury Department. On June 1st, Treasury Secretary Oliver Wolcott submitted the design to President John Adams who approved it. On August 1st, in a letter to his customs collectors, Secretary Wolcott wrote that the ensign design be “. . . sixteen perpendicular stripes, alternate red and white, the union of the ensign to be the arms of the United States in a dark blue on a white field.” The ensign incorporated the 16 stripes to represent the number of states at that time.

Maintaining a Service Brand/identity proved to be important in the political battles to come. In the later 1830s and early 1840s, there was a significant push to abolish the Revenue Marine Service (and then again in 1915). In February, 1843, the Secretary of the Treasury W. Forward wrote the following concerning the matter to the Committee of Commerce:

“Sir,
I have the honor to acknowledge the receipt of your communication of [2 Feb] accompanied by a resolution of the Senate, directing the Committee of Commerce “To inquire into the expediency of abolishing the system of revenue cutters, and of employing a part of the Navy of the U.S. into that service,” and requesting the opinion of the Department upon the subject.

Concurring in the justness of your remark, that a careful examination is due to a measure looking to so material a change in the revenue system, as that proposed in the resolution, I have accordingly bestowed upon it such careful examination and reflection as the pressure on my time and attention of other official business would permit, and I now have the honor to submit to the committee the following views on the subject under consideration.





The USCG Ensign

CO/OIC's Night Orders

Category: History

There would seem to be a manifest propriety as required by the existing system, in placing under the exclusive charge of the head of the Treasury, the means of enforcing all laws appertaining to the security and collection of the revenue, together with the power to direct and control all officers employed in that branch of the public service.

The resolution contemplates the abolishment of the present revenue cutter system, and employing in lieu of it a part of the Navy of the U.S. By this arrangement the officers detailed on this service would be subject, for any misconduct or neglect of duty, to the code of laws established for the government of the Navy. This, it is believed, would occasion vexations and difficulties, calculated to embarrass the operations of this Department in carrying into effect, with proper energy, the legal means placed in its hands for the security and protection of the revenue. Besides, without intending any disparagement of the officers of the Navy, it is not believed that the habits and discipline of that meritorious class of men, are calculated to suit the character of the service to which it is proposed to assign them...as provided by the 99th section of the Act of 2 March, 1799... The correctness of these impressions has already been partially tested by the experience of the Department in the employment some years back of naval officers in the cutter service, which, after a short trial, it was found necessary to discontinue, in consequence of the difficulties and objections which occurred in the practical operation of the measure...

I have the honor to be, very respectfully, your obedient servant. W. FORWARD, Secretary of the Treasury."

Over the years, the ensign's design has evolved through congressional legislation, presidential executive orders and service regulations. However, the service flag has always retained the 16 stripes from 1799 despite the addition of more states into the union. In 1951, President Harry Truman had initiated a flag identification program and the U.S. Army Heraldic Branch found that the U.S. Coat of Arms on the Coast Guard ensign and the Customs Agency ensign did not adhere to the original coat of arms adopted by the Continental Congress in 1782. This was quickly corrected to ensure the ensign adhered to the original 1799 act and the eagle emblem of the 1884 coat of arms.

According to Coast Guard Regulations: "Both day and night, the Coast Guard Ensign [is] displayed at the masthead of the foremast. If required, the personal flag [for an admiral, etc] or commission pennant shall be displayed at the after masthead. On vessels having but one mast the Coast Guard ensign and...commission pennant shall be at the masthead on the same halyard with the personal flag or pennants uppermost." Coast Guard smallboats must also fly the ensign depending on their mast configuration. Although display of the Coast Guard ensign is required only when the cutter takes measures to enforce the law, it is customarily displayed on afloat assets at all times whether underway or not.

As the original 1799 regulations state, any use of the Coast Guard ensign other than by authorized vessels is prohibited. The congressional act establishing the ensign in 1799 stated that ". . . if any ship, vessel, or boat, not employed in the service of the revenue, shall within the jurisdiction of the United States, carry or hoist any pennant or ensign prescribed for vessels in the Service, the Master or Commander of the ship or vessel, so offending, shall forfeit and pay \$100." Modern regulations have increased that fine to \$5,000 and/or imprisonment of up to two years. The colors used in the Coast Guard ensign today, as in the Revenue Cutter Service, are all symbolic. Red stands for youth and the sacrifice of blood for liberty's sake. Blue represents justice and a covenant against oppressions. White symbolizes a desire for light and purity. Fly our 221 year old CG Ensign with an understanding of its legacy!

Full credit for this month's night orders goes to: Special Agent Keith Bassolino. Many thanks to the LANT Historian, William Thiesen.

The Night Orders are posted here: <https://cg.portal.uscg.mil/units/cg751/SitePages/Professionalism.aspx>. Please email HQS-SMB-CG-751-CMD@uscg.mil with ideas & write-ups for future topics for the entire fleet.

On-Watch Conversation Starters:

- Can a private vessel with USCG LE Officers onboard fly the CG Ensign (see 14 USC 826)
- Can a U.S. Navy vessel fly the CG Ensign? (Think TACLET)
- Is the CG Ensign ever half-masted?

