

MEMORANDUM OF AGREEMENT
BETWEEN
THE STATE OF WEST VIRGINIA
AND
THE SAR COORDINATOR FOR THE INLAND REGION
IN SUPPORT OF
THE NATIONAL SEARCH AND RESCUE PLAN

1. Purpose: To insure the effective use of all available facilities for search and rescue (SAR) activities; to incorporate SAR agencies of the various states into the basic SAR network; and to provide an avenue for further agreements between the Air Force Rescue Coordination Center (AFRCC), and the State of West Virginia.

2. Scope: This agreement is the basis for mutual coordination and cooperation for direction of SAR operations by the State of West Virginia and the AFRCC.

3. Roles and Responsibilities:

a. The National Search and Rescue Plan designates the United States Air Force as the U.S. SAR Coordinator for the recognized U.S. aeronautical Search and Rescue Region (SRR) corresponding to the continental U.S. other than Alaska. This SRR is commonly referred to as the "Inland SAR area."

b. The Chief of Staff of the United States Air Force has designated the Commander, Air Combat Commander as the inland SAR Coordinator and this responsibility has been further delegated to the 1AF (AFNORTH) Commander. 1AF (AFNORTH) Commander has established the AFRCC to function as the Inland SAR Mission Coordinator (SMC) to promote efficient cooperation of state, local, tribal, and nongovernmental SAR services and for coordinating AFRCC mission-assigned SAR operations within the Inland SAR area.

c. The Civil Air Patrol (CAP) is a corporation created by federal statute and is established by law as the auxiliary of the United States Air Force. The prosecution of search and rescue missions is one of the tasks performed by the CAP.

d. The West Virginia Division of Homeland Security and Emergency Management is the state agency responsible for missing aircraft searches within the State of West Virginia. The Sheriff within each county is the responsible agency for missing persons searches within the State of West Virginia. The West Virginia Division of Homeland Security and Emergency Management shall be the state agency responsible for coordinating all searches with the

AFRCC, county sheriffs, other law enforcement agencies, or any private or public search and rescue group.

e. This agreement provides for federal assistance to local or state agencies conducting SAR missions. Also, state agencies, when possible, will provide assistance to the AFRCC. Provisions of assistance provided by both parties will be subject to availability of facilities at the time of the request. Department of Defense responsibilities include support of civil SAR on a not-to-interfere basis with primary military duties, in accordance with applicable national directives, plans, guidelines, agreements, etc. "Not to interfere" basis refers to operational squadron/units asked to support a specific SAR request. The designation as Inland SAR Coordinator (ie, a federal person or agency with overall responsibility for establishing and providing civil SAR services for a search and rescue region(s) for which the U.S. has primary responsibility) carries with it certain responsibilities as spelled out in Para 1.11.1 of the National SAR Supplement, which include: establishing, staffing, equipping and managing the SAR system; providing appropriate legal and funding support; establishing RCCs and RSCs; providing or arranging for SAR facilities and SAR resources; coordinating SAR training and exercises; and promulgating SAR policies and supporting documents. These responsibilities are by definition part of the SAR Coordinator's duties.

4. Agreements: This agreement addresses two types of SAR incidents: civil incidents and non-civil incidents.

a. Civil SAR Incidents:

(1) A civil SAR incident is defined as any search and rescue mission that occurs within the boundaries of the State of West Virginia to aid distressed civilian persons that is not considered a Non-Civil SAR incident as defined in paragraph 4b below.

(2) All civil incidents will normally be under the operational direction of the West Virginia Division of Homeland Security and Emergency Management; however, this will not preclude the state from requesting that the AFRCC assume operational direction.

(3) The AFRCC will be notified if federal assistance, to include CAP, is desired by the State. The West Virginia Division of Homeland Security and Emergency Management will inform the AFRCC of the status and termination of searches.

b. Non-Civil SAR Incidents:

(1) Non-Civil SAR incidents are defined as those incidents involving scheduled air carriers, aircraft operating under the provisions of the International Civil Aviation Organization agreements, aircraft on interstate flights, missions of national concern such as designated National Special Security Events and Special Events Homeland Security, and missions involving military personnel and/or equipment.

(2) All non-civil SAR incidents will be under the operational direction of the AFRCC. The State of West Virginia may be requested to assist the AFRCC on non-civil SAR incidents on that portion of the search conducted within the State's borders.

(3) The AFRCC will notify the West Virginia Division of Homeland Security and Emergency Management prior to initiating any active search within the State of West Virginia. A determination will be made at that time as to the assistance the state may provide and which agency has operational direction. The AFRCC will keep the State of West Virginia informed on the status and/or termination of a search.

5. General:

a. Implementation of this agreement will be by memorandum of understanding between the state agencies having designated responsibilities under this agreement and the AFRCC Commander. Such memorandum of understanding will provide for specific mission procedures, channels of communications, points of contact, etc. The memorandum of understanding may be revised as frequently as necessary without requiring a revision of this agreement, so long as responsibilities as outlined herein do not change.


b. This agreement does not encompass SAR activities involving direct support to law enforcement that would violate the Posse Comitatus Act. Additionally, SAR missions that pose an undue risk to the safety of the crews will not be approved.

c. Direct or indirect expenses incurred by facilities pursuant to this agreement will be borne by the organization or agency that provides the resource.

d. No provision of this agreement is to be construed as an obstruction to prompt and effective action by federal, state or local SAR officials to relieve distress wherever and whenever found.


e. AFRCC will not make press releases. Any press releases will be made by the organization or its designated representative exercising operational direction over the mission.

f. This agreement shall become effective upon the date of the last signature and will remain in effect until modified by mutual written agreement or terminated by either party with 60-day advanced written notice.



HENRY C. MORROW
Major General, USAF

22 OCT 07
DATE



JOE MANCHIN III
Governor, State of West Virginia

September 6, 2007
DATE