

Section 4.1

Maritime SAR Assistance Policy (MSAP)

4.1.6.4 Cases Discovered By Auxiliary Facility. When an Auxiliary vessel on routine safety patrol or otherwise on orders discovers a vessel requesting assistance, but not in radio contact with the Coast Guard, the Auxiliarist will relay the request for assistance to the Coast Guard operational commander and may undertake to provide assistance, if capable. If a tow is undertaken, the Auxiliary vessel is required to notify the operational commander of the identity of the vessel, the location of the vessel, and the destination to which the vessel is being towed. No Auxiliary vessel may undertake the tow of another vessel unless the Auxiliarist is reasonably assured of the safety of both vessels and the persons onboard. If the Auxiliary vessel cannot safely tow a disabled vessel that is standing into danger, it may endeavor to remove the persons from the threatened vessel and stand by until a more capable resource arrives on scene.

4 - 9 COMDTINST M16130.2E

NOTE: Cases discovered by the Auxiliary are a particularly sensitive section of the policy. How the situation is dealt with is the end product of sustained negotiations and compromise effort on the part of all concerned parties. It intends that the Auxiliarist, not the SMC, will make the judgment as to whether the Auxiliarist can safely assist. When Auxiliarists notify the SMC that they intend to assist the vessel, they are not “asking for permission”. They have already determined they can safely provide assistance. The notification to the SMC is a courtesy. This policy does not reduce the operational commander's authority and responsibility to exercise command and control over all assigned forces, including Auxiliary vessels on ordered patrols. The operational commander may override the Auxiliarist's decision if warranted by an evaluation of the circumstances. However, unless there is a specific reason to do so, such as an indication of unusual risk or hazard, or an operational need to assign the Auxiliary vessel to a higher priority mission, the decision to assist should be left to the Auxiliarist.

4.1.6.5 Safe Haven Considerations. In cases involving towing by the Coast Guard or Coast Guard Auxiliary, the vessel being assisted will normally be taken to the **nearest** safe haven. Coast Guard or Auxiliary resources should not tow the vessel beyond the nearest safe haven when there are commercial resources that could perform this function. Exceptions to this policy may be made in specific cases if, in the judgment of the SMC, they are warranted by humanitarian or other concerns. When determining the suitability of a potential safe haven, the SMC should be sensitive to the reluctance of some private firms and yacht clubs to accept a disabled or damaged vessel and the attendant potential liability.

4.1.6.6 Relief of Tow. In cases involving towing by the Coast Guard or Coast Guard Auxiliary where no emergency exists, the assisted vessel **may** be released to another provider who appears capable, provided that:

- (a) The SMC and coxswain of the assisting vessel determine that a hand-off can be carried out safely; and either
- (b) Alternative assistance is desired and arranged by the operator of the vessel being assisted; or
- (c) The operational commander has a higher need for the Coast Guard resource or Auxiliary facility.