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Operations

CIVIL AIR PATROL

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1. Overview. The Civil Air Patrol (CAP), an organization chartered by Congress as a nonprofit corporation, is the volunteer civilian auxiliary of the Air Force. This directive sets guidelines for Air Force support to and use of CAP.

2. CAP Capabilities. CAP, as a non-profit corporation, conducts three primary programs: Emergency Services, Aerospace Education, and a Cadet Program. CAP supports the Air Force in its role as the auxiliary of the Air Force through these three programs.

2.1. Emergency Services. CAP, through its emergency services program, maintains the capability to meet requests of the Air Force and to assist local, state, and federal agencies. CAP maintains aircraft, vehicles, communications equipment and a force of trained volunteers for response to natural or man-made disasters or emergencies, or national emergencies.

2.2. Aerospace Education. CAP conducts an aerospace education program for its adult and cadet members (internal) and the general public (external) with the purpose of educating the public on the value and importance of aviation and the maintenance of aerospace supremacy.

2.3. Cadet Program. CAP conducts a cadet program with emphasis on aerospace education, leadership skills, physical fitness and values education.

3. CAP Status as an Auxiliary of the Air Force. The status of CAP as the auxiliary of the Air Force is identified under Public Law 80-557, Title 10 United States Code Section 9441 (10 U.S.C. 9441). The Secretary of the Air Force may use the services of CAP in fulfilling the non-combat missions of the Air Force and may provide support to CAP to enable it to carry out Air Force-assigned non-combat missions.

3.1. Cooperative Agreement between CAP and the Air Force . The Air Force will use a cooperative agreement and accompanying statement of work to formalize the use of CAP by the Air Force and the support the Air Force may provide CAP in its capacity as the auxiliary of the Air Force.

3.2. Liability. For civil liability purposes, CAP is an instrumentality of the United States when it is engaged in performing Air Force-assigned missions. These missions come under the Federal Tort Claims Act and the Federal Employees Compensation Act unless otherwise specified in the Cooperative Agreement and Statement of Work between CAP and the Air Force. Without Air Force assigned mission status, the Federal Government will not provide the CAP reimbursement or liability protection.

4. Use of CAP by the Air Force. The Air Force may utilize CAP units and personnel in fulfilling selected non-combat Air Force missions. HQ CAP-USAF is the Air Force agency that will coordinate or approve using the CAP. Missions assigned by the Air Force to the CAP will be identified as and referred to as Air Force assigned missions.

4.1. Use of CAP by Air Force Commanders. Air Force commanders are encouraged to employ CAP resources to conduct missions that are within the capability of CAP, but they must consider the implications of reimbursement and potential Federal liability associated with CAP employment. Commanders must ensure funds are available for CAP reimbursement before the mission is approved for CAP to undertake.

5. Support to CAP by the Air Force. The Air Force may provide personnel, logistic, and financial support, including installation-level support, to the CAP in accordance with applicable law and Air Force capabilities.

5.1. Personnel Support. Personnel support to CAP will be in form of liaison personnel. Air Force liaison to CAP may consist of active duty, reserve component, and/or civilian or contract employees. The Air Force may establish liaison offices and assign Air Force personnel at CAP national, region, and wing levels. The Air Force retains authority to determine CAP liaison organization, structure, and duties of its members. Liaison personnel will provide advice and liaison between CAP, the Air Force, and other government agencies, and oversight of CAP in fulfilling its Air Force-assigned missions.

5.2. Logistic Support. The Air Force may provide logistic support and assistance to CAP as authorized in 10 U.S.C. 9441 and 9442. Such support includes: establishing aircraft maintenance requirements; aircraft disposition; vehicle requirements; equipment supply requirements; furnishing articles of the Air Force uniform to cadets without cost; and other support and assistance the Secretary deems necessary for all items provided or funded by the Air Force, or used in support of Air Force-assigned missions.

5.3. Financial Support. The Air Force may provide financial support to CAP to support or carry out Air Force-assigned missions as authorized in 10 U.S.C. 9441. CAP, as a nonprofit organization, must comply with the provisions of the Department of Defense Grant and Agreement Regulations in order to receive Air Force appropriated fund support. Planning for Air Force appropriated fund support to CAP shall be accomplished in accordance with the existing planning, programming, and budgeting system. Air Force-assigned missions may be funded (reimbursable by the Air Force or other federal agency to CAP) or non-funded (non-reimbursable by the Air Force or other Federal agency to CAP). Funded missions will be identified and accounted for using appropriate methods.

5.4. Installation Support. At their discretion and expense, Air Force installation commanders may provide services and facilities necessary to assist CAP, including temporary billeting, messing, and ground transportation. The Air Force provides sufficient numbers of licensed/qualified drivers/oper-

ators for any ground transportation provided for use by CAP during the period of its use by CAP. CAP members are not authorized to drive government vehicles.

6. Air Force Policy and Oversight of CAP. SAF/MI, on behalf of the Secretary of the Air Force, is responsible for oversight of the CAP, including policy approval and political interface, in its capacity as the Auxiliary of the Air Force. HQ USAF/XO, on behalf of the Secretary of the Air Force, is responsible for CAP matters, including policy, resource advocacy, and Air Force support, in its capacity as the auxiliary of the Air Force. All other Secretariat/Air Staff functional offices will provide support, as required. CAP-USAF, on behalf of HQ USAF, HQ AETC, and the Air University, is responsible for establishing CAP support programs, identifying requirements, and executing programs in compliance with this directive.

7. Implementation and Applicability. This policy directive implements 10 U.S.C. 9441 and 9442 and the Cooperative Agreement and Statement of Work.

F. WHITTEN PETERS
Secretary of the Air Force

Attachment 1**GLOSSARY OF REFERENCES AND SUPPORTING INFORMATION*****References***

Section 9441& 9442, Title 10 United States Code

DoD 3210.6-R, Department of Defense Grant and Agreement Regulations, 13 Apr 98

DoD 3210.6, Defense Grant and Agreement Regulatory System (DODGARS), 27 Feb 95

Abbreviations and Acronyms

CAP—Civil Air Patrol

CAP-USAF—Civil Air Patrol United States Air Force

SECAF—Secretary of the Air Force

DoD—Department of Defense