



NATIONAL HEADQUARTERS CIVIL AIR PATROL

CAP REGULATION 60-6

26 DECEMBER 2012

Operations

CAP COUNTERDRUG OPERATIONS

This regulation prescribes concepts, policies, and standards that govern all Civil Air Patrol (CAP) supervisory, ground and flight personnel in the training, qualification, and execution of CAP counterdrug (CD) missions. Practices, procedures, and standards prescribed in this regulation are mandatory and may not be supplemented or changed locally without the prior approval of National Headquarters Director of Operations (NHQ/DO) and Civil Air Patrol-United States Air Force Director of Operations (CAP-USAF/XO). Forward all suggestions for modification and improvement of the counterdrug program through channels to NHQ/DO.

SUMMARY OF CHANGES.

Obsolete references have been changed or removed from this version to reflect current mission directives. Updates have also been made to reflect state director responsibilities being transferred to the liaison region. This regulation is only an interim measure until CAPR 60-3 and CAPR 60-6 are combined into one regulation that encompasses guidance for all operational missions. **Note: Shaded areas identify new or revised material.**

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CHAPTER 1 – GENERAL INFORMATION

1-1. Scope. CAP performs CD missions in accordance with public law, implementing DoD and Air Force policies, directives, and instructions. CAP, with the concurrence of the USAF, has established national agreements with federal law enforcement agencies (“customers”) to assist in locating illicit drug trafficking and growing activities. While cooperation with associated state and local agencies is encouraged, CAP executes its counterdrug support under the sanction of the federal CD law enforcement agencies. In isolated situations, Air Force-assigned missions to support requests from state, county and local law enforcement agencies for CAP counterdrug operations may be authorized by HQ CAP-USAF/XO. This regulation provides direction for the Civil Air Patrol counterdrug (CD) training, qualification, and mission activities. CAP provides aircraft, aircrews, other personnel and equipment to assist these agencies in their counterdrug efforts. This regulation outlines the policies and procedures for execution of the various CAP counterdrug missions. Safety must always be the primary concern.

1-2. Priority for Support. As the auxiliary of the United States Air Force (USAF), priority for employing CAP resources is, first, the Air Force, then other Department of Defense (DOD) departments and agencies, other federal departments and agencies, state agencies, and finally, local agencies. Actual CAP life saving missions have priority over counterdrug operations.

1-3. Supplements/Operating Instructions/Waivers. All waiver requests must be forwarded to NHQ/DO through the chain of command, that is, the wing commander for wing issues and region commander for region issues. No unit below the wing level may issue supplements, waivers or operating instructions (OIs) to this regulation. Any written supplement, letter, clarification, waiver or OI implementing this regulation must have prior written approval of CAP-USAF/XO and NHQ/DO. Waiver requests must include justification and will not be granted merely for convenience or administrative ease. Local OIs and supplements must be consistent with other regulations and may only be more restrictive than this regulation.

1-4. Explanation of Abbreviations. Abbreviations and acronyms used in this regulation and in the counterdrug program are explained in attachment 1.

1-5. Responsibilities. The sensitivity of counterdrug operations and the high level of visibility and scrutiny accorded them by Congress, the media, general public, and executive level of federal agencies necessitates that CAP provide appropriate supervision, control and oversight of this program at every level. All CAP commanders and members must strictly enforce and comply with the provisions of this regulation.

a. CAP National Headquarters Director of Operations (DO). The DO is responsible for the overall direction and oversight of the CAP counterdrug program. NHQ/DO is responsible for accomplishing the following:

1) Coordinate with CAP National Operations Center (NOC), CAP-USAF, customer agencies and HQ USAF to define the roles, missions and support CAP will provide in counterdrug operations.

2) Develop, coordinate and implement operational policies, procedures and practices for counterdrug support with NOC, CAP-USAF, customer agencies and HQ USAF in accordance with (IAW) USAF and CAP goals and objectives. Advise CAP senior leadership on impact of policies.

3) Develop, coordinate and revise regulations and forms regarding CAP’s CD program.

4) Develop annual budget requirements for the CD program. Advise CAP senior leadership on CD budgetary issues and impact of financial decisions on the program.

5) Provide CD flying hour statistics and results of support for the Civil Air Patrol Annual Report to Congress.

b. Region Commanders. Region commanders are required to be counterdrug qualified since they have ultimate responsibility for their counterdrug program. Region commanders shall ensure all CAP region controlled resources are used in a safe, effective and efficient manner to support all authorized counterdrug operational missions. Each region commander shall:

1) Update the current region staff alert roster in the Web Mission Information Reporting System (WMIRS) through which CAP can be contacted for assistance. These rosters will be updated annually, by 31 December, and should be reissued as major changes occur. Region commanders will also ensure a roster of operational mission-qualified personnel and available resources are maintained at the region level to assist in timely personnel notification and response.

2) Assign the region counterdrug director (CDD) in eServices. Exercise care in appointing a CDD who has adequate time and counterdrug experience to perform all responsibilities of the job.

c. Region Deputy Chief of Staff for Operations (DCS/Ops). The region DCS/Ops is responsible for accomplishment of the duties listed in this paragraph. Any of these duties may be delegated to the region CDD on a temporary or permanent basis. Permanently delegated duties will be documented in writing. (Although the DCS/Ops can delegate duties, he/she is still responsible for seeing they are accomplished.) The DCS/Ops will:

1) Ensure sufficient trained region staff members, including counterdrug mission directors (CMD), are available to accomplish operational missions.

2) Monitor region counterdrug operational mission activities, including training and actual missions.

d. Region Counterdrug Directors (CDDs). The region counterdrug director is assigned/appointed by the region commander in eServices and is normally supervised by the region DCS/Ops. The CDD will work in a position of oversight and liaison between NHQ/DO, the CAP NOC and the individual wing counterdrug officers (CDOs) within the region in developing and implementing their own counterdrug program. The region CDD will:

1) Communicate and coordinate with the region and subordinate wing commanders to develop plans for region participation in the counterdrug program.

2) Coordinate region counterdrug mission requirements and activities with NHQ CAP staff agencies.

3) Maintain records on individual counterdrug qualified region staff personnel.

4) Ensure adequate region initial-, upgrade- and currency-training activities are conducted to maintain the qualification and proficiency of operational mission personnel.

5) Ensure proper documentation and retention of records for region operational counterdrug mission activities IAW CAPR 10-2.

6) Monitor and track each region CD staff member's participation in the counterdrug program (operations, administrative, etc.).

7) Participate in CAP-USAF LR Staff Assistance Visits (SAVs) and biennial CD evaluation.

8) Work within the budget approved by the region finance committee and answer to the region commander for the proper use and accountability of funds.

9) Monitor all CD programs in the region for possible fraud, waste, and abuse (FWA). Report violation promptly through IG and command channels.

10) Notify the affected region CD staff member and the region commander when a region CD member is suspended or decertified from the counterdrug program IAW para 2-2f. Update region CD roster and distribute to CMDs and FROs.

11) The region CDD should also accomplish the following:

- a) Monitor region operational mission activities, including training and actual missions.
- b) Conduct visits to each subordinate wing headquarters for staff assistance and review of their counterdrug programs at least once every 2 years.
- c) Participate in conferences of other counterdrug agencies to network and further publicize CAP's role in the government's counterdrug effort.
- d) Assist the wing CDOs in developing a list of agency contacts for which CD support could be provided.
- e) Periodically accompany the wing CDOs on visits to customer agencies.
- f) Conduct teleconferences with all wing CDOs within the region at least semiannually.
- g) Conduct counterdrug meetings for CDOs at least once each year (this meeting may take the place of one of the semiannual teleconferences referenced in paragraph (g) above).
- h) Assist wing CDOs with interregional mission requests.
- i) Spot-check CAPFs 104 from CD missions for completeness, appropriateness of CAP mission, mission results, etc., during wing and liaison office visits.
- j) Assist the wings in developing methods to measure/track program success by directly relating missions to quantity/value of drugs taken off the street, agents and evidence transported, hours of communications relay provided (to support CD task force and operations), customer satisfaction, etc., rather than simply flying hours flown in the CD program.
- k) Monitor the utilization rate of CAP corporate aircraft and monitor the use of corporate versus member-furnished aircraft on CD missions for the wings in the region.

e. Wing Commanders. Wing commanders (CC) are required to be counterdrug qualified since they are ultimately responsible for their counterdrug program. Wing CCs shall ensure all CAP resources within the wing are used in a safe, effective and efficient manner to support all authorized counterdrug operational missions. Each wing commander shall:

1) Update the current personnel alert roster in WMIRS, through which CAP can be contacted for assistance. These rosters will be updated at least annually, by 31 December, and should be reissued as major changes occur. Wing commanders will also ensure a roster of operational mission-qualified personnel and available resources are maintained at the unit, wing, and region levels to assist in timely personnel notification and response. Qualified region personnel and resources available within a wing's particular state should be included on the roster prepared by the wing.

2) Exercise care in appointing a wing counterdrug officer (CDO) and counterdrug mission directors (CMD), if the wing is not using CD qualified ICs to run missions, who have adequate time and counterdrug experience to perform all responsibilities of the job.

3) Assign CDOs in eServices, and sign and forward appointment letters naming CMDs, if the wing is not using CD qualified ICs to run missions, to the NOC.

4) Review and sign OPLANs for routine recurring or ongoing customer mission requests submitted by the wing CDO and forward the OPLANs to the CD customer for approval. A copy of approved OPLANs will be forwarded to the NOC.

f. Wing Directors of Operations (DO). The wing DO is responsible for accomplishment of the duties listed in this paragraph. Any of these duties may be delegated to the wing CDO on a temporary or permanent basis. Permanently delegated duties will be documented in writing. (Although the wing DO can delegate duties, he/she is still responsible for seeing they are accomplished.) The wing DO will:

1) Ensure sufficient trained personnel, including CD qualified ICs and CMDs, are available to accomplish operational missions.

2) Monitor wing operational CD mission activities, including training and actual missions.

g. Wing Counterdrug Officers (CDO). The wing CDO is assigned by the wing commander in eServices and is normally supervised by the wing DO to manage and direct the counterdrug activities within the wing. The wing CDO will:

1) Communicate and coordinate with the wing commander and wing DO to develop plans for the wing's participation in the counterdrug program.

2) Coordinate counterdrug mission requirements and activities with NHQ CAP staff agencies.

3) Maintain records on individual counterdrug personnel documenting accomplishment of qualification training required by this regulation not already tracked in eServices.

NOTE: Wings may opt to only maintain records documenting current counterdrug qualifications of members. Complete records of training history must be maintained for personnel at their unit of assignment. Records may be either electronic or paper documents.

4) Ensure adequate initial-, upgrade- and currency-training activities are conducted to maintain the qualifications and proficiency of operational mission personnel.

5) Prepare and process requests for wing CD training missions IAW paragraph 4-4 of this regulation.

6) Ensure proper documentation and retention of records for operational counterdrug mission activities IAW CAPR 10-2.

7) Develop a counterdrug mission director kit for all wing counterdrug mission directors and CD qualified ICs, if necessary. Electronic versions are acceptable. Periodic updates will be provided, but it is the responsibility of each counterdrug mission director to maintain this kit. This kit should contain required regulations (at least CAPR 60-1, *CAP Flight Management*, CAPR 60-3, *CAP Emergency Services Training and Operational Missions*, and CAPR 60-6, *CAP Counterdrug Operations*), maps, forms, checklists, resource directives, CD personnel alert roster, resource listings, etc., normally needed to conduct any operational counterdrug mission.

8) Recruit and screen candidates from within the wing for participation in the wing's counterdrug program.

9) Develop annual training plan for counterdrug mission-specific training that will be included in the wing's annual training plan submitted to CAP-USAF IAW CAPR 60-3.

10) Prepare OPLANs for routine recurring or ongoing customer mission requests (except Air Defense Sector and 84th Radar Evaluation Squadron, RADES OPLANs) and submit to wing CC for signature.

11) Ensure all CD missions are properly released using the wing's flight release program.

12) Ensure wing CD missions comply with guidelines published in this regulation and CAPR 60-1.

13) The wing CDO, designated CMDs, or CD qualified ICs will supervise all counterdrug missions. It is recommended that the wing CDO and counterdrug mission directors be an emergency services (ES) qualified incident commander.

14) Accept appropriate CD mission taskings from the NOC and assign missions to CMDs or CD qualified ICs.

15) Receive debriefings and mission forms from the mission staff at the conclusion of each counterdrug mission.

16) Ensure non-CAP passengers on wing CD missions are approved IAW paragraph 3-3j(5).

17) Provide quality control of the CAPFs 104 for completeness, appropriateness of CAP mission, mission taskings, mission results, etc.

18) Report mission results/effectiveness to supported agency's official representative (as per agency's instructions) and document the name and date of contact on the CAPF 104.

19) Forward data from CAPFs 104 to the agency requesting the CD support as necessary.

20) Ascertain the accuracy and completeness of all forms and mission paperwork and forward reimbursement documents to the appropriate person for payment.

21) Monitor and track each wing CD member's participation in the counterdrug program (operations/administrative, etc.).

22) Monitor the CD program for possible fraud, waste and abuse. Report violation promptly through IG and command channels.

23) Prepare/Review and submit CAPFs 108, *Payment/Reimbursement Document for Aviation/Automotive/Miscellaneous Expenses*, for all CD missions IAW CAPR 173-3. Ensure validity of these claims.

24) Notify the appropriate wing CD member and the wing commander when a CD member is suspended/decertified from the counterdrug program IAW para 2-2f of this regulation and update wing CD roster and distribute to CMDs and FROs.

25) The wing CDO should also accomplish the following:

- a) Monitor counterdrug operational and training activities.
- b) Develop a list of agency contacts for which CD support could be provided.
- c) Maintain close contact with the agency contacts that could use CAP's resources.
- d) Attend CAP conferences and participate in counterdrug meetings conducted by the region.
- e) Monitor the use of CAP corporate aircraft versus member-furnished aircraft on CD missions
- f) Develop methods to measure/track the wing's CD program success by directly relating missions to quantity/value of drugs taken off the street, agents and evidenced transported, hours of

communications relay provided (to support CD task forces and operations), and customer satisfaction, etc., rather than simply flying hours flown in the CD program.

g) Make semiannual checks of the list of counterdrug-qualified members to purge the wing list as needed.

h. Counterdrug Mission Director (CMD) and CD Qualified ICs. The wing or region commander, as appropriate, appoints counterdrug mission directors in writing. CMDs and CD Qualified ICs will coordinate, direct and control the CD mission. They are responsible for the overall safety and effectiveness of the mission. The wing CDO will designate a CMD or CD qualified IC for each counterdrug mission. A CD member will not be the CMD or IC for a mission for which he/she is a crewmember. The CMD will:

- 1) Receive mission tasking from wing CDO or region CDD.
- 2) Collect all available information on the tasking request and determine if it complies with CAP regulations and Federal Aviation Regulations (FARs).
- 3) Start a mission packet containing all the appropriate forms listed in chapter 6 for the mission.
- 4) Begin a mission log, recording the tasking request, agency, points of contact and callback telephone numbers. Record mission number acquisition process including, but not limited to, who authorized the mission and who issued the mission number.
- 5) Analyze the mission requirements and make preliminary estimate of resources required to support the mission tasking.
- 6) Prepare the mission briefing.
- 7) Begin alert procedures to fill mission positions for the requested number of aircraft and any other resources necessary to complete the mission.
- 8) Ensure all crew members and mission support personnel on each CD mission are current and qualified CD members.
- 9) Monitor mission progress in conjunction with the CAP base station communicator, if used, and make decisions should a problem arise.
- 10) Receive the pilot's closure of the mission flight plan and receive mission debriefing.
- 11) Close out the mission upon successful completion and ensure appropriate mission data is updated in WMIRS.
- 12) Notify participating agencies of mission accomplishments.
- 13) Receive CAPFs 104 and other mission paperwork from the mission pilot.
- 14) Submit mission paperwork to the appropriate wing CDO or region CDD.
- 15) Maintain the counterdrug mission kit developed by the CDO.

i. Individual CD Members. Individual CAP members participating in counterdrug activities will:

- 1) Maintain proficiency in their ES specialty qualification areas.
- 2) Provide information concerning their qualifications, availability, and readiness to their unit commander (or designee).
- 3) Maintain individual equipment readiness and availability to support operational missions.

4) Report any significant or unusual occurrences (such as intercepts, border incursions, suspicious activity on the ground or in the air, etc.) during CD missions to the CMD or IC and wing CDO who will notify the wing commander, CAP-USAF liaison region and the NOC.

5) Complete the National Counterdrug Refresher Training course at least once every 2 years.

j. **CAP-USAF Liaison Region (LR).** LRs may perform any of their oversight functions at any time and must be provided any information they request regarding the CD program. They will be given access to CD meetings, documents and personnel. The LR may contact any CAP member in the performance of their oversight function.

1-6. Legal Considerations.

a. **Statutory Authority.** CAP is authorized to provide certain types of counterdrug support to federal, state and local government law enforcement agencies as a non-combat mission for the Air Force. Authority for these non-combat mission is derived from Department of Defense Directive (DODD) 3025.15; DODD 5525.5; 10 U.S.C. 374-375; 10 U.S.C. 9442(b)(1); and applicable Air Force directives.

b. **Mission Authorization.** Failure to obtain proper authorization for CD missions IAW paragraph 3-5 of this regulation may result in mission decertification. Decertified missions are not eligible for Air Force reimbursement or coverage under the Federal Tort Claims Act (FTCA) and the Federal Employees Compensation Act (FECA). Decertification exposes CAP and CAP members to liability.

c. **Liability.** All counterdrug missions will be flown on an Air Force-assigned mission number as non-combat missions of the Air Force during which CAP is deemed to be an instrumentality of the United States with respect to any negligent act or omission of the Civil Air Patrol, including any member of the Civil Air Patrol, under 10 U.S.C. Sec. 9442. A written mission request and authorization from a competent authority covering a specific CD mission with prescribed time limits, and an Air Force-assigned mission number invoke this instrumentality status. CAP members are covered under the Federal Tort Claims Act (FTCA), 28 U.S.C. 1346(b), 2401, 1671-2680, and Federal Employees Compensation Act (FECA), 5 U.S.C. 8141, when engaged in counterdrug support under an Air Force-assigned mission number.

d. **Force Protection.** The role of CAP in counterdrug operations is to support DoD and law enforcement agencies. The CDD/CDO and NOC will ensure that personnel are not placed in situations that are likely to bring them in direct contact with suspects. The CDD/CDO and NOC will also ensure that CAP members are not knowingly sent or directed to enter into a hostile environment where information indicates there is a probability of encountering hostile fire or other life threatening situations.

e. **Posse Comitatus Act.** The Posse Comitatus Act directly affects CAP's support to civilian law enforcement. Generally, CAP may not give direct law enforcement assistance to civil authorities and may not be used to execute the laws of, or to perform civilian enforcement functions within, the United States. There are statutory exceptions that provide for limited indirect support to civilian law enforcement agencies that are charged with implementing the anti-drug laws. Specifically CAP can provide detection, monitoring and communication of movement of air and sea traffic. CAP may perform aerial reconnaissance of property but not surveillance of people. CAP may operate equipment to facilitate communications in connection with counterdrug law enforcement operations. CAP may provide repeater aircraft, operate CAP radio equipment in support of counterdrug activities, and transport civilian law enforcement agents in support of counterdrug operations. CAP members as an Auxiliary to the Air Force may not participate directly:

1) In arrest, search and seizure, stop and frisk, or interdiction of vessels, aircraft, or vehicles.

- 2) In surveillance or pursuit of individuals.
- 3) As informants, undercover agents, or investigators.

NOTE: A violation of Posse Comitatus, 18 U.S.C. 1385, can result in a fine of up to \$10,000 and imprisonment for up to 2 years and administrative action under applicable CAP regulations. Direct questions concerning Posse Comitatus to NHQ CAP/General Counsel (GC) and CAP-USAF Judge Advocate (JA). The final authority on these issues rests with CAP-USAF.

1-7. Subpoenas and Requests for Information. The Civil Air Patrol, and its current and former members and employees, may receive subpoenas, orders or other requests for the appearance or testimony of individuals or requests to produce, disclose or release “official information” regarding the counterdrug support program. Members receiving subpoenas and requests for information will immediately notify the NHQ CAP General Counsel (NHQ CAP/GC) and their CDD/CDO. CAP members will not disclose any information concerning CD missions without the approval of NHQ CAP/GC. Media requests shall be handled IAW paragraph 2-10 of this regulation.

1-8. Wing Counterdrug Recognition. National Headquarters gives CD awards each calendar year to one wing in each region. The winning wings permanently retain these awards. The CAP-USAF LR commander selects the winning wing, with input from the region CDD, based on the following: Biennial evaluation results.

- 1) Quality of CD training during the year.
- 2) Wing performance during actual CD missions.
- 3) Cooperation between the wing and federal, state, and local CD agencies.
- 4) Overall effectiveness of the wing’s CD program.
- 5) Thoroughness of mission paperwork/documentation.
- 6) Customer feedback.

1-9. Additional Guidance and References. NHQ/DO will establish and maintain an **Operations Support** web page on the CAP National web site. This web page contains information on CAP’s counterdrug program, help links, viewing of airfield photos, policy letters, information on CAP’s National Counterdrug Orientation and Refresher Training courses, and CAP counterdrug forms.

CHAPTER 2 – COUNTERDRUG PROGRAM PROCEDURES

2-1. General. This chapter defines the requirements for participating in the counterdrug program, qualifications for the counterdrug officer/director and counterdrug mission director positions, general procedures for administering the program, and counterdrug funding and reimbursements.

2-2. Counterdrug Membership Requirements and Currency. The authorization to participate in the counterdrug program is a privilege, not a right. Wing CD members participate in the CD program at the discretion of the wing commander as well as the customer. Region CD staff members participate in the CD program at the discretion of the region commander as well as the customer. Every CAP member having access to or knowledge of actual CAP counterdrug missions and mission results must be a qualified CD member.

a. Appointment. The wing and region commanders select CAP members to participate in their counterdrug program. CAP members will be selected based on the reasonable certainty that the member is of good character and well motivated. They must be an appropriate representative of Civil Air Patrol in duties subject to high profile scrutiny by law enforcement agencies, Civil Air Patrol and Air Force senior commanders, news media and the general public. The following requirements must be met and maintained before the member may participate:

- 1) Be ES mission qualified and current in a specialty that has an application with the CD program.
- 2) Be a senior member, at least 21 years of age, with at least 2 years membership in CAP. Time spent as a cadet may be used to satisfy this requirement.

b. The applicant must complete a CAPF 83, *CAP Counterdrug Application*, and submit it for review to the wing CDO for wing personnel or region CDD for region staff. Only the most current version of the CAPF 83 will be accepted. This form is a two-sided form, printed on the front and back of a single sheet of paper. Ensure the member has filled in all parts of every box on both sides. The wing CDO reviews, signs and forwards the CAPFs 83 to the wing commander to review member eligibility and for signature. The region CDD reviews, signs and forwards region CAPFs 83 to the region commander to review member eligibility and for signature. The customers require the wing or region commander to be actively involved in the counterdrug application and review process and require a wing or region commander signature on all CAPFs 83. Wing and region commanders will not delegate signatory responsibility for the CAPFs 83. When wing or region commanders submit their own individual CAPF 83, they will sign on the line for the applicant as well as the line for the wing/region commander. The wing CDO will review the wing commander's CAPF 83 for completeness and sign on the line for the wing CDO. The region CDD will review the region commander's CAPF 83 for completeness and sign on the line for region CDD. The wing CDO and region CDD submit their CAPFs 83, with original signatures and printed as a two-sided, single-sheet document, to the NHQ CAP Confidential Screening Coordinator (NHQ/PMM) for processing.

c. Screening. NHQ/PMM verifies the applicant's CAP membership and the completeness of the member information on the CAPF 83, enters the pertinent information into the CD database, and forwards it to the appropriate federal agencies for background screening. If a screening agency disapproves member participation, the individual will not be allowed to participate in the CD program. NHQ/PMM will notify the appropriate wing CDO (or region CDD for a region staff member) and the member if the screening agency disapproves member participation. The screening agency does not provide the reason they decline the participation. Once the screening agency disapproves counterdrug program participation, the member has no right to appeal and the decision of the agency is final.

d. Orientation. The member must complete the National Counterdrug Orientation course. The member may not complete the National Counterdrug Orientation course until after the screening process has been completed.

e. Currency. When all the above requirements have been met and proper documentation has been provided to NHQ/PMM, wing/region CD rosters will be updated and the CAPF 101 card will be updated in Ops Quals within eServices. In order to continue to participate in the counterdrug program, the member must maintain the following currency items:

1) Counterdrug members who do not participate in the CD program each year may be dropped from the CD program. The wing CDO will establish a tracking mechanism to insure participation of their wing members'. The region CDD will do the same for region staff. At the end of each fiscal year, the wing commander and CDO will review their list of members who did not participate to determine if the member should be dropped from the CD program (region CDD and region commander for region staff). A member may be retained due to extenuating circumstances such as an extended illness, limited CD flying hours allocated to the wing due to lack of CD funding, limited customer requests for support, etc. The wing commander will make the final determination and notify the CD members who are dropped from the CD program. Any form of participation in the CD program will satisfy this requirement. Some examples are:

a) Completing the National Counterdrug Orientation or National Counterdrug Refresher Training course.

b) Devising scenarios, teaching courses, processing reimbursements, instructing or evaluating personnel.

c) Actual CD mission participation: coordination, mission planning, preflight, flying time, time between sorties on a mission, post-flight, completing paperwork, following-up on mission results, travel to and from a CD base of operations, etc.

d) Performing administrative tasks or duties and providing communications support directly to the CD program.

2) Counterdrug members must complete the National Counterdrug Refresher Training course at least once every 2 years. The National Counterdrug Refresher Training course is an online course available anytime. If an individual does not complete a National Counterdrug Refresher Training course within the 2-year time frame, the member will be suspended from participation in the counterdrug program. The suspended member may participate in CD activities only after completing the course.

3) NHQ/DO may issue individual waivers to these currency and qualification requirements upon written request. The requests for individual waivers must be submitted through the wing CDO and wing commander for wing personnel and region CDD and region commander for region staff.

f. Decertification. Failure to comply with the guidance in this regulation may result in a CD member being decertified and no longer able to participate in any counterdrug activities. A member decertified from the counterdrug program has no avenue of appeal. The wing commander, region commander, NHQ/DO or customer may decertify a CD member for a variety of reasons including but not limited to:

1) Making a false or misleading statement on the initial or rescreening CAPF 83, *CAP Counterdrug Application*.

2) Failure to comply with the CAP Counterdrug Mission Nondisclosure Agreement (see attachment 2).

3) Compromising a counterdrug mission or law enforcement case.

- 4) At the request of a counterdrug agency.
- 5) Violating or compromising a CAP, FAA or supporting law enforcement agency regulation or policy.
- 6) Statement or action causing question of personal integrity.
- 7) Safety violation while participating in a CD mission.
- 8) Violation of the Posse Comitatus Act.
- 9) Conviction of a criminal offense.

10) If a member is arrested in connection with a criminal offense the member will be decertified from the counterdrug program.

NOTE: This does not preclude a review of a decertification if it is believed the action was taken as an act of reprisal IAW CAPR 123-2, Complaints.

NOTE: This section does not, in any way, limit the authority of CAP-USAF to take action with regard to the participation of members in the CD program/missions.

NOTE: Any decertification action taken under this regulation does not preclude further disciplinary action against the member IAW pertinent CAP regulations, up to and including termination of membership.

g. Notification Procedures for Decertifications. NHQ/PMM will notify the wing CDO in writing of wing CD members (region CDD for region staff members) that are decertified from the counterdrug program. The CDO will notify the wing CD member and the wing commander (the CDD will notify the region commander for region staff) of CD member decertification. Notification will be done in writing and a copy maintained in the member's flight or personnel records.

2-3. Mission Nondisclosure. All prospective and current CD members are required to sign the CAPF 83, *Counterdrug Application*. The back portion of the form contains a Civil Air Patrol Counterdrug Mission Nondisclosure Agreement and Civil Air Patrol Counterdrug Mission Statement of Understanding. When a member signs the CAPF 83, he/she agrees to comply with and adhere to the nondisclosure statements contained in attachment 2. Members who are unwilling to agree to comply with these statements will not participate in any CAP counterdrug activity and/or will not be allowed to have any access or knowledge of actual counterdrug missions or counterdrug mission results.

2-4. Chain of Command. Individuals who have questions or need clarification on this regulation or mission requirements should work through the chain of command. Individual CD members should not deal directly with the counterdrug customers or NHQ CAP unless directed to do so by the wing CDO or region CDD. They should instead work through their CDO/CDD. The CDO/CDD will keep the wing DO/region DCS/Ops and the commander informed on all counterdrug missions and activities. The wing/region commanders have ultimate responsibility for his/her counterdrug program.

2-5. Wing CDO, Region CDD, and CMD Position Qualifications. Selecting quality wing CDOs, region CDDs and CMDs is critical to the success of the wing and region counterdrug programs. The region/wing commanders should consider whether candidates possess the following important skills and qualities prior to selecting them as CDD/CDO/CMD. The individual should have demonstrated managerial and organizational skills with supervisory experience. Good computer skills are a requirement with a working knowledge of spreadsheets highly desirable. Counterdrug officers and directors must be able to project a professional appearance and possess good public speaking skills to

properly represent CAP with law enforcement agencies. Counterdrug officers and directors must be self-motivated individuals who are willing to contact state and local law enforcement agencies and nurture an effective working relationship. CDO/CDD/CMD candidates must have the ability to make timely and accurate decisions. They must have a high degree of integrity and be team oriented with strong leadership skills to properly motivate and direct counterdrug members in the wing/region. Counterdrug officers, directors and mission directors and ICs must have a thorough understanding of the CAP counterdrug regulation, policies and program. A pilot with a commercial certificate and current instrument rating is highly desirable. Previous experience as an emergency services incident commander, or a mission base air operations branch director is desirable.

2-6. Memoranda of Understanding. A memorandum of understanding (MOU) is a written agreement that establishes the basis for mutual cooperation and coordination between CAP, CAP-USAF and supported organizations and agencies. A MOU is appropriate when an organization or agency has a recurring need for CAP services and support. All counterdrug MOUs will be initiated by NHQ/DO and will be coordinated with and approved by NHQ CAP, CAP-USAF and appropriate counterdrug agencies. Wings and regions are not authorized to enter into their own MOUs with counterdrug or law enforcement agencies.

2.7. Rules of Evidence and Chain of Custody. Rules of evidence in civilian and military courts generally provide that physical objects cannot be accepted into evidence unless a chain of custody can be established. This is especially true for items subject to adulteration such as illegal/illicit drugs. To ensure admissibility of such evidence and to avoid violating the Posse Comitatus Act, only law enforcement agents should seize, handle and/or maintain custody of items that may be considered as evidence. Therefore, when a law enforcement agency requests CAP to transport evidence or make a controlled delivery, a law enforcement agent is required to be on board to maintain a chain of custody for these items.

2-8. Duty Uniform. All CAP aircrew members will wear an appropriate CAP uniform IAW CAPM 39-1, *CAP Uniform Manual*, on all CAP counterdrug missions. Exception: If a law enforcement agency specifically requests that a CAP uniform not be worn for that specific mission, the NOC may approve this request. If the customer requests a CAP uniform not be worn, this will be justified in the written mission request.

2-9. Standards of Conduct.

a. Counterdrug operations receive a high level of scrutiny from Congress, the media, and general public as well as senior levels of the Department of Defense, federal agencies, and law enforcement agencies. CAP members participating in any counterdrug activity are required to uphold the highest standards of conduct.

b. CAP members who are also law enforcement agents or officials cannot serve in a dual capacity while engaged in counterdrug operations as Civil Air Patrol members. These individuals cannot change roles during a counterdrug mission. If the member begins a mission as a CAP member, he/she must remain serving in the CAP member role until that specific operation has been terminated. Conversely, if a CAP member begins the mission in a law enforcement agent role, he/she cannot serve in a CAP role until that specific operation is terminated. As a general rule, CAP members shall refrain from any involvement that would appear to be a conflict of interest between a CAP role and an LEA action. If a CAP member, in his/her capacity of an LEA, is involved with a case requiring CAP support or has the authority to validate a CAP mission request, that individual will not participate in the mission in a CAP

capacity. CAP members that are a law enforcement officer/agent will not in any way utilize CAP assets in direct or indirect support of their law enforcement agency. Such action may result in decertification of the mission and could result in other administrative action by CAP.

2-10. Dealing with the Media and Public. The public has a right to know appropriate information relative to all of CAP's mission activities. However, any communication on counterdrug activities with the media on behalf of CAP should be done **ONLY** by those individuals who have been designated as a CAP "spokesperson" for a particular activity, i.e., Deputy Director, Public Affairs and wing/region public affairs officers. No one should serve as a counterdrug spokesperson to the media who has not had NHQ CAP/PA media relations training. Should the member be approached by the media and asked questions relative to CAP's participation in the counterdrug program, unless qualified under the positions stated above, the member's response should always be as follows:

"This is a Civil Air Patrol flight crew performing an Air Force-assigned mission. They are not authorized to discuss operational details of the mission. If you need to know additional information concerning this mission, please call Deputy Director, Public Affairs at 877-227-9142, ext 250 or the National Operations Center at 888-211-1812, ext 300, after hours."

Copies of this media statement can be found at Attachment 3 of this regulation. These statements can be copied and cut into cards to be carried with you on the CD mission. If a wing or region public affairs officer is asked to comment on CAP's counterdrug program, their response should be general and without specific mission information. They may release the following statement:

"In 1986, the United States Congress authorized Civil Air Patrol (CAP) to support law enforcement in the government's 'war on drugs.' The mission of CAP's counterdrug program is to assist federal, state and local government and law enforcement agencies involved in the fight to eliminate illicit drug use, production and sale in the United States, its territories and possessions. CAP provides aircraft, aircrews and other personnel to support counterdrug operations – however, CAP does not get involved in law enforcement activities. Unpaid CAP volunteer members who choose to participate in counterdrug operations receive extensive training and additional background screening by appropriate federal agencies prior to participating in counterdrug operations. According to our customers, CAP's counterdrug support assists the government in keeping a tremendous amount of illegal drugs off the street."

The following is a list of guidelines for the wing CDOs and others involved in the counterdrug mission:

- a. CAP does not issue press releases relative to counterdrug missions.
- b. Each CD member should be provided a card with the media response listed above in italics (a template of this statement can be found at Attachment 3 of this regulation).
- c. Law enforcement sensitive information will not be reported outside law enforcement channels. To do so jeopardizes ongoing criminal investigations. Details of counterdrug missions will not be discussed at home, in public places or with individuals who do not have a need for the information in the performance of their official duties for CAP, CAP-USAF or law enforcement agencies. CAP-USAF personnel are authorized access to all counterdrug mission information.
- d. If a CAP wing wants to fly a media person on a counterdrug mission, they must request approval from the appropriate counterdrug customer and the NOC.

2-11. Counterdrug Funding. Funding for CAP's counterdrug program is requested through the U.S. Air Force during the Program Objective Memorandum (POM) cycle. The POM input is calculated based on

a flying hour program to meet validated customer requirements for CAP counterdrug support. CAP members are individually and corporately responsible to Congress, the Air Force and the taxpayers for all federal funds expended for counterdrug activities. Reimbursements may not violate procedures outlined in other CAP regulations or the Joint Federal Travel Regulations.

2-12. Counterdrug Reimbursements. CAP mission costs are reimbursed by the Air Force from Congressionally appropriated funds.

a. Mission Reimbursement. Counterdrug mission reimbursements will be made IAW CAPR 173-3 using a CAPF 108, *CAP Payment/Reimbursement Document for Aviation/Automobile/ Miscellaneous Expenses*.

b. Overnight Reimbursement. All requests for overnight stays, to include ground transportation, in conjunction with operational counterdrug missions must be made to the NOC in advance of the activity. The NOC may approve reimbursement for any of the following:

- 1) An overnight stay is required or requested by the using law enforcement agency (CBP, DEA, etc.) or DoD.
- 2) overnight stay is more cost effective than round trip transportation to the mission location.
- 3) Weather prevents the aircrew's return to base.
- 4) A serious mechanical problem with the aircraft.
- 5) Pilot will exceed maximum duty day IAW CAPR 60-1.
- 6) Mission requirements dictate and judgment shows that an overnight stay is warranted and it makes sense.

CHAPTER 3 – COUNTERDRUG OPERATIONS

3-1. General. This chapter defines flight crew qualifications, authorized missions, mission request and approval procedures and general operational procedures. Participation in CAP counterdrug operations shall be restricted to senior members, at least 21 years of age. All CD members must be emergency services qualified. Members shall have at least the minimum qualifications, as described in the appropriate CAP and FAA regulations, if applicable. All CAP CD members must have completed a counterdrug application, passed their federal agency background screening, and completed the National Counterdrug Orientation course prior to participating in any counterdrug activity. The optimum crew composition on CD airborne reconnaissance missions consists of a mission pilot, mission observer and mission scanner. The minimum crew composition on CD airborne reconnaissance missions consists of a mission pilot and mission observer/scanner. For missions where a law enforcement agent is on board to conduct the reconnaissance or photography, the LEA would fill the mission scanner position.

NOTE: If NHQ suspends a member from the counterdrug program, the member cannot participate in any counterdrug activity unless NHQ/DO specifically approves participation in that activity in writing.

3-2. Flight Crew Qualifications. All counterdrug flight crewmembers must be emergency services qualified and current in the crew position they are filling IAW CAPR 60-1, *CAP Flight Management*, and CAPR 60-3, *CAP Emergency Services Training and Operational Missions*. A pilot performing observer/scanner duties must be observer/scanner qualified. Flight crewmembers must also meet the following qualifications:

a. Pilot-In-Command (PIC).

1) Mountainous Terrain. Counterdrug reconnaissance or photography/imagery missions over terrain designated as mountainous as per Federal Aviation Regulation (FAR Part 95, sub B) shall require completion of a NHQ/DO approved Mountain Flying Clinic.

2) Over-water Missions. Counterdrug over-water missions require completion of a NHQ/DO approved water survival course. Guidelines for conducting overwater operations can be found on the NHQ Stan/Eval website.

3) Counterdrug Transportation Missions. Counterdrug transportation missions require an FAA Commercial Pilot Certificate with a current instrument rating and at least a current Second-Class Medical.

4) Twin-engine Aircraft Missions. Counterdrug twin-engine aircraft missions require a minimum of 500 hours PIC in twin-engine aircraft, a current FAA multiengine land with instrument rating and at least a current Third-Class Medical.

b. Observer/Scanner.

1) Over-water Missions. Counterdrug over-water missions require completion of a NHQ/DO approved water survival course.

2) Special Purpose Missions. Special purpose missions such as digital photography/video scanning, IR imaging, airfield photo, etc., shall require specific training for the type of equipment and techniques associated with the mission needs.

3-3. Authorized Counterdrug Missions. All Air Force-assigned counterdrug missions must have a counterdrug “nexus,” that is they must involve a counterdrug case or operation. Valid operations, when properly authorized IAW paragraph 3-5 include:

- a. Marijuana Eradication Support** – flights conducted to detect suspicious vegetation or likely growing areas for marijuana.
- b. Airborne Reconnaissance** – flown to detect potential drug operations or gather intelligence on isolated areas known to be used by drug traffickers. Also flown on a recurring basis to examine border-crossing areas.
- c. Marine Reconnaissance** – routine reconnaissance to detect and report suspicious marine activity in coastal areas and to detect and identify waterborne vessels.
- d. Airport Reconnaissance** – recurring or periodic reconnaissance of airports or their surrounding access routes for evidence or likelihood of use for drug trafficking.
- e. Airfield Photography** – conducted to locate, identify, photograph, and catalog charted and uncharted airfields and landing areas.
- f. Airborne Video/Digital Photography and Imagery** – flown to document conditions of areas or facilities to detect change, use or suspicious activity.
- g. Communications Support** – usually flown in remote locations to provide an aerial communications relay platform and/or in support of over-water operations where normal communications may be a problem.
- h. Radar Evaluation** – flown to evaluate and calibrate air defense radars and provide controller and/or interceptor training.
- i. Aerial Familiarization of Law Enforcement Agents** – conducted to familiarize agents with aircraft and their use in conducting law enforcement operations.
- j. Transportation Missions** – may be conducted under limited circumstances as described below and IAW CAPR 60-1, attachment 2.

1) Particular attention must be given to ensure the flight is not conducted merely to save the customer time or because there is no requirement for reimbursement. CAP transportation support shall not be utilized if commercial service is able to meet the traveler’s departure and arrival requirements in a 24-hour period unless CAP support is an operational necessity or emergency exists.

2) Transportation requests for travel to give speeches, attend conferences or meetings or make site visits to facilities may be approved. Transportation of drug detecting dogs and their handler(s) is permitted. Carriage of cargo, confiscated items or evidence is permitted provided that cargo is associated with a specific planned or actual operation or trial, or has special security requirements. A law enforcement agent must be on board when transporting confiscated items or evidence to maintain LEA chain of custody.

3) Requests from CAP to fly transportation missions for CAP personnel include cost comparison with commercial carriers and ground transportation. Requests will not be approved where commercial sources present a significant cost saving over a counterdrug-funded aircraft.

4) **CBP**, DEA, FAA, USFS, National Guard personnel and other U.S. government employees are authorized to fly aboard CAP aircraft on counterdrug missions. State, county, and local law enforcement officials may also be authorized to fly aboard CAP aircraft in accordance with written agreements such as MOUs, MOAs or OPLANs and IAW DODD 5525.5 and DODD 4515.13-R for

operational mission only. IAW CAPR 60-1, all non-CAP members eligible to ride aboard CAP aircraft must execute a CAPF 9, *Release (for non-CAP Members)*, prior to the flight. EXCEPTION: Military and federal employees in the performance of their official duties are not required to execute a CAPF 9.

5) All CD missions carrying non-federal, -state or -local government passengers require prior pre- approval.

a) For Air Force assigned actual CD missions, 1AF must approve non-CAP passengers.

b) For Air Force assigned CD training missions, the CAP-USAF/CC must approve non-CAP passengers.

c) For corporate CD missions, the CAP/DO must approve non-CAP passengers.

6) For cost comparisons, requestors will use CAP flying hour cost data (including any positioning or repositioning flying hours) from CAPR 173-3 and compare it to the total cost for the party to use commercial air travel at available coach fare rates. For cost comparisons, rental cars, fuel, lodging, meals and other incidentals may be considered.

7) Every transportation flight carrying non-CAP passengers must be piloted by an FAA-certified Commercial Pilot rating with an Instrument rating and at least a second-class medical certificate.

NOTE: Passenger approval authorities may consider requests, on a case-by-case basis, for exceptions or for missions not covered above.

3-4. Mission Requests. All CAP missions using CD funds require CAP-USAF approval. CAP may only request a CD mission number for CAP-specific missions, such as orientation flights, CAP CD training missions, transportation of CAP members for counterdrug activities, and CD missions supporting CAP DDR activities. All other requests for CAP CD support must originate with a DoD or law enforcement agency. Forward all CD mission requests to the CAP National Operations Center.

3-5. Mission Approval. CAP is authorized by Congress to support valid federal, state and local counterdrug missions. DoD implementation instructions require all CD missions to have a CD "nexus" that is, they must involve a counterdrug case or operational mission and mission support to state and local agencies must be validated by one of the federal counterdrug law enforcement agencies. All CD missions will be approved by CAP-USAF/XO via the CAP National Operations Center.

a. Any federal LEA desiring CAP counterdrug support for federal, state or local agencies will forward a written request to the NOC. State and local agencies should coordinate their requests through one of the federal LEAs. The agency may pre-coordinate with the CDO/CDD to determine support capability prior to contacting the NOC. All requests must contain the following information:

- 1) Requesting agency and requestor's name and phone number.
- 2) Date of request and date mission will be flown.
- 3) Conditions of flight, i.e., night, mountainous, IFR, over water.
- 4) Expected flight duration and cost per hour.
- 5) Any planned remain overnight (RON) stays.

6) All planned sortie information to include originating, en route and destination airfields and mission objectives of each leg.

- 7) Plain English description of mission objective(s). Include any assigned Federal Case Numbers.
 - 8) Aircraft model to be used.
 - 9) List all non-CAP passengers by name and indicate purpose for being on aircraft.
 - 10) Rationale for twin-engine aircraft usage.
 - 11) Transportation requests must include a non-availability certification and/or cost comparison.
- b. The NOC will validate the support request and notify the requesting agency of approval or disapproval. If approved, the NOC will issue an Air Force-assigned mission number and coordinate with the appropriate wing CDO to support the mission request.

3-6. Command and Control. Command and control of CAP resources remains with CAP at all times. All flight operations are conducted in accordance with CAP directives and applicable FARs.

3-7. Mission Coordination.

a. CAP wing commanders and CDOs must ensure close liaison with CBP, DEA, USFS, DoD, and other federal, state and local law enforcement officials who request CAP counterdrug support. CAP CDOs/CDDs will be designated by wing/region commanders and will be the point of contact between the law enforcement agencies/officials and CAP resources for mission planning.

b. The wing counterdrug officer, or designee, will serve as counterdrug mission director for all counterdrug missions. The CMD will be responsible for and track the mission from the assignment of the original support request until the mission is completed and mission results are passed to the requesting agency. A member cannot be the CMD or IC for a mission on which he/she is a crewmember. All counterdrug missions must be released by an authorized flight release officer (FRO). FROs cannot release a flight on which they are the PIC, crewmember, or passenger, except as specifically allowed by CAPR 60-1. The CMD or IC must exercise prudent judgment in executing the counterdrug mission. A thorough assessment of all risks associated with the mission must be accomplished and appropriate controls put in place to ensure safe operations (refer to the operations support website for risk management guidance).

3-8. Mission Execution. Mission execution begins when a wing CDO receives a support request from the NOC. CAP counterdrug MOUs and this regulation define what type of support CAP may provide. All CAP members who participate in these missions must have in their possession a valid CAP membership card, and a CAPF 101 (with the appropriate qualifications for the position the crewmember is filling and CD qualification). CAP personnel at all levels will ensure that pre-operation (liaison) coordination and planning with supported law enforcement agencies address the Risk Management of personnel and equipment throughout the operation. Risk assessment of potential threats to Civil Air Patrol members and property will be conducted during the planning stage. Responsible officials of the CAP, law enforcement agency, U.S. Air Force or any crewmember may suspend a mission or missions in the event unsafe operating conditions exist. The CAP wing commander will be notified as soon as practical in such an event.

3-9. Mission Base Operations. The need for a mission base will vary with the requirements of each mission.

a. In most cases, the CAP counterdrug mission director or IC will be able to telephonically coordinate an entire mission. The CAP CMD or IC may alert, brief, and debrief the mission by

telephone. A CAPF 104 will be used to brief, monitor, and document the flight. When using the telephone, all CD members need to be aware of the sensitivity of the information being discussed to avoid compromising the mission. Landline phones are preferred over cell phones and when discussing information, CD members should use good judgment to ensure that non-CD members do not overhear mission information. If possible, radio contact should be maintained with the mission aircraft. This may be direct, or through any ground station capable of establishing contact or through a high bird.

b. If a military installation becomes a potential operations base, the appropriate state CAP-USAF liaison office will be notified. If required, the LR may be of assistance in coordinating CAP's use of the installation.

3-10. Operational Requirements and Restrictions. The following restrictions will be adhered to by aircrews when flying counterdrug missions:

- a. The PIC must file and activate an FAA flight plan for all counterdrug missions.
- b. Excluding en route legs, reconnaissance missions will be flown in visual meteorological conditions (VMC) only.
- c. Use of twin-engine aircraft on counterdrug missions must be pre-approved by NHQ/DO. Requests to use twin-engine aircraft will be routed through the region CDD.
- d. Except for pyrotechnic signaling devices, carriage of explosives is expressly forbidden.
- e. Law enforcement agents may carry loaded weapons aboard CAP aircraft when serving in a law enforcement capacity. However, law enforcement agents who are also CAP members will not carry their weapons when serving in a CAP capacity.
- f. Ground teams will not participate in counterdrug missions.
- g. Aircrews will not participate in directing law enforcement personnel or aircraft into areas of suspected drug activities, grow sites or drug storage areas.
- h. Prisoners or informants will not be transported.
- i. Flights into foreign sovereign airspace are prohibited. No CAP aircraft may over fly, land or take off from any foreign country to include Canada, Mexico or any Caribbean island that is not a U.S. possession. Flights over international waters are permitted. Of course, CAP aircrews participating in flights in international waters may land at any airport in the event of an emergency in accordance with International Civil Aviation Organizational (ICAO) rules.
- j. CAP cadets may not participate in any counterdrug mission.

3-11. Mission Closure. The pilot-in-command of the mission must ensure the FAA and CAP flight plans are closed. If the mission is cancelled, the mission pilot will notify the aircraft scheduler. A mission cannot be considered as closed until the flight plan has been closed, mission results are reported to the appropriate customer and CMD, IC or CDO, and all paperwork completed. The PIC shall contact the FRO after landing to report flight time and mission closure. In addition, the aircrew administrative paperwork must be accomplished as soon as possible. Financial reporting and reimbursement cannot occur until all aspects of the mission have been **completely** and **correctly** documented and sent to the appropriate agencies.

3-12. Mission Reporting. The success of a mission may be dependent upon the timely flow of information from the aircrew to the responsible agency. Establishing a communications link may

involve both telephone and radio networks. In the case of a joint mission involving CAP and federal law enforcement resources, communications between agencies is even more critical. Overall mission management also relies upon aircrew post-mission reports, with documented results being analyzed for follow-on missions. Reporting is accomplished as follows:

- a.** The aircrew will report significant sightings and any occurrences affecting safety or effectiveness of the mission as soon as possible to the CMD, IC and/or CDO/CDD.
- b.** During a joint mission, the aircrew will report significant sightings and other pertinent information directly to the agency team involved.
- c.** At the completion of the mission, the aircrew will debrief the CMD, IC and/or CDD/CDO and document the mission using a CAPF 104. A copy of the CAPF 104 uploaded or completed online in WMIRS and sent to the requesting agency (according to their requested procedures) within 72 hours of mission completion or cancellation of the mission.

CHAPTER 4 – COUNTERDRUG TRAINING AND EVALUATIONS

4-1. General. This chapter outlines responsibilities and procedures for planning and conducting USAF-assigned training and evaluation missions. Though all CD members must be ES mission qualified, there are still requirements to provide CD specific training in the procedures and skills necessary to accomplish CD missions. CD training cannot be accomplished on actual counterdrug missions. All counterdrug training must be conducted in a sterile training environment and should use actual mission profiles to provide the most realistic training possible.

4-2. Responsibilities.

a. CAP commanders, DO, DCS/Ops, CDD, and CDO are responsible for ensuring an adequate number of qualified CD members are available to support customer requirements for CAP counterdrug support. The wing CDO will develop an annual training plan for counterdrug mission-specific training that will be included in the wing's annual training plan submitted to CAP-USAF. Mission-specific training will include, but not be limited to, operation of digital and video cameras for airborne photography/imagery missions, marijuana spotting techniques, mountain flying training, water survival training, airborne airfield photography, and airborne reconnaissance along U.S. borders. Training missions for digital and video imagery shall place special emphasis on techniques required to meet specific requirements of the requesting agency.

b. CAP-USAF personnel may, at their discretion, monitor any or all CD training missions. CAP-USAF may cancel, suspend, or alter missions as necessary in the interest of safety, if in their opinion, appropriated funds are not being used appropriately; or in the execution of any other oversight responsibility. CAP-USAF personnel will make their concerns known well in advance of the event, when possible, in order to allow event organizers to formulate alternatives. However, nothing within this regulation constrains CAP-USAF from amending missions, as they deem appropriate.

c. The CAP wing/region commander coordinates requested dates for USAF-assigned training/evaluation missions with the respective LR.

d. The CAP region commander monitors each wing's training program and coordinates region-wide training activities. Region commanders review the results of USAF-required evaluations within their region and ensure necessary actions are taken to correct any deficiencies identified.

e. Experienced wing CDOs/CDDs should conduct on-the-job-training (OJT) for newly appointed CDOs/CDDs.

4-3. USAF-Assigned Reimbursable Training and Evaluation Missions.

a. The goal of the USAF reimbursable training mission and evaluation program is to assist CAP in developing and maintaining effective, efficient, and safe mission operations. CD evaluations provide the USAF and CAP with information concerning capabilities and limitations of each wing in the performance of CAP operational missions. Wing training missions are also used to identify and strengthen areas requiring additional emphasis and training.

b. Training missions should be designed to improve the wing's ability to perform mission commitments identified in approved agreements and memorandums of understanding. The responsible wing coordinates participation of state and local law enforcement agencies. At the request of the wing/region commander, LR personnel may assist in coordinating state and local agency involvement in training/evaluation activities.

- c. USAF-assigned training missions are planned to accomplish specific training requirements.
- d. USAF-required evaluations are administered under the control of the CAP-USAFA LR.
- e. During USAF-required evaluation missions, training of operational mission personnel may only be conducted when not detrimental to accomplishment of the evaluation.

4-4. Scheduling and Requesting USAF-Assigned Reimbursable Training or Evaluation Missions.

a. General. Subject to availability of funds, each wing and region is authorized the following evaluation and training missions during the federal fiscal year to evaluate or improve the effectiveness of mission capabilities.

1) CD evaluations are required biennially. These evaluations may be conducted in conjunction with the SAR/DR evaluation. If the CD evaluation is conducted in conjunction with the SAR/DR evaluation, care must be exercised to ensure cadets are not involved in any of the counterdrug activities to include marshaling counterdrug aircraft, signing-in counterdrug members, handing out keys for counterdrug aircraft, performing any administrative or communications duties associated with counterdrug activities, etc. It is highly recommended that the counterdrug activities be conducted at a separate location on the airfield from the SAR/DR activities.

2) Each wing and region is encouraged to schedule CD training missions or exercises during the year to prepare resources to meet customer needs. This training shall be included in the annual wing training plan submitted to CAP-USAFA.

b. Required Evaluation Scheduling. The responsible CAP-USAFA LR will schedule each wing for a CD evaluation at least every other year. The LR will coordinate with the respective CAP wing commander to establish firm dates. Dates for required evaluations will be selected well in advance to permit proper coordination of other region events.

c. USAF-Assigned Reimbursable Training Mission Requesting Procedures.

1) After coordinating the training date(s) with the region CDD, the wing commander and CDO will plan and estimate the cost of the mission and, in each case, enter a training mission request in WMIRS. Requests shall contain a detailed training scenario with specific training objectives to be accomplished and an estimated cost of the mission. Requests will be completed IAW the current WMIRS mission directives and user manual and forwarded to the LR at least 30 days prior to the activity date. The mission scenario should include the following:

a) List in sentence form the achievable objectives of the training mission. The objectives should correspond with the counterdrug mission objectives listed IAW paragraph 3-3 of this regulation.

b) Give detailed information on how the training scenario will support and enhance the wing's ability to perform these missions.

c) Attach an example of any specific mission tasking that will be assigned. (Example – details of a specific photo mission assignment for the aircrew to photograph).

d) List counterdrug unique training areas such as marijuana spotting, soft field landings and take offs – provide specific details.

e) List the approximate number of members expected to attend the training.

f) List in sentence form, what safety areas will be emphasized in the training.

g) If classroom (non-flying) training will be conducted – provide detailed listing of training and what areas will be emphasized.

h) List approximately how many total number of sorties to be conducted by this training mission.

i) Provide the following areas if needed:

1 If non-CAP personnel will participate in the training mission, list their name, connection to CAP's counterdrug missions, and purpose at the training mission. Clearly identify non-CAP personnel that are expected to fly on board CAP aircraft with justification for why they are flying.

2 For multi-wing training missions, list the wings that will participate.

3 If you request reimbursement of expenses for a guest instructor, list instructor's name, arrival date, expected RON costs and costs of any other additional expenses.

2) CAP-USAF LR approves/disapproves in WMIRS, automatically generating a mission number once approved.

NOTE: In the interest of information exchange, neighboring wings are encouraged to visit each other's wing training. (Participation is at host wing commander's discretion.)

4-5. Training Documentation. Documentation of counterdrug mission-specific training such as airborne digital and video imaging, marijuana spotting, water survival training, mountain flying training, airborne airfield photography, etc., should be maintained on each individual CD member. A document annotating course content, training hours, date of successful completion of training and training officer signature should be issued to the CD member. A copy of the training document should be forwarded to the CDO for wing members and CDD for region staff to keep in the CD member's training file maintained by the wing or region staff.

4-6. USAF Reimbursement. Reimbursement procedures will be in accordance with CAPR 173-3.

4.7. Mission Reports. USAF evaluation team members use the CD section in the CAP-USAF Instruction 10-2701 evaluation guide as a checklist for required evaluations. Results of required evaluations are documented and sent to the respective CAP wing/region commander and to HQ CAP-USAF/XO and NHQ/DO. Wing commanders shall review their copy of the required evaluation reports and forward corrective actions for all items rated less than satisfactory (or "no" on a yes/no question) to the CAP region commander, with a copy to the CAP-USAF LR. The wing commander shall forward these responses not later than 30 days following receipt of the report from the USAF evaluation team.

CHAPTER 5 – COUNTERDRUG FORMS AND REPORTS

5-1. General. Civil Air Patrol uses a number of different forms to document its counterdrug missions. These forms provide law enforcement customers valuable information and intelligence on suspicious activity, illegal drug production and trafficking, as well as trends in drug trafficking needed for their counterdrug operations. These forms also provide documentation and an audit trail on the purpose of the missions and mission results. It is important for CAP CD aircrews, CDOs and CDDs to provide thorough and accurate information on all counterdrug forms. Detailed and measurable mission results are crucial in properly documenting mission effectiveness that is used to justify funding for the counterdrug program. The counterdrug forms are frequently updated to meet changing customer requirements and procedures. The most current edition of all forms can be found on the CAP web page and must be used. Failure to use the most current form can lead to a delay in processing the mission packet for reimbursement or not fully meeting the customer's requirements for CAP counterdrug support. The counterdrug mission director or IC should start a mission packet of the appropriate forms listed in this chapter for each CD mission as soon as a mission tasking is received. This could be days or weeks in advance of the mission. All pertinent information on the mission should be included in the mission packet.

5-2 CAPF 83, CAP Counterdrug Application. This application form is used to screen CAP members for participation in counterdrug activities. This form also contains the Civil Air Patrol Counterdrug Mission Nondisclosure Agreement and Civil Air Patrol Counterdrug Mission Statement of Understanding. When a prospective or current counterdrug member signs the CAPF 83, he/she certifies agreement to comply with and adhere with the nondisclosure statements. Ensure all parts of every block on both sides of the form are filled in. The wing or region commander, as appropriate, must sign the form. The wing CDO/region CDD submits the form, with original signatures and printed as a two-sided, single-sheet document, to NHQ/PMM for processing. Making false or misleading statements on this application may result in being denied clearance to participate in counterdrug activities and/or criminal punishment under Title 18 U.S.C. 1001.

5-3. CAPF 104, Mission Flight Plan/Briefing Form. The CAPF 104 is a combination briefing form, mission authorization and CAP flight plan and is used for all mission flight activity. The final report must be either typed or electronically generated prior to being sent to the agency requesting the support mission. All aircraft flight times are to be recorded in tenths of an hour, not minutes, using the Hobbs time, if available. It is important to accurately compute and record all the man-days expended on each mission. The mission objectives, deliverables and results sections are the most important part of the form for the customer requesting the support. These sections report what the original tasking was, what was accomplished and what was actually observed on each mission. It helps document the effectiveness of the mission. The aircrew will obtain and report the coordinates and sufficient descriptive data on sightings to convey to law enforcement officials the suspicious activity observed and to direct LEA to suspect locations. The aircrew should not report "marijuana plant count" or "marijuana plots" – instead they should report "suspicious agricultural growth," "suspicious geometric agricultural shapes" or "suspicious activity on the ground." This is necessary to reduce the possibility of the aircrew being subpoenaed to testify in court by a defense attorney on a drug case. The aircrew will clearly state what the customer's mission objective was for the support request.

5-4. CAPF 108, *CAP Payment/Reimbursement Document for Aviation/Automotive/Miscellaneous Expenses*. This form is used to request reimbursement of the mission and must be filled out for each mission IAW CAPR 173-3.

CHARLES L. CARR, JR.
Major General, CAP
Commander

ATTACHMENT 1 – GLOSSARY, ABBREVIATIONS AND ACRONYMS

ADIZ. Air Defense Identification Zone.

ADNET. Anti-Drug Network.

AEW. Airborne Early Warning.

AFRC. Air Force Reserve Command.

AMO. Office of Air and Marine Operations.

AMOC. Air and Marine Operations Center.

ANG. Air National Guard.

ANR. Alaskan NORAD Region.

AO. Area of Operations.

AOI. Area of Interest.

AOR. Area of Responsibility.

ARNG. Army National Guard.

ARTCC. Air Route Traffic Control Center.

ASIA. Anti-Smuggling Investigators Association.

AWACS. Airborne Warning and Control System.

BATF. Bureau of Alcohol, Tobacco, and Firearms.

BIA. Bureau of Indian Affairs.

BLM. Bureau of Land Management.

C2. Command and control.

CANR. Canadian NORAD Region.

CARIBROC. Caribbean Regional Operations Center.

CBP. Customs and Border Protection

CBRN. Caribbean Basin Radar Network.

CC. Commander.

CD. Counterdrug.

CDD. Counterdrug Director.

CDDA. Assistant Counterdrug Director.

CDO. Counterdrug Officer.

CDOA. Assistant Counterdrug Officer.

CERAP. Caribbean Enroute Radar Approach.

CI. Counterintelligence.

CIA. Central Intelligence Agency.

CINC. Commander in Chief.

CJCS. Chairman of the Joint Chiefs of Staff.

CLEA. Civilian Law Enforcement Agency.

CMD. Counterdrug Mission Director.

CMO. Civil-Military Operations.

CN. Counternarcotics.

CNAC. Customs National Aviation Center.

CND. Counternarcotics Division.

COA. Course of Action.

CONOPS. Concept of Operations.

CONR. CONUS NORAD Region.

CONUS. Continental United States.

COTHEN. Customs Over-the-Horizon Enforcement Network.

D&M. Detection and Monitoring.

DASD/CN. Deputy Assistant Secretary of Defense, Counternarcotics.

DCE/SP. Domestic Cannabis Eradication/Suppression Program.

DEA. Drug Enforcement Administration.

DHS. Department of Homeland Security.

DLEA. Drug Law Enforcement Agency/Agent.

DOD. Department of Defense.

DOI. Department of the Interior.

DOJ. Department of Justice.

DOT. Department of Transportation.

DSN. Defense Switched Network.

EPIC. El Paso Intelligence Center.

FAA. Federal Aviation Administration.

FAR. Federal Aviation Regulation.

FBI. Federal Bureau of Investigation.

FLIR. Forward Looking Infrared.

FMS. Flight Management System.

GANTSEC. Greater Antilles Section.

GBR. Ground-Based Radar.

HCL. Hydrochloride.

HIDTA. High Intensity Drug Trafficking Area.

ICAO. International Civil Aviation Organization.

IFF. Identification, Friend or Foe.

IMINT. Imagery Intelligence.

INS. Immigration and Naturalization Service.

J-2. Intelligence directorate of a joint staff.

J-3. Operations directorate of a joint staff.

J-4. Logistic directorate of a joint staff.

J-5. Plans directorate of a joint staff.

J-6. Command, control, communications, and computer systems directorate of a joint staff.

JCS. Joint Chiefs of Staff.

JIATF. Joint Interagency Task Force.

JIATF-E. Joint Interagency Task Force – East.

JIATF-S. Joint Interagency Task Force – South.

JIATF-W. Joint Interagency Task Force – West.

JOA. Joint Operations Area.

JOCC. Joint Operation Command Center.

JSS. Joint Surveillance System.

JTF. Joint Task Force.
JTF-N. Joint Task Force – North.
LEA. Law Enforcement Agency/Agent.
LES. Law Enforcement Sensitive.
LO. Liaison Office.
LR. Liaison Region.
LOS. Line of Sight.
LP. Listening Post.
MARSA. Military Assumes Responsibility for Separation of Aircraft.
MCA. Military Civic Action.
MCTFT. MultiJurisdictional Counterdrug Task-Force Training.
MLE. Maritime Law Enforcement.
MOA. Memorandum of Agreement/Military Operating Area.
MOU. Memorandum of Understanding.
MPA. Maritime Patrol Aircraft.
MTT. Mobile Training Team.
NAC. NORAD Air Center.
NAI. Named Area of Interest.
NBRF. Northern Border Response Force.
NCA. National Command Authorities.
NCDC. National Counterdrug Chairman.
NCS. National Communications System.
NDCS. National Drug Control Strategy.
NG. National Guard.
NGB. National Guard Bureau.
NEADS. Northeast Air Defense Sector.
NICI. National Interagency Counternarcotics Institute.
NM. Nautical Mile.
NOC. National Operations Center
NOPAR. Do Not Pass to Air Defense Radar.
NORAD. North American Aerospace Defense Command.
NPS. National Park Service.
NSC. National Security Council.
OA. Operational Area.
O&M. Operation and Maintenance
OAJCG. Operation Alliance Joint Command Group.
OCDETF. Organized Crime Drug Enforcement Task Force.
OCONUS. Outside the Continental United States.
OI. Office of Intelligence/Operating Instruction.
OIC. Office in Charge.
ONDCP. Office of National Drug Control Policy.
OP. Observation Post.
OPBAT. Operation Bahamas, Turks and Caicos.
OPCON. Operational Control.
OPLAN. Operational Plan.
OPSEC. Operations Security.
OSD. Office of the Secretary of Defense.
PC. Patrol Craft.
POE. Port of Entry.
POM. Program Objective Memorandum.
PROC. Puerto Rican Operations Center.
PRRIS. Puerto Rican Integration System.
RAC. Resident Agent in Charge.
ROAC. Regional Air Operations Center.
RADES. Radar Evaluation Squadron (i.e., 84th RADES).
RCMP. Royal Canadian Mounted Police.
ROE. Rules of Engagement.
ROTHR. Relocatable Over-The-Horizon-Backscatter Radar.
SA. Special Agent.
SAC. Special Agent in Charge.
SAOC. Sector Air Operations Center.
SATCOM. Satellite Communications.
SEADS. Southeast Air Defense
SecDef. Secretary of Defense
SPADE. Simulated Penetration Air Defense Exercise.
SPIN. Special Instructions.

ATTACHMENT 2 – COUNTERDRUG MISSION NONDISCLOSURE

Civil Air Patrol Counterdrug Mission Nondisclosure Agreement. By signing this form, I realize that due to my current affiliation with the Drug Enforcement Administration (DEA), Bureau of Immigration and Customs Enforcement, and U.S. Forest Service (USFS), I hereby declare that I intend to be governed by and will comply with the following provisions:

a. I understand that unauthorized disclosure of information I may acquire as a Civil Air Patrol counterdrug mission crewmember could place human life in jeopardy, or result in the denial of “due process” to a person or persons who are targets of investigations, or prevent the above listed agencies from effectively discharging their responsibilities.

b. I agree that I will never divulge, publish, or reveal either by word or conduct or by any other means disclose to any unauthorized recipient, any information acquired as part of the performance of my duties as a CD crewmember or CD mission director where any such divulgence, publication revelation or disclosure would be contrary to law, regulation or public policy.

c. I understand unauthorized disclosure could be a violation of Federal law and subject to prosecution as a criminal offense and/or civil suit. I accept the above provisions as conditions for my participation in the CAP CD mission. I agree to comply with these provisions both during my tenure in the CAP CD mission and following termination of such tenure.

d. I authorize law enforcement agencies to conduct background checks during the screening process.

Civil Air Patrol Counterdrug Mission Statement of Understanding. Pursuant to the Agreement among the Civil Air Patrol, Drug Enforcement Administration, Bureau of Immigration and Customs Enforcement, U.S. Forest Service and the U.S. Air Force, I may be asked to assist the Bureau of Immigration and Customs Enforcement, Drug Enforcement Administration, or Forest Service by providing and operating CAP aircraft for law enforcement officers who will conduct reconnaissance to detect illegal activity. I understand the dangers that may result from these reconnaissance flights, which might put me in close proximity to armed drug traffickers. However, I agree I will neither possess nor use any weapons while on a counterdrug mission, nor will I physically participate in arrest or detention procedures or search and seizure of evidence. I further understand that due to the sensitive nature of this mission, a security screening of participating CAP member is required.

ATTACHMENT 3 – COUNTERDRUG MEDIA CARDS

This is a Civil Air Patrol flight crew performing an Air Force-assigned mission. They are not authorized to discuss operational details of the mission. If you need to know additional information concerning this mission, please call Public Affairs at 877-227-9142, ext 250 or after hours, call the National Operations Center at 888-211-1812, ext 300.

This is a Civil Air Patrol flight crew performing an Air Force-assigned mission. They are not authorized to discuss operational details of the mission. If you need to know additional information concerning this mission, please call Public Affairs at 877-227-9142, ext 250 or after hours, call the National Operations Center at 888-211-1812, ext 300.

This is a Civil Air Patrol flight crew performing an Air Force-assigned mission. They are not authorized to discuss operational details of the mission. If you need to know additional information concerning this mission, please call Public Affairs at 877-227-9142, ext 250 or after hours, call the National Operations Center at 888-211-1812, ext 300.

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