

November 2012

# HOMELAND SECURITY

## Civil Air Patrol Involved in Certain Missions, but DHS Should Assess the Benefits of Further Involvement



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## Why GAO Did This Study

Homeland security partnerships may grow increasingly important as fiscal constraints provide impetus for federal agencies to look to partners for mission support. One partner is CAP, a congressionally chartered, federally funded, nonprofit corporation with approximately 61,000 volunteer members that can function as the auxiliary of the U.S. Air Force. CAP conducts missions throughout the United States, including counterdrug, disaster relief, and search and rescue, using mostly single-engine aircraft. The conference report accompanying the fiscal year 2012 DHS appropriations act directed that GAO study the functions and capabilities of CAP to support homeland security missions. In response to the mandate, this report addresses (1) the extent to which CAP has been used to perform homeland security missions to date at the local, state, and federal levels, and (2) the factors that should be considered in determining CAP's ability to support additional homeland security missions and the extent to which DHS has assessed CAP's capabilities and resources to accomplish such missions. GAO reviewed laws and guidance; analyzed fiscal year 2011 CAP flight data; and interviewed officials from DHS, the Air Force, CAP, and a nongeneralizable sample of 10 of 52 state-level CAP wings.

## What GAO Recommends

GAO recommends that DHS, in coordination with the Air Force, cost-effectively assess the extent to which CAP can further assist DHS with future homeland security missions. DHS concurred with the recommendation.

View [GAO-13-56](#). For more information, contact Carol R. Cha at (202) 512-4456 or [chac@gao.gov](mailto:chac@gao.gov), or Brian J. Lepore at (202) 512-4523 or [leporeb@gao.gov](mailto:leporeb@gao.gov).

## HOMELAND SECURITY

### Civil Air Patrol Involved in Certain Missions, but DHS Should Assess the Benefits of Further Involvement

## What GAO Found

The Civil Air Patrol (CAP) has performed certain homeland security missions for federal, state, and local customers, but devotes the majority of its flying hours to training and youth programs. Several of CAP's mission areas fit within the Department of Homeland Security's (DHS) definition of homeland security, as found in the *Quadrennial Homeland Security Review Report* (QHSR)—a strategic framework for homeland security. For example, CAP disaster assistance and air defense activities relate to the QHSR mission areas of ensuring resilience to disasters and preventing terrorism and enhancing security, respectively. CAP has performed some of these activities in support of DHS components, including the Federal Emergency Management Agency (FEMA), U.S. Customs and Border Protection (CBP), and the Coast Guard, as well as state and local governments. For example, CAP has provided disaster imagery to FEMA, performed certain border reconnaissance for CBP, and assisted the Coast Guard in providing air support during the Deepwater Horizon oil spill. CAP has also performed homeland security-related activities for other customers, such as the U.S. Air Force. For example, 9 of the 10 CAP wings GAO spoke with had participated in military readiness exercises where CAP aircraft provided mock targets for military interceptor aircraft or ground-based radar. CAP's participation in homeland security activities accounted for approximately 9 percent of its fiscal year 2011 flying hours, but the majority of its flying hours (approximately 63 percent) were devoted to training and flying orientation, with the remaining devoted to other activities such as counterdrug and maintenance.

Several factors affect CAP's ability to support homeland security missions, and DHS and its components have not yet assessed how CAP could be used to perform certain homeland security missions. These factors—including legal parameters, mission funding, existing capabilities, and capacity—were issues cited by the DHS components and Air Force and CAP officials GAO contacted that could affect CAP's suitability for additional homeland security missions. For example, as an Air Force auxiliary, CAP is subject to laws and regulations governing the use of the military in support of law enforcement, which, among other things, allow CAP to conduct aerial surveillance in certain situations, but preclude its participation in the interdiction of vehicles, vessels, or aircraft. Similarly, while CAP's existing operational capabilities—aircraft and vehicles, personnel, and technology—position it well to support certain homeland security missions, they also limit its suitability for others. For example, FEMA officials cited the role of CAP imagery in providing useful situational awareness during the initial stages of some past natural disasters, while, in contrast, officials from CBP and the Coast Guard noted limitations such as inadequate imagery capabilities and insufficient detection technology. Although the components we contacted provided varying opinions regarding CAP's suitability for certain homeland security activities, DHS has not assessed CAP's capabilities and resources or determined the extent to which CAP could be used to support future homeland security activities. By assessing the ability of CAP to provide additional homeland security capabilities in a budget-constrained environment, DHS in coordination with the Air Force could position itself to better understand, and potentially utilize, another resource to accomplish its homeland security missions.

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### **Abbreviations**

CAP	Civil Air Patrol
CAP-USAF	Civil Air Patrol-United States Air Force
CBP	U.S. Customs and Border Protection
DHS	Department of Homeland Security
FEMA	Federal Emergency Management Agency
QHSR	<i>Quadrennial Homeland Security Review</i>

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United States Government Accountability Office  
Washington, DC 20548

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November 1, 2012

The Honorable Mary Landrieu  
Chairman  
The Honorable Dan Coats  
Ranking Member  
Subcommittee on Homeland Security  
Committee on Appropriations  
United States Senate

The Honorable Robert Aderholt  
Chairman  
The Honorable David Price  
Ranking Member  
Subcommittee on Homeland Security  
Committee on Appropriations  
House of Representatives

The events of September 11, 2001, emphasized the concept of homeland security as a shared responsibility across a variety of federal, state, local, and private entities. The Department of Homeland Security (DHS)—in its 2010 *Quadrennial Homeland Security Review Report* (QHSR)—specified five homeland security mission areas: (1) preventing terrorism and enhancing security, (2) securing and managing our borders, (3) enforcing and administering our immigration laws, (4) safeguarding and securing cyberspace, and (5) ensuring resilience to disasters.<sup>1</sup> The QHSR report highlights the importance of partnerships among federal, state, local, tribal, territorial, nongovernmental, and private sector entities in accomplishing these missions, and, more broadly, in ensuring the safety and security of America and the American population. Such partnerships may assume increasing importance as fiscal constraints provide impetus for federal agencies to look to community partners to provide more support for homeland security activities.

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<sup>1</sup>DHS, *Quadrennial Homeland Security Review Report: A Strategic Framework for a Secure Homeland* (Washington, D.C.: February 2010). The *Quadrennial Homeland Security Review Report* outlines a strategic framework for homeland security to guide the activities of homeland security partners including federal, state, local, and tribal government agencies; the private sector; and nongovernmental organizations. For the purposes of this report, we have used the five mission areas in the *Quadrennial Homeland Security Review Report* to determine what constitutes a homeland security activity.

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The Civil Air Patrol (CAP) is a congressionally chartered, private, nonprofit corporation that functions as an auxiliary to the United States Air Force when providing support to a federal agency. In fiscal year 2012, Congress appropriated approximately \$38 million to fund CAP.<sup>2</sup> CAP's membership includes approximately 61,000 volunteer members spread across 52 wings located in the 50 states, the District of Columbia, and Puerto Rico.<sup>3</sup> Using mostly single-engine aircraft, CAP conducts a variety of missions in support of federal, state, local, and nongovernmental entities, including search and rescue, counterdrug, disaster relief, air defense training, and communications support, among others. The conference report accompanying the DHS appropriations act for fiscal year 2012 directed GAO to study and report on the functions and capabilities of CAP to support homeland security missions.<sup>4</sup> In response to this mandate, this report addresses

- 1) the extent to which CAP has been used to perform certain homeland security missions to date at the local, state, and federal levels, and
- 2) the factors that should be considered in determining CAP's ability to support additional homeland security missions and the extent to which DHS has assessed CAP's capabilities and resources to accomplish such missions.

To determine the extent that CAP has been used to perform homeland security missions, we analyzed CAP flight hours to determine the number and type of homeland security missions conducted by CAP based on the five homeland security missions outlined by DHS's QHSR. Specifically, we analyzed flight data from fiscal year 2011, as the most recent full year of flight data available at the time of our review, and spoke with CAP wing officials regarding their participation in missions over the last few years to determine any trends in CAP's participation in homeland security missions for federal, state, and local customers. To assess the reliability of these data, we spoke with CAP officials to gain an understanding of the

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<sup>2</sup>Pub. L. No. 112-74, § 8022, 125 Stat. 786, 809 (2011).

<sup>3</sup>A wing represents the state-level organization of CAP (including the District of Columbia and Puerto Rico). A wing is composed of the wing headquarters and all units within its geographical boundaries, including individual squadrons.

<sup>4</sup>H.R. Rep. No. 112-331, at 963 (2011) (Conf. Rep.).

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processes and databases used to collect and record flight data and to understand existing quality control procedures and known limitations. For the purposes of our report, we found these data to be sufficiently reliable. We also interviewed officials from DHS and its components, CAP headquarters, 10 out of 52 CAP wings, and the U.S. Air Force. We selected the 10 CAP wings based on their involvement in homeland security activities in the National Capital Region, along the border, and in disaster-prone areas.<sup>5</sup> While these interviews are not generalizable to all CAP wings across the country, they provided a range of perspectives related to CAP operations and homeland security missions. Finally, we also interviewed officials from the Department of Justice's Drug Enforcement Administration to discuss CAP's role in counterdrug operations as well as their views on CAP's effectiveness during these missions.

To determine the factors that should be considered in determining CAP's ability to support additional homeland security missions, and the extent to which DHS and its components have assessed the capabilities and resources of CAP to accomplish such missions, we reviewed pertinent laws, regulations, and internal CAP guidance for any restrictions on CAP's activities, as well as selected mission paperwork and current and past agreements between CAP and other organizations to identify common parameters for CAP operations. In addition, we interviewed CAP and Air Force officials regarding any specific mission approval criteria and funding requirements, and analyzed flight data to determine any trends that might reflect on CAP's capacity to assume additional missions. Further, we interviewed DHS components regarding their past experiences with CAP during homeland security-type operations, their overall assessment of CAP's performance during these operations, and their willingness to continue to use CAP for these missions based on past experiences. We also interviewed DHS and component officials to identify any assessments DHS or its components have conducted related to CAP's role in homeland security. Specifically, we spoke with officials from DHS's Office of Policy, U.S. Customs and Border Protection (CBP), the Federal Emergency Management Agency (FEMA), and the Coast Guard to discuss their experiences and relationships with CAP as well as their views on expanding CAP's role in other homeland security missions. We

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<sup>5</sup>Specifically, we spoke with officials from the Alabama; Arizona; Florida; Georgia; Maryland; New Mexico; Texas; Virginia; Washington; and Washington, D.C. wings.

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also interviewed Air Force and CAP officials and reviewed relevant documentation to identify past or ongoing efforts to develop formal agreements between CAP and DHS related to future homeland security assistance. We compared DHS's efforts to assess CAP's capabilities and resources with our past work on effective collaboration and on conducting assessments to determine the extent to which DHS had assessed CAP as a potential homeland security partner.<sup>6</sup>

We conducted this performance audit from March 2012 through November 2012 in accordance with generally accepted government auditing standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives.

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## Background

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### DHS's Mission

In early 2010, DHS defined its mission and strategy for responding to homeland security threats. The result of this effort was the completion of the QHSR report—a strategic framework to guide the activities of participants in homeland security toward a common goal. One of the key themes of the QHSR report is the importance of sharing homeland security responsibilities across a variety of actors including federal, state, local, tribal, territorial, nongovernmental, and private sector entities. Emphasizing this shared responsibility, the QHSR report notes that in some areas—such as border security or immigration management—DHS possesses unique capabilities and responsibilities that are not likely to be found elsewhere. However, in other areas, such as critical infrastructure protection or emergency management, DHS mainly provides leadership and stewardship because the capabilities for these areas are often found at the state and local levels.

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<sup>6</sup>See, for example GAO, *Catastrophic Disasters: Enhanced Leadership, Capabilities, and Accountability Controls Will Improve the Effectiveness of the Nation's Preparedness, Response, and Recovery System*, [GAO-06-618](#) (Washington, D.C.: Sept. 6, 2006), and *Results Oriented Government: Practices That Can Help Enhance and Sustain Collaboration among Federal Agencies*, [GAO-06-15](#), (Washington, D.C.: Oct. 21, 2005).

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## History and Administrative Structure of CAP

In December 1941, CAP was established out of the desire of civil airmen of the country to be mobilized with their equipment in the common defense of the Nation. Under the jurisdiction of the Army's Air Forces, CAP pilots were active during World War II, performing border patrol, search and rescue, and emergency transport, among other missions. In 1946, CAP was established as a federally chartered organization.<sup>7</sup> In 1948, shortly after the Air Force was established, CAP was designated as the civilian auxiliary of the Air Force,<sup>8</sup> and later, in October 2000, CAP was designated as the volunteer civilian auxiliary of the Air Force when CAP provides services to any department or agency in any branch of the federal government.<sup>9</sup> CAP has three missions: aerospace education, cadet programs, and emergency services.

As a nonprofit organization, CAP has a unique relationship with the Air Force, which may use CAP's services to fulfill its noncombat programs and missions. The Secretary of the Air Force governs the conduct of CAP when it is operating as the auxiliary of the Air Force and prescribes regulations governing the conduct of CAP. CAP is embedded in the Air Force's command structure under the Air Education and Training Command.<sup>10</sup> The Air Force includes CAP in its internal budget process, provides technical advice to ensure flying safety, ensures that CAP's federal funds are used appropriately, and provides building space, among other things.<sup>11</sup> CAP also has its own administrative structure governed by a volunteer national commander, national vice-commander, and an 11 member Board of Governors. A paid chief operating officer manages CAP's headquarters at Maxwell Air Force Base in Montgomery, Alabama.

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<sup>7</sup>60 Stat. 346, 347 (1946).

<sup>8</sup>62 Stat. 274, 275 (1948).

<sup>9</sup>10 U.S.C. § 9442.

<sup>10</sup>The Air Force's Air Education and Training Command provides basic military training, initial and advanced technical training, flight training, and professional military and degree-granting professional education.

<sup>11</sup>In October 2000 and October 2001, the Air Force and CAP finalized a joint Cooperative Agreement and Statement of Work, respectively. The purpose of the cooperative agreement was to clarify the relationship by specifying the Air Force's and CAP's responsibilities. The statement of work specifies certain accountability and management requirements under the cooperative agreement and permits the Air Force to temporarily restrict CAP wings from receiving federal funds if the Air Force determines that CAP has inadequate control over its resources.

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However, the chief operating officer has no command authority over the volunteers and assets spread throughout the United States.

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## Field Organization and Resources of CAP

CAP is divided into eight geographic regions consisting of 52 state wings (the 50 states, Puerto Rico, and the District of Columbia). Each state wing is divided into smaller squadrons, of which there are approximately 1,500 nationwide. CAP has more than 61,000 members divided between cadet (26,725) and adult (34,693) members.<sup>12</sup> According to CAP officials, of the adult members, there are approximately 3,000 active mission pilots.<sup>13</sup> Nonpilot adult members contribute to the organization in various ways, serving as crew members, administering wing operations, and managing cadet programs, among other things. CAP has 550 single-engine aircraft, 42 gliders, and 960 vehicles. Figure 1 depicts a CAP aircraft.

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**Figure 1: CAP Cessna 182**



Source: CAP.

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<sup>12</sup>Cadet programs are for youth ages 12-20. Cadets are educated in four main program areas: leadership, aerospace, fitness, and character development.

<sup>13</sup>A CAP mission pilot is an individual CAP member authorized to fly CAP missions as well as transport CAP personnel and equipment.

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## CAP Funding and Mission Approval Process

The majority of CAP's operating budget comes from funds included in the Department of Defense's appropriation and designated by Congress for CAP. CAP is included in the Air Force's internal budgeting process and submits each year a financial plan to the Air Force for consideration. CAP's financial plan is reviewed and adjusted by both the Air Education and Training Command and Air Force headquarters. According to an Air Force official involved with CAP's budget submission, the Air Force attempts to ensure that CAP receives at least the same amount of funding it had the previous year. However, CAP is competing against other Air Force priorities in the normal Air Force budget development process. Still, according to the Air Force official, CAP often receives additional funding from Congress above the Air Force's request. For example, in fiscal year 2011, Congress provided an additional \$4.2 million of funding above the Air Force's request. See table 1 for CAP's appropriations since fiscal year 2007.

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**Table 1: CAP Appropriations since Fiscal Year 2007**

(Dollars in millions)

Fiscal Year	Appropriations
2007	\$36.0
2008	\$33.7
2009	\$34.9
2010	\$33.8
2011	\$30.4
2012	\$37.7

Source: GAO analysis of U.S. Air Force data.

The funds in table 1 are used to reimburse CAP for some Air Force-assigned missions, cover the costs associated with maintenance, and fund aircraft and other procurement, including vehicles. For example, these funds cover mission costs associated with some Air Force-assigned missions, such as air intercept exercises and counterdrug activities. CAP also receives mission reimbursement from other federal, state, and local agencies. For example, in fiscal year 2011, FEMA reimbursed CAP approximately \$155,000 for a variety of disaster-related missions. In addition, CAP receives funding from other sources throughout the course of the year, including state appropriations, membership dues, and member contributions. In fiscal year 2011, CAP received approximately \$3.2 million in appropriations from 37 states. State funding is sometimes earmarked for a specific state activity, such as disaster response. CAP also received in fiscal year 2011 \$3,076,925 in membership dues.

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CAP can conduct missions either as an auxiliary of the Air Force or in its corporate status.<sup>14</sup> Approximately 75 percent of CAP's missions are conducted in Air Force auxiliary status. While all missions in support of federal agencies must be conducted in its Air Force auxiliary status, CAP may conduct missions in its corporate status on behalf of state and local agencies and nongovernmental organizations. CAP pilots are not afforded federal protections when they fly in corporate status.<sup>15</sup>

All requests for CAP operational missions—with the exception of corporate missions and those for Alaska and Hawaii—are coordinated through CAP's National Operations Center and approved by 1st Air Force.<sup>16</sup> Agencies requesting CAP support contact the CAP National Operations Center with a formal request for support. The National Operations Center works with the requesting agency and the CAP wing to develop an operations plan, budget, and funding documents for the mission. These are then forwarded to 1st Air Force, which conducts legal, funding, operations, and risk management reviews to ensure that the mission meets CAP requirements. Once these reviews are complete, the Air Force can approve the mission and CAP can task its wings with the assignment. CAP corporate missions undergo a similar review process—wherein legal, funding, and risk reviews are conducted—but are not routed through the Air Force for approval.

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<sup>14</sup>Missions flown as the Air Force auxiliary must have a "federal interest." According to Air Force officials, the definition of "federal interest" was expanded after Hurricane Katrina and can include such justifications as providing situational awareness to the Air Force, monitoring of state situations by the federal government, or checking on the status of federal buildings or land.

<sup>15</sup>When flying as members of the Air Force auxiliary, CAP pilots are covered by certain federal protections, such as the Federal Employees Compensation Act. See 5 U.S.C. § 8141.

<sup>16</sup>These missions are flown under the authority of U.S. Northern Command, the joint command responsible for the continental United States. CAP receives taskings from the air component of Northern Command, 1st Air Force, located at Tyndall Air Force Base, Florida. Missions in Alaska and Hawaii follow the same process, but are approved by 11th Air Force (Alaska) or 13th Air Force (Hawaii).

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## CAP Has Performed Certain Homeland Security Missions for Federal, State, and Local Customers

Our review of fiscal year 2011 CAP flight hour data and discussions with officials from 10 CAP wings show that CAP has performed missions that fit within three of the five QHSR homeland security mission areas: (1) preventing terrorism and enhancing security, (2) securing and managing borders, and (3) disaster response.<sup>17</sup> CAP missions related to these areas have accounted for 9 percent of CAP's flying hours; however, CAP has devoted the majority of its flying hours (approximately 63 percent) to training for these and other missions and cadet and Reserve Officer Training Corps flying orientations. The remaining 28 percent of CAP's missions consisted chiefly of assistance to law enforcement for domestic drug interdiction activities, such as marijuana crop identification, and maintenance-related flights.

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## Air Force Auxiliary Missions Include Some Homeland Security Activities, but Consist Primarily of Training and Flight Orientation

CAP flight hour data for fiscal year 2011 show that CAP participated in a variety of homeland security activities, but that a majority of the organization's Air Force-assigned flying time was devoted to training and flying orientation for cadets and Reserve Officer Training Corps members. Specifically, CAP devoted about 63 percent (46,132 hours) of its total Air Force-assigned mission flying hours to training and flying orientations.<sup>18</sup> Of the remaining 37 percent of Air Force-assigned flight hours, 9 percent (6,575 hours) were dedicated to homeland security-related missions. For example, CAP reported 2,583 Air Force-assigned hours devoted to air defense, which includes CAP's participation in the Department of Defense's low-flying aircraft readiness exercises and exercises for training military pilots to intercept low-flying aircraft. These missions relate to the homeland security mission area of preventing terrorism and enhancing security. CAP also devoted 2,314 Air Force-assigned flight hours to defense support to civilian authorities/disaster relief, corresponding to the homeland security mission area of ensuring

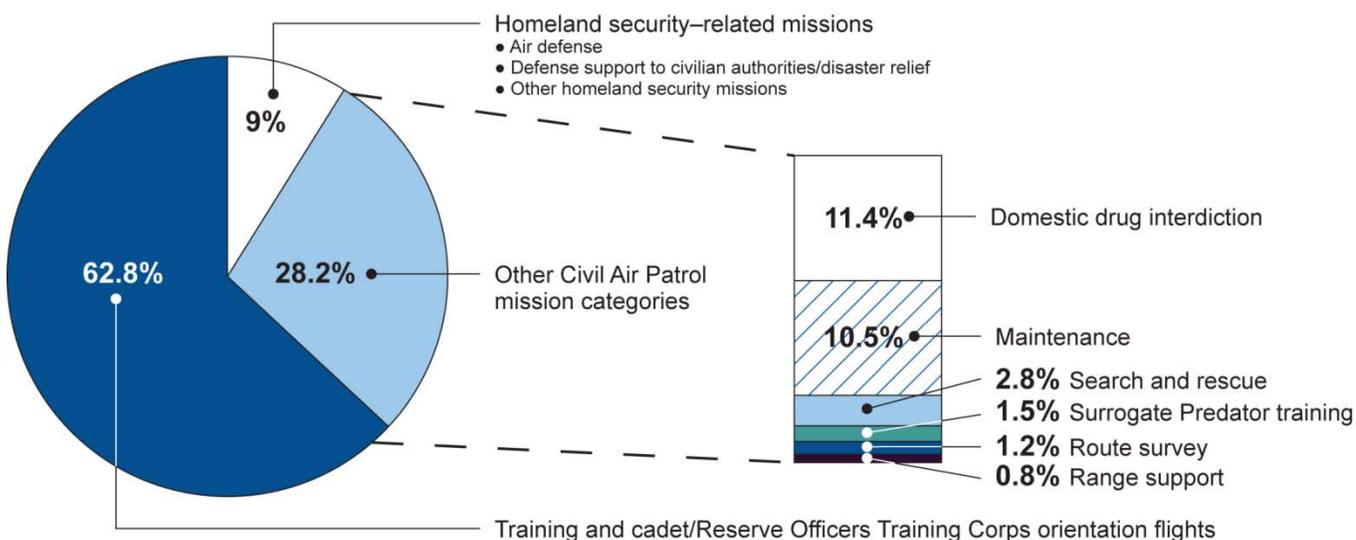
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<sup>17</sup>The other two homeland security categories are enforcing and administering our immigration laws and safeguarding and securing cyberspace.

<sup>18</sup>Training includes flights to train CAP personnel in conducting operational missions. Orientation flights for CAP cadets and Reserve Officer Training Corps members include those in both powered and glider aircraft.

resilience to disasters. Figure 2 provides a breakdown of CAP fiscal year 2011 flight hours by mission.<sup>19</sup>

**Figure 2: CAP Fiscal Year 2011 Air Force Auxiliary Flying Hours by Type of Mission**



Source: CAP.

Notes: Maintenance includes flights in support of aircraft delivery and pickup.

For Surrogate Predator training, CAP employs modified aircraft to carry special full-motion in-flight video equipment that is used to help train U.S. military ground personnel in remotely piloted aircraft operations before they deploy overseas.

Other homeland security missions includes flights CAP performed for federal, state, and local entities such as escorting naval vessels and reconnaissance flights related to safety planning (e.g., determining potential evacuation routes) for various events.

Some CAP drug interdiction missions, such as certain border reconnaissance, may relate to the QHSR homeland security mission areas of terrorism prevention and border security. However, most of CAP's drug interdiction missions support inland crop detection efforts and are therefore presented separately in the figure from the homeland security-related missions.

CAP headquarters and officials from all 10 CAP wings we spoke with generally concurred that the fiscal year 2011 flight hours are reflective of their activities in recent years—that is, training and cadet activities have accounted for the majority of their missions. CAP intends for its training

<sup>19</sup>CAP reported a total of 102,565 total flying hours for fiscal year 2011. Of this amount, 73,435 hours—or 72 percent—were Air Force auxiliary missions, depicted in figure 2. The remaining 29,130 flying hours consisted of CAP corporate missions, such as cadet flights and pilot proficiency and check rides (26,706 hours), and flights where Air Force personnel flew CAP aircraft (2,424 hours).

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and pilot certification missions to prepare its pilots and other volunteers to perform homeland security-related missions. In addition, CAP wing officials told us that they have modified training schedules to accommodate the demand for real-world missions when they have occurred—including those related to homeland security—and will continue to do so in the future.

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### All 10 Select CAP Wings Performed Homeland Security Missions for Federal, State, and Local Customers

Officials from all 10 CAP wings we spoke with said their wings had performed missions related to at least one of the three QHSR mission areas covered by CAP for a variety of federal, state, and local customers. For example, 9 of the 10 wings had contributed to preventing terrorism and enhancing security by participating in military readiness exercises where CAP aircraft acted as mock targets for airborne interceptors or ground-based radar. In most cases CAP aircraft acted as slow-moving, potentially hostile targets that were identified, tracked, and escorted by active-duty, reserve or state Air National Guard radar or airborne fighters. Figure 3 shows examples of these and other homeland security missions conducted by the 10 CAP wings during fiscal years 2007 through 2012.

**Figure 3: Examples of Homeland Security Missions Conducted by Selected CAP Wings from Fiscal Years 2007 through 2012**

CAP wing	Mission description and Homeland Security mission	Primary customer	CAP wing	Mission description and Homeland Security mission	Primary customer
Alabama	 Air defense training/mock intercept missions	Federal	Texas	 Border reconnaissance	Federal
	 Deepwater Horizon shore patrols	Federal		 Air defense training/mock intercept missions	Federal
Arizona	 Air defense training/mock intercept missions	Federal	Maryland	 Wildfire reconnaissance	State
	 Reconnaissance over Barry Goldwater Air Force Testing Range	Federal		 Disaster response for flooding and Hurricanes Ike, Edouard, and Alex for the Federal Emergency Management Agency, state of Texas, and Harris County	Federal/state/local
	 Poststorm evaluation flights for the National Oceanic and Atmospheric Administration	Federal	 Air defense training/mock intercept missions	Federal	
Washington, D.C.	 Air defense training/mock intercept missions	Federal	 Hurricane Irene response	State	
Florida	 Coastal patrols for watercraft attempting to enter the United States	Federal	New Mexico	 Chesapeake Bay critical infrastructure reconnaissance and stranded boater patrol	Federal/state
	 Disaster response activities for Florida	State		Virginia	 Joint Land Attack Cruise Missile Defense Elevated Netted Sensor program
	 Deepwater Horizon shore patrols	Federal/state	 Hurricane Irene reconnaissance for storm assessments		State
	 Wildfire reconnaissance	Federal	 Air defense training/mock intercept missions	Federal	
	 Air defense training/mock intercept missions	Federal	Washington	 Border patrol reconnaissance with specialized imagery systems	Federal
Georgia	 Deepwater Horizon shore patrols	Federal		 Air defense training/mock intercept missions	Federal
	 Air defense training/mock intercept missions	Federal			

Civil Air Patrol mission description		Homeland Security mission	
	Reconnaissance		Preventing terrorism and enhancing security
	Air defense training/mock intercept		Securing and managing borders
	Beach and oil boom patrol		Disaster response
	Joint Land Attack Cruise Missile Defense Elevated Netted Sensor program		

Source: GAO analysis based on CAP mission data.

As part of efforts to secure and manage the nation's borders, 3 of the 4 CAP wings shown in figure 3 that share a land border with Mexico or Canada were involved in various reconnaissance activities for federal customers that included flights over border regions to identify suspicious

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activity.<sup>20</sup> For example, as shown in figure 3, the Arizona CAP wing conducted reconnaissance for suspicious persons and vehicles in the Barry Goldwater Air Force Testing Range, which is located on the border with Mexico. Similarly, Texas CAP officials stated that they had conducted border reconnaissance missions in support of CBP operations along the state's border with Mexico. According to CBP officials, these reconnaissance missions were for monitoring, detection, and reporting of any suspicious border activity observed. New Mexico CAP officials stated that they had not performed any specific border-related missions in recent years, but that they were interested in doing so and in the process of conducting outreach to potential federal, state, and local customers to offer their services in this area.

#### Example of CAP's Disaster Assistance

In the spring of 2011, CAP crews participated in disaster assistance operations in response to several large and destructive tornadoes in locations including Tuscaloosa, Alabama, and Joplin, Missouri. Specifically, CAP personnel used digital imagery resources to help document the path of the tornadoes in addition to providing thousands of geographically identifiable photographs to assist first responders in determining what areas were in the most critical need of assistance.

As part of efforts to ensure resilience to disasters, officials from 7 of the 10 CAP wings stated they had engaged in disaster assistance operations for a variety of federal, state, and local customers. CAP wings provided imaging technology for post storm damage assessments for the National Oceanic and Atmospheric Administration, FEMA, and state and local emergency management officials. Two of the 7 CAP wings that indicated involvement in disaster assistance also stated that they had engaged in reconnaissance for wildfires in response to requests from both federal and state officials.

Officials from all 10 of the wings we contacted also told us they have provided support to local governments (i.e., counties and municipalities), including search and rescue missions. While search and rescue does not strictly fit within the QHSR homeland security mission areas, DHS has noted that search and rescue activities are often intertwined with and mutually supporting of homeland security activities.

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<sup>20</sup>The 4 border wings we met with included 3 along the border with Mexico (Arizona, New Mexico, and Texas) and one along the border with Canada (Washington).

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## Key Factors Affect CAP's Ability to Support Homeland Security Missions; Assessment of CAP Capabilities and Resources Could Inform Decision-Making

There are several factors that may affect CAP's ability to support existing and emerging homeland security missions, including legal parameters, mission funding and reimbursement, existing capabilities, and capacity. While some of these factors were cited by the DHS components we contacted as issues that could affect CAP's suitability for additional homeland security missions, neither DHS nor the components have assessed how CAP could be used to perform certain homeland security missions.

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## Several Factors May Affect CAP's Ability to Support Homeland Security Missions

### Legal Parameters Guide CAP's Mission Involvement

As a volunteer auxiliary of the Air Force, CAP is subject to laws and regulations governing the use of the military in support of law enforcement and is thus limited in the types of support it can provide. Specifically, the Posse Comitatus Act prohibits the Air Force and Army from playing an active and direct role in civilian law enforcement except where authorized by the Constitution or an act of Congress.<sup>21</sup> However, federal law authorizes the military—and by extension, CAP—to provide limited support to federal, state, and local law enforcement agencies. For example, Department of Defense and CAP personnel made available to a civilian law enforcement agency may conduct aerial reconnaissance, and

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<sup>21</sup>18 U.S.C. §1385.

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detect, monitor, and communicate on the movement of certain air, sea, and surface traffic.<sup>22</sup>

In providing support to civilian law enforcement agencies, CAP is precluded from participating in the interdiction of vehicles, vessels, or aircraft, or in search, seizure, arrest, apprehension, surveillance, pursuit, or similar activity.<sup>23</sup> CAP is also unable to transport prisoners, contraband, and law enforcement officers in direct support of an ongoing mission, or when hostilities are imminent.<sup>24</sup> CBP officials told us that because of these restrictions, CAP is unable to provide the type of support that is necessary for some law enforcement activities. In addition, officials from the Coast Guard noted concerns with CAP's access to classified information that may further limit the range of missions CAP can support.<sup>25</sup> According to Air Force officials, the approval process for law enforcement support activities involving the monitoring of air, sea, or surface traffic is lengthy, requiring consent from the Office of the Secretary of Defense.<sup>26</sup> Air Force and CAP officials noted that developing standing agreements with law enforcement agencies could help enable CAP to support such requests on shorter notice.

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<sup>22</sup>The Department of Defense and CAP are limited to conducting these activities for air and sea traffic within 25 miles of and outside the geographic boundaries of the United States. For surface traffic, these activities may occur outside the geographic boundaries of the United States and within the United States not to exceed 25 miles of the boundary if initial detection occurred outside the boundary. Pub. L. No. 101-510, § 1004, 104 Stat. 1485, 1629 (1990) (codified as amended at 10 U.S.C. § 374 note).

<sup>23</sup>U.S. Air Force, Air Force Instruction 10-2701, *Organization and Function of the Civil Air Patrol* (Jul. 2005, Incorporating Change 1, September 2006).

<sup>24</sup>CAP, *Civil Air Patrol Capabilities Handbook: A Field Operations Resource Guide*, August 2010. There are some exceptions for contraband as long as a law enforcement officer maintains the chain of custody.

<sup>25</sup>Air Force–assigned missions may require CAP personnel to have a security clearance and the Air Force is to validate the number and levels of security clearances needed to meet Air Force–assigned mission requirements. CAP members that have a valid and current Department of Defense clearance from military or government service may also use them when performing Air Force–assigned missions.

<sup>26</sup>Approval criteria for defense support to domestic law enforcement agencies are specified by Deputy Secretary of Defense Memorandum *Department Support to Domestic Law Enforcement Agencies Performing Counternarcotic Activities* (Oct. 2, 2003).

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Additional Homeland Security  
Missions May Require  
Reimbursement

CAP's ability to provide support is often contingent on its customers' ability and willingness to pay CAP for its services—making the availability of mission funding a key consideration in determining whether CAP can support additional homeland security missions. Per Air Force guidance, CAP ordinarily conducts missions on a cost-reimbursable basis. Typically, any federal agency requesting CAP assistance through the Air Force must certify that its request complies with the Economy Act, which requires that requesting agencies have available the monies necessary to cover the expense of the service being requested, among other things.<sup>27</sup> CAP's reimbursement rate as of October 2012 was \$160 per flying hour, covering fuel and maintenance.<sup>28</sup> According to CAP and Air Force officials, formal agreements between CAP and requesting organizations—such as those that exist between some CAP wings and state-level entities—can expedite the approval process by identifying funding mechanisms prior to CAP support.

While CAP typically requires reimbursement for its support activities, some of CAP's missions are financed through federally appropriated funds.<sup>29</sup> Some of these missions were identified by officials from CAP or DHS components as areas in which CAP could provide further support. For example, CAP has received since 2004 in its annual operations and maintenance budget an allotment for counterdrug activities, and therefore conducts many of its counterdrug missions at no expense to the customer. Additionally, the Air Force funds through the CAP appropriation a range of activities deemed to be of interest to the Air Force, including inland search and rescue. According to CAP officials, CAP's current funding levels are sufficient to support these activities. However, an increase in such unreimbursed activities could affect CAP's ability to respond to other missions supported by appropriated funds. For example, CAP officials told us that, because of the counterdrug nexus, border reconnaissance missions in support of CBP are also typically funded by

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<sup>27</sup>31 U.S.C. § 1535.

<sup>28</sup>Several factors are important to consider when comparing CAP's \$160 per hour flying rate with the operating costs of other federal air assets. These include (1) the capabilities of CAP's aircraft may differ considerably from those of other federal air assets; (2) CAP pilots are unpaid volunteers; and (3) a higher operational tempo could affect CAP's overall maintenance costs and thereby increase the reimbursable amount.

<sup>29</sup>About 77 percent of CAP wings have consistently received state funding over 6 or more of the last 10 years that is sometimes earmarked for specific purposes, including certain missions, programs, or procurements.

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Existing Capabilities May Limit  
CAP's Suitability for Some  
Homeland Security Missions

the CAP operations budget instead of reimbursed by the customer. Consequently, an increase in such unreimbursed border reconnaissance missions—which relate to the homeland security area of securing and managing our borders—could diminish CAP's ability to support other unreimbursed activities, such as counterdrug activities for the Drug Enforcement Administration and others.

According to CAP and DHS officials, CAP's existing operational capabilities—aircraft and vehicles, personnel, and technology—have been sufficient to support certain homeland security missions, yet they may not be suitable for other types of missions. Recognizing this, officials from CAP headquarters told us that if DHS identified additional homeland security missions for CAP, it might be necessary to pursue additional resources or technologies.

**Aircraft and Vehicles**

According to CAP officials, the number and locations of CAP's assets—which include 550 aircraft and 960 vehicles across 52 wings—could be conducive to conducting additional homeland security missions, which can originate at the local, state, and federal levels. CAP's aircraft, primarily consisting of Cessna 172s and 182s, are capable of performing aerial reconnaissance and damage assessment, search and rescue missions, and air intercept exercises. FEMA officials told us that because CAP's assets are geographically dispersed across the country, it has proven to be a flexible and timely resource to capture imagery in the first hours or days of an event. As an example, FEMA officials cited CAP's support of the agency's operations in response to Hurricane Isaac in 2012, specifically stating that CAP's imagery helped to establish situational awareness. CAP's vehicles are capable of light transport of personnel and equipment, mobile communications, and ground damage assessment. Many vehicles are also equipped with radios that are able to communicate with CAP aircraft, which could enable a coordinated approach to air and land missions. CAP and Air Force officials stated that they would be open to repositioning aircraft and vehicles in order to meet demands associated with an increased homeland security workload and the needs of their customers.

CAP's standardized fleet does have functional limitations. For example, CAP's single-engine aircraft have limited transport capacity. Additionally, CAP guidance prohibits sustained flight at an altitude of less than 1,000 feet during the day or 2,000 feet at night. This limitation was also cited by Coast Guard officials, who specifically stated that during the Deepwater

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Horizon incident, CAP was unable to fly certain oil tracking missions because of altitude restrictions. A Coast Guard official further noted that the range of CAP's aircraft was limited over water—with aircraft being required to stay within gliding distance of shore. CAP officials told us, however, that CAP aircraft are able to operate up to 50 nautical miles from shore under normal conditions, and that this range can be extended for special missions.

### **Personnel**

CAP officials stated that, since CAP is a volunteer organization, its membership—consisting of 61,000 volunteers, including approximately 35,000 senior members and 11,000 crew members—constitutes its most critical asset. According to CAP officials, CAP has standards and qualifications for its member pilots and maintains online systems that train, test, and track all aspects of crew qualifications. For example, CAP's mission pilots must possess a private pilot's license with 200 flight hours, and are required to complete training courses specific to search and rescue and disaster response. Those performing specialized missions are also subject to more stringent requirements. For example, counterdrug mission pilots must (1) be qualified for emergency services flights; (2) be current in a skill that has application to the counterdrug program; (3) complete a national counterdrug orientation course and, biennially, a refresher course; and (4) maintain a minimum of 20 hours of participation in the program yearly. Many of CAP's members have also completed training in the National Incident Management System in order to allow CAP personnel to integrate operationally with local, state, and federal incident command structures.<sup>30</sup> Officials from some of the customer organizations we spoke with cited the professionalism of CAP's personnel as a factor contributing to their success during past operations. For example, the Coast Guard Director of Air Operations during the Deepwater Horizon oil spill told us that CAP personnel conducting high profile shoreline and oil boom patrols were well-organized.

However, limitations in the quantity and expertise of mission pilots exist that may hinder CAP's ability to support some activities. For example, CAP's membership includes 3,000 mission pilots, representing

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<sup>30</sup>The National Incident Management System standardizes the process for integrated emergency management and incident response operations by establishing organizational incident management structures.

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approximately 5 percent of total membership. Although CAP has in the past demonstrated its ability to temporarily transfer pilots to support surge missions—such as during the Deepwater Horizon incident—it could face challenges in increasing its support to sustained, long-term homeland security missions, particularly if those missions were to occur in areas with few mission pilots. Officials from CAP headquarters pointed towards their past successes in supporting surge missions, but they also recognized that there could be challenges associated with frequently moving pilots to meet mission demands since the pilots are volunteers. Coast Guard officials we spoke with questioned whether CAP, because of its volunteer status, would consistently have pilots available to respond when needed and raised concerns that CAP pilots have limited expertise in maritime situations and do not have water survival training—both of which could be important requirements for many Coast Guard missions. According to CAP officials, however, 521 CAP crew members have completed water survival training consisting of classroom instruction and a swim test.<sup>31</sup>

### **Technology**

CAP's current technological capabilities in terms of imagery and communications may both enable and limit its ability to support additional homeland security operations. CAP currently has a variety of imagery and communications technologies that can be used during some homeland security operations to provide ground and airborne communications relay and to capture geographically identifiable still-frame aerial imagery, and, in some cases, full-motion video. CAP's nationwide communications capability includes high frequency and very high frequency AM and FM fixed, mobile, and repeater systems capable of providing connectivity during local, regional, and national events. CAP officials told us that these capabilities have in the past proved essential in maintaining communications during geographically dispersed operations. Table 2 depicts CAP's imagery platforms.

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<sup>31</sup>These crew members consist of both mission pilots and observers.

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**Table 2: CAP Imagery Platforms**

<b>Imagery platform</b>	<b>Description</b>
Advanced Digital Imagery System	Provides point-to-point transmission of aerial and ground georeferenced digital imagery, primarily via e-mail. The most widely available imagery system, with approximately 100 units available nationwide.
Airborne Real-Time Cueing Hyperspectral Enhanced Reconnaissance	Uses non-invasive reflected light technology to identify targeted objects and detect changes and anomalies in images. Wing officials expressed mixed views regarding this system, noting its effectiveness during past missions, but also characterizing it as a problematic and aging technology that CAP no longer intends to support.
Geospatial Information Interoperability Exploitation Portable	Capable of transmitting high-resolution still and video imagery from the air over cell phone networks. Select wings have been provided this technology by the Air Force and National Guard.
Predator Ball Imagery Turrets	Full-motion video turrets found on select military unmanned aerial vehicles. According to CAP officials, this equipment is currently affixed to two CAP aircraft, and is used by the Department of Defense for training exercises.

Source: GAO analysis of CAP information.

According to officials at the DHS components with whom we spoke, CAP's existing technologies are sufficient to support some of the homeland security activities we have previously discussed, such as disaster assessment. Additionally, officials from CBP told us that CAP technologies could help further with detection and monitoring along the borders, providing radio relay in remote areas, and gaining situational awareness in areas not currently supported by other air platforms. However, officials from CBP and the Coast Guard also commented on CAP's limitations in the border and marine environments, citing inadequate imagery capabilities, incompatible communications, and insufficient detection technology. Specifically, officials from CBP commented that CAP is incapable of providing a live video feed to its customers, capturing nighttime imagery, providing a video downlink of reconnaissance events, and transmitting information securely. These same officials emphasized that other technologies not possessed by CAP nationwide, including radar, forward-looking infrared cameras, and

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CAP's Current Operating Capacity May Allow for Additional Missions

change detection capabilities, are critical in the border environment.<sup>32</sup> Coast Guard officials cited CAP's inability to relay imagery in near-real time and stated that its systems are not compatible with the Coast Guard's imagery or communications systems. As a result, the Coast Guard has not coordinated with CAP regarding the expansion of CAP's role. Air Force and CAP officials recognized that CAP's current technology may not be suitable for certain missions and told us that if new capabilities are needed to support additional homeland security missions, requirements would be needed from DHS. CAP officials also noted that 1st Air Force has developed a requirement to modify or purchase 20 aircraft with capabilities including near-real time communications; video and imagery transfer that is interoperable with federal, state, and local responders; and sensors useful for locating distressed persons day or night.

According to CAP headquarters and wing officials, CAP has the capacity to conduct additional missions, but some Coast Guard officials raised concerns about CAP's readiness. CAP headquarters officials cite CAP's current operational tempo (i.e., the pace of operations) and overall mission trends as factors that might position it well for an increased homeland security role. According to CAP officials, CAP's daily operational tempo averages between 10 and 30 percent, leaving some excess capacity.<sup>33</sup> Officials from all 10 of the wings we contacted similarly indicated that their wings had capacity to support additional missions. While capacity may differ by wing depending on the time of year and ongoing operations, CAP officials also pointed to mission trends that may increase CAP's overall capacity and potentially allow for greater involvement in homeland security activities. For example, as wireless technology has improved, CAP's participation in search and rescue operations has steadily declined because victims in distress are able to more rapidly and accurately transmit their exact position—through GPS-

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<sup>32</sup>CAP does not have radar, but does currently possess one forward-looking infrared system. The Airborne Real-Time Cueing Hyperspectral Enhanced Reconnaissance system, discussed in table 2, has change and anomaly detection capabilities. However, CAP's seven fully operational systems are nearing the end of their useful life, according to CAP officials.

<sup>33</sup>CAP's daily operational tempo is the percentage of total possible missions being flown based on the number of available aircraft and pilot availability. CAP's goal is to have five mission pilots per each available aircraft. CAP has not determined what level constitutes its maximum operating capacity.

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enabled cell phones and locator beacons—to receive other assistance. This shift has freed up additional time for CAP to conduct other missions.

Officials we spoke with from the Coast Guard expressed some concern over relying on a volunteer organization like CAP because it does not have the same readiness posture and response standards as the Coast Guard. However, our discussions with these officials and the CAP wings identified no instances in which CAP was unable to respond to a request, or in which CAP was delayed in responding to a request because of a shortage of pilots or other personnel. According to CAP officials, CAP has also demonstrated an ability to surge in support of other agencies and to perform continuous operations for a sustained period of time. For example, CAP provided continuous support over 118 days during the Deepwater Horizon incident. A Coast Guard official involved in this operation corroborated CAP's account of this operation, speaking highly of its organization and ability to conduct missions. Also, while the Drug Enforcement Administration is not a DHS component, officials from this agency told us that they rely on CAP aerial communications and imagery for approximately 2,500 counterdrug sorties per year and that they have received positive feedback regarding CAP's ability to conduct these operations from their field agents. CAP officials stated that large operations such as Deepwater Horizon do not necessarily affect CAP's ability to provide support in other areas throughout the year, but do significantly reduce their operations and maintenance funds because reimbursement does not cover these expenses. Further, while many of CAP's missions are preplanned, CAP and Air Force officials stated that wings are tested biennially in a no-notice exercise, such as the Department of Defense's Ardent Sentry, to ensure that personnel can assemble and deploy quickly to no-notice events.

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### DHS Has Not Assessed CAP's Ability to Support Additional Homeland Security Missions

DHS has not assessed CAP's capabilities and resources or determined the extent to which CAP could be used to support future homeland security activities. The DHS concept of homeland security, as articulated in the QHSR, is that of a national enterprise, requiring the collective efforts and shared responsibilities of federal, state, local, nongovernmental, and private sector partners, among others. As we have reported in the past, ensuring that capabilities are available for such efforts requires effective planning and coordination in which capabilities are realistically tested in order to identify and subsequently address

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problems in partnership with relevant stakeholders.<sup>34</sup> Additionally, we have also reported that achieving results for the nation increasingly requires collaboration among many different entities, and that because of the nation's long-range fiscal challenges, the federal government must identify ways to deliver results more efficiently and in a way that is consistent with its multiple demands and limited resources.<sup>35</sup> However, according to an official in the DHS Office of Policy, DHS has not conducted a review to determine how CAP might be used by DHS or its components, and DHS does not have a position on the use of CAP for homeland security operations. Additionally, of the three DHS components we contacted, only FEMA had taken steps to consider CAP's suitability for future homeland security activities and incorporate CAP in its operational planning. Specifically, FEMA officials told us that they are working with the DHS Science and Technology Directorate to develop requirements for CAP imagery and that they have included CAP in several of their disaster planning annexes. According to these officials, simple technological upgrades could improve FEMA's ability to integrate CAP's imagery into its operations. The other two components we contacted—CBP and the Coast Guard—had not assessed CAP's ability to support their operations, but expressed reservations about using CAP for certain activities, as previously discussed.

Officials we spoke with from CAP and the Air Force expressed support for FEMA's efforts to develop imagery requirements for CAP. CAP officials told us that they were optimistic that this effort would provide insight into how CAP could better support its DHS customers. Similarly, Air Force officials stated that, in order to determine whether CAP could support additional DHS missions, DHS would first need to provide them with requirements for missions and also obtain a good understanding of CAP's limitations—particularly in the area of support to law enforcement. To that end, CAP and Air Force officials told us that they have performed outreach to DHS, CBP, and FEMA in an effort to inform these potential partners of their capabilities and establish formal agreements that would define CAP's role in providing support to such entities. By establishing such relationships and assessing the ability of CAP to provide additional homeland security capabilities, DHS, in coordination with the Air Force,

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<sup>34</sup>[GAO-06-618](#).

<sup>35</sup>[GAO-06-15](#).

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could position itself to better understand, and potentially utilize, another resource to accomplish its homeland security missions.

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## Conclusions

DHS faces the difficult challenge of securing our homeland through a wide range of missions from preventing terrorism, to securing our large borders and shorelines, and planning for and responding to natural and man-made disasters. Recognizing this challenge, DHS has emphasized the importance of partnering with other federal, state, local, and private entities to achieve its homeland security missions. Moreover, recent fiscal constraints may compel federal agencies, such as DHS, to partner with other organizations in order to accomplish their missions and achieve their goals. CAP is one such potential partner, having performed various missions since its inception in support of homeland security missions and components. Several factors affect CAP's ability to conduct these and additional homeland security missions, including legal parameters, mission funding and reimbursement, existing capabilities, and capacity. At the same time, while some concerns exist among DHS components about partnering with CAP, a cost-effective assessment of CAP's capabilities and resources, in coordination with the Air Force, could help DHS to better identify whether CAP can assist with its future homeland security missions.

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## Recommendation for Executive Action

To determine the extent to which CAP might be able to further assist DHS and its components in conducting homeland security missions, we recommend that the Secretary of Homeland Security, in coordination with the Secretary of the Air Force, cost-effectively assess how CAP could be used to accomplish certain homeland security missions based on the factors described in this report, including legal parameters, mission funding and reimbursement, capabilities, and operating capacity.

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## Agency Comments, Third-Party Views, and Our Evaluation

We provided a draft of this report to DHS, CAP, and the Department of Defense for review and comment. DHS concurred with our recommendation, citing some challenges and constraints to the expanded use of CAP for DHS missions as well as describing its plan to address our recommendation. Specifically, DHS stated that its Office of the Chief Financial Officer (Program Analysis and Evaluation Division), along with components such as the Coast Guard will consider how DHS can make efficient and effective use of CAP and other aviation capabilities. In implementing our recommendation, it will be important for DHS to consider all of the factors described in our report, including legal parameters, mission funding and reimbursement, capabilities, and operating capacity, as we recommended. This action would then address the intent of our recommendation. DHS's comments are reprinted in their entirety in appendix I.

CAP also concurred with our recommendation, noting that it is prepared to assist both DHS and the Air Force in assessing how it could be used to support certain homeland security missions. CAP's comments are reprinted in their entirety in appendix II. The Department of Defense elected to not provide written comments, but did—along with DHS and CAP—provide technical comments that we incorporated into the report, as appropriate.

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We are sending copies of this report to the Secretary of Homeland Security, the Secretary of Defense, CAP, appropriate congressional committees, and other interested parties. This report is also available at no charge on GAO's website at <http://www.gao.gov>.

If you or your staffs have any questions about this report, please contact either Carol Cha at (202) 512-4456 or [chac@gao.gov](mailto:chac@gao.gov) or Brian Lepore at (202) 512-4523 or [leporeb@gao.gov](mailto:leporeb@gao.gov). Contact points for our Office of Congressional Relations and Public Affairs may be found on the last page of this report. Key contributors to this report are listed in appendix III.



Carol R. Cha  
Acting Director  
Homeland Security and Justice



Brian J. Lepore  
Director  
Defense Capabilities and Management

# Appendix I: Comments from the Department of Homeland Security

U.S. Department of Homeland Security  
Washington, DC 20528



**Homeland  
Security**

October 23, 2012

Ms. Carol R. Cha  
Acting Director, Homeland Security and Justice  
U.S. Government Accountability Office  
441 G Street, NW  
Washington, DC 20548

Mr. Brian J. Lepore  
Director, Defense Capabilities and Management  
U.S. Government Accountability Office  
441 G Street, NW  
Washington, DC 20548

Re: Draft Report GAO-13-56, "HOMELAND SECURITY: Civil Air Patrol Involved in Certain Missions, but DHS Should Assess the Benefits of Further Involvement"

Dear Ms. Cha and Mr. Lepore:

Thank you for the opportunity to review and comment on this draft report. The U.S. Department of Homeland Security (DHS) appreciates the U.S. Government Accountability Office's (GAO's) work in planning and conducting its review and issuing this report.

The Department is pleased to note GAO's positive acknowledgement that DHS is leveraging the Civil Air Patrol (CAP) to support homeland security missions. This includes partnerships with components such as reimbursable disaster related missions supporting the Federal Emergency Management Agency, and CAP border reconnaissance missions conducted as part of the larger national counterdrug effort supporting U.S. Customs and Border Protection (CBP). The report also recognizes some important challenges should there be expanded use of the CAP for homeland security missions including:

- the CAP's inability to support some law enforcement missions due to its authorities as a Title 10 organization;<sup>1</sup>
- the lack of some specialized equipment on CAP aircraft; and

<sup>1</sup> Title 10 organizations include the U.S. Army, the U.S. Navy, U.S. Marine Corps, and the U.S. Air Force, and their respective reserve components.

- the lack of DHS funds needed to reimburse CAP for costs incurred in operating and equipping aircraft for any expanded role conducting DHS missions.

The draft report contained one recommendation with which the Department concurs. Specifically, GAO recommended that Secretary of Homeland Security, in coordination with the Secretary of the Air Force:

**Recommendation:** Cost-effectively assess how CAP could be used to accomplish certain homeland security missions based on the factors described in this report, including legal parameters, mission funding and reimbursement, capabilities, and operating capacity.

**Response:** Concur. DHS believes that CAP can provide further support for certain homeland security missions. DHS Office of the Chief Financial Officer Program Analysis and Evaluation, along with components such as United States Coast Guard (USCG) will consider how DHS can make efficient and effective use of CAP and other aviation capabilities, as appropriate. However, there are some constraints regarding the use of CAP for DHS missions that warrant careful consideration including:

- DHS relies primarily on in-house USCG and CBP aircraft and aviators with specialized training and capabilities to execute DHS missions. CAP may provide a useful augmentation for these capabilities where mission demand exceeds DHS' own capacity. However, DHS already has its own volunteer aviation program, the USCG Auxiliary Air program. This program has characteristics and capabilities similar to CAP that intuitively can be utilized more easily by DHS because it is under USCG command.
- Current operating budgets are insufficient to fully utilize DHS' own fleet; therefore, the Department's ability to reimburse CAP may be limited. As acknowledged in the report, the availability of mission funding is a key consideration in determining whether CAP can support additional homeland security missions.
- Because CAP aircraft lack the sensor and secure communication equipment of many DHS assets, and CAP aviators lack the specialized training of DHS aviators, the extent to which DHS will be able to effectively utilize CAP support is unclear.

Again, thank you for the opportunity to review and comment on this draft report. Technical comments were previously provided under separate cover. Please feel free to contact me if you have any questions. We look forward to working with you in the future.

Sincerely,



Jim H. Crumpacker  
Director  
Departmental GAO-OIG Liaison Office

# Appendix II: Comments from the Civil Air Patrol



DON ROWLAND  
CHIEF OPERATING OFFICER

NATIONAL HEADQUARTERS  
CIVIL AIR PATROL  
UNITED STATES AIR FORCE AUXILIARY  
105 S. Hansell Street  
Maxwell Air Force Base, Alabama 36112-5937

9 October 2012

Mr. Chris P. Currie  
Assistant Director, Homeland Security and Justice  
U.S. Government Accountability Office  
2635 Century Parkway, Suite 700  
Atlanta, GA 30345

Subject: Draft Report GAO-13-56, "Homeland Security: Civil Air Patrol Involved in Certain Missions, but DHS Should Assess the Benefits of Further Involvement"

Dear Mr. Currie

Thank you for the opportunity to comment on this draft report. The Civil Air Patrol (CAP) greatly appreciates the U.S. Government Accountability Office's (GAO's) thorough assessment of CAP's ability to support homeland security missions now and in the future.

As highlighted in this report, our volunteers have for years supported select homeland security missions in a professional and cost-effective manner that may not be fully known or understood within the Department of Homeland Security (DHS) and its components.

CAP agrees with the conclusions reached in the report. Of particular importance is GAO's conclusion that a cost-effective assessment of our homeland security mission potential is warranted by the DHS.

CAP's comments on the recommendation contained in the draft report are provided in the attached paper. Our point of contact is Mr. John Salvador. He can be reached at [jsalvador@capnhq.gov](mailto:jsalvador@capnhq.gov) or 334-953-7748, Ext 235.

Sincerely

A handwritten signature in black ink that reads "Don Rowland".

DON ROWLAND  
Chief Operating Officer

Attachment:  
CAP Response to GAO Report

**GAO DRAFT REPORT DATED SEPTEMBER 27, 2012  
GAO-13-56 (GAO CODE 441063)**

**“HOMELAND SECURITY: CIVIL AIR PATROL INVOLVED IN  
CERTAIN MISSIONS, BUT DHS SHOULD ASSESS THE BENEFITS OF  
FURTHER INVOLVEMENT”**

**CIVIL AIR PATROL COMMENTS  
TO THE GAO RECOMMENDATION**

**RECOMMENDATION:** The GAO recommends that the Secretary of Homeland Security, in coordination with the Secretary of the Air Force, cost-effectively assess how the Civil Air Patrol could be used to accomplish certain homeland security missions based on the factors described in this report, including legal parameters, mission funding and reimbursement, capabilities, and operating capacity.

**CAP RESPONSE:** Civil Air Patrol concurs with GAO’s recommendation for a cost-effective and appropriate assessment of how CAP could be used to support certain homeland security missions. CAP stands ready to assist both the DHS and the Air Force with this review. It is anticipated that this assessment would also promote improved lines of communication between DHS, the Air Force and CAP. In addition, it would be helpful to establish a process by which future homeland security mission and equipment requirements could be reviewed and addressed by all parties to determine if CAP would be a good choice to augment DHS resources. This type of partnership has worked well with FEMA and would also certainly benefit the other DHS agencies and our nation.

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# Appendix III: GAO Contacts and Staff Acknowledgments

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## GAO Contacts

Carol R. Cha, (202) 512-4456 or [chac@gao.gov](mailto:chac@gao.gov)

Brian J. Lepore, (202) 512-4523 or [leporeb@gao.gov](mailto:leporeb@gao.gov)

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## Staff Acknowledgments

In addition to the contacts named above, key contributors to this report were Chris Currie, Assistant Director; Kimberly Seay, Assistant Director; Chuck Bausell; Ryan D'Amore; Michele Fejfar; Mike Harmond; Tracey King; and Dan Klabunde.

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