

Section 4

Q: Paragraph 4.2.1.1.2 indicates that instrument endorsements can only be given by a Check Pilot or other individual authorized to conduct the eval who is a CFII. This wording is subject to two interpretations. Could you clarify who is permitted to make instrument endorsements on CAPF 5 check?

A: The intent of 4.2.1.1.2 is that CAP Instrument Pilot endorsements on the CAPF 5 will only be made by individuals authorized to administer CAP Pilot Flight Evaluations (see 7.3.1) and who ALSO hold instrument privileges on their instructor certificate. Non-CFII CAP Check Pilots shall not make an instrument endorsement on the CAPF 5.

Q: Paragraphs 4.2.1.1.2 thru 4.2.1.1.4 give varying levels of credit for instrument checks external to CAP. Can you explain the differences in credit given across these three paragraphs?

A: With regard to para 4.2.1.1.3 and 4.2.1.1.4 as they compare to 4.2.1.2, the first two paragraphs give credit for added instrument ratings or completion of certain types of check rides (ref: 61.58, part 121 and part 135). However, para 4.2.1.2 deals solely with a proficiency conducted under 61.57. In this instance, credit is not given, but if done within 6 months, the Check Pilot can elect to do a verbal review.

Q: By virtue of the "or" included at the end of the preceding paragraph, 4.2.1.1.3. indicates that pilots who have recently added an instrument rating can operate CAP aircraft in instrument conditions without taking a CAPF 5 in CAP aircraft. Given that the instrumentation of CAP aircraft could be unique, is this prudent?

A: The intent of the rule is to recognize that the FAA standard is acceptable. A CAP pilot should be familiar with the instrumentation in the CAP aircraft in which they are qualified. Proficiency and currency are issues that should be risk assessed based on mission specifics.

Q: By virtue of the "or" included at the end of the preceding paragraph, 4.2.1.1.4. indicates that pilots who have recently taken a military/commercial instrument check can operate CAP aircraft in instrument conditions without taking a CAPF 5 in CAP aircraft. Given that the instrumentation of CAP aircraft could be unique, is this prudent?

A: The intent of the rule is to recognize that military and commercial standards are acceptable if documented appropriately within OpsQuals. A CAP Pilot should be familiar with the instrumentation in the CAP aircraft in which they are qualified. Proficiency and currency are issues that should be risk assessed based on mission specifics.

Q: Section 4.3 does not specify a minimum number of hours or time in CAP for instructors, check pilots, or check pilot examiners. Don't we want some minimum level of experience?

A: CAPR 60-1 did not require a minimum number of hours or time in CAP prior to becoming an instructor, check pilot, or check pilot examiner. No need for additional restrictions was seen. The commander will consider the qualifications of the individual in the aggregate prior to making an appointment.

Q: Paragraph 4.5.1.1 requires FRO to have flying experience as a pilot or aircrew member, but says that FROs "do not have to be current to fly within CAP." Does this mean that a lack of flying currency does not affect their ability to perform in the FRO role? If so, how do we validate and document that the FRO had flying experience?

A: For aircrew experience, it really is a judgment call as we are allowing not only CAP aircrew experience, but external experience as well. All ICs and OSCs would have some, and then you obviously have those that have current or expired CAP aircrew qualifications in ops qual. Those are relatively easy as they are likely to be visible in the membership records. Then you have those that can produce an FAA certificate or military flight records or held a CAP qualification long ago that is not recorded in Ops Quals (though most can and should; even expired flight ratings can be input). We have not required an upload of specific documents as there are many ways to document this. Bottom line though is if the staff officer is not comfortable signing off on it without some additional documentation because they don't see something in Ops Quals, they can ask for it to be provided offline and stored in local membership records or uploaded in Ops Quals for future reference.

Q: I believe we have a number of FROs assigned that have not been performing releases. Is there a report within WMIRS that would allow us to determine how many releases a FRO has made over the past year?

A: There is not an annual report, but you can look month by month in WMIRS under Support/Reports/eFlight Release Reports and then looking at Flights Released By FRO or Monthly Flight Release Summary depending on if you want to look at a specific member or the Wing. As you can imagine, we have a lot of sortie records - many more releases than are actually flown, and looking across a period longer than a month turns into a major server issue; hence the range limitation. We'd suggest that wings look to see who is really doing the work for them if they have not recently and take this time to make sure they have what they need.

Section 6

Q: Can a CAP Senior member holding a commercial rotary-wing rating receive flight instruction toward an ASEL rating?

A: Since this case describes a Senior member not holding a CAP Transport Mission Pilot or Mission Pilot qualification, the member would need to follow the requirements in 6.1.3. and 6.1.3.1. for flight instruction to obtain a certificate, rating, or endorsement.

Section 7

- Q:** Can 7.1.4.4 be interpreted to indicate that if an F5 in a high performance/G1000 airplane would satisfy renewal for all of those endorsements and not require a separate flight in each?
- A:** If the aircraft used for the F5 evaluation is both high performance and G1000 equipped, then that evaluation flight is sufficient for both endorsements. Separate flights are not required for each endorsement.
- Q:** If a pilot takes their 60-1 online exam prior to the effective date of the 70-1, but takes the CAPF 5 evaluation after that date, are they required to retake the exam?
- A:** No, the exam they took would still be considered acceptable as long as it is still within the 60 days before the CAPF 5 evaluation.
- Q:** Paragraph 7.4.1. states, in part, "The CAP Check Pilot must document the failure in WMIRS." Would the failure be documented in the debrief section of the on-line 104?
- A:** For Form 5 failures, you are correct, this would be entered on the on-line Form 104.
- Q:** Will there be a new provision in WMIRS for indicating failure on an F5? Additionally, do we really want this in WMIRS or should it be in eServices/OpsQuals?
- A:** There is currently no plan to change WMIRS for this purpose. Form 5 failures should be documented in the on-line Form 104 and reported in the WMIRS Trend Analysis tool in accordance with 9.11.

Section 8

- Q:** Paragraph 8.2 describes requirements for suspension of CAP flying privileges. The first sentence indicates the commander **MUST** suspend while the last sentence say **MAY** suspend. Can you explain this variation in language?
- A:** The first sentence actually says: "Following any aircraft mishap, the commander must suspend the flying privileges of crewmembers involved in the mishap **until such time** as they can determine the circumstances of the mishap and the crewmembers' health and welfare" (emphasis added). This is meant to allow for the simple circumstances that seem to come up often where commanders can have a discussion with crew members to determine the simple facts, and move on in many cases without a major investigation. Sometimes simple things are going to happen as mishaps, and some or all crew members may not be able to do anything about it. The last sentence "Commanders may choose to suspend the flying privileges of members involved in **other mishaps not classified as accidents** at their discretion" (emphasis added).

Section 9

Q: What is the reason for the rule prohibiting carrying CAP or ROTC/JROTC cadets within 10 hours of an engine change, major overhaul, or replacement of cylinders and magnetos? Why do we apparently allow a higher risk level for senior members?

A: With respect to senior members, given knowledge of the aircraft's maintenance history, they can make a fully informed, adult decision regarding the level of risk they are personally willing to accept. We cannot expect similar sophistication from cadets (CAP, JROTC, or ROTC) or their parents. As a result, this rule was established to reduce the estimated level of risk when operating with minors onboard our aircraft. Given the special trust and sensitivity inherent in orientation flights, this is prudent from an organizational perspective.

Q: Paragraph 9.4.8 implies (with the few exceptions noted) that no one can "operate" a CAP aircraft other than a qualified CAP pilot. If I interpret this strictly, then a member who is a pilot but not a CAP qualified can't take the controls of the aircraft, while the CAP pilot performs other tasks (ex: radio troubleshooting).

A: CAP exercises due diligence when deciding who should operate their aircraft. This process requires presentation and validation of certain documents as set forth in statute/regulation, as well as evaluation to its guidance/standards. One's personal knowledge cannot substitute for the corporation's due diligence and would not be accepted as such by the FAA, an insurance carrier, or a court of law. If the pilot desires to exercise the privileges of a CAP pilot, they must participate in those tasks established to support CAP's due diligence. Proper risk management would suggest that the qualified CAP pilot fly the aircraft while the other CAP member performs any non-flying tasks under their direction, if required.

Q: Paragraph 9.4.11 restricts the discussion of emergency procedures during night flight. Does this mean that discussion of emergency procedures cannot be done by the crew in night VMC unless there is a CAP instructor in the aircraft?

A: You are correct. The rule prohibits simulated emergency procedures during IMC and at night. The stated exception permits CAP instructor pilots to supervise in-flight discussion of emergency procedures and partial panel instrument training during night VMC. Given the challenges of night and IMC flight, other non-exempt emergency procedure training shall be conducted pre- or post-flight.

Q: Paragraph 9.4.14 prohibits student pilots from performing touch and go's unless they are flying with their instructor. Are stop and go's OK on a sufficiently long runway?

A: Student solo touch and goes are no longer permitted under the 70-1; however, stop and goes are not restricted. Obviously, stop and goes must be compatible with local airfield operations and available runway length. Risk assessment and flight release consideration apply with respect to runway length available at the stopping point for each landing (see 9.9.5.1.4.).

Q: Paragraph 9.5 prohibits the use of motor gliders. This restriction was not present in the 60-1. Can you explain the background behind this new restriction?

A: When this was discussed in the coordination process, motor gliders were specifically added to the list because there had been confusion previously if they were allowed or not based on the prior language. Other requests for consideration of use of motor gliders have been denied, and when the possibility of getting excess motor gliders from the AF Academy came up, this was also denied. There are also other powered aircraft like light sport aircraft and primary aircraft that may have safe flying records that are also excluded. Given that we still have gliders that are underutilized in some areas, there is little incentive to add this capability.

Q: Paragraph 9.9.3 gives pilots flying outside 50 nm the option of filing and activating a VFR flight plan OR obtaining VFR flight following. Given that VFR flight following is subject to availability (ATC workload permitting) and maintenance of communications with ATC, this service may not result in activation of missing aircraft procedures. Is there a disconnect between the intent behind filing, alternate flight following (9.9.3.1 and 9.10.7.2), and the limitations inherent in VFR flight following within the NAS?

A: The intent was to allow flexibility in various operating environments. In some areas, VFR flight following is readily available and reliable thus meeting the intent for SAR activation. Pilots should exercise discretion in opting to use this provision based on availability/reliability and their operating altitudes, areas, etc.

Q: There is always confusion about whether a flight plan is required for a flight that goes beyond 50 nm from point of origin but returns to point of origin without landing at another airport, can we get that clarified?

A: Paragraph 9.9.3 applies to flights that go more than 50 nm from the point of origin regardless of whether they return to the departure airport or land elsewhere.

Q: The wording of paragraph 9.9.5.1.4.2. has the potential to confuse. As written, it states that an SFRO "must approve" a sortie when the departure runway is shorter than TO GROL plus LND GROL. Was the intent of this paragraph to require an SFRO to be involved in releases that met this condition?

A: For a proposed flight with actual weight, PA, and temperature considered, if the calculated takeoff roll distance plus the calculated landing distance exceeds the runway length available for the planned departure runway, the flight release requires SFRO review.

Q: Paragraph 9.9.5.1.4.2 requires an SFRO to release flights when the departure runway is shorted than the T/O GROL plus the Landing GROL. Is the value added here (e.g., double checking the pilot's numbers) worth the potential for operational issues arising from limited SFRO availability?

A: The intent of this regulation is not to have the SFRO double-check the pilot's numbers, but rather to have a more experienced pilot review the risk inherent in operations from shorter runways. SFRO availability is not expected to be limited given the number of people meeting that qualification level.

Q: Paragraph 9.10.2.2 requires PICs to obtain a flight release from a FRO in-person or via telephone. Would the use of radio communication be acceptable as a substitute for telephone?

A: Voice over radio would be a suitable substitute for voice over telephone, as would voice over IP. The intent was to avoid the limitations inherent in asynchronous, textual methods like email and message services.

Q: Paragraph 9.10.2.6 requires flights on an IFR flight plan to obtain a flight release no earlier than two hours before actual takeoff time and considers any release more than two hours old as void. This will create problems for early morning flight departures. Also, suggest changing "actual" to "planned" and indicating that the release will be more than two hours old at takeoff, a new release will be required.

A: This rule was initiated by ICL to the CAPR 60-1 in April 2016 without any apparent impact to operations. It is understood that the initial release will be based on a planned departure time. However, if delays are encountered that would result in the release being more than two hours before the actual takeoff time, then a new release is required.

Q: Paragraph 9.10.4.1 regarding flight controls appears to conflict with 9.4.8. Can you clarify the intent?

A: Paragraph 9.4.8 prohibits operation of CAP aircraft by anyone other than those listed. Paragraph 9.10.4.1 places further restrictions on who can handle the controls below 1,000 feet AGL. It notes that orientation does not qualify as flight instruction; therefore, those undergoing orientation may not handle the controls below 1000 feet AGL.

Q: Paragraph 9.10.5.3 addressing takeoff and landing weather minimum for IFR flight does not specify a time range for forecast conditions at the departure and arrival airports. Shouldn't the forecast be for departure/arrival plus or minus 1 hour?

A: Part 91.169 only requires consideration of weather within +1/-1 hour of arrival at the destination when negating the need for an alternate airport on an IFR Flight Plan. Although +1/-1 is a common planning factor, pilot judgment regarding the appropriate timespan based on estimated variability in execution of the plan and current weather conditions and volatility is required.

Q: Paragraph 9.10.5.3.5 requires pilots to discontinue an approach and continue to the alternate or hold whenever destination weather decreases below the minimums authorized by the flight release. Wouldn't the resulting missed approach to holding or divert result in a less safe situation? Why not allow pilots to exercise discretion and fly down to personal minimums?

A: The intent of this paragraph is to make clear that pilots are expected to conduct their flight within planned risk and flight release parameters. When changing conditions result in risk escalation, the pilot shall take action to mitigate the risk. Consider a flight assessed as low risk based on arrival with >800 foot ceilings and > 2 miles of visibility. If conditions deteriorate to 500/1, the pilot may feel that they are within their personal minimums; however, they are operating beyond the planned risk level, level of review (FRO vs. SFRO), and their flight release. Barring other risk elevating factors (e.g., alternate/enroute weather, fuel, proficiency, currency, etc.), holding or proceeding to the planned alternate is a prudent method for bringing risk back within planned values. However, as noted in the paragraph, pilots may exercise discretion and approach to published minimums.

Q: Paragraph 9.10.5.4.1.3 states that CAP airplanes will not be flown when turbulence is forecast or reported severe or extreme in the area of operations. The rule does not state the source of forecast/report, define area, or specify altitude. Why not leave this to pilot's judgment?

A: I think we can all agree that severe to extreme turbulence represents a significant risk to the operation of our aircraft and is best avoided. Pilots should use their best judgment to determine the extent of their operations in both time and space and to identify the best forecast/reporting tools, as well as applicability to their specific circumstances. Attempting to define all the parameters would not improve the quality of the guidance or the ability of the pilot to comply with its intent, which is -- don't fly into severe or extreme turbulence.

Q: We fly from a large number of coastal airports, so it appears that the restrictions outlined in 9.10.8 regarding extended over-water flight mean that we will not be able to fly certain approach or departure procedures because they will take us beyond gliding distance to land. Can an exception for takeoff and landing be added to the 70-1?

A: 9.10.8.1 indicates that the scope of the rules regarding extended over-water flight do not apply when you are flying a published segment of an instrument approach or departure procedure.

Q: CAPR 60-1 2-1.j. required both front-seat crew members to be instrument qualified mission pilots for NIGHT over-water operations. CAPR 70-1 regarding EXTENDED over-water flight does not contain the modifier NIGHT. Was the intent to require both crew to be mission qualified and instrument rated for both day and night flights?

A: Correct. Wings who cannot comply with the requirement for day and night extended overwater flights to be crewed with instrument rated, Mission Pilots in both front-seats will need to request a waiver.

Q: Per CAPR 70-1 attachment 3 the holder of a Commercial Pilot Certificate can be evaluated to exercise at Private Pilot privilege level. Will WMIRS check this privilege level if the pilot is entered on a sortie that requires Commercial Pilot privileges? Additionally, for any sort that requires Commercial Pilot privileges will it check to see that the pilot has a current second class medical?

A: No, it currently does not check for this factor. FRO's will need to determine level of privilege evaluated and medical class versus level of qualification required by the mission.

Attachment 3

Q: Please clarify if pilots need to exercise commercial pilot privileges to perform teacher orientation flights. The reg says pilot needs a commercial certificate but says nothing about medical requirements. Which current CAP flight activities require commercial operations (certificate and class 2 medical)?

A: Paragraph 4 states that all CAP pilots must hold a medical certificate appropriate to the level of privileges to be exercised. As a result, any flight requiring a commercial pilot certificate also requires a valid Class 2 Medical Certificate. Pilot licensing requirements under applicable FAA exemptions are summarized at in "FAR Exemption for CAP Aircraft Operations" found on the CAP Pilot's page.

Other

Q: CAPR 60-1 3-8 permitted no notice flight checks during organized Wing and Region activities, and required Wing DOVs to conduct one or more check pilot meeting a year in support of trend analysis. These requirements were dropped in CAPR 70-1. Was this intentional or oversight?

A: The 70-1 only addresses Stan/Eval reporting. Stan/Eval program guidance will be provided in follow-on guidance. The Stan/Eval Speciality Track Guide still requires trainees to participate in meetings with Wing check pilots to discuss trends. This activity should continue in support of Stan/Eval reporting, trend analysis, and hazard identification. Commanders are not restricted from continuing the practice of no notice flight evaluations.

Q: I didn't see anything requirement for an A/C questionnaire for all A/C. Does this mean that if a F-5 is conducted in a C-182 G-1000 a questionnaire is not required for C-172s?

A: A completed aircraft questionnaire for the make and model of CAP aircraft in which the member is being evaluated is all that is required (Attachment 3 pg. 37 CAP PILOT FLIGHT EVALUATION PROCEDURE item 4).

Q: I didn't see requirements for F-91 Check Pilots. Currently CAP pilots that are not CFIs can be appointed as Check Pilots. Since there is no specific change or a specific requirement in the 70-1 or 60-3 for the mission check pilot or examiner to be a CFII, do we continue as before?

A: Correct. When taken in combination, the 70-1 and 60-3 do not require mission check pilots to be CFIs.

Q: I don't see any reference to G1000 transition training in the new regulation. Will this training no longer be required for pilots new to G1000 aircraft or will it be defined in a different publication?

A: The intention is not to require it specifically. With almost half the fleet being G1000s now, it is much more commonplace than it used to be. That said, it will remain available to assist, and I expect that as we look at pilot professionalism issues, there may be more of this type of training made available, and if there are issues, more formal mandates of use.

Q: There doesn't appear to be a rule regarding flight outside of wing boundaries. Is this omission intentional?

A: Elimination of this restriction was intentional.

Q: CAPR 60-1 contained a requirement that all CAPF 5 flight evaluations be completed with a check pilot different from the instructor who prepared the pilot for that evaluation. This requirement doesn't seem to appear in the 70-1. Was that omission intentional?

A: This rule was intentionally removed due to limitations in specific areas.

Q: What provisions are made for someone to fulfill FRO duties when working across states? (ex: when working SAREXs, Emerald Warrior, Green Flag, etc.)

A: FROs can fulfill their responsibilities across boundaries. There has been no change to the system in that regard.

Q: Can an FRO or IC change the values on an ORM if they believe the originator has undervalued a response? Example: Pilot sees a sortie as routine and the FRO or IC sees the sortie as complex.

A: Yes, the FRO/IC can adjust assessments based on their understanding of the criteria and the situation. In the end, the FRO/IC must be satisfied that risk factors have been accurately captured and they must be comfortable releasing the flight based on those assessments. The change history of the risk assessment is also captured by the system.