

Civil Air Patrol National Board Minutes



**27-28 February 2009
Washington DC**

27-28 February 2009

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ATTEST



Barry S. Herrin
Colonel, CAP
National Legal Officer

OFFICIAL:



Amy S. Courter
Major General, CAP
National Commander

**CIVIL AIR PATROL
NATIONAL BOARD MEETING MINUTES
27-28 February 2009
Washington DC**

OPEN SESSION

CALL TO ORDER	Maj Gen Amy S. Courter, CAP
INVOCATION.....	Ch, Col Whitson B. Woodard, CAP
PLEDGE OF ALLEGIANCE	Col Russell E. Chazell, CAP
ROLL CALL.....	Mr. Don R. Rowland, HQ CAP/EX
EXECUTIVE DIRECTOR REMARKS.....	Mr. Don R. Rowland, HQ CAP/EX
CAP-USAF COMMANDER REMARKS.....	Col Russell D. Hodgkins, Jr., USAF
NATIONAL COMMANDER REMARKS.....	Maj Gen Amy S. Courter, CAP
SPECIAL GUEST REMARKS.....	Maj Gen Amy S. Courter, CAP

NATIONAL BOARD

(As of 1 February 2009)

The National Board is comprised of the National Commander, National Vice Commander, National Chief of Staff, National Finance Officer, National Legal Officer, National Controller, National Inspector General, National Chief of Chaplains Services, Commander, CAP-USAF, the 8 region commanders, and 52 wing commanders.

NATIONAL OFFICERS

*Maj Gen Amy S. Courter, CAP	Nat'l Commander
*Brig Reggie L. Chitwood, CAP	Nat'l Vice Commander
**Col Russell D. Hodgkins, Jr., USAF	CAP-USAF Commander
*Col Russell E. Chazell, CAP	Nat'l Chief of Staff
*Col Fredric K. Weiss, CAP	Nat'l Finance Officer
*Col Barry S. Herrin, CAP	Nat'l Legal Officer
*Col William S. Charles, III, CAP	Nat'l Controller
**Col James F. Linker, CAP	Nat'l Inspector General
**Ch, Col Whitson B Woodard, CAP	Chief Chap. Service

MIDDLE EAST REGION

*Col Joseph R. Vazquez, CAP	Region Commander
Col Eugene L. Egly, III, CAP	Delaware
Col Gerard W. Weiss, CAP	Maryland
Col Jane E. Davies, CAP	National Capital
Col Roy W. Douglass, CAP	North Carolina
Col Aurel E. Smith, CAP	South Carolina
Col Eric R. Litt, CAP	Virginia
Col Rodney A. Moore, CAP	West Virginia

NORTHEAST REGION

*Col Robert Diduch, CAP	Region Commander
Col Peter Jensen, CAP	Connecticut
Col Christopher J. Hayden, CAP	Maine
Col David A. Belcher, CAP	Massachusetts
Col Donald C. Davidson, CAP	New Hampshire
Col Robert J. McCabe, CAP	New Jersey
Col Kenneth Andreu, CAP	New York
Col Mark A. Lee, CAP	Pennsylvania
Col Anthony Gagliardi, CAP	Rhode Island
Col Thomas P. Benckert Jr., CAP	Vermont

GREAT LAKES REGION

*Col Charles L. Carr, CAP	Region Commander
Col Gordon A. Larson, CAP	Illinois
Col Warren M. Reeves, CAP	Indiana
Col Henry L. Heaberlin, CAP	Kentucky
Col Michael A. Saile, CAP	Michigan
Col David M. Winters, CAP	Ohio
Col Donald J. Haffner, CAP	Wisconsin

SOUTHEAST REGION

*Col James M. Rushing, CAP	Region Commander
Lt Col David Boswell, CAP (Proxy)	Alabama
Col Christian F. Moersch, III, CAP	Florida
Col James W. Hughes, CAP	Georgia
Col Tillman C. Carroll, CAP	Mississippi
Col Rafael C. Roman, CAP	Puerto Rico
Col George B. Melton, CAP	Tennessee

ROCKY MOUNTAIN REGION

*Col Donald G. Cortum, CAP	Region Commander
Col Edward D. Phelka, CAP	Colorado
Col David A. Guzman, CAP	Idaho
Col Herb Cahalen, CAP	Montana
Col Robert M. Bost, CAP	Utah
Col Stanley A. Skrabut, CAP	Wyoming

NORTH CENTRAL REGION

*Col Steven W. Kuddes, CAP	Region Commander
Col Ronald S. Scheitzach, CAP	Iowa
Col Regena M. Aye, CAP	Kansas
Col Thomas B. Theis, CAP	Minnesota
Col John A. Mais, CAP	Missouri
Col Robert K. Todd, CAP	Nebraska
Col Karl R. Altenburg, CAP	North Dakota
Col Michael A. Beason, CAP	South Dakota

PACIFIC REGION

*Col Ernest C. Pearson, CAP	Region Commander
Col Carl L. Brown, CAP	Alaska
Col Kenneth W. Parris, CAP	California
Col Roger M. Caires, CAP (Interim)	Hawaii
Col Ralph L. Miller, CAP	Nevada
Col Brian L. Bishop, CAP	Oregon
Col David E. Maxwell, CAP	Washington

SOUTHWEST REGION

*Col Andre B. Davis, CAP (Proxy)	Region Commander
Col John M. Eggen, CAP	Arizona
Col Robert B. Britton, CAP	Arkansas
Lt Col Amos Plante, CAP (Proxy)	Louisiana
Col Richard F. Himebrook, CAP	New Mexico
Col Robert H. Castle, CAP	Oklahoma
Col Joe R. Smith, CAP	Texas

*Voting Members of National Executive Committee - 14

** Non voting members of National Board - 3

CORPORATE TEAM

Mr. Don R. Rowland
Mr. Johnny Dean
Ms. Susan Easter
Mr. Marc Huchette
Mr. Larry Kauffman
Mr. Jim Mallett
Mr. Rafael Robles
Mr. John A. Salvador
Mr. Gary Schneider

Executive Director
Director, Plans & Requirements
Chief Financial Officer
Director, Public Awareness & Membership Development
Assistant to Executive Director for Fleet Management
Director, Educational Programs
General Counsel
Director, Missions
Director, Logistics & Mission Resources

AGENDA ITEM 1

Information

**SUBJECT: Agenda Process Procedures
CAP/CC – Maj Gen Courter**

Author: Gen Courter

INFORMATION BACKGROUND:

In order to provide the best possible information and consideration of agenda items to come before a CAP body, it is imperative that schedules and processes are adhered to in the development of the agenda. Attached is a CAP diagram document: the “Civil Air Patrol Meeting Agenda Responsibility Matrix,” outlining the steps and responsibilities for developing the agenda. This is not a new process and should be recognizable to the members of the board. This Matrix allows the members in the field more transparency of the agenda development.

This process we have been using is inclusive, allowing for the flow of information that brings the agenda from its beginning: ideas coming from anywhere in CAP, to the culmination: items on which boards deliberate and consider action.

PROPOSED NATIONAL BOARD ACTION:

None – informational only.

AGENDA ITEM 2

Information

**SUBJECT: National Commander and Vice Commander
Election Procedures**

Author: None

CAP/CC – Maj Gen Courter

INFORMATION BACKGROUND:

One of the most important duties of the National Board is to elect the National Commander every three years and to elect the National Vice Commander every year, as the leaders represent the needs of the members of CAP on a daily basis. Therefore, CAP's future is determined by those elections. The credibility of the organization to the membership and the outside world are similarly vested in those elections.

Section 16 of the CAP Constitution and Bylaws states that candidates for the office of National Commander or National Vice Commander shall file a request for consideration with the Executive Director's office outlining their experience, qualifications, platforms and proposals if elected. These requests must be filed not later than 90 days prior to the general membership National Board meeting at which the election is held. There are no further requirements for how the actual election process is handled other than the statement in Section 13, paragraph 13.4, that voting for the National Commander and Vice Commander will be conducted in that order by written, secret ballot.

At this time, the procedures in place are not enough to ensure a repeatable best practice outcome of this significant duty of the National Board. It is important that all election procedures be predictable and transparent to the membership and the members of the National Board. It is important that as the organization matures, it develops more defined processes for the elections as well as the campaigns leading up to those elections.

These issues may be addressed by the Public Trust Task Force (PTTF). The PTTF is being created as a think-tank to consider issues that bear upon the Public Trust, such as the election of the top leadership, and to make recommendations to the National Commander regarding those issues. The PTTF will make reports to the National Board, as do other task forces. Members with substantive corporate governance experience are being selected to serve on this task force.

Some of the specific components of election procedure that the Task Force will study are:

- Considering a change to the filing deadline for candidates. The current filing deadline of 90 days to the Summer National Board meeting may make for a longer than necessary campaign season, and may not necessarily allow individuals enough time to consider their interest in running for office. The question is whether moving this deadline will increase filed intentions and reduce the number of nominations from the floor.
- Requiring Endorsement of Nominees Made from the Floor and an Explanation Why the Nominee Did Not File by the Deadline. Nominations from the floor can

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be disruptive to the election process and are not fair to those candidates who filed timely self-nominations and participated in an election campaign. By requiring this change, candidates nominated from the floor would be required to provide the same information as those candidates who file by the deadline, including a biography, goals, vision, and other appropriate campaign materials to the Board at that time. The question of whether elections with floor nominated candidates should be deferred to the next business day in order to allow the National Board to review submitted campaign materials before voting occurs will also be considered.

- During the 10 minute Q&A sessions, whether the right that sitting NB members have to question candidates for office will be extended to all duly nominated candidates, regardless of their membership on the NB. Allowing both members of the National Board and all candidates for the position an opportunity to explore the goals, values, platforms, experience, and motivation of those candidates running should enhance the process and provides the electorate, as well as the membership at-large, a comprehensive view of the candidates. The task force will consider whether it would be appropriate to extend time if questioners remain after the ten minute limit, and other ways to increase transparency.
- In the case of the National Vice Commander election, whether the incumbent National Commander or, when a CC is elected, the National Commander-Elect, may or should speak concerning the imminent CV election. As the CC and the CV must work well together as a team, the Task Force will consider whether it is appropriate for the CC to comment on the candidates and the CC's sense of the partnership that is being created. During this past election cycle, I was warned not to get involved with the CV election, and while I thought this was unhealthy for the organization, I heeded the warning. Yet as I had worked in the past with the candidates for CV, my input should have been considered, especially related to the potential successful collaboration as a team. The Task Force will consider the process of Commanders at all other levels selecting their own Vice or Deputy Commanders, and consider the applicability and reasonableness of the CAP/CC at least having a voice in the CAP/CV election process. Codifying practices of comment and response from the National Commander or National Commander-Elect will consider whether the command vision of the National Commander will be publicly heard and considered before the vote is taken.
- Whether declared candidates that are not sitting members of the National Board may address the Board, upon recognition of the Chair, without objection by any member of the Board. Candidates not currently members of the National Board need to be afforded the same access to the floor enjoyed by those candidates that are sitting members of the Board. The Task Force will consider whether this provision provides fair access during the election process.
- Whether Sanctions Can Be Imposed On Those Candidates Who Engage in Unethical Conduct. Elections, and the campaigns preceding them, should be a fair and ethical process that exemplifies CAP's core values. The Task Force will

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consider the question of whether candidates or other members campaigning for a candidate that do not conduct themselves in an exemplary manner should face consequences for their actions, in the same manner they would for any other unethical actions as CAP members. The National Board could be responsible for notifying, investigating and considering any behaviors and/or sanctions.

PROPOSED NATIONAL BOARD ACTION:

No action is required as this agenda item is purely informational, but input would be welcomed. Similarly, volunteers interested in joining the PTTF should provide a written brief statement of interest to the CAP/CC. A cross-functional team with diverse ideas is being sought. Election processes and other recommendations made by the PTTF may later become agenda items for consideration by the National Board, and board member inclusion on the task force is imperative.

NATIONAL BOARD ACTION

Information only. No action. Gen Courter noted that this is a follow-on from the Nov 08 NEC meeting. This item gives National Board members an opportunity to consider the information as well as an opportunity to join the Public Trust Task Force (PTTF).

CONSENT AGENDA ITEM 3a DA Action

SUBJECT: Approval of the August 2008 National Board Minutes

Author: None

CAP/CS – Col Chazell

INFORMATION BACKGROUND:

The minutes of the August 2008 National Board meeting were distributed in draft form. This allowed the National Board members a chance to review the minutes for any discrepancies.

PROPOSED NATIONAL BOARD ACTION:

That the National Board approves the August 2008 National Board Meeting minutes.

ESTIMATED FUNDING IMPACT:

None.

CAP NATIONAL HEADQUARTERS' COMMENTS:

None.

CAP-USAF HEADQUARTERS' COMMENTS:

Concur as drafted.

ADVISOR / NATIONAL STAFF COMMENTS:

None.

REGULATIONS AND FORMS AFFECTED:

None

NATIONAL BOARD ACTION

COL BENCKERT/VT MOVED and COL JENSEN/CT seconded the PROPOSED NATIONAL BOARD ACTION.

THE MOTION CARRIED

FOLLOW-ON ACTION: Remove the word 'DRAFT' from the August 2008 National Board minutes.

CONSENT AGENDA ITEM 3b

DP

Action

SUBJECT: Protecting Personally Identifiable Information

Author: Col Smith

TX Wg/CC – Col Smith

INFORMATION BACKGROUND:

CAPR 50-4 requires security precautions to safeguard CAP Tests but CAPR 10-2 currently does not specify security precautions for storage of CAP officer and cadet personnel files. As these records contain personally identifiable information (PII), it is imperative they be secured for protection against identity theft. Examples of PII include social security number, date of birth, and driver's license number. The definition of PII may vary from State to State. Since many CAP units meet in buildings shared by other organizations or open to the public, restricting access to our members' PII is an essential precaution.

PROPOSED NATIONAL BOARD ACTION:

That the National Board approves that personnel records containing personally identifiable information be secured in a similar manner to CAP tests.

ESTIMATED FUNDING IMPACT:

Minimal.

CAP NATIONAL HEADQUARTERS' COMMENTS:

Concur with Senior Advisor - Support comments.

CAP-USAF HEADQUARTERS' COMMENTS:

Concur.

ADVISOR / NATIONAL STAFF COMMENTS:

[Sr Advisor-Support] Concur. This should be included in both CAPR 10-2 and CAPR 39-2.

REGULATIONS AND FORMS AFFECTED:

CAPR 10-2, *Files Maintenance and Records Disposition*

NATIONAL BOARD ACTION

COL SMITH/TX MOVED and COL RUSHING/SER seconded the PROPOSED NATIONAL BOARD ACTION.

COL MILLER/NV MOVED TO AMEND and COL PARRIS/CA seconded the amendment to strike the last seven words of the motion.

THE MOTION TO AMEND CARRIED.

THE AMENDED MOTION CARRIED.

NOTE: The amended motion reads:

“That the National Board approves that personnel records containing personally identifiable information be secured.”

FOLLOW-ON ACTION: Implementation of policy, notification to the field, and change to CAPR 10-2 and CAPR 39-2. NOTE: There was a request that all members be reminded to keep lab-top computers that contain personnel records secure. In the formulation of regulations thought needs to be given to safeguarding all aspects of personnel information—electronic, paper, computer—and how the information is to used.

CONSENT AGENDA ITEM 3c

DO

Action

SUBJECT: E-Services SET Qualification

Author: Col Smith

TX Wg/CC – Col Smith

INFORMATION BACKGROUND:

The Skills Evaluator Training (SET) qualification is of limited utility in identifying qualified supervisors in Ops Qual/E-Services because there is no validation and no control of this credential. A new CAP officer or cadet can take the CAP Test 116 immediately followed by the online 10 question SET exam and have no specialty qualifications on their 101 card other than GES and SET. There is no validation by the chain of command of the SET rating. It is automatically added to the 101 card after passing the brief open book exam.

PROPOSED NATIONAL BOARD ACTION:

That the National Board directs that the SET credential be validated by the unit commander, group commander (if applicable), and wing commander as any other Emergency Services specialty so it is useful in identifying those individuals who are qualified evaluators of emergency services specialties.

ESTIMATED FUNDING IMPACT:

Minimal.

CAP NATIONAL HEADQUARTERS' COMMENTS:

Concur. Only minor programming changes are required to allow new SET process in OPS-Quals. This will be included in the new CAPR 60-3.

CAP-USAF HEADQUARTERS' COMMENTS:

Concur.

ADVISOR / NATIONAL STAFF COMMENTS:

[Sr Advisor-Support] No objection if this is the desire of the Board. Funding impact will be minimal.

The National Staff agrees with the proposed concept. However, it is recommended that the action be amended to also require that the following criteria be met before an individual is permitted to evaluate emergency services specialties:

1. The member must complete the current emergency services Skills Evaluator Training (SET)
2. The member must hold the specialty achievement in which they are to evaluate and have held this qualification for a minimum of 1 year.

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3. That they be approved by their wing commander or designee to serve in each specialty they are to evaluate.

REGULATIONS AND FORMS AFFECTED:

CAPR 60-3, *CAP Emergency Services Training and Operational Missions.*

NATIONAL BOARD ACTION

COL SMITH/TX MOVED and COL CASTLE/OK seconded the PROPOSED NATIONAL BOARD ACTION.

COL BELCHER/MA MOVED to amend and COL McCABE/NJ seconded the amendment to also require that the following criteria be met before an individual is permitted to evaluate emergency services specialties:

1. The member must complete the current emergency services Skills Evaluator Training (SET).
2. The member must hold the specialty achievement in which they are to evaluate and have held this qualification for a minimum of 1 year.
3. That they be approved by their wing commander or designee to serve in each specialty they are to evaluate.

THE AMENDMENT CARRIED.

COL BISHOP/OR MOVED TO AMEND and COL BROWN/AK seconded the amendment to correct a word in the first line of the motion by striking the word "validated" and replacing with the word "approved."

THE AMENDMENT CARRIED.

COL MILLER/NV MOVED TO AMEND and COL CHAZEL/CS seconded the amendment to add the words "and/or designee" after the words "wing commander" in the second line of the motion.

THE AMENDMENT CARRIED (37 yes).

THE AMENDED MOTION CARRIED.

NOTE: The amended motion reads:

"That the National Board directs that the Skills Evaluator Training (SET) credential be approved by the unit commander, group commander (if applicable), and wing commander, and/or designee, as any other Emergency Services specialty so it is useful in identifying those individuals who are qualified

evaluators of emergency services specialties. Also establish a requirement that the following criteria be met before an individual is permitted to evaluate emergency services specialties:

- 1. The member must complete the current emergency services SET.**
- 2. The member must hold the specialty achievement in which they are to evaluate and have held this qualification for a minimum of 1 year.**
- 3. That they be approved by their wing commander or designee to serve in each specialty they are to evaluate.”**

FOLLOW-ON ACTION: Implementation of policy, notification to the field, and change to CAPR 60-3, CAP Emergency Services Training and Operational Missions.

CONSENT AGENDA ITEM 3d

DO

Action

**SUBJECT: Removal of CAPR 60-11
TX Wg/CC – Col Smith**

Author: Col Smith

INFORMATION BACKGROUND:

CAPR 60-11 describes a reimbursement process for flight clinics that no longer exists, yet still requires a 1.0 hour restriction on pilot continuation training on each pilot per fiscal year that may not reflect wing training priorities to effectively utilize annual training funds.

PROPOSED NATIONAL BOARD ACTION:

That the National Board directs that CAPR 60-11 be rescinded.

ESTIMATED FUNDING IMPACT:

None.

CAP NATIONAL HEADQUARTERS' COMMENTS:

Concur.

CAP-USAF HEADQUARTERS' COMMENTS:

Concur.

ADVISOR / NATIONAL STAFF COMMENTS:

[Sr Advisor-Ops] Concur. Senior Advisor Operations recommends that the CAPR 60-11 be rescinded since other training funding and programs adequately address pilot training. The FAA Wings program can be a part of the any internally generated training program whether funded or unfunded

REGULATIONS AND FORMS AFFECTED:

CAPR 60-11, *Pilot Continuation Training Program*

NATIONAL BOARD ACTION

COL BENCKERT/VT MOVED and COL JENSEN/CT seconded the PROPOSED NATIONAL BOARD ACTION.

THE MOTION CARRIED.

FOLLOW-ON ACTION: Rescission of CAPR 60-11

CONSENT AGENDA ITEM 3e

HC

Action

SUBJECT: Change of Designation for the CAP Chaplain Service

Author: Col Woodard

CAP/CCS – Ch, Col Woodard

INFORMATION BACKGROUND:

Paragraph 1, a. of CAPR 265-1 states the following: “The CAP Chaplain Service was organized with the guidance of the Air Force Chief of Chaplains in January 1950. Since this time, as the Air Force’s Auxiliary, the CAP Chaplain Service has partnered with the USAF Chaplain Service. Though separate organizations, the CAP Chaplain program will be modeled after the USAF Chaplain Service, as stated in the current Statement of Work between the CAP and the USAF.”

Recently, the USAF Chaplain Service has changed its name to the USAF Chaplain Corps. This action brings the Air Force in line with the historic designation for chaplain programs employed by all of the other branches of our armed forces. It is the desire of the Air Force Chief of Chaplains that its Auxiliary CAP Chaplain Service take the same action, thereby designating the CAP Chaplain Service as the CAP Chaplain Corps.

PROPOSED NATIONAL BOARD ACTION:

That the National Board approves the designation of the CAP Chaplain Service as the CAP Chaplain Corps. Designations shall be changed in conformance, i.e. Chief of CAP Chaplain Services will become “Chief of the CAP Chaplain Corps,” Chaplain Service Advisory Council will become “Chaplain Corps Advisory Council,” and etc.

ESTIMATED FUNDING IMPACT:

The funding impact is minimal. The CAP chaplain seal will change by replacing the word “Service” with “Corps.” Publications may be changed whenever reprinting is necessary. Since currently, most of the Chaplain publications (including CAPR 265-1 and all of the training manuals) are in revision in the normal rewriting cycle, there will be no additional cost. Furthermore, the Air Force Chief of Chaplains has stated that current publications, coins, and etc. are acceptable during the transition.

CAP NATIONAL HEADQUARTERS’ COMMENTS:

Concur. However, adequate time should be allowed as a transition period permitting use of existing items to exhaust current supply. Other documents affected by this change include CAPP 225, CAPP 265-2, CAPP 265-4, and CAPR 265-2.

CAP-USAF HEADQUARTERS’ COMMENTS:

Concur.

ADVISOR / NATIONAL STAFF COMMENTS:

[Sr Advisor-Support] Concur.

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[NLO] I'm for whatever keeps our biggest client happy, particularly when our chaplain "corps" has been so successful in integrating itself into USAF activities. So, for the record, NLO concurs.

REGULATIONS AND FORMS AFFECTED:

CAPR 265-1; CAPP 265-1; CAPP 221; CAPP 221A; CAPP221B; CAPP 221C; Chaplain Service Personnel Directory. All of the aforementioned documents are in the process of revision with or without this change and can be easily amended at this time. Other regulations that will require minor revisions are CAPR 20-1; CAPR 35-5 (1.5c); CAPR 50-17 (6-7) Two of these, CAPR 35-5 and CAPR 50-17 are already effected by NB action taken last year, so this proposal will have no significant impact.

NATIONAL BOARD ACTION

COL BENCKERT/VT MOVED and COL JENSEN/CT seconded the PROPOSED NATIONAL BOARD ACTION.

THE MOTION CARRIED.

FOLLOW-ON ACTION: Implementation of policy, notification to the field, and change to regulations and pamphlets, as indicated.

CONSENT AGENDA ITEM 3f

ED

Action

SUBJECT: Professional Military Education Equivalency Time Limit

Author: Col Chazell

CAP/CS – Col Chazell

INFORMATION BACKGROUND:

CAPR 50-17, (1 March 2003), Attachment 2, states that professional military education (PME) must have been completed within the last 20 years in order for it to be used as an equivalency for CAP professional development requirements. This requirement should be removed for two reasons:

1) Education should not be considered perishable. If an officer completed the course and can prove that completion, he/she should receive whatever equivalencies are allowed under CAPR 50-17, regardless of when that education was completed. This requirement is analogous to saying that an academic degree is no longer deemed valid 20 years after completion. This seems to be an arbitrary requirement that doesn't make sense.

2) The 20 year requirement as shown in CAPR 50-17 does not appear to be valid. The only place in the regulation where this requirement appears is as a header to Attachment 2. Nowhere in the substantive language of the regulation is such a requirement discussed. I do not believe that attachments can stand alone with regulatory authority. Attachments are intended to serve as supporting material for the substance of the regulation itself. Paragraph 1-1(d) clearly states that PME can be used for equivalent completion of certain CAP professional development requirements. No mention of the 20 year limitation is found in that paragraph or any other paragraph in the substantive portions of the document.

PROPOSED NATIONAL BOARD ACTION:

That the National Board approves amending CAPR 50-17 to remove all references to a 20 year time limit to request use of military PME as equivalencies for CAP professional development program requirements and to allow such equivalencies, upon presentation of proof of completion, regardless of the length of time elapsed since completion.

ESTIMATED FUNDING IMPACT:

The cost of revising and republishing the regulation.

CAP NATIONAL HEADQUARTERS' COMMENTS:

Concur and if approved will make the appropriate changes to CAPR 50-17, *Senior Member Professional Development Program*.

CAP-USAF HEADQUARTERS' COMMENTS:

Concur.

ADVISOR / NATIONAL STAFF COMMENTS:

[Sr Advisor-Support] Concur.

REGULATIONS AND FORMS AFFECTED:

CAPR 50-17, *CAP Senior Member Professional Development Program*

NATIONAL BOARD ACTION

COL BENCKERT/VT MOVED and COL JENSEN/CT seconded the PROPOSED NATIONAL BOARD ACTION.

THE MOTION CARRIED.

FOLLOW-ON ACTION: Implementation of policy, notification to the field, and change to CAPR 50-17, *CAP Senior Member Professional Development Program*.

AGENDA ITEM 4

DA

Action

**SUBJECT: Test Control Officers
WY Wg/CC – Col Skrabut**

Author: Col Skrabut

INFORMATION BACKGROUND:

CAPR 50-4, *Test Administration and Security*, paragraph 1-2a requires that each wing and unit assign a test control officer.

As more and more exams are being placed on line, fewer and fewer units are maintaining physical exams. What was once a necessity is no longer necessary. Units that do not maintain physical copies of exams should not be required to fill a position and generate unnecessary appointment letters.

In the event a physical test is required, the unit can either work out testing details with a higher headquarters unit or properly appoint a testing control officer.

PROPOSED NATIONAL BOARD ACTION:

That the National Board approves that only units maintaining tests require the assignment of a test control officer.

ESTIMATED FUNDING IMPACT:

None.

CAP NATIONAL HEADQUARTERS' COMMENTS:

Concur. However, Wing Commanders, through their Test Control Officers, should ensure that subordinate units have a Test Control Officer before they forward any exams.

CAP-USAF HEADQUARTERS' COMMENTS:

Concur. However, units should give careful consideration to the difficulty involved with testing at another unit before eliminating the TCO.

ADVISOR / NATIONAL STAFF COMMENTS:

[Sr Advisor-Support] The PD Advisor believes this idea is a good one, but may be premature for many units. These units still have some ES testing to do, specialty tracks still have tests, and it will make the AEPSM/Yeager difficult to take. Recommend delaying implementation.

REGULATIONS AND FORMS AFFECTED:

CAPR 50-4, *Test Administration and Security*
CAPR 50-17, *CAP Senior Member Professional Development Program*

NATIONAL BOARD ACTION

COL SKRABUT/WY MOVED and COL BEASON/SD seconded the proposed NATIONAL BOARD ACTION.

THE MOTION CARRIED.

FOLLOW-ON ACTION: Implementation of policy, notification to the field, and change to CAPR 50-4, *Test Administration and Security*, and CAPR 50-17, *CAP Senior Member Professional Development Program*.

AGENDA ITEM 5

DA

Action

**SUBJECT: Confidentiality of Internet Email
SWR/CC – Col Jensen**

Author: Col Jensen

INFORMATION BACKGROUND:

E-mail has become a widely used means of communication and allows much increased efficiency of routine operations. However, e-mail is subject to interception, inadvertent or intentional forwarding, disclosure and “spoofing”. Use of e-mail for Civil Air Patrol operations must take into consideration the inherent insecurity of e-mail, particularly with regard to transmission of confidential or sensitive information.

PROPOSED NATIONAL BOARD ACTION:

That the National Board direct NHQ staff to insert the following language into CAPR 110-1 in the place determined most appropriate by the responsible CAP NHQ directorate:

“Internet e-mail is inherently insecure. E-mail may be subject to inadvertent or intentional disclosure or forwarding, interception or “spoofing”. E-mail shall ordinarily not be used for confidential or sensitive information. Confidentiality disclaimers, forwarding restrictions and the like shall not be depended upon to maintain the confidentiality of sensitive CAP operational, corporate or other information.”

ESTIMATED FUNDING IMPACT:

Minimal

CAP NATIONAL HEADQUARTERS’ COMMENTS:

Could be referred for further staffing; concur with Sr Advisor-Support comments. If approved, this could be included as part of OPSEC Training.

CAP-USAF HEADQUARTERS’ COMMENTS:

Concur.

ADVISOR / NATIONAL STAFF COMMENTS:

[Sr Advisor-Support] Recommend that if the National Board desires additional regulatory guidance on the use of e-mails that this item be referred for further staffing to resolve the issues described by the NLO and others which may occur.

[NLO] The regulation only applies to official CAP websites and internet operations, not individuals within CAP using their private email accounts to send information. Consequently, I'm not sure this change accomplishes what Col Jensen wants. I don't think it's possible to do corporate business in the modern era without email, and disclaimers are used routinely for this purpose. There is a lot of developing law on the

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effectiveness of these disclaimers in litigation and preserving the attorney-client privilege, but it's still not clear what the overall outcome will be.

To what end is the amendment directed? Will there be disciplinary consequences? If CAP wants to provide a secure web portal for official business, we could do that, but at what cost? My law firm requires official business to be conducted thru our servers and email, so that we don't import viruses or other banned software. If CAP does that, that would be great.

REGULATIONS AND FORMS AFFECTED:

CAPR 110-1, *Internet Operations*

NATIONAL BOARD ACTION

COL DAVIS/SWR (PROXY) MOVED and COL BRITTON/AR seconded the PROPOSED NATIONAL BOARD ACTION.

COL WINTERS/OH MOVED TO POSTPONE and COL JENSEN/CT seconded the postponement to return to all staff for further study.

THE MOTION TO POSTPONE CARRIED.

FOLLOW-ON ACTION: All staff to study and bring the motion back with more detail of terms and conditions that are challenging CAP today. Include in August 2009 National Board agenda.

AGENDA ITEM 6

DP

Action

**SUBJECT: Review of Membership Waivers for
Unfavorable Criminal History Information**

Author: Col Herrin

CAP/NLO – Col Herrin

INFORMATION BACKGROUND:

The CAP Membership Regulation, CAPR 39-2, paras. 3-2.d.1 and 3-2.d.2, permits the Executive Director or the National Commander to allow an individual to join Civil Air Patrol by granting a waiver should that individual have been convicted of a felony or have in his or her criminal background “a pattern of arrests and/or convictions including but not limited to sex offenses, child abuse, DUI, dishonesty and violence.” There is currently no oversight of or transparency for these critically important decisions.

PROPOSED NATIONAL BOARD ACTION:

That the National Board approves:

(1) a change to CAPR 39-2 removing the ability of the National Commander and the Executive Director to grant membership waivers for individuals who have negative criminal history information that would otherwise render the applicant unsuitable for CAP membership unless the application, along with all available confidential FBI reports and supporting documentation has been reviewed by the Membership Action Review Board, and the MARB concurs with the proposed waiver by majority vote.

(2) That CAPR 35-8 be changed to require the MARB to review and act upon requests for waivers submitted by the National Commander and the Executive Director. Unless waived by the applicant, all criminal history information and supporting documentation will remain confidential and may only be disclosed, upon inquiry, to the National Executive Committee and/or National Board in closed session, or to the Board of Governors under such conditions as they direct.

ESTIMATED FUNDING IMPACT:

Minimal.

CAP NATIONAL HEADQUARTERS' COMMENTS:

NHQ does not recommend approval of this item,

NHQ currently has in place effective oversight for these critically important decisions that requires review and approval by DP, GC and EX.

MARB has limited jurisdiction and the proposed requirement exceeds the original purpose and function of the MARB.

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The agreement executed between CAP and the FBI prohibits the dissemination of the confidential report information to non-authorized persons and hence, transparency is a non- issue. Also, confidentiality of report is referred to in CAPR 39-2, paragraph 3-3 a.

CAP-USAF HEADQUARTERS' COMMENTS:

Do not concur. CAP-USAF agrees with the NHQ comments

ADVISOR / NATIONAL STAFF COMMENTS:

[CAP/CC] Non-Concur. The process should be that the EX has the sole discretion to accept or decline waivers requests for unfavorable criminal history. The EX, in conjunction with the GC, would make the final decisions, and if the CAP/CC wants to provide input, then it could be considered. The EX, under the current regulation, can make the determination without any volunteer, and this is acceptable. However, as it stands today, the CAP/CC, under the regulation, can make the determination without the EX. If any change to this is made, I think that the CAP/CC should not have authority without concurrence of the EX, to make waivers in these situations. The MARB should not have to be invoked for the approximately 500 times per year a request of this type is made.

[Sr Advisor-Support] This would require a change in the MARB responsibilities in the Constitution and Bylaws.

REGULATIONS AND FORMS AFFECTED:

CAPR 35-8, *Membership Action Review Board*
CAPR 39-2, *Civil Air Patrol Membership*

NATIONAL BOARD ACTION

This agenda item was withdrawn. Col Herrin/NLO explained that currently there is no process by which a person who would technically be denied membership to have to ask for a waiver. There is a process that is undertaken to evaluate a person who might be given a waiver, but there is no process by which a person has to ask to be considered if they are otherwise not going to be allowed to be a member. The National Legal Officer and Executive Director will work on rewriting portions of the regulation that make the waiver process more transparent and would require a member whose membership is proposed not to be granted to have to apply for a waiver through channels so that they have a wing or region advocate for making them a member, rather than have that be a function solely of the staff. In that way, a corporate officer has to take responsibility for a person who is asking for a waiver from membership conditions.

AGENDA ITEM 7

DP

Action

**SUBJECT: Requirement for Criminal Background Check for
Cadets over the age of 18 Years**

Author: Col Herrin

CAP/NLO – Col Herrin

INFORMATION BACKGROUND:

CAP cadets over the age of 18 often assume leadership positions within the cadet program and also serve as mentors to younger cadets. While the CAP Cadet Protection Policy, requires that all cadets reaching the age of 18 must complete Cadet Protection Program Training, there is no corresponding obligation for such cadets to pass a criminal background check as we require of all other persons over the age of majority, including senior members under the age of 21 who are married or enlisted in the active duty armed forces and are therefore ineligible to continue as cadet members. Due to the legally confidential nature of juvenile court records, young adults typically receive a “clean slate” on their 18th birthday; therefore criminal history checks are unlikely to provide meaningful information much before a person’s 19th birthday.

PROPOSED NATIONAL BOARD ACTION:

That the National Board approves:

- (1) changes to CAPR 52-10 and CAPR 39-2 requiring cadets over the age of 18 to submit to a criminal background check on or before their 19th birthday in the same manner as cadets converting to senior membership and
- (2) a change to CAPR 35-3 requiring the termination of membership of any cadet who has been convicted of any offense (or has suffered a pattern of arrests) that would disqualify such cadet from senior membership in CAP as described in CAPR 39-2, paragraph 3-2, and subject to same waiver procedures currently in effect for senior members. Cadets will not be charged for any of the costs associated with a background check.

ESTIMATED FUNDING IMPACT:

The cost to process additional criminal background checks for subject cadets.

CAP NATIONAL HEADQUARTERS’ COMMENTS:

NHQ does not recommend approval of agenda item.

The proposed agenda item would impact and require major changes to additional regulations and revive arguments and discussions regarding the suitability of cadets between the ages of 18 and 21 years of age. Currently, there are 2630 Cadets that fall into this category.

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The cost of confidential FBI reports would escalate (\$45,367.50) if they are performed free of charge and due to the young age of the cadet, past experience has shown that 9 times out of 10 no data appears for subjects in that age range.

A suspension trigger (flag) software devise would need to be created within the system to monitor cadets in that age range.

At present there is no obligation to have such a background check; however we rely on our senior leaders at local squadrons to oversee and be aware of cadet misconduct, which has been effective.

CAP-USAF HEADQUARTERS' COMMENTS:

CAP-USAF does not concur. The expense of a background check that would be unlikely to gain meaningful data does not seem warranted.

ADVISOR / NATIONAL STAFF COMMENTS:

[Sr Advisor-Support] Concur. Implementation of this item will require some time based on modifications to the membership system.

[CAP/CC] Concur. While time-consuming, this will afford protection to our cadets, and will deter cadets with unfavorable backgrounds to continue in the program, which may put other cadets at risk.

REGULATIONS AND FORMS AFFECTED:

CAPR 35-3, *Membership Termination*
CAPR 39-2 *CAP Membership*
CAPR 52-10, *CAP Cadet Protection Policy*

NATIONAL BOARD ACTION

COL HERRIN/NLO MOVED and COL CORTUM/RMR seconded the PROPOSED NATIONAL BOARD ACTION.

COL WEISS/MD MOVED TO AMEND and COL HERRIN/NLO seconded the amendment to strike paragraph (1) and strike the last sentence of paragraph (2) of the motion.

THE AMENDMENT CARRIED.

THE AMENDED MOTION CARRIED.

NOTE: The amended motion reads:

“That the National Board approves a change to CAPR 35-3 requiring the termination of membership of any cadet who has been convicted of any offense

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(or has suffered a pattern of arrests) that would disqualify such cadet from senior membership in CAP as described in CAPR 39-2, paragraph 3-2 and subject to same waiver procedures currently in effect for senior members.”

FOLLOW-ON ACTION: Implementation of policy, notification to the field, and change to CAPR 35-3, *Membership Termination*.

AGENDA ITEM 8

DP

Action

SUBJECT: CAP Member Standardized Recognition Program

Author: Col Parris

CA Wg/CC – Col Parris

INFORMATION BACKGROUND:

Existing CAP policy does not provide standardized guidance to commanders in how to recognize exceptional performance. In dealing with exceptional performers, some commanders may take a very liberal view in granting awards and other recognition while other commanders apply more rigorous standards. Since awards and promotions are the few tangible rewards commanders can offer members, a standardized approach to ensuring recognition is granted when merited and not given in excess maintains the empirical value of the awards, preventing their value from being diminished in the eyes of the members throughout the organization.

PROPOSED NATIONAL BOARD ACTION:

That the National Board approves the establishment of an *ad hoc* CAP Member Recognition Policy Committee charged with the specific purpose to craft a standardized nationwide CAP recognition policy. The committee shall seek to provide commanders at all levels with recognition “benchmarks” to assist them in making appropriate recommendations for awards and promotions.

The committee shall be appointed by the National Commander and be comprised of members who have served as commanders, cadet program officers, legal officers and personnel officers. A cadet representative may be appointed to this committee at the discretion of the National Commander. The National Commander may appoint CAP paid corporate staff to the committee with the concurrence of the Executive Director. The number of members and constituency of the committee shall be at the National Commander’s discretion.

The committee shall provide the National Board with an update on its progress in completing the policy at each subsequent National Board meeting with the goal of completing its task by the 2010 Summer National Board meeting. The committee shall be deactivated once the policy has been completed and adopted by the National Board.

ESTIMATED FUNDING IMPACT:

Estimated cost for approval of this action is negligible. Committee members can meet via conference calls and online e-conferences, reducing the cost of meeting.

CAP NATIONAL HEADQUARTERS’ COMMENTS:

If approved, NHQ will be glad to work with the established committee.

CAP-USAF HEADQUARTERS’ COMMENTS:

No comment.

ADVISOR / NATIONAL STAFF COMMENTS:

[Sr Advisor-Support] The National Awards and Promotions Team has published and given seminars (Summer National Board) on the preparation and justification of awards. The Team is very willing to support any action that the National Board desires for full member recognition, but is concerned that the commander's prerogative not be jeopardized.

[NLO] I do not endorse any restriction on the ability of commanders to reward performance. The fact that some commanders are poor "paymasters" and some are more liberal should not require a rigid approach to awards and recognition. Rather, the fact that wing commanders and region commanders do not award their subordinates for performance is a command issue that can be addressed by their commanders. If you look at Air Force awards, our categories pretty much track theirs with only a couple of exceptions: there is a "recognition ribbon" for people who have won national awards that used to have only plaques or certificates, and there is an "airman of the year" award ribbon. We might consider adopting those for CAP. I think the achievement award was a great addition. We also should have different unit recognitions besides just the unit citation and the NATCOM unit citation. If we have unit benchmarks for performance, we should recognize those that exceed the benchmarks.

[CAP/CC] Concur with comments of the NLO and Sr. Advisor-Support – at this time, commanders have the ability to provide recognition to reward performance and the outcome of this task force should not jeopardize the commander's prerogative. The "pay" we give our members, the awards and recognition need not be too tightly regulated.

REGULATIONS AND FORMS AFFECTED:

CAPR 35-5, *CAP Officer and NCO Appointments and Promotions*
CAPR 39-3, *Award of CAP Medals, Ribbons and Certificates*
CAPR 52-16, *Cadet Program Management*

NATIONAL BOARD ACTION

This agenda item was withdrawn.

AGENDA ITEM 9

DP

Action

SUBJECT: Request for Study of SSN Substitute

Author: Col Himebrook

NM Wg/CC – Col Himebrook

INFORMATION BACKGROUND:

Currently prospective cadets, particularly those in schools participating in the School Enrichment Program (SEP) program, who either do not have or do not wish to reveal their Social Security Number (SSN) are not permitted to join CAP. Under the Privacy Act, these individuals may not be asked their SSN or Green Card number. The requirement for the SSN is in CAPR 39-2 para 1-6 and Attachment 2.

PROPOSED NATIONAL BOARD ACTION:

That the National Board approve for the National staff to work this issue, then discuss their solution with the Air Force in hopes this results in allowing more youth to participate in CAP.

ESTIMATED FUNDING IMPACT:

Passage of this measure allowing more cadets joining will result in greater expenditures for training materials. This additional cost should be more than offset by the additional dues collected.

CAP NATIONAL HEADQUARTERS' COMMENTS:

Non-concur as drafted. The Privacy Act does not apply to CAP and only binds Federal Executive Branch Offices, such as the Department of Education. In addition, the Air Force requires the SSN for cadet program participation (e.g. military "O" Flights, base entry at base commander's option, etc.). Also, whether the SSN is required or not, individuals applying for cadet membership are still required to be citizens of the United States or individuals legally admitted for residence.

CAP-USAF HEADQUARTERS' COMMENTS:

CAP-USAF does not concur. It is important that prospective cadets' citizenship status be determined in order to ensure compliance with the CAP Constitution and Bylaws, and 36 USC. CAP-USAF also notes that CAP is not a "government agency" so the Privacy Act does not apply:

SOCIAL SECURITY NUMBER USAGE

Section 7 of the Privacy Act (found at 5 U.S.C. § 552a note (Disclosure of Social Security Number)) provides that:

"It shall be unlawful for any Federal, State or local government agency to deny to any individual any right, benefit, or privilege provided by law because of such individual's refusal to disclose his social security account number." Sec. 7(a)(1).

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Additionally, requiring the SSN for membership and background check is a separate consideration from how that number is used administratively in CAP programs and subsequent concerns over "identity theft." Questions of SSNs on CAP documents and orders is a different consideration from using the SSN in the membership application/screening process. The two distinct uses should be discussed separately.

ADVISOR / NATIONAL STAFF COMMENTS:

[Sr Advisor-Support] The use of the SSN on numerous CAP documents and orders is an ongoing concern with the National Staff and NHQ. The SSN requirement was removed from MSAs only last year with the assistance of CAP-USAF. The National Staff will continue to work this issue with all concerned and will advise the Board on its progress. If the SSN is removed from the membership system extensive modifications will be required, and will take time to accomplish.

[NLO] In agreement with the study. However, the Privacy Act should not factor into this as we make membership decisions based on our corporate standards, and we're not an instrumentality of the Federal government for that purpose.

REGULATIONS AND FORMS AFFECTED:

CAPR 39-2, *Civil Air Patrol Membership*.

NATIONAL BOARD ACTION

COL HIMEBROOK/NM MOVED and COL CARR/GLR seconded that the National Board approve for the National staff to work a study of Social Security Number substitute and then discuss their solution with the Air Force and Army JROTC in hopes this results in allowing more youth to participate in CAP.

THE MOTION DID NOT PASS.

AGENDA ITEM 10

DP

Action

SUBJECT: Movement of Aircraft and Personnel outside the Wing

A. Authorization Wing Aircraft or Personnel Leaving the Wing

B. Authorization Wing Vehicles or Personnel Leaving the Wing

Author: Col Lee

PA Wg/CC – Col Lee

INFORMATION BACKGROUND:

A. Currently, in the CAPR 60-1 there is a requirement that the wing or higher commander authorize flights for wing aircraft that will be flying out of the wing's boundaries. Further, flights beyond international borders require N/DO approval. Though it is assumed that the PIC will seek this authorization from his/her Wing Commander based on past practice and previous versions of the 60-1, this is no longer delineated. In addition, no regulatory guidance is provided if the wing's asset is being taken out of wing by a pilot from a different wing who may have received authorization from his own wing commander but not that of the Wing Commander responsible for the aircraft. In addition, no guidance is provided if that pilot is taking along crew members or passengers from a different wing. Should an aircraft or wing member be leaving the wing or region, the Wing Commander having primary responsibility for that aircraft, asset or member, as well as the Region Commander should similarly be made aware of the status of his/her assets and provide authorization.

B. Currently, in the CAPR 60-1 there is a requirement that the Wing Commander authorize flights for wing aircraft that will be flying out of the wing. No similar regulation provides guidance if corporate vehicles or personnel are leaving the wing. Should a vehicle or wing member be leaving the wing or region, the Wing Commander/Wing operations as well as the Region Commander should be aware of the status of its assets and provide authorization.

PROPOSED NATIONAL BOARD ACTION:

A. Proposed NB Action:

The National Board approves amending CAPR 60-1, 2-2. c. to include that, whenever an aircraft and/or wing member are leaving the wing and/or region in which that asset or personnel normally resides, that wing and/or region commander's authorization is required.

Amend 60-1 2-2. c. as follows:

Flight to destinations outside a wing's boundaries requires the authorization of an IC or CMD (during Supervised Missions), wing or higher commander unless permitted under an approved MOU. *Wing Commanders may authorize travel anywhere within his/her Region or wings adjacent to the Wing. Region Commanders may authorize travel anywhere within the United States. The member traveling must receive prior approval from the wing commander who will request authorization from the region commander if*

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necessary. Flight across an international border requires N/DO approval unless part of an FAA IFR procedure to a US airport.

B. Proposed NB Action:

The National Board approve amending CAPR 77-1 (paragraph 6 and/or 7) to include Wing and Region Commanders authorization as appropriate. This would be similar to the guidance provided in CAPR 60-1 but adjusted for vehicles and/or Wing members leaving the Wing and/or Region respectively.

Wing Commanders may authorize travel anywhere within his/her region or wings adjacent the wing. Region Commanders may authorize travel anywhere within the United States. The member traveling must receive prior approval from the wing commander who will request authorization from the region commander if necessary.

ESTIMATED FUNDING IMPACT:

Funding impact will be negligible. The writing of the paragraph and insertion into the regulation would be the extent of the impact.

CAP NATIONAL HEADQUARTERS' COMMENTS:

A. Concur.

B. NHQ has no objection to this proposal as it applies to vehicle movement and will amend CAPR 77-1 to reflect the proposed guidance, if approved.

CAP-USAF HEADQUARTERS' COMMENTS:

Do not concur as presented. This policy would have the unintended consequence of limiting an Incident Commander's ability to effectively respond in a "real-world" mission that occurs in a border area and would negate the inherent flexibility of CAP aircraft. Although we understand that there should be limits to cross border flights during routine training missions, adopting a wide ranging policy requiring extensive approval for any cross border flight would not be advisable.

ADVISOR / NATIONAL STAFF COMMENTS:

A. Comments

[Senior Advisor-Operations] Non-concur. The IC or someone with authority must authorize the flight. We operate many missions with mixed crews and across wing/region boundaries. With all missions listed in WIMRS and the NOC fully aware of all missions in progress with a list of the aircraft and crew on board, we have a good system to keep track of where our specific aircraft is operating and what crewmembers are on board. If a Wing Commander feels that a specific policy is needed to address a need unique to that Wing's operation, then they have the authority to establish a supplement or Wing policy to address that issue.

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[Ops Advisor] Non-concur. The IC or Wing/Region CC is in charge of the CAP resource, the NOC knows where the aircraft is stationed for missions, there does not seem to be any reason to further restrict command and control at this time. The flight release program fills any gaps.

[Stan/Eval Advisor] I don't see a reason to change or amend the 60-1 as well. This is introducing limits to the Wing and Region Commanders. One size does not fit all. Wings and Regions still retain the authority to publish supplements that provide out of state guidance. For example, this proposal may hamper operations between smaller wings in the north eastern states but be a viable option for those larger wings out west.

B. Comments

[Sr Advisor-Support] If the Board implements vehicle and personnel travel requirements, we suggest that the guidelines be the same as those established for aircraft movement out of the Wing for the sake of uniformity. The new CAPR 60-1 streamlined this procedure.

[NLO] I have concern about "personnel authorizations" as opposed to resource movement authorizations. We are currently working on a notification-based system that would advise a border state or region commander of the movement of personnel into his or her area of responsibility, but does not involve the authorization or approval of travel or a particular activity. If we select an approval system for personnel movement and activity, we will have to gather a lot of information, such as: have the parents of an underage cadet approved participation, are POVs being used and, if so, what insurance is carried, do all drivers have CAP licenses with current MVRs on file, what's going to be done at the activity and is it consistent with CAP regulations, etc., etc., much like "tour permits" used with the BSA. What consequences will attach if this approval is not obtained? Will there be an argument that the senior members are personally liable if something bad happens? Will CAP be liable under negligence per se standard for failure to comply with its own internal rules? I can't see an upside to approval of personnel actions.

REGULATIONS AND FORMS AFFECTED:

CAPR 60-1, *CAP Flight Management*

CAPR 77-1, *Operation and Maintenance of CAP Vehicles*

NATIONAL BOARD ACTION

The agenda item was divided into two parts:

A. Authorization Wing Aircraft or Personnel Leaving the Wing

COL LEE/PA MOVED and COL CORTUM/RMR seconded the PROPOSED NATIONAL BOARD ACTION.

COL HERRIN/NLO MOVED TO AMEND and COL PHELKA/CO seconded the amendment to change the motion to read: “That the National Board approves amending CAPR 60-1, 2-2. c. to include that, whenever an aircraft and/or wing member are leaving the wing and/or region in which that asset or personnel normally resides, that the wing and/or region commander is notified.”

B. Authorization Wing Vehicles or Personnel Leaving the Wing

After considerable discussion, this agenda item was tabled until later in the session to allow the board to work on the amended changes.

Later in the meeting, this agenda item was withdrawn.

AGENDA ITEM 11

DP

Action

SUBJECT: CAP Member Standardized Discipline Program

Author: Col Parris

CA Wg/CC – Col Parris

INFORMATION BACKGROUND:

Existing CAP policy does not provide standardized guidance to commanders in how to correct substandard performance or address misconduct. Previously, CAP published the “Adverse Membership Actions Handbook” which was nothing more than a consolidation of regulations pertaining to adverse membership actions. The handbook provided commanders no guidance in how to develop and implement a discipline program.

Most public and private organizations have adopted standardized progressive discipline policies to address poor member or employee performance and misconduct. The purpose of “progressive discipline” is to offer the poor performer or miscreant an opportunity to rehabilitate. Rehabilitation conserves a volunteer organization’s most precious resource, its volunteers. It avoids the use of membership termination as the first course of action for all disciplinary matters. An effective and fair progressive discipline program has also been proven to reduce complaints and minimizes exposure to litigation should it be necessary to take an adverse action against a member for substandard performance or misconduct.

PROPOSED NATIONAL BOARD ACTION:

That the National Board approves the establishment of an *ad hoc* CAP Member Discipline Policy Committee charged with the specific purpose to craft a standardized nationwide CAP discipline policy. The committee shall adopt “progressive discipline” as the foundation of any policy it develops.

The committee shall be appointed by the National Commander and be comprised of members who have served as commanders, inspectors general, legal officers and personnel officers. The National Commander may appoint CAP paid corporate staff to the committee with the concurrence of the Executive Director. The number of members and constituency of the committee shall be at the National Commander’s discretion.

The committee shall provide the National Board with an update on its progress in completing the policy at each subsequent National Board meeting with the goal of completing its task by the 2010 Summer National Board meeting. The committee shall be disestablished once the policy has been completed and adopted by the National Board.

ESTIMATED FUNDING IMPACT:

Estimated cost for approval of this action is negligible. Committee members can meet via conference calls and online e-conferences, reducing the cost of meeting.

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Considerable cost savings from litigation may be realized with the implementation of a sound standardized discipline policy.

CAP NATIONAL HEADQUARTERS' COMMENTS:

Defer to the National Commander's prerogative to establish a committee and will be happy to assist in any way.

CAP-USAF HEADQUARTERS' COMMENTS:

None.

ADVISOR / NATIONAL STAFF COMMENTS:

[NLO] We need a progressive discipline policy; however it should be undertaken as a revision of the membership termination regulation. All member discipline should be in one regulation. Also, the member discipline process must mandate the intervention and review (not endorsement) by legal officers of any proposed member termination action and must mandate the involvement by legal officers at any termination hearing and appellate review panel. Finally, any review of member discipline policies and procedures needs to critically examine and overhaul the ability of subordinates to bring IG complaints against commanders for discretionary command decisions (termination of membership has a robust review procedure already). Of course, if there is credible evidence of fraud, waste or abuse, those can be investigated through the IG process, but the actions of a commander *qua* commander (i.e., within the discretionary boundary of his or her command authority as prescribed in CAP C&B or regulations) should be solely a command matter for the next highest command echelon.

[Sr Advisor-Support] The Support Team will assist the National Commander and any committee in this matter.

REGULATIONS AND FORMS AFFECTED:

CAPR 35-1, *Assignment and Duty Status*
CAPR 35-3, *Membership Termination*
CAPR 35-5, *CAP Officer and NCO Appointments and Promotions*
CAPR 35-8, *Membership Action Review Board*
CAPR 35-10, *Ethics Policy*
CAPR 36-1, *CAP Nondiscrimination Policy*
CAPR 36-2, *Complaints Under the CAP Nondiscrimination Policy*
CAPR 39-2, *Civil Air Patrol Membership*
CAPR 52-10, *CAP Cadet Protection Policy*
CAPR 52-16, *Cadet Program Management*
CAPR 62-1, *CAP Safety Responsibilities and Procedures*
CAPR 62-2, *Mishap Reporting and Investigation*
CAPR 67-1, *CAP Property Regulation*

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CAPR 112-9, *Claims, Demands, and Legal Actions for or Against the CAP, USAF & US*
CAPR 112-10, *Indemnification*
CAPR 123-1, *The CAP Inspector General Program*
CAPR 123-2, *Complaints*

NATIONAL BOARD ACTION

COL PARRIS/CA MOVED and COL SAILE/MI seconded the PROPOSED NATIONAL BOARD ACTION.

COL HERRIN/NLO MOVED TO POSTPONE INDEFINITELY and COL WINTERS/OH seconded the postponement until other on-going disciplinary actions (Adverse Personnel Actions) can be evaluated.

THE MOTION TO POSTPONE INDEFINIELY CARRIED.

AGENDA ITEM 12

AE

Action

SUBJECT: AE Officer of the Year – Name Change

Author: Col Pearson

PCR/CC – Col Pearson

INFORMATION BACKGROUND:

The recent additions to the national awards were nearly all named in memory of well known CAP members with the exception of the Aerospace Education Officer of the Year. Pacific Region is requesting consideration of naming that award in memory of Lt Col Jule Zumwalt.

Lt Col Zumwalt served for many years in a wide variety of AE positions at California Wing, Pacific Region, Pacific Liaison Region, National Headquarters CAP and CAP-USAF. She was instrumental in expanding the AE program and fostering recognizing the outstanding efforts of local AE officers. She emphasized the co-ordination of our AE program with local schools and the recruiting of teachers into CAP. She established an annual Pacific Region Aerospace Education Conference for teachers and was an enthusiastic supporter of the National Congress on Aerospace Education (NCASE).

Upon her retirement from CAP-USAF service, she moved to Seattle and became affiliated with the Boeing Museum of Flight as Program Manager for educational programs. Lt Col Zumwalt established many innovative programs for school groups of every level. Among these was a space shuttle simulation that included both mission control and orbiter functions with students interacting between the functions. In addition she provided many opportunities for teachers to gain aerospace knowledge and experience to share with their students.

Lt Col Zumwalt remained active in CAP, serving as Pacific Region DAE until her untimely passing. It would be extremely fitting to recognize her supreme contributions to our organization by naming this award in her memory.

PROPOSED NATIONAL BOARD ACTION:

That the National Board approves naming the recently approved Aerospace Education Officer of the Year award after Lt Col Jule Zumwalt.

ESTIMATED FUNDING IMPACT:

None.

CAP NATIONAL HEADQUARTERS' COMMENTS:

Non-concur as drafted. In agreement with the Aerospace Education Advisor comments. In lieu of consideration of a single individual at this Board, recommend opening it up for competition.

CAP-USAF HEADQUARTERS' COMMENTS:

No comment.

ADVISOR / NATIONAL STAFF COMMENTS:

[Sr Advisor-Support and AE Advisor] Non-concur. Recommend that this award not be renamed at this time, and if the Board does desire to rename the award, recommend that a team of CAP AE officers review all possible candidates, and make recommendations to the Board for action.

REGULATIONS AND FORMS AFFECTED:

CAPR 39-3, *Award of CAP Medals, Ribbons, and Certificates*
CAPR 280-2, *Civil Air Patrol Aerospace Education Mission*

NATIONAL BOARD ACTION

COL PEARSON/PCR MOVED and COL MILLER/NV seconded the PROPOSED NATIONAL BOARD ACTION.

COL JENSEN/CT MOVED TO AMEND and COL WEISS/NFO seconded the amendment to strike the words "after Lt Col Jule Zumwalt," and open up the naming for competition.

THE MOTION TO AMEND CARRIED.

THE AMENDED MOTION CARRIED.

NOTE: The amended motion as restated by the chair reads:

"That the National Board approves naming the recently approved Aerospace Education Officer of the Year Award and opening the selection to all potential wing and region candidates.

FOLLOW-ON ACTION: Referral to the Aerospace Education area to have a committee determine the nominee from the information submitted to them. Include in the August 2009 National Board Agenda.

SUBJECT: Online Cadet Achievement Tests

Author: Col Davies

NATCAP/CC – Col Davies

INFORMATION BACKGROUND:

You're a motivated cadet, eager to advance in the Cadet Program. Tonight you are to complete an achievement test as you race a fellow cadet toward promotion. Unfortunately, your teachers assign lots of homework. Will you put school first and sacrifice your chance to promote this month in CAP?

With today's youth busier than ever, why do we put our cadets in such a dilemma?

This proposal calls for making cadet achievement tests available online. Some of the benefits of this idea include:

- Cadets will be able to test at a time and place of their convenience
- Squadrons will gain about 1 hour per month to put toward other activities
- Software will ensure cadets take the right test
- Cadets will immediately receive their test scores and feedback on missed questions
- Test scores will automatically flow into the Cadet Promotions Application, thereby reducing paperwork for the squadron
- National Headquarters will be able to update tests better, faster, and cheaper

When this idea was initially shared within the cadet community, some leaders expressed reservations about online tests because of (A) the possibility of cheating and (B) the potential for online tests to diminish the value of cadet grade. This proposal responds to those concerns as follows:

(A) **The Integrity Issue.** With randomized test questions, the number of test versions is nearly unlimited, making it harder to game the tests. (Presently, there is just one version of each test.) Also, test integrity will be supported by introducing an honor statement (below) and keeping the milestone exams closed-book as a safety valve. Finally, the online tests can be constructed so that they are more intellectually challenging than they are now, and the passing score would increase from 70% to 80%.

(B) **The Promotion Standards Issue.** Many in the cadet community have complained that too often we've produced cadets who are book-smart but lack genuine leadership skill. By putting tests online, we still evaluate cadets' academic knowledge, but leadership performance becomes the bigger factor in the promotion equation, with the "Leadership Expectations" of CAPR 52-16, Figure 2-2, serving as guidelines.

PROPOSED NATIONAL BOARD ACTION:

That the National Board authorizes National Headquarters to develop a system for administering cadet achievement tests online and to update CAPR 52-16, *Cadet Program Management*, and CAPR 50-4, *Test Administration & Security*, to reflect the testing protocols outlined below.

- a. **Format.** Cadets may attempt online achievement tests at a time and place of their choosing (i.e.: at home). Each test will have 25 questions, to be drawn at random from a larger test bank. Cadets will have 30 minutes to complete each test. The passing score will be 80%.
- b. **Access.** The test software will grant cadets access only to those tests the cadet is ordinarily eligible for (see CAPR 52-16, 2-2b). Cadets may not “bank” tests or test beyond their next achievement.

- c. **Honor Statement:** Before accessing the test, the software will prompt cadets to indicate that they will abide by the following Honor Statement:

I certify that I am Cadet (Name). I will complete the following Cadet Achievement Test on my own, without help from another person. My only resource for this open-book test will be my cadet textbooks and class notes. [By clicking below,] I reaffirm my commitment to our Core Value of Integrity.

- d. **Feedback.** Cadets will see their test scores instantly. The test software will also provide cadets and their unit commanders and testing officers with meaningful feedback about the questions answered incorrectly.
- e. **Re-Testing.** Cadets who fail a test must wait at least 7 days before reattempting the test online. Further, the test software will lock-out cadets who fail a test twice, prompting those cadets to see their local leaders for mentoring, before a senior member restores the cadet’s testing privileges.
- f. **Special Accommodations.** Testing officers may print hard copies of cadet achievement tests and administer them in writing to those cadets who lack Internet access. In such cases, the tests remain open-book and timed as described above. Further, unit commanders may continue to grant oral testing to cadets who have special educational needs (per CAPR 52-16, 2-2b).
- g. **Performance Tests.** Some tests may include a performance section testing the cadet’s ability to perform drill and ceremonies. Drill tests will be administered at the squadron, under the supervision of a testing officer.
- h. **Milestone Award Exams.** All cadet milestone award exams, except the Spaatz Award Exam, will be locally controlled (not available online) and closed-book. The Spaatz Award Exam is administered online, but is a timed, closed-book exam controlled by CAP-USAF personnel.

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- i. **Updating Records.** The online test system will automatically update the cadet's records in the Cadet Promotions Application at e-Services, following each test attempt.

Effective Date. The National Board authorizes National Headquarters to launch this program concurrent with the publication of the new leadership curriculum, *Learn to Lead, Modules 1 & 2* (anticipated for late 2009).

ESTIMATED FUNDING IMPACT:

Opportunity cost of NHQ employees to develop software.

CAP NATIONAL HEADQUARTERS' COMMENTS:

Concur. Now that the Cadet promotions are online we are moving toward online testing. However, before we place these tests online we must revise the Leadership volumes to make sure they comply with National academic standards and it will take some time. There needs to be flexibility in the implementation time line.

CAP-USAF HEADQUARTERS' COMMENTS:

Strongly concur. Testing procedures and administration should not unnecessarily hinder the program or cadet advancement. It is possible to implement IT and policy controls (as described in the proposed action), to prevent any meaningful compromise to the test bank. Adjusting emphasis away from scholastic performance toward evaluating behaviors consistent with leadership at the next level is a desirable goal and this action aids that shift. Retaining proctored, closed book exams for the milestone awards help reinforce appropriate rigor and quality control. Implementation will require significant effort in the IT arena, written policy guidance, and the leadership challenge of effecting the cultural change.

ADVISOR / NATIONAL STAFF COMMENTS:

[Sr Advisor-Support and CP Advisor] Concur.

REGULATIONS AND FORMS AFFECTED:

CAPR 52-16, *Cadet Program Management*
CAPR 50-4, *Test Administration & Security*

NATIONAL BOARD ACTION

COL DAVIES/NATCAP MOVED and COL JENSEN/CT seconded the PROPOSED NATIONAL BOARD ACTION.

THE MOTION CARRIED.

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FOLLOW-ON ACTION: Implementation of policy, notification to the field, and change to CAPR 52-16, *Cadet Program Management* and CAPR 50-4, *Test Administration & Security*.

AGENDA ITEM 14

HC

Action

SUBJECT: Chaplain Service Training and Promotion Requirements

Author: Col Woodard

CAP/CCS – Ch, Col Woodard

INFORMATION BACKGROUND:

While undergoing periodic revision of CAPR 265-1, an area of proposed change was brought forth suggesting NB action.

This concerns the matter of chaplain promotion through the senior member training track. CAPR 35-5, Section E, 5-4, a, (3) states:

“CAP chaplains must complete CAPP 221 for all promotions after initial appointment. CAPP 221A must be completed prior to promotion to the grade of lieutenant colonel. Additional related training is encouraged but not required for promotion.”

This wording exposes an area of conflict with the ensuing development of the chaplain training track in cooperation with Professional Development. CAPP 221 no longer references the first phase of chaplain training, but only to the Chaplain Specialty Track *Guide*. It is no longer a training course. In addition, chaplains are no longer to be appointed with an implied Technician rating in the 221 specialty track. They must earn the rating by completing CAPP 221A. Subsequently, the senior rating requires completion of CAPP 221B; and the Master rating requires completion of CAPP 221C. It is the unanimous recommendation of the Chaplain Service Advisory Council that CAPR 35-5 be amended to allow for the recent rewriting of the 221 Chaplain Service training track.

In August, 2008, the NB wisely took action to discontinue the option for chaplains to substitute the chaplain training track for completion of SLS and CLC in the senior member training. The intention of that action was to put the Chaplain Service on the same track as other senior members. Since the SLS and CLC can now be completed online, there is no longer a need for the “chaplain exception.” This proposed action simply completes that process, incorporating the already established senior member training into the requirements for chaplain promotion on the same basis as any other senior member.

The current wording of CAPR 35-5, Section, 5-4, a, (3) allows chaplains to obtain promotion based solely on time in grade once they are initially appointed. The CSAC has noted an alarming number of chaplains who have completed only Level One of the senior training track, yet ascending to the grade of Lt. Col. Currently, no other elements of the senior training requirements are applied to the chaplain. It is the conviction of the CSAC that chaplains, in order to function effectively, should have the same requirements and experience as any other senior member. Therefore, we have asked that henceforth, chaplains be required to complete the same training requirements for promotion. This, action is necessary to permit the inclusion of the senior member training track into the promotion requirements for chaplains as outlined in the proposed revision of CAPR 265-1.

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No changes are suggested for the grade extended to chaplains with their initial appointment as provided in CAPR 35-5, Section E, 5-1; 5-3 a., (1); 5-3, a. (2).

PROPOSED NATIONAL BOARD ACTION:

That the National Board approves:

1. The revision of paragraph 5-4a(3) to say: CAP chaplains must complete the training requirements outlined in CAPR 265-1 as well as the time-in-grade requirements outlined in paragraph 1-8 of this regulation to be eligible for further promotion.

2. The deletion of CAPR 265-1 Section C, 11, a., b., and c., to be replaced by the following (As submitted in the proposed amendment of CAPR 265-1):

a. CAPP 221A. All chaplains must complete CAPP 221A, *The CAP Chaplain*. Upon successful completion, chaplains will be awarded the 221 Specialty Track with a technician specialty rating. This course no longer substitutes SLS.

b. CAPP 221B. All chaplains must complete CAPP 221B, *Chaplains Helping Chaplains—Specialty Track Study Guide* to be awarded the senior specialty rating. In addition, the appropriate time-in-grade requirements and completion of Level III of senior member training to be eligible for promotion to major. This course is also required for chaplains to serve as a group or wing chaplain and no longer substitutes CLC.

c. CAPP 221C. All chaplains must complete CAPP 221C, *Chaplains Inspiring Chaplains*, to be awarded the Master specialty rating. In addition, the appropriate time-in-grade requirements and completion of Level IV of senior member training to be eligible for promotion to lieutenant colonel. This course is also required for chaplains to serve as a region chaplain.”

This change to take effect on 1 April 2009. Chaplains who have completed the previous 221 and 221A will not be required to retake, 221A and 221B, but all existing chaplains with the Master Chaplain rating will be expected to complete the new 221C.

ESTIMATED FUNDING IMPACT:

There is no appreciable funding impact. The amendment to CAPR 35-5 could be easily accomplished with an Interim Change Letter until such time as the regulation is reprinted. The Chaplain Service regulations and training materials are already under revision and no impact is seen there.

CAP NATIONAL HEADQUARTERS' COMMENTS:

If the National Board decides to approve this item, highly recommend all current chaplains be grandfathered. Discontinuation of 221 and 221A substituting for SLS and CLC has resulted in several comments from the field expressing disapproval. By requiring these professionals to complete the SM Specialty Track, this creates a high

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likelihood these negative reactions will continue and even increase. Advanced degrees and professional experience are a strong basis for exemption from SM Specialty Track. If this policy is approved, it will likely have a negative impact on the promotability of chaplains.

CAP-USAF HEADQUARTERS' COMMENTS:

No comment.

ADVISOR / NATIONAL STAFF COMMENTS:

[Sr Advisor-Support] No objection, however, we note that this will have a substantial impact on the promotion ability of some CAP Chaplains.

REGULATIONS AND FORMS AFFECTED:

CAPR 35-5, *CAP Officer and NCO Appointments and Promotions*
CAPR 265-1, *The CAP Chaplain Service*

NATIONAL BOARD ACTION

CH, COL, WOODARD MOVED and COL RUSHING/SER seconded the PROPOSED NATIONAL BOARD ACTION.

THE MOTION CARRIED.

FOLLOW-ON ACTION: Implementation of policy, notification to the field, and change to CAPR 35-5, *CAP Officer and NCO Appointments and Promotions*, and CAPR 265-1, *The CAP Chaplain Service*.

AGENDA ITEM 15

SE

Action

SUBJECT: Face-to-face Safety Meeting Requirement

Author: Col Skrabut

WY Wg/CC – Col Skrabut

INFORMATION BACKGROUND:

CAPR 62-1, *Civil Air Patrol Safety Responsibilities and Procedures*, paragraph 3d requires that members who miss the face-to-face safety meeting must attend at least one face-to-face meeting per calendar quarter.

Research has shown that online training is as effective as face-to-face training. With staff members who may not meet except for teleconferencing situations, this requirement creates an undue burden for administrating the program.

PROPOSED NATIONAL BOARD ACTION:

That the National Board approves that the face-to-face requirement be dropped from CAPR 62-1, *Civil Air Patrol Safety Responsibilities and Procedures*.

ESTIMATED FUNDING IMPACT:

Minimal.

CAP NATIONAL HEADQUARTERS' COMMENTS:

Non-Concur, in agreement with CAP National Safety Officer's comments.

CAP-USAF HEADQUARTERS' COMMENTS:

Non-concur. Incidents over the last year indicate safety culture is an area in need of reinforcement, not compromise for convenience. As indicated by the NSO, there are many possibilities for meeting this requirement.

ADVISOR / NATIONAL STAFF COMMENTS:

[CAP National Safety Officer] Non-Concur. CAPR 62-1 para 3d also states, "Members who missed the face-to-face safety meeting will review the information presented at the meeting before they participate in any CAP activity (including unit meetings). Rational flexibility should be used to get the latest safety meeting information to those members who miss the unit safety meeting...Due to the educational benefits gained from the interaction during face-to-face meetings, each member must attend at least one face-to-face meeting per calendar quarter."

The benefits of face-to-face meetings mentioned in CAPR 62-1 are genuine. On-line training, as referred to in this agenda item, is of the type used by CAP for the on-line CAP Basic Safety Course or GA-8 Familiarization Course. It does not refer to reading safety information in an e-mail or to receiving a safety briefing during a teleconference. Additionally, while CAPR 62-1 requires members to attend at least one face-to-face

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meeting per calendar quarter, it does not specify where. Wing staff members of geographically large wings can attend such meetings at wing headquarters or at a unit in their local communities. The Safety Officer needs only track that the staff members have, in fact, attended a face-to-face meeting once each quarter.

[CAP/CC] Non-concur with the proposal as written; in agreement with the reasons stated by the NSO.

REGULATIONS AND FORMS AFFECTED:

CAPR 62-1, *Civil Air Patrol Safety Responsibilities and Procedures*

NATIONAL BOARD ACTION

COL SKRABUT/WY MOVED and COL CHAZELL/CS seconded the PROPOSED NATIONAL BOARD ACTION.

COL MILLER/NV MOVED TO AMEND and COL BRITTON/AR seconded the amendment to additionally change CAPR 62-1, paragraph 3d, as reads “will review” to read “will be encouraged to review,” and the last sentence deleted.

COL WEISS/NFO MOVED TO POSTPONE and COL CHARLES/NATCON seconded the postponement to allow staffing.

THE MOTION TO POSTPONE DID NOT PASS.

THE MOTION TO AMEND CARRIED.

The Chair repeated the amended motion as follows:

“That the National Board approves that the face-to-face requirement be dropped from CAPR 62-1, Civil Air Patrol Safety Responsibilities and Procedures, and further that paragraph 3d. be amended to insert the words “be encouraged to” between the words “will review,” and the last sentence deleted”.

This agenda item was tabled to allow further discussion until later in the meeting.

This agenda item was brought back from the table after the break.

THE AMENDED MOTION CARRIED.

NOTE: The amended motion reads:

“That the National Board approves that the face-to-face requirement be dropped from CAPR 62-1, Civil Air Patrol Safety Responsibilities and Procedures, and paragraph 3d. be further changed to read: “Members who missed the face-to-face safety meeting will be encouraged to review the information presented at the

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meeting before they participate in any CAP activity (including unit meetings). Rational flexibility should be used to get the latest safety meeting information to those members who miss the unit safety meeting.”

FOLLOW-ON ACTION: Implementation of policy, notification to the field, change to CAPR 62-1, and instruction from the Chair that the National Headquarters staff develop an on-line process and implementation guidelines for quarterly safety briefings to be presented to the May NEC. Include in the May 2009 NEC agenda.

AGENDA ITEM 16

LG

Action

SUBJECT: Annual Re-validation of Non-expendable Issues to Individuals

Author: Col Skrabut

WY Wg/CC – Col Skrabut

INFORMATION BACKGROUND:

CAPR 100-2, *Communications Equipment Management*, paragraph 3-5b(2) requires that on the anniversary date of the issuance each year, the designated officer, along with the individual who physically has custody of the items, will review and validate all applicable issuances of non-expendable communications equipment.

Requiring the designated officer to wait for a specific issuance date causes an unnecessary administrative burden. There should be enough flexibility to allow inventory control to be conducted during periods most suitable to the communications officer.

PROPOSED NATIONAL BOARD ACTION:

That the National Board approves that the designated officer, along with the individual who physically has custody of the items, will review and validate all applicable issuances of non-expendable communications equipment on an annual basis.

ESTIMATED FUNDING IMPACT:

Minimal.

CAP NATIONAL HEADQUARTERS' COMMENTS:

NHQ concurs with the proposal to validate non-expendable communications equipment annually. NHQ further recommends that the timing of the validation of these issued communication items occur with all other all CAP issued property during the last quarter of each fiscal year.

CAP-USAF HEADQUARTERS' COMMENTS:

Concur, however the net effect cannot lead to less accountability or less frequent inventory. Without more careful wording, the effect of "annual basis" could lead to the conclusion that a Jan 09 inventory followed by a Dec 10 inventory would be sufficient, even though nearly 2 years had elapsed. CAP/LG's suggestion to designate a quarter gives reasonable flexibility while still meeting the intent of an annual inventory.

ADVISOR / NATIONAL STAFF COMMENTS:

Under review.

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REGULATIONS AND FORMS AFFECTED:

CAPR 100-2, *Communications Equipment Management*

NATIONAL BOARD ACTION

COL SKRABUT/WY MOVED and COL VAZQUEZ/MER seconded the PROPOSED NATIONAL BOARD ACTION.

COL HERRIN/NLO MOVED TO AMEND and COL WEISS/NFO seconded the amendment to add the phrase “during the last quarter of each fiscal year.”

THE AMENDMENT CARRIED.

THE AMENDED MOTION CARRIED.

NOTE: The amended motion reads:

“That the National Board approves that the designated officer, along with the individual who physically has custody of the items, will review and validate all applicable issuances of non-expendable communications equipment on an annual basis during the last quarter of each fiscal year.”

With the passage of this agenda item, there was clarification that the NHQ is authorized to move the inventory cycle for the review and validation of all other CAP-issued property to the last quarter of each fiscal year.

FOLLOW-ON ACTION: Implementation of policy, notification to the field, and change all applicable CAP regulations.

AGENDA ITEM 17

DO

Action

SUBJECT: Deferring Discrepancies on the Discrepancy Log

Author: Col Himebrook

NM Wg/CC – Col Himebrook

INFORMATION BACKGROUND:

The current Discrepancy Log in the Standard Aircraft Information File (AIF), depicted on page 3, allows only for signing off a discrepancy as repaired. And once a discrepancy is written up, the FAA locally (ABQ) has told us that the plane is grounded until *something* is written up about the resolution.

However, for minor items, this takes the plane out of service until it is repaired, and eliminates an otherwise available asset, as each little item must be fixed immediately. Deferring some maintenance until the next 50 hour or 100 hour maintenance session would be a lot more efficient (combining minor repairs is more cost efficient). The FARs allow this, and the paperwork used by professional aviation companies allow for this as well. I suggest we allow the Maintenance Officer to make this judgment call and also change the form to allow deferments to be tracked properly.

PROPOSED NATIONAL BOARD ACTION:

That the National Board approves that the Discrepancy Log be modified to allow the capability of indicating that a discrepancy is being deferred to the next significant maintenance event.

ESTIMATED FUNDING IMPACT:

This suggestion should require negligible funding, and could actually save money, although the amount is difficult to quantify.

CAP NATIONAL HEADQUARTERS' COMMENTS:

NHQ supports this proposal and, if approved, the logistics and operations staff will work together CAP members to develop criteria and determine appropriate documentation procedures.

CAP-USAF HEADQUARTERS' COMMENTS:

Concur. The proposed action is consistent with FAR Part 91.213 (d), but probably requires additional guidance within CAP in order to standardize procedures.

ADVISOR / NATIONAL STAFF COMMENTS:

[Senior Advisor-Operations] The FAA is correct. Once something is written up, it must be addressed. An item can be written up and if it is not an airworthy issue, carried as a deferred item until the next maintenance period. i.e., 50/100/annual inspection or other maintenance. The aircraft maintenance officer would be the logical person to determine if a written up item could be deferred. Write-ups that are deferred would be

noted in the A.I.F in the corrective action box in the discrepancy section. A sticker or note stating what the deferred item is should be placed on the cover of the A.I.F. This would be notice to the pilot that a deferred item is being carried on the aircraft. Once the deferred item has been repaired, the sticker or note would be removed. It would be a good procedure to have a required equipment list for each specific aircraft. The New Cessna 182T G1000 has a section in the POH that covers all of this. It is called the K. E. L., Kinds of Equipment List. It states what's installed, what must be working for IFR Day, Night, VFR Day, and Night. This is a maintenance issue and should be worked through the LG.

[NLO]

I. INTRODUCTION/BACKGROUND

This agenda item proposes to defer aircraft discrepancies which are considered to be "minor items" to the next scheduled maintenance. The basis for the proposed item is that under current practice, an aircraft is grounded until the discrepancy is repaired. The item recognizes that per the Federal Aviation Regulations ("FAR"s) an aircraft may be operated with certain inoperable equipment under certain circumstances. Under the proposal, the maintenance officer would be authorized to keep the aircraft in service and defer the item to the next scheduled maintenance.

II. APPLICABLE LAW/REGULATION

Section 91.213 of the FAR's provides as follows:

§ 91.213 Inoperative instruments and equipment.

(a) Except as provided in paragraph (d) of this section, no person may take off an aircraft with inoperative instruments or equipment installed unless the following conditions are met:

(1) An approved Minimum Equipment List exists for that aircraft.

(2) The aircraft has within it a letter of authorization, issued by the FAA Flight Standards district office having jurisdiction over the area in which the operator is located, authorizing operation of the aircraft under the Minimum Equipment List. The letter of authorization maybe obtained by written request of the airworthiness certificate holder. The Minimum Equipment List and the letter of authorization constitute a supplemental type certificate for the aircraft.

(3) The approved Minimum Equipment List must—

(i) Be prepared in accordance with the limitations specified in paragraph (b) of this section; and

(ii) Provide for the operation of the aircraft with the instruments and equipment in an inoperable condition.

(4) The aircraft records available to the pilot must include an entry describing the inoperable instruments and equipment.

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(5) The aircraft is operated under all applicable conditions and limitations contained in the Minimum Equipment List and the letter authorizing the use of the list.

(b) The following instruments and equipment may not be included in a Minimum Equipment List:

(1) Instruments and equipment that are either specifically or otherwise required by the airworthiness requirements under which the aircraft is type certificated and which are essential for safe operations under all operating conditions.

(2) Instruments and equipment required by an airworthiness directive to be in operable condition unless the airworthiness directive provides otherwise.

(3) Instruments and equipment required for specific operations by this part.

(c) A person authorized to use an approved Minimum Equipment List issued for a specific aircraft under subpart K of this part, part 121, 125, or 135 of this chapter must use that Minimum Equipment List to comply with the requirements in this section.

(d) Except for operations conducted in accordance with paragraph (a) or (c) of this section, a person may takeoff an aircraft in operations conducted under this part with inoperative instruments and equipment without an approved Minimum Equipment List provided—

(1) The flight operation is conducted in a—

(i) Rotorcraft, non-turbine-powered airplane, glider, lighter-than-air aircraft, powered parachute, or weight-shift-control aircraft, for which a master minimum equipment list has not been developed; or

(ii) Small rotorcraft, no turbine-powered small airplane, glider, or lighter-than-air aircraft for which a Master Minimum Equipment List has been developed; and

(2) The inoperative instruments and equipment are not—

(i) Part of the VFR-day type certification instruments and equipment prescribed in the applicable airworthiness regulations under which the aircraft was type certificated;

(ii) Indicated as required on the aircraft's equipment list, or on the Kinds of Operations Equipment List for the kind of flight operation being conducted;

(iii) Required by §91.205 or any other rule of this part for the specific kind of flight operation being conducted; or

(iv) Required to be operational by an airworthiness directive; and

(3) The inoperative instruments and equipment are—

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(i) Removed from the aircraft, the cockpit control placarded, and the maintenance recorded in accordance with §43.9 of this chapter; or

(ii) Deactivated and placarded “Inoperative.” If deactivation of the inoperative instrument or equipment involves maintenance, it must be accomplished and recorded in accordance with part 43 of this chapter; and

(4) A determination is made by a pilot, who is certificated and appropriately rated under part 61 of this chapter, or by a person, who is certificated and appropriately rated to perform maintenance on the aircraft, that the inoperative instrument or equipment does not constitute a hazard to the aircraft. An aircraft with inoperative instruments or equipment as provided in paragraph (d) of this section is considered to be in a properly altered condition acceptable to the Administrator.

(e) Notwithstanding any other provision of this section, an aircraft with inoperable instruments or equipment may be operated under a special flight permit issued in accordance with §§21.197 and 21.199 of this chapter.

The basic rule is that every piece of “installed” equipment must be operational before a flight can be made. For instance, if an aircraft had three clocks and one did not work, the flight could not be made. Although not necessary for flight, I conclude that CAP-specific equipment, such as CAP radios and DF gear are “installed” and are covered by the basic rule. Other equipment, such as portable GPS units is not considered to be “installed” and is not covered by the rule.

In order to ameliorate the harshness of the rule, the FAA developed the “minimum equipment list” (“MEL”). This is a misnomer because the MEL is actually a list of what may be broken not what must be working. The aircraft MEL must be approved by the FAA. The FAA also provided an exemption to aircraft which do not have an approved MEL.

Under subsection (d), a flight may be conducted in an aircraft with inoperative equipment but without an MEL provided that the inoperative instruments and equipment are not “part of the VFR-day type certification instruments and equipment prescribed in the applicable airworthiness regulations...” or “indicated as required on the aircraft’s equipment list or the Kinds of Operations Equipment List for the kind of flight operation being conducted” or otherwise required by regulation. The inoperative equipment must then either be removed from the aircraft or deactivated and placarded as “inoperative” AND the pilot must make a determination that the aircraft can be safely operated.

For example, an airspeed indicator is required for day VFR operations (section 91.205) sounder no circumstances may a flight be conducted without a working airspeed indicator. However, a vertical speed indicator is not required, so a flight could be conducted if the VSI were removed or deactivated and marked Inoperative.

However, operations conducted in other than day VFR conditions require additional equipment. If an aircraft is to be operated at night, the aircraft’s position lighting must be operational. There are also additional equipment requirements for IFR flight. While

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section 91.213 would appear to allow an aircraft with inoperable position lights to be operated in day VFR flight, night flight would be prohibited.

Additionally subsection (d) (2) (ii) states that any equipment required by the aircraft manufacturer in its aircraft equipment list or Kinds of Operations Equipment List must be working. The G1000 equipped aircraft do have a Kinds of Operations Equipment List so that list must be consulted. If for instance, both avionics cooling fans were inoperative, the flight could not be conducted even though these items are not required by section 91.205 for VFR flight.

Finally, it should be noted that whenever equipment is installed in an aircraft, the aircraft's empty weight must be recalculated. When the installed equipment is removed, the weight and balance of the aircraft must also be recalculated.

III. ANALYSIS

The proposal seeks to take advantage of the provisions in section 91.213 to allow flights to be conducted with certain inoperative equipment which would decrease both maintenance costs and aircraft down time. If the maintenance officer is considering whether to defer the discrepancy to the next scheduled maintenance, the officer must consider the following:

- Does 91.213 authorize the flight to be conducted with the inoperative equipment?
- Is the equipment required by 91.205?
- Is the equipment required by the manufacturer?
- Will the flight be conducted under other than day VFR conditions, and, if so, is the equipment required for the operation in those conditions?
- Has the inoperable equipment been removed or deactivated and placarded?
- Has the aircraft weight been recalculated?
- Is the pilot satisfied that the flight can be conducted safely without the equipment?

There are three major concerns with the proposal: first, the maintenance officer has to consult multiple sources to determine whether the discrepancy can be deferred and, the analysis must be aircraft specific. Second, the process for removing or disabling and placarding the equipment could be as time consuming as having the item fixed. Finally, each pilot must be made aware of the discrepancy and make a determination of whether the flight can be safely conducted.

IV. CONCLUSION

For the foregoing reasons, the National Legal Officer would not recommend the proposal in its current form which gives the maintenance officer unlimited discretion in making the decision to defer the maintenance item. The National Legal Officer would be receptive to a proposal which would include a required equipment list to be developed. This should NOT be called an MEL nor should we ask for an FAA approved MEL due to potential regulatory and enforcement problems. The list would be developed for each type of aircraft, broken down by type of operation (day, night, VFR, IFR) which would specify the items which, if inoperable (and removed or disabled and placarded), would not prohibit the flight. Due to the wide variations in the fleet on the type of equipment installed, the list may have to be aircraft specific, especially aircraft

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with have equipment lists or Kinds of Operations Equipment Lists, like the G1000 aircraft. Finally, there could be a category which would allow a flight to be made for maintenance purposes so the flight would be limited to repositioning for maintenance.

REGULATIONS AND FORMS AFFECTED:

CAPR 66-1, *CAP Aircraft Maintenance Management*

NATIONAL BOARD ACTION

COL HIMEBROOK/NM MOVED and COL BENCKERT/VT seconded the PROPOSED NATIONAL BOARD ACTION.

COL MOERSCH/FL MOVED TO TABLE and COL LARSON/IL seconded the motion to table so that all the issues raised in discussion could be resolved in a refined proposed National Board action and brought back later in the meeting.

THE MOTION TO TABLE CARRIED.

Later in the meeting, this agenda item was brought back from the table.

COL MOERSCH/FL MOVED TO POSTPONE and COL LARSON/IL seconded the postponement to refer it to staff.

THE MOTION TO POSTPONE CARRIED.

FOLLOW-ON ACTION: Referral to staff and inclusion in the 2009 Summer National Board meeting agenda.

AGENDA ITEM 18

DO

Action

**SUBJECT: Change to CAPR 60-1 and CAPF 5
Change flight evaluation grading structure from the
current two-grade to a three-grade structure**

Author: Col Lee

PA Wg/CC – Col Lee

INFORMATION BACKGROUND:

The current two-grade structure, satisfactory or unsatisfactory (S or U) allows little latitude in evaluating the strength of a pilot's qualification or performing trend analysis. It is simply pass-fail. Although, pilots meet the minimum requirements, it is very hard except in the most flagrant circumstances to tell a fellow aviator that their skills are at the low end of the scale. The current system does not allow Check pilots to recognize superior achievement. The National Trend Analysis Data shows an extremely low failure rate. Changing the Form 5 grading structure to allow recording levels of performance above passing will provide better information for safety and training purposes.

Aviators are receptive to providing and receiving advice, guidance and mentoring. In addition to the grade of Satisfactory, the option of additional grades of "S+1" – Satisfactory with Meritorious performance and S+2 - Satisfactory with Exceptional performance will provide feedback and the opportunity to discuss how to achieve superior performance. This change will give us a valuable tool to strengthen the safety of our flying force and will foster realistic, objective evaluations from our check pilots.

PROPOSED NATIONAL BOARD ACTION:

A. The National Board approve the following change to CAPF 5/5G:

1. Change first 3 lines of header to read:

CAP PILOT FLIGHT EVALUATION		DATE OF CHECK:		
MEMBERS NAME	CAPID	CHARTER NO.	ACFT MAKE & MODEL	
GRADE: S+2 <input type="checkbox"/> S+1 <input type="checkbox"/> S <input type="checkbox"/> U <input type="checkbox"/>				

Commensurate changes in the form's instructions would be required to match the grading structure.

The follow grading matrix is designed to assist check pilots in determining grades:
GRADING MATRIX

	PERFORMANCE	KNOWLEDGE	SAFETY
S+2	Performs the maneuver correctly, smoothly and anticipates requirements	Knowledgeable of all aspects of the maneuver, the theory and anticipates alternatives	Never jeopardized

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S+1	Performs the maneuver correctly and smoothly	Knowledgeable of all aspects of the maneuver and a practical knowledge of the theory, plans ahead	Never jeopardized
S	Performs the maneuver correctly whenever required	Knowledgeable of all aspects of the maneuver	Never jeopardized
U	Cannot perform the maneuver correctly	Obvious knowledge deficiency present detrimental to task	In doubt

B. The National Board approve the following change to CAPR 60-1:

Change paragraph 3-9a-c. regarding trend analysis to read:

- a. The number of CAPF 5 evaluations administered with the letter grade by area.
- b. The number of CAPF 5G evaluations administered with the letter grade by area.
- c. The number of CAPF 91 evaluations administered with the letter grade by area.

ESTIMATED FUNDING IMPACT:

Cost of reprint of subject regulation and forms to be determined.

CAP NATIONAL HEADQUARTERS' COMMENTS:

Non-concur. In agreement with the Senior Advisor for Operations.

CAP-USAF HEADQUARTERS' COMMENTS:

Do not concur; agree with Senior Operations Advisor comments. The goal of improving the evaluation system to enhance safety and incentivize greater proficiency is a desirable objective, but perhaps it could be achieved through other methods, such as including a three level system in the Form 91 check.

ADVISOR / NATIONAL STAFF COMMENTS:

[NLO] Concur, subject to ongoing evaluation of the evaluation process.

[Sr Advisor-Ops] Non-concur. The FAA Practical test Standards (PTS) are very specific in the task requirements and pilot skills required for pilot qualifications and proficiency tests. CAP tests all pilots on their annual proficiency checks (CAPF 5) to these standards. The PTS uses the Satisfactory or Unsatisfactory Standards to grade the performance of a pilot. The FAA defines the criteria that a pilot must meet or fail to

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meet to get a Satisfactory or Unsatisfactory Performance grading. The criteria also include a section on pilot judgment, competency and the pilot's ability to "demonstrate mastery of the aircraft with the successful outcome of each task performed never seriously in doubt." We use the same standards in CAP which allows the check pilot to not only determine if the pilot can meet the altitude, heading and other specific requirements of the task but also demonstrate that he/she meets the other requirements of pilot judgment, etc. These standards are universally used throughout the entire aviation world in evaluating pilot skills. Adopting any other standard provides no value to Civil Air Patrol, and would potentially open up our flight operations to potential liability issues if a pilot were to have a mishap or accident after being graded as needing additional training under the proposed agenda item.

The Senior Advisor for Operations, The Operations Advisor, Col. Walt Schamel, a former FAA Operations Examiner, and The Glider Operations Team Leader, LTC William Crielly, a former USAF Stand/Eval Officer for over 20 years, all are in agreement that there is no need or justification to change our current grading system for evaluating pilot performance and do not support the proposed agenda item.

[Sr Advisor-Support] The funding impact will undoubtedly be far greater than "negligible, reprint..." If approved, there will be substantial IT changes to the Ops Qual and ES reports.

REGULATIONS AND FORMS AFFECTED:

CAPR 60-1, *CAP Flight Management*
CAPF 5/5G, *CAP Flight Evaluation*
CAPF 91, *CAP Mission Pilot Checkout*

NATIONAL BOARD ACTION

COL LEE/PA MOVED and COL ANDREU/NY seconded the PROPOSED NATIONAL BOARD ACTION.

COL CHAZELL/CS MOVED that the National Board go into Executive Session for the purpose of receiving legal advice regarding this agenda item.

Action on Agenda 18 continued when the National Board returned in Open Session.

THE MOTION DID NOT PASS.

AGENDA ITEM 19

DO

Action

**SUBJECT: Transport Mission Pilot Rating
TX Wg/CC – Col Smith**

Author: Col Smith

INFORMATION BACKGROUND:

The Transport Mission Pilot (TMP) rating does not expire after initial validation. Therefore it is possible for a non-current pilot, sometimes expired for years, to still be listed as a TMP in Ops Qual. This requires an additional manual cross check of the VFR Pilot listing to ensure the TMP is actually available to function in this capacity.

PROPOSED NATIONAL BOARD ACTION:

That the National Board directs that the TMP credential expire when CAP pilot status of the member expires.

ESTIMATED FUNDING IMPACT:

None.

CAP NATIONAL HEADQUARTERS' COMMENTS:

NHQ can support either position. If approved, it would require a minor programming change.

CAP-USAF HEADQUARTERS' COMMENTS:

Do not concur. CAP-USAF agrees with comments below.

ADVISOR / NATIONAL STAFF COMMENTS:

[Senior Advisor- Operations] Non-concur. The FRO Support report lists all qualified and current pilots including Transport Mission Pilots. A Transport Mission Pilot whose CAP pilot qualifications have expired will be shown on this report. The report is updated on a daily basis. There is no benefit to linking up a TMP qualification to another data base or eServices listing.

[Sr Advisor-Support and IT Advisor] Non-concur. The Flight Release Support Report was developed to ensure only fully qualified pilots are released for CAP flight operations including TMPs. If this agenda item is approved, it would require a fully reentry, validation, and approval chain if the pilot, for example, was late in renewing his/her medical certificate. We also note that the same condition pertains to Mission Pilots, Check Pilots, etc. If they do not meet all of the requirements they are dropped from the FRO Support Report—but immediately reinstated when all requirements are again satisfied.

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REGULATIONS AND FORMS AFFECTED:

CAPR 60-1, *CAP Flight Management.*

CAPR 60-3, *CAP Emergency Services Training and Operational Missions.*

NATIONAL BOARD ACTION

COL SMITH/TX MOVED and COL CASTLE/OK seconded the PROPOSED NATIONAL BOARD ACTION.

THE MOTION DID NOT PASS.

AGENDA ITEM 20

DO

Action

**SUBJECT: Restricting Access to National Interactive
Personnel System in E-Services**

Author: Col Smith

TX Wg/CC – Col Smith

INFORMATION BACKGROUND:

The November 2007 NEC restricted access to the National Interactive Personnel System in E-Services because of concerns over sensitive information being abused. A consequence of this action is a lack of ability to verify Emergency Services credentials of other Wing members. This is a particular problem when trying to confirm that all tasks and missions on an ES Specialty SQTR were certified by qualified supervisors. Although the NEC allowed Incident Commander 1 and 2 personnel to retain access to the operations qualification module, this is not sufficient to allow verification of credentials of qualified supervisors who are not in the parent wing. If the staff member or wing commander approving initial ES qualifications is not an IC1 or IC2 and therefore cannot identify the CAPID of a listed qualified supervisor on the SQTR, they are required to disapprove the specialty or go to extraordinary lengths to verify the credentials of an unknown CAPID. In many Regions, we are emphasizing multi-wing exercises where qualified supervisors from another wing may provide instruction and validation of accomplishment of ES tasks. Additionally, it is not possible to identify the qualifications of instructors at NESAs, Blue Beret, Hawk Mountain, and other NCSAs who provide training and certification of tasks of CAP personnel from all over the Nation.

PROPOSED NATIONAL BOARD ACTION:

That the National Board approves that additional wing personnel involved in the validation of Emergency Services credentials have access to view operations qualification data.

ESTIMATED FUNDING IMPACT:

None.

CAP NATIONAL HEADQUARTERS' COMMENTS:

If approved, this capability can be accommodated within eServices with minimal additional development cost.

CAP-USAF HEADQUARTERS' COMMENTS:

Concur.

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ADVISOR / NATIONAL STAFF COMMENTS:

[Sr Advisor-Support] One of the goals of E-Services is to provide quick and easily accessible information necessary to accomplish the missions of CAP. In order for the NHQ and Staff IT Team to meet this goal it is critical that they are provided a comprehensive list of the mission data necessary. The necessary adjustments to the programming and or reports can—and will—then be made. We believe that this is an ongoing process, and should not necessarily require an Agenda Item.

REGULATIONS AND FORMS AFFECTED:

To be determined.

NATIONAL BOARD ACTION

COL SMITH/TX MOVED and COL CARR/GLR seconded the PROPOSED NATIONAL BOARD action.

COL Litt/VI MOVED TO TABLE and COL JENSEN/CT seconded the tabling motion for further study.

THE MOTION TO TABLE CARRIED.

Later in the meeting this agenda item was withdrawn.

AGENDA ITEM 21

FM

Action

**SUBJECT: Finance Committees
VA Wg/CC – Col Litt**

Author: Col Litt

INFORMATION BACKGROUND:

The National Executive Committee at its November 2008 meeting received the report of the National Finance Committee. In this report the Finance Committee recommended that once a commander appointed a member to a Finance Committee that member could not be removed except by action of the next higher commander. This recommendation was proposed to be made a regulation in the next change to CAPR 173-2, Financial Procedures for Regions and Wing. The reasons given for this change were to protect Finance Committee members from adverse action in the case they disagreed with the commander on a finance issue and to allow the independence of Finance Committees in protecting against fraud, waste or abuse.

Commanders in order to function are currently allowed to appoint and remove members from any committee under that commander's jurisdiction. If there is a question of action or discipline against a member of a committee that the committee member feels is unjustified or if the commander takes an action that a member of any committee feels is incorrect or improper, the proper venue for redress is the Inspector General. Any member of a Wing or Region has access to an IG at any level.

PROPOSED NATIONAL BOARD ACTION:

The National Board directs that CAP financial regulations contain no provision limiting a Region or Wing Commander's authority to make changes to finance committee membership at any time.

ESTIMATED FUNDING IMPACT:

Minimal.

CAP NATIONAL HEADQUARTERS' COMMENTS:

Non-concur with the proposed actions; agree with the NFO comments.

CAP-USAF HEADQUARTERS' COMMENTS:

Non-concur. Independence of finance committee members is critical to their role and is necessary to ensure an unqualified financial audit. Additionally, it is a safeguard that protects both the commander and the corporation, as well as, enhances the transparency of the organization and promotes public trust.

ADVISOR / NATIONAL STAFF COMMENTS:

[NFO] The item in the proposed new CAPR 173-1 regarding the "independence of unit finance committees" is in response to our independent auditors finding regarding proper

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transparency in handling of corporate funds at all levels. The NEC agreed the phrase "with the concurrence of the next level of command" is the best way to handle this finding. The auditors have agreed to the wording. Removing this phrase may jeopardize our "unqualified audit" opinion. The BOG has endorsed the auditor's report and the NEC's decision. If the NB changes the regulation, the BOG may mandate the auditor's original wording.

[NC] To reverse what the finance committee recommended in this instance is a bad move. There were many factors that went into the finance committee making the recommendation in the first place, including the fact that our auditors recommended protections for members of finance committees. While important to the organization, other wing and region level committees do not have the potential for fraud as we do in the finance world.

[CAP/CC] At the national level, the commander is only allowed observer status of the finance committee. This independence of the committee from the commander is proper and creates the best oversight of the expenditures. A change in National Finance Committee membership is very visible and done with concurrence of staff and volunteers. I understand the need for the commander to be involved in the finance committee at lower echelons to explain the commander's vision and needs. However, I disagree with the proposed board action, in that it could create a situation in which finance committee members (at echelons below National) may hesitate to bring up issues for fear of loss of position on the committee. While I agree with the desire to be able to select good members and change them as needed, I must Non-concur with the proposed national board action.

REGULATIONS AND FORMS AFFECTED:

CAPR 173-2, *Financial Procedures for CAP Regions and Wings*

NATIONAL BOARD ACTION

This agenda item was withdrawn by Col Litt with a stated intent to resubmit it for the Summer National Board.

SUBJECT: Amending CAP Constitution and Bylaws

Author: Col Britton

AR Wg/CC - Col Britton

INFORMATION BACKGROUND:

The National Board (NB) is the duly appointed corporate board of Civil Air Patrol and represents all of Civil Air Patrol with representation of the members by Wing Commanders. While the National Executive Committee (NEC) holds certain exclusive powers, the NEC is also empowered with most of the powers of the NB when the NB is not in session. It is appropriate that the NEC exercise the duties of the NB only in situations where NB action is not practical, such as in time-critical matters, Safety, and Air Force mandated issues. In addition, the NB should have the opportunity to review and amend the actions of the NEC when the NEC acts in lieu of the NB.

PROPOSED NATIONAL BOARD ACTION:

That the National Board requests the CAP Board of Governors to amend the Constitution and Bylaws to include a stipulation requiring any actions taken by the National Executive Committee (NEC) which are not exclusive powers of the NEC, be addressed prior to the next scheduled National Board meeting. Further, any such action(s) taken by the NEC shall be reported to the National Board and be brought to the floor for review or reconsideration by a majority vote of the National Board.

ESTIMATED FUNDING IMPACT:

Minimal.

CAP NATIONAL HEADQUARTERS' COMMENTS:

Non-concur. Subject matter is already covered by CAP Constitution and Bylaws

CAP-USAF HEADQUARTERS' COMMENTS:

No comment.

ADVISOR / NATIONAL STAFF COMMENTS:

[NLO] NLO does not concur. This authority currently exists. Any policy decision of the NEC can be overturned by the NB at a subsequent meeting. We've seen this with uniform and other items. However, if a referral to the C&B Committee is required, I agree with that referral.

REGULATIONS AND FORMS AFFECTED:

CAP Constitution and Bylaws.

NATIONAL BOARD ACTION

This agenda item was withdrawn by Col Britton/AR. He said this decision was made after consulting with colleagues this week.

AGENDA ITEM 23

JA

Action

SUBJECT: Duties of National Board Members

Author: Col Jensen

SWR/CC – Col Jensen

INFORMATION BACKGROUND:

National Board members hold a fiduciary duty to Civil Air Patrol. Potential conflicts arise in that National Board members have an individual and independent duty to the corporation as board members but are also subject to a military-style command structure. This may be of particular concern when a National Board member determines that he/she should, in fulfilling their duty as a National Board member, oppose a board item of an officer senior to them in the chain of command. In addition, Wing Commanders in their probationary period currently may be removed for any reason or no reason, and have limited or no protection against removal because of speech or vote as a board member in opposition to a board item of an officer senior to them in the chain of command.

PROPOSED NATIONAL BOARD ACTION:

1. That the National Board requests the Board of Governors to amend Article X of the Civil Air Patrol Constitution to reflect that all members of the National Board have the prerogative of speaking to business matters of the National Board and have the prerogative and duty to vote in the manner they have determined is in the best interest of the corporation.
2. That the National Board requests the Board of Governors to amend Article XIV section g. of the Civil Air Patrol Constitution to state that Wing Commanders in the probationary period shall not be subject to removal because of their speech or vote regarding business matters of the National Board.
3. That the National Board request the Board of Governors to amend Civil Air Patrol Bylaws section 13 by adding item 13.6 as follows:

13.6 Voting shall always be by secret ballot on matters proposing changes to CAP Constitution and Bylaws.

ESTIMATED FUNDING IMPACT:

Minimal.

CAP NATIONAL HEADQUARTERS' COMMENTS:

CAP Constitution Article XIV cross - references to Article XVI and provides a remedy for an officer who is removed because of retaliation.

This item may be more properly suited as a proposal to amend CAPR 35-5 provisions that relate to Wing Commanders.

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Alternative suggestion would be to refer to an AD hoc committee to study best options.

CAP-USAF HEADQUARTERS' COMMENTS:

No comment.

ADVISOR / NATIONAL STAFF COMMENTS:

[NLO] Concur as to parts 1 and 3; do not concur as to part 2. The MARB already has jurisdiction to review cases of command misbehavior and this should come within its established purview.

[CAP/CC] Non-concur with part 2 because it doesn't fix the root problem and the solution suggested could be easily worked around anyway. Overall, more input should be sought before suggesting to the BoG to change the C&B in the 3 ways suggested by the author of the item. The board might consider this a topic of the upcoming Wing Commander's Course, wherein the participants could put forth suggestions as a team, and the National Board could then work with the suggestions to create a recommendation to the BoG, if desired. Modifications requested to the Constitution and Bylaws necessitate a deliberate process and research.

REGULATIONS AND FORMS AFFECTED:

Civil Air Patrol Constitution and Bylaws

NATIONAL BOARD ACTION

This agenda item was withdrawn by Col Davis/SWR (PROXY) with intent to bring back at a future meeting.

AGENDA ITEM 24

JA

Action

SUBJECT: Procedures for Election of Commander and National Vice Commander
Author: Col Jensen SWR/CC – Col Jensen

INFORMATION BACKGROUND:

The Constitution and Bylaws of Civil Air Patrol give the powers of election of the National Commander and the National Vice Commander to the National Board. However, little published guidance exists regarding the procedures for election of the National Commander and National Vice Commander. The procedures for election of the National Commander and National Vice Commander should be determined by the body responsible for election of these officers, the CAP National Board.

PROPOSED NATIONAL BOARD ACTION:

1. That the National Board request the Board of Governors to amend the CAP Constitution and Bylaws to establish that the National Board will serve as the advisor to the Board of Governors on matters related to proposed Constitution and Bylaws changes related to election of the National Commander and National Vice Commander, and this duty shall not be deferred or delegated to any other body.
2. That the National Board request the Board of Governors to amend the CAP Constitution and Bylaws to establish that matters pertaining to the creation or modification of procedures for election of the National Commander and National Vice Commander shall be an exclusive duty of the National Board and this duty shall not be deferred or delegated to any other body.

ESTIMATED FUNDING IMPACT:

Minimal.

CAP NATIONAL HEADQUARTERS' COMMENTS:

No comment.

CAP-USAF HEADQUARTERS' COMMENTS:

No comment.

ADVISOR / NATIONAL STAFF COMMENTS:

[NLO] Do not concur. Naming the NB as the exclusive entity for this decision is meaningless as the BoG can do whatever it needs to do for CAP. Rather than leave everything up in the air, we should present an agreed-upon solution. Therefore, suggest that a special committee (containing at least one legal officer, one region cc, and one wing cc - not too many folks) in conjunction with the C&B committee draft a specific amendment to C&B for the NB to approve and recommend to the BoG for inclusion in the C&B.

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[CAP/CC] On part 1, non-concur. The procedures for election of the National Commander and National Vice Commander are determined by the body responsible for election of these officers, the CAP National Board. The BoG currently looks to the members of the National Board for those elections. It is imperative that the NB conduct the filing, campaigning, vetting and elections well, and there is always room for improvement. The NB should seek ways to improve the process, so that the BoG will not have a need to ask the NB to do it differently from the powers invested in the NB today.

On part 2, non-concur. An informational agenda item was brought to the NEC for the purpose of discussing ideas openly to build a framework from which to seek input from members of the NB prior to this Winter Board meeting. If the NB desires changes, then it would seem that taking action to improve the processes would speak louder than words asking for exclusive powers. Astute members of boards seek information from those outside the board, as well as from those in the team. A committee that reports to the NB would be in order. In this way, input could be sought from diversely experienced backgrounds, and the National Board would be the body to take action, if desired. I hope the members of the National Board will provide input on the committee composition and details of how and when it would report back to the National Board, versus passing this as written and sending an inappropriate and unnecessary message to the BoG.

REGULATIONS AND FORMS AFFECTED:

Civil Air Patrol Constitution and Bylaws

NATIONAL BOARD ACTION

COL DAVIS/SWR PROXY MOVED and COL WEISS/MD second the PROPOSED NATIONAL BOARD ACTION.

COL WINTERS/OH MOVED TO POSTPONE and COL CARR/GLR seconded the postponement and refer to the Public Trust Task Force.

THE MOTION TO POSTPONE CARRIED.

FOLLOW-ON ACTION: Referral to the Public Trust Task Force.

AGENDA ITEM 25

Action

**SUBJECT: Uniform Agenda Items
CAP/CS – Col Chazell**

Author: None

INFORMATION BACKGROUND:

Col Chazell will present the uniform items that are on the agenda for this meeting. They will be divided into two sections. The first are items considered as Uniform Agenda Consent Items – those that should require no discussion. The second are Uniform Agenda Action Items that may generate discussion and debate.

Uniform Agenda Consent Items

- 26a. Eaker Miniature Medal
- 26b. National Color Guard Competition Miniature Medal
- 26c. Gray Epaulets for Females

Uniform Agenda Action Items

- 27a. Silver Braid CAP Corporate Uniform
- 27b. Air Force Lightweight Blue Jacket
- 27c. CAP Astronaut Aeronautical Rating Designation and Badge (Wings)
- 27d. Commander's Badge
- 27e. Flight Suit Grade Devices
- 27f. Sweaters for Use with the Corporate Uniform
- 27g. Wear of Military Decorations and Mini Medals on Corporate Uniforms
- 27h. Optional Shoulder Patches on BDU
- 27i. Additional Corporate Uniform Outerwear Items
- 27j. Change of Embroidery Insignia on AF-Style Uniforms

UNIFORM AGENDA CONSENT ITEMS 26

Action

**SUBJECT: Uniform Committee Items
CAP/CS- Col Chazell**

Author: None

a. Eaker Miniature Medal: Col Ken Parris, CA/CC

The Gen Ira C. Eaker Award marks the completion of Phase IV of the Cadet Program. Cadets must achieve this award before promotion to cadet lieutenant colonel and be eligible to sit for the prestigious Gen Carl A. Spaatz Award Examination. Presently, a miniature medal is authorized for all major senior member and cadet milestone awards except for the Eaker Award, the second highest milestone award of the CAP Cadet Program. As is appropriate, only a very small fraction of cadets receive the Spaatz Award. Therefore, former cadets who have completed all phases of the Cadet Program are unable to recognize this achievement when wearing their mess dress uniform. Formerly, individuals completing Phase IV were authorized to wear a silver star attachment on their Amelia Earhart Award ribbon and miniature medal pendant. With the creation of the Eaker Award ribbon and revision of CAPR 39-3, *Award of CAP Medals, Ribbons and Certificates*, this recognition was eliminated. Without a miniature medal, these former cadets are unable to fully recognize their cadet achievement when wearing their mess dress uniform. The creation of a miniature medal to recognize Eaker Award recipients would also continue to honor the legacy of Gen Ira C. Eaker, an exceptional Air Force officer, airman, aerospace businessman, Aviation Hall of Fame inductee and Congressional Gold Medal recipient.

Proposal: That the National Board approves the creation of a miniature medal for the Gen Ira C. Eaker Award.

Advisor/Staff Comments: The Uniform Team concurs with this proposal. The National Historian, in conjunction with the Awards Team, should be tasked with developing the final version of the device.

NHQ Comments: Defer to the will of the Board. As a matter of information, only senior members are authorized to wear the mess dress uniform. There are approximately 900 members who would be eligible to wear this medal.

CAP-USAF Comments: Concur.

NB Action:

See below

b. National Color Guard Competition Miniature Medal: Col Russ Chazell, CAP/CS

In 1996, the National Color Guard Competition (NCGC), coinciding with the National Drill Team Competition (NDTC), was added to the National Cadet Competition (NCC). The 2009 NCGC will be the fourteenth such competition. CAPR 39-3 (2 July 1998), paragraph 20(c) specifies that a ribbon, with appropriate devices, is authorized for cadets, and some senior members (by NEC action in November 1998), that participate in the NCGC. A miniature medal is authorized for the NDTC but not for the NCGC. A miniature medal for NCGC should be authorized. The medal itself would be the same as that awarded for NDTC and would be attached to the green and white ribbon currently authorized for NCGC.

Proposal: That the National Board approves a miniature medal for participation in the National Color Guard Competition.

Advisor/Staff Comments: The Uniform Team concurs with this proposal; however we wish to caution the board that the use would be minimal. Only Senior Members are authorized wear of the mess dress uniform and few senior members have actually earned the Color Guard ribbon.

NHQ Comments: In the interest of fairness to the participants of both the Drill Competition and the Color Guard competition we concur with this item. However, only senior members are authorized to wear the mess dress uniform and a relatively small number of senior members will be eligible to wear this medal.

CAP-USAF Comments: No comment.

NB Action:

See below

c. Gray Epaulets for Females: Col J. Smith, TX/CC

Air Force style epaulets have different sizes for male versus female uniforms, yet CAP gray epaulets have only one size. The larger “male” size does not fit or present a professional appearance on some female uniforms.

Proposal: That the National Board directs Vanguard to procure “female” sized gray CAP epaulets.

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Advisor/Staff Comments: [Sr Advisor-Support] This issue has been resolved. Vanguard has agreed to produce the female epaulets.

NHQ Comments: Vanguard is willing to make the female epaulets and can start any time.

CAP-USAF Comments: Concur.

NB Action:

COL CHAZELL/CS MOVED and BRIG GEN CHITWOOD/CV seconded that the National Board approves Uniform Agenda Consent Items 26a., 26b., and 26c.

THE MOTION CARRIED.

UNIFORM AGENDA ITEMS 27

Action

**SUBJECT: Uniform Committee Items
CAP/CS- Col Chazell**

Author: None

a. Silver Braid CAP Corporate Uniform: Brig Gen Chitwood, CAP/CV

The Civil Air Patrol Corporate Uniform is becoming increasingly popular with members who do not wear the Air Force style uniform. However, many members have indicated that the silver/gray braid on the sleeves of the Corporate service coat, and the silver/gray hat band on the round service cap, are distracting and do not compliment this uniform. Members feel that the standard blue braid in use on the Air Force style service coat, and the black hat band on the Air Force style service cap, are better suited and more feasible for the CAP Corporate Uniform.

In addition to being ostentatious, the single silver braid could be confused with the insignia for the rank of Ensign in the USN, USCG or USCG Aux in this nautical-styled uniform.

Proposal: That the National Board approves the removal of the silver/gray braid on the sleeves of the CAP Corporate service coat, and replace them with the standard blue braid used on the Air Force style uniform, and replace the silver hat band the CAP Corporate service cap with the standard black hat band used on the Air Force style service cap. To allow members sufficient time to replace the items, the phase out date for wear of the silver/gray braid and hat band is 1 March 2010.

Advisor/Staff Comments: The Uniform Team concurs with the concept of removing the silver braid; however there must be an assurance that we do not prescribe something similar to any Armed Forces Uniform. Paragraph 1.3.4 of AFI 10-2701 reads in part "...CAP distinctive uniforms must be sufficiently different from U.S Armed Forces uniforms so that confusion will not occur." We see two current possibilities: One is to remove the commissioning braid from all CAP corporate uniforms and leave the area plain. The other concept is to develop, in concert with CAP-USAF an alternate commissioning braid color for wear on the corporate uniform.

NHQ Comments: Concur.

CAP-USAF Comments: No comment.

NB Action:

BRIG GEN CHITWOOL/CV MOVED and COL REEVES/IN seconded the written Proposal.

COL WEISS/NFO MOVED TO POSTPONE and COL CHARLES/NATCON seconded the postponement of Agenda Items 27a. - 27j. and refer to the Uniform Process Action Team. (NOTE: After establishment of the team and report to the National Commander, the information will be brought to the National Board)

THE MOTION TO POSTPONE DID NOT PASS.

THE MOTION DID NOT PASS.

b. Air Force Lightweight Blue Jacket: Col Dave Guzman, ID/CC

The AF lightweight blue jacket is an optional item for senior members and cadets. This jacket does not have a distinguishing optional emblem authorized for CAP members which announces the wearer as a CAP member.

Proposal: That the National Board approves the optional placement, at CAP member's expense, of the Hap Arnold emblem for senior members as currently authorized as an optional item for active USAF members. The addition of "Auxiliary", second line followed by a third line "Civil Air Patrol" would be mandatory.

Advisor/Staff Comments: The Uniform Team does not concur with this proposal as written. Embroidery work would be a cost to the member and if made optional would affect the uniformity. CAP distinctive insignia is worn on the epaulets now and any further addition to the jacket would neither add nor subtract to make this item more distinct. Further, the Hap Arnold insignia is not owned by CAP. The light Blue Jacket is an AF authorized uniform item and any such embroidery work added to this jacket could not be effective or worn until the Air Force has approved it.

NHQ Comments: This item will require USAF approval. If the Board approves, CAP must ensure that the font, style and placement of embroidery meets Air Force specifications.

CAP-USAF Comments: This would require Air Staff approval.

NB Action:

COL GUZMAN/ID MOVED and COL DIDUCH/NER seconded the written Proposal.

THE MOTION DID NOT PASS.

c. CAP Astronaut Aeronautical Rating Designation and Badge (Wings): Col Ken Parris, CA/CC

Space Shuttle mission STS-126 was an historic event for Civil Air Patrol. The mission's shuttle pilot, USAF Colonel Eric A. Boe, is a current CAP senior member, former CAP cadet and Gen Carl A Spaatz Award recipient. His official NASA biography proudly mentions his membership in CAP. Colonel Boe is the first former CAP cadet to serve be designated an astronaut and credits his participation in CAP as assisting him in fulfilling this goal. All branches of the US Armed Forces, NASA and the FAA recognize attainment of the astronaut designation based upon completion of specific requirements. This designation is further recognized by the awarding of an astronaut badge. Astronaut badges are usually the service's aeronautical badge (wings) with the astronaut device (shooting star through a halo) affixed. While only affecting one member at this time, it is appropriate for CAP to recognize and honor Colonel Boe and all subsequent CAP members who attain the astronaut designation by establishing the CAP Astronaut Rating and Badge. The CAP Astronaut Badge shall be the appropriate level (command, senior or basic) CAP Pilot Badge (for those members who are rated pilots) or the appropriate level (master, senior or basic) CAP Observer Badge (for those members who are non-pilots) with the gold astronaut device (shooting star through a halo) affixed to the center of the badge's prop and triangle. If the member does not have or is not eligible for a CAP aeronautical rating, the basic astronaut badge shall be awarded. Because of the exclusive nature of the rating and badge, only the CAP National Commander shall be authorized to grant the CAP Astronaut Aeronautical Rating and Badge. The CAP Astronaut Badge shall be worn in lieu of any other CAP aeronautical badge.

Proposal: That the National Board approve the creation of the CAP Astronaut Aeronautical Rating and Badge (Wings) to be awarded under the authority of the CAP National Commander to CAP members who have been designated an Astronaut by a branch of the US Armed Forces or NASA or designated as a Commercial Astronaut by the FAA. The CAP Astronaut Badge shall be the appropriate level (command, senior or basic) CAP Pilot Badge (for those members who are rated pilots) or the appropriate level (master, senior or basic) CAP Observer Badge (for those members who are non-pilots) with the gold astronaut device (shooting star through a halo) affixed to the center of the badge's prop and triangle.

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Advisor/Staff Comments: The Uniform Team does not concur with this proposal. If there were more than a minimal use for this item then CAP could petition the awarding agency for authorization for an astronaut to wear the wings already awarded on their CAP corporate uniform.

[Sr Advisor-Support] CAP badges have traditionally recognized CAP accomplishments only. In addition, the military astronaut badge may be worn on the CAP AF style uniform in accordance with current regulations.

[CAP/CC] Non-concur. Agree with the Sr. Advisor-support.

NHQ Comments: Defer to Uniform Team.

CAP-USAF Comments: Concur.

NB Action:

COL PARRIS/CA MOVED and COL McCABE/NJ seconded the written Proposal.

THE MOTION DID NOT PASS.

d. Commander's Badge: Col Ralph Miller, NV/CC

The CAP Commander's Badge is authorized for wear **only** by sitting commanders. There is no way to identify former commanders. By contrast, USAF regulations stipulate that the USAF Commander's Badge be worn above the name tag when in command of a unit, and that it be worn below the name tag upon completion of a command. Furthermore, CAPR 39-1 does not presently have a "sew-on" Commander's Badge for BDU and Field Uniforms. Once again, USAF does have such an insignia.

Proposal: That the National Board approves a white on blue embroidered Command Badge for wear on BDU and Field Uniforms, and that the National Board approve former commanders to wear the command badge below the name tag as a permanent award on service and field uniforms.

Advisor/Staff Comments: The Uniform Team concurs with this proposal subject to the following verbiage:

The Civil Air Patrol's Commander's Insignia is worn above the name tag when in command of a squadron, group, wing, region, or national the insignia is worn below the nametag upon completion of a similar command. To be eligible for permanent

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wear of the Civil Air Patrol Commander's Insignia, a CAP officer must hold permanent assignment in a command position, normally befitting a First Lieutenant or above for a period of not less than 180 days. Examples of such assignments would include any: Squadron, Group, Wing, and Region as well as the National Commander

The Uniform Team also recommends that if this is approved the Command Service Award be removed from wear and authorization as this would constitute a double award for the same thing.

Wear of the command insignia by former commanders would have to be coordinated with the AF for placement on the AF authorized Uniform. As the AF has a similar insignia and placement-- we do not see this as a major hurdle.

NHQ Comments: Vanguard is already in the processing of manufacturing a cloth commanders badge. This badge is currently authorized for sitting unit and group commanders so the change, if approved, would authorize any one who has ever served as a unit or group commander to wear the badge.

CAP-USAF Comments: No comment.

NB Action:

COL MILLER/NV MOVED and COL HAYDEN/ME seconded the written Proposal.

This agenda item was divided into two parts:

Part I: That the National Board approves a white on blue embroidered Command Badge for wear on BDU and Field Uniforms.

THE MOTION AS IT PERTAINS TO PART I CARRIED.

Part II: That the National Board approves former commanders to wear the command badge below the name tag as a permanent award on service and field uniforms.

THE MOTION AS IT PERTAINS TO PART II DID NOT PASS.

e. Flight Suit Grade Devices: Col Don Davidson, NH/CC

Vendors of uniform and insignia supplies have indicated that the "plastic encased" rank devices used on Flight Suits by CAP are becoming very difficult to obtain as the result of a reduction of manufacturing sources. In addition, these plastic

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insignia are less desired as they are a potential injury hazard in the event of an aircraft fire.

Proposal: That the National Board approve the use of fabric insignia (Purple color) for the CAP Air Force style "Green" and Nomex Flight Suits and fabric insignia (Ultramarine Blue color) for the CAP Corporate flight suits. The current "plastic encased" insignia would be unauthorized after 1 January 2010.

Advisor/Staff Comments: [Sr Advisor-Support] Non-concur. As noted below by the Uniform Team, the supply of plastic encased insignia is not a problem. NHQ worked diligently with Vanguard to find a new supplier of these insignia, and it would not appear appropriate to discontinue their use immediately after the insignias had been purchased at CAP's request.

[Uniform Team] Non-concur. This proposal should be tabled or withdrawn. Vanguard has assured CAP that there is not a supply problem with the plastic encased rank insignia that has been approved and is worn by virtually all of the aircrew members. Further a change to an AF authorized uniform would require AF approval. Embroidered grade insignia is currently authorized for the CAP corporate flight suit.

NHQ Comments: This item would require the approval of the USAF. Vanguard does have a reliable manufacturer for the plastic insignia. Currently either plastic encased or dark blue cloth insignia may be worn on the CAP dark blue Nomex flight suit.

CAP-USAF Comments: Non-concur. Green fabric background insignia with blue rank will not be approved because it too closely resembles the active-duty Air Force rank. Additionally, Vanguard has informed CAP NHQ that they have a reliable supplier of plastic rank.

NB Action:

This agenda item withdrawn by Col Davidson/NH.

f. Sweaters for Use with the Corporate Uniform: Col Mark Lee, PA/CC

The double breasted corporate uniform is designed to provide a military style uniform for those members who choose not to wear the Air Force style uniform or who may not meet the weight standards for the Air Force style uniform. In designing this uniform Civil Air Patrol has adopted the black outer garments such as the short windbreaker and longer double-breasted coat (Army style). For cooler weather, inside cooler air conditioned environments and in the northern parts of the

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country, this uniformed has suffered from not having complete elements approved to allow wear in all conditions as Air Force and Army uniforms, tested through time already have. The approval of sweaters and gloves will help complete the necessary elements.

Proposal: That the National Board authorizes the addition of the black V-neck, wool pullover sweater with epilates (Army style) and a black cardigan sweater with epilates (Army style), as both would be considered outer garments, metal grade with "CAP" cutouts would be worn on the epaulets. Additionally black leather gloves will be the only gloves authorized with all outer garments for the corporate, military style uniform.

Advisor/Staff Comments: The Uniform Team recommends tabling this proposal subject to further study. Otherwise, we do not concur with the proposal as written. The only possible wear of either Army style sweater would require it be worn without metal rank insignia. An alternative sweater is the authorized AF blue sweater with gray epaulet rank insignia; however its use with a corporate uniform of this type may require AF review.

Army Regulation 670-1 Wear and Appearance of the Army Uniform and Insignia Paragraph 30–8. *Wear of a uniform similar to the Army uniform, reads in part:*

b. According to section 773(b), title 10, United States Code (10 USC 773(b)), none of the uniforms prescribed in paragraph a, above, may include insignia or grade the same as or similar to those prescribed for officers of the Army, Navy, Air Force, or Marine Corps.

NHQ Comments: Defer to the Uniform Team.

CAP-USAF Comments: No comment.

NB Action:

COL LEE/PA MOVED and COL JENSEN/CT seconded the written Proposal.

COL SAILE/MI MOVED TO AMEND and COL JENSEN/CT seconded the amendment to remove the metal grade insignia and metal cutouts and substitute the standard blue Air Force-style rank epaulet for the grade insignia.

COL PHELKA/CO MOVED TO POSTPONE and COL PARRIS/CA seconded the postponement with a tasking from the National Board to the Uniform Team to recommend to the board a comprehensive outer garment scenario for all

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corporate uniforms that the board may consider rather than doing it piece-meal—one piece at a time—with a report back to the 2009 Summer National Board

THE MOTION TO POSTPONE CARRIED.

FOLLOW-ON ACTION: Staffing by the Uniform Team and inclusion in the August 2009 National Board agenda.

g. Wear of Military Decorations and Badges on Corporate Uniforms and Miniature Medals on Corporate Service Coat When Worn with Black Bow Tie as a Mess Dress Equivalent: Col Mark Lee, PA/CC

The present regulations for wear of military awards, badges, and decorations are inconsistent between and among the various corporate style uniforms and the CAP Air Force style uniforms. These rules should be standardized to provide for more efficient and effective administration and to avoid confusion. The United States Department of Veterans Affairs now endorses the wear of all classes of badges and decorations on civilian clothing on National Holidays, at appropriate times, in accordance with its “Veterans Pride Initiative.” A copy of the brochure and information from the U.S. Department of Veterans Affairs is attached. It is altogether fitting and proper for Civil Air Patrol to permit veterans who have honorably served our nation to wear those badges and all classes of decorations rightfully earned to the same extent and in the same manner as they are worn on USAF style uniforms. It is a compelling, visible reminder of “the pride and honor in the hearts of those who have served” and who now continue to serve this nation as volunteers in CAP. CAP Members who wear the Corporate Service Coat as an alternative to Mess Dress Uniform presently wear ribbons with the coat. As it is an alternative to Mess Dress, they should be permitted and encouraged to wear miniature medals with this uniform. At present, CAPM 39-1 provides the following concerning wear of awards and decorations:

5-2. When Awards and Decorations are worn. Ribbons are mandatory with the USAF service dress and the semiformal uniforms. They are optional with all other service uniforms and the aviator shirt. No military awards or decorations may be worn on the aviator shirt. NOTE: All ribbons and devices worn by senior members must fall below the top notch of the collar on the service coat or the bottom tip of the collar of AF-style shirts/blouses worn as outer garments. Miniature medals are mandatory with the mess dress uniform (men and women). One miniature medal may be worn on the semiformal blazer uniform.

6-7. US Military Badges. ... US Military badges are not authorized for wear on any of the CAP distinctive uniforms. At present, Air Force awards, ribbons and decorations are prohibited from being worn on the CAP corporate service dress coat.

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Proposal: The National Board approves the wear of military awards, decorations and badges on corporate uniforms, consistent with and standardized with those worn on USAF style uniforms, by amending CAPM 39-1:

5-2. When Awards and Decorations are worn. ...Miniature medals are mandatory with the mess dress uniform (men and women) and may be worn in lieu of and in the same relative position as ribbons with the Corporate Service Coat when worn with the bow tie as an alternative to the mess dress uniform.

6-5. Description and Proper Placement on the Aviator Shirt with Epaulets. ... Ribbons, Aviation badges and additional badges (specialty insignia, specialty badge or command badge) will be worn in the same manner as Figure 6-16 illustrates the CAP aviation badges and Figure 6-17 illustrates the specialty insignia. Table 6-3 outlines the placement of these items.

6-7. US Military Badges. CAP members may wear only the US military badges authorized for wear on the US Air Force uniform when earned through qualification and awarded by competent authority for service performed in any branch of the Armed Forces of the United States or its allies. The military badges authorized for wear on the CAP uniform and BDU are listed in Table 6-5. Before wearing any badge not listed in this table, contact National Headquarters/LMM for clarification. US Military badges are authorized for wear on CAP distinctive uniforms in the same manner as worn on Air Force style uniforms.

Advisor/Staff Comments: [Uniform Team] The Uniform Team does not concur. Each service regulation sets the rules for wear of awards and decorations and most are very limited as to wear. While it is true that you can wear items with civilian clothing on certain patriotic holidays, the wear is limited to just that. Further most services limit wear on other uniforms to just patriotic or veterans organizations and then only at specific functions. CAP as an organization does not qualify in those listed. While the VA is trying to get veterans to wear their military awards on civilian clothing they are still limited to wear on certain patriotic holidays. The Team cautions the board that a violation of individual service regulations would subject each and every person involved to punishment as stated in law.

For Example: Wearing Decorations, Service Medals, Badges, Unit Awards, and Appurtenances

Chapter 28, Army Regulation 670-1(Wear and Appearance of Army Uniforms and Insignia)1 September 1992

On any uniform other than authorized in this regulation. **See Section 704, Title 18, United States Code**, for penalty for unauthorized wear

[NLO] The guidance for the Department of Veterans Affairs clearly applies only to civilian clothing and only on national patriotic holidays. Thus, the application to general wear on a CAP corporate uniform (which is not civilian clothing in the

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same sense) at all times is not supported by this initiative. Additionally, the wear of military decorations on the CAP corporate uniform increases the likelihood of confusion between the USAF uniform and the CAP corporate uniform, particularly when "hard rank" is present. It is my understanding (anecdotal only) that this - no military decorations or awards - is the reason that hard rank was approved for the corporate uniform. Finally, we are a noncombatant organization, and it has always been my view that combat devices of all kinds are inappropriate for wear, regardless of whether they are permitted on the USAF-style CAP uniform. All of the above having been said, I do think that the wear of miniature CAP medals (NOT military medals) should be authorized with the wear of the CAP corporate uniform in a mess-dress configuration, similar to the policy of permitting a single miniature medal on the blazer combination in its semiformal configuration.

NHQ Comments: Defer to the Uniform Team.

CAP-USAF Comments: No comments on para 5-2 and 6-5. Non-concur on para 6-7, and this will not be approved by the Air Force. CAP-USAF notes that this proposal may further confuse CAP volunteers. By definition, a uniform is intended to be standardized. Continuing to increase the options for wear detracts from the purpose of having a uniform in the first place.

NB Action:

COL LEE/PA MOVED the written Proposal

THE MOTION FAILED DUE TO NO SECOND.

h. Optional Shoulder Patches on BDU: Col Benckert, VT/CC

When the Civil Air Patrol adopted the wear of the reverse U.S. flag on the BDU uniform several years ago, previously authorized special activity and school patches were moved to the pocket. In some wings, this action moved to relocate special activity/organizational patches that have significant historical ties both to esprit de corps within the wing and qualifications.

Proposal: That the National Board approves, at the discretion of the member's wing commander, the wear of previously approved optional patches in place of the wing patch.

Advisor/Staff Comments: The Uniform Team concurs with this proposal to the extent that the national board should authorize the wear of previously approved optional patches in place of the wing patch or placed in the same relative position

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on the left shoulder. The wording allowing the discretion of the wing commander would not enhance uniformity.

NHQ Comments: Defer to the Uniform Team.

CAP-USAF Comments: No comment.

NB Action:

COL BENCKERT/VT MOVED and COL CAHALEN/MT seconded that the National Board approves the wear of previously approved optional patches in place of the wing patch.

THE MOTION CARRIED (31 yes votes—note: there were several abstentions)

i. **Additional Corporate Uniform Outerwear Items:** Col Saile, MI/CC

CAPR 39-1 currently does not proscribe any serious cold weather outerwear for the corporate uniform series of service dress and blue BDU uniform combinations. The black Army doubled breasted all-weather coat and the black Army light weight jacket are not always suitable for the coldest months of the year in the northern climates.

Proposal: That the National Board approve the attached list of cold weather uniform items with wear instructions as listed, as additions to CAPR 39-1 CAP Distinctive Uniforms.

Cardigan, Army-style, black, male and female

The Army-style black cardigan sweater may be worn by males and females wearing the CAP Corporate uniform combination. Blue and silver embroidery shoulder mark grade insignia will be worn on the epaulettes. A neck tie is optional.



V-Neck Sweater, Army-style, black, male and female

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The Army-style black V-neck pull-over sweater may be worn by males and females wearing the CAP Corporate uniform combination. Blue and silver embroidery shoulder mark grade insignia will be worn on the epaulettes. A neck-tie is optional.



Parka, N2B and N3B, Black

The N2B (short length) or N3B black parka featured) may be worn by males and females wearing the CAP Corporate uniform and corporate service coat uniform combinations. No name tag will be worn on this coat.



Parka, N2B and N3B, Blue

The N2B (short length) or N3B blue parka (featured) may be worn by males and females wearing the CAP blue field uniform, blue flight suit and blue utility uniform combinations. No name tag



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Advisor/Staff Comments: This proposal should be tabled or withdrawn. Civilian outerwear appropriate to the weather conditions has normally been authorized for wear with corporate uniforms. No name tags, rank insignia nor CAP patches or badges are necessary.

NHQ Comments: Defer to the Uniform Committee.

CAP-USAF Comments: No comment.

NB Action:

COL SAILE/MI MOVED and COL REEVES/IN seconded that the National Board approve the attached list of cold weather Parkas with wear instructions as listed, as additions to CAPR 39-1, CAP Distinctive Uniforms.

COL PHELKA/CO MOVED TO POSTPONE and COL PARRIS/TX seconded the postponement and refer to Committee.

MOTION TO POSTPONE CARRIED.

FOLLOW-ON ACTION: Referral to the Uniform Team

j. Change of Embroidery Insignia on AF-Style Uniforms: Col Moersch, FL/CC

Currently CAPR 35-10 (memo dated 15-March-2206) specifies two variations of blue embroidery for utility uniforms. Ultramarine blue is authorized for wear on AF-style BDUs, and flights suits, and dark blue embroidery is used on corporate utility and flight suits.

Having 2 different colors of embroidery causes undue confusion either in ordering by the member, or the packing/shipping of the vendor. This results in orders being returned, or members ordering additional items to insure the proper uniform match.

Also, in discussion with Vanguard, CAP is currently the sole purchaser of the ultramarine blue embroidery. This has created a supply problem for Vanguard. Currently they have a 6-12 month inventory, beyond that, they will have to locate additional supply. In discussion with Mr. Bostwick of Vanguard, they would support a change.

Proposal: That the National Board amends, with Air Force approval, CAPM 39-1 to phase out the ultramarine blue embroidery on AF-style BDU and flights suits over the next 18 months, in favor of the dark blue embroidery.

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Advisor/Staff Comments: Proposal received too late for published comments at this time. This item would require USAF approval. In-person comments will be made at the Board meeting or in later agenda revisions.

NHQ Comments: Defer to the Uniform Team. However, if the Board chooses to change the color of grade insignia consideration should be given to changing the color all the blue cloth devices included nametapes, specialty insignia, aeronautical ratings, etc. To have dark blue grade insignia and ultramarine blue accouterments would not present a professional image. Additionally, the change of all badges would result in a massive conversion for the general membership and could be cost prohibitive.

CAP-USAF Comments: Do not concur. The ultramarine blue name tapes and accouterments are necessary to ensure that CAP members are visually distinguishable from Air Force members, as required by Air Force policy:

1.3.4. **CAP Distinctive Uniforms and Insignia.** The emblems, insignia, and badges of the CAP Air Force-style uniform will clearly identify an individual as a CAP member at a distance and in low-light conditions...CAP distinctive uniforms must be sufficiently different from U.S. Armed Forces uniforms so that confusion will not occur. (Ref AFI 10-2701)

Additionally, Vanguard has assured CAP NHQ that there is no shortage of ultramarine blue material.

NB Action:

COL MOERSCH/FL MOVED and COL BENCKERT/VT seconded the written Proposal, EXCEPT that the word "Corporate" shall be inserted between the words "BDU and" and "flight suits," and that "18 months" shall be changed to "36 months."

COL CHARLES/NAT CON MOVED TO AMEND and COL BROWN/AK seconded the amendment to change the phase-out period from "36 months" to "36 to 48 months, as determined by the NHQ staff."

COL SAILE/MI MOVED TO POSTPONE and COL PHELKA/CO seconded the postponement and refer to committee.

THE MOTION TO POSTPONE CARRIED.

FOLLOW-ON ACTION: Referral to the Process Action Team.

AGENDA ITEM 28

**SUBJECT: Advisor, Committee and Staff Reports
CAP/CS – Col Chazell**

Advisors

1. Finance Committee Report – Col Weiss

COL WEISS/NFO thanked all the wing commanders and asked them to convey to their finance officers heartfelt thanks for CAP's very first unqualified audit.

2. Chaplain Report – Col Woodard

CH, COL, WOODARD presented a slide briefing on Chaplain activities to the National Board.

3. Senior Advisor, Support – Col Guimond

COL GUIMOND presented a slide briefing on Support to the National Board.

4. Senior Advisor, Operations – Col Skiba

COL SKIBA not able to attend the meeting; however, he was represented by Lt Col Leslie Vazquez, National Director of Stan/Eval who presented a slide briefing on Operations to the National Board report.

5. CAP National Safety Officer – Col Letteer

COL LETTEER presented a slide briefing on safety to the National Board.

6. Inspector General – Col Linker

COL LINKER presented a slide briefing on inspections to the National Board

7. Historian Report – Col Blascovich

COL BLASCOVICH presented a slide briefing on historical activities to the National Board

MAJ GEN COURTER expressed appreciation for all the national staff, executive officer, and national officers.

AGENDA ITEM 29

SUBJECT: Old Business

a. ITEM: CAP NCO Corps

Agenda Item 14; Nov 07 NEC – Col Carr

CAP NCO Corps

NEC ACTION

That the National Executive Committee vote to approve the concept of future promotions for former military NCOs; task the working group to develop promotion criteria for each grade, and present a proposal to the May 2008 NEC.

Also, approve the working group to consider concept of individuals without prior military service being eligible for promotion to NCO grades. The working group is to develop a program for these individuals to earn NCO grades through CAP participation and training. This plan should be presented to the summer 2008 National Board for consideration.

Agenda Item 20-1; Aug 08 NB -

CAP NCO Corps

August 2008 NB ACTION:

CSMGT WALPUS, Chief Master Sergeant of CAP, presented a slide briefing on the proposals of the working group for individuals with prior military service to earn NCO grades through CAP participation and training. The proposal is for the National Board to consider approving the basic promotion program for submission to CAP-USAF for comments and further review.

In response to a question as to how the Air Force may perceive this proposal, Col Hodgkins, USAF, responded that CAP-USAF supports the concept and stated that the distinctive rank insignia, promotion and grade structure would probably be approved at Air Force level. He expressed an opinion that CAP needs to develop refinements on exactly how the role of the NCO will be perceived in CAP in the future, which needs to be a part of the package that goes forward to the Air Force.

COL PARRIS/CA MOVED and COL LEE/PA seconded that the National Board approve the NCO promotion progression information as presented in the slide briefing for presentation to CAP-USAF for Air Force guidance,

which will then be considered by the National Board prior to forwarding for Air Force approval.

THE MOTION CARRIED UNANIMOUSLY

FOLLOW-ON ACTION: (1) Development of a package for submission to CAP-USAF to seek Air Force guidance; (2) After response from CAP-USAF, consideration of suggested changes and guidance by the National Board; and (3) Inclusion in the 2009 Winter National Board Agenda.

February 2009 NB Action:

COL CARR/GLR reported that the authorized package was submitted to CAP-USAF in the Oct-Nov 2008 time-frame, about the time the headquarters was preparing to move for building renovation. CAP-USAF then asked the working group to provide more clarification on the role of the NCO Corps in CAP. The group met with Susie Parker, a member of the group, along with Col Hodgkins, USAF, and Col Ward, USAF, on Wednesday, 25 Feb 09, and developed the additional requested information. The proposal was rewritten and sent to Col Hodgkins, USAF, and Col Ward, USAF, and they assured Col Carr that they would take that proposal to the Air University Commander.

b. ITEM: Review of CAPR 20-1 and proposed Pamphlet

Agenda Item 15.7; Nov 08 NEC – Gen Courter

National Staff Structure (CAPR 20-1 and Supporting Pamphlet)

NEC Action

Maj Gen Courter discussed the following informational items:

Job Descriptions for the Executive Officer and Aide de Camp, which were read, for inclusion along with job descriptions of Senior Advisors and other National staff personnel into a CAP Pamphlet rather than in regulation form.

COL WEISS/NFO MOVED and COL PEARSON/PCR seconded that the NEC form a committee to review CAPR 20-1 and the proposed unnumbered Pamphlet containing the CAP National staff selection process and job descriptions with potential inclusion of job descriptions of the Executive Officer and Aide de Camp; the committee is tasked to complete that work and bring it to the 2009 Winter National Board.

THE MOTION CARRIED UNANIMOUSLY

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FOLLOW-ON ACTION: Committee members are Col Chazell/CS, Col Guimond, Col Weiss/NFO, Ms. Parker/DP, CAP-USAF Advisor, Lt Col Kothari, and Maj Harriet Smith/SWR/DA. Include in the 2009 Winter National Board agenda.

MAJ GEN COURTER/CC reported that a DRAFT copy of CAP Pamphlet 20, containing the CAP National staff selection process and job descriptions had been distributed to National Board members for comment. There will be adjustments, such as the National Commander's executive officer is not in the command chain. She reminded that the idea for this effort was to ensure that as volunteers step forward for national staff positions that people understand who they report to, what are the functions, authority, responsibilities, and any desired requirements. This process will help guide the leadership as staff is added and changed.

COL LEE/PA MOVED and COL EGRY/DE seconded that the National Board approve the DRAFT Pamphlet 20 and, after comments, that it be brought back to the 2009 Summer National Board.

THE MOTION CARRIED.

Later in the meeting **COL CHAZELL/CS MOVED TO RECONSIDER and COL SAILE/MI seconded** the reconsideration of the previous vote on the question of National Board review of CAP Pamphlet 20, the National Staff Selection Process.

COL CHAZELL/CS offered the following rationale: One reason is that after the discussion of the modifications to CAPR 5-4, the National Commander indicated that it might possibly be out of order. Secondly, Col Chazell added that every commander in the room has the prerogative to establish their staffs and the National Commander should have that same prerogative without unnecessary oversight of the 67 members of the board. This is a pamphlet and we do not have a precedent of National Board review of pamphlets. Should this motion to reconsider fail, he also requested an official ruling from the chair as to whether or not it was out of order.

There was clarification that since Col Chazell voted in the negative, he was not eligible to request reconsideration.

COL SAILE/MI MOVED TO RECONSIDER and COL McCABE/NJ seconded the reconsideration of the previous vote on the question of National Board review of CAP Pamphlet 20, CAP National Staff Selection Process.

THE MOTION TO RECONSIDER CARRIED.

COL GUIMOND, Senior Advisor explained to the National Board that it was upon his strong advice that the additional national staff named at the prerogative of the National Commander needed to be included in a pamphlet as opposed to including in regulation.

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This process would allow flexibility to all National Commanders to adjust the optional national staff according to their command style. The national officers required under the Constitution and Bylaws will continue to be included in CAPR 20-1.

THE MOTION, AFTER RECONSIDERATION, DID NOT PASS.

FOLLOW-ON ACTION: CAP Pamphlet 20, National Staff Selection Process, will be published when finalized.

c. ITEM: Adverse Action Regulation – Col Herrin

COL HERRIN/NLO briefed that Col Karton and his group has a comprehensive draft of CAPR 35-10. It is now going through review by legal and the inspector general process, after which it will be sent out for general review by the National Board. There are changes to between 24-36 regulations. This effort is to create a single, unified, disciplinary policy that all the commanders can work through in a progressive manner selecting appropriate levels of discipline for members. He pointed out one innovation—called a last-chance agreement—when there is an admission by a member after a membership termination or other disciplinary process that they have been bad, and he/she executes a contract with the organization that if anything of a certain thing happens again there is an immediate termination of membership with no further recourse. Hopefully, this can be used as a rehabilitating tool for people who have made a big mistake and want “go forth and sin no more.”

MR. KARTON added that the intention of this document is to provide a simpler commander’s guide and will be more user-friendly.

COL LINKER/IG asked that the commanders not be intimidated by the size of the document because the contents are detailed and will be invaluable to commanders.

COL CHARLES/NATCON explained that before 2005 the Adverse Personnel Pamphlet was outdated and the regulations were somewhat confusing because of different suspension rules so there were no due process rights for membership. In 2005 there was a proposal to develop a simple regulation on adverse actions for use by field commanders with advice from the wing or unit legal officer and inspector general. This document completely changes the inspector general system in complaints and commanders will need a companion guide in order to use the document. He expressed an opinion that this document may not meet the intent of the 2005 request and advised the commanders to carefully review it.

MAJ GEN COURTER offered to form a committee to look at this document prior to National Board review, which would enable a team to look at it again, due to the amount of time passed and amount of work done. This offer was endorsed by National Board members. The appointed team will be: Col Karton, Col Linker/IG, Col Kuddes/NCR, Col Parris/CA, Col Cortum/RMR, and one representative from NHQ and one from CAP-

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USAF. Gen Courter added that this team will look both at the regulation in its DRAFT mode and work with the Commander's Guide and determine what the intent and needs are for this board. In response to a question, there was clarification that some of the same team members are added to this new team, as well as others who are commanders and the IG to bring in the other perspective on that team.

AGENDA ITEM 30

SUBJECT: New Business

a. IG to Review Complaints against the National Commander

COL DAVIDSON read the following NATIONAL BOARD motion, seconded by COL LEE/PA:

“That the Board of Governors has plenary authority to conduct the business of Civil Air Patrol and is not required to comply with existing CAP regulation in its conduct of CAP business. Information has been transmitted to the National Board by the Board of Governors regarding complaints against the National Commander. The National Board, in order to meet its fiduciary responsibility intends to evaluate these complaints in accordance with CAP governing documents.

“Accordingly, the National Board resolves:

“The CAP National Board requests that the Chairman of the CAP Board of Governors direct the CAP National Inspector General to review all complaints against the National Commander and all complaint-related material for the period 1 October 2008 to present for conformity with CAPR series 123, and to report his findings and determinations to the Chair of the Board of Governors and the National Legal Officer of the National Board within 60 days and provide the report to the National Board within 10 days following.

“The CAP Inspector General transmits the results of the investigation on all such complaints to the National Board for further action, if needed, in accordance with Article XV of the CAP Constitution and Bylaws and CAPR 35-7.”

A secret ballot was requested.

BY SECRET BALLOT VOTE THE MOTION CARRIED (51 Yes; 13 No).

MAJ GEN COURTER thanked the National Board for ensuring the same process that would be used for any member in the field is also used thoroughly to investigate and bring closure and remove this matter from the Board of Governors who has worked very diligently, extensively, and earnestly and to whom we owe a debt of service. Gen Courter added that she is proud of this organization and its directives and governing documents, which need to be respected. She added that all CAP members including the National Commander deserve the rigor of process and expressed appreciation to the National Board for taking that action

b. Suspend Rules to Allow Uniform Item (Parka) Action at 2009 Summer Board.

COL LEE/PA stated that in August 2001 the National Board approved a proposal to review all uniform changes annually at the Winter National Board meeting.

COL LEE/PA MOVED and COL BENCKERT/VT seconded that National Board suspend the referenced policy to allow the Uniform Process Action Team to submit the recommendations on outer cold weather garments for wear with the Corporate uniform to the 2009 Summer National Board for consideration and final action.

THE MOTION CARRIED.

FOLLOW-ON ACTION: Uniform Process Action Team may submit recommendations on parkas (Agenda Item 27i. 2009 Winter National Board) to the 2009 Summer National Board. Include in August 2009 National Board agenda.

c. Safety Survey Correction Action

COL LETTEER/SE, with reference to the Annual Safety Survey, stated that there is a regulation which reads, "All commanders will pass down the negative findings on the annual safety surveys," but there is nothing in there to indicate that anything has to be done about them. He proposed that the National Board direct that a requirement be added to CAPR 62-1, as follows: "That after receiving the comments on the annual safety survey from the commander at the next higher echelon each unit will correct or resolve all safety concerns and issues identified on that survey."

COL LEE/PA MOVED and COL KUDDES/NCR seconded the motion that the National Board approve a change to CAPR 62-1, to include the added requirement as recommended and read by the National Safety Officer.

COL WINTERS/OH MOVED TO POSTPONE and COL BEASON/SD seconded the postponement and refer to committee. The following committee was named by the National Commander: Col Letteer/SE, Col Herrin/NLO, or designees, and Col Weiss/MD, Col Smith/SC, Col Benckert/VT, and Col Lee/PA, as well as CAP-USA/SE and NHQ, as needed.

THE MOTION TO POSTPONE CARRIED.

FOLLOW-ON ACTION: Referral to named committee and inclusion in 2009 Summer National Board meeting agenda.

Administrative Announcements

National Board badges were presented to the incoming commanders:

Col Roger M. Caires, Interim HI Wing (PCR), appointed 22 Aug 2008
Col Roy W. Douglass, NC Wing (MER), appointed 1 Jan 2009
Col Rafael C. Roman, PR Wing (SER), appointed 6 Dec 2008
Col Donald G. Cortum, RMR, appointed 6 Nov 2008
Col Herbert C. Cahalen, MT Wing (RMR), appointed 6 Feb 2009
Col Brian L. Bishop, OR Wing, (PCR), appointed 25 Oct 2008

The following named departing commanders were recognized and thanked for their service:

Col Robert Diduch, NER
Col Robert J. McCabe, NJ Wing
Col Jane E. Davies, Nat Cap Wing
Col Henry L. Heaberlin, KY Wing

Col Russell D. Hodgkins, Jr., USAF, was also recognized as attending his last National Board meeting as the CAP-USAF Commander. He will retire from active duty 1 Jul 09.

An Exceptional Service Award was presented to Lt Tolga C. Tarhan CA Wing, for outstanding service to CAP.

Special Guest, Mr. Tom Jones, Deputy Assistant Secretary of the Air Force for Manpower and Reserve Affairs (SAF/MRR), gave a presentation on ways that CAP can become a partner even more closely with the Air Force and defined more ways for CAP members to serve the Air Force. He added that there is a provision for two non-voting members from CAP on the Air Reserve Forces Policy (ARFP) Committee, appointed by the Secretary of the Air Force. Mr. Jones stated that the National Commander and Commander, CAP-USAF will fill those two positions and be invited to come, or send a representative, to the ARFP Committee meetings. He added that this committee is made up of general officers from the regular active, reserve, and guard components that talk about issues of interest for the total Air Force, and CAP needs to be there, engaged and involved in those discussions. He added that he is so impressed with Maj Gen Courter that he wants her to brief the most senior Air Force boards, committees, and councils, up to and including the Air Force Council to talk about what the CAP is doing in an attempt to increase the HQ Air Force staff's knowledge of CAP. Mr. Jones also commended the establishment of the CAP Cadet Leadership Academy, which was meeting in Washington, DC, and expressed regrets that the Air Force did not offer to send some more senior staff (Chief of Staff or Secretary of the Air Force) to address the cadets. He promised to try to do that next year. Mr. Jones also expressed an opinion that all the wings in CAP and the National Guard need to develop a more universal partnership. He proposed to discuss this idea with the general in charge of the National Guard to encourage his board of directors—the state adjutants general—to work closer with CAP. He gave the Guard's Youth Challenge Program as an example

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for CAP interface with the Guard. He added that there are probably also areas where CAP can partner with the Air Force Reserves and encouraged CAP to look for partnerships with other military-associated organizations. Mr. Jones closed by stating that he agreed with a recent statement by Lt Gen John Hopper, USAF (Ret), Chairman of the Board of Governors, who said that he hoped that 10 years from now when we refer to the components of the Air Force, we will be talking about the regular active component, the National Guard component, the Reserve component, and the auxiliary—the Civil Air Patrol—component of the Air Force: the four components of the Air Force.” Mr. Jones disagreed that it should take 10 years, but should happen a lot sooner. He added that he is looking forward to working with Gen Courter for 3 years to help make this happen and to get great things going with CAP. He presented Maj Gen Courter with his personal coin, which shows only three components of the Air Force on the back. He stated that when he reorders this coin, he will request that four components be added to the back of the coin.

Maj Gen Courter announced that approximately 8,000 were viewing the streaming of the National Board proceedings and thanked them for participating.

Lt Gen John D. Hopper, Jr., USAF (Ret), Chairman of the Board of Governors, on behalf of all the BoG, expressed appreciation to Maj Gen Richard Bowling for his service on the Board of Governors, and most recently as its chairman. As a tribute to Gen Bowling, Gen Hopper added words from other BoG members that focused his dedication to CAP, professionalism, a love of CAP and a desire to continue and support this mission. He stated that Rick Bowling has done that first for CAP directly as a previous National Commander and through his membership and most recently his chairmanship of the Board of Governors.

Maj Gen Courter announced that John Salvador/NHQ/DO was voted the Most Valuable Player for this National Board.

Maj Gen Courter announced that Chuck Mullin/NHQ/PM was named as the Greatest Team Player.

Maj Gen Courter noted the number of agenda items, especially those regarding safety and safety-related items. She stated there were also some technology-related improvements of great interest to the board. She added that she was proud of the members of the National Board who are doing the fiduciary work of the board, in an open, honest, thoughtful and deliberate manner. She further added that it is CAP'S culture of safety, the service provided to the nation and the excellence with which it is provided and the respect we have for each other and for the leaders of CAP that make a difference. She expressed appreciation for all that.

THE NATIONAL BOARD ADJOURNED AT 1648 SATURDAY, 28 Feb 2009.