

NEC MINUTES

**National Executive Committee
Meeting Minutes
4 - 5 May 2007**

Atlanta GA

4 – 5 May 2007

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OPEN SESSION

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Civil Air Patrol
National Executive Committee
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OPEN SESSION

CALL TO ORDER	Maj Gen Antonio J. Pineda, CAP
INVOCATION	Ch, Col Charles E. Sharp, CAP
PLEDGE OF ALLEGIANCE	Brig Gen Amy Courter, CAP
ROLL CALL	Mr. Don Rowland, HQ CAP/EX
NATIONAL COMMANDER REMARKS	Maj Gen Antonio J. Pineda, CAP
EXECUTIVE DIRECTOR REMARKS	Mr. Don Rowland, HQ CAP/EX
CAP-USAF COMMANDER REMARKS	Col Russell Hodgkins, USAF

NATIONAL EXECUTIVE COMMITTEE

Maj Gen Antonio J. Pineda, CAP	National Commander
Brig Gen Amy S. Courter, CAP	National Vice Commander
Col Russell Hodgkins, USAF	CAP-USAF Commander
Vacant	National Chief of Staff
Col Fredric K. Weiss, CAP	National Finance Officer
Col Andrew K. Worek, CAP	National Legal Officer
Col Rodney F. Moody, CAP	National Controller
Col Robert Diduch, CAP	Northeast Region Commander
Col Kathryn J. Walling, CAP	Middle East Region Commander
Col Charles L. Carr, Jr, CAP	Great Lakes Region Commander
Col Daniel J. Levitch, CAP	Southeast Region Commander
Col John Mais, CAP (Proxy)	North Central Region Commander
Col Reggie L. Chitwood, CAP	Southwest Region Commander
Col Russell E. Chazell, CAP	Rocky Mountain Region Commander
Col Ernest C. Pearson, CAP	Pacific Region Commander

Non-voting members:

Col James F. Linker, CAP	CAP Inspector General
Ch, Col Charles E. Sharp, CAP	Chief of Chaplain Services

CORPORATE TEAM

Mr. Don R. Rowland	Executive Director
Mr. Mark H. Richardson, III	Senior Director; Director, Plans & Programs
Mr. John A. Salvador	Director, Missions Directorate
Ms. Susan Easter	Chief Financial Officer
Mr. Johnny Dean	Director, Logistics & Mission Resources
Mr. Gordon Odell Jr.	General Counsel
Mr. Marc Huchette	Director, Program Development

AGENDA ITEM - 1

DV

Action

**SUBJECT: Approval of the November 2006 NEC Minutes
CAP/CV – Brig Gen Courter**

INFORMATION BACKGROUND:

The minutes of the November 2006 National Executive Committee meeting were distributed in draft form. This allowed the National Board members a chance to review the minutes for any discrepancies. The November minutes are attached.

PROPOSED NEC ACTION:

That the National Executive Committee vote to approve the November 2006 NEC minutes.

ESTIMATED FUNDING IMPACT:

None.

CAP NATIONAL HEADQUARTERS' COMMENTS:

None.

CAP-USAF HEADQUARTERS' COMMENTS:

None.

DCS / NATIONAL STAFF COMMENTS:

None.

REGULATIONS AND FORMS AFFECTED:

None.

NEC ACTION:

BRIG GEN COURTER/CV MOVED and COL PEARSON/PCR second the PROPOSED NEC ACTION

MOTION CARRIED UNANIMOUSLY

FOLLOW-ON ACTION: Remove the word DRAFT from the minutes.

AGENDA ITEM - 2

DV

Action

**SUBJECT: Board of Governors "At-Large" Member
CAP/CC – Maj Gen Pineda**

INFORMATION BACKGROUND:

Pursuant to Article IX of the Constitution, Civil Air Patrol appoints two Members at Large to the Board of Governors. These members serve a single four year term. The term of Brig Gen Paul Bergman will expire on 24 August 2007 and a replacement needs to be chosen by the NEC in accordance with the procedures in CAPR 35-9. CAP/DVA sent out notice of the coming vacancy and has received applications from members. The closing date for nominations was 1 May 2007. DVA has reviewed all nominations and prepared a summary of qualifications sheet for NEC review. Each NEC member has the opportunity to nominate one candidate. Once all nominations are submitted, a seconding motion will be requested and received. Following discussion, if any, there will be a vote for acceptance of all nominations to be included on the ballot. Ballots will be distributed and a vote will be taken. The candidate receiving a clear majority (at least 8 votes) will be appointed to the Board of Governors. If no candidate receives a clear majority, the procedures stated in CAPR 35-9 are followed until one candidate receives a clear majority.

PROPOSED NEC ACTION:

That the National Executive Committee vote to select an at-large member for the Civil Air Patrol Board of Governors.

ESTIMATED FUNDING IMPACT:

None.

CAP NATIONAL HEADQUARTERS' COMMENTS:

None.

CAP-USAF HEADQUARTERS' COMMENTS:

None.

DCS / NATIONAL STAFF COMMENTS:

None.

REGULATIONS AND FORMS AFFECTED:

None.

NEC ACTION:

The selection procedures for electing an “At-Large” Member of the Board of Governors were reviewed and a list of self-nominations was distributed. From the nominating ballot, only two candidates received a majority vote: Gary J. Mayo and Dwight H. Wheless.

COL MOODY/ NAT CON MOVED and COL WEISS/NFO seconded a motion that the NEC vote to accept the ballot containing the names of Gary J. Mayo and Dwight H. Wheless.

MOTION CARRIED UNANIMOUSLY

BY SECRET BALLOT VOTE, MAJ GEN DWIGHT H. WHELESS WAS UNANIMOUSLY ELECTED AS AN “AT-LARGE” MEMBER OF THE BOARD OF GOVERNORS, EFFECTIVE 24 AUGUST 2007.

AGENDA ITEM - 3

DV

Action

**SUBJECT: Region Chief of Staff Rank
SER/CC – Col Levitch**

INFORMATION BACKGROUND:

Currently CAP Regulations authorize three (3) Colonels at the Region level; the Region Commander and two (2) Vice Region Commanders.

By policy some Regions are currently limited to one Vice Commander thus leaving authorized Colonel Positions vacant/unused.

The individuals appointed to the position of Region Chief of Staff should be appointed to the temporary grade of Colonel while serving as Region Chief of Staff.

This permits a “career path” to Colonel for gifted individuals and staff personnel who wish to serve at that very high level of responsibility, in a capacity other than as Region Commander.

It places the Chief of Staff position on an equal footing with the National Staff officers and the Wing Commanders, individuals a Chief of Staff must work with on a routine basis.

Currently, with the exception of a few National Staff positions (Historian, etc), there is no Civil Air Patrol “career path” to the grade of Colonel except through Wing and/or Region Command.

By regulation a Region Commander may select anyone to serve as the Vice Commander. However, by current policy the Vice Commander must be a former Wing Commander (National Board member) capable of assuming Region Command.

The typical succession of command at the region level is: Commander, Vice Commander, Chief of Staff, and then the Senior Wing Commander.

This change will place CAP in alignment with our Air Force and other service counterparts with regard to grade and duty position.

It is the right thing to do for CAP and the folks who serve in this often overlooked and thankless position.

PROPOSED NEC ACTION:

The National Executive Committee vote to approve individuals serving in the position of Region Chief of Staff be appointed to the temporary rank of Colonel while serving in the position.

ESTIMATED FUNDING IMPACT:

No immediate financial impact.

CAP NATIONAL HEADQUARTERS' COMMENTS:

None.

CAP-USAF HEADQUARTERS' COMMENTS:

CAP-USAF cautions that "rank creep" may diminish the authority of senior CAP leaders.

DCS / NATIONAL STAFF COMMENTS:

None.

REGULATIONS AND FORMS AFFECTED:

CAPR 35-5, *CAP Officers and NCO Promotions and Appointments*

NEC ACTION:

This agenda item was withdrawn.

AGENDA ITEM - 4

FM

Action

**SUBJECT: National Paging System
CAP/NFO – Col Weiss**

INFORMATION BACKGROUND:

CAP established a National Paging System in May 2003. The system was built around ordinary text messaging devices (usually a cell phone) that some of our members possessed. The NEC approved a payment of up to \$20 per month for region/wing commanders and one alert officer from each region/wing that actively participated in the program. CAP regions/wings have never taken full advantage of this reimbursement program. In FY06 only \$6,000 was paid to regions/wings for these expenses. Part of the reason is most people now own a device that is capable of receiving text messages and they use this for day-to-day personal business. The National Paging System works well with these personal devices so there is no reason to reimburse regions/wings any longer.

PROPOSED NEC ACTION:

The National Executive Committee vote to stop reimbursing region/wing commanders and their primary alerting officers for participation in the National Paging System.

ESTIMATED FUNDING IMPACT:

This will save \$11,720 in the FY07 Corporate budget and \$12,000 in the FY08 budget.

CAP NATIONAL HEADQUARTERS' COMMENTS:

Concur.

CAP-USAF HEADQUARTERS' COMMENTS:

No comment.

DCS / NATIONAL STAFF COMMENTS:

National Finance Committee concurs.

REGULATIONS AND FORMS AFFECTED:

None.

NEC ACTION:

This agenda item was covered under Agenda Item 21, (1. Finance Committee).

AGENDA ITEM - 5

FM

Action

**SUBJECT: Transfer of Crossfield Funds
CAP/NFO – Col Weiss**

INFORMATION BACKGROUND:

Mr. A. Scott Crossfield established a fund many years ago to reward the Crossfield Teacher of the Year with a \$1,000 stipend. The Crossfield account which was managed for Mr. Crossfield by CAP was comprised of donations from Mr. Crossfield and others. All disbursements from the account were as directed by Mr. Crossfield. Prior to Mr. Crossfield's death in 2006, the Crossfield Teacher of the Year Award was presented annually in conjunction with CAP's National Conference on Aviation and Space Education (NCASE). Due to budget constraints, NCASE was discontinued by CAP in October 2006. In view of the aviation fame amassed by Mr. Crossfield during his lifetime, coupled with the discontinuance of NCASE, the Crossfield family believes that it would be appropriate to transfer the award and associated funds to the National Aviation Hall of Fame. Accordingly, the Crossfield family is asking CAP to transfer the funds (approximately \$18,000) to the National Aviation Hall of Fame.

PROPOSED NEC ACTION:

That the National Executive Committee vote to approve the transfer of the funds in the Crossfield Teacher of the Year account to the National Aviation Hall of Fame.

ESTIMATED FUNDING IMPACT:

Loss of \$18,000 from the Crossfield account closing.

CAP NATIONAL HEADQUARTERS' COMMENTS:

Concur.

CAP-USAF HEADQUARTERS' COMMENTS:

No comment.

DCS / NATIONAL STAFF COMMENTS:

DCS Training, Col David Mikelson, recommends approval.

REGULATIONS AND FORMS AFFECTED:

CAP policies, procedures, and forms related to the Crossfield Teacher of the Year award will need to be changed in aerospace publications.

NEC ACTION:

COL DIDUCH/NER MOVED and BRIG GEN COURTER/CV seconded the PROPOSED NEC ACTION

MOTION CARRIED UNANIMOUSLY

FOLLOW-ON ACTION: Transfer funds from Teacher of the Year account to the National Aviation Hall of Fame and notification to the Crossfield family.

AGENDA ITEM - 6

FM

Action

**SUBJECT: Regulation & Control of CAP Participation in "Booster Clubs"
CAP/NFO – Col Weiss**

INFORMATION BACKGROUND:

In order to better place Civil Air Patrol in a position to obtain an unqualified audit, policies and regulations have been instituted to isolate it from booster clubs. Those policies prohibit the use of Civil Air Patrol's name from being used in new booster clubs and prohibits the participation of Civil Air Patrol leaders in the management or control of booster clubs. Furthermore, consistent with law regarding misrepresentation, CAPR 173-4, *Fund Raising*, is being amended to include the following:

Wear of the Civil Air Patrol uniform and similar clothing while performing fund raising for Booster Club activities is prohibited to the extent that it permits observers to believe that funds are being raised for Civil Air Patrol. Garments (e.g. squadron t-shirts) identifying the squadron and not referring to Civil Air Patrol are acceptable.

The relationship among CAP, its members and booster clubs is potentially complex and warrant further exploration. In context, the proposal below is self explanatory.

PROPOSED NEC ACTION:

That the National Executive Committee vote to approve the following resolution:

The National Finance Officer in conjunction with the National Legal Officer and their counterparts on staff are hereby directed to form an *ad hoc* committee to include themselves, their staff counterparts and up to four additional volunteers with expertise in law and/or finance to identify and address potential issues involved in the relationship among CAP, its members, and booster clubs to report their interim findings to the NEC and National Board at all regularly scheduled meetings until their final report is submitted. Although early completion would be appreciated, the final report is to be targeted for the May 2008 NEC meeting.

ESTIMATED FUNDING IMPACT:

Minimal.

CAP NATIONAL HEADQUARTERS' COMMENTS:

None.

CAP-USAF HEADQUARTERS' COMMENTS:

No comment.

DCS / NATIONAL STAFF COMMENTS:

None.

REGULATIONS AND FORMS AFFECTED:

Indirectly to impact CAPR 173-4 or the creation of a new regulation on the subject.

NEC ACTION:

COL WEISS/NFO MOVED and COL CHAZELL/RMR seconded the PROPOSED NEC ACTION.

MOTION CARRIED UNANIMOUSLY

FOLLOW-ON ACTION: NFO and GC to appoint an ad hoc committee, as directed in the resolution, with interim reports to the National Board and NEC and a final report targeted for May 2008. Inclusion in the agendas of the Summer 07 and Winter 08 National Board meetings and the Fall 07 and Spring 08 NEC meetings, as appropriate.

AGENDA ITEM - 7

DV

Action

**SUBJECT: Federal Legislative Agenda
CAP/NLO – Col Worek**

INFORMATION BACKGROUND:

There exists a list of issues that remain unresolved and appear best suited for resolution through Federal legislation. The issues are listed in a tentative order of priority. Summary of issues is attached

PROPOSED NEC ACTION:

That the National Executive Committee vote to approve the following resolution:

The National Executive Committee requests that the Board of Governors authorize CAP to pursue Federal legislative solutions directly through Congress to the following issues.

1. CAP is being underutilized.
2. Governance of CAP.
3. Posse comitatus remains a barrier to CAP assistance to Federal Agencies.
4. Civil Air Patrol is unduly restricted in its use of grant funds appropriated by Congress.
5. FTCA protection needs reinforcement for claims arising from Air Force assigned missions.
6. FECA protections need reinforcement for members returning home during multi-day missions.
7. State and local taxation on major procurement items unduly strains the CAP acquisitions budget.

PROPOSED NEC ACTION:

No immediate financial impact.

ESTIMATED FUNDING IMPACT:

To be determined.

CAP NATIONAL HEADQUARTERS' COMMENTS:

None.

CAP-USAF HEADQUARTERS' COMMENTS:

CAP-USAF has no comment on this specific agenda item. CAP-USAF remains committed to constructively address issues such as those list above.

DCS / NATIONAL STAFF COMMENTS:

None.

REGULATIONS AND FORMS AFFECTED:

None.

NEC ACTION:

COL WOREK/NLO MOVED and COL CHAZELL/RMR seconded the PROPOSED NEC ACTION. NOTE: The order of priority of items in the resolution is suggested but not mandated by the vote.

MOTION CARRIED UNANIMOUSLY

FOLLOW-ON ACTION: Seek BoG authorization for CAP to pursue Federal legislative solutions directly through Congress. Inclusion in the June 2007 BoG agenda.

AGENDA ITEM - 8

GC

Action

**SUBJECT: Legal Officer Reporting
CAP/NLO – Col Worek**

INFORMATION BACKGROUND:

Current organizational charts in CAPR 20-1 place the Legal Officer as a member of the Commander's staff reporting to someone other than the commander such as the Chief of Staff or Deputy Commander. (See Attachment 1 hereto, Region Headquarters Organizational Chart from CAPR 20-1, *Organization of Civil Air Patrol*, page 11, Figure 4.) Legal Officers are attorneys. Their professional duties and responsibilities are to Civil Air Patrol - the corporation itself - and require that they communicate directly with corporate officers in order to ensure attorney client privilege is established and maintained. As designed, the organizational structure jeopardizes attorney client privilege by placing unnecessary links in the communication chain, building interference into the process, diluting the lawyer's effectiveness, and increasing the likelihood of communication leaks.

(Attorney-client privilege is protected even when communications are through a necessary conduit such as the lawyer's secretary.)

PROPOSED NEC ACTION:

That the National Executive Committee vote to approve the following policy and direct that (a) it be implemented immediately and (b) staff makes the necessary changes to CAPRs 20-1 and 111-1.

CAP Legal Officers, while performing as such, shall report to a corporate officer-commander (National, region or wing commander) directly or to or through legal officers who do. (E.g. a squadron legal officer may report to a group legal officer who reports to a wing legal officer.) Members serving as legal officers are encouraged to accept and serve in other assignments, to the extent permitted by their professional responsibilities.

ESTIMATED FUNDING IMPACT:

Potential reduction in liability exposure due to increased effectiveness in legal coordination.

CAP NATIONAL HEADQUARTERS' COMMENTS:

None.

CAP-USAF HEADQUARTERS' COMMENTS:

No comment.

DCS / NATIONAL STAFF COMMENTS:

None.

REGULATIONS AND FORMS AFFECTED:

CAPR 20-1, *Organization of Civil Air Patrol*,
CAPR 111-1, *Duties and Qualifications of Legal Officers*.

NEC ACTION:

COL WOREK/NLO MOVED and BRIG GEN COURTER/CV seconded the PROPOSED NEC ACTION.

MOTION CARRIED UNANIMOUSLY

FOLLOW-ON ACTION: Immediate implementation of policy, notification to the field, and change to CAPR 20-1, *Organization of the Civil Air Patrol* and CAPR 111-1, *Qualifications and Duties of Legal Officers*.

Attachment 1

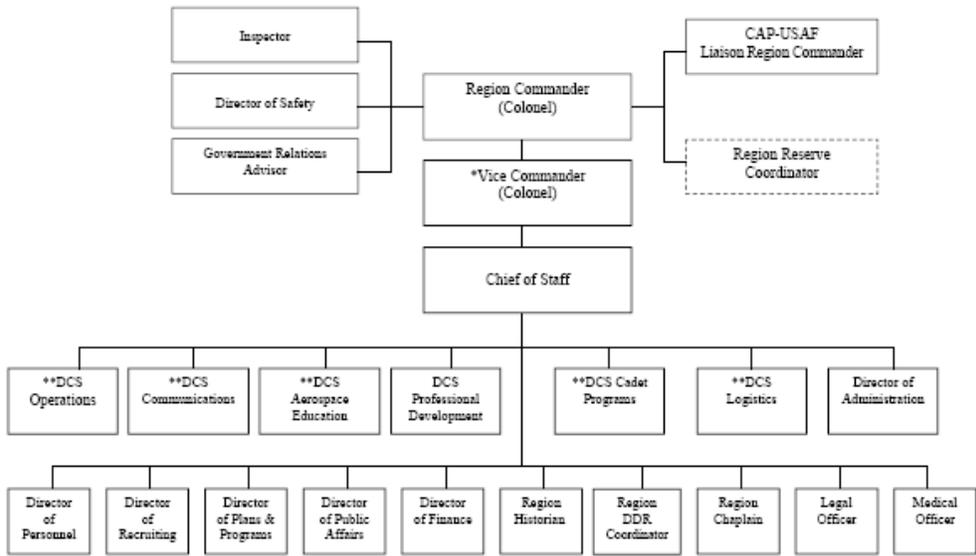
Region Headquarters Organizational Chart

CAPR 20-1, *Organization of Civil Air Patrol*, page 11, Figure 4

PART II—ORGANIZATIONAL CHARTS FOR ALL LEVELS OF CAP HEADQUARTERS

CAPR 20-1 (E)

Figure 6—Region Headquarters: Organizational Chart



*Two region Vice Commanders are authorized.
 **The above staff officers may find it desirable to delegate certain responsibilities to subordinate personnel. If any of these functions are expanded, the organizational charts on the following pages are recommended.
 NOTE: The Operations and the Emergency Services functions may be separated at the option of the region commander.

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AGENDA ITEM - 9

GC

Action

**SUBJECT: Duty to Cooperate in Litigation
CAP/NLO – Col Worek**

INFORMATION BACKGROUND:

Members in general and subordinate level commanders (below wing) are often in possession of information critical to litigation. Some have leveraged this information to curry favor with would-be plaintiffs such as gaining assurance that they would not be personally named in subsequent litigation.

CAPR 123-2, *Complaints*, paragraph 7k provides:

Commanders and all personnel involved or having knowledge of an investigation are cautioned not to discuss the complaint, investigation, or findings with persons not involved in the investigation or in the direct chain of command of the complainant or subject. Unauthorized disclosure may result in a claim of defamation against the individual making such unauthorized disclosure and against CAP in a court of law.

This proposal is to establish similar protections for CAP regarding matters that are anticipated to be or are in litigation as indicated by a CAP lawyer, including legal officers, General Counsel or any attorney representing Civil Air Patrol. A similar policy presently exists for CAP employees.

PROPOSED NEC ACTION:

That the National Executive Committee vote to approve the following policy and direct that staff make the necessary regulatory changes:

CAP members have a duty to cooperate with CAP in litigation. That duty includes, but is not limited to:

1. Preserving the confidentiality of information.

a. Information required to be kept confidential includes information (1) supplied by a CAP lawyer* in providing advice to commanders and their staff officers (attorney client privileged communication), (2) supplied by a CAP lawyer in obtaining consultation from the member (attorney work-product protection) and (3) such information identified as "confidential" by a CAP lawyer or a commander when the member has "reason to believe" that the information received from the commander is the subject of potential or pending litigation.

b. "Reason to believe the information is the subject of potential or pending litigation" means the member has been informed of the litigation or a reasonable person would know or should know that a claim or lawsuit for or against CAP might result.

2. Providing information in the course of investigation and discovery.
3. Refraining from public discussion of matters the member has reason to believe is the subject of potential or pending litigation.
4. Declining to discuss matters with adversaries of CAP or their lawyers or investigators outside the presence of a CAP lawyer.

This policy is intended to protect confidentiality, help ensure CAP's cooperation with other parties and prevent surprises in litigation. It is intended to permit CAP lawyers to confer with one another and corporate officers as necessary to fulfill their respective fiduciary duties. Nothing in this policy shall permit restricting any member's rights to confer with the member's own attorney, clergy, elected officials, or those with whom the member is legally bound to cooperate. Nor is this policy intended to require conduct that would harm the member's position in any claim or litigation for or against that member.

Restrictions imposed by these policies may be lifted by an appropriate corporate officer upon consultation with a CAP lawyer under such circumstances as are reasonable and just.

* A "CAP lawyer" is a licensed attorney who represents CAP, such as volunteer legal officers, employees, and outside counsel.

ESTIMATED FUNDING IMPACT:

No direct impact.

CAP NATIONAL HEADQUARTERS' COMMENTS:

Concur. The policy will likely need additional legal research and refinement before final implementation.

CAP-USAF HEADQUARTERS' COMMENTS:

No comment.

DCS / NATIONAL STAFF COMMENTS:

None.

REGULATIONS AND FORMS AFFECTED:

CAPR 112-9, *Claims, Demands, and Legal Actions for or Against the Civil Air Patrol, the United States Air Force, and the United States.*

NEC ACTION:

COL WOREK/NLO MOVED and COL CHAZELL/RMR seconded the PROPOSED NEC ACTION.

BRIG GEN COURTER/CV MOVED TO AMEND and COL WEISS/NFO seconded an amendment to insert in the paragraph following the numbered section, the following information:

Second sentence: “It is intended to permit CAP lawyers to confer with one another and corporate officers as necessary to fulfill their respective fiduciary duties.”

Fourth sentence: “Nor is this policy intended to require conduct that would harm the member’s position in any claim or litigation for or against that member.”

Also, add an asterisk (*) after the word “lawyer” in paragraph 1.a. (1), with the following explanation of the asterisk:

“A ‘CAP lawyer’ is a licensed attorney who represents CAP, such as volunteer legal officers, employees, and outside counsel.”

MOTION TO AMEND CARRIED UNANIMOUSLY

AMENDED MOTION CARRIED UNANIMOUSLY

FOLLOW-ON ACTION: Implementation of policy, notification to the field, and change to CAPR 112-9, *Claims, Demands, and Legal Actions for or against the Civil Air Patrol, the United States Air Force, and the United States.*

AGENDA ITEM - 10

GC

Action

**SUBJECT: School Enrichment Program Risk Management
CAP/NLO – Col Worek**

INFORMATION BACKGROUND:

Risk Exposure. Participants in CAP's school enrichment programs spend about 1,715 hours per year in "CAP time" compared to the 196 hours of the typical cadet unit. (See Decision Paper Attachment 1 hereto.) That's about 8.8 times as many hours. This is compounded by the fact that instead of an estimated 15 cadets for the average cadet unit, one class in the school enrichment program may have up to 30 cadets. With these factors alone, the risk in a school program is about 18 times that of an ordinary squadron. For participants in boarding school programs in which the participants live at the school, the risk is 84 times that of an ordinary squadron.

(We acknowledge that there are other factors that impact the risk. For example: Professional educators, maintenance, and security personnel reduce the risks on school grounds and the typical squadron's participation in field activities can increase their risk.)

Culpability/Responsibility. Time spent in school programs is entirely within the supervision and control of the school. CAP has no ability to control the school environment. Nevertheless, because the participants are wearing CAP uniforms or other CAP identified clothing they appear to the world as being under CAP control.

Other Exposure. In addition, members injured in the course of "CAP activities" are entitled to certain benefits under CAPR 900-5, *The CAP Insurance/Benefits Program*, Section E, *Senior Member and Cadet Accident, Life and Medical Benefits – Automatic*. (Attachment 2 hereto.) It is reasonable to conclude that schoolyard injuries of uninsured senior members and cadets would greatly increase the exposure to claims for CAP benefits under this regulation.

We are duty bound to take steps to eliminate or mitigate these risks to CAP.

PROPOSED NEC ACTION:

That the National Executive Committee vote to approve the following policy from which staff is to draft pertinent regulations (Amended (2) version):

1. The Wing Commander, in conjunction with General Counsel, shall use his/her best efforts to ensure that non-boarding schools applying for and currently holding charters that establish clear dividing lines as to when control and legal responsibility falls upon the school or CAP and:

(a) Ensure that responsibility and liability rest with either organization, (one organization or the other), as a default position, except when otherwise explicitly excepted. (A starting position would be that, absent from special circumstances or CAP agreement, responsibility and liability rest with the school);

- (b) Require school to insure, indemnify and defend CAP for circumstances when school has the responsibility;
- (c) Impose similar duties on CAP when CAP is responsible and
- (d) In conjunction with the school, provide appropriate written notification to parents informing them of who has responsibility under what circumstances when their child is participating in the school program or CAP program.

2. The provisions of paragraph 1 above are mandatory for boarding schools.

3. Member benefits under CAPR 900-5 section E are available to members "in the event of reportable injury or death that occur during CAP authorized activities." (CAPR 900-5 ¶18.) "CAP authorized activities" shall exclude those School Program activities for which the school is solely responsible under the criteria established under or through the policy in Paragraph 1 above.

4. The National Legal Officer and National Headquarters staff shall draft regulations and agreement language to effectuate this policy for National Commander approval.

ESTIMATED FUNDING IMPACT:

Inestimable likely savings in insurance premiums and in attorney fees.

CAP NATIONAL HEADQUARTERS' COMMENTS:

CAP is expanding its program to go into America's schools. As a result, formal partnerships need to be established to address issues like insurance, liability and indemnification. CAP wants this process to be appealing to the schools while also protecting our organization as much as possible. The intent of this policy, in layman's terms is to ensure that when the school has custody of the cadets it has full legal responsibility for them and will protect CAP and when CAP has custody of the cadets, it has full legal responsibility for them and will protect the school.

CAP-USAF HEADQUARTERS' COMMENTS:

Concur with overall concept.

DCS / NATIONAL STAFF COMMENTS:

None.

REGULATIONS AND FORMS AFFECTED:

To be determined.

NEC ACTION:

COL WOREK/NLO MOVED and COL LEVITCH/SER seconded the PROPOSED NEC ACTION, AMENDMENT 2.

MR. SALVADOR/MD stated that he wanted to make sure that the NEC is aware that Col Dave Mikelson, DCS/Training; Col Al Applebaum, School Enrichment Program Director; and the NHQ School Enrichment Program (SEP) staff fully support the organization's desire to manage liability risk but they are concerned that too much regulation will actually discourage schools from participating in the CAP SEP. CAP will use the layman's terms cited by Mr. Rowland to help simplify the policy in the revised SEP Memorandum of Agreement.

MOTION CARRIED UNANIMOUSLY

FOLLOW-ON ACTION: Drafting of regulations and agreement language for approval by the National Commander before implementing policy.

Attachment 1

Decision Paper: Risk Management and the CAP School Program

1. The Problem: Who is Responsible for CAP School Program Injuries?

1.1. Who will defend the lawsuit when a student participating in a school program is injured?

1.1.1. Is it CAP because the (a) student is wearing a CAP uniform or apparel? (b) teacher is wearing a CAP uniform or apparel? (c) it's reasonably characterized as a "CAP activity" or (d) they've been working from a CAP curriculum? Is it the school because they exercise control over the (a) student, (b) teacher and (c) classroom?

1.1.2. This is a trick question. The answer is *both* because the plaintiff's lawyers will sue anyone they can identify. When the case goes to court, the school's lawyers will attempt to shift responsibility to CAP. CAP's lawyers will attempt to focus on the school's control and ability (and CAP's lack thereof) to prevent the accident. As the case progresses, it is foreseeable that the school could settle out with the parents of the injured child, leaving CAP in the lawsuit alone.

1.2. The risk exposure of the CAP School Program in each participating school is several times larger than for any individual squadron. (See Table 1.)

1.2.1. Consider the time the youth participants are involved with CAP in a given year and the great difference in risk exposure becomes clear. The chart below compares participation time in school programs with the typical cadet squadron. Based on youth participant time alone, a school program unit has 17.5 times the risk exposure and a boarding school 84 times as much.

1.2.2. Add to this, the fact that the employees, grounds and other circumstances that exist at school programs are outside of CAP's control and we have a clear picture of risk that needs to be managed.

2. Solution: Manage the Risk – Agree that Indemnity Follows Responsibility and Chart the Course

2.1. Require a written agreement be signed by all schools applying for and currently holding charters that:

(a) establishes clear dividing lines as to when control and legal responsible falls upon the school or CAP;

And, to the greatest extent possible:

(b), ensures that responsibility and liability rest with the school except when otherwise explicitly excepted (a default position that, absent special circumstances or CAP agreement) responsibility and liability rest with the school);

(c) requires school to insure, indemnify and defend CAP for circumstances when school has the responsibility and

(d) imposes similar duties on CAP when CAP is responsible.

2.2. With the cooperation of the school, provide appropriate written notification to parents of who has responsibility under what circumstances when their child is participating in the school program or CAP program.

3. Related Issue: Member Accident Benefits. Note that the CAPR 900-5, *CAP Insurance/ Benefits Program*, section E, provides for member benefits to be paid for injuries that occur during CAP activities. The School Program also calls for adjustments to that program so that such benefits do not inure to those participating in the School Program as such activities are outside the control of CAP and because there is large exposure and great potential for abuse.

Table 1 CAP Youth Participant Hours Per Year				
Typical Unit	Calculations	Unit's hours	Participant Hours	Comparison
Cadet Squadron	52 weeks/year – 3 (Winter & Spring Vacation) x 4 hrs/week	196		
	Estimating 15 cadets		2,940	x
School Program	52 weeks/year – 3 (Winter & Spring Vacation) x 7 hrs/day, 5 days/week	1,715		
	Estimating 30 youth participants		51,450	17.5x
Boarding School Program	52 weeks/year – 3 (Winter & Spring Vacation) x 24 hrs/day, 5 days/week	8,232		
	Estimating a minimum of 30 youth participants		246,960	84x

AGENDA ITEM - 11

DV

Action

**SUBJECT: State Legislative Coordination and Agenda
CAP/NLO – Col Worek**

INFORMATION BACKGROUND:

Civil Air Patrol lacks any form of coordination or control regarding legislation at the state level yet with the loss of Air Force assigned mission status for state missions, the need for an organized effort to obtain support from states is at an all time high.

This proposal would (a) establish a position on the National Commander's staff to be a clearing house for information, assistance, coordination and education to facilitate legislative efforts at the wing/state level to support a primarily nationwide agenda in support of local CAP activities and (b) establish that agenda.

Note that this proposal would not impose a mandatory state legislative agenda on wings, merely establish common issues for which support may be provided.

PROPOSED NEC ACTION:

That the National Executive Committee vote to approve the following resolution:

(AMENDED)

1. Staff shall amend CAPR 20-1, *Organization of Civil Air Patrol* to provide for three personnel to coordinate volunteer legislative efforts for CAP on a nationwide basis: National *Legislative Liaison* Coordinator over a Federal Legislative Liaison Coordinator and State Legislative Liaison Coordinator.
2. The duties of these volunteer positions shall be: [Job descriptions added.]
 - a. The National Legislative Liaison Coordinator shall coordinate assignments/tasking to ensure responsibility is placed with the appropriate office.
 - b. The Federal Legislative Liaison Coordinator shall coordinate volunteer efforts to ensure the Federal legislative agenda is enacted.
 - c. The State Legislative Liaison Coordinator shall serve as a clearing house for information, assistance, coordination and education to facilitate legislative efforts at the wing/state level to support a primarily a nationwide agenda in support of local CAP activities.
3. The nationwide agenda in support of CAP activities is as follows:
 - a. Funding of CAP services and missions performed for the people of the state including administration of local CAP programs.
 - b. Providing protections to CAP and its members for missions conducted on behalf of the state.

ESTIMATED FUNDING IMPACT:

No immediate financial impact.

CAP NATIONAL HEADQUARTERS' COMMENTS:

None.

CAP-USAF HEADQUARTERS' COMMENTS:

No comment. CAP-USAF notes that these positions must not receive any funding support from Air Force appropriated funds, to include salary, travel, administrative expenses, or miscellaneous costs.

DCS / NATIONAL STAFF COMMENTS:

None.

REGULATIONS AND FORMS AFFECTED:

CAPR 20-1, *Organization of Civil Air Patrol*

NEC ACTION:

COL WOREK/NLO MOVED and COL CARR/GLR seconded the AMENDED PROPOSED NEC ACTION, CHANGED BY AMENDMENT 2, TO READ: That the National Executive Committee vote to approve the following resolution: (NOTE: Paragraphs 1. and 2. a. and b. in the amended proposed NEC action, are withdrawn.)

"1. To create a State Legislative Liaison person to serve as a clearing house for information, assistance, coordination and education to facilitate legislative efforts at the wing/state level to support primarily a nationwide agenda in support of local CAP activities.

"2. The nationwide agenda in support of CAP activities is as follows:

"a. Funding of CAP services and missions performed for the people of the state including administration of local CAP programs.

"b. Providing protections to CAP and its members for missions conducted on behalf of the state."

COL WALLING/MER MOVED TO TABLE until after lunch in order that the amendment can be written for the consideration of the NEC.

The motion to table died for lack of a second.

MR. ROWLAND/EX stated that the legislative person should be a volunteer.

COL HODGKINS/CAP-USAF/CC stated for the record that no federal appropriated funds could be used in support of this activity, even if it were a volunteer position.

BRIG GEN COURTER/CV MOVED TO AMEND and COL LEVITCH/SER seconded an amendment to change paragraph 1, as follows:

Delete the words: “The State Legislative Liaison Coordinator shall. . . .” (NOTE: the amended motion as made read “To create a State Legislative Liaison person to serve”) and

Substitute with the words: “A state legislative liaison role will. . . .”

There was clarification that the intent of the motion is to have a recognized position so that state legislative efforts are coordinated with a point of contact person and hopefully someday expand to a national level in an effort to get better organized.

MOTION TO AMEND CARRIED UNANIMOUSLY

AMENDED MOTION CARRIED UNANIMOUSLY

FOLLOW-ON ACTION: Implementation of policy and notification to the field

AGENDA ITEM - 12

DV

Action

**SUBJECT: Agenda Item Submission Procedure
CAP/CV – Brig Gen Courter**

INFORMATION BACKGROUND:

CAP's various governing boards have no formal process for submission of agenda items. A practice has evolved for the National Board and NEC in which the Chief of Staff publishes a call for agenda items, but that process is nowhere codified and can likely be improved upon.

PROPOSED NEC ACTION:

That the National Executive Committee vote to approve the following resolution:

The Constitution and Bylaws Committee is directed to recommend alternatives for bylaw amendments to establish a procedure for the submission of new agenda items to CAP's governing boards (i.e. National Board, National Executive Committee and Board of Governors) at the August 2007 National Board meeting. The Committee is to make reasonable inquiry of other organizations and resources so as to provide multiple alternatives.

ESTIMATED FUNDING IMPACT:

Minimal.

CAP NATIONAL HEADQUARTERS' COMMENTS:

These newly established procedures could be incorporated into a CAP regulation which would be easier to change and refine without going through the process of changing the Constitution and Bylaws.

CAP-USAF HEADQUARTERS' COMMENTS:

No comment.

DCS / NATIONAL STAFF COMMENTS:

None.

REGULATIONS AND FORMS AFFECTED:

CAP Constitution and Bylaws.

NEC ACTION:

BRIG GEN COURTER/CV MOVED and COL CARR/GLR seconded the PROPOSED NEC ACTION.

MOTION CARRIED UNANIMOUSLY

FOLLOW-ON ACTION: Referral to Constitution and Bylaws Committee and inclusion in the August 2007 National Board agenda.

AGENDA ITEM - 13

SE

Action

**SUBJECT: Mishap Classification System
CAP/CV – Brig Gen Courter**

INFORMATION BACKGROUND:

CAP mishap classifications have never been standardized. Incidents have been called either accident or mishap when discussing aircraft and vehicles, but are called serious and non-serious when discussing bodily injuries. Additionally, CAP has never really defined the line between accident and other incidents. This makes attempts to compare CAP's safety performance with other groups (ie: General Aviation or the Air Force) very difficult.

Restructuring of mishap classifications is necessary to allow the same terms to mean the same severity within each functional mishap area, aircraft, vehicle and bodily injury. This will also facilitate a better understanding of safety statistics by the general membership.

PROPOSED NEC ACTION:

That the National Executive Committee vote to approve incorporation of a standard mishap classification system into the impending rewrite of CAPR 62-2. This system would classify all mishaps as aircraft, vehicle or bodily injury. Within each classification, mishaps would be rated as an accident, an incident, or a minor mishap. The specific criteria for these ratings are attachment.

That the National Executive Committee vote to incorporate the following changes in CAP Safety Program policy into the impending rewrite of CAPR 62-2:

- a. All safety mishaps, regardless of severity, will be reported to NHQ using the on-line safety reporting system.
- b. The process to appeal the results of accident investigations will be changed to allow the region safety officer to address appeals on the validity of findings of a mishap investigation conducted below the region level, and allow the National Safety Officer to handle those appeals of region level investigations from region.

ESTIMATED FUNDING IMPACT:

Minimal.

CAP NATIONAL SAFETY OFFICER'S COMMENTS:

The classification of bodily injuries in the current policy does not match the classifications of vehicle and aircraft. This would change serious bodily injuries, bodily injuries and non-reportable bodily injuries to, accidents, incidents and minor incidents.

All mishaps will be reported on-line and those of minor natures will be recorded for statistical information only, and not counted in the accident incident reports.

Currently boards and appeals are handled in by the appointing authority. Appeals will be for validity of facts in the investigation. Not for disagreement of the findings. Any action taken by the commander should not be based solely on this report. The region safety officer is the safety specialist at the region and should be fully competent to consider the validity of the report.

Appeals from region and National level personnel will be reviewed by the National Safety Officer.

CAP NATIONAL HEADQUARTERS' COMMENTS:

None.

CAP-USAF HEADQUARTERS' COMMENTS:

CAP-USAF concurs in general with the proposal and applauds CAP for this positive improvement in the CAP Safety Program. CAP-USAF/SE has several administrative comments that will be introduced at the NEC meeting.

DCS / NATIONAL STAFF COMMENTS:

None.

REGULATIONS AND FORMS AFFECTED:

CAP Regulation 62-2, *Mishap Reporting and Investigation*.

NEC ACTION:

BRIG GEN COURTER/CV MOVED and COL CHITWOOD/SWR seconded the PROPOSED NEC ACTION.

COL HODGKINS/CAP-USAF/CC asked the CAP-USAF/SE to distribute a Safety Mishap Matrix and the NEC agreed to use it as a guide rather than a requirement.

MOTION CARRIED UNANIMOUSLY

FOLLOW-ON ACTION: Implementation of policy, notification to the field including the suggested CAP-USAF Safety Mishap Matrix as a guide, and change to CAPR 62-2, *Mishap Reporting and Investigation*.

AGENDA ITEM - 14

IG

Action

**SUBJECT: Compliance Inspection Grading
CAP/IG – Col Linker**

INFORMATION BACKGROUND:

The objective of Compliance Inspections is to evaluate the extent that a wing is operating in compliance with CAP regulations. A grade of Successful is normative. The current five-level grading system (Outstanding, Excellent, Successful, Marginal, and Unsatisfactory) is confusing and often leaves fully compliant Wings disappointed upon receiving a grade of Successful. Only one wing has earned a grade of Outstanding in over 70 inspections; none have been found Unsatisfactory as an overall grade. A three-tier system of **Highly Successful, Successful and Marginally Successful** will put more emphasis on the concept of successful compliance. The grade for better-than-successful performance will be a more reliable measure, and the wings will have a clearer view of their true standing and of their relative position among other wings. The grading of individual areas inspected (Aerospace Educations, Emergency Services, etc.) remain unchanged; that is, they will keep the current five-tier grading structure. Only the final grade for the wing is affected by this proposal.

PROPOSED NEC ACTION:

That the National Executive Committee approve a change in the criteria for the overall grade of Compliance Inspections to a three-tier system;

Highly Successful

Successful

Marginally Successful

ESTIMATED FUNDING IMPACT:

No funding impact.

CAP NATIONAL HEADQUARTERS' COMMENTS:

Concur.

CAP-USAF HEADQUARTERS' COMMENTS:

CAP-USAF does not concur with this agenda item. The current five-tier system mirrors the one used by the Air Force for Operational Readiness Inspections, and allows for a higher level of stratification of grades for Compliance Inspections. Granted, we have seen few grades of "Outstanding," and none of "Unsatisfactory" on past compliance inspections. However, this fact does not guarantee that we will continue to see the same trend during future inspections. Adopting the proposed three-tier system would limit us to a rather narrow range of grading options. In using the proposed system, we

would not be able to recognize those units whose performance was truly outstanding, and conversely, we would not be able to assign a grade of “Unsatisfactory” to a unit whose performance did not meet mission requirements. These limitations reduce the amount and quality of feedback available to commanders, corporate officers, and CAP-USAF.

CAP-USAF Recommendation: retain the five-tier grading system currently in use without change.

If the NEC elects to adopt the proposed three-tier grading system for compliance inspections, CAP-USAF requests the following:

- Add a fourth tier of “Unsatisfactory”. Rationale: Although units strive to perform well during compliance inspections, if there is no potential to fail some may capitalize on the opportunity to be less than diligent in accomplishing their assigned missions, and inspectors would not be able to reflect this in the inspection report.
- Do not enact any change in the grading system until the current compliance inspection cycle (cycle 2) is complete.

DCS / NATIONAL STAFF COMMENTS:

None.

REGULATIONS AND FORMS AFFECTED:

CAPR 123-3, *Inspections*

NEC ACTION:

COL LINKER/CAP/IG requested that this item be changed to an Information Item at this time. He briefed this information under Agenda Item 21, DCS / Committee Reports, 6. Inspector General.

AGENDA ITEM - 15

MD

Action

**SUBJECT: Primary Flight Instruction for Senior Members
SWR/CC - Col Chitwood**

INFORMATION BACKGROUND:

In the past eleven years the National Board has considered this issue two times.

In February 1996 AK Wing asked the National Board to allow members from remote squadrons (nearest FBO with flight school was two days away) to be able to conduct primary flight training in CAP aircraft. Several board members expressed concern that the policy would put CAP in conflict with FBOs but they also sympathized with the AK situation. The National Board decided to allow the Executive Director (after consulting with the National Commander and Corporate Legal Counsel) to authorize primary flight training as a corporate mission in special circumstances such as this.

In March 1998 VT Wing asked the National Board to allow the wing to conduct a two year trial period so they could use primary flight training as a recruiting tool to help bolster their mission pilot ranks. The trial would involve up to eight pilots. VT Wing said they had lost half of their mission pilots. They said approving the initiative would create a source for mission pilots, motivate CFIs to be more active, and increase aircraft utilization. VT Wing's proposal stated the trainees must be ES mission qualified, have at least one year as an adult member, and they must sign a document that states he/she will remain an active member for at least five years. The National Board discussion centered on the fact that this would cause major problems with local FBOs. The Corporate Legal Counsel also advised that allowing primary flight instruction might affect CAP's insurance rates. The National Board voted not to allow VT Wing to conduct the trial.

Several wings have asked the Executive Director to approve primary flight training over the past several years IAW the February 1996 policy. In almost every case there was an FBO with a flight school within a reasonable driving distance of the CAP member so these requests were denied.

CAP has many good long-term members who would like to become pilots. In most cases they cannot afford to pay for their training at the local FBO. Approving this item would allow some of our dedicated and experienced members to become pilots.

PROPOSED NEC ACTION:

That the National Executive Committee vote to allow primary flight training for senior members using CAP aircraft and instructors.

ESTIMATED FUNDING IMPACT:

None. The member would bear the aircraft and fuel costs for the training. CAP instructor pilots would continue to provide their services free of charge.

CAP NATIONAL HEADQUARTERS' COMMENTS:

CAP's total number of mission pilots has increased slightly over the past several years. MIMS currently shows CAP has 3,245 active mission pilots.

If the NEC approves this agenda item, recommend stipulations be put into place to make it consistent with other currently authorized flight training (instrument, commercial, flight instructor) conducted under the Corporate "C17" mission symbol. The restrictions for currently authorized flight training allow wing or region commanders to approve training for CAP pilots who are active members for at least one year.

Suggested amendment to proposed action: A definition of "active member" may want to be included. A suggestion for this is a member having attained Level I with a duty assignment at squadron or higher level.

CAP-USAF HEADQUARTERS' COMMENTS:

Concur. CAP-USAF agrees with NHQ comment regarding this opportunity only be extended to members who have been active for at least one year.

DCS / NATIONAL STAFF COMMENTS:

DCS Operations – Col Skiba. I would propose that the training only be approved for those members that have obtained at least a Mission scanner rating, and preferably a Mission Observer Rating. Retain the minimum of 1 year membership to be eligible for Senior member flight training.

REGULATIONS AND FORMS AFFECTED:

CAPR 60-1, *CAP Flight Management*.

NEC ACTION:

Following discussion on the currently allowed waiver; FAA requirements; training requirements for mission purposes; interpretation of Title 10, Section 9443; and insurance concerns, the following motion was made:

COL LEVITCH/SER MOVED and COL WALLING/MER seconded a motion to table this agenda item.

MOTION TO TABLE CARRIED UNANIMOUSLY

FOLLOW-ON ACTION: There was agreement to send to the DCS/Operations with a report to the Summer National Board. Inclusion in the Aug 07 National Board agenda.

AGENDA ITEM - 16

MD

Action

**SUBJECT: GA8 and C182T NAV III Pilot Qualification Policies
CAP/CV – Brig Gen Courter**

INFORMATION BACKGROUND:

The GA8 and the C182T Nav III have been in the fleet for over two years. The experience gained with each aircraft now allows CAP to safely revise the policies required for pilot qualifications in these aircraft.

PROPOSED NEC ACTION:

That the National Executive Committee vote to approve policy changes to CAPR 60-1 paragraphs 3-3.a. (6) and (7) (a) below:

For GA8 initial qualification, CAPR 60-1, para 3-3(6) to be revised as follows:

(a) Be a qualified SAR/DR mission pilot. (b) Have a minimum of 300 hours of PIC (fixed wing aircraft). *[Vice 500 hours]*(c) Be instrument rated.
(d) Satisfactorily complete the on-line GA-8 course. (e) Complete flight training and check ride recommendation from a qualified GA-8 CAP instructor/Check pilot. (f) Satisfactorily complete a CAPF 5 proficiency check with a qualified GA-8 Check Pilot other than the instructor pilot who completed the training. *[Removes factory-trained requirement] [Requirement for Commercial rating/class II medical deleted.]*

For C182 NAV III (G1000) initial qualification, CAPR 60-1, para 3-3(7) (a) to be revised as follows:

Replace line 7 after: “from a factory trained” with: or CAP designated check pilot who meets all the requirements as a FITS qualified flight instructor IAW the Cessna training syllabus plus meets the following requirement: Non factory-trained check pilots in the C-182T NAV III must have provided a **minimum** of 15 hours of logbook-documented aircraft instruction in the G1000 equipped aircraft prior to being eligible for designation by the Wing/Region Commander as a G1000 check pilot. *[Allows avenue to become check pilot without factory training, but with reasonable experience.]*

ESTIMATED FUNDING IMPACT:

None. Only changes to the online document are required.

CAP NATIONAL HEADQUARTERS’ COMMENTS:

NHQ concurs with the policy changes.

CAP-USAF HEADQUARTERS’ COMMENTS:

Concur.

DCS / NATIONAL STAFF COMMENTS:

DCS Operations, Col Skiba, concurs with the recommended actions.

REGULATIONS AND FORMS AFFECTED:

CAPR 60-1, *CAP Flight Management*.

NEC ACTION:

This agenda item was divided into two parts:

PART I: GA8 Initial Qualification

BRIG GEN COURTER/CV MOVED and COL LEVITCH/SER seconded the PROPOSED NEC ACTION as it pertains to policy changes for GA8 initial qualification, CAPR 60-1, para 3-3a(6) to be revised as indicated.

MOTION CARRIED UNANIMOUSLY

FOLLOW-ON ACTION: Implementation of policy changes, notification to the field, and change to para 3-3(6), CAPR 60-1, *CAP Flight Management*.

PART II: C182T NAV III (G1000) Initial Qualification

BRIG GEN COURTER/CV MOVED and COL CHAZELL/RMR seconded the PROPOSED NEC ACTION as it pertains to policy changes for C182 NAV III (G1000) initial qualification, CAPR 60-1, para 3-3a(7)(a) to be revised as indicated.

MOTION CARRIED UNANIMOUSLY

FOLLOW-ON ACTION: Implementation of policy changes, notification to the field, and changes to para 3-3(7) (a), CAPR 60-1, *CAP Flight Management*.

AGENDA ITEM - 17

MD

Action

**SUBJECT: CAP Emergency Operations Plan
CAP/CV – Brig Gen Courter**

INFORMATION BACKGROUND:

The Civil Air Patrol must be ready to respond when our fellow Americans are in need during large scale disasters. One of the first steps in readiness is to have a plan. The proposed CAP Emergency Operations Plan (EOP) codifies the duties of the C4, the NOC, agency liaisons, aircrew resource kits, mobile command post, and staging areas. The CAP EOP further provides the leadership a guide for the assessment, the alert, the mobilization, and the demobilization phases. The CAP EOP additionally identifies basic headquarters, individual, key asset, and emergency communications readiness issues. The CAP EOP was drafted to replace the obsolete CAP OPLAN 1000 and to be in compliance with the Department of Homeland Security's National Incident Management System (NIMS). It must be understood that the CAP EOP, if adopted, will continue to be revised as new best practices become apparent, and as NIMS continues to evolve.

A copy of the proposed plan is attached.

PROPOSED NEC ACTION:

That the National Executive Committee vote to approve the CAP EOP as proposed.

ESTIMATED FUNDING IMPACT:

The cost of developing a computer program to list the readiness and availability of all emergency services personnel and key assets (to possibly be included in WMIRS) should be minimal and is already in progress. The cost of stocking one van per region as an Aircrew Resource Kit (ARK) will vary with each region depending upon the currently available assets.

CAP NATIONAL HEADQUARTERS' COMMENTS:

The National Headquarters staff supports this initiative to develop one standardized national emergency operations plan for CAP, but we are concerned that some of the requirements of the plan make unfunded mandates for units throughout the organization. Costs could be significant for developing and maintaining ARKs and communications resources included in this plan, and projected funding levels could make this difficult to support. We also expect that there will likely be other supplies and equipment outlined in future versions of the plan that may be great ideas, but could be difficult if not impossible to support unless they are properly coordinated before release.

CAP-USAF HEADQUARTERS' COMMENTS:

CAP-USAF agrees in concept to this plan. We note this plan is well thought out and applaud the level of effort put into the draft. As this plan levies additional requirements

on CAP units, we agree with NHQ comments regarding funding issues. Prior to full Air Force concurrence, this plan needs more detailed study. CAP-USAF has two specific objections, on page 4, delete the reference to Airborne Radiological Monitoring as a CAP capability and on page 13; the Lost Communication paragraph needs further study.

DCS / NATIONAL STAFF COMMENTS:

The National Emergency Services Staff approves of the proposed CAP Emergency Operations Plan.

REGULATIONS AND FORMS AFFECTED:

CAPR 60-3, *CAP Emergency Service Training and Operations*

NEC ACTION:

BRIG GEN COURTER/CV requested this item be changed from Action to Information. She noted the comments of both CAP National Headquarters and CAP-USAF Headquarters and requested other comments and input before bringing it forward for action. She will also take this back to the DCSs in terms of strategic mission and get their input. CAP-USAF/CC noted that this plan is a good first draft but still needs a lot of work and offered assistance to help make it better.

FOLLOW-ON ACTION: Return to DCS/Operations for redrafting.

AGENDA ITEM - 18

MD

Action

**SUBJECT: Standardized Aircraft Information File
CAP/CV – Brig Gen Courter**

INFORMATION BACKGROUND:

Aircraft Information Files are required to be utilized on all CAP aircraft as specified in CAPR 60-1, para 2-14. The content and order of the information required is specified but the format is currently left to the discretion of each individual wing. During operations such as the Katrina Disaster Relief mission, and other similar large missions it was discovered that the variety and format of each wing and region aircraft information file was so dissimilar and varied that flight crews assigned to fly aircraft from wings and regions other than their home unit encountered difficulty in determining airworthiness and maintenance information. Additionally the aircraft flight log formats and other documentation such as equipment lists were unfamiliar to many of the flight crews.

DCS/Operations has reviewed all the required sections of the Aircraft Information File as required under CAPR 60-1 and has formatted and standardized all the sections that are not specific to a Wing or Region operational requirement.

An example of the file is attached.

PROPOSED NEC ACTION:

That the National Executive Committee vote to approve a standardized Aircraft Information File for all CAP corporate aircraft.

ESTIMATED FUNDING IMPACT:

The wings/regions would incur minimal financial responsibility when they produce their own standardized Aircraft Information Files from pages that are posted on a CAP website.

CAP NATIONAL HEADQUARTERS' COMMENTS:

Compliance with this requirement may be difficult within the wings. It might be advisable to consider this a "Best Practice" procedure.

CAP-USAF HEADQUARTERS' COMMENTS:

Concur.

DCS / NATIONAL STAFF COMMENTS:

DCS Operations, Col Skiba, concurs.

REGULATIONS AND FORMS AFFECTED:

CAPR 60-1, *CAP Flight Management*.

NEC ACTION:

BRIG GEN COURTER/CV MOVED and COL CHAZELL/RMR seconded the PROPOSED NEC ACTION with a phase-in period to have the file in place by 1 October 2007.

MOTION CARRIED UNANIMOUSLY

FOLLOW-ON ACTION: Notification to the field, change to CAPR 60-1, *CAP Flight Management*, and a phased-in implementation of policy by 1 October 2007.

AGENDA ITEM - 19

DV

Action

**SUBJECT: Fundraising Corporate Contact Policy
CAP/CV – Brig Gen Courter**

INFORMATION BACKGROUND:

Civil Air Patrol actively seeks funding from national corporations and businesses. In order to establish and maintain positive long-term relationships, communications and solicitations to the companies must be centrally monitored and controlled. A formal corporate contact policy is needed in order for CAPNHQ/DV to better consolidate our fundraising efforts and avoid any duplication of solicitation from other agencies within CAP.

In the absence of a contact policy, there have been instances of multiple units and CAP directorates approaching the same company. This disorganized approach not only damages our relationship with companies, but also prevents us from realizing their full funding potential.

This contact policy is not to prevent or dissuade volunteer members or corporate employees from fundraising. Instead, this policy will allow us to approach companies as one organization with one request – instead of several different parts of CAP competing with each other. For example, at the 2007 Winter National Board, the owner of Evergreen Aviation expressed his company's interest in supporting CAP. In the few weeks since, the company has been inundated with requests to aid local squadrons.

PROPOSED NEC ACTION:

That the National Executive Committee vote to approve the following policy for contacting national, multi national, and global corporations as well as businesses and organizations:

1. In an effort to avoid jeopardizing existing relationships between Civil Air Patrol and its donors, volunteer members and corporate employees shall obtain approval from CAPNHQ/DV before soliciting national corporations or businesses for cash or in-kind donations.

ESTIMATED FUNDING IMPACT:

This could result in small losses of in-kind donations and cash for Directorates and CAP Units. More importantly, this should increase the ability to raise funds by using a unified approach of local and national contacts in fund raising.

CAP NATIONAL HEADQUARTERS' COMMENTS:

Concur.

CAP-USAF HEADQUARTERS' COMMENTS:

Concur.

DCS / NATIONAL STAFF COMMENTS:

None.

REGULATIONS AND FORMS AFFECTED:

CAPR 173-4, *Fund Raising/Donations*; the draft rewrite of CAPR 173-4; and the current Interim Change Letter on Gaming.

NEC ACTION:

BRIG GEN COURTER/CV MOVED and COL MOODY/NAT CON seconded that the National Executive Committee vote to approve the following policy for contacting national, multi-national, and global corporations as well as businesses and organization:

1. In an effort to avoid jeopardizing existing relationships between Civil Air Patrol and its donors, volunteer members and corporate employees shall obtain approval from CAPNHQ/DV before soliciting the corporations and businesses stated above for cash or in-kind donations.

MOTION CARRIED UNANIMOUSLY

FOLLOW-ON ACTIONS: Implementation of policy, notification to the field, and change to CAPR 173-4, *Fund Raising/Donations*.

AGENDA ITEM - 20

DV

Action

**SUBJECT: 2008 NEC and National Board Meeting Dates
CAP/CV – Brig Gen Courter**

INFORMATION BACKGROUND:

Proposed dates are:

<u>Event</u>	<u>Date</u>	<u>Location</u>
Winter National Board Meeting	29 Feb-1 Mar 08	Washington DC (Under Contract)
May NEC Meeting	2-3 May 08	Atlanta GA
National Board Meeting & Annual Conference	28-30 Aug 08	Orlando FL (Under Contract)
November NEC Meeting	7-8 Nov 08	San Antonio TX

PROPOSED NEC ACTION:

That the National Executive Committee vote to approve the proposed NEC and National Board Meeting dates and sites for 2008.

ESTIMATED FUNDING IMPACT:

None.

CAP NATIONAL HEADQUARTERS' COMMENTS:

Concur.

CAP-USAF HEADQUARTERS' COMMENTS:

Concur.

DCS / NATIONAL STAFF COMMENTS:

None.

REGULATIONS AND FORMS AFFECTED:

None.

NEC ACTION:

BRIG GEN COURTER MOVED and COL MOODY/NAT CON seconded the PROPOSED NEC ACTION.

COL WEISS/NFO MOVED TO AMEND and COL LEVITCH/SER seconded the amendment to change the November 2008 NEC from San Antonio to Atlanta, which would be centrally located and maybe less expensive.

MOTION TO AMEND DID NOT PASS

MOTION CARRIED UNANIMOUSLY

FOLLOW-ON ACTION: Posting to National Calendar of Events.

AGENDA ITEM - 21

Action

**SUBJECT: DCS / Committee Reports
CAP/CV**

DCS and Committees

1. Finance Committee

COL WEISS/NFO distributed the Minutes of the National Finance Committee Meeting, May 3, 2007. See attachment 1. Col Weiss briefed the following recommendations:

a. RECOMMENDATION: The Finance Committee reviewed the FY08 budget and recommends to the NEC that the proposed FY08 Corporate Budget be accepted and approved as presented.

COL WEISS, CHAIRMAN, FINANCE COMMITTEE, MOVED that the NEC vote to approve the RECOMMENDATION of the Finance Committee.

MOTION CARRIED UNANIMOUSLY

FOLLOW-ON ACTION: Inclusion in the June 2007 BoG agenda for approval.

b. RECOMMENDATION: The Finance Committee recommends the NEC endorse Col Weiss as a signatory on the corporate investment account.

COL WEISS, CHAIRMAN, FINANCE COMMITTEE, MOVED that the NEC vote to approve the RECOMMENDATION of the Finance Committee.

MOTION CARRIED UNANIMOUSLY

FOLLOW-ON ACTION: Add Col Weiss as a signatory on the corporate investment account.

c. RECOMMENDATION: The Finance Committee recommends that the NEC endorse extending the Wing Banker Program to all wings in FY08.

COL WEISS, CHAIRMAN, FINANCE COMMITTEE, MOVED that the NEC vote to approve the RECOMMENDATION of the Finance Committee.

MOTION CARRIED UNANIMOUSLY

FOLLOW-ON ACTION: Implementation of policy and notification to the field.

d. RECOMMENDATION: The Finance Committee recommends that the NEC eliminate funding for the text messaging devices in FY08 but continue to reimburse those wings which are currently in the program for the remainder of FY07.

COL WEISS, CHAIRMAN, FINANCE COMMITTEE, MOVED that the NEC vote to approve the RECOMMENDATION of the Finance Committee.

MOTION CARRIED UNANIMOUSLY

FOLLOW-ON ACTION: Implementation of policy and notification to the field.

e. RECOMMENDATION: The Finance Committee recommends that the NEC endorse modification of the National Board travel policy to eliminate the specific dollar amount of the reimbursement and substitute language stating the reimbursement will be made based upon the funds available within the budget.

COL WEISS, CHAIRMAN, FINANCE COMMITTEE, MOVED that the NEC vote to approve the RECOMMENDATION of the Finance Committee.

MOTION CARRIED UNANIMOUSLY

FOLLOW-ON ACTION: Implementation of policy and notification to the field.

f. RECOMMENDATION: The Finance Committee recommends that the NEC endorse modifying the Nov 06 NEC resolution and allow the VSI funds to also be used to enhance existing and new CAP-owned national training facilities.

COL WEISS, CHAIRMAN, FINANCE COMMITTEE, MOVED that the NEC vote to approve the RECOMMENDATION of the Finance Committee.

MOTION CARRIED UNANIMOUSLY

FOLLOW-ON ACTION: Implementation of policy and notification to the field.

g. RECOMMENDATION: The Finance Committee recommends that the NEC endorse restricting \$134,561.33 to be deposited into the AF Advance account at NHQ to provide for the CA wing aircraft maintenance shortfall. Repayment will be accomplished by withholding \$2,000 monthly from CA Wing dues rebates.

COL WEISS, CHAIRMAN, FINANCE COMMITTEE, MOVED that the NEC vote to approve the RECOMMENDATION of the Finance Committee.

MOTION CARRIED UNANIMOUSLY

FOLLOW-ON ACTION: Implement withholding and repayment.

h. RECOMMENDATION: The Finance Committee recommends that the NEC endorse allocating the monthly repayments (\$350 for the Odessa Squadron taxes and interest) as follows: NHQ \$150, TX Wing \$150, and Odessa Squadron \$50.

COL WEISS, CHAIRMAN, FINANCE COMMITTEE, MOVED that the NEC vote to approve the RECOMMENDATION of the Finance Committee.

MOTION CARRIED UNANIMOUSLY

FOLLOW-ON ACTION: Implement repayment as outlined.

i. The Finance Committee reviewed a draft of a business meals and entertainment policy that NHQ will be adopting as an Operating Instruction. The OI was developed in response to an audit finding pertaining to employees. Mr. Rowland suggested to the NEC that this may be a good policy for the entire organization, based on his discussions with the auditors.

COL WALLING/MER MOVED and MAJ GEN PINEDA/CC seconded a motion that the NEC charge the appropriate National Headquarters staff to develop a business meals and entertainment regulation to bring back to the National Board in August 2007

MOTION CARRIED UNANIMOUSLY

FOLLOW-ON ACTION: Rewrite draft OI into regulation form for Civil Air Patrol use and incorporated into existing finance regulations. Inclusion in the August 2007 National Board agenda.

2. DCS / Strategic Missions; DCS / Operations; DCS / Training; DCS / Support

BRIG GEN COURTER/CV presented a slide briefing, which provided a Report to the NEC from the Chief of Staff and Deputy Chiefs of Staff. See attachment 2.

3. Inspector General

COL LINKER/IG provided the following update:

a. Briefed the Information Background in Agenda Item 14, Compliance Inspection Grading, and presented a slide briefing. He stated that he wanted to work with the Air Force and focus on a concept of success and proposed the following grading criteria: Highly Successful, Successful, Marginally Successful, and during discussion added another grading level: Unsuccessful.

b. Briefed and distributed a document, "Reprisal for Protected Communication".

AGENDA ITEM - 22

Action

SUBJECT: Old Business

1. ITEM: Constitution and Bylaw Amendment Process: Agenda Item 13-4, March 2007 National Board Meeting. The following was the action at the NB meeting:

MR. ODELL/GC briefed a request made by the BoG in Jun 06 to clarify exiting procedures to and process for the proposal, drafting and voting of amendments to the Constitution and Bylaws (C&BL). He outlined a flow chart whereby proposals for changes to the Constitution and Bylaws would go in the following order: (1) from the NEC to the C&BL Committee - to the NB – to the BoG, (2) from the NB to the C&BL Committee – to the NB or NEC – to the BoG, or (3) from the BoG to the C&BL Committee – back to the BoG.

The following DRAFT amendment to Article XIX, C&BL was presented:

“Proposals to amend the Constitution and/or Bylaws may be initiated by the Board of Governors, National Board, or National Executive Committee. Such initiatives by the National Board or National Executive Committee shall be ordinarily routed through the Constitution and Bylaws Committee before being routed to the other body for review and approval before submission to the Board of Governors. The Board of Governors may exercise its discretion in making exceptions to this process for reasons including but not limited to administrative changes and exigent circumstances.”

COL WOREK/NLO MOVED AND COL FAGAN/NCR SECONDED that the National Board approves the following RESOLUTION:

“It is resolved that the language of the proposed Constitution amendment regarding the Constitutional amendment processed generally reflects the desire of the National Board. The Constitution and Bylaws Committee is hereby directed to review the language and refine it as appropriate, forward it on to the National Executive Committee for consideration and, if adopted, forward it then to the Board of Governors for them to adopt as they see fit.”

COL WALLING/MER MOVED TO AMEND AND COL JANSEN/CT SECONDED an amendment to change the language in the second sentence of the DRAFT amendment to Article XIX, as reads “before being routed to the other body for review and approval” be changed to read: “before being routed back to the National Board or the National Executive Committee at the discretion of the National Board.”

MOTION TO AMEND CARRIED

AMENDED MOTION CARRIED

FOLLOW-ON ACTION: Proposal to change Article XIX included in the May 07 NEC agenda and the Jun 07 BoG agenda for approval.

COL WOREK/NLO presented the following review from the Constitution and Bylaws Committee:

The CAP Constitution Article XIX currently specifies:

1. This Constitution may be amended at any time by the approval of a majority of the members of the Board of Governors at a duly constituted meeting.
2. Bylaws may be amended at any time by the approval of a majority of the members of the Board of Governors at a duly constituted meeting.
3. No entity of the Civil Air Patrol shall have the power to amend or eliminate any of the requirements established by federal statute for the Board of Governors, such authority being reserved to the Congress of the United States.

At the Winter 2007 National Board Meeting, the National Board approved a clarification to the process for amending the Constitution and Bylaws.

The following Amendment to the Constitution Article XIX by adding a new paragraph (3) to Article XIX and designating the former paragraph 3 as paragraph 4 as follows:

1. This Constitution may be amended at any time by the approval of a majority of the members of the Board of Governors at a duly constituted meeting.
2. Bylaws may be amended at any time by the approval of a majority of the members of the Board of Governors at a duly constituted meeting.
3. Proposals to amend the Constitution and/or Bylaws may be initiated by the Board of Governors, National Board, or National Executive Committee.
 - (a) Such initiatives by the Board of Governors shall be ordinarily routed through the Constitution and Bylaws Committee before being routed back to the Board of Governors for approval.
 - (b) Such initiatives by the National Board shall be ordinarily routed through the Constitution and Bylaws Committee before being routed to back to the National Board (or the National Executive Committee at the discretion of the National Board) before submission to the Board of Governors for approval.
 - (c) Such initiatives by the National Executive Committee shall be ordinarily routed through the Constitution and Bylaws Committee before being routed to back to the National Board before submission to the Board of Governors for approval.
 - (d) The Board of Governors may exercise its discretion in making exceptions to this process for reasons including but not limited to administrative changes and exigent circumstances.

4. No entity of the Civil Air Patrol shall have the power to amend or eliminate any of the requirements established by federal statute for the Board of Governors, such authority being reserved to the Congress of the United States.

PROPOSED NATIONAL EXECUTIVE COMMITTEE ACTION:

That the National Executive Committee vote to approve the language of the Amendment and direct that the Amendment to the Constitution Article XIX be placed before the Board of Governors for a vote at the next regularly scheduled Board of Governors meeting.

COL WOREK/NLO MOVED and COL CHAZELL/RMR seconded the PROPOSED NATIONAL EXECUTIVE COMMITTEE ACTION.

MOTION CARRIED UNANIMOUSLY

FOLLOW-ON ACTION: Proposal to change Article XIX included in the Jun 07 BoG agenda for approval.

AGENDA ITEM - 23

Action

SUBJECT: New Business

1. ITEM: 50 Year Members

COL PEARSON/PCR MOVED and COL CARR/GLR seconded the PROPOSED NEC ACTION (ADDED TO THE AGENDA).

This agenda item withdrawn because individuals who have 50 years of continuous service in the Civil Air Patrol are eligible for free membership and a plaque, and individuals who have served 50 years non-continuous service in the Civil Air Patrol are eligible for a 50-year plaque, which is the current policy.

2. ITEM. Sale of CAP Hangar Facility in Idaho Falls, ID

COL CHAZELL/RMR briefed that the Eagle Rock Composite Squadron owns a partial interest in a hangar in Idaho Falls, ID, that was obtained with a grant a number of years ago. The squadron is requesting permission to sell its interest in that hangar, invest the funds, and use those funds together with additional grant funds being sought to purchase a stand-alone hangar to accommodate the increasing growth of the squadron. The wing commander has endorsed this proposal.

COL CHAZELL/RMR MOVED and COL LEVITCH/SER seconded a motion that the NEC vote to approve the Eagle Rock Composite Squadron's sale of their partial interest in a hangar at the Idaho Falls Airport in order for the squadron to move forward to purchase a more adequate structure.

MOTION CARRIED UNANIMOUSLY

FOLLOW-ON ACTION: Notification of approval to the Idaho Wing and Eagle Rock Composite Squadron.

3. ITEM. Executive Director Authority in Litigation

Col Worek briefed the following new business item:

1. Authority to Compromise. Corporations typically extend authority to senior executives to act on behalf of the corporation in litigation -- to prosecute matters on behalf of the corporation and compromise on claims made by and against the corporation.

From time to time, Civil Air Patrol has required such authority be exercised by its Executive Director or his designee regarding claims covered by liability insurance.

2. Authority to Litigate. CAPR 112-9, *Claims, Demands, and Legal Actions for or Against the Civil Air Patrol, the United States Air Force, and the United States*, ¶19 provides, in pertinent part:

As a legal entity, Civil Air Patrol, Inc., has the authority to sue. No law suits to recover damages or legal claim of any kind in the name of Civil Air Patrol, Inc., shall be brought without the approval of the National Commander, NEC or National Board.

It is anticipated that CAP will need to be progressively more proactive in enforcing its rights in the areas of procurement (contesting the reasonableness of maintenance and repair bills) and intellectual property (protecting property rights in trade marks, copyright and publications.)

Authority for CAP to appear as *amicus curiae* ("friend of the court") has been needed from time to time in the context of denial of benefits (e.g. Federal Employment Compensation Act or Public Safety Benefit Act benefits) reasonably due to widows of members killed in the line of duty. Volunteers and employees have been willing to volunteer their time to argue positions that, although beneficial to specific widows, are of lasting value and importance to the membership – and thus the corporation as a whole.

3. This Proposal. This proposal is that the NEC forward this request to the Board of Governors to ratify traditional practices with regard to insured claims and grant additional authority.

PROPOSED NEC ACTION:

That the National Executive Committee submit the following to the Board of Governors for approval:

1. The Executive Director or his designee is hereby granted the authority to initiate litigation on behalf of Civil Air Patrol. Specific actions include but are not limited to actions to ascertain, protect, and enforce the corporation's contractual and property rights.
2. The Executive Director or his designee is granted authority to compromise claims and actions against Civil Air Patrol that are either within CAP's insurance policy limits or which will result in payments by CAP not to exceed \$100,000.
3. The Executive Director or his designee is granted authority to compromise claims and actions which the Executive Director has brought on behalf of Civil Air Patrol.
4. The Executive Director or his designee are authorized to compromise claims or actions brought on behalf of Civil Air Patrol at the request of National Commander, NEC or National Board as such authority is granted by the requesting authority.
5. Upon the authorization of National Commander, NEC, National Board, or Executive Director, CAP may appear as an *amicus curiae* ("friend of the court") in matters in which

it is in the best interests of the Civil Air Patrol to take a position. This paragraph does not authorize the expenditure of funds such as by hiring outside counsel or incurring fees beyond reasonable filing fees and expenses.

COL WOREK/NLO MOVED and BRIG GEN COURTER/CV seconded a motion that the NEC vote to approve the PROPOSED NEC ACTION (ADDED TO THE AGENDA).

MOTION CARRIED UNANIMOUSLY

FOLLOW-ON ACTION: Inclusion in the Jun 07 BoG agenda for approval.

4. ITEM. Election Procedures for Vice Commander

BRIG GEN COURTER/CV stated that for quite some time the National Board has used the same procedures for the election of the Vice Commander and yet those criteria are not written in any documentation.

BRIG GEN COURTER/CV MOVED and COL MOODY/NAT CON seconded a motion that the NEC vote to adopt the verbiage used previously for National Vice Commander elections and include it in the appropriate documentation so that candidates will know ahead of time what to expect in that particular proceeding.

For election for Vice Commander:

The National Legal Officer, serving as Secretary of the Corporation, announces the names of those who have filed for the office. The Secretary declares the floor open for nominations from the floor. The Secretary closes the nominations.

Slips of paper with numbers 1 thru the total number of candidates will be placed in a container and the candidates will each draw one slip, thus designating the order in which the candidates speak.

Each candidate in order is allowed 10 minutes to speak. Presentations may or may not include exhibits, displays or electronic aids, but may not include comments by anyone other than the candidate.

After speaking, there is a five minute period for the Candidate, remaining at the podium, to answer questions of the National Board members and hear brief comments of Board members given the privilege of endorsing the candidate. Comments should be brief, orderly and not exceeding 30 seconds. Each candidate is allotted five minutes total time for comments.

Each other candidate, in order, will then follow the same procedure until all have completed it. Voting by written, secret ballot then takes place.

When more than two nominees, the nominee receiving the lowest number of votes shall be dropped from the next ballot until there are only two nominees.

Whenever any nominee receives a majority of the votes, the nominee is elected.

MOTION CARRIED UNANIMOUSLY

FOLLOW-ON ACTION: Include revised verbiage for National Vice Commander elections in appropriate documentation.

ADMINISTRATIVE ANNOUNCEMENTS

1. Preceding the agenda items, the National Commander, the Executive Director, the Commander, CAP-USAF, and the Safety Officer presented remarks and update briefings.

2. A special ceremony was conducted to make the following presentations:

a. Lt Col Benjamin H. Stone was recognized and honored as a founding member of Civil Air Patrol. He was promoted to the grade of colonel to honor his 65 years of service in Civil Air Patrol. (Maj Gen Pineda and Mrs. Stone pinned on the new insignia). Col Stone was also presented the Distinguished Service Medal for his outstanding performance during the period 29 March 1944 through 4 May 2007.

b. Three new wing commanders were promoted to the temporary grade of colonel and administered the CAP Promotion Oath by the National Commander, Maj Gen Pineda. They are: Colonel Jesus Muniz/CA, Col Earl G. Greenia/HI, and Col Anthony Gagliardi/RI.

c. The departing CAP-USAF/CV, Col Anthony Senci, USAF, was presented the Distinguished Service Medal for his outstanding performance of duty in support of Civil Air Patrol from 1 November 2005 to 4 May 2007.

3. During the closed executive session, the following actions were taken:

a. Silver Medals of Valor were presented to: Lt Col Mark E. Ashcraft/IN Wg; Major Kristofor R. Copes/IN Wg; Major James L. Shaw, Jr., National Commanders Squadron; and Cadet Adam T. Rae/CO Wg.

b. Lt Col Bartolo Ortiz, Puerto Rico Wing Commander 1985 to 1987, was promoted to the permanent grade of colonel, retroactive to his time of service. A Distinguished Service Medal was also approved for his tenure and actions as the PR/CC.

4. Maj Gen Pineda reminded the region commanders to provide Col Al Applebaum, Director, School Programs, the name of a point of contact in each region.

THE NATIONAL EXECUTIVE COMMITTEE WAS IN CLOSED EXECUTIVE SESSION, FRIDAY, 4 MAY 2007, 1300 – 1415.

THE NATIONAL EXECUTIVE COMMITTEE ADJOURNED, FRIDAY, 4 MAY 2007, AT 1611

NATIONAL EXECUTIVE COMMITTEE TRAINING SESSIONS WERE CONDUCTED ON SATURDAY, 5 MAY 2007.

ATTACHMENT 1

**Civil Air Patrol
National Executive Committee
Finance Committee Meeting**

May 3, 2007

Members Present:

Col Fredric Weiss –
Chairman
Col Rodney Moody –Vice
Chairman
Col Reggie Chitwood
Col Robert Diduch
Col Kathryn Walling
Mr. Donnie Rowland
(Advisor)
Ms. Susan Easter
(Recorder)

Guest Present:

Col Russ Hodgkins
Mr. Mark Richardson
Mr. John Salvador
Mr. Johnny Dean
Mr. Marc Huchette
Mr. Gordon Odell
Mr. Keith Barnhart
Col Larry Kauffman
(Advisor)

Guest Present

MGen Antonio J. Pineda
BGen Amy Courter
Col Jim Linker
Col (Chap) Charles Sharp
Col Jesus Muniz
Col Chuck Carr
Col Mais
Billy Daniels, CPA

A meeting was held of the National Executive Committee, Civil Air Patrol Finance Committee on Thursday, May 3, 2007 at 1800 hrs. All members were present. Col Weiss opened the meeting at and welcomed all attendees and thanked them for the time and service.

Col Weiss opened with the request to approve the prior meeting minutes. Col Moody made a motion to approve and it was seconded by Col Chitwood, the committee unanimously approved the minutes.

The Finance Committee reviewed the FY07 corporate and appropriated budget execution. Col Weiss noted that Civil Air Patrol is right on schedule.

Vanguard commission income was reviewed, Mr. Rowland noted that CAP needs to treat Vanguard as a partner and give them lead time with uniform changes and noted that the corporation needs to support Vanguard. Col Weiss noted that the commission income is lower than we had predicted.

The Finance Committee reviewed the proposed FY08 corporate budget. Susan Easter noted that the corporate budget included a provision to reduce each region's quarterly support allocation by \$2,000. The budget also includes a provision to provide \$25,000

to develop the new school enrichment program. Col Diduch made a motion to approve the budget and Col Walling seconded the motion. The finance committee unanimously approved the budget.

RECOMMENDATION: The Finance Committee reviewed the FY08 budget and recommends to the NEC that the proposed FY 2008 corporate budget be accepted and approved as presented.

It was noted that CAP's investment policy specifies the national finance officer as a signatory on the corporate investment accounts. Our broker has requested the name of the NFO and this authorization is included in the minutes of the meeting. Col Moody made a motion to endorse Col Weiss as a signatory on the investment accounts and Col Chitwood seconded the motion. The finance committee unanimously approved this action.

RECOMMENDATION: The Finance Committee recommends the NEC endorse Col Weiss as a signatory on the corporate investment account.

The Finance Committee reviewed the status of the Wing Banker Program. Billy Daniels, from Wilson Price, Civil Air Patrol's external auditors, noted the corporation has made substantial progress towards accountability over the last seven years and he further noted that the corporation is on target to possibly achieve an unqualified audit opinion ahead of the three year schedule.

Col Moody made a motion to extend the Wing Banker Program to all wings in fiscal 2008. Col Walling seconded the motion. The finance committee voted unanimously to support the motion.

RECOMMENDATION: The Finance Committee recommends that the NEC endorse extending the Wing Banker Program to all wings in FY 2008.

The Finance Committee discussed eliminating the funding for text messaging devices since few wings are updating their rosters or taking advantage of this program. Col Walling made a motion that the 20 wings which are currently participating in this program are reimbursed through the end of the year and the program be cancelled in FY2008. Col Moody seconded the motion. The finance committee voted to unanimously approve this motion.

RECOMMENDATION: The Finance Committee recommends that the NEC eliminate funding for this program in FY 2008 but continue to reimburse those wings which are currently in the program.

The Finance Committee reviewed the National Board Travel Policy then Col Moody made a motion to eliminate the specific dollar amount of reimbursement mentioned in the policy and use budgeted funds available. Col Walling seconded the motion. The finance committee voted to unanimously approve this motion.

RECOMMENDATION: The Finance Committee recommends that the NEC endorse modification of the policy to eliminate the specific dollar amount of the reimbursement and substitute language stating the reimbursement will be made based upon the funds available within the budget.

The Finance Committee reviewed a draft of a business meals and entertainment policy that NHQ will be adopting as an Operating Instruction per Mr. Rowland. The OI was developed in response to an audit finding. The Finance Committee discussed adopting the policy in concept.

The Finance Committee reviewed their November 2006 NEC policy which restricted the use of the training center funds to be used on new facilities. Col Chitwood made a motion and Col Diduch seconded the motion that these funds also be used to enhance existing CAP training facilities. The finance committee voted to unanimously approve this motion.

RECOMMENDATION: The Finance Committee recommends that the NEC endorse modifying resolution and allow the VSI funds to also be used to enhance existing CAP training facilities.

The Finance Committee discussed an FY 2006 audit finding which disclosed that CA Wing does not have sufficient assets to meet the required restriction for aircraft maintenance. The finance committee voted to unanimously to restrict funds at NHQ to meet this obligation.

RECOMMENDATION: The Finance Committee recommends that the NEC endorse restricting \$134,561.33 to be deposited into the AF Advance account at NHQ to provide for this shortfall. Repayment will be accomplished by withholding \$2,000 monthly from CA Wing dues rebates.

Col Weiss briefed that the IRS audit of the Odessa Squadron has been finalized and that CAP was required to pay \$13,769.67 for back taxes and interest. The TX Wing will reimburse NHQ for this expense.

As a result of the criminal proceedings of the former commander, CAP will be reimbursed \$350 per month over the next 10 years. Col Weiss suggested that the payments be allocated between NHQ, the Texas Wing and the Odessa Squadron. The finance committee unanimously endorses this recommendation.

RECOMMENDATION: The Finance Committee recommends that the NEC endorse allocating the monthly repayments as follows: NHQ \$150, TX Wing \$150 and Odessa Squadron \$50.

The Finance Committee discussed wing financial assessment guidelines and the risk matrix, Col Weiss noted the wings are continuing to embrace financial accountability. Col Walling will be working with FM to provide information in the Commanders Financial Guide regarding the risk matrix.

A briefing on tail number accounting and consolidated maintenance was presented.

Closed Session

The meeting was adjourned at 2100 hours.

Respectfully submitted,

FREDRIC K. WEISS, Col, Civil Air Patrol
Chairman, CAP Finance Committee

Report to the NEC

Chief of Staff and Deputy Chiefs of Staff

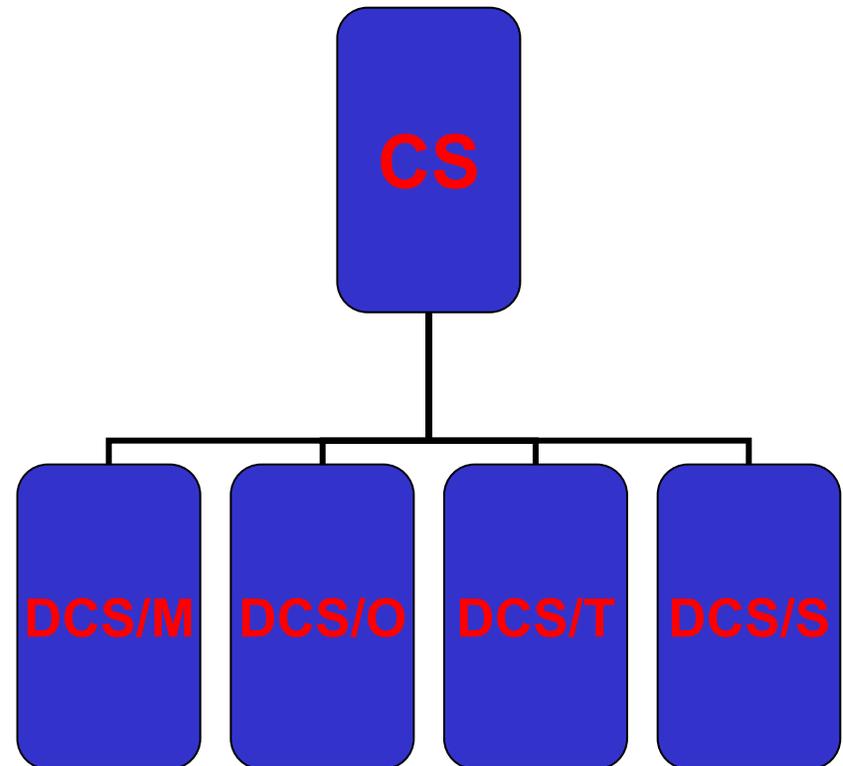
May 2007

Reporting Elements

- Structure and Function
 - Collaboration in Section
 - Overlap / Collaboration between Sections
- Transition Leadership
- Results Obtained
 - Began 1/1/2007
 - Four Month Report
- Marketing Umbrella
- Next Steps
- Your Assistance Needed
 - Open Positions
 - Marketing

Structure and Function

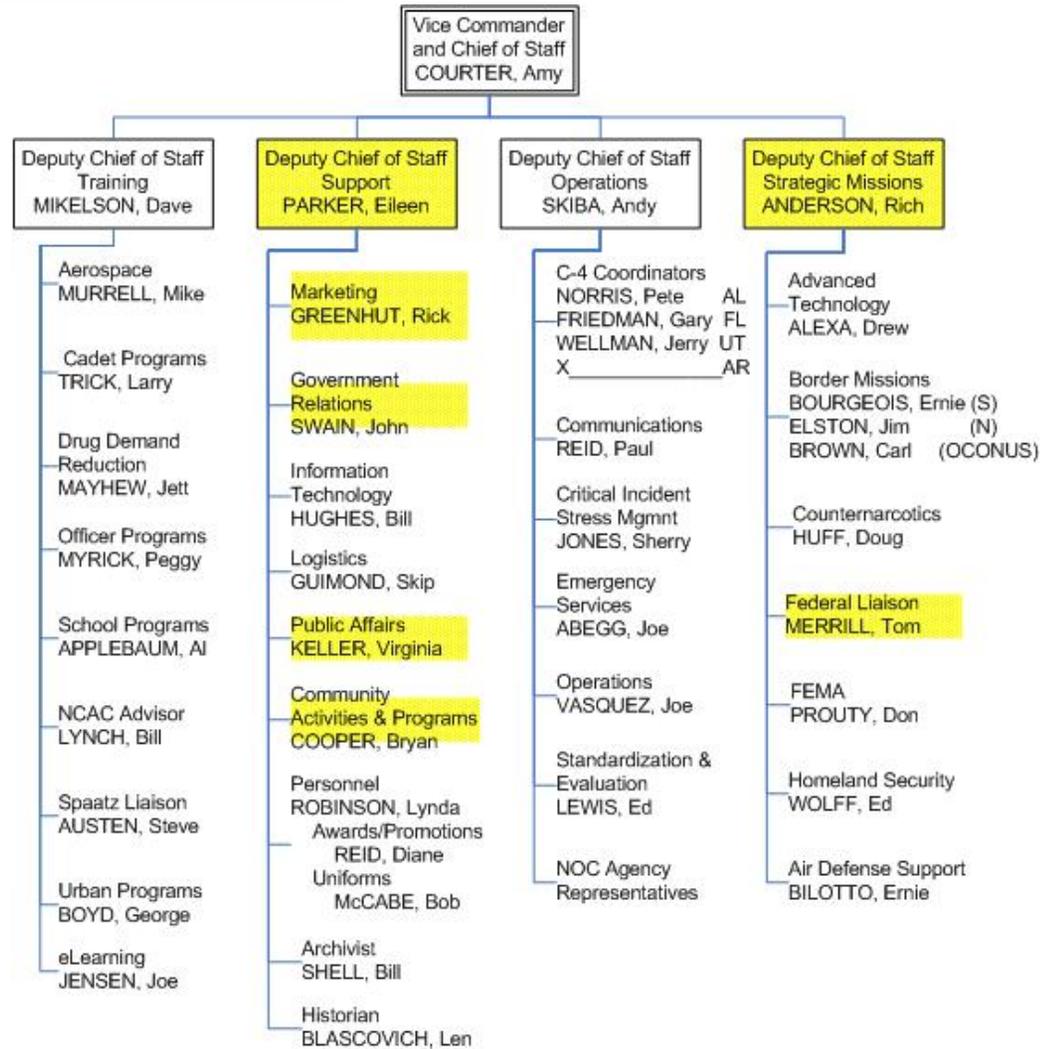
- Structure Features and Benefits
 - Reasonable span of control
 - Optimal grouping within sections
 - National Staff are focused
 - National Staff are supported
- Collaboration
 - Within sections – Terrific! 😊
 - Between sections – Ok! ✓
 - Work in progress
 - 5 main areas of overlap



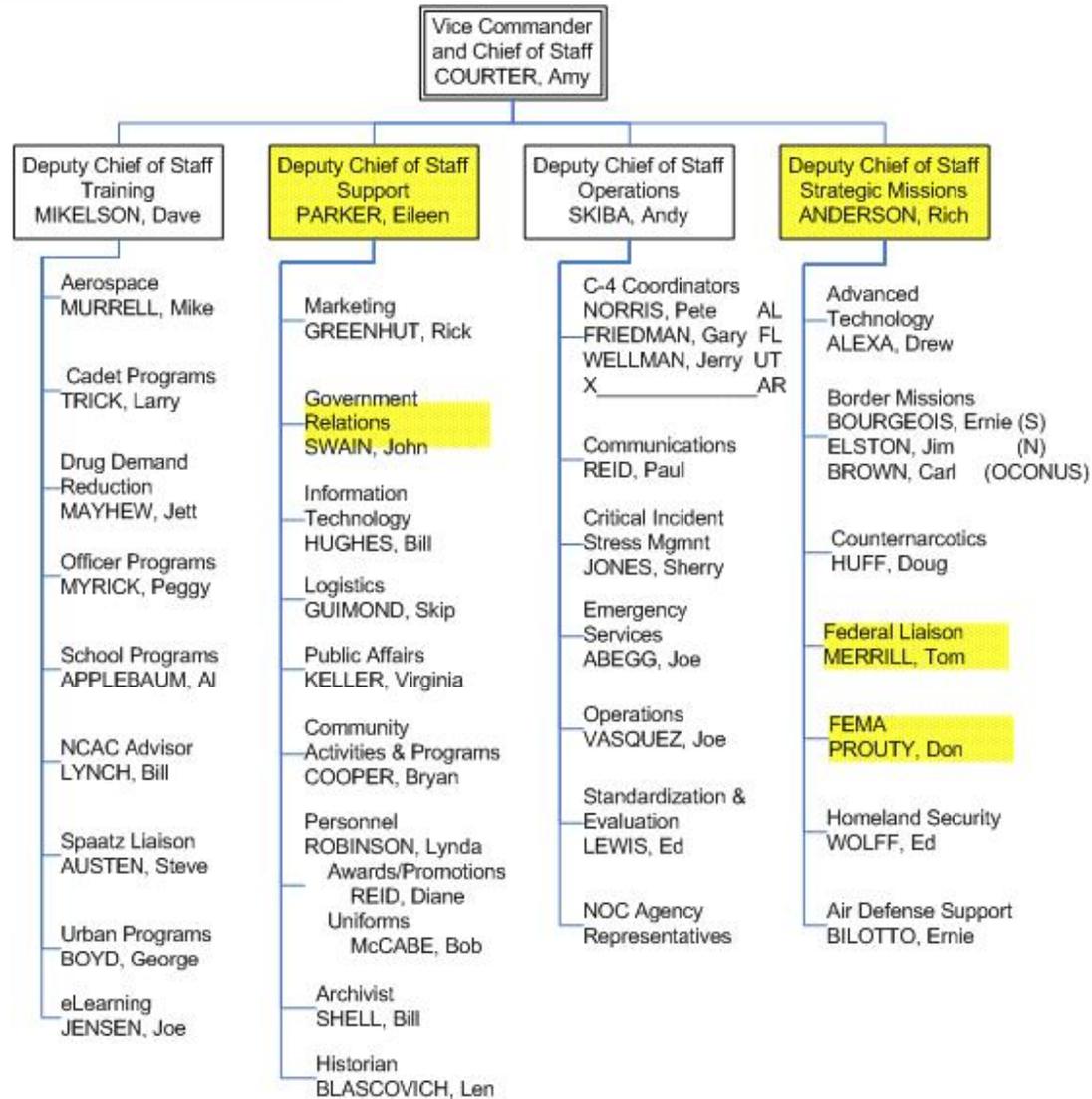
Collaboration between Sections

- Marketing U.S. CAP
 - Government Relations-S / Marketing-S
 - Public Affairs-S / Retention-S / Federal Liaison-M
- U.S. CAP Federal Focus
 - Government Relations-S / Federal Liaison-M / FEMA-M
- Exploring Technological Advances for U.S. CAP
 - IT-S / OPS-O / ES-O / ATG-M
- Growing U.S. CAP Infrastructure
 - Urban Programs-T / Marketing-S / Government Relations-S
- SAR/DR/HLS Mission Coordination for U.S. CAP
 - (DCS-O) / (DCS-M)

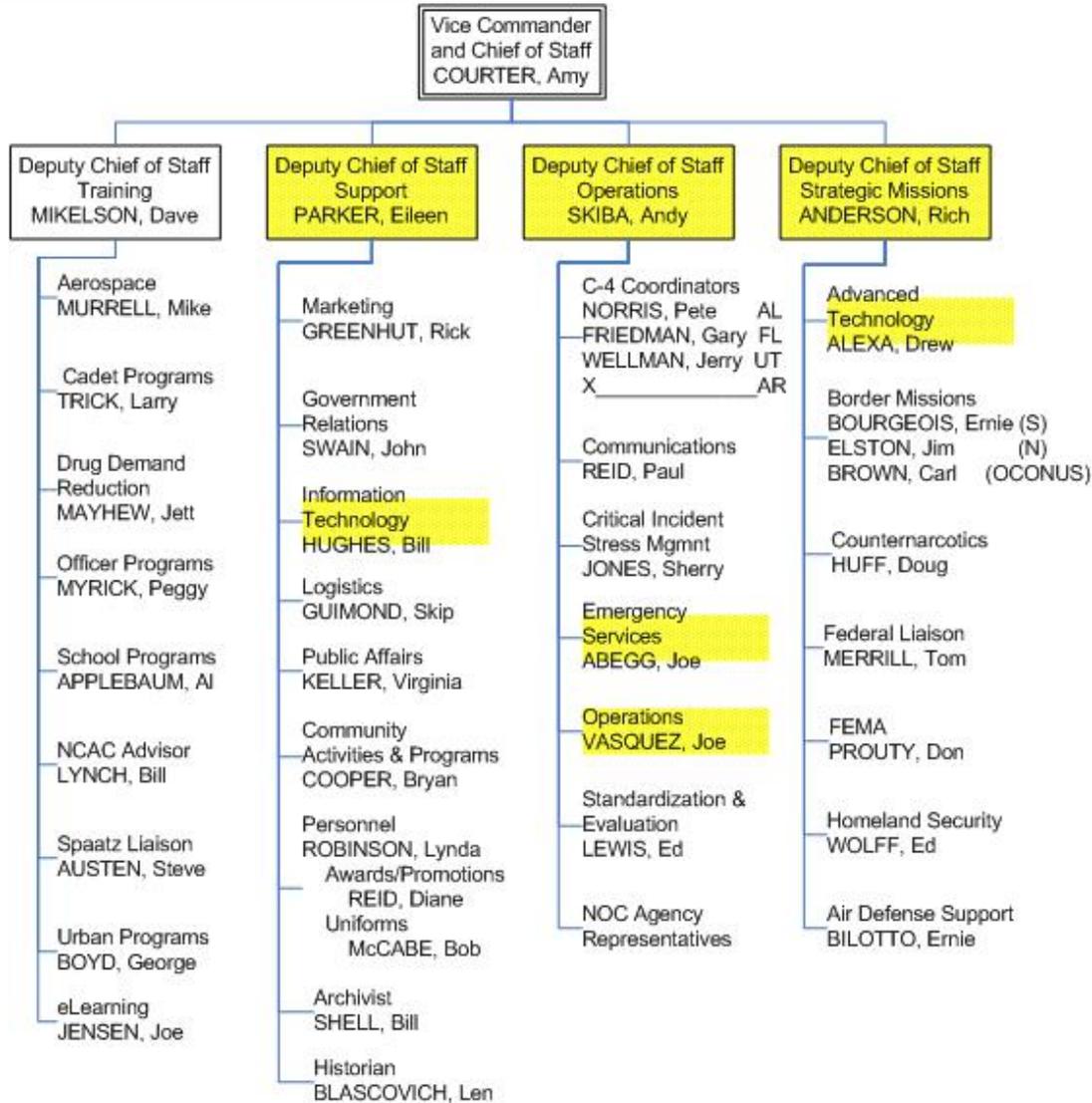
Collaboration – Marketing



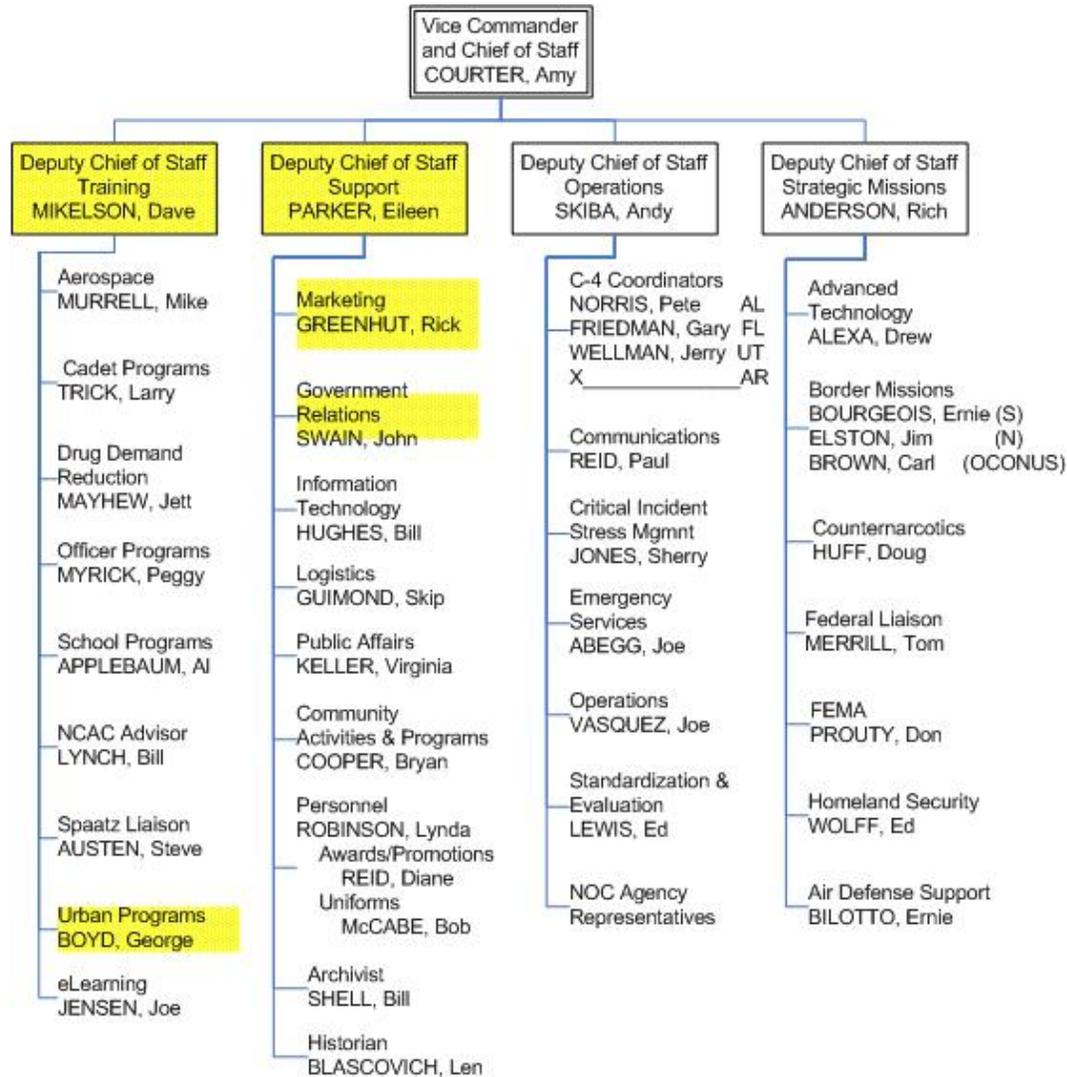
Collaboration – Federal Focus



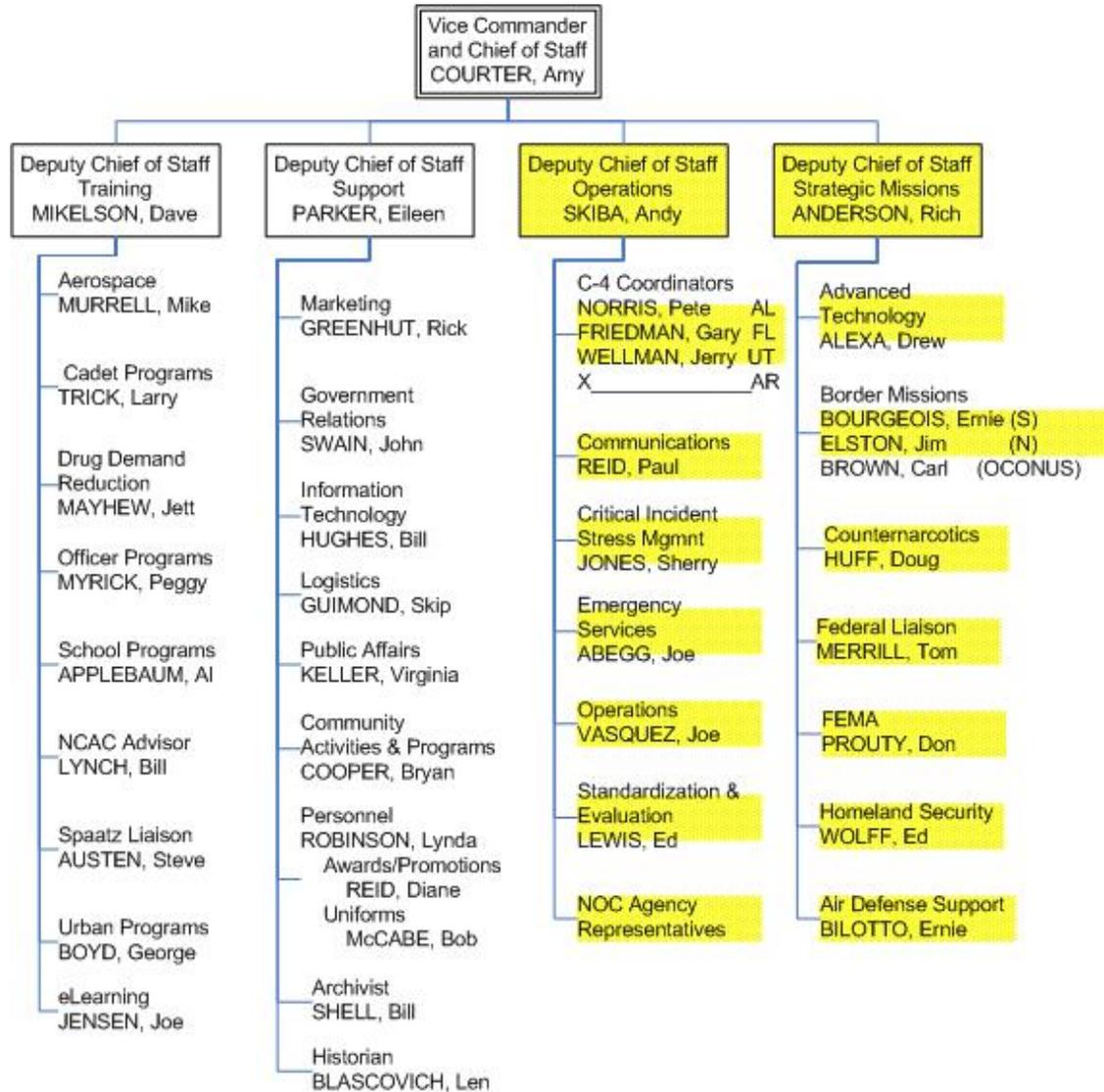
Collaboration - Technological



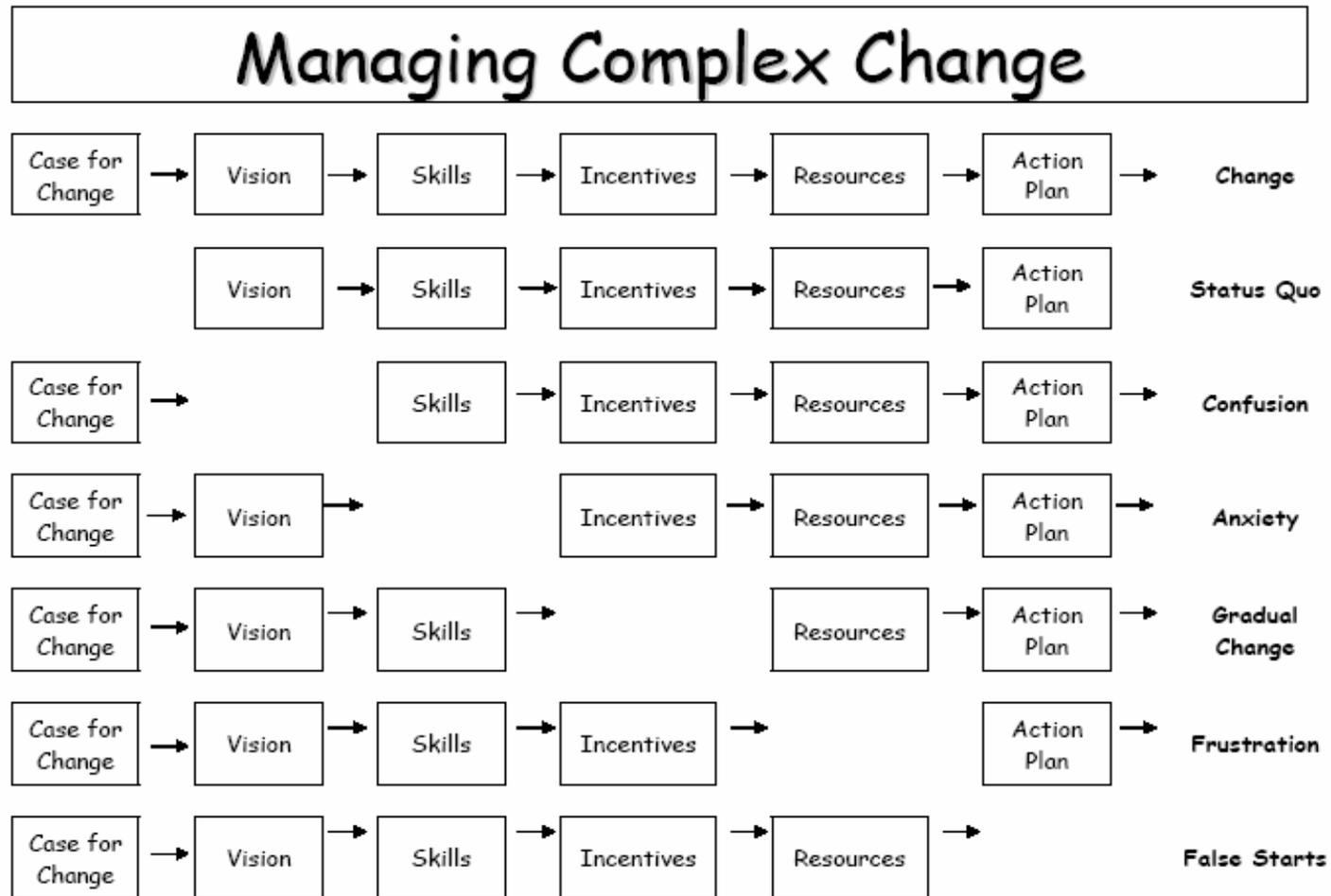
Collaboration – Growing Infrastructure



Collaboration – Mission Coordination



Transition Leadership



Results Obtained – DCS/M

- DCS/M
 - Policy for use of AirVans on non-Archer missions
 - Transitioned CAP into Phase II (training) Archer Program
 - Approved loan of Archer to AF Research Lab
 - One CAP member on FEMA National Advisory Council
 - Reenergized security clearance process
 - Completed draft of CAP Air Defense Operations Plan
 - Continued USAF Falcon Virgo air intercept missions
 - USNORTHCOM Archer Demonstration
 - Developed action list for OCONUS border missions
 - FEMA participation in NHWG training activity

Results Obtained – DCS/O

- DCS/O
 - C-4 Training at NHQ (C-4/AL)
 - Developing training video of proper taxi procedures
 - Completed Standardized Aircraft Information File plan
 - CAPR 60-1 update in staff review
 - Developed a National Operations Plan (draft)
 - Integrated CISM training and rosters in MIMS
 - Awaiting Communications Frequency resolution

Results Obtained – DCS/T

- DCS/T
 - School Enrichment Program
 - Completed strategic plan
 - Developed SEP Guide
 - Sharing best practices at more than 5 squadron visits and 4 wings
 - Professional Development Summit
 - SLS is live / CLC to field test
 - Level I updated; to the field soon
 - eLearning plan was adopted
 - Cadet Officer School rewrite (in progress)
 - DDR
 - Regional Presentations
 - Strategic Plan Developed

Results Obtained – DCS/S

- DCS/S
 - Completed IT Specialty Track
 - Recruiting and Retention moved to Activity Focus*
 - Consolidated Uniforms and Awards under Personnel
 - Cleanup list of Uniform items at Winter National Board
 - Working on PAO Academy
 - Marketing Plan Draft Distributed to Region/CCs
 - Launched online mishap reporting
 - Worked on follow-up to Congressional hearing
 - Completed the van door markings

Marketing Umbrella

Marketing Umbrella

- Integrated Marketing comprises
 - Marketing-S
 - Public Affairs-S
 - Government Relations-S
 - Retention-S
 - Federal Liaison-M
 - Advertising (external)

Next Steps

- Holistic Plan / Continue Improving Alignment
 - National Staff
 - NHQ Staff
 - CAP-USAF Staff
- Shared Vision
- Mission by DCS area
- Goals by Staff Area
- **FIRST AND FOREMOST**
 - Follow your lead
 - Execute your directives

Your Assistance Needed

- Split CAP (Community Activities and Programs)
 - CAP - OPEN
 - Retention – fill with existing personnel
- Marketing
 - Need to Identify Marketing Personnel
 - Not Sales
 - Not Public Affairs
 - Not Fund-raising
- Continue to develop the Professional Force!