

# NEC MINUTES

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## National Executive Committee Meeting Minutes 6-7 November 2009

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St Louis MO

National Executive Committee Meeting Minutes  
6-7 November 2009  
St Louis MO

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**OPEN SESSION**

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ATTEST  
Barry S. Herrin  
Colonel, CAP  
National Legal Officer

OFFICIAL:  
Amy S. Courter  
Major General, CAP  
National Commander

Civil Air Patrol  
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**OPEN SESSION**

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

**NATIONAL EXECUTIVE COMMITTEE**

Maj Gen Amy S. Courter, CAP ..... National Commander  
Brig Gen Reggie L. Chitwood, CAP ..... National Vice Commander  
Col Russell E. Chazell, CAP ..... National Chief of Staff  
Col C. Warren Vest, CAP ..... National Finance Officer  
Col Barry S. Herrin, CAP ..... National Legal Officer  
Col William S. Charles, II, CAP ..... National Controller  
Col Christopher J. Hayden, CAP ..... Northeast Region Commander  
Col Joseph R. Vazquez, CAP ..... Middle East Region Commander  
Col Charles L. Carr, Jr., CAP ..... Great Lakes Region Commander  
Col James M. Rushing, CAP ..... Southeast Region Commander  
Col Steven W. Kuddes, CAP ..... North Central Region Commander  
Col Joseph C. Jensen, CAP ..... Southwest Region Commander  
Col Donald G. Cortum, CAP ..... Rocky Mountain Region Commander  
Col Larry F. Myrick, CAP ..... Pacific Region Commander

**Non-voting members:**

Col William R. Ward, USAF ..... CAP-USAF Commander  
Col Merle V. Starr, CAP ..... CAP Inspector General  
Ch, Col Whitson B. Woodard, CAP ..... Chief of Chaplain Corps

**CORPORATE TEAM**

Mr. Don R. Rowland	Executive Director
Mr. Johnny F. Dean	Director, Plans & Requirements
Ms. Susan K. Easter	Chief Financial Officer
Mr. Marc D. Huchette	Director, Public Awareness & Membership Development
Mr. Larry Kauffman	Assistant to Executive Director for Fleet Management
Mr. James L. Mallett	Director, Educational Programs
Mr. Rafael Robles	General Counsel
Mr. John A. Salvador	Director, Missions
Mr. Gary Schneider	Director, Logistics & Mission Resources

**AGENDA ITEM - 1**

**PM**

**Action**

**SUBJECT: Approval of May 2009 NEC Minutes**

**Author: Col Chazell**

**CAP/CS – Col Chazell**

**INFORMATION BACKGROUND:**

The minutes of the May 2009 National Executive Committee meeting were distributed in draft form. This allowed the National Executive Committee members a chance to review the minutes for any discrepancies.

The May 2009 NEC Minutes are included in your material.

**PROPOSED NEC ACTION:**

That the National Executive Committee approve the May 2009 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:**

**COL CHAZELL/CS MOVED and BRIG GEN CHITWOOD/CV seconded** that the National Executive Committee approve the May 2009 NEC minutes, as amended to change Col Charles' name suffix to "II" instead of "III."

**THE MOTION CARRIED UNANIMOUSLY**

FOLLOW-ON ACTION: Make correction, as indicated, and remove the word DRAFT from the May 2009 minutes.

**AGENDA ITEM - 2**

**ED**

**Action**

Senior and Cadet Programs

**SUBJECT: Conduct of Members Using Social Media**

**Author:** Col Saile

**GLR/CC – Col Carr**

**INFORMATION BACKGROUND:**

Social media is a broad term that describes increasingly popular software tools and techniques, primarily Internet based, that allows groups and individuals to engage in peer-to-peer conversations and to exchange content. Current examples of social media are YouTube™, flickr®, Facebook, MySpace™, Twitter™, and many others.

The primary demographic of social media is young adults, ages 18-34. However, use by other age groups is rapidly growing, including a reported 193% growth in users over the age of 55.

Statistics on social media use vary wildly, including projections that there are currently over 100 million active Facebook users daily, and that since its inception close to 5-billion “tweets” have been sent over Twitter™.

Social media outlets have had an enormous impact on global communications, most of it positive. Groups and sites have formed for every imaginable interest, not the least of which is the Civil Air Patrol. CAP has its own Facebook page with 4,753 fans. ([http://www.facebook.com/CAP.USAF.Aux?fb\\_noscript=1](http://www.facebook.com/CAP.USAF.Aux?fb_noscript=1)), as well as a presence on Twitter™ ([http://twitter.com/CAP\\_USAF\\_AUX](http://twitter.com/CAP_USAF_AUX)) with 883 followers. Twitter™ was even used for emergency response (Southern California Wildfires) when other methods of communications were unavailable or had failed.

Unfortunately, there is a dark side to social media use, just as there is with other Internet technologies.

**Inappropriate content** – As with any form of personal expression, the topics discussed and methods used are limited only by the user’s imagination. What may be innocent communication to one person may offend the next. This is certainly true of the Internet. People regularly post photographs displaying near or total nudity, public drunkenness and antics of questionable safety and legality. Most such posters would be profoundly embarrassed to disclose the same material to their parents, children, spiritual leader, or CAP commander.

Other, less obvious, offenses include public disagreements, which deteriorate into “flame wars” and become the textual equivalent of hazing. Another easily envisioned scenario is posting of text or photographs from Civil Air Patrol missions that are classified as FOUO or otherwise not for public dissemination.

**Malicious content** – The popularity of social media sites has not been lost on those who would use them for gain or crime. Virus, worms and other malicious program delivery via social media sites has been on the rise since its inception. It is estimated that up to 80% of all web sites are infected with some type of malware. Facebook has had 8 documented

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vulnerabilities in less than one year. The reason that malicious content works so well on social media sites is simple: There is an implicit trust of those on one's network or social circle, a willingness to share information, little or no identity and the ability to run arbitrary code (in case of user-created apps) with minimal review. This all adds up to users becoming an easy target for the bad guys and then unknowingly distributing the content to their contact lists.

**Illegal uses** – Notwithstanding the distribution of malicious software, social media can also be used for other illegal activities, the foremost of which is, predictably, the solicitation of minors. Pages and posts can be, and too often are, configured to deceive children and attract them to in-person meetings. Many social media outlets claim to have controls in place, but unfortunately, the techniques of those who abuse social media are always several steps ahead of such controls.

### **Recommendation**

It should not be CAP's intent to stunt use of social media. Rather, with the issues discussed in the preface to this proposed action in mind, CAP needs to tell its members what are CAP's expectations for social media use.

Civil Air Patrol members are expected to behave professionally at all times, not just while in uniform. This includes not only our appearance and speech, but in all ways we comport ourselves in public. Our use of social media should be no exception to these expectations.

Any CAP policy must distinguish guiding moral and ethical behavior from legal requirements. This is challenging. On the one hand are the behaviors guided by, for example, CAP Core Values, Ethics Policy and the bases for termination under CAPR 35-3. These standards provide the most concrete statements of CAP's commitments to member personal accountability insofar as they express CAP values, member fiduciary obligations, avoidance of conflict of interest, respect, fairness and openness, good faith, due care, and confidentiality. On the other hand, however, expressing these attributes, controlling actions that conflict with them and the legal constraints imposed by the United States Constitution and the Amendments to the Constitution (not to mention State constitutions) are in natural tension. Simply forbidding any speech that interferes with CAP Core Values, Ethics Policy, etc., is plainly unworkable.

A functional policy must be one that can be understood and followed by all members and that does not constrain a member's speech. This policy proposal attempts to meet those conflicting needs.

### **PROPOSED NEC ACTION:**

That the National Executive Committee approve the following wording being added to CAPR 35-3, *Membership Termination*:

*Social Media.* CAP, its commanders, officers, and staff shall not constrain any communication by a member, whether senior or cadet, including without limitation use of the Internet. Provided, however:

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- (1) CAP member generated material constituting “speech” shall not use either sexually explicit or suggestive language, profanity, photograph or graphic material of sexually explicit or suggestive or depictions of violence or mayhem;
- (2) CAP member generated material constituting “speech” shall not violate any CAP regulation or policy directive;
- (3) CAP member generated material constituting “speech” shall not link or redirect any person who may receive such material to any such proscribed material.

*Violation.* Violation of subparagraphs (1) through (3) may be deemed misconduct and may be subject to adverse membership action including membership termination. Before any adverse membership action is commenced for violation of this subpart of the regulation, it shall be reviewed by the Wing Commander, Wing Legal Officer, and CAP General Counsel. Any final adverse decision shall be reviewed by the National Commander or his or her designee.

### **ESTIMATED FUNDING IMPACT:**

None.

### **CAP NATIONAL HEADQUARTERS’ COMMENTS:**

**Non-concur:** Due to considerations of First Amendment rights (Freedom of Speech), enforcement is very unlikely beyond making it clear that members participating in Social Networking Media in their individual capacity have no authority to speak for Civil Air Patrol.

In addition, Civil Air Patrol may properly enforce protection of non-authorized use of its logos, brands, and symbols in a Social Networking environment.

### **CAP-USAF HEADQUARTERS’ COMMENTS:**

Concur with National Staff comments.

### **ADVISOR / NATIONAL STAFF COMMENTS:**

**Senior Advisor - Support:** The entire Support Section agrees that social media has become a major factor in our lives with both a positive and negative side. The USAF and DOD have been struggling with this issue for some time; however, members of the armed services are subject to the UCMJ which is not the case in CAP.

A review of the proposed Agenda Item indicates that there are several areas which may have substantial legal issues involved. For that reason we recommend that the NEC refer this to a committee comprised of both NHQ and volunteer staff (including the CAP General Council) to develop recommendations on this important issue and report back to the NEC at the spring 2010 Meeting.



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**REGULATIONS AND FORMS AFFECTED:**

CAPR 35-3, *Membership Termination*.

**NEC ACTION:**

**COL CARR/GLR MOVED and COL MYRICK/PCR seconded** that the National Executive Committee approve sending this item to an appropriate committee for consideration and return to the appropriate body (no guidance provided by the maker of the motion).

**THE MOTION CARRIED UNANIMOUSLY**

FOLLOW-ON ACTION: Referral to a committee to be created by the National Commander, with the following guidance: (1) Legal officer people who are aware of social media to review the internet policy; (2) Committee will be requested to send status interim reports at each of the next upcoming meetings until the final report. Include in the winter 2010 National Board agenda.

**AGENDA ITEM - 3**

**ED**

**Action**

Uniforms and Ribbons

**SUBJECT: Air Patrol Ribbon  
NER/CC – Col Hayden**

**Author:** Col Jensen

**INFORMATION BACKGROUND:**

The Civil Air Patrol has performed many types of “patrol” missions that do not meet the criteria for award of either the Search and Rescue Ribbon or of the Disaster Relief Ribbon. Examples of these types of missions include fire patrols, sundown patrols, bay patrol, as well as counter drug flights. We have also been taking on additional missions in support of Homeland Security that require our members to give of their time and talents, for which they should be recognized.

Proposed Criteria: Participate actively in at least ten patrol watch sorties as an aircrew member occupying any crewmember station. A bronze clasp is awarded for each additional ten sorties. A silver clasp replaces five bronze clasps. All sorties must be in support of patrol watch missions authorized by competent authority. The same would apply to each mission staff member who gives of their time to supervise and/or assist with these missions. Each mission staff sortie would be a minimum of four hours of mission staff time.

**PROPOSED NEC ACTION:**

That the National Executive Committee approve the proposed Air Patrol Ribbon and corresponding miniature medal criteria. That they also instruct the National Historian to research an appropriate design and the Uniform Team to determine the appropriate position for this ribbon in the Order of Precedence.

Alternative motion: Rename the Counterdrug Ribbon the Air Patrol Ribbon and incorporate all the various patrol type flying missions and related mission staff participation requirements into criteria for this award.

**ESTIMATED FUNDING IMPACT:**

None. After design and approval, CAPM 39-3 and CAPM 39-1 will require updating and a vendor must be selected for production and sale.

If the alternative motion is used, new designs would not be required.

**CAP NATIONAL HEADQUARTERS’ COMMENTS:**

Defer to the Senior Advisor/Support comments.

**CAP-USAF HEADQUARTERS’ COMMENTS:**

None.

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### **ADVISOR / NATIONAL STAFF COMMENTS:**

**Senior Advisor – Support:** Awards and Promotion Team Leader and the Senior Advisor Support favor recognizing the efforts of these members. We do, however, recommend that this Agenda Item be referred to the Winter NB where award and uniform issues have been traditionally handled.

In addition, we believe that this award is too restrictive and the opportunity to earn it would be available to only a small percentage of members. We recommend that the award criteria be opened to allow the award to include other similar missions such as coastal patrol, fire watch, Surrogate Predator, etc. We also suggest that the award criteria be expanded to include all participating members, not only air crews. This delay would also

allow the Agenda Item to be fully staffed including the design of the ribbon with the assistance of the National Historian.

### **REGULATIONS AND FORMS AFFECTED:**

CAPM 39-3, *Award of CAP Medals, Ribbons, and Certificates*

### **NEC ACTION:**

**COL HAYDEN/NER MOVED and COL HERRIN/NLO seconded** the PROPOSED NEC ACTION.

**COL JENSEN/SWR MOVED and COL VAZQUEZ/MER seconded** to refer this information to the Uniform Committee with input from the Heraldry Committee and bring back to the winter 2010 National Board Meeting.

### **THE MOTION CARRIED UNANIMOUSLY**

FOLLOW-ON ACTION: Referral to the Uniform Committee to work with Heraldry and include in Uniform Committee Report at winter 2010 National Board. There was clarification that in considering the Air Patrol Ribbon, the Uniform Committee has broad latitude to provide criteria and bring forth suggestions for recognition of other missions and things that could be included in this proposal.

**AGENDA ITEM - 4**

**MD**

**Action**

Glider Operations

**SUBJECT: CAP Glider Program Review  
NCS – Col Chazell**

Author: Mr. Salvador

**INFORMATION BACKGROUND:**

At the BoG's request, CAP provided a summary of the CAP glider program at the June 2009 BOG meeting. The BoG members were very interested in finding ways to get more cadets flying in gliders. They also wanted to know how CAP could make the glider program more effective overall.

The CAP staff will present a briefing on all aspects of the glider program along with recommendations on how to make the program more effective in the future.

Note: CAP is currently conducting a survey of all regions/wings on the glider program. The results of this survey will be used to develop the recommendations. CAP will forward the briefing and recommendations to the NEC members not later than one week prior to the meeting.

**PROPOSED NEC ACTION:**

That the National Executive Committee approve the recommendations for presentation to the BoG.

**ESTIMATED FUNDING IMPACT:**

None.

**CAP NATIONAL HEADQUARTERS' COMMENTS:**

NHQ recommends the briefing be approved for presentation to the BoG.

**CAP-USAF HEADQUARTERS' COMMENTS:**

Concur.

**ADVISOR / NATIONAL STAFF COMMENTS:**

Concur.

**REGULATIONS AND FORMS AFFECTED:**

To be determined.

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### **NEC ACTION:**

The Chair stated that the NEC would accept the recommendations (NHQ/DO briefing) with the intent to recommend the presentation to the BoG.

After discussion of the briefing, the Chair proposed, with concurrence, to separate the two components discussed (consolidation of centers and medical requirements) and table until later in the meeting, no later than Saturday before the close, in order for a working group to meet and clarify recommended action(s) for NEC vote.

ON SATURDAY, THIS ITEM WAS BROUGHT FROM THE TABLE

**COL CHAZEL/CS MOVED and COL RUSHING/SER seconded** that the National Executive Committee approve consolidating CAP's widely dispersed glider resources so they can be used more effectively by establishing 13 Gliders Centers of Excellence. These centers will be chosen from the ones that have the necessary glider pilots, instructors, and maintenance facilities and have also demonstrated effective utilization over the past 3 years. This concept will also allow CAP NHQ to better maintain the 36 gliders that will be assigned to these centers. All other gliders (including those that require extensive maintenance) will be put into storage. If CAP's glider program grows in the future, the resources can be taken out of storage to establish new centers. Wings that do not have a glider center but who want to have their cadets experience glider orientation flights will have 3 options: They can take their cadets on a field trip to the glider center; they can ask the glider center to deploy resources to their wing; or they can partner with a nearby SSA club to conduct the orientation flights.

**COL HERRIN/NLO MOVED TO AMEND** to change the second sentence to read: "These centers will be chosen from the current areas of glider operation that. . . " (MOVER'S NOTE: This means we are not going to redeploy resources to places that currently do not have any glider operations.)

### **THE MOTION TO AMEND FAILED DUE TO THE LACK OF A SECOND**

**COL KUDDER/NCR MOVED TO AMEND and COL VAZQUEZ/MER seconded** the amendment to change the second sentence to read: "These centers will be chosen from an area that the region commander and National Commander concur on."

### **THE MOTION TO AMEND CARRIED**

**COL JENSEN/SWR MOVED TO AMEND and COL CHAZELL/CS seconded** the amendment to strike the following sentence: "If CAP's glider program grows in the future, the resources can be taken out of storage to establish new centers."

### **THE MOTION TO AMEND CARRIED UNANIMOUSLY**

### **THE AMENDED MOTION CARRIED UNANIMOUSLY**

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NOTE: The amended motion reads: "That the National Executive Committee approve establishing 13 Gliders Centers of Excellence. This will consolidate CAP's widely dispersed glider resources so they can be used more effectively. At the discretion of the region commander and with the concurrence of the National Commander, these centers will be chosen from the ones that have the necessary glider pilots, instructors, and maintenance facilities plus have demonstrated effective utilization over the past 3 years. This concept will also allow CAP NHQ to better maintain the 36 gliders that will be assigned to these centers. All other gliders (including those that require extensive maintenance) will be put into storage. Wings that do not have a glider center but who want to have their cadets experience glider orientation flights will have 3 options: They can take their cadets on a field trip to the glider center; they can ask the glider center to deploy resources to their wing; or they can partner with a nearby SSA club to conduct the orientation flights.

FOLLOW-ON ACTION: Recommend proposed changes to the BoG. Include in Dec 2009 BoG agenda.

**AGENDA ITEM - 5**

**MD**

**Action**

**Glider Operations**

**SUBJECT: Glider Operations: Delete or modify CAPR 60-1 Chapter 2-3c**

**Author: Lt Col McEntire**

**GLR/CC – Col Carr**

**INFORMATION BACKGROUND:**

CAPR 60-1 chapter 2-3c compromises safety by preventing a non-pilot observer to fly in the tow plane during glider aero-tow operations. For example if during CAP glider operations a non pilot senior member is available they could enhance safety by flying as observer/passenger. The tow pilot simply instructs the observer/passenger to watch the glider and report any unusual maneuvers by the glider on tow. The tow pilot cannot concentrate fully on the towed glider during the take off roll or any other high workload times. An observer/passenger can be simply and quickly trained to observe the glider. Until this chapter was added having a “glider observer” was standard practice in Indiana Wing.

When Indiana wing was requested to supply a glider for display at Airventure in Oshkosh, Wisconsin a non-tow pilot observer flew along. It would have been a grossly unsafe operation to embark on a 4.7 hour aero tow cross country without an observer. Exceptions must be made when the pilot in command feels safety will be enhanced with an observer onboard.

**PROPOSED NEC ACTION:**

That the National Executive Committee approve deletes or modifications to CAPR 60-1 Chapter 2-3c. Suggested wording: “Except for Tow Pilot training or when the PIC deems an observer necessary for safe operation, no passengers may be carried in a CAP tow plane that is towing a glider. The observer is to be considered part of the aircrew and functions to report to the PIC of any anomalies in the flight path of the glider and to assist the PIC as directed.”

**ESTIMATED FUNDING IMPACT:**

No Funding impact.

**CAP NATIONAL HEADQUARTERS’ COMMENTS:**

Defer to Senior Advisor comments.

**CAP-USAF HEADQUARTERS’ COMMENTS:**

Defer to Senior Advisor comments.

**ADVISOR / NATIONAL STAFF COMMENTS:**

**Senior Advisor – Support:** In addition to being a CAP Tow Pilot and Tow Check Pilot, I have several thousand tows and am in charge of tow pilot training at the largest SSA

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Glider Club on the East Coast. I know of no SSA Glider Club which permits a second person in the tow plane except for tow training. When conducting tow training the PIC is a highly trained tow pilot instructor who carefully considers the extra performance requirements imposed by the weight of the second pilot. On numerous occasions I have deferred tow training due to winds, high density altitude, etc. where single pilot operations were able to continue.

It is also important to remember that the tow pilot receives two additional endorsements (can be combined into one if desired) requiring him/her to receive not only training in tow operations, but to also receive training in glider operations from a glider CFI. A non-glider rated tow pilot must also take at least three flights in a glider with a CFIG prior to getting a tow pilot endorsement. This is to ensure that the tow pilot fully understands what is taking place on the glider side of the rope. I would hate to have a non-pilot observer giving the tow pilot input without any true understanding of the aeronautic situation on the glider side.

One of the reasons for the high qualifications for a CAP glider tow pilot was to ensure that pilot had sufficient experience to devote some of his/her time to monitoring the glider which is integral in aerotow operations. The aircraft **MUST** be equipped with proper mirrors to allow the pilot to see the glider with one quick movement of the eyes or head. The total aircraft weight is critical in tow operations.

In summary, this proposed agenda item is counter to virtually all of the experience accumulated by the glider community for many years.

**Senior Advisor – Operations:** Agree with the Sr Advisor for Support comments and the additional comments by the other Operations team members not to support the agenda item as proposed.

### **REGULATIONS AND FORMS AFFECTED:**

CAPR 60-1, *CAP Flight Management*

### **NEC ACTION:**

**COL CARR/GLR MOVED and COL KUDDER/NCR seconded** the PROPOSED NEC ACTION.

**THE MOTION DID NOT PASS**



**AGENDA ITEM - 6**

**ED**  
Awards

**Action**

**SUBJECT: Inspector General of the Year Award**

**Author: Col Charles**

**NC – Col Charles**

**INFORMATION BACKGROUND:**

Each year, our organization, gives out “of the year awards” for a variety of critical jobs performed by our volunteers. This is one of our limited ways to express thanks to those volunteers who give of themselves year in and year out. One critical position that we currently do not give out this type of award is for our Inspector General program.

Over the last 8 years our inspector general system has proven to be a very critical tool for commanders to improve operations, safety, personnel issues and has brought great credit to CAP. We have IG’s working at the wing, region and national level who contribute many hours in unit assessments or complaint resolution. Some inspector general’s have contributed over 200 hrs to a single Investigation. The IG program has become an instrumental tool for commanders at all levels within our organization.

It is appropriate that we honor one IG from any level once each year with the “Inspector General of the Year” award. The award could be for actions within the year or over a long period of time. The National Inspector General and others can develop criteria for this award and it would be included with the other awards at our summer meeting and conference. The submission rules would be the same as those other awards.

**PROPOSED NEC ACTION:**

That the National Executive Committee approve an “Inspector General of the Year” award to be presented at each summer conference. Initial award to be presented at the summer 2010 annual conference.

**ESTIMATED FUNDING IMPACT:**

Cost of the award.

**CAP NATIONAL HEADQUARTERS’ COMMENTS:**

Concur. Criteria and compensation will be the same as the other “of the year” awards.

**CAP-USAF HEADQUARTERS’ COMMENTS:**

Concur.

**ADVISOR / NATIONAL STAFF COMMENTS:**

**Senior Advisor - Support:** Senior Advisor for Support and Awards and Promotions Team Leader support this Agenda Item. Due to the sensitive nature of this position we do

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recommend that special award review procedures be developed for this “Of the Year” award in addition to establishing the qualification criteria.

### **REGULATIONS AND FORMS AFFECTED:**

CAPR 39-3, *Award of CAP Medals, Ribbons, and Certificates* and CAPR 123-1, *The Civil Air Patrol Inspector General Program*

### **NEC ACTION:**

**COL CHARLES/NC MOVED and COL CARR/GLR seconded** the PROPOSED NEC ACTION with an addition that the award nominations should be held confidential to the IG and their designate.

### **THE MOTION CARRIED UNANIMOUSLY**

FOLLOW-ON ACTION: Implementation of policy, notification to the field, and change to CAPR 39-3, Award of CAP Medals, Ribbons, and Certificates; and CAPR 123-1, The Civil Air Patrol Inspector General Program. There was clarification that the National IG or designee would make the selection and that language for the citation would be purged so that nothing sensitive would be released on a public citation for the award before it goes to Personnel.

**AGENDA ITEM - 7**

**ED**  
Membership

**Action**

**SUBJECT: Membership Application - Proof of True Identity**

**Author:** Col Hayden

**NER/CC – Col Hayden**

**INFORMATION BACKGROUND:**

Recent Homeland Security reports indicate terrorist groups could be joining “open door” volunteer organizations such as Civil Air Patrol in order to gain security information and/or gain access to military uniforms. No where in CAPR 39-2 or the Change letters of 20 December 07 and 4 September 08 do we require true and complete proof of identification when a potential new member submits a CAPF 12 or 15. Even though they are required to include a “Volunteer” fingerprint card, there is no accompanying proof that the prints were taken by law enforcement requiring full identification of the applicant. In fact anyone’s prints could be on the form as the ink rollers used are available even for home use.

**PROPOSED NEC ACTION:**

That the National Executive Committee approve the requirement for all persons applying for membership in the Civil Air Patrol to provide proof of true identification using the same optional forms of true identification required by the instructions accompanying the Employment Eligibility Verification Form I-9. (*In the case of a cadet applicant without such documentation, a birth certificate and school report card will suffice.*) The method of identification used will be indicated on the CAPF 12 and 15 but the numbers associated with the forms of identification will not be recorded. The unit commander accepting the application will thus attest to reviewing and authenticating the identification items used,

**ESTIMATED FUNDING IMPACT:**

To be determined.

**CAP NATIONAL HEADQUARTERS’ COMMENTS:**

**Non-concur:** Requirement and retention for reporting purposes of additional identification (ID) would potentially expose Civil Air Patrol to liability if said information is illegally accessed and utilized in credit scams and identity theft.

Although we do not currently require proof of identity, our fingerprint system will tell us if the SSN, name and date of birth do not match the information in their files. We would be especially concerned about including cadets in this requirement. Many 12 year old cadet applicants do not have any form of picture ID. All schools do not issue ID cards and we have a number of home-schooled students.

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### **CAP-USAF HEADQUARTERS' COMMENTS:**

Concur with agenda item. CAP-USAF realizes cadets may not satisfy the proposed identification requirement and therefore recommends this item be referred to committee to develop a course of action.

### **ADVISOR / NATIONAL STAFF COMMENTS:**

**Senior Advisor – Support:** Senior Advisor Support agrees with the development of a uniform proof of identity, however, the proposed action as written may cause substantial difficulty. Many school age children are not issued a photo ID card at their school, especially in elementary schools and some middle schools.

We are also concerned with potential identity theft issues including possible retention in local unit files of sensitive documents such as birth certificates, passports, etc. We therefore recommend that this be referred to committee to develop a recommended policy for both senior and cadet members. The committee to be directed to report back to the spring NEC Meeting.

### **REGULATIONS AND FORMS AFFECTED:**

CAPR 39-2, *Civil Air Patrol Membership*; CAPF's 12 & 15

### **NEC ACTION:**

**COL HAYDEN/NER MOVED and COL HERRIN/NLO seconded** the PROPOSED NEC ACTION.

**COL VAZQUEZ/MER MOVED TO AMEND and COL JENSEN/SWR seconded** the amendment to change the first line of the motion to strike the words "all persons," and add the words "all persons, except cadets."

Following discussion regarding different ages and categories of membership, the following motion was made:

**COL HAYDEN/NER MOVED and COL KUDDER/NCR seconded** to refer this matter to a committee.

### **THE MOTION CARRIED UNANIMOUSLY**

**FOLLOW-ON ACTION:** This issue will be staffed by legal, Headquarters membership, and others to be determined. Guidance to the committee: (1) Recommendation that fingerprint cards be done by a law enforcement agency to reduce forgeries: (2) Recommendation to consider live scan fingerprinting rather than ink fingerprints on the card; (3) Consideration of retroactive action. Interim report at winter 2010 National Board and final report at May 2010 NEC. Inclusion in winter 2010 National Board and May 2010 NEC agendas.

**AGENDA ITEM - 8**

**ED**

**Action**

Membership Service Date

**SUBJECT: Service Date**

**GLR/CC – Col Carr**

**Author:** Col Reeves

**INFORMATION BACKGROUND:**

There are CAP members who joined CAP as cadets who were drafted or enlisted in active military service in the 1960's and 70's. Many of these members had their membership expire while on active duty. Either before their separation from active duty or within 90 days of such separation, these members re-joined Civil Air Patrol. Many that have remained are still very active in CAP. Due to the break in service, the membership date, currently, is from when they re-joined CAP. The time as a member previously is acknowledged by a First Joined Date but the original date and the years as a member are not counted towards total CAP Membership.

1. This must be based on the following conditions:
  - a. The individual must have been a member of Civil Air Patrol prior to joining the active military.
  - b. The individual must have rejoined CAP within 90 days of separation from military active duty.
  - c. The total length of time bridged cannot exceed 4 years military service.
    - 1) Example: Member joined as a cadet in August 1959. Member entered Active Military Duty on August 1962. Naturally, the CAP membership would expire sometime in 1963. Member completes his service to our country and receives an honorable discharge from service. Member must rejoin CAP no later than end of the year of his discharge or 90 days after severance from active duty.
2. It is the individual's responsibility to document previous CAP service by CAP Service Records or proof of CAP Service by another member's CAP Service Record showing this members name and CAPID number.
  - a. Limitations:
    - 1) Suggested – break in membership occurred prior to the 40<sup>th</sup> anniversary of CAP (1991)
      1. Prior to that date a 50 year membership did not exist.
  - b. Required proof:
    - 1) Show a Valid CAPID number for the period the member originally served.
    - 2) Some documentation of CAP membership for the period prior to Active Military Duty. This can be witness statements, CAP personnel files, or other member's files showing service.

There is a clear benefit to this.

1. Members with long continuous service periods who cannot continue membership due to health issues would show longer service dates and express National Headquarters appreciation for the total membership years of members on active duty.

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### **PROPOSED NEC ACTION:**

That the National Executive Committee approves an amendment to CAPR 35-2 Par 7-4 to allow the original service date to be counted to membership service length. This is similar to what many companies do by “bridging” years of service for members in the military on active duty. Their original date of employment is counted strictly for service length, retirement, and total service dates for vacation. (Many companies use vacation pick dates based on total seniority, not department seniority)

### **ESTIMATED FUNDING IMPACT:**

### **CAP NATIONAL HEADQUARTERS’ COMMENTS:**

**Non-concur:** The requirement to have 50 years of continues service to earn the 50 year free membership was changed in 2008 and 50 years of service, not necessarily continuous is now required. While our records may not reflect specific breaks in service, the actual time served does count toward total membership. Using the example provided in the agenda item, the member who shows an original date joined of 1959 and a last date joined of 1968 still has 46 years of service – 4 years from 1959 to 1963 and 42 years from 1967 to 2009. If the intent of this item is to allow a long time member that does not meet the criteria for the 50 year free membership to have his membership extended with out payment, a dues waiver by the National Commander or Executive Director may be a better solution than authorizing this complicated formula to provide credit for additional service.

### **CAP-USAF HEADQUARTERS’ COMMENTS:**

No comment.

### **ADVISOR / NATIONAL STAFF COMMENTS:**

Senior Advisor Support – Non-Concur as written. We are unable to determine what problem this solution will correct.

### **REGULATIONS AND FORMS AFFECTED:**

CAPR 39-2, *Civil Air Patrol Membership*

### **NEC ACTION:**

**COL CARR/GLR MOVED and COL MYRICK/PCR seconded** the PROPOSED NEC ACTION.

**COL JENSEN/SWR MOVED** to refer this item to a committee named by the National Commander to look at this and bring back to the NEC if it is determined that further NEC action is required.

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**THE MOTION TO REFER FAILED DUE TO THE LACK OF A SECOND.**

**THE MOTION DID NOT PASS**

NOTE: There was clarification by the Chair that there may be some intrinsic value in looking at this issue and it could be brought back with more clarity and intent.

**AGENDA ITEM - 9**

**GC**

**Action**

**SUBJECT: Modify CAPR 112-10 2.a**

**Author: Col Myrick**

**PAR/CC – Col Myrick**

**INFORMATION BACKGROUND:**

CAPR 112-10 2.a. is ambiguous as to who is entitled to indemnification. CAPR 112-10 2.a. needs to be amended to make it clear that indemnification is extended to Region Commanders, Region Vice Commanders, Wing Commanders, Wing Vice Commanders, and corporate officers.

**PROPOSED NEC ACTION:**

That the National Executive Committee approve the following amendment to CAPR 112-10 2.a:

- a. Indemnification shall be limited to claims arising from events, acts or failure to act that occurred during such time as the requesting individual, either in the individual's capacity as a corporate officer or at the direction of a corporate officer was:
  1. serving as a corporate officer;
  2. serving as a member of the National Board or National Executive Committee;
  3. serving as a Region or Wing Vice Commander;
  4. serving as an acting Region of Wing Commander pursuant to CAPR 20-1(15);....

then renumber 2.a(2)-(6) as 2.a.(5)-(10).

**ESTIMATED FUNDING IMPACT:**

There will be no requirement for CAP to dedicate funds. The only funding impact is if a claim is made under CAPR 112-10.

**CAP NATIONAL HEADQUARTERS' COMMENTS:**

**Non-concur:** Pursuant to CAPR 5-4, NEC Agenda items should refer to the establishment of policies and standards and NHQ staff is mandate to incorporate changes to policies into drafts of regulations.

Propose that policy in question may be changed or amended as follows:

*The right to file a timely indemnification request will be extended to members of the National Executive Committee, Region or Wing Vice Commanders, and acting Region or Wing Commanders.*

**CAP-USAF HEADQUARTERS' COMMENTS:**

No comment.



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**ADVISOR / NATIONAL STAFF COMMENTS:**

None.

**REGULATIONS AND FORMS AFFECTED:**

CAPR 112-10, *Indemnification*

**NEC ACTION:**

**COL MYRICK/PCR MOVED and COL CARR/GLR seconds the PROPOSED NEC ACTION.**

This item was tabled for the purpose of continuing discussion of this item in an Executive Session.

LATER IN THE MEETING this item was brought from the table and the following substitute motion was made:

**COL MYRICK/PCR MOVED TO SUBSTITUTE and COL RUSHING/SER seconded that the National Executive Committee approve the following amendment to CAPR 112-10 2.a: “The right to file a timely indemnification request also will be extended to members of the National Executive Committee, Region and Wing Vice Commanders, and acting Region and Wing Commanders.”**

**THE MOTION CARRIED UNANIMOUSLY**

FOLLOW-ON ACTION: Implementation of policy, notification to appropriate commanders, and change to CAPR 112-10 2.a.

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**AGENDA ITEM - 10**

**PM**

**Action**

**SUBJECT: Annual Conference & National Board Meeting for 2011**

**Author:**

**NCS – Col Chazell**

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**INFORMATION BACKGROUND:**

It is normal policy that the NEC gives direction to the National Headquarters Staff as to what part of the country to have the annual conference. The conference is normally rotated around the country so that each area has a chance to participate in the activities. NHQ will present possible host cities to the National Executive Committee for consideration for the 2011 Annual Conference.

**PROPOSED NEC ACTION:**

That the National Executive Committee approve the host city location for the 2011 Annual Conference.

**ESTIMATED FUNDING IMPACT:**

None.

**CAP NATIONAL HEADQUARTERS' COMMENTS:**

None.

**CAP-USAF HEADQUARTERS' COMMENTS:**

None.

**ADVISOR / NATIONAL STAFF COMMENTS:**

None.

**REGULATIONS AND FORMS AFFECTED:**

None.

**NEC ACTION:**

**COL CARR/GLR MOVED and COL RUSHING/SER seconded** that the National Executive Committee approve Louisville, KY, as the host city location for the 2011 Annual Conference.

**THE MOTION CARRIED UNANIMOUSLY**

**FOLLOW-ON ACTION:** The National Commander requested that in the future a list of the cities in consideration be sent as an information point before the RFPs are sent out so that

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NEC members may be able to look at the cities in advance and possibly provide additional insight.

In response to a question about the location of NEC meetings in 2010, Mr. Rowland/EX proposed that the May 2010 NEC meeting be held at Maxwell AFB, AL, in conjunction with a dedication ceremony for the newly renovated National Headquarters building.

**COL MYRICK/PCR MOVED and COL VAZQUEZ/MER seconded** that the National Executive Committee approve holding the May 2010 NEC meeting at Maxwell AFB, AL.

### **THE MOTION CARRIED UNANIMOUSLY**

FOLLOW-ON ACTION: Staff action and update of National Calendar of Events

**AGENDA ITEM - 11**

**FM**

**Action**

**SUBJECT: Travel Policy  
NCS – Col Chazell**

**Author:**

**INFORMATION BACKGROUND:**

Our travel policy has created two levels of reimbursement to our members. Presently members traveling under CC Directed orders are only reimbursed for airfare, hotel and a per diem allowance for meals. Other legitimate items allowed under the corporate policy such as conference fees, airport parking, and mileages to/from the airport are not reimbursed.

**OPERATING INSTRUCTIONS: FM 08-3**

**2. TRAVEL AUTHORIZATION FOR COMMANDER DIRECTED TRAVEL.** The National Commander or his/her designee may authorize additional travel for specific purposes which will be reimbursed. Individuals authorized to travel on Commander Directed Travel funds will be reimbursed for airfare, hotel, and a per diem allowance for meals. Travel must be pre-authorized. Submit *CC Directed Travel Authorization* by e-mail at least 15 workdays prior to departure. The National Commander will approve and forward to NHQ CAP/FMB. FMB will return approved travel authorization form to the requestor. Traveler will submit a *CC Directed Trip Report* by e-mail within 15 days following the trip.”

While the two levels of payment may stretch the budget line, some members traveling as CC directed have expressed disappointment that legitimate expenses were not covered while representing CAP.

**PROPOSED NEC ACTION:**

That the National Executive Committee approve eliminating the restrictions on reimbursement for CC Directed Travel. Once approved, reimbursement will be the same as that for National Executive Committee members. Effective date, if approved, 7 November 2009.

**ESTIMATED FUNDING IMPACT:**

To be determined.

**CAP NATIONAL HEADQUARTERS’ COMMENTS:**

Concur.

**CAP-USAF HEADQUARTERS’ COMMENTS:**

Concur.

**ADVISOR / NATIONAL STAFF COMMENTS:**

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**REGULATIONS AND FORMS AFFECTED:**

Operating Instructions: FM08-3

**NEC ACTION:**

This agenda item was withdrawn by Col Chazell/CS because the action will be covered in the Finance Committee Report.

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**AGENDA ITEM - 12**

**Action**

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

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**1. \*(Staff) CAP National Safety Officer – Col Diduch**

COL DIDUCH presented a slide briefing updating safety issues and his planning as the new National Safety Officer.

The National Commander expressed appreciation to Col Diduch and his team, CAP-USAF, and all the team-work involved in the safety effort including the rigor involved in the revised Forms 78 and 79 process.

**2. (Executive) Finance Committee Report – Col Vest**

COL VEST/CHAIRMAN, CHAIRMAN OF THE FINANCE COMMITTEE distributed the minutes of the National Executive Committee Finance Committee Meeting, 5 November 2009. He also presented a slide briefing on financial actions taken and presented those actions requiring NEC approval.

The following NEC actions were taken:

a. Azimuth Capital Management and Investment Policy Statement:

**COL VEST/CHAIRMAN OF THE FINANCE COMMITTEE MOVED that the NEC endorse to the BoG:**

**(1) Engage Azimuth Capital Management to manage CAP'S investment; and**

**(2) Adopt an updated Investment Policy Statement to be developed by the Investment Committee with Azimuth Capital Management.**

**THE MOTION CARRIED UNANIMOUSLY**

It was brought up during debate that there was a potential conflict of interest between this company and one of the members of the CAP Investment Committee. It was discussed and determined that any conflict was recognized and resolved and that it had no impact in the selection of this firm.

FOLLOW-ON ACTION: Endorse to the BoG. Include in Dec 09 BoG agenda.

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### b. Adjustment of FY09 Funds (\$25K):

**COL VEST/CHAIRMAN OF THE FINANCE COMMITTEE MOVED** that the NEC approve the use of \$25,000 of excess funds in FY09 and amend the FY09

**budget, retroactively deposit into the cash reserves for FY09, and eliminate that amount of funds as an FY10 adjustment.**

#### **THE MOTION CARRIED UNANIMOUSLY**

FOLLOW-ON ACTION: Staff action.

### c. Approved Changes to FY2010 Corporate Budget:

**COL VEST/CHAIRMAN OF THE FINANCE COMMITTEE moved** that the NEC approve the changes as presented on the FY10 Corporate budget.

#### **THE MOTION CARRIED UNANIMOUSLY**

FOLLOW-ON ACTION: Staff action.

### d. Endorse the FY2011 Finance Plan for Approval by the BoG:

**COL VEST/CHAIRMAN OF THE FINANCE COMMITTEE moved** that the NEC endorse the FY11 Financial Plan for presentation to the BoG.

#### **THE MOTION CARRIED UNANIMOUSLY**

FOLLOW-ON ACTION: Presentation of FY11 Financial Plan to the BoG and include in December 2009 BoG agenda.

### e. NEC Members Submit Travel Requirements by 30 March annually:

**COL VEST/CHAIRMAN OF THE FINANCE COMMITTEE MOVED** that the NEC approve that NEC members submit travel requirements for budgeting purposes, to NHQ for incorporation into the corporate financial plan and consideration by the FMB no later than 30 March annually.

#### **THE MOTION CARRIED UNANIMOUSLY**

FOLLOW-ON ACTION: Implementation of policy and notification to NEC members.

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### **f. Combining Region Travel and Operating Funds:**

**COL VEST/CHAIRMAN OF THE FINANCE COMMITTEE MOVED** that the NEC approve combining the travel and operating funds issued to the Region Commanders into one region managed account.

#### **THE MOTION CARRIED**

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

### **g. Combining CC Directed Travel and NEC Member Travel:**

**COL VEST/CHAIRMAN OF THE FINANCE COMMITTEE MOVED** that the NEC authorize the following revision to the NEC Travel Policy: "CC Directed Travel is changed so that once approved, CC Directed Travel is reimbursed in the same manner as NEC Member Travel, effective immediately." Furthermore, that the NHQ staff revise the current NEC Travel Policy as needed to incorporate all changes approved by the NEC and present the revised policy to the May 2010 NEC for approval.

#### **THE MOTION CARRIED UNANIMOUSLY**

FOLLOW-ON ACTION: Staffing of revised NEC Travel Policy and inclusion in the May 2010 NEC agenda.

### **h. Michigan Wing Repayment Plan for ACMX Tail Number Balance:**

**COL VEST/CHAIRMAN OF THE FINANCE COMMITTEE MOVED** that the NEC approve Michigan Wing's proposed repayment plan to National Headquarters for ACMX tail number balance of \$37,384 in installments: First Quarter draft of \$10,384.00 and three subsequent drafts per quarter of \$9,000.00 each.

#### **THE MOTION CARRIED UNANIMOUSLY**

FOLLOW-ON ACTION: Notification to MI Wing of approval of repayment plan.

### **i. Requirement for Wings to Submit Reimbursement Plans:**

**COL VEST/CHAIRMAN OF THE FINANCE COMMITTEE MOVED** that the NEC approve the proposal requiring wings to submit, within the next three months, reimbursement plans which are not to exceed five years, and forward to the NEC for consideration

#### **THE MOTION CARRIED UNANIMOUSLY**



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**FOLLOW-ON ACTION:** Implementation of policy, notification to the field to submit reimbursement plans (not to exceed 5 years) not later than 7 February 2010.

j. Supporting Documentation to Missions in WMIRS:

**COL VEST/CHAIRMAN OF THE FINANCE COMMITTEE MOVED** that the NEC adopt a policy that requires all regions, wings, and units below to scan and attach all supporting documentation to missions in WMIRS, effective immediately.

**COL MYRICK/PCR MOVED TO AMEND** and Brig Gen Chitwood/CV seconded the amendment to change the effective date to 1 January 2010.

**THE MOTION TO AMEND CARRIED**

**THE AMENDED MOTION CARRIED UNANIMOUSLY**

**FOLLOW-ON ACTION:** Implementation of policy, notification to the field urging immediate compliance, but in recognition of circumstances, requiring action by 1 January 2010. Change to appropriate CAP regulations.

k. Change in Language of VSI/Vanguard Funding for Training Centers:

**COL VEST/CHAIRMAN OF THE FINANCE COMMITTEE MOVED** that the NEC amend the language from the November 2006 and May 2007 NEC meetings on the fund 305 VSI/Vanguard funding for training centers be changed to read “CAP Training Facilities Fund Site” so there will be no confusion on the funds that go into that account and ensure we are spending those funds in accordance with the NEC Training facilities plan.

**THE MOTION CARRIED UNANIMOUSLY**

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

The National Commander expressed appreciation for all the great work done by the volunteer and NHQ financial team, financial management, and the CFO.

### **3. \*(Executive) Chaplain Report – Ch, Col, Woodard**

CH, COL, WOODARD presented a slide briefing updating Chaplain Corps activities. He also presented the first written Memorandum of Agreement between the USAF Chaplain Corps and the CAP program, which has been many years in the making. The CAP Chief of Chaplain Corps will be invited to the Air Force Chaplain Corps Council and Summit. He also made available for the Archives the pen used to sign the MOA.

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The National Commander expressed appreciation for the significant progress made in this area. She noted that Chaplain Woodard and his team at the region levels have set some amazing goals and achieved many goals.

### **4. \*(Executive) National Legal Officer's Report – Col Herrin**

COL HERRIN/NLO provided a written report, MEMORANDUM FOR NATIONAL EXECUTIVE COMMITTEE, dated 1 October 2009. In addition to the report, Col Herrin reported that the Legal Officer Corps is working on team-building. In that regard, Col Bob Karton, Assistant National Legal Officer has arranged for five CAP legal officers to be sworn in as members of the bar of the U. S. Supreme Court in a public ceremony. They expect to make this an annual event for those legal officers who wish to do so.

### **5. \*(Executive) National Controller – Col Charles**

COL CHARLES/NC presented a slide briefing updating Controller activities. He also reported that there was some consternation about the wording used in the Interim Change Letter to CAPR 60-1, regarding negligence. The following motion is an effort to find a solution, as tasked by the National Commander. The Legal Officer briefed and explained the proposed new policy and wording for assessments.

**COL CHARLES/NC MOVED and COL JENSEN/SWR seconded that the National Executive Committee approve the following changes to paragraphs 3, 3.a., b., and c., and paragraph 4.a., CAPR 60-1, effective immediately:**

3. Policy. Region commanders shall financially assess CAP members and/or units for CAP aircraft damaged or destroyed due to a Type I, Type II or Type III incident. The assessment policy criteria and dollar amounts are the same ones that have been in effect for aircraft damage in previous editions of CAPR 60-1. Assessments will not be made for acts of God or for unforeseen events the member/unit had no control over. Members/units shall be afforded an opportunity to make a statement and present evidence to explain the circumstances. Region commanders will take these statements into account when they make assessments.

- a. Type I Incident: For damage/loss that occurs due to a Type I incident, region commanders shall assess the lesser of the cost to repair or \$500.00. A Type I incident is one that results from a member's failure to use care as a reasonably prudent and careful person would use under similar circumstances.
- b. Type II Incident: For damage/loss that occurs due to a Type II incident, region commanders shall assess the lesser of the cost to repair or \$5,000.00. A type II incident is one that results from a members/unit's act or omission of an aggravated character as distinguished from mere failure to exercise ordinary care. Such an incident is marked by conduct that presents an unreasonably high degree of risk to others or their property and by a failure to exercise even the slightest care. It is sometimes associated with conscious and willful

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indifference to others or their property. Intentional violation of CAP and/or federal or local regulations shall be deemed to be a Type II incident if violation contributes to causing the loss or damage.

- c. Type III Incident: For damage/loss that occurs due to a Type III incident, the National Commander may increase a member's/unit's assessment beyond \$5,000.00 up to the full repair or replacement cost. A Type III incident results from a members/unit's willful or intentional misconduct or conduct in which there is a reckless disregard of the probable consequences. A Type III incident shall be afforded an opportunity to make a statement and present evidence to mitigate the assessment.

4. a. In determining whether a member's or unit's actions constitute a Type I, Type II or Type III incident, commanders will take into consideration all facts, applicable regulations and any written statement the member or unit commander provides. Assessments shall be made against any CAP member who contributed to causing the loss or damage in proportion to their culpability. For example, if two members were found equally culpable in an incident, each would be responsible for 50 percent of the assessment.

### **THE MOTION CARRIED UNANIMOUSLY**

FOLLOW-ON ACTION: Implementation of policy, notification to the field, and change to CAPR 60-1.

#### **6. \*(Executive) Inspector General – Col Starr**

COL STARR/IG called attention to his briefing that is included in the agenda and referred to the complaint tracking system that has been on line for 2 years. He added that only about 50 percent of the IGs are using the tracking system. He noted that almost 60 percent of complaints that are received and tracked are in the areas of mismanagement; abuse of authority; ethics code violations; and fraud, waste, and abuse. He also added that when the inspection tracking system is on-line and in use, we will be able to track the compliance inspections, findings and responses, as well as the SUIs and should solve some of the time problems the IG is experiencing.

The National Commander encouraged the region commanders to consider helping Col Starr set a date for all IGs to use the complaint tracking system which would increase the efficiency of the program.

Support reports, numbered 7 through 18, due to time constraints, were not presented, but were included in the agenda for reading.

**AGENDA ITEM - 13**

**Action**

**SUBJECT: Old Business**

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There was no Old Business to come before the November 2009 NEC meeting.

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**AGENDA ITEM - 14**

**Action**

**SUBJECT: New Business**

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**1. ITEM: Awards, Decorations, and Promotions**

The rank of Colonel was approved for Lt Col Evelyn B. Johnson, TN 019, CAPID 126493.

**2. ITEM: Identification Cards for CAP Members**

COL MYRICK/PCR presented CAP ID Card Discussion Points, as of October 2009 containing a two-part proposal:

- (1) To make picture ID cards mandatory for all senior members by 1 January 2011 (currently only an option), and
- (2) To form a committee to study the feasibility of getting a "Government issued" ID card.

**COL MYRICK/PCR MOVED and COL JENSEN/SWR seconded** that the National Executive Committee approve a 2-part motion: (1) That the current picture ID with the absence of the member's rank and unit number will be required for all senior members by 1 January 2011, as described, and (2) An ad hoc or special committee to review the "Government issued" ID card project.

**COL CHARLES/NC MOVED TO AMEND** to strike the implementation date of 1 January 2011 under Part (1).

**THE MOTION TO AMEND FAILED DUE TO LACK OF A SECOND**

**COL MYRICK/PCR MOVED TO AMEND and COL HERRIN/NLO seconded** the amendment to strike Part (1) of the motion.

**THE MOTION TO AMEND CARRIED**

**THE AMENDED MOTION CARRIED**

FOLLOW-ON ACTION: The following named committee as approved in Part (2) of the motion to further review "Government Issued" ID card project: Col Myrick/PCR, Chair; Members: An additional region commander appointed by the CAP/CC; Mr. Huchette NHQ/PA or designee; a CAP-USAF representative appointed by Col Ward; Lt Col Ned Lee, National Cadet senior advisor; Col Chazell/CS, or designee; Col Herrin/NLO, or designee. Include interim report in May 2010 NEC agenda and each succeeding National Board or NEC meeting until a final report.

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### **3. Elimination of the New Corporate Uniform**

COL CORTUM/RMR stated that he would like to propose an agenda item to eliminate the new corporate uniform that was instituted just a few years ago. It seems to have caused some consternation and real confusion about what is our real CAP uniform, as far as what is corporate and what is the Air Force-style uniform that we can now wear. He made the following motion:

**COL CORTUM/RMR MOVED and COL MYRICK/PCR seconded** that the National Executive Committee approve that the “New Corporate Uniform,”—New Corporate Service Coat and all combinations thereof (blue)—be phased out as a Civil Air Patrol uniform because it is insufficiently distinctive from the Air Force-style uniform thus creating unnecessary confusion to the membership and the general public, with a phase-out date of 31 January 2011.

There was clarification that elimination of the “New Corporate Uniform” includes the Service Coat as well as the white aviator shirt and blue slacks, jackets, overcoats, sweaters—everything associated with the “New Corporate Uniform”.

There was also clarification that the black jacket was originally authorized with the gray and white so continued wear of the black jacket would be authorized with gray and white and blue and white underneath.

#### **THE MOTION CARRIED**

FOLLOW-ON ACTION: Implementation of policy, notification to the field, and change to CAPM 39-1, Civil Air Patrol Uniform

### **4. Authorization of Wear of Gray Pants and White Aviator Shirts for Cadets over 18**

**COL JENSEN/SWR MOVED and COL VAZQUEZ/MER seconded** that the National Executive Committee authorize wear of gray pants and white aviator shirts as a uniform for cadets over the age of 18 years, effective immediately.

#### **THE MOTION CARRIED UNANIMOUSLY**

FOLLOW-ON ACTION: Implementation of policy, notification to the field, and change to CAPM 39-1, Civil Air Patrol Uniform

### **5. Uniform Process Action Team**

COL CHAZELL/CS recounted that at the winter 2009 National Board meeting, the National Commander authorized the Uniform Process Action Team to review procedures for recommending, approving, and implementing changes to all CAP uniforms; to identify process deficiencies with the current system; and recommend to the National Commander

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a revised process. (A copy provided to National Board members at the time of the winter 2009 meeting). He stated that currently there are two systems in place for approving uniform items. The first one is a process defined by CAPM 39-1, paragraph 1-4, which is problematic because there is ambiguous authorization for national approval. The second process is for members of the National Board to submit agenda items containing proposed changes to the uniform for consideration by the entire board. This process is problematic because it isn't clear, based on the language of CAPM 39-1, that the National Board has the authority to unilaterally approve changes to the uniform. Therefore, the team has developed recommended changes to the National Commander for future uniform changes, and Col Chazell made the following motion:

**COL CHAZELL/CS MOVED and COL CARR/GLR seconded that the National Executive Committee approve a policy that, in order to improve and streamline uniform change proposals, the official procedure for making changes to uniforms and their accoutrements shall be processed in accordance with the procedure recommended by the Uniform Process Action Team by memo to the National Commander dated 23 June 2009, effective immediately.**

The recommendations by the Uniform Process Team in the 23 June 2009 memo to the National Commander to change CAPM 39-1, Paragraph 1-4, Changes to the Uniform, read as follows

**“a. How to Recommend Changes to the Uniform.** New or changed uniform items may not be authorized without approval of the National Commander, except as specified in Table 1-3 of this manual. This includes such specialty wear as distinctive shirts and other “informal” items worn by groups of members performing similar specialty CAP functions and duties. Unit commanders will forward recommended changes to the uniform, insignia, accessories, or related items, from any CAP member, through channels to National Headquarters/DP (Ms. Parker). The chain of command is the sole vehicle for communicating proposed uniform changes to National Headquarters/DP; any commander in the chain can choose not to forward recommendations. Once received by National Headquarters/DP, recommended changes will be forwarded to the Uniform Committee for review and approval. Recommended changes approved by the Uniform Committee will then be forwarded to the National Commander with a recommended implementation process. The National Commander will then review the recommended changes. Recommended changes approved by the National Commander will be returned to National Headquarters/DP for announcement and implementation.

“Recommended changes not approved at echelons below National will be communicated to the proponent at the discretion or method of the disapproving commander. Recommended changes not approved at National will be announced using a mechanism of mass distribution such as the Uniform Committee webpage or a nationally distributed electronic newsletter.

“Implementation of approved changes to Air Force-style uniforms will be held in abeyance until the recommended changes are approved by the proper USAF authority.

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“Insofar as decorations, ribbons, badges, patches, and all other accoutrements to the uniform are concerned, it will remain the province of the National Board to enact their creation or abolition. However, their initial design, redesign, and proper wear requirements will be processed in the same manner as all other uniform changes. Wing commanders may continue to approve unit organizational patches as authorized by CAPM 39-1, Table 6-4.

### **“b. Composition of the Uniform Committee**

The Chair of the Uniform Committee will be selected using the same procedure used for all other National Staff positions. The Uniform Committee, comprised of 5-10 officers, will report to the National Commander through the National Chief of Staff and will be selected by the Chair with prior approval by the National Chief of Staff and National Commander.

“As with other National Staff positions, the Uniform Committee, including the Chair, will be selected based upon the relevant background and skill possessed by the candidate.

“As members of the Uniform Committee, officers would be expected to hold the membership and overall program above parochial or unit-based loyalties.

“Individuals with substantive knowledge of uniforms either from US military or CAP backgrounds will be sought. Various mission areas will be represented on the committee. The National Historian, the CAP Chief Master Sergeant, and a CAP-USAF advisor, appointed by the CAP-USAF/CC, will serve ex-officio.

“Internal operation of the Uniform Committee will be at the discretion of the Chair.”

**COL JENSEN/SWR MOVED TO POSTPONE and COL CHARLES/NC seconded the postponement until the winter 2010 National Board meeting, with guidance.**

### **THE MOTION TO POSTPONE CARRIED**

FOLLOW-ON ACTION: Guidance was provided as a recommendation that at the time recommended uniform changes go the National Commander they would also have to be posted, in the same manner as items not approved, for a period of 30 days to receive feed-back. After that 30-day feed-back period, then the National Commander would be permitted to confirm or reject a recommended change. Include in the winter 2010 National Board agenda.

## **6. ITEM: National Cadet Competition**

WITH CONCURRENCE, COL NED LEE/National Cadet Senior Advisor briefed the following information background: Currently the National Cadet Competition (NCC) is codified in CAPM 52-4, National Cadet Competition. The process for changing and approving manuals and regulations is not timely or efficient for the members who rely on the guidance to prepare for the competitions, which is a year-round process. This inflexible system does not allow the activity staff to incorporate suggestions from the members on how to improve the NCC. He referenced a “white paper” which was



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distributed to the NEC outlining reasons why a large majority of wings do not participate in the NCC, primarily due to cost and time involved in this activity. He also briefed some of the proposed changes to this activity to allow a wider participation of cadets.

**COL MYRICK/PCR MOVED and COL CHARLES/NC seconded** that the National Executive Committee vote to suspend CAPM 52-4 for two (2) years to allow the NCC to be restructured and improved to better support local units in each wing.

**COL CARR/GLR MOVED TO POSTPONE and COL CORTUM/RMR seconded** the postponement to the winter 2010 National Board so that the wing commanders are included in the decision process.

There was clarification that if the motion is deferred for consideration at the winter 2010 National Board, the competition will be well into the cycle and changes could not be effective for the summer 2010 NCC.

### **THE MOTION TO POSTPONE DID NOT PASS**

### **THE MOTION DID NOT PASS**

FOLLOW-ON ACTION: Col Guimond, Senior Advisor for Support, stated that from a staffing position, he heard a very strong sense that it is time for a change to NCC, and that the staff is being directed to go forward to develop a more finite change that could be presented to the NEC or to the National Board. He added that the Advisory staff will continue to pursue the concept of improving the NCC toward the goals outlined in the "white paper."

**THE NATIONAL EXECUTIVE COMMITTEE MEETING CLOSED AT 1615.**

**THERE WAS AN EXECUTIVE SESSION ON SATURDAY AFTERNOON.**

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### **ADMINISTRATIVE ANNOUNCEMENTS:**

Maj Gen Courter welcomed everyone and thanked all those on the internet streaming for watching and being involved in Civil Air Patrol, the governance that occurs to assist all of the board to perform missions, and to continue the good works of CAP's membership.

Maj Gen Courter stated that Secretary of Defense Gates had called for a moment of silence in respect for the lives lost and for those lives affected by the tragedy at Ft. Hood, TX. She asked everyone in the room and those viewing on the Internet to rise for a moment of silence.

Maj Gen Courter introduced the members of the NEC and their positions: Brig Gen Reggie Chitwood, Vice Commander; Col Bill Ward, USAF, CAP-USAF Commander (who introduced the other Air Force staff); Col Russ Chazell, Chief of Staff (who introduced the CAP Senior Advisors); Col Chris Hayden, NER Commander; Col Joe Vazquez, MER Commander; Col Chuck Carr, GLR Commander; Col James Rushing, SER Commander; Col Steve Kuddes, NCR Commander; Col Joe Jensen, SWR Commander; Col Greg Cortum, RMR Commander; and Col Larry Myrick, PCR Commander; Col Warren Vest, first meeting as National Finance Officer; Col Barry Herrin, National Legal Officer; Col Bill Charles, National Controller; Chaplain, Col, Whit Woodard, National Chief of Chaplains; and Col Merle Starr, National Inspector General.

Gen Courter then introduced Mr. Don Rowland, Executive Director (who introduced members of the National Headquarters staff).

Maj Gen Courter recognized and introduced Col John Tilton, Vice Chairman of the CAP Board of Governors and thanked him for joining us.

She also thanked other people in the room who join us to watch the work of the NEC and to support and assist, especially Col John Mais, Missouri Wing Commander, who helped make the logistics of this meeting not only efficient but also to make it easier for the members of the committee and staffs.

NEC badges were presented to the following new members on the National Executive Committee: Col Chris Hayden, NER/CC; Col Warren Vest/NFO; Col Merle Starr/IG. Congratulations were extended to these officers.

Remarks and update briefings were given by Maj Gen Amy Courter, National Commander; Mr. Don Rowland, Executive Director; and Col Bill Ward, USAF, CAP-USAF Commander.

Maj Gen Courter stated a policy that if new or substituted items of business come before the members of the NEC or National Board, comments from the National Headquarters staff and National Advisors will be solicited.

Maj Gen Courter expressed appreciation for everyone making this meeting a success.