

**BY ORDER OF THE
SECRETARY OF THE AIR FORCE**

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Operations

**BOARD OF GOVERNORS OF THE
CIVIL AIR PATROL**

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This publication implements Air Force Policy Directive 10-27, *Civil Air Patrol*. In collaboration with the Chief of the Air Force Reserve (AF/RE) and the Director of the Air National Guard (NGF/CF), the Deputy Chief of Staff for Manpower, Personnel, and Services (AF/A1), develops personnel policy for Board of Governors of the Civil Air Patrol. This publication may not be supplemented. This publication describes the role, functions and structure of the Civil Air Patrol (CAP) Board of Governors (BoG); the relationship and responsibility of the BoG to the Secretary of the Air Force (SecAF) and other Air Force activities; the procedures for selecting BoG members and Air Force support to the BoG. It applies to all Air Force personnel and organizations.

Refer recommended changes and questions about this publication to the Office of Primary Responsibility using the AF Form 847, *Recommendation for Change of Publication*; route AF Form 847s from the field through the appropriate functional chain of command for approval by SAF/MRM Workflow email address: usaf.pentagon.saf-mr.mbx.saf-mrm-workflow@mail.mil. Ensure that all records created as a result of processes prescribed in this publication are maintained in accordance with Air Force Manual 33-363, *Management of Records*, and disposed of in accordance with the Air Force Records Disposition Schedule located at <https://www.my.af.mil/afirms/afirms/afirms/rims.cfm>.

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appropriate Tier waiver approval authority, or alternately, to the requestor's commander for non-tiered compliance items.

SUMMARY OF CHANGES

This document has been substantially revised and needs to be completely reviewed.

Chapter 1

LEGAL STANDING AND ROLE OF THE BOARD OF GOVERNORS

1.1. Legal Standing and Role of the Board of Governors. The CAP BoG is the governing body of the CAP in accordance with Title 10 United States Code (U.S.C.) § 9447. The BoG is responsible for the effective, efficient and proper management and fiduciary oversight of the CAP, a federally supported congressionally chartered non-profit corporation, subject to requirements of law and federal regulation.

1.2. Roles and Responsibilities.

1.2.1. The Deputy Assistant Secretary of the Air Force for Force Management Integration (SAF/MRM), on behalf of the Assistant Secretary of the Air Force for Manpower and Reserve Affairs (SAF/MR), serves as the primary Secretariat of the Air Force office for Air Force matters pertaining to policy affecting CAP as the Air Force Auxiliary and may represent Air Force interests at BoG meetings.

1.2.2. The BoG shall, in accordance with 10 U.S.C. § 9447, be the governing body of CAP and shall govern, direct, and manage the affairs of the corporation. The BoG shall select, retain, and remove the CAP National Commander who also serves as the Corporation's Chief Executive Officer. The BoG shall select, retain, and remove the CAP Chief Operating Officer. The Board of Governors shall appoint standing committees as required to perform the statutory and regulatory requirements of their responsibilities.

1.2.3. First Air Force (Air Forces Northern) is the principal Numbered Air Force responsible for administrative, legal, and programmatic support to CAP. The First Air Force Commander serves as an ex-officio member of the BoG.

1.2.4. CAP-USAF is the Air Force program office that sets program objectives and defines, monitors, evaluates, and corrects CAP's activities. The CAP-USAF Commander advises the BoG, ex-officio.

1.2.5. The CAP National Commander is the commander of CAP and serves as the Chief Executive Officer of the CAP Corporation, and is responsible for overall control of the organization. He/she will report directly to the BoG, who will select, retain, evaluate performance and remove if necessary in accordance with the Constitution.

2.1. Powers of the Board of Governors. Under Title 36 U.S.C. § 40304, the BoG is directed to exercise the powers granted to CAP as a federally-chartered non-profit corporation, including the power to:

2.1.1. Adopt and amend a constitution, by-laws, and regulations by approval of a majority of the members of the BoG.

2.1.2. Adopt and alter a corporate seal.

2.1.3. Establish and maintain offices in the District of Columbia and the states, territories, and possessions of the United States to conduct its affairs.

2.1.4. Acquire, own, lease, encumber, and transfer property as necessary to carry out the purposes of the corporation.

2.1.5. Sue and be sued.

2.1.6. Perform any other act necessary and proper to carry out the purposes of the corporation.

3.1. Limitations of the Board of Governors. Neither the BoG, nor any other component of CAP, may modify or terminate any requirement or authority set forth in 10 U.S.C. § 9441, *et seq* and 36 U.S.C. § 40301, *et seq*, to comply with 10 U.S.C. § 9447, *et seq*.

4.1. Principal Tasks. The BoG is responsible for the operation of CAP as a federally-chartered non-profit corporation. As described in the CAP Constitution and By-laws, the BoG's will:

4.1.1. Review and determine strategic plans and programs for CAP.

4.1.2. At the corporate or strategic level, direct CAP programs, financial positions, legislative relations, asset allocations, membership, development, and direct improvements to each as needed. The BoG may also consider current and projected policies relating to the effectiveness of CAP support to the Air Force, the nation, and the overall financial and volunteer wellbeing of CAP.

4.1.3. Serve as a pool of expert advisors, either individually or in groups, to various CAP activities. The individual BoG members provide this service at their convenience and subject to their availability.

4.1.4. Select, retain and remove the CAP National Commander, who also serves dual-hatted as the Chief Executive Officer of the CAP Corporation.

4.1.4.1. The BoG may remove by two-thirds majority vote the CAP National Commander for cause, as outlined in the CAP Constitution and By-laws.

4.1.4.2. In the event of death, absence, resignation or removal of the CAP National Commander, the CAP Chief Operating Officer will assume the CAP Chief Executive Officer responsibilities regarding the operation and daily administration of the corporation until the BoG has selected a new National Commander.

4.1.4.3. Under the same circumstances, the National Vice-Commander will only assume, on a temporary basis, all volunteer operational duties of the National Commander until the BoG selects a new National Commander.

4.1.5. Select, retain and remove the CAP Chief Operating Officer.

4.1.6. Oversee the CAP Inspector General Program.

4.1.7. Oversee the activities of the CAP Member Adverse Action Panel.

4.1.8. Assign action items, as required, to the CAP Volunteer Committee structure.

4.1.9. Revise the CAP Constitution and By-laws in accordance with section 2.1. of this instruction.

4.1.10. Inquire into any and all aspects of the CAP volunteer and CAP corporate activities.

4.1.11. Establish standing and ad hoc committees of the BoG, as required, to perform the BoG's roles and responsibilities.

5.1. CAP Relationship with the Air Force. As a nonprofit corporation, CAP has a unique relationship with the Air Force. As set forth in 10 U.S.C. § 9442, CAP is a volunteer civilian auxiliary of the Air Force and the SecAF may use the services of CAP to fulfill the noncombat programs and missions of the Air Force. As set forth in Air Force Headquarters Mission Directive 1-24, SAF/MR provides Air Force oversight of the CAP on behalf of the SecAF. As set forth in 10 U.S.C. § 9444, CAP receives materiel, personnel, and financial support from the Air Force to accomplish programs and missions assigned to it by the SecAF, who may also designate any program or activity of CAP as an Air Force program or mission. As set forth in 10 U.S.C. § 9448, the SecAF governs the conduct of the CAP when operating as the auxiliary of the Air Force, prescribes regulations governing the activities of the CAP and, subject to Secretary of Defense approval, arranging assistance by other agencies to support the CAP as the auxiliary of the Air Force. Furthermore, the SecAF may regulate and oversee CAP corporate activities that are supported by appropriated funds, use assets procured with appropriated funds, or involve matters where CAP's activities could give the appearance of endorsement of the action by the Air Force or could be detrimental to the federal government.

5.1.1. Limitation on the authority of the BoG. The BoG has no authority to establish or exercise authority over any Air Force policy, mission, or activity.

5.1.2. Reporting. The BoG reports regularly and not less than annually, to the SecAF on the status of CAP as the auxiliary of the Air Force. Such reports include CAP's performance in conducting Air Force programs and missions assigned during the preceding twelve-month period and CAP's ability to execute Air Force assigned programs and missions.

6.1. Board Membership. In accordance with 10 U.S.C. § 9447, the BoG is comprised of eleven members. The composition of the BoG is as follows:

6.1.1. Four members appointed by the SecAF. In accordance with 10 U.S.C. § 9447, these appointees may be active or retired officers of any component of the Air Force, employees of the United States, or private citizens. Those members who are active Air Force officers or employees of the United States may be appointed ex-officio and serve a three-year term, and may be extended for one additional term beyond the original appointment.

6.1.1.1. Ex-officio members are appointed by virtue of position, from Air Force general officer and Senior Executive Service positions, of any component of the Air Force. The First Air Force Commander should serve as an ex-officio member to ensure the operational connection between the BoG and the Air Force.

6.1.1.2. With the approval of the SecAF, Air Force personnel serving as acting or temporary occupants of positions previously designated as ex-officio members of the board may serve in the same capacity as Air Force members of the BoG.

6.1.1.3. SAF/MR recommends potential board members to the SecAF for final appointment. SAF/MR notifies the CAP Chief Operating Officer and/or the Chairman of the BoG of changes to the Air Force members of the BoG.

6.1.2. Four CAP Members-at-large. In accordance with 10 U.S.C. § 9447, these members are selected in accordance with the constitution and by-laws of the CAP.

6.1.3. Three members from interested organizations. In accordance with 10 U.S.C. § 9447, the final three members of the board are selected from among the personnel of any

Federal Government agencies, public corporations, nonprofit associations, or other organizations that have an interest and expertise in civil aviation and the CAP mission.

6.1.3.1. These members are appointed jointly by the SecAF and the National Commander of the Civil Air Patrol.

6.1.3.2. Per 10 U.S.C. § 9447 (c)(2), any vacancy in the position of a member of the BoG under section 6.1.3. of this instruction that is not filled within 90 days will be filled by an individual selected by majority vote of the other members of the BoG.

6.1.4. **Chairman.** In accordance with 10 U.S.C. § 9447, the Chairman is selected by the members of the BoG from members appointed by the SecAF and CAP members selected at-large in accordance with the constitution and by-laws of the CAP. The Chairman is selected from, and alternates on a two-year basis between, the Air Force and CAP members of the BoG. The Chairman is responsible for the overall direction and effectiveness of the BoG.

6.1.5. **Term Length.** Term lengths for board members are set at three years to provide continuity for CAP operations. However, if selected based on active duty assignment, they serve until the duty assignment changes. Non-active duty members may be extended for one additional term.

6.1.6. **Removal of BoG members.** As needed, members of the BoG may be removed for cause (based on a breach, misfeasance, or other inappropriate action). The SecAF possesses removal authority for Air Force appointed members. The BoG possesses removal authority for those CAP members-at-large appointed in accordance with the constitution and by-laws, who may be removed from office by the affirmative vote of two-thirds of the members of the BoG, not counting the subject member-at-large. Members jointly appointed by the SecAF and the CAP National Commander can be removed through joint action of the two appointing authorities.

7.1. Air Force Personnel Participation. Air Force personnel who are not BoG members, both civilian and military, may be invited to participate in BoG activities. Air Force military and civilian personnel may take part in BoG meetings in non-deliberative, informational or administrative roles. Attendance of such supporting Air Force personnel is at the pleasure of the Chairman. The CAP-USAF Commander serves as an advisor to the BoG, ex officio, and attends its meetings. Air Force members may be reimbursed for travel by their organization.

8.1. BoG Meetings. At the call of the BoG Chairman, the BoG meets in-person at least three times each year. Additional meetings of the BoG are authorized to address topics or problem areas that are time-dependent. The Chairman schedules and convenes the meetings as required with proper notification and approval of the BoG members.

SHON J. MANASCO
Assistant Secretary of the Air Force
(Manpower and Reserve Affairs)

Attachment 1

GLOSSARY OF REFERENCES AND SUPPORTING INFORMATION

References

Air Force Policy Directive 10-27, *Civil Air Patrol*, 2 July 2018

Air Force Manual 33-363, *Management of Records*, 21 July 2016

AFI 33-360, *Publications and Forms Management*, 1 December 2015

Title 10, United States Code §§ 9441-9448

Title 36, United States Code §§ 40301-40307

Adopted Forms

AF Form 847, *Recommendation for Change of Publication*

Abbreviations and Acronyms

AFI—Air Force Instruction

BoG—Board of Governors

CAP—Civil Air Patrol

CAP-USAF—Civil Air Patrol United States Air Force