



OFFICE OF THE NATIONAL COMMANDER
CIVIL AIR PATROL
UNITED STATES AIR FORCE AUXILIARY
MAXWELL AIR FORCE BASE, ALABAMA 36112-6332

28 April 2011

MEMORANDUM FOR ALL NATIONAL BOARD MEMBERS

FROM: CC

SUBJECT: INTERIM CHANGE LETTER - CAPR 35-3, *Membership Termination*

1. In accordance with Article XX, paragraph 4 of the CAP Constitution, the Board of Governors has directed the National Commander to modify portions of CAPR 35-3 to address circumstances in which the National Commander is the initiating commander of a membership termination.

2. Effectively immediately, paragraphs 8 and 10 of CAPR 35-3 are amended to read as follows:


8. **Action To Be Taken on Appeal.** Normally, within 10 days of the receipt of a timely appeal from a member, the approving authority will appoint an appeal board on orders and name a chairperson hereto to consider the appeal and report its findings. The appeal board will consist of a minimum of three CAP officers, including the chairperson, who should be equal or higher in grade to that of the terminated member. Only those members who can impartially judge the case will be appointed to serve on the appeal board. *In circumstances in which the National Commander is the initiating commander, the approving authority shall be the National Vice Commander.*

10. **Action by the Approving Authority:**

a. The approving authority will review the report of the proceedings and take final action in the case. If the appeal board has recommended retention of the appellant, the approving authority's action may not provide for termination. In the event the appeal board recommends termination, the approving authority may either approve that recommendation or disapprove it, whereby the appellant will be retained in the CAP. The approving authority's action normally will be taken within 10 days after receipt of the appeal board report and the appellant notified by appropriate letter sent by the approving authority. The appellant's commander will also be furnished a copy of the approving authority's action. The decision of the approving authority is final and will not be the basis for any further appeal or complaint, *subject to the provisions of CAPR 35-8.*

3. In addition, CAPR 35-3, Attachment 1, *Approving Authority for Membership Termination for Cause*, has been revised and attached to this ICL.

4. This will be incorporated into CAPR 35-3 as soon as possible. Please contact the NHQ/DP staff for questions regarding this instruction or for assistance.


AMY S. COURTER
Major General, CAP
Commander

Attachment:
CAPR 35-3, Attachment 1

cc:
NHQ/EX/EXA/ED/ DP/GC/EXS/
CAP Senior Advisors
CAP-USAF/CC/CV

ATTACHMENT 1. APPROVING AUTHORITY FOR MEMBERSHIP TERMINATION FOR CAUSE

RULE	A	B
	IF TERMINATION PROCEDURE IS AGAINST	THEN THE APPROVING AUTHORITY IS
1.	National Board Member	National Commander
2.	Region Member	National Commander
3.	Wing Member	Region Commander
4.	Group Commander	Region Commander
5.	Squadron Commander Not Under a Group	Region Commander
6.	Squadron Commander Under a Group	Region Commander
7.	Group Member	Wing Commander
8.	Squadron Member Not Under a Group	Wing Commander
9.	Squadron Member Under a Group	Group Commander
10.	Flight Member	Group Commander (or Wing Commander if flight is not under a group)

NOTES:

- a. If a membership termination action is initiated by National Headquarters, the approving authority will be the National Commander.

- b. If the membership termination action is initiated by the National Commander, the approving authority will be the National Vice Commander.*