



OFFICE OF THE NATIONAL COMMANDER
CIVIL AIR PATROL
UNITED STATES AIR FORCE AUXILIARY
MAXWELL AIR FORCE BASE, ALABAMA 36112-5937

ICL 23-03
25 September 2023

MEMORANDUM FOR ALL CAP UNIT COMMANDERS

FROM: CAP/CC

SUBJECT: Interim Change Letter – CAPR 20-2 (30 November 2020), *Complaint Resolution*

1. This interim change letter immediately changes CAPR 20-2, *Complaint Resolution*, and will remain in effect until CAPR 20-2 is revised. Compliance with this letter is mandatory.

2. CAPR 20-2, Section 6, *Whistleblower Protection*, is replaced with the following:

6.1 Whistleblower protection is applicable to all CAP members and serves to protect against reprisal or abuse of authority toward members who disclose information they reasonably believe to be evidence of gross mismanagement, gross waste of funds, abuse of authority, a violation of law, rule, or regulation related to the Grant/Cooperative Agreement Award, or a substantial and specific danger to public health or safety to any of the persons or bodies listed below:

6.1.1 A Member of Congress or a representative of a committee of Congress

6.1.2 An Inspector General (i.e., DoD, AF, CAP-USAF)

6.1.3 The Government Accountability Office (GAO)

6.1.4 An employee of the Department of Defense (DoD) responsible for grant oversight or management (i.e., the Air Force Program Office (CAP-USAF) or the Grants Officer)

6.1.5 An authorized official of the Department of Justice or other law enforcement agency

6.1.6 A court or grand jury

6.1.7 A management official or other employee of CAP who has the responsibility to investigate, discover, or address misconduct

6.2 The following paragraphs apply to protected communication (PC) with any of the persons or bodies listed under 6.1.

6.2.1 Restriction – No person shall restrict or threaten to restrict a member of CAP from making a PC.

6.2.2 Reprisal – No person shall reprise or threaten reprise against a member for making or preparing to make a PC.

6.2.3 Restriction and/or Reprisal are in violation of CAP Whistleblower Protection policy and may result in administrative and/or disciplinary action. The NCRO will conduct an acid test to determine reprisal.

6.2.4 A Whistleblower complaint is handled as a special case investigation separate from any other related investigation(s). Adverse Member Action appeals, related to the Whistleblower Complaint, cannot be made to the Membership Action Review Panel (MARP) until the NCRO has resolved the complaint.

3. CAPR 20-2, Attachment 2, *Glossary*, adds new definitions at 30 and 31, Gross Mismanagement and Gross Waste of Funds, respectively. Remaining definitions are renumbered starting at 32.

30. Gross Mismanagement. A management action or inaction that creates a substantial risk of significant adverse impact on CAP's ability to accomplish its mission. The matter must be significant and more than simple wrongdoing or negligence. It does not include management decisions that are merely debatable among reasonable people.

31. Gross Waste of Funds. An expenditure that is significantly out of proportion to the benefit reasonably expected to accrue to Civil Air Patrol or the government (i.e., reasonableness).

4. This change ensures compliance with the Grant/Cooperative Agreement Award regarding CAP's Whistleblower Protection policy. For comments or questions regarding this Interim Change Letter, contact CAP/IG at ig@capnhq.gov.



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