

Testimony of Colonel (Retired) Gerald Silva  
With Respect to HB523  
721-7475

**LATE TESTIMONY**

Aloha; I'm Colonel (Retired) Gerald Silva and I served for over 31 years in the Hawaii Army National Guard (HIARNG). I retired in November 1994 after serving as the HIARNG chief of staff for over 11 years. The Guard today—both Army and Air—is a better trained, better equipped, and more professional organization than the one that I left over 18 years ago. They have done a superb job on deployments in the Middle East. Much of that progress is due to the hard work of the senior leadership that has guided the Hawaii Department of Defense over past two decades, and Hawaii owes them all a debt of gratitude.

However, I have great reservations about HB523 as drafted. The bill is badly written and even contradicts itself. HB523 requires minimal qualifications (federal recognition as a major) within a very narrow field of eligibles (members or former members of the Hawaii National Guard (HING)). The entry level qualifications need to be raised and the restrictions on HING membership need to be lifted to expand the area of consideration. As a minimum, applicants should be federally recognized at the O-6 level (the equivalent of a colonel) and be graduates of a senior service college (Army, Navy, National War College or equivalent). The ability to be confirmed as general officer by the United States Senate should also be considered.

The Adjutant General (TAG) is a member of the Governor's cabinet. The people of Hawaii deserve the best possible leadership in all cabinet positions, especially from the Adjutant General who bears the responsibility of ensuring that our sons and daughters are properly trained, equipped and led before they are ordered to federal active duty and placed in harm's way. The Adjutant General also serves as the Director of Civil Defense with the responsibility for planning for and responding to natural disasters and possible civil unrest. It is a very important cabinet position.

Officers of the Hawaii National Guard should be the primary candidates for the position of The Adjutant General (TAG), but they should not be the only officers who may be considered. The Hawaii Guard is relatively small in comparison to other states. Its leadership core is comparably small. By restricting choices to only members and former members of the Hawaii National Guard (HING), it allows even marginally qualified members and former members to apply. But, as written, HB523 precludes the Governor from considering eminently qualified guard members from other states, from other reserve components, and from those—including sons and daughters of Hawaii—who have performed with distinction in the active components.

National Guard units are organized in 50 states, the District of Columbia and three territories. In its 2013 Posture Statement, the National Guard Bureau placed the end strength of Army Guard of the United States at 358,200. The Hawaii Army National Guard is less than one percent of that. Air

Guard end strength at the national level is listed as 106,700. The Hawaii Air National Guard is about two percent of that. Even if the entry level rank were set at lieutenant colonel, the pool of officers (including doctors, lawyers, chaplains, etc.) eligible to become TAG would be about two percent of the overall force. Keep in mind that not all highly qualified officers would apply, and some qualified applicants would be marginal. If you include retirees over a five-year period, the pool is still limited. Governors of larger states (including California with a National Guard four times the size of Hawaii's) have felt the need to look beyond their Guard organizations to find a TAG with whom they were comfortable. Hawaii should not limit the choices of future governors. I have the following specific concerns.

Those with Distinguished Active Component or Other Reserve Component Experience are Excluded.

The relationship between the Guard, other reserve components, and the active component has grown increasingly close. Over the years, both the Hawaii Army and Air National Guard have worked closely with active component counterparts and other reserve organizations. While there are some differences between active component and Guard operations, there is more common ground.

Several former PACOM commanders reside in Hawaii, with a great deal of knowledge of the region, high-level military assignments and contacts worldwide. Under the requirements imposed by HB523, a future Governor could not consider them. To use an extreme example, General (RET) Eric Shinseki could not be approached in the future if this bill passes.

Officers in Other Guard Organizations are Excluded.

While there may be some differences between Guard programs and those of the active component, there is little if any difference in programs between National Guard organizations in different states. If anything, federal programs in larger states are more complex. With respect to the state mission, a case can be made that the mission is more difficult in states other than Hawaii. Units in Gulf States frequently respond to hurricanes. Those on the Eastern Seaboard continue to be called out to work with FEMA after major storms. Western States respond to wildfires. But, highly-qualified National Guard leaders in those other states could not be considered for TAG in Hawaii.

The Department of Defense has Benefitted from Selection of Those Outside the Department.

Over the years, the Hawaii Department of Defense has benefited by bringing in new senior leadership from outside the Organization. Let me give you a few examples.

- 2013. Earlier this year, the department hired lieutenant colonel (Retired) Doug Mayne of the Washington Army National Guard to head the Civil Defense Division. If there is a need to expand the area of consideration to ensure a highly qualified division head, it would seem illogical to restrict the area of consideration for the head of that same department.

- 2000. The selection of California Guard Colonel Albert (Putt) Richards to command the HIANG's 154<sup>th</sup> Wing while the HIANG leadership matured. Colonel Richards was promoted to brigadier general in the HIANG and, after three years, became the Mobilization Assistant to the PACOM Commander, retiring as a Major General.
- 1985. The transfer directed by Governor John Waihee of Colonel Eugene S. Imai (a Vietnam Veteran) from the Pacific Army Reserve to commander of the Hawaii Army National Guard. I was privileged to work as General Imai's chief of staff and I can attest to the fact that he did a superb job, especially in developing a leadership succession plan that continues to benefit the HIARNG today. In 1996, he became the Deputy Commanding General (Reserve Components) at the U.S. Army Pacific and was promoted to the rank of Major General.
- 1987. The appointment Army Colonel (Retired) Roy Price as Vice Director of State Civil Defense in 1987 after he retired as Chief of Staff of the U.S. Army's Western Command. On active duty, he worked closely with Guard and Reserve units in Hawaii, Alaska, American Samoa and Guam. Roy was responsible for much of the planning that is crucial to the Guard's state mission. He was a major player and worked closely with FEMA in the recovery efforts after Hurricane Iniki. The point is this; in spite of his credentials on active duty and in spite of his contributions to the Hawaii Department of Defense, Roy Price could not have been considered for the position of TAG under the terms of this bill.
- 1966. The appointment by Governor John A. Burns of retired Air Force three-star general Benjamin J. Webster as the Adjutant General of Hawaii. General Webster was a Punahou and West Point graduate, a graduate of the National War College, and commander of NATO air forces in Southern Europe. He was appointed by Governor Burns to resolve a contentious command climate in the HIARNG. Governor Burns would not have had that option under the provisions of this bill. During General Webster's tenure, the HIARNG went through a major reorganization of its Air Defense units and General Webster also established a closer relationship between the Army's 25<sup>th</sup> Infantry Division and the HIARNG's 29<sup>th</sup> Infantry Brigade. I worked on General Webster's staff, and he left the Hawaii Guard better than he found it.

It has not been the department's practice to restrict competition for senior positions in the past. If senior leaders can be brought in to head the department's divisions, I see no reason to restrict the Governor's choice at the cabinet level.

#### The Federal Recognition and Confirmation Processes Support the Appointment of Qualified TAGs.

Governors are accountable for their actions and need to have a range of options in selecting members of their cabinets. In a small state such as Hawaii, we need to remove, not create, limits that don't make sense. The federal recognition process, military education requirements, assignments, and military performance evaluations do a good job of ensuring quality in military organizations, to include

the Hawaii National Guard. The confirmation process by the Legislature is the vehicle to ensure that only the most competent nominees are appointed to cabinet positions.

It has been over six decades since World War II ended and the Hawaii Army National Guard was reconstituted and the Hawaii Air National Guard organized. During this period only two TAGs have been appointed and confirmed who were not members of the Hawaii National Guard. I did not have the privilege of working with Major General Lee, but I served under Lieutenant General (Retired) Webster. Under the circumstances of the time, Governor Burns did the right thing by appointing him and I would hope that future governors would have similar options under similar conditions.

HB523 May Not Comply with the Hawaii State Constitution.

I am also concerned because HB523 requires five years of membership in the Hawaii National Guard. That may be a de facto residency requirement and may not meet a legal challenge. That needs to be resolved.

Officers of the Hawaii National Guard are Highly Competitive Now and Will Continue to be Without the Enactment of HB523 in its Present Form.

Since I first entered the Hawaii Army National Guard in 1963, I have seen great progress, especially during the past decade. Far more members now attend senior service colleges. Active duty assignments at major commands and at the National Guard Bureau are far more available, and participation in global exercises and deployments add to competence of today's Guard officers as they blur the line between active and reserve units. All of this produces more qualified National Guard officers for any position, including that of TAG.

In conclusion, HB523 sets low standards for future Adjutants General, is overly restrictive, and should not pass in its current form. Thank you for this opportunity to testify.

**LATE TESTIMONY**

Testimony on House Bill 523  
A bill relating to the National Guard  
To

The House Committee on Veterans, Military,  
& International Affairs & Culture and the Arts

Chairman Mark Takai, Vice Chairman Ken Ito and members of the Veterans, Military, and International Affairs & Culture and the Arts Committee:

I am Edward V. Richardson, Major General, USAF (Ret), and former State Adjutant General for the State of Hawaii. I am here to testify on HB 523 which will "Prohibit a person from being eligible to serve as the Adjutant General unless the person has had at least 5 years of service as an active commissioned officer in the Hawaii National Guard".

The wording on the proposed amendment sounds self-serving and protective of the officers now serving in the Hawaii National Guard. However, the wording as presented is the same as forty-nine other states in our nation.

I am not here to protect the self-interests of the National Guard; rather I am here to insure that we work toward getting the best-trained, best-qualified leader for the Adjutant General's position.

There is no school in the US Military or the civilian sector that trains someone to be an Adjutant General. If there were such a school it would have to include courses such as:

- How to lead and manage the Army National Guard.
- How to lead and manage the Air National Guard.
- How to supervise the Emergency Management program for a state.
- How to oversee the Veterans program for a state.
- How to run a State Counter Drug Program.
- How to manage the State's Chemical, Biological, Radiological, Nuclear and Explosive Enhanced Response Force Package Team.
- How to manage the State's Youth Challenge program.
- How to oversee the Hawaii Air National Guard's role in the Hawaii Air Defense System.

And there are others that I missed. This hypothetical school will need to insure that the courses presented include: Laws and regulations, budgeting procedures, pay procedures, facilities, equipment, personnel hiring and training requirements for each entity mentioned.

And, because funding comes from State and Federal sources, there are numerous audits conducted by the Air Force, Army, GAO, FEMA, US Audit Agency, Safety offices, and the State Auditor.

My point is that the In-coming Adjutant General needs to be trained before assuming his duties and the time and place to train him/her would be the time spent in the Hawaii National Guard.

I was lucky in that I was able to serve in various positions within the National Guard where I was able to learn things that prepared me for the position. I served during Hurricane Iwa, I was assigned to Headquarters, HIANG where I learned the budgeting process and was taught how to do long range planning and how to deal with the National Guard Bureau and the Active Air Force. I also learned how to work with the Army National Guard and State Civil Defense.

Prospects for the Adjutant General's position should come from the flag officers and Colonels within the Hawaii National Guard. A training program needs to be established that is all-inclusive and covers areas mentioned above as a minimum. The incumbent Adjutant General is key in setting up this training program.

As we all know, the Governor of the State of Hawaii is the person that selects the Adjutant General to serve on his cabinet. He needs to know that there are trained and qualified people ready to serve on his team. If he is not satisfied with his choices then he should have the prerogative to conduct a nation wide search within the National Guard.

Thank you for you kind attention. Are there any questions?

TESTIMONY ON HOUSE BILL 523  
A BILL RELATING TO THE NATIONAL GUARD

PRESENTATION TO  
THE HOUSE COMMITTEE ON VETERANS, MILITARY,  
& INTERNATIONAL AFFAIRS, & CULTURE AND THE ARTS

BY

BRIGADIER GENERAL JOSEPH K. KIM  
February 13, 2013

LATE TESTIMONY

Chair Takai, Vice Chair Ito, and Members of the Veterans, Military, & International Affairs, & Culture and the Arts Committee:

I am Brigadier General Joseph K Kim. I am testifying IN SUPPORT of House Bill 523 with recommended amendments.

I support the bill and its intent to provide some criteria selection of the Adjutant General. I strongly recommend the following amendments. In Section 1(2) to read - "possess at least five years of service as an active commissioned officer in the National Guard, whether Army or Air" vice "Hawaii National Guard". In Section 2 (1) to read "Hold or has held a commission of at least the rank of colonel (O-6)" vice "field grade officer".

The two recommended changes above are essential in attempting to quantify the leadership and professional qualifications necessary to be an effective Adjutant General.

The Adjutant General is a Cabinet member, with multi-faceted departmental responsibilities, being the Commander for the State's 5,500 Air and Army National Guard, Director for Civil Defense and Homeland Security Advisor for the Governor.

Foremost a military leader, the Adjutant General will, or has been through a stringent Federal recognition, a screening process requiring Presidential approval and United States Senate confirmation. The minimum grade suggested more effectively insures that an appointed Adjutant General, having achieved the rank of Colonel (O-6) will have the training and qualifications necessary to be promoted to the rank of General Officer in a timely manner.

Our Hawaii Army and Air National Guard are unique, complex, have dual Federal and State roles with the Air National Guard in particular containing the most complex flying organization in the United States. In addition, the Hawaii National Guard is a participant in the National Guard-led State Partnership Program. In the Asia Pacific Region, Hawaii has Indonesia as a State Partner, where the National Guard's capability in domestic operations are instrumental in building lasting partnerships, helping to foster stability in what our national strategy sees as the next focus area. The State mission of the National Guard in domestic operations, is a capability resident only within the National Guard, and is the only organization lawfully authorized for immediate disaster response to a Governor. An Adjutant General without National Guard experience would not have a functioning knowledge of this domestic capability.

In summary, to understand and effectively lead the National Guard, its dual Federal and Domestic missions, it is of utmost importance that a person has experience and service as a National Guard commissioned officer.

Thank you for the opportunity to testify in support with recommended amendments to House Bill 523



# LATE TESTIMONY

Testimony in Support of HB523

Mr. Chairman,

I am Thomas S. Ito, a retired Brigadier General and am here to testify in favor of the inclusion in the Hawaii Revised Statutes to require the Adjutant General nominee to have as a minimum 5 years experience in the National Guard before appointment to the position.

This is a logical amendment to the statutes as it will update and reflect the minimum qualifications of the Adjutant General to meet the demands of the modern National Guard and its specific Federal and State mission requirements. Reasons for my support are:

First and foremost is the National Guard is no longer a rag tag militia and a second rate organization with obsolete equipment as in previous years, but it is a full fledged partner with the Active Forces as evidenced by the mobilization of the Hawaii Army National Guard's 29<sup>th</sup> Bde and other units and the active support provided by the Hawaii Air National Guard in the Air Defense, Transport, Refueling and Communication missions with the US Air Force. The vital importance of the Guard in the recent appointment of the Chief, National Guard Bureau as a full member of the Joint Chiefs of Staff along with the Regular Army, Navy, Air Force and Marine Corps reporting directly to the Secretary of Defense.

Second and of equal importance is this change will allay the demoralizing affect on the morale of the fully qualified members of the Hawaii National Guard and the affect on the continuity of operations when the current "no minimum experience" criteria is applied and the selection is made of the Adjutant General under this criteria.

Having spent 4 years of active duty in the Pentagon in the office of the Chief, National Guard Bureau and 4 years as the Deputy Adjutant General I am fully aware of the relationship of the State Adjutants General and the Chief, National Guard. It is one of mutual respect, trust, full knowledge and understanding of the Guard. The wise counsel and advice provided by the Adjutant General is utilized by the Chief, National Guard Bureau to justify the State's National Guard's force structure, budget and mission requirements in personnel, training, maintenance, logistics and military construction.

Based on the forgoing, it is my sincere belief that the individual to be appointed as the Adjutant General must have the National Guard experience and perspective in order to fully and effectively function as the chief advisor to the Governor and the Chief, National Guard Bureau on state National Guard matters. I strongly recommend favorable consideration of the amendment.

Thomas S. Ito

Brig Gen (ret)