

STATE OF HAWAII
DEPARTMENT OF DEFENSE

TESTIMONY ON HOUSE BILL 2437
A BILL RELATING TO THE DEPARTMENT OF DEFENSE

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

BY

MAJ GEN DARRYLL D. M. WONG
ADJUTANT GENERAL AND DIRECTOR OF STATE CIVIL DEFENSE
February 4, 2014

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

I am Major General Darryll Wong the current Adjutant General for the State of Hawaii. Thank you very much for allowing me the opportunity to address this committee.

I am writing to **strongly oppose** HB 2437. The proposal to dismantle the organizational structure of the current State Department of Defense by creating a civilian director and placing State Civil Defense and Homeland Security functions under this position and relegating the Adjutant General to be a Vice-Director under and answering to a civilian position and solely manage the National Guard without direct appointment or access to the Governor is not efficient, effective or serves any functional improvement. It only adds an additional layer to any response and added cost to the current structure.

The current threats to the State of Hawaii have changed and will continue to change. To plan, respond, mitigate and recover from any disasters or terrorist activity needs to be swift and agile. The current structure with the Adjutant General appointed directly and reporting to the Governor and holding three very critical and interrelated functions in State Civil Defense, Homeland Security, and the National Guard is and has been highly successful.

In my last three years as the Adjutant General, we have responded very effectively to the Japan tsunami, flash flooding, and worked closely with all local, State, Federal law enforcement, Pacific Command (PACOM) and Department of Defense in Washington to provide a safe and successful APEC. The relationships built are continuing and these same relationships are the same ones that we use in times of a natural disaster or a terrorist event.

Having these three functions under the Adjutant General provides tremendous synergy and total coordination in strategic planning, command and control, and swift and effective response. None of which are separate from one another. We plan in Homeland Security to protect Hawaii from a terrorist event. But if that event occurs the response will be using all three hats that the current Adjutant General holds.

For example, a terrorist event will lead to needed additional security and then consequence management. In the planning and preparation for this the Adjutant General is well suited to work with all local first responders and all local and Federal law enforcement to prepare and then execute the plan.

Examples of what I am referring to:

1. In his role as head of SCD: The TAG understood in the past and now that the State needs airlift capability to assess using not only people but technology, and the need to communicate to everyone. So today, the Hawaii National Guard in response to those needs has through the years built this capability with the most updated helicopter in the UH-60, CH-47, and LUH 72. The Hawaii Air National Guard has acquired the C-17 that can carry a large load and land almost any runway in the State. They also acquired the KC-135 to provide additional airlift. They are also the only Air National Guard unit in the Nation to own the latest fifth generation fighter, the F-22, that sits alert guarding Hawaii and the nation from our most western location. The Hawaii Air National Guard also acquired the mission Eagle Vision that can give Hawaii commercial satellite imagery anytime we have a natural disaster. We also worked with the Civil Air Patrol to provide them with use of a capability to provide commercial streaming video that can now be pushed to the Governor and all Mayors after a natural disaster. For communications, the Hawaii National Guard has strategically placed combat communication units on all the neighbor islands to provide the county mayors with the ability to communicate back to Oahu if all power and communications on their islands were down. The Hawaii National Guard Combat Communications units also provide all emergency responders the ability to link their radios together to be able to talk to one another.

2. In the role of Homeland Security Advisor: For example, Cyber security and critical infrastructure protection is key for the resilience and economy of the State of Hawaii. The Adjutant General with his ability to work in the Pentagon, Department of Homeland Security, Pacific Command, the National Guard Bureau, with the University of Hawaii and the White House appointees and with the trust of the Federal Bureau of Investigation (FBI), the private sector (banks, airlines, communication company), utilities (power and water), to bring everyone together and have them understand the problem in Hawaii and work together to provide solutions to this problem. The State Fusions Center was improved upon by direction of the TAG with the hiring of a strong Director and bringing in a DHS analyst with strong background in cyber. The State Fusion Center's role is to work with all sectors to share their cyber-attacks and provide analysis back to these sectors to help them. We are currently working to create the capacity to respond. We have begun working with utilities and private sector to not only define the criticalities of their infrastructure but also define their interdependencies and the nodes that connect them that will result in a cascading effect if attacked. The strategic plan for the Hawaii National Guard is working to move to cyber missions to provide the people of the State of Hawaii cyber capability to do vulnerability assessment as well as cyber protection teams. The Hawaii National Guard has been instrumental in building the first "cyber range" in Hawaii and now working with the University of Hawaii to take on the range and develop degree and curriculum that will support PACOM and the Hawaii National Guard to train cyber warriors.

All of what I just described shows how these three functions under the Adjutant General provide tremendous synergy and the ability to see the need, to plan together in all areas, and strategically move the National Guard in missions that support them.

The Adjutant General in his years in the military and the National Guard has trained, participated in and lead in areas of emergency management, Homeland Security, and leading the National Guard. His selection as a General is a result of a deliberate process that looks critically at his whole career. This ensures he has the training, experience, proven ability to plan, execute and lead.

In summary, this bill does not add any value or make the Department of Defense any stronger or more efficient or more effective than the current structure that exists. It adds a layer of

civilian control that is not needed. The Adjutant General and the Governor commands the Hawaii National Guard. The Adjutant General does not need to answer to a civilian who may know nothing of the National Guard and in time of a natural disaster or terrorist event should have direct access to the Governor to respond more swiftly and be accountable to the Governor and the people of the State of Hawaii.

Thank you for the opportunity to provide testimony in opposition of HB 2437.

TESTIMONY ON HOUSE BILL 2437
A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF DEFENSE

PRESENTATION TO THE
HOUSE COMMITTEE ON Veterans, Military & International Affairs & Culture and the
Arts (VMI)

BY

Brigadier General Joseph K. Kim
February 4, 2014

Chair Takai, Vice Chair Ito and Committee Members:

I am Brigadier General Joseph K. Kim, State Deputy Adjutant General, Hawaii National Guard and I am testifying in OPPOSITION of House Bill 2437. I apologize that my travel on behalf of our Adjutant General prevents me from testifying personally.

First, this bill proposes to dismantle the current leadership structure of the Hawaii National Guard, a proven structure which enabled the call-up and distinguished service of the Hawaii National Guard for all major conflicts from World War II to Operation Enduring Freedom/Iraqi Freedom. In addition, Hawaii Guard members have rapidly and effectively responded to a wide range of natural disaster in domestic and international locations including: Hurricane Ewa, Hurricane Iniki, the 2007 Island of Hawaii earthquake, the tsunami generated from the 2011 Tohoku Earthquake, as well as in Samoa and the Philippines. This structure has enable rapid response and coordinated effort of the Hawaii National Guard with State Civil Defense and other federal, state and local agencies.

Second, the Adjutant General is foremost a military leader, possessing decades of extensive experience, training and military leadership positions. This experience and status is essential as a Federal officer and a State Cabinet member that leads and represents the Hawaii National Guard with the Pentagon, Congress, Pacific Command

(PACOM), all the head of the services here in Hawaii, Federal law enforcement, all local law enforcement, as well as the private and public sector.

Third, this bill intends to demote from Director level and strip the responsibilities of Director of Civil Defense and Homeland Security Advisor from the Adjutant General. The three concurrent roles the Hawaii State Adjutant General holds serves to increase preparedness, coordination and unify efforts in response to natural and man-made threats and disasters.

Last, the bill intends to severely cut the salary for the State Adjutant General. This is detrimental in that senior ranking subordinates will earn more than twice the proposed salary of the Adjutant General. Accordingly, the pool of legitimate, qualified candidates willing and able to absorb will diminish.

This bill will initially save salary costs, but will irreparably harm our state's readiness and status as a premier National Guard unit. Thank you for the opportunity to testify on this measure.

STATE OF HAWAII
DEPARTMENT OF DEFENSE

TESTIMONY ON HOUSE BILL 2437
A BILL RELATING TO A RESTRUCTURE OF THE DEPARTMENT OF DEFENSE

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

VERN T. MIYAGI
EXECUTIVE OFFICER – STATE OF HAWAII CIVIL DEFENSE

February 3, 2014

Chair Takai, Chair Ito, Committee members:

I am Vern T. Miyagi, Executive Officer, State of Hawaii Civil Defense, State Department of Defense. I am providing written testimony in strong **OPPOSITION** of HB 2437.

During my 28 year career with the Hawaii Army National Guard (HIARNG), I served as the ground operations officer for Joint Task Force (JTF) Iniki during the relief efforts on Kauai, as the Director of Military Support (DOMS) for numerous disaster response and security exercises and events, as the HIARNG JTF commander during the Asian Development Bank security operation, as the Commanding General of the HIARNG, as the primary advisor to U. S. Pacific Command for disaster response and homeland security, and as the senior advisor to the military JTF commander for the Asia Pacific Economic Conference. I retired in July 2009, and am now serving as the Executive Officer at State Civil Defense (SCD).

I stand **strongly in OPPOSITION** to this bill based on the following considerations:

1. **WHY?** Right now the current structure (with the inclusion of a separate Homeland Security Division passed by last year's legislature) is working efficiently and effectively. It has successfully handled numerous deployments of Hawaii National Guard units, a variety of state disasters and emergencies, and other contingencies. At this time, I see no real need for any structural change in the DOD. The current structure has been validated by actual events.

2. Need for A Military Background: A key lesson learned after Hurricane Iniki was that the dual-hatting of the Adjutant General (TAG) and the Director of Civil Defense was a critical factor in the successful response. The TAG, as a senior military officer, fully understood the military capabilities (National Guard and Active Component) available to the state and directed the right military resources to the right places at the right time. With their military backgrounds, the TAGs have consistently developed and sustained important professional and personal relationships with the commanders of PACOM and its subordinate military commands through joint exercises, operations, collaboration, and many other joint functions. They relate directly with each other due to their mutual military backgrounds and experience. The trust and credibility developed by these relationships are critical factors in any successful disaster response. A civilian Director of Defense, even if a military retiree, would not have this ability and the proposed change would diminish all of the relationships that are currently in place.

3. Inadequate Level of Security Clearance: Right now, as a serving senior military officer, the TAG has the appropriate level of security clearance that enables him to coordinate directly with the major active duty components in a wide variety of issues. A civilian director would not have the same level of security clearance. As a senior military retiree, I am unable to achieve the same security clearance as the TAG.

4. Unnecessary Additional Layer of Civilian Coordination: The proposed structure in HB 2437 creates a new civilian Director of Defense position and places the TAG in a vice director position. This adds an additional layer of civilian supervision between the military component of the DOD and the Governor/Cabinet. At State Civil Defense we rely on the expertise of the TAG to plan for and secure the appropriate capabilities from the military, both HING and Active Duty. We should work this directly through the TAG, not a civilian Director. This additional layer will reduce the efficiency, timeliness, and effectiveness of any response to the hazards that face Hawaii. This additional civilian layer would require additional staffing, secretarial, administrative, etc. to make it fully functional. If this staff comes from the existing divisions – then we all suffer.

Vern T. Miyagi – Testimony In **OPPOSITION** to HB 2437

I see no value added by this additional layer of civilian supervision.

5. Retention of the Deputy Adjutant General (DAG): The TAG has many responsibilities: Commander, Hawaii National Guard; Director State Civil Defense; Director Homeland Security Division; Homeland Security Advisor to the Governor; State Administrative Agent; Youth Challenge; State Veterans Affairs; etc. The DAG position is necessary to support the TAG in his numerous DOD responsibilities and to act with his authority in his absence. It should be retained. The DAG should also have the senior military background as discussed in the previous paragraphs for the TAG.

6. Summary: Hawaii is unique and very fortunate to have a major military geographical command (U. S. Pacific Command) and many of its component units situated within the state. They have significant capabilities that can assist the state during emergencies and disasters. It is important that we establish and sustain good relationships and mutually support each other during any type of disaster or contingency. The current structure of the state Department of Defense fully supports and sustains these important relationships. I cannot understand why this measure is being introduced.

I strongly OPPOSE this measure.

Thank you for the opportunity to provide written testimony in **OPPOSITION** to this bill.

STATE OF HAWAII
DEPARTMENT OF DEFENSE

TESTIMONY ON HOUSE BILL 2437
A BILL RELATING TO THE DEPARTMENT OF DEFENSE

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

BY

PAUL D. PUTZULU
DIRECTOR – HAWAII STATE FUSION CENTER
February 5, 2014

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

I am Paul D. Putzulu, Director of the Hawaii State Fusion Center. Thank you for allowing me the opportunity to address this committee.

I am writing to **oppose** HB 2437.

This bill only serves to create a civilian director of defense position within the State government while relegating The Adjutant General to a vice director status and removing his supervision of the Emergency Management section of the department. This will only create another layer of bureaucracy in the Department of Defense while decreasing the efficiency of the department but increasing the operational cost of the department.

The bill further appears to negate the years of training, experience and leadership a person must go through to attain the rank of general, let alone appointment as The Adjutant General for the State. These years of training, experience and leadership are not the same as those in the Armed Forces Services such as the Army, Navy and Marine Corps. The National Guard's training, experience and leadership also involves a heavy focus on emergency management and response.

Unlike the Joint Chiefs of Staff at the Federal level who are legally restrained from interacting with civilian entities, the National Guard's role includes using its assets to assist local communities in disaster mitigation and response. Serving as the head of the State's Department of Defense allows The Adjutant General to participate with numerous organizations and committees thereby always keeping The Adjutant General in touch with the needs of the citizens of Hawaii. This constant involvement allows The Adjutant General to provide resources to the Emergency Management section through regular budgetary processes while re-organizing and prioritizing the mission of the National Guard to combat threats of any type to the State and deploy the National Guard personnel to assist in recovery efforts should any disaster strike.

Further, the relationships and partnerships established over the years by The Adjutant General among federal, state and local law enforcement and first responder agencies will be severed and new relationships will need to be forged with the newly created civilian director of defense position established in this bill.

I am unaware of any other state that runs its Department of Defense with a civilian appointee. I do know that The Adjutant General's from all states meet on a regular basis to discuss issues of mutual concerns and seek common successful responses.

The current system appears to work quite well.

Thank you for the opportunity to provide testimony in opposition of HB 2437.

Bernard P. Carvalho, Jr.
Mayor



Nadine K. Nakamura
Managing Director

OFFICE OF THE MAYOR
County of Kaua'i, State of Hawai'i
4444 Rice Street, Suite 235, Lihu'e, Hawai'i 96766
TEL (808) 241-4900 FAX (808) 241-6877

February 3, 2014

Representative K. Mark Takai
Chairperson
Committee on Veterans, Military and International Affairs, and Culture and the Arts
State Capitol
Conference Room 312
415 South Beretania Street
Honolulu, Hawaii 96813

Subject: Letter in Opposition to House Bill 2437 "Relating to the Department of Defense"

Dear Chairperson Takai:

Aloha from the County of Kaua'i!

I am writing to express my opposition to House Bill 2437, An Act Relating to the Department of Defense. House Bill 2437 seeks to establish a civilian executive position (Director of Defense) and relegate the TAG to a vice director of defense.

Currently, the Adjutant General (TAG) is directly appointed by the Governor and serves on his cabinet – enabling TAG to have direct access to the Governor. In emergency situations, when time is of the essence, this direct relationship would best serve the public interest. Adding a layer between the Governor and TAG would not be efficient use of time or energy.

To work in the complex security environment requires education and training in national security, an understanding of the interrelationships among the Pentagon; Congress; Pacific Command (PACOM); State agencies; Federal, State and Local law enforcement; and private sector interests. The TAG is in the unique position of combining military and civilian capabilities and assets in the execution of emergency management in Hawaii.

The current structure - with the TAG directly working for/with the Governor, and combining both defense (National Guard assets) and civil defense - has proven to be successful through a unified chain of command, combining command and control, communication, collaboration, and planning and action. Creation of the position "Director of Defense" and separating the functions

February 3, 2014
Representative K. Mark Takai
Page 2

of defense and civil defense is an unnecessary separation of effort that does not enhance public safety.

In closing, I ask you and your committee not to pass this legislation.

Thank you for your time and attention to this important matter. Please feel free to contact me if you have any questions or if you would like to discuss the concerns that I've stated above.

Mahalo

A handwritten signature in black ink, appearing to read "Bernard P. Carvalho, Jr.", with a large, sweeping flourish extending to the right.

Bernard P. Carvalho, Jr. Mayor

cc: Glenda Nogami Streufert, Civil Defense Manager

TESTIMONY OF THE HAWAI`I POLICE DEPARTMENT

HOUSE BILL 2437

RELATING TO THE DEPARTMENT OF DEFENSE

BEFORE THE COMMITTEE ON VETERANS, MILITARY, & INTERNATIONAL
AFFAIRS, CULTURE AND THE ARTS

DATE : Wednesday, February 5, 2014

TIME : 8:30 A.M.

PLACE : Conference Room 312
State Capitol
415 South Beretania Street

PERSON TESTIFYING:

Acting Police Chief Paul K. Ferreira
Hawai`i Police Department
County of Hawai`i

(Written Testimony Only)

William P. Kenoi
Mayor



Harry S. Kubojiri
Police Chief

Paul K. Ferreira
Deputy Police Chief

County of Hawai'i

POLICE DEPARTMENT

349 Kapiolani Street • Hilo, Hawai'i 96720-3998
(808) 935-3311 • Fax (808) 961-8865

February 4, 2014

Representative K. Mark Takai
Chairperson and Committee Members
Committee on Veterans, Military & International Affairs, Culture and the Arts
415 South Beretania Street, Room 312
Honolulu, Hawai'i 96813

RE: HOUSE BILL 2437, RELATING TO THE DEPARTMENT OF DEFENSE

Dear Representative Takai:

The Hawaii Police Department opposes the proposed bill. The purpose of this bill is to establish the position of Director of Defense as the head of the Department of Defense.

Our opposition is steeped in the fact that the current process in place with the Adjutant General as the Director of Defense has seemingly served us well with respect to the level of cooperation that the Adjutant General has been able to garner in matters involving Hawai'i's Homeland Security from Federal, State and County Law Enforcement Agencies as well as with non Law Enforcement Agencies on matters involving civil defense.

The proposal as it stands, seemingly seeks to make the position a political appointment subject to the constant changes that are attendant to such appointments. The State's ability to defend and/or respond to threats whether man-made or natural is best served when it is dependent upon a long-term preparedness climate free of the political process.

For these reasons, we urge this committee to reject this legislation. Thank you for allowing the Hawai'i Police Department to testify on Senate Bill No. 2437.

Sincerely,

PAUL K. FERREIRA
ACTING POLICE CHIEF

William P. Kenoi
Mayor



Darren J. Rosario
Fire Chief

Renwick J. Victorino
Deputy Fire Chief

County of Hawai'i
HAWAI'I FIRE DEPARTMENT
25 Aupuni Street • Suite 2501 • Hilo, Hawai'i 96720
(808) 932-2900 • Fax (808) 932-2928

February 4, 2014

The Honorable Mark Takai, Chair
Committee on Veterans, Military, & International Affairs,
& Culture and the Arts
House of Representatives
State Capitol, Room 312
Honolulu, Hawai'i 96813

Dear Chair Takai:

Subject: H.B. 2437 Relating to the Department of Defense

I am Darren J. Rosario, Fire Chief of the Hawai'i Fire Department of the County of Hawai'i (HCFD). The HCFD opposes H.B. 2437, which proposes to establish a Defense Department headed by a civilian executive called the Director of Defense. The bill further establishes the Adjutant General as the Vice Director of the Department of Defense under the Civilian Director of Defense. Under the proposed bill, the Director of Defense would also be the Director of Civil Defense and the Director of Homeland Security.

The HCFD is opposed to this bill because it is attempting to make changes to a system of management that is currently working at a high level of success. The current collaboration between all State, Federal, and Department of Defense agencies across the State of Hawai'i has been shown to be successful in the management of all threats the State and its people face regarding incidents involving natural disasters as well as domestic and international terrorism. The State of Hawai'i's current Emergency Management Team's response to several Tsunami, earthquake, and large international events such as the APEC conference provides the credible, factual, data that clearly shows that a change in the management is not necessary.

The HCFD strongly urges and request your committee's opposition on the passage of H.B. 2437.

I am available at (808) 640-2439 should you or your committee members have any questions for me regarding HB 2437.

Sincerely,

A handwritten signature in black ink, appearing to read "DR".

DARREN J. ROSARIO
Fire Chief





BERNARD P. CARVALHO, JR.
Mayor

NADINE K. NAKAMURA
Managing Director

POLICE DEPARTMENT COUNTY OF KAUAI

3990 KAANA STREET, SUITE 200
LIHUE, HAWAII 96766-1268
TELEPHONE (808) 241-1600
FAX (808) 241-1604
www.kauaipd.org



DARRYL D. PERRY
Chief of Police
dperry@kauai.gov

MICHAEL M. CONTRADES
Deputy Chief
mcontrades@kauai.gov

February 3, 2014

Representative K. Mark Takai
Chairperson
Committee on Veterans, Military, & International Affairs, & Culture and the Arts
State Capitol
Conference Room 312
415 South Beretania Street
Honolulu, Hawaii 96813

RE: **OPPOSITION TO HOUSE BILL 2437 RELATING TO THE DEPARTMENT OF DEFENSE**

Dear Chairperson Takai:

I am writing in opposition to HB 2437, Relating to the Department of Defense.

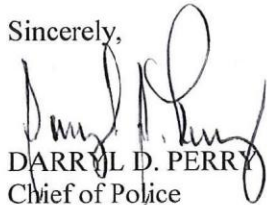
This bill, to establish a civilian executive position entitled the "Director of Defense," is an unnecessary duplicity of duties, and may jeopardize intergovernmental relations between Department of Defense, federal, state, and local law enforcement and emergency responders.

The entities and functions relating to public safety which are currently in place have evolved over decades, to a point where I have extreme confidence with our abilities to respond appropriately, should we be faced with a natural or man-made disaster.

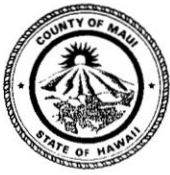
The creation of this position would not enhance current and future efforts, but only generate an additional layer of bureaucratic hurdles that do not advance public safety.

Therefore, I urge you and the committee not to pass this legislation. Thank you for your attention and consideration of this very important matter.

Sincerely,



DARRYL D. PERRY
Chief of Police



ALAN M. ARAKAWA
MAYOR

OUR REFERENCE

YOUR REFERENCE

POLICE DEPARTMENT

COUNTY OF MAUI

55 MAHALANI STREET
WAILUKU, HAWAII 96793
(808) 244-6400
FAX (808) 244-6411

February 3, 2014



GARY A. YABUTA
CHIEF OF POLICE

CLAYTON N.Y.W. TOM
DEPUTY CHIEF OF POLICE

The Honorable K. Mark Takai, Chair
And Members of the Committee on Veterans,
Military, & International Affairs, & Culture and the Arts
House of Representatives
State Capitol
Honolulu, HI 96813

RE: House Bill No. 2437 - Relating to the Department of Defense

Dear Chair Takai and Members of the Committee:


The Maui Police Department opposes the passage of H.B. No. 2437. The passage of this bill establishes the position of director as the head of the Department of Defense. It also requires the Commission on Salaries to recommend the director's salary; adjusts the position of the adjutant general to a vice director; eliminates the use of military allowance tables in setting the salary of the adjutant general, and repeals the position of deputy adjutant general.

The current system in which the adjutant general is head of the Department of Defense, has served our community well for many years. It should be noted that over these many years our department has built a strong relationship with the adjutant general and the Hawaii National Guard. We are familiar with their operations and continually train with them to prepare for emergencies and disasters. We also feel that having an additional level of authority with a civilian appointed as "director of defense" could prove problematic in times of emergency. The continuity and effectiveness of an appointed civilian would constantly need to be reviewed whenever a new administration is elected into office.

The Maui Police Department asks that you oppose the passage of H.B. No. 2437.

Thank you for the opportunity to testify.

Sincerely,


GARY A. YABUTA
Chief of Police

For

TESTIMONY ON HOUSE BILL 2437
A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF DEFENSE

PRESENTATION TO THE
HOUSE COMMITTEE ON Veterans, Military & International Affairs & Culture and the
Arts (VMI)

BY

MAJOR GENERAL ROBERT G. F. LEE
US ARMY (RETIRED)
FORMER ADJUTANT GENERAL 2003-2011
February 3, 2014

Chair Takai and Committee Members:

I am Major General Robert G. F. Lee, US Army (Retired) and former State Adjutant General. Our Hawaii National Guard Soldiers and Airmen served our State and Nation during my tenure with distinction, which included many combat tours in Iraq, Kuwait, and Afghanistan, I want to thank you and your committee members for the tremendous support to our troops and their families so I would like to understand why you are withdrawing this support now with this flawed and short sighted bill.

Mr. Chairman and committee members, I strongly oppose House Bill 2437 for the following reasons:

First, the current language in the State Constitution and Hawaii Revised Statutes is sufficient. The State Department of Defense has answered the call in responding to disasters of all types and has done exceedingly well in combat for the past 12 years. Why do you want the structure changed?

Second, I want to address the pay issue. This current legislative session will address doubling the salary of the Superintendent of Education so she will be paid more than the

principals that work for her. So why is this group of legislators reducing the pay of the Adjutant General so the Colonels in the Hawaii National Guard will earn more than him? Third, there are no criteria for the selection of the Director of the Department of Defense. Anybody can become the Director. This bill is so inflexible that it does not allow the Governor to appoint the Adjutant General as the Director. One criterion that is imperative is a Top Secret security clearance for the director. It takes many months to get one from the US Government. The Director would be paid for many months while ineffective with the Adjutant General on security matters. I seriously doubt the Hawaii State Senate will concede their ability to "advise and consent" on the selection of the Adjutant General since he would control 90% of the department.

With the draw down across the board in the Federal Department of Defense, the Adjutant General has to fight like heck in the Pentagon to protect the robust force structure and resources currently in the Hawaii Army and Air National Guard. Do you really think that the Generals in the Pentagon will even listen to a civilian director?

I am very shocked and disappointed at the representatives that would sign on to this bill that clearly jeopardizes the safety of the people of Hawaii.

Written Testimony of
Kathleen F. Berg
Brigadier General (Retired), Air National Guard

Before the
**HOUSE OF REPRESENTATIVES COMMITTEE ON
VETERANS, MILITARY & INTERNATIONAL AFFAIRS, & CULTURE AND THE ARTS**
February 5, 2011
8:30 a.m., Conference Room 312, State Capitol

HB 2437 RELATING TO THE DEPARTMENT OF DEFENSE

Chair Takai, Vice Chair Ito, and Members of the Committee:

I am a retired brigadier general of the Air National Guard, having served over 30 years as an officer of the Hawaii Air National Guard and in positions of command and command support, including at the State Headquarters of the Hawaii Air National Guard as the Chief of Staff and at the United States Pacific Command as the Mobilization Assistant to the Director of the J6, Communications Systems Directorate. I provide testimony in opposition to HB 2437.

Having been closely involved in the operations of the Hawaii Air National Guard, I am keenly aware of the important role that status and rank play in the access provided and the influence allowed to our state within the larger federal systems, including the National Guard Bureau and the active military services, which all have headquarters in Hawaii. This access and influence play a very important role in the state advocating for and receiving resources from the federal government as well as in the planning and execution of emergency operations in concert with the military services stationed in our islands.

It is vital that we have the best leadership possible for our state department of defense, and in the current environment that such leadership has status, access, and influence in the military and political communities. The current organization of the Hawaii DOD provides that, and it has been very effective for our state, judging by the important missions entrusted to the Hawaii National Guard—missions that have grown over the last several years when other states' roles have been reduced—and by the effective operations for security mounted for APEC, for instance, as well as the plans and resources in place for homeland security in the face of natural disasters, resources for emergency response and damage assessment that the public is not aware of until they are used, thankfully not yet.

HB 2437 dismantles that structure. The one proposed in its place is likely cheaper. Saving money this way, however, will likely have unexpected consequences with unknown effects on homeland defense and public safety, including the strength and robustness of the state's National Guard units, and our state's access to and influence within the military and political communities that play key roles.

I urge you to oppose HB 2437 and not rush into dismantling a proven departmental structure that has benefited our state for the last many decades by replacing it with one that is drastically different in many ways, each change fraught with potential to reduce the effectiveness of the current operation, with potential effects on the security and economy of the state.

Thank you for the opportunity to provide testimony on this measure.

SUBJECT: Testimony in Opposition of HB 2437

I am Joseph J. Chaves, Major General, Retired, United States Army and former Deputy Commanding General for United States Army Pacific for the Army National Guard. I strongly **OPPOSE** House Bill 2437.

My personal experiences in emergency management and in crisis response of which to include Hurricane Iniki and the Asia Pacific Economic Cooperation (APEC) Conference has lead me to conclude that the current structure where the Adjutant General (TAG) is directly appointed by the Governor and serves as a cabinet member is the most effective and efficient means to respond to state emergencies.

The structure of the TAG in Hawaii having the Hawaii Army and Air National Guard, Emergency Management, and Homeland Security within the State Department of Defense is a proven structure. This structure has been successful throughout major hurricanes, tsumani's, and during APEC. This structure fosters good command and control, collaboration, and planning.

The TAG as a Federal officer and as a State Cabinet member truly helps the State work all the interrelationships with the Pentagon, Congress, Pacific Command (PACOM), all Senior Leaders of the military services here in Hawaii, Federal law enforcement, all local law enforcement, as well as the private and public sector.

The TAG is a federally recognized General officer whose training and promotion has gone through a defined military process which includes critical decision making during crisis response. As a National Guardsman, his/her understanding of the duality of a guardsman and the value that years of training in war, exercises, and responding to a natural disaster or a terrorist event are invaluable which cannot be learned by books.

The emerging threat of cyber warfare and terrorist attacks on critical infrastructure requires a Top Secret and higher clearance levels due to the collaboration process involved with all the branches of military services involved in Homeland Security.

For the above reasons this bill does not efficiently nor effectively serve the State of Hawaii. This proposed bill would place an unnecessary layer of supervision over the Adjutant General which is not required as he/she should always have direct access to the Governor. Furthermore, it would cost the State additional funding to create this position and it's supporting staff without any added value. Therefore, I strongly **OPPOSE** House Bill 2437.

JOSEPH J. CHAVES
Major General (Retired)
United States Army

Roxanne Kamalu

From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 03, 2014 6:14 PM
To: vmitestimony
Cc: slowviper@juno.com
Subject: Submitted testimony for HB2437 on Feb 5, 2014 08:30AM

HB2437

Submitted on: 2/3/2014

Testimony for VMI on Feb 5, 2014 08:30AM in Conference Room 312

Submitted By	Organization	Testifier Position	Present at Hearing
Mike Compton	Individual	Oppose	No

Comments: I am OPPOSED to the creation of a new position, Director of State DOD. The TAG appropriately provides the best military advice to THE civilian leader of the HI National Guard; the Governor. The citizens of the State and the members of the Guard trust a proven military officer to lead Stafford Act responses to man made and natural disasters. State DoD policy and TAG selection is currently properly invested in the State Senate and Governor. Adding additional unnecessary administration is expensive and would reduce the department's effectiveness.

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

Do not reply to this email. This inbox is not monitored. For assistance please email webmaster@capitol.hawaii.gov

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

February 5, 2014, 8:30 a.m., VMI Room 312

TESTIMONY IN **OPPOSITION** OF HB2437

Aloha Chair Takai, Chair Ito, and Members of the Committee:

I, Kenneth S. Hara, of 95-230 Kuinehe Place, Mililani, HI, strongly OPPOSE HB 2437.

Currently the State of Hawaii's Department of Defense (DoD) is led by the Adjutant General (TAG), normally and characteristically a federally recognized Major General of the Hawaii National Guard with over 25 years of military experience. The TAG is directly appointed by the Governor and serves as a cabinet member. Additionally, the educational requirements, military assignments, and training prepare an individual to serve as TAG. I believe that it is important that the individual charged with overseeing the Hawaii National Guard, Emergency Management, and Homeland Security within the State Department of Defense should be an experienced member of the Hawaii National Guard. The current DoD structure that has been proven successful. The State of Hawaii's DoD has always been successful in response to major hurricanes, tsunamis, floods, terrorism threats, and National Special Security Events such as the Asia Pacific Economic Cooperation summit.

HB2437 creates the Director of the Department of Defense position that adds an unnecessary layer of supervision over the Adjutant General and this position usurps the authority of the TAG. Relegating the Adjutant General to a Vice Director position diminishes that TAG's effectiveness especially when dealing with national issues. TAGs are the most senior military person in the National Guard and the position holds significant influence. The TAG, in his role as a federal officer and a state cabinet member, truly strengthens Hawaii's interrelationships with the Pentagon, Congress, United States Pacific Command (USPACOM), all the heads of services in Hawaii, federal and local law enforcement and emergency management, as well as key private sector partners in critical infrastructure and cyber security.

Additionally, HB2437 creates the potential for a civilian that lacks military or National Guard Domestic Operations experience to be appointed as the Director of the Department of Defense.

Moreover, this bill eliminates the Deputy Adjutant position, which diminishes the importance and complexity of the Hawaii National Guard.

Lastly, the TAG's pay scale should continue to match that of the US Army or US Air Force officer pay scale.

I **OPPOSE HB2437** as it would not serve the State of Hawaii well, and it dismantles a structure that is proven to keep Hawaii's Department of Defense ready to protect the citizens of this state and nation.

Mahalo for the opportunity to testify.

Kenneth S. Hara
Colonel
Hawaii National Guard

**Testimony to on House Committee on Veterans,
Military & International Affairs & Culture and the Arts (VMI)**

RE: Testimony in Opposition to HB 2437

Chairman K. Mark Takai and members of the House Committee on Veterans, Military & International Affairs & Culture and the Arts (VMI). Thank you for this opportunity to provide my input and opposition to HB 2437. I believe that this is a critical issue that drastically changes the composition of the State of Hawaii Department of Defense in a negative manner.

The State of Hawaii Department of Defense is structured with the Adjutant General to lead this department. It is basically the same for all 54 States and Territories. It is imperative that someone with great depth of the National Guard of the United States unique and important organization established by the Constitution of the United States that serves both the State and Federal Government. In peace time, the National Guard serves the State of Hawaii by providing a ready force that is available to the Governor to assist in protecting and assisting the people of this State during and after natural and man made disasters. The National Guard is also available to the Federal in case of war. Though the years the Hawaii National Guard has performed superbly as evidenced by its performance during Hurricane Iniki and deployments of both the Hawaii Army National Guard and the Hawaii Air National Guard to Southeast Asia, the Balkans and the Middle East.

Building an organization that can perform in this exceptional manner requires that its leaders and members are well trained and well lead. The Hawaii National Guard, in conjunction with the National Guard Bureau and National Guard units from other states participated in years of sessions on strategic and long range planning that allowed our people to network, interact and look into the future. Placing a civilian to lead this department will create a disconnect with the overall concept/mode and relationship with the rest of States Department of Defense, whereas, Hawaii would be the only state where the Adjutant General is not the Director of this department.

It is for this reason that I am strongly opposing this House Bill related to The Adjutant General of the State of Hawaii. This bill will also no longer require Senate confirmation for the Adjutant General and therefore no longer allow the legislature the process of reviewing and approval of the Governors selection. It will also desynchronize continuity with the rest of our nations State Adjutant Generals.

If there are any questions you can call me or email me at ray.jardine@nativehawaiianveterans.com or at 808.232.5605. Thank you for allowing me to testify in opposition of this House Bill.

Sincerely



Raymond Jardine Jr. Ph.D
COL (ret) USAR

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

February 5, 2014, 8:30 a.m., VMI Room 312

TESTIMONY IN **OPPOSITION** OF HB2437

Aloha Chair Takai, Chair Ito, and Members of the Committee:

I, Moses Kaoiwi Jr., of 98-1444C Koahehe Street, Pearl City, HI, am submitting testimony in **OPPOSITION** of HB 2437.

I oppose HB2437, the creation of a position called the “director of defense”, a civilian position, and the removal of the deputy adjutant general. If this bill becomes law, it will waste Hawaii tax payers’ money because it does not improve upon the existing security and defense of State of Hawaii.

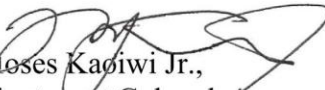
Establishing a "director of defense" does not increase the efficiency or effectiveness of Hawaii Defense during a disaster. The current organization with the adjutant general as the head of Hawaii Defense, streamlines both federal and state response to a State and Federal declared emergency. A “director of defense” separates the unity of command between the State Civil Defense and the Hawaii National Guard by taking the Adjutant General's authority away from State Civil Defense. The divide that's created will not produce any benefit but hinder the unity of effort and command that exist between the two organizations.

A “director of defense” cannot improve upon our relationship with military organizations. The direct link and action that occurs between the Chief of the National Guard Bureau (NGB), a four star general, and the Hawaii Adjutant General is strictly a military relationship that is currently efficient and effective. The director of defense does not fit into this relationship and cannot add any federal benefit for Hawaii. A “director of defense” will not increase the current relationships we have with the active duty military (PACOM, USARPAC, PACAF). Our working relationship solely exists because of the adjutant general and deputy adjutant general of the state of Hawaii. The “director of defense” cannot improve upon these existing relationships, therefore there is no need for a “director of defense”.

Removing the full time deputy adjutant general creates a gap that will hinder continuity of operations in an emergency. A severe impact to succession of command and continuity will occur without a deputy adjutant general thereby degrading the effectiveness of our response to a state emergency. Therefore, adding a director of defense and removing the position of deputy adjutant general does nothing to increase the confidence of the people in our government’s ability to respond to a disaster or emergency.

In conclusion, this bill has no benefit to Hawaii’s homeland security, defense of the State of Hawaii, management of disasters, and management of emergencies. It creates a position that will not alleviate the current duties of the adjutant general, but adds more as it removes the position of deputy adjutant general, while creating a deputy director’s position that will not be able to take on the existing duties, responsibilities, and relationships of the adjutant general. This bill creates a position that cannot do anything for Hawaii.

Mahalo for the opportunity to submit my testimony.


Moses Kaoiwi Jr.,
Lieutenant Colonel,
Hawaii National Guard



**OFFICE OF THE SENIOR ENLISTED LEADER
HEADQUARTERS HAWAII NATIONAL GUARD
3949 DIAMOND HEAD ROAD, HONOLULU, HAWAII 96816-4495**



Personal Data - Privacy Act 1974 (Title 5 USC 552a)

01 Feb 14

**TESTIMONY ON HOUSE BILL 2437
A BILL RELATING TO THE NATIONAL GUARD**

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

BY

**Command Chief Master Sergeant Robert S.K. Lee III
Senior Enlisted Leader – Hawaii National Guard
February 01, 2014**

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

I am Command Chief Master Sergeant Robert S.K. Lee III. I am testifying in **OPPOSITION** to House Bill 2437.

My non-support of HB 2437 stems from my 4 years of experience serving as the Senior Enlisted Leader for the Hawai'i National Guard. Drawing on this experience provides me an intimate understanding of how paramount it is to the citizens of the State of Hawaii, that the Adjutant General remains as the executive head of the Department of Defense (DoD) as well as the Director of State Civil Defense and the Director of Homeland Defense. There are a multitude of complexities entrenched within each DoD entity that requires the direct management by the Adjutant General (TAG), whom should be a commissioned General Officer of the National Guard in order to be successful in operating at its highest capability efficiently. To add an extra layer, as proposed by HB2437, by way of a Director of Defense with the current Adjutant General's position becoming a vice director beneath the Director of Defense, undermines the safety of the citizens of the State of Hawai'i. Having the Hawai'i National Guard co-mingled while overseeing other agencies such as the State Civil Defense and the Department of Homeland Security is a proven business model that is successfully effective. The current structure provides an overarching collaborative effort with the highest levels of efficiency in the *defense and recovery* of man-made or natural disasters that would victimize the citizens of the State of Hawai'i, by aligning the various capabilities of each department while providing an efficient mechanism in executing life and/or death saving protective and preventative measures embedded within the construct of each department. The coordinated effort must be executed by the entity that possesses a vast depth of experience in war-fighting coordination and capabilities. Any disaster that is inflicted upon the citizens of the State of Hawai'i must be combated with a war-fighting mindset in order to overcome devastation and organize the efforts to return to normalcy. Again, this testimony stands on my **OPPOSITION** of HB2437.

I strongly urge you, for the safety and protection of the citizens of the State of Hawai'i, to **OPPOSE** HB2437. Mahalo.

**ROBERT S.K. LEE III, CCMSgt, HING
Senior Enlisted Leader - HING**

FLORENCE T. NAKAKUNI
246 Halemaumau Street
Honolulu, HI 96821

Mark Takai, Chairman
Ken Ito, Vice Chairman
Committee on Veterans' Military and International Affairs
& Culture and the Arts

RE: HOUSE BILL 2437

Dear Chairman Takai and Vice Chairman Ito:

I oppose H.B. 2437 which would amend section 26-21 of the Hawaii Revised Statutes, subsection (a) to create a new civilian position -- Director of Defense to head the state's Department of Defense. Currently and historically the state's Adjutant General ("The TAG") has headed the Department of Defense. This structure has been effective and efficient as evidenced by the superlative collaboration and cooperation among state, local, federal agencies, law enforcement first responders and military in the one year "run up" to the November 2011 APEC and during that national security event. The TAG and his staff established strong relationships -- which did not previously exist amongst these groups with The TAG and this has resulted in continued state-local-federal partnerships and the successful establishment of a State Fusion Center and the selection of a Director in 2012; as well as a creation of a Cyber initiative which The TAG has persuaded the University of Hawaii and the private sector (mainly those providing infrastructure of our state) to join.

Creating a new position means creating a new staff, a new bureaucracy which is unnecessary and duplicative to what currently exists. The question comes to mind, "what is the problem to fixed?" I am not aware of any. We do not need this Bill. It will result in waste of precious government resources which can be used elsewhere perhaps in our public schools.

Very truly yours,

Florence T. Nakakuni

FLORENCE T. NAKAKUNI

3 February 2014

MEMORANDUM FOR Representative Ken Ito, Representative Linda Ichiyama, Representative Derek Kawakami, Representative Calvin Say, Representative James Kunane Tokioka, Representative Kyle Yamashitai, Chair and members of the House Committee on Veterans, Military & International Affairs & Culture and the Arts (VMI).

SUBJECT: Opposition Testimony Concerning HB 2437

- 1) In the way of a brief introduction, my name is Peter S. Pawling, Major General (ret). I served 38 years in the Hawaii National Guard and over 3 years as a Special Assistant to the Commander for United States Pacific Command. After 41 years of Military experience, I retired in July 2012. I've served our country both in a state and federal capacity, commanding one of the largest and most diverse Wings in the United States and serving as Chief of Staff at PACOM during their internal reorganization. As a Hawaii National Guardsman, I served the State during Hurricane Iwa and Iniki and was picked by the Governor and PACOM to lead the military support and security effort in the planning and execution of APEC.
- 2) My opposition to HB 2437 is due to the negative changes it makes to our current State Department of Defense structure and the negative impacts this bill has on the ability of our State Department of Defense to attract the next potential AG. The State is best served with a AG who can handle the safety concerns and care of Hawaii residents during natural or manmade disasters with confidence and authority. My military career experiences make me uniquely qualified to provide opposition testimony to HB 2437.
 - a) It is in the best interest of the State of Hawaii and its residents to have the most qualified and effective State Department of Defense Adjutant General (AG) available. Unfortunately, this bill regulates the salary of the AG to the lowest comparable salary in the United States, and is more comparable to a low level supervisor in the Hawaii Guard. The salary may not even be legal when performing official duties requiring the wear of a Major General military uniform.
 - b) Changing the job title of the AG to "Vice Director" may have legal consequences under the Constitution. Moving the AG position from under the Governor to under a "Director" (with no identifiable qualifications) severely lowers the stature and advocacy power the AG currently has to preserve Hawaii National Guard resources, update military equipment, modernization, and obtaining new and viable military missions for the state. Lowering the stature and advocacy of the AG limits the AG's ability to succeed when working important advocacy issues, and when working interrelationships with the National Guard Bureau (NGB), Pentagon, Congress, and Pacific Command (PACOM); all which make it hard to attract highly qualified applicants for the Adjutant General position.
 - c) Hawaii already has a solid, time tested, Department of Defense Structure. The addition of another tier of structure between the Governor and the AG will be far more expensive for the tax payers as the

newly created bureaucracy will lay on top another structure which adds a highly paid Director, new support staff, new office space, and a travel budget, etc. More importantly this new structure will slow communications, and in effect, the Guard's ability to respond to federal and state emergency taskings which now would have to be passed from the Governor, then filter through the newly created Director and finally to the AG for action. Currently this line of communication is as short as it can get - between the Governor and the Adjutant General.

- d) Adjutant Generals are required by the Constitution. The State Militia is under the control of individual states, with the state governor acting as commander in chief. The requirement that all members of the Guard/militia be able to activate in dual status is part of the Congressional legislation under the State Governor. The legalities of changing the AG's relationship to the Governor and renaming the AG to "vice-director" changes the intent of the Constitution and may be illegal.
- 3) The legal requirement for our state militias and National Guard is rooted originally as state militia in the Federal Constitution and its reform of National Guard can be seen in several pieces of national legislature that have fine tuned the National Guard into what we see today; the Militia Act of 1792, the Dick Act, the National Defense act of 1916, and the National Defense Act of 1947. Through the various legislation we, in addition to 54 other Guard Bureaus are required to employ an Adjutant General, working at the will of the Governor, but who ultimately serves as the de facto commander of our state's armed forces. The Adjutant General, as the highest ranking military official of their state's military force works closely in maintaining the shape, structure, and training of the state guard and in times of mobilization under Title X, a readiness to transition the state's troops to the Department of Defense. Our Adjutant General is able to serve the governor and our country through the framework of the National Guard Bureau in statuses that are requirements of state and federal, joint readiness through Title 10 and Title 32 statuses. These statuses are legal requirements for any person taking the role of Adjutant General, who is a uniformed member of both our state and federal military.
- 4) It is astonishing on just how little the designers of House Bill 2437 know about the DNA of the National Guard and what has made it successful for over 360 years. HB 2437 does the Hawaii National Guard and the citizens of this State a great disservice
- 5) Any questions may be addressed to myself at (808) 396-6136 or email at: skipperf22@aol.com

PETER S. PAWLING

Major General (ret)

From: Edward V, Richardson, retired State Adjutant General
To: House Committee on Veterans, Military, and International Affairs
and Culture and the Arts.
Date of Hearing: February 5, 2014
Regarding: House Bill Number 2437

Chairman Takai, Vice Chairman Ito, members of the committee on
Veterans, Military and International Affairs and Culture and the Arts:

I am Edward V. Richardson, retired State Adjutant General, and I am submitting testimony in opposition to what is proposed in House Bill 2437. As written, the bill creates another layer of supervision that is unnecessary, costly and can cause delays during a natural or man made disaster or attack. The State Adjutant General is the Governor's military advisor, Director of State Civil Defense, and Director of Homeland Security. He has direct access to the Governor of Hawaii. This is the way it is set up through all fifty states. As such, it is the Adjutant General's job to insure that issues that require immediate attention are brought to the Governor's attention and handled. If that issue requires the use of the National Guard than, with the Governor's permission, he can quickly put them to use. This system has worked well in the past, works now and should not be changed.

House Bill 2437 appears to attempt to downgrade the Adjutant and Deputy Adjutant General's positions. I can attest that managing the State Department of Defense is a difficult and demanding job that requires your full attention. The Department of Defense is large (more than 4500 soldiers, airmen, state and federal workers), complex (F-22's, C-17's, KC-135's, UH-60's, CH-47's, UAV's, communication and cyber units), protective (24 hour Air Defense Alert aircraft and radar systems, State Civil Defense and Homeland Security) organizations that have no room for error. On top of that, there are a continuous flow of soldiers and airmen deployed to Afghanistan, the Philippines and other parts of the world. Passing legislation that would make it more difficult for the department to do it's job is not in the best interest of our soldiers, airmen and the people of Hawaii. In fact, I can attest that they need more help.

Thank you for allowing me to provide testimony to this issue. I humbly ask you not to pass HB NO 2437.

Sincerely,

Edward V. Richardson

4 Feb 2014

MEMORANDUM FOR Representative Ken Ito, Representative Linda Ichiyama, Representative Derek Kawakami, Representative Calvin Say, Representative James KunaneTokioka, Representative Kyle Yamashitai, Chair and members of the House Committee on Veterans, Military & International Affairs & Culture and the Arts (VMI).

SUBJECT: Opposition Testimony Concerning HB 2437

My name is Braden K. Sakai, Brig General. I have 30 years in the Hawaii National Guard and currently serving as the commander of one of the largest and most diverse Wings in the United States, 154th Wing. I work for the Adjutant General directly on a myriad of issues that focuses on keeping our state and nation strong, safe and thriving toward the future.

It's because of my position and the duties that come with it that I feel qualified to state how strongly I OPPOSE HB 2437. In an era of sequestration, continuing resolution, furloughs and a recent government shutdown, being good stewards of the taxpayers money is our duty. This obligation we have to the taxpayers requires a thorough examination and understanding of how and where to best use scarce resources in keeping our great nation and state strong. Our most precious resource is our people and they deserve the best to lead them—that person is the Adjutant General. The current structure where the Adjutant General is directly appointed by the Governor and serves as a cabinet member works very well and should not change. It's my belief that if HB 2437 were to be passed without a thorough examination within our state and also the other 53 states and territories (to include the legalities of this bill), we would fail as good stewards of the taxpayers money and there will be irreparable damage that would take years to undo.

In 2010 the Council of Governors was enacted. In 2011, Congress placed a four star General of the National Guard on the Joint Chiefs of Staff. Just this month the National Commission on the Structure of the Air Force released their report to the President and members of Congress on their recommendation. The significance of these areas goes without saying that the United States recognizes the importance and vital role the National Guard plays in every aspect of our National Defense, both domestic and internationally. In the case of the Air Force (Active Duty, Guard and Reserves), the National Commission recommended that as the active duty draws down, we will see Air National Guard and Air Reserve play a much bigger role due to their proven track record of efficiency and cost effectiveness. The guard of yesterday in which we received hand me downs from the active duty will cease. As a Total Force, we will be receiving the most current equipment concurrently and proportionately with our active

duty partners. The 154Wing is a perfect example of this reality. We have the top of the line transport aircraft, the C-17 Globemaster, a 5th generation aircraft –the F-22 Raptor, and an aging KC-135 tanker that is the envy of Active Duty and world on how well it is flown and maintained. We are also on the cutting edge of other upcoming missions. Granted, location helps as we are in the Pivot to the Pacific. That being said, I can't stress enough that it's not just location, our (Guard) successes are largely due to the role the adjutant generals play within their circle of influence---this circle encompasses both state and federal partners across the 54 states and territories and also to our allies in the Pacific.

My concern and bottom line up front, inserting a civilian Director of Defense while moving the Adjutant Generals position to a vice director of defense position will have a devastating effect and undo decades of work that formed trusted relationships with our sister services, our state and federal partners and allies. If this bill is passed, TAG will lose its influential position while also lose parity with military counterparts—our voice will not be heard. We will also add an unnecessary layer between the Governor and TAG that will hamper the speed of command and control we have today, plus, we will be adding hidden costs with the insert of a director of defense that will not be in the best interest of our taxpayers. Finally, if this bill is passed, it will be difficult to recruit and attract the most qualified individual to this prestigious position---a position deserving of the rank and pay of a Major General who has the years of experience, education and wisdom to be an effective leader for the state and nation. As the old adage saying goes, you get what you pay for. If this bill is passed we will immediately see applicants significantly less qualified that will ultimately hurt our nation and state. Being good stewards of the taxpayers money requires one to take a holistic view of what's best for our state and country---do not change the current structure, it works!

In closing, I oppose HB 2437. Any questions may be addressed to myself at (808) 375-1262 or email at: mongof15@gmail.com. Mahalo for your time.

Very Respectively,



Recoverable Signature

X 

Signed by: SAKAI.BRADEN.K.1177976489
BRADEN K. SAKAI, Brig Gen, HIANG

Commander

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

Representative K. Mark Takai, Chair

Re: HB 2437 – Relating to the Department of Defense
STRONG OPPOSITION

I am Colonel (Ret) Gerald Silva. I served in the Army and the Hawaii Army National Guard (HIARNG) for 33 years, including over 11 years as the HIARNG's chief of staff. I am submitting this personal testimony as a veteran and as a retired senior officer in the Hawaii National Guard.

I strongly oppose this bill for several reasons:

1. The department's name—Defense—articulates its core function. The current law makes clear the requirements for the department head, the adjutant general. They are requirements related to military experience that are critical to understanding, coordinating, and leading this unique department. It includes federal recognition requirements that must be met to ensure basic levels of competency. This bill is silent on any qualifications for the proposed director of defense.
2. In the process of creating a director of defense, the bill would have the adjutant general appointed by the director of defense instead of the Governor. Although most of the duties of the adjutant general remain with the position, this bill evades the current requirement that adjutants general be confirmed by the Senate.
3. The structure of the department and the duties of the adjutant general have evolved and been validated over time based on changing missions that are driven by geo-political forces. The bill proposes major changes to the structure of the department, yet it offers no rationale for those changes. The net result is an added layer that separates the Adjutant General from direct oversight by, and accountability to, the Governor of Hawaii who is the Guard's civilian commander in chief.
4. The current organization of Hawaii's Department of Defense with the adjutant general as its head has been very successful. Hawaii's National Guard forces are among the best in the nation in executing their federal mission. That that has been proven during many deployments. That is a direct reflection on the ability of adjutants general—past and present—to properly equip, train, and deploy them, and bring them home safely. Similarly, the Hawaii Guard's superb performance as our state's militia is also attributable to the current structure and role of the adjutant general.
5. Finally, to the best of my knowledge, the majority—if not all—adjutant generals across the nation serve as members of their governors' cabinets. It is a successful model that should not be ignored.

In conclusion, this bill fails to make any case for the changes it recommends. It should be filed.

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

February 5, 2014, 8:30 a.m., VMI Room 312

TESTIMONY IN OPPOSITION OF HB2437

Aloha Chair Takai, Vice Chair Ito, and Members of the Committee:

I, Laura Jeannine Soares, of 424 Lawelawe Street, Honolulu, HI, am submitting testimony in OPPOSITION of HB 2437.

HB2437 establishes the Director of the Department of Defense, who could be a civilian with no military experience and will undermine the strength of the Hawaii National Guard. The current structure where the Adjutant General (TAG) is directly appointed by the Governor and serves as a cabinet member continues to serve the State of Hawaii effectively. Creating a new Director position would put a layer of supervision over the Adjutant General that is unnecessary, as he or she should have direct access to the Governor and should be appointed by the Governor.

Further, moving the Adjutant General to a Vice Director position, to report to the Director, will create a Hawaii National Guard that lacks the strength and influence found in other states. The structure of the Adjutant General overseeing the Hawaii Army and Air National Guard, Emergency Management, and Homeland Security within the State Department of Defense is a proven structure. It is this structure that has been tested through major hurricanes, tsunamis, floods, terrorism threats, and special security events such as APEC.

Additionally, the Adjutant General, in his role as a federal officer and a state cabinet member, truly strengthens Hawaii's interrelationships with the Pentagon, Congress, Pacific Command (PACOM), all the heads of services in Hawaii, federal and local law enforcement and emergency management, as well as key private sector partners in critical infrastructure and cyber security. TAG is a federally recognized general officer whose training and promotion has gone through a federally defined process. In this position, the Adjutant General maintains a Top Secret clearance with higher-level caveats due to the nature of the direct threats to the homeland.

Moreover, this bill eliminates the Deputy Adjutant position, which diminishes the importance and complexity of the Hawaii National Guard.

HB2437 sends a message to our Department of Defense partners that the State of Hawaii is not willing to commit its resources to the defense of the State of Hawaii or the Pacific Command Area of Responsibility; such legislation undermines national efforts to strengthen forces in Hawaii as part of the rebalance toward the Pacific.

I OPPOSE HB2437 as it would not serve the State of Hawaii well, and it dismantles a structure that is proven to keep Hawaii's Department of Defense ready to protect the citizens of this state and nation.

Mahalo for the opportunity to testify.

Laura Jeannine Soares
Lieutenant Colonel
Hawaii National Guard

Bryan Suntheimer/Kaneohe
Committee on Veterans, Military, & International Affairs
Wednesday, February 05, 2014, 8:30
House Bill 2437

My name is Bryan Suntheimer and I am submitting this testimony in opposition to HB 2437.

HB 2437, as written, places the Adjutant General under the “direction” of the Director of Defense:

SECTION 4. Section 121-9, Hawaii Revised Statutes, is amended to read as follows:

"§121-9 Adjutant general; duties. [The] Under the direction of the director of defense, the adjutant general shall perform such duties as are prescribed by law and such other military duties consistent with the regulations and customs of the armed forces of the United States as required by the governor.

This appears to be in direct violation of Constitution of the State of Hawaii that states the “governor shall be commander in chief of the armed forces of the State:”

EXECUTIVE POWERS

Section 5. The governor shall be responsible for the faithful execution of the laws. The governor shall be commander in chief of the armed forces of the State and may call out such forces to execute the laws, suppress or prevent insurrection or lawless violence or repel invasion.

All members of the military understand the concept of chain of command and where the authorities of command come from: the Constitution of the United States and the Constitution of the State of Hawaii. This bill does not describe the required qualification for a Director of Defense nor does it appear to consider that the vast majority of the State Department of Defense is made up predominately of uniformed National Guard members (approximately 5,500) operating millions of dollars of military equipment in defense of this state and nation. This bill is ill conceived.

I conclude my testimony in opposition to HB 2437 by thanking the members for their time.

Bryan Suntheimer
Kaneohe

**Testimony on House Bill 2437
A Bill Relating to Department of Defense**

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

TWENTY-SEVENTH LEGISLATURE, REGULAR SESSION OF 2014

February 3, 2014

CHAIR TAKAI, VICE CHAIR ITO, AND COMMITTEE MEMBERS:

I am Edward T. Teixeira, former vice director of civil defense, Hawaii State Department of Defense, from October 1999 to October 2011. I am testifying in strong support of House Bill 2437.

The proposed bill is a smart approach to restructuring and in some ways to making needed changes to the State Department of Defense.

There are many merits to the proposed bill some of which include: 1). The civilianization of the director of defense position, a position that has been held by National Guard general officers for decades because of Hawaii's outdated statutes for civil defense; 2) The retention of the structure for civil defense in the department of defense, placing a vice director of civil defense under a civilian director who is also responsible for state Homeland Security. (The function of homeland security is currently under the adjutant general or National Guard); 3). The relegation of the position of adjutant general to where it should be, that is under a civilian director; 4). The elimination of the use of military allowance tables in setting the salary of the adjutant general who earns an annual salary in excess of \$200,000; and, 5). The saving of Hawaii taxpayers' hard-earned dollars by eliminating the position of deputy adjutant general, a position that earns an annual salary in excess of \$200,000.

Having served as the vice director of civil defense under three Governors and four adjutants general, I know the advantages and disadvantages of working under the State Department of Defense. The disadvantages for civil defense under the current structure far outweigh the advantages of being tied to and supported by an organization run by the Hawaii National Guard whose interests and priorities are much different from those of the civil defense division.

It's time for a real change and reformation of our State statutes pertaining to the department of defense. I believe this bill will bring a proper balance and perspective in the affairs of the Department of Defense that serves the best interests of the public NOT the interests of the National Guard.

Thank you for the opportunity to provide testimony that strongly supports this bill.

**Testimony on House Bill 2437
A Bill Relating to Department of Defense**

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

TWENTY-SEVENTH LEGISLATURE, REGULAR SESSION OF 2014

February 4, 2014

CHAIR TAKAI, VICE CHAIR ITO, AND COMMITTEE MEMBERS:

My name is Danny Tengan, recently retired from State Civil Defense as the Hurricane Program Manager where my largest responsibility was adding more shelter spaces to our shortage. I am testifying in support of House Bill 2437.

I have almost 25 years in different capacities in the field of disaster management, including all the disasters in the State of Hawaii beginning with the Manoa floods in 2004. I also was a volunteer as well as staff of American Red Cross where I had the opportunity to respond to 911 in New York and under the Emergency Leave Act to Houston, Texas for Hurricane Katrina and was an evacuee during Hurricane Rita. My last deployment was under the Emergency Management Assistance Compact (EMAC), to Hurricane Sandy in Brooklyn, New York. I also have had experience working with foreign countries as a member of the Army Reserve in preparing those countries for disasters.

I have included some of my experiences because I believe it shows the committee that I have been involved in both the military as well as civilian sides of emergency management.

The proposed bill is needed because under the current structure, we have had a military leader with military experience as head of our emergency preparations and response to disasters who may not have had experience in emergency management and was dependent on the civilian Vice Director of Civil Defense.

My only suggestion is not to name the adjutant general as the Vice Director of Defense. I do not believe it is needed since in the bill, "The devolution of command of the civil defense agency in the absence of the director of defense shall be within the civil defense agency". Which would mean that a Vice Director of Defense would have no authority over the Vice Director of Civil Defense in the absence of the Director of Defense. The adjutant general should concentrate his energies on military issues while the civilian Vice Director of Civil Defense focuses on emergency preparedness and response and recovery.

Thank you for the opportunity to provide testimony that strongly supports this bill.

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

February 5, 2014, 8:30 a.m., VMI Room 312

TESTIMONY IN **OPPOSITION** OF HB2437

Aloha Chair Takai, Vice Chair Ito, and Members of the Committee:

I, Suzanne Puanani Vares-Lum, of 45-557 Liula St., Kaneohe, HI, am submitting testimony in **OPPOSITION** of HB 2437.

HB2437 creates the Director of the Department of Defense, who could be a civilian with no military experience and will undermine the strength of the Hawaii National Guard. The current structure where the Adjutant General (TAG) is directly appointed by the Governor and serves as a cabinet member continues to serve the State of Hawaii effectively. Creating a new Director position would put an unnecessary layer of supervision between the Adjutant General and the Governor, as he or she should have direct access to the Governor and should be appointed by the Governor.

Further, moving the Adjutant General to a Vice Director position, to report to the Director, will create a Hawaii National Guard that lacks the strength and influence found in other states. The structure of the Adjutant General overseeing the Hawaii Army and Air National Guard, Emergency Management, and Homeland Security within the State Department of Defense is a proven structure. It is this structure that has been tested through major hurricanes, tsunamis, floods, terrorism threats, and special security events such as APEC.

Additionally, the Adjutant General, in his role as a federal officer and a state cabinet member, truly strengthens Hawaii's interrelationships with the Pentagon, Congress, Pacific Command (PACOM), all the heads of services in Hawaii, federal and local law enforcement and emergency management, as well as key private sector partners in critical infrastructure and cyber security. TAG is a federally recognized general officer whose training and promotion has gone through a federally defined process. In this position, the Adjutant General maintains a Top Secret clearance with higher-level caveats due to the nature of the direct threats to the homeland.

Moreover, this bill eliminates the Deputy Adjutant position, which diminishes the importance and complexity of the Hawaii National Guard. HB 2437 sends a message to our Department of Defense partners that the State of Hawaii is not willing to commit its resources to the defense of the State of Hawaii or the Pacific Command Area of Responsibility; such legislation undermines national efforts to strengthen forces in Hawaii as part of the rebalance toward the Pacific.

I **OPPOSE HB2437** as it would be detrimental to the State of Hawaii, and it dismantles a structure that is proven to keep Hawaii's Department of Defense ready to protect the citizens of our state and nation.

Mahalo for the opportunity to testify.

Suzanne Puanani Vares-Lum
Colonel
Hawaii National Guard

2 February 2014

Subject: Opposition to H.B. No 2437 Relating to the Department of Defense

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

I am Major General John R. D'Araujo, Jr, US Army (Retired). I am writing to register my opposition to H.B. 2437 Relating to the Department of Defense. The Bill intends to reduce the Adjutant General of the State of Hawai`i to the position of a Vice Director who reports to a civilian Director who may not have any military experience; it eliminates the position of Deputy Adjutant General and modifies the pay scale for the Adjutant General. I was born and raised in Hawai`i and was a member of the Hawai`i National Guard in Hawai`i for over twenty years.

I base my strong objection to what the Bill proposes based on my experience with the National Guard and Emergency Management. I served as the Acting Chief of the National Guard Bureau, Director of the Army National Guard of the United States, and Deputy Director of the Army National Guard of the United States in the early to mid-1990s. Before that time, I served as the Assistant Adjutant General for Army for the Hawai`i Guard and had the privilege of commanding the 29th Infantry Brigade of the Hawai`i Guard for almost three years. After my retirement from the Army I served as the Assistant Director of the Federal Emergency Management Agency in Washington, DC, on two separate occasions. In these capacities I have had occasion to interact with the Adjutants General and Emergency Managers of all 54 states and territories as well as a number of governors.

I think the Bill is flawed because it fails to recognize that the Adjutant General is the commanding officer of the Hawai`i Army and Air National Guard. It is important to understand that the Army and Air Guard are principally reserve forces of the US Army and Air Force. When not in federal service they operate under the command of the Adjutant General as a direct representative of the Governor, who is the Commander-in-Chief of the state's National Guard. One needs only to observe the role of the National Guard since Sept. 11, 2001, to recognize that the National Guard requires intensive training and oversight to respond to national requirements in its federal role for which it is organized and equipped. The responsibility for that oversight and leadership rests squarely with the Adjutants General of the states. To relegate this responsibility to one who may have no military background is highly ill advised, in my personal view.

To provide the necessary leadership to accomplish both the peacetime and wartime missions of the Guard, the Adjutant General requires extensive military training and education that only comes with a lifetime of military experience.

The Adjutant General must be knowledgeable of both Army and Air Force training and operational requirements. He must be in a position to manage federal programs to sustain the readiness of an increasingly complex Army and Air National Guard. At the same time the Adjutant General must be able to provide the necessary National Guard response to the Governor for any state-declared emergency. In the case of Hawai`i the Adjutant General is also the Director of State Civil Defense, which makes him the Governor's direct link to the emergency management capabilities of that department. The Adjutant General is thus uniquely positioned to advise the Governor as to the best application of emergency management resources and the forces and equipment available to apply to any emergency by virtue of his position of Office of Civil Defense Director and simultaneous command of the Hawai`i Army and Air Guard. To insert another layer of bureaucratic leadership between the Adjutant General and the Governor, I believe, is an example of an inefficient management and leadership construct. This kind of inefficiency lends itself to poor emergency response when timing and efficiency are critical.

It is important to note that in the current organizational format the Adjutant General of Hawai`i has frequent personal and professional interaction with the Commander of Pacific Command (a four-star command); Commander, US Army Pacific (a four-star command); Commander Pacific Air Forces (a four-star command); the Chief of the National Guard Bureau (a four-star member of the Joint Chiefs of Staff); and the Directors of Homeland Security and the Federal Emergency Management Agency, who both respond to and advise the President of the United States. These principal operators depend on the professional advice of the Adjutant General of Hawai`i on National Guard matters, who is known to be a direct representative of the Governor. Reducing his position to one of a Vice Director significantly dilutes his ability to effectively interact with these commands and agencies. Placing a civilian Director between him and the Governor greatly reduces his effectiveness from a professional military standpoint.

Regarding the position of Deputy Adjutant General, I posit that the complexity and intensity of the federal military, state Guard and Civil Defense, and Veterans Affairs missions fully warrant a military deputy in the grade of Brigadier General in light of the issues I mentioned previously. It should be noted that in a number of states the Adjutant General is assisted by an Army and Air Guard general officer who are in the grade of two stars in addition to a Deputy Adjutant General. The unique structure of the Hawai`i Air Guard with three flying wings, and a high-priority Infantry Brigade Combat Team with a robust Army aviation structure makes having a

military Deputy AG not only prudent but essential to efficient operation of the Department of Defense.

In my experience at the federal level I have had occasion to evaluate the effectiveness of the various state National Guard organizations as well as their Emergency Management functions. In my personal and professional opinion, I strongly believe that the Adjutant General needs to be a direct representative of the Commander-in-Chief (the Governor) for the most effective leadership and direction of the National Guard and for a crisp emergency response within the state.

I thank the Committee for allowing me to express my views on H.B. 2437 and strongly suggest that the provisions of this Bill be rejected.

Mahalo

John R. D'Araujo Jr.

Major General, USA (Retired)

I am submitting testimony (attached) in opposition to HB2437. Although I no longer reside in Hawaii I will always consider Hawaii my home. Additionally, I served for over twenty years as a Hawaii Guardsman and retired from the Army in Jan 1996 while on extended active duty as a Hawaii Guardsman. I register this testimony based on my belief that the Hawaii Guard is a unique entity within the structure of the National Guard of the United States and I believe the provisions of this Bill will serve to weaken its position.

I thank you for allowing me to express my views on this matter and sincerely hope you will consider my thoughts. Mahalo.

Jack D'Araujo

I strongly oppose this legislation for the following reasons:

1. It creates a new bureaucracy and need for staffing a Director and staff. This is unnecessary, duplicative and an additional financial burden
2. The current structure led by the Adjutant General has been extremely successful. State Civil Defense and the Guard have responded to tsunami, hurricanes, floods, wild fires and civic events (APAC) all with great success.
3. The current structure with the Adjutant General reporting to the Governor provides many advantages:
 - a. It ensures the Senate confirms the Adjutant and therefore the selected candidate is a well thought out and respected choice. An adjutant selected by a Director opens the position to all the abuses of cronyism.
 - b. It ensures maximum responsiveness to the Governor during emergencies. Civil Defense, Homeland Security and the National Guard all headed by the Adjutant General means these agencies work together for rapid and seamless responses to emergencies.
 - c. It ensures that Hawaii's Adjutant General is acknowledged nation wide as one of the state Adjutant's who have an important voice to be heard at both the state and national levels. This is especially important now that our long term Senators are no longer in Washington DC representing our interests. We now more than ever need to rely on the network of State officials who are respected nationwide and serve on nationwide committees, policy boards and decision making venues. Our Adjutant General's position provides this for Hawaii. An Adjutant who is an assistant to a Director would not carry such weight in military circles. The Director would have no weight at all – not being a military member.
4. This bill would decrease efficiency, increase costs, reduce the effectiveness of emergency response, and decrease the influence the Adjutant General has in National military committees and boards. This will subsequently reduce Hawaii's voice at the table when the National Guard decides missions, locations and national policies.

Roxanne Kamalu

From: dobashim@hawaii.rr.com
Sent: Monday, February 03, 2014 7:34 AM
To: VIM
Subject: "Testimony in Opposition of HB 2437"

Importance: High

Aloha Representative Ken Ito, Chairperson, and VMI Committee Members,

My name is Myron N. Dobashi and I am submitting my testimony by personal e-mail in OPPOSITION to HB 2437.

The current structure of the State Department of Defense of Defense consolidates duties and responsibilities in the Adjutant General (HITAG) to effectively and expeditiously respond to State of Hawaii emergencies. HITAG, who has a substantial military background, is in continuous interaction with the highest levels of the National Guard, Active Military and Federal agencies, and HITAG can readily call on them for support in emergencies without unnecessary civilian layers to coordinate. HITAG answers directly to the Governor and can provide the quick and comprehensive reports to update the Governor and keep him/her timely apprised of the current actions taking place. This structure provides direct contact at the highest leadership level in our State and immediate decision- making involving all aspects of response. The current DOD is a proven structure and has a long history of continuous improvement.

As a former member of the Hawaii National Guard, I served in the positions of Deputy Adjutant General - Air; Commander Hawaii Air National Guard; Commander 201st Combat Communications Group, Commander 154th Air Control Squadron (Mobile); and Commander 150th Aircraft Control & Warning Squadron (Fixed). I am a Vietnam Veteran (July 1967 - July 1968) with the United States Air Force directly involved in the support of bombing missions over North Vietnam controlling air-to-air refueling, assisting search and rescue operations, and conducting air defense. After 'honorable' discharge from the USAF at the end of February 1969, I joined the Hawaii Air National Guard (HIANG) in October 1969 and became a full-time member in March 1970 and served until May 1999 when I returned to 'Traditional Guardsman' status to serve as Commander HIANG.

I am also a victim of three (3) hurricanes as a resident on the island of Kauai -- DOT in 1959; IWA in 1982; and INIKI in 1992. I was a member of the HIANG during Iwa when my 24-hour crew on duty at Kokee AFS experienced a direct hit on the Western side of Kauai and we were stranded on site for 3 days while keeping the damaged site operating for the 24-hours/day Air Defense Mission and continued to provide the FAA with civilian air traffic radar data. During Iniki, I was the 'senior' Hawaii National Guard Officer on island and assigned to Mayor Yukimura's Emergency Control Center in Lihue to serve as on-site liaison for the State DOD. As you all know, Iniki hit Kauai as if it was a 'bulls-eye' for this storm resulting in record-breaking devastation to the entire island caused by high winds, rain, ocean tides and flying debris. I was directly involved with the State, Federal and Military emergency response and recovery efforts while attempting to also assist my family (wife and 3 young children -- ages 9 yrs, 6 yrs and 10 months). After retiring at the end of August 2003, I served as the Kauai County Representative to the State Civil Defense Advisory Council from July 2004 - 2012 (2 terms).

Based on my background and first-hand experiences, I would like to see the State of Hawaii DOD remain in its current structure and I OPPOSE HB 2437.

'Mahalo nui loa' for receiving and reviewing my testimony.

Very respectfully,

//s// Myron N. Dobashi

4th Generation Resident of Kauai (Mother's side) 3rd Generation Resident of Kauai (Father's side) U.S. Military Retiree
(37+ years) Federal Civil Service Retiree (29+ years)

TESTIMONY ON HOUSE BILL 2437
A BILL RELATING TO THE HAWAII NATIONAL GUARD

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

BY

Command Chief Master Sergeant Denise M. Jelinski-Hall (Retired)
Senior Enlisted Advisor – National Guard Bureau

February 04, 2014

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

I am Command Chief Master Sergeant (Retired) Denise M. Jelinski-Hall. I am testifying in **NON SUPPORT** of House Bill 2437.

My decision to **non-support** HB 2437 is based on nearly 3 decades of military service; 20 of which were served in the Hawai'i National Guard. In my last position, I served 3 ½ years as the Senior Enlisted Advisor to the Chief of the National Guard Bureau – a member of the Joint Chiefs of Staff. Prior to that, I served 3 years for the Hawai'i Adjutant General as the Senior Enlisted Leader for the Hawaii National Guard. My last two positions provided me an in-depth understanding of how critical the Adjutant General is in leading, organizing, equipping and training their National Guard members for both their state and federal missions; thus protecting the citizens of their respective states.

The depth and breathe of military experience, strategy and tactics that an Adjutant General possesses can only be acquired over a lifetime of military service. The Adjutant General not only has a deep and broad understanding of military policy as it relates to international, national, state and local government affairs, they are adept at leading and managing their respective resources. Placing a civilian Director of Defense over the Adjutant General undermines the position and authority of the Adjutant General. A civilian Director of Defense will not have the military experience or credibility to lead a military organization. Today, the National Guard is an operational force and as such requires it be led by a military commissioned General Officer. Inserting a civilian Director or Defense goes contrary to the good order and discipline of every military organization. Decisions pertaining to the safety and security of the citizens of Hawai'i need to be articulated and executed at a moment's notice. I strongly recommend that the Adjutant General remains as the executive head of the Department of Defense (DoD) as well as the Director of State Civil Defense and the Director of Homeland Defense. Doing so allows for the expeditious coordination with all state and federal agencies, including DoD, to ensure the citizens of Hawai'i are protected. Having served in the Pentagon, I can assure you the last thing the state of Hawai'i needs is to add an additional layer of bureaucracy. Additionally in our nation's and the state's economic and budgetary crisis the addition of a Director of Defense and required staff is fiscally irresponsible. The citizens of Hawai'i need to know that not only are we concerned for their safety and security, but that the state is being fiscally responsible. It has been proven that in peacetime and in times of crisis the Adjutant General needs immediate access to the Governor and the Chief of the National Guard Bureau. Under the current structure, Hawai'i has been hugely successful in achieving its military goals and in preserving the safety of its citizens.

I strongly urge you, for the good order and discipline of our National Guard and the safety and security of the State of Hawai'i, to **NOT SUPPORT** HB2437.

///Signed///

DENISE M. JELINSKI-HALL, CMSgt, USAF (Ret.)
Senior Enlisted Advisor – National Guard Bureau

LATE

HB 2437

Aloha & good morning. Thank you for this opportunity to testify. My name is Lisa Mitchell and I OPPOSE HB 2437.

I am in opposition of HB 2437; because Hawaii has lived in PEACE since WWII, and renaming and adding a position with a title of Dept of Defense sets a bad precedent for Continued PEACEFUL relationships throughout the Pacific, and in Hawaii in particular.

I honestly don't understand why we need to feel threatened by China or Japan, or Korea, or any other country in the Pacific and elsewhere for that matter, especially since the Hawaii tourism authority has been working so hard to establish friendly relationships with these countries; and indeed, the Gov just recently celebrated the opening of the Beijing airlines to Hawaii!!!!

It is my understanding that the world has become a more Global place, that we are all United economically, socially and Environmentally; and therefore a dept of defense is....& or should be obsolete....something of the past....something not needed any more.

Hawaii IS & embodies the ALOHA SPIRIT !!!.....the military already enjoys its Paradise!!!

Lets keep the dept of defense title out of this bill; & care for the vets and families who need the care.

Lets Embody PEACE in Hawaii; and let Freedom ring/reign

MAHALO NUI

LATE

**Testimony to the House Committee on Veterans, Military and
International Affairs, and Culture and the Arts**

Wednesday, February 5, 2013

8:30 AM

Conference Room 312

RE: HOUSE BILL NO. 2437, RELATING TO THE DEPARTMENT OF DEFENSE.

Chair Takai, Vice Chair Ito, and members of the committee.

My name is Charles Ota and I am the Vice President for Military Affairs at The Chamber of Commerce of Hawaii (The Chamber). I am here to state The Chamber's opposition to House Bill No. 2437, Relating To The Department Of Defense.

The measure proposes to transform the department by eliminating the senior military command positions of Adjutant General and Deputy Adjutant General and replacing with civilian director positions, and requiring the commission on salaries to recommend the salaries.

The organization of the Hawaii Department of Defense recognizes the major responsibilities vested in the department, which parallels that of state adjutant generals across the U.S. The appointment of highly qualified senior military officers to serve as adjutant generals for the state militia has a proven history of success in Hawaii and across the U.S.

As evidenced in the wars against terrorism and in maintaining peace and stability in the Asia Pacific, the Hawaii Army National Guard and Hawaii Air National Guard have vital roles as key components of the nation's armed forces under the command of the President of the United States. Hawaii's guard units activated in the defense of freedom and oppression around the world performed admirably, and our adjutant generals and the staff of professional military officers are to be credited with the outstanding performance of Hawaii's guard personnel. There is no justification to support changing the department.

In light of the above, we oppose this measure and recommend it be disapproved.

Thank you for the opportunity to testify.

LATE

LATE



**Headquarters
Hawaii Wing
Civil Air Patrol**

United State Air Force Auxiliary
419 Lele Street
Honolulu, Hawaii 96819-1821

Wednesday, February 05, 2014

TESTIMONY FOR Chair K. Mark Takai, Vice Chair Ken Ito and members of the Committee on Veterans, Military & International Affairs & Culture and the Arts

FROM: Hawaii Wing Civil Air Patrol Commander

SUBJECT: HB 2437 RELATING TO THE DEPARTMENT OF DEFENSE

I am Carswell Ross, Government Relations Advisor for the Hawaii wing Civil Air Patrol. We **OPPOSE** the intent OF HB 2437, for the following reasons:

- The TAG is a federally recognized General officer whose training and promotion has gone through a defined process.
- Currently the Adjutant General (TAG) is directly appointed by the Governor and as serves as a cabinet member. He or she has the ability to work closely with the Governor especially during emergencies.
- The present structure with the TAG in Hawaii as the head of the Hawaii Army and Air National Guard, Emergency Management, Homeland Security and having the Office of Veterans Services within the State Department of Defense has worked very well. TAG is directly responsible for responding to and allocating resources is successful in dealing with major hurricanes, tsunamis, and security needs for example APEC. The present structure fosters good command and control, collaboration, and planning among agencies.
- The TAG in his role as a Federal officer and a State Cabinet member acts as the official liaison between the State and the Pentagon, Congress, Pacific Command (PACOM), all the head of the services here in Hawaii, Federal law enforcement, all local law enforcement, as well as the private and public sector.
- As a National Guardsman, his/her understanding of the duality of the guardsman's role and values their years of training in war, exercises, and responding to a natural disaster or a terrorist event is invaluable and cannot be learned by books.

Finally, the Hawaii CAP not only opposed this bill for the above stated reasons; we believe that this bill would not serve the State of Hawaii very well as it seeks to dismantling a structure that is proven to be effective in Hawaii. It would also place a layer of supervision above the Adjutant General that is not required. The Adjutant General should have direct access to the Governor, especially during emergent situations.

I thank you for the opportunity to submit this testimony in **opposition** to HB 2437, on behalf of the Civil Air Patrol

Sincerely,

//Signed//

Jeffrey Wong, Colonel. CAP
Hawaii Wing, Commander

Presented by Carswell J, Ross, Jr., Lt. Col.
Government Relations Advisor