

STATE OF DELAWARE



EXECUTIVE DEPARTMENT DOVER

EXECUTIVE ORDER
NUMBER 108

TO: HEADS OF ALL STATE DEPARTMENTS AND AGENCIES
RE: ADJUTANT GENERAL OF THE DELAWARE NATIONAL GUARD

WHEREAS, pursuant to Article III, §8 of the Delaware Constitution of 1897, the Governor is the Commander-in-Chief of the State armed forces; and

WHEREAS, pursuant to 20 Del. C. §122, the Governor is charged with appointing, by and with the consent of the majority of the members elected to the State Senate, an Adjutant General who shall hold office at the pleasure of the Governor; and

WHEREAS, over the last decade there has been an unprecedented increase in the importance of the role the Delaware Army and Air National Guard play in responding to federal requests for assistance, including the recent call-up to active duty during the Persian Gulf War; and state missions in response to hurricanes and other natural disasters, environmental mishaps and civil disturbances; and

WHEREAS, the unique complexities of the dual mission of Delaware's Army and Air National Guard, governed as they are by both federal and state laws, regulations, policies, as well as the regulations and policies of the United States Army and the United States Air Force necessitate that the individual appointed as Adjutant General of the Delaware National Guard have extensive knowledge and experience involving both state and federal military affairs; and

WHEREAS, the Adjutant General of the Delaware National Guard must have the respect and confidence of the Governor, the members of the National Guard and the citizens of the State of Delaware in order to provide for the public peace and order; and

WHEREAS, the appointment of a qualified Adjutant General can best be assured by a merit selection process involving a bipartisan, civilian and military screening committee, which can recruit candidates, assess their qualifications, and furnish the names of the most qualified candidates to the Governor.

NOW, THEREFORE, I, MICHAEL N. CASTLE, by virtue of the authority vested in me as Governor of the State of Delaware do hereby declare an order that:

1. The Adjutant General Selection Committee is hereby established.

2. The Committee shall consist of five members as follows:

- a. The Director of the Office of State Personnel or

his/her designee;

b. A senior officer (active or retired) from the Delaware Army National Guard;

c. A senior officer (active or retired) from the Delaware Air National Guard;

d. A civilian business person; and

e. A representative from the Office of the Governor.

3. The Governor shall designate a Chairperson from among the membership of the Committee.

4. The Committee shall:

a. screen persons who apply for appointment as Adjutant General;

b. adopt appropriate procedures and criteria for the screening process;

c. interview applicants for the position of Adjutant General; and

d. furnish to the Governor the names of individuals who the Committee finds qualified to serve as Adjutant General.

5. Applicants shall be considered by the Committee without regard to race, religion, sex, national origin, age or physical handicap.

6. All records and deliberations with respect to persons under consideration as candidates or prospective candidates shall be held in confidence by the Committee and may be disclosed only at the direction of the Governor and only to the

Governor or his designee. The Adjutant General Selection Committee is established by the Governor to assist him in the exercise of his discretion regarding his power to appoint the Adjutant General, and the creation of the Committee and its adoption of screening procedures and criteria in no way waives any privilege attaching to the source and substance of any advice rendered to the Governor in this regard, nor waives any privilege attaching to the records, investigations and deliberations of the Committee regarding the performance of its duties under this Executive Order.

7. The Governor shall nominate for appointment as Adjutant General only those persons found qualified for appointment by the Adjutant General Selection Committee.

APPROVED this 30th day of
September, 1992.

Michael N. Castle

Governor

ATTEST

Ann Turpin

Secretary of State

