

# Investigation sought of state Guard leadership

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**GEN. EDWARD AGUIAR**  
— Forced to retire in 1984

In a letter to state and federal legislators, a former commander of the Air National Guard base in Fresno has called for an investigation of California National Guard leadership.

Retired Brig. Gen. Edward R. Aguiar, who was forced to retire in 1984, contends in the letter that the Guard command in Sacramento is guilty of "gross mismanagement" and "top-level deficiencies."

In an interview, Aguiar also told The Bee that safety problems at the Fresno base are being "covered up and swept under the rug."

Aguiar said he is airing his criticisms publicly because of what

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he called the declining status of the Guard in California and the state's reluctance to participate in Central American military exercises.

"National political and military leaders are concerned with the inconsistency and inappropriateness of decisions," he wrote. "Some are questioning the [California National Guard's] ability to respond and support national defense policies."

Acknowledging bitterness about his forced retirement, Aguiar said in the interview, "I'm not concerned about the injustices to me. I'm concerned about the injustice that is being done to the California National Guard."

Aguiar said the safety problems at the Fresno base have not been exceptionally serious but that base officials are choosing to ignore them.

He said Fresno pilots often have flown training missions in bad weather, violating Air Force regulations, and that a number of mishaps have not been reported to Air Force safety officials as required by federal regulation.

Aguiar and active-duty Guard personnel told The Bee that they suspect top Guard officials of trying to manipulate a current inquiry into one mishap.

An Air Force safety officer and a state National Guard inspector visited the Fresno base last weekend to look into reports that an F-4 fighter jet had been damaged through excessive use and that base officials had failed to report the damage as required.

The aircraft reportedly was "overstressed" twice, causing sheet metal on the front of the wing to peel back.

According to Aguiar and the other Guard personnel, state Guard officials handpicked the safety officer for the inquiry because he is not considered "hard-nosed."

"It's a cover-up, pure and simple," Aguiar said.

Base spokesman Col. James Arthur confirmed that there is an inquiry but said base officials have not been informed of the details.

Arthur denied that Fresno pilots commonly fly in bad weather but confirmed that one pilot was recent-

ly disciplined for landing in overly heavy fog.

Aguiar was commander of the Fresno jet fighter base for three years until he was removed in 1984 by Maj. Gen. Willard Shank, who heads both the Air National Guard and Army National Guard in California.

Shank's action followed an investigation into allegations that Aguiar had abused his authority in Fresno. Although details have never been made public, it is known that a Fresno-based pilot had accused him of a long list of relatively minor offenses.

The most serious known allegation was that he had improperly upgraded a poor performance rating for another pilot.

Aguiar told The Bee he was never told the exact charges but that he was questioned on a number of minor items, mostly involving use of petty cash for unofficial but Guard-related functions.

Aguiar retired from his 35-year military career two months after being relieved of his command. He now works as a real estate broker in Fresno.

In his first public response to the inquiry and his removal, the general said Wednesday he was the victim of a power struggle between part-time Guard officers and career Guard officers.

In the letter mailed to legislators this week, Aguiar directed most of his anger at Shank, adjutant general of the California Guard.

He contended that Shank's knowledge of Guard operations "ranges from limited to non-existent."

"His actions have displayed a lack of understanding and his record will show his lack of qualifications," Aguiar wrote.

Aguiar said that Shank has acknowledged in sworn testimony that "he was not even aware of the chain of command within the California National Guard."

He also accused Shank of favoring part-time Guard members over full-time career officers. Aguiar, who was a full-timer officer, noted that Shank had never been a full-time Guard employee until Gov. Deukmejian appointed him to the command post in January 1983.

While serving part-time as a Guard attorney, Shank had been a

full-time deputy attorney general for 33 years. For three of those years, Deukmejian was the attorney general.

Aguiar said he and others have been unable to communicate their concerns directly to Deukmejian because of a close personal relationship between Shank and Steven Merksamer, the governor's chief of staff. Merksamer, like Shank, is a former deputy attorney general.

"Friendships and personal relationships abound over sound and prudent judgment in appointments to command positions by Shank," Aguiar wrote. "Competent, career military commanders are being displaced."

Shank declined to comment but National Guard spokesman Col. Donald Foley said Wednesday: "We disagree with most everything in the letter and that's all we're going to say. He [Aguiar] is retired now, he's a citizen and he's got a right to exercise his constituency and write letters to whoever he wants."

Aguiar, sharing the view of a number of career Guard officers in California, also criticized Guard leadership for not allowing California Guard units to play a more active role in U.S. military missions in Central America.

California declined to send units to participate in war games last year in Honduras. Although 30 Army National Guard soldiers from Northern California were sent to Honduras earlier this year, National Guard officials in Washington have been critical of the California Guard's hesitation to travel into combat zones.

A number of Democratic state legislators have strongly opposed Guard ventures into Central America, arguing that the Reagan administration is attempting to use National Guard units to quietly slide the U.S. into combat.

Maj. Gen. Herbert Temple, commander of the U.S. Army National Guard, warned in a speech last month that federal support to the California National Guard was in jeopardy unless attitudes changed.

Referring to Temple, Aguiar wrote, "His statements and position verify a growing sentiment of problems in California. I believe an investigation ... is in order."