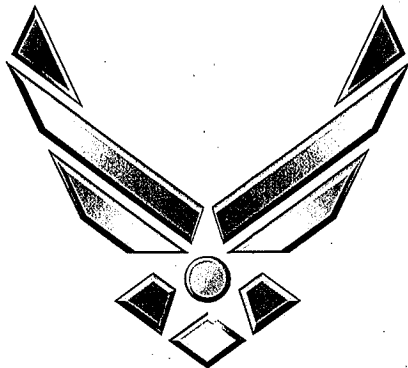


United States Air Force



Testimony

Before the Senate Armed Services
Committee, Subcommittee on Personnel

Status of the Judge Advocate General Corps

Statement of
Lieutenant General Richard C. Harding
The Judge Advocate General
United States Air Force

July 20, 2011

NOT FOR PUBLICATION UNTIL RELEASED
BY THE COMMITTEE ON ARMED SERVICES
UNITED STATES SENATE



BIOGRAPHY

UNITED STATES AIR FORCE

LIEUTENANT GENERAL RICHARD C. HARDING

Lt. Gen. Richard C. Harding is The Judge Advocate General (TJAG), Headquarters U.S. Air Force, Washington, D.C. In that capacity, General Harding serves as the Legal Adviser to the Secretary of the Air Force and all officers and agencies of the Department of the Air Force. He directs all judge advocates in the performance of their duties and is responsible for the professional oversight of more than 2,200 judge advocates, 350 civilian attorneys, 1,400 enlisted paralegals and 500 civilians in the Total Force Judge Advocate General's Corps worldwide. General Harding oversees military justice, operational and international law, and civil law functions at every level of command.

General Harding, the son of an Air Force officer and grandson of a Naval officer, entered the Air Force with a direct commission in 1980. Since that time, he has served in a variety of assignments as a judge advocate, to include serving six assignments as a staff judge advocate at the unified command, major command, numbered air force and wing levels. Prior to assuming his current position, he served as the Commander, Air Force Legal Operations Agency, Bolling Air Force Base, D.C.



EDUCATION

1975 Bachelor of Science degree, University of Arkansas, Fayetteville
1979 Juris Doctor, University of Arkansas School of Law, Fayetteville
1984 Squadron Officer School, Maxwell AFB, Ala.
1988 Air Command and Staff College, by correspondence
1994 Air War College, by seminar

ASSIGNMENTS

1. January 1980 - March 1983, Assistant Staff Judge Advocate, Bitburg Air Base, West Germany
2. March 1983 - July 1986, Deputy Staff Judge Advocate, Dyess AFB, Texas
3. July 1986 - August 1988, Deputy Chief, later, Chief, Executive Services Division, Office of The Judge Advocate General, Headquarters U.S. Air Force, Washington, D.C.
4. August 1988 - May 1990, Chief of the Special Law Branch, later, Chief of the Information and Privacy Law Branch, General Law Division, Headquarters U.S. Air Force, Washington, D.C.
5. May 1990 - July 1992, Chief of Officer Assignments, Judge Advocate General Professional Development Division, Headquarters U.S. Air Force, Washington, D.C.
6. July 1992 - July 1995, Staff Judge Advocate, 12th Flying Training Wing, Randolph AFB, Texas
7. July 1995 - July 1998, Staff Judge Advocate, 3rd Wing, Elmendorf AFB, Alaska
8. October 1998 - April 2000, Deputy Chief Counsel, Office of Chief Counsel, U.S. Transportation Command, Scott AFB, Ill.

9. April 2000 - June 2002, Staff Judge Advocate, U.S. Strategic Command, Offutt AFB, Neb.
10. June 2002 - July 2004, Staff Judge Advocate, Headquarters 8th Air Force, Barksdale AFB, La.
11. July 2004 - May 2006, Staff Judge Advocate, Headquarters Air Force Space Command, Peterson AFB, Colo.
12. May 2006 - June 2007, Staff Judge Advocate, Headquarters Air Combat Command, Langley AFB, Va.
13. June 2007 - February 2010, Commander, Air Force Legal Operations Agency, Bolling AFB, D.C.
14. February 2010 - present, The Judge Advocate General, Headquarters U.S. Air Force, Washington, D.C.

SUMMARY OF JOINT ASSIGNMENTS

1. October 1998 - April 2000, Deputy Chief Counsel, Office of Chief Counsel, U.S. Transportation Command, Scott AFB, Ill., as a colonel
2. April 2000 - June 2002, Staff Judge Advocate, U.S. Strategic Command, Offutt AFB, Neb., as a colonel

MAJOR AWARDS AND DECORATIONS

Distinguished Service Medal
Defense Superior Service Medal with oak leaf cluster
Legion of Merit with oak leaf cluster
Meritorious Service Medal with silver oak leaf cluster

OTHER ACHIEVEMENTS

1985 Outstanding Attorney of the Year, 15th Air Force and Strategic Air Command
1995 and 1998 Outstanding legal office, Pacific Air Forces
1996 and 1997 Outstanding Senior Attorney, Pacific Air Forces
2002 Outstanding Senior Attorney, Air Combat Command

EFFECTIVE DATES OF PROMOTION

Captain Jan. 6, 1980
Major Aug. 1, 1986
Lieutenant Colonel July 1, 1992
Colonel May 1, 1997
Brigadier General May 3, 2006
Lieutenant General Feb. 2, 2010

(Current as of March 2010)

Statement of
Lieutenant General Richard C. Harding
The Judge Advocate General
United States Air Force

I have served as the Air Force's 16th Judge Advocate General since 23 February 2010. I am pleased to report to you today that the state of the Air Force JAG Corps is strong. This past year has been one of the most rewarding of my career as I have watched our Corps flourish in the execution of our mission for the Air Force.

The Air Force JAG Corps is currently comprised of 4,390 total force personnel. Of this total, 3,126 are either active duty personnel or full time civilian personnel. The remaining 1,264 are judge advocate and paralegal members of the Air Force Reserve and Air National Guard.

The Air Force JAG Corps' mission is to deliver professional, candid, independent counsel and full spectrum legal capabilities to Air Force and joint commanders and their staffs. Members of the Air Force JAG Corps are involved in the full range of operations from peacetime, through war, to stabilization and reconstruction efforts. Our varied fields of practice demand that we apply the Air Force's traditional ability to adapt quickly to changing requirements. Our fields of practice include military justice, contract law, environmental law, labor law, federal administrative law, defense of tort and other civil suits against the Air Force, legal assistance for Airmen and their families, international law, and operations law to include the law of air, space and cyberspace.

Today's uncertain international security and evolving legal environment requires the Air Force JAG Corps adopt a balance-driven approach. We must overcome today's challenges while simultaneously preparing for tomorrow's. At present, Air Force judge advocates and paralegals are deployed all over the world in support of Combatant Commanders' requirements. We provide timely, responsive, and thorough legal advice to Air Force commanders and their Airmen whether in austere conditions half a world away or at their home stations.

The Air Force is organized into functional major commands (MAJCOMs) led by O-10 commanders. MAJCOM Staff Judge Advocates (SJAs) serve as the most senior, ranking attorney on a MAJCOM Commander's staff. They advise on a myriad of legal issues that face the MAJCOM Commander and his staff. MAJCOM SJAs are some of our most seasoned legal professionals, each possessing 20+ years of JAG experience. Three of our four Air Force JAG O-7s (brigadier general) serve as SJAs in three of the Air Force's most vital MAJCOMs: Air Combat Command (our functional lead command for combat air forces), Air Mobility Command (our functional lead command for mobility air forces) and Air Force Materiel Command (our functional lead command for procurement of major weapons systems, logistics, and sustainment). These SJAs provide valuable legal advice on the most complex legal issues facing the Air Force today:

The ACC SJA advises the ACC Commander, who serves as the combat air forces lead agent for all combat forces across the Air Force. Those forces are engaged in on-going combat operations. The SJA provides counsel on such matters as the law of armed conflict, international agreements, disciplinary matters, contract law, environmental law, civilian personnel law, and any other legal

issue confronting this vital command, all while providing professional supervision to over 600 JAG Corps personnel, who deliver legal services to over 133,000 personnel assigned to ACC.

The AMC SJA advises the AMC Commander on joint operational and policy matters such as command responsibilities for developing and maintaining a national industrial mobilization base for airlift and aerial refueling. The AMC SJA also serves as legal advisor to the general officer level Commercial Airlift Review Board, which by statute is charged with safety oversight and DoD certification of over 150 US and foreign carriers under contract with the Department of Defense. In addition, the AMC SJA provides professional supervision to over 465 JAG Corps personnel, who deliver legal services to over 135,000 personnel assigned to AMC.

The AFMC SJA serves as legal advisor to the AFMC Commander and provides legal oversight in the Air Force acquisition process for major weapons system procurement, sustainment, and research. It is vitally important that the Air Force maintain the highest scrutiny over our acquisition processes and programs including international systems acquisitions. The AFMC SJA is responsible for providing legal advice on the expenditure of enormous financial resources and assists in the prevention of fraud, waste and abuse of resources. In addition, the AFMC SJA provides professional supervision to over 448 JAG Corps personnel, who deliver legal services to over 75,000 personnel assigned to AFMC.

The fourth Air Force JAG O-7 is the Commander of the Air Force Legal Operations Agency (AFLOA), a worldwide field operating agency. AFLOA is comprised of over 800 total force JAG Corps personnel. Accordingly, AFLOA is the parent command for approximately 24% of

our worldwide JAG Corps personnel and is responsible for supervising the administration of military justice senior trial counsel (prosecutors), defense counsel, and appellate counsel; 11 field support centers; civil litigation counsel; the Air Force JAG School; and the Air Force Legal Information Services Directorate.

The other seven MAJCOM SJAs are senior JAG colonels. Those MAJCOMs are Air Education and Training Command (AETC), Air Force Global Strike Command (AFGSC), Air Force Reserve Command (AFRC), Air Force Space Command (AFSPC), Air Force Special Operations Command (AFSOC), Pacific Air Forces (PACAF), and United States Air Forces in Europe (USAFE).

In closing, I would like to emphasize that our Nation has achieved much success in international armed conflict because we bring four crucial elements to every conflict. First, we recruit some of our best citizens into our Armed Forces. Second, we give them the best military training available anywhere on the planet. Third, we provide them the best available equipment to win in war. But those are only three legs of a four-legged table. Without the fourth leg, the table wobbles and falls. The fourth leg is discipline. Without discipline, great people, great training and great equipment are not enough to win in war. Military discipline is an indispensable element for any effective fighting force. As the stewards of the Uniform Code of Military Justice, whose purpose is to protect and enhance good order and discipline, judge advocates tie service members, their training and their equipment together with military discipline. The Air Force JAG Corps and the JAG Corps of our fellow services safeguard good order and discipline in the United States Armed Forces, take care of the legal needs of Airmen, soldiers, sailors and

Marines, and ensure that our services carry the rule of law with them wherever they deploy. In that very real sense, we are combat force multipliers, upon whom the Nation's success in armed conflict relies.

Thank you for the opportunity to appear before you today.