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AFJAGS Podcast: Episode 12

Exchange Officer Program with Major Chris Bailey

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GUEST: MAJOR CHRIS BAILEY, USAF

In this episode, we discuss the Air Force JAG Corps Exchange Officer Program with Major Chris Bailey, the current exchange officer attached to the Royal Australian Air Force in Canberra Australia.

MAJ RICK HANRAHAN:

In this episode, we discuss the Air Force JAG Corps Exchange Officer Program with Major Chris Bailey, the current exchange officer attached to the Royal Australian Air Force in Canberra, Australia. As we've discussed in previous episodes, leadership and ambassadorship often go hand-in-hand, and in today's interview, we explore Major Bailey's unique position in ambassadorship, how he gained experience to prepare for the position, and how you can employ some of his lessons to become a better ambassador, whether at home or abroad, and perhaps, pursue a career in international or operational law. Here are a few clips from today's show.

MAJ CHRIS BAILEY:

One of the best pieces of advice I ever received, "Volunteer as often as you can with the Emergency Ops Center at your base". It's in those kinds of experiences, and on the ground training that you develop your ability to issue spot.

ANNOUNCER:

Welcome to the Air Force Judge Advocate General's Reporter Podcast, where we interview leaders, innovators, and influencers on the law, leadership, and best practices of the day, and now to your host from the Air Force Judge Advocate General's School.

MAJ RICK HANRAHAN:

Welcome to another episode from the Air Force Judge Advocate General's School at Maxwell Air Force Base. I'm your host, Major Rick Hanrahan. Remember, if you like the show, please consider subscribing on [iTunes](#), and leaving a review. This helps us to grow in outreach to the JAG Corps and beyond.

Well, if you have any interest in international or operational law, or seek a better understanding in how the U.S. works with our allies, today's topic is for you.

Today, we're going to talk about the JAG Corps' Exchange Officer Program, with our current exchange officer attached to the Royal Australian Air Force. I'm personally excited to introduce our guest, who is an outstanding officer, burgeoning ops law expert, and a personal friend of many years, Major Chris Bailey. Major Bailey, it's a pleasure to have you on the show today.

MAJ CHRIS BAILEY (1:45):

Hey, Major Hanrahan. I really appreciate the opportunity to talk to you. I think we were talking earlier, I can't tell you how excited I am that the schoolhouse is putting out a podcast. I think it's sorely needed, and I'm very excited to, I've already been spreading the good word around my office here in Australia. So you've got a couple Australian listeners already.

MAJ RICK HANRAHAN:

Great, that's great news. As it's Tuesday here in Alabama, and Wednesday by you down under in Australia, how's the future looking?

MAJ CHRIS BAILEY:

The future is big and bright at about 9:30 a.m. in Canberra, Australia. So it's not too bad at all. (laughing)

MAJ RICK HANRAHAN:

Great, great. Major Bailey currently serves as the U.S. Air Force Legal Exchange Officer to the [Royal Australian Air Force](#), or RAAF, posted at Australian Defense Force, Legal Services Director of Operations and Security Law

in Canberra, Australia. In this capacity as fully integrated into the Defense Legal Division, providing legal services and advice on matter effecting defense strategic policy, and plans, operations, exercises, and training to the Australian Department of Defense, and all branches of the Australian Defense Force. He assists in reviewing and drafting regulations, and doctrine, commenting on draft treaties, and reviewing new weapons for compliance with the Law of Armed Conflict, or LOAC.

In December 2010, Major Bailey entered active duty with a direct commission as an Air Force Judge Advocate. His prior assignments include: acting as an assistant staff judge advocate at Cannon Air Force Base, then RAF Mildenhall in the UK as Chief of Operations and International Law at the 100th Air Refueling Wing, where he subsequently acted as the staff judge advocate at the 352rd Special Operations Wing. He is also deployed in support of special operations in 2013.

Major Bailey holds a Bachelor of Arts degree in political science, from Southwestern University, in Texas, and J.D. from Chicago-Kent College of Law. He is a Squadron Officer School distinguished graduate, and more recently, obtained a Master of Laws, or LL.M, in space, cyber, and telecommunications law from the University of Nebraska. Next, he became the Chief of Intelligence Law at the 25th Air Force Joint Base San Antonio, Texas before moving into his current position. With that backdrop, Major Bailey, might you be able to provide a little more background on how you became interested in the international and operational law arena?

MAJ CHRIS BAILEY (4:26):

Honestly, my interest goes back well before I joined the JAG Corps. In undergrad, being a political science major, I had spent a lot of time focused on international political science, and U.S. foreign policy, and when going to law school, one of the most fascinating and outstanding classes I ever took was my international law class, and I just really became very, very interested in how international law was developed through treaty, through custom, and how nations apply international

law domestically. And so, I mean, going back to 2007, 2008, 2009, you really saw, at that point, you saw operations in Iraq, and Afghanistan, and big questions about how international law and the law of armed conflict applied to those conflicts, and it really just developed that focus and dedication to that kind of area of law. And that's really what ultimately ended up taking me to the JAG Corps.

MAJ RICK HANRAHAN:

Did you ever envision yourself sitting in the position that you are right now?

MAJ CHRIS BAILEY (5:36):

I don't think I ever thought I would actually get this position. I'll tell you, back when I was a, so this had been the summer before my third year of law school, I had the opportunity to intern at Hurlburt Field and while there, I worked for the SJA for the office, was Colonel Michael Tomatz and he had recently come out of the Australian Exchange position, and just sitting with him, and talking to him about the opportunities that he had, the different topics that he got to work on and cover while on the Australian Exchange position, I was hooked from the start. And so, you can ask most anybody, every dream sheet I've ever had since then typically lists the Australian Exchange position somewhere in the top five. So I can tell you, I thought this would be an outstanding job, so I'm incredibly excited to get the chance to work here.

MAJ RICK HANRAHAN:

And your background thus far has really centered primarily on international ops law. Did you make that apparent when you came into the JAG Corps?

MAJ CHRIS BAILEY (6:30):

I did, and honestly, so to veer off a little bit, I've been listening to the other podcasts so far, and I know just the importance of leadership, and talking a lot about mentorship. One of the best mentors I ever had was Colonel Corea Smith, and I remember while at Hurlburt, she was there as the deputy, and she had mentioned, she goes, "Look Chris, if you are interested in international

operations law, AFSOC, and the bases under AFSOC are great opportunities to start to touch on some of those topics and issues". And so, she'd actually recommended that I put Cannon Air Force Base on my dream sheet. She said that, you know, "Some of the work that they were getting to do at Cannon", and some of the issues and topics were really, you know, "would match my interest in international operational law", and it worked out. So I have her and Colonel Michael Tomatz to thank, just in highlighting some of the unique opportunities you might have in the JAG Corps.

MAJ RICK HANRAHAN:

Wow, that's fascinating. So you actually listed Cannon Air Force Base as your top choice coming in to the active duty from direct commission?

MAJ CHRIS BAILEY (7:32):

So I only have to correct you on one thing. So Cannon was actually number two.

MAJ RICK HANRAHAN:

Okay.

MAJ CHRIS BAILEY:

Hurlburt was number one on my sheet, and Cannon was number two.

MAJ RICK HANRAHAN:

But, again, that shows that you had that interest, you had the mentorship, and you are, the interest, obviously, in going into the international operations law, which sounds like that mentorship really assisted that?

MAJ CHRIS BAILEY (7:55):

100%. Like I said, I mean, when I think back to some of the opportunities, and just different assignments, or issues that I've gotten to work over the years, it all goes back to just having outstanding mentors, like Colonel Smith and Colonel Tomatz, just identifying that, hey they are different ways to approach a JAG Corps career, right? So different assignments can give you different benefits, or different opportunities, or work in different

areas of law, and they really keyed me in on how I might be able to get a lot of that operational and international experience.

MAJ RICK HANRAHAN:

So for the exchange officer position that you're currently sitting in, was there any type of application process or interview process?

MAJ CHRIS BAILEY (8:35):

No, no real specific application process. One of the big things, so when you look historically at all the attorneys that have served in this position, they'll typically have an LL.M in an operational area, either that being an international law LL.M, or a space LL.M, or in my case, the cyber and space LL.M.

MAJ RICK HANRAHAN:

In the current position that you're in, what are some of your main duties that you have?

MAJ CHRIS BAILEY (9:00):

My primary responsibility is really to serve as an exchange officer. In this position, I'm assigned under the Indo-Pacific Military Personnel Exchange Program, IMPEP, and the big focus for IMPEP is really on developing and furthering relationships with our coalition partners, with allies, and with countries that we're trying to engage with. So under the Indo-Pacific IMPEP Program, there's four key responsibilities that we have. First, we need to promote improved relations with participating countries, to enhance mutual understanding and trust with the countries that we are operating in, foster understanding of doctrine and policies between both the U.S. and the host country, so in this case, Australia. And then, finally, developing both professional and personal relationships with the host country, just to help further cement the ties between the countries.

MAJ RICK HANRAHAN:

And just for our listeners' kind of situational awareness, are you currently working out of the embassy in Canberra, Australia?

MAJ CHRIS BAILEY (10:00):

No, so in my current position as the exchange officer, I am working in the Office of the Director of Operations and Security Law [(DOSL)] under the Australian Defense Legal Services Division. And so, in that office, so I'm the only U.S. service member in that office. So the office consists of about seven attorneys. We have a Royal Australian Navy Captain, so O-6 equivalent that is the director for our directorate, and in the office, we have approximately five other Australian attorneys, and then there's a UK Army exchange attorney as well.

MAJ RICK HANRAHAN:

How long is the assignment?

MAJ CHRIS BAILEY (10:45):

So the assignment's two years, and so, my predecessor, Major Scott Adams, is actually now currently stationed in the embassy for the follow-on assignment. So that follow-on assignment is over in the embassy. So you can typically expect to serve here in the, in Australia for approximately four years.

MAJ RICK HANRAHAN:

So far, you PCSed there, I think, this summer, and you have had a lot of ops law experience, and I know we've talked offline about some of the things you've been doing. Based on your experience so far there, do you believe that your background has laid a good foundation for what the job is going to require out of you?

MAJ CHRIS BAILEY (11:20):

Definitely. I mean, one of the big things that we talk about in my current offices in DOSL is just the importance of having a strategic outlook and operational outlook, and I think that's one of the big benefits that you gain working in international law. You know, whether your at Cannon Air Force Base, or my opportunities at RAF Mildenhall, you're constantly looking at what policy, what international situations or current events might be affecting how missions might be accomplished, or conducted, and trying to ensure for, you know, mission success, how you do that. So just for an example, you

know, some of the duties in my current office is reviewing Australian Defense Force or ADF regulations and doctrine, in particular, those that focus on cyber and space operations, commenting on draft treaties, and United Nations resolutions on behalf of Australia. And in a lot of those kinds of areas, you know, you have to have a good understanding of current events, a good understanding of what's going on in the world, how the law might be developing in a particular country, or in a particular, you know, treaty negotiation, things of that, . And so, I think the, you know, having that operations background, working with different career fields, working with operators at different levels of command are all great ways to develop some of that strategic thinking, and strategic mindset.

MAJ RICK HANRAHAN:

So what are some of the bigger projects you see in the foreseeable future?

MAJ CHRIS BAILEY (12:40):

I think some of the big ones, so as you mentioned sir in the introduction, one of the responsibilities is, as a part of DOSL, is advising on weapons reviews, future weapon procurements, or capability procurements, and that's one of the key responsibilities that I have in my office. Australia is a party to additional protocol, one of the United Nations Geneva Conventions, and within those conventions, there's what's called the Article 36 requirement, and the Article 36 is basically to ensure that militaries conduct their methods of warfare, but also, means of warfare, consistent with the Law of Armed Conflict. And so, that's one of the key areas that we work on, looking at, you know, new capabilities, new technologies that might be coming online, and how it might interact with the law.

MAJ RICK HANRAHAN:

And who do you report to through this process, and what is your chain of command?

MAJ CHRIS BAILEY (13:40):

So it's kind of unique. So my U.S. commander is actually the Indo-Pacific IMPEP commander, so that's Lieutenant Colonel Holliday, who sits in Hawaii, and so I will report to him. For lack of a better term, , you know, my U.S. Air Force administrative chain is the easiest way to articulate that. But then, from an actual legal work and legal process, my day-to-day reporting is direct to the Australian Defense Force, Director of Operations and Security Law, Captain Mullins.

MAJ RICK HANRAHAN:

So you're providing advice primarily to the Australian Air Force then?

MAJ CHRIS BAILEY (14:15):

That's right. So that's one of the, I think, one of the most unique pieces about this position, is, you know, I'm not a liaison officer. I'm not here to necessarily represent the U.S. on, you know, on any particular law, or particular legal advice, but I am really considered a member of the Australian Defense Force for the purposes of, you know, the two years. So I'm providing Australian Defense Force officers, and planners, as well as policy makers on legal issues, legal assessments on whatever the question might be.

MAJ RICK HANRAHAN:

So the U.S. and Australian forces have a very close and intimate relationship, right? They've been fighting together in every significant conflict since World War I, and I read on the State Department's website that as of July 4th, 2018, the two countries marked 100 years of "mateship", i.e. friendship, since the U.S. and Australian forces fought side-by-side for the first time in the **Battle of Hamel**. What is your reception been since arriving to Australia with your new mates?

MAJ CHRIS BAILEY (15:21):

It has been outstanding. I mean, I think, I chalk part of it up to my predecessor, Major Scott Adams, who left

a great history in the position. I mean, very, very well regarded by the Australian Defense Force [(ADF)]. So the running joke in the office is I'm the "new Scott Adams", which I am happy to have that name around the ADF.

No, everyone has been incredibly warm, incredibly welcoming. That's one of the things that actually stood out to me when I first arrived in the position. So within the Australian Defense Force, within the Defense Legal Division, you have approximately 175 active duty attorneys, and that's across all three services. So just from in terms of a camaraderie and a community, it is an incredibly tight-knit community of attorneys and legal professionals within the ADF, and I've had the opportunity to travel all across Eastern Australia, and teach their version of continuing legal education days.

So I've gotten to meet attorneys from every service, all different levels of command, and everyone I've talked to has been very warm, very inviting. And one of the big things that stands out to me is just the focus, and real expertise in operations and international law. I think that's one of the places where the ADF legal community really stands out. It doesn't matter. The rank doesn't matter. The years in. Everyone I talk to has a real interest in keen focus on how they operationalize law, and how they incorporate law into advice they give to their commanders, to their units that they're assigned to, and it's just been humbling to see, just such a level of expertise, and have the opportunity to work with a lot of these individuals.

MAJ RICK HANRAHAN:

And that's amazing stuff there. So the Royal Air Force, in conjunction with the other military departments within the Australian military, have approximately 175 practicing attorneys, which is, obviously, much smaller than we have in the United States. Does that allow them to operate in a different fashion that U.S. Forces?

MAJ CHRIS BAILEY (17:13):

No, I think that's a good question. What has been, I think, one of the biggest standouts to me, just the

difference between the ADF legal community, and the U.S. DoD legal community, I think, is their size. So they are an incredibly small corps, but that enables them to, I think, really cross the tactical, operational, and strategic legal advice realms very quickly. I mean, just to give an example, so the Director General for the ADF Legal Services, Commodore Peter Bowers, a one star equivalent, and him as the senior uniformed attorney, can rapidly, you know, tap different levels of command on legal issues, and legal questions.

So, for an example, I was at the Royal Australian Air Force Conference about a month ago, and while there, I mean, you basically had combatant command, equivalent of a major command, and joint staff legal counsel all in one room at one table. So your ability to, you know, work through issues, discuss issues, can happen incredibly fast, and it's incredibly efficiently, and I've been amazed at just how quickly they can get quality, articulated legal advice across the different levels of command, and I think it's an attribute of their professionalism, but it's also an attribute of how agile their structure is. And, again, like I mentioned before, just how joint focused they are. You know, the ADF is designed for that joint fight. And, you know, a lot of great lessons that I've learned as a U.S. attorney that I think would be, you know, different things we might be able to do, coming back to the U.S.

MAJ RICK HANRAHAN:

So I also checked the Royal Australian Air Force official website, and they mention that they have bases all throughout Australia, including the Australian Capital Territory, New South Wales, the Northern Territory, Queensland, South Australia, Victoria, West Australia, and obviously, bases overseas. Are you involved in any operations happening within any of these kind of bases throughout Australia, or it more kind of the strategic type of advice that you're focusing on?

MAJ CHRIS BAILEY (19:45):

So it's much more at that strategic level. One of the interesting things, and like I mentioned earlier, just with the relative size of the Defense Force legal community,

in any given time, you might be advising on, you know, a range of different topics and issues, but within the DOSL office. It's really more focused at the strategic level. The way I like to analogize it with colleagues back in the States, is if you think of each of the services in the States will typically have an international operations law-type division at the Pentagon, and then you'll have the Chairman of the Joint Chiefs of Staff Chairman's Legal Office that provides some of that more strategic thought. That's what DOSL sits between. So it provides some of that operations international law policy, development, and support to the services, but it also takes that strategic approach as well from a joint mindset of really how do these treaties, or particular laws, or new policies effect the Defense Force as a whole? So much more of that strategic level thinking.

MAJ RICK HANRAHAN:

Another thing I found through some of the prep for this, was that the U.S. and Australian defense agencies signed a joint statement on defense cooperation in October of 2015, to serve as a guide for future cooperation. And kind of, I think, part in parcel to that, is this kind of joint exercise that we do, the United States and Australian Forces do, called the **Talisman Saber**. Do you know much about this, or you have any involvement with the Talisman Saber?

MAJ CHRIS BAILEY (21:25):

So no direct to Talisman, Exercise Talisman Saber, but to key in on the first point you made, I think one of things, and I didn't really, I think, fully appreciate until coming to Australia, and digging into some of the history and background of my position, but also just the relationship between the U.S. and Australia generally, but, I mean, Australia and the U.S. have been allies in combat going past every major insignificant conflict since World War I, and so, when talking with Australian Defense Force, I'm always fascinated by how in tune they are to U.S. policy, U.S. doctrine, understanding how the U.S. basically goes to war, and they are very focused on helping develop that relationship and capabilities, and that's part of the reason why I'm here, is to serve in that relationship

building between the two countries. And so, that's been one of the fascinating points. You know, just the level of integration and support that you'll see across the two countries, and the specific military services.

MAJ RICK HANRAHAN:

Kind of switching gears just a little bit. Obviously, when you came in, you said, "Your predecessor was there, and did a great job", and I'm sure there was some turnover there. Have there been any challenges, either that you've had, or the challenges you can see?

MAJ CHRIS BAILEY (22:45):

It's a bit minor, but one of the, I think, biggest challenges coming into position, I think we take for granted the military acronyms, right? So serving in the U.S. military for eight, nine years, you get pretty comfortable with the acronyms of what means what, and how you get computer access, and where you go to turn in paperwork, you know, all those simple but important administrative things. So coming into the ADF, it was a brand new list of acronyms, and a brand new structure. So I really felt like I was at my first assignment again, going back to, all right, how do I get computer access? What do you need, you know, me to turn in to what office?

But honestly, that's been the worst when it comes to the challenges, and I think part of the reason why, is the testament to those that have been in this position before me, just building great relationships, and good will with the defense legal community. And I think one of the biggest challenges is something that both U.S. and Australia face, but it's some of these questions with new emerging technology, so artificial intelligence, cyber, space, some of these new areas of law that may not have a lot of law yet, or the laws influx, or trying to update to match the technology. And so, that's one of the things I think that while a challenge, it's a challenge that we're, you know, both countries are facing, and that within my office, the Director of Operations Security Law, things that we talk frequently. So, you know, sharing articles, sharing podcasts, trying to get, you know, better understanding of some of these complex issues. Yes, a challenge, but

I think part of what is exciting about this position, and positions like it, where you get the opportunity to work with coalition partners, allies, on some of these really difficult questions of the day.

MAJ RICK HANRAHAN:

And I think we talked offline, you were mentioning how Australia's kind of at the forefront of some of this tech, right? Including artificial intelligence. Is there anything you could offer about that, about where we might be going in our relationship with Australia with that, or maybe any ideas or innovations that they have that we might be considering to adopt?

MAJ CHRIS BAILEY (24:50):

I think that's one of the big pieces in AI, and those actually came up on one of your previous podcasts, is just how do we incorporate the law into future artificial intelligence? I think there's questions that are being asked every day about how artificial intelligence might revolutionize military operations, but even the practice of law. And so, trying to identify those issues early to help understand where the law is, where it might be going, and how we can help shape it to match the needs of policy makers.

MAJ RICK HANRAHAN:

So would it be fair to characterize that the Australians are taking this pretty seriously, and putting time and energy into understanding this issue greater?

MAJ CHRIS BAILEY:

Definitely, yeah.

MAJ RICK HANRAHAN:

So what's one of the coolest things you've done so far since getting to Australia?

MAJ CHRIS BAILEY (25:52):

Honestly, there is a long list. So on the personal side, it is tough to beat getting to walk from, the ADF Legal School is basically walking distance to the [Sydney Harbour](#) and the Sydney Opera House. So getting the opportunity to

teach some courses on cyber, and other areas, and then take a stroll down to the Sydney Harbor is pretty great. But professionally, I think it's just getting to work on such a mix of issues. So my background from the LL.M was on space and cyber, and during the LL.M program, you know, you're wrestling with these big questions about how treaties might apply to a particular issue, or a particular topic, and that's what I'm working on here. So it's how we look at these new technologies, and taking a step back from day-to-day operations, and looking strategically, you know, where might we be in 5 years, 10 years, 15 years. It's been fascinating.

MAJ RICK HANRAHAN:

So kind of going back to your background where you've had a lot of experience with other types of ops and international law positions, how does this job kind of relate or differ from those previous assignments that you've had?

MAJ CHRIS BAILEY (27:08):

I mean, you're working at a wing, whether, and like I said, my background, Cannon or RAF Mildenhall, you're working with tactical units, working tactical issues typically, and you don't necessarily see how the policy might be developed, or how legal interpretations might be handled higher above. That's one of the fascinating pieces in this position, because in support of the ADF, I had the chance to work regularly with the [Department of Foreign Affairs and Trade, DFAT](#), that's the Australian version of the Department of State, as well as the Attorney General's Department, and now goes to the Department of Justice and their version, the space agency, so the [Australian Space Agency](#), or ASA, and the [Australian Signals Directorate](#), and it has been outstanding getting to work with legal professionals outside of the defense community to work on those national security issues, national security questions about how other departments, other countries, might interpret a particular issue. It's been very interesting, because within Australia, because it is a smaller country, you have access to a lot of those departments and organizations in a way that you just don't in the United

States. And so, getting to listen to them, listen to their concerns and issues has really educated me a lot more on just some of the really tough questions and issues that policy makers and the legal community that support those policy makers have to wrestle with.

MAJ RICK HANRAHAN:

So maybe, if you can opine on this, or just kind of offer our listeners just kind of an analysis. If you were to have some issue come across your desk that does touch upon with other agencies, and it's also maybe touched upon the U.S. and the Australian military forces, how is that issue routed, and how does that kind of operate?

MAJ CHRIS BAILEY (29:00):

So typically, we might have a topic or a question come in, and this is one of the great points to, so with my predecessor moving on to the embassy position, you know, he's in a great place to where if a certain question or issue pops up, he and I can bounce those questions off of each other, and so he might raise an issue from the U.S. perspective, or the U.S. point of view that he might be working, and me on the Australian side. And so we can collaborate, and talk through those issues, as well as working with the Department of Foreign Affairs and Trade, DFAT, because they're going to be having conversations with the Department of State on a given area or topic. And so, usually what that means, is we'll have an issue pop in, or come in, and we'll have an inner-agency working group. So we'll sit down, and talk through those issues, and try to identify, hey, who are the key stakeholders on this question, or where can we get the best knowledge on this topic or area? And then we'll usually meet, try and, you know, make sure all the parties understand, can highlight any issues or concerns they might have, and then really move forward on the same page from an inner-agency point of view.

MAJ RICK HANRAHAN:

And maybe, could you talk a little bit about the differences between your predecessor, which is I believe is now at the embassy, and that position, and your position?

MAJ CHRIS BAILEY (30:28):

Yeah, so the following position, so Major Scott Adams is serving as the staff judge advocate for the 337 Flight there in the embassy, and so he provides really military legal support to the embassy, and the embassy staff, and covers a range of topics and areas. A very interesting position, and one that really is having to wrestle with some of the tactical but technical issues that come up just when countries operate together, and work together on a day-to-day basis.

MAJ RICK HANRAHAN:

So is your position kind of a good position as an entry point, helps build some of that foundational knowledge, and then when you move into the next position at the embassy, you have some of that foundational knowledge to leverage?

MAJ CHRIS BAILEY (31:06):

That's exactly right. I think that's one of the hallmarks for this position. I mean, when you go back, and Major Adams and I were talking about this the other day, looking in the history books to see how this position got started. You know, you go back to 2001, and Lieutenant General Rockwell was then serving in the embassy position, and, I think, highlighted just the need for the ability to create some background experience with the Australians, develop some of those relationships, and great partnerships, and leverage that in the embassy position. So I think that was part of the impetus for creating these two positions to work the way they do now. And, really, I think going back to approximately 2006 or so, since then, you've seen this traditional four-year tour, where you might do two years in the Exchange position, and then two years as the SJA to the 337th in the embassy.

MAJ RICK HANRAHAN:

And how's that been received by the Australians?

MAJ CHRIS BAILEY (31:46):

Outstanding. I think they really appreciate, I mean, like I said, I'm known as the "new Scott" around the building,

(laughing) which has been great, and the reason why, is because they know that relationship that they've built with Scott will last for four years, right? That they've got an individual they can talk to, bounce ideas off of, and someone who has a good working knowledge of how the ADF operates day-to-day, how they view particular questions, or view particular issues, and it's resource that you just can't reproduce very easily.

MAJ RICK HANRAHAN:

And if you know, how does this Australian Exchange Officer position kind of stack up with some of our other Exchange Officer positions, including the UK?

MAJ CHRIS BAILEY (32:36):

So I know the, actually, I had a previous deputy that had served in the UK position, and I think the biggest difference that stands out to me, is in the UK position, you are an Exchange Officer to the Royal Air Force there in the UK. Whereas, the position I'm in here is aligned with the Royal Australian Air Force. I am in a joint billet, or a joint assignment. So my office consists of Royal Australian Navy, Australian Army personnel, along with Royal Australian Air Force, and so, it truly is a joint assignment. So on any given day, I might be working an Army issue, or I might be working a Navy issue, or working a particular concern that touches the services jointly. So it's a different mix, I think, of where you're actually positioned at.

MAJ RICK HANRAHAN:

Do you think that's where maybe the ops background helps a bit?

MAJ CHRIS BAILEY (33:26):

Definitely. I mean, I think one of the biggest things, and this is one of the things I always appreciated about being assigned with AFSOC units, is you get a very good working appreciation of how to coordinate and appreciate the concerns that Navy Special Warfare might have, or Army Special Operations Command might have, and so, being able to step in, and be able to articulate, you know, Army concerns, Navy issues, has been incredibly helpful.

I mean, I think it's something that my office appreciated as well just coming in, because we can have a lot of conversations more at that joint level, as opposed to just specific to Air Force experience, or a Air Force concern.

MAJ RICK HANRAHAN:

So we may have some listeners that are interested in international law, and ops law, and maybe even in this position one day, or something like that. Could you offer any recommendations or tips for those folks?

MAJ CHRIS BAILEY (34:30):

Definitely. I mean, first off, for those that are interested in the Exchange Officer position, the best resource, and I think the first thing you should do, is talk to a current or recent Exchange Officer, and the reason why is, I mean, I wouldn't be where I am today if it wasn't for Colonel Tomatz sitting down with me, and taking the time to talk through his experience in Australia, some of the areas that he got to work in, you know, the challenges and opportunities he had. That lit the fire in me to, you know, to even be aware of this position, and understand some of the skill sets that you might need, or might wanna develop to make yourself competitive for it.

The other thing I would recommend as well, specific to the Exchange Officer positions, get a good understanding and working knowledge of those countries. Understand the issues that they're facing. You know, obviously, we're on a podcast right now, so the UK has a number of outstanding think tanks, as well as Australia, including the [Lowy Institute](#), and that puts out a weekly, and I think a monthly podcast that covers what are the big policy issues, policy topics, that are facing Australia. So start listening to those. Understand the concerns that coalition, coalition partners and allies are facing. What are the, you know, the big questions that they ask?

I know one of the big things that we focused on internally within the U.S. Air Force JAG Corps is understanding and tying our legal support to the National Defense Strategy, being able to articulate how the NDS informs our unit's missions, effect how we give legal advice, right? So what

are the big topics and concerns our commanders are faced with? It's the same here in Australia. So if you're able to pick up the "[Defense White Paper](#)", if you're able to pick up, look at public statements from leaders in Australia just to get a good understanding of what's, you know, current issues, current concerns, current questions that the services and their government at large is facing.

MAJ RICK HANRAHAN:

So kind of with that in mind, are there any other kind of resources that you would recommend for people that just have an interest in international or operations law? Obviously, it doesn't have to be necessarily related to Australia, but just in that legal arena.

MAJ CHRIS BAILEY (36:45):

One of the most important things I recommend, is being able to identify a mentor in this space, and really any space that you're interested. And the reason why, is there are a lot of great books, a lot of great podcasts, but it's really being able to identify someone that's working in that area, and just shoot 'em an e-mail, give 'em a quick call, and say, "Hey, I'm just interested in what areas of law you might be working in", and what questions you might have. I mean, I remember when I was a young JAG, all I thought about was, "Oh, well, you know, operations law is deployment, right?" Is me being able to get overseas and support units with legal advice in combat. And that's just not the case.

One of the best pieces of advice I ever received was from my first SJA, Lieutenant Colonel Heather LoBue, and her advice to me was, "Volunteer as often as you can with the Emergency Ops Center at your base". So, you know, we think about the AOC as being one of the major operational legal positions, but every base will typically have an Emergency Ops Center, right? So being able to work with the EOCs, being able to work on an operations floor. So if you're at a base or a location that might have wildfires, or hurricanes, or significant weather events, that EOC is an opportunity to give advice in time-sensitive, high ops tempo, environments,

and it's in those kinds of experience, and on the ground training, that you develop your ability to issues spot in those kinds of scenarios, and being able to say, you know, "Incorporate your legal advice as a part of "an overall advice package that goes to your commander", right? So if you're working with your intel division, or if you're working with, or intel section, you're working with your ops section, or planning a response to some event, incorporating your legal advice into that, and help planning those types of operations. It's invaluable experience, and something that I think a lot of JAGs might not necessarily think of when they're at a first or second assignment.

MAJ RICK HANRAHAN:

Well, great stuff today, Major Bailey. I really appreciate it. Kind of with the last thought in mind, any final thoughts from you, or takeaways on this new position you have, or just kind of ops law, or just kind of last thoughts you'd like to leave for our listeners?

MAJ CHRIS BAILEY (39:10):

I mean, I think the biggest thing when it comes to operations, and international law, and a lot of these positions, is I think, and I know I made this mistake early in my career, and I've hoped I've learned from it since, but, you know, like I mentioned earlier, I always thought that operations law was, "Oh, you know, I have to be deployed, or it's, you know, real operations law is only the law of armed conflict", and that's really just not the case.

I was at a recent RAF conference here in Australia, and one of the senior RAF attorneys articulated ops law and operations law in a way that I found really useful for helping describe it myself, and it was, you know, really, if you think about it, there's the law that we apply internally, and it's how we regulate, and how we basically manage our own force. And so, if you think about that as military justice, or an administrative law in that sense, but if you think about the law as it effects to external, it's the law that regulates how we project our power, how we project our capabilities, how we project as a force, that's ops law, and that's operational law. And I

really appreciated that framing, because it highlights that whether you're working in national security law, so domestic issues, if you're looking at domestic operations, so, you know, response to a natural disaster, or something along those lines, or if you're working in procurement, right? So all of that work, and time, and support is helping shape how the U.S. Department of Defense, or the Australian Defense Force projects force, projects their capabilities. And so, it all relates back to that operational law mindset, and of, you know, how do we provide the best advice to the commander, or to whoever our client is in order to achieve the mission, and help gain that mission's success?

MAJ RICK HANRAHAN:

Well, Major Bailey, great insights there. Thank you so much. A great discussion today. And I definitely, wish you the best. I'm looking forward to hearing more of your success with our Australian allies, and that will be it for today's show.

MAJ CHRIS BAILEY:

Thanks, I really appreciate it.

TAKEAWAYS (41:34)

MAJ RICK HANRAHAN:

My top three takeaways include: **one, mentorship is critical to career development and leadership.** As discussed in previous episodes, mentorship is key to career development and leadership, and today's show reemphasize this fact. Mentorship, whether through senior mentors or peer-to-peer mentors, can have a dramatic impact on one's career. Major Bailey, heeded the advice of a senior mentor when entering the JAG Corps, which led him to list Cannon Air Force Base as one of his top selections in order to gain operational law experience. This opened the door to a career in international operational law where he eventually deployed with Special Forces, worked as a staff judge advocate in England, obtained an LL.M in space, cyber, and telecommunications law, and now holds the unique position as an exchange officer with the Australian Air Force. These experiences have all built upon each other.

However, without that first mentor's advice, his career may have been much different.

Number two, take ownership in your desired career path.

This point, also discussed in previous episodes, reemphasizes the leadership principle on being proactive. No career path is the same. And yes, the government will ultimately tell you where you're going on your next assignment. However, if you show desire for a particular field, take action to get involved, and develop experience, you'll set yourself up with greater opportunity to achieve that desired result. Major Bailey was willing to work in any location to develop the experience he sought to achieve. He sought advice, took action, and continually worked to improve upon his skill sets. Consider using this as a model for your career path.

Last, and number three. Operational law does not mean just deployments.

Major Bailey's biggest take-away, in terms of operational law, was this last point. He said, "Operational law is much broader than deployments to the AOR". Operational law occurs whenever we project U.S. policy and intent abroad, or with others outside of our organization. This can occur in nearly any field, including procurement law, military justice, environmental law, and others. There are lots of opportunities within the JAG Corps to develop international operational law experience. For example, consider volunteering at your local Emergency Operations Center, or EOC, which often faces challenges associated with hurricanes, wildfires, and other natural disasters that require sound, and time-sensitive legal advice. These experiences can help pave the way for new opportunities. If you do get the chance to deploy, and work with our coalition forces and allies, consider the unique opportunity you'll have to practice ambassadorship, develop leadership, and gain international operational law experience. Learn everything you can about the country or countries that you'll be working with and/or in. Build up your situational framework to better equip yourself to offer sound and timely legal advice when called upon, and you'll be better suited in adapting to your new environment.

With that, thank you for listening to another episode. We hope you enjoyed it. We'll see you on the next episode.

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