

OPENING STATEMENT – M. TIA JOHNSON
Nominee to U.S. Court of Appeals for the Armed Forces

Chairman Reed, Ranking Member Inhofe, distinguished members of the Committee, thank you for inviting me here today to consider my nomination to the U.S. Court of Appeals for the Armed Forces (CAAF). I'd also like to thank Secretary Austin, and the president for their expression of confidence in me. If confirmed, I will do my best to live up to their trust.

Joining me today is my husband, Al Phillips. I thank him for his enduring love and support. A career Army officer himself, his sacrifice did not end when he took off his uniform. He selflessly shared me with the Army. I was deployed within 3 months of being married and ended up being gone for 18 months. Little did we know that it would be the first of many separations. Those experiences keep me mindful of the service and sacrifice of our men and women in uniform. They deserve nothing less than a military justice system that is strong, fair, and full of integrity.

We both inherited a lifestyle of service. My in-laws were educators who started their careers teaching in segregated schools in the south. My father was a Marine in World War II who fought and was injured in the Pacific. Like many, he used his GI Benefits to attend college and graduate school. As a child psychologist, he dedicated his life to advancing the educational needs of special need children. My mother, who is 94 years old, went to college as an adult, returning to the public schools as a Reading Instructor. From them I learned the importance of honesty, hard work, perseverance, and believing and working for something larger than yourself.

I carried those values with me through 32 years of government service, 30 of those in uniform. I served with soldiers, sailors, airmen and marines around the world, in garrison, contingency operations and in combat zones. And every day, I saw how exceptional the members of the Armed Forces are. But, as a Judge Advocate, I also advised commanders regarding service member misconduct. These experiences reinforced the importance of balancing the need for good order and discipline with protecting the rights of servicemembers.

Congress also understood the need, and in 1950 reformed the military justice system by enacting the Uniform Code of Military Justice, to ensure that servicemembers enjoy – to the extent possible given the unique nature of military service – the same constitutional and legal protections as civilians. At the same time, they established the Court of Military Appeals (now CAAF), as a specialized, independent, appellate court to review courts-martials and provide civilian oversight of the military justice system.

The Supreme Court has validated the system Congress created, by noting “the military justice system’s essential character is judicial,” and that CAAF, sitting atop this system, functions like other courts of appeals (both federal and state).

I view this opportunity to serve on the court as the privilege and honor of a lifetime. If confirmed, I will continue the tradition of professionalism and independence recognized by the Supreme Court.

I look forward to your questions.