

**Testimony of Brian Egan**  
**Nominee for Legal Adviser, U.S. Department of State**  
**May 19, 2015**  
**Senate Foreign Relations Committee**

Mr. Chairman, Ranking Member Udall, and Members of the Committee, it is an honor to appear before you today as President Obama's nominee to serve as Legal Adviser to the Department of State. I am humbled by the trust the President and Secretary Kerry have placed in me, and I am grateful to the Committee for considering my nomination. I also appreciate the opportunity I have had to meet with Committee staff before this hearing for what I found to be productive conversations on a range of topics.

Mr. Chairman, please allow me to introduce my wife, Amy, and my children, Sally, Niles, and Damon. As each of you can attest, government service often requires long and unpredictable hours, which take a toll on our families. I want to thank my family for the sacrifices they have made to enable me to pursue my passion for public service. I would not be able to carry out my current responsibilities – and I could not contemplate assuming the new duties I hope you will see fit to entrust to me – without their continued love and support. I would also like to introduce my father, Dennis Egan, who by example has taught me the importance of hard work, independent judgment, and kindness.

I am particularly honored to have been nominated for this position because serving as Legal Adviser would mark a homecoming for me. Although I began my career as a lawyer in private practice, my calling has always been public service. I have spent the past ten years as a government lawyer, starting as a career attorney in the Office of the Legal Adviser.

From my previous time there, I know that the Office of the Legal Adviser plays a critical role in advancing U.S. foreign policy and national security by providing high quality, objective legal advice to the Secretary of State, other policy makers within the Department of State, and departments and agencies across the federal government. The over 200 career lawyers and other professionals who make up the Office of the Legal Adviser strive to promote and protect U.S. interests around the world every day. They do so, without regard to party or politics, in areas ranging from counterterrorism, law enforcement, and nuclear nonproliferation to the promotion of American trade and business and the protection of American citizens abroad.

I have dedicated my career to government service to play a part, however small, in helping to address the many challenges faced by the greatest democracy in the world. If confirmed, I would seek to uphold the Office of the Legal Adviser's tradition of producing rigorous and objective legal analysis in furtherance of our nation's interests at home and around the world.

Beyond working at the Legal Adviser's Office, I have had the good fortune of being able to work in a number of other national security legal jobs, with lawyers from across the federal government. Since 2013, I have been the Legal Adviser to the National Security Council and Deputy Counsel to the President. In my current role, I have the privilege of working every day to enhance the security and prosperity of the United States and the American people by advising the President, Ambassador Rice, and other senior national security officials on a broad range of complex domestic and international legal issues.

I have worked closely with the General Counsels and other senior lawyers of departments and agencies throughout the government, including the Departments of Justice, Defense, Commerce, Homeland Security, and the Treasury; the Office of the Director of National Intelligence; the Central Intelligence Agency; and, of course, the Department of State. I have benefited from the wisdom and counsel of Mary McLeod, who has served as State's Legal Adviser in an acting capacity for over two years, and many of the other outstanding attorneys who serve in the Office of the Legal Adviser.

Prior to serving as Legal Adviser to the National Security Council, I worked at the Department of the Treasury as Assistant General Counsel for Enforcement and Intelligence from 2012 to 2013. In that capacity, I was responsible for a staff of approximately 50 attorneys who provided legal advice and counsel on combatting terrorism financing and other financial crimes, ensuring the effectiveness of U.S. financial sanctions regimes, and other issues related to Treasury's enforcement and intelligence responsibilities. And my first job after graduating from college was with the Department of Justice, where I served as a legal assistant in the Antitrust Division for nearly three years.

My experiences in government have taught me a great deal about leadership, responsibility, problem-solving, and collaboration. These experiences also have deepened my conviction that we are best able to confront the foreign policy challenges we face as a nation when the Executive and Legislative Branches work together to address those challenges. While we may not always see the issues in precisely the same way or reach the same conclusions, if confirmed I would be committed to maintaining an open dialogue with this Committee on the issues that I will be responsible for as Legal Adviser.

The challenges we face as a nation in the areas of foreign policy and national security are increasingly complex, and the legal issues that underlie some of these challenges are equally complex. Our nation's leaders require the best possible legal advice to navigate these challenges, consistent with the Constitution and our commitment to the rule of law. If confirmed, I commit to you that I will do my best to provide that advice.

Thank you for your consideration. I look forward to answering your questions.