

**Opening Statement of Sarah H. Cleveland
Nominee to be Legal Adviser, U.S. Department of State
Senate Foreign Relations Committee
January 12, 2022**

Chairman Menendez, Ranking Member Risch, and Members of the Committee:

It is an honor to appear before you as President Biden's nominee to serve as Legal Adviser to the Department of State. I am deeply grateful to President Biden and Secretary Blinken for their confidence and support. I also want to express my gratitude to the Members of this Committee, and your staff, for your consideration. For over twenty years, I have taught my students about the importance of the constitutional role of Congress in U.S. foreign relations. I have found my conversations with Members of this Committee enlightening, and I look forward to our continued engagement, if confirmed.

I would like to introduce my daughter, Electa Cleveland, my son, Richard Tuddenham, my brother, Grover Cleveland, and my life partner, Roger Cohen, who are with me today. My 97-year old father, Melford Cleveland, is watching from his home in rural Alabama, and my ailing mother, Marcia Cleveland, who danced with the National Ballet here in Washington, is with us in spirit. We all know the tremendous toll that government service inflicts on loved ones. I want to thank my family for their steadfast enthusiasm and support, and for all I have learned from them. I love you deeply.

My family has worked at all levels of national, state and local government. To them I owe my passion for public service. My father, a law clerk to fellow Alabamian Justice Hugo Black, held his first legal position in the Office of the Legal Adviser of the State Department -- the office to which, if confirmed, I would return as the second Presidentially-appointed woman. He then served for 20 years in the Justice Department, before completing his career as an Administrative Law Judge for the Social Security Administration. My brother was legal counsel to King County in Washington State. My great grandfather was Speaker of the House of the Massachusetts legislature. And my grandmother, Walter Frances Cleveland, was a public school teacher and a member of the board of electors of her rural Alabama community. She helped register numerous Black Americans to vote after World War II.

Inspired by their examples, it has been my mission to serve the public good. I began as a law clerk to District Court Judge Louis Oberdorfer and Supreme Court Justice Harry Blackmun. I have spent more than two decades teaching students the central place of law in U.S. foreign relations, first at the University of Texas, then at Columbia University. Some of them are now among the excellent lawyers at the Office of the Legal Adviser, or "L" as it is known. I know L well: I served as the Legal Adviser's Counselor on International Law from 2009-2011, and as an expert adviser to the office until 2013. I have been a member of the Secretary of State's Advisory Committee on International Law for over a decade.

Having provided legal advice to the Department under both Democratic and Republican administrations, I understand L's important role. Its three hundred attorneys and other professionals provide objective advice on the law to the Department and the U.S. government.

They problem solve. They identify legal constraints and offer their best judgement to policy makers seeking to advance U.S. interests. They help explain U.S. government legal positions to Congress, the public, and counterparts around world.

I would bring a lifetime of knowledge to the office, if confirmed. My experience overseeing the definitive treatise on U.S. foreign relations law and serving as the U.S. government-nominated expert to international bodies makes me keenly aware of the challenges involved, particularly as states such as Russia, China and Iran pose growing threats to our global legal order.

If given the honor of serving as Legal Adviser, I would seek to provide balanced, clear, practical, and objective legal advice of the highest quality. I would do so with integrity, humility, and a full sense of the great responsibility I would bear. I would commit to maintaining close relations with Congress and this Committee.

As a teacher, I often close my course with a quote from Oliver Wendell Holmes: *‘Go out and live greatly in the law, find your passion, and wear your heart out after the unattainable.’* We may not always be able to secure all our aspirations as a nation, for ourselves and humanity. But grounded in our values, our Constitution and our laws, we must never waver from that quest.

It would be an immense privilege to serve the United States in this capacity. I look forward to your questions.