

Treasury Under Secretary for Terrorism and Financial Intelligence Stuart Levey
Remarks at Rutgers School of Law-Camden Commencement
May 24, 2010
As Prepared for Delivery

It is a daunting proposition to be asked to speak on an occasion like this. One strains to come up with something profound – some words of wisdom that can inspire new lawyers.

There are two types of commencement speakers. The first are those who are so accomplished or famous or admirable – think Colin Powell or Jon Stewart – that their advice is automatically deemed to be credible or legitimate. And then there are those who are not. Let's face it: you either Googled me in the last couple of weeks or you had never heard of me until today.

While I may not be in that first category of speakers, I have been fortunate enough to have had some interesting and challenging experiences so far in my career since law school, and today I want to share some thoughts drawn from those experiences with you.

First, no matter how much you plan, your career can take you to places you cannot possibly predict today. When I was sitting where you are, I would never have imagined that one day in 2005, I would find myself at the airport in Tripoli, Libya, preparing to catch a flight to Turkey. I was wrapping up a visit to Libya, where I had been pressing officials there to cooperate with us on counterterrorism issues. Instead of boarding my flight to Turkey, I was ushered onto Colonel Gaddafi's personal jet. It was decked out with shag carpets, white leather armchairs and couches, and golden seat belt buckles – a scene out of Austin Powers. I was flown about an hour away and then driven through the desert to an oasis where Colonel Gaddafi was waiting to meet with me. The scene was surreal. He was sitting under an umbrella on a dock jutting out into a pond. He was dressed in a white track suit, a white sailor's cap and orange sunglasses. We spent an hour or so discussing terrorism in the Middle East and ways in which he said Libya would cooperate in fighting it. After the meeting, as I was being driven back to his plane, I realized that I had long missed my flight to Turkey. When I mentioned this to one of Gaddafi's ministers who was in the car with me, he just laughed and told me not to worry. It turns out that the Libyans had the plane held. We arrived back at the Tripoli airport three or four hours after we left, and the plane was still sitting waiting on the very hot tarmac, full of some very irritated passengers.

Nothing I learned in law school could prepare me for that sort of experience. Even so, I have to admit that, in large part, what has happened to me is just pure luck: When I was at the Justice Department working for the Deputy Attorney General, one of my responsibilities was to oversee the Justice Department's work on terrorist financing. One day, I received a call from someone at the White House. He asked my opinion about a proposal to create a new Under Secretary position at the Treasury Department to oversee that Department's work countering terrorist financing and money laundering and implementing all of our country's sanctions programs. I told him that I thought it was not

a good idea. Luckily for me, I was completely unpersuasive. The White House ignored my advice, created the job and then President Bush nominated me to fill it.

For the past six years, both for President Bush and now for President Obama, I have been responsible for going after the financial networks of those who threaten our national security, including terrorists, proliferators of weapons of mass destruction, drug traffickers, and even intransigent governments, like those in North Korea and Iran. We use financial intelligence – which is perhaps the most reliable, concrete intelligence we have – to map out these networks. The financial information we use is obtained in various ways, including from bank filings, investigations, and intelligence sources. Based on what we learn from our analysis, we then design and implement financial strategies to attack illicit networks and prevent those who threaten us from being able to use the financial and commercial systems to further their dangerous activities. We have a variety of tools to do this – everything from simply sharing the intelligence with other governments and asking for their help, to passing the information to other U.S. government agencies or our military to take action, to imposing formal sanctions and freezing the assets of the individuals and entities involved. We have learned that this approach, as part of a comprehensive strategy, can be highly effective at combating threats and safeguarding our security. For me at least, it is hard to imagine a more fulfilling job.

Yet when I graduated from law school, I could never have anticipated doing what I now do for a living. After clerking for a year, I was a civil litigator and criminal defense lawyer for 10 years and then joined the Department of Justice to help enforce our laws. That career switch isn't so unusual. What happened to me since then is: I am a Republican who worked as a political appointee for President George W. Bush for eight years and who is now a political appointee for President Barack Obama. That scenario does not happen often. The unique experience of working for administrations on both sides of the political spectrum has taught me some valuable lessons – some of which we were all taught in law school but unfortunately, too many of us lawyers sometimes ignore or forget.

Foremost among those is that we should not demonize our opponents. One of the key skills we are taught in law school is how to argue both sides of an issue. Really learning the other side's argument not only makes us more effective advocates for our side of a dispute, it engenders civility. As lawyers, we have a duty to be zealous advocates for our clients, but we should always remember that our opponents have a similar duty to represent their clients just as zealously.

Of course, that applies to cases that you handle for clients. It also goes well beyond handling cases to policy and politics more broadly. By all means pursue issues that you care passionately about. One of the great things about a democracy is that robust, and even hard-hitting, debate is not only tolerated, it is also a vital part of maintaining a free and open society. But one of the most distressing things I have seen during the last several years, in Washington and elsewhere, is how disagreements over policy often get transformed from the kind of debate that democracies thrive upon to something uglier:

people start demonizing their opponents, questioning their character, and even trying to destroy their careers.

I have seen the toll this takes on good people, dedicated public servants – both Democrats and Republicans – who don't deserve it. Of course, we need scrutiny and criticism of public officials. What we don't need, and what is so damaging, is an environment where people assume the worst, or even just pretend to assume the worst, about those on the "other side." And I worry about how readily we tolerate those personal attacks.

I recall an incident where one of my Treasury colleagues testified before Congress about the TARP program. My colleague and his team had been working superhuman hours under such intense pressure that one of his senior executives suffered a heart attack at his desk. At the hearing, he was attacked mercilessly by the one of the congressmen. After the hearing, the same congressman told my colleague privately that he actually thought he was doing a terrific job, but that he needed to attack him in the context of the public hearing. For some reason, we tolerate that sort of thing and laugh it off as "just politics." There are scores of other examples I have witnessed, including times where I have seen colleagues attacked for completely irrelevant reasons. In some cases, I have seen people's reputations severely – and unjustly – damaged. It is all considered part of the game. But it doesn't need to be.

Of course, our federal government is vast, and I have only met a small fraction of the people who work in it. But I have worked closely with the national security teams and Treasury Departments of two different administrations. I often wish the American people, especially those who are so quick to mount personal attacks, could witness what I have witnessed. I think they would be impressed and reassured by the professionalism, dedication and integrity of those who are serving and protecting them at all levels of our government, both political appointees and career officials. I routinely see government employees sacrificing for the public interest.

While this lesson about not demonizing opponents is something that I should have been conscious of throughout my career, I confess that I only really internalized it during my government service. In fact, this is an insight that I can trace directly to 9/11. Like all of you, I can remember some aspects of that day quite vividly. I remember going to the Justice Department Command Center soon after the second plane hit the World Trade Center. There was a chilling discussion there about the possibility that there could still be scores of flights in the air at that moment that also might have been hijacked and could be used to attack buildings in major cities across America.

I also remember something else from that day. I remember getting calls from many friends in private practice, including one person who had just left government as a very high-ranking political appointee in the Clinton Administration. They were all offering to help out in any way that they could. I was moved by the offer. I realize of course, that 9/11 was an extraordinary event and that the degree of unity we all felt that day is not sustainable. Still, the desire of people to put politics aside – however fleeting – and serve alongside one another for the common good had a lasting impression on me. Those of us

who are trained as lawyers should always remember not to confuse our opponents with our enemies.

Even if you choose a career that is out of the public spotlight, you may well encounter pressure to “go after” your opponent, to embarrass him or her. Litigation, in particular, is plagued with these pressures. Disputes over trivial discovery matters, for example, often escalate into accusations about how the other lawyer lacks integrity. My advice to you is to refuse to play that game.

There was a second lesson that I learned from the phone calls I received from both my Democratic and Republican friends on 9/11. Even though I felt great pressure and stress in those days and months after 9/11, the calls underscored for me how fortunate I was to be in a position to actually do something in response to the attacks. So this is my second piece of advice: if you have a chance to do public service at some point along the way, do it -- you will be glad you did. The financial compensation may not match the private sector, but there is something intensely rewarding about public service.

Before I joined the government in 2001, I told my wife that I just planned to do a “stint” in government and then continue in private practice – maybe a couple of years at most. That was nine years ago. Many people go to law school with the intention of doing public service or some other public interest pursuit. But the fact is that many lawyers forget about it or put it off for so long that they just never get around to it.

There is an almost endless variety of possibilities for engaging in public service. While political appointees like me come and go, our government relies on dedicated and expert career public servants to handle almost all of its critical missions. In my office alone there are more than 700 intelligence analysts, policy advisors, sanctions experts, and lawyers working together to protect our national security. You would not recognize their names or faces and none of them is getting rich. Yet, in my opinion, they have some of the most important, and fulfilling, jobs in the world. Some of them are analyzing intelligence to track how al Qaeda raises and moves money. Some of them are drafting regulations to keep terrorists and criminals from reaping the benefits of our financial system. Some of them are living in Riyadh or Abu Dhabi or Baghdad to work with those governments to combat terrorist financing. Some of them are working alongside our military in Afghanistan to disrupt the Taliban’s financial networks. Still others are identifying ways to improve our sanctions against Sudan or identifying and incapacitating the networks of Mexican drug cartels.

To be sure, there are many frustrations that go along with these jobs: bureaucratic hassles and even unreasonable bosses. But there is a reason why, even though the people in these jobs could make much more money outside of government, we rarely have anyone leave.

At the end of the day, we sit around a table and try to figure out what we can do to protect against threats to our national security. Even if there are frustrations, there is something deeply rewarding about believing in the mission of the organization you work for. That may mean public service or it may mean something else entirely for you. There are all

sorts of possibilities. We lawyers are lucky because we can pursue in our professional life things we truly believe in. Make sure you take advantage of that.

There is one final lesson I would like to share with you. It is one that I should have remembered from kindergarten, but also from law school; namely: be able to admit it when you are wrong. This lesson is especially important if you work for the government.

Government officials have an enormous amount of discretionary power over the lives of our fellow citizens. They can't be so uncertain that they are paralyzed. One has to make decisions and act. Certainly, in the counter-terrorism arena, officials often have to act with little time to deliberate. But, at the same time, it is important to maintain the humility to admit the possibility that you may be wrong and be willing to change course when you are.

When I first started at Treasury our sanctions against Iran prohibited US citizens from helping publish manuscripts written by authors living there. A number of parties, including Nobel Peace Prize winner Shirin Ebadi, challenged our sanctions as violating the First Amendment. Being someone who spent years litigating, my first reaction was to fight, and we started to consult with the Justice Department to defend the lawsuit. But as I learned more about it, I realized that our sanctions, though consistent with the Constitution, were having exactly the opposite impact from what we wanted – instead of pressuring the government of Iran, we were squelching the speech of dissidents there. So I reversed my position, changed the rule, and announced the change to the press. I dreaded the reaction – I thought I would be skewered by the media. Instead, the reaction was very generous. It turns out that when you admit you are mistaken, people tend to be understanding and gracious. On the other hand, I have seen people get themselves into very regrettable circumstances by being too unwilling to admit mistakes or change course.

In closing, I want to thank you for allowing me to be part of your commencement ceremony and to congratulate you and your families. There are tremendous opportunities out there for you if you are willing to search for them and if you keep an open mind. I remember a conversation I had in 2008 with my daughter who was 5 years old at the time. I explained to her that I needed to find a new job soon because President Bush was coming to the end of his term and I would need to resign when he left office. She asked me what I was going to do and I told her I didn't know yet. She thought about that for a while and then she said, "Daddy, I think you should become a boy dancer." I intend to remain open to that possibility. It wouldn't be public service, but at least it would make my children proud of me. Best of luck to you all and congratulations.

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