



# National Security Law Report

## ***SPECIAL ISSUE: CAREERS IN NATIONAL SECURITY LAW***

### **Event Summary: Different Paths in National Security Law**

Chip Moldenhauer and Justin Zeefe

On June 29<sup>th</sup> people gathered at the law firm of Arnold & Porter for a panel discussion on careers in national security law, sponsored by the Young National Security Lawyers Group. By a show of hands, the audience was revealed to be mostly law students peppered with a few seasoned lawyers looking to change fields. To provide guidance and learned advice to those present were four empaneled presenters, each of whom brought to the table a different viewpoint on how to approach a career in national security law. Their experiences ranged from helping launch satellites out of the former Soviet Union to providing advice on the constitutionality of counterintelligence activities.

Standing Committee Chair Stewart Baker moderated the program. His past positions as General Counsel for the Intelligence Capabilities of the United States Regarding Weapons of Mass Destruction and General Counsel for the

National Security Agency (NSA) made him the appropriate choice for moderator.

Between the panelists there was consensus on several issues, chief among them that the nature of national security law is very fluid—relative to other fields, there exists relatively little codified law on the subject. Therefore, the field in large part depends on policy and established practices. Leonard Bailey, Counsel at the Computer Crimes and Intellectual Property Section of the Department of Justice (CCIPS) expounded on the importance of entrenched practices in the field, saying that there are three tiers to national security law; laws, policies, and actual practice. Mr. Bailey noted that it is much easier to change the law than it is to change actual practice.

Angie Chen is Associate General Counsel at Lockheed Martin where she works for International Launch Services, arranging satellite launches jointly with the Russians. Ms. Chen is also a professor of national security law at George Mason University Law School and formerly worked at the NSA. As the only panelist presently in the private sector, she discussed the need for lawyers versed in national security law to facilitate relationships between governments and private companies. Chen traced her career path and laughed when noting that she went to law school simply because her friend didn't want to go alone. Serendipity, she said, may also play a role, though impossible to plan for. Her point was that pursuit of what makes you happy will bring you where you should be.

For the student interested in exploring options in the field of national security, the panelists were unanimous in voicing their opinion that success follows the person who pursues that which allows for a convergence of their talents and passions. A critical first step in discovering whether a career in national security law is for the individual involves researching this category of law. Unlike pursuing a career at a law firm, a career in national security law does not have a definitive path and research involves more than typing a law

#### **JOIN UP! JOIN US!**

The **Young National Security Lawyers Group of the ABA Standing Committee on Law and National Security** aims to enhance young lawyers' and law students' exposure to national security law and to prominent members of the field—both theorists and practitioners.

Young lawyers and law students have the opportunity to: plan and attend events featuring distinguished national security professionals; receive updates and scholarship on recent developments in national security law; learn of job opportunities in the field of national security law; engage in fresh thinking about national security law issues for the benefit of the entire Standing Committee; and participate in social events with peers who share their interests in national security law.

Membership is free; if you'd like to be on the mailing list please contact David Fauvre at:  
David\_Fauvre@aporter.com.

## Event Summary

*Continued from page 1*

firm name into a search engine. Reading the 9/11 and Weapons of Mass Destruction Reports will provide you with a sound framework for beginning your search but generally much more research is required.

Second only to passion is a need to have Zen-like patience in the pursuit of a career in the field of national security law. Milhorn spoke of the importance of preparing for a lengthy and competitive hiring process. While the number of positions has grown since September 11<sup>th</sup>, so too has the field of interested and qualified applicants. With this growth came stagnated clearance processes, by which an extensive background check can take well over a year.

As Bailey stated in response to a question from the audience; finding information about careers in national security law involves "HUMINT" (human intelligence) or intelligence gathered by way of person-to-person communication. While some of the Intelligence Community agencies and government contractors have unclassified websites, typically little information is specified concerning legal careers. The four panelists agreed the best methods for finding more information include: attending conferences concerning national security law, taking a class in national security law, making phone calls directly to the agency or government contractor (both maintain publicly-listed phone numbers) and meeting with lawyers who practice in the field.

Barbara Grewe, Associate General Counsel at the Government Accountability Office, stressed the importance of finding and contacting alumni who practice in your field of interest. Not only will they be flattered by the interest in their career, but they may have advice not previously considered or be able to help the student open doors previously locked.

Each of these methods of HUMINT will bring you in contact with both lawyers and other like-minded aspiring national security lawyers. As a result, by gathering information you are simultaneously developing a network of future contacts.

Lawyers and law students already in possession of a security clearance are a step ahead, and if a clearance is set to expire

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If you'd like to learn more about the agencies, non-governmental organizations, law firms, defense contractors, and Congressional offices that employ national security lawyers, go to [www.abanet.org/natsecurity](http://www.abanet.org/natsecurity). We have links for each organization's main website, from which you can find job postings and human resources departments.

*Mark Your Calendar: November 3-4, 2005*

### **The 15th Annual Review of the Field of National Security Law Conference**

The Annual Review Conference will be held in Arlington, VA and will once again provide an informational forum for discussion and debate on national security legal issues facing us today.

Special networking opportunities for young lawyers, as well as reduced registration fees. Watch our website, [www.abanet.org/natsecurity](http://www.abanet.org/natsecurity) for all the details.

it is wise to explore opportunities to keep it current. It is likewise important to consider that each of the speakers had an "I didn't expect to find myself here..." analogy. This lends credence to the idea that if you listen to the panelists and follow your interests and skills, you may find success at that intersect; and possibly in the field of national security law.

*Chip Moldenhauer is an active duty Lieutenant in the US Navy, and is currently in law school. Justin Zeefe is a lawyer at Williams & Connolly in Washington, D.C. who has taken the panel's advice and is leaving shortly for the government.*

*A special note of sympathy...*

To our friend and Standing Committee Co-founder, R. Daniel McMichael, upon the passing of his bride Peggy. You are in our thoughts and prayers.

**THE ABA NATIONAL SECURITY LAW REPORT**  
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## Profiles and Interviews: Careers in National Security Law

### **Suzanne E. Spaulding**

Managing Director, The Harbour Group

*Profiled by Brad Moss*

Every law student and lawyer alike is familiar with the following career path formula: decide on a particular part of law, focus your clerkships and academic studies on that area, and put everything into getting the “right” jobs that will get you to the top. Suzanne Spaulding, former Chair and current Advisory Board member of the Standing Committee, has a bit of advice to remember throughout the entire process; do not “over plan” the process and keep in mind that life has unforeseen twists and turns that may change your entire career path. Most importantly, make sure that you choose jobs that are interesting to you, lest your boredom affect your work, for you never know when one job might lead to a separate and even more fulfilling better job.

Spaulding’s path of career advancement is a perfect example of that lesson. Originally set on studying international law and foreign affairs prior to running for political office, she instead pursued a generalized legal track at the University of Virginia Law School. Despite her desire to immediately begin work on Capitol Hill in her efforts to start her political career, she ended up taking a job first at a DC law firm until a fellow associate referred her to a job opening in Senator Arlen Specter’s office (R-PA). As Senior Counsel to Senator Specter for three years, Spaulding got the opportunity to delve into her international law interests as she assisted the Senator’s efforts to utilize both international treaties and US domestic law to deal with the rising threat of terrorism in the 1980s. Her efforts resulted in, among other things, the first US legislation designed to exert extraterritorial jurisdiction over terrorist attacks against Americans abroad, now codified as 18 USC §2331.

Despite achieving this significant success, she let her path of political advancement take a backseat to family life for the next few years, as she took time off to raise her first child. However, when she was pulled back, it was not to the Hill, but to the CIA’s Office of General Counsel. Referred by yet another former co-worker who was now working in the GC’s office, she proceeded to work part-time as Assistant General Counsel to General Counsel Elizabeth Parker for six years. In her role as AGC, she focused her efforts on working with the Non-Proliferation Center and working to implement the mechanisms that would make it easier to get intelligence information to law enforcement personnel in order to protect against the transnational threat of proliferation of weapons of mass destruction.

Having worked both on the Hill and in the Intelligence Community, the time was apparently ripe for what Spaulding describes as a moment of “serendipity.” When Senator

Specter became Chairman of the Senate Select Committee on Intelligence, he called her back to the Hill to fill the role of Deputy Staff Director and, subsequently, General Counsel to the Committee. Encouraged by the Aspin-Brown Commission’s recommendations to reform and restructure the Intelligence Community, she led the Committee’s own review of the Intelligence Community and subsequent introduction of reform legislation in 1996 designed to strengthen and consolidate the power of the Director of Central Intelligence as the head of the entire Intelligence Community, not just of the CIA. Her expertise in the field firmly established, she went on to serve as Executive Director for two commissions, Ambassador Paul Bremer’s National Commission on Terrorism and former CIA Director John Deutch’s Commission to Assess the Organization of the Federal Government to Combat the Proliferation of Weapons of Mass Destruction, as well as Minority Staff Director for the House Permanent Select Committee on Intelligence prior to taking on her current job at The Harbour Group, a governmental relations and strategic consulting firm focusing on Homeland Security and National Security issues.

When asked about employment at the Harbour Group, Spaulding said that employees need to have good writing and analytical skills, not to mention possibly some experience on the Hill. What’s important is that the individual be able to clearly and effectively review large amounts of information and draw concise conclusions that can be used to support the client’s interests. Furthermore, it must be remembered that these qualifications could be gained through any number of academic and work paths and don’t necessarily have to follow along any particular set of choices. If anything else, Spaulding recommends taking opportunities that interest you and are compelling, not just what appear to be the best way to get to some particular high-ranking position.

*Brad Moss, a 3L at American University Washington College of Law and School of International Service, is co-founder of the National Security and Law Society and President of NSLS Chapter at WCL.*

We recommend, as a job finding resource, the book *America’s Greatest Places to Work With A Law Degree*, by Kimm Alayne Walton, J.D., Harcourt Brace Legal & Professional Publications, © 1999.

This book covers it all, including complete descriptions of hundreds of traditional and nontraditional employers nationwide, tips from experts on how to make the most of your job, what to do now to help you get your next great job, and more!

**Colonel Tia Johnson**

General Counsel, International Criminal Court Task Force, U.S. Army JAG

*Profiled by Charles Moldenhauer*

Law students driven to a career in national security law should look no further than an organization that combines a wide breadth of national security law experiences, unrivaled responsibilities, and an acute need for young attorneys: the Department of Defense. Colonel Tia Johnson's rise to her current position as General Counsel for the International Criminal Court (ICC) Task Force embodies the wealth of opportunities available to an officer in the U.S. Army's Judge Advocate General (JAG) Corps.

Few law students can fathom practicing operational law in South Korea, overseeing the turnover of the Panama Canal, reforming the defense structure of Bosnia, negotiating for the surrender of U.S. citizens to the ICC, or completing two LLMs, but neither did Colonel Johnson. Similar to many aspiring national security law attorneys, Colonel Johnson desired to serve her country in the capacity of an Army JAG officer. Although her subsequent experiences were relatively unknown at the time, she knew to expect a career path that would be significantly different than the majority of her classmates. Few attorneys entering private practice have the same level of responsibility and the opportunity to live overseas, combined with a focus on numerous areas of national security law.

Unlike private practice, the military environment is dynamic by nature, resulting in little room for predictability. Never having taken a class in international law, Colonel Johnson could not have expected that just three years after graduating she would be nominated to participate in a comparative law studies program of Central and South America. Traveling to Costa Rica, Venezuela, Argentina, and Brazil, only the military could provide a young attorney with the possibility to interact with foreign diplomats and Chiefs of Staff.

Colonel Johnson encourages all attorneys to start their career searches by exploring their passions. Fortunately, in national security law there are a host of jobs that will be able to fit your interests. While serving in South Korea, Colonel Johnson was particularly interested in the field of operational law which is defined as the application of domestic and international law applied to military operations. Even though

this area of law is specifically assigned to Air Force JAGs stationed in South Korea, Colonel Johnson chose to gain experience by devoting her spare time to working with Air Force JAGs. Her pursuit of an area of law she was passionate about resulted in an involvement in the opening of a dialogue between North and South Korea and set the stage for a career focused on this practice of law.

Although Colonel Johnson's recent career path reads like a Tom Clancy novel, the first few years were not as colorful but remain critical to the development of a military attorney. As a military attorney, the first three years are designed to provide exposure to various core competencies: criminal and administrative law, wills, trusts and estates, and legal assistance. Colonel Johnson indicated how critical those years were and how they provided her with valuable perspective to draw from later in her career. As a senior officer, Colonel Johnson continually recalls these early experiences when participating in war-planning sessions or providing rules of engagement counsel to senior flag officers.

When looking to explore options for civilian attorney positions within the Department of Defense, a young attorney's initial hurdle may be a lack of experience. Similar to private practice, general counsel positions and unlike most law firms, there is not an initial need for entry-level attorneys. Generally, at least one to two years of experience in the specific field is necessary. Fortunately, this is only a minor hurdle and experience can be gained by the ambitious law student. Almost every legal office offers summer positions and, based on a student's performance, many offer the possibility for part-time work during the academic year. If neither of these options exist, Colonel Johnson recommends gaining experience from one of the other federal government agencies and eventually making a lateral move to the Department of Defense.

When teaching new JAGs, Colonel Johnson supplies a "basic toolkit" of critical information to be used the first day the attorney arrives at the squadron, ship, or special operations division. The information provided by Colonel Johnson and the advice given by other lawyers is a helpful launching pad for getting started; however, little can be done to anticipate or prepare for what our country may require.

*Charles Moldenhauer is an active duty Navy Lieutenant currently attending law school.*

**Jeremy Zucker**

Associate, Hogan & Hartson

*Profiled by Justin Zeefe*

For those attorneys and law students eager to learn more about the path to establishing oneself in national security law, they need look no further than Jeremy Zucker, an associate at Hogan & Hartson LLP in Washington DC. If the firm's name sounds familiar, it may be because it is not only

the largest firm in Washington, but also recently saw one of its former partners, John Roberts, nominated for the vacancy on the US Supreme Court left by Justice O'Connor.

Growing up in the Nation's Capitol, Zucker knew early on of his interest in international affairs. In each step of his education, Zucker aimed to incorporate this passion into his studies, including an undergraduate degree in International Economics and a subsequent master's degree in International Security Policy, and into his post-grad work for an investment-

banking firm structuring mergers and acquisitions in Latin America. During both grad school and law school Zucker managed to pursue his passion for international affairs in the classroom and during the summers, when he worked at the National Security Council, the Treasury Department, and the State Department. After graduating from law school Zucker then spent a year as a clerk at the International Court of Justice in The Hague, Netherlands.

Zucker's current practice at Hogan & Hartson touches a number of areas with links to US national security. He is experienced in the anti-money laundering provisions of the USA PATRIOT Act and the anti-corruption measures of the Foreign Corrupt Practices Act, as well as US export control and economic sanctions laws and those pertaining to review of transactions resulting in foreign ownership of US assets (much discussed these days in light of the bid by the Chinese National Offshore Oil Corporation for Unocal). Zucker explains that oftentimes corporations don't initially realize that the fruits of their labor, such as encryption software or machined parts destined for one purpose can be used for purposes other than those initially intended. For example, software designed to help guide a weather satellite and sold to the Chinese could instead be tweaked to develop weapons tracking systems. To that end, Zucker advises US entities on their transactions with foreign entities on compliance with US regulations, and on one matter spent a month in Russia helping smooth the acquisition of a Russian corporation by an American entity, ensuring that the sharing of technologies wasn't in violation of US (or Russian) law.

For those interested attorneys and law students whose passions lie in the field of national security, Zucker first and foremost recommends keeping abreast of current events and policy. In this field, any potential employer will expect the applicant to not only be interested in the subject matter but also well-versed. Zucker doesn't expect that the increased concerns over national security will abate anytime soon, and he predicts that this relatively new field of law will continue to grow in both importance and legal precedent. Along with the field's growth comes the matter of a security clearance—a likely requirement if you're seeking to work for the government and one which can take over a year (as this author well knows) to process.

Because implications of national security law can be triggered by varied subjects, Zucker notes that there is no specific path the interested candidate should pursue. Zucker added that those interested in finding work as an attorney in the private sector coming over from the government are well-served if their experiences were as a lawyer rather than as an analyst or other non-legal position. Zucker's advice mirrors what you'll hear from many other successful people in their respective fields—pursue your interests to where they meet your skills and you will succeed.

*Justin Zeefe is a lawyer in Washington, DC, whose own security clearance took 24 months. He can be reached at [justin@zeefe.com](mailto:justin@zeefe.com).*

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## **Sheldon I. Cohen**

Private Practice, Arlington, VA

It is said that being a sole practitioner has gone the way of the dinosaur and that a solo specializing in national security law is unheard of. Despite that, in my forty-one years at the bar I have been a sole practitioner for thirty-five of those years and have specialized in national security law for the last twenty-five years. During that time I have represented foreign defectors, American intelligence officers, FBI agents, corporations and countless government and contractor employees with security clearance problems. I have testified before Congress and helped negotiate and draft legislation and Executive Orders concerning national security issues. While I have done it, I do not recommend it as a solo.

I never started out choosing that career, but for someone interested in embarking on a private practice career in national security law there are a number of avenues to pursue. First, choose an area of the country where there is a large government or defense contractor presence such as Washington, D.C., Boston, Seattle, San Diego or Norfolk, Virginia. National security problems do not often come up in Boise or Chattanooga. Next decide whether you want a civil or criminal practice, and if civil, whether you are interested in working for a large or small law firm.

Large law firms generally deal with larger corporate clients and with issues of greater scope and financial value. A law firm which is general counsel to a major government defense contractor, or a firm specializing in government contract law which represents defense contractors, will invariably run into a host of national security issues. Typical of these are contracts requirements for producing classified materials, systems or information. Safeguarding and transporting classified information, providing secure production facilities, and insuring secure communications are normal national security issues in such contracts.

Major defense contractors will also have issues concerning facility clearances, i.e., whether there are proper physical safeguards for protecting classified information; and issues of personnel security clearances; do the people required to perform the contract have the necessary clearances at the proper security levels. With the ever-increasing globalization of commerce and the cross-border ownership of companies, foreign ownership, control and influence also may become a matter of concern for defense contractors. How to insulate the classified work of that company from such foreign influence and control must be resolved.

Even large corporations that are not defense contractors will have national security issues. Technology companies must be concerned with export controls on technology which

could be used for either civilian or military purposes. Industrial companies such as chemical and power producers must all now be concerned with homeland security issues. The opportunities for dealing with the nation's security issues at a large law firm are virtually endless.

If a young lawyer's direction is to a small law firm or a solo practice, there are still many opportunities to deal with national security issues, but the path is somewhat different. A career in employment law, in a locale where there is a large government or defense contractor presence will frequently involve representing government employees or contractor employees with security clearance issues. Typically, these employees may need a clearance and can not get it, or they may have a clearance which is being revoked for any number of reasons. There are administrative processes at which a skilled lawyer can make the difference of whether the employee will keep his or her clearance and career. Even the much dreaded polygraph provides opportunities for useful legal representation. Small law firms may also represent small government contractors which have many of the same national security issues as the larger defense contractors but on a smaller scale.

If a young lawyer's interest is criminal law, there are many opportunities to deal with national security issues in that field as well. Before entering private practice, however, the young lawyer should first get prosecutorial experience with the Justice Department, a U.S. Attorney's office or a Federal Public Defender's office. Later, with a criminal defense firm, the defense of alleged spies, terrorists, illegal exporters of arms and controlled technology and perpetrators of industrial espionage will offer a challenging career in another facet of national security law.

While having a security clearance is not required for most of the issues discussed, it is necessary if one must have access

to classified information during the representation. A security clearance is issued on an as-need basis and there is no place one can go to get a security clearance before getting a job or taking a case that requires one. When the lawyer has a job or is representing a particular client which requires a clearance it will, if the lawyer is qualified, be granted, and when the job or the representation ends the clearance will terminate. The security clearance will be restored with the next job or next case requiring it.

In order to hold a clearance a person must be a US citizen and, in general, must not use drugs, abuse alcohol, have bad debt, a criminal record, or mental health problems, be living with a foreign national, have immediate family members residing in a foreign country, hold a foreign passport because of dual citizenship, misuse technology systems or generally display bad judgment. If a person is to have access to intelligence information, he or she must also successfully pass a polygraph exam which inquires into all of these areas in addition to one's general life style. Before you think you will have to choose another career path, the government recognizes that no one is perfect, and there are mitigating conditions which may apply to all of these requirements.

While a lawyer in private practice will not generally be working on matters of public policy or military deployment, nevertheless a career in national security law is rewarding, interesting, challenging, and deals with issues of current national concern.

*Sheldon I. Cohen is in the private practice of law in Arlington, Virginia. He is the author of Security Clearances and the Protection of National Security Information: Law and Procedures, 335 pp., published by the Defense Personnel Security Research Center, Technical Report 00-4, November, 2000. More information about him may be found on his web site: [www.sheldoncohen.com](http://www.sheldoncohen.com).*

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## **Judge William H. Webster**

Senior Partner, Milbank, Tweed, Hadley, & McCloy

*Profiled by Jodi Else*

Judge William H. Webster entered the practice of law in 1949. In a career that has spanned 56 years, and includes service in the United States Navy during World War II and Korea, Judge Webster has held positions only dreamed of by most attorneys. Although he humbly credits many of his career opportunities to accident or chance, it is clear to all that Judge Webster earned each of his professional achievements.

After graduating from Amherst College, Judge Webster received his Juris Doctor from Washington University Law School. He began his career in private practice with a St. Louis, Missouri firm until 1959 when he was named U.S. Attorney for the Eastern District of Missouri. Judge Webster returned to private practice until 1970 when he was appointed a Judge of the United States District Court of the Eastern District of Missouri. He remained in this position until 1973,

when he was elevated to the United States District Court of Appeals for the Eighth Circuit. Judge Webster resigned in 1978 to become Director of the FBI where he remained until 1987 when he was named Director of Central Intelligence. As Central Intelligence Director, Judge Webster headed all the foreign intelligence agencies of the United States and directed the Central Intelligence Agency. In 1991, he joined Milbank, Tweed, Hadley & McCloy LLP's Washington office where he remains currently as a senior partner and former chairman of the firm's Litigation Department.

Saying "the real fun was in the doing," Judge Webster points to his active involvement with the ABA. He first joined the ABA in 1953. Fifteen years later in 1968, he was recognized for work he was doing on "developing, with others, a national bank charge card program which became MasterCard," and he joined the Business Law Section. At the instigation of Justice Powell, Judge Webster was selected as a Counselor to the Standing Committee on Law and National Security. This assignment, he explains, "afforded opportunities to

address the balance between liberty and security, especially in times of national emergencies, and thereby participate in the ABA's firm adherence to the Rule of Law." In 2002, Judge Webster was rewarded for his dedication to the ABA when he received the ABA Medal, its highest honor. The ABA Medal is given only in years when the ABA Board of Governors determines a nominee has rendered exceptionally distinguished service to the cause of American jurisprudence.

When asked to advise to young lawyers, Judge Webster explains that he guided his own career by using his simple "vision of the private man in public life." He believes this guiding principle, along with love for his country and a desire to be useful, is responsible for helping him make many tough career decisions. As new assignments were presented, and he had to decide whether to leave a position he truly enjoyed, Judge Webster would ask himself two short questions: "Is there a real need? And can I help address that need?"

Judge Webster cautions that those interested in national security law should understand they will be entering a life of service to their country. These individuals will be "led towards responsibility that they must embrace, rather than duck," advises Judge Webster. He explains that attorneys trying to break into this field should "be prepared to go where they're needed and, when asked to serve, they must stand up and salute." The field of national security law, he continues, requires lawyers who desire to serve in public life, and who have a "love for their country, the feeling that they

owe it something, and the desire to bring their skills to its service."

Judge Webster warns that it is critical for young lawyers in national security to strike a proper balance between aggressively fulfilling their duties, while also stepping lightly to avoid unreasonable restrictions on people's rights. Special emphasis, he suggests, should also be placed on studying international law, constitutional law, and acts of Congress relating to national security, particularly the PATRIOT Act. This, he cautions, is the most critical point for new lawyers to understand and appreciate. Additionally, he stresses the importance of developing a deep understanding of the inter-workings of specific national security organizations, including the Department of Justice, Department of Homeland Security, the CIA and the FBI. Learning the ins-and-outs of these organizations and how they function together is important to understanding national security law and its developments.

Judge Webster's path through national security law is truly inspiring and greatly admired by all in the field. As one member of the national security community aptly stated when reviewing Judge Webster's career advice, "If Judge Webster said wearing a blue suit would help me break into national security law, I would do it."

*Jodi Else is the Director of Washington, DC Affairs for the University of the Pacific, McGeorge School of Law.*

### **Angeline G. Chen**

Associate General Counsel, Lockheed Martin;  
Adjunct Professor, George Mason University Law  
School, University of Maryland

*Interviewed via e-mail*

**Career path suggestions:** Look to find a position where you will have exposure to fundamental principles of practicing law and the potential for exposure to substantive and

interesting areas. **Job search techniques:** The first step to a job search is to identify available resources that can help you create opportunities and make well-informed decisions. The second one is to be persistent, and to be realistic. Going to law school doesn't teach you how to practice law, it teaches you how to think and analyze issues from a legal perspective. When you start searching for a job, take a look at each option you have and make a list of what the benefits and downsides are. Sometimes practicality will dictate your

## **Standing Committee on Law and National Security**

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740 15th St., NW

Washington, D.C. 20005-1009

(202) 662-1035 -- FAX: (202) 662-1032

*E-mail:* [hcmcmahan@staff.abanet.org](mailto:hcmcmahan@staff.abanet.org)

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decision—if you have bills and you need to pay them, and your only immediately available option is a job at a small real estate firm, take the legal option before you consider the restaurant job. This way you can at least parlay the experience into exposure to drafting and reviewing often complex legal documents when you start looking for your next “step” position. **Advice to lawyers and law students interested in national security law:** If you are still in law school, play hard but work hard, and do as well as you can. Master the basics, so that you build yourself a strong foundation. Seek to understand what your own definition is of what “national security law” means, so you can better determine what are more intelligent and appropriate career choices for yourself. Reach out and find individuals in the community who are willing to share their experiences and insights with you – if what they are doing is of interest to you, try to find out more.

#### **Internships and summer programs—how valuable are they?**

Most such programs are more focused on technical positions rather than the support functions, such as human resources or legal. Having said that, you never know until you ask. Call the HR department and ask. Call the Legal department and offer. The same goes for government agencies as well. Internships and summer programs can be very significant, in exposure to a working legal environment and hopefully some substantive issues, and as an opportunity to start building on your resume.

**What mistakes do lawyers make in applying for and interviewing for national security law jobs?** Some of the more common mistakes I’ve seen are applicable to any application or interview. Failure to research the potential employer is one—why would an agency or a company hire somebody right out of law school who hasn’t even bothered to take the time to find out as much as is at least available in the public domain about the agency mission or business? Another is in presentation, which applies equally to a written submission as an interview. A more nuanced mistake is walking the line between being confident in your capabilities and your potential, but not overselling.

**How much of a barrier are security clearances?** The clearance process is tedious, and depending on the level can be very intrusive. My sense is that the length of time that it takes to obtain a clearance is becoming more of a barrier—companies often can’t afford to wait a long time before putting their new hire to work (plus bear the risk that the new hire can’t get the clearance), so I’ve seen companies limit their hiring decisions to folks that have existing clearances in order to avoid delay. But I’ve also seen that the government is familiar with the need for a “transition” period while an employee is waiting for a clearance, and I’ve also seen just as many companies manage to find work for folks prior to their receiving their clearance.

**What does the legal office of Lockheed Martin (International Launch Services) do?** Lockheed Martin is the largest US defense contractor. The business unit I work for is a joint

venture between the company and Khrunichev State Production and Research Space Center. Our charter is to market and sell launch services to commercial customers worldwide. The legal department is therefore responsible for all legal aspects of running a global marketing and sales organization, in addition to all of the more traditional or standard types of activity conducted by an in-house legal office. Being in-house (compared to being in a law firm) means understanding the business case and supporting processes for your company, and being able to provide proactive and real-time legal counsel and guidance to help achieve those business objectives in a legally compliant manner.

**Who gets hired?** Typically, companies look for laterals and otherwise seasoned attorneys who already have some demonstrated experience practicing law in a substantive area of relevance to the company. A fairly common benchmark would be to look for someone at the 3-5 year mark for a junior corporate legal office position (Attorney or Senior Attorney), and a more senior law firm associate (roughly 5-8+ years) would generally come in for an Assistant General Counsel or Associate General Counsel position or other specialist position. Companies also tend to hire for specific needs, so many posted positions will specify a particular field or area of expertise. The most “traditional” route for in-house counsel is to come into the company directly from a law firm. Of course there are always exceptions, but these are demonstrated general trends with regard to corporate hires.

**What are your days like?** There’s really never a dull moment. Typically several issues are being worked at once as well as longer-term “tending” issues that require constant management and/or oversight. A typical day for me might start with addressing a personnel issue mixed in with a review of draft contract language, mixed in with a discussion on export control requirements and dealing with compliance requirements under various regulations, to other days where I might participate in a compliance site survey of the Proton launch site in Baikonur, Kazakhstan or accompany a congressional staff delegation to Moscow, to attending a launch of the Atlas V launch vehicle from Cape Canaveral Air Force Base in Florida.

**Are there any misconceptions about where you work or about national security law in general?** There are the typical myths about corporate positions having shorter hours, being less intense and being more laid back. I’ve never found that to be the case, frankly, either from my own experience or from observed experiences of others. In addition, definitions and understandings of what “national security law” really means become somewhat murky. Much of the work that needs to be done remains the same as it ever was for lawyers, to understand those changes in a comprehensive and well-informed manner, in order to provide our clients with good counsel.