

SELECT COMMITTEE ON INTELLIGENCE

UNITED STATES SENATE



QUESTIONNAIRE FOR COMPLETION BY
PRESIDENTIAL NOMINEES

**SELECT COMMITTEE ON INTELLIGENCE
UNITED STATES SENATE**

**QUESTIONNAIRE FOR COMPLETION BY
PRESIDENTIAL NOMINEES**

PART A - BIOGRAPHICAL INFORMATION

1. FULL NAME: Jason Klitenic
OTHER NAMES USED: N/A
2. DATE AND PLACE OF BIRTH: February 6, 1967; Baltimore, Maryland
CITIZENSHIP: US
3. MARITAL STATUS: Married
4. SPOUSE'S NAME: Catherine (Kate) Howell Klitenic
5. SPOUSE'S MAIDEN NAME IF APPLICABLE: Catherine Caro Howell
6. NAMES AND AGES OF CHILDREN:

NAME

AGE

INFORMATION REDACTED

7. EDUCATION SINCE HIGH SCHOOL:

<u>INSTITUTION</u>	<u>DATES ATTENDED</u>	<u>DEGREE RECEIVED</u>	<u>DATE OF DEGREE</u>
Johns Hopkins University	1985-1989	Bachelor of Arts	1989
University of Baltimore School of Law	1989-1993	Juris Doctor	1993

8. EMPLOYMENT RECORD (LIST ALL POSITIONS HELD SINCE COLLEGE, INCLUDING MILITARY SERVICE. INDICATE NAME OF EMPLOYER, POSITION, TITLE OR DESCRIPTION, LOCATION, AND DATES OF EMPLOYMENT).

<u>EMPLOYER</u>	<u>POSITION/TITLE</u>	<u>LOCATION</u>	<u>DATES</u>
Law Office of Stephen L. Miles	Law Clerk	Baltimore, MD	9/1989-6/1990
U.S. Department of Justice - Antitrust Div.	Paralegal Specialist	Washington, D.C.	6/1990-5/1995

Alston & Bird LLP	Associate	Atlanta, GA	5/1995-11/2001
Alston & Bird LLP	Partner	Atlanta, GA	11/2001-1/2002
U.S. Department of Justice	Deputy Associate Attorney General	Washington, D.C.	1/2002-10/2003
U.S. Department of Homeland Security	Deputy General Counsel	Washington, D.C.	10/2003-8/2005
McKenna Long & Aldridge LLP (now Dentons)	Partner	Atlanta, GA & Washington D.C.	8/2005-5/2007
Klitenic Robertson PLLC	Principal	Washington, D.C.	5/2007-3/2010
KR Security PLLC	Principal	Washington, D.C.	5/2007-3/2010
Holland & Knight LLP	Partner	Washington, D.C.	3/2010-Present

9. GOVERNMENT EXPERIENCE (INDICATE EXPERIENCE IN OR ASSOCIATION WITH FEDERAL, STATE, OR LOCAL GOVERNMENTS, INCLUDING ADVISORY, CONSULTATIVE, HONORARY, OR OTHER PART-TIME SERVICE OR POSITION. DO NOT REPEAT INFORMATION ALREADY PROVIDED IN QUESTION 8).

Please see response to Question 8.

10. INDICATE ANY SPECIALIZED INTELLIGENCE OR NATIONAL SECURITY EXPERTISE YOU HAVE ACQUIRED HAVING SERVED IN THE POSITIONS DESCRIBED IN QUESTIONS 8 AND/OR 9.

I have spent much of my career working on national security and law enforcement sensitive matters, both during my government service and while in private practice. Shortly after 9/11, I resigned from my law firm in Atlanta, Georgia (Alston & Bird LLP) and along with my family moved to Washington, D.C., to serve as a Deputy Associate Attorney General of the U.S. Department of Justice. From January 2002 to October 2003, I served among DOJ senior leadership and worked on a number of terrorism and other national security-related matters (including terrorist financing cases involving the USA PATRIOT Act and IEEPA), as well as national security-related immigration litigation. In doing so, I worked closely with attorneys from DOJ, Treasury, State and other federal agencies, including other IC members.

In connection with the formation of the U.S. Department of Homeland Security, I moved from DOJ to DHS to become the first Deputy General Counsel of that new agency, where I served from October 2003 to August 2005. During my tenure at DHS, I worked on a wide variety of matters that largely mirrored the agency's mission, including counterterrorism, cybersecurity, data privacy, information sharing, incident response, government procurement, transportation security, classification issues, and infrastructure protection. During the course of my service at DHS, I worked closely with my colleagues in DHS component agencies (e.g., CBP, ICE, USCIS, TSA, U.S. Coast Guard, U.S. Secret Service), including those serving intelligence functions, and colleagues in headquarters offices, such as the DHS Office of Intelligence and Analysis. I also worked closely with my counterparts at other federal agencies and worked on a number of interagency initiatives, as well as international information sharing agreements.

Since leaving government service in 2005, my law firm practice has focused upon advising clients on security-based laws and regulatory frameworks (e.g., aviation security requirements, export control regulations, cybersecurity standards), and traditional corporate compliance matters. Additionally, because of my past DOJ and DHS experience, much of my practice involves representing corporations and individuals in immigration matters. While some of my immigration-related matters at Holland & Knight are routine (e.g., assisting a foreign executive with a family move to the U.S., or helping a school or student comply with DHS Student and Exchange Visitor Program

requirements), many other immigration matters feature national security or other law enforcement issues. For a number of my matters I have continued to work closely with DHS, FBI, State Department and other federal agencies on behalf of clients who voluntarily provide law enforcement sensitive information to the U.S. government. Some of these clients are U.S. and foreign corporations who seek to report suspicious activity to the U.S. government, while many others are individual foreign nationals who voluntarily provide sensitive information to the government in an effort to address concerns that the U.S. government may have regarding them or their associates. Typically, these individuals learn of U.S. government concerns in the context of visa denials and revocations, as well as secondary inspections. In other instances, I represent individual foreign national clients who proactively seek to contact U.S. government agencies in an effort to further U.S. national security and law enforcement interests.

11. HONORS AND AWARDS (PROVIDE INFORMATION ON SCHOLARSHIPS, FELLOWSHIPS, HONORARY DEGREES, MILITARY DECORATIONS, CIVILIAN SERVICE CITATIONS, OR ANY OTHER SPECIAL RECOGNITION FOR OUTSTANDING PERFORMANCE OR ACHIEVEMENT).

NCAA Division III First-Team All-American (Baseball) (1989)

U.S. Department of Justice Antitrust Division Outstanding Contribution Award (1994)

12. ORGANIZATIONAL AFFILIATIONS (LIST MEMBERSHIPS IN AND OFFICES HELD WITHIN THE LAST TEN YEARS IN ANY PROFESSIONAL, CIVIC, FRATERNAL, BUSINESS, SCHOLARLY, CULTURAL, CHARITABLE, OR OTHER SIMILAR ORGANIZATIONS).

<u>ORGANIZATION</u>	<u>OFFICE HELD</u>	<u>DATES</u>
American Bar Association	Vice Chair ABA Committee on Homeland Security and National Defense	2006-2010
American Bar Association	Chair ABA Criminal Justice Section Committee on Homeland Security	2012-2013 (Please note that I have been affiliated with and a member of the ABA during varying stages of my legal career. I have been unable to identify the years of past membership but I most recently rejoined the ABA in September 2017.)
DACOR (Diplomatic and Consular Officers Retired)	Member	2014-Present
District of Columbia Bar	Member	1996-Present
State Bar of Georgia	Member	1993-Present

13. PUBLISHED WRITINGS AND SPEECHES (LIST THE TITLES, PUBLISHERS, BLOGS AND PUBLICATION DATES OF ANY BOOKS, ARTICLES, REPORTS, OR OTHER PUBLISHED MATERIALS YOU HAVE AUTHORED. ALSO LIST ANY PUBLIC SPEECHES OR REMARKS YOU HAVE MADE WITHIN THE LAST TEN YEARS FOR WHICH THERE IS A TEXT, TRANSCRIPT, OR VIDEO). IF ASKED, WILL YOU PROVIDE A COPY OF EACH REQUESTED PUBLICATION, TEXT, TRANSCRIPT, OR VIDEO?

Remarks:

(Please note that I do not recall drafting prepared text for these remarks but in certain instances I created PowerPoint presentations, some of which I have access to and could provide.)
 U.S. Department of Homeland Security: Customs and Immigration Priorities of the New Administration; Global Logistics Council of Manufacturers Alliance for Productivity & Innovation (MAPI), Orlando, Florida, April 18, 2017

Enforcement Priorities for the Trump Administration: Cross-Border Concerns for Canadian Companies Borden
Ladner Gervais LLP, April 4, 2017

**Confronting Systemic Threats: Cybersecurity, Pandemic and Terrorism Moderator, The Next Era of American
Healthcare System Transformation Symposium and Roundtable, February 8, 2017**

**7th Annual IP Trademark, Copyright and Licensing Counsel Forum Global Risk and Investigations, November 3-4,
2015**

**Financial Services IT – Avoidance of Risks Cybersecurity and Financial Institutions: A Public-Private Partnership;
Vendor Service Providers to Financial Institution, Practising Law Institute, May 21, 2014**

**Overview of U.S. Department of Justice Organizational Structure and Legal Authority; Pepperdine University
School of Law - Washington, D.C. Program, February 19, 2014**

White House Cybersecurity Executive Order Implementation Holland & Knight Webinar, March 14, 2013

Cyber Security and Privacy Holland & Knight Webinar, January 17, 2013

**American Legal System: Best Practices International Symposium for Justice and Law, U.S. Embassy in the United
Arab Emirates and the Dubai Judicial Institute, Dubai, UAE, November 11-14, 2012**

**Cyber Attacks – Prevention, Detection and Response ALM Corporate Counsel Forum, The Harvard Club, New
York, NY, October 24, 2012**

**Cybersecurity: Managing Outsourcing Risks The New Outsourcing Global Delivery Model, Holland & Knight, June
28, 2012**

Cyber liability: New Exposures, New Challenges Holland & Knight Institute, May 1, 2012

SHRM Management Conference, An Overview of the Foreign Corrupt Practices Act, May 2, 2012

**American Bar Association Annual Homeland Security Law Institute, Emerging Compliance Issues for Government
Contractors: An In-House Perspective, March 2012**

**Traps for the Unwary - A Spotlight on FCPA and Arms Export Control, American Bar Association 6th Annual
Homeland Security Law Institute, Washington, D.C., March 2011**

**Chemical Facility Anti-Terrorism Standards: U.S. Department of Homeland Security Inspection Authority,
American Chemistry Council, Washington, D.C., December 2010**

**Homeland Security - Managing the War on Terrorism from the White House Executive Branch, American Bar
Association 5th Annual Homeland Security Law Institute, Washington, D.C., March 2010**

**American Bar Association 4th Annual Homeland Security Law Institute, Washington, D.C., Program Moderator,
February 2009**

**American Bar Association 3rd Annual Homeland Security Law Institute, Washington, D.C., Program Moderator,
January 2008**

**Transportation and Supply Chain Security, 2nd Annual American Bar Association Homeland Security Institute,
Washington, D.C., January 2007**

Border, Maritime and Port Security, 2006 Homeland & Global Security Summit, Washington, D.C., April 2006

The Department of Homeland Security: A Brief History, Guest Lecturer, Georgia Tech Sam Nunn School of International Affairs, Atlanta, GA, April 2006

Executive Branch Revolving Door Restrictions, U.S. Chamber of Commerce, Washington, D.C., March 2006

Protecting Critical Infrastructure and the SAFETY Act, International Monetary Fund, Washington, D.C., March 2006

Homeland Security 101, 1st Annual American Bar Association Homeland Security Law Institute, Washington, D.C., January 2006

Sarbanes-Oxley: Trends in Enforcement and Compliance Presenter, Oxley Direct Seminar, Atlanta, GA, October 2005

Combating Fraud and Abuse in Post-Hurricane Katrina Contracting, Washington, D.C., September 2005

Publications:

White House Issues Cybersecurity Executive Order; Holland & Knight Alert, February 14, 2013

Establishment of a Permanent Global Entry Program: Expedited Clearance for Trusted Air Travelers; Emerging Issues Analysis, Matthew Bender & Co., Inc., December 2009

The Terrorism Risk Insurance Act; Homeland Security Deskbook, Matthew Bender & Co, Inc., December 2009

PART B - QUALIFICATIONS

14. QUALIFICATIONS (DESCRIBE WHY YOU BELIEVE YOU ARE QUALIFIED TO SERVE AS THE GENERAL COUNSEL FOR THE OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE).

I believe that I have the requisite judgment and experience to serve as General Counsel of the Office of the Director of National Intelligence. As I described in response to Question 10, I have spent much of my legal career working on national security matters. In doing so, I believe I have a firm understanding of the issues that I would likely face if confirmed and that my prior government experience would serve me in good stead. While at DOJ and DHS, I became accustomed to confronting and responding to weighty legal matters in a time-sensitive highly-pressurized setting. I also became comfortable making difficult legal decisions and advising senior administration officials on the strict parameters of the law, while maintaining credibility during my government service.

Given the nature of ODNI's inherent interagency coordinating role, I also believe that my proven ability to work well with others in a variety of environments will enable me, if confirmed, to navigate through the important interagency process. Moreover, my strong working relationships with a number of my would-be-peers throughout the various relevant agencies should afford me the opportunity to be an effective advocate for and contributor to the Intelligence Community.

As for management experience, while I was Deputy Associate Attorney General at DOJ, I was responsible for overseeing and coordinating matters arising throughout DOJ's various litigating divisions, and advising senior leadership on those matters. Then, as the Deputy General Counsel of DHS, I served as the second-ranking legal officer of an 180,000 employee agency and oversaw the daily operations of the 1,500 lawyer Office of General Counsel. In this environment I learned to become conversant in a wide variety of complex legal issues that arose throughout the agency on daily basis, while managing a myriad of personnel, ethics, budget and other administrative matters.

Although I left government service in 2005, I have continued to engage in security-related matters where I believe that I have been of assistance not only to my clients, but also to our government.

PART C - POLITICAL AND FOREIGN AFFILIATIONS

15. POLITICAL ACTIVITIES (LIST ANY MEMBERSHIPS OR OFFICES HELD IN OR FINANCIAL CONTRIBUTIONS OR SERVICES RENDERED TO, ANY POLITICAL PARTY, ELECTION COMMITTEE, POLITICAL ACTION COMMITTEE, OR INDIVIDUAL CANDIDATE DURING THE LAST TEN YEARS).

Since joining Holland & Knight in 2010, I have each year contributed \$1,000 to our firm's PAC (Holland & Knight Committee for Effective Government)

Mitt Romney for President, Inc. – contribution of \$250 (October 2012)

Liz Cheney for Wyoming – contribution of \$500 (November 2013)

John McCain 2008 – contribution of \$500 (July 2008)

McCain Victory – contribution of \$500 (July 2008)

Trump for America, Inc. (Presidential Transition Team) – contribution of \$1,000 (November 2016)

Donald J. Trump Presidential Transition Team / Volunteer (September 2016 – January 2017)

16. CANDIDACY FOR PUBLIC OFFICE (FURNISH DETAILS OF ANY CANDIDACY FOR ELECTIVE PUBLIC OFFICE).

None

17. FOREIGN AFFILIATIONS

(NOTE: QUESTIONS 17A AND B ARE NOT LIMITED TO RELATIONSHIPS REQUIRING REGISTRATION UNDER THE FOREIGN AGENTS REGISTRATION ACT. QUESTIONS 17A, B, AND C DO NOT CALL FOR A POSITIVE RESPONSE IF THE REPRESENTATION OR TRANSACTION WAS AUTHORIZED BY THE UNITED STATES GOVERNMENT IN CONNECTION WITH YOUR OR YOUR SPOUSE'S EMPLOYMENT IN GOVERNMENT SERVICE.)

A. HAVE YOU OR YOUR SPOUSE EVER REPRESENTED IN ANY CAPACITY (E.G. EMPLOYEE, ATTORNEY, OR POLITICAL/BUSINESS CONSULTANT), WITH OR WITHOUT COMPENSATION, A FOREIGN GOVERNMENT OR AN ENTITY CONTROLLED BY A FOREIGN GOVERNMENT? IF SO, PLEASE FULLY DESCRIBE SUCH RELATIONSHIP.

In 2007 and 2008 I represented a U.S.-allied foreign government in connection with a detention and removal proceeding brought by the U.S. Department of Homeland Security. The subject of the legal proceeding was a citizen of the foreign government client. I provided legal advice to the foreign government client on U.S. immigration law and assisted the government client in providing information to the U.S. Department of Homeland Security lawyers in connection with the immigration proceeding.

I was at the law firm of McKenna Long & Aldridge (MLA) from August 2005 to May 2007. In connection with my potential nomination I performed a FARA registration search of myself. (I do not have access to my billing records from when I was at MLA). I found FARA registration documents reflecting that in September 2006 I was part of a firm team, led by a former U.S. Ambassador to Canada, that represented four Canadian Provinces (Manitoba, Quebec, New Brunswick and Ontario) in connection with the U.S. government's Western Hemisphere Travel Initiative. I do not specifically recall working on this matter but the subject matter is consistent with the type of issue I would have worked on back then. The publicly available FARA filings reflect that I was removed from the engagement in April 30, 2007, around the time I left MLA.

At Holland & Knight I do not believe that I have represented any foreign governments. I have provided legal services to airlines that I understand are controlled, at least to some extent, by foreign governments. I have listed those airlines here:

- Etihad Airways (UAE)
- Qatar Airways
- Singapore Airlines
- South African Airways
- Turkish Airlines

Please know that because Holland & Knight does not track clients based on whether they are foreign government-controlled, it is possible that I have done work for a foreign government-controlled entity without being aware of the foreign-government nature of that client. Also, because I do not have access to records at two of my previous law firms, MLA (2005-2007) and Alston & Bird (1995-2002), it is possible that I represented a government-controlled entity while at those firms, but I do not recall having done so.

B. HAVE ANY OF YOUR OR YOUR SPOUSE'S ASSOCIATES REPRESENTED, IN ANY CAPACITY, WITH OR WITHOUT COMPENSATION, A FOREIGN GOVERNMENT OR AN ENTITY

CONTROLLED BY A FOREIGN GOVERNMENT? IF SO, PLEASE FULLY DESCRIBE SUCH RELATIONSHIP.

My current employer, Holland & Knight LLP, has approximately 1,200 attorneys and 27 offices in four different countries. The firm represents or has represented most foreign governments, as well as numerous foreign-government controlled entities throughout various industry sectors (e.g., financial services, energy, transportation and telecommunications). In the course of responding to this question I have learned that the firm client database does not track current and former clients based on their foreign-government nature. Therefore, in an effort to provide an accurate response to Question 17.B, I have reviewed our firm's FARA filings and consulted with certain law partners who, because of their international law practices, have visibility into some of the firm's current and past representations of foreign governments and foreign-government controlled entities, particularly the types of traditional legal services engagements that would not be reflected in a FARA registration (e.g., serving as transactional, litigation or regulatory counsel).

In addition to the below-identified engagements for which Holland & Knight has registered under FARA, I understand that the firm performs, or has performed, legal work for a substantial number of all foreign governments (including government-controlled entities) with which the U.S. has diplomatic relations. I am told that a wide variety of firm practice areas throughout Holland & Knight have handled these legal matters, which include serving as legal counsel in real estate and land use matters for most embassies in Washington, D.C., providing legal advice associated with large infrastructure projects on behalf of developing world nations, and serving as regulatory counsel for numerous foreign-government controlled air carriers, including the foreign airlines that I identified in response to Question 17.A.

Holland & Knight FARA Registrant Clients (1993 – October 2017):

Former Holland & Knight FARA Registrant Clients:

- Jamaica (Aid/Bi-lateral Relations)
- Senegal (Aid/Bi-lateral Relations)
- Trinidad and Tobago (Bi-lateral Relations)
- Costa Rica (Central America Free Trade Agreement)
- Central American Bank for Economic Development (founding countries: Guatemala, Honduras, El Salvador, Nicaragua and Costa Rica.) (Central America Free Trade Agreement)
- El Salvador (Aid/Bi-lateral Relations)
- Bahrain (Free Trade Agreement)
- Thailand (Human Rights and Labor Issues)

Current Holland & Knight FARA Registrant Clients

- United Kingdom (Defense Trade)
- Gibraltar (Bi-lateral Relations)
- Japan (Trade)
- South Korea (Trade)

C. DURING THE PAST TEN YEARS, HAVE YOU OR YOUR SPOUSE RECEIVED ANY COMPENSATION FROM, OR BEEN INVOLVED IN ANY FINANCIAL OR BUSINESS TRANSACTIONS WITH, A FOREIGN GOVERNMENT OR ANY ENTITY CONTROLLED BY A FOREIGN GOVERNMENT? IF SO, PLEASE PROVIDE DETAILS.

None other than as listed above.

D. HAVE YOU OR YOUR SPOUSE EVER REGISTERED UNDER THE FOREIGN AGENTS REGISTRATION ACT? IF SO, PLEASE PROVIDE DETAILS.

Yes. Please see Canada-related FARA filing identified in 17.A. response.

18. DESCRIBE ANY LOBBYING ACTIVITY DURING THE PAST TEN YEARS, OTHER THAN IN AN OFFICIAL U.S. GOVERNMENT CAPACITY, IN WHICH YOU OR YOUR SPOUSE HAVE ENGAGED FOR THE PURPOSE OF DIRECTLY OR INDIRECTLY INFLUENCING THE PASSAGE, DEFEAT, OR MODIFICATION OF FEDERAL LEGISLATION, OR FOR THE PURPOSE OF AFFECTING THE ADMINISTRATION AND EXECUTION OF FEDERAL LAW OR PUBLIC POLICY.

None

PART D - FINANCIAL DISCLOSURE AND CONFLICT OF INTEREST

19. DESCRIBE ANY EMPLOYMENT, BUSINESS RELATIONSHIP, FINANCIAL TRANSACTION, INVESTMENT, ASSOCIATION, OR ACTIVITY (INCLUDING, BUT NOT LIMITED TO, DEALINGS WITH THE FEDERAL GOVERNMENT ON YOUR OWN BEHALF OR ON BEHALF OF A CLIENT), WHICH COULD CREATE, OR APPEAR TO CREATE, A CONFLICT OF INTEREST IN THE POSITION TO WHICH YOU HAVE BEEN NOMINATED.

In the course of the nomination process, I have consulted with ODNI's Designated Ethics Official, who in turn, consulted with the Office of Government Ethics to identify potential conflicts of interest. Any potential conflict of interest will be resolved consistent with the conflicts of interest statutes, standards of conduct, and the terms of the Ethics Agreement that I have executed and which has been provided to the Committee. Consistent with the Ethics Agreement and the ethics pledge set forth in Executive Order 13770, if confirmed, I will not personally and substantially participate in any particular matter in which I know I have a financial interest, in which I know a former client of mine is a party or represents a party, or in which I know that Holland & Knight LLP is or represents a party.

20. DO YOU INTEND TO SEVER ALL BUSINESS CONNECTIONS WITH YOUR PRESENT EMPLOYERS, FIRMS, BUSINESS ASSOCIATES AND/OR PARTNERSHIPS, OR OTHER ORGANIZATIONS IN THE EVENT THAT YOU ARE CONFIRMED BY THE SENATE? IF NOT, PLEASE EXPLAIN.

If confirmed, I intend to resign from Holland & Knight LLP as described below.

21. DESCRIBE THE FINANCIAL ARRANGEMENTS YOU HAVE MADE OR PLAN TO MAKE, IF YOU ARE CONFIRMED, IN CONNECTION WITH SEVERANCE FROM YOUR CURRENT POSITION. PLEASE INCLUDE SEVERANCE PAY, PENSION RIGHTS, STOCK OPTIONS, DEFERRED INCOME ARRANGEMENTS, AND ANY AND ALL COMPENSATION THAT WILL OR MIGHT BE RECEIVED IN THE FUTURE AS A RESULT OF YOUR CURRENT BUSINESS OR PROFESSIONAL RELATIONSHIPS.

If confirmed, I will resign from Holland & Knight. As described in my OGE 278e, I may be eligible for a performance based discretionary bonus for services rendered in 2017 up to the date of my departure. This bonus amount would be paid prior to my assuming the position of General Counsel to the ODNI. As also explained in my OGE 278e, I anticipate keeping my 401k plan, but there will be no further contributions following my separation from Holland & Knight LLP.

22. DO YOU HAVE ANY PLANS, COMMITMENTS, OR AGREEMENTS TO PURSUE OUTSIDE EMPLOYMENT, WITH OR WITHOUT COMPENSATION, DURING YOUR SERVICE WITH THE GOVERNMENT? IF SO, PLEASE PROVIDE DETAILS.

No.

23. AS FAR AS CAN BE FORESEEN, STATE YOUR PLANS AFTER COMPLETING GOVERNMENT SERVICE. PLEASE SPECIFICALLY DESCRIBE ANY AGREEMENTS OR UNDERSTANDINGS, WRITTEN OR UNWRITTEN, CONCERNING EMPLOYMENT AFTER LEAVING GOVERNMENT SERVICE. IN PARTICULAR, DESCRIBE ANY AGREEMENTS, UNDERSTANDINGS, OR OPTIONS TO RETURN TO YOUR CURRENT POSITION.

None.

24. IF YOU ARE PRESENTLY IN GOVERNMENT SERVICE, DURING THE PAST FIVE YEARS OF SUCH SERVICE, HAVE YOU RECEIVED FROM A PERSON OUTSIDE OF GOVERNMENT AN OFFER OR EXPRESSION OF INTEREST TO EMPLOY YOUR SERVICES AFTER YOU LEAVE GOVERNMENT SERVICE? IF YES, PLEASE PROVIDE DETAILS.

Not Applicable.

25. IS YOUR SPOUSE EMPLOYED? IF YES AND THE NATURE OF THIS EMPLOYMENT IS RELATED IN ANY WAY TO THE POSITION FOR WHICH YOU ARE SEEKING CONFIRMATION, PLEASE INDICATE YOUR SPOUSE'S EMPLOYER, THE POSITION, AND THE LENGTH OF TIME THE POSITION HAS BEEN HELD. IF YOUR SPOUSE'S EMPLOYMENT IS NOT RELATED TO THE POSITION TO WHICH YOU HAVE BEEN NOMINATED, PLEASE SO STATE.

No.

26. LIST BELOW ALL CORPORATIONS, PARTNERSHIPS, FOUNDATIONS, TRUSTS, OR OTHER ENTITIES TOWARD WHICH YOU OR YOUR SPOUSE HAVE FIDUCIARY OBLIGATIONS OR IN WHICH YOU OR YOUR SPOUSE HAVE HELD DIRECTORSHIPS OR OTHER POSITIONS OF TRUST DURING THE PAST FIVE YEARS.

<u>NAME OF ENTITY</u>	<u>POSITION</u>	<u>DATES HELD</u>	<u>SELF OR SPOUSE</u>
-----------------------	-----------------	-------------------	-----------------------

INFORMATION REDACTED

27. LIST ALL GIFTS EXCEEDING \$100 IN VALUE RECEIVED DURING THE PAST FIVE YEARS BY YOU, YOUR SPOUSE, OR YOUR DEPENDENTS. (NOTE: GIFTS RECEIVED FROM RELATIVES AND GIFTS GIVEN TO YOUR SPOUSE OR DEPENDENT NEED NOT BE INCLUDED UNLESS THE GIFT WAS GIVEN WITH YOUR KNOWLEDGE AND ACQUIESCENCE AND YOU HAD REASON TO BELIEVE THE GIFT WAS GIVEN BECAUSE OF YOUR OFFICIAL POSITION.)

While at Holland & Knight, on April 4, 2017, friends from a Canadian law firm that I do work with took me to dinner and a hockey game in Toronto.

While at Holland & Knight, on October 4, 2014, a client took me to a Major League Baseball playoff game in Washington, D.C. The same client gave me two tickets to a World Series game on October 26, 2014, in San Francisco, and took my son and me to dinner afterward.

Also, a few times a year colleagues of mine at Holland & Knight invite me to hockey games in Washington if they have an extra ticket, and I reciprocate if I have an extra ticket. Sometimes the value of those tickets exceeds \$100.

28. LIST ALL SECURITIES, REAL PROPERTY, PARTNERSHIP INTERESTS, OR OTHER INVESTMENTS OR RECEIVABLES WITH A CURRENT MARKET VALUE (OR, IF MARKET VALUE IS NOT ASCERTAINABLE, ESTIMATED CURRENT FAIR VALUE) IN EXCESS OF \$1,000. (NOTE: THE INFORMATION PROVIDED IN RESPONSE TO SCHEDULE A OF THE DISCLOSURE FORMS OF THE OFFICE OF GOVERNMENT ETHICS MAY BE INCORPORATED BY REFERENCE, PROVIDED THAT CURRENT VALUATIONS ARE USED.)

<u>DESCRIPTION OF PROPERTY</u>	<u>VALUE</u>	<u>METHOD OF VALUATION</u>
--------------------------------	--------------	----------------------------

Please see my OGE 278e.

29. LIST ALL LOANS OR OTHER INDEBTEDNESS (INCLUDING ANY CONTINGENT LIABILITIES) IN EXCESS OF \$10,000. EXCLUDE A MORTGAGE ON YOUR PERSONAL RESIDENCE UNLESS IT IS RENTED OUT, AND LOANS SECURED BY AUTOMOBILES, HOUSEHOLD FURNITURE, OR APPLIANCES. (NOTE: THE INFORMATION PROVIDED IN RESPONSE TO SCHEDULE C OF THE DISCLOSURE FORM OF THE OFFICE OF GOVERNMENT ETHICS MAY BE INCORPORATED BY REFERENCE, PROVIDED THAT CONTINGENT LIABILITIES ARE ALSO INCLUDED.)

<u>NATURE OF OBLIGATION</u>	<u>NAME OF OBLIGEE</u>	<u>AMOUNT</u>
-----------------------------	------------------------	---------------

Please see my OGE 278e.

30. ARE YOU OR YOUR SPOUSE NOW IN DEFAULT ON ANY LOAN, DEBT, OR OTHER FINANCIAL OBLIGATION? HAVE YOU OR YOUR SPOUSE BEEN IN DEFAULT ON ANY LOAN, DEBT, OR OTHER FINANCIAL OBLIGATION IN THE PAST TEN YEARS? HAVE YOU OR YOUR SPOUSE EVER BEEN REFUSED CREDIT OR HAD A LOAN APPLICATION DENIED? IF THE ANSWER TO ANY OF THESE QUESTIONS IS YES, PLEASE PROVIDE DETAILS.

No.

31. LIST THE SPECIFIC SOURCES AND AMOUNTS OF ALL INCOME RECEIVED DURING THE LAST FIVE YEARS, INCLUDING ALL SALARIES, FEES, DIVIDENDS, INTEREST, GIFTS, RENTS, ROYALTIES, PATENTS, HONORARIA, AND OTHER ITEMS EXCEEDING \$200. (COPIES OF U.S. INCOME TAX RETURNS FOR THESE YEARS MAY BE SUBSTITUTED HERE, BUT THEIR SUBMISSION IS NOT REQUIRED.)

INFORMATION REDACTED

INFORMATION REDACTED

32. IF ASKED, WILL YOU PROVIDE THE COMMITTEE WITH COPIES OF YOUR AND YOUR SPOUSE'S FEDERAL INCOME TAX RETURNS FOR THE PAST THREE YEARS?

Yes.

33. LIST ALL JURISDICTIONS IN WHICH YOU AND YOUR SPOUSE FILE ANNUAL INCOME TAX RETURNS.

Maryland and Georgia.

34. HAVE YOUR FEDERAL OR STATE TAX RETURNS BEEN THE SUBJECT OF AN AUDIT, INVESTIGATION, OR INQUIRY AT ANY TIME? IF SO, PLEASE PROVIDE DETAILS, INCLUDING THE RESULT OF ANY SUCH PROCEEDING.

No.

35. IF YOU ARE AN ATTORNEY, ACCOUNTANT, OR OTHER PROFESSIONAL, PLEASE LIST ALL CLIENTS AND CUSTOMERS WHOM YOU BILLED MORE THAN \$200 WORTH OF SERVICES DURING THE PAST FIVE YEARS. ALSO, LIST ALL JURISDICTIONS IN WHICH YOU ARE LICENSED TO PRACTICE.

I am an active member of the District of Columbia Bar and the State Bar of Georgia.

Below are clients for whom I performed more than \$200 worth of legal services during the past five years (November 2012 – Present):

ACTEX (Bosda) Enterprises
AeroTurbine, Inc.
Air Canada
AirMap Inc.
Akai Group
American Chemistry Council
American Real Estate Partners LLC
Axon Enterprise, Inc.
Balearia Caribbean Ltd., Corp.
Bimbo Bakeries USA Inc.
Blount Small Ship Adventures Inc.
Business Management Associates Inc.
CAE SimuFlite, Inc.
California Cartage Company
California Manufacturing Technology Consulting
Cargolux Airlines International S.A.
Case Western Reserve University

Catholic Diocese of St. Augustine
Cellular Dynamics International, Inc.
City of Edinburg, TX
City of Phoenix
City Refrigeration Holdings LTD
Clarivate Analytics (U.S.) LLC
Clean Wind Energy, Inc.
CNA Corp.
Commodities & Minerals Enterprise Ltd.
Commonwealth of Dominica Maritime Registry
Concesionaria Vuela Compania de Aviacion (Volaris Airlines)
Condor Flugdienst GmbH
CSX Corporation
CyTech Services, Inc.
De La Fontaine Industries
Des Plaines, City of
Dezer Development LLC
DOF Subsea USA
Duty Free World
Environmental Systems Research Institute
Etihad Airways
Focus on the Family
FOTP, LLC
Fulcrum IT Services LLC
Gard (North America) Inc.
Garson & Shaw LLC
Georgia-Pacific Corporation
H. Lee Moffitt Cancer Center
HCOA Management Services, LLC
High Ridge Brands Co.
Ijet Technologies, Inc.
Infosys Limited
Inmark, Inc.
Innovative Wireless Technologies
International Technological University
INVISTA S.à r.l.
Jack Cooper Logistics, LLC
Janome America, Inc.
Japan Tobacco International U.S.A., Inc.
Joseph Ribkoff USA Inc.
JR Plastics Corporation
JSC Norvik Banka
Juiceco, LLC
K2 Construction Consultants, Inc.
Kemet Electronics Corporation
Koch Industries, Inc.
LeapPoint, LLC
Lennar Homes, LLC
Maui Jim, Inc.
Michigan City Paper Box Company
Mitsubishi Corporation
Mutual Trading Co., Inc.
National Fisheries Institute
National Strategies, LLC
NetWrix Corporation
New Stetic, S. A.

Norfolk, City of
NOW Health Group
Offender Smartphone Monitoring, LLC
One Town Center, LLC
OSI Systems, Inc. (Rapiscan Systems, Inc.)
OSM Aviation, Inc.
PCI Security Standards Council, LLC
Plastic Surgery Innovations, Inc.
Ports America Inc.
PositiveID Corporation
Qatar Airways
Quarterline Consulting Services, LLC
Quick N Clean VI, LLC
Raytheon Company
Rochester Institute of Technology
Royal Caribbean Cruises Ltd.
Ruby Tuesday, Inc.
Salient CRGT, Inc.
San Manuel Band of Serrano Mission Indians
Sanaproperty2, LLC
SCR Pharmatop
Secure Mission Solutions, LLC
Selex ES Ltd.
Southwest Airlines Co.
SPE Development U.S. Inc.
Starwood Hotels & Resorts Worldwide, Inc.
State Farm Mutual Automobile Insurance
The W.I.N.N. Group, Inc.
The World of ResidenSea II Ltd.
Thomson Reuters
Tradewind Aviation, LLC
Triumph Enterprises, Inc.
U.S. Fence Solutions Company
United Parcel Service
USI Inc.
W&O Supply, Inc.
Worldwide Flight Services

In addition, I have represented clients in non-public matters whose identities I am not disclosing because of state bar ethics rules. These confidential clients are almost exclusively individuals, and as described in response to Question 10, my representation of these clients is in most cases known to the U.S. government.

36. DO YOU INTEND TO PLACE YOUR FINANCIAL HOLDINGS AND THOSE OF YOUR SPOUSE AND DEPENDENT MEMBERS OF YOUR IMMEDIATE HOUSEHOLD IN A BLIND TRUST? IF YES, PLEASE FURNISH DETAILS. IF NO, DESCRIBE OTHER ARRANGEMENTS FOR AVOIDING ANY POTENTIAL CONFLICTS OF INTEREST.

No. As described in my Ethics Agreement, if confirmed, I will divest certain identified investments and other assets that could give rise to a conflict of interest and invest those proceeds in a diversified mutual fund or other non-conflicting asset.

37. IF APPLICABLE, LIST THE LAST THREE YEARS OF ANNUAL FINANCIAL DISCLOSURE REPORTS YOU HAVE BEEN REQUIRED TO FILE WITH YOUR AGENCY, DEPARTMENT, OR BRANCH OF GOVERNMENT. IF ASKED, WILL YOU PROVIDE A COPY OF THESE REPORTS?

Not applicable.

PART E - ETHICAL MATTERS

38. HAVE YOU EVER BEEN THE SUBJECT OF A DISCIPLINARY PROCEEDING OR CITED FOR A BREACH OF ETHICS OR UNPROFESSIONAL CONDUCT BY, OR BEEN THE SUBJECT OF A COMPLAINT TO, ANY COURT, ADMINISTRATIVE AGENCY, PROFESSIONAL ASSOCIATION, DISCIPLINARY COMMITTEE, OR OTHER PROFESSIONAL GROUP? IF SO, PLEASE PROVIDE DETAILS.

No.

39. HAVE YOU EVER BEEN INVESTIGATED, HELD, ARRESTED, OR CHARGED BY ANY FEDERAL, STATE, OR OTHER LAW ENFORCEMENT AUTHORITY FOR VIOLATION OF ANY FEDERAL, STATE, COUNTY, OR MUNICIPAL LAW, REGULATION, OR ORDINANCE, OTHER THAN A MINOR TRAFFIC OFFENSE, OR NAMED AS A DEFENDANT OR OTHERWISE IN ANY INDICTMENT OR INFORMATION RELATING TO SUCH VIOLATION? IF SO, PLEASE PROVIDE DETAILS.

No.

40. HAVE YOU EVER BEEN CONVICTED OF OR ENTERED A PLEA OF GUILTY OR NOLO CONTENDERE TO ANY CRIMINAL VIOLATION OTHER THAN A MINOR TRAFFIC OFFENSE? IF SO, PLEASE PROVIDE DETAILS.

No.

41. ARE YOU PRESENTLY OR HAVE YOU EVER BEEN A PARTY IN INTEREST IN ANY ADMINISTRATIVE AGENCY PROCEEDING OR CIVIL LITIGATION? IF SO, PLEASE PROVIDE DETAILS.

No.

42. HAVE YOU BEEN INTERVIEWED OR ASKED TO SUPPLY ANY INFORMATION AS A WITNESS OR OTHERWISE IN CONNECTION WITH ANY CONGRESSIONAL INVESTIGATION, FEDERAL, OR STATE AGENCY PROCEEDING, GRAND JURY INVESTIGATION, OR CRIMINAL OR CIVIL LITIGATION IN THE PAST TEN YEARS? IF SO, PLEASE PROVIDE DETAILS.

No.

43. HAS ANY BUSINESS OF WHICH YOU ARE OR WERE AN OFFICER, DIRECTOR, OR PARTNER BEEN A PARTY TO ANY ADMINISTRATIVE AGENCY PROCEEDING OR CRIMINAL OR CIVIL LITIGATION RELEVANT TO THE POSITION TO WHICH YOU HAVE BEEN NOMINATED? IF SO, PLEASE PROVIDE DETAILS. (WITH RESPECT TO A BUSINESS OF WHICH YOU ARE OR WERE AN OFFICER, YOU NEED ONLY CONSIDER PROCEEDINGS AND LITIGATION THAT OCCURRED WHILE YOU WERE AN OFFICER OF THAT BUSINESS.)

No.

44. HAVE YOU EVER BEEN THE SUBJECT OF ANY INSPECTOR GENERAL INVESTIGATION? IF SO, PLEASE PROVIDE DETAILS.

No.

PART F - SECURITY INFORMATION

45. HAVE YOU EVER BEEN DENIED ANY SECURITY CLEARANCE OR ACCESS TO CLASSIFIED INFORMATION FOR ANY REASON? IF YES, PLEASE EXPLAIN IN DETAIL.

No.

46. HAVE YOU BEEN REQUIRED TO TAKE A POLYGRAPH EXAMINATION FOR ANY SECURITY CLEARANCE OR ACCESS TO CLASSIFIED INFORMATION? IF YES, PLEASE EXPLAIN.

No.

47. HAVE YOU EVER REFUSED TO SUBMIT TO A POLYGRAPH EXAMINATION? IF YES, PLEASE EXPLAIN.

No.

PART G - ADDITIONAL INFORMATION

48. DESCRIBE IN YOUR OWN WORDS THE CONCEPT OF CONGRESSIONAL OVERSIGHT OF U.S. INTELLIGENCE ACTIVITIES. IN PARTICULAR, CHARACTERIZE WHAT YOU BELIEVE TO BE THE OBLIGATIONS OF THE GENERAL COUNSEL FOR THE OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE AND THE INTELLIGENCE COMMITTEES OF THE CONGRESS, RESPECTIVELY, IN THE OVERSIGHT PROCESS.

Congressional oversight is essential to ensuring the lawful conduct of U.S. intelligence activities. This important oversight function can serve to reassure the American public that the U.S. Intelligence Community conducts its activities lawfully and with due regard for Americans' privacy and civil liberties, without fraud, waste and abuse. In addition to these critical functions, congressional oversight can improve the operation of the Intelligence Community.

The congressional intelligence committees, in particular, carry out this oversight function. Title V of the National Security Act of 1947 contains several congressional notification requirements. For example, section 502 of the National Security Act requires the Director of National Intelligence to keep the two intelligence committees "fully and currently informed" of all U.S. intelligence activities, including "significant anticipated intelligence activities" and "significant intelligence failures." As the chief legal officer for the Office of the Director of National Intelligence, the General Counsel assists the Director in carrying out this obligation. If confirmed as the General Counsel, I expect to assist the Director in ensuring that the IC works cooperatively with Congress and the intelligence committees on all matters and provides the intelligence committees with timely notices under Title V.

49. EXPLAIN YOUR UNDERSTANDING OF THE RESPONSIBILITIES OF THE GENERAL COUNSEL FOR THE OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE.

Section 103C(d) of the National Security Act provides that "the General Counsel shall perform such functions as the Director of National Intelligence may prescribe." If confirmed, I expect that my primary responsibility will be to provide the Director with the legal advice he needs to carry out his responsibilities in a lawful manner, particularly his responsibility under section 102A(f)(4) of the National Security Act to "ensure compliance with the Constitution and the laws of the United States" by the Intelligence Community. In addition, I understand that the General Counsel must opine on the full range of legal and ethical issues that the Office of the Director of National Intelligence faces.

I also expect that, if confirmed, my role as General Counsel would not be limited to advising the Director on purely legal questions but would also include providing him counsel on the wide variety of policy questions that he faces as the head of the Intelligence Community and the principal adviser to the President on intelligence matters.

Lastly, if confirmed, I would seek to contribute to the Office of the Director of National Intelligence's overall intelligence integration mission by promoting collaboration in the Intelligence Community legal community. I understand that there are many ways by which the General Counsel can do this, such as by supporting joint duty initiatives, convening interagency forums, and consulting with my counterparts in the Intelligence Community.

AFFIRMATION

I, **JASON KLITENIC**, DO SWEAR THAT THE ANSWERS I HAVE PROVIDED TO THIS QUESTIONNAIRE ARE ACCURATE AND COMPLETE.

November 20, 2017
(Date)

SIGNATURE

SIGNATURE

CHAUNCEY ERIC DEWAYNE FORBES
NOTARY PUBLIC
REGISTRATION # 367766
COMMONWEALTH OF VIRGINIA
MY COMMISSION EXPIRES
OCTOBER 31, 2021

TO THE CHAIRMAN, SELECT COMMITTEE ON INTELLIGENCE:

In connection with my nomination to be the General Counsel for the Office of the Director of National Intelligence, I hereby express my willingness to respond to requests to appear and testify before any duly constituted committee of the Senate.

SIGNATURE

Dated: November 20, 2017