

**SELECT COMMITTEE ON
INTELLIGENCE**

UNITED STATES SENATE



**QUESTIONNAIRE FOR COMPLETION BY
PRESIDENTIAL NOMINEES**

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PART A - BIOGRAPHICAL INFORMATION

1. NAME: I. Charles McCullough III
2. DATE AND PLACE OF BIRTH: 01/22/1966; Camp Hill, Pa.
3. MARITAL STATUS: Married
4. SPOUSE'S NAME: Kathalyn K. McCullough
5. SPOUSE'S MAIDEN NAME IF APPLICABLE: Bunn
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>
The Dickinson School of Law at Pennsylvania State University Carlisle, Pa.	1988-1991	Juris Doctor	June 1991
The University of Kentucky Lexington, Ky.	1985-1988	B.A., Political Science*	May 1988

*I also earned academic credits toward my B.A. from West Virginia University and Gettysburg College.

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>
The Office of the Director of National Intelligence (ODNI), on detail from the National Security Agency/Central Security Service (NSA/CSS)	Deputy Inspector General	Langley, VA	2010 - Present
NSA/CSS Office of Inspector General	Assistant Inspector General for Investigations	Ft. Meade, MD	2003-2010
U.S. Treasury Department Office of General Counsel	Senior Counsel for Law Enforcement and Intelligence	Washington, DC	2001-2003
Federal Bureau of Investigation (FBI), Inspection Division, Appellate Unit	Supervisory Special Agent (SSA)/Attorney	Washington, DC	1999-2001
FBI New York	SSA/Associate Division Counsel	New York, NY	1997-1999
FBI Academy	Special Agent, Field Counselor	Quantico, VA	1997
FBI Pittsburgh Charleston & Huntington, W.Va. Resident Agencies	Special Agent	Charleston, WV Huntington, WV	1991-1997
Ocean City Beach Patrol	Surf Rescue/Beach Lifeguard	Ocean City, MD	Five summers, throughout college and law school

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):

None, other than my Federal civilian experience outlined in 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.

As detailed below, in the course of the positions in which I have served, I have gained extensive intelligence and national security experience from operational, strategic, and management perspectives.

Office of the Director of National Intelligence, Office of Inspector General – *Deputy Inspector General*

- On Joint Duty Assignment from the National Security Agency/Central Security Service, I oversee the performance of audits, inspections, investigations and other inquiries relating to Office of the Director of National Intelligence programs and personnel.

National Security Agency, Office of Inspector General – *Assistant Inspector General for Investigations and Special Inquiries*

- Oversaw a division of intelligence professionals responsible for conducting criminal and administrative investigations into alleged wrongdoing of NSA/CSS employees and affiliates. Investigations involved intelligence oversight, procurement fraud, ethics, whistleblower reprisal and counterintelligence matters.
- Supervised the performance of narrowly scoped special inquiries into highly sensitive Intelligence programs.
- Provided legal advice to the Inspector General.

U.S. Treasury Department, Office of General Counsel – *Senior Counsel for Law Enforcement and Intelligence*

- Provided legal and policy advice regarding criminal enforcement and national security matters to clients at the Under Secretary and Assistant Secretary levels.
- Served as Departmental counsel for a broad range of criminal and intelligence matters originating in what were then Treasury's Enforcement Bureaus (the Bureau of Alcohol, Tobacco and Firearms; the United States Customs Service; the Federal Law Enforcement Training Center; the United States Secret Service; and the Executive Office for Asset Forfeiture).
- Served on detail to the Executive Office of the President, Department of Homeland Security (DHS), Transition Planning Office. Principal duty was provision of legal advice to senior officials in the directorate of Information Analysis and Infrastructure Protection.
- Served as Treasury's representative on a Department of Justice team responsible for drafting statutorily mandated guidelines for key information-sharing provisions of the USA PATRIOT Act.

Federal Bureau of Investigation, Appellate Unit, Inspection Division, FBIHQ – *Supervisory Special Agent*

- Conducted *de novo* reviews of adverse personnel actions taken against FBI employees. Reviewed, investigated and adjudicated appeals in some of the FBI's most sensitive internal misconduct matters, to include cases involving criminal, civil and counterintelligence aspects.
- Presented investigative findings and legal conclusions to senior FBI decision-makers.

Federal Bureau of Investigation, Legal Unit, New York Division – *Associate Division Counsel*

- Served as an associate counsel in the FBI's New York Division, conducting complex legal research and providing operational, legal and policy advice to senior FBI officials on a broad variety of criminal, civil and administrative issues.
- Represented the FBI in Federal court as a Special Assistant United States Attorney, and in New York State administrative fora.
- Provided on-site legal supervision for major FBI arrests.
- Provided legal review of Foreign Intelligence Surveillance Act declarations and affidavits supporting applications for Federal search/arrest warrants and Title III electronic surveillance orders.
- Provided legal oversight of FBI New York undercover operations and informant program, ensuring compliance with applicable law and Attorney General Guidelines.
- Handled official demands for FBI documents and testimony, ensuring compliance with the Freedom of Information Act and Privacy Act.
- Oversaw provision of quarterly legal instruction to over 1,200 Special Agents on such topics as Deadly Force, Electronic Surveillance, Search and Seizure, and Confessions/Interrogations.

Federal Bureau of Investigation, Pittsburgh Division (Charleston and Huntington, WV) and New York Division – *Special Agent*

- Conducted a broad variety of federal criminal investigations, to include bank fraud and embezzlement; bank robbery; civil rights (police brutality); domestic terrorism; election fraud; extortion; Hobbs Act (armored car robbery); illegal interception of communications; international kidnapping; interstate transportation of stolen property; mail fraud/wire fraud; narcotics; obstruction of justice (witness

tampering); theft of government property; and unlawful flight to avoid prosecution or confinement (fugitives).

- Investigated the 1995 bombing of the Alfred P. Murrah Federal building in Oklahoma City, OK, as a member of the OKBOMB Task Force.
- Served as an undercover agent in a major public corruption case.
- Served as a member of the Pittsburgh Division Special Weapons and Tactics team.
- Provided legal instruction to federal agents, state police cadets and local law enforcement officers in matters such as civil rights, use of deadly force and search and seizure
- Served as the administrative and operational coordinator of an FBI-led Organized Crime and Drug Enforcement Task Force, overseeing federal narcotics and violent crime investigations conducted by assigned federal, state and local law enforcement officers.

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):

Office of the Director of National Intelligence, Office of Inspector General, Special Act/Achievement Award (2011)
Intelligence Community Inspectors General Investigations Award (2010)
NSA/CSS Office of Inspector General, Team of the Year Award (2009)
Defense Intelligence Senior Executive Service (2004)
Commendation letter from White House Chief of Staff for work in connection with Office of Management and Budget Transition Planning Office for the Department of Homeland Security (2002)
Federal Bureau of Investigation, Special Act/Achievement Award (2000)
Gold Key National Honor Society (1988)
Runner-Up, Amry Vandenbosch Award for Outstanding Political Science Senior (1988)
University of Kentucky, *High Distinction* graduate (1988)

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>
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N/A

13. PUBLISHED WRITINGS AND SPEECHES (LIST THE TITLES, PUBLISHERS, AND PUBLICATION DATES OF ANY BOOKS, ARTICLES, REPORTS, OR OTHER PUBLISHED MATERIALS YOU HAVE AUTHORED. ALSO LIST ANY PUBLIC SPEECHES YOU HAVE MADE WITHIN THE LAST TEN YEARS FOR WHICH THERE IS A TEXT OR TRANSCRIPT. TO THE EXTENT POSSIBLE, PLEASE PROVIDE A COPY OF EACH SUCH PUBLICATION, TEXT, OR TRANSCRIPT):

None.

PART B - QUALIFICATIONS

14. QUALIFICATIONS (DESCRIBE WHY YOU BELIEVE YOU ARE QUALIFIED TO SERVE IN THE POSITION FOR WHICH YOU HAVE BEEN NOMINATED):

I believe I am qualified to serve as the Intelligence Community Inspector General based on my record of public service and leadership of people and organizations dedicated to protecting national security. I have spent my 20-year federal career performing investigative, enforcement, and intelligence functions. Since October 2010, I have been serving as the Deputy Inspector General (IG) at the Office of the Director of National Intelligence (ODNI), where I oversee audits, inspections and investigations of ODNI programs and personnel, and assist the IG in chairing the Quarterly Intelligence Community Inspectors General Forum. Previously, I spent nearly eight years as the Assistant IG for Investigations at the National Security Agency/Central Security Service (NSA/CSS), where I

supervised complex and sensitive criminal and administrative investigations of NSA/CSS programs and affiliates. I have also served as a senior enforcement and intelligence lawyer at the Treasury Department, and spent a decade in the Federal Bureau of Investigation (FBI) as a Supervisory Special Agent, Special Agent, Associate Division Counsel and Special Assistant United States Attorney. In addition, I have served as an instructor throughout my career, teaching courses in Civil Rights and Constitutional Criminal Procedure while working in the FBI, and, more recently, teaching courses on IG Rights & Warnings, Workplace Searches, and Administrative Remedies for the IG Academy at the Federal Law Enforcement Training Center.

I consider it an honor to have served in career government positions over the past 20 years and, in particular, in leadership positions. I hope that the Committee will judge that my record of public service and experience, as well as my academic background, qualify me to be confirmed for this critical position.

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):

2004: \$1,000 to George W. Bush for President.

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.

No.

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.

No.

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.

No.

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

No.

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 connection with the nomination process, I have consulted with the Office of Government Ethics and the DNI's designated agency ethics official to identify potential conflicts of interest. Any potential conflicts of interest will be resolved in accordance with the terms of an ethics agreement that I have entered into with the DNI's designated agency ethics official and that has been provided to this Committee. I am not aware of any other potential conflicts of interest.

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.

N/A

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.

In connection with the nomination process, I have consulted with the Office of Government Ethics and the DNI's designated agency ethics official to identify potential conflicts of interest. Any potential conflicts of interest will be resolved in accordance with the terms of an ethics agreement that I have entered into with the DNI's designated agency ethics official and that has been provided to this Committee. I am not aware of any other potential conflicts of interest.

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.

I have no formal or informal plans, agreements, or understandings with others.

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.

No.

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.

My spouse is not employed. She occasionally acts as an independent contractor helping companies measure the quality of their customer service.

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>
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None.

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.)

None.

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>
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Residence in Maryland	\$540,000	Recent sales in neighborhood.
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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.)

NATURE OF OBLIGATION

NAME OF OBLIGEE

AMOUNT

Please see Schedule C of my SF-278, dated June 11, 2011.

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]

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.

Federal and Maryland.

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 licensed to practice law in the state of Pennsylvania. I have not billed any clients during the past five years.

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.

In connection with the nomination process, I have consulted with the Office of Government Ethics and the DNI's designated agency ethics official to identify potential conflicts of interest. Any potential conflicts of interest will be resolved in accordance with the terms of an ethics agreement that I have entered into with the DNI's designated agency ethics official and that has been provided to this Committee. I am not aware of any other potential conflicts of interest.

36. IF APPLICABLE, ATTACH THE LAST THREE YEARS OF ANNUAL FINANCIAL DISCLOSURE FORMS YOU HAVE BEEN REQUIRED TO FILE WITH YOUR AGENCY, DEPARTMENT, OR BRANCH OF GOVERNMENT.

I have attached my last three SF-278s (2009, 2010, 2011).

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, PROVIDE DETAILS.

I was one of two management officials referenced in a 2005 Equal Employment Opportunity (EEO) complaint filed by an employee who believed he had been passed over for promotion because of his gender and age. In the interest of efficiency, the Agency settled the EEO complaint, with no admission or finding of liability.

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, 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, 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, except in connection with the EEO matter described in Question 38.

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, PROVIDE DETAILS.

I was interviewed in connection with the EEO matter described in Question 38. Additionally, during the course of my employment as the Assistant Inspector General for Investigations at the NSA/CSS OIG and as an FBI Special Agent, I testified in Federal Grand Jury as a Government witness.

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, 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, 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.

Yes. I have taken and passed polygraph examinations administered by NSA/CSS security as a routine part of the clearance process. These polygraph examinations were administered in December 2002, April 2006 and June 2011. The December 2002 examination was a "Full Scope" polygraph examination, and the 2006 and 2011 examinations were "Counterintelligence Scope" examinations.

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

In 2008, I considered a return to FBI employment and reported to a local field office for a polygraph examination. Upon arriving, I determined that there was confusion between the FBIHQ applicant official I had been working with and the local polygraph examiner in regard to the type of polygraph examination I was to receive that day. Rather

than potentially sitting for the incorrect type of examination, I departed and recontacted the FBIHQ applicant official to determine which type of examination I was supposed to take. Before resolving the question, I learned that a return to the FBI would involve a reduction in pay and grade and I elected to discontinue the process.

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 INTELLIGENCE COMMUNITY INSPECTOR GENERAL AND THE INTELLIGENCE COMMITTEES OF THE CONGRESS RESPECTIVELY IN THE OVERSIGHT PROCESS.

I believe in and value the congressional oversight process. Members of Congress bring an important and vital perspective to the difficult issues the Intelligence Community faces. Congressional oversight is fundamental to the ability of the IC to operate within the structure of our government, and is essential to improving the quality of intelligence and the effectiveness and efficiency of IC operations.

The oversight process provides a necessary check and balance structure ensuring that IC resources are appropriately aligned with national priorities. Additionally, oversight is critical in building the trust of both Congress and the American people that the IC exercises authority in a manner that is appropriately transparent and protects the civil liberties and privacy rights of U.S. citizens.

The obligation of the IC to provide information to Congress is embodied in Title 5 of the National Security Act of 1947, which requires the Intelligence Community to keep the two Congressional intelligence committees "fully and currently informed" of all intelligence activities, to include significant anticipated intelligence activities, and significant intelligence failures. Furthermore, Congress depends on the Inspectors General to perform objective and effective oversight of IC programs and operations through investigations, inspections and audits. The IC IG, while a direct report to the DNI, reports to the congressional intelligence committees on significant problems, abuses and deficiencies relating to IC programs. P.L. 111-259, the Intelligence Authorization Act for Fiscal Year 2010 also specifically enumerates events which trigger direct IG reporting to the committees and to the Attorney General on violations of federal law.

If I am confirmed as the IC IG, I am committed to assisting the Committees in carrying out their legitimate oversight duties through open communication and transparency with them.

49. EXPLAIN YOUR UNDERSTANDING OF THE RESPONSIBILITIES OF THE INTELLIGENCE COMMUNITY INSPECTOR GENERAL.

The duties and responsibilities of the IC IG are specifically codified in PL 111-259, the Intelligence Authorization Act of Fiscal Year 2010, Section 405. The IC IG is under the direct supervision of, and reports directly to the Director of National Intelligence. The primary role of the IC IG will be to keep the DNI and the Congress fully and currently informed concerning deficiencies and violations of laws and regulations in the ODNI and the IC. The IC IG will lead and manage independent and objective investigations, inspections and audits within the ODNI, and will use the statutory IC IG Forum to identify and address community-wide systemic deficiencies in conjunction with other IC IGs. As a member of the federal IG community, the IC IG will participate in the Council of Inspectors General on Integrity and Efficiency and will ensure that violations of federal criminal law are properly reported to the Attorney General.

TO THE CHAIRMAN, SELECT COMMITTEE ON INTELLIGENCE:

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

[SIGNATURE]

Signature

Date: 8/16/2011
