

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. NAME: Matthew Glen Olsen
2. DATE AND PLACE OF BIRTH: 2/21/1962, Fargo, North Dakota
3. MARITAL STATUS: Married
4. SPOUSE'S NAME: Fern Louise Shepard
5. SPOUSE'S MAIDEN NAME IF APPLICABLE: N/A
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>
Harvard Law School	September 1985 – May 1988	J.D.	May 1988
University of Virginia	September 1980 – May 1984	B.A.	May 1984

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>
National Security Agency	General Counsel	Fort Meade, MD	7/2010 – present
U.S. Department of Justice	Associate Deputy Attorney General	Washington, D.C.	3/2010 – 7/2010
U.S. Department of Justice	Special Counselor to the Attorney General, Executive Director, Guantanamo Review Task Force	Washington, D.C.	3/2009 – 3/2010
U.S. Department of Justice	Acting Assistant Attorney General, National Security Division	Washington, D.C.	1/2009 – 3/2009
U.S. Department of Justice	Deputy Assistant Attorney General, National Security Division	Washington, D.C.	9/2006 – 1/2009
U.S. Department of Justice	Assistant United States Attorney for the District of Columbia	Washington, D.C.	12/1994 – 9/2006
U.S. Department of Justice	United States Attorney's Office for the District of Columbia, Chief, National Security Section	Washington, D.C.	2005 - 2006
U.S. Department of Justice	Special Counsel to the FBI Director (on detail)	Washington, D.C.	5/2004 – 9/2005
U.S. Department of Justice	United States Attorney's Office for the District of Columbia, Deputy Chief, Organized Crime and Narcotics Trafficking Section	Washington, D.C.	2003-2004
Georgetown University Law Center	Adjunct Professor	Washington, D.C.	2001(est.) - present
U.S. Department of Justice	Trial Attorney, Civil Rights Division	Washington, D.C.	11/1992 – 12/1994

Arnold & Porter	Associate	Denver, Colorado	1/1991 – 9/1992
Hon. Norma Holloway Johnson, U.S. District Court	Law Clerk	Washington, D.C.	9/1988 – 8/1990
Sierra Club Legal Defense Fund	Summer Associate	Juneau, AK	Summer 1987
McKenna, Connor & Cuneo	Summer Associate	Washington, D.C.	Summer 1987
Schwalb Donnenfeld, Bray & Silbert	Summer Associate	Washington, D.C.	Summer 1986
Washington Post (approximately one year between college and law school)	Copy Aide	Washington, D.C.	1984 – 1985

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):

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.

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.

National Security Agency – *General Counsel*

- Serve as the chief legal officer for NSA and principal legal advisor to the NSA Director, providing advice and representation on all of NSA's missions, including intelligence and counterterrorism operations and cyber security.
- Manage the Office of General Counsel, consisting of more than 80 attorneys and professional staff dedicated to providing legal support and advocacy on behalf of NSA's missions.

Office of the Deputy Attorney General, Department of Justice – *Associate Deputy Attorney General*

- Supervised and coordinated national security and criminal matters, including counterterrorism and espionage cases, and provided advice to the Department leadership on national security policy, intelligence matters, and prosecutions.

Office of the Attorney General, Department of Justice – *Special Counselor to the Attorney General; Executive Director, Guantanamo Review Task Force*

- Appointed by the Attorney General to lead the interagency effort to conduct a comprehensive review, in accordance with the President's Executive Order, of all individuals detained at the Guantanamo Bay Naval Base.
- Advised the Attorney General, White House and National Security Council officials, and other senior government leaders on the detention of terrorism suspects and the review of Guantanamo detainees.

National Security Division, Department of Justice
Acting Assistant Attorney General (January to March 2009)
Deputy Assistant Attorney General (2006-2009)

- Served as the acting Assistant Attorney General for National Security and managed the Department of Justice's efforts to combat terrorism, espionage, and other threats to national security through intelligence operations and criminal prosecution.
- Supervised the use of sensitive intelligence tools and surveillance activities and represented the government before the Foreign Intelligence Surveillance Court.
- Represented the Department of Justice before Congress and within the Executive Branch and advised senior federal officials on operational, legal, and policy matters relating to national security and intelligence, including the reform of the Foreign Intelligence Surveillance Act.
- Supervised the formation of the new National Security Division and the Office of Intelligence.

Federal Bureau of Investigation – *Special Counsel to the Director*

- Handled policy matters relating to the FBI's national security mission, including the establishment of the Bureau's National Security Branch, and represented the FBI in the interagency process.

United States Attorney's Office, District of Columbia

Chief, National Security Section (2005 to 2006)

Deputy Chief, Organized Crime and Narcotics Trafficking Section (2003 to 2004)

- Supervised the investigation and prosecution of international and domestic terrorism, espionage, and export violation matters and managed a unit of senior attorneys dedicated to national security cases.
- Prosecuted the longest criminal trial in the District of Columbia, culminating in the conviction of six defendants for RICO conspiracy, 27 murders, and other gang-related offenses.
- Conducted more than 35 jury trials involving a variety of offenses—including white collar, homicide, and narcotics cases—and argued several appeals in the D.C. Circuit and D.C. Court of Appeals.

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):

Attorney General Distinguished Service Award (2010)

Attorney General Award for Excellence in Furthering National Security (2008)

Assistant Attorney General for National Security Award for Special Initiative (2008)

John Marshall Award for Trial Advocacy (2006)

Executive Office of United States Attorneys Directors Award (2004 est.)

Special Achievement Awards, U.S. Attorney's Office for the District of Columbia (multiple)

Harvard Law School, *cum laude* graduate

University of Virginia, *high distinction* graduate Phi Beta Kappa

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>
Maryland Bar	N/A	1988 - present
District of Columbia Bar	N/A	1990 - present
American Inns of Court	N/A	1994 (est.) - present
University of Virginia Alumni Association	N/A	1984 - present
Chesapeake Bay Foundation	N/A	2008 (est.) - present
North Chevy Chase Swim Club	N/A	2003 - present

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):

I have done my best to identify all materials responsive to this question, although it is possible there are other materials I have been unable to recall. In addition to the information listed below, I have given many lectures and presentations in connection with my position as an Adjunct Professor at Georgetown University Law Center, primarily focusing on topics relating to white collar crime and trial advocacy. I also have given several training-related presentations to federal prosecutors and investigators in the District of Columbia. These are not listed separately.

Prepared remarks

National Security Agency Law Day, prepared remarks (Oct. 14, 2010) (copy attached).

Panelist at Georgetown University Law Center

Participant in a panel discussion titled "Moving Targets: Issues at the Intersection of National Security and American Criminal Law, sponsored by the Georgetown Center on National Security and the Law and The American Criminal Law Review (April 12, 2011) [webcast available; (<http://www.law.georgetown.edu/webcast/eventDetail.cfm?eventID=1397>); no transcript available].

Participant in a panel discussion titled "Should Terrorists Be Prosecuted by Military Commissions," sponsored by the Georgetown Center on National Security (Sept. 10, 2009) (no webcast and no transcript available).

Presentations at Department of Justice training programs (no transcripts available)

Anti-Terrorism Advisory Council Coordinators' National Conference – September 30-October 2, 2009

National Security Prosecutors' Conference – August 19-22, 2008

National Security Division / FBI Training – March 19-21, 2008

Counterterrorism Training for Anti-Terrorism Prosecutors and JTTF Agents – August 1-3, 2007

Counterterrorism Training for Anti-Terrorism Prosecutors and JTTF Agents – June 13-15, 2007

Foreign Intelligence Training – March 29, 2007

Anti-Terrorism Advisory Council Coordinators' National Conference – March 14-16, 2007

United States Attorneys' National Security Conference – January 11-12, 2007

FBI Training: Office of Intelligence Policy and Review – November 6-8, 2006

Counterterrorism Training for Anti-Terrorism Prosecutors and JTTF Agents – October 11-13, 2006

Anti-Terrorism Advisory Council Coordinators Working Group Meeting – September 7, 2006

Working With Cooperators and Confidential Informants Seminar – July 12-14, 2006

National Security Prosecutors' Conference – March 1-3, 2006

National Security Conference OLE 06-125 January 4-6, 2006

Working With Cooperators and Confidential Informants Seminar – November 30-December 2, 2005

Structuring the Complex Criminal Case Seminar – November 2-4, 2005

Working With Cooperators and Confidential Informants Seminar – October 13-15, 2004

Law Review article (co-author)

Rachel San Kronowitz, Joanne Lichtman, Steven Paul McSloy, and Matthew G. Olsen, "Toward Consent and Cooperation: Reconsidering the Political Status of Indian Nations," 22 Harv. C.R.-C.L. L. Rev., No. 2 (Spring 1987) (copy attached).

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 Director of NCTC based on my record of public service and leadership of people and organizations dedicated to protecting national security. In several career leadership positions in the national security field, I have demonstrated my ability to lead people in demanding operational settings, gained valuable experience working closely with the Intelligence Community, and contributed to the achievement of important national security and counterterrorism initiatives to protect the nation.

Specifically, in my current position as General Counsel for the National Security Agency, I serve as the chief legal officer for NSA and manage a large legal office dedicated to providing legal support and advocacy on behalf of NSA's missions, including its counterterrorism efforts. I also serve as a member of NSA's senior leadership team and as the principal legal advisor to the NSA Director. As General Counsel, I fulfill a critical role in guiding and supporting NSA's operations and in ensuring that the agency's activities adhere to all applicable legal rules and policies. It is the responsibility of the General Counsel's Office to identify, analyze and resolve the complex and novel legal and policy issues that these activities often present. Over the course of the past year, for example, I have led efforts on behalf of NSA to address significant issues involving the collection and analysis of intelligence, authority for its counterterrorism activities, and the agency's emerging cyber security efforts. In this role, I have sought to ensure that NSA has the authority necessary to carry out its missions in a manner consistent with the agency's bedrock commitment to the Constitution and the laws and policies that govern its actions.

From 2009 to 2010, I served as the head of the Guantanamo Review Task Force and led the review of detainees at Guantanamo in accordance with the President's executive order. In this capacity, I was responsible for establishing and supervising an interagency task force of national security professionals from across the federal government and for managing the process for compiling and analyzing the relevant intelligence information on each detainee. The interagency nature of the review was designed to promote collaboration and exchange of information and to ensure that all relevant perspectives—including military, intelligence, homeland security, diplomatic, and law enforcement—contributed fully to the detainee review process. Over 100 staff members served on the task force over the course of the one-year review, including senior military officers; intelligence analysts from CIA, NCTC, DIA, FBI, and DHS; FBI agents; military prosecutors and investigators; and federal prosecutors and national security lawyers. The task force assembled and sifted through large volumes of intelligence information and examined this information to assess the threat posed by the detainee in light of the national security interests of the United States. These task force assessments were presented to senior officials representing the federal agencies responsible for the

review and were considered by these officials in reaching decisions for each detainee consistent with the executive order.

From 2006 to 2009, as a senior career official in the Department of Justice's National Security Division—a newly formed division in the Department—I managed intelligence and surveillance operations and the oversight of these activities. During the 2009 Presidential transition, I served as the acting Assistant Attorney General for National Security, overseeing the work of the entire division. As the Deputy Assistant Attorney General with responsibility for intelligence activities, I managed over 125 attorneys and support staff members dedicated to the Department's intelligence operations and oversight units. Our mission was to ensure that Intelligence Community agencies—including CIA, FBI, and NSA—had the tools necessary to conduct sensitive surveillance and other intelligence operations. To accomplish this mission, we worked cooperatively with agents and analysts to develop and analyze facts necessary to ensure that intelligence activities could go forward consistent with legal requirements. In addition, I was responsible for managing the Department of Justice's implementation of landmark changes in the Foreign Intelligence Surveillance Act and worked in close collaboration with the Intelligence Community to interpret new statutory provisions, address policy and technical challenges, and adopt new oversight mechanisms to ensure the effective and lawful use of the government's new surveillance authority. I also implemented a comprehensive reorganization of the Department's intelligence components to align each organizational element with its core responsibilities to enhance management and accountability, and designed and implemented the first Department component dedicated to intelligence oversight.

As Special Counsel to the FBI Director from 2004 to 2005, I handled a wide array of policy and operational matters in support of the FBI's national security and counterterrorism mission. I gained key insights about the role, capabilities and structure of the FBI, as well as other intelligence agencies that comprise the government's combined counterterrorism community. In particular, I contributed to the reform of the FBI and—in response to a 2005 Presidential directive—the establishment of the FBI's National Security Branch, which combines the missions and resources of the Bureau's counterterrorism, counterintelligence, weapons of mass destruction, and intelligence elements.

I served as a federal prosecutor for over a decade, including in a supervisory position overseeing the investigation and prosecution of international terrorists. As a federal prosecutor, I learned first-hand the value of working as team with professionals in operational roles and of building coalitions with federal, state and local partners. In addition, this experience fostered an appreciation of the importance of rigorous and unbiased analysis of complex, sometimes fragmentary information. I also learned to present this information in a clear, concise and steadfast manner. Finally, I gained a deep understanding of the laws and policies that define and limit the government's actions in a domestic law enforcement setting and that protect the civil liberties and privacy of American citizens.

In each of these positions, I have tried to enable and support the people I have had the privilege of leading by providing the resources, guidance, and direction necessary to develop professionally and to be successful. I have endeavored to lead by example—to approach each challenge with integrity, fairness, and resolve—and to demonstrate the character, dedication, and judgment essential to achieving results.

I consider it an honor to have served in career government positions over the past 18 years and, in particular, in leadership positions dedicated to defending the nation. 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):

Obama for America	10/05/2008	\$1,000
Doug Gansler for	06/01/2010	\$50.00
Maryland State Attorney General	10/22/2009	\$100.00
	10/02/2008	\$100.00
	09/05/2005	\$150.00

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.

Yes

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.

No.

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. Since 2010, she has served as a trustee on the Earthjustice Board of Trustees. She receives no compensation for this service. This position is not related to the position to which I have been nominated.

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>
Earthjustice	Trustee	11/2010 - present	spouse

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 that I recall.

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>
I incorporate by reference my SF 278		
Primary residence – Kensington, MD	\$812,800	State/County property tax assessment
53 minerals acres in Williams County, ND	\$79,500	Estimate based on approximate current market value

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>
None.		

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.

We file federal and Maryland income tax returns.

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.

I am not aware that our federal or state tax returns have been the subject of an audit or investigation.

At various times, we have received letters from the IRS regarding our returns. I have examined our records dating back to 1992 and have identified the following:

2010 – Letter from the IRS dated March 21, 2011, requesting that we file a form 6251 (alternative minimum tax). No further action following our filing of the proper form.

2009 – Letter from the IRS dated May 3, 2010, increasing our refund based on a tax credit we did not claim.

2006 – Letter from the IRS dated May 22, 2007, requesting that we file a form 6251 (alternative minimum tax). No further action following the filing of the proper form.

2003 – Letter from the IRS dated May 24, 2004, increasing our refund based on an error in computing our child tax credit.

1992 – Letter from the IRS dated February 15, 1995, concluding that our 1992 tax return was accurate, based on records I provided to the IRS in 1994 regarding \$3,961 I received in travel reimbursements.

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.

None.

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. I do not believe that the position for which I am nominated will present conflicts of interests with our financial holdings. I will consult with designated ethics officials and am prepared to take appropriate steps to avoid any 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.

Attached.

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 am aware of one professional complaint, detailed below:

In 2002, I was the subject of a complaint to the Department of Justice Office of Professional Responsibility (OPR) for professional misconduct in connection with a grand jury investigation in *United States v. Kevin Gray* (D.D.C). The matter was resolved in my favor with a finding that I did not commit professional misconduct or exercise poor judgment in seeking and compelling the production of documents and testimony from a defense attorney regarding his receipt of attorney's fees from a defendant. This determination was memorialized in a letter from OPR to me dated May 2, 2002.

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.

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.

In approximately 1978, I testified as a witness in a juvenile proceeding in Montgomery County, Maryland.

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. During my time at the Department of Justice, I have been asked by the Department of Justice Office of Inspector General (OIG) to provide information related to my job responsibilities in connection with audits and reviews conducted by that Office. I have no reason to believe I was the subject of any investigation.

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. In 2010, I took a polygraph examination in connection with my current position with the National Security Agency.

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 DIRECTOR OF THE NATIONAL COUNTERTERRORISM CENTER AND THE INTELLIGENCE COMMITTEES OF THE CONGRESS RESPECTIVELY IN THE OVERSIGHT PROCESS.

The obligation of the Intelligence Community 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 congressional intelligence committees "fully and currently informed" of significant intelligence activities, significant anticipated intelligence activities, and significant intelligence failures.

In my view, congressional oversight is essential to the effective conduct of intelligence activities, and the obligation of the Director of NCTC is to assist the Committee in carrying out its legitimate oversight duties and to foster a cooperative relationship with the intelligence community and oversight committees. Congressional oversight of intelligence activities is fundamental to the ability of NCTC to operate within the structure of our government. First, congressional oversight is essential to improving the quality of intelligence and the effective, efficient operation of NCTC and the rest of the Intelligence Community. Members of Congress bring an important and vital perspective to the difficult issues the Intelligence Community faces. In addition, oversight is critical in building the trust of both Congress and the American people that NCTC and the Intelligence Community exercise authority in a manner that is appropriately transparent and protects the civil liberties and privacy rights of U.S. citizens. In this way, I firmly believe the oversight process provides an essential check on the Intelligence Community, and I believe in and value the congressional oversight process. If I am confirmed as the Director of NCTC, I am committed to continuing the practice of open communication and transparency with the congressional oversight committees.

49. EXPLAIN YOUR UNDERSTANDING OF THE RESPONSIBILITIES OF THE DIRECTOR OF THE NATIONAL COUNTERTERRORISM CENTER.

The statutory responsibilities of NCTC and the Director of NCTC are described in Section 1021 of the Intelligence Reform and Terrorism Prevention Act of 2004. By law, NCTC is the primary organization in the federal government for analyzing and integrating all intelligence pertaining to terrorism and counterterrorism, excepting intelligence pertaining exclusively to domestic terrorism and domestic counterterrorism. NCTC thus has a unique responsibility to examine all international terrorism issues, regardless of where in the world they might be located.

NCTC's area of responsibility spans geographic boundaries, allowing for such intelligence to be analyzed regardless of whether it is collected inside or outside the United States. Further, the Center, by law, serves as the U.S. Government's central and shared knowledge bank on known and suspected terrorists and international terror groups. No other organization in the U.S. Government is as singularly focused on terrorism.

NCTC—in its Strategic Operational Planning role—is uniquely positioned to look beyond individual department and agency missions toward a single, unified counterterrorism effort. This distinguishes NCTC from other elements of the Intelligence Community and federal government and enables the Center to take a strategic, long term view of the counterterrorism mission. Through a single and joint planning process that integrates all instruments of national power, the Center ensures the effective integration of government counterterrorism plans and the synchronization of operations across more than 20 departments and agencies with counterterrorism responsibilities.

Thus, the Director of NCTC has two related but distinct areas of responsibility: intelligence and strategic operational planning. With respect to the first, the Director is responsible to the Director of National Intelligence (DNI) and is charged with a variety of specific responsibilities, to include acting as the DNI's principal adviser on intelligence operations pertaining to counterterrorism, being responsible for supporting DHS and FBI for the dissemination of counterterrorism information to a variety of federal, state and local officials and government entities through entities like the Interagency Threat Assessment and Coordination Group, and advising the DNI on the allocation of counterterrorism resources to elements of the Intelligence Community.

With respect to strategic operational planning, the Director of NCTC reports directly to the President. In this role, the Director is responsible for providing strategic operational plans—both short and long term policy planning which aims to bring all elements of national power to bear against terrorism—for all departments and agencies of the U.S. government

Finally, in accordance with the directive of the DNI, the Director of NCTC is the Counterterrorism National Intelligence Manager for the Intelligence Community. In this role, NCTC leads the counterterrorism community in identifying critical intelligence problems, key knowledge gaps, and major resource constraints.

TO THE CHAIRMAN, SELECT COMMITTEE ON INTELLIGENCE:

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

[SIGNATURE]

Signature

Date: July 12, 2011

AFFIRMATION

I, MATTHEW G. OLSEN, DO SWEAR THAT THE ANSWERS I HAVE PROVIDED TO THIS QUESTIONNAIRE ARE ACCURATE AND COMPLETE.

July 12, 2011 [SIGNATURE]

(Date) (Name)

[SIGNATURE]
(Notary)

BETHANY MAUCK
NOTARY PUBLIC STATE OF MARYLAND
My Commission Expires January 8, 2012