

SELECT COMMITTEE ON
INTELLIGENCE

UNITED STATES SENATE



QUESTIONNAIRE FOR COMPLETION BY
PRESIDENTIAL NOMINEES

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PART A - BIOGRAPHICAL INFORMATION

1. FULL NAME: John Charles Demers
OTHER NAMES USED: None
2. DATE AND PLACE OF BIRTH: September 21, 1971; Italy
CITIZENSHIP: USA
3. MARITAL STATUS: Married
4. SPOUSE'S NAME: Cynthia Marie Zmijewski Demers
5. SPOUSE'S MAIDEN NAME IF APPLICABLE: Cynthia Marie Zmijewski
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>
College of the Holy Cross	August 1989 – May 1993	B.A.	May 1993
Harvard Law School	August 1996 – May 1999	J.D.	May 1999

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 Boeing Company	Vice President & Ass't. General Counsel, Regulatory & Government Law	Arlington, VA	May 2016 – present
	Vice President, Int'l Government Affairs	Arlington, VA	March 2016 – June 2017
	Vice President & Ass't General Counsel, Global Law Affairs	Arlington, VA	April 2011 – May 2016
	Chief Counsel, Network & Space Systems	Arlington, VA	March 2009 – April 2011

Georgetown University Law Center	Adjunct Professor	Washington, DC	2010 – present
National Security Division, U.S. Department of Justice	Deputy Assistant Attorney General	Washington DC	Sept. 2007 – Jan. 2009
	Senior Counsel to the Assistant Attorney General	Washington, DC	Sept. 2006 – Sept. 2007
	Counsel to the Deputy Attorney General (on detail)	Washington, DC	Jan. 2007 – June 2007
Justice Antonin Scalia, U.S. Supreme Court	Law Clerk	Washington, DC	July 2005 – August 2006
Office of Legal Counsel, U.S. Department of Justice	Attorney Advisor	Washington, DC	June 2003 – June 2005
Ropes & Gray	Associate Summer Associate	Boston, MA Boston, MA	Oct. 2000 – May 2003 May 1999 – June 1999
Judge Diarmuid O'Scannlain, U.S. Court of Appeals for the Ninth Circuit	Law Clerk	Portland, OR	Aug. 1999 – Aug. 2000
Simpson, Thacher & Bartlett	Summer Associate	New York, NY	June 1998 – August 1998
U.S. Attorney's Office, District of Massachusetts	Law Clerk	Boston, MA	June 1997 – August 1997
The National Center on Addiction & Substance Abuse at Columbia University	Research Assistant to the President	New York, NY	Aug. 1994 – Aug. 1996

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 beyond that listed in the 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.

My most directly relevant experience came during the time I served in the National Security Division, ultimately as Deputy Assistant Attorney General for the Office of Law and Policy. In that capacity, I worked on a variety of national security legal issues, including those involving surveillance law, other investigative authorities including those under Executive Order 12333 and the laws authorizing national security letters, and cyber operations. I was closely involved in the drafting and negotiation of the Foreign Intelligence Surveillance Act of 2008, and worked on internal investigative guidelines. Also in that capacity, I worked closely with various agencies of the Intelligence Community, including the Federal Bureau of Investigation, the National Security Agency, and the Central Intelligence Agency. After I left the Department of Justice, I began to co-teach a class on national security investigations and litigation at Georgetown University Law Center. This provided me with the motivation and opportunity to maintain a working knowledge of, and keep up with changes in, national security law.

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 Award for Excellence in National Security (2008)

Intelligence Community Legal Award (2008)

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

Thomas J. Watson Fellowship, Italy (August 1993 – May 1994)

Phi Beta Kappa (1993)

Alpha Sigma Nu (1993)

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).

ORGANIZATION

OFFICE HELD

DATES

None, other than the bar memberships listed in response to question 35. I have not held any offices in the bars of those states.

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?

Charles Nesson & John Demers, *Gatekeeping: An Enhanced Foundational Approach to Determining the Admissibility of Scientific Evidence*, 49 HASTINGS L.J. 335 (1998).

Herbet Kleber, Joseph A. Califano, Jr. & John Demers, THE CLINICAL AND SOCIETAL IMPLICATIONS OF DRUG LEGALIZATION, IN SUBSTANCE ABUSE: A COMPREHENSIVE TEXTBOOK 855 (Joyce Lowinson et al. eds., 3d ed. 1997).

Hila Richardson, Joseph A. Califano, Jr., Donna Tapper & John Demers, *Substance Abuse and Public Health in Urban America: Analysis of Costs in New York City*, 2 CURRENT ISSUES IN PUBLIC HEALTH 91 (1996).

Testimony on behalf of the U.S. Department of Justice before the Committee on Foreign Relations, United States Senate, May 7, 2008, concerning the Nuclear Terrorism Convention and an amendment to the Convention on the Physical Protection of Nuclear Material.

Yes, I will provide copies of any of the above if requested to do so.

I have made additional public speeches or remarks in the past ten years but there is no text available of those remarks.

PART B - QUALIFICATIONS

14. QUALIFICATIONS (DESCRIBE WHY YOU BELIEVE YOU ARE QUALIFIED TO SERVE AS THE ASSISTANT ATTORNEY GENERAL FOR THE NATIONAL SECURITY DIVISION AT THE UNITED STATES DEPARTMENT OF JUSTICE).

I believe that I am qualified for this position because of the prior work I have done in the area of national security, especially as part of the founding leadership team of the National Security Division from 2006 to 2009. During that time, I developed a familiarity with the work of the Division, particularly in the area of intelligence investigations, but also in that of prosecutions. I helped to represent the United States before the Foreign Intelligence Surveillance Court and learned the governing legal framework for national security investigations and prosecutions, from the Foreign Intelligence Surveillance Act to Executive Order 12333 to the internal guidelines that govern the Executive Branch operations in this area. And I learned the constitutional issues, especially those implicating the Fourth Amendment, that arise in intelligence investigations and prosecutions. In addition, my teaching in the area of national security law has allowed me to develop my knowledge of the law in this area. Finally, my years of work at The Boeing Company has given me the experience of managing groups of lawyers, working collaboratively with other parts of a large organization, and providing mission-focused legal advice.

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).

Boeing Political Action Committee (ex officio in my capacity as Assistant General Counsel for Government Operations)

\$3462 donation, Boeing Political Action Committee, 2016

\$4032 donation, Boeing Political Action Committee, as of October 2017

\$1000 donation, Brower for Congress, 2011

\$2500 donation, Romney Victory, 2012

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 Department of Justice's designated agency ethics official to identify potential conflicts of interest. Any potential conflict of interest will be resolved in accordance with the terms of an ethics agreement that I have entered with the Department's designated agency ethics officials.

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, with one exception. I will retain my ownership interest in Paulding, LLC, which holds a residential house that my wife and I rent. My wife is the sole managing partner of the LLC.

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.

As described in SF-286 and my Ethics Agreement, after my departure from The Boeing Company, I will receive the following:

- a lump sum annual cash incentive payment for the work performed up to the date of my departure from the Boeing Company. This payment will be pro-rated based on service time and will be paid by March 15, 2018.
 - payment for accrued, unused vacation
 - a portion of my interest in the Supplemental Benefit Plan in a lump sum payment in the January following my departure and the rest in annual installments for ten years after reaching entitlement
 - preparation of my 2017 taxes
 - payments for already granted performance awards for 2015, 2016, and 2017. These award payments will be paid three years after grant – the 2015 award in 2018, the 2016 award in 2019, and the 2017 award in 2020. These payments will be pro-rated based on service time.
 - vesting of Restricted Stock Units (RSUs) in the Boeing Company, which were granted to me as part of the company plans in 2015, 2016 and 2017, as well as an additional supplemental RSU grant given in 2015. This vesting will occur as soon as administratively possible, but no later than 60 days from my separation from the Company. The ordinary 2015, 2016 and 2017 grants will be pro-rated based on service time. The 2015 supplemental RSUs will vest in full.
 - payments of Performance Based Restricted Stock Units (PBRsUs). The PBRsU payments will be paid three years after grant – the 2015 award in 2018, the 2016 award in 2019, and the 2017 award in 2020. These payments will be pro-rated based on service time.
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 agreements to return to my current position. Following my government service, I expect to return to the private sector either in an in-house capacity or in private practice.

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.

N/A

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 wife is not employed outside the home.

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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[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.)

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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Please see my SF-278. Current valuations are the same as those noted on the form, with one exception: the value of the Boeing common stock I hold is now approximately \$650,000.

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 my SF-278.

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.

None.

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.)

2012	2013	2014	2015	2016
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[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.

In addition to our federal income tax returns, my spouse and I also file tax returns in the Commonwealth of Virginia.

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.

My work as an attorney in the past five years has been exclusively for The Boeing Company.

Bar licenses:

Commonwealth of Massachusetts, March 24, 2000
State of New York, May 22, 2002
Commonwealth of Virginia – August 6, 2009 (as corporate counsel)

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.

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?

Please see my SF-278. I have filed no other financial disclosures in the last three years.

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.

Yes. I have had a security clearance in my capacity as an employee of The Boeing Company, and took a polygraph exam as part of the clearance process.

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 ASSISTANT ATTORNEY GENERAL FOR THE NATIONAL SECURITY DIVISION AT THE UNITED STATES DEPARTMENT OF JUSTICE AND THE INTELLIGENCE COMMITTEES OF THE CONGRESS, RESPECTIVELY, IN THE OVERSIGHT PROCESS.

The national security threats the country faces are not short-lived, and much of the activity conducted to counter them is, of necessity, confidential. Thus it is important to maintain, over the long-term, the public trust that counterterrorism and counterespionage operations are conducted legally and prudently and that the tools that the public has given the Executive to fight these threats are used appropriately. Otherwise, these tools will be narrowed or taken away. Congressional oversight of these investigative activities, especially those that are confidential, provides the public with some large measure of that trust and thus is especially important in the area of national security. The Assistant Attorney General must work with the Intelligence Committees of the Congress to make them aware of the legal issues arising out of significant intelligence activities and to ensure that they have the information they need to oversee the use of the tools used by the Executive Branch. The Intelligence Committees themselves must satisfy themselves that the counterterrorism and counterespionage activities are taking place within the bounds of the law, are focused on the most significant threats, and are consistent with the priorities and values of the American people.

49. EXPLAIN YOUR UNDERSTANDING OF THE RESPONSIBILITIES OF THE ASSISTANT ATTORNEY GENERAL FOR THE NATIONAL SECURITY DIVISION AT THE UNITED STATES DEPARTMENT OF JUSTICE.

The job of the Assistant Attorney General for National Security is to oversee those operations of the Department of Justice that were brought together after September 11, 2001, in order to prevent and combat national security threats. These include the counter-terrorism and counter-espionage prosecutors, as well as the attorneys who work with the Intelligence Community on national security investigations. The Division plays an important role in the oversight of the Intelligence Community's use of national security investigative tools, particularly of those used by the Federal Bureau of Investigation in its national security investigations and of the use by any intelligence community element of the Foreign Intelligence Surveillance Act. The Assistant Attorney General is also responsible for being the conduit between the Intelligence Community and the Department of Justice and for ensuring that the interests of the Community are properly represented in the Department. The Assistant Attorney General is responsible for the Department's and the Intelligence Community's relationship with the Foreign Intelligence Surveillance Court, and represents the Intelligence Community before that Court. Importantly, the Assistant Attorney General works closely with this Committee and other parts of Congress in order to ensure that the national security professionals have the tools they need

to protect the country and that the Congress has the information it needs to conduct proper oversight of the use of these tools.

AFFIRMATION

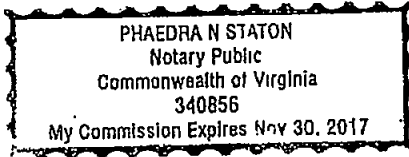
I, JOHN C. DEMERS, DO SWEAR THAT THE ANSWERS I HAVE PROVIDED TO THIS QUESTIONNAIRE ARE ACCURATE AND COMPLETE.

10/13/17
(Date)

[SIGNATURE] _____

[SIGNATURE]

(Notary)



TO THE CHAIRMAN, SELECT COMMITTEE ON INTELLIGENCE:

In connection with my nomination to be the Assistant Attorney General for the National Security Division at the United States Department of Justice, I hereby express my willingness to respond to requests to appear and testify before any duly constituted committee of the Senate.

[SIGNATURE] _____
Signature

Date: 10/13/17