

JOHNATHAN P. SMITH, III



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EXPERTISE

Corporate Governance
Global Privacy Compliance
Risk Management
Data Rights & Audits
DPO Data Protection
Policy Development & Implementation
Data Inventorying & Mapping
Regulatory Management
Cross-Border Internal Investigations Security
Training & Awareness
Monitoring & Incident Management
GDPR, CCPA, PIPEDA, BDSG, DPIA, PIA

BARS, CERTIFICATION, CLEARANCE

Maryland (inactive),
Colorado, Supreme Court of Virginia
U.S. Courts of Appeals (Fifth, Tenth, and Federal Circuits); U.S. District Court for the District of Colorado; U.S. Court of Federal Claims
CIPP/G, CIPP/US, CIPM
TSC/SCI Eligible

CHIEF PRIVACY OFFICER | CHIEF PRIVACY COUNSEL *Privacy Compliance Management*

*Distinguished Corporate General & Chief Privacy Counsel, Senior Advisor, Deputy GC
XXXXXXXXXX, DOD, Department of Homeland Security, DC Army National Guard*

Demonstrated Leadership Successes

- Implemented comprehensive global privacy compliance program – strengthening risk controls.
- Developed corporate privacy training for 6,000+ designated "Personal Information" custodians.
- Significantly improved existing third-party supplier privacy/security review process including annual questionnaires and on-site audits.
- Spearheaded the implementation of a COSO-based set of internal controls framework for enterprise privacy compliance program - reduced risk and maintained compliance with global privacy and data protection requirements.

Juris Doctor (J.D.), Washington College of Law, The American University, Washington, DC
Bachelor of Arts (B.A.) Metropolitan State University of Denver - Economics, minor in German
Master of Arts (M.A.), Naval War College, Newport, RI • National Security and Strategic Studies
Administrative Law Journal: Senior Articles Editor

EXECUTIVE CAREER HIGHLIGHTS

Chief Privacy Counsel

XXXXXXXXXXXXXX, Arlington, VA, 2011–Present

Leading privacy compliance and requirements, both U.S. domestic and internationally. Reporting to the Chief of Ethics and Compliance Officer.

PROGRAM DESIGN & DEVELOPMENT | CORPORATE TRAINING | PRIVACY & DATA PROTECTION

- Collaboration with key corporate, U.S., and overseas stakeholders to successfully build and advance corporate privacy program.
- Works closely with the business units, programs, and shared service functions to implement privacy-by-design and default in the company's external offerings and internal processing activities.
- Established and oversaw learning management system (LMS) based training for 1,000's of employees complying with US, EU privacy requirements.
- Assesses and responds to security and personal informational incidents.
- Maintains situational awareness on current and developing privacy requirements (U.S. and global).

DC Army National Guard

2005–2011

National Guard Bureau's (NGB) Office of Chief Counsel

Judge Advocate, Legal Support Organization (NGB-LSO), 2006-2011

FOIA/Privacy Officer, NGB (2013) / Counsel, NGB-JA (2018)

Arlington, VA & Washington, DC

Served as part of the general and operational law team, member of DCARNG, Legal Support Office (NGB-LSO), supporting the NGB Office of the Chief Counsel.

PRIVACY | FOIA | RECORDS MANAGEMENT | POLICY DRAFTING & REVIEW

- Privacy impact assessments, systems of records notices (Privacy Act of 1974); responded to breaches.
- Active duty as acting FOIA/Privacy lead; counsel to Department of the Army-directed investigations.
- Served on NGB-LSO's contracts.
- Conducted privacy training as needed.

Judge Advocate | Senior Advisor & Counselor | Periodic Review Secretariat Department of Defense

Arlington, VA & GTMO Naval Station

2001–2005

Integral role of operational support of Operation Enduring Freedom providing legal and policy advice to the Director, senior civilian and military leadership.

LEGAL & POLICY ADVISEMENT | EXECUTIVE ORDER 13567

- Supported discretionary review, on a periodic basis, of the continued detention of certain detainees Held at Guantanamo Bay, Cuba pursuant to the Authorization for Use of Military Force.

**General Counsel | Deputy GC | DAEO | Director of Privacy, Records, Disclosure
Office of the Special Inspector General for Afghanistan Reconstruction (SIGAR)**
Arlington, VA

2000–2005

Served in varying capacities as a trusted advisor and official with pragmatic responsibilities spearheading the establishment and oversight of several programs during the reconstruction of Afghanistan.

PROGRAM MANAGEMENT | ETHICS | FOIA | RECORDS

- Legal advice and counsel to leadership, auditors, and investigators on various legal matters.
- Formed and led the ethics program as the Designated Agency Ethics Official.
- Designed and oversaw the privacy, Freedom of Information Act (FOIA), and records management programs.
- Drafted and published internal agency governance documents, systems of records notices and privacy impact assessments.
- Worked with the Audits and Investigations directorates, provided advice and counsel on various legal matters, to include the oversight process as relates to reconstruction grants and contracts.
- Led the agency's adoption of a web-based financial disclosure reporting system.

**US Privacy Co-Lead | Advisory Services
PricewaterhouseCoopers LLP**

McLean, VA

1995–2000

Served as commercial client advisor in the areas of global information privacy and security compliance risk management. COMMERCIAL CLIENTS: Health care, financial, information technology, manufacturing, & public sectors.

- Key role assisting with issues involving the privacy and security of data, information and cyber security, cyber crime, and corruption. Further matters include privacy compliance, security and identity theft assessment, privacy/security breach investigation notification and overall risk management strategies.

Additional Relevant Experience

United States Department of Homeland Security, Arlington, VA

Chief Privacy Officer

Statutory officer with primary responsibility for privacy policy at DHS, reporting directly to the Secretary and Deputy Secretary. Oversaw office budget of approximately \$5M. Chair the Chief Information Officer Council's Cyber Security Subcommittee / Chief FOIA Officer for the Department. Often spoke on behalf of the Department nationally and internationally on privacy issues.

OPERATIONAL MANAGEMENT | FEDERAL & GLOBAL PRIVACY REQUIREMENTS | TRAINING

- Directed approximately 35 career and contractor staff / indirect oversight of 300+ component privacy and FOIA employees.
- Testified before House and Senate committees, met frequently with staff – reporting annually to Congress.
- Oversaw development, implementation, and maintenance of privacy and information policies, procedures and programs.
- Served as one of two DHS principals on the joint US/EU High Level Contact Group.
- Stakeholder relations - private sector privacy professionals, privacy advocacy community, global data protection authorities.
- Responsible for implementation of, and compliance with, Privacy Act of 1974, Freedom of Information Act (FOIA).
- Conducted Privacy Impact Assessments (E-Government Act of 2002 and Section 222) of the Homeland Security Act.
- Assured technologies used by the Department to protect the United States sustain, and do not erode, privacy protections.

Associate General Counsel for General Law | Office of the General Counsel | Washington, DC

Managed 20+ staff and attorneys. Reported to the Secretary and Deputy Secretary. Oversaw budget of approximately \$5M.

CONSOLIDATED VIEW OF OTHER TRAINING & CERTIFICATIONS

University of Virginia, Center for National Security Law - National Security Law
The Judge Advocate General's Legal Center and School, Charlottesville, VA - Various

HONORS & AWARDS

Secretary's Award for Exceptional Service
Excellence in Global Business Services